

**PONDICHERRY  
BUILDING BYE-LAWS  
AND  
ZONING REGULATIONS  
(AMENDMENT), 2010.**

(as amended vide Notification No. 13/2010 dated 30.3.2010)

## PONDICHERY BUILDING BYE-LAWS AND ZONING REGULATIONS, 1972.

### PART-I Building Bye-laws

#### CHAPTER I

#### PRELIMINARY

1. **Title and application** - (1) These bye-laws and regulations may be called "The Pondicherry Building Bye-laws and Zoning Regulations, 1972.

(2) The provisions of these bye-laws and regulations shall apply to the planning area declared vide notification 2, Gazette No.99, dated 14th September, 1971 and such other areas in the Union Territory notified from time to time.

2. **Definitions** - In these Bye-laws and Regulations, unless the context otherwise requires,-

'Act' means the Pondicherry Town and Country Planning Act, 1969 and amendments issued from time to time;

'addition to a building' means addition to the cubic contents or to the floor area of a building (it means addition to the existing building);

'area' in relation to a building means the superficies of a horizontal section thereof made at the plinth level inclusive of the external walls and of such portions of the party walls as belong to the building (it means the floor area);

'balcony' means horizontal projection, including a hand rail, or balustrade, or a parapet to serve as passage or sitting out place;

'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 the highest point of the building adjacent to the street wall (it means the height of a building);

'ceiling height' means the vertical distance between the floor and the ceiling;

'chajja' or 'sun shade' means a sloping or horizontal structural overhand usually provided over openings on external walls to provide protection from sun and rain ;

'Court yard' 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 ;

'coverage' or 'covered area' means ground area covered by the building immediately above plinth level, but does not include the spaces covered by :-

(a) garden, rockery, well and well structures, plant, nursery water pool, swimming pool (in uncovered), platform round a tree, tank, fountain, bench, chabutra with open top and unenclosed on sides by walls and the like ;

(b) drainage, culvert, conduit, catch-pit, gully-pit, chamber, gutter and the like ; and

(c) compound wall, gate, unstoreyed porch and portico, slide, swing, uncovered staircases, areas covered by chaff and the like ;

'cross wall' means an internal wall built into an external or partly wall up to its roof level and on which it forms the limiting factor for the purposes of deciding its thickness ;

'detached building' means a building, the walls and roof of which are independent of any other building with open spaces on all sides as specified ;

'drain' includes a sewer, pipe, ditch, channel and any other device for carrying off sewage, offensive matter, polluted water, sullage, waste water, rain water or sub-soil water and any ejectors, compressed air mains sealed sewage mains and special machinery or apparatus for raising, collecting, expelling or removing sewage or offensive matter to the sewage outfall ;

'drainage' includes act, process, method or means of drainage, mode of discharge of water, or the system of drains ;

'dwelling' means a building or a portion thereof which is designed or used wholly or principally for residential purposes ;

'exit' means a passage, channel or means of egress from any building, stories or floor area to a street or other open space of safety ;

'Factory' means a place to which the provisions of the Indian Factories Act, 1948 and amendments thereto from time to time apply ;

'floor' means the same thing as a 'Storey' except that 'Ground floor' means 'First storey', 'First floor' means 'Second storey', 'Second floor' means 'Third Storey' and so on ;

'floor Area Ratio' or 'F.A.R.' means the quotient obtained by dividing the multiple total of the covered area (plinth area) on all floors and 100 by the area of the plot i.e.,

$$\text{F.A.R.} = \frac{\text{Total covered area of all floors} \times 100}{\text{Plot area}}$$

'flue' means a confined space provided for the conveyance to the ousted air of any product of combustion resulting from the operation of any heat producing appliance or equipment employing solid, liquid or gaseous fuel ;

'Form' means a form appended to these bye-laws ;

'garage' means a building or house designed or used for the storage of private owned motor driven or other vehicles ;

'ground floor' means that storey of a building to which there is an entrance from the outside of the adjacent ground or street ;

'habitable room' means a room occupied or designed for occupancy by one or more persons for study, living, sleeping, eating, kitchen, if it is used as a living room, but not including bath rooms, water closet compartments, laundries, serving and storage pantries, corridors, cellars, attics, and spaces that are not used frequently or during extended periods ;

'latrine service' means a latrine from which the excreta are removed by manual agency and not by water carriage ;

'latrine flush' means a latrine connected to a municipal sewer system or to a septic tank ;

'load dead' means the weight of all permanent stationary construction becoming a part of the structure ;

'load live' means all loads except dead loads that may be imposed on a structure. Wind loads shall be considered as live loads ;

'loft' means an intermediate floor between two main floors but not more than 1.5 metres in height or a residual space in a pitched roof or any similar residual space above normal floor level which may be constructed or adopted for storage purposes ;

'Mezzanine floor' means an intermediate floor in between two main floors and not less than 2.10 metres in height from the floor ;

'Open space' means an area forming an integral part of the plot, left open to the sky;

'Opening' means the opening through the inside or outside by a door, window, ventilator which provides all or part of the required natural light and ventilation or both to interior space ;

'pathway' means an approach constructed with materials such as bricks, murrum, concrete, stone, asphalt, or the like ;

'plinth' means the portion of a structure between the surface of the surrounding ground and surface of the floor immediately above the ground and 'plinth level' means the level of the ground floor of a building above the surrounding ground ;

'plot' means a parcel (piece of land) occupied or intended for occupancy by one main building, together with its accessory buildings and used, customarily and incidental to it, including the open spaces required by these bye-laws and having frontage upon a street or upon private way approved by the Planning Authority/Local Authority ;

'plot corner' means a plot at the junctions of or fronting on two or more intersecting streets ;

'plot depth of' means the mean horizontal distance between front and rear plot boundaries ;

'plot interior' means a plot access to which is by a passage from a street whether such passage forms part of the plot or not ;

'service road' means a road provided at the rear or side of a plot for service purposes ;

'set back' means an open space at ground level between a building and the adjoining boundary lines of the plot unoccupied and unobstructed except by encroachments or structures specifically permitted by these bye-laws, on the same plot with a building; all yard measurements shall be the minimum distances between the front, rear and side yard plot boundaries as the case may be, and the nearest point of the building including enclosed or covered porches. Every part of every set back shall be accessible from every other part of the same set back ;

'set back front' means a yard extending across the front of a plot between the side yard lines and being the minimum horizontal distance between the street line and the main building or any projection thereof other than steps, unenclosed balconies and unenclosed porches ;

'set back 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 projections other than steps, unenclosed balconies or unenclosed porches. In a corner plot, the rear set back shall be considered as parallel to the street upon which the plot has its least dimensions ; in both the corner and interior plots, the rear set back shall be at the opposite end of the plot from the front yard;

'set back side' means a yard between the building and the side line of the plot and extending from the front line to the rear line of the plot and being the minimum horizontal distance between a side boundary line and the sides of the building or any other projections other than steps, unenclosed balconies or unenclosed porches ;

'site' means the entire area covered by a building without houses and also land at the front, rear and sides of such buildings and pertaining thereto and required by bye-laws to be left open ;

'storey' means the portion of a building included between the surface of any floor and the surface of the floor next above it or if there be no floor above it, then the space between any floor and the ceiling next above it ;

'structure' means anything that is built or constructed an edifice or building of any kind or any piece of work artificially built up or composed of parts joined together in some definite manner and includes a 'building' ;

'tenement' means a part of a building intended or used or likely to be used as a dwelling unit for a family;

'to abut' means to abut on a road such that any portion of the building is on the road boundary ;

'warehouse' means a building the whole or a substantial part of which is used or intended to be used for the storage of goods whether for keeping for sale or for any similar purpose but does not include a store room attached to and used for the proper functioning of a shop ;

'water closet' means a privy with arrangement for flushing the open pan with water but does not include a bathroom ;

Words and expressions not defined in these bye-laws have the same meaning as in the Pondicherry Town and Country Planning Act, 1969 and the National Building Code of India applicable for the time being in force.

## CHAPTER II

3. **Notice-**(a) No works of construction, reconstruction, enlargement, external repairs or demolition of buildings, other than routine maintenance for the proper upkeep of existing buildings can take place without the permission in writing granted by Planning Authority/Local Authority as the case may be. Every person who intends to execute any of the said works shall apply in writing to the Planning Authority/Local Authority in Form I and such application supported by plans and specifications in quadruplicate shall be in accordance with the Bye-laws 5 to 9.

(B) The Planning Authority/Local Authority as the case may be shall grant permission to the execution of the works referred to in clause (a) after referring the case to the Town and Country Planning Department for advice and for assessment of development charge under section 37 (3) of the Act.

(C) In case of construction which do not involve any improvements, additions and alterations, no plan need to be submitted.

<sup>4</sup>[4. **Information accompanying notice-**The notice shall be accompanied by an application in Form-I obtained on pre-payment on the application fee along with a copy of the title deed of the site on which the construction is proposed, challan or receipt for having paid the scrutiny fee, site plan, building plan and specifications as specified in these bye-laws and regulations]

### 5., Recommended notation for colouring plans,--

#### “Colouring of Plan”

Item	Site Plan		Building Plan	
	White plan	Blue print	White plan	Blue print
1	2	3	4	5
Existing work	Black (Outline)	White	Black	White
Proposed work	Red filled in	Red	Red	Red
Drainage and sewerage work	Red dotted	Red dotted	Red dotted	Red dotted
Water supply work	Black dotted	Black dotted	Black dotted	Black dotted
Work proposed to be dismantled	Yellow hatched	Yellow hatched	Yellow hatched	Yellow hatched
Open spaces	No colour	No colour	No colour	No colour
Plot lines	Thick black	Thick black	Thick black	Thick black
Permissible building lines	Thick dotted black	Thick dotted black	Thick dotted black	Thick dotted black
Existing street	Green	Green	--	--
Future street if any	Green dotted	Green dotted	--	--
Work to be regulated or deviations made	Red hatched	Red hatched	Red hatched	Red hatched

<sup>4</sup> Clause substituted vide Notification No. 44 dated 29.11.2002

**6. Site plan--**The site plan sent with an application for permission shall be drawn to a scale of not less than 1/200 for sites up to 200 sq.m. in area and in the scale 1/500 for sites above 200 sq.m. and shall show--

- (1) the boundaries of the site;
- (2) the direction of the North Point relative to the Plan of the building;
- (3) all existing buildings or structures on, over or under the site or projecting beyond it;
- (4) all surrounding buildings in outline within a distance of 25 m. From the boundaries of the site ;
- (5) the name of the street on which the building is proposed to be situated (if any) or location and name of the nearest street, public or religious buildings ;
- (6) the width of the street in front and of the street (if any) at the side of the building ;
- (7) the position of access from the street to the building
- (8) the dimensions of front, rear and side set-backs (if any) and also of the space to be left about the buildings to secure a free circulation of air, and admissions to light ;
- (9) the position of kitchens, staircases, privies, urinals, drains, cesspools, stables, cattle sheds, garages, well and other appurtenances of the building ;
- (10) a clear indication of the area of the plot, plot coverage and floor area ratio ;
- (11) purposes of the proposed structure or parts thereof; (12) if the site is situated in any of the approved layout reference No. Of the approval and authority which approved.

**7. Building plans--**The plans, sections, and elevations of the building accompanying the application shall be accurately drawn to a scale of 1 metre to 2 centimetres for the plots up to 200 sq.m. and 1 metre to 1 centimetre for plots above 200 sq.m. The following drawings are necessary, namely :-

- (a) plans of all floors, basements, terraces, accessory buildings indicating clearly--
  - (i) The north point, the percentage of covered area, the sizes and spacing of all supporting members, and dimensions of rooms;
  - (ii) Exact location of essential services such as W.Cs sinks and baths ;
  - (iii) Terrace plans indicating the drainage and the slope of the roof ;
- (b) Sectional drawings showing clearly the materials used, sizes of footings, the thickness of basement walls, roof and first floor slabs, walls, the sizes and spacing of framing members and the ceiling and parapet heights. The sections should indicate the drainage and slope of the roofs and at least one section should be taken through the staircase;
- (c) All street elevations and north point with an arrow;
- (d) Plans and sections of private water supply and sewage distribution system (if any) ;

**Note :** 1. The drawings are to indicate wherever necessary adequate arrangements for proper drainage ;

2. Details of service latrines (if any) ;

3. Dimensions of the portions projecting beyond the permissible building line.

8. **Specifications**--Specifications both general and detailed giving type and grade of materials to be used, duly signed by the registered Architect/Engineer/Licensed Supervisor shall accompany the notice.

9. **Signing of plans**--(1) All plans shall be duly signed by the owner and the registered Architect/Engineer/Licensed Supervisor and shall indicate his name, address, qualifications and registration number.

(2) **Every building work for which permission is sought** under bye-law 3 shall be designed and supervised by registered Architect/Engineer/Licensed Supervisor who shall be registered by a Committee appointed by Government and permitted to practice within the planning area in Pondicherry region and such other areas in the Union Territory notified from time to time.

(3) Qualifications for registered Architect/Engineer/Licensed Supervisor shall be as prescribed in Appendix-I.

<sup>1</sup>[(4) **Every person who desires to serve as a registered** Engineer/Architect/Licensed Supervisor shall submit an application to the Chairman, Planning Authority in Form A in duplicate together with license fee of Rs.50 for the year for which license is required and a security deposit of Rs.100 and Chairman shall thereafter forward to the Secretary of the Registration Committee appointed by the Government for this purpose.

(5) **No person shall be granted a license by the Chairman, Planning Authority to serve as a registered Engineer/Architect/Licensed Supervisor unless--**

(a) he has been recommended by the Registration Committee appointed by Government for this purpose which shall consider--

(i) **the qualifications prescribed in Appendix-I** and in addition his knowledge of local language ;

(ii) his fitness and suitability for the due performance and proper fulfillment of all duties required under the Act, Rules, bye-laws and regulations.

(b) he has paid the license fee and security deposit specified in the bye--law 9 (4)

(6) The Registration Committee in its discretion shall recommend for grant or refusal of license. In case of refusal to grant of license, the license fee and security deposit shall be refunded to the applicant by the Planning Authority.

(7) The security deposit amount shall ordinarily be refunded to the licensee by the Planning Authority on the cancellation of a license, but if it is satisfied that the loss has been occasioned to the Planning Authority by anything done or omitted to be done by the licensee or that amount by way of penalty or otherwise is due to the Planning Authority, the Planning Authority shall be entitled to recover the same from the licensee and the security deposit shall, to the extent of loss or dues be declared adjusted by the Planning Authority towards payment of the same and the balance, if any, shall be refunded to the licensee. The license fee shall not be returned in case the license is cancelled.

<sup>1</sup> Clauses inserted vide Notification No. 77 dated 24.6.1974



(8) A registered Engineer/Architect/Licensed Supervisor whose license has been cancelled by the Planning Authority shall return his license to the Planning Authority within 3 days from the time of the delivery of the order canceling the same. If the license is not returned within three days from such date the security deposit shall be deemed to have been forfeited by the Planning Authority.

(9) Every application for renewal of license shall be submitted to the Chairman of the Planning Authority together with the renewal fee of Rs.50 for the year in which the renewal is required. The application shall be accompanied by the license in respect of which the renewal is required.

(10) A register of registered Engineers/Architects/Licensed Supervisors shall be maintained by the Planning Authority and an up to date list of such registered Engineers/Architects/Licensed Supervisors showing the address and the period for which the license held shall be kept for inspection at the Office of the Planning Authority during office hours. A copy of the same may be sent to any owner or other person on application to the Planning Authority accompanied by the addressed and stamped envelope.

(11) Every license granted under this bye-law shall be in the form prescribed in Form B.

(12) Every registered Engineer/Architect/Licensed Supervisor shall in preparing the plans, comply with all the provisions and requirements of the Act, Rules, bye-laws and regulations made there under and in force for the time being in the Planning area.

(13) Every Registered Engineer/Architect/Licensed Supervisor shall forthwith report to the Chairman, Planning Authority, if he finds any works commenced being proceeded with or completed either unauthorisedly or without proper permission or license or in contravention of any of the provisions of requirements of the Act, Rules, bye-laws and regulations made there under and in force for the time being in the Planning area.

(14) Every registered Engineer/Architect/Licensed Supervisor shall be entitled to charge for the preparation of Plans or other work on which he is employed or engaged, a reasonable fee from the owner or other persons who employs or engages him at such rate or rates not exceeding the rate or rates fixed by the Chairman, Planning Authority from time to time. A copy of schedule of rates may be obtained by registered Engineer/Architect/Licensed Supervisor or owner or other person from the Office of the Planning Authority on payment of cost fixed therein or may be inspected free of cost at the Office of the Planning Authority during office hours.

(15) Any Registered Engineer/Architect/Licensed Supervisor who contravenes any of the provisions of these rules or any of the conditions of the license granted to him, shall be terminated in consultation with the Registration Committee after calling for necessary explanation.]<sup>1</sup>

10. **Notification stages**--As work progresses under a building permit, the holder thereof shall cause the Planning Authority to be notified at the following stages of construction:

(a) Upon commencement of the work;

(b) Upon completion of the footings and before erection of the foundation walls;

(c) Upon total completion of the work authorized by the building permit and before occupancy.

Within 15 days of the receipt of the notices under (a) and (b) above, the Planning Authority/Local Authority shall get the work inspected by the Staff. As the first inspection the Planning Authority/Local Authority shall make sure that the building has been located in

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<sup>1</sup> Clauses inserted vide Notification No. 77 dated 24.6.1974

accordance with the site plans and covered area complying with the requirements of these bye-laws.

The final inspection indicated under (c) shall be made within one month following the receipt of notification for the grant of an occupancy certificate.

**11. Deviation during construction--**(1) 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 Planning Authority shall be obtained before the change is made. The revised plan showing the deviation shall be submitted and the procedure laid down for the original plan heretofore shall apply to all such amended plans.

(2) Minor alterations of the nature of shifting of doors and windows, pillars or fire places, which do not conflict with these bye-laws, may however, be made by the owner and stated in the completion report. The decision of the Planning Authority/Local Authority as the case may be, as to whether the alterations made are of a minor or substantial nature shall be final.

(3) List of minor alterations which do not otherwise violate any of the provisions regarding general building requirements, structural stability and fire safety requirements are allowed only for the interior of buildings.

1. Opening and closing of a window or door or ventilator provided that it does not affect natural light and ventilation;

2. Providing inter-communication doors;

3. Providing partitions subject to the condition that it should not in any way reduce the minimum floor area required under various uses;

4. Depth of sunshades and projections over windows, doors, etc., if within permissible limits;

5. Change in specifications for building materials, members, etc., if within permissible limits of structural stability.

**Important note:** Architectural control: All openings, projections and architectural features facing the road will be treated as major alterations and they have invariably to be got approved by the Planning Authority.

**12. Construction not according to plan--**(1) If the Planning Authority/Local Authority decides at any stage that the construction is not proceeding according to the sanctioned plan and is in violation of any of the provisions of these bye-laws or rules he shall notify the owner, and all further construction shall be stayed until correction has been effected and got approved.

(2) If the owner fails to comply with the requirements at any stage of constructions, the Planning Authority/Local Authority may cancel the building permit issued and shall cause notice of such cancellation to be securely pasted upon the said construction, if the owner is not traceable at his address given in the notice.

**13. Grant of permit or refusal--**(1) The Planning Authority/Local Authority may either sanction the plans and specifications or may sanction them with such modifications or directions at it may deem necessary and thereupon shall communicate its decision to the person giving the notice. In the case of refusal, the Planning Authority shall quote the reasons and the relevant provisions which the plans contra vent. The Planning Authority/Local Authority should as far as possible advice all the objections to the plans and specifications in the first instance itself and ensure that no new objections are raised when they are resubmitted after compliance of earlier objections.

(2) within 30 days of the receipt of the notice, if the Planning Authority/Local Authority fails to intimate in writing to the persons, who has given the notice, of its refusal or sanction, the notice with its plan and specifications shall be deemed to have been sanctioned; providing nothing shall be construed to authorize any person to do anything in contravention or against the terms of lease or titles of the land or against any other bye-laws or Act operative on the site of the work.

(3) Once the Plan has been scrutinized and objections have been pointed out, the owner giving notice shall modify the plan to comply with the objections raised and re-submit it. The Planning Authority/Local Authority shall scrutinize the re-submitted plan and shall notify the result within 30 days of the replies to the objections.

(4) The decision of the Planning Authority/Local Authority, shall be communicated to the person giving the notice or to his legally authorized agent in writing in Form 2 or 3 as the case may be, within the period prescribed and one set of the drawings and specifications duly endorsed shall be returned to him.

(5) Notwithstanding anything contained herein if the structure contravenes any section, rule or bye-law or in adjudged structurally unsound, the person shall be deemed liable under these bye-laws.

<sup>4</sup>[14. **Fees--**(1) The application fee and the scrutiny fees referred to in clause 4 under Chapter-II shall be at the rates as specified under column (3) against serial numbers 1 and 2 respectively in Appendix I - A.

(2) When a building / lay-out permission is not issued, the scrutiny fee paid shall not be refunded but the applicant shall be entitled to resubmit the application after complying with the objections raised by the Planning Authority / Local Authority within such period and such fees as may be specified by the said Authority.

(3) Any application re-submitted after such period as specified by the Planning Authority / Local Authority under sub-clause (2) shall be accompanied by full scrutiny fee.

(4) Any application for grant of No-objection Certificate for change of land-use shall be accompanied by a fee as specified under column (3) against serial number 3 of Appendix I-A.

(5) An application for grant of permission for construction of well, water-closet, septic tank, compound wall, drain and providing doors and windows on the external walls of the existing building shall be accompanied by a fee as specified under column (3) against serial number 4 of Appendix I-A.]

<sup>3</sup>[15. **Duration of sanction--**(1) The sanction once accorded shall be valid for the period specified below within which period, a completion certificate from the Registered Architect/ Engineer/Licensed Supervisor shall be submitted to the Planning Authority/Local Authority :--

(a) Building construction/reconstruction/enlargements external repairs other than those specified in (b) below.....3 years.

(b) Construction of well, compound wall, water closet with septic tank, drain and provision of doors and windows on the external side .....1 year.

(2) The sanction shall lapse unless got revalidated before the expiry of the above period where after only fresh application shall be entertained.]

**16. Revocation of permit--**The Planning Authority/Local Authority may revoke any permit issued under the provisions of these bye-laws, wherever there has been any deviation from the approved plan or where a permit has been obtained by any false statement or misrepresentation of any material facts in the application on which the permit was based.

<sup>3</sup> Substitution of clause vide Notification No. 23 dated 30.1.1980

<sup>4</sup> Substitution of clause vide Notification No. 23 dated 30.1.1980

17. **Completion Certificate**--Every person erecting a building shall within one month after completion of such building send to the Planning Authority/Local Authority a notice in writing which shall be required to be given in Form 4. Such notice shall accompany a completion certificate from a registered Architect or Engineer.

18. **Occupancy certificate**--No building (hereafter) erected, re-erected or altered materially shall be occupied in whole or in part until the issue of an occupancy certificate in Form 5 by the Planning Authority/Local Authority affirming that such a building conforms in all respects to the requirements of these bye-laws and is fit for occupation.

19. **Unsafe buildings**--)1) All unsafe buildings shall be considered to constitute danger to public safety and shall be restored by repairs or demolished or dealt with as directed by other Planning Authority/Local Authority.

(2) The Planning Authority/Local 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.

(3) Whenever the Planning Authority/Local Authority finds any building 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 notice 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.

(4) (a) The Planning Authority/Local Authority may direct in writing that the building which in his opinion is dangerous, or has no provision for exit if caught fire, shall be vacated immediately or within the period specified for the purpose; provided that the Authority concerned shall keep a record of the reasons for such action with him.

(b) If any person does not comply with the orders of vacating a building the Planning Authority/Local Authority may direct the police to remove the person from the building and the police shall comply with the orders.

(5) In case owner or occupier fails, neglects or refuses to comply with the notice to repair or to demolish the said building or person thereof, the Planning Authority/Local Authority shall cause the danger to be removed whether by demolition or repair of the building or portion thereof or otherwise.

(6) In case of emergency, which, in the opinion of the Planning Authority/Local Authority involves imminent danger to human life or health, the decision of the Planning Authority/Local Authority shall forthwith or with such notice as may be possible promptly, cause such building or portion thereof to be rendered safe or removed. For this purpose, the Planning Authority/Local Authority may at once enter such structure,. With such assistance and at such cost as may be deemed necessary. The Planning Authority/Local Authority may also get the adjacent structures vacated and protect the public by an appropriate fence or such other means as may be necessary.

(7) Costs incurred under 4 and 5 above shall be charged to the owner of the premises involved. Such costs shall be charged on the premises in respect of which or for the benefit of which the same have been incurred and shall be recoverable as provided under the laws (See Note).

**Note :** The costs may be in form of arrears of taxes.

20. **Demolition of buildings**--Before a building is demolished the owner shall notify all utilities having service connections, within the buildings, such as water, electric, gas, sewer and other connections. A permit to demolish a building shall not be issued until a release is obtained from the utilities stating that their respective service connections and appurtenant equipment, such as meters and regulators have been removed or sealed and plugged in a safe manner.

21. For provisions which are otherwise not covered and for detailed requirements for which provision is made under these bye-laws except as otherwise specified the provisions made in the National Building Code of India issued from time to time shall be followed.

## CHAPTER III

### HEALTH, SANITATION AND OTHER REQUIREMENTS

**22. Means of access--**(a) Every person who erects a detached building shall provide as means of access to such building a clear way not less than 3.5 meters in width for buildings up to 3 storeys and 5 meters in width for buildings beyond three storeys from a street to the entrance door of such buildings; such pathways shall be maintained free from any obstruction and shall not at any time cause or permit any portion of any building below a height of 2.3 metres to overhang or to project over or into such passage.

(b) He shall indicate upon the site plan, required to be furnished by him under bye-law 5, of the whole area of such means of access by a distinguishing colour and description.

(c) He shall not any time erect or cause or permit to be erected or re-erected any building which in any way encroaches upon or diminishes the area so set apart for this purpose.

(d) The space so set apart shall be separately distinguished from any house-gully, lane or open space required to be provided under any other bye-law made under these rules.

(e) Every such means of access shall be paved, drained and lighted to the satisfaction of the Planning Authority/Local Authority concerned. Provision of man -hole covers or any other fittings laid in such means of access shall be flushed with the finished surface level so as not to obstruct safe travel over the same.

(f) A person who undertakes construction works on a building shall not reduce the access to any building previously existing below the minimum width as required under clause (a).

(g) No building shall be erected so as to deprive any other building of the means of access as provided in the bye-law.

(h) The means of access under these bye-law shall not be deemed to be suitable and sufficient until it has been approved by the Planning Authority/Local Authority shall communicate after consulting the Town and Country Planning Department.

**23. Safeguard against reduction of open space--**No construction work on a building shall be allowed if such work operates to reduce an open space of any other adjoining building belonging to the same owner to an extent less than what is prescribed by any of the bye-laws in force at the time of the proposed work or to reduce further such open space if it is already less than that prescribed.

**24. Projections--**(1) No projections of any sort whatsoever except sunshades extending more than 23 cms. Below the height of 4.3 metres shall project over the road or over any drain or over any portion outside the boundaries of the site provided that the projection arising out of the vertical part of the rain water spouts projecting at the road level or the water pipe may be permitted in accordance with the drainage plan.

2. Projection of sunshades over windows or ventilators when permitted by the Planning Authority/Local Authority shall fulfill the following conditions namely,--

(a) No sunshade shall be permitted over the road or over any drain or over any portion outside the boundaries of the site below a height of 2.8 metres from the road level.

(b) Sunshades provided above a height of 2.8 metres from the ground level shall be permitted to project upto a maximum width of 60 cms. If the road over which the project exceeds 9 metres in width; and

(c) No sunshade shall be permitted on roads less than 9 metres in width or on roads having no footpaths.

(3) Every set-back provided either in the side or rear shall be kept free from any erection thereon and shall be open to sky and no cornice roof or sunshade more than 0.75 metre shall overhand or project over the said set-back so as to reduce the width to less than minimum required. In case of front, setback a clear distance of one metre open to sky shall be left from the boundary line of the plot towards the front of the building and no projection whatsoever should extend beyond the above limit.

(4) Balconies in the existing developed areas may be permitted to project over the road or over any drain or over any portion outside the boundaries of the site to a maximum of one metre if the road over which they project exceeds 9 metres in width and no balcony shall be permitted on roads less 9 metres in width or on roads having no foot paths.

(5) The distance between the existing electric lines or telegraph lines and any portion of the structure should be governed by the current rules of the Electricity Department or Telegraphs Department respectively, and its amendments from time to time.

**25. Minimum ceiling height of rooms--**Every habitable room in any building shall be in every part at least 2.80 metres in height from the surface of the floor to the underside of the roof slab or ceiling provided that in the case of slope roof the height shall not be less than 2.2 metres.

**26. Minimum size of habitable rooms--**No habitable room shall have a floor area of less than 9.3 sq.metres except in the case of hostels attached to recognized educational institutions the minimum size of a habitable room for the residence of a single person may be 8 sq.metres. The minimum width of a habitable room shall be 2.5 metres.

**27. Bathrooms and water closets--**(1) Every bathroom or water closet shall--

(a) be so situated that at least one of its walls open to external air, and in case of bathrooms sit shall have a window or a ventilator open to external air of a superficial area of not less than 10% of the floor area ;

(b) (i) have a floor area in case of bathrooms inclusive of water closet of not less than 2.8 sq.m. for which the smallest side shall not be less than 1.20 metres;

(ii) in case of a bathroom exclusive of a water closet the floor area shall not be less than 1.80 sq.m. and the smallest side not less than 1.2 metres;

(c) have a right of not less than 2.5 metres;

(d) not be directly over or under any other room other than another bathroom or water closet, washing place, terrace unless it has a water tight floor;

(e) have the platform or seat either plastered with cement or be made of some water tight non-absorbent material ;

(f) be enclosed by walls or partitions of brick or stone. The surface of every such wall or partition shall be finished with a smooth impervious surface such as cement plaster 1/2" thick of glazed tiles or polished marble or any other suitable material to a height of one metre above the floor of such room ;

(g) Have an impermeable floor made of smooth hard material having a suitable fall to a soil pipe with an adequate trap connection and have a floor level of such a height so as to ensure suitable grade towards the sewage drain.

(2) No room containing a water closet shall be used for any purpose other than a lavatory and no such room shall open directly into any kitchen or cooking space. Every room containing a water closet shall have a door completely closing the entrance to such a room.

(3) A water closet alone shall have--

(a) a floor area of not less than 1.15 sq.m. of which the smallest side shall not be less than one metre ;

(b) a window or a ventilator of superficial area of not less than 10% of the floor area ;

(c) an impermeable floor made of smooth hard material having slope of 0.5 per cent towards the back of latrine ;

(d) an impermeable dado 1 metre high ;

(e) height not less than 2.5 metres.

(4) (1) Every building meant for habitation shall be provided with water closet. The Planning Authority/Local Authority shall determine in each case whether the premises shall be served by a water closet connected to a sewer or a septic tank provided that if a sewer is within 30 metres of the site it shall be connected to the sewer, provided further that until the sewer begins to function the water closet shall be connected to a septic tank provided for this purpose, subject to the condition that it shall be connected to the sewer as and when required by the Planning Authority/Local Authority.

(2) The Planning Authority/Local Authority may refuse to permit the construction of any latrine or urinal at a particular place if in its opinion such latrine or urinal would be a nuisance in the neighbourhood or would be objectionable to the occupants of neighbourhood building.

**Note :** For temporary structures including huts meant for habitation the Planning authority/Local Authority shall determine in each case whether the provision of latrine is obligatory or not.

**28. Kitchen--**(1) A kitchen have a floor area of not less than 4 sq. Metres and shall not be less than 1.75 metres in which in case of plots having an area up to 200 sq.metres and shall have a floor area of not less than 7 sq.metres shall not be less than 2 metres in width in case of plots having an area more than 200 sq.metres. Each kitchen not fully equipped with electricity or gas cooking appliances shall be provided with a flue for the escape of smoke.

(2) Every room to be used as kitchen shall have --

(a) a height of not less than 2.8 metres;

(b) a window of not less than 0.5 sq.m. superficial area;

(c) an impermeable floor and an impermeable dado or any other water proof material one metre high.

**29. Lofts--**The total area of lofts on each floor shall not be more than 25% of the built up area of that floor.

**30. Mezzanine floor--**The minimum size of mezzanine floor if it is used as a living portion shall not be less than 9.3 the aggregate area of which shall in no case exceed one-third of the plinth area of the building.



31. **Other requirements**--A mezzanine floor may be permitted over a room or a compartment provided that--

(a) it conforms to the standards of living rooms as regards lighting and ventilation in case the size of mezzanine floor is 9.3 sq.m. or more ;

(b) it is so constructed as not to interfere under any circumstances with the ventilation of the space over and under it ;

(c) such mezzanine floor is not subdivided into smaller compartments ;

(d) such mezzanine floor or any part of it shall not be used as a kitchen ; and

(e) in no case a mezzanine floor shall be closed so as to make it liable to be converted into unventilated compartments.

32. **Dimensions for staircase, steps, corridor, passage and balcony for residential building**--(1) In a residential building no staircase shall be less than 0.9 metre in width and no step shall have a raise of more than 20 centimeters and a tread of less than 22.5 centimeters. In case of a service or spiral staircase, the width shall not be less than 0.75 metres.

(2) No corridor or passage or balcony in any residential building shall be less than 0.9 metres.

(3) No rooms other than those at ground floor level shall be more than 18.0 metres away from a staircase.

(4) Every building of five storeys or more in height shall provide an independent external staircase to serve as a fire escape directly accessible to every habitable room on each floor, the construction of which is to be of approved fire **resistant material**.

(5) Provision for lifts shall be made for building more than 15 metres in height.

33. **Lighting and ventilation of rooms:** Every habitable room shall have for the admission of light and air, one or more apertures such as windows, fan, lights, etc., opening directly to the external air or into an open verandah, and of an aggregate area inclusive of frames, of not less than 1/8 of the floor area excluding doors.

Note: (a) No portion of room shall be assumed to be lit, if it is more than 7.5 metres away from verandahs, doors or windows through which any lighting is effected, except in case of large halls.

(b) Cross ventilation by means of windows shall be effected in at least one habitable room of a tenement either by means of windows in opposite walls or if this is not possible or advisable then at least in the adjoining walls.

(c) Every habitable room abutting on an interior open space or on an open verandah opening on to such interior open space shall have for light and ventilation an open space of width as specified in the table below:

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Where height of the building (above plinth) Minimum width of open space throughout  
Adjoining the air space does not exceed

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Metres	Metres
4.9	2.5
7.6	2.8
10.9	3.5
14.2	4.2
17.5	4.9
20.8	5.6
24.1	6.9
27.4	8.5
30.0	10.1
34.0	11.7

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### DRAINAGE AND SANITATION

**34. Site containing deposited refuse:** No building shall be constructed on any site on any part of which there is deposited refuse excreta or other offensive matter to which the health authority having jurisdiction objects until such refuse has been prepared or left in a manner suitable for building purposes to the satisfaction of the Local Authority/Planning Authority concerned. Provided that where it is intended to found the building on piles or on reinforced concrete pillars, the Local Authority/ Planning Authority may approve the erection of such a building after the refuse has been appropriately treated by chemical or some other manner to the satisfaction of the Planning Authority/ Local Authority to a depth of no less than 0.6 metres or by a layer of cement concrete not less than 15 centimeters thick.

**35. Site liable to floods:** No building shall be erected on a site liable to flood or an slope forming an angle of more than 45 deg. With the horizontal or soil unsuitable for percolation or in sandy beds, unless it is proved by the owner to the satisfaction of the Planning Authority/ Local Authority that erection of such a building will not be dangerous or injurious to health or will not involve danger from flooding or erosion or cause undue expenditure of public funds in the provision of roads, sewers, sanitation, water supply or other public service.

**36. Site containing pits, quarries, etc.--**No building shall be erected on a site which comprises or includes a pit, quarry or other excavation or any part thereof unless such site has been prepared or left in a manner and condition suitable for building purposes to the satisfaction of the Planning Authority/Local Authority.

**37. Lowest storage on sites subject to flooding--**In water logged or low lying areas subject to flooding and where a building has been specifically permitted under bye-law 36 the Planning Authority/Local Authority may require the floor of the lowest storey of such building to be raised above the maximum flood level of the adjoining ground or to such other level as the Planning Authority/Local Authority may specify.

**38. Damp sites --**Wherever the dampness of a site or the nature of the soil renders such precautions necessary, the ground surface of the site between the walls of any building erected thereon shall be covered with a layer of sound cement concrete not less than 15 centimetres thick or with asphalt paving on a layer of closed packed broken stone hard cake not less than 15 cm. Thick or be otherwise rendered damp proof to the satisfaction of the Planning Authority/Local Authority.

**39. Damp proofing of basements**--When any habitable room is located in abasement, the floor and exterior walls of such basement shall be constructed or treated as to render the basement water tight and damp proof. In addition, when buildings with basements enclosing habitable rooms are located on a site where ground water conditions exist or are likely to occur such as might produce any hydrostatic head against the basement walls or floors, the floors shall be constructed on porous brick fills and all walls shall be backfilled with porous material within 30 cm. (Or 1222") of ground level and above that with relatively impermeable soil, and an adequate drainage system shall be laid which will collect the water from the bottom of all porous backfills and conduct it away from the building.

**40. Drainage of sub-soil**--Whenever in the opinion of the Planning Authority/Local Authority the site of a building so requires, the sub-soil shall be drained effectively by means of sub-soil drains or by other means to the satisfaction of such authority.

**41. Surface water drains**--(1) Any land, passage or other area within the curtilage of a building shall, if the Planning Authority/Local Authority so requires, be effectively drained by surface water drains or other means to his satisfaction.

(2) The written approval of the Director of Public Works Department shall be obtained for connecting any sub-soil or surface water drain to a sewer.

**42. Drainage below ground floor level**--In every building, any basement cellar or other space below the ground floor shall be directly drained or drained by a sump provided with a suitable pump.

**43. Drainage of roofs**--(a) The roof of a building shall be so constructed or framed as to permit effectual drainage of the rain water there from by means of a sufficient number of rain water pipes of adequate size so arranged, joined and fixed as to ensure that the rain water is carried away from the building without causing dampness in any part of the walls or foundations of the building or those of an adjacent building ;

(b) The Planning Authority/Local Authority may require rain water pipes to be connected to a drain or sewer to a covered channel formed beneath the public footpath to connect the rain water pipe to the road gutter or in any other approved manner;

(c) Rain water pipes shall be affixed to the outside of the external walls of the building or in recess or chases cut or formed in such external walls or in such other manner as may be approved by the Planning Authority/Local Authority.

**<sup>5</sup>[43 A. REGULATIONS FOR CONSERVATION OF RAIN WATER:-**

(1) Effective measures shall be taken within the premises for conservation of rainwater. Workable rooftop Rain Water Harvesting arrangements shall be provided as an integral part of all new building constructions for the following occupancies, namely, residential, offices, public buildings and commercial buildings such as malls, shopping centers and cinema halls, educational and health institutions and industry with terrace area as mentioned in the Table below:-

**TABLE**

<b>Occupancy</b>	<b>Terrace area / Plot area</b>
Residential	Terrace area of 100 Sq. M. or more/ Plot area of 200 Sq. M. or more
Offices and Public buildings, Commercial buildings, Educational and Health Institutions and Industrial buildings	Terrace area 200 Sq.M. or more/ Plot area of 300 Sq.M. or more

<sup>5</sup> Insertion of sub-clause vide Notification No. 13 dated 30.3.2010

(2) The details of the Rain Water Harvesting (RWH) System shall be shown in the site plan enclosed along with the application in Form I seeking approval for construction and permission to execute the work. Building permission by the Planning Authorities shall not be issued unless adequate RWH systems are provided in the building plan submitted. The Occupancy certificate for new buildings shall be issued by the Planning Authorities only on implementation of the RWH system by the applicant. The Authorities concerned shall not extend power, water supply and Sewer connections to the buildings unless the owner of the building obtains the occupancy certificate from the concerned Planning Authority.

(3) Exemption in respect of implementing the Rain Water Harvesting system may be granted in respect of cases where water logging is common or in areas with impermeable sub-soil conditions to considerable depth. The assessment of the conditions of the sub-soil may be made by the Planning Authority in consultation with the State Ground Water Unit of the Agriculture department, Puducherry.

(4) The roof top Rain Water Harvesting arrangements shall have the following components, namely:-

- (i) Roof's catchment area;
- (ii) Flat roofs sloped towards edges with rainwater outlet pipes and roof gutters for sloping roofs;
- (iii) Down pipe for transporting rainwater from roofs to the ground level;
- (iv) First flush pipe arrangement for diverting debris, dirt and dust on the roofs; and
- (v) A filter unit comprising a container or chamber filled with filter media at the ground level.

(5) The other components on how the rain water is to be utilized, that is, for ground water recharging or for direct use, shall be as follows:-

**A. For storing and reuse of the rainwater:**

- (a) A storage tank that has provision for drawing water and for spillover of excess water is to be provided; and
- (b) For charging the ground water aquifers, the water from the filter unit shall be diverted to suitable structures like dug wells, bore wells, recharge trenches or recharge pits for charging the groundwater aquifers.

**B. For ground water recharging:**

- (a) Through direct channeling of surface water to abandoned wells or hand-pumps, recharge pits or recharge trenches, or to through recharge shafts.
- (b) Directing of harvested rain water to pumping wells.

Note: - Additional arrangements for carrying the spillover water from storage tank to recharge well or percolation pit shall be provided.

(6) The owner(s) / occupier(s) shall maintain the rooftop rainwater harvesting arrangements and artificial ground water recharge arrangements in good working conditions.

(7) The Planning Authorities and Local Bodies of the Union Territory of Puducherry shall enforce workable artificial ground water recharging arrangements as an integral part of all new building constructions through collection of roof top rainwater.

**43. B. REGULATIONS FOR RE-USE OF WASTE WATER:-**

(1) Effective measures shall be taken within the premises of various categories of buildings as mentioned in the table below for reuse of waste water:-

**Table**

<b>Occupancy</b>	<b>No. of dwelling units / Plot area</b>
Apartments or group housing complexes	20 dwelling units or more
Offices and Public buildings, Commercial buildings, Educational & Health Institutions and Industrial buildings	Plot area of 2000 Sq.M. or more / Minimum sullage discharge of 10,000 litres and above per day.

(2) The details of the water reuse infrastructure facilities such as plumbing plants, waste water treatment and disposable arrangements shall be shown in the site plan enclosed along with the application in Form I. Building permission by the Planning Authorities shall not be issued unless adequate water reuse arrangements are provided in the building plan submitted. The Occupancy certificate for new buildings shall be issued by the Planning Authorities only after water reuse arrangements are completely implemented. The Authorities concerned shall not extend power, water supply and Sewer connections to the buildings unless the owner of the building obtains the occupancy certificate from the concerned Planning Authority.

(3) The recycling of waste water arrangements shall have the following components:-

- i. Separate conveyance system for sewage and sullage to facilitate reuse of sullage water for treatment and for reuse;
- ii. Suitable storage and treatment facilities for collection of sullage water. The waste water treatment facilities shall fulfill the standards specified by the Puducherry Pollution Control Committee, Puducherry; and
- iii. Separate overhead tank and pumping facilities for fresh water and reuse water.

(4) The use of recycled water for flushing, washing and for watering gardens shall be after primary, secondary and tertiary treatments as advised by the Puducherry Pollution Control Committee. The Planning Authorities and Local Bodies of the Union Territory of Puducherry shall enforce workable recycling of waste water arrangements as an integral part of all new building constructions through collection of sullage water.<sup>5</sup>

**44. Defective work--**The Planning Authority/Local Authority shall have power to condemn any work, workmanship or materials executed by any person which in its opinion is unsatisfactory or is likely to constitute danger to public safety or health. Any work, workmanship or materials so condemned shall be remedied, amended or made good or shall be removed in whole or in part and replaced by new work, workmanship or materials as the Planning Authority/Local Authority may require.

**45. Water supply and sanitary installations--**The requirements regarding water supply and sanitary installations of the buildings shall conform to those prescribed by the competent authority of the Government.

**46. Latrines with an opening on public roads--**It is prohibited to have latrines opening on to public roads.

<sup>5</sup> Insertion of sub-clause vide Notification No. 13 dated 30.3.2010

**47. Disposal of sewage**--Until arrangements are made for the removal of waste by an appropriate water borne system it will be obligatory for every application for a new construction or major additions or alteration to be accompanied by plans for properly designed septic tanks within the curtilage of the plot. In case of existing buildings in the built up area where water borne system of drainage is available, it shall be obligatory for the owner to provide flush out and connect this sewage to the main underground sewage within such period as may be specified by the competent authority of the Government.

**48. Construction of horse stables, cattle yards and factories of washable corrosive products**--No construction of horse stables, cattle yards and factories of washable corrosive products prejudicial to health can take place in less than 100 metres of any existing drinking well.

**49. Construction of wells**--(1) No drinking water well can be opened without the prior consent of the Planning Authority/Local Authority.

(2) Wells intended to supply water for human consumption or domestic purposes shall comply with the following requirements--

(1) the wells shall not be less than 15 m (or 50') from any ash pit, refuse pit, earth closet or privy and earth closet or privy ;

(2) not less than 18 m.(60') from any cesspit soak way or borehole latrine and shall be located on a site upwards from the earth closet or privy ;

(3) the well shall be so situated that contamination by the movement of sub-soil or other water closet is unlikely ;

(4) the well shall be of a minimum internal diameter of not less than 1 m ;

(5) the well shall be not under a tree or otherwise it should have a canopy over it, so that leaves and twigs may not fall into the well and rot.

(3) The wall of the head of the well shall be raised above the level of the adjoining ground to form a parapet or kerb and to prevent surface water from flowing into a well and shall be surrounded with a paving constructed of impervious material which shall extend for a distance of not less than 1.8 m in every direction from the parapet from the kerb forming the well head and the upper surface of such a paving shall be sloped away from the well.

(4) The interior surface of the lining walls of the well shall be rendered impervious for a depth of not less than 1.8 m measured from the level of the ground immediately adjoining the well head.

(5) A well from which water is drawn by means of a bucket or other similar apparatus shall be provided with the following:-

(1) a mosquito-proof type of cover to be approved by the Planning Authority/Local Authority;

(2) a stand for the bucket, raised not less than 15 cms. above the level of the surrounding paving.

**50. Lime kilns**--White washing powder cannot be cooked within a distance of 100 metres from a habitable area or public road.

## ARCHITECTURAL FEATURES

51. **Application**--The provision of this bye-law shall apply only to such area or areas as may be determined by the Planning Authority/Local Authority.

(1) **Appearance and disfigurements:** No building shall be erected which in the opinion of the Planning Authority/Local Authority constitutes a disfigurement to or an interference with the aesthetic and other amenities of the area. No construction or alterations which in the opinion of the Planning Authority/Local Authority will depreciate neighbouring properties or cause annoyance to residents in the neighbourhood shall be permitted. The appearance of all new buildings shall be subject to the approval of the Planning Authority/Local Authority.

(2) **Advertising signs:** The exhibition of all advertising signs whether they be lighted or not shall be subject to the approval of the Planning Authority/Local Authority.

(3) **Unfinished buildings:** No building shall be left with unfinished portions including projecting reinforcing bars, which in the opinion of the Planning Authority/Local Authority concerned are unsightly after the period prescribed for completion.

(4) **Masts:** All wires, poles, masts, stays, struts, lighting conductors and similar fixtures on new buildings shall be straight and of good appearance.

(5) **Open air dumps:** Permanent dumps of scrap iron, firewood, coal and similar material shall, in all areas, except those classified as factory areas be allowed only in places enclosed with walls of brick or other similar non-combustible materials.

(6) **Unsightly materials:** The use of any disfigured or damaged materials which in the opinion of the Planning Authority/Local Authority concerned results in an unsightly appearance of a building shall not be allowed.

(7) **Sheet metal and barbed wire fences:** No sheet metal or barbed wire fence visible externally shall be erected on the frontage line or street line unless the design thereof has been approved by the Planning Authority/Local Authority.

(8) **Parks and gardens:** Owners of parks and gardens visible from the streets shall not plan, replace or maintain trees and plants, which in the opinion of the Planning Authority/Local Authority concerned conflicts with the aesthetic appearance of the neighbourhood.

(9) **Decoration:** Monuments, decorative and monumental foundations, bridges and viaducts, and in general the decorative and ornamental features of public gardens and squares shall be built only after the approval of the Planning Authority/Local Authority has been obtained, which in addition to drawings may demand the submission of photographs, or perspectives of the composition, so that the artistic value of the project will be more efficiently and effectively illustrated.

(10) **Composition:** Where several facades constitute architectural composition painting and other treatment shall only be allowed where no aesthetic disfigurement can result to the composition as a whole.

**52. Huts and sheds:**--Every person who intends to erect huts, sheds or block of huts or a temporary structure whether the same are to be used as dwelling houses or stables or for any other purposes should obtain approval in writing from the Planning Authority/Local Authority for the said purpose and shall submit the site plan in quadruplicate indicating:--

1. The location of hut, huts and sheds;
2. Position, number of baths, privies, latrines and urinals and the method of drainage;
3. The materials to be used for construction of walls, roof and floors; and
4. Position of doors, windows and ventilators of each unit.

**Note:** No hut shall be permitted within the limits of the Boulevard town to be used as a dwelling house, huts or stable permitted within the municipal limits shall be for such period as specified by the Planning Authority/Local Authority and shall be removed when directed by the Planning Authority/Local Authority.

**53. Building plots to be levelled:**--The plot of every building or hut shall be levelled in such manner that rain water may rapidly drain-off into a water course or a municipal drain.



## CHAPTER IV

### STRUCTURAL SAFETY

**54. Structural standards:**-(1) All structures shall be so designed, built and maintained that under the conditions of dead and live loading, the stresses in any of the materials of construction or in the material on which a structure rests shall not exceed the permissible limits as laid down in the National Building Code published from time to time.

(2) When an existing building or other structure is enlarged or otherwise altered, and portions thereof affected by such enlargements or alterations shall be strengthened where necessary, so that all loads will be supported safely without exceeding the permissible stresses prescribed for the materials of construction and for the structural members in the National Building Code published from time to time.

(3) No building the external walls of which are timber framed construction shall be erected, re-erected or altered materially so as to consist of more than a ground floor and one upper storey; provided that the Planning Authority/Local Authority may by special order grant permission for the erection of such a building of two storeys or for the construction of one or more additional storeys if satisfied that such buildings will be, or are of thoroughly sound material and construction and can safely support the same.

**55. Live loads and wind loads in buildings**--Live loads and wind loads shall conform to those specified in the National Building Code published from time to time.

**56. Foundations** --- 1) The foundations of every building shall be so designed and constructed as to sustain the dead load of the building and the super imposed load and to transmit the loads to and distribute them over the soil in such a manner that pressure brought to bear on the soil by these loads shall not exceed the safe bearing capacity of the soil. The safe bearing capacity of the commonly occurring rocks and soils are given in Schedule I.

(2) In the design of basement walls and similar approximately vertical structures below ground level, provision shall be made for the lateral pressure of the adjacent soil and the walls shall be designed as retaining walls. Due allowance shall be made for possible surcharge due to fixed or moving loads. When a portion or the whole of the adjacent soil is below a free water surface, computations shall be based on weight of the soil diminished by buoyancy plus hydrostatic pressure.

(3) In the design of basement floors and similar approximately horizontal constructions below ground level, the upward pressure of water, if any, shall be taken as the full hydrostatic pressure applied over the entire area. The hydrostatic head shall be measured from the underside of the construction.

**57. Walls**--Every person who undertakes construction of a residential or commercial building shall construct every external wall, every wall abutting on an interior open space and every party wall included in such work in accordance with the minimum thickness excluding plaster given in Schedule II. The thickness shall apply to masonry walls built of bricks or concrete blocks and whether built in the lime mortar (1:2) or cement mortar (1:6) or composite mortar (1:2:9). In no case the intensity of load on the masonry should exceed the safe permissible stress of the construction as laid down in the National Building Code published from time to time.

(1) Every person who undertakes construction work on a masonry wall of public or industrial buildings shall construct every external wall and every party wall included in such work in accordance with the thickness excluding plaster as specified given in Schedule III and in every case the thickness shall apply only to walls of brick masonry built in lime mortar (1:2) or cement mortar (1:6) or composite mortar (1:2:9).

(2) In every case the thicknesses of the wall in any story height shall not be less than 1/14 of that storey height.

(3) For the purpose of clauses(1) and (2) any loft balcony or mezzanine floor of more than 3 m. (10 ft.) which shall be considered as forming a storey for determining the thickness of the walls which support it.

(4) Every person who shall undertake construction work on masonry walled buildings shall construct in accordance with the following conditions, every cross wall included in such work which in pursuance of the bye-laws on that behalf may as a return will be deemed a means of determining the length of any external wall or party wall of such buildings and in every case the thickness prescribed shall be the minimum thickness if which any such cross wall may be constructed; and the several specifications shall apply only to wall built of brick masonry;

(a) the thickness of every wall excluding plaster shall not be less than 12 cm, or 4 1/2" in case of brick masonry in cement mortar and reinforced at every fourth course and not less than 23.5 cm. Or 9" if cement or lime mortar is not used.

(b) when bricks or superior quality (wire cut, brick) are used with richer mix cement mortar, suitable, reductions in thickness of wall may be allowed provided the stress developed at any point of the wall does not exceed the permissible limit as laid in the National Building Code published from time to time.

(5) In case masonry work is done with mud mortar the following restrictions shall apply:-

(a) the height shall not be more than 7.6 m. Or;

(b) the thickness shall be 12 cm more than that prescribed under clause (1) and (2) ; and

(c) the pressure at base or any other point shall not exceed 22 tons per sq.m.

(6) In case of building designed by qualified registered Architects, Engineers or Licensed Supervisors who are considered by the Planning Authority/Local Authority sufficiently qualified to work out structural strength, the thickness prescribed in this bye-law may be deviated from, provided the proposal is supported by calculations and a certificate is recorded by the Engineer, Architect or Licensed Supervisor in the following form:

Certified that the structural parts of the entire building have been designed on the basis of calculations and are considered safe in accordance with the permissible stresses and the slenderness as laid down in the National Building Code published from time to time.

**Note:** Even in such cases provisions made under the Act may be kept in mind by the Planning Authority/Local Authority while sanctioning the plan.

**58. Damp-proofing of walls--**(1) Every wall and pier of the building except when built on materials such as steel or plain reinforced cement concrete 1:2:4 shall be provided with a damp-proof course of either of the following:-

(a) one part cement, two parts coarse sand and five per cent pudlo or some similar water proofing materials;

(b) bitumen sheetings;

(c) a layer of 1:2:4 cement concrete 4 cm. Of 1 1/2" with two coats of bitumen on top or with pudlo;

(d) Impervious stone slabs or 1:3:6 cement concrete; slab of not less than 10 cm. thick and not less than the width of basement fixed in cement mortar 1 : 3 ; and

(e) any other impervious material approved by the Planning Authority/Local Authority.

(2) Such damp-proof course shall be laid at a level not higher than the lowest part or underside of the construction of the ground floor and shall extend to the full width and extent of such walls or piers. It shall be at least 2 cm. (Or 3/4") thick. Where the dam-proofs course is provided below the plinth level vertical damp-proof course shall be provided between the floor and the inside of the plinth.

**59. Insulation against heat and cold : Standards of Thermal Insulations:--**(1) All buildings and such structures for the proper insulation of heat and cold may be required by the Planning Authority/Local Authority to comply with the standards of thermal insulation prescribed in National Building Code published from time to time.

(2) All roofs of habitable rooms wherever necessary and structures shall be provided with thermal insulation by any one of the following methods :

- (a) by the addition of layer of some insulating material between the roof and lime concrete terracing ;
- (b) by the formation of the air spaces ;
- (c) by the use of materials of low conductivity instead of brick-work or concrete ;
- (d) as directed by the Planning Authority/Local Authority.

60. (a) **Sound Insulation** : All buildings and structures for the purposes of insulation against sound may be required by the Planning Authority/Local Authority to comply with the standards of sound insulation specified in the National Building Code published from time to time.

(b) **Fire safety** : For requirements pertaining to the fire safety and fire resistance of buildings, the provisions prescribed under the National Building Code issued from time to time shall be followed.

(c) **Lightning** : For lightning protections of buildings under different uses the provisions as prescribed under the National Building Code issued from time to time shall be followed.

(d) **Electricity** : The specifications and requirements for electrical installations in all buildings under various uses shall be as prescribed by the National Building Code issued from time to time or as prescribed by the State Electricity Department..

## PART II--Zoning Regulations

### GENERAL REGULATIONS

**1. Classification and establishment of zones--**(1) For the purpose of those regulations, the area covered by the Master Plan has been broadly divided into seven zones.

- (i) Residential Zone :
  - (a) High Density
  - (b) Medium Density
  - (c) Low Density
- (ii) Commercial Zone :
  - (a) Local Commercial
  - (b) Central Commercial
  - (c) Wholesale and Warehousing
- (iii) Industrial Zone:
  - (a) Light manufacturing and Small Scale Industries
  - (b) Service Industries
  - (c) Obnoxious Industries
- (iv) Institutional Zone
- (v) Agricultural Zone
- (vi) Public and semipublic Zone
- (vii) Open space, parks and playgrounds Zone
- (viii) Green Belt Zone

(2) The boundaries of each of the zones shall be, as indicated in the detailed layout plans of the different sectors of the Master Plan. Unless otherwise, shown on the Master Plan, the boundary lines of zones shall be plot lines, the centre lines of the streets or such lines extended over the railway right of way lines or the corporate limit line as it exists at the time of publication of these regulations.

(3) The zones designed under clause (2) may be further divided into sub-zones by the Planning Authority dependent on the special use to which each sub-zone is being utilised.

(4) All the disputes and difference with respect to the exact location of zonal boundaries shall be referred to the Planning Authority whose decision shall be final and binding.

**2. General regulations--**(1) Except as otherwise provided no structure or land hereafter shall be used and no structure or part thereof shall be erected, re-erected or materially altered unless sit is in conformity with these regulations.

(2) Any use of land or structure existing at the time of enforcement of these regulations, but not in conformity with its provisions, may continue to exist with the following limitations.

- (i) Such uses of land or structures shall not be--
  - (a) changed to another non-conforming use ;
  - (b) re-established after discontinuance of use for six consecutive methods;
  - (c) extended except in conformity with these regulations ;
  - (d) re-built or repaired after damage exceeding one-half of its cubical contents immediately prior to damage ;

(ii) All existing places, or worship temples, churches, mosques, etc., and burial and cremation grounds shall not be treated as non-conforming uses.

(3) All non-conforming uses of land and buildings shall be discontinued and made to conform with the Master Plan with the time limits specified below for different non-conforming uses from the date of notification of the Master Plan under section 33 (1) of Pondicherry Town and Country Planning Act, 1969.

3. (1) **Industrial non-conforming uses**--Industrial use of structures of land which does not conform to the land use shown in the Master Plan shall either have to be discontinued gradually or shifted, in stages, to the industrial areas earmarked in the plan.

(2) All noxious and nuisance industries which may be dangerous to life, or injuries to health or property, or causing offence to the sense of sights, smell or hearing, or disturbance to rest and sleep must be first to go from their present location. The time of their shifting ranging from a period of three to five years shall be fixed by the Planning Authority, depending upon the nature and degree of such nuisance and the areas occupied.

(3) Non-nuisance industries will get more time for shifting i.e. from five years to a maximum period of ten years on a sliding scale, on the following criteria.

(a) The capital value of land, structure and machinery allowing for depreciation;

(b) The registered employment of industry, more time if the industry has got more floor space per worker.

4. **Residential non-conforming uses**--Existing residential use of buildings in industrial use zones, commercial use zones in only ground floors, public and semi-public use zones and open space zones as shown in the Master Plan shall be discontinued within a period of ten years.

5. **Commercial non-conforming uses**--Except otherwise provided in the Master Plan Commercial use of buildings or lands in industrial, residential, public and semi-public use zone and open space zone as shown in the Master Plan will have to be discontinued within a period of ten years.

6. **Off-set parking space for motor vehicles**--(1) Off-street parking space shall be provided on any plot on which the uses specified are hereafter established; such parking space as specified shall be the minimum and provided with adequate vehicular access to a street.

<sup>2</sup>“(2) Each off-street parking space provided shall not be less than 18.6 sq.metres of area. The area of drives, isles and such other provisions required for adequate access shall not be counted as part of the 18.6 sq.metres”.]

(3) If a vehicle parking space required by these regulations is provided in parking areas by groups of property owners of their mutual benefit, the Planning Authority may construct such use of this space as meeting the off-street **park requirements under these regulations**.

<sup>2</sup>“(4) If off-street vehicle parking space cannot be reasonably provided for on the same plot on which the principal use is conducted, the Planning Authority may permit such space to be provided in the vicinity, provided such **space lies within 152.4 metres of the main entrance to such** principal use. Such vehicle parking space shall be deemed to be an open space associated with the permitted use and shall not thereafter, be reduced or encroached upon in any manner.”]

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<sup>2</sup> Clause substituted vide Notification No. 57 dated 16.2.1977

7. **Violation**--Any violation of the Zoning Regulations is a violation of the Pondicherry Town and Country Planning Act, 1969 and shall be penalized as per the provision of the said Act.

8. **Group projects**--Group project development for residential, commercial and industrial areas can be undertaken where the land will not be subdivided into customary streets and plots and will be governed by good design standards to ensure open spaces. The intensity of use is intended to be higher than that stipulated in the Plan. Group projects can be undertaken for at least three acres of commercial area or five acres of industrial area. Group housing development for multi-storeyed apartments and low cost housing schemes can be undertaken for at least ten acres of residential area. No limit on the number of floors is stipulated, access to dwellings can be provided by pedestrian paths governed by design requirements. Adequate provision has to be made for parking and services. Set back and the arrangements of block garages, etc. will have to be approved in each case so that a health development is ensured.

#### 9. Regulations applicable to each land use zone--

**I. RESIDENTIAL ZONE ; (a) Use permitted :** Residences, hostels and boarding houses, nurseries, kindergartens and schools, clinics, social and cultural institutions with adequate parking facilities ; public utilities and buildings, except service and storage yards; agricultural gardens, nurseries and green houses ; any neighbourhood recreational uses including clubs and other semi-public recreational uses ; accessory uses clearly incidental to residential uses which will not create a nuisance or hazard.

(b) **Uses that may be permitted on special grounds by Planning Authority :** Places of workshop, professional office when situated in the same dwelling as the one occupied by the professional man or woman when located in local shopping centre ; commercial offices, service uses and retail shops of a neighbourhood character when located in local shopping centre or in concentrated locations or as shown in the zonal plan when prepared ; hotels, hospitals and sanatoria not treating contagious diseases or mental patients ; provided the set-back and coverage of plots are such as not to constitute a nuisance to the residential area ; colleges and research institutions not to be operated to the production of goods or other materials for sale provided there is no nuisance created ; Municipal, State and Central Government offices ; raising of poultry for non-commercial uses provided that no bird is housed closer than 5.0 metres of a dwelling or a property line ; removal of gravel, clay, sand or stone for development of site which will not result in the stagnation of water or cause other nuisance terminals, rail passenger and freight stations, petrol filling stations, service and storage yards, taxi, scooter, rickshaw and tonga stands.

(c) **Uses prohibited:** All uses not specifically permitted herein. Further all uses mentioned herein shall not be permitted to use machinery involving more than three horse power in capacity.

(d) **Minimum size of plot:** The minimum area of the plot in this zone shall be 170 sq.m. where new subdivision of land is effected. Such subdivision would need an approval of the Planning Authority.

**Each plot shall have a minimum frontage of 9.20 metres** on any street provided that this shall not apply to existing plot frontages which are less than 9.20 metres.

**For low cost housing for the low income group the minimum plot area shall be 125 sq.m.**

**For slum improvement and slum rehousing scheme** sponsored by Government the minimum would be 80 sq.m. or as recommended by Central Government from time to time.

(e) **Plot coverage:** The maximum permissible coverage on a plot of the size mentioned in column 1 below shall be as shown in column 2 below:

<u>Size of plot</u>	<u>Maximum coverage</u>
(i) up to 300 sq.m.	60% of the area of the plot
(ii) above 300 sq.m. and not exceeding whichever is more 500 sq.m.	50% of the area of the plot or 180 sq.m.
(iii) above 500 sq.m. and not exceeding 1,000 sq.m.	40% of the area of the plot
(iv) above 1,000 sq.m.	33% of the area of the plot.

(f) **Floor area ratio :** The maximum area ratio in this zone shall not exceed 150.

(g) **Set back lines : (I) Front set back lines :** If the depth of the plot is as shown in column 1 below, the minimum front set back of the building from the boundary of the plot shall be as shown in column 2 below :

<u>Depth of the plot</u>	<u>Minimum set back from the boundary of the plot</u>
(i) up to 20 metres	.. 3,00 metres
(ii) above 20 metres and not exceeding 30 metres	.. 4.5 metres
(iii) above 30 metres and not exceeding 40 metres	.. 6.0 metres
(iv) above 40 metres	.. 7.5 metres

(ii) **Rear set back :** Every residential building shall have a rear set back of an average width of 1.75 metres and at no place of a width of less than 1.5 metres from the boundary of the plot and in case of back to back sites, the minimum width of such rear set back shall be 1.75 metres minimum at all points and set back shall further comply with restrictions relating to light and air plans.

(iii) **Side set back :** On a plot on which a detached building is allowed to be erected such a building shall have a side set back from the boundary of the plot of at least 1.5 metres width on either side for a plot less than 500 sq.m. and 3 metres on either side for a plot above 500 sq.m. and on a plot on which a semi-detached building is allowed to be erected such a building shall have a side set back of 1.5 metres width on one side for a plot less than 500 sq.m. and 3 metres on one side for a plot above 500 sq.m. in case of plots having a frontage of 9.2 m. (30') a side set back 1.25 metres (5'0") on one side and **1 m (3'0") on the other side shall be allowed.**

In case of row housing buildings on corner plots shall also be set back by such distance from the side street as may be suitable to meet the needs of the traffic

**Note:** 1. Set backs are not compulsory in the case of existing buildings within the Boulevard area, but the building should be re-erected so as to keep up an uniform building line. However, for erection or re-erection of building on corner plots, suitable set backs would be required and shall be approved by the Planning Authority.

2. Every habitable room taking light and ventilation from the side open space, the minimum dimensions from the boundary shall be prescribed for side set backs in commercial zones.

3. "The maximum permissible plot area and plinth area of a dwelling unit for a family shall be 2,000 square metres and 500 square metres respectively for Pondicherry Urban area or any other Urban area notified from time to time within Category "D" in Schedule-I of the Urban Land (Ceiling and Regulation) Act, 1976"

<sup>2</sup>[(iv) **Service lanes**--The minimum width of a service lane shall be 4.5 metres and it may be reduced to 3 metres in case if low cost housing scheme sponsored by Government, Semi-Government or other public bodies. It is not necessary to have this in the case of detached and semi-detached housing. If provided it should have a minimum of 4.5 metres right of way. In case the length of road is more than 152.4 metres, the minimum right of way should be 6 metres. Where garages are to be provided, in order to have easy turn of motor vehicles, the garages should be set back 4.5 metres from the centre line of the service lane".]

(V) **Heights of buildings:** Heights of buildings shall be fixed by the Planning Authority for specific areas for the purpose of preserving architectural qualities or other reasons as may be specified.

**II. COMMERCIAL ZONE; (1) Local Commercial: (a) Uses permitted:** Retail shops; business and professional offices; services uses like barbers and tailors ; ;laundry and dry cleaner's shops, etc.; restaurants and entertainment places; residences; social and welfare institutions provided they are located in first and higher floors ; clinics, meat, fish and fruit markets roofed storage for legitimate retail business; public and semi-public recreational uses; public utilities and buildings. Parking area requirements for all uses must be approved.

(b) **Uses that may be permitted on special grounds by the Planning Authority:** Social and Welfare institutions, petrol filling stations, coal, wood or timber yards, services garages; light manufacturing industries without nuisance or hazard and employing not more than 4 persons with or without power provided the goods manufactured are sold on the premises in retail; taxi or scooter stand, bus terminal Parking area requirements for all uses must be approved.

(2) **General Commercial : (a) Uses Permitted :** All uses permitted in retail shopping; also hostels and boarding houses, colleges, schools, research institutions; service garages, warehousing and covered storage, local and central government offices. Parking area requirements for all uses must be approved.

(b) **Uses permitted on special grounds by Planning Authority:** All uses allowed in retail shopping. IN addition, newspaper and printing presses. The following may also be allowed in specific areas under detailed plans and zonal plans of the shopping centre; light manufacturing and service industries without nuisance or hazard and not employing more than 10 persons with or without power, junk yards. Parking area requirements for all uses must be provided.

(c) **Uses prohibited:** All uses not specifically permitted above.

(3) **Wholesale and Warehousing : (a) Uses permitted:** Wholesale and retail shops, storage for wholesale uses except when specifically prohibited, business offices, restaurants and residences provided they are located in first and higher floors; public utilities and buildings, parking, loading and unloading area requirements must be approved for all uses.

(b) **Uses permitted on a special grounds by Planning Authority :** Truck terminal and parking, schools, clinics, social and cultural institutions; recreational uses, storage and markets dealing with meat and fish parking, loading and unloading area requirements must be provided for all uses.

<sup>2</sup> Clause substituted vide Notification No. 57 dated 16.2.1977



(c) **Uses prohibited** : Storage of petroleum and other inflammable materials; storage of any material causing dust and colour, junk yard. All uses not specifically permitted above.

**(1) Local and Central Commercial:**

(a) **Coverage**: The maximum permissible coverage will depend on the layout of the commercial area;

(a) Ground floor and first floor: 50% of the area of the plot.

(b) Second and higher floors : 35% of the area of the plot.

(b) **Floor area ratio** : The floor area ratio shall not exceed 150 in local commercial zone, and 250 in central commercial zone.

(c) **Set back**: Every building shall be set back as provided below:

(i) **Front set back**: No front set back is necessary but if the building is to be re-erected it should conform to an uniform building line.

(ii) **Rear set back**: Every building shall have a rear set back of a minimum distance from the boundary line of the plot to comply with restrictions relating to light and air planes.

(iii) **Side set backs**: Side set backs are not compulsory except in cases where light and ventilation to habitable rooms are to be taken from the side of the building. IN such cases the width or dimensions specified in the table below will apply.

<u>Where height of buildings (above plinth) adjoining the open space does not exceed</u>	<u>Minimum width of open air space throughout</u>
Metres	Metres
4.9	3.0
6.0	3.3
9.0	4.0
12.0	4.7
15.0	5.4
18.0	6.1
21.0	7.4
24.0	9.0
27.0	10.0
30.0	12.2

**(2) Wholesaling and Warehousing:**

**F.A.R.** **100**  
Maximum ground floor coverage 50%

Basement allowed as in commercial and retail areas.

**Maximum set back** : Front 7.5 m ; rear 4.5 m ; side 4.5 m.

**General Warehousing, storage, etc.**

<b>F.A.R.</b>	<b>100</b>
Maximum ground floor coverage	60%

Minimum set back for plots as below :

	Below 1,500 sq.m.	1,500 to 5,000 sq.m.	Above 5,000 sq.m.
Front	4.5 m.	7.5 m	15.0 m
Rear	4.5 m	4.5 m	7.5 m.
Sides	Optional	4.5 m	4.5 m.

Basement allowed for parking, servicing and storage should not exceed ground floor coverage. Not counted for **F.A.R.** calculations.

Special consideration for F.A.R. coverage, set backs, parking etc., will be specified for special trades like grains oil, timber and other building materials.

**Building abutting on two streets:** If a building abuts on two or more streets of different widths, the building shall be deemed for the purpose of this bye-law to face upon the street that has the greater width and the height of the building shall be related by the width of that street and may be continued at this height to a depth of 13.5 metres along the narrower street subject to conformity with the prescribed road angles.

**III. INDUSTRIAL ZONE; (a) Light manufacturing and small scale industries : (i) Uses permitted :** Industries which will not cause excessive or objectionable noise, vibration, smoke, gas flame, odour, dust, effluent and other objectionable conditions and employing not more than 200 workers with or without power. Warehousing and storage of materials excepting those inflammable. Parking, loading and unloading areas, Public utilities and buildings, canteen, restaurant and recreational facilities for employees. Residential use for security and watch staff. Fire station, first-aid station, police out post, post office.

(ii) **Uses permitted on special grounds by Planning Authority:** Bus stand, railways and road freight stations. Filling stations; junk yard; Government and semi-Government uses incidental to main use.

(iii) **Uses prohibited:** All uses not specifically permitted above.

(b) **Service industries: (I) Uses permitted :** Filling and servicing stations. Furniture manufacturing, smith, lathe shops, motor workshops, garages and electric repairing shops. Large scale repair shops of machinery and light manufacturing industries like bamboo and cane products, wire products, processing and canning of food, etc. Large-scale flour mill, saw mill, rice, dal, and oil mills, employing not more than 50 persons without power. Storage yards incidental to main use. Residences for watchman. Loading and unloading station. Public utilities and building manufacturing bread and biscuit and confectioneries.

(ii) **Uses permitted on special grounds by Planning Authority:** Industry manufacturing paints and chemicals Ice factory, cold storage and gas plants. Industry manufacturing medicines, distilled water, etc.

(iii) **Uses prohibited:** All uses not specifically permitted above.

**1. Light manufacturing and small scale and service industries:**

Minimum plot 400 sq./m.

Minimum frontage 12 m

Maximum plot area 10,000 sq.m.

.May be relaxed in special cases.

**(i) Coverage floor area ratio :** The maximum coverage and the maximum F.A.R. on the plots of the sizes mentioned in column 1 below shall respectively be shown in columns 2 and 3 below :

size of plot (1)	Coverage of each floor (2)	F.A.R. (3)
Upto 5,000 sq.m.	50% of area of the plot	68
Above 5,000 sq.m. and upto 15,000 sq.m.	45% of area of the plot	60
Above 15,000 sq.m.	40% of area of the plot	50.

**(ii) Set back (a) Front set back:** The building in plot of the area shown in column 1 shall have minimum front set back as shown in column 2 below:

Area of the plot (1)	Minimum set back from the boundary of the plot (2)
Up to 5,000 sq.m.	6.5 metres
Above 5,000 sq.m.	15.0 metres

**(b) Rear set back :** The building in a plot of the area shown in column 1 shall have minimum rear set back as shown in column 2 below :

Area of the plot (1)	Minimum set back (2)
Upto 5,000 sq m.	6.0 metres
Above 5,000 sq.m.	15.0 metres

**(c) Side set back:** The building in a plot of the area shown in column 1 shall have minimum side set back as shown in column 2 below :

Area of the plot (1)	Minimum set back (2)
Upto 5,000 sq.m.	4.0 ,metres
Above 5,000 sq.m.	6.0 metres

**(2) Flatted Factory:**

Minimum plot areas	One acre
Maximum No. Of floors	6
<Maximum, coverage	150

The minimum number of floors allowed is two. A basement not exceeding ground floor coverage, is allowed for storage and servicing only and will not be taken into account in floor area ratio calculations :

**Minimum set back:**

Front	.. 15 m. (50 ft.)
Rear	.. 15 m (50 ft.)
Sides	.. 6 m (20 ft.)

**IV. INSTITUTIONAL ZONE:** (a) Uses permitted : Educational, cultural and scientific institutions and their accessory uses; dwellings for the inmates of the institutions, non-commercial hostels.

**(b) Uses that may be permitted on special grounds by Planning Authority :** Any use permissible in residential zone subject to the coverage, height and F.A.R. of Institutional Zone.

**(c) Uses prohibited:** Uses not specifically permitted herein.

**(d) Plot coverage:** The maximum permissible coverage on each floor shall be 33 1/2% for a plot less than 9,000 sq.m. in area of 25% for a plot greater than 9,000 sq.m. in area, Areas within the plot used for organized sports will be taken into account for plot coverage calculations.

**(e) Floor area ratio:** The F.A.R. shall not exceed 150. However F.A.R. will be determined on the merits of each individual case depending upon the location and the nature of use.

**(f) Set back lines:**

- (i) Front set back lines : There shall be a minimum front set back of 6 metres
- (ii) Side set back lines : As per Residential Zone.
- (iii) Rear set back lines: As per Residential Zone.

**(g) Heights of buildings:** As per Residential Zone.

Note: Existing Institutional buildings in zones other than in institutional zone may be permitted on special grounds by the Planning Authority to construct buildings according to the requirements of that particular zone provided other requirements such as parking, open space, playgrounds, etc., are satisfactorily met.

**V.AGRICULTURAL ZONE;** (a) **Uses permitted:** Dwellings for people engaged in the farm, farm houses and accessory buildings, agricultural, horticulture, dairy, poultry, farms, animal rearing and breeding stables for riding, etc. Processing and sale of farm produce, petrol and other fuel filling stations, schools, libraries, religious buildings, public utility buildings.

**(b) Uses permitted on special grounds by Planning Authority:** Quarrying of gravel, sand, clay or stone, lime kilns, brick kilns, workshops, for servicing and repair of farm machinery and service stations.

**(c) Uses prohibited:** All other uses not specifically permitted above.

Regulations for residential zone would normally apply to this zone. Temporary constructions would be permitted only with the prior permission of the Planning Authority.

**VI. PUBLIC AND SEMI-PUBLIC OPEN SPACES, PARKS, AND PLAYGROUNDS:** (a) Uses permitted: Sports stadia, swimming pools, gardens, playgrounds, golf course and other recreational uses requiring extensive open space.

(b) **Uses permitted on special grounds by Planning Authority:** Theatres, Public Assembly Halls, etc. Transient visitor's camp on non-payment basis and taxi, scooter, rickshaw and tonga stands.

(c) **Uses prohibited :** " Dwellings except of watch and ward personnel and other uses not specifically permitted herein

**VII. GREEN BELT ZONE:** (a) Uses permitted: Agriculture and horticulture, Dairy and poultry farming, farm houses and necessary building. Brick and lime kiln and removal of clay, gravel. Burial and cremation grounds. Trenching and disposal ground. Places of worship, Public utilities and buildings; bus, truck terminus and air port.

(b) **Uses permitted on special grounds by Planning Authority:** Educational and cultural buildings. Park and non-commercial public and semi-public recreational uses. Storage processing and scale of farm products. Sewerage and compost areas. Operation of stone, murrum quarries, Government and semi-Government uses incidental to main use.

(c) **Uses prohibited :** All uses not specifically permitted above

**Note:** 1. Any new construction to be erected in the residential and commercial zones on an existing plot within an existing permanent structures can be permitted an additional coverage of 10% in excess of the one stipulated in the order.

This however, shall not apply to cases where the existing plot coverage is less than the one stipulated in the order.

In cases where the existing coverage is within 10% in excess of the stipulated one, no coverage in addition to the existing one will be allowed.

2. For determining floor area ratio normally--

(l) covered area used for purpose of parking cars would be excluded for the calculations on the following basis.

(a) **Residential zone: 1. Parking space of 20 sq.m.** for dwelling unit not less than 75 sq.m. floor area.

(b) **Commercial zone :** 1. Parking space of 20 sq.m. area per floor area of 100 sq.m.

(c) **Industrial zone:** 1 parking space of 25 sq.m. area per floor of 250 sq.m.

(d) **Institutional zone:** 1 parking space of 20 sq.m. per floor area of 150 sq.m.

(i) Balconies if not projecting beyond 1.50 metres of the external wall would have only half the area of such projections included in the calculation. If the balconies project beyond 1.50 metres of the external wall than the entire area of such balconies would be included in the calculations.

3. In cases of new plot subdivision normally the length shall not be more than three times of breadth.

<sup>2</sup>**Note:** The following minimum parking requirements will be applicable to newly developing areas:

**Minimum off-street parking requirements**

Sl.,No.	Type of use	One parking space shall be provided to every unit or part thereof.	
(1)	(2)	(3)	
1.	Theatres, auditorium and cinemas	..	30 seats
2.	Retail shops, general business and commercial	..	70 sq.m. of sales area
3.	Office buildings	..	93 sq.m. of office floor space
4.	Restaurants	..	20 seats
5.	Hotels	..	5 guest rooms
6.	Industrial buildings	..	100 employees
7.	Wholesale trade	..	93 sq.m. of floor space
8.	Lodging establishment and tourist homes	..	5 guest rooms
9.	Multi-family dwellings	..	3 dwelling units

**Temporary permits:** Some temporary uses with definite time limit may be allowed by the Planning Authority for uses other than those stipulated in the Master Plan after ensuring that such temporary use would be made to discontinue and ground restored to the original condition by the owner or the lessee at his/her own cost on the expiry of the stipulated time limit, or put to use/uses stipulated in the Master Plan.

**Appeal to the Authority:** Where uses are permitted on special appeal to the Planning Authority the following consideration (in addition to any special conditions contained in the foregoing table) will be the basis for granting or denying the appeal

A. Need for proposed use to serve persons or activities in immediate locality.

B. Degree of traffic generation from proposed use and its effect on principal uses zone.

C. Effect of potential noise, vibration, odour, smoke, fumes and unsightly appearances of proposed use on adjacent properties.

D. Where appropriate provision in building design and site layout for eventual conversion of special use to one of the principal uses permitted in this zone.

E. Where appropriate provisions in building design and site layout for protecting the integrity of the principal use of the zone by way of extra set backs, walls, and plated area.

**Residual provisions:** All other provisions of the regulations or bye-laws of the Municipality concerned relating to this subject matter shall continue to apply in so far they are not inconstant with this order.

**M.SRIRAAMULU,**  
**Under Secretary to Government(Public Works)**  
**(No.5127/CS/UD/71)**

<sup>2</sup> Clause substituted vide Notification No. 57 dated 16.2.1977

**FORM 1**  
**(Bye-law 3)**

**To**  
**The Planning Authority,**  
**Pondicherry.**

I .....hereby give notice that I intend to erect on vacant site number .....in block/street.....of.....division/extension or to re-erect/add to the existing building bearing municipal door No.....in block/street..... of division/extension.

2. I enclose the following records:-

- (i) A copy of the title deed;
- (ii) Chalan or receipt for payment of fees prescribed by the Planning Authority;
- (iii) A site plan drawn to a scale of not less than 1/200 for sites upto 200 sq.m. in area and in the scale of 1/500 for sites above 200 sq.m. and shall show--
  - (1) the boundaries of the site;
  - (2) the direction of the North point relative to the plan of the building;
  - (3) all existing buildings or structures on, over or under the site or projecting beyond it;
  - (4) all surrounding buildings in outline within distance of 25 m. from the boundaries of the site;
  - (5) the name of the street on which the building is proposed to be situated (if any) or location and name of the nearest street, public or religious buildings;
  - (6) the width of the street in front and of the street (if any) at the side of the building;
  - (7) the position of access from the street to the building;
  - (8) the dimensions of front, rear and side set-backs (if any) and also of the space to be left about the building to secure a free circulation of air, and admission of light;
  - (9) the position of kitchens, staircases, privies, urinals, drains, cesspools, stables, cattle sheds, garages, wells and other appurtenances of the building;
  - (10) a clear indication of the area of the plot, plot coverage and floor area ratio;
  - (11) purposes of the proposed structure or parts thereof;
  - (12) if the site is situated in any of the approved layout reference No. of the approval and authority which approved;
  - (13) detailed plans in quadruplicate of the building drawn to a scale of 1 m. to 1 cm., showing;
    - (a) floor plans;
    - (b) location of essential service e.g., sinks, bath, and the like;
    - (c) sectional drawings;
    - (d) street elevations;
    - (e) dimensions of doors, windows and ventilators with specifications;
    - (f) where the proposed construction is for addition of any subsequent floor, a certificate of soundness of foundations and the existing structures by a qualified engineer.

I request that the construction may be approved and permission may be granted to execute the work.

Place:

Date :

Signature and address of the owner

<sup>1</sup>[FORM A]  
(Bye-law 9 (4))

APPLICATION FOR REGISTRATION OF ENGINEER/ARCHITECT/LICENSED SUPERVISOR

- 1. Full name and address  
of applicant (in block letters)
- 2. Date of birth :
- 3. Details of academic and technical examinations  
passed by the applicant (certificate in original  
to be enclosed for reference and return) :
- 4. Details of pas and present experience :
- 5. Are you a registered Engineer/Architect/  
Licensed Supervisor in any other State? If so,  
state registration No. and date :
- 6. Are you a member of any profession body? :

Passport size  
photograph size  
3"x2" of the  
applicant taken  
not earlier than  
3 months

I request that I may be registered and necessary certificate of competency may be issued.

I hereby declare that the particulars stated above are correct and true to the best of my knowledge.

I remit the sum of Rs.100 as security deposit and Rs.50 as license fee for the year.....as required under sub-rule (1) in favour of the Chairman, Planning Authority, Pondicherry.

Signature of applicant

Date

Name and designation of witness:

- 1.
- 2.

Signature of witness:

- 1.
- 2.

<sup>1</sup> Form inserted vide Notification No. 77 dated 24.6.1974



<sup>1</sup>[FORM B]  
(Bye-law 9 (11))

FORM OF LICENCE FOR REGISTERED ENGINEER/ARCHITECT/LICENSED SUPERVISOR

The Chairman, Planning Authority on the recommendation of the Registration Committee appointed by Government Vide G.O.....Dated.....hereby licenses Thiru/Thirumathi.....son/daughter/wife of.....residing at ..... to be registered Engineer/Architect/Licensed Supervisor for a period of one year from .....

The license is not transferable to any other person and should be produced by the Licensee whenever required to do so by the Chairman.

The licensee shall be entitled to charge for the preparation of plans or other works from the owner or other person who employs or engages him, a reasonable fee or fees not exceeding the rate or rates prescribed by the Planning Authority from time to time.

The licensee is bound to comply with all the conditions annexed hereto.

Any failure on the part of the licensee to abide or comply with any of the conditions will entail not only a fine which along with any loss occasioned to the Planning Authority by anything done or omitted to be done by him, will be recovered from his security deposit and also cancellation of his license but will further involve him in all the necessary consequences, of penal action, if any, instituted against him including any civil liabilities.

Office of the Planning Authority,  
**Chairman, Planning Authority.**

Dated:

**FORM 2**  
(Bye-law 15 (4))  
FORM OF SANCTION

No..... Dated.....  
To  
Thiru/Thirumathi

With reference to your notice No.....dated.....for the grant of permission to erect/re-erect/add to/alter/execute the work specified.....house No.....block No.....situated at .....street/road.....I have to state that the same has been permitted unconditionally/subject to the following conditions:-

(Here mention conditions, if any)

Yours faithfully,  
**PLANNING AUTHORITY.**

**FORM 3**  
(Bye-law 15 (4))  
FORM OF REFUSAL OF SANCTION

No..... Dated.....  
To  
Thiru/Thirumathi

With reference to your notice .....dated.....for the grant of permission to the erection of a building/execution of work in house No.....site No.....block No.....street/road, I have to inform you that permission has been refused on the following grounds:

(Here mention the grounds of refusal)

Yours faithfully,  
**PLANNING AUTHORITY.**

<sup>1</sup> Form inserted vide Notification No. 77 dated 24.6.1974

FORM 4  
(Bye-law 17)  
FORM OF NOTICE OF COMPLETION

To  
The Planning Authority,  
Pondicherry.

Sir,

I/We hereby give notice as required by the above bye-law. I/We have commenced the erection of the building/execution of the work in site No.....house No.....block No.....street/road.....on.....in pursuance of permission granted by the Planning Authority vide No.....dated.....and completed the same on.....

\*A certificate from the qualified architect/engineer is appended herewith.  
Permission to occupy or use the building may be granted.

Yours faithfully,  
(Signature of owner and address)

\*Note: May be struck off, if not required.

**FORM 5**  
**(Bye-law 18)**

I hereby certify that building number.....site No.....block No.....street/road completed \*\* under the supervision of Architect/Engineer has been inspected by me and I declare that the building conforms in all respects to the requirements of the building bye-laws in respects of structural safety fire safety hygienic and sanitary condition inside and in the surroundings and fit for occupation.

Planning Authority.

Office of the Planning Authority.

Dated:

\*\*Note: May be struck off if not required.

**APPENDIX I**  
**(Bye-law 9 (3))**

Qualifications for registered architects, registered engineers and licensed supervisors.

The minimum qualification for a Registered Architect shall be the Associate Membership of the Indian Institute of Architects or such Degree or Diploma, which makes him eligible for such membership.

The minimum qualifications for a Registered Engineer shall be the Corporate Membership (Civil) of the Institute of Engineers (India) or such Degree or Diploma in Civil, Municipal or Structural Engineering which makes him eligible for such membership.

The minimum qualifications for a Licensed Supervisor shall be qualification in Architecture or Engineering equivalent to the minimum qualification prescribed for recruitment to non-Gazetted service by the Government of India plus 5 years experience in building design, construction and supervision.

**4[APPENDIX – I-A****FEE**

(See bye-laws 4 and 14)

<b>Sl. No</b>	<b>Details</b>	<b>Amount</b>
<b>(1)</b>	<b>(2)</b>	<b>(3)</b>
1	Application fee	Rs. 10 per application
2	Scrutiny fee in respect of application for planning permission and revised plans: Scrutiny fee for application for planning permission and revised plans:	
	I. Residential (Pucca building)	For Planning permission application for developments upto 300 sq.m. – Re. 1 per sq.m. and developments exceeding 300 sq.m., Rs. 1.50 per sq.m. of built up areas. When a revised plan is submitted for the first time, Re. 1 per sq.m., for second revision, re. 0.50 per sq.m., for third revision it is Re.0.25 per sq.m. and for fourth and subsequent revision, no scrutiny fee shall be collected. Recognised charitable institutions / organisations serving the poor, orphanages, institutions for mentally retarded children, which are run for the welfare of the society, shall pay the scrutiny fee only. Scrutiny for revised drawings received from these institutions without any change in the shape of buildings or arrangement of buildings involving minor corrections such as missing signature, small corrections in dimension, correction in plot to tally with document, etc., will not attract this levy. However, these institutions shall pay scrutiny fee when submitting revised plans involving additional floors.
	II. Thatched building / hut	Rs. 50 for huts of floor area up to 50 sq.m.; and Rs. 100 for floor area exceeding 50 sq.m.
	III. (a) Commercial	Three times the rate of the residential use
	(b) Industrial	Two times
	(c) Institutional	Two times
	IV. Lay-outs / Sub-divisions	Scrutiny fee of Rs. 0.50 per sq.m. For revision of approved lay-out, it shall be Rs. 0.25 per sq.m.
3.	Service charges for issue of No-objection Certificates and other certificates	Rs. 10 shall be collected as service charges for issue of NOCs and other certificates.
4.	Miscellaneous:	

<sup>4</sup> Appendix substituted vide Notification No. 44 dated 29.11.2002

(1)	(2)	(3)
	(a) Construction of well / tube-well / bore-well	Rs. 25 each
	(b) (i) Construction of water-closet	Rs. 25 each
	(ii) Construction of Septic tank	Rs. 25 and Rs. 50 each for residential and commercial/industrial use respectively.
	(iii) Construction of Septic tank with anaerobic filter	Rs. 150 for residential and Rs. 300 for commercial/industrial use respectively.
	(c) Construction of compound wall not exceeding 2.50m in height.	Rs. 10 per 10 running metre.
	(d) Construction of drain	Rs. 6 per 10 running metre.
	(e) Provision of doors on external sides	Rs. 10 per opening
	(f) Provision of windows on external sides	Rs. 5 per opening
5.	Revalidation of sanction before expiry	Half the rate prescribed for fresh sanction. ] <sup>4</sup>

<sup>4</sup> Appendix substituted vide Notification No. 44 dated 29.11.2002

<sup>1</sup>[APPENDIX-II]  
**Conditions of Licence**

1. It is the duty of the registered Engineer/Architect/Licensed Supervisor that in all matters wherein he is employed or engaged:

(a) to comply with any orders passed and communicated to him by the Chairman; and

(b) to satisfy himself that the survey boundaries of the site or sites for building and the streets with their dimensions are correctly marked in the site plans or layout plans and that no encroachments are made into any street or other Municipal and Government land.

2. In the case of every building plan prepared by him for the construction, reconstruction, alteration or addition to any building, he shall besides, complying with the requirements of the Pondicherry Building Bye-laws and Zoning Regulations furnish a report dealing with the existing state of affairs (accompanied by such plans as may be necessary to show the state of existing building or buildings in the site with adequate details), the proposed works the calculations, if any, for the designing of the floors or roofs walls and other parts of the structure or building and the nature of the soil or sub-soil of the site and as to how the safety and stability of the foundations were determined by him.

3, The registered Engineer/Architect/Licensed Supervisor shall not, while employed as such Engineer/Architect/Licensed Supervisor, do anything prejudicial to public interests, and the objects for which he is licensed, or be a party to any evasion or attempted evasion of the provisions of the Act and the Rules, Bye-laws and Regulations made there under and if he has reason to believe that the owner or other person employing or engaging him entertains such intentions, he shall forthwith report the same to the Chairman, Planning Authority.

<sup>1</sup> Appendix inserted vide Notification No. 77 dated 24.6.1974

**SCHEDULE-I  
(Bye-law 56)**

Safe bearing capacities of rocks and soils

Material		Safe bearing capacity	
		Tonnes per sq.m.	Tonnes per sq.ft.
	1	2	3
(a)	Rocks and cemented material:	328	30
)	(1) Rocks hard without lamination and defects e.g. granite, trap and diorite		
	(2) Laminated rocks (e.g. sandstone, limestone) in sound condition	164	15
	(3) Residual deposits of shattered and broken bed rock and hard shale; cemented material	87	8
	(4) Soft rock	44	4
(b)	Dense non-cohesive:	44	4
)	(1) Gravel sand and gravel; compact and offering high resistance to penetration when excavated by tools		
	(2) Coarse sand; compact and dry	44	4
	(3) Fine sand; compact and dry	22	2
	(4) Very fine sand; silt (dry lumps easily pulverized by the finger)	16	1.5
(c)	Non-cohesive soils in loose conditions:		
)	(1) Loose gravel or sand gravel mixture loose course to medium sand; dry	22	2
	(2) Fine sand; loose and dry	11	1
(d)	Cohesive soils :		
)	(1) Soft shale; hard or stiff clay in deep bed; dry	44	4
	(2) Medium clay; readily indented with a thumb nail	22	2
	(3) Moist clay and sand clay mixture which can be indented with strong thumb pressure	16	1.5
	(4) Soft clay indented with moderate thumb pressure	11	1
	(5) Very soft clay which can be penetrated several centimeters with the thumb	5	0.5
	(6) Black cotton soil or other shrinkable or expansive clays in dry condition (50 per cent saturation)	16	1.5
(e)	Granite soil, fills etc.:		
)	(1) Fills or made up ground		
	(2) Peat, etc.		

\* See foot note below

\* Foundation design of made-up soil and peat requires careful study and expert technical advice should be taken while designing foundation in such situation. No figures for bearing capacities of these soils can be given in a general way.



**SCHEDULE-III**  
**(Bye-law 57 (1))**

**Minimum thickness of external and party masonry walls of public and industrial buildings**

Height of wall (h) in metres		Length of wall to metres		Thickness t1 in centimeters	Thickness t2 in centimeters
Exceeding	Not exceeding	Exceeding	Not exceeding		
(1)	(2)	(3)	(4)	(5)	(6)
--	<b>7.6</b>	<b>unlimited</b>		<b>30</b>	--
<b>7.6</b>	<b>9.1</b>	--	<b>13.7</b>	<b>30</b>	--
<b>7.6</b>	<b>9.1</b>	<b>13.7</b>	--	<b>40</b>	--
<b>9.1</b>	<b>12.2</b>	--	<b>9.1</b>	<b>30</b>	--
<b>9.1</b>	<b>12.2</b>	<b>9.1</b>	<b>13.7</b>	<b>40</b>	--
<b>9.1</b>	<b>12.2</b>	<b>13.7</b>	--	<b>50</b>	--
<b>12.2</b>	<b>15.2</b>	--	<b>9.1</b>	<b>50</b>	--
<b>12.2</b>	<b>15.2</b>	<b>9.1</b>	<b>13.7</b>	<b>60</b>	--
<b>12.2</b>	<b>15.2</b>	<b>13.7</b>	--	<b>70</b>	--
<b>15.2</b>	<b>18.3</b>	--	<b>13.7</b>	<b>60</b>	--
<b>15.2</b>	<b>18.3</b>	<b>13.7</b>	--	<b>70</b>	--
<b>18.3</b>	<b>21.3</b>	--	<b>13.7*</b>	<b>60</b>	--
<b>18.3</b>	<b>21.3</b>	<b>13.7</b>	--	--	<b>70</b>
<b>21.3</b>	<b>24.4</b>	--	<b>13</b>	<b>60</b>	--
<b>21.3</b>	<b>24.4</b>	<b>13.7</b>	--	--	<b>70</b>

\* The extra 10 cm. (or 4") thickness of wall is required because the length exceeds the 13.7m.(or 45') which may be confined to plasters properly distributed, of which the collective widths amount to at least a quarter of total length of the wall.

**Note:** t1 is the thickness at the base of a wall of any length and not greater than 18.3 m. (or 60') in height and of any height and length not greater than 13.7m (or 45')

t2 is the thickness at the base of wall of height greater than 18m. (or 60') and length than 13.7m.(or 45').



GOVERNMENT OF PONDICHERRY  
**Health, Electricity and Works Department**  
**(G.O.Ms.No.46/82-Housing, dated 22nd May, 1982)**

**NOTIFICATION**

In exercise of the powers conferred by sections 53, 54 and 55, read with clauses (n) and (o) of sub-section (2) of section 81 of the Pondicherry Town and Country Planning Act, 1969 (No.13 of 1970) and of all other powers enabling him in this behalf, the Lieutenant-Governor, Pondicherry hereby makes the following rules, namely:-

1. **Short title and commencement**--(1) These rules may be called the Pondicherry Town and Country Planning (Levy of Development Charges) Rules, 1982.

2. They shall come into force from the date of publication in the official gazette.

2. **Definition**:-In these rules, unless the context otherwise requires:-

(a) 'Act' means the Pondicherry Town and Country Planning Act, 1969 (No. 13 of 1970);

(b) 'Authority' means the Planning Authority constituted under sub-section (1) of section 11 of the Act;

(c) 'Change of use' means the change of use of land or building, as the case may be, from the use specified in Present Land Use Map or Present Land Use Register;

(d) 'Form' means Form appended to these rules;

(e) 'Institution of use' means putting any land or building, as the case may be, into any use for the first time;

(f) 'Miscellaneous use' includes all uses other than industrial, commercial, residential and agricultural uses;

(G) 'Residential building rate' means the rate of development charges, as may be determined by the Authority in respect of building after taking into account the building value generally obtaining in the area, for new construction for residential use.

Provided that such rate in respect of any building shall not be determined by the Authority at less than Re.0.50 per sq.metre and more than Rs.2.25 per sq.metre;

(h) 'Residential land rate' means the rate of development charges, as may be determined by the Authority after taking into account the land value generally obtaining in the local area, in respect of any land for the institution of use for residential purpose;

Provided that such rate in respect of any land shall not be determined at less than Rs.2000 per hectare

(i) 'Section' means section of the Act; and

(j) 'Senior Town Planner' means the Town Planner appointed by the Government under section 10.

3. **Assessment of development charges**:- (1) Development charges shall be assessed and levied on the institution of use or change of use of any land or building or development of any land or building.

(2) All unused vacant land shall be deemed to be land used for agriculture for purposes of assessment of levy of development charges.

4. **Rates of development charges**:- Subject to the provisions of section 53, development charges shall be levied for institution of use or change of use or development of the land or building, as the case may be, and shall be levied at the rates specified in the Schedule appended to these rules.

5. **Mode of application, etc.**:-(1) Any person, who intends to carry out any development or to institute or change of use of any land or building, for which permission is required under that Act, shall apply in Form-I to the Authority for assessment of the development charges payable in respect thereof before 30 days of the commencement of the work.

(2) Notwithstanding anything contained in sub-rule (1), where the Authority is satisfied that any person is liable to pay development charges, it may serve a notice on such person calling up him to state, within such time as may be prescribed in the notice, as to why development charges shall not be levied on him.

**6. Determination of development charges:-** The Authority on receipt of the application under sub-rule (1) of rule 5 or the explanation to notice issued under sub-rule (2) of the said rule shall, after obtaining such report as it may consider necessary from the Senior Town Planner, determine whether or not, and if so, what development charge is leviable in respect of the development or institution or change of use of the land or building, as the case may be, and issue a provisional notice of demand for payment of development charges in Form-II to the person concerned.

**7. Final assessment of development charges:-**The Authority after taking into consideration the objection, if any, that may be filed by such person in respect of the provisional notice of demand issued under rule 6, shall finally assess the development charges payable by such person and issue a notice in writing communicating such assessment in Form-III.

**8. Payment of development charges:-** The development charges shall be paid within 30 days from the date of communication of assessment order under rule 7.

**9. Appeal :- (1)**Every appeal against the order of assessment of development charges preferred under section 55 shall be made within 30 days from the date of communication of the notice of demand under rule 7.

(2) The appeal shall be in Form-IV in duplicate and shall be accompanied by the order appealed against in original or certified copy thereof.

(3) The appeal may be sent to the Board by post or may be presented to the Authority or to such authority as the Board may appoint in this behalf, by the appellant or by any person duly authorized by him.

**10. Disposal of appeal:-**The Board shall, after giving the appellant reasonable opportunity of being heard, pass such order on the appeal as it thinks fit, and communicate the order to the appellant and the Authority.

**11. Exemption:-**Notwithstanding anything contained in these rules, no development charges shall be leviable on development or institutions of, or change of use of any land vested in or under the control or possession of the Central Government.

**12. Repeal of rules 69 of the Pondicherry Town and Country Planning Rules, 1974:-** Rules 68 and 69 of the Pondicherry Town and Country Planning Rules, 1974 are hereby repealed :

Provided that such repeal shall not affect the previous operation of the rules so repealed or anything duly done and suffered there under :

Provided that such repeal shall not affect the previous operation of the rules so repealed or anything duly done and suffered there under.

Provided further that any order made or action taken under to rules so repealed shall be deemed to have been made or taken under the corresponding provision of these rules.

**N. PALANISSAMY,  
Under Secretary to Government**

**SCHEDULE****(See rule 4)****Rates of development charges for institution of change of use of or development of land or building.**

Sl. No.	Category use	Rate
(1)	(2)	(3)
<b>Part-I-Land</b>		
<b>1. Institution or first change of use to--</b>		
	(a) residential	Residential land rate
	(b) Industrial	one-and-a half time the residential land rate.
	(c) Commercial	Two times the residential land rate
	(d) Miscellaneous	Two-thirds of the residential land rate
2.	Subsequent change of use--	
	(a) from miscellaneous to Commercial	one-and-a half time the residential rate
	(b) from miscellaneous to residential	One-fourth residential rate
	(c) from residential to commercial	One-fourth residential rate
	(d) all others	Half of the residential rate
3.	Other developments	One-tenth of the residential rate
<b>Part-II-Building</b>		
<b>1. New construction/addition to existing construction or first change of use to--</b>		
	(a) residential	Residential building rate
	(b) Industrial	one-and-a half time the residential building rate.
	(c) Commercial	Two times the residential building rate
	(d) Miscellaneous	Two-thirds of the residential building rate
2.	Subsequent change of use--	
	(a) from miscellaneous to Commercial	one-and-a half time the residential building rate
	(b) from miscellaneous to residential	One-fourth residential rate
	(c) from commercial to residential	One-fourth residential rate
	(d) all others	Half of the residential rate
3.	Other developments	One-tenth of the residential building rate

**FORM I**  
**(See rule 5 (1))**

To

The Planning Authority

.....

Sir,

I/We(name) .....residing at  
(Address).....hereby give  
notice for assessment of development charge as required by section 54 (1) of the Pondicherry  
Town and Country Planning Act, 1969. I/We intend to carry out development/erect building/change  
the use of land/building from.....to.....in land bearing survey No.....site  
No.....Housing No.....etc.....

I/We enclose the following records:-

- (i) A copy of title deed.
- (ii) A site plan in quadruplicate drawn on a scale not less than  
5 cm. to 1 cm. and show the Survey No.....Municipal No.....Municipality  
to which it belongs.
- (iii) The north line relative to the plan.
- (iv) Area to be occupied by the proposed development/building.
- (v) Boundaries of the site and of any contiguous land belonging  
to the applicant and its position of existing developments.
- (vi) The nature of land, its present use and the use to which it is  
proposed to be put to.
- (vii) In case of construction of building the purpose of the building  
or part thereof (existing as well as proposed).

I/We request that the assessment of development  
charge for the proposed development/change of use of land/construction  
may be assessed and  
communicated to us.

Place :

Yours faithfully,

Date :

**FORM II**  
**(See rule 6)**

**Provisional demand notice for levy of development charges**

Notice is hereby given for the information of Thiru/Tmt.....the owner/occupier/person interested in the land/building bearing Survey No.....site No.....House No.....under rule 6 of the Town and Country Planning (Levy of Development Charges) Rules, 1982 that the Planning Authority has assessed provisionally an amount of Rs.....with respect of carrying out development/erection of building/charge of use of land/building from.....to.....

2. If he/she has any objection to file against this demand notice he/she can do so within 15 days from the date of issue of this notice.

Place :

Member-Secretary.

Date :

Pondicherry Planning Authority.

**FORM III**  
**(See rule 7)**

**Final Assessment Notice**

Notice is hereby given for the information of Thiru/Tmt.....that after considering the objections raised by him/her with reference to his/her appeal dated.....under rule 7 of the Pondicherry Town and Country Planning (Levy of Development Charges) Rules, 1982, the Planning Authority has finally assessed an amount of Rs.....towards development of land/building, change of use of land/building from.....to.....

2. The above development charge shall be paid within 30 days from the date of communication of the assessment order.

Place :

Member-Secretary

Date :

Pondicherry Planning Authority

**FORM – IV**  
**(See rule 9 (2))**

Before the Pondicherry Town and Country Planning Board, Pondicherry.

Appeal filed under section 55 (1) of the Pondicherry Town and Country Planning Act, 1969.

Appeal No.            of

- 1.Name(s) of applicant(s)
- 2.Address to which notice may be sent to the appellant(s)
- 3. Authority passing the original order in dispute
- 4. Date on which the order was communicated.
- 5. Details of dispute
- 6. Ground of appeal etc.
- 7. Relief claimed in appeal

Appellant(s).....  
Authorized representative, if any.....

**Verification**

I/We.....the appellant(s) named in the above appeal do hereby declare that what is stated therein is true to the best of my/our knowledge and belief.

Verified at .....to-day the.....day of.....19.....

Appellant.....  
Authorized representative, if any