19.1 The Tamil Nadu Panchayats Building Rules, 1997

(G.O. (Ms) No. 255, Rural Development (C2) Department, Dated 18.8.1997)

In exercise of the powers conferred by clause (xxxiii) of sub-section (2) of Section 242 of the Tamil Nadu Panchayats Act, 1994 (Tamil Nadu Act 21 of 1994), and in supersession of the Tamil Nadu Panchayats Building Rules, 1970, made under the Tamil Nadu Panchayats Act, 1958, the Governor of Tamil Nadu makes the following Rules:—

RULES

1.Short title, extent and commencement

(1) These Rules may be called the Tamil Nadu Panchayats Building Rules, 1997.

(2) They shall apply to the whole of the areas which come under the purview of the Tamil Nadu Panchayats Act, 1994 (Tamil Nadu Act 21 of 1994), excluding the areas to which the provisions of Chapters IX and X of the Tamil Nadu District Municipalities Act, 1920 (Tamil Nadu Act V of 1920) are extended and are applicable.

(3) They shall come into force at once.

2.Definitions - In these Rules, unless there is anything repugnant in the subject or context,—

(a) “Appendix” means an appendix to these Rules;

(b) “continuous type” means a series of buildings in a continuous row where there will be—

(i) open space left in the front and rear sides and interior portion; and

(ii) no open space on either side by such buildings except in the side of the first and the last building;

(c) “detached type” means a single house with open space on all sides;

(d)“dwelling house” means a house designed or intended to be used wholly or principally for human habitation together with such out-buildings, latrines and other erections as are ordinarily used or intended to be used therewith or building used for cottage industries;

(e)“Executive Authority” means the President of the Village Panchayat;

(f)“Government” means the State Government;

(g)“public building” means any building to which the public or any class or section of the public are granted access or any building which is open to the public or any class or section of the public and includes any building—

(a) used as a—

(i) Educational Institution including School or College; (ii) hostel; (iii) library; (iv) hospital, nursing home, dispensary, clinic, maternity centre or any other like Institution; (v) club; (vi) lodging house; (vii) coffee house, boarding house or hotel or an eating house;

(b) used by any Association;

(c) ordinarily used by the—

(i) Central or any State Government or any Local Authority or any body Corporate, owned or controlled by the Central or any State Government;

(ii) Public or any class or Section of the public for religious worship or for religious congregation;

(h) “plot” means a continuous portion of land held in single or joint ownership other than land used, allotted or set apart for any street, lane, passage, pathway or other common public purposes; and

forming its appurtenances such as out-buildings, yard, court, open space and garden attached thereto or intended to be occupied therewith.

3. Application for approval of lay-out of sites - (1) No owner or other persons shall lay-out a street, land, passage or pathway or sub-divide or utilise the land or any portion or portions of the same on the site or sites for building purpose until a lay-out plan has been approved by the Executive Authority who shall get prior concurrence of the Director of Town and Country Planning or his authorized Joint Director or Deputy Director of Town and Country Planning for such approval. In cases of lay-out abutting National highw ays, State highw ays and by-pass roads thereof, the concurrence of the Divisional Engineer (Highw ays and Rural Works) under whom the control of the road is vested shall also be obtained by the Executive Authority. The application for approval of such lay-out plan or sub-division shall be submitted to the Executive Authority in the form specified in Appendix-A with such variation as circumstances may require;

(2) The application shall be accompanied by a lay-out plan or plans (in triplicate) of the land to be laid out into house-sites, as far as may be necessary;

(3) The application for lay-out approval shall be accompanied by an up-to-date encumberance certificate of the land specifying ownership and also the authenticated survey sketch. It shall be entertained only from the owner of the land or from any other person who possesses the power of attorney duly registered.

(4) The owner of the land to be laid out shall while submitting the application and plans required under sub-rule (1) submit a letter of consent relinquishing the land required for such streets, lanes, passages, common construction and pathw ays in favour of the Executive Authority.

(5) Every street, land, passage and pathway shall be demarcated, formed and constructed including paving, metalling, flagging, channeling, swering, draining, conserving and lighting by the owner of the land in accordance with the provision of the lay-out for the proper development of the area ensuring safety and convenience of the public and all expenses incurred thereof shall be paid by the owner of the land at his expenses, while submitting the application required under sub-rule(1).

(6) The owner of the land to be laid out shall not proceed to sub-divide or utilize the site or sites intended for building purposes unless he has complied with the requirements of sub-rules (1), (2), (3), (4) and (5).

(7) The Executive Authority may require the applicant to furnish any information which has not already been furnished or to satisfy him that there are no objections which may lawfully be taken to the grant of approval.

(8) If, any information required under sub-rule (7) is in the opinion of the Executive Authority, incomplete or defective, he may require further information to be furnished.

(9) If, any requisition made under sub-rule (7) or (8) is not complied with, within one month, the application shall be rejected.

(10) The Executive Authority may as soon as may be, after sixty days from the date of receipt of the application –

(a) grant the approval applied for either absolutely or subject to such conditions as he thinks fit to impose; or

(b) refuse approval if he is opinion that such work is contrary to the conditions specified under the approved plan.

(11) No site or any new lay-out of site lying within a distance of thirty metres from the railway boundary shall be used as a site for the construction of a building or to a hut shall have masonry construction.

4. Application for approval of sites for building and huts - (1) Every person who intends, to construct or reconstruct or alter or add to a building or to a hut shall submit an application to the Executive Authority for the approval of the site and for permission to execute the work, in the Form specified in Appendix-B, with such variations as circumstances may require which shall be accompanied by—

(a) a site plan (in triplicate) of the land on which the building or hut is to be constructed, reconstructed or altered or added to as far as may be necessary, complying with the requirements specified in Appendix-C;

(b) a plan or plans (in triplicate) of the building or hut to be constructed, reconstructed or altered or added to as far as may be necessary, complying with the requirements specified in Appendix-D;

(c) a specification (in triplicate) as far as may be necessary complying with the requirements specified in Appendix-E; and

(d) the information as to the purpose for which the building or hut is proposed to be constructed, reconstructed or altered or added to:

Provided that the construction or reconstruction or addition or alteration to residential houses, all such other public buildings like commercial buildings, hotels, resorts and factory buildings exceeding a plinth area of 250 square metres in the Panchayats of Nilgiris district shall be approved by the Executive Authority after obtaining the permission of the Committee for Architectural and Aesthetic Aspects headed by the Collector of the Nilgiris district.

(2) The application as well as plan specifications and the information as required under items (a), (b), (c) and (d) of sub-rule (1) shall be signed by the owner of the site or accompanied by a letter of authority or consent from the owner of the site, if the applicant himself is not the owner.

(3) No site shall be used for the construction of a building intended for public worship or religious purposes without the prior approval of the Collector of the district who may refuse such approval, if in his opinion, the use of the site and buildings is likely to endanger public peace and order.

(4) No site which is situated within a distance of ninety metres from a place used as a burning or burial place or ground shall be used for construction of any building, without the previous approval of the Executive Authority and no building intend for human habitation shall be built within ninety metres of such burning or burial place or ground, unless such burning or burial place or ground was closed for burning or burial of corpses remained so closed for a period of not less than five years, as ascertained from the record maintained by the Village Panchayat;

Provided that no existing building situated within ninety metres from any burning or burial place or ground shall be reconstructed or added to without the previous approval of the Executive Authority.

(5) No approval to the construction or reconstruction, or addition or alteration to a building shall be given in case where the clearance between the building and the aerial line has been than—

(a) 1.5 metres for low tension lines, 1.75 metres from high tension lines from accessible portions or buildings measured horizhontally and 1.25 metres for both low tension and high tension lines from inaccessible portions measured horizontally;

(b) 2.5 metres from portions of buildings not accessible to persons measured vertically; and

(c) 4.5 metres from accessible portions of buildings measured vertically.

(6) For effective conservation of rain water, no approval to the construction or addition or alteration to a building (other than a hut) including houses constructed by Government for below poverty line families under the poverty alleviation programmes or building constructed by any agency under the control of the Government, shall be given if the application for construction,

re-construction, alteration or addition to such a building does not contain provision for water conservation and rainw ater harvesting as specified below:—

(A) Tiled and sloped terrace building - (1) In the tiled or sloped building, semi circular gutters of width 15 to 25 centimetres of plastic or any other material shall be provided on the down side roof slopes of the building for harvesting rain water. The gutter shall be connected at the down stream end with a down pipe of 75 to 100 millimetres diameter, depending upon roof area and size of tank to convey the harvested rainwater from gutters to a plastic or other material storage tank or sump (through a filter unit). An inlet screen (wire mesh to prevent entry of dry leaves and other debris into the down-pipe shall be fitted. The collected rainwater from the roof shall be allowed to pass through a filter unit. The filter unit shall be filled with suitable filter material such as well-burnt broken bricks (or pebbles) up to 5 centimetres from top. The top 15 centimetres shall be filled up with coarse sand. The filter unit shall be placed either over a storage tank or at bottom of the down pipe.

(2) The filtered rain water shall be collected in a collection tank or storage tank placed over the ground or underground. The shape of the tank shall be cylindrical, rectangular or square of suitable size capacity ranging from 1000 to 10,000 litres or even higher depending on the roof area. The material of construction shall be brick work, stone work, cement bricks, ferro-cement, high density polyethylene (HDPE), plain cement concrete or reinforced cement concrete. The storage tanks / collection tanks shall be provided with pipe mixtures at appropriate places to draw the water to clean the tank and to dispose of the excess water depending upon use / reuse either to open well / borewell or to a percolation pit.

(B) Ordinary Building (ground + first Floor) - (1) Percolation pits of 30 to 45 centimetres diameter and of depth adequate not less than one metre to recharge the ground, shall be made. This pit shall be filled with suitable filter materia1 such as well-burnt broken bricks (or pebbles) up to 15 centimeters from top. The top 15 centimetres shall be filled up with coarse sand. The top of this pit shall be covered with perforated reinforced concrete cement (RCC) slab or of any other material, wherever considered necessary. The number of such percolation pits shall be provided on the basis of one pit per 30 square metres of available open terrace area / plinth area. The cross distance between the pits shall be minimum 3 metres.

(2) Wherever an open well or borewell as the case may be is available within the building premises the rain water collected from the open terrace shall be collected through pipes of 150 millimetres diameter or other suitable sizes and led to filter pit of size 60 centimetres x 60 centimetres x 60 centimetres (with appropriate filter material) and then led into the openwell / borwell through 150 millimetres diameter or other suitable pipes.

(3) Wherever existing water storage sumps are available, the rain water so collected, after it passes through the filter, shall be allowed to flow to the sump through closed pipes. An overflow pipe shall be provided to the storage sump so that the surplus water is led into the nearby openwell / borewell / percolation pit.

(C) Ordinary building (ground + 2 floors and above) and multi storeyed building - (1) The specification detailed in item 'B' above for ordinary building (ground + first Floor) shall also applicable to building specified in this category.

(2) In addition to the percolation pits of 30 centimetres diameter shall be provided at 3 metre interval, a pit of 1 to 1.5 metres width and appropriate depth, so as to recharge the ground, shall be provided all along the plinth a boundary depending upon the soil classificiation below ground. This pit shall be filled with appropriate filter material namely, broken bricks, pebbles, broken stones etc., at the bottom and the top 15 to 25 centimetres shall be filled with coarse sand. The ground / pavement surface around the building shall be sloped towards the percolation pit so that rain water from terrace and sides, open spaces etc., flow over this sloped surfaces and spread into the filter bed all around. Masonry dwarf walls of 5 to 7.5 centimetres or of suitable height depending upon the site conditions shall be constructed, if necessary, at the entrance and exit gates to allow the rain water collected within the compound to recharge the ground within the premises itself and from draining out to the road.

(3) If the sub-soil is not a permeable one (namely clay or black cotton) appropriate recharge structures, namely recharge shaft, or bore pit shall be provided below the filtration pits so as to recharge the ground.

(D) Group development, industries and institutional building - (1) For buildings for ground + first floor or ground + 2 and above located within group development institutional and industrial premises, the specification detailed in items A, B and C above shall apply.

(2) The surface run off rain water, in the open spaces within the group development / industrial institutional / premises shall be allowed to run towards collection drains of suitable size and these drains shall be constructed as rainwater-friendly storm water drains. All the approach and access roads to the buildings within the group development / industrial / institutional premises shall also be provided with rain water-friendly storm water drains. These rain water-friendly storm water drains shall not have paved bottom. If, adequate spaces are available in low lying areas, percolation ponds of suitable size shall be formed and these rain water-friendly storm water drains shall be led into the percolation ponds for recharging the ground.

(3) For other localized low lying areas, recharge pits of size of minimum 1 metre x 1 metre x 1 metre diameter shall be provided wherever needed, so as to prevent rainwater stagnation around the building. For other places catch water pit structures of size 30 centimetres diameter and 30 centrimetres depth or higher depth as necessary shall be provided wherever necessary. For existing pave storm water drains, catch-water pits of 30 centimetres diameter and 30 centimetres depth or higher depth, as necessary, shall be provided at the bottom of these drain at 10 to 15 metres intervals. These catch water pits shall be filed with appropriate filter material as described in item 'B' item above for ordinary building (ground + first floor).

Explanation - Any other modifications, additional structures or alternative designs, furnished by the applicant shall be considered for approval, if it conforms to rain water harvesting concept to the satisfaction of the competent authority for building plan approval. Provision of water harvesting structures for re-use of used water like water emanating from kitchens and bathrooms for flushing toilets, gardening etc. shall be considered for approval on its merits:

Provided that the Government may grant one year time to comply with rain water harvesting in all existing buildings which may extendable up to two years in case of below poverty line families.

4-A Provision of Rain Water Harvesting Structure - Notwithstanding anything contained in these Rules,

(1) in every building owned or occupied by the Government or a statuary body or a Company or an Institution owned or controlled by the Government, rain water harvesting structure shall be provided in the manner specified in sub-rule (6) of Rule 4, on or before the 10th October 2003;

(2) (a) Subject to clause (1), every owner or occupier of a building shall provide rainwater harvesting structure in such building in the manner specified in sub-rule (6) of Rule 4, on or before the 31st August 2003. If the owner or occupier of the building fails to provide the said rain water harvesting structure by the said date, the Executive Authority or any person authorized by him in this behalf may after giving notice to the owner or occupier of the building, cause rain water harvesting structure to be provided in such building and recover the cost of such provision along with the incidental expenses thereof in the same manner as property tax. This however, does not absolve the liability of the owner or occupier of the building from providing the rain water harvesting structure even after the 10th October 2003.

(b) if the owner or occupier of the building fails to provide rain water harvesting structure on or before the 10th October 2003, the water supply connection provided to such building shall be disconnected till rain water harvesting structure is provided.

5. Streets, lanes, passages and pathways - (1) The streets and access to provided in the development lay-out shall connect with an existing access way, street or road. The main

access to the development shall be well defined and as far as possible proceeding to a suitable central location of the immediate adjacent village or human habitation.

(2) No street or access shall normally be less than 7 metres in width, if the length of the access is not more than 120 metres.

(3) The main street or access to the development shall have a width of not less than 9 metres if the length of the said access or main development street is not more than 200 metres.

(4) The main access and other streets, whose length will be in excess of 200 metres shall be provided with not less than 12 metres.

(5) All the streets shall be provided with open side drains and shall be formed with metal, gravel or other hard surfacing.

(6) The streets and access ways shall be properly lighted.

(7) Culverts shall be provided wherever required. The width of such culverts shall as far as possible than 3.6 metres and they shall be provided with parapet walls at both ends up to a height of not less than 0.5 metres from the road level.

(8) The corners of two streets shall be Chamfered with a 15 metres chamfer.

(9) Streets ending blindly shall be avoided unless the length of such street is less than 45 metres.

(10) All streets which have width of 9 metres and over shall be provided with marginal trees planted alternately on the opposite sides and at a distance of not less than 9 metres and at a distance of one metre from the street edge.

(11) The trees for the avenues should be selected in accordance with the local conditions and should be the fast growing and good shade giving trees yielding flowers of varying colours and hues as recommended in the lay-out and to the satisfaction of the Executive Authority.

6. Space about building - (1) The building shall be erected in a site whose minimum size shall be 9 metres width and 15 metres depth;

(2) Continuous type building shall be allowed with a minimum rear open space of 3 metres.

(3) Semi-detached type building shall be allowed with a minimum rear open space of 3 metres and side open space of 1.5 metres.

(4) Detached buildings may be allowed as per the table for all category of buildings. The open space around the building shall be as follows:—

7. Foundation and basement - The building shall be built on proper foundations and shall be provided with a basement of not less than 0.5 metres high from the adjacent ground level.

8.Flooring - Flooring shall be made of such impervious material or be of well rammed earth with cow dung wash or of tiles, cement such other flooring material.

9.Minimum size of rooms - Every room intended for human habitation shall have an area of not less than 7.2 square metres provided that the kitchen room may have an area of not less than 3.6 square metres.

10.Walls - Walls shall be built of such materials as may be approved by the concerned authority with suitable damp-profing at the basement level.

11.Height of rooms - The average height between the floor and the under side of the roof of a living room shall be not less than 2.4 metres.

12.Ventilation - Every living room shall be provided with adequate windows and ventilators, for securing effective ventilation. In no case shall the total area of windows and ventilators of a room be less than 1/5th of its floor area. Only ventilators or windows that connect directly with external air and about on an open space shall be deemed to ventilate the room provided that ventilator or window opening into an open verandah or other overhead covering, the width of which is not over 2.4 metres shall also be deemed to connect with external air.

13.Flues and chimneys - Every kitchen or every room where a fire is lit shall be provide with sufficient means for the escape of smoke or the products of combustion, directly above every fire place.

14.Sanitation - (1) The site shall be well drained and all sullage water shall be collected and drained off into the street drain unless separate provision is made for utilisation of domestic sullage for cultivation or gardening purposes. In no case, shall water be allowed to stagnate in the site or to form pools.

(2) Every site appurtenant to a house shall be laid out with such garden or cultivation or shall otherwise be kept clean and tidy at all times and also be kept free from water logging. Removal of earth from the site and creation of hollows shall be forbidden.

15. Latrine - (1) Every House shall be provided with a latrine of such specifications and size as may be determined by the Executive Authority and every latrine shall be located only at rear corner of the site.

(2) Where a latrine provided is of a hand removal type such latrine shall not be provided with trap doors opening into conservancy lane or a street. As far as possible independent means of access should be provided to the conservancy cleaning staff for entering the latrine and for undertaking the cleaning operations.

16. Cattle-shed - Every cow shed or cattle-shed shall be provided with an impervious flooring and adequate facilities for drainage of urine and removal of refuses which should be collected and disposed off as may be determined by the concerned authority.

17.Fencing and compound wall - Each site shall be fenced suitably either with live fencing or other fencing or a compound wall. No such fencing and compound wall shall have a height of more than 1.5 metres from the ground level. A gateway shall be provided in the front where the site abuts on a street and in addition suitable door way shall be provided at the rear the site abuts on a conservancy or rear access lane.

18.Common amenities - In every lay-out which has a provision for more than 10 houses, the following minimum standard of amenities shall be provided:—

(1) An open space for common public use as park, plyground or recreation ground to an extent not less than 10 per cent of the total area of the lay-out.

(2) Such open spaces and common amenities shall be so distributed in order that one such open space shall be available for every group of 25 houses.

(3) There shall be provided one or more public wells, public baths and latrines in every lay-out to the satisfaction of the Executive Authority.

(4) Facilities such as shopping, recreation centre, community hall and library shall be provided in accordance with the size of the development and based on the following standards:—

(a) For every 100 persons, there shall be at least one shop; and

(b) For every 1000 persons, there shall be a common children playground, a primary school, a community hall, a library and a recreation centre.

(5) Separate provision shall be made in every development site specifically reserved for temple, church, mosque and other religious institutions as may be necessary:

Provision shall be made for burial of the dead or their cremation at suitable locations away from the residential and other developments and no burial or burning shall be permissible within 90 metres of the development.

19. Space about huts - No portion of a hut shall be placed with 1.75 metres of a masonry or wooden building, provided that there shall be a minimum open space of 1.25 metres between the eaves or between the eaves of the hut and a masonry wall, as the case may be.

20. Height of huts - (1) No hut shall be of more than one storey not exceeding 3.75 metres in height measured from the top at the plinth to the junction of the eaves and wall.

(2) The wall of the hut, at a junction of a eaves and wall shall in no place be less than 1.75 metres in height measured from the top level of the plinth.

21. Alignment of huts - on the land exclusively set apart for the construction of huts, the huts shall be built in continuous lines in accordance with the alignment to be determined by the Panchayat.

22.Passage between rows of huts - Where an alignment determined under Rule 21 does not correspond with the alignment of the street, a passage of at least 6 metres measured from eave to eave, shall be left between the rows of huts abutting on such alignment.

23.Open courtyard among huts - Notwithstanding anything contained in Rule 21, huts may, with special sanction of the Panchayat, be built so as to form an open courtyard comprising at least one-fourth of the whole area occupied by the huts and courtyard.

24. Space between huts - Between any two huts, there shall be a space of at least 1.25 metres measured eave to eave.

25. Multi-storeyed and public buildings - Every person intending to construct, reconstruct, add to or alter any public building other than Government building shall follow the provisions of the Multi-Storeyed and Public Building Rules, 1973 issued under the Tamil Nadu District Municipa t V of 1920):

Provided that the Executive Authority shall not grant approval for construction, reconstruction, addition or alteration of any such building without consulting the concerned Joint Director or Deputy Director of Town and Country Planning.

26.Aisles and spacing rows of seats - (a) Clear aisles not less than 1.2 metres in width shall be provided at right angles to the line of seating in such number and in such manner that no seat shall be more than 3.8 metres away from an aisles measured in the line of seating.

(b) Where all the aisles do not directly meet the exit doors, cross aisles of minimum one metre width and at the rate of one cross aisle for every ten rows of seats shall be provided parallel to the line of seating so as to provide direct access to the exit.

(c) Rows of seats between aisles shall not have more than fourteen seats and in the case of such rows opening to an aisle at one end, shall not have more than seven seats.

(d) There shall be a minimum space of 85 cms between the backs of any two rows of seats and a minimum of 35 cms between the back of any seat and the front of the seat immediately behind it as measured between plumb lines.

27.Fire detecting and extinguishing systems - Every public building having a capacity of one thousand persons or more, shall be provided with either a manually operated fire alarm system coded to alert employers or attendants or with an automatic fire detection system to conform to the standards and recommendations laid down in the National Building Code of India, 1983 and to the satisfaction of the Directorate of Fire Services.

28.Extension of Tamil Nadu Special Building Rules to Panchayat areas - The provision pertaining to the Tamil Nadu Cyclone Prone Areas Special Buildings Rules, 1982 and the Tamil Nadu Industrial Township Area Development Authority Act, 1997 and the Rules made thereunder shall apply to such of those Panchayat falling in these special areas.

29. Grant of approval by Executive Authority - (1) All approvals granted under these Rules in the Panchayat shall be placed in the next Panchayat meeting for information.

(2) Any appeal against the orders of the Executive Authority under sub-rule (1) shall be made to the Collector of the revenue district concerned within thirty days from the date of receipt of the such orders. The orders of the Collector on such appeal shall be final.

30.Lapse of permission - If the construction or reconstruction of any building is not completed within the period specified, the permission shall lapse and a fresh application shall be made before the work is continued.

31. Penalty for breach of Rules - Any breach of these Rules shall be punishable with fine which may extend to Rs.100 or in case of continuing breach with fine not exceeding Rs.15 for every day during which breach continues after conviction for the first breach.

32. Power of Executive Authority to require alteration of work - (1) If the Executive Authority finds that the work,

(a) is otherwise than in accordance with the plans or specifications which have been approved; or

(b) Contravene any of the provisions of this Rule or any of the Rule or declaration made thereunder he may by notice, require the owner of the building within a period stated either—

(i) to make such alterations as may be specified in the said notice with the object of bringing the work into conformity with the said plans or provision; or

(ii) to show cause why such a alteration should not be made.

(2) If the owner does not show cause as aforesaid, he shall be bound to make the alterations specified in such notice referred to in clause (i) of sub-rule (1).

33. Stoppage of work endangering human life - Notwithstanding anything contained in any of the preceding provisions, the Executive Authority may at any time stop the construction or reconstruction of any building if in his opinion the work in progress endangers human life.

34. Demolition or alteration of building works unlawfully commenced, carried on or completed - (1) If the Executive Authority is satisfied—

(i) that the construction or reconstruction of any building —

(a) has been commenced without obtaining the permission of the Executive Authority; or

(b) is being carried or has been completed otherwise than in accordance with the plans and particulars on which such approval or order was passed; or

(c) is being carried on, or has been completed in breach of any of the provisions of this Rules;

(ii) that any alterations required by any notice issued under these Rules have not been duly made; or

(iii) that any alteration of or addition to any building on any other work made or done for any purpose, into or upon any building has been commenced or is being carried on or being completed in breach of Rules, he may make a provisional order requiring the owner or the builder to demolish the work done or so much of it as, in the opinion of the Executive Authority, has been unlawfully executed on to make such alteration as may in the opinion of the Executive Authority be necessary to bring the work into conformity with the Rules, direction or requisitions as aforesaid or with the plans and particulars on which such permission or order was passed and may also direct that until the said order is complied with the owner or builder shall refrain from proceeding with the building.

(2) The Executive Authority shall serve a copy of the provisional order made under sub-rule (1) on the owner of the building together with a notice requiring him to show cause within a reasonable time to be named in such notice, why the order should not be confirmed.

(3) If the owner fails to show cause to the satisfaction of the Executive Authority, the Executive Authority may confirm the order with any modification as he may think fit to make and such order shall then be binding on the owner.

35. Levy of fees by Village Panchayats - The Inspector of the Village Panchayats shall notify the maximum and minimum rates specified in the Appendix-F for adoption by the Village Panchayats taking into consideration the proximity of the Village Panchayats to the nearest Municipality and ensure that the rates so determined by the Village Panchayats do not exceed the prevailing rates of the neighbouring Municipality.

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APPENDIX – A

[See Rule 3(1)]

APPLICATION UNDER RULE 3(1) OF THE TAMIL NADU

PA N C HAYATS BUILDING RULES, 1997

From

Name of the Applicant :
Address :

To

The Executive Authority,

…… Village Panchayat.

Sir,

I intend to lay-out the plot of land or lands in Survey No. _____ Street or road named _____ measuring _____ under Rule 3(1) of the Tamil Nadu Panchayats Building Rules, 1997.

I forward herewith in triplicate a lay-out plan / plans of the plot of land to be laid out.

I intend to use the lay-out sites for the _____ purpose.

I request that the lay-out plan may be approved and permission may be accorded to execute the said work.

Place :

Date : Signature of the Applicant.

CONDITIONS

(i) I agree not to proceed with lay-out of the house-sites or plots until the approval is signified by the Executive Authority required under the Tamil Nadu Panchayats Building Rules, 1997.

(ii) I agree not to dispose off any house-site or plot unless the lay-out has been approved by the Executive Authority.

(iii) I agree not to do any work otherwise than in accordance with the lay-out plan which has been approved or in contravention of any of the provision of the Act or any Rule, bye-law order or other declaration made thereunder or any direction or requisition lawfully given or made under the said, Act, Rules or bye-laws.

(iv) I agree to make any alterations which may be required by any notice issued or by any order confirmed by the Executive Authority.

(v) I agree to keep my site open at all times for the inspection of the Executive Authority or any officer authorised by him in that behalf.

(vi) I agree to relinquish the lands required for streets, lanes, passages and pathways in favour of the Executive Authority authorizing him, making of such streets, lanes, passages and pathways.

(vii) I agree to carry out demarcation, formation and construction of streets, lanes, passages and pathways including leveling, paving, metalling, flagging, channeling, sewering, conserving and lighting in accordance with the provisions of the lay-out approval.

(viii) I agree to furnish any information which may be required by the Executive Authority for the grant of permission to execute the work and also while executing the work.

(ix) I also agree to provide for all the common amenities as required under the Tamil nadu Panchayats Building Rules, 1997.

I certify that the land in question belongs/ does not belong to a Wakf, Hindu or Christian religious or charitable institution or to any other religious or charitable institution or Government, Quasi-Government or local bodies. I also certify that the plan of the building is in accordance with the terms of the lease agreement or is with the prior concurrence of the Tamil Nadu State Wakf Board, Chennai or the Commissioner of the Hindu Religious and Charitable Endowment Department, Chennai or Christian Religious Institution or other competent authority, as the case may be. I furnish copies of the lease agreement / letter of concurrence / plan of the building as approved by the aforesaid authority.

(The certificate is necessary only when the land belongs to any of the religious or charitable Institution or to the Government, Quasi-Government or Local Bod

APPENDIX – B

[See Rule 4(1)]

APPLICATION UNDER RULE 4(1) OF THE TAMIL NADU PA N C HAYATS BUILDING RULES, 1997

From

Name of the Applicant :

Address :

To

The Executive Authority,

…… Village Panchayat.

Sir,

I intend to construct / reconstruct / make alteration or additions to a building / hut in the site measuring _____ in revenue Survey No._____ street or road named _____ under Rule 4(1) of the Tamil Nadu Panchayat Building Rules, 1997.

I forward herewith in triplicate—

(a) a site plan of the land on which the building or hut is to be construct or reconstructed or altered or added to complying with the requirement of Appendix 'C' to the Rules;

(b) a plan or plans, of the building showing the ground plan of each floor elevation and section; (complying with the requirements of Appendix 'D' to the Rules); and

(c) a specification of the work (complying with the requirement of Appendix 'E' to the Rules).

I intend to use the building only for _____ as _____ a dwelling house / not as a dwelling house but for the purpose of _____.

I request that the site plan may be approved and permission may be accorded to execute the said work.

Place :

Date : Signature of the Applicant

Items (b) and (c) are not applicable in case of huts.

CONDITIONS

(i) I agree not to proceed with the execution of the work until approval is signified by the Executive Authority required under the Tamil Nadu Panchayats Building Rules, 1997 or permission is granted by the said authority.

(ii) I agree not to do any work otherwise than in accordance with the site and building plan and specifications which have been approved, or in contravention of any of the provision of the Tamil Nadu Panchayats Act, 1994 (Tamil Nadu Act 21 of 1994) or any Rule, bye-law order or other declaration made thereunder or any direction or requisition lawfully given or made under the said Act, Rules or bye-laws.

(iii) I agree to make any alterations which may be required by any notice issued or by any order confirmed by the Executive Authority.

(iv) I agree to keep one copy of the approved site plan and one set of copies of the sanctioned plans of the building at the site at all times when the work is in progress and also agree to see that plans are available and the building is open at all time for the inspection of the Executive Authority or any Officer authorised by him in that behalf.

(v) I agree to give notice to the Executive Authority and furnish a set of completion plans within fifteen days from the date of completion or occupation of the building, whichever is earlier.

(vi) I agree not to occupy the building that will be constructed or reconstructed by me or cause or permit it to be occupied until I have obtained a certificate from an Officer of the Public Health Department of the area as required by Sections 26 and 33 of the Tamil Nadu public Health Act, 1939 (Tamil Nadu Act III of 1939).

I certify that the land in question belongs/ does not belong to a Wakf, Hindu or Christian religious or charitable institution or to any other religious or charitable institution or Government, Quasi-Government or local bodies. I also certify that the plan of the building is in accordance with the terms of the lease agreement or is with the prior concurrence of the Tamil Nadu State Wakf Board, Chennai or the Commissioner of the Hindu Religious and Charitable Endowment Department, Chennai or Christian Religious Institution or other competent authority, as the case may be. I furnish copies of the lease agreement / letter of concurrence / plan of the building as approved by the aforesaid authority.

(The certificate is necessary only when the land belongs to any of the religious or charitable Institution or to the Government, Quasi-Government or Local Bodies.)

APPENDIX – C

[See Rule 4(1)(a)]

THE SITE-PLAN

The site-plan shall comply with the following requirements—

1. It shall be drawn by scale of not less than one centimeter to 4 metres, provided that where circumstances are such as to make a smaller scale necessary or sufficient the plan may with the counsel of the Executive Authority be a scale of one centimeter to 8 metres.

2. It shall show the boundaries of the site or plot for the building.

3. It shall give the survey number or numbers of the site or plot.

4. It shall show the street or streets with name or names, on which the site or plot abuts or those from which access to the site or plot is proposed to be obtained.

5. It shall give accurately the dimension of the site or plot.

6.It shall give the width of the street or streets on which the site or plot abuts or those from which access is proposed to be obtained.

7. It shall show whether the street or streets on which the site or plot abuts, or those from which access is proposed to be obtained are public or private and if the latter what the names of the owners of the land occupied by them are and whether they have been formed and metalled, the existing proposed or approved minimum building lines on each side of the street or streets shall also be shown.

8.It shall show the location of the proposed building on the site or plot and also the location of latrines, urinals, stables, cow-sheds and other appurtenances of the building as well as the position dimensions of the open spaces including the courtyards left in the site or plot

forming the cartilage or appurtenance of the building.

9.It shall show the position of wells, tanks, watercourse if any in the site or plot and within a distance of twenty metres from it in any direction.

10. It shall show the position and approximate height of all buildings within twelve metres of the site or plot.

11. It shall incorporate the position and sections of trial pits taken within the site or plot describing so far as may be necessary and possible, the extent nature of soil and sub-soils met with.

12. it shall, so far as may be necessary and possible, record the water-level in the well if any on the site or plot or in the adjoining well, if any with the date on which the observation was taken.

13. It shall give the relating levels of the site or plot with reference to the crown of the street or streets on which the building abuts on those from which access to the buildings is proposed to be obtained.

14.It shall also show other particulars required under any bye-laws made by the Panchayat.

15. The Executive Authority may require the owner to furnish him with any further information which has not already been given.

16. It shall not be necessary to comply with requirements of conditions 10 to 12 in the case of an application for the construction or re-construction of a hut.

17. In the case of an application for a hut, only a ground plan and section of the proposed hut showing the position, form and dimensions of the walls, rooms and roofs and the position and dimensions of windows or door ways may be furnished otherwise required by the Executive Authority.

APPENDIX – D

[See Rule 4(1)(b)]

BUILDING PLANS

1. The ground plan, plans of each floor elevations and sections of the proposed building shall be neatly and accurately drawn to a scale of not less than one centimeter to one metre.

2. The plans and sections shall show—

(i) the depth and width of the foundation and nature of the soil on which the foundation is to rest.

(ii) the level of the lowest floor of the building and the level of all courtyards and open spaces with reference to the level of the surface of the site or ground adjoining the building and, where possible, to the level of the crown of the abutting street or streets or those from which access to the building is proposed to be obtained.

(iii) the position, form and dimensions of the walls, rooms, floors, roof, chimneys and the several parts of the building and also the form and dimensions of any water closet, earth closet, privy ash-pit or cesspool to be constructed in connection with the building; and

(iv) the line of drainage of the building and the position and level or the outfall of the drains and the position of any sewer with which the drainage is intended to be connected.

3.If the construction or re-construction of a building or any temporary or permanent additions thereto, will render any aerial electricity supply line accessible to such building or structure, such line shall be shown both in the plan and section of the building or structures.

4. If it is intended to use the building or part thereof for any purpose other than a dwelling house, the information shall be shown in the plans.

5. The plan shall also show the position and dimensions of windows, doorways and ventilators.

6. The Executive Authority may require the owner to furnish him any further information so far as may be necessary to show whether the building complies with any of the provisions of the Act and the Rules and bye-laws made thereunder.

APPENDIX – E

[See Rule 4(1)(c)]

SPECIFICATION

The following particulars shall be incorporated in the specification:—

1. The materials and the methods of construction to be used for the various parts of the building.

2. The manner in which the roof and house drainage and the surface drainage of the site are proposed to be disposed of.

3. The means to access that will be available for conservancy.

4.The use or uses for which the building is intended.

5.Whether there is within the building or site, or within a reasonable distance therefrom a supply of wholesome water sufficient for the domestic purpose of the inmates of the building if it is intended to be used as a dwelling house.

6.If the building is intended to be used as dwelling for two or more families or as a place for carrying on any trade, business or industry in which not less than twenty people may be employed or as a place of public resort entertainment or other similar purposes, the means of ingress and egress in case of emergency proposed to be provided.

7.The correct extent of the site as a whole, the area occupied by the existing building or buildings, if any, and the total area that will be occupied by all buildings in the site excluding the buildings, if any, exempted under these Rules.

8.The above specification shall be required only in the case of a building other than a hut.

9.The Executive Authority may require the owner to furnish him with any further information so far as may be necessary to know whether the building satisfied all the requirements of safety and stability.

APPENDIX – F

[See Rule 35]

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