

GOVERNMENT OF PAKISTAN
MINISTRY OF DEFENCE

Rawalpindi, the 14th November, 2016.

NOTIFICATION

S.R.O (I)/2016.- In exercise of the powers conferred by section 186 read with section 282 of the Cantonments Act, 1924 (II of 1924), the Cantonment Board Peshawar is pleased to make the following bye-laws, the same having been previously published, approved and confirmed by the Federal Government as required under sub-section(1) of section 284, namely: -

**CHAPTER-I
PRELIMINARY**

1. Short title and commencement.- (1) These bye-laws may be called the Cantonment Board Peshawar (Building) Bye-Laws, 2016.

(2) They shall come into force at once.

2. Application.- (1) Every person who intends to erect or re-erect a building or desires to carry out addition or alteration to the existing building or to demolish the existing building shall comply with the requirements of these bye-laws.

(2) A building plan shall be approved only for the specified purpose of the plot mentioned in the general land register, lease deed or the revenue record in case of private property.

3. Definitions.- (1) In these bye-laws, unless there is anything repugnant in the subject or context,-

- (i) "ACI" stands for American Concrete Institute;
- (ii) "Act" means the Cantonments Act, 1924 (II of 1924);
- (iii) "addition" means the addition of any unit or structure to any building or structure constructed in accordance with these bye-laws;
- (iv) "alteration" means any change brought in the structure of the building after the approval of building plan;
- (v) "amalgamation" means the joining of two or more adjoining plots of the same land use into a single plot in accordance with these bye-laws;
- (vi) "amenity plot" means a plot allocated exclusively for the purpose of amenity uses, such as Government uses, health and welfare uses, education uses, assembly uses, burial grounds, transportation right of way, parking and recreational areas;
- (vii) "ancillary building" means a building subservient to the principal building on the same plot e.g. servant quarters, garages, guardroom etc;
- (viii) "approved" means approved in writing by the Board;
- (ix) "arcade" means a covered walk way or a verandah between the shops and the road or street on which the shops abut;
- (x) "architect" means a person currently registered as such with PCATP and whose name is listed on the panel of approved architects maintained by the Board;

- (xi) "architectural plan" means a plan showing the arrangements of proposed building works, including floor plans, elevations and sections in accordance with the requirements of these bye-laws;
- (xii) "ASTM" stands for American Society of Testing Materials;
- (xiii) "attached building" means a building which is joined to another building on one or more sides by a common wall or walls;
- (xiv) "balcony" means a projection outwards from the wall of any building on an open space or a public street and not used as a passage;
- (xv) "basement" means the lowest level of building partly or wholly below the ground level;
- (xvi) "bathroom" means a room containing a water tap, wash basin, a shower or a bath-tub or a bath tray, and may be with or without a water closet (W.C);
- (xvii) "Board" means Cantonment Board, Peshawar;
- (xviii) "BSS" stands for British Standard Specifications;
- (xix) "building line" means a line upto which any part of a building from its lowest level, including any and all foundations or other structure, abut on a public street or a road;
- (xx) "carpet area" means the net floor area within a habitable, rent-able or saleable unit excluding the area of peripheral walls but including the area of internal walls and columns;
- (xxi) "CBS" stands for Commercial Building Standards;
- (xxii) "CEO" stands for Cantonment Executive Officer;
- (xxiii) "C.I" stands for cast iron;
- (xxiv) "commercial building" means a building constructed for commercial use on a commercial plot;
- (xxv) "commercial zone" means and includes the area for shops, show rooms, stores or godowns, warehouses, shopping centre, hotels or restaurants and sites reserved for filling stations etc;
- (xxvi) "completion plan" means a plan showing built-up details submitted to the Board for the purpose of obtaining completion and occupancy certificate;
- (xxvii) "compulsory open space" or "COS" means that part of a plot which is to be left completely open to sky, over which no structure or any integral part of the building shall be permitted except ramp upward or downward, permissible projections, basement, steps, septic tanks, soak pits, water reservoirs and lines for sewage, water, electricity, gas, telephone etc, or those structures required by civic agencies such as electric sub-station permitted elsewhere in these bye-laws;
- (xxviii) "detached building" means a building not joined to another building on any side by a common wall;
- (xxix) "DPC" stands for damp proof course;
- (xxx) "engineer" means a person currently registered as such with PEC under the Pakistan Engineering Council Act, 1975(V of 1976).
- (xxxi) "external wall" means any outer wall of a building;
- (xxxii) "fire escape" means an exit from a building for use in the event of fire;
- (xxxiii) "floor area" means horizontal area of floor in a building covered with roof, whether or not enclosed by walls but excluding ancillary covered spaces and projections allowed under these bye-laws;
- (xxxiv) "floor area ratio" or "FAR" means the total floor area of a building as permissible under these bye-laws divided by the area of the plot;
- (xxxv) "footprint" or "FP" means the portion of a plot of land covered, at any level, by a building or part thereof other than the basement;

- (xxxvi) "Form" means form appended to these bye-laws;
- (xxxvii) "gallery" means an open or covered walkway or a long passage;
- (xxxviii) "head room" means the clear vertical distance measured between the finished lower level and the underside of lowest obstruction such as ceiling or rafter, whichever is lower;
- (xxxix) "height of a building" means the vertical measurement from the mean level of the ground adjoining the building to the highest part of the roof;
- (xl) "height of a room" means the vertical distance measured between the finished floor level and the under side of the ceiling;
- (xli) "house or bungalow" means an independent residential building for the use of family or families having at least one habitable room with kitchen, a bath and a toilet;
- (xlii) "HVAC" stands for heating, ventilating and air conditioning;
- (xliii) "industrial building" means a building constructed on a plot allotted exclusively for the purpose of industry under these bye-laws;
- (xliv) "licence" means permission granted under these bye-laws by the Board to perform such functions as are allowed under these bye-laws;
- (xlv) "licensee" means an individual or firm which has been duly licensed by the Board;
- (xlvi) "loft" means a horizontal slab used only for storage purposes, which shall be allowed in kitchens, baths, corridors and store rooms or shops with access from inside only upto five feet clear height between the loft floor and the ceiling above;
- (xlvii) "low car porch" means car porch having height not more than eight feet from floor to ceiling of the porch;
- (xlviii) "master plan" means a development plan for an area providing short term and long term policy guidelines for a systematic and controlled growth in future;
- (xlix) "Max." means Maximum;
- (l) "mezzanine floor" means a floor interposed between the ground floor and the first floor of a building and having head room not less than six feet and not more than seven and a half feet with independent entrance;
- (li) "Min." means Minimum;
- (lii) "NOC" stands for no objection certificate;
- (liii) "OHT" stands for overhead water tank;
- (liv) "owner" means a person or persons holding title to a piece of plot or land to be constructed thereupon;
- (lv) "parapet" means a dwarf wall whether plain, perforated or panelled along the edge of a roof, balcony, verandah or terrace;
- (lvi) "PCATP" stands for Pakistan Council of Architects and Town Planners;
- (lvii) "PCB" stands for President Cantonment Board;
- (lviii) "PDA" stands for Peshawar Development Authority;
- (lix) "PEB" stands for President Executive Board;
- (lx) "PEC" stands for Pakistan Engineering Council;
- (lxi) "pergola" means a structure of which the roof must be at least seventy-five percent open;
- (lxii) "plinth" means the height of the finished floor level of the ground floor, measured from the top of the finished surface of the road serving the plot, taken from the centre of the property line of the plot along the road. In case of more than one road serving the plot, the plinth will be measured from the road providing principal access at the higher level. The height of the plinth

shall be limited to four feet six inches, except on plots where the natural contours are more than four feet six inches over at least forty percent of the plot area as measured from the point at the centre of the property line of the road adjoining to it;

- (lxiii) “proof engineer” means a person registered with Pakistan Engineering Council as consulting engineer (structural design) and with minimum ten years experience of structural design of building works and whose name is listed on the panel of proof engineers maintained by the Board;
- (lxiv) “property line” means that part of plot boundary which separates private property from the public property or a private property from another private property;
- (lxv) “proposed plans” means plans submitted for approval in respect of proposed building works;
- (lxvi) “PS” stands for plot size;
- (lxvii) “public building” means a building designed for public use such as hospital, dispensary, post office, police station, town hall, library, recreational buildings, etc;
- (lxviii) “RBS” stands for Residential Building Standards;
- (lxix) “RCC” stands for reinforced cement concrete;
- (lxx) “residential zone” means a zone earmarked for buildings exclusively designed for human habitation and in no case shall include its use in whole or a part thereof for any other purpose e.g. shops, clinics, offices, schools, workshops, store or godown or any other commercial activity;
- (lxxi) “revised or amended plan” means previously approved drawings or plans resubmitted for approval with amendments in accordance with the provisions of these bye-laws;
- (lxxii) “registered geo-technology consultant” means a person holding registration with Pakistan Engineering Council as a geo-technologist and also registered as such by the Board;
- (lxxiii) “registered structural engineer” means a qualified structural engineer registered with Pakistan Engineering Council and also registered with the Board;
- (lxxiv) “repair or renovation” means repair works such as utility services, painting, white-washing, plastering, flooring, paving, replacement of roof of corrugated sheets or of t-iron or girders or wooden roof with RCC slab without change in the approved or completion plan;
- (lxxv) “ROW” stands for right of way;
- (lxxvi) “SCE” stands for Senior Cantonment Engineer;
- (lxxvii) “scrutiny fee” means a fee to be determined and levied by the Board and charged for scrutiny of the building plans;
- (lxxviii) “septic tank” means a tank in which sewage is collected and decomposed before its discharge into the public sewer or soakage pit;
- (lxxix) “shop” means any room or part of a building used, wholly or mainly, for the purpose of trade or business but shall not be used for any activity as may cause noise, smoke, odour and any other nuisance to the neighbourhood;
- (lxxx) “site engineer” means a qualified engineer engaged to supervise building operations at the site and registered with the Pakistan Engineering Council as professional engineer;
- (lxxxi) “sub-division” means the division of land held under the same ownership into two or more plots of the same land-use;

- (lxxxii) "sub-division plan" means a layout plan for a proposed sub-division duly approved by the Board as provided in these bye-laws;
- (lxxxiii) "sunshade" means an outside projection from a building to provide protection from sun or weather, which cannot be converted into habitable space;
- (lxxxiv) "temporary structure" means a structure built or constructed purely on temporary basis wholly within the assigned plot with the approval of the Board for a specific period of time and which shall be demolished on completion of the project;
- (lxxxv) "total floor area" means the sum of the floor areas of all the floors of all the buildings on a plot, less the exemptions as permitted in these bye-laws;
- (lxxxvi) "town planner" means a person currently registered as such with PCATP and also registered with the Board;
- (lxxxvii) "UBC" stands for universal building code;
- (lxxxviii) "UGT" underground water tank; and
- (lxxxix) "ware house" means a building used for goods' storage.

(2) All other words and expressions used, but not defined herein, shall have the same meanings as are assigned to them in the Act.

CHAPTER-II SUBMISSION OF APPLICATIONS AND PLANS FOR SANCTION

4. Notice under section 179 of the Act.- (1) Every person intending to erect, re-erect or alter a building shall apply in the manner set out in Form-I for sanction under section 179 of the Act subject to the payment of scrutiny fee as fixed by the Board and set out in Schedule-I.

(2) Every person intending to erect, re-erect or demolish or carry out addition or alteration in a building shall engage an architect or structural engineer or civil engineer.

(3) A registered professional as specified in sub-bye-law (2) shall give certificate in the manner set out in Form-II of his having undertaken the preparation of plans and supervision of building work. When the person so engaged ceases to be in-charge of such building works before the same is completed, further such work shall forthwith be suspended until a fresh appointment is made under sub-bye-law (2) and a certificate set out in Form-III, duly signed by the previous professional, shall be obtained by the owner and submitted to the Board to the effect that the professional has ceased to be in-charge of the work and that the work carried out under his supervision was to his entire satisfaction.

5. Site plan.- Every notice in Form-I shall be accompanied by site plan drawn to a scale of not less than forty feet to an inch (1': 1/40"), and the scale shall be indicated on plan which shall clearly show-

- (a) the direction of the north;
- (b) the boundaries of the site;
- (c) the position of all adjacent streets, vacant lands, drains, electric poles, high tension lines (crossing over the plot or running nearby), telephone pole, if any, trees and plants;
- (d) fixed distance from the centre of roads showing steps or ramps with max 1:8 slope in front of the main gate;
- (e) the names, if any, and width of street on which the site abuts, together with the numbers, if any, of the adjoining houses or premises;
- (f) the alignment of the adjoining building;
- (g) the alignment of drain showing the manner in which the roof and house drainage and surface drainage will be disposed of; and

- (h) the surface water catchment drain with grating in line with the main gate in order to protect street surface drainage.

6. Building plan.- (1) Building plan shall be drawn to a scale of not less than eight feet to an inch (1': 1/8") and the scale used shall be indicated on the plan which shall include the section, elevation and shall, *inter alia*, show-

- (a) the external dimension of the building;
- (b) the basement, ground floor, upper floors, if any, and the roof;
- (c) the thickness and composition of all beams, rafters and all other support;
- (d) the position and dimension of all projections beyond the walls of the building;
- (e) the position of the underground and overhead tanks;
- (f) the position of all the proposed and existing drains, urinals, privies, fireplaces, kitchens gutters and down pipes;
- (g) the dimension of all rooms and position of doors, windows and ventilators in each room at every storey;
- (h) the material to be used in the foundation, walls, floors and roofs;
- (i) the purpose for which the building is intended to be used;
- (j) the level and width of the foundation and the level of the ground floor with reference to the level of the centre of the street on which the front of the proposed building is to abut; and
- (k) in case of corner plot, that the boundary wall corners of roadside are rounded off properly and there are no blind corners. The Min. chamfer distance shall be six feet (6'-0") from the edge of the corner.

(2) Detailed structural drawings and calculations on the basis of soil investigation report prepared by registered geo-technical consultant duly signed by the registered structural engineer in Form-IV for ground + two floors and above buildings shall be required under these bye-laws including other information or document required by the Board.

(3) All new works shall be indicated on the building plan in a distinct colour and key to the colours used shall be given thereon as under, namely: -

- (i) proposed workorange
- (ii) existing work.....green
- (iii) demolition.....yellow

(4) All the site plans and building plans prepared and signed in addition to the lessee, owner, attorney, registered architect and a registered structural engineer, if engaged as envisaged in sub-bye-law(2) of bye-law-4, shall be submitted in four ammonia copies for preliminary approval by the building committee and seven copies (one ferro copy cloth or linen mounted and other six copies in ammonia print) shall be submitted for final approval.

(5) All the title documents relating to the plot ownership showing his right to carry out such works shall be accompanied with application in two sets.

7. Return of defective plans.- Where the plans are unintelligible, ambiguous or are in contravention of section 181 of the Act or of these bye-laws, the Cantonment Executive Officer (CEO) or any officer authorized by him may return such plans to the applicant giving reasons in writing in case there is a violation of these bye-laws or of allotment order, lease, sale deed etc, and until a rectified plan and required documents

are re-submitted by the applicant within forty-five days of information of the above, it shall be deemed to have given no notice under section 179 of the Act.

8. Reference to building experts.- In case of building other than an ordinary residential building, the Board may refer the plan to a building expert or appoint consultant for technical scrutiny from architectural and structural point of view on payment of such fee at the cost of the applicant as may be fixed by the Board.

9. Evidence of permission.- Wherever under any of these bye-laws the doing of or omitting to do a thing or the validity of anything depends upon the sanction, permission, approval or direction of the Board, a written document signed by the Cantonment Executive Officer (CEO) or any other officer authorized by him purporting to convey or set forth his sanction, permission, approval, order, direction, requisition, notice or satisfaction shall be *prima facie* sufficient evidence thereof.

10. Compliance of permission.- Every person who carries out building works shall comply with the directions and conditions specified in the permission.

11. Verification of building at different construction stages or floor levels.- Every person who commences any building work shall give notice to the Board in Form-V at the important stages of construction i.e. the foundation, plinth and the pouring of all roof levels.

12. Cancellation of permission.- If at any time after permission to carry out building work has been granted, the Board is satisfied that such permission was granted due to any defective title of the applicant, material misrepresentation or fraudulent statement contained in the application therewith in respect of such building, such permission may be cancelled and any work done there under shall be deemed to have been done without permission. Any oversight in the approved building plans does not entitle the owner to violate these bye-laws.

13. Inspection of building.- (1) Inspection of building shall be carried out by the Cantonment Executive Officer (CEO) or his authorized staff at any stage, especially-

- (a) on demarcation of plot;
- (b) on excavation of foundation;
- (c) on construction of foundation at (Damp Proof Course) DPC level;
- (d) on laying of first floor roof slab;
- (e) on laying of second floor roof slab (if applicable); and
- (f) before final completion of construction

(2) The inspection under sub-bye-law (1) shall be carried out during and after the execution and even after completion and occupation of the building in case of any unauthorized construction or violation being noticed.

14. Notice of completion and occupation.- (1) Every person who carries out and completes building works sanctioned under these bye-laws shall give notice thereof under section 74 of the Act in Form-VI to the Cantonment Executive Officer (CEO) within thirty days of the completion of such works.

(2) After receipt of the notice of completion, the Cantonment Executive Officer CEO may cause such works to be inspected and after such inspection may approve or

disapprove the building for occupancy within thirty days or may make such further orders as deemed fit.

(3) No person shall occupy any such building or use any part affected by the erection or re-erection of such building until the permission under these bye-laws has been granted.

15. Change of land-use of buildings.- (1) No building or premises shall be used or converted into any other use for which it was approved *vide* its building plan except with the prior approval of the Board;

(2) The applicant shall apply to the Board for the change of use of any building or premises with full justification and the Board shall examine the said application in the light of the zoning of the cantonment and the municipal requirements of the concerned area;

(3) Residential plot within a residential neighbourhood may be allowed by the Board to be used for educational purposes after inviting objections from the neighbourhood;

(4) In case, approval is granted by the Board for the requested purpose, the applicant shall pay to the Board the prescribed fees and other charges as fixed from time to time.

16. Change of land-use of amenity plot.- No amenity plot reserved for the specific purpose shall be converted or utilized for any other purpose.

17. Submission of deviated plans.- Where a person has erected or re-erected a building which is not in conformity with the sanctioned building plans, such person shall, together with the report of completion of the building on Form-VII, submit a completion plan showing the building exactly completed and the deviation made in the building from the sanctioned building plan in a manner set out in Form-VII for consideration of the Board.

18. Regularization of deviations.- Upon receipt of deviated completion plans under bye-law 15, the Board may instead of requiring demolition compound and regularize the deviation under section 185 of the Act against such composition fees as it deems fit.

19. Inspection by the engineering staff.- The Cantonment engineering staff or any such person appointed or nominated by the Cantonment Executive Officer CEO may inspect any building so as to determine whether any action under these bye-laws is required to be taken in respect of such building or anything affixed thereof.

20. Availability of Forms.- The Forms prescribed in these bye-laws shall be obtainable from the office of the Board on payment of fee as fixed by the Board from time to time.

21. Federal Government instructions and policies.- The Board shall follow the instructions and policies on building control issued by the Federal Government from time to time.

CHAPTER-III SPACE REQUIREMENTS AND ABUTTING OF BUILDINGS

22. Subject to clause (d), all the residential buildings shall observe the following standards, namely:-

(a) **residential building standards:-**

PLOT SIZE (square yards)	FP (Max.)	MINIMUM COS			FLOORS
		Front	Rear	Sides	
Up to 60	100%	-	-	-	B+G+1
61 to 240	85%	-	-	-	B+G+1
241 to 350	75%	-	3 Ft	3 Ft (on any one side)	B+G+1
351 to 500	70%	7.5 Ft	5 Ft	5 Ft (on any one side)	B+G+1
501 to 700	60%	10 Ft	7.5 Ft	5 Ft	B+G+1
701 to 1000	58%	20 Ft	10 Ft	5 Ft	B+G+1
Above 1000	50%	20 Ft	10 Ft	10 Ft	B+G+1

Note: (i) 5 feet compulsory open space (COS) at both sides of sub-divided line in case of sub-division shall be maintained. All clear spaces (compulsory open spaces) have been fixed to allow appropriate sun light and cross ventilation required for healthy environment of the occupants.

(ii) Based on the merits of the case, additional floor may be allowed by the Board up to 350 square yards plots for expanded families;

(b) **residential buildings cubical capacity standards:-**

DESCRIPTION	AREA (MIN.)	WIDTH (MIN.)	CLEAR HEIGHT (MIN.)
Habitable Room	100 Sft	9 Ft	9.5 Ft
Kitchen	50 Sft	6 Ft	9.5 Ft
Bath Room with WC	24 Sft	4.5 Ft	7.5 Ft
WC only	15 Sft	3 Ft	7.5 Ft
Servant Quarter	80 Sft	7 Ft	9.5 Ft
Passages, Corridors, Galleries	-	3.5 Ft	7.5 Ft
Main Stair Case	-	3.5 Ft	-

(c) **residential buildings height standards (measuring from the highest road level adjacent to the plot):-**

DESCRIPTION	CLEAR HEIGHT	
	MAXIMUM	MINIMUM
Plinth level subject to contour of plot as defined in these bye-laws	4.5 Ft	2 Ft
Parapet Wall	4 Ft	3 Ft
Ground Floor	12 Ft	9.5 Ft
1 st floor & 2 nd floor (if applicable)	10.5 Ft (each)	9.5 Ft (each)

Stair Tower	7.5 Ft	7.5 Ft
Max. height of building including stair tower above the plinth measured from road level.		
a. upto 350 Sq.Yards	45 Ft	38 Ft
b. over 351 Sq.Yards	34.6 Ft	28.5 Ft
Boundary Wall from Crown of the Road	8 Ft	6 Ft
Clear Height of Basement	-	8 Ft

(d) **general conditions:-**

- (i) no construction shall be allowed in compulsory open space (COS) except a car porch and spiral stair. A guardroom in front not exceeding sixty-five square feet with clear overall height upto maximum eight feet above the floor of car porch shall be permissible;
- (ii) under ground water tank and septic tanks to be kept three feet away from boundary walls except roadside;
- (iii) three feet wide balcony or bay window on roadside is permitted which may fall in compulsory open space (COS);
- (iv) basement shall be permitted upto allowable footprint of the ground floor. Safety of neighbouring properties to be ensured while constructing basement. A qualified structural engineer registered with the Board's shall certify and ensure that the neighbouring property is safe from the hazards of construction in all respects;
- (v) in case of any damage to the adjacent building, the lessee, owner of the plot and structural engineer and architect shall be jointly responsible for such damages and shall have to use proper engineering techniques in order to avoid damage to neighboring buildings. The Board in no way shall be held responsible for such damages;
- (vi) the basement shall not be exposed more than 4'-6" from the crown of the abutting road and zero level;
- (vii) once basement excavated, its walls shall have to be completed within fifteen days;
- (viii) construction of reinforced cement concrete (RCC) retaining wall as per structure design at plot line on sides, rear and building line on front shall be mandatory if dictated by the ground condition;
- (ix) the minimum area of the basement is to be 100 Sq. Ft;
- (x) sub-division of residential plots less than eight hundred sq. yds. shall be prohibited. Sub-divided plots shall not be less than four hundred sq. yds each. The Board may relax the subject condition in case of the old settlements of the bazar area;
- (xi) maximum projection of sunshades in COS shall not exceed two feet at lintel level and may be permitted over streets. Sun shades shall not be included in covered area;
- (xii) completion plan with additional construction of car porch, overhead tank, guard room at front and stair tower to the extent of width of stairs of seven feet height in excess of sanction area in approved plans shall be approved by the Board without any penalty provided the bye-laws are not compromised otherwise;
- (xiii) minimum size of car porch shall be ten feet x fourteen feet (10'x14');

- (xiv) two car porches shall be allowed for corner plots, plots with two entries, as well as for non-corner plots having frontage of seventy feet and above;
- (xv) for 200 and 125 sq-yards plots, porch columns shall not extend beyond the front building line, however, projection from porch column towards the front can only extend by 2'-6";
- (xvi) construction is not allowed above the car porch. However, construction above the second porch may be allowed after leaving the compulsory open space (COS) wherever permissible;
- (xvii) larger size porches can be constructed after leaving the compulsory open space (COS);
- (xviii) porch columns shall rest over the side boundary wall and its floor level shall not exceed 2' from the abutting road level;
- (xix) ramps of residential buildings must consume best possible minimum area and should preferably finish within the four feet of the boundary wall unless requirement on site differs otherwise;
- (xx) fixing of hoarding and antenna tower over any residential building is strictly prohibited;
- (xxi) access to the basement is permitted from within the COS provided ventilation is not compromised;
- (xxii) area of the basement and car parking shall be exempted from the FAR;
- (xxiii) for odd or irregular shaped plots, the requirement of footprint area shall prevail over COS. However, COS in front shall be left as per provision of these bye-laws unless permitted by the Board otherwise;
- (xxiv) compulsory open space (COS) on non-rectangular shaped plots shall be measured as average space between the buildings and the property line;
- (xxv) in case where a number of blocks are designed within the plot boundary, open space between two blocks on front and rear sides of the blocks shall be fifty percent of the height of the block at minimum twenty-four feet; and minimum open space between the blocks on the other two sides shall be twenty percent of the height of the block at minimum fifteen feet;
- (xxvi) for residential buildings, the maximum riser of staircase shall be seven inches and the minimum tread shall be nine inches; and
- (xxvii) in case of any limitation, ambiguity or ground reality in reference to above, the case shall be referred to an anomaly committee formed by the Board for recommendations of appropriate decision by the Board in line with the spirit of these bye-laws;

(e) **commercial and residential-cum-commercial building standards.-** Subject to clause (i), the building standards shall be as follows:-

PLOT SIZE (sq. yards)	FOOT PRINT	ARCADE (MIN.)	COS (MIN.)		FAR	FLOORS
			REAR	SIDES		
Upto 80	100%	-	--.		-	B+G+3 Floors
81 to 250	95%	-	50 sft compulsory duct for ventilation		-	B+G+4 Floors
251 to 400	90%	8 Ft	7.5 Ft	-	-	B+G+4 Floors
401 to 600	GF = 85% Above GF = 75%	8 Ft	7.5 Ft	5 Ft one side	1:6	According to FAR
601 to 999	GF = 80%	8 Ft	8 Ft	5 Ft	1:6	According to

	Above GF = 70%			one side		FAR
1000 to 1999	GF = 75% Above GF = 65%	8 Ft	10 Ft	7.5 Ft	1:6	According to FAR
2000 & above	GF = 70% Above GF = 65%	8 Ft	10 Ft	10 Ft	1:6	According to FAR

NOTE: For all buildings except houses the height of the building will be as such that it would not intersect an imaginary line from the opposite side of the main road serving the building at an horizontal angle of 65°. (Not applicable on communication towers);

(f) commercial building height standards:-

DESCRIPTION	CLEAR HEIGHT	
	MAXIMUM	MINIMUM
Parapet Wall	4 Ft	-
Ground Floor	-	9.5 Ft
1 st Floor and subsequent floors	-	9.5 Ft
Stair Tower above top floor	7.5 Ft	-
Arcade	-	8 Ft
Arcade from crown of road	-	1.33 Ft

(g) basement for plots up to five hundred and ninety-nine square yards:-

- (i) basements shall be permitted on entire plot area ensuring safety of the adjoining buildings. Any damage occurring to the neighbouring property or Board's property shall be made good by the concerned to the satisfaction of the Board. No objection certificate (NOC) is required from the neighbour who has a built-up structure to safeguard against any possible damage;
- (ii) ceiling heights of basement shall be minimum nine feet without obstruction; and
- (iii) steps for access to basement or ground floor should not come out of the property line;

(h) basement for plots six hundred square yards and above:-

- (i) basements shall be permitted on entire plot area ensuring safety of the neighbouring building. Basements shall be permitted on entire plot area ensuring safety of the adjoining buildings. Any damage occurring to the neighbouring property or Board's property shall be made good by the concerned to the satisfaction of the Board. No objection certificate (NOC) is required from the neighbour who has a built-up structure to safeguard against any possible damage;
- (ii) minimum clear height of basement for parking shall not be less than seven feet and six inches without obstruction;

- (iii) basement may be used for purposes other than parking but area shall be included in floor area ratio (FAR) and ceiling height of basement shall be minimum nine feet without obstruction; and
- (iv) steps or ramp for access to basement or ground floor should not come out of the property line;

(i) **other conditions.-**

- (i) minimum floor area of a shop shall be hundred sq.ft. and a minimum width of eight ft;
- (ii) the riser of staircase in commercial building shall not be more than six inches and the tread shall not be less than ten inches;
- (iii) three feet wide projection above sixteen feet shall be permitted for balconies. These projections may be utilized as habitable area;
- (iv) at least one lift for a building of G+3 is compulsory and additional one lift shall be required for every additional two floors. Provision of cargo lifts may also be advised by the Board in relation to the requirements of the building;
- (v) steps for ground floor or basement out side the plot line are strictly forbidden;
- (vi) forty percent loft shall be allowed for shops with minimum ceiling height of sixteen ft;
- (vii) if building plan is approved for a certain floor area ratio (FAR) as per the plot size then additional floors shall not be permitted under these byelaws;
- (viii) structural design and vetting by a qualified structural engineer is compulsory for all types of buildings taller than G+2 floors. It shall also be compulsory for residential buildings envisaging construction of a swimming pool;
- (ix) for plots abutting on public streets at rear, the rear compulsory open space (COS) shall be condoned. In case of corner plot, the compulsory open space (COS) on side abutting the lane or road shall be condoned and an arcade shall be provided;
- (x) mezzanine floor may be replaced with a regular floor, however, if mezzanine floor is planned then additional floor shall not be permitted. If, however, the mezzanine floor or the first floor in the absence of mezzanine floor is being exclusively designed for office purposes, then the owner must provide separate stairs for it; and
- (xi) ramped access (Slope 1:12) with holding bars to the ground floor for special persons must be incorporated in all public buildings;

(j) **flat site standards:-**

Plot Size (sq.yards)	Minimum COS	Footprint	FAR
All sizes of plot	20' around all sides	40%	1:4

- (i) open spaces between the blocks shall not be less than thirty feet for parallel blocks;
- (ii) in case of irregular shape of plot the compulsory open space (COS) may be relaxed to the extent of ten feet (average) on the side which is

not regular. The minimum compulsory open space (COS), however, shall not be less than five feet;

- (iii) in case of facing park or road the minimum compulsory open space (COS) shall be ten feet;
- (iv) where the basement is provided for parking purpose only, appropriate gap be kept between the adjoining foundations. Basement may otherwise be permitted on the entire plot area subject to the safety of the adjoining properties. Any damage occurring to the neighbouring property or Board's property shall be made good by the concerned to the satisfaction of the Board. No objection certificate (NOC) is required from the neighbour who has a built-up structure to safeguard against any possible damage;
- (v) ramp leading to the parking area upward or downward are allowed within the compulsory open space (COS);
- (vi) projected balconies maximum three feet wide within the compulsory open space (COS) shall only be allowed at sixteen feet height from the finished floor level. Balconies shall always remain open from three sides;
- (vii) each apartment should have an access to at least two lifts;
- (viii) provision of fire escape ladder must be provided in each block;
- (ix) compatible refuse chutes shall be provided for sanitation purposes; and
- (x) compatible cargo lifts to be provided for G+4 and above storeyed buildings.

(k) **amenity buildings standards.-** Subject to clause (l) the following standards shall be observed for amenity plots:-

Type of plot	Plot Sizes	FP (Max)	FAR	Minimum COS			Height
				Front	Sides	rear	
Educational	All sizes	40 %	1:1.6	10 ft.	10 ft.	10 ft.	B+G+3
Hospitals	All sizes	60%	1:2.8	10 ft.	10 ft.	10 ft.	B+G+4

Elevators / lifts & ramps (Slope 1:12) for pedestrian and stretcher use shall be provided for all health related buildings of more than G+1 floors. Basement can be provided on entire plot area for parking.

(l) **other conditions:-**

- (i) one additional floor is permissible on payment of additional development charges as may be fixed by the Board;
- (ii) elevators, lift or ramps (Slops 1:12) for pedestrian and stretcher use shall be provided for all hospital and health usages of more than Ground + 1 floors;
- (iii) basement to be restricted to footprint and sufficient parking to be arranged in basement for staff;
- (iv) in public-use-building provision of first aid clinic by the owners and management committee is compulsory;

- (v) building plans of mosques shall be considered for B+G+2 floor on case-to-case basis;
- (vi) distance between mosque and club or cinema or the same purpose buildings shall be minimum seven hundred feet; and
- (vii) any special provision or request may be referred to the Board for its decision, if any;

23. Standards for petrol pumps and CNG Station.- (1) For the purposes of this bye-law the term “petrol station” means a station for the sale and retail of petrol or diesel and its ancillary products for motor vehicles and may contain a CNG station also. The CNG station means a station for the sale and supply of CNG and its ancillary products and equipment.

(2) Plot size for establishing petrol pump or petrol-“cum”-CNG station shall be minimum one thousand square yards.

(3) Plot size for establishing CNG station shall be minimum six hundred square yards.

(4) Right-of-way of road on which petrol pump or CNG station can be established shall be minimum hundred ft.

(5) Distance between two petrol pumps or CNG stations shall be minimum seven hundred fifty meters along the road of the site of an existing or approved petrol or CNG station unless located on the opposite side of a street having a row of not less than hundred ft and a dividing median strip.

(6) Frontage of petrol pump and CNG station shall be minimum sixty feet.

(7) Compulsory open space (COS) on sides or rear of the petrol pump and CNG station shall be minimum ten feet or according to the standards of the explosive or the concerning department.

(8) Distance between two dispensers shall be minimum twenty-four feet.

(9) Distance between dispenser and road shall be minimum eighteen feet.

(10) Minimum area of offices, bathrooms and tuck shop etc. (single storey only) shall be five percent of the plot area. Provision for both ladies and gents wash rooms is compulsory.

(11) All measures provided in CNG Safety Rules, 1992 shall be strictly followed.

(12) At least two fire fighting points consisting of two fire extinguisher cylinders, two sand buckets and two water buckets shall be provided up to plot size of one thousand Square Yards.

(13) Two and a half percent of permissible floor area ratio (FAR) or proposed covered area shall be provided for recreational facility and prayer area which shall not be regularized if converted into any other purpose. Circulation area and parking space including ramps and driveways, arcade, mechanical plants, lift shafts, power sub-station, open balconies over streets shall also be exempted from floor area ratio (FAR).

CHAPTER-IV PARKING REQUIREMENTS

24. Scope.- Parking requirements for motor vehicles specified in these bye-laws shall apply, whenever-

- (a) a new building is constructed or a change of use of existing building is established; or
- (b) an existing building is altered and there is an increase in the floor area of the building, wherein additional parking requirements shall be

applicable to the proposed addition within the plot limits as required under these bye-laws.

25. General conditions.- The following general conditions shall apply, namely: -

- (i) adequate car parking to be provided for all commercial buildings, residential-“cum”-commercial and high-rise buildings designed on plots above three hundred and ninety-nine square yards and having front more than sixty feet;
- (ii) the parking space, including ramps, shall be exempted from floor area ratio (FAR);
- (iii) total parking space requirements of every building shall be determined as a sum of parking requirements for each type of use to which the building is subjected;
- (iv) minimum clear height of parking structure without obstruction shall be seven feet six inches;
- (v) detailed plan clearly showing entry, exit, gradient of ramp, turning radius, circulations and movement of vehicles etc shall be submitted;
- (vi) parking may be provided on any floor with ramps or lifts as a means of access;
- (vii) electrical or mechanical ventilators to be provided for parking in the basement;
- (viii) multiple basements for parking may be permitted;
- (ix) sixteen percent of the total car parking space shall be utilized to provide space for motorcycle parking @ six motorcycle and eight bicycles for every one car;
- (x) when units of measurement used in computing the number of parking spaces result in the requirements of a fractional space, the nearest whole number to next higher side of parking spaces shall be taken;

26. Standards for parking spaces.- For parking spaces, the following standards shall apply, namely: -

DESCRIPTION	FOR CARs	FOR MOTORCYCLES
Bay width	8 ft	2.5 ft
Bay length	16 ft	6.0 ft
Gradient of ramp	1:7.5	1:7.5
Straight turning radius (outer)	24 ft	--
Helical ramp turning radius	32 ft	--
Lot turning radius	17.5 ft.	--
Minimum ramp & driveway width: Two way traffic One way traffic	18 ft. 11 ft. as per Table 5.4	--
Minimum space for parking one car	8ft. x 16ft	

Angle of parking (degrees)	Stall width Ft.	Stall length Ft.	Kerb length per car (Ft.)	Stall depth Ft.	Min one way driveway width (Ft.)	Lot width 1 row+ 1 driveway (Ft.)	Lot width 2 rows + 1 driveway (Ft.)
0=along Kerb	8	19	19	-	11.5	19.5	27.5
30	8	16	18	15	12	27	42
45	8	16	17	17	13	30	47
60	8	16	15	18	15	33	51
90	8	16	8	16	18	34	50

- (a) one motor car space for every eight hundred sq.ft of floor area for retail shopping areas, business offices, hotels, restaurants, conference rooms, indoor recreational areas and retail outlets shall be provided;
- (b) one motor car space for every one thousand sq.ft of floor area for apartment or flat site building or residential-“cum”-commercial building shall be provided;
- (c) one motor car space for every four thousand sq.ft of floor area for all educational institutions or minimum 0.75 motor vehicle parking space shall be provided per class room whichever is more; and
- (d) minimum one out of every fifty car parking stalls shall be dedicated for the special persons at the most convenient location.

27. Exemption from provision of parking space.- In all places of worship and all buildings on plots of odd shapes and dimensions, where there is no physical possibility of designing car parking space within the premises, necessary exemption may be given by the Board.

CHAPTER-V DRAINAGE AND SANITATION

28. Connection to public sewer.- Where there is a public sewer all sludge water shall be connected thereof.

29. Cesspools, septic tanks and soak pits. (1) Where no public sewer is in existence, all sludge water shall be connected to septic tanks;

(2) Where no public sewer is existing, all wastewater shall be connected through septic tank to soak pits.

(3) Septic tanks shall be so-

(a) constructed as to be impervious to liquid either from the out-side or inside; and

(b) sited as not to render liable to pollution any spring of water or any well, the water of which is used or likely to be used for drinking or domestic purposes subject to minimum distance of six meters

(4) Septic tanks and drainage mains within boundaries of the plot be so sited as not to render it liable for pollution of any water line. There shall be a minimum distance of one meter between the two, and where this distance is to be reduced due to any unavoidable

reason, then the water main be protected by encasing of concrete which shall be completely impervious to liquid from outside

(5) Any settlement tank or septic tank shall be of suitable depth and adequate size covered or fenced and if covered, adequately be ventilated and shall be constructed with means of access for the purpose of inspection (including inspection of the inlet and outlet), emptying and cleaning.

30. Draining roofs and balconies.- The roofs of every building and the floor of balconies abutting on a street or constructed over a street shall be drained by means of gutters and down pipes to the satisfaction of the Board.

31. Soil pipes, water pipes and ventilating pipes. (1) Every soil pipe, water pipe or ventilating pipe shall be of adequate size for its purpose but in no case shall the internal diameter of any soil pipe or waste pipe be less than the internal diameter of any pipe or the outlet of any application which discharges into it.

- (2) The internal diameter of a soil pipe shall not be less than-
 - (a) 50mm, if it exclusively serves one or more urinals;
 - (b) 75mm, in any other case; and
 - (c) 32mm in the case of a waste pipe, if it serves a lavatory basin.
- (3) Any soil pipe, waste pipe or ventilating pipe shall-
 - (a) be composed of suitable materials of adequate strength and durability;
 - (b) have all joints formed in a manner appropriate to the materials of which the pipe is composed and in such a way that the joints shall remain airtight, not cause electrolytic corrosion due to the association of dissimilar materials, and not form any obstruction in the interior of the pipe;
 - (c) if it is necessary to have a bend, be so constructed that the bend does not form an acute angle but has the largest practicable radius of curvature and that there is no change in the cross section of the pipe throughout the bend;
 - (d) be adequately supported through its length without restraining thermal movement, by fitting which gives such support being securely attached to the building;
 - (e) be so constructed as to be capable of withstanding as smoke or air test for minimum period of three minutes at a pressure equivalent to a head of not less than 38mm of water;
 - (f) be so placed as to be reasonably accessible for maintenance and repair through its length; and
 - (g) have such means as are necessary to permit internal cleaning.
- (4) Any soil pipe from a soil appliance and any waste pipe from a waste appliance shall have fitted close to such appliance a suitable and readily accessible trap of adequate diameter, having an adequate water seal and means of access for internal cleaning, provided that this clause shall not apply to-
 - (a) any soil pipe serving only soil appliances or any waste pipe serving only a waste appliance if the appliance has an internal trap;
 - (b) any waste pipe serving a bath or lavatory basin is so fixed in a range that waste pipe discharged into a semi-circular and accessible open channel of glazed stone-ware or other equally suitable materials,

formed or fixed in, on or above the floor immediately beneath such baths or lavatory basins and discharging over, or into a suitable trap; or

- (c) any waste pipe serving a lavatory, basin or shower trays or both are so fixed in a range that each such waste pipe discharges into a common waste pipe which does not exceed five meters in length, is fitted with a suitable trap, and has means of access suitable and adequate for the cleaning of the trap and of the whole length of the trap.

(5) No soil pipe or waste pipe shall be placed outside the external walls of a building so as to cause dampness in that building.

32. Overflow pipes.- An overflow pipe connected to a waste appliance shall either discharge into a waste pipe in such a way as to be disconnected from the drainage system by the trap installed or otherwise so discharged as not to cause dampness in or to any part of any building.

33. Ventilating pipe.- Every ventilating pipe shall be carried upwards to such a height and so positioned as not to transmit foul air in such a manner as to become prejudiced to health or a nuisance and it shall be fitted at its topmost with a durable cowl or other cover which does not unduly restrict the flow of air.

34. Rain water pipes.- Every rain water pipe which is on a building and intended for collecting rainwater shall be-

- (a) of adequate size for its purpose;
- (b) composed of suitable materials of adequate strength and durability;
- (c) adequately supported through its length without restraining thermal movement and fitting, which gives such support being attached to the building;
- (d) so arranged as not to cause dampness in, or damage to, any part of a building;
- (e) jointed in a manner appropriate to the material or materials of which it is composed so as to remain watertight; and
- (f) fitted with an adequate outlet or outlets so placed as to drain the whole length of the pipe.

35. Inlet to drains.- Any inlet to a drain, other than a junction between the drain and a soil pipe, a waste pipe or a ventilating pipe, shall be effectively trapped by means of a suitable trap having a seal not less than fifty mm in depth.

36. Trenches for drains and private sewers.- (1) Where any drain or sewer is constructed adjacent to a load bearing part of a building, such precaution shall be taken as may be necessary to ensure that the trench in which the drain or private sewer is laid in no way impairs the stability of the building.

(2) Except where the nature of the ground makes it unnecessary, where any drain or private sewer is adjacent to a wall and the bottom of the trench is lower than the foundation of the wall, the trench shall be filled in with concrete to a level which is not lower than the bottom of the foundation of the wall by more than the distance from that foundation to the near side of the trench less than one hundred and fifty millimetres provided that where the trench is within one meter of the foundation of the wall the trench shall be filled in with concrete to the level of the underside of the foundation.

37. Sanitary provisions.- (1) Every residential dwelling shall have at least one latrine or W.C and one bathroom.

(2) Single room tenements shall have one latrine or W.C or W.C and one bathroom per five tenements subject to a minimum provision of two W.C's or latrine.

(3) In the case of servant quarter attached to a dwelling house, one W.C or latrine and one bathroom shall be sufficient for every five quarters.

(4) For every ten bedrooms or less in a hotel, boarding house and guesthouse there shall be provided at least two W.Cs or latrines and two bathrooms.

(5) For every twenty persons in a dormitory there shall be provided at least two W.Cs.

(6) For over twenty upto one hundred persons in a dormitory there shall be provided at least six W.Cs or latrines and five bathrooms.

(7) One washbasin or equivalent washing space per twenty-five or less persons for ablution purposes shall be provided.

(8) Communal sanitary facilities shall be provided at the discretion of the Board for shops and stalls having a floor area of less than 37m². The shops and stalls having a floor area of more than 37m² shall have a minimum of one W.C or latrine and one draw off tap at the premises.

(9) One W.C and two urinals shall be provided for every two hundred persons or part thereof in places of public assembly of a floor area of less than 37m². The shops and stalls having a floor area of more than 37m² shall have a minimum of one W.C or latrine and one draw off tap at the premises.

(10) Five W.Cs and five urinals per one hundred boys, five W.Cs per one hundred girls and one wash basin or equivalent washing trough space per twenty pupils for ablution purposes shall be provided in a school.

(11) There shall be provided at least one W.C, one wash basin and one bath for every ten persons (patients and staff) in a hospital.

(12) One out of every two lavatories in public buildings shall be dedicated for special persons with grab bars of Min. width of 6 feet.

38. Refuse chutes.- All buildings which are three storeyed and above shall be provided with compatible refuse chutes and shall conform to the following minimum requirements:-

- (a) the number of refuse chutes for a building shall be in compatibility with the refuse load generated by a building;
- (b) the chutes shall be vertical for the whole length and shall be constructed with a smooth finished impervious inner surface and shall-
 - (i) have an internal diameter of not less than thirty eight mm;
 - (ii) be adequately ventilated at the top and shall be provided with suitable arrangement for flushing with water for the full length of the chute;
 - (iii) discharge into a suitable movable receptacle of a compatible size and pattern;
 - (iv) be 1.2 meter above the roof and shall be covered with a ventilating sky light;
 - (v) be fitted with a self-closing hopper light fitting plank or hopper constructed of inflammable materials; and

- (vi) be enclosed with walls of masonry of not less than two hours fire resistance.
- (c) refuse receptacles shall be housed in a chamber which shall-
 - (i) be provided with concrete curbs for the refuse receptacles to stand on;
 - (ii) be adequately fly and vermin proofed;
 - (iii) be connected to and drained by a foul water drain;
 - (iv) open to the external air; and
 - (v) be lined throughout with glazed tiles.

39. Chimneys and flues.- (1) Wherever deemed required, a compatible sized chimney shall be included in a building with construction of non-combustion materials of such a nature, quality and thickness as not to be unduly affected by heat condensation or the products of combustion.

(2) The chimney of an industrial and factory plant shall not be built at a distance of three meter of the street lines.

(3) The inside of every flue included in a building shall be properly rendered as such that the flue is carried up. The whole flue shall be lined with fire-brick or fire proof piping of fire-clay at least one inch thick and the spandrel angles shall be filled in solid work of incombustible material.

(4) The back or outside of such flue shall not be constructed so as to form part of the outer face of an external wall and shall be properly rendered in every case where the brick work is less than nine inches thick.

(5) Every floor included in a building and intended for use in connection with any furnace of copper steam boiler or close fire constructed for any purpose of trade, business or manufacture in connection with any cooking range or cooking apparatus of such building when occupied as a hotel, restaurant or eating house shall be surrounded with fire-brick, at least four and a half inches thick for a distance of three meter at least in height from the floor on which such furnace of copper steam boiler, close fire cooking range or cooking apparatus may be constructed or placed.

40. Manholes and inspection chambers.- (1) At every change of alignment, gradient or diameter of a drain, there shall be a manhole or inspection chamber. Bends and junctions in the drains shall be grouped together in manholes as far as possible. The spacing of manholes in case of pipe having a dia of six inches or eight inches shall be fifty feet or one hundred and ten feet respectively and in case of dia more than eight inches it shall be not more than one hundred and fifty feet.

(2) The chamber shall be so designed so as to make the cleaning and inspection convenient.

(3) Proper benching shall be provided equal to half the diameter of pipe in semi-circular shape with proper slope in either direction so that no solid shall accumulate in the manhole or the inspection chamber.

(4) Cast iron (C.I) rings shall be provided at sixteen inches center-to-center in all manholes over four feet. in depth. The size of the manhole cover shall be such that there is a clear opening of at least two feet in diameter for manholes exceeding four feet in depth.

41. Storm water drainage.- (1) The roofs of every building and the floor or balconies abutting on a street or constructed over a street shall be so constructed or framed so as to permit effectual drainage of the rain water therefrom by means of a sufficient number of leaders of adequate sizes, so arranged, jointed 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 walls or foundations of the building or those of an adjacent building provided the fall is not greater than twenty feet in case of spouts.

(2) A leader shall not discharge into or connect with any soil pipe or its ventilating pipe or any waste pipe or its ventilating pipe nor shall it discharge into a sewer.

(3) Rain water from leader spouts etc. shall not discharge onto a public street at a height greater than 12 inches from that street or onto a neighbouring property.

42. Walls and floors of latrines, W.Cs and bathrooms.- (1) All walls of W.Cs and bathrooms shall be furnished in cement mortar or other impervious materials to a minimum height of 1.3m. All floors to W.Cs and bathrooms shall be paved in concrete with cement or other approved material rendering it impervious and laid in the case of bathrooms with proper falls to an approved outlet.

(2) No latrine shall be allowed to open on any public street or lane unless screened by a five feet high purdah wall and also no latrine or refuse water pits shall be constructed within six feet of a kitchen.

(3) Every latrine shall be constructed of bricks, concrete or other approved material.

(4) Where there is no water carriage system, latrine shall be separated from the main building by cross ventilated passages not less than 1.5m wide or shall be accommodated in separate buildings.

43. Wells.- A well constructed in connection with a building and intended to supply water for human consumption shall comply with the following provisions, namely:-

- (a) the well shall be so situated as not to be liable to pollution, subject to a minimum distance of one metre from any cesspool, soak pit and septic tank;
- (b) the ground adjoining the well shall for a distance of not less than 1.2m shall be provided with a watertight paving so constructed as to slope away from the well;
- (c) the sides of the well shall be rendered impervious for such a depth so as to prevent contamination through the adjoining ground. This will normally be of a depth of 1.8m;
- (d) the well shall be guarded by a railing or parapet at least 0.8m high;
- (e) the top of a dug well shall be surrounded by kerb stones or cemented border extending not less than 1.5cm above the level of the paving and so constructed as to prevent any surface water gaining access to the well;
- (f) the lining tubes to a bored well shall project not less than fifteen meter above the level of the paving and such projection shall be surrounded with concrete not less than 15cm thick or with other adequate means of projection for its full height;
- (g) a well from which water is drawn by a bucket shall be provided with a cover as fitted as to prevent surface water or other matter from gaining access to well; and
- (h) a well from which water is drawn by a pump shall be provided with a cover so fitted as to prevent surface water or other matter from gaining access to the well.

44. Water closets.- (1) The receptacle shall have a smooth and readily cleansed non-absorbent surface and shall be so constructed and fitted so as to discharge through an effective trap of suitable dimension, without storage, to a soil pipe or a drain.

(2) The flushing apparatus shall be capable of securing the effective cleaning of the receptacle.

(3) No part of the receptacle shall be directly connected with any pipe other than a soil pipe, flush pipe and a trap pipe of drain.

45. Urinals.- (1) The urinals shall have one or more slabs, through bowls or other suitable receptacles which shall-

(a) have a smooth and readily cleansed non-absorbent surface;

(b) have an outlet fitted with an effective grating and trap; and

(c) be so constructed as to facilitate cleansing.

(2) No urinal fitting shall be constructed or installed unless it is furnished with an automatic flushing apparatus which is capable of securing the effective cleansing of the receptacle.

(3) No part of receptacle shall be directly connected to any pipe other than a soil pipe, flush pipe and trap vent pipe of drain.

CHAPTER-VI DANGEROUS BUILDINGS

46. General.- (1) For the purposes of this chapter all such buildings, walls or structures which are declared by the Board as dangerous under section 126 of the Act shall lie in the following two categories, namely:-

(a) building or structure whose strength, stability, serviceability, robustness or durability has been impaired due to any reason such as improper structural design and detailing, faulty or poor construction, decay, dilapidation, obsolescence, natural disasters or leading to abandonment due to all these reasons to a level, where it cannot be restored to its original status shall be classified as dangerous building category-1 by the authorized structural engineer of the Board or a structural engineer as appointed by the Board for said purpose and shall liable to be demolished; and

(b) any building or structure or part thereof whose strength, stability, robustness, serviceability or durability has been impaired due to all such reasons as cited in clause (a) to a level where it could by way of strengthening, appraisal and restoration be brought partially or wholly near to its original status shall be classified as dangerous building category-2 by the authorized structural engineer of the Board, or as appointed by the Board, for the said purpose and shall be governed by bye-law 46.

(2) If in the opinion of the Board, a building or part thereof has become dangerous for human habitation it shall give at least twenty-four hours notice to the owner, occupants or tenants (who need not to be named) for inspection of such building by the technical representative of the Board.

(3) In case the Board considers a building or a part thereof repairable or modifiable without causing danger of human life or property, it may issue such orders to the owner, occupants or tenants (who need not to be named) of such building in this regard.

(4) If the Board find such building dangerous, ruinous or unsafe after proper inspection and investigation by the structural engineer of the Board or so appointed by the Board for the said purpose, the Cantonment Executive Officer (CEO) shall serve to the owner of such building or structure a written notice stating the defects thereof and shall require the owner or person-in-charge of the building or premises to commence either the required repairs or improvements or demolition and removal of the building or structural portion thereof, as the case may be, and all such works shall be commenced and completed within the period specified therein.

47. Buildings unfit for human habitation and notice of prohibition.- (1) If for any reason it shall appear to the Board that any building or part thereof intended or used for human habitation or human occupation for any purpose whatsoever is unfit for such use, it shall signify its intention to prohibit the further use of such building or part of a building and call upon the owner or occupiers or tenants to state in writing their objections, if any, to such prohibition within fifteen days after the receipt of such notice. If no objection is raised by such owner or occupier or tenant within the prescribed period or if any objection which is raised appears to the Board to be invalid or insufficient, the Board may prohibit by an order in writing the further use of such building or part thereof. The owner, occupier or tenant of the building shall be given an opportunity of appearing before CEO in person or by an agent in support of the objection, if so desired.

(2) Thirty days notice of prohibition under sub-bye-law (1) shall be served in person or by any courier service, mail or by pasting at site in presence of authorized representative of the Board whereby every such person shall remove himself and his property from the said building or part thereof, failing compliance, the Board may cause him and his property to be removed at his own risk and cost. In case of imminent danger, twenty-four hours notice may be issued by the Board.

(3) When a building or part of a building has been vacated under sub-bye-law(2) the owner shall display at each entrance at prominent places to such building a notice to read "DO NOT ENTER, UNSAFE TO OCCUPY" in English and Urdu. Such notice shall remain displayed until the required repairs, demolition or removal are completed.

48. Alteration, modification, uplifts and repairs of dangerous buildings of category-2.- (1) At any time after a building or part of a building has been vacated under sub-bye-law(2) of bye-law-45, if the Board considers that it can be rendered fit for human habitation by the structural alterations, repairs, modifications or uplifts, the Board may by notice in writing call upon the owner to commence the specified works within such time as may be specified but not less than thirty days and to complete within the period as specified in the notice but not more than ninety days from the date of receipt of such notice, such structural alterations, modifications, uplifts or repairs as deemed necessary and if at the expiration of the aforesaid period such alterations, modification, uplifts or repairs have not been commenced or completed to the satisfaction of the Board, it shall issue to the said owner a notice in writing ordering the demolition of the subject building within thirty days from the date of receipt of such notice.

(2) If the Board considers it impracticable to render such building or part thereof fit for human habitation, the Cantonment Executive Officer (CEO) may by notice in writing call upon the owner to demolish it in a period specified by the Board.

49. Demolition of dangerous building on expiration of notice period.- (1) If at the expiration of the period specified in the notice and order to demolish a building or part of a building issued under sub-bye-law(2) of bye-law-46 has not been complied with, the Board may direct, by an order in writing, the demolition thereof through a contractor who has on his roll at least one Board qualified engineer responsible for undertaking all necessary safety measures during the process of demolition as per procedure laid down by the Board.

(2) All expenses incurred by the Board under sub-bye law (1) shall be paid by the owner of the building.

50. Extension of period for repairable building.- For sufficient causes, the Board may extend the time prescribed under bye-law 47.

51. Evacuation of dangerous buildings.- (1) If in the opinion of the Board, any building wall or structure or anything affixed thereto is in a hazardous or dangerous state, the Board may, by notice in writing, require the owner or occupier thereof either to remove the same or to cause such repairs to be made thereto forthwith as the Board may deem fit to avert such danger, including the evacuation without notice from such building of all the occupiers thereof.

(2) Any expense incurred by the Board under sub-bye-law(1) shall be paid by the owner of the building.

(3) When the owner of any building, wall, structure or any thing affixed thereto fails to execute the repairs required from him by the Board, the tenant or occupant of such building, wall, structure or anything affixed thereto may, with the previous approval of the Board, carry out such repairs which may be cast to the owner by them.

(4) Except with the permission in writing of the Board no person shall enter into or remain in any building from which the tenant or occupier has been removed under sub-bye law(1).

CHAPTER-VII TEMPORARY WORKS IN CONNECTION TO BUILDINGS OPERATIONS SAFETY AND SECURITY MEASURES

52. Site hoardings.- No person shall start building works on a site abutting on a street without having first provided hoarding or barriers to the satisfaction of the Board along the whole length of such site so as to prevent danger or injury to the public or the persons employed in the work, provided that these bye-laws shall not apply in case of building works in connection to structures situated at least fifteen feet away from a public street and being not more than twenty-five feet in height.

53. Use of public streets.- No part of any street shall be used in connection with the construction, repair or demolition of any building except with the written permission of the CEO. Any person holding such permission shall put up and maintain to the satisfaction of the Board, fences or barriers in order to separate the building work from such street. Where such separation is not possible arrangement for the security of public to the satisfaction of the CEO shall be made.

54. Obstruction to be lit-marked.- Any person causing any building material to be deposited, stacked or any excavation to be made shall be lit-marked.

55. Utility services not to be obstructed.- All the drains and utility services shall be safeguarded and precautions shall be taken according to the laid down procedure of the utility agencies to keep clear all such utilities' installations and the drains.

56. Removal of obstruction after completion of works.- All obstructions shall be removed within seven days of the completion of the work and the street and all drains and public utility installations shall be left in clean, tidy and in serviceable conditions.

57. Dangerous obstruction.- If any material, excavation or any other obstruction shall be in the opinion of the CEO dangerous to the passers-by, the CEO shall cause the same to be removed, protected or enclosed so as to prevent danger therefrom and shall be entitled to recover the expenses thereof from the owner of such materials or from the person who made such hoarding, excavation or other obstructions.

58. Stability of the adjacent building.- No excavation or de-watering or earth-work or demolition of a building which is likely to affect the stability of the adjacent building shall be started or continued unless adequate steps are taken before and during the work to prevent the collapse or damage of any adjacent building or the fall of it.

59. Filling of excavated site.- A site once excavated shall not be kept open and idle for a period beyond the validity period of the building plan failing which the Board may not revalidate the building plan and in case of any mishap the owner shall be responsible for life and property of the affectees.

60. Adequate safety measures.- (1) Adequate safety measures where necessary shall be provided to protect the life and property of the workmen at site.

(2) The material shall not be placed or stacked near the edge of any excavation so as to endanger persons working therein.

(3) No load shall be placed or moved near the edge of any excavation where it is likely to cause a collapse or endanger any person therein.

(4) Where vehicles or machines are used closer to any excavation there shall be measures to prevent the vehicles or machines from over-running and falling into the excavation or causing collapse of any side of the excavation.

(5) In all buildings of greater than twenty feet height temporary rails, scaffoldings or barriers shall be installed during construction at the edges of the slabs and around all openings such as lifts, stairwells, etc.

61. Supervision of demolition work.- The demolition of a building and the operations incidental thereto shall only be carried out under the direct supervision of a professional.

62. Safe loading.- No roof, floor or other part of the building shall be so overloaded during demolition and construction with such debris or materials as to render it unsafe.

63. Scaffolds.- (1) Suitable and sufficient scaffolds shall be provided for all works that cannot safely be done from the ground or from the part of the building or from a ladder or other available means of support and sufficient safe means of access shall be provided to every such place where a person has to work.

(2) Every scaffold and means of access and every part thereof shall be adequately fabricated with suitable and sound material and of the required strength to ensure stability.

All scaffolds, working platforms, gangways, runs and stairs shall be maintained to ensure safety and security.

(3) All vertical members of scaffolds on ground level facing road side shall be adequately wrapped with spongy material up to a height of at least seven feet and for any horizontal member if used up to a height of seven feet from the ground shall be wrapped up all along its length with the said material.

64. Road side protection .- (1) To ensure adequate safety of the pedestrians and other road users, all under construction buildings having a height of over G+two floors shall have an adequate arrangement for protective covering of a suitable material.

(2) Adequate provision of safe passage for pedestrians shall be provided in case the scaffolding covers a part of the road or a footpath.

65. Working platform.- (1) Every working platform of more than seven feet height from which a person is liable to fall shall be at least two feet wide provided the platform is used as a working platform only and not for the deposit of any material;

(2) A clear passage at least of one and a half feet width shall be left between the side of the working platform and the fixed obstruction or deposited material.

66. Guard rails.- Every side of a working platform, gangway and stair shall be provided with a suitable guard-rail of adequate strength up to a height of at least three feet and three inches above the platform, gangway or the steps.

67. Ladders.- (1) Every ladder shall be of good make, sound material and adequate strength suited for the purpose for which it is used.

(2) Every ladder shall securely be fixed when in use and shall not have any missing or defective rungs.

68. Work on sloping roofs.- (1) Where work is to be done on the sloping surface of a roof, suitable precautions shall be taken to prevent persons employed therein from falling off.

(2) Suitable and sufficient ladders or boards which shall be securely supported shall be provided and used as such to avoid concentration of loads leading to unsafe conditions.

(3) Where persons are employed in a position below the edge of sloping roof and where they are in position of being endangered by the work done on the roof, suitable precautions shall be taken to prevent tools or materials from falling thereof.

69. Precautions for raising and lowering loads.- For raising or lowering loads or for suspending them either by hand or mechanical operation the following precautions shall be observed, namely:-

- (a) no broken wire rope shall be used;
- (b) no chain shall be used which has been shortened or joined to another chain by means of bolts and nuts;
- (c) no chain or wire rope shall be used which has a knot tied in any part which is under direct tension;
- (d) where required there shall be provided with an efficient device to prevent the displacement of the sling or load from the hook, or of such shape as to reduce as far as possible the risk of such displacement;

- (e) all debris and waste material during construction shall be disposed of through well designed chutes from each level of under construction building of a height over G+two floors ; and
- (f) the vertical hoist platform shall be enclosed or protected by a proper barrier. Every opening of lift, shaft or other such vertical voids or openings in slab etc. where a person is likely to fall shall be protected by safety barrier and properly lit. Any area e.g. basement, where natural light is not available or which is dark shall be so illuminated as to eliminate any risk of life or hazard to users.

CHAPTER-VIII

BUILDING STRUCTURE DESIGN AND CONSTRUCTION REQUIREMENTS

70. Loads and design.- Structure analysis, design, detailing and loading shall be in accordance with the requirements of the current universal building code (UBC), the American code or British relevant code as deemed fit by the Board.

71. Seismic design.- Seismic specifications for Peshawar shall be in accordance with the relevant seismic building code of Pakistan.

72. Sub-soil investigation.- In view of the structural design in seismic hazard zone, type of sub-soil for foundation should be thoroughly ascertained by geo-technical investigation under the direct supervision of qualified and experienced geo-technical engineers. The soil report should correlate the sub-soil type with (universal building code) UBC-97 or current sub-soil list.

73. Erection on reclaimed site.- (1) No building foundation shall be erected upon a site reclaimed by town sweepings or other refuse, except on recommendation of geo-technical and structural engineer;

(2) No building plans shall be approved on open nallahs, public sewers and the like.

74. Protection of existing services.- During the making of an excavation in connection with a building works or services, adequate precautions shall be taken to secure the existing services.

75. Foundation near drains.- Where a building is to be erected adjacent to existing buildings or near a drain or nallah or an excavation at a distance less than the depth of the said drain or nallah such as to affect the stability of the drain or nallah, the owner through a structural engineer shall satisfy the Board that the foundations of the building have been carried down to a level safe-guarding its stability.

76. Specifications.- Specifications of material, quality control and workmanship shall be of high quality and in accordance with the requirements of American Concrete Institute (ACI) building codes, universal building code (UBC) and American Society of Testing Materials (ASTM) standards.

77. Testing of materials.- Regular testing shall be carried out of materials such as aggregates, cement, concrete and reinforcing steel and all architectural materials through the quality control and quality assurance criteria laid down in the standards of American

Society of Testing Materials (ASTM) or American Concrete Institute (ACI) or universal building code (UBC).

78. Supervision.- Construction supervision and quality assurance shall be carried out by the concerned structural engineer and the architect.

CHAPTER-IX LIGHTING AND VENTILATION

79. Size of external openings.- (1) Every room, other than the rooms used predominantly for the storage of goods, shall be provided with natural light and natural ventilation by means of one or more openings in the external walls. These openings shall have a combined area of not less than ten percent for habitable rooms and seven and half percent for other rooms of the floor space of such opening and the whole of such openings shall be capable of allowing free and uninterrupted passage of air.

(2) Area for openings in case of warehouse, godown, storage places etc. shall not be less than five percent of the floor space unless the space is mechanically ventilated.

80. Size of internal openings.- Unless the light and ventilation requirements are met by an air well or ventilation duct, all internal habitable rooms must have openings in internal air wells in addition to the door openings not less than seven and a half percent of the floor area of such room. Access for maintenance of the shaft be provided at appropriate level.

81. Internal air wells.- (1) Habitable rooms may receive daylight and natural ventilation from internal air wells which shall conform with the following minimum sizes, namely:-

- (a) for buildings upto two storeys, fifty square feet with minimum width of well at five feet.
- (b) for buildings with three to five storeys, one hundred square feet with minimum width of well at eight feet; and
- (c) for buildings higher than five storeys, one hundred square feet plus ten square feet for each additional floor over five storeys with minimum width of well at ten feet.

(2) Where only kitchens, W.Cs and bathrooms receive daylight and ventilation from air-wells, their sizes shall conform to the following in minimum:-

- (a) for buildings up to two storeys, twenty-five square feet with minimum width of well at three feet;
- (b) for buildings with three to five storeys, fifty square feet with minimum width of well at five feet; and
- (c) for buildings higher than five storeys, fifty square feet plus five square feet for each additional floor with minimum width of well at five feet.

(3) Access for maintenance of each such shaft shall be provided at the lowest level of the shaft.

82. Permanent openings in kitchen.- Every kitchen shall have openings for permanent ventilation into the external air space not less than fifteen percent of its floor area.

83. Water closet, bathroom and ablution places.- Every water closet, urinal stall, bathroom and ablution area shall be provided with natural lighting and ventilation by means of one or more openings in external walls having a combined area of not less than two sq. feet per water closet, urinal or bathroom except where adequate and permanent mechanical ventilation is provided and which discharges into an open space.

84. Garages.- Every garage shall be provided with opening of not less than five percent of the floor area for ventilation and lighting incorporated in a wall or in the door.

85. Staircases.- All staircases which are enclosed shall be provided with adequate lighting and ventilation from openings not less than seven and a half percent of the staircase area.

86. Mechanical ventilation and central air-conditioning waiver and minimum requirement.- (1) Where undertaking for central air-conditioning and permanent mechanical ventilation is provided, the provisions of these bye-laws relating to natural ventilation, lighting and heights of rooms may be waived.

(2) Where permanent mechanical ventilation in respect of lavatories, water closets, bath rooms or corridors has been provided for and maintained under these bye-laws, conditions relating to natural ventilation and natural lighting under these bye-laws shall not apply to such lavatories, water-closets, bathrooms or corridors;

(3) Basement or underground car parks and other enclosures below the ground level shall be provided with mechanical ventilation.

(4) In case of mechanical ventilation and central air conditioning for all types of buildings and spaces heating, ventilating and air conditioning (HVAC) relevant code of practices may be approved by the Board.

CHAPTER-X FIRE RESISTANCE AND FIRE PRECAUTIONS

87. Fire exit - mechanism.- There shall be provided fire exit mechanisms for evacuation of building according to the international building codes in all public buildings and especially the high-rise buildings with respect to the occupancy load. Fire extinguishers of different materials shall also be provided at appropriate places for greater protection and safety.

88. Stand pipe-equipments.- (1) For the purpose of prevention and fire extinguishing, every commercial, multi-storied and amenity building-

(a) from three storeys upto eight storeys in height shall be equipped with not less than six centimetres diameter stand-pipes; and

(b) over eight storeys in height shall be equipped with not less than ten centimetres diameter stand-pipes; and

(2) The number of stand-pipes shall be such that all parts of every floor area are at a maximum distance of thirty-six meters from the stand point.

(3) So far as practicable, stand-pipes shall be located with outlets within the stairway enclosures, but if these are not available, the stand-pipes shall be located in a common corridor. In any case, one stand-pipe shall be located in the main.

(4) The construction of stand pipes shall be of galvanized iron.

(5) Stand-pipe risers shall extend from the lowest to the top most storeys of the building or part of the building which they serve.

(6) When more than one stand-pipe is required, they shall be interconnected at their bases by pipes equal in size of the largest riser.

(7) Every stand-pipe or stand-system in case of interconnected stand-pipes shall be equipped with a fire department's approved in-let connection of corrosion resistant metal (e.g. gunmetal) located on an outer building face nearest to the street approximately six meters to nine meters above the finished ground and suitably marked as "fire department connection stand-pipe".

(8) Stand-pipes shall be provided in every storey with a four centimetre diameter flexible base not less than thirty meters long with a 1.24 centimetre nozzle to be kept in an approved rack or cabinet.

(9) The stand-pipe shall be fed by an overhead water tank reserved solely for this purpose. The minimum capacity of this tank shall be five thousand gallons with a minimum of 2.1 meter load above the highest discharge point.

89. Automatic sprinkler system.- (1) Automatic sprinkler system shall be provided in-

- (a) every institutional building which serves restrained or handicapped persons;
- (b) covered car parking areas exceeding 465 square-meters in the building where upper storeys are designed for other uses;
- (c) out garages or terminals for passengers serving more than four buses at a time;
- (d) each floor of mercantile and industrial buildings of more than one storey height and which exceed 186 square-meter covered area;
- (e) all building compartments used for manufacture, display or sale of combustible materials and products which are more than 700 square-meters in covered area;
- (f) all areas of theatres; and
- (g) all building areas used primarily for storage of goods and materials including areas clearly specified for storage of incombustible materials and goods which are more than 93 square-meters in area.

(2) No sprinkler provision shall be made in the immediate vicinity of generators or any electrical equipment.

90. Construction of sprinkler-system.- (1) Sprinkler-pipes, hangers and sprinklers heads shall be protected from corrosion;

(2) Every sprinkler-system shall be equipped with a fire department approved inlet connection located on an outer building face nearest to street approximately six meters to nine meters above the finished ground and suitably marked as "Fire department connection for automatic sprinklers".

(3) Automatic sprinkler-system shall be fed by overhead water tank reserved solely for this purpose. The tank shall be capable of supplying twenty five percent of the sprinkle heads for twenty minutes with minimum capacity of every tank at five hundred gallons. There shall be minimum head of 1.05 kg-cm² above the highest discharge point.

(4) Automatic sprinkler-system shall be arranged to set-off automatic fire alarm system simultaneously.

(5) Every sprinkler-system shall be provided with a readily accessible outlet valve to control all sources of water supply.

91. Natural fire extinguishing in public buildings. There shall be provided-

- (a) two fire extinguishers in the stage area, in each dressing room and one immediately outside each entry point in the theatres;
- (b) one fire extinguisher in each 230 square-meters for public assembly buildings, but not less than one on each occupied floor, and not less than one in each laboratory, workshop or vocational room; and
- (c) at least one fire extinguisher on each floor at stairway landing and in corridor at each lift or group of lifts in residential and commercial buildings.

92. Interior fire alarm system.- (1) Interior fire alarm system shall be installed in all-

- (a) hotels, motels, dormitories and similar buildings with a capacity of fifty or more occupants above the ground level;
- (b) hospitals, asylums, nursing houses and similar institutional buildings accommodating more than twenty occupants above the ground floor;
- (c) school buildings with provision of more than thirty students above the ground floor;
- (d) mercantile buildings exceeding two storeys in height and with more than 373 square-meters area above the first floor; and
- (e) factory buildings exceeding two storeys in height and with more than 373 square-meters area above the first floor;
- (f) office buildings more than five storeys in height and with occupancy area of more than 900 square-meters above the ground floor; and
- (g) cinemas, theatres and similar places of public assembly.

(2) At least one signal station shall be located in each storey in accessible location in the natural depth of exit way or escape.

(3) Every signal station shall be so located that no point on any floor or the building is more than fifty meter from such station.

CHAPTER -XI NO OBJECTION CERTIFICATE OF PUBLIC SALE PROJECTS

93. Application for NOC.- A builder applying for no objection certificate (NOC) to the Board for public sale project shall furnish the requisite documents and particulars in the manner set out in project digest form adopted by the Board and as set out in Schedule-II.

94. Undertaking of the builder or professional.- The builder and his architects or engineers shall submit the undertaking in the manner referred to in the project digest form on a non-judicial stamp paper.

95. Determination of price and cost estimate.- A builder shall submit the selling price of various units in the manner referred to in the Schedule-II for registration purposes with details, specifications and work program for the project. This price shall be quoted in all

the advertisement and promotion literature published by the builder. No escalation in the selling price shall be allowed except where inflation (as determined by the Ministry of Finance) is above double digit for a particular year. In such a case the excess over the double digit shall be the percentage for the selling price escalation and the builder shall inform the Board accordingly. No escalation shall be granted to the builder who has failed to complete the project in time.

96. Fee for NOC.- A builder shall pay to the Board a fee for the no objection certificate (NOC) for sale as prescribed from time to time. The Board shall publish a notice comprising the salient features of the public sale project (including name of the project, address, builder profile, office address, architect or engineers, number of floors, number and sizes of shops or flats or offices, compulsory open spaces, date of completion, draft agreement, etc) within seven days of issuance of the no objection certificate (NOC) for sale.

97. Security deposit.- (1) The builder shall deposit cash security equivalent to one percent of the cost of construction of the project with the Board to be held in a separate account and which shall be recovered in advance from the builder before issue of the NOC for sale. The subject security deposit shall lie with the Board till expiry of one year of the successful completion and occupancy/handing over of the possession of the project to the purchasers. In case of delay in completion of the project, where such delay has not been condoned, such deduction from the security deposit shall be made in proportion to the extent of the delay as determined by the Board.

(2) The Board shall have the right to utilise the security deposit to rectify any fault or defect in the construction of the building after receiving complaints if the builder fails to rectify the same by himself. In addition, the security deposit may be forfeited in case of violation of any of the conditions of the NOC granted by the Board or in case the builder fails to comply with the following conditions, namely:-

- (a) to construct the building in accordance with the design and specifications agreed with the purchaser and approved by the Board;
- (b) to complete the building in time as per agreement with the purchaser;
- (c) to provide services as per agreement with the purchaser or as per the published advertisement;
- (d) to obtain occupancy certificate from the Board;
- (e) if builder is found to be involved in any un-lawful activity in the project; or
- (f) to rectify defects after occupation provided the builder is at fault.

(3) Any such defect or violation shall have to be made good by the builder at his own risk and cost and the cash security deposit shall not absolve the builder of his responsibility towards the project.

(4) This security deposit shall not in any way prejudice the Board's rights under these bye-laws to initiate any other proceedings or action in the event or violation of any of these bye-laws.

98. Application form for allotment.- After the receipt of no objection certificate (NOC) from the Board the builder shall get filled an application form from a person intending to book a unit in the project.

99. Execution of sub-lease.- A unit shall be offered for sale on cash or cash-cum-loan basis as per schedule of payment. Sub-lease shall be executed as per sale and allotment conditions in favour of allottee before delivering the possession of the unit. The allottee shall

own the building structure of his unit and shall proportionately share the price or rent of land of the unit with other allottees of the project.

100. Confirmation of allotment.- The builder through an allotment letter to the allottees shall confirm the allocation of the unit within fifteen days of booking. The allotment letter shall specify the unit number, floor, floor area of the unit, general facilities, fittings and fixtures with their make and material, the total price of the unit and details of other charges together with the key plan of unit in line with key plan approved by the Board at the time of no objection certificate (NOC).

101. Agreement with allottee.- Within fifteen days of the issuance of allotment letter and before calling other instalments in respect of the unit the builder shall execute an agreement with the allottees.

102. Payment of instalment.- (1) The payment of instalment shall be made by the allottee strictly in accordance with the schedule of payment. In case of failure, a fifteen days notice shall be issued by registered post acknowledgement due or registered courier service on the last given address and if the allottee fails to make payment within the above period, an another notice shall be issued by the builder up to another thirty days. In case of further failure, a cancellation letter shall be issued to the allottee a copy of which shall be endorsed to the Board. The builder shall not rebook the cancelled unit within thirty days of receipt of copy of cancellation letter by the Board provided that the builder shall publish the cancellation notice in two leading news papers (English and Urdu) under the heading of "cancellation of flat or unit".

(2) In response to the above cancellation notice, if the allottee intends to continue the booking, the builder shall restore the allotment after receipt of pending payment and charging the mark-up on the prevailing bank rate for the period of delay on the unpaid instalment.

(3) If no response to the Board is received from the allottee during the said period, the cancellation of the unit shall be confirmed automatically.

(4) In spite of failure to make payment of instalments in time, if the builder does not resort to cancellation as provided in these bye-laws, the builder may or may not charge mark-up on the unpaid instalments at the prevailing bank rate and the allottee shall be informed accordingly.

(5) In case the cancellation is made before allotment, the builder shall refund the total amount paid till date by the purchaser within two weeks along with the mark up on the prevailing bank rate for the period the builder had kept that amount.

103. Loan component.- (1) The builder may arrange the availability of loan if the project contains a loan component. If the loan is refused or reduced due to any reason, whatsoever, by the loan granting agency, the allottee shall pay the loan amount from his own resources. However, extra time of at least six months shall be given to the allottee to pay the loan component to the builder.

(2) The allottee shall complete all documentation for lease and loan within four months of booking of the unit as written in the agreement and the builder shall issue a reminder on this account. The repayment of the loan instalments shall be made by the allottee or borrower to the loaning agency as and when it falls due as per rules of the relevant agency. The allottee or borrower shall abide by the agreement of loan and shall follow rules, regulations and instructions of the loaning agency.

104. Documents, connection and meter charges.- Documentation charges for sub-lease, loan and external service connection charges for gas, electricity, sewerage and water shall be paid in proportion to the unit area in accordance with the actual payment made to these agencies plus fifteen percent as service charge for the respective services. In case any allottee fails to make this payment he shall pay mark up on the amount at the prevailing bank rate.

105. Minor changes.- The builder shall construct the building strictly in accordance with the approved building plans. However, subject to the approval of the Board, minor changes, if any, within the unit may be made by mutual arrangement between the builder and the allottee, provided that these do not contravene these bye-laws and such changes do not affect the structural stability of the building and do not usurp the right of the other allottees.

106. Clearance of dues for execution of sub-lease.- The sub-lease of the unit shall be executed in favour of the allottee before handing over the possession of the unit, provided the allottee has paid all the dues up to date.

107. Timely completion of the project.- The builder shall maintain steady progress of the work irrespective of the situation of payment by the individual allottees and availability of loan by the loan granting agency. The builder shall fulfil the obligation of the timely completion of the project by arranging the deficit finances from his own resources. The builder shall inform the allottees every three months regarding progress of the project.

108. Withdrawal of allotment.- The allottee may withdraw from his allotment of the unit by surrendering the original letter of allocation or allotment to the company and in this event the builder shall refund to the allottee the amount deposited till date. In case the cancellation is made before allotment, the builder shall refund total amount paid by the allottee till cancellation within two weeks.

109. Extension in date of completion.- Extension in date of completion shall be allowed to the builder if he produces documentary proof that more than fifty percent of his clients have defaulted in payments for two or more instalments for over six months period. The builder shall also submit consent of at least fifty percent of the allottees while applying for such an extension in time.

110. Sublet and transfers of allotment.- An allottee may sub-let, transfer or sell his unit to any one, with prior written permission of the builder, who shall allow transfer on receipt of all outstanding dues up-to-date and a transfer fee of half percent of the total price of unit. However, no transfer fees shall be charged by the builder in case the transfer is made within three months of the allotment. All such transfers and sub-letting shall be subject to the approval of the Board.

111. Physical possession and care-taking charges.- The builder shall issue intimation letters to the allottees, after obtaining occupancy certificate from the Board including provision of electric, gas, water and sewerage services. The allottee shall take over possession of the unit within thirty days of receipt of such letter from the builder failing which the builder may apply reasonable care-taking charges.

112. Delay in completion and compensation for period of delay.- The builder shall complete the project and hand over physical possession of the unit complete in all

respects to the allottees by the time specified by the Board. In case of delay in handing over possession, the builder shall pay mark up to the allottee at the rate of prevailing bank rate on the total amount paid for the entire period of delay calculated from the completion time specified by the Board or extension granted thereof.

113. Abandonment of the project.- If, for any reason, the project is abandoned by the builder, the builder shall refund the total amount received from the purchaser with mark up at the prevailing bank rate for the whole period of retention of the money, along with an additional compensatory amount equal to ten percent of the amount received from the allottee up to date against the booked unit, within sixty days of the announcement to the effect of the abandonment of the project.

114. Defect liability.- The builder shall assume defect liability of the unit for a period of twelve months in respect of structure and six months in respect of fixtures from the date of offering possession of the unit after obtaining occupancy certificate and all defects, if any, shall be rectified by the builder at his own expense.

115. Sale or transfer of the project.- No builder shall sell or transfer the project to anyone unless prior approval of the Board is obtained and unless no objection certificate NOC from the two-third majority of the allottees is obtained in this favour. The new builder, if any, shall assume all the responsibilities and liabilities of the agreement made between the outgoing builder and the allottees in addition to the obligations towards the Board.

116. Formation of association and maintenance of utilities.- The builder shall form a management committee comprising of the representatives of the builder and the allottees or the allottees may themselves form an association to handle the affairs of the project and the maintenance of the services and amenities at mutually agreed terms and conditions. A monthly service charge shall be levied upon every allottee for the subject purposes.

117. Settlement of disputes.- All disputes between the builder and the allottee shall be referred to the Board for appropriate decision. Any appeal against the decision made by the Board may be filed before the Director, Military Lands & Cantonments Departments, Peshawar Region whose decision shall be binding and final.

118. Use of amenity spaces or places.- Common-use areas, amenity spaces, recreational areas and parking areas in the project shall neither be converted nor misused and shall be utilised exclusively for the benefits of the allottees of the project as per the approved building plan.

119. Betterment charges.- The builder shall pay betterment charges as fixed by the Board from time to time for services' up-gradation required in the area while granting approval of commercial and residential-cum-commercial building plans having more than four floors. Such charges shall be liveable at per sq. ft basis from the fifth floor onwards to the top. The betterment charges shall also be liveable at the time of regularization and completion of a building plan having more than four storeys.

CHAPTER-XIII VIOLATION OF BYE-LAWS

120. Removal or prevention of violation.- (1) In addition to the vested powers of the Board under sections 185 and 256 of the Act, the Cantonment Executive Officer (CEO) or his authorized officer or official shall take appropriate measures to ensure compliance with these bye-laws.

(2) If it is found that any of the provisions of these bye-laws or any rules relating thereto or any conditions of a grant or approval by the Board are being or have been violated, a notice in writing shall be served upon the person liable for the violation.

(3) The notice issued under sub-bye-law (2) shall indicate the nature of the violation and shall state the orders of the Cantonment Executive Officer (CEO) for demolition or about the required action for rectification of the violation including but not limited to.-

- (a) the discontinuance of the noticed violation in relation to these bye-laws within the given time frame;
- (b) in case of non-compliance of the above served notice, requiring the liable person to show sufficient cause in writing within a given time frame that why punitive action may not be adopted against him which may include entering upon the premises and sealing it thereof;
- (c) if the liable person fails to show sufficient cause to the satisfaction of the Cantonment Executive Officer (CEO), he may issue orders for entering upon and sealing of the premises till such time when the liable person demonstrates his sincerity and submits an affidavit ensuring the requisite remedial action at his end as ordered in the served notice. The expenses incurred thereon shall be recoverable from the liable person in the manner provided for the recovery of arrears of land revenues or taxes; or
- d) for compliance with these bye-laws the Cantonment Executive Officer (CEO) may direct for requisite action through departmental means as specified in the served notice at the risk and cost of the liable person. The expenses incurred thereon shall be recoverable from the liable person in the manner provided for the recovery of arrears of land revenues or taxes.

(4) The giving of notice and making and serving of an order under these bye-laws shall not be a prerequisite to the initiation of, and shall not bar, any prosecution under any applicable law and the Board may take action under these bye-laws whether or not a prosecution has been initiated.

121. Special provision.- The Board may, as one time measure, regularize unauthorized floors or storeys in residential buildings built prior to the notification of these bye-laws against such composition fee as fixed by the Board.

122. Repeal. - Bye Laws for regulating the erection, re-erection or alteration of buildings in the Peshawar Cantonment notified vide Notification No. 1104/72, dated 23rd June 1972 are hereby repealed.

FORM-I

[See bye-law 4 (1) and 5]

APPLICATION FOR SANCTION OF PLANS

The
Cantonment Executive Officer,
Peshawar Cantonment.

(Please tick the correct box)

1. In pursuance of Section 179 of the Cantonment Act, 1924, (II of 1924), I/We hereby apply for permission to erect/re-erect/make additions to and/or alterations (in the) building on Survey No. _____, Plot/Property No. _____ situated at _____ Peshawar Cantt, in accordance with the Building Plans submitted herewith for sanction.

2. Necessary particulars are given below and certified to be true:-
 - i. Land Holding (Lease / Form etc) _____

 - ii. Description of land as per GLR extract etc.
Residential Commercial Residential-cum-Commercial

 - iii. Intended use of proposed building works _____
(Residential/Commercial/Commercial-cum-residential/Amenity)

 - iv. Description of the proposed building works _____
(Covered area & Floors etc)

3. Particulars/Enclosures:
 - i) Four ammonia copies of proposed plans along with the site plan for building committee and seven copies (one ferro copy cloth or linen mounted and other six copies in ammonia print) shall be submitted for final approval.

 - ii) Receipt No. of payment of scrutiny fee _____

 - iii) Copy of power of attorney in case the owner is not submitting the plans him/her self.

4. Mr/Ms. _____, Registered Architect/Engineer, Registration No. PEC/PCATP _____, Cantonment Board Peshawar Registration No. _____ is hereby authorized by me/us to take action required to be done under these bye-laws on my/our behalf.

5. I/We undertake that I/we shall be personally responsible for any violation of these bye-laws and conditions, if any, accompanying the sanction of the plan/plans.

Signature: _____

Owner/Lessee/Allottee Attorney

Address: _____

Dated: _____

REGISTERED ARCHITECT OR ENGINEER'S CERTIFICATE

(To be accompanied with Form-I)

This is to certify that the building plans submitted by _____ for
Survey No. _____, Plot/Property No. _____
have been prepared by me/us and that I/we undertake to supervise the proposed
construction according to the approved building plan, and as per specifications submitted
herewith in triplicate and I/we further undertake that if I/We discontinue supervision of
the work, I/we shall give immediate intimation to the office of the Cantonment Board
Peshawar, thereof, as required under the above bye-law.

Name & Signatures of Architect / _____
Civil Engineer/Structural Engineer

Registration No. of PEC/PCATP _____

Category of Registration: _____

CBP Registration No. _____

Date: ____/____/____.

SPECIFICATIONS ATTACHED:

1. Nature of the soil below foundation (for buildings taller than G+2 Floors)
2. Specification of foundation.
3. Specification of plinth.
4. Specification of superstructure.
5. Specification of floor.
6. Specification of roof.
7. Specification of drainage and sewerage.
8. Kinds of slabs etc.

NOTICE OF DISCONTINUANCE

The
Cantonment Executive Officer,
Peshawar Cantonment

I hereby give notice of my discontinuance from the building works with effect from ____/____/____ as the Registered Architect/Civil Engineer/Structural Engineer in respect of Plot No. _____ situated at _____ Peshawar Cantt. It is certified that the aforementioned building work on the said plot is at the stage of construction on _____ level and ____ % ; and has been carried out under my supervision and is to my entire satisfaction as per governing bye-laws so far.

Name & Signatures of Architect / _____
Civil Engineer/Structural Engineer

Registration No. of PEC/PCATP _____

Category of Registration: _____

CBP Registration No. _____

Date: ____/____/____.

Description of the work:

- 1.
- 2.
- 3.
- 4.
- 5.

Copy to:-

_____owner

_____ Peshawar, Cantt.

CERTIFICATION OF STRUCTURAL SOUNDNESS OF BUILDINGS

I / We certify that:

1. I/We have been appointed as consulting Structural Engineers by Mr./Mrs./M/s. _____ for the structural design of the building on Plot No. _____ situated on _____ Peshawar Cantt on ___ / ___ / _____

Which:

- a. Is likely to be constructed from _____ / _____ / _____
 - b. Is under construction since _____ / _____ / _____
 - c. Has been virtually completed on _____ / _____ / _____
 - d. Stage of construction _____
 - e. No. of storeys designed _____
2. The structure designed has been based on following codes/bye-Laws rationally coupled with engineering knowledge and judgement where necessary:

3. a. The sub-surface investigation was carried out by M/S _____ on ___ / ___ / _____. Report attached as Annexure - I.

- b. A design bearing capacity of _____ Tons / Sft was adopted based on _____

4. Our/my contractual responsibilities were/are limited to:

- a. Structure analysis and design.
- b. Preparation of working structure drawings.
- c. Preparation of bar bending schedule.
- d. Checking bar bending schedule prepared by the contractors/constructors/builders.
- e. Survey Report

5. The following documents are attached:

- a. Structure Report
- b. Set of working structural drawings.
- c. Set of bar bending schedule.
- d. Set of design calculations sheet.
- e. Set of specifications relevant to structural work.

Name of Structural Engineer: _____

Signature _____

PEC & CBP Registration Nos. _____

VERIFICATION OF BUILDING AT DIFFERENT CONSTRUCTION STAGES

The
Cantonment Executive Officer,
Peshawar Cantonment

1. I/We hereby inform that I/We have commenced the building works on Survey No. _____ Plot No. _____ located at _____ Peshawar Cantt, and also to bring into your notice that the following important stage of construction of building has been completed (i.e. the foundation, plinth and pouring of all roof levels as the case may be);

2. You are, therefore, requested to depute a representative to verify the building line at the above mentioned foundation level/plinth level/roof levels so as to enable me/us to carry out the building works further.

Owner's Signature & Address: _____

B. ARCHITECT'S & PROOF/STRUCTURAL ENGINEER'S CERTIFICATE

I / We hereby certify that the construction stage of building has been completed at the foundation/plinth/pouring of roof level/s _____ on Survey No. _____ Plot No. _____ situated at _____ Peshawar Cantt and has been carried out in accordance with the sanctioned plan. And, also I/We are fully responsible for the works carried out by the owner/lessee/allottee/builder.

Registered Architect: _____	Registered Structural /	
Signature: _____	Proof Engineer:	_____
CBP License No. _____	Signature:	_____
PCATP Registration No. _____	CBP License No.	_____
	PEC Registration No.	_____

NOTICE OF COMPLETION

The
Cantonment Executive Officer,
Peshawar Cantonment

(Please tick the correct box)

I/We hereby give notice of completion of building/additions or alteration in the building on Survey No. _____ Plot No. _____ located at _____ Peshawar Cantt, together with drainage and water arrangement therein and apply for permission for occupation of the said building.

2. Please provide the factual information;

- A. Land status
Residential Commercial Residential-cum-Commercial
- B. The said works have been carried out in accordance with the sanctioned Building Plan received vide letter No. _____ dated _____ OR
- C. The building has deviations from the approved building plan and Form VIII is provided herewith for the purpose.

Owner's Signature,
Address & Tel. No.

Dated: ____ / ____ / _____.

ARCHITECT'S CERTIFICATE

I/We hereby certify that the building/additions or alterations of the building on Survey No. _____ Plot No. _____ located at _____ Peshawar Cantt have been completed/partly completed under my supervision and to my satisfaction in accordance with the sanctioned building plan vide letter No. _____ dated _____ .

Registered Architect / Engineer: _____

Signature: _____

CBP License No. _____

PEC/PCATP Registration No. _____

CENTRE REGULARIZATION OF WORKS CARRIED OUT WITHOUT PERMISSION

The
Cantonment Executive Officer,
Peshawar Cantonment

(Please tick the correct box)

Whereas, I / We have constructed _____ on Survey No. _____
Plot No. _____ located at _____ Peshawar Cantt
held from the purpose of Residential Commercial Residential-cum-
Commercial as shown on the plan attached herewith without your prior approval
and/OR

Whereas, I/We have made deviations from building plans sanctioned vide letter No.
_____ dated _____ in the
course of construction of the building/ additions and alteration to the building as shown on
the pans attached herewith and

Whereas the said exiting structure is not inconsistent with any provision of the Act or the
bye-laws framed there under and I / we are willing to make any alterations required to be
made in the said structure so as to make it consistent with the provisions of the Act and the
bye-laws and

Whereas I/We are willing to pay the composition fee imposed by the Board for
regularization of the said unauthorized and offensive construction/deviations from
approved plan or in violation of a bye-laws;

It is, therefore, requested that the subject plans may please be compounded/ regularized by
way of composition as per law and permission to occupy the said building may be granted.

Owner's Signatures
& Address _____

ARCHITECT'S & STRUCTURAL ENGINEER'S CERTIFICATE

B. I/We hereby certify that existing structure on Survey No. _____ plot No.
_____ located at _____, Peshawar Cantt has
been fully and correctly shown on the plan submitted by me and I/We further certify that
the building is structurally stable. Necessary structural calculations and details are attached
herewith.

Registered Architect & Structural Engr: _____
Signature : _____
CBP License No. _____
PEC/PCATP Registration No. _____

SCHEDULE - II [See bye-laws 93, 94, 95]
PROJECT DIGEST FORM

Subject: NO OBJECTION CERTIFICATE FOR SALE AND ADVERTISEMENT OF HOUSING UNITS/FLATS/SHOPS/OFFICES/BUNGALOWS ETC.

I/We, _____ S/D/W/of _____
working in the capacity of _____
with (Name of Owner/Builder) M/s _____
whose registered office is situated at _____

(Address of Owner/Builder's Office)

_____ hereby apply for grant of NO OBJECTION
CERTIFICATE for sale and Advertisement of Housing units flats/houses/shops/offices etc.
at our project namely _____ located on Survey No. _____, Plot
No. _____ situated at _____

(Address of Project)

The required information/documents are supplied on the prescribed Project Digest Form as enclosed.

Signature of CBP Approved
Architect with Registration No. _____

Signature of Applicant /
Builder

Name & CNIC _____

Name & CNIC _____

Seal of the CBP Architectural Firm

Seal of Owner / Applicant / Owner
Construction Co.

Please read the following instructions carefully and follow them strictly;

1. Incomplete applications shall be rejected out rightly. Applications containing incorrect information or mis-representation of facts shall be rejected.
2. Applications for NOC should be made on the original set of forms issued by the Cantonment Board, Peshawar on prescribed fee and no Photostat forms shall be accepted.
3. In case the applicant is other than the owner then a registered power of attorney in favour of the applicant duly signed by all concerned should be submitted.
4. In case of insufficient space for entries, please attach separate sheets for details, duly signed and sealed.
5. After initial scrutiny, objection/s letter may be issued for compliance.

SCHEDULE-I
[See bye-law 4(1)]

Scrutiny and Building plan approval fees currently payable to the Board shall be as follows, unless modified by the Board subsequently;

i.	Building Plan Fee (Residential)	Rs. 2/- per Sft of covered area subject to a minimum of Rs. 2000/-
ii.	Building Plan Fee (Commercial)	Rs. 5/- per Sft of covered area subject to minimum of Rs. 3000/-
iii.	Scrutiny Fee	Rs. 1000/- for Commercial & Rs. 500/- for Residential
iv.	Security (refundable after successful completion)	Rs. 25 per Sft for commercial & Rs. 0.15 per Sft for residential of covered area.
v.	Building Application Tax	Rs. 0.20 for commercial & Rs. 0.10 for residential of covered area
vi.	Water charges	Rs. 3/- per Sft for commercial & Rs. 2/- per Sft for residential of covered area.
vii.	Sewerage charges	Rs. 1000/-
viii.	Non utilization fee	Rs. 500/- per marla
ix.	Extension of Building Plan	Rs. 1000/- for Residential & Rs. 5000/- for Commercial

NOTE:— Photocopy charges are not included in the aforesaid rates. (Applications shall be charged separately for these).

[No. 23/1/P&MA/ML&C/2012/ 4/10/D-6(A-IV)/2013]

Sd/- x x x
(Asad Naeem)
Section Officer
Seal