

## APPENDIX-II

The Appendix refers to the Regulations prescribed in the BHUBANESWAR DEVELOPMENT AUTHORITY (PLANNING & BUILDING STANDARDS) REGULATIONS – 2008 and adopted for application in enforcing the Comprehensive Development Plan (CDP) for Bhubaneswar Development Plan Area (BDPA).

### General

(This refers to the Regulations No. 26-46 of Part IV of the BHUBANESWAR DEVELOPMENT AUTHORITY (PLANNING & BUILDING STANDARDS) REGULATIONS – 2008.)

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#### 26. Restriction on Permission:

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

- a. In areas of natural waterways or drains, as detailed in the Development Plan, and drainage plan as modified from time to time;
- b. if the orientation of such building is not in harmony with the surroundings, as may be decided by the Art Commission;
- c. if the use to which the site is proposed to be put does not conform to the use earmarked in the Development Plan;
- d. if the building is to be constructed over or under a municipal drain, sewerage line, electrical line, water main, any other government or public land, or public utility services;
- e. if the foundation of the external wall along a street is located at a distance less than 0.5 meters from the edge of the street or road margin including the drain;
- f. As Bhubaneswar is located in Seismic Zone III, if all Structural Plans are not prepared taking this into account.

#### 27. Distance from Electric lines:

As provided in clause-6.4 of NBC-2005, no verandah, balcony or the like shall be allowed to be erected or re-erected or any additions or alterations made to a building within the distances quoted below in accordance with the current Indian Electricity Rules, as amended from time to time between the building and any overhead electric supply line;

**Table 1: Minimum Distance from the Electric line**

	<i>Vertical distance in meters</i>	<i>Horizontal distance in meters</i>
<i>Low and medium voltage lines and service lines</i>	2.5	1.2
<i>High voltage lines up to and including 11,000 Volt</i>	3.7	1.2
<i>High voltage lines above 11,000 volt and up to and including 33,000 Volt</i>	3.7	2.0
<i>Extra high voltage line beyond 33,000 Volt</i>	3.7 <i>(Plus 0.3 meters for every additional 33,000 volts or part thereof)</i>	2.0 <i>(Plus 0.3 meters for every additional 33,000 volts or part thereof)</i>

**28. Plantation:**

In every building area, at least 10% of the land shall be covered by plantation, but in case of multi-storied buildings/ Group Housing/ Apartment building/ Industrial/ Assembly/ Educational/ Institutional buildings, at least 20% of the land shall be covered by plantation. The plantation shall be completed by the time; the construction of the building is completed.

**29. Means of access:**

- a. Every building/ plot shall abut on a public/ private means of access like streets /roads of duly formed of width as specified in clause 4, Part-3 of NBC-2005.
- b. In no case, development of plots shall be permitted unless it is accessible by a public/private street of width not less than 6 meters.
- c. In case of institutional, administrative, assembly, industrial and other non residential and non-commercial activities, the minimum road width shall be 12 meter.
- d. In case of a private road, which gives access to one or more buildings, the owner of the said private road shall develop the road and storm water drain as required by the Local Authority, and transfer the same by way of gift to the Local Authority or handed over to the Registered Residents' Welfare Association for maintenance .

**30. Minimum size of plots:**

The minimum size of plots for different categories of building is given below:

**Table 2: Category Wise Size of Plot**

Category	Min. road width(m)	Min. size of plot in Sq. m.
Kalyan Mandaps	18	1000
Cinema, game centers, Multiplex, convention centers	18	2000
Social clubs and amenities	12	1000
Multi storey car parking	12	1000
Office buildings	12	300
Primary/Upper Primary school	12	2000
High School , Residential school	12	6000
+2 College / Junior college	12	4000
Degree College	18	6000
Technical educational institution	18	10000
Petrol pumps / Filling stations	18	500
Restaurant	12	500
LPG storages	12	500
Places of congregation	12	500
Public libraries	12	300
Conference hall	15	1000
Community hall	12	500
Nursing homes/polyclinics	12	300
Hotel	18	2000
R & D Lab	15	1500

**Note:**

In exceptional cases the Authority may consider revising the minimum size of plot on the recommendations of the Development Plan & Building Permission (DP&BP) Committee.

**31. Minimum setbacks & Height for non-high rise buildings:**

The minimum setbacks and height of buildings permissible in a given size/plot for residential and commercial building in non high rising category shall be as follows:

**Table 3:Plot size wise permissible set backs and height of buildings**

Plot size (in Sq. Mts)	Maximum height of building permissible (in Mts)	Front setback (in Mts) Abutting road width					Minimum setbacks other sides(in Mts)	
		Less than 9 Mts	9 Mts and below 12 Mts	12 Mts and less than 18 Mts	18 Mts and less than 30 Mts.	Above 30 Mts.	Rear side	Other side
1	2	3(a)	3(b)	3(c)	3(d)	3(e)	4	5
Less than 100	7						1.0	--
100 & upto 200	10	1.5	2.0	2.5	3.0	4.5	1.5	1.5
Above 200 & upto 300	10						2.0	1.5
Above 300 & upto 400	12						2.5	1.5
Above 400 & upto 500	12	1.5	2.0	3.0	3.0	4.5	3	3
Above 500 & upto 750	12	1.5	2.0	3.0	4.5	6.0	4	4
Above 750	15						5	5

In case of group housing, the minimum distance between two buildings will not be less than 1/3<sup>rd</sup> of the height of the taller building. However the minimum width of the internal road shall be 6 m.

The set backs/open spaces for other occupancies shall be as below:

- a. Educational buildings – In case of nursery schools, the open spaces around the building shall not be less than 3 meter and for all other educational buildings the open spaces around the building shall not be less than 6 meter.
- b. Institutional buildings - the open spaces around the building shall not be less than 6 m.
- c. Assembly buildings - the open space in front shall be not less than 12 m and the other open spaces around the building shall not be less than 6 m.
- d. Commercial & Storage buildings – In case of plots with more than 500 sq.mtr. area, the open spaces around the building shall not be less than 4.5m.
- e. Industrial buildings - the open spaces around the building shall not be less than 4.5 m for heights up to 15 meter, with an increase of 0.25 meter for every increase of 1 meter or fraction thereof in height.
- f. Hazardous occupancies - the open spaces around the building shall not be less than 6 m.

### 32. Minimum setbacks for high rise buildings:

For high-rise/ multi-storied buildings, the open spaces around the building shall be as given in the table below:

*Table 4: Provision of Exterior open spaces around the buildings*

Sl. No.	Height of the Building Upto (m.)	Exterior open spaces to be left out on all sides in m. (front rear and sides in each plot)
1	15	5
2	18	6
3	21	7
4	24	8
5	27	9
6	30	10
7	35	11
8	40	12
9	45	13
10	50	14
11	55 and above	16

#### Note:

- i. On sides where no habitable rooms face, a minimum space of 9.0 m. shall be left for heights above 27.0 m.
- ii. In case of multi storied buildings the exterior open space around a building shall be of hard surface capable of taking load of fire engine weighting up to 45 tonnes.

### 33. Floor Area Ratio:

The floor area ratio (FAR) for residential, commercial, corporate, IT/ITES buildings shall be decided on the basis of the road width on which the plot/site abuts.

*Table 5: FAR as per Road Width*

<i>Road width in m.</i>	<i>FAR for individual Residential building.</i>	<i>FAR for Commercial /IT/ITES/ Corporate buildings</i>
<i>Up to 6</i>	<i>1.00</i>	<i>---</i>
<i>6 or more &amp; less than 9</i>	<i>1.50</i>	<i>---</i>
<i>9 or more &amp; less than 12</i>	<i>1.75</i>	<i>---</i>
<i>12 or more &amp; less than 15</i>	<i>2.00</i>	<i>2.00</i>
<i>15 or more &amp; less than 18</i>	<i>2.00</i>	<i>2.25</i>
<i>18 or more &amp; less than 30</i>	<i>2.25</i>	<i>2.50</i>
<i>30 &amp; above</i>	<i>2.25</i>	<i>2.75</i>

In case of apartment and group housing the maximum permissible FAR shall be 2.00. However additional FAR up to 0.25 shall be allowed for dwelling units meant exclusively for LIG/EWS.

In case of Institutional and Assembly building the maximum permissible FAR shall be 1.50 for plots up to 1000 sq. m. and 1.75 for plots above 1000 sq. m.

In case of transport related activities such as; railway yards, railway station, bus stands, bus shelters, transport depot, air port, special ware housing, cargo terminals etc. the maximum permissible FAR shall be 1.00.

In case of Industrial building the maximum FAR shall be 1.00.

In case a part of the plot is acquired / donated for public purpose like road, drain, etc., the Authority may allow additional FAR up to 0.25 in the form of TDR (Transferable Development Right) as per the modality approved by the Authority.

The Authority may allow premium FAR up to 0.25 on IT/ITES buildings on payment of fees to be decided by the Authority from time to time, on roads of width 30 mt. and above. The Authority may refund the fee proportionate to 0.10 premium FAR in case of platinum/ gold certified green buildings.

The benefit of unutilized FAR in respect of Apartment Buildings/ Group Housing shall be made available to the society and not to the Builder/ Developer.

Exclusive multistorey parking blocks can be provided within the required setback area without reducing the driveway for the fire tender to the extent of minimum 6 meters. This will not be included in the calculation of coverage and FAR.

FAR shall not include:

- i. Basements or cellars and space under a building constructed on stilts and used as a parking space, and air conditioning plant room used as accessory to the principal use;
- ii. Electric cabin or substation, watchman booth of maximum size of 3 sq.m. with minimum width or diameter of 1.732 m., pump house, garbage shaft, space required for location of fire hydrants, electric fittings and water tank, society room of maximum 12 sq.mtr.
- iii. Projections and accessories buildings as specifically exempted from the open space/setback requirement.
- iv. Staircase room and lift rooms above the topmost storey, architectural features, and chimneys and elevated tanks of dimensions as permissible under the NBC; the area of the lift shaft shall be taken only on one floor.

#### 34. Height of Building:

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

- i. The maximum height of a building shall in no case exceed 1.5 times X the width of the road on which the plot abuts + the front setback. However, higher height on account of premium FAR may be permitted with the approval of the Government.
- ii. If a building abuts on two or more streets of different widths, the building shall be deemed to face upon the street that has the greater width and the height of the building shall be regulated by the width of the street.

Notwithstanding anything contained in Sub-Regulation (1) the height restrictions with respect to approach Funnels and Transitional area of Airport as detailed in Table -8 & 9 shall be adhered to.

**Table 6: Height Restriction with respect to Approach Funnels**

<i>Distance from nearest runway end (in metres)</i>	<i>Maximum Permissible height above the elevation of the nearest runway end (in metres)</i>
<i>Up to 360</i>	<i>0</i>
<i>361 to 510</i>	<i>6</i>
<i>511 to 660</i>	<i>9</i>
<i>661 to 810</i>	<i>12</i>
<i>811 to 960</i>	<i>15</i>
<i>961 to 1110</i>	<i>18</i>
<i>1111 to 1260</i>	<i>21</i>
<i>1261 to 1410</i>	<i>24</i>
<i>1111 to 1260</i>	<i>21</i>
<i>1261 to 1410</i>	<i>24</i>

**Table 7: Height Restriction with respect to Transitional Areas**

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

Notwithstanding anything contained in the Tables under sub-Regulation (1), no Radio Aerial, T.V. Antenna, Cell phone tower or such similar type of installations exceeding 52 metres in height shall be erected without prior permission of the concerned Civil Aviation Authority.

No building structure or installation exceeding the height indicated in the said Tables shall be permitted unless the applicant produces a 'No-Objection Certificate' from the Airport Authority.

### 35. Off-street Parking Space:

In all buildings including Apartment buildings/ Group Housing, Hotels, Restaurants and Lodges, business buildings, commercial buildings, Institutional buildings like hospitals, Educational buildings like schools and colleges, multi-storied buildings/complexes etc. and all other non-residential activities provision shall be made for parking spaces as per the following requirements.

**Table 8: Off street Parking Space for Different Category of Occupancies**

<i>Sl. No.</i>	<i>Category of building/ activity</i>	<i>Parking area to be provided as percentage of total built up area</i>
<i>(1)</i>	<i>(2)</i>	<i>(3)</i>
1.	<i>Shopping malls, Shopping malls with Multiplexes/ Cineplexes, Cinemas, Retail shopping centre, IT / ITES complexes and hotels.</i>	60
2.	<i>Restaurants, Lodges, Other commercial buildings, Assembly buildings, Offices and High-rise buildings/ complexes</i>	40
3.	<i>Residential apartment buildings, Group Housing, Clinics, Nursing Homes, Hospitals, Institutional and Industrial buildings.</i>	30

**Note:**

Parking to be provided as percentage of total built up area may be in basement/stilt floor and setback/open spaces at ground level.

The parking spaces may be provided in (for all schemes):

1. Basements or cellars
2. on stilt floor
3. open parking area
4. exclusive multi level parking or
5. a combination of any or all of the above

Off-street parking spaces shall be provided with adequate vehicular access to a street and the area of drives, aisles and such other provisions required for adequate maneuvering of vehicles.

If the total off-street parking space required under these Regulations is provided by a group of property owners at a place for their mutual benefit, such parking spaces may be construed as meeting the off-street parking requirement, however, subject to the approval of the Authority. The Authority may also decide to develop such parking spaces and charge property owners to bear proportionate cost.

Garage with locking facilities shall be included in the calculation of floor space for determining the requirement of parking space, unless this is provided in the basement of a building or under a building constructed on stilts with no external walls.

The parking spaces to be provided shall be in addition to the open spaces (setback) required around a building under these Regulations. However, parking may be provided in the front open space and other side open spaces without reducing the clear vehicular access way to less than 6.0 meters.

Misuse of the area specified for parking of vehicles for any other use shall be summarily removed / demolished by the Authority.

For parking spaces in basements and upper storey of parking floors, at least two ramps of minimum 3.6 m width or one ramp of minimum 5.4 m width and in maximum 1:10 slope shall be provided. Such ramps may be permitted in the side and rear setbacks after leaving 6 meter space for movement of fire-fighting vehicles. Access to these may also be accomplished through provisions of mechanical lifts.

Up to 10% of cellar may be utilized for utilities and non-habitation purpose like A/C plant room, Generator room, Electrical installations, laundry etc.

At least 20% of the parking in group housing, apartment buildings shall be earmarked for visitors. The Visitors parking facility shall be open to all visitors.

Every building except a residential building having less than four dwelling units will have parking space earmarked for ambulance, fire tender and physically challenged persons.

In respect of Apartment Complexes/Building/Block, in sites up to 750 sq m the parking requirement shall be deemed to be met if the entire stilt floor is left for parking. A WC/Toilet facility shall be provided for watch and ward in the stilt floor.

Apart from use of Basement for Services/Parking/ Storage, it may be used for other activities like library, Study Room, Games Room and Laundry only in case of Residential and Institutional Buildings.

### 36. Interior Open Space:

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

For ventilating the spaces for water closets and bathrooms ventilation shafts shall be provided with size as provided under clause - 8.2.5, part-3 of NBC, 2005.

### 37. Height exemption of a building:

The following appurtenant structures shall not be included in the height of the building.

- A. Roof tanks and their supports (with support height not exceeding 1 m).
- B. Ventilating, air conditioning, lift rooms and similar service equipments.
- C. Stair cover ( mummy) not exceeding 3.0 m. in height and
- D. Chimneys, parapet walls and architectural features not exceeding 1.2 m. in height.

### 38. Exemption in Open Space:

Every open space provided either in the interior or exterior in respect of any building shall be kept free from any erection thereon and shall be open to the sky and no cornice, roof, or weather shade of more than 0.75 m. in width shall overhang or project over such open space.

A portico of up to 2.5 m. width and 4.6 m. length with a minimum height of 2.1 m. from the plinth level may be permitted within the side setback. A garage is permissible at the rear end of side open space provided no openings are located on the side and rear boundary. Access to the top of the portico/garage should not affect the privacy of the neighboring plot.

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

### 39. Basement/Cellar:

Basements/cellars shall not be permitted in low lying area and areas without adequate drainage facilities to ensure drainage from the basement.

Construction of basements/cellars may be allowed by the Authority in accordance with the provisions contained in the development plan applicable to the concerned area.

The basements/cellars shall only be put to the following uses:

1. Storage of household or other non-combustible materials;
2. Strong room, bank cellars etc;
3. Installation of air-conditioning equipments and other machines used for service and utilities of building;
4. Parking places.

Individual residential and small commercial buildings (plot size maximum 500 Sq. Meter) may have one basement. However maximum two basements/cellars may be permitted to be constructed for other buildings leaving the prescribed set back/ open space applicable to the building. Further, in case of apartment/ group housing/commercial/corporate & IT /ITES buildings the basements may be allowed to be constructed under the entire plot area leaving 3 meter space from the boundary of the premises subject to the following;

- i. In all such cases the owners have to indemnify the Authority against any damage caused by her/him/them to the adjacent property.(Form-XI).

- ii. The portion of the basement projecting out of the building line shall flush with the ground.

The basements shall be used exclusively for parking/ services/storage.

The basement shall fulfill the following requirements:

- i. Every basement shall be in every part at least 2.5 m. in height from the floor to the soffit of the roof slab or ceiling;
- ii. Adequate ventilation shall be provided for the basement. The standard of ventilation shall be the same as required by the particular occupancy according to regulations. Any deficiency may be met by providing adequate mechanical ventilation in the form of blowers, exhaust fans (one exhaust fan for 50 Sq.m. of basement area), air conditioning system etc;
- iii. The minimum height of the ceiling of upper basement shall be 1.00 m. and the maximum, 1.5 m. above the average surrounding ground level;
- iv. Adequate arrangement shall be made, so that surface drainage does not enter the basement;
- v. The walls and floors of the basement shall be water-tight and be so designed that the effect of the surrounding soil and moisture, if any, are taken in to account in design and adequate damp proofing treatment is given;
- vi. The access to the basement shall be separate from the main and alternative staircase providing access and exit from higher floors shall be provided. Where the staircase is continuous in the case of buildings served by more than one staircase, the same shall be of enclosed type serving as a fire separation from the basement floor and higher floor. Open ramps shall be permitted if they are constructed within the building line subject to provision of (D) above.

The ramp providing access to basement to be used for parking shall have a gradient not steeper than 1:10 and this shall not obstruct the clear vehicular and pedestrian movement around the building including movement of fire tender (6 meter).

#### 40. Provision of Lift:

Lift shall be provided for buildings above 10 m. height in case of apartments, group housing, commercial, institutional and office buildings.

Lift shall be provided at the rate of one lift for twenty dwelling units, or part thereof for residential buildings and at the rate of one lift per one thousand Sq.m. or part thereof of built-up area for non-residential

buildings. The tenement and built-up area on ground floor and two upper floors shall be excluded in computing the above requirement.

Notwithstanding anything contained in these Regulations in case of building with 21 m. or more in height, at least two lifts shall be provided.

#### 41. Mezzanine:

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

#### 42. Heritage Zone:

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

**Conservation of Heritage Buildings, Heritage Precincts and Natural features:** Conservation of buildings, artifacts, structures, areas and precincts of historic and /or aesthetic and/or architectural and /or cultural significance (Heritage buildings and heritage precincts) and/or natural features of environmental significance shall be taken up by the Bhubaneswar Municipal Corporation in accordance with the relevant provisions in-force and those framed from time to time.

#### 43. Barrier Free access for the Physically Challenged Person:

Barrier free environment is one, which enables people with disabilities to move about safely and freely and to use all facilities within the built environment. The goal of barrier free design is to provide an environment that supports the independent functioning of individuals so that they can get into and participate in all activities without assistance.

The main purpose is to integrate disabled and elderly persons fully into the society. In view of the above, the Government of India has enacted the Disabilities Act, 1955. Section 44, 45 and 46 of the Act stipulates that the appropriate Governments, local authorities to ensure provisions of barrier free facilities in all new Government buildings and public utilities roads and transport. Also, in 1996 Government of India enacted other persons with Disabilities (Equal Opportunity, Protection of Rights and Full Participation) Act for the Barrier Free Environment for differently abled persons.

These byelaws are applicable to all buildings and facilities used by the public.

### **1. Site development:**

Level of the roads, access paths and parking areas shall be described in the plan along with specification of the materials.

### **2. Access Path/ Walk Way:**

Access path from plot entry and surface parking to building entrance shall be minimum of 1800 mm. wide having even surface without any steps. Slope, if any, shall not have gradient greater than 5%. Selection of floor materials shall be made suitably to attract or to guide visually impaired persons (Limited to coloured floor material whose colour and brightness is conspicuously different from that of the surrounding floor material or the material that emit different sound to guide visually impaired persons hereinafter referred to as “guiding floor material”). Finishes shall have non slip surface with a texture traversable by a wheel chair. Curbs wherever provided should blend to a common level.

### **3. Parking:**

For parking of vehicles of handicapped people the following provisions shall be made:

- i. Surface parking for two car spaces shall be provided near entrance for the physically handicapped persons with maximum travel distance of 30 meter from building entrance.
- ii. The width of parking bay shall be minimum 3.6 meter.
- iii. The information stating that the space is reserved for handicapped persons shall be conspicuously displayed.
- iv. Guiding floor materials shall be provided or a device which guides visually impaired persons with audible signals or other devices which serves the same purpose shall be provided.

### **4. Building requirements:**

The specified facilities for the buildings for handicapped persons shall be as follows:

- Approach at plinth level
- Corridor connecting the entrance/exit
- Stairways
- Lift
- Toilet
- Drinking water

- i. **Approach at plinth level:** Every building should have at least one entrance accessible to the handicapped and shall be indicated by proper signage. This entrance shall be approached through a ramp together with stepped entry.
- ii. **Ramp Approach:** Ramp shall be finished with non slip material. Minimum width of ramp shall be 1800 mm. with maximum gradient 1:12, length of ramp shall not exceed 9 meter having 800 mm high hand rail on both sides extending 300mm beyond top and bottom of the ramp. Minimum gap from the adjacent wall to the hand rail shall be 50mm.
- iii. **Stepped Approach:** For stepped approach width of tread shall not be less than 300 mm. and maximum riser shall be 150 mm. Provision of 800 mm. high hand rail on both sides of the stepped approach similar to the ramp approach shall be made.
- iv. **Exit/Entrance Door:** Minimum clear opening of the entrance door shall be 900mm and it shall not be provided with a step that obstructs the passage of a wheel chair user. Threshold shall not be raised more than 12 mm.
- v. **Entrance Landing:** Entrance landing shall be provided adjacent to ramp with the minimum dimension 1800mmx 2000 mm. The entrance landing that adjoins the top end of a slope shall be provided with floor materials to attract the attention of visually impaired persons (limited to coloured floor material whose colour and brightness is conspicuously different from that of the surrounding floor material or the material that emits different sound to guide visually impaired persons hereinafter referred to as "guiding floor material"). Finishes shall have a non slip surface with a texture traversable by a wheel chair. Curbs wherever provided should blend to a common level.
- vi. **Corridor connecting the entrance/exit for the handicapped:**

The corridor connecting the entrance/exit for handicapped leading directly outdoors to a place where information concerning the overall use of the specified building can be provided to visually impaired persons either by a person or by signs, shall be provided as follows:

  - a. Guiding floor materials, shall be provided or devices that emit sound to guide visually impaired persons.
  - b. The minimum width shall be 1250 mm.
  - c. In case there is a difference of level, slope ways shall be provided with a slope of 1:12

- d. Hand rails shall be provided for ramps/slope ways at a height of 800 mm.
- vii. **Stair ways:** One of the stairways near the entrance/exit for the handicapped shall have the following provisions:
- a. The minimum width shall be 1350 mm.
  - b. Height of the riser shall not be more than 150mm and width of the tread 300mm. The steps shall not have abrupt (square) nosing.
  - c. Maximum number of risers on a flight shall be limited to 12.
  - d. Hand rails shall be provided on both sides and shall extend 30mm on the top and bottom of each flight of steps.
- viii. **Lifts:** Wherever lift is required as per bye-laws, provision of at least one lift shall be made for the wheel chair user with the following cage dimensions of lift recommended for passenger lift of 13 persons capacity by Bureau of Indian Standards.

Clear internal depth: 1100mm

Clear internal width: 2000mm.

Entrance door width: 900 mm.

- a. A handrail not less than 600 mm. long at 1000mm. above floor level shall be fixed adjacent to the control panel.
  - b. The lift lobby shall be of an inside measurement of 1800 mm x 1800 mm or more.
  - c. The time of an automatically closing door should be minimum 5 seconds and the closing speed should not exceed 0.25 meter/sec.
  - d. The interior of the cage shall be provided with a device that audibly indicates the floor the cage has reached and indicates that the door of the cage for entrance/exit is either open or closed.
  - e. The control panel should have marking in Braille to help visually impaired.
- viii. **Toilets:** One special W.C. in a set of toilets shall be provided for the use of handicapped with essential provision of washbasin near the entrance for the handicapped.
- a. The minimum size shall be 1500 x 1750 mm.
  - b. Minimum clear opening of the door shall be 900mm and the door shall swing out.

- c. Suitable arrangement of vertical/horizontal handrails with 50mm clearance from wall shall be made in the toilet.
- d. The W.C. seat shall be 50mm from the floor.

ix. **Drinking Water:** Suitable provision of drinking water shall be made for handicapped near the special toilet provided for them.

x. **Designing for Children:** In a building meant for the predominant use of the children, it is necessary to suitably alter the height of the handrail and other fittings and fixtures.

#### 44. Rain water Harvesting:

Provision of rain water harvesting is mandatory for all plots, which are more than 300 Sq.m. in area. The dimension of recharging pits/trenches should be at least 6 cubic meters for every 100 Sq. m. of roof area. Percolation Pits shall be filled with small pebbles or brick jelly or river sand and covered with perforated concrete slabs. Apart from this, the following requirements are optional and may be provided depending on site conditions.

##### 1. Terrace Water Collection:

The terrace shall be connected to a sump or the well through a filtering tank by PVC pipe. A valve system shall be incorporated to enable the first part of the rainwater collected to be discharged out or to the soil if it is dirty. A filtering tank measuring 0.36 Sq. m. can be constructed near the sump. The tank can be divided by a perforated slab and one part should be filled by small pebbles and other by brick jelly. The bottom portion of the tank should have a slope to avoid stagnation of water.

##### 2. Open Ground:

Where there is open ground, a portion of topsoil should be removed and replaced with river sand to allow slow percolation of rain water. Any other method proved to be effective in conservation and harvesting of rainwater may be adopted in each and every construction taken up.

#### 45. Signs and Outdoor display structures:

These shall be governed by the relevant provisions of the Orissa Municipal Corporation Act/Orissa Municipal Act.

Within the Bhubaneswar Development Plan area where no specific guideline for the above structures is framed, the Authority shall prescribe the guidelines with approval of Government.

## Specific Regulations

(This refers to the Regulations No. 47-56 of Part V of the BHUBANESWAR DEVELOPMENT AUTHORITY (PLANNING & BUILDING STANDARDS) REGULATIONS – 2008.)

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### 47. Apartment:

No apartment building shall be permitted on plots less than 500 Sq. m. in size.

In apartment building with joint ownership of land the owner / developer shall provide floor space for house owner's society Office / assembly at the rate of 1 Sq. m. per / flat provided that the minimum area shall not be less than 12 Sq. m..

One staircase for every 6 dwelling units or fraction there of in a floor shall be provided.

### 48. Group Housing:

The minimum size of site for group housing shall be 4000 sq. m.

In addition to other requirements the group housing schemes shall be accompanied by:

- a. A services and Utilities plan as per standards for water supply system, drainage and storm water disposal system, sewerage system, rain water harvesting structures, and for other utilities.
- b. A landscape plan including rainwater harvesting / water recycling details.
- c. Parking & internal circulation plan along with Common pool parking area plan, if any. The above shall be drawn on suitable scale with relevant details.

The minimum abutting road width shall be 9 m. for non high-rise and 18 m. for high-rise building blocks and should be black topped.

Common facilities like shopping centre, community hall or centre/club etc. are required to be provided in up to 5% of the built up area and shall be planned and developed in cases where the units are above 50 in number and not to be part of the residential blocks.

A black topped unhindered public access road of 7.5 meter width is to be developed on any one side of the periphery as per suitability and feasibility for the convenience of accessibility of other sites and lands located in the interior.

In case of blocks up to 12 m. heights, access through pathways of 6 m. width would be allowed. All internal roads and pathways shall be developed as per standards.

Minimum of 15% of site area shall be earmarked for organized open space and be utilized as greenery, tot lot or soft landscaping, etc. This space may be in one or more pockets.

#### 49. Outhouse:

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

- i. The coverage of the outhouse shall not exceed 30 sq.m. and the height shall not exceed 3 m.;
- ii. the built up area of the outhouse and that of the main building together shall not exceed the permissible FAR for the concerned plot;
- iii. the outhouse shall not cover more than one third of the width and more than one fourth of depth of the plot and shall not abut any public road;
- iv. a minimum 1.5 m. strip of land shall be kept open to the sky between the main building and the outhouse;
- v. no opening either in the form of windows or doors or ventilators shall be provided to the adjoining properties;
- vi. Outhouses with sloping roof would only be permitted. In no case permission for outhouses would be granted with reinforced concrete cement flat roof.

#### 50. Requirements for Basti Area:

In a Basti area, permission to erect a building may be given on the basis of the available width of means of access, provided that where the width of means of access is 4.5metre or less, the coverage shall be limited to 50% of the plot area and the maximum height of the building limited to two storey and the F.A.R. limited to 1.00.

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

The rear setback and front setback shall not be less than 3.0 m. and 1.5 m. respectively.

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

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

#### **51. Semi detached and row housing:**

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

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

For semi-detached buildings over two adjacent plots, the setbacks, the height and the FAR shall be regulated by treating both the plots as one.

In case of row housing, the length of a row shall not exceed 30 m. along the road on which such houses abut. In case, the dwelling units in a row are scattered the maximum length of the road shall be 100 m..

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

The minimum size of the plot on which a unit of row housing may be allowed shall be 30 sq. m.

#### **52. Shop cum Residence:**

Where plots are allotted in a row for shop-cum-residential purpose the Authority may allow construction of shop-cum-residential building without any side set backs up to a depth of 10 meters from the front exterior wall. Provided that no part of the building up to said depth is used for residential purpose on the ground floor. No building exceeding 11 meters in height shall be allowed to be constructed as a shop-cum-residential plot, unless so permitted under the zonal Development Plan, provided that the shop-cum-residence shall have 2/3<sup>rd</sup> of the total floor area used for shops. The FAR and other parameters shall conform to that specified for commercial buildings.

#### **53. Cinema, Multiplex and Theatre building:**

The relevant provisions of the Orissa Cinemas (Regulations) Rules, 1954 shall apply for planning, designing and construction of Cinema and Theatre buildings

No permission for construction of a building to be used as a cinema hall, theatre or auditoria for cultural show shall be granted unless the construction of such buildings conforms to the provisions of the Orissa Cinema (Regulations Act, 1954 and the Orissa Cinematograph Rules, 1939 or any other law in force in the State.

No permission to construct a cinema hall on a site shall be given unless such site has been approved by the Authority for construction of a cinema hall thereon.

Excepting provision for restaurant and incidental facilities no other use shall be permitted in a cinema building.

All cinema, theatre or auditoria buildings shall conform to IS; 4898-1968 and acoustics design of such buildings shall adhere to the requirements of IS; 2526-1963.

Exits and fire safety requirements shall be in accordance with Part IV (Fire and life safety) of National Building Code of India, 2005.

#### 54. Liquefied Petroleum gas:

Vacant space shall be maintained at all times, with the following distances for storage shed used for the storage of liquefied petroleum gas cylinders between any building, public space, public road or any adjoining property which may be built upon and the said storage shed.

**Table 9: Minimum Distances Required for Storage Shed of Liquefied Petroleum Gas Cylinders**

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

Notwithstanding anything contained in the conditions specified above, cylinders containing liquefied petroleum gas exceeding 100 Kilograms but not exceeding 300 Kilograms may be kept in a storage shed forming part of, or attached to building, if it is separated there from by a substantial partition and the only means of access to it is from outside. Such a storage shed shall not be situated under any staircase or near other entrances to or exits from the rest of the building or other buildings. A shed used for storage of liquefied petroleum gas cylinders shall be surrounded by a suitable fence to prevent unauthorised persons from having access to the shed.

#### 55. Petrol Pump:

Minimum distance from the road intersections shall be:

- i. For minor roads having less than 30 m. width - 50 m.

- ii. For major roads having width 30 m. or more - 100 m.

The minimum distance of the property line of petrol pump from the centre line of the road should not be less than 15 meters on roads having less than 30 m width. In case of roads having 30 m or more width, the width of the road should be protected.

Plot size:

- i. Only for filling stations - 30 m X 17 m
- ii. Filling-cum-service station -36 m X30 m
- iii. Frontage of the plot should not be less than 30 m

New petrol pump shall not be located on roads having less than 30 m width

(5)

i. **Other controls:**

Ground coverage : 20%

FAR : 20

Max. Height : 7 m

Canopy equivalent to permissible ground coverage within setback line.

Front set back : minimum 6 m

ii. **Other regulations:**

NOC from Explosives/Fire Department

License from the District Magistrate

Ground coverage will exclude canopy area

iii. **Compressed Natural Gas (CNG) mother station:**

Plot size (Max) : 36 m X 30 m

Maximum ground coverage : 20%

Maximum height : 7 m (single storey)

Building component : controlroom/office/  
dispensary, store,  
pantry and W.C.

## 56. Farm House:

For construction of Farm House Building in Green belt Use Zone:

i. **Minimum size of plot:**

Minimum size of a plot for farmhouse shall not be less than 1.00 hectare.

ii. **Maximum coverage and FAR:**

Maximum Permissible Ground coverage for all types of activities	:	15%
Maximum Permissible FAR	:	20
Max. Height	:	7 m
Residential accommodation of watch and ward/maintenance staff	:	100 sq.m.
Setbacks	:	Front/side abutting road 15.0m and all other sides 9.0m.

- iii. **Other Provisions:** Minimum 50 percent of the total area of the farmhouse shall be under plantation/cultivation. At least 100 trees per hectare shall be planted out of which at least 50 percent shall be evergreen trees.
- iv. **Water supply, Sewerage and drainage:**
- a. In case of a plot for a farmhouse having dwelling units the owner thereof shall be responsible to make lawful arrangements for potable water.
  - b. The owner shall be responsible to provide drains in the farm house to be used for rain water and in case of dairy farm open or closed sanitary drains to clean sheds, as may be required by the Authority.
  - c. The owner shall be responsible to provide septic tank with necessary disposal trenches for disposal of human and animal waste in the farmhouse within his own premises.
  - d. Electrification - The owner of a farmhouse shall obtain electric connection directly from the appropriate authority authorized for distribution on such terms and conditions at his own cost as decided by the appropriate Authority from time to time.
  - e.

## Integrated Township

(This refers to the Regulations No.57 of Part VI of the BHUBANESWAR DEVELOPMENT AUTHORITY (PLANNING & BUILDING STANDARDS) REGULATIONS – 2008.)

### 57. Large Projects:

“Integrated Township” is gaining increasing acceptance recent times. To give impetus to economic growth and to enhance the vibrance and dynamism of urban activities in Bhubaneswar, Integrated Townships with minimum 10 Ha of land having access from minimum 30 m. R/W road

shall be allowed. The road shall have adequate provision for cycle track, footpath, covered drain, plantation, and street light and under ground utilities.

The integrated Township shall be permitted in Residential / Institutional zones.

Permissible land use within the town ship (%):

i.	Residential	:	45-50
ii.	Industrial (Non Polluting) & Commercial	:	10-13
iii.	Institutional	:	6- 8
iv.	Recreational	:	12-14

Other Regulations for approval of Integrated Township:

- A. 10% of the total area shall be reserved for parks and open space. It shall be developed and maintained by the developer to the satisfaction of the Authority.
- B. 5% of the site area shall be reserved for public and semi-public use and shall be handed over to the Authority free of cost and the same shall be allotted by the Authority for development either to the developer or others on lease basis.
- C. The FAR shall be calculated on the total area.
- D. Road shown in Comprehensive Development Plan shall be incorporated within the plan and shall be handed over to the Local Authority free of cost after development.
- E. The FAR and coverage shall be 2.50 and 40% respectively.
- F. At least 15% of the housing units developed will be earmarked for EWS/LIG category.
- G. The minimum width of internal road shall be 18 mtr.

## Multi-Storeyed Buildings and Group Housing Schemes/Apartments: Additional Requirements

(This refers to the Regulations No.58 of Part VII of the BHUBANESWAR DEVELOPMENT AUTHORITY (PLANNING & BUILDING STANDARDS) REGULATIONS – 2008.)

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### 58. Restriction on construction of Multi-storied building:

Construction of multi-storied building shall not be permitted in villages namely Bhubaneswar, Kapileswar, Rajarani and Dhauli in Bhubaneswar and Mukunda Prasad & Gadakhurda in Khurda. The Authority may include any other areas for prohibition of multi storied building from time to time.

The Authority may restrict construction of multistoreyed buildings in any other area on the basis of objective assessment of the available infrastructure and planning needs after obtaining due approval of the Government.

Before commencement of these Regulations, where permission has been granted conditionally, such cases shall be dealt with under these Regulations as far as possible, without any major change, or without removal of construction. However, where violation of Heritage Zone conditions has occurred, this relaxation shall not apply.

No multi-storied building shall be allowed to be constructed:

- A. With approach road less than 18 m. width;
- B. On plot the size less than 2000 sq. m.
- C. Within 100 meters. from the centre of the National High way on either side.

### 59. Stages of Permission:

Permission for construction of a multi-storied buildings, & Group Housing Schemes shall be given with the approval of the Authority and in following stages namely:

- A. In the first stage permission shall be accorded conditionally to develop the infrastructure as per specification of Local Authority and Public Health Engineering Department.
- B. After joint inspection, up to 75% of the proposed building height shall be allowed.

- C. After completion of construction up to 75% of the proposed building as per the approved plan and plantation of 20% of the plot area the remaining 25% construction shall be allowed.

**Note:** The plantation shall not obstruct free movement of fire tenders around the building.

#### **60. Commencement of Work:**

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

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

During or soon after the construction of the foundation work of the multi-storied building, the Vice-chairman of the Authority or his representatives or independent Engineer/ Architect appointed by Authority shall inspect the construction to ensure that the setbacks, coverage, basement if any, and foundation standards are according to the approved plan.

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

#### **61. Liability of defective construction:**

For defective constructions, the Authority shall sue the owners, builders, architects, and the engineers for both civil and criminal liabilities, besides taking action under these Regulations.

Without prejudice to the provisions of the Act, the actions to be taken by the Authority shall include stop construction notices, cancellation of permission, and removal of unauthorized constructions. Such actions shall be notified.

**62. Maintenance:**

The main entrance to the premises shall not be less than 5 (five) meters in width in order to allow easy access to fire engine. The gate shall fold back against the compound wall of the premises, thus leaving the exterior access way, within the plot, free for the movement of fire service vehicles. If archway is provided over the main entrances, the height of the archway shall not be less than 5 (five) meters.

For multi-storied group housing scheme on one plot, the access way within the premises shall not be less than 7.5 (seven and half) meters in width and between individual building blocks, there shall be an open un-built space of 6 (six) meters.

The space set apart for providing access within the premises shall, in no case, be included in the calculation of requirements pertaining to parking spaces and other amenities required to be provided for the building.

Every access way shall be properly drained and lit to the satisfaction of the Authority. Manhole covers or any other fittings laid within the right of way of the access way shall be flushed with the finished surface level of it so as not to obstruct safe movement of men and vehicles.

Reconstruction or addition or alteration to any multi-storied building shall not be taken in a manner which shall reduce the width of the access way to a level below the minimum prescribed limit under these Regulations.

**63. Exit:**

Every multi-storied building meant for human occupation or assembly, shall be provided with exit sufficient to permit safe escape of the occupants in case of fire or other emergencies.

An exit may be a door-way, corridor, passage way to an internal or external staircase or to a verandah or roof or terrace having access to a street.

Exits shall be so arranged as to provide continuous means of access to the exterior of a building or exterior open space leading to a street without passing through any occupied unit.

Exits shall be so located that the travel distance on the floor shall not exceed twenty meters in case of residential, educational, institutional and hazardous occupancies and thirty metres in the case of assembly, business, mercantile, industrial and storage occupancies. Wherever more than one exit is required for a floor of a building, exits shall be placed at a reasonable distance from each other as possible. All the exits shall be accessible from the entire floor area at all floor levels.

There shall be at least two exits serving every floor and at least one of them shall lead to a staircase.

The width of every exit shall not be less than one metre and shall be provided as per the following table.

**Table 11: Number of occupants as per type of occupancy**

Sl.No.	Type of occupancy	Number of occupants per unit exit	
		Stair Case	Terrace
(1)	(2)	(3)	(4)
1	Residential	25	75
2	Mixed and other uses	50	75

**Explanation:**

- A. Lifts and escalators shall not be considered as an exit.
- B. ‘Travel distance’ means the distance from any point in the floor area to any exit measured along the path or egress except that when the floor areas are sub-divided into rooms, used singly or of rooms and served by suite corridors and passage, the travel distance may be measured from the corridor entrance of such rooms or suites to the nearest staircase or verandah having access to the street.

**64. ICT landing points:**

Every multi storied building complex shall have provision for Information and Communication Technology (ICT) landing point in the form of a room near the main entrance gate of dimension not less than 3 m x 4 m. and having 3 m. clear height. The room shall have two fire proofs doors of 1.2 m. width opening outwards along with adequate ventilation in the form of windows/ ventilators. Such room shall not be counted in coverage and FAR calculations.

**65. Penal Action against Builders/Technical personnel:**

Not withstanding anything contained in these regulations the Authority reserves the right to debar/ black list the builder/ technical person who has deviated from the professional conduct or has made any fraudulent statement or has misrepresented/suppressed any material facts in his application/ plan or is involved in construction of the building deviating from the approved plan/norms of these Regulations.

Before taking any action under clause (1) specified above the Authority shall issue a notice specifying the reasons thereof asking for a show-cause within 15 days as to why such builder/technical person shall not be debarred/black listed. After receipt of the show cause, if any, the same shall be placed before the Authority for a decision on debarring/black listing the technical person/builder. The decision of the Authority in this regard shall be published.

An appeal against an order under sub-clause (2) above shall lie under section 18 of the Act.

**66. Occupancy of the building:**

In addition to the general provisions contained in Regulation-16 and partial modification thereof the following provisions shall be followed in case of multi storied buildings, apartments and group housing schemes;

1. No person shall occupy or allow any other person to occupy any part of the multi-storied building for any purpose until such building or any part of it, as the case may be, is granted occupancy certificate by the Authority.
2. On receipt of completion certificate in Form-VI (Part-I & Part-II) the Planning Member with the approval of Vice-Chairman shall

issue a provisional occupancy certificate in Form-X to enable the builder/land owner to obtain service connections.

3. The authorities entrusted with the job of providing services like electricity, water supply and sewerage shall not provide such services without provisional occupancy certificate by the Authority. However, temporary service connection may be provided for construction purpose.
4. The builder shall cause to register an Association of apartment owners as required under the Orissa Apartment Ownership Act, 1982, before occupancy certificate for 50% or more of the floor area is given.
5. The Builder shall submit a copy of the agreement it has entered into with the apartment owners' society. This agreement shall show the terms of maintenance of public utilities.
6. On satisfactory compliance of above & provision of the services the final occupancy certificate shall be issued by the Planning Member with approval of the Vice-Chairman.

#### **67. Completion of Construction;**

Every applicant/ owner shall submit a notice in Form-VI (Part-I and Part-II) regarding completion of the construction of multi-storied building, to the Authority through the registered Architect/Structural Engineer, who has supervised the construction. The said notice shall be accompanied with the following documents:

1. Three copies of plan of the completed building.
2. A fee of Rs.5000.
3. Record of Rights relating to ownership.
4. Evidence that all public utility services, and in particular, sewerage, drainage, water supply, and electricity have been linked to the main public utility system.
5. No Objection Certificate from Fire Prevention Officer

#### **68. Issue of Occupancy certificate:**

The Authority on receipt of the notice of completion, along with all the required documents, shall take a decision to either issue or refuse occupancy certificate in Form-X within 60 days from the date of receipt of such notice. This fact shall be published in the public notice.

If the occupancy certificate is not issued by the Authority within sixty days from the receipt of notice, the owner shall draw the attention of the Vice-Chairman of the Authority in this regard in the Form-XIII. If within the further period of two month the authority does not communicate its decision either granting or refusing occupancy certificate, such issue of occupancy certificate shall be deemed to have been granted to the owner on the date following the date of expiry of such two months.

Where occupancy certificate is refused by the Authority, reasons thereof shall be communicated to the applicant and the same shall be published. An appeal against such a decision will lie under section 18 or 103 of the Act. The Appellate Authority shall be competent to seek the views of, and implead as parties, authorities in charge of public utility services, as provided under the Act, under the Orissa Apartment Ownership Act, 1982, and apartment owners. Where non-provision of public utilities is likely to affect other residents, such residents can also be impleaded as parties.

#### **69. Structural Safety Design and other services requirements:**

##### **1. Structural Design:**

The structural design of foundation, masonry, timber, plain concrete, reinforced concrete, pre-stressed concrete and structural steel shall be carried out in accordance with Part-VI structural design, section-1 loads, section-2 foundation, section-3 wood, section-4 masonry, section-5 concrete and section-6 steel of National Building Code of India taking into consideration all relevant Indian Standards prescribed by Bureau of Indian Standards including the Indian Standard given in IS-Code 1893-1984, 13920-1993, 4326-1993, 13828-1993, 13827-1993 and 13935-1993 for structural safety.

##### **2. Quality of Materials and Workmanship:**

All material and workmanship shall be of good quality conforming generally to accepted standards of Public Works Department and Indian standard specification and codes as included in Part-V Building Materials and Part-VII Construction practices and safety of National Building Code of India.

### 3. **Alternative Materials, Methods of Design and Construction and Tests:**

The provision of the Bye-Laws are not intended to prevent the use of any material or method of design or construction not specifically prescribed by the bye-law provided any such alternative has been approved. The building materials approved by B.I.S. or any statutory body will form part of the approved building material and technology as part of the Bye-Laws.

### 4. **Building Services:**

- i. The Planning design and installation of electrical installations, air conditioning installation of lifts and escalators can be carried out in accordance with Part-VIII Building Services, section-2 electrical installation, section-3 air conditioning and heating, section-5 installation of lifts and escalators of National Building Code of India, 2005.
- ii. The requirements of electric sub-station and the provision of electric sub-station shall also require approval from the concerned Authority.

### 5. **Plumbing Services:**

The planning, design, construction and installation of water supply, drainage and sanitation and gas supply system shall be in accordance with Part-IX, Plumbing Services, section-I water supply; section-2 drainage and sanitation and section-3 gas supply of National Building Code of India 2005.

## **Development and Sub-division Land Regulations (This refers to the Regulations No.70-77 of Part VIII of the BHUBANESWAR DEVELOPMENT AUTHORITY (PLANNING & BUILDING STANDARDS) REGULATIONS – 2008.)**

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### **70. Application:**

Applications for subdivision of land for utilizing selling, leasing out or otherwise disposing it off as referred to in clause(a) of sub-section(1) of Section 16 shall be made to the Authority in Form-1.

The applications for subdivision shall be in addition to the requirements specified in Regulation-5 (2) (iii) accompanied by:

- i. a copy of the title deed of the land in question;
- ii. an affidavit with regard to legal ownership and physical possession of land and such other particulars as the Authority may require;
- iii. an authenticated copy of the certificate with regard to the payment of development charges, if any, under, Chapter-IX of the Act, provided that submission of such certificate shall not be necessary if the provisions of Chapter-IX of the said Act has not been brought into force in the area in which the concerned land is located;
- iv. an authenticated copy of the receipt towards payment of the scrutiny fee to the Authority as prescribed under Rule-18;
- v. a no-objection certificate ,from the lessor in case the land is not lease-hold unless the lease deed permits undertaking sub-division as applied for;
- vi. a site plan traced out of revenue village settlement map in operation indicating therein in red colour the lands to which the application relates and surrounding plots;
- vii. an index plan of the site showing adjoining areas within a radius of 150 m. round from the proposed site marking clearly therein the boundaries of the proposed layout in red colour, existing road, structures, burial ground and high tension or low-tension power line passing through the site of the layout plan and the level of the site;
- viii. a detailed plan to a scale not less than 1:100 showing the proposed layout(sub-division)indicating size of plot width of the proposed road, open space and amenities provided;
- ix. land use analysis indicating the survey plot number, the bye-plot number, the detailed dimensions of all the plots, the area of each-plot and the use to which they are proposed to be put;
- x. in case of land originally belonging to any religious endowments, a no-objection certificate from the endowment commissioner or wakf board as the case may be; and

Where permission for sub-division of land is granted, such permission shall be communicated to the applicant in Form II within 60 days from the receipt of the application.

Where permission for sub-division of land is refused such refusal shall be communicated to the applicant in Form IX.

### 71. Use in relation to the Development Plan:

Subdivision of land shall normally be permitted for the purpose for which the concerned land is earmarked in the development plan. Such subdivision may be for residential, commercial industrial, institutional or combination of one or more of this purpose or such other purpose as may be considered conforming to the provisions in the development plan.

Provided that in every subdivision plan spaces for roads, community facilities and public utilities as specified in this part or such other facilities as the Authority may determine shall be incorporated.

After a subdivision plan has been approved the Authority shall not permit construction of a building on any of the plot under section-16 unless the owners have laid down and made street or streets and provided amenities as approved or transferred the land covered by roads, open spaces or other public purposes to the concerned local body.

Subdivision of land for residential purpose in green-belt use zone shall not be permitted unless such sub-division in the opinion of the Authority forms a part of the normal expansion of existing human habitation.

The sub division shall conform to the proposals of the CDP and other development plans.

### 72. Size of the plot and road width:

No sub divided plot will be less than 50sq.m. However the Authority reserves the right to relax in special cases such as EWS housing. The size of the plot shall be according to the relevant sub-division of plot size in the zones.

**Table 12: Minimum Road width for Residential Sub-divisions**

Sl.No.	Length of road in (m)	Min. width of road
1	Up to 250	9.0
2	Above 250 up to 500	12.0
3	Above 500 to 1000	15.0

For EWS housing scheme, the minimum road width may be relaxed.

### 73. Area for Development:

Apart from the provision for amenities, open spaces, the area for residential development shall be up to maximum of 50% of the total land area.

#### 74. Parks and Open Spaces:

Parks and open spaces shall not be less than 10% of the total land area. This shall be relinquished to the Authority and if required, the Authority may handover area over for maintenance to the residents' welfare association or owner or developer. If the site is not utilized for which it is leased out within a prescribed period, it will be resumed back to the Authority.

#### 75. Civic Amenities:

Civic amenities space shall not be less than 5% of the total area. The site shall be relinquished to Authority and leased to the residents' welfare association or the developer on payment of necessary nominal fees as prescribed by the Authority from time to time. If the site is not utilized for which it is leased out within a prescribed period, it will be resumed back to the Authority.

#### 76. Exemptions:

In case of developable area for residential development is less than 50% by providing for Master Plan roads or any other road or due to statutory reasons, prescribed by the Authority in a layout, the applicant may be exempted from complying with Civic amenities reservation.

For layout over 10.0 ha, commercial land uses such as Business offices, shopping complexes and Retail up to 2-3% may be permitted, subject to provision of separate access.

For residential development upto 0.30 hectare of land, the requirement of open space may not be insisted on.

#### 77. Security deposit for Sub-division Plan:

The applicant shall deposit a refundable non earning security deposit at the rate of Rs.100/- per Sq. m. of plot area for development of land for a plotted development scheme.

The security deposits shall be refunded within 60 days from the date on which completion certificate is produced. If the development is not as per approved plan, this deposit shall be forfeited and the amount will be transferred to the local authority for development of the site.

The security deposit will be refunded with 2% interest if the development is carried out as per the approved plan/ ay out.

The applicant may deposit the security fee in the form of Bank Guarantee.

## Compounding

(This refers to the Regulations No.78-80 of Part IX of the BHUBANESWAR DEVELOPMENT AUTHORITY (PLANNING & BUILDING STANDARDS) REGULATIONS – 2008.)

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### 78. Restriction on Compounding:

Any deviation pertaining to unauthorized development shall not be compounded;

- A. Where construction has been undertaken on Government land or land belonging to local body or land not owned by the person undertaking such development;
- B. Where FAR or height has been exceeded or front setback has been reduced from the prescribed norms under these regulations.
- C. Where development has been undertaken unauthorisedly within the prohibited limits of any ancient or archaeological monuments.
- D. Where such developments interfere with the natural drainage of the locality;
- E. Where development has been undertaken unauthorisedly over the area earmarked /approved for parking; and,
- F. Where road or drain whether public or private, whether constructed or natural, has been encroached.

Subject to the provisions contained in sub Regulation (1), the Authority shall have the power to determine further such circumstances under which compounding may be prohibited.

The Authority may, either before or after the institution of the proceedings under the provisions of the Act compound any offence:

- A. Where development has been undertaken without permission, but within the framework of use restrictions and the provisions of these Regulations applicable to the concerned plot;
- B. Where development has been undertaken in deviation of the approved plan, but within the framework of the use restriction and the provisions, norms, and stipulations of these regulations; and

- C. The Authority may however compound deviations up to 10% (ten percent) beyond the permissible norms of these Regulations in respect of coverage, rear and side setback only.

### 79. Compounding Rate:

Compounding Rates for various categories shall be as follows;

**Table 13: Category wise Compounding Rates**

Sl. No.	Situations	Compounding fee for sq.ft. (in Rs.)	
		Residential/Institutional	Others
1.	Where development has been undertaken without permission, but within the frame work of use restrictions and the provisions of the Regulations applicable to concerned plot	10	25
2.	Where development has been undertaken in deviation to the approved plan, but within the framework of use, restrictions and the provisions of norms and stipulations of these regulations.	25	40
3.	Constructions up to 10% beyond the permissible norms of these Regulations with respect to coverage, side and rear setback.	50	100

#### Note:

The above rate shall be revised by the Authority from time to time with prior approval of the Government.

### 80. Compounding Amount:

At least 50% of the compounding amount shall be utilized for development of public utility services and protection of heritage sites and structures.

### 81. Temporary Retention:

The Authority may allow retention of any unauthorized structure for temporary period on deposit of retention fee. The type of structure to be retained, the period of retention and the fees to be deposited shall be decided by the Authority from time to time.

## Savings/Repeals and Interpretation

(This refers to the Regulations No.82-90 of Part X of the BHUBANESWAR DEVELOPMENT AUTHORITY (PLANNING & BUILDING STANDARDS) REGULATIONS – 2008.)

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### 82. Repeal and Savings:

The Bhubaneswar Development Authority (Planning and Building Standards) Regulations 2001 are hereby repealed.

Notwithstanding such repeal, anything done or any action taken under the said Regulations so repealed shall be deemed to have been done or taken under these Regulations, and those pending on the date of commencement of these Regulations, shall be done or taken under the provisions of these Regulations.

Where a plan had been approved in relaxation of the norms of earlier Regulations, through compounding or otherwise and subsequently new construction has been taken up without plan approval, or, where, permission for fresh construction is sought for, the stipulations of the present Regulation shall apply.

### 83. Information, Education and Communication:

The Authority shall take a pro-active role in educating the land owners within their jurisdiction so that (a) there will be a planned growth within development area and (b) demolition will be avoided.

A copy of these Regulations shall be printed by the Authority and sold to public in the sales counter of the Authority.

### 84. Interim Development Plans:

The Authority may prepare Interim Development Plans (IDP) for newly included development areas including stitiban/ ryoti land within a reasonable time frame so that development may not be held up in the name of pendency of Interim Development Plan. Where such IDP has not been prepared, the general provisions of this Regulation shall apply without any zonal restrictions.

The Authority shall ensure that resources for land acquisition and cost of land are mobilised or are likely to be mobilised within the time frame projected for implementation of such Interim Development Plans.

### 85. Provision of development plan to prevail:

In case any of the provisions of these regulations are at variance with those contained in any Development Plan or Town Planning Scheme, the provisions of such plan or scheme shall prevail.

**86. Applicability of National Building Code:**

Where no express provision has been made in respect of any matter connected with planning and building standards by the Act, the Rules, the Development Plan, the Town Planning Schemes, or these Regulations or by any resolution of the Authority, the provisions of the National Building Code of India, 2005 shall mutatis mutandis be applicable.

**87. Schedules and Annexures:**

The qualification, experience and competence of technical personnel and Builders are given in Schedule-I, which are to be followed as per relevant regulations.

The extract of ODA Act 1982, ODA Rule 1983 and relevant provisions of NBC are provided at Schedule-2 for ready reference.

The forms prescribed for application under section-16(1), permission under section-16(3) drawing attention of Vice-Chairman u/s 16(7) of ODA Act and others in connection with commencement of work, completion certificate, Occupancy Certificate, Structural stability certificate and periodic progress report are provided in Schedule-3.

**88. Constitution of D.P & B.P Committee:**

The Authority shall constitute a Committee under section-6 of ODA Act to be called Development Plan and Building Permission Committee with members from the following Organizations/Department besides those required from BDA.

1. Vice Chairman, BDA, Chairman
2. Commissioner, Bhubaneswar Municipal Corporation
3. Director, Town Planning, Orissa
4. Chief Architect, Orissa
5. Joint Secretary, Housing and Urban Development Deptt. Orissa
6. Chief Engineer, Public Health Engineering Deptt. Orissa
7. Joint Secretary Environment and Forests Department, Orissa
8. Chief fire Officer, Bhubaneswar
9. Director (Estates), G.A. Deptt., Orissa
10. Member Secretary, Orissa State Pollution Control Board

Additional member(s) may be co-opted/ associated for specific meetings depending upon the purpose.

The Authority may by notification delegate such powers relating to approval of schemes, projects and building plans to the Committee constituted under Sub-Regulation (1) as it may deem appropriate.

Matters and cases relating to permission under section 16 of the ODA Act and such other matters including permission for multi-storied buildings are required to be referred to the Committee from time to time for advice & recommendations.

In order to facilitate clearance from different bodies / departments of State Government with the concept of single window clearance approach and thereby final approval by the Authority within stipulated time frame, the Authority shall constitute a Building Approval Committee consisting of representatives of the organizations / bodies from whom clearance for development / building permit clearance is required for approval of plans coming up in Special Economic Zones, Group Housing, Multistoried buildings & other Special Buildings.

#### **89. Activities along National Highway:**

While regulating activities along National Highway the provisions contained under the relevant rules and regulations are to be adhered to.

#### **90. Applicability of Regulation's 2001:**

The Scheme for regularization of unauthorized/deviated constructions through compounding notified under clause-72 (2) of the BDA (Planning and Building Standards) Regulations'2001(amended) and subsequent modification shall remain operational as per the provisions of the Scheme.

If any Department of Government/Statutory Authority has given any commitment for a project under PPP under the provision of BDA (P& B.S.) Regulations, 2001 with the prior approval of Government, but the building plan of such project has not yet been approved by the Authority as on date of enforcement of these Regulations, such commitment shall be treated to be made under these Regulations.

#### **Decision of the Government to be final:**

In case of any dispute in interpretation of these regulations, the decision of the State Government shall be final.

## APPENDIX-II

Zone No.	Location	Villages within the Zone
12	Bharatpur	Andharua (part), Bharatpur (part), Darutheng, Jaganathprasad (part), Jokalandi (part), Jujhagad, Patharagadia, Raghunathpur (part), Saymasundarpur and Sundarpur
13	Chandra-sekharpur	Bamikhali(part), Chandrasekharpur, Damna, Darha(part), Gadkan(part), Injana, Jayadevvihar, Kalarahang, Padasahi(part), Paik Nagar (part), Pandra(part), Patia, Raghunathpur(part), Raghunathpurjali, Samantpuri and Vanivihar
14	Sribantapur	Balipara, Barimund, Darha (part), Dhawa, Gadkan (part), Gandarpur, Jhinkadihi, Kalyanpur, Kantania, Khairapara, Krushnasaranpur, Mancheswar, Marichia, Naubant, Ostapara, Padasahi (part), Pandra (part), Rokati, Singra and Tangibant
15	East Kuakhai	Banguri, Haridaspur, Jaepur, Johal, Naharkanta, Nakhara, Pahala and Rudrapur
16	Sisupal	Badadhanapur, Bankuala, Bargar, Basuaghai, Durgapurpatna, Godagopinathprasad (part), Govindprasad (part), Jharpara (part), Keshara, Koradakanta, Lingipur, Meherpalli, Pandra (part) and Sisupal
17	Bhubane - swar New Town	Aiginia (part), Ashok Nagar, Baksijagabandhu Nagar, Bamikhali (part), Bapuji Nagar, Barmunda, Begunia, Bhipur, Bhoi Nagar, Bhum Nagar, Dumuduma (part), Gang Nagar, Godagopinathprasad (part), Gopabandhu Nagar, Govindprasad (part), Jadupur, Jagmara (part), Jharpara (part), Kesari Nagar, Kharbel Nagar, Lakshmisagar No.1, Lakshmisagar No.2, Madhusudan Nagar, Nayapalli, Paik Nagar (part), Pandra (part), Pokharipur, Sahid Nagar, Satya Nagar and Surya Nagar
18	Old Bhubane - swar	Bahadalpur, Bhubaneswar, Ebaranga, Gautam Nagar, Hatasahi, Hatipurpatna, Kapileswar, Kapilprasad, Kochilaput, Kukudaghai, Mahabhoisan, Mohanpur, Mohanpur, Raghunathpur, Rajarani, Sarakantar and Sundar Pada
19	Dhauri	Dhauri, Gelapur, Gopinathpur, Jaganathpur Patna, Kausalyapur, Khatuapada, Kousalyaganga, Krushnapur, Nakhaur, Nakhaurpatna, Pubasasan, Santrapurpatana, Saradeipurpatna, Sardeipur and Uttarasasan
20	Aigania	Aiginia (part), Andharua (part), Barmunda (part), Bharatpur (part), Dumuduma (part), Ghatikia, Jaganathprasad (part), Jagmara (part), Jokalandi (part), Malipada and Sampur
21	Tamando	Alkar (part), Badaraghunathapur, Baliapada, Beguniabarehi, Bhagabanpur, Bidyadharpur, Bijipur, Chaitanprasad, Chandihata, Chhelda, Chhotarapur, Dakhinamundamuhan, Dasabatia, Gadajagasara, Gobindapur (part), Gopalpur (part), Harapur, Jagasara, Jagasarapatna, Jagulaipadar, Janla, Kaimatia, Kaimatiapatana, Kasipur, Madanpur, Mahura, Nahdapur, Nainput, Naragoda, Naugan, Ogalpara (part), Ogarsuan, Paikarapur, Pandiapada, Patarapada, Patsahanipur, Ransinghpur, Sahajpur, Santrapur, Sathuakeragopalpur, Sijua, Sijuput, Suang, Subudhipur, Tamando and Uttaramundmuhan
22	Gangapada	Alkar (part), Bhatakhuri, Bhipur, Gangapara, Gobindapur (part), Kanjiama, Kumbharabasta, Nilkanthpur, Ogalpara (part), Pitapalli and Uparbast
23	Khurda	Gurujanga, Jagannathpur (part), Jajarsing, Jemadei (part), Khurdha (part), Mukundaprasad (part), Palla (part), Radhamohannagar, Sanapalla (part) and Totapara (part)
24	Barunei	Baratola, Belapara, Jagannathpur (part), Jemadei (part), Kholadwar, Khudpur, Khurdha (part), Mukundaprasad (part), Padanpur, Palla (part), Sanapalla (part) and Totapara (part)
25	Jatani	Bachharapatana, Barnuagaon, Chhanaghar, Gopinathpur, Goradharmasagar, Jagannathpur Patna, Janitownkhasmahal, Jatni, Kudiari, Kumbharkhatia, Kusumati, Ramchandrapur and Sandhapur