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ANDAMAN AND NICOBAR ADMINISTRATION SECRETARIAT

NOTIFICATION

Port Blair, dated the 13th October, 1999.

No. 161/99/F.No.3-53/97-LSG.- Whereas the draft Notification inviting claims and objections under Sub- Section (3) of Section 202 of the Andaman and Nicobar Islands (Municipal) Regulation, 1994 was published in The Daily Telegrams dated 18-12-98 vide Notification No. 99/98/F.No3-53/97-LSG dated 22-7-98 for information of the General public.

Whereas the objection/suggestion received from the General Public within the specified period have been examined with due consideration.

Now, therefore in exercise of power s conferred under Sub-Sections (3) of Section 202 of the Andaman and Nicobar Islands (Municipal) Regulation, 1994 the Hon'ble Lieutenant Governor has been pleased to confirm the following Bye-Laws:-

1. Port Blair Municipal Council Building Bye-Laws.

Sd/-
(ISHWARI PRASAD GUPTA)
Lieutenant Governor,
Andaman and Nicobar Island.

By order and in the name of the Lieutenant Governor,

Sd/-
Assistant Secretary (LSG)

PORT BLAIR MUNICIPAL COUNCIL BUILDING BYE-LAWS

1. These Bye-laws shall be called the Port Blair Municipal Council Building Bye-Laws.
(2) They shall come into force with immediate effect.
2. DEFINITION:
In these bye-Laws unless the context otherwise requires :
 - 2.1 A person is said to erect or re-erect a building who makes any material alteration or enlargement of a building or any part thereof.

EXPLANATION: Any alteration in a building shall be deemed to be material, if it -

- (a) Affects or is likely to effect prejudicially the stability or safety of the building or the condition of the building in respect of drainage, ventilations, sanitation or hygiene, or
- (b) Increase of diminishes the height or cubical capacity of, or the area covered, by the building or reduces the cubical capacity or any room in the building below the minimum prescribed in any Bye-Law; or

- (c) Converts into a place for human habitation a building originally constructed for other purposes, or
 - (d) Involves the addition of any rooms, out-houses or other structures to any building, or
 - (e) Involves the construction; in a wall adjoining any land not belonging to the owner of the wall, or a door opening on to such land, or.
 - (f) Is in alteration of any kind which has been declared by any bye-law to be a material alteration.
- 2.2. 'Appendix' means and appendix to these bye-laws.
- 2.3 "Approved means approved by the authority having jurisdiction.
- 2.3 (a) "Authority having jurisdiction" means the Port Blair Municipal Council for the purpose of administering the Bye-Laws or any part thereof, any Committee or an official authorized by the Port Blair Municipal Council to act on its behalf herein after called the authority.
- 2.4 "Balcony" means a horizontal projection including a handrail, balustrade or parapet to serve as a passage or sitting out place, if roofed becomes balcony varandah.
- 2.5 "Basement storey" or "Cellar" means any storey of a building which is under the first storey and any portion of which below the level of the adjoining pavement of the surrounding ground.
- 2.6 "Building" means any structure for what-ever purpose and of what so ever materials constructed and every part there-of whether used as human habitation or not and including foundation, plinth, walls, roofs, plumbing and building services, fixed platforms, verandahs, cornice, Projection, part of the building or anything affixed there-to, stair-case , door steps attached to or any wall enclosing or intended to enclosed and any land or space and signs and outdoor display structures, monuments memorials well or any contrivance of permanent nature/stability built under or over ground or any existing building or construction of the ground which is to be the site or compound of a projected building.
- 2.6 (a) "Registered Architect/Registered Engineer/Licensed Supervisor "means ' an Architect' Engineer or Licensed Supervisor in the jurisdiction of the Port Blair Municipal Council having the qualification as mentioned in these bye-law 3.5 (1) to 3.5 (iii) and registered with the Port Blair Municipal Council.
- Note: The Chairperson of Port Blair, Municipal Council with the approval of the Council shall issue licence to the persons on request, having qualification as mentioned in Bye-Laws 3.5 (i) to 3.5 (iii) for designing and supervising every building works for which permission is sought under the Bye- laws.
- 2.7 "Building height of "means the vertical distance measured. in the case of flat roofs from the average level of the centre line of the adjoining street to highest points of the building adjacent to the street wall, 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 case of gable facing the road, the mid point between the eaves level and the ridges Architectural feature serving no other function except that of decoration shall be excluded for the purpose of taking height's and 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.
- 2.8 "Building Line" means the line up to which the plinth of a building adjoining a street, or an extension of street or on a future street may lawfully extend

and include the line prescribed, if any. In any scheme, provided that the space between the building line and the street alignment, the following structures only are allowed.

- (a) A Plinth, slope and other similar structure not being above the lower or level of the building.
- (b) A fence not exceeding 1.5M in height.
- (c) Any Chajja, Balcony canopy, eaves or other similar projecting portion of the building above a height of 2.75Mtrs. Measured from ground level, if no pillar wall or other structure is erected in the open space for support.
- (d) CARPET AREA - The covered area of the usable rooms at any floor level (excluding the area of the wall)

2.9 "Ceiling Height" means the vertical distance between the floor and the ceiling.

2.10 "Chajja" or the Sunshade means a sloping or horizontal structural overhang usually provided over openings on external walls to provide protection from sun and rain not exceeding 60 cms.

2.11 "Chimney" means an upright shaft containing and encasing one or more flues.

2.12 "Cornice" means a horizontal ornamental projection on roof level protecting not more than 60cms.

2.13 "Courtyard" means a space open to the sky, enclosed or partially enclosed by building, Boundary walls or railing and may be at ground floor level or any other level within or adjacent to a building.

2.14 "Covered area"-ground area covered by the building immediately above plinth level, but does not include the space covered by:-

- (a) Garden, rockery, well and well structures, plant nursery, water pool, swimming pool(if covered) platform round the tree, tank, foundations, bench, chabutra with open top unenclosed sides by walls and the like.
- (b) Drainage, culvert, conduit, catch pit, gullypi, chamber, gutter and the like, and
- (c) Compound wall, gate unstoreyed porch and portico, slide, swing, uncovered staircases, ramps, areas covered by chajja and the like.
- (d) Watchman's booth, pump house, garbage shaft, electric cabin or sub-stations, and such other utility structures meant for the services of the building under consideration.

2.15 Cross-wall means an internal wall, built into an external wall of which it forms the limiting factor for the purpose for deciding its thickness.

2.16 Conversion means the change of occupancy or premises to an occupancy or use requiring additional occupancy permit.

2.17 Damp proof means a course consisting of some appropriate water proofing material provided to prevent penetration of dampness or moisture from any part of the structure to any part of a height of not less than 150mm above the surface of the adjoining ground.

2.18 "Detached building" means a building where walls and roof are independent of any other building- A building detached on all sides.

- 2.19 Drainage” means act, process, method or means of drainage, mode of discharge water, the system of drains.
- 2.20 DWELLING/UNIT TENEMENT- An independent housing unit with separate facilities for living, cooking and sanitary requirements.
- 2.21 “Existing Building” or “use” means a building structure or its use as sanctioned, approved, regularized by the competent authority, existing before the commencement of these bye-laws.
- 2.22 “External air” or “open air space” means space open to sky.
- 2.23 “External Walls” means an outer wall of a building not being partition wall, even though adjoining to a wall of another building and also a wall abutting on an interior open space of a building.
- 2.24 More resisting material” includes any of the following materials and things namely:-
- (a) Brick work constructed of good, hard, sound, well burnt brick, fire brick, stone and other hard and incombustible material, properly bonded and solidly put together with mortar well composed of not less than one part of good fresh burnt lime and not more than two parts of clean sharp sand or with good cement mixed with sand;
 - (b) Iron and steel encased in cement concrete or asbestos sheet;
 - (c) Slate, tiles, brick and terra cotta when used for covering or corbels;
 - (d) Flagstones when used for floors, over arches, but not exposed on the under sides and not supported at the end only;
 - (e) Concrete not less than 100mm in thickness, composed of broken bricks stone chipping or ballast and lime, cement or calciness gypsum when used for filling in between joint of floors.
 - (f) Reinforced cement concrete and other incombustible cement products; and
 - (g) Any article made of asbestos and cement.
- 2.25 FLOOR - The lower surface in a storey on which one normally walks in a building. The general term ‘Floor’ unless specifically mentioned otherwise shall not refer to a “mezzanine floor”.
- 2.26 Floor area ratio of F.A.R” means the quotient obtained by dividing the multiple of the total of the covered area on all floors and 100 by the area of the plot i.e.

$$\text{F. A . R} = \frac{\text{Total Covered area of all floor} \times 100}{\text{Plot Area}}$$

- 2.27 “Flue” means a confined space provided 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.
- 2.28 “Footing” means off set portions of a foundations to provide a greater bearing area.
- 2.29 “Foundation” means that part of a structure which is below the lower most floors and which provides support for the superstructure and which transmits loads of the superstructure the bearing materials.

- 2.30 "Gallery" means the raised portion of a room which remains open to the room and the floor of the gallery may be either level or slopped.
- 2.31 "Garage" means building or outhouse designed or used for the storage of vehicles.
- 2.32 "Habitable room" means a room occupied or designed for occupancy by one or more persons for study, living, sleeping, eating, and kitchen if it is used as living room, but not including bathrooms, water closet compartment, laundries, serving and storage pantries, corridors, cellars, attic and spaces that are not used frequently or during extended periods.
- 2.33 "Load, dead" means the weight of all permanent stationary construction becoming a part of the structure.
- 2.34 "Load, live" means load dead that may be imposed on a structure and wind loads shall be considered as live loads.
- 2.35 "LOFT"- An intermediate floor between two floors on a residual space in a pitched roof, above normal floor level with a maximum height of 1.5m and which is constructed or adopted for storage purposes.
- 2.36 "Masonry" means the form of construction composed of brick, stone, structural clay tile, concrete blocks, gypsum, or other similar building units or materials or combination of these materials laid up unit by unit bonded together and set in mortar.
- 2.37 "MEZZANINE FLOOR"- An intermediate floor, between two floors, above ground level accessible only from the lower floor.
- 2.38 "Non-Combustible" means such materials which neither burns nor gives off inflammable vapors in sufficient quantity to ignite a piled flame.
- 2.39 "Occupier" means a person for the time being holding any land by license, grant or otherwise under the provisions of the LR & LR Regulations 1966 and any other person claiming any interest thereon through or under him.
- 2.40 "Open Space" means an area forming an integral part of the plot left open to the sky.
- 2.41 "Parapet" means a low wall built along the edge of a roof or floor not more than 0.9m in height.
- 2.42 "Parking Space" means an area enclosed or unenclosed sufficient in size to park vehicles together with a drive-way connecting the parking space with a street or alley and permitting ingress and egress of the vehicles.
- 2.43 "Partition" A interior non load bearing barrier, one storey or part storey in height.
- 2.44 "Plinth Area" The Built up covered area measured at the floor level of the basement or of any storey.
- 2.45 "Plinth Level" means the level of the ground floor of a building above the surrounding ground.
- 2.46 "Porch" means a covered surface supported on Pillars or otherwise for the purpose of pedestrians or vehicular approach to a building.
- 2.47 "Service Lane" means a lane provided at the rear or side of a plot for service purposes.

- 2.48 “Shop” means a building or part of a building where articles or food and of personal and domestic household use and consumption are sold and goods of any kind and goods that are ordinarily retailed but does not include a workshop.
- 2.49 “Site (plot)”, A Parcel (piece) of land enclosed by definite boundaries.
- 2.50 “Storey” means the portion of a building including between the surface of any floor and the surface of the floor next above it or if there be no floor next above it, or if there be no floor above it, then the space between any floor and the ceiling next above it.
- 2.51 “Structure” means something constructed or built having a fixed base on or fixed connection to the ground or other structure.
- 2.52 “Street” means any road, bridge, footway lane square, aley or passage in the Municipal area along which the Public or any port on of the public has a right to pass and include the drains or gutters on either side and the land up to the defined boundary of any abutting property, not with-standing the projection over such land of any verandah or any Super Structure.
- 2.53 “Street Line” means a line defining the side limits of a street.
- 2.54 “To abut” means to abut on a street such that any portion of the building is on the street boundaries.
- 2.55 “Unsafe Building” means a building which is structurally unsafe, in sanitary or not provided with adequate means of egress of which constitutes a fire hazard is otherwise dangerous to human life or which in relatives to existing use constitute to safety or health or Public Welfare, By reason of inadequate maintenance dilapidation or abandonment.
- 2.56 Water Closet WC” A Water flushed plumbing fixture designed to receive human excrete directly from the user to the fixture. The term is used sometimes to designate the room or compartment in which the fixture is placed.
- 2.57 “Window” means an opening to the outside other than a door which provides all or part of the required natural light and ventilation or both to an interior space.
- 2.58 “Yard” means as open space at ground level between a building and the adjoining boundary lines of a plot unoccupied and unobstructed except the structures specifically permitted by these bye-laws, on the same plot with a building.
- 2.59 “Yard Front” means a yard extending across the front of a plot between the side yard between the side yard lines and plot being the minimum horizontal distance between the street line and the main building or any projection thereof other than steps enclosed balconies and enclosed porches.
- 2.60 “Yard Rear” means a yard extending across the rear of a plot measured between plot boundaries and being the minimum horizontal distance between the rear plot boundary and the rear of the building or any project or other than steps, enclosed balconies or enclosed porches. In a corner plot, the rear yard shall be considered as parallel to the street upon which the plot has its least dimension in both the corners and interior plots the rear yard shall be at the opposite end of the plot from the front yard.
- 2.61 Yard Side” means a yard between the building and the side line of the plot and extending from the front line to the plot and being the minimum horizontal distance between a side boundary line real line of the and the

sides of the building of any other projection other than steps, unenclosed balconies, unenclosed Porches.

2.62 "Size of Plots" Residential – Each plot shall have a minimum size/frontage corresponding to the type of development as given below: -

Type of Development	Plot Size m2	Frontage m
Detached Building	above 100.00	above 12
Semi-detached Building	50.00 to 100.00	8 to 12
Row-type building	upto 50.00	4.5 to 8.

2.63 "Row Housing/Row type building" A row of buildings, with only front, rear and interior open space where applicable.

PART-II

PROCEDURE FOR OBTAINING BUILDING PERMIT FOR THE ERECTION OF BUILDINGS AND EXECUTION OF WORKS.

- Notice: 3.1 Every person, who intends to construct, reconstruct, alter or add to a building or demolish any building shall give notice to the authority for the approval of the site and for permission to execute the work in the forms specified in appendix 'A' with such variation as circumstances may require.
- Site Plan: 3.2 It shall be accompanied by:
 (i) Land Records- Revenue map and records entry pertaining to the plot on which building is to be constructed/ reconstructed altered or added, issued by the competent authority.
- Building Plan: (ii) A Plan or Plans (in triplicate) of the building to be constructed, Reconstructed altered or added to draw or reproduced in a clear and legible manner of suitable or durable material and showing a ground floor plan, elevation or each floor and sections of the building and complying with the requirements specified in appendix 'C' and
- Specification (iii) A specification (in triplicate) complying with the requirements Specified in the Appendix 'D' as far as may be necessary.
 (iv) An undertaking that coral shall not be used as a building material in any form.
- Signing the plan 3.3. All the plans shall be duly signed by the occupier/authorized agent and the registered architect, Regd. Or Licensed Supervisor and should indicate their names, address, qualifications and license number.
- 3.4 Every person who has given notice to the authority for the approval of the site and for permission for execution of work shall inform the authority in writing the date of commencement of the work and on completion of plinth level, roof level and report of completion to facilitate the authority for inspection.
- Colouring the Plan 3.3 (A) The colours to be used in the plans shall be as in the following table.

Item	Site Plan		Building Plan	
	Amonia print white plan	Blue print	Amonia print white plan	Blue print
1. Existing works	Black (out line)	White	Black	White
2. Proposed works	Red (filled in)	Red	Red	Red
3. Drainage & Sewerage work	Red dotted	Red dotted	Red dotted	Red dotted
4. Water supply work	Black dotted thin	Black dotted thin	Black dotted thin	Black dotted thin
5. Works proposed to be dismantled	Yellow hatched	Yellow hatched	Yellow hatched	Yellow hatched
6. Open spaces	No colour	No colour	No colour	No colour
7. Plot lines	Thick black	Thick black	Thick black	Thick black
8. Permissible building line	Thick dotted black	Thick dotted black	--	--
9. Existing street	Green	Green	--	--
10. Future street if any	Green dotted	Green dotted	--	--
11. Work to be regularized or diviation made	Red dotted	Red dotted	Red dotted	Red dotted

Drawing etc. Prepared by Licenced Architect etc. 3.4 Every building work for which permission is sought under the Bye-laws shall be designed and supervised by the Regd. Architect/Regd. Engineer/Licenced Supervisor. Qualification which a person shall have for registration as Reg-streed Architect/Regd. Engineer/Licenced Supervisor within the jurisdiction of the Port Blair Municipal Board shall be mentioned in 3.5(i) to 3.5(iii)

Qualification of Regd. Architect Regd. Engineer Licenced Supervisor 3.5 (i) The minimum qualification of a Regd. Architect Shall be a Regd. Architect with the COUNCIL of Architecture under the Architects Act, 1972 (20 of 1972).

(ii) The minimum qualification for a registered Engineer shall be the corporate membership (civil) of the institution of Engineer (India) of such degree or Diploma in civil, Municipal or Structural Engineering which makes him eligible for such membership.

(iii)The minimum qualification for Licenced Supervisor shall be: -

(a). 3 years Architectural Assistantship of Intermediate in Architecture or

(b). Diploma in Civil Engineer; or

(c). Certificate course in Draftsmanship in Civil Engineer form I.T.I. or equivalent with 5 (five) years experience.

3.5 (A) The Authority may decline to accept any plan, section or specification which does not bear the signature of a Reg. Architect, Regd. Engineer of Licenced Supervisor in token of its having been prepared by the Licensee or under his supervision.

Competence: 3.5 (b) (1) ARCHITECT/ ENGINEER

The licenced Architect is competent to carryout work related to building permit as give below and will be entitled to submit:

- (a) All plans and related information connected with building permit.
- (b) Structural detail and calculation for building on all plots.
- (c) Certificate of supervision for all building.
- (d) All Layout plans.

(II)SUPERVISOR.

The Licenced Supervisor will be entitled to submit all plans and related Information connected with Building permit on plots up to 200 sq. Mtrs. And up to two storeys only.
LICENCING 3.5 (c)

The qualified technical personnel or group as given in 3.5 shall be licensed with the authority as prescribed in appendix-k and the license shall be valid for one calendar year ending 31st December after which it shall be renewed annually.
LICENCE FEE 3.5(d)

A Registration/ Licence fee as prescribed in Appendix-‘K’ shall be charged for enlistment with the Municipal Council as Licensed Architect, Licenced Engineer, Licence Supervisor as the case may be.

3.6 Every Person, who intends to erect a building or execute any such work shall get its structural work designed by

(a) A registered Architect or Regd. Engineer in the case of RCC & STEEL structures for more then two storeyed residential buildings.

(b) A licenced supervisor in other cases.

3.7 No notice and building permit is necessary for the following alterations which do not otherwise violate any provisions regarding general building requirements structure stability and fire safety of the bye-laws:-

- (a) Opening and closing of a window or door or ventilator;
- (b) Providing intercommunication doors;
- (c) Providing partition;
- (d) Gardening;
- (e) White Washing;
- (f) Painting;
- (g) Plastering and patchwork;
- (h) Reflooring;
- (i) Construction of sunshade; and
- (j) Re-erection of portions of building damaged by earthquake or other natural calamities, to the same extent and specification as existed prior to such damage.

Procedure for
Construction
By govt.Agencies

3.7 (A) Regarding submission of plan by Govt. Department, the procedure shall be as follows:

(a) All building whether by Government or Private Architects shall in all its aspects confirm to the bye-laws.

(b) The Central/State Govt. or A&N Administration shall designate an authority within its own department to issue a certificate specifying that the bye-laws have been followed in all its aspects. The plan then that the

bye-laws have been followed in all its aspects. The plans then need not be submitted to the local authority for approval.

- (c) The certificate mentioned in 3.7 (A) (b) above shall preferably be given by a person not directly connected with the preparation of plan and specification.
- (d) All Plans and other details shall be submitted to the local authority for information and record.
- (e) In the case of construction of defence departments, layout plan should be submitted and general indication given whether they are residential or not so that the local authority can estimate the requirements of water, electricity and sewerage disposal.

Fees

3.8 No notice as referred to in 3.1 shall be deemed valid unless and until the person giving notice has paid the fees prescribed by the authority and an attested copy or duplicate copy of the receipt of such payment is attached with the notice.

3.9 (i) The fees as mentioned in 3.1 shall be charged in terms of the floor area of the building. In the event of a "building permit" is not issued the fees so paid shall not be returned to the occupier by he shall be allowed to resubmit it with 10% of fee described under rule 3.8 after complying with all the objections raised by the authority within a period of 6 months from the date of rejection after which fresh fees shall have to be paid.

(ii) The building permit fees for all buildings shall be as under:

(a) All kind of residential building

Total covered	- upto 150.00 sq.mtrs	- Rs.04.00/M2
Area on all	- upto 300.00 sq.mtrs	- Rs.10.00/M2
Floors	- above 300.00 sq.mtrs-	Rs.20.00/M2.

(b) All Kinds of commercial building

Total covered	- upto 150.00 sq.mtrs	- Rs.40.00/M2
Area on all	- upto 300.00 sq.mtrs	- Rs.60.00/M2
Floors	- above 300.00 sq.mtrs	- Rs.120.00/M2.

(c) Public Buildings

Total covered		
Area on all	- upto 150.00 sq.mtrs	- Rs.10.00/M2
Floors	- upto 150.00 sq.mtrs	- Rs.50.00/M2

(d) Additions, Alterations & Fee. Revisions - 50% of original permit

(e) Revalidation - 25% of the original permit fee per year after expiry of the original building permit.

- 10% in case the revalidation sort for before the expiry of the original building permit.

NOTE: In no case the building permit fee as specified above shall be less than Rs.100/-

3.10. notifications of stages :

(1) As work progresses under a building permit, the holder thereof shall cause the Authority to be notified at the following stages of constructions:

- (a) Upon commencement of the work.
- (b) Upon completion of the footings and before erection of the foundation walls; and
- (c) Upon total completion of the work authorized by the building permit and before occupancy in the form prescribed in Appendix-'E'.

(2) inspection at the stages referred to as (a) and (b) of sub-rules (1) shall be made by the Authority or any other Officer authorized by him within 7 days following the receipt of the Notice after which period the owner will be free to continue the construction according to the sanctioned plan. At the first inspection the Authority or the Authorised Officer shall determine to the best of his ability that the building has been located in accordance with the site plans and yard area complying with the requirement of these rules. The final inspection at the stage indicated in clause (c) of sub rule (1) shall be made within 21 days following the receipt of Notice for the grant of occupancy Certificate.

3.11. The sanction once accorded shall remain valid for 2 Years.

3.12. If during the construction of a building any departure of a substantial nature from the sanctioned plan is intended to be made, sanction of the authority shall be obtained before the change is made. The revised plan showing the deviation shall be submitted and procedure laid down for the original plan apply to such amended plan.

Prevention of permit

3.13 The authority may revoke any permit issued under the provisions of the Bye-Laws Wherever there has been any fake statement or misrepresentation of any material fact in the Application on which the permit was based.

3.14 The Authority may either sanction or refuse the plans and specifications or may sanctioned them with such modification and direction as it may deem necessary and there upon shall communicate its decision to the person giving the notice, in Appendix-'E' or 'J' as the case may be.

3.15 If within 60 days of the receipt of the notice under 3.1 of the bye-laws, the authority fails to intimate in writing to the person, who has given the notice of its refusal or sanction, the notice with its plans, statements shall be deemed to have been sanctioned, provided that the fact is immediately brought to notice of the Authority in writing by the person who has given notice and having not received any information from the authority within 30 days of giving such written notice subject to the conditions mentioned in this clause nothing shall be constructed to authorized any

person to do anything in contravention of or against the terms or lease of titles of the land or any other regulations, bye-laws ordinance in operation, on the site of the works.

3.16 In the case of refusal, the authority shall quote the reason and relevant section of the bye-laws which the plan contravenes. The authority shall be as far as possible point out the objections to the plan and specifications in the first instance itself and ensure that no new objection are raised when they are resubmitted after compliance of earlier objections.

Ground for refusal of Building plan of work

3.17 (A) The grounds on which the sanction of a building plan or work may be refused shall be the following namely:

(a) That the building or work or the use of the site for the building work or any of the particulars comprised in the site plan, ground plan elevation section or specification would contravene the provisions of any bye-laws made in this behalf or any other law or rule, bye-law of order made under such other law.

(b) That the notice of sanction does not contain the particulars or is not prepared in the manner required under the bye-laws made in this behalf.

(c) That any information or documents required by the Secretary/ an officer authorized by the Municipality under the Regulation or any bye-laws made there under has or have not been duly furnished.

(d) That in case falling under the section/layout plans have not been sanctioned in accordance with the bye-laws.

(e) That the building or work would be an encroachment on Govt. Land or land vested in the Municipality.

(f) That the site of the building or work does not abut on a street or projected on street and that there is no access to such building or work from any such street by a passage or pathway appertaining to such site.

The Secretary or any officer authorized by him with the approval of the Chairperson shall communicate the refusal along with the reason there of to the person who has given the notice.

3.18 Once the plan has been scrutinized and objection have been pointed out, the Occupier or owner giving notice shall modify the plan to comply with the objection raised any resubmit it, with the prescribed as mentioned as under 3.9

Temporary Occupancy

3.19 Upon the request of the holder of the permit, the authority may issue a temporary Occupancy certificate of occupancy for a building or part thereof before the entire work covered by the permit shall have been completed provided such portion may be, occupied safely prior to full completion of building without endangering life or Public Welfare.

Completion Certificate 3.20 The Form of Notice of completion of the erection of a building or the execution of Any work required to be given shall be in the form set forth in appendix-E

Occupancy Certificate 3.21 With in a period of 30 days after receipt of the notice of completion referred to in by laws 3.18 the Authority shall communicate in the form set forth in appendix-F
The requisite permission to occupied any such building or to use any building or a Part thereof effected by any such work.

PART -III

4 HEALTH SANITATION AND OTHER REQUIRMENTS

Requirements Of Sites 4.1 Any land passage or any other area within the cartilage of a building shall if the Authority so requires be effectively drained by surface water drains or other means.

Proximity to Electric Lines 4.2 No verandah, Balcony or the like shall be allowed to be erected or re-erected or any additions or alteration made to building within a distance coated be below in accordance with the current Indian Electricity rules and its amendments from time to time between the building and any over head Electric supply lines.

	Vertical Clearance From the highest point	Horizontal Cleaaance from the nearest point
a) Low & medium Voltage lines and Service lines	2.5	1.2
b) High voltage line Up to and including 33,000 volts	3.7	2.0
c) Extra high voltage Lines beyond 33,000 Volts	3.7(+0.3for every additional 33 KV)	2.0 (+ 0.3 for every additional 33KV)

(Plus 0.3m for every additional 33,000 volts or part thereof)

4.3 No building shall be constructed on any site, any part of which there is deposited refuse or other offensive matter objectionable to the Authority until such refuse has been prepared or left in manner suitable for building purposes to the satisfaction of the Authority.

Proximity to Burial or Burning Grounds 4.4 No site which is situated with in a distance of 90 m from a place used as a burial or burning ground shall be used for the construction of any building without the previous approval of the Health Officer & no building intended for human habitation with in burning place or ground was closed or burning or burial place or ground shall be reconstructed or added to without the previous approval of the Health Officer.

4.5 No site shall be approve for construction of building unless provision of Suitable measures for checking the erosion of soil and sliding due to excavation are made to the satisfaction of Authority.

Preservation of existing Trees 4.6 Every person who constructs, reconstructs, Alters or adds to a building shall carry out such measures as far as possible to conserve and protect all existing trees with a diameter of 30 cm

- and more within his site provided That all dangerous trees which are likely to cause damage to his own all adjoining properties shall be caused to removed. The Municipal Board shall consult the town-planning branch of A.P.W.D/Directorate of town planning in giving permission for removal.
- Preservation of 4.7 Every person who constructs, re-constructs, alters or adds to a Contamination to Fresh water source building shall wherever the site is within 15m of any tank, reservoir, water course, river fresh water channel or well, carry out such measures as may be necessary or as the authority may direct for the purpose of preventing any contamination of any risk of the drainage of building passing into such tank reservoir, water-course, river, fresh water channel or well

RAIN WATER HARVESTING

- 4.8 Every person who constructs, reconstructs, adds to a building or alters it, shall provide a proper spout /tank for collection of rain water which shall be utilized for various domestic purpose other than drinking.

5. FOUNDATIONS

- Foundation 5.1 The foundation of every building or structure shall be so designed and constructed so as to sustain the dead load of the building and the live load and to transmit and distribute loads over the soil in such a manner that pressure brought to bear on the soil buy these load does not exceed the safe bearing capacity of the soil.
- 5.2 The foundation shall be taken down to such a depth or so constructed as to render the building immune from damage from movement due to seasonal variation in the content of moisture in the ground.
- 5.3 The design and construction of foundation shall confirm to the appropriate Indian Standard Specification.
- 5.4 Every person who constructs, reconstructs, adds to, or alters a building shall take such steps, do such things as the authority may direct or require so as to secure proper stability of the building and to render the building immune from any settlement of movement that may be caused in the soil sliding of the sub-stratum on sloping ground distributed on concentrated laterial pressure or other causes.

6. PLINTH

- Requirements Of plinth 6.1 Every person, who constructs, re-constructs, add to or alters a building, shall comply with the following requirements.
- The ground floor or lowest floor of the building shall be at such level as will allow of the effectual drainage of that floor. Unless the authority, having regard to the circumstances of the case, directs otherwise, the height of plinth shall not be less than 30cm above the ground or site level. Provided that stables, cattle shed, building of similar nature not intended for human occupation who have the plinth and the lowest floor there of , not less than 15 cm above the ground or site level. Unless the authority, having regard to the circumstances of the case directs otherwise.
- 6.2 Byelaw 6.1 shall not apply to a cellar or granary below the ground floor, which is intended for storage only, and

constructed in dry soil or in such manner as to be impervious to moisture.

7. DIMENSIONS OF HABITABLE ROOMS

7.1 The height of all rooms for human habitation shall not be less than 2.75 meters measured from the surface of the floor to the lowest part of the ceiling bottom of slab in the case of an air conditioned rooms, a height of not less than 2.4 meters measured from the surface of the floor to the lowest point of air conditioning duct or the false ceiling, shall be provided.

Provided that in the case of a sloped roof the height shall not be less than 2.4 meters at any point.

7.2 No habitable room shall have a floor area less 9.50 sq.mt providing that the case of a building having more than on habitable room and the other rooms, at least one room shall have a floor area of 9.50 sq.mtr. and the other rooms shall not have a floor area less than 7.25 Sq.Mtrs

7.3 The minimum width of all habitable rooms shall be 2.4 meters.

Kitchen Requirements

8 Kitchen

8.1 The height of the kitchen measured from the surface of the floor to the lowest point in the ceiling slab bottom shall not be less than 2.75 Mtr.except for the portion to accommodate floor trap of the upper floor.

8.2 The area of the kitchen shall not be less than 5.0 Sq.Mtr.and with a minimum width of 1.8 Mtrs. Where there is a separate store, floor area of the kitchen may be reduced to 4.5 Sq.Mtrs. A kitchen which is intended for use as a dining room also shall have a floor area not less than 7.5 Sq.Mt.with a minimum width of 2.1 Mtrs, provided that in the case of low cost housing, Kitchen may be separated room by itself or it may be part of the multipurpose room. In the case of a regular Kitchen the area should not be less than 4 Sq.Mtrs. with a width of not less than 15 Mtrs.

8.3 Every room to be used as a Kitchen shall have :

(a) Unless Separately provided in a pantry, means for the washing of the Kitchen utensils, which shall be directly or through a sink to a grated and trapped connection to a waste pipe.

(b) An impermeable floor.

(c) A Hearth with chimney.

(d) The Hearth and the flue must be constructed on non-combustible materials.

(e) The walls of the Kitchen should be at least of two hours fire-resistance type. If this is not feasible the Kitchen wall around the hearth and chimney must be constructed of two hours fire resistance type.

	9. BATH ROOM AND WATER CLOSETS:
Requirements	<p>9.1 The Height of a bathroom or a water closet measured from the surface of the floor to the lowest point in the ceiling (bottom of slab) shall not be than 2.0 M.</p> <p>9.2 The floor area of the bathroom shall not be less than 1.8 Sq.M with minimum width Of 1.20 M.</p> <p>9.3 The Floor area of a bath-cum-water closet shall not be less than 2.8 Sq.M. with a Minimum width of 1.2 M.</p> <p>9.4 The minimum floor area of water closet shall be 1.1 Sq.Mtr. with minimum width of 0.9M.</p> <p>9.5 Every bathroom or water closet shall:</p> <ul style="list-style-type: none"> (a) Be so situated that at least one of its wall shall be open to external area. (b) Not be directly oval or under any room other than another water closet; washing place, Bath or terrace, unless it has a water tight floor. (c) Have the platform or seat made of water tight non absorbent material; (d) Be enclosed by walls or partition and the surface of every such wall or partition wall shall be finished with a smooth impervious material to a height of not less than 1 M.above the floor of such a room; and (e) Be provided with and impervious floor covering with the slope not running towards verandah or any other room. (f) Have a window or ventilator opening to a shaft or open space of area not less than 0.3 Sq.mtrs with side not less than 0.3 mtr. <p>9.6 No room containing the water closet shall be used for any other purpose except as Lavatory and no such room shall open directly into any Kitchen or cooking space by a door, window or other opening. Every room containing a water closet shall have a door completely closing the entrance to it.</p> <p>9.7 All Water Closets shall be connected to specific tanks or public sewer to the required sizes and to the satisfaction of the authority</p>
	10. STAIRCASE
Requirements Of staircase	<p>10.1 All Storeyed Buildings shall be provided with sufficient number of staircases depending on the number of occupants within a distance of not more than 18 mtrs.</p> <p>10.2 The clear width of all main stairways shall not be less than 100 cm. excluding the Hand rails.</p>

- 10.3 All Stairways shall have at least 2.2m of clear head room measured perpendicularly depending from the nosing.
- 10.4 The minimum width of treads without nosing shall be 25cm. for an internal and main staircase. The treads shall be constructed and maintained in a manner to prevent slipping.
- 10.5 The Maximum height of the riser shall be 19cm. and they shall be limited to 15 per flight.
- 10.6 Hand rail shall be provided with a minimum height of 100 cm.and shall be firmly supported.
- 10.7 The space beneath any staircase which is built in whole or in part of combustible material except hand rail shall be entirely open.
- 10.8 In a Public building, no staircase, internal corridor, or Passageway intended for the use of the public shall be less than 2m wide, provided that where not for the use of the more than 200 person are to be accommodated in any public building any staircase; internal corridor or passageway intended for the use of the public may be of any width not less than 1.5m
- 10.9 In a Public building every staircase, internal corridor or passageway which is intended for the use of the public and communicates with any portions of the intended for the accommodation of more than 400 persons shall be wider than 2 m. by 150 cm.for every 100 persons over 400, subject to a maximum width of 3m.
- 10.0 (A) Every staircase shall be lighted and ventilated from the the open space to the satisfaction of the authority.
- 10.10 Every passage in a building in any floor shall in no part be less than the width of the staircase of such building to which it gives access, provided that, if only one such Passage gives access to mare that one staircase, its minimum width shall be equal to the width of such staircase plus one half of the total width of such staircases plus one Half of the total width of the remaining staircases.

Passage Giving
Access to Staircase

11 LIGHTING AND VENTILATION

Ventilation
SET BACKS

Area

- 11.1 Every room which is intended for human habitation, may be furnished with sufficient no of windows and ventilators totally providing ventilation are of Not less than one sixth of the floor area of the room, affording effectual means of Ventilation by direct communication with the external air.

REAR YARD 11.2 There shall be between the rear boundary of every building site and the building itself an open space exclusively belonging to such building and extending laterally through the width of the site to a depth as mentioned in Bye-Law-12.2.

Provided that where this depth can not be obtained throughout the entire width of the site by the reason of the exceptional shapes of the site or other exceptional circumstances it shall suffice if the mean depth satisfy the above requirements.

Side Yard 11.3 Only detached buildings shall be permitted within the jurisdiction of Port Blair Municipal Council and there shall be on the either side of every such building An open space as mentioned in the byelaws 12.2.

Front Yard 11.4 Each Site shall be a minimum frontage of 10 meters on any main road or 9 Metre from the edge of the existing roadside drain.

11.5 The front yard for the plots abutting the Branch road shall not be less than 5.00Metres.

11.6 Every building shall have a front yard forming an integral part of the site to a minimum width of 1 meter.

11.7 Every open space provided in pursuance of bye-laws 11.2 to 11.4 shall be kept free from any erection thereon and shall be open to sky, and no cornice roof or whether shade more than 0.75Mt.wide shall overhang or project over the said open space so as to reduce the width to less than the minimum provided under these bye-laws. In case of plots up to 50.00 sq.mtr.the overhang or projection shall not exceed 45 cm.

12. HEIGHT LIMIT

Maximum height Of construction 12.1 The maximum height of a building shall be 10 metres (measured upto the bottom of the beam or the wall plate) unless otherwise specially permitted By the Authority.

Floor area Ratio 12.2 Unless otherwise specially permitted by the authority, the coverage and floor Area ratio for the construction of building in a site shall be as follows:-

	Plot Coverage	Plot area in Sq.Mtr. Minimum Set Back				
		Front F.A.R	Rear	Side	Side	
				1	2	
Upto 50	75%	1	1.5	0.75	0.75	150
Above 50 upto 100	66.66%	1	1.5	1.00	1.00	150
Above 100 upto 200	60%	1	2	1.00	1.00	150
Above 200	50%	1	3	1.00	1.00	150

Explanation : For working out the Floor area Ratio the area occupied by the Mezzanine Floor Shall also be included.

13. WIDTH OF DOORS AND PASSAGES

- | | | |
|----------------------------------------|------|------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Minimum width Of entrance and Door way | 13.1 | No doorway or corridor or Passage serving as an entrance or exit to a building shall be less than 1 Metre in width . Doorways shall not be less 2.00M in height. |
| | 13.2 | The doors of a Kitchen, Bath, and water closet shall not be less than 0.75m.clear in width and the passage leading to the same shall not be less than 75cm. |

14 PARKING AND PARKING FACILITIES:

- | | | |
|---------------------------|------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Parking space Requirement | 14.1 | For the use of occupants and of persons visiting the premises for the purposes of profession trade, business, recreation, or any Other work, parking space and parking facilities shall be provided within the site Conforming to the standards specified in Appendix-'H' to these bye-laws. |
| | 14.2 | Necessary provisions shall be made for the circulation of vehicles gaining Access to and from
(i) The parking spaces and facilities and
(ii) The premises in to the street. |

15 ORIENTATION OF BUILDING

- (A) Construction of building in vicinity of Airfield.
- (i) No Building or structure shall be constructed or erected or no tree shall be planted in the Vicinity of the Airfield without the clearance from Airports Division.
 - (ii) The construction of any building or structure in the vicinity of Airfield may be permitted after obtaining 'No Objection Certificate' from Airports Authority of India, National Airports Division.
 - (iii) Every person who intends to construct reconstructs alter or add to a building shall apply to the authority for obtaining NOC from National Airport Authority in the forms and proforma in appendice I,IIA,IIB,IIC,IID,&IIE.
 - (iv) An applicant may represent for reconsideration in cases where the application has been rejected or allowed with restrictions. Such representations should be sent to appropriate Officer of the National Airport Authority.
 - (v) Validity of the NOC issued will be for a period of 2 years only from the date of issue. If the building or structure is not completed within this period the applicant is required to apply a fresh.

(B) COASTAL ZONE MANAGEMENT PLAN.

The Port Blair Municipal area has been re-grouped as CRZ-(ii) and existing local Town and Country Planning Regulations are applicable to this area as per clause-2 (v) cad with CRZ-(ii) (1) of the Govt.of India's Notification dated 19/02/1991. Hence all constructions within the Municipal Area shall confirm to the CRZ Notification of 1991.

- (i) Buildings shall be permitted neither on the seaward side of the existing road (or roads proposed in the approved Coastal Zone Management Plan of the area) nor on seaward side of existing authorized structures, buildings, permitted on the landward side of the existing and the proposed road existing authorized structures shall be subject to the existing local town and country planning regulation including in the existing norms FSI/FAR.
- (ii) The Reconstruction of the authorized buildings to be permitted subject to the existing FSI/FAR norms and without change in the existing rules.
- (iii) The design and construction of buildings shall be consistent with the surrounding landscape and local architectural style.

16 ARCHITECTURAL CONTROL.

- Architectural Control
- 1 Every person who constructs, reconstructs adds to or alters a
6 building With a sloped roof, shall cause such roof portion
. open, to sky to be painted with chocolate colour.
1
 - 1 Every person who constructs, reconstructs adds to or alters a
6 building With a sloped roof, shall cause the visible area of
. eaves board of Such roof to be painted with white colour.
2
 - 1 The appearance of all verandah, advertising signs and similar
6 projections shall be subject to the approval of the authority
. having jurisdiction, who may demand that such existing
3 structures to be altered when necessary at the owner's
expenses so as to confirm harmoniously with the
neighbouring areas.
 - 1 No building will be left with unfinished portions including
6 projecting reinforcing bars, which is in the opinion of the
. authority are unsightly, unless with the permission of the
4 authority who may prescribed conditions with respect to the
structure and the period for which such permissions remain
valid.
 - 16.5 As soon as any building is completed, all rubbish,
refuse or debries of any description shall be removed
by the owner from the site or sites on which building
operations have been have been carried out or from
any adjoining land which may have been used for
deposition of of materials or debris.
 - 16.6 All Wires, poles, Maste, stays structs, lighting
conductors, and similar fixtures on new building shall
be straight and of good appearance.
 - 16.7 Permanent dumps of scrap-iron, firewood, coal and
similar materials shall in all areas except those
classified as factory areas, be allowed only in places
enclosed with walls of non combustible materials.
 - 16.8 The use of any disfigured or damaged material, which
in the opinion of the authority results in an unsightly
appearance or a building shall not be allowed.

16.9 In case of Parks or Gardens, visible from the streets, the owner of such park or garden shall not plant, replace or maintain trees or plant , which in the opinion of the Authority conflict with the aesthetic disfigurement of the neighborhood.

16.10 Where several facades constitute architectural composition, painting or such other treatment shall only be allowed where no aesthetic disfigurement can result to the composition as a whole

16.11 Every person who constructs, reconstructs adds to or alters a building unless or otherwise specially permitted by the Authority, shall cause the building to be oriented based on sunlight and wind direction and in such a manner that the façade of the building is as far as possible situated parallel to the street in front.

17. **PROTECTION AGAINST EARTHQUAKE:**

Every person, who constructs, reconstructs adds to or alters a building shall cause the design of the structure made safe for the components of earthquake vibrations as per requirements of seismic Zone-V. Classified by the National Building Code.

18. **FENCING**

Every building site may be fenced suitably either with live fencing or a compound wall. No such fencing or compound wall shall have a Height more than 1.5metres from the ground level.

19. **SPLAY**

In the case of plots located at the corner of two streets, the fencing prescribed in the bye-laws 18 shall splayed as prescribed here under:

1. for streets with width of more than 12M-3MX 1M splay, provided that in case of corner of two streets of different widths the ruling shall be taken as that of the wider street.

20. **EXIT**

Exit Requirements.

20.1 Every building meant for human occupancy shall be provided with exits sufficient to permit safe escape of occupants in case of fire or other emergency.

20.2 Every exit doorway shall open into an enclosed stairway, a Horizontal exit, on a corridor or passage way providing continuous And protected means aggress.

20.3 No exit doorway shall be less than 100cm in width and 200cm in Height.

	20.4	Exit door shall not open immediately upon a flight of stairs; a landing equal to at least the width of the door shall be provided in the stairway at each doorway. Level of landing shall be the same as that of the floor, which it serves.
	21.	CORRIDORS AND PASSAGEWAYS.
Requirement of Corridors and Passage.	21.1	Exit Corridors and Passageways shall be of width not less than 1mtrs.
	21.2	Where Stairways discharge through corridors and passageways, the Height of corridors and passageways shall be not less than 2.4m.
	22	FIRE ESCAPES.
	22.1	Every building with more than one floor shall have a "Fire Escape" stair which shall be directly connected to the ground.
	22.2	Entrance to fire escape shall be separate and remote from the internal staircase.
	22.3	The route fire escape shall be free of obstructions at all times, except a doorway leading to the fire escape which shall have the required life resistance.
	22.4	Fire escapes shall have straight flights not ,less than 75 cm wide with 20cm tread and risers not more than 19cm. The number of risers shall be limited to 15 per flight.
	22.5	The use of spiral staircases shall be limited to low occupant load and to a building of height not more that 9m unless they are connected to the platform such as balconies and terraces.
	22.6	A spiral fire escapes shall not be less than 150 cm. in diameter and shall be designed to dive adequate head room.
	23.	SPECIAL HAZARDS
Special Hazards	23.1	Flammable liquids for house hold purposes shall be kept in tightly Stopped or sealed containers
	23.2	No stove or combustion heater shall be located directly under or immediately at the foot of stairs or otherwise so located as to block escape in case of malfunctioning of the stove or heater.
	23.3	Doors leading into rooms in which flammable liquids are started or used shall be self closing and shall be posted with a sign on each side of the door in 25mm high block letters starting. "FIRE DOOR KEEP CLOSE"
Requirements for Public Buildings	24.	All Public Buildings shall be provided with approved manually operated fire alarm facilities and shall be tested daily.

25. Every hospital shall be equipped with a communication system, suitable for alerting all persons charged with the duties for patient care, and all employees of the hospital who are within the building in the event of emergency. The alerting system shall be capable of being operated from the telephone switch board and the Administrative Office.
26. **CHIMNEYS AND FLUES:**
- Requirements of Chimneys and Flues
- 26.1 All Heating and cooking appliance bring solid, Liquid or gas fuel shall be connected to and have their products of combustion removed by a chimney or flue.
- 26.2 The Height of Chimneys and flue shall be
- (a) not less than 60cm on above roof if they penetrate the same.
- (b) not less than 60 cm higher than any part of the building coming within horizontal radius of 15 cm. of the Chimney.
- 26.3 A Clearance of at least 4cm shall be provided between the outer surface of a chimney and any adjacent combustible material forming part of a wall lining enclosing the chimney.
- 26.4 Combustible material in the adjoining structure of a building shall not be allowed to come into contact with the chimney.
- 26.5 The material of which the Chimney is made shall be able to withstand the temperature reached by the flue gases and other deleterious effect associated with the burning of fuels.
27. **HEARTHES**
- 27.1 The Hearth shall be constructed of incombustible material and shall afford sufficient insulation against thermal transmission between an appliance and any adjacent combustible material or metal and be of such a shape that no risk of ignition of adjacent combustible material.
- 27.2 Surface Temperature of adjacent combustible material shall not exceed 65 centigrade.
28. **CONSTRUCTIONAL REQUIREMENTS:**
- Fire Resistance Rating
- 28.1 Every structural member of structural assembly including any wall, partition door or roof shall be supported by construction having no case a lesser fire resistance rating than the member of assembly supported. No pipes, no wires cables or other service equipment shall be embedded within the required fire resisting construction of structural members.
- 28.2 The Fire resistance rating of all exterior and internal load bearing walls shall not be less than 2 hours; provided that interior , non-load bearing walls may have a reduced fire-resistance rating of not less than one hour.

		28.3	All lintels, columns, Beams, girders trusses, floors, roofs, and staircases shall have a fire-resistance rating of not less than 2 hours.
		28.4	Combustible material used as wall or ceiling finish or as an acoustical covering shall not exceed 2.5 cm. in thickness except for projecting decoration moldings and should be preferably treated with a fire-retardant solution.
Pipes, conduit	Ducts or	29.	Where any pipe or duct passes through a floor, the space between the pipe or duct and the floor construction shall be fire-stopped. Where the installation of pipes, ducts or conduit in walls, floors or partition requires the removal of a Fire stopping, the space around the pipes, ducts or conduits at such points shall be tightly filled with asbestos or other incombustible material.
Electric wiring and Installations		30.	The installation of all Electrical work including equipment shall comply with the requirements of the latest BIS (Bureau of Indian Standards).
		30(i)	The installation of all electrical work including equipment shall comply with the requirement of the I.E Rule 1956 & A&N Administration notification No.325/82/F.No.28-321/78-DI (PL) dated 23.09.1993 called as Andaman & Nicobar Islands Electrical Energy (Control and supply distribution, Consumption & Use) Order 1983.
		30(ii)	In case of shopping complex/flat system buildings where the connected load Exceeds more than 2.5 kw. The internal wiring will be done for 3 phase Systems. All loading wires of individual's flats/shop should be brought to a Centralized bulk receiving point for providing underground bulk supply Cable instead of drawing service connections for individual shop/flats.
		30(iii)	The work or working installation including repair, adjustment & alteration there to should be carried out by electrical wiring contractor licensed by THE Govt.
		30.(iv)	All the plug points should be provided at a height of 5 feet from the floor.
		30 (v)	Any additional apparatus or equipment to the existing installation should not be connected without consulting electric supply authorities.
		NOTE:-	This Municipal Council Building Bye-Laws based on the National Building code. Whatever is not covered in these Bye-Laws the relevant aspects/Standards quoted in NBC is applicable.

PART-V

ORGANISATION AND ENFORCEMENT.

31 ENFORCEMENT

- Creation of Building Inspection Department 31.1 The "Department of Building Inspection" shall be created by the Port Blair Municipal Council in consultation of the Associate Town & Country Planning/APWD/ Director of Town and Country Planning for the effective enforcement of the building byelaws.
- Appointment of Building official 31.2 The Executive Official in-charge of the building Inspection Department shall be Known as "Building Officials"
- 31.3 The 'Building Official' shall be appointed by the Authority in consultation with the Associate Town & Country Planner/ APWD/Director of town & Country Planning.
- Appointment of Technical officers in Building Inspection Deptt. 31.4 The "Building Officials" shall be appoint such number of Officers, Technical Asst. Of technical Inspectors and other employees as may be necessary for the administration of the bye-laws and as authorized by the Authority.
- 31.5 The Authority or the 'Building Official' may designate an employee or employees who shall exercise certain powers of the 'Building Official' during the temporary absence or disability of the 'building official'.
- Qualifications of Building Official 31.6 To Become eligible for appointment, the building officials shall be qualified Engineers or Architect whose qualification shall not in any case be less than those Described in bye-laws 3.5 and 3.5(ii).
- Qualifications of Technical Officers 31.7 No person shall be appointed as Technical Assistants or 'Building Inspectors' unless he has got the qualification of prescribed in bye-laws 3.5.(iii) for licensed Supervisor.

32. POWERS AND DUTIES OF BUILDING OFFICIALS.

- Powers of Building Official 32.1 The building officials shall enforce all the provisions of the bye-laws and shall action any question relative to the more or manner of the construction and the material to be used in the erection, addition, alteration, repair, removal, demolition, Installation of service equipments and the location, use occupancy and maintenance of all buildings except as may otherwise be specifically provided.
- 32.2 He shall receive all Building applications and issue permits for the execution of building and examine the premises for which such permits (see bye law 3.13) have been issued and enforce compliance with the bye-laws.

	32.3	He shall issue all necessary notices and orders to remove unauthorized and unsafe buildings to require necessary safeguard during constructions, to require adequate exit facilities in existing buildings and to ensure compliance with all requirements of safety, health and general welfare of the public as included in the Bye-laws.
Inspection premises	of 32.4	upon presentation of proper credentials and with advance notice, the building officials or his duty authorized representative may inspect either between sunrises And sunset any building or premise to perform any duty imposed upon him by the Byelaws.
	32.5	He shall make all the required inspection or he may accept reports of inspections of Authorative and recognized services, of individuals and all reports of inspection shall be in writing and certified by a responsible officer of such authoritive service or by the responsible individual or engage any such expert's opinion as he may deem necessary to report upon unusual technical issued that may arise subject to the approval of the authority.
Issue of Notice	32.6	Should the building Officials determine at any stage that the construction is not Proceeding according to the sanctioned plan or is in violation of any of any of the Provisions of the bye-laws, he shall notify the owner and all further constructions shall be strayed until crrection has been effected and approved.
Revokation permit	Of 32.7	Should the owner fail to comply with the requirements at, any stage of construction the building official in empowered to cancel the permit issued and shall cause notice Be delivered within a reasonable time of such cancellation to be securely posted Upon the said construction, if the owner is not traceable at his address given in the Notice, posting of such a notice shall be considered sufficient. No further work shall be taken or permitted upon such construction until a valid permit building thereafter has been issued. If the owner in violation of the notice for such cancellation, continues such construction the building officials may take all necessary means to stop such work, and may make a provisional order requiring, the owner of the building to demolish the work done as he thinks necessary within the space of 30 days from the date of issue of such notice. Provided that no such notice shall issue in respect of the contravention of any bye-law the observance of which has been dispensed with under section 165 of the regulation.

Provided further that the Council may, instead of requiring the alteration or demolition of any such building, accept by way of compensation such sum as it thinks reasonable read with clause 35.1 & 35.2.

Provisional Order of 32.8 The building official shall serve a copy of the provisional order made under bye law 32.7 on the owner of the building together with a notice requiring him to show cause within 30days,why the order should not be confirmed.

Confirmation order 32.9 If the owner falls to show cause to the satisfaction of the building official, he may confirm the order with any modification he may think fir to make and such order shall then be binding on owner.

If the owner still fails to comply with the confirmed order within the stipulated period from the date of receipt of the notice Municipal Council shall acquire the power to act suo motto in execution of the confirmed order and cost, if any, incurred shall be recovered from the owner by the Council.

32.10 Any person aggrieved by an order of the Secretary or any other officer authorized by the council, made under bye-law 32.9 may prefer an appeal against the order to the Appellate Authority(to be appointed by the Administer) within a period of 15 days from the date of receipt of such order.

32.11 Where an appeal is preferred under bye-law 32.10 an order of demolition/alteration/Stoppage as the case may be, the Appellate Authority may stay the enforcement of That order, after hearing the parties, on such terms, if any and for such period as it may think fit.

32.12 Any person aggrieved by an order of the Appellate Authority made under bye law 32.11 may prefer an appeal against the order to the Administrator within a period of 15 days from the date of such order.

32.13 Subject to an order made by the Administrator on appeal under bye-law 32.12 every order made by the Appellate Authority on appeal under this bye-laws and the orders subject to order made by the Appellate Authority on appeal under this bye-laws the order of demolition/alteration made by the Secretary / an Officer of the Council shall be final and conclusive.

32.14 Where no appeal has been preferred against an order of demolition made by the Secretary / an Officer of the Council under this bye-laws or where an order of demolition/alteration made by the Secretary/an Officer of the Council under the bye-law 32.9 has been confirmed on appeal whether with or without variation by the Appellate authority in a case where no appeal has been preferred against the order of the Appellate Authority and by the Administrator in a case where an appeal has been preferred against the order has been made shall comply with the order within the period specified therein, or within the period specified therein, or as the case may be within a period if any fixed by the Appellate Authority or the Administrator on appeal and on the failure or the person to comply with the order within such period the Secretary/an Officer authorized by the Council may with the approval of the Chairperson of the Council cause the said construction of the work to which the order relates to be demolished/altered and the expenses of such demolition/alteration shall be recoverable from such person as an arrears of tax under the Regulation.

33. **UNSAFE BUILDINGS**

Unsafe buildings 33.1 All unsafe buildings shall be considered to constitute danger to public safety and shall be restored by repairs of demolished or dealt with as otherwise directed by the Authority.

33.2 The 'Authority' shall examine or cause to be examined every building reported to be unsafe or damaged, and shall make a written record of such examination.

Notice to owner of Unsafe Building 33.3 Whenever the Authority finds any buildings or portion thereof to be unsafe, it shall, in accordance with established procedure for legal notice, give to the owner and occupier of such building written notices stating the defects thereof. This notice shall require the owner or the occupier within a stated time either to complete specified repairs or improvements or to demolish and remove the building or portion thereof.

33.4 The Authority may direct in writing that the building which in his opinion is dangerous, or has no provision for the exite, shall be vacated immediately or within the period specified for the purpose, provided that the building official shall keep a record of the reason for such action.

33.5 If any person does not comply with the orders of vacating a building the authority may direct the police to remove the person form the building and the police shall comply with the orders.

Disregard of Notice 33.6 In case the owner or occupier fails, neglects or refuses to comply with the notice to repair of to demolish the said building or portion thereof, the Authority shall cause the danger to be removed by demolition of the building or portion thereof or otherwise.

Penaltyfor Unlawful Building	34. 34.1	<p>PENALTY</p> <p>If the erection of re-erection of a building is begun or continued.</p> <p>(a) Without sanction as required by sub-section (1) of section 162 of Municipal Council Regulation 1994 or</p> <p>(b) Without notice as required by sub-section (a) of section 162 of Municipal Council Regulation 1994 or</p> <p>(c) After the sanction has been refused , or</p> <p>(d) In contravention of the terms of any sanction granted, or</p> <p>(e) After the sanction has lapsed , or</p> <p>(f) In contravention of any bye-law made under section 163 of the Regulation, the Council may be notice, to be delivered within a reasonable time require the building to be altered or demolished, as it thinks necessary, within the space of thirty days form the date of the service of such notice.</p>
	<p>Provided that no such notice shall issue in respect of the contravention of any bye-law the observance of which has been dispensed with under section 165 of the Municipal Council Regulation, 1994 Provided further that the Council may, instead or requiring the alteration or demolition of any building, accept by way of compensation such sum as it thinks reasonable.</p>	
	35.	<p>PENAL ACTION OR VIOLATION OF PROVISIONS OF THE BYE-LAWS</p> <p>The offences relating to violation of Building Bye-laws are categorized as Non-compoundable and Compoundable offences. In case of Non-compoundable offence, Rule 32.14 will operate.</p>
	35.1	<p>NON-COMPOUNDABLE ITEMS</p> <p>Any deviations form the maximum, minimum prescribed limits regarding</p> <p>(a) Coverage</p> <p>(b) Set back</p> <p>(c) Total height of the building</p>
	35.2	<p>COMPOUNDABLE ITEMS</p> <p>If the owner of a building, in spite of notices served upon him under bye-laws 32.6 to 32.8 fails to comply with the order, the Authority shall cause alteration or demolition of any building, as it thinks necessary and the cost of demolition shall be recovered from the owner of the building. In case the Authority feels to impose compensation, considering the nature of the construction in any case the penalty rate should not be less than the rate mentioned below :-</p>

- (a) **RESIDENTIAL BUILDING:** For violation in construction residential building, the penalty shall be one time of cost of construction of the building as per prevailing DPAR with cost index per sqmts of violation.
- (b) **COMMERCIAL BUILDING:** For violation in construction Commercial building, the penalty shall be one and half times the construction cost of the building as per prevailing DPAR with cost index per sqmts of violation.
