

DRAFT

CANTONMENTS

BUILDING

LAHORE REGION

INDEX

CHAPTER	DESCRIPTION OF CHAPTER
I	JURISDICTION
II	DEFINITIONS
III	ENGAGEMENT & LICENSING / REGISTRATION OF PROFESSIONALS
IV	PROCEDURE FOR SANCTION OF BUILDING APPLICATIONS
V	PUBLIC SALE PROJECTS
VI	DANGEROUS BUILDINGS
VII	TEMPORARY WORKS IN CONNECTION BUILDINGS OPERATIONS (SAFETY AND SECURITY MEASURES)
VIII	LIGHTING AND VENTILATION
IX	BUILDING STRUCTURE DESIGN & CONSTRUCTION REQUIREMENT
X	WATER SUPPLY, DRAINAGE AND SANITATION
XI	FIRE RESISTANCE AND FIRE PRECAUTIONS
XII	FIRE RESISTIVE STRUCTURAL REQUIREMENTS
XIII	LAND USE CHANGES
XIV	VIOLATIONS OF BYE-LAWS
XV	SPACE REQUIREMENTS & ABUTTING OF BUILDINGS
XVI	PARKING REQUIREMENT
XVII	BYE-LAWS FOR DEVELOPMENT OF PRIVATE LANDS
XVIII	COMPOSITION FEE SCHEDULE

CHAPTER-I : JURISDICTION

1. **Short title.-** These Bye-laws may be called the ____ Cantonments Building Bye-laws.
2. **Jurisdiction.-** These Bye-laws shall apply to the ____ Cantonment Boards which are designated as Concerned Authorities for their respective jurisdiction and purposes indicated in these Bye-laws:
3. **Application.-** (1) These Bye-laws shall come into force at once with effect from date of its Notification in the Gazette of Pakistan.

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

CHAPTER-II : DEFINITIONS

4. **Definitions.-** (1) In these Bye-laws hereinafter contained, the following terms and expressions shall have the meanings hereinafter respectively assigned to them, unless such meaning be repugnant to or inconsistent with the context or subject matter in which such words or expressions occur. Words imparting the singular number shall include the plural; words imparting the plural shall include the singular; and words imparting the masculine gender shall include feminine gender as well.
 - (i) “Act” means the Cantonment Act, 1924 (II of 1924);
 - (ii) “addition” means the addition of any unit or structure to any building or structure constructed in accordance with these Bye-laws and after obtaining the Occupancy Certificate of the building/structure being added to;
 - (iii) “allottee” means a person or a body who purchases a unit in a public sale project.
 - (iv) “alteration” means any change brought about after the approval of building plan without affecting or violating any provision of these Bye-laws ;
 - (v) “agriculture” means and includes pasture, horticulture, breeding of livestock including poultry, fish and bees, and the use of land for any purpose ancillary thereto.
 - (vi) “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;

- (vii) “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;
- (viii) “ancillary building” means a building subservient to the principal building on the same plot e.g. servant quarters, garages, guardroom, **plant room, amenities/recreation area** etc;
- (ix) "apartment" means an independent residential unit consisting of at least one habitable room, bathroom, toilet, and cooking facilities in an apartment building;
- (x) “apartment Building” means a building having more than one storey and containing more than two apartments sharing common staircase, or access space;
- (xi) “approved” means approved in writing by the Board;
- (xii) “arcade” means a covered walk way or a verandah between the shops and the road or street on which the shops abut;
- (xiii) “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;
- (xiv) “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;
- (xv) “area standards” means those zoning Bye-laws or other land development requirements or restrictions referred to in these Bye-laws, which have heretofore been, or may hereafter be, adopted for a specified area or areas by the Board whether or not as part of a detailed plan;
- (xvi) “attached building” means a building which is joined to another building on one or more sides by a common wall or walls;
- (xvii) “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;
- (xviii) “basement” means the lowest level of building partly or wholly below ground level;
- (xix) “bathroom” means a room containing a water tap or wash basin and a shower or a bathtub or a bath tray, and may be with or without a W.C;

- (xx) “bazar area” means area notified/declared as such by the Federal Government under section 43-A of the Cantonments Act 1924 under the management of Cantonment Board;
- (xxi) “Board” means respective Cantonment Board (concerned authority);
- (xxii) “building designer” means a person who had been granted license to act as such under these Bye-laws;
- (xxiii) “building line” means a line upto which any part of a building from its lowest level, including any and all foundations, or other structure, abutting on a public street or a road planned in future, public street, may extend, provided always that such line is within the property line of such building or cut line as provided in these Bye-laws of such plots;
- (xxiv) “building supervisor” means a person who has been granted a license to act as such under these Bye-laws;
- (xxv) “building works” means erection or re-erection/modification including complete or partial demolition of a building including full or partial thereof or making additions and alterations to an existing building;
- (xxvi) “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;
- (xxvii) “car porch” means a shelter or a shed for a car which is permanently open on at least two sides;
- (xxviii) “chimney” means a structure enclosing one or more flues, and includes any opening therein for the function of a heat producing appliance/fireplace;
- (xxix) “chief engineer” means the authorised engineer of the Board to effect implementation of these Bye-laws while scrutinizing building proposals;
- (xxx) “circulation area” means common public use areas such as covered passages, corridors, foyers, reception areas, entrance lobbies, lift and stairs lobbies, stairs towers etc in public use buildings;
- (xxxi) “commercial building” means a building constructed for commercial use on a commercial plot;
- (xxxii) “commercial zone” means and includes the area for shops, show rooms, stores or godowns, warehouses, shopping center, hotels or restaurants and sites reserved for

filling stations etc and does not include activities for carrying out denting, painting, welding and repair of vehicles etc;

- (xxxiii) “completion plan” means a plan showing built-up details submitted to the Board for the purposes of obtaining completion and occupancy certificate;
- (xxxiv) “compulsory open space” 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 downward, permissible projections, steps, septic tanks, soak pits, water reservoirs and lines for sewage, water, electricity, gas, telephone, **entrance lobby/reception area, guard room** (provided that free thorough fare is maintained) etc, or those structures required by civic agencies such as electric sub-station permitted elsewhere in these Bye-laws;
- (xxxv) “corner plot” means a plot situated at the intersection of two or more streets/roads;
- (xxxvi) “cottage Industry” includes small and medium size repair shops, handicrafts, and small scale inoffensive non hazardous and non obnoxious production and manufacturing units in areas, specified for such uses;
- (xxxvii) “covered area” same as Floor Area;
- (xxxviii) “dangerous building” means a building or structure which is declared as structurally unsafe and/or which is hazardous;
- (xxxix) “depth” in respect to a building means the measured distance perpendicular from the outermost part of such building at its rear excluding projections as permitted in these Bye-laws;
- (xl) “detached building” means a building not joined to another building on any side by a common wall;
- (xli) “development permit” means “No Objection Certificate”, “planning permit”, “town planning permit” or other document having the effect of permitting development as defined in these Bye-laws;
- (xlii) “engineer” means a person currently registered as such under the PEC Act, 1976.
- (xliii) “external wall” means any outer wall of a building abutting on an external or internal open space on adjoining property lines;
- (xliv) “factory” means a building or part thereof used for manufacture, production or preparation of any article;
- (xlv) “fire escape” means an exit from a building for use in the event of fire;
- (xlvi) “flat” means as defined in “Apartment”;

- (xlvi) “flat sites” means plots designated as such for multi-family residential uses;
- (xlviii) “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 projection allowed under these Bye-laws;
- (xlix) “floor area ratio” means the total floor area of a building as permissible under these Bye-laws divided by the area of the plot;
- (l) “footprint” means the portion of a plot of land covered, at any level, by a building or part thereof other than the basement;
- (li) “Form” means form appended to these Bye-laws;
- (lii) “gallery” means an open or covered walkway or a long passage;
- (liii) “government” means the Federal Government;
- (liv) “ground floor” Means the floor of any structure built just above the plinth level;
- (lv) “habitable room” means a room to be used primarily for human habitation;
- (lvi) “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;
- (lvii) “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;
- (lviii) “height of a room” means the vertical distance measured between the finished floor level and under side of the ceiling;
- (lix) “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;
- (lx) “industrial building” means a building constructed on a plot allotted exclusively for the purpose of industry under these Bye-laws;
- (lxi) “irregular plot” means a plot having three sides only, or four and above sides having minimum ratio between two sides 1:2, or one of the angle between two sides is between 15 degrees to 30 degrees.
- (lxii) “license” means permission granted under these Bye-laws by the Board to perform such functions as are allowed under these Bye-laws;
- (lxiii) “licensee” means an individual or firm which has been duly licensed by the Board;

- (lxiv) “licensed non professionals” means person/s or firm granted license under these Bye-laws, who are not registered with any of the statutory bodies;
- (lxv) “light Industry” means an industry defined as such by the Industries Department or as defined in these Bye-laws;
- (lxvi) “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 ceiling above;
- (lxvii) “low car porch” means car porch having height not more than eight feet from floor to ceiling of the porch;
- (lxviii) “master Plan” means a Development Plan for an area providing short terms and long terms policy guideline for a systematic and controlled growth in future;
- (lxix) “Environmental Control Department i.e PEPA” (Punjab Environmental Protection Agency)
- (lxx) “medical waste” means such waste or item which can, or is likely to, cause infection, and without prejudice to the generality above, includes needles, operating theatre material, surgical gloves, bandages, blood, bones and flesh etc;
- (lxxi) “MEO land” means all lands in a cantonment including Defence Officers Housing Schemes under the management of MEO;
- (lxxii) “mezzanine floor” means an intermediate floor just above ground floor of a building and having head room not less than six feet and not more than seven and half feet and with independent entrance from ground floor only whose floor area is not more than 75% of the ground floor;
- (lxxiii) “major deviation” means building works carried out without sanction of building plan, deviations from approved building plan in violation of these Bye-laws, increase of floor area from approved plan in excess of permissible foot print **and floor area ratio**; building works in compulsory open spaces; or **the violations / deviations in building works exceeding beyond 20% of permissible limit as per clause 34 (2) c(v) in respect of COS/covered area will be considered as major deviation.**
- (lxxiv) “minor deviation” means building works carried out with internal deviations from approved building plan with or without increasing approved covered area but within permissible foot print and floor area ratio limits fixed by these Bye-laws.
- (lxxv) “NOC” means No Objection Certificate as defined in these Bye-laws;
- (lxxvi) “notification” means a notification published in the Federal Government Gazette;

- (lxxvii) “obnoxious Industries” include, amongst others, brick kilns, coke ovens, salt glazing, sulphur working, making of cellulose lacquer, pitch bitumen, charcoal burning, gut scraping, tannery, glue making, fish meal, soap boiling, tallow making, skin dyeing and those which may be specified as Obnoxious Industries by the Industries Department from time to time;
- (lxxviii) “open staircase” means a staircase at least two sides of which are open, except for a guard rail or wall and which has no roof;
- (lxxix) “owner” means a person or persons holding title to a piece of plot or land to be constructed thereupon;
- (lxxx) “parapet” means a dwarf wall whether plain, perforated or panelled along the edge of a roof, balcony, verandah or terrace;
- (lxxxi) “penthouse” means a structure on the roof top of a building that is set back from the walls and not occupying the entire roof deck, which should be different from other apartments by luxury features provided that FAR permits under overall allowable height.
- (lxxxii) “pergola” means a structure of which the roof must be at least seventy five percent open;
- (lxxxiii) “Place of Worship” means a building designed for the purpose of performance of religious functions;
- (lxxxiv) “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 inch, except on plots where the natural contours are more than four feet six inch over at least 40 % of the plot area as measured from the point at the centre of the property line of the road adjustment to it;
- (lxxxv) “prescribed form” means form prescribed for various purposes by the Board;
- (lxxxvi) “professional” means an individual or firm registered as such under the PCATP ordinance-1983 and PEC Act-1976;
- (lxxxvii) “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;

- (lxxxviii) “property line” for the purposes of Bye-laws means that part of plot boundary which separates private property from the public property or a private property from another private property;
- (lxxxix) “proposed plans” means plans submitted for approval in respect of proposed building works;
- (xc) “public agency” includes a person or body of persons, autonomous body, Provincial Government or the Federal Government Departments;
- (xci) “public building” means a building designed for public use such as dispensary, post office, police station, town hall, library, recreational buildings etc;
- (xcii) “public sale project” means a project designed with the intention of transferring to the public on ownership / rental basis by way of public sale and for which Sale NOC has been obtained from the Cantonment Board;
- (xciii) “renewal” means renewal of any permission given by the Board in accordance with the Bye-laws;
- (xciv) “repairs” means repair work to services, painting, white-washing, plastering, pointing and paving and such other works without change in the approved/completion plan;
- (xcv) “residential building” means building constructed for residential purposes, e.g. bungalow, town house, flats and such other buildings;
- (xcvi) “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;
- (xcvii) “revised or amended plan” means previously approved drawings or plans resubmitted for approval with amendments in accordance with the provision of these Bye-laws;
- (xcviii) “registered geo-technology Consultant” means a person holding registration from Pakistan Engineering Council as a geo-technologist and also registered by the Board;
- (xcix) “registered structural engineer” means a qualified structural engineer registered with Pakistan Engineering Council and also registered with the Board;
- (c) “regularizations plan” means a plan showing built-up details submitted to the Board for the purposes of regularization of works carried out in violation of approved building plans and or carried out without obtaining prior sanction of the Board;

- (ci) “scrutiny fee” means a fee to be determined and levied by the Board, from time to time, charged for scrutiny of the building plans;
- (cii) “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 / girders or wooden roof with RCC slab without change in the approved or completion plan;
- (ciii) “septic tank” means a tank in which sewage is collected and decomposed before its discharge into the public sewer or soakage pit;
- (civ) “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;
- (cv) “site engineer” means a qualified engineer engaged to supervise building operations at the site and registered with the Pakistan Engineering Council as professional engineer;
- (cvi) “society” means an organisation registered as such under the relevant laws;
- (cvii) “sub-division” means the division of land held under the same ownership into two or more plots of the same land-use;
- (cviii) “sub-division plan” means a layout plan for a proposed sub-division duly approved by the Board in accordance with the provisions of these Bye-laws/policy of the Board;
- (cix) “sunshade” means an outside projection from a building to provide protection from sun or weather, which cannot be converted into habitable space;
- (cx) “supervision” means to oversee and supervise the implementation of approved architectural/Town Planning/Engineering design and specifications during the execution of buildings/development works at site;
- (cxi) “temporary structure” means a structure built or constructed purely on temporary basis, wholly within the plot with the approval of the Board for a specific period of time and which shall be demolished on completion of the project;
- (cxii) “time extension” means extension of time to complete the construction of building to be sanctioned by the Board under section 183-A of the Cantonments Act 1924;
- (cxiii) “toilet” means a space for personal ablution which includes at least one urinal and/or W.C;
- (cxiv) “total floor area” means the sum of the floor areas of all the floors of all the buildings on a plot, less exemption as permitted in these Bye-laws;

- (cxv) “town planner” means a person currently registered as such with PCATP and also registered with the Board; and
- (cxvi) “ware house” means a building used for goods’ storage;
- (cxvii) “waste” includes industrial, hospital and municipal waste and sewage.
- (2) All other words and expressions used, but not defined herein, shall have the same meanings as are assigned to them in the Act.
- (3) The acronyms and abbreviations used in these Bye-laws are explained in the following, namely:-
- | | | |
|--------|-------|---------------------------------------|
| (i) | ACI | American Concrete Institute |
| (ii) | ASTM | American Standard Testing Method |
| (iii) | BSS | British Standard Specifications |
| (iv) | BSCP | British Standard Code of Practice |
| (v) | CBS | Commercial Buildings Standards |
| (vi) | CCE | Chief Cantt Engineer |
| (vii) | CDGL | City District Government Lahore |
| (viii) | CE | Cantonment Engineer |
| (ix) | CEO | Cantonment Executive Officer |
| (x) | COS | Compulsory Open Space |
| (xi) | DML&C | Director Military Lands & Cantonments |
| (xii) | FAR | Floor Area Ratio |
| (xiii) | FP | Foot Print |
| (xiv) | LDA | Lahore Development Authority |
| (xv) | MEO | Military Estates Officer |
| (xvi) | ML&C | Military Lands & Cantonments |

(xvii)	NOC	No Objection Certificate
(xviii)	OHT	Overhead Water Tank
(xix)	PCB	President Cantonment Board
(xx)	PCATP	Pakistan Council of Architects and Town Planners
(xxi)	PEB	President Executive Board
(xxii)	PEC	Pakistan Engineering Council
(xxiii)	RBS	Residential Buildings Standards
(xxiv)	RHQ	Regional Headquarters
(xxv)	ROW	Right of Way
(xxvi)	SCE	Senior Cantonment Engineer
(xxvii)	PS	Plot Size
(xxviii)	UGT	Underground Water Tank
(xxix)	Min.	Minimum

CHAPTER III. ENGAGEMENT & LICENSING/REGISTRATION OF PROFESSIONALS

5. Engagement of Professional.- (1) Every person who intends to carry out building/land development works or to demolish a building or to carry out addition/alteration or repairs in a building, shall engage respective professional to prepare architectural/town planning/engineering design and drawings including specifications, and to supervise their respective works at site.

(2) The requirement for engagement of Professionals and their authorisation is given in the following table:-

S. NO.	CATEGORY	PLAN SIGNED BY PROFESSIONAL	APPROVAL GRANTED
1.	Category (I) All Residential plots.	Architect	(One Stage) Final Approval
2.	Category (II) Commercial, Public use, Cinemas & Cineplex, Industrial units, Marriage Halls, Schools & Colleges, Hospitals & any other buildings.	Architectural plans, Structural Drawings & HVAC (including Plumbing) Drawings signed by the relevant professional.	(Two Stages) Architectural Approval & Structural design and drawing for vetting but plumbing & electrical drawings for record purpose only .
3.	Category (III) Land development/ Town Planning/Layout Plans over piece of land.	Town Planner	(One Stage) Final Approval.

(3) Structural vetting by a Proof Engineer is required for any building having a height of more than ground floor plus four floors or 50ft. and/or total floor area more than 1,00,000 Sft and for structures of special nature and unusual designs, including shells and folded plate systems, water towers and stack like structures.

(4) Maximum authorization of professionals is given in following table:-

S. No.	Professional	Category-I	Category-II	Category-III
1.	Architect	Architectural Design & Supervision	Architectural Design and Supervision	----
2.	Professional Engineer	Supervision	Supervision	----
2.	Structural Engineer	Structure Design & Supervision	Structure Design & Supervision	----
3.	Proof Engineer		Structural vetting	----
4.	Town Planner	----	----	Planning and Design & Supervision

(5) The responsibility of every Professional signing the plan and documents shall be limited to his respective discipline.

(6) The Professional so engaged shall submit to the Board in writing on **prescribed form** of his having undertaken to prepare building plans and supervise such work.

6. Change of Professional.- (1) Where a Professional ceases to be in charge of such building works before the same is completed, further execution of such work shall forthwith be suspended by the owner until a fresh appointment is made by the owner and informed 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.

(2) The previous Professional shall immediately inform the Board of his discontinuance from the works.

(3) The new Professional/s so engaged shall inform the Board within 15 days of resuming work. He shall assume full responsibility, as if he were the author, for the correction and competence of all designs prepared by the Professional previously engaged.

7. Qualifications.- The following tables list the requisite qualifications for various categories of Professionals and Firms and registered with Board.

Architect.	A person recognised as such under PCATP Ordinance 1983.
Professional Engineer	A person recognised as such under PEC Act.
Proof Engineer	A person registered with PEC as Consulting Engineer (Civil) and enlisted by the Board.
Structural Engineer	A professional Civil Engineer recognized as Consulting Engineer under PEC Act.
Town Planner	A person recognised as such by PCATP Ordinance 1983.
Geo Tech Consultant	A person registered with PEC as GEO Tech Consultant.

8. Manner of Grant of License.- (1) Any person and/or firm who holds the qualifications and experiences laid down in these Bye-laws, may apply on a **prescribed Form** to the Board for license.

(2) The qualifications and experiences required for license in a particular category wherever required in these Bye-laws.

(3) When an application for the grant of license has been approved by the Board, the applicant will be informed and required to deposit the license fee as fixed by the Board.

9. Registration & Cancellation.- (1) When an application for a license has been approved by the Board, the license shall be issued to the applicant.

(2) No person shall practice in Cantonment Board who is not Licensed by the relevant Board including the professionals registered with Pakistan Council of Architect & Town Planners (PCATP) and Pakistan Engineering Council (PEC), as Architect, Town Planner and Engineers. The professional employed in public sector shall not be allowed to practice except for the works of their concerned department.

(3) Professionals and or constructors registered / enlisted with the PCATP / PEC will be registered by the Board on production of their PCATP / PEC registration / enlistment

certificates duly revalidated. However Board shall have the power to de-register professionals firms and builders (architects, town planners, engineers, developers) in case of misconduct.

10. Validity period of License.- The licenses granted under these Bye-laws shall be valid for a calendar year ending on 31st December.

11. License & Renewal Fees.- (1) The applicant of a fresh license granted under these Bye-laws shall pay the fee as fixed by the Board which shall not be refundable.

(2) The application for renewal of license shall be granted by the CEO under these Bye-laws accompanied by such fee as fixed by the Board.

(3) If the application for renewal of license has not been submitted within the allowed time, late fee shall be charged in addition to usual fee as fixed by the Board.

12. Revocation of License.- (1) Without prejudice to any other action that may be taken under the Act or the rules framed thereunder the CEO may revoke or suspend the license of a Licensee/firm etc. after issuance of show cause notice and, if the licensee fails to satisfy the CEO in respect of the violation of these Bye-laws as allegedly committed by license holder including but not limited to the following:

(a) The licensee in case of individual or in case of registered company, its directors/partners, shall personally and severally be held responsible for the breach of any provision of the Act and rules and Bye-laws framed thereunder.

(b) The licensee executes and supervises any unauthorised work or any work which is being raised in the absence of a valid sanction, or is not in accordance with the specifications, plans, design and drawings approved by the Board except with allowable variations as given in these Bye-laws and allowed under Engg codes.

(c) The licensee disturbs, defies or breaks the discipline of office of the Board.

(d) The licensee wilfully obstructs the officers of the Board in carrying out their duties, fails to provide facilities for inspecting the building/site and refuses to furnish the required information from time to time.

(e) The licensee fails to comply with these Bye-laws.

(f) The licensee wilfully misrepresents any fact or makes any false statement to the Board or suppresses information of any material fact relating to the work for which he has been engaged.

CHAPTER-IV : PROCEDURE FOR SANCTION OF BUILDING APPLICATIONS

13. Notice under section 179 of the Act.- (1) Every person intending to erect, re-erect, or demolish, or carry out addition or alteration in a building shall apply in the manner set out in **prescribed form** for sanction under section 179 of the Act duly signed by the person as well as his authorized professional.

(2) The owner shall submit to the Board, two sets of all documents relating to the plot together with a letter from the concerned land owning agency confirming the title/land use physically **fresh** demarcated/dimensions of the plot alongwith the existence of any road widening/cut line reservation.

(3) The notice under section 179 of the Act on **prescribed form** shall be accompanied by site plan drawn to a scale of not less than forty feet to an inch, and the scale shall be indicated on plan which shall clearly show the direction of the north point; the boundaries of the site; the position of all adjacent streets vacant lands and drains; fixed distance from the centre of roads; the names, if any, and width of street on which the site abuts, together with the numbers, if any, of adjoining house of premises; the alignment of adjoining building; and the alignment of drain showing the manner in which the roof and house drainage and surface drainage will be disposed of.

(4) The owner shall submit (In case of Category I Buildings) proposed seven sets of building plans/drawings at the time of submission, duly signed by the owner and duly signed and stamped by the relevant Professional. The drawings, should show Plans, Sections and Elevations together with other necessary details pertaining to RCC elements, joinery work and covered area etc. of every floor, including basement, of the building intended to be erected, along-with a block plan of the site, drawn to a scale of not less than (1"=40'), showing the position of proposed building and existing building if any; the width and levels if necessary, of the streets on which the plot abuts: and the survey number or the numbers of the adjoining plot or plots, if any, together with the cardinal points; which shall be drawn to a scale of not less than (1"=8'). If the building is so extensive as to make a smaller scale necessary, it may be drawn to a smaller scale but not less than (1"=16'). Such plans and sections shall show the purpose for which the building or parts thereof are intended to be used; the access to and from the several parts of the building; the position, dimensions, means of ventilation, the proposed height of the plinth and superstructure at the level of each floor, together with the dimensions and descriptions of all the walls, floors, roofs, staircases and elevator, etc. if any

(5) In case of Category II Buildings: a), Seven sets of architectural plans/drawing **shall be submitted** at the time of initial submission, by the owner duly signed and stamped by the

relevant professional. The drawings should show plans, sections and elevations of each floor including basement, of the building intended to be erected, which shall be drawn to a scale of not less than (1"=8'). If the building is so extensive as to make a smaller scale necessary, it may be drawn to a smaller scale but not less than (1"=16'). Such plans and sections shall show the purpose for which the building or parts thereof are intended to be used; the access to and from the several parts of the building; the position, dimensions, means of ventilation, the proposed height of the plinth and superstructure at the level of each floor, together with the dimensions and descriptions of all the walls, floors, roofs, staircases and elevator, etc. if any. After architectural approval six sets of structural working drawings and two sets of structural calculations shall be submitted for vetting duly signed by the owner and stamped by Architect and Structural Engineer respectively. 2 sets of design and working drawings for, plumbing and electric work shall be submitted for **record** purposes duly signed and stamped by the concerned professionals.

b) For category II Building proposals, all the requisite NOCs and other requirements as per required documents amended time to time shall be submitted.

14. Building Plans Key.- All new works shall be indicated on the building plans in a distinct colour and key to the colour used shall be given thereon as under;

- i. Proposed workGreen
- ii. Existing work.....Black
- iii. Demolition.....Yellow
- iv. Violations.....Red

15. Corrections on Plan.- No corrections or overwriting shall be permitted on the plans submitted for approval.

16. Scrutiny of Building Plans by Engineering Staff:- (1), All building applications together with building plans will be scrutinized from technical point of view only by the Engineering staff of concerned Board in accordance with these Bye-laws. The land branch of concerned will scrutinize all proposals from land point of view. And the Revenue Branch of the concerned Board will confirm recovery of all Cantt Board dues, fees, charges, house tax, TIP tax, securities etc payable against the property regarding which the building proposal is received. The Revenue Branch will give a certificate to this effect.

(2), The Board may; any time imposes conditions under these bye-laws as required by the local conditions.

17. Scrutiny Fees.- The Board shall charge a scrutiny fees from the applicants on account of scrutiny of proposed plans, revised plans and **revised** plans as fixed by the Board.

18. Inviting Public Objections.- In case of Category II Building proposals whether fresh proposals, revised plans, regularization plans, if required by the Board and PEPA shall invite objections from general public **for title documents / any other aspect as required by the PEPA** by publishing 15 days public notice in the press at least one national Urdu newspaper and one English newspaper at the expense of the owner of the plot as well as at concerned Board's website. Such building proposals shall not be approved unless the objections received if any have been heard in person by the CEO of the Board and appropriately decided according to rules and Bye-laws.

19. Reference To MEO.- The Board, before sanctioning the Building proposals whether fresh proposals, revised plans or regularization plans in respect of lease land.

20. Reference to Building Committee.- The Board, may constitute the building committee for scrutiny of building plan

21. Period of Approval.- After the receipt of a building application for permission to carry out building works, the Board shall grant sanction of building plans to carry out building works of **Category I and Category II buildings within 60 calendar days** provided the building application together with all required documents, and complete from all aspects has been submitted by the applicant.

22. Prescribed Format of Approval Letters.- All Boards will use the prescribed formats of approval letters A1 and A2 given in these Bye-laws for conveying sanctions of building plans. However, the Board may add terms and conditions as deemed appropriate in addition to the terms and conditions given in these standard formats.

23. Period of Completion of Building.- The CEO or Board, when conveying sanction of building plan, shall specify a reasonable period after the work has commenced within which the construction or erection of building is to be completed, and, if the erection or re-erection is not completed within the period so fixed, it shall not be continued thereafter without fresh sanction obtained in the manner hereinbefore provided, unless the Board on application made therefore has allowed an extension of that period in accordance with section 183A of the Act provided that not more than two such extensions shall be allowed by the Board in any case.

24. Return of defective plans.- If the building plans received along with building application are **illegible**, ambiguous or are in contravention of section 181 of the Act or any clause of these Bye-laws or due to defective or incomplete title documents, violation of allotment order/lease or any other document, or any other legal requirements, the CEO may

return such plans to the applicant and shall issue the consolidated objections/ observations giving reasons in writing and specifying the provisions of the Act or Bye-laws to the owners/Professionals within 30 days 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.

25. Vetting and Approval of Structural Design & Drawings.- 1) After the approval of architectural building plans in case of all category II buildings has been conveyed by the CEO to the applicant, the owners shall submit three copies of the calculations and six sets of structural drawings along with three copies of vetting Performa duly signed by the owner, structural design engineer and architect, three sets of complete soil investigation report by a Licensed Geo-technical firm signed and stamped by a licensed soil engineer including a minimum of two bore logs up to 30ft. or as per requirements of the Structural Engineer; borehole location plan; recommendation for bearing capacity, and type of foundation; all necessary laboratory tests and reports; recommendations of the Soil consultant for the type of cement to be used below ground level; de-watering scheme for sub-soil water if required, within 30 days from the date of sanction of architectural building plans.

2) The CEO will get the above design and drawings vetted by a registered Proof Engineer (enlisted with the Board). The CEO will send two copies of the calculations and five sets of structural drawings along with the approved architectural plans, two copies of vetting Performa, two copies of soil report to the Proof Engineer. The proof engineer will return the same to the Board after doing the proper vetting after within 10 to 20 days duly signed and with recommendation for the approved structural clearance. The CEO, based on the proof engineer's recommendations, will issue an N.O.C. of structural clearance and forward one set of vetted structural drawings and copies of relevant documents to the owner. The proof engineer will be equally responsible in case there is any error in design, drawing and/or calculations, which may result in a problem in the said building.

26. Costs of vetting by Proof Engineers.- The Board shall refer the structural plan to Proof Engineer for vetting of structural drawings at the expenses to be borne by the owner.

27. Revised / Amendment of Plan.- In all buildings, **minor** deviation in internal layouts shall not be allowed **(AS Permittable) which are not in contravention to Cantonment Building Bye-laws and the builder will be allowed to continue construction. The minor deviations will be incorporated at the time of completion provided the builder undertakes to get the deviations incorporated at the time of completion. Partial revision of buildings or amendments is also allowed subject to payments of scrutiny fee to the extent of deviated portion only.**

28. 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, direction, requisition or any satisfaction of the Board, a written document along with the relevant set of drawings as required in clause 5(2) signed by the CEO or any other officer or official duly authorized by him purporting to convey or set forth his sanction, permission, approval, order, direction, requisition, notice or satisfaction shall be sufficient prima facie evidence thereof. One complete approved set of drawings shall be made available on the site / in the office of the developer for prospective buyer.

29. Verification of building at Plinth/Foundation level.- Every person who commences any building work under these Bye-laws, upon completion of plinth and in the case of basements, upon the completion of foundations and shall give notice to the Board on prescribed form, and shall not proceed further with the work for a period of 07 working days from the date of receipt by the Board of such notice, to enable the Board to verify the building lines. The Board shall intimate within the aforesaid period, to the owner or his representative, approval of verification of building line or of any error which may be found in the building line, on prescribed form. Verification of the buildings lines by the Board in no way implies the acceptance of the title, location of the land, which is the sole responsibility of the applicant/owner. If no such intimation is received from Board, the owner will be entitled to proceed with the building works after giving notice to the Board provided the construction is in accordance with the approved building plan.

30. Verification of building at Floor levels.- Every person who commences any building work under these Bye-laws shall submit to the Board floor certificate of casting of slab of each floor, certifying that all the building line and structural members on the said floor are in conformity with the design as approved by the Board and as permissible under this Bye-law. If the owner or his professional fails to submit the floor certificate the Board shall stop further construction work.

31. Inspection of building by the CEO or his Staff.- (1) The CEO or his authorized staff may inspect the premises without giving prior notice at any time, before the approval of an application received under these Bye-laws; at any time during the progress of the building works; at any time after the receipt of the notice of completion or the occupancy certificate with respect to any such building;

(2) If no notice of completion or occupancy certificate has been received, at any time after the building has been erected, added to or altered; the authorized officer of Board will have the right to inspect that proper record of pouring of all the Structural members is

maintained at site along with the test results of 7 days and 28 days of cube/cylinder test of concrete and yield strength of steel for all types of buildings.

(3) The authorized officer of the Board shall inspect the buildings to confirm whether the approved specifications are being followed and if otherwise notified in writing giving full details specifying the deviation/defects, where these occur with identification of the location.

32. Compliance of permission.- (1) If on making any inspection under these Bye-laws the Board finds that the building works are not in accordance with the plans that have been approved, other than alterations as are allowable under these Bye-laws; or contravene any of the provisions of the existing Bye-laws or any statute, it may, by written notice, require the person and the Professional carrying out building works within the period to be specified in such notice, with the object of bringing the works in conformity with the said plan, approved specifications, or provision of these Bye-laws, to get amended plans approved after complying with the requirements of these Bye-laws.

(2) In the event of non-compliance with the Bye-laws made under **Clause 32(1)**, the Board shall have power to order cessation of work/sealing of premises/immediate demolition of that part of the construction which contravenes any of the provisions of these Bye-laws at the risk and cost of the owner.

(3) Every person who carries out building works shall comply with the direction and conditions specified, in the permission.

33. Cancellation of permission.- If 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 made under these Bye-laws, or in any change in the approved drawings not consistent with these Bye-laws in respect of such building, such permission may be cancelled if the professional / owner fails to satisfy the Board within 15 days having being served a show cause notice by the CEO and any work done there under shall be deemed to have been done without permission ab initio provided that the applicant shall have a right of appeal to DML&C Lahore within 30 days which shall be heard and decided by the DML&C Lahore whose decision shall be final.

34. Rectification of Works after Inspection and Appeal.- (1) If there is evidence that in carrying out of building works any construction has been done contrary to any provision of these Bye-laws and relevant statute, or that anything required under these Bye-laws is omitted and if, on inspection of such building, it is found that the building work has been completed or has advanced to for and which could not be permitted or allowed under the provision of

these Bye-laws, the Board, may, by written notice require the owner/person who has/have carried out the building works to drill out, to cut into, or pull down so much of such building as is beyond the permissible limits as provided in these Bye-laws.

- (a). By written notice require the person who is carrying out such building works forthwith to stop all works;
- (b). By written notice require the person who is carrying out or has carried out such building works on or before such day as shall be specified in such notice by a statement in writing given by him or his authorised agent and addressed to the Board to show sufficient cause why such building works or such part thereof should not be removed or altered to comply with these bye-laws;
- (c). Require the said person on such day at such time and place as shall be specified in such notice to attend personally or through an agent duly authorized by him and show sufficient cause why such building work or part thereof should not be remove or altered.

(2) If such person fails to show sufficient cause to the satisfaction of the concerned Authority why such building works or part thereof should not be removed or altered, the Board may take the following actions:

- a) Require the person who has carried out the works against the provision of these bye-law or the Act, to demolish the whole building or part thereof;
OR
- b) To alter the works so as to bring into conformity with these bye-laws;
OR
- c) Regularize the violations in the existing structure after realization of regularization fee depending on the nature and merits of the case, provided that no violation shall be regularized:
 - (i) Which has environmentally degrading activities such as manufacturing storage of dangerous or inflammable or hazardous materials or Cater to the service of transport sector until such activities are removed;
 - (ii) Where parking space has not been provided or is intended for misuse for other purpose, until such space is restored to its original purpose;
 - (iii) Which has been constructed in violation of the reservation or road widening scheme or property line, or is in any hazardous use;

- (iv) If the building works or part thereof exceed the maximum permissible height and number of storeys.
- (v) If the violations/ deviations in building works do not exceed beyond 20% of permissible limit in respect of COS/covered area.
- (vi) If the building work extends beyond the property limits.
- (vii) If the building work or part thereof violated fire or any other safety requirements;
- (viii) Where approved recreation area, arcade, circulation area, or services area has not been provided or is misused for other purposes, until such space is restored to its original proposed.
- (ix) Where approved passage and stairs have been altered or misuse for other purpose until such space is restored to its original purpose as per approved plan.
- (x) Where approved air raid shelter has been altered or misuse for other purpose until such space is restored to its original purpose as per approved plan. Furthermore owner / builder shall handover the possession of the air raid shelter to association of flats / units allottees.

(3) Where a person erected or re-erected or commenced to erect or re-erect a building without submitting to the concerned Board building plan for sanction then notwithstanding and in addition to, any other action that the Board may take under the relevant statute and these Bye-laws, the Board may give notice in writing directing such persons to submit to the Board within such time as specified in the notice, building plans in accordance with these Bye-laws showing the buildings so erected or re-erected or proposed to be re-erected for the Board's approval. The Board shall accord approval after levying a composition fee in addition to the scrutiny fee if the building is constructed as per these Bye-laws.

35. Notice of Completion & Completion Plan.- (1) Every person who carries out and completes building works approved under these Bye-laws shall within one month of the completion of the works deliver to the Board, in writing, the following documents:-

- a) Notice of Completion/occupancy on the **prescribed form** duly signed by the relevant Professional together with certificate or certificates as the case may be.
- b) A Completion Plan showing the building exactly as built/completed.

(2) In case building work is completed in all respect but the utility services are not provided by the utility agencies despite the payment of estimate by the developer / owner in public sale buildings / projects, in such cases the completion certificate / occupancy certificate shall be issued on the basis of provision of services as provided in relevant clause of these Bye-laws. The completion / occupancy certificate will automatically be deemed final, as soon as the connection of utilities by utility agencies.

(3) No person shall occupy or permit to occupy any such land or building, or use, or permit to use, any part affected by the erection or re-erection of such building, until the permission referred to in **sub-clause 2 above** has been granted.

36. Sanction of Occupancy Certificate.- (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 prescribed **form** to the CEO within thirty days of the completion of such works.

(2) After receipt of the notice of completion, the CEO may cause such works to be inspected and after such inspection may issue sanction or refuse to issue occupancy certificate of the building 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.

37. Refusal to issue Occupancy Certificate.- The CEO may refuse an application to issue an Occupancy Certificate, if the proposed or completed building contravenes or is in any manner inconsistent with any building or zoning Bye-laws or restrictions, and give direction, with specific reason under the relevant statute or the Bye-laws.

38. 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 supervising structural engineer regarding stability, soundness and robustness of building structure on **prescribed forms S1 & S2** given in these Bye-laws and **prescribed form** of the building regularization, submit a regularization plan showing the building exactly completed and the deviation made in the building from the sanctioned building plan in a manner set out in the form for consideration of the Board.

39. Regularization of works carried out in violation of Bye-laws:- (1), Upon receipt of deviated completion plans under these Bye-laws, the Board may instead of requiring demolition compound and regularize the deviation against such composition fees as it deem fit.

(2), The building which has already been considered / approved for Regularization/Revision/Addition Alteration under the previous Bye-laws, shall not be further considered for regularization/addition/alteration/revision/extra floors on these buildings Bye-laws except residential bungalow upto 399 Sq.yds subject to stability certificate duly signed by Licensed Structural Engineer.

40. Permit to Demolish Buildings.- No building may be demolished without written permission from the Board on a **prescribed form**. No permit to demolish will be issued unless the Board is assured by the applicant through an undertaking that the electricity, gas, water, sewerage or other utility services connections to the building or portion to be demolished shall be effectively cut off or relocated and such connections shall remain cut off/ relocated during the period of the work in case of any adverse eventuality the owner / contractor shall be fully responsible. All applications for a permit to demolish a building shall be made on **prescribed form** and permission to demolish by the Board shall be issued on **prescribed form**.

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

42. Federal Government instructions and policies.- Any circular, notification, instruction, policy, SOP or checklist on building control measures issued by Federal Government, Ministry of Defence and HQ ML&C time to time, shall be part and parcel of these Bye-laws.

CHAPTER -V: PUBLIC SALE PROJECTS

43. Application for NOC.- 1) A builder applying for NOC for advertisement and sale of a project to the Board shall furnish the requisite documents and particulars in the manner set out in these Bye-laws.

2) The Board shall not grant any NOC for advertisement and sale of a project prior to the approval of architectural plans is accorded by the Board .

44. Undertaking of the builder or professional.- The builders and their architects or engineers shall submit the undertaking in the manner referred to in the **prescribed Form** on stamp paper.

45. Fee for NOC.- “NO OBJECTION CERTIFICATE FOR SALE”, a notice on the salient features of each public sale project (including name of project, address, builder, office address, architect or engineers, number of floors, number and sizes of shops or flats or offices, compulsory open spaces, date of completion, etc) within seven days of issuance of “NOC for sale.”

46. Security deposit:- (1) The Builder shall deposit security equivalent to one percent of the cost of construction of the project with the Board in shape of bank guarantee / **insurance guarantee**, cash deposit or Defence Savings Certificate to be pledged in favour of the Board or shops and flats to be pledged in favour of the Board which shall be realized in advance from owner or builder before issue of NOC for sale of project. In addition, in case of delay in completion of the project, where such delay has not been condoned deduction from the security shall be made in proportion to the extent of the delay. This amount or lesser amount shall be refunded on the successful completion of project and after obtaining occupancy or completion certificate and the expiry of the maintenance period as enunciated in the NOC granted by the Board.

(2) 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.

(3) The deposit shall be released to the builder after one year of obtaining occupancy certificate but after meeting all builder’s liabilities as cleared by the Board.

47. Application form for allotment.- After the receipt of NOC from the Board the builder shall get filled an application form from a person intending to book a unit in the project.

48. Execution of sub-lease.- A unit shall be offered for sale on cash or cash-cum-loan basis as per schedule of payment **or mutual agreement**. 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.

49. 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 NOC.

50. Minor changes.- The Builder shall construct the building strictly according to the approved building plans. However, minor changes, if any, within the unit may be made by mutual arrangement between builder and 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, subject to approval of the Board.

51. 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 made payment of outstanding amount up to date.

52. Timely completion of the project.- The builder shall maintain steady progress of work irrespective of the situation of payment by the individual allottees and availability of loan by the loan-giving 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.

53. Withdrawal of allotment.- The allottee can withdraw 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 that time. In case the cancellation is made before allotment the builder shall refund total amount paid by the allottee till cancellation within thirty days. However, after the allotment of unit four percent of the amount paid that far, for the unit, shall be retained by the builder and the rest of the amount shall be refunded within thirty days.

54. Extension in date of completion.- Extension in date of completion shall be allowed to a builder if he produces documentary proof that more than fifty percent of his clients have defaulted in payments of 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 the extension in time.

55. Sublet and transfers of allotment.- The allottee can 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 upto that time and transfer fee of half % of total price of unit, However, no transfer fees shall be charged in case the transfer is made within 03 months of allotment.

56. Physical possession and care-taking charges.- The builder shall, after obtaining occupancy certificate from the Board, which shall include the provision of electric, gas, water and sewerage services, issue intimation letters to the allottees. 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 justifiable care-taking charges.

57. 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 respect to the allottee by the time specified by the Board, **subject to availability of basic amenities or available alternate and subject to payment by allottees in time.**

58. 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 on the same, 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.

59. 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.

60. Sale or transfer of the project.- No builder shall sell or transfer the project to anyone unless prior intimation to the Board is given. The new builder shall assume all responsibility and liabilities of the agreement made between outgoing builder and allottees, in addition the new builder must get the previous NOC issued by the Board revalidated in his favour.

61. Formation of association and maintenance of utilities.- The allottees shall form an Association to handle the affairs of the project and maintenance of the services and amenities. The rights of easement, appurtenances and other common rights shall be transferred to such Association.

62. Settlement of disputes.- All disputes between the builder and allottee shall be referred to the Director, ML&C, Lahore Region whose decision shall be binding and final.

63. Instruction of the Board.- The orders and instructions of the Board issued for procedural implementation in the spirit of these Bye-laws issued from time to time shall be followed strictly by the concerned.

64. Use of amenity spaces or places.- Common use, amenity spaces or places, recreational area or parking area in the project shall neither be converted nor mis-utilized and shall be used exclusively for the benefits of the allottees of the project as per approved plan.

65. Membership of Association of Builders and Developers.- It shall be mandatory for a builder of the project (commercial and residential) to be a registered member of Association of Builders and Developers.

66. Builders License.- It shall be mandatory for a builder of the project to get license from concerned Board and pay builder's license fee as fixed by the Board.

CHAPTER-VI : DANGEROUS BUILDINGS

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

- (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 Structure Engineer of the Board or a Structure 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 Structure Engineer of the Board, or as appointed by the Board, for the said purpose and shall be governed by **Bye-law 69**.

(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 Structure Engineer of the Board or so appointed by the Board for the said purpose, the Executive Officer shall serve to the owner of such building or structure on written notice stating the defects thereof. And shall require the owner or person incharge 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 commence and completed within the period specified by the Board.

68. 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 such prohibition 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.

69. Alteration, modification, updates 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 68 (2), if the Board considers that it can be rendered fit for human habitation by the structural alternations, repairs of modification or updates or repairs before or after the vacation of habitants from such buildings, the Board may by notice in writing call upon the owner to commence through professional, 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, up-dates or repairs, as deemed necessary and if at the expiration of the aforesaid period such alterations, modification, updates 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 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 CEO may by notice in writing call upon the owner to demolish it in a period specified by the Board.

70. 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 69 (2) 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 professional 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.

71. Extension of period for repairable building.- For sufficient causes, the Board may extend the time prescribed under Bye-law 69.

72. 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 deem require to avert such danger, including the evacuation without notice from such building of all the occupiers thereof.

(2) Any expenses 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 anything 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)

73. 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 do 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.

74. 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 Board. Any person holding such permission shall put up if 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 he shall make arrangement for the security of public to the satisfaction of the Board.

75. Obstruction to be lit marked.- Any person causing any building material or other things to be deposited, any excavation to be made or any and other utility services installation of alternative arrangements shall be made and precautions shall be taken according to the laid down procedure of the utility agencies and to the satisfaction of the Board to divert to keep clear of obstruction of any other drain during the period of temporary obstruction.

76. Utility services not to be obstructed.- All materials, hoarding fences or other obstruction on any street shall be kept clear of any fire hydrants if any and other utility services installation or alternative arrangements shall be made and precautions shall be taken according to the laid down procedure of the utility agencies and to the satisfaction of the Board of divert to keep clear of obstruction of any roadside or other drain during the period of temporary obstruction.

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

78. Dangerous obstruction.- If any material, excavation or any other things near or on any street shall be in the opinion of the Board dangerous to the passers-by along such street the Board shall cause the same to be removed, protected or enclosed so as to prevent danger there from 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 things to become dangerous.

79. Stability of adjacent building.- No excavation or dewatering or earthwork or demolition of a building which is likely to effect the stability of 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 or any of it.

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

81. Adequate safety measures.- (1) Adequate safety measures shall where necessary be provided and used to protect any persons from falling on earth, rock or other material of or adjacent to any excavation or earth work.

(2) Material shall not be placed or stocked near the edge of any excavation so as to endanger persons working below.

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

(4) Where vehicles or machineries are used close to any excavation there shall be measures to prevent the vehicles or machineries 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, scaffolding or barriers shall be installed during construction at the edge of slabs and around all opening such as lift, stairwell etc.

82. 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.

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

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

(2) Every scaffold and means of access and every part thereof shall be adequately fabricated with suitable and sound material and of 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 ground, shall be wrapped all along its length with such material.

85. Road side protection .- (1) To ensure adequate safety of the pedestrian and other road users, all buildings having a height of over ground+two floors should have adequate arrangement by way of providing protective covering of suitable material.

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

86. Working platform.- (1) Every working platform from which a person is liable to fall which is more than seven feet height 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-way at least one and half feet wide shall be left between one side of any working platform and any fixed obstruction or deposited materials.

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

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

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

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

(2) Suitable and sufficient ladders or boards, which shall be securely supported, shall be provided and used 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 work done on the roof, suitable precautions shall be taken to prevent tools or materials falling from such roofs so as to endanger such persons or passers-by.

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

- (i) no broken wire rope shall be used;
- (ii) no chain shall be used which has been shortened or joined to another chain by means of bolts and nuts;
- (iii) no chain or wire rope shall be used which has a knot tied in any part which is under direct tension;
- (iv) 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;
- (v) all debris and waste material during construction shall be disposed of through well designed chutes from each level of under construction building of height over ground +two floors or more; and
- (vi) the vertical hoist platform used shall be enclosed or protected by 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 : LIGHTING AND VENTILATION

91. Size of external openings.- (1) Every room, other than 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 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.

92. 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 door openings not less than seven and half percent of the floor area of such room. Access for maintenance of shaft be provided at level for where the shaft is commence.

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

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

(2) Where only kitchens, W.C's and bathrooms receive daylight and ventilation from air-wells, their sizes shall conform with the following as minimum:-

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

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

94. 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.

95. Water closet, bath room and ablution places.- Every water closet, urinal stall, and bath room 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.

96. 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.

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

98. Mechanical ventilation and central air-conditioning waiver and minimum requirement.- (1) Where undertaking for central air-conditioning and permanent mechanical ventilation is provided, the relevant clauses of these Bye-laws dealing with 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 in accordance with the following clauses, 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 ground level shall be provided with mechanical ventilation.

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

CHAPTER-IX : BUILDING STRUCTURE DESIGN AND CONSTRUCTION **REQUIREMENTS**

99. Loads and design.- Structure analysis, design, detailing and loading shall be in accordance with the requirements of current Uniform Building Code (UBC) and American Code or British relevant Code or any other Code. Structure shall however be designed by only one approved Code.

100. Seismic design.- For seismic design the seismic Building Code of Pakistan shall be followed.

101. 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 UBC-97(or current) sub-soil list.

102. Wind Load.- Wind load should be based on the velocity and gust factors data from local Meteorological Department.

103. 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.

104. 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.

105. 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 depth of the said drain or nallah or excavation, or such as to affect the stability of drains 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.

106. Specifications.- Specifications of Material Quality Control and workmanship shall be of high quality and in accordance with the requirements of ACI Building Codes, Uniform Building Code (UBC) and ASTM Standards.

107. Testing of materials.- Regular testing shall be carried out of materials such as Aggregates, Cement, Concrete and Reinforcing Steel and all Architectural materials the Quality Control and Quality Assurance Criteria laid down in standards of FIDIC, ASTM, OR ACI/UBC and Project Specifications. The Quality Assurance Program of the Architect / Engineer may also be followed.

108. Supervision.- Construction supervision and quality assurance shall be carried out by full time/top supervision by the designer/supervising engineers/architects etc. as required in these Bye-laws. Contractor/Builder's/Developers full time supervisory staff for the category of buildings in these Bye-laws shall carry out supervision and quality control.

CHAPTER-X: WATER SUPPLY, DRAINAGE AND SANITATION

109. Water Service Pipe.- 1) Except as permitted in the following paragraph (2), underground water service piping and the building sewer line shall be not less than 7ft.(2.13m) apart horizontally and shall be separated by undisturbed or compacted earth.

2) The water service pipe may be placed within 7ft.(2.13m) of sewerage line provided that the bottom of the water service pipe is at least 12 inch (300mm). above the top of the sewer line.

110. Minimum Storage Capacity for Category “II” Buildings.- 1) Minimum capacity of water storage tanks in buildings of Category “II” shall be:

- (a) Overhead tank = 1 day+ 25% reserved for fire fighting
- (b) **Underground tank = 2 days out of the reserved capacity 25% shall be kept reserved for fire fighting purposes by making suitable arrangements.**
- (c) Distribution of Water within the premises.

2) The design of water supply pipe work, underground and overhead tanks shall be in accordance with the following schedule @ number of litres per head per day:-

- (a) Residential 135
- (b) Institutional- Day schools 45-100, Boarding schools 135-225, Medical hospitals 450 and Medical quarters & hostels 135
- (c) Assembly-Cinema, Theater Auditorium etc. (per seat of accommodation). 45
- (d) Government or semi-public business 45
- (e) Commercial- Restaurants 90, Shopping Centers per toilet fixture 200 and other commercial buildings 45.
- (f) Hotels 225
- (g) Industrial 45-135
- (h) Storage including warehouse 30
- (i) Service Station 200
- (j) Bus/Truck Stands (per vehicle) 200
- (k) Live Stock (per animal) 45-150
- (l) Poultry (per chicken) 45

111. Recycling Plant and Treatment of Effluent/Sewage.- In case recycling plant or treatment of effluent/sewage are provided, all requirements for construction and maintenance as set by National Environmental Quality Standard (NEQS) shall be followed.

112. Sanitation and Solid Waste.- 1) All medical & hospital waste shall be safely collected, transported and disposed off in accordance with the public health standards (as prescribed by Sindh Environmental Protection Agency) and up to satisfaction of the Board.

2) All industrial waste shall be treated in accordance with the National Environment Quality Standards (NEQS).

3) All hospitals shall provide the disposal of medical waste as per National Environment Quality Standard (NEQS).

4) In all public sale projects the central waste disposal system shall be provided by the builder/developer.

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

114. 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;

(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 meter.

(4) Septic tanks and drainage mains, within boundaries of the plot, be so sited as not to render liable to pollution 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

mean of access for the purpose of inspection (including inspection of the inlet and outlet), emptying and cleaning.

115. 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.

116. 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 discharge into it.

- (2) The internal diameter of a soil pipe shall be not less than.-
- (a) 50mm, if it exclusively serves one or more urinals;
 - (b) 75mm, in any other case; and
 - (c) in the case of a waste pipe, 32mm, 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 meter 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.

117. 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.

118. 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 prejudicial 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.

119. 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 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.

120. 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.

121. 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.

122. Sanitary provisions.- The minimum requirements/sanitary provisions as prescribed hereunder shall be followed:

- (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 dwelling houses, one W.C or latrine and one bathroom shall be sufficient for every five quarters.

(4) For every five(5) single room units or servant quarters: one wash-basin, one W.C. and one(1) bathroom shall be provided.

(5) For every 10(ten) bedrooms or less in a Boarding House or Guest House there shall be at least two(2) W.C.'s, two(2) washbasins and two(2) showers.

(6) For every 20(twenty) persons in a Dormitory and Hostel there shall be at least three(3) W.C.'s, three(3) wash-basins and three(3) showers, and for every 10(ten) additional persons one(1) W.C., one(1) wash-basin, and one(1) shower are to be added.

(7) In an office with 30(thirty) persons (calculated at a rate of one(1) person per 100Sq.ft.(9.29Sq.m)), there shall be minimum of three(3) W.C.'s, two(2) washbasins and one(1) urinals. For every additional 20 (twenty) persons there shall be one(1) W.C., one(1) wash-basin and one(1) urinal. One(1) wash-basin or equivalent washing space per 25(twenty five) or less persons shall be provided for ablution purposes.

(8) In factory with 30(thirty) persons (calculated at a rate of one(1) person per 100Sq.ft.(9.29Sq.m)), there shall be minimum of three W.C.'s, two(2) wash-basins and one(1) urinals. For every additional 20(twenty) persons there shall be one(1) W.C., one(1) wash-basin and one(1) urinal. One(1) wash-basin or equivalent washing space per 25(twenty five) or less persons shall be provided for ablution purposes, and shall be divided proportionately amongst the genders.

(9) **Shopping Center - a minimum of three(3) W.C.'s, one(1) urinals, and one(1) wash-basin shall be provided for 5000 Sq.ft.(464.5 Sq.m) or less total floor area. For every additional 3000 Sq.ft.(278.8 Sq.m) floor area, one(1) W.C., one(1) wash-basin, and one(1) urinal shall be provided.**

(10) Public Assembly building – two(2) W.C.'s, one(1) wash-basin, and three(3) urinals shall be provided for 1500Sq.ft.(139Sq.m) or less of total floor area and for every additional 1500Sq.ft.(139Sq.m) of floor area one(1) W.C., one(1) wash-basin and two(2) urinals shall be provided.

(11) For Mosque, five(5) ablution space for every Hundred(100) Namazis' and two(2) W.Cs, one shower room shall be provided, for every additional (100) Namazis' the number of ablution space will be extended by 8,6,4 respectively plus special arrangement for the female having a capacity of 300 Namazis' three(3) ablution and one(1) W.C shall be provided.

(12) Cinema and Auditorium - for every 50 seats or less, two(2) W.C.'s, two(2) urinals and two(2) wash-basins shall be provided, and for every additional 50 seats one(1) W.C., two(2)

urinals and two(2) wash-basin shall be provided and shall be divided proportionately amongst the genders.

(13) School: – four(4) W.C's and two(2) wash-basins per Hundred(100) students and for every additional fifty(50) students, one(1) W.C. and one(1) wash-basin shall be provided.

(14) Hospital:- For every 10 beds in a general ward there shall be at least one(1) water closet, one(1) wash-basin, one(1) ablution tap and one(1) bathroom with shower. One(1) kitchen sink shall be provided in each ward.

(15) For 50 seats or part thereof of Restaurant, one(1) water closet, one(1) urinal, one(1) wash-basin shall be provided.

(16) Two urinals may be replaced by W.C., while proportionately dividing the fixtures among the genders.

(17) Provision of one(1) W.C. for special persons shall be provide.

(18) All fixture shall be divided proportionately amongst the genders.

123. Refuse chutes.- All buildings which are four 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 or receptacles of a compatible size and pattern;
 - (iv) be 1.2 m 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.

124. 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 of 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.

125. 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 six inch or eight inch shall be fifty feet or one hundred and ten feet respectively and in case of dia more than eight inch it shall be not more than one hundred and fifty feet.

(2) The chamber shall be so designed 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 inspection chamber.

(4) C.I Rings shall be provided at sixteen inch 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.

126. 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 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 inch from that street or onto a neighbouring property.

127. Walls and floors of latrines, W.C.'S and bathrooms.- (1) All walls of W.C.s and bathrooms shall be furnished in cement mortar or other imperious materials to a minimum height of 1.3m. All floors to W.C's 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 impressive 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.

128. 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 be liable to pollution, subject to a minimum distance of one from any cesspool, soak pit and septic tank.;
- (b) the ground adjoining the well shall for a distance of not less than 1.2m in every with a watertight paving constructed so as to slope away from the well;
- (c) the sides of the well shall be rendered impervious for such a depth 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 a 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.

129. Water closets.- (1) The receptacle shall have a smooth and readily cleansed non-absorbent surface and shall be so constructed and fitted 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 trap vent pipe of drain.

130. 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-XI : FIRE RESISTANCE AND FIRE PRECAUTIONS

131. General.- Every building shall comply with the provisions laid down in these Bye-laws in respect of fire resistance and fire precautions, unless noted otherwise.

132. Stand Pipes System.- 1). Requirements for Fire Prevention and Fire Extinguishing shall be the following. All buildings which are ground plus three storeys or above or more than 43ft.(13m) high shall be provided a set stand pipe/ pipes as given below:-

- (a) from three storeys upto eight storeys in height shall be equipped with not less than six cm dia pipes; and
- (b) over eight storeys in height shall be equipped with not less than ten cm dia stand pipes.

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

- (3) Insofar as practicable, standpipes shall be located with outlets within stairway enclosures, but if these are not available, the stand pipes shall be located in a common corridor. In any case one shall be located in the main.
- (4) The construction of stand pipes shall be of galvanized iron or mild steel.
- (5) Stand pipe risers shall extend from the lowest to the top most storeys of the building or part of 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 to that of the largest riser.
- (7) Every stand pipe or stand system in case of interconnected stand pipes, shall be equipped with a fire department approved in-let connection of corrosion resistant metal (e.g. gunmetal located on an outer building face nearest to street approximately six meter to nine meter above finished ground and suitably marked “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 meter long, with a 1.24 centimetre nozzle, being 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 m head above the highest discharge point.

133. 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 in building of which upper storeys are designed for other uses when such parking area exceeds 465m²;
- (c) out garages/terminals for passengers serving more than four buses at a time;
- (d) each floor of mercantile and industrial buildings which are more than one storey high and which exceed 186m² covered area;
- (e) all buildings compartments used for manufacture, display or sale of combustible materials and products which are more than 700m² in covered area;

- (f) all areas of theatres except auditorium, music and lobbies; 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 93m² in area.

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

134. 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 meter to nine meter above finished ground and suitably marked "Fire department connection-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 but the minimum capacity of any tank shall be 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.

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

- (a) two extinguishers in stage area, in each dressing room and one immediately outside each entry in theatres;
- (b) one extinguisher in each 230m² 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 extinguisher on each floor at stairway landing and in corridor at each lift or group of lifts in residential and commercial buildings.

- 136. 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 m² area above the first floor; and
 - (e) factory buildings exceeding two storeys in height and with more than 373 m² area above the first floor;
 - (f) office buildings more than five storeys in height and with occupancy area of more than 900m² 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 XII- FIRE RESISTIVE STRUCTURAL REQUIREMENTS

137. Fire Resistance.- 1) For purposes of this chapter, every building or compartment shall be regarded according to its use or intended use, and where a building is divided into compartments intended to be used for different purposes, the requirements of each compartment shall be determined separately.

2) Every element of structure shall be required to have fire resistance for not less than the relevant period specified in these Bye-laws with regard to the building of which it forms part.

3) If any part of a building is completely separated throughout its height, both above and below the ground, from all other parts by compartment walls in the same vertical plane, the fire resistance requirement of that part shall be determined solely by height of that part.

4) If any element of structure forms part of more than one building or compartment and the requirements of fire resistance in respect of one building or compartment differ from those specified for any other building or compartment of which the element forms part, such element shall be so constructed as to comply with the greater or greatest of the requirements specified.

4) Any element of structure shall have fire resistance of not less than the minimum period required for any element which it carries.

138. Test of Fire Resistance.- Every element of structure shall be capable of resisting the action of fire for the specified test of fire resistance period under the conditions of test appropriate to such an element in accordance with BS - 476: Part 1: 1953 and subject to modifications, if any.

139. External Walls.- 1). Any external wall which is situated within a distance of 4ft.(1.2m) from the relevant boundary, or is a wall of a building which exceeds 50ft.(15.22m) in height, shall be constructed wholly of non-combustible material apart from any external cladding.

2) Any steel beam or column, wherever forming part of, or carrying, an external wall constructed of non-combustible material shall also be constructed wholly of non-combustible material.

3) Any part of a roof shall be deemed to be part of an external wall if it is pitched at an angle of Seventy(70) degrees or more to the horizontal and covers a habitable space within the buildings.

140. Separating Walls and Fire Walls.- 1). Separating walls between two adjoining buildings shall form complete vertical separation and shall not have any opening except for the following:

- a) Passage of a pipe through a separating wall if the pipe is not a flue pipe and has a diameter not exceeding 1 inch (25mm) if it is made of combustible material, and 6 inch (150mm) if it is made of non-combustible material.

- b) An opening which is necessary as a means of escape from fire, if the opening is fitted with a fire door which has fire resistance not less than the period required for the separating wall.
- 2) Any separating wall or fire wall which forms a junction with a roof shall be carried above the upper surface of the roof covering to a distance not less than 15 inch (375mm). A separating wall or fire wall shall not be required to comply with this requirement if:-
- a) the roofs being separated by the wall are of non-combustible construction;
 - b) the buildings separated by the wall are residential, office or assembly buildings and do not exceed 40ft.(12.18m) in height.
- 3) If any external wall is carried across the end of a separating wall/fire wall, such external wall and separating wall/fire wall shall be bounded together.

141. Compartmentalization.- Every floor of a building shall be divided as far as possible into compartments by means of appropriate fire resistant elements/measures for example fire walls as follows:

- a) Separating one occupancy from another within the same building.
- b) Separating part of a building from any other part of the same building which is used, or intended to be used, for a different function such as residential, institutional, assembly, storage, commercial use etc.
- c) Dividing an institutional building, except industrial building, into smaller compartments of an area not exceeding 3000Sq.yds.(2500sq.m).
- d) Separating occupancy areas from common circulation areas.

142. Construction of Fire Walls.- Fire walls shall be constructed in any manner or with any non-combustible material conforming with a minimum fire resistance of two(2) hours.

143. Openings in Fire Walls.- 1) Openings in fire walls may be fitted with a single or double leaf door with a minimum fire resistance for the following periods:-

- a) Door giving access to an apartment from a common area – 0.5 hour;
- b) Any other case – 1.5 hours.

2) Except in case of fire doors giving access to occupancy areas from common circulation areas, all fire doors must open in the direction of escape.

144. Direct Access for Ground Floor and Above.- 1). Except for storeys below the first storey, direct access for fire fighting shall be provided from the outdoors to every storey having its floor level less than 82ft.(25m) above ground by at least one unobstructed window or access panel for each 50ft.(15m) of wall, in each wall required to face a street.

2). An opening for access required in **above clause** shall be not less than 3.6ft.(1.1m) high by 2ft.(0.6m) wide, with a sill height of not more than 3ft.(0.9m) above the inside floor.

3). Access panels above the first storey shall be readily openable from both inside and outside, or the opening shall be glazed with plain glass.

145. Protected Shafts.- 1). Protected shafts shall be constructed only for stairway lift, chute, duct, or any other purposes which enable persons, things or air to pass between different compartments.

2) There shall be no opening in shaft enclosures except the following:-

- a) an opening for a pipe;
- b) an opening fitted with a door which has fire resistance of half hour or not less than half the period required in TABLE 14.1, whichever is more;

3). Any protected shaft containing a lift or lifts:

- a) shall be ventilated to external air by means of one or more permanent openings situated at the top of the shaft and having a total unobstructed area of not less than 1.5Sq.ft.(0.13Sq.m) for each lift;
- b) shall not contain any pipe conveying oil or gas or any ventilating duct;
- c) may have an opening in its protective structure for passage of cables for the lift into the machine room provided that if the opening is at the bottom of the shaft the opening should be as small as practicable.

4). If a protected shaft serves as, or contains, a ventilating duct, the duct shall not be constructed of, or lined with , any material which increases the risk of spread of fire.

5). If a protected shaft consists of a stairway, it shall not contain any pipe conveying oil or gas, or a ventilating duct.

6). A shaft that does not extend to the roof of a building shall be enclosed with top construction of the same strength and fire resistance as that of the shaft enclosure. Such shafts shall be provided with non-combustible vents for the relief of smoke and gases in the event of fire, with an area not less than 10% of the shaft area.

7). All shafts that extend to the roof of a building shall be ventilated by a window in the side of the shaft of not less than 75% of the area of the shaft. Such window shall not be located within three 10ft.(3m) of an interior property line, and its sill level shall not be less than 2.5ft.(0.76m) above the finished roof level.

146. Fire Resistant Doors.- 1). Any fire resistant door shall, if exposed to a test by fire and then fitted in its frame, satisfy the requirements as to freedom from collapse and resistance to passage of flame for not less than the relevant period required.

2) The clearance between the leaf of the door and the frame, or between two leaves shall be as small as practicable.

3) If two separate doors (whether single or double leaf door) are installed on opposite sides of an opening, the required fire resistance may be achieved by the two doors together or by either of them separately.

4) Wired glass, if used in fire resistant doors, shall be of a maximum area of 1Sq.ft(0.1sq.m) and shall not be less than 1/4th inch (6mm) thick.

147. Miscellaneous Provisions.- 1). If any part of an opening in an external wall of building other than a private dwelling house is directly above an opening in an adjoining storey, either:-

a) The bottom of the upper opening shall be not less than 3ft. (0.91m). above the top of the lower opening and not less than 1.5ft.(0.56m) above the upper surface of the floor separating the storeys; OR

b) A horizontal projection of non-flammable material is constructed between the two openings to project 1.5ft.(0.46m) from the wall.

2) Where a private dwelling house has an enclosed garage:-

- a) The garage shall be constructed of non-flammable material having a fire resistance of not less than half an hour;
 - b) An opening in the wall separating the garage from the house shall at its lowest point be 4 inch (10cm) above the level of the floor of the garage and shall be protected by self-closing doors having a fire resistance not less than half an hour.
- 3) In premises with more than 400 persons seating capacity:-
- a) The stage area shall be separated from the auditorium on either side of the proscenium opening by a fire resisting wall not less than 6 inch(150mm) thick, of block masonry or its equivalent, carried down to a solid foundation and up to at least 3ft.(0.91m) above the roof level unless the roof is of fire resistant construction;
 - b) Not more than two (2) openings shall be provided in the proscenium wall in addition to the proscenium opening. Such additional openings shall not exceed 20Sq.ft.(1.86Sq.m) area each, and should be fitted with a door of minimum half an hour fire resistance;
 - c) A fire resistant curtain shall be provided to the proscenium opening.

148. Enclosures for Cinematographic Equipment.- 1). Cinematographic equipment shall be operated only within fire resistant enclosures located outside the auditorium.

- 2) The enclosure shall be constructed to have minimum two (2) hours fire resistance.
- 3) Two exits shall be provided to each enclosure. These shall be located outside the auditorium and fitted with self-closing doors with minimum fire resistance of half an hour. The door shall open outwards from the enclosure.
- 4) There shall be a minimum number of openings between the projection enclosure and the auditorium, and these shall be fitted with a gravity shutter of minimum half an hour fire resistance overlapping all edges of the openings by not less than 1 inch(2.5cm) when closed. There shall be provided a suitable device to close all shutters simultaneously from any projector head or from a point outside each exit door.
- 5) All enclosures shall be provided with adequate ventilation by suitable openings or shafts of non-flammable construction which shall lead to open air.

149. Steel and Metal Structures.- 1). All steel and other metal structural members shall be protected with non-combustible materials to provide the required fire resistance.

2) Concrete fire protection on steel columns shall be reinforced and enclosed by wire mesh, metal clips or spirally wound wire of not less than 12 gauge size with a pitch not more than 4 inch(10cm).

3) Where the fire resistant covering on columns is subject to damage by moving vehicles or handling of merchandise, the fire proofing shall be enclosed upto a height of not less than 5ft.(1.5m) from the finished flooring with a suitable metal covering of adequate strength.

150. Air Conditioning Ducts.- 1). All air-conditioning and ventilation ducts including supports shall be constructed entirely of non-flammable materials.

2) No air-conditioning or ventilation duct shall pass through a fire wall or a separating wall.

3) Where ducts pass through floors or walls other than fire walls or separating walls, the space around the duct shall be sealed with roped asbestos, mineral wool or other non-flammable material to prevent the passage of flames and smoke.

CHAPTER-XIII : LAND USE CHANGES

151. Change of land use of residential building.- (1) No residential building or premises shall be used or converted into any other use except with the prior approval of the Board/DML&C and with NOC from the concerned land owning/leasing authority (**City District Government, etc.**) or **NOC of cooperative Society whatsoever the case will be.**

(2) The applicant shall apply to the Board for the change of use of residential building or premises with full justification and the Board shall examine the said application in the light of Master Plan and layout plan of the concerned area.

(3) The Board shall also issue a public notice for the change of residential building or premises in accordance with the provisions of these Bye-laws at the expense of the applicant.

(4) The Board shall give due consideration to the objections received from the public before the final decision.

(5) The applicant shall pay the prescribed fees and other charges to the Board as fixed from time to time.

152. Change of land use of amenity plot.- (1) No amenity plot reserved for the specific purpose shall be converted or utilized for any other purpose.

CHAPTER-XIV : VIOLATIONS OF BYE-LAWS

153. Removal or prevention of violation.- (1) The CEO or authorized officer/official shall carry out inspection and take other 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 general or special permit, are being or have been violated, it shall serve a notice in writing on any person responsible for the violation under section 185 of the Act.

(3) The notice shall indicate the nature of the violation and the CEO may order such action as it may deem appropriate to correct the violation including but not limited to.-

- (a) the discontinuance of any illegal work being done on, or activities being conducted in relation to the building; and
- (b) requiring the owner or builder who is carrying out or have carried out such building works, on or before such day as shall be specified in such notice, by a statement in writing subscribed by him or by an agent duly authorized by him and addressed to the CEO, to show sufficient cause why such building works or such part thereof shall not be removed or altered to comply with these Bye-laws.
- (c) If the owner or occupier fails to show sufficient cause to the satisfaction of the CEO why such building works or part thereof shall not be removed or altered, the Board may take following actions;
 - (i) require the person who has carried out the works against the provisions of these Bye-laws or statute, to alter or cessation the whole or part of construction works thereof; and
 - (ii) any other measures authorized by these Bye-laws and the Act.

(4) The order shall specify the period within which the violation shall be corrected and in the event of non-compliance with the order the CEO may cause appropriate measures under the relevant statute to be taken into effect for compliance. The expenses thereon shall be recoverable from the owner in the manner provided for the recovery of arrears of land revenues or taxes.

(5) The giving of notice and making and serving of an order under these Bye-law 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.

154. Enforcement by the CEO.- The CEO may direct the concerned officer or official to take action under these Bye-laws with respect to any violation, including entering upon and sealing of the premises and site office.

CHAPTER-XV : SPACE REQUIREMENTS & ABUTTING OF BUILDINGS

155. Category-I Building Standards.- (1) Subject to **sub-Bye-law (4)** all the Category-I residential buildings shall observe the following standards:-

Plot size	Maximum ground coverage	Maximum coverage above ground floor	Front (Min.)	Mandatory Open Space (Min.)		Floors
				Rear	Sides	
less than 5 marla	100%	F.F 80 % of G.F				G+1 st Floors +Mumty 150 Sft
5 marla to <8 Malra	90%	F.F 80 % of G.F	3'-0"	45 sft duct for ventilation		G+1 st Floors + Mumty 150 Sft
8 marla to <10 Malra	85%	F.F 75 % of G.F	5'-0"	3'-4½"	3'-4½" one side	B+G+1st floor +Mumty 150 Sft
10 marla & above to 12 Malra	80%	F.F 75 % of G.F	7'-0"	5'-4½"	3'-4½" one side	B+G+1st floor +Mumty 150 Sft
Above 12 marla to 14 Malra	75%	F.F 75 % of G.F	8'-0"	5'-4½"	3'-4½" one side	B+G+1st floor +Mumty 150 Sft
Above 14 marla to 16 Malra	70%	F.F 75 % of G.F	8'-0"	5'-4½"	5'-4½" one side	B+G+1st floor +Mumty 150 Sft
Above 16 marla to 18 Malra	70%	F.F 75 % of G.F	8'-0"	5'-4½"	3'-4½" on both side	B+G+1st floor +Mumty 150 Sft
Above 18 marla to 1 Kanal	67%	F.F 75 % of G.F	9'-0"	5'-4½"	3'-4½" on both side	B+G+1st floor +Mumty 150 Sft
Above 1 Kanal but less than 2 Kanal	65%	F.F 75 % of G.F	10'-0"	5'-4½"	5'-4½" on both side	B+G+1st floor +Mumty 150 Sft
2 kanal and above but less than 4 kanal	63%	F.F 75 % of G.F	15'-0"	8'-0"	7'-6"on both side	B+G+1st floor +Mumty 150 Sft
4 kanal and above	60%	F.F 75 % of G.F	20'-0"	10'-0"	10'-0" on both side	B+G+1st floor +Mumty 150 Sft

(2) **Category-I (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	-

(3) **Category-I (Residential) Buildings Height Standards (measuring from crown of road:-**

DESCRIPTION	CLEAR HEIGHT	
	MAXIMUM	MINIMUM
Plinth level subject to plot's contour as defined in these Bye-law	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 road level:	34.6'	28.5'
Boundary Wall from Crown of the Road	8 Ft	6 Ft
Clear Height of Basement	-	8 Ft

(4) **General conditions:-**

- (i) No construction shall be allowed in COS except a pergola for car porch and spiral stair. A guardroom in front not exceeding sixty five sq.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 COS.
- (iv) Basement shall be permitted upto allowable footprint of ground floor. Safety of neighbouring properties to be ensured while constructing basement. Any damage occurring to neighbouring property or Cantonment property shall be made good by the owner or builder to the satisfaction of the Board.
- (v) Sub-division of residential plots less than 800 sq. yds. shall be prohibited. Each sub-divided plot shall not be less than 400 sq. yds each.
- (vi) Maximum projection of sunshades in COS shall not exceed two feet at lintel level and may be permitted over streets at minimum height of 16 feet above road level.
- (vii) Completion plan with additional construction of pergola 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 these Bye-laws are not compromised.
- (viii) Minimum size of car porch shall be ten feet x fourteen feet.
- (ix) Ramps of residential buildings must finish within four feet of the boundary wall and proper design of ramp provided by the Board shall be adhered.
- (x) Fixing of hoarding and antenna tower over any residential building is strictly prohibited.
- (xi) Access to basement is permitted from within COS provided ventilation is not compromised.
- (xii) Area of basement and car parking shall be exempted from FAR.
- (xiii) 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.

- (xiv) COS on non-rectangular shaped plots shall be measured as average space between buildings and property line.
- (xv) 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 block with minimum twenty four feet and minimum open space between the blocks on other two sides shall be twenty percent (with minimum fifteen feet) of the height of block.
- (xvi) For residential buildings, the maximum riser of staircase shall be seven inches and the minimum tread shall be nine inches.
- (xvii) In all building plan the provision of broadband wiring is mandatory.
- (xviii) In all building plan the provision for utilization of at least 5% for solar energy is mandatory.
- (xix) Stair Tower over the stairs shaft shall be allowed with maximum clear height of 10 ft.(3m). This area shall not be included in FAR.
- (xx) The restricted flying gap and safety zone as prescribed by the Civil Aviation Authority and PAF shall be taken into consideration while determining the height of the Building.
- (xxi) In case of any ambiguity or ground reality the case shall be referred to an anomaly committee formed by the Board.

156. Category-II (Commercial and commercial cum residential) Building Standards.-

(1) **Subject to sub- Bye-law (5)**, commercial and commercial cum residential buildings shall observe the following standards except DHA, MEO's leased land and Bazar areas:-

PLOT SIZE (Sq. Yards)	FOOT PRINT	ARCADE (MIN)	COS (MIN.)		FAR	FLOORS
			REAR	SIDES		
Upto 80	95%	-	40 sft compulsory duct for ventilation		-	G+2 Floors
81 to 250	GF = 95% above GF=85%	-	40 sft compulsory duct for ventilation		-	B+G+2 Floors
251 to 400	GF = 90% above GF=80%	8 Ft	7.5 Ft	-	-	B+G+3 Floors

DRAFT CANTONMENTS BUILDING BYE-LAWS LAHORE REGION

401 to 600	GF = 85% above GF=75%	8 Ft	7.5 Ft	5 Ft one side	1:5	According to FAR
601 to 999	GF = 80% above GF=70%	8 Ft	8 Ft	5 Ft one side	1:5	According to FAR
1000 to 1999	GF = 75% above GF=65%	8 Ft	10 Ft	7.5 Ft	1:5	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 building will be such that it would not intersect an imaginary line from the opposite side of the main road serving the building at 65⁰ angle with the horizontal. (Not applicable on chimney shaft of industrial buildings, flag masts and communication towers).

(2) Category-II (Commercial/commercial cum residential Building Height standard:

DESCRIPTION	CLEAR HEIGHT	
	MAXIMUM	MINIMUM
Parapet Wall	4 Ft	-
Ground Floor	16 Ft	9.5 Ft
1 st Floor and subsequent floors	10.5 Ft	9.5 Ft
Stair Tower above top floor	7.5 Ft	-
Arcade	16 Ft	8 Ft
Floor of Arcade from crown of road	-	1.33 Ft

(3) Basement for plots sup to five hundred and ninety nine sq.yds:-

- (a) Basements shall be permitted on entire plot area ensuring safety of adjoining buildings;
- (b) Ceiling heights of basement shall be minimum nine feet without obstruction;
- (c) Steps for access to basement or ground floor should not come out of property line.

(4) Basement for plots six hundred sq.yds and above:-

- (a) Basements shall be permitted on entire plot area ensuring safety of neighbouring building;
- (b) Minimum clear height of basement for parking shall not be less than seven feet and six inches without obstruction;
- (c) Basement may be used for purposes other than parking but area shall be included in FAR and ceiling height of basement shall be minimum nine feet without obstruction. However in any case basement shall not be allowed to be used for habitation purposes;
- (d) Steps or ramp for access to basement or ground floor should not come out of property line.

(5) Other conditions.-

- (a) **Minimum size of shop shall be hundred sq.ft. on main road and fifty six Sq.ft on internal corridors subject to the Car Parking for each shop irrespective of its size is provided separately for each.**
- (b) The riser of staircase in commercial building shall not be more than 6 inches and the tread shall not be less than ten inches.
- (c) **Maximum three feet wide projection above sixteen feet shall be permitted for balconies in front of only bedrooms or offices. These projections shall not be utilized as habitable area in any case. Balconies will remain open from three sides.**
- (d) **Passenger lift** for each block a building of two hundred sq.yds and G+4 shall be provided **keeping in view the No. of residential / commercial units.**
- (e) Steps for ground floor or basement outside the plot line are strictly forbidden.
- (f) Forty percent loft shall be allowed for shops with minimum ceiling height of sixteen ft.
- (g) The minimum width of passage shall be 6 feet upto 1199 Sq yds of plot and 8 feet from 1200 Sq yds to 1 acre.

- (h) Stair Tower over the stairs shaft shall be allowed with maximum clear height of 10 ft.(3m). This area shall not be included in FAR
- (i) If plan is approved for certain FAR as per the plot size then additional floors shall not be permitted under these byelaws.
- (j) Structural design and vetting is compulsory for all buildings taller than G+2 floors on commercial and residential cum commercial and amenity plots. It shall also be compulsory for residential buildings envisaging construction of swimming pool.
- (k) For plots abutting on public streets at rear, the rear COS shall be condoned. In case of corner plot, the COS on side abutting the lane or road shall be condoned and arcade shall be provided.
- (l) Mezzanine floor i.e. an intermediate floor just above ground floor of a building exclusively designed for office purposes and having head room not less than six feet and not more than seven and half feet and with independent entrance from ground floor only whose floor area is not more than 75% of the ground floor may be permitted with separates stairs for it.
- (m) The standards shall be applicable to all plots having land use classification of commercial and residential cum commercial.
- (n) Ramps for handicapped shall be provided in all Category-II buildings.
- (o) Minimum one toilet shall be designed for person on a wheel chair with adequate safety provisions such as grab bar, rails etc; and locking provision that can also be operated from outside.
- (p) Provision of a fire tender by the owner/builder of building shall be compulsory for all buildings above G+8 floors.
- (q) **In all residential and residential-cum-commercial projects for public sale, a minimum of 20% of the mandatory open space shall be landscaped. This landscaped space shall be left open to sky and shall not be used for parking of vehicles.**
- (r) **Air raid shelter is mandatory in all Commercial and Public sale projects having minimum plot area 300 Sq yds and above with minimum three storey.**

- (s) No workshop for denting, painting or repairing of vehicles shall be allowed on commercial plots. In addition, a building intended to carry out dangerous and offensive trades, trades emitting obnoxious smell, factories and mills which produce noise, smell, smoke or other nuisance shall not be allowed to be constructed on commercial plots.

157. (1) Flat site standards:-

Plot Size (sq.yds)	Minimum COS	Footprint	FAR
Up to 1999	20' all around side	40%	1:6
Above 1999	20' all around side	40%	1:8

(2) Other conditions:-

- (a) Open spaces between the blocks shall not be less than clear 20 feet and not more than 30 feet on parallel blocks.
- (b) In case of irregular shape of plot the COS may be relaxed to the extent of ten feet (average) on the side which is not regular. The minimum COS however shall not be less than five feet.
- (c) In case of facing park or road the minimum COS shall be ten feet.
- (d) Where the basement is provided for parking purpose only, appropriate gap be kept between the adjoining foundations, however, the safety of adjacent property is the responsibility of the owner.
- (e) Ramp leading to the parking area upward or downward are allowed within the COS.
- (f) Projected balconies maximum three feet wide within the COS shall only be allowed at sixteen feet height from the finished floor level. Balconies shall always remain open from three sides.
- (g) Each apartment should have an access to at least two lifts.
- (h) Provision of fire escape / stair must be provided in each block.

- (i) **Maximum capacity Collection Centres** shall be provided for sanitation purposes.
- (j) Compatible cargo lifts to be provided for G+5 and above storied buildings.
- (k) **Provision of a fire tender by the owner/builder of building shall be compulsory for all buildings above G+8 floors.**

158. Amenity buildings standards.- (1) Subject to **sub-Bye-law (2)** the amenity plots shall observe the following standards:-

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

(2) **Other conditions:-** All amenity buildings shall observe the following general conditions:-

- (a) Elevators, lifts or ramps (Slopes 1:12) for pedestrian and stretcher use shall be provided for all hospital and health usages of more than Ground + 1 floors.
- (b) Basement should be restricted to footprint and sufficient parking to be arranged in basement for staff.
- (c) In public use building provision of clinic is compulsory.
- (d) Building plans of religious buildings shall be considered for B+G+2 floor on case-to-case basis.
- (e) No religious building shall be built within 700ft of any cinema house, theatre, or similar entertainment facility.
- (f) A maximum of 5% of commercial activity for generating income/fund for maintenance of religious building shall be allowed on a plot reserved for religious buildings.

- (g) Religious buildings shall only be permitted on plots reserved for this purpose.
- (h) Reasonable residential area may be allowed for the Khateeb not exceeding 1000Sq.ft.

159. Standards for Petrol Stations and CNG Stations:- For the purposes of this clause 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 CNG station also. The CNG station means a station for the sale and supply of CNG and its ancillary products and requirement. All petrol station and CNG Station shall observe the following general standards and conditions:-

- (1) Proposals for establishing petrol or CNG station shall be forwarded to the Board by District Administration and the concerned land leasing authorities.
- (2) A petrol Station or CNG station shall only be permitted on main collector roads having a total right-of-way of at least 100 feet.
- (3) Plot size for establishing petrol pump or petrol cum CNG station shall be minimum one thousand sq.yds.
- (4) Plot size for establishing CNG station shall be minimum six hundred sq.yds.
- (5) Right of way of road on which petrol pump or CNG station can be established shall be minimum hundred feet.
- (6) Distance between two petrol pumps and 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 feet and a dividing median strip.
- (7) Frontage of petrol pump and CNG station shall be minimum sixty feet.
- (8) COS on sides or rear of the petrol pump and CNG station shall be minimum ten feet or according to standards of explosive or concerned department.
- (9) Distance between two dispensers shall be minimum twenty four feet.
- (10) Distance between dispenser and road shall be eighteen feet.
- (11) Minimum area of offices, bathrooms and tuck shops etc. (single story only) shall be five percent of plot area. Both ladies and gents washrooms are compulsory.

(12) Plots for petrol pump or petrol pump cum CNG station or CNG station shall only be considered which has clearly been earmarked or mentioned in the layout plan or lease-deed or sale-deed. Simply mentioned commercial plots shall not be considered for petrol pump or petrol pump cum CNG station or CNG station. In addition, necessary permissions from all relevant institutions shall be required as prescribed by the government.

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

(14) At least two fire fighting points consisting of two fire extinguisher cylinders, two sand buckets and two water buckets shall be provided upto plot size of one thousand sq.yds.

160. Standards for Cinema Houses:-In addition to the Cinematograph Act Confer, the following standards shall be adopted for cinema houses:-

(a) The minimum spacing between the rows for seats shall be calculated @ 18 inches width of the seats; @3 feet back to back space between the rows of the seats; and @ 4 feet width of the gangway.

(b) No Cinema shall be planned within 700 feet of any mosque, religious building, hospital, public building or school.

(c) No residential accommodation except a single room accommodation for a maximum covered area not more than 250 Sq feet shall be allowed.

(d) Floor area ratio shall be followed 1:1 for plots meant for cinema houses.

(e) The size of the cinema shall be calculated on the basis of number of seats @ 25 Sq.ft per seat.

161. Cineplex Standards:- In addition to the Cinematograph Act Confer, the following standards shall be adopted for Cineplex only in commercial projects without residential units:-

(a) The minimum spacing between the rows for seats shall be calculated @ 18 inches width of the seats; @3 feet back to back space between the rows of the seats; and @ 4 feet width of the gangway.

- (b) No residential accommodation except a single room accommodation for a maximum covered area not more than 250 Sq feet shall be allowed.
- (c) The size of the cinema shall be calculated on the basis of number of seats @ 30 Sq.ft per seat.
- (d) Maximum area of Cineplex shall not be more than 5% of the total project area.
- (e) Cineplex shall not be allowed on commercial plots less than 2000 qs. yds

162. Industrial Building Standards:- (1) Subject to **Bye-law (2)** the industrial plots shall observe the following standards:-

S. NO.	PLOT SIZE SQ. YDS	FOOT PRINT	FAR	MINIMUM COS FRONT (FT)	MINIMUM COS SIDES (FT)	MINIMUM COS REAR (FT)
1	Upto 2500	70%	1:2.5	10	10	10
2	2501 to 5000	65%	1:2.5	15	15	15
3	5001 to 10000	50%	1:2	20	20	20
4	10001 to 20000	50%	1:2	25	20	20
5	20001 to 30000	50%	1:2	30	20	20
6	Above 30000	50%	1:1.5	30	20	45

(2) General Conditions related to Industrial Buildings:- Following general conditions shall apply to all industrial plots.

- (a) For industrial units on plots over 2500Sq.yds, loading and unloading facilities shall be provided within the area of the plot in keeping with the functioning of the industrial unit.
- (b) Only those industries will be permitted as are not considered hazardous or obnoxious as defined by the Insurance Association of Pakistan (1996) of hazardous category (I) and (II) and/or defined in these Bye-laws.
- (c) Change in nomenclature / type of industry is permissible upon clearance from the Concerned Land owing Authority and approval of the Board.
- (d) Following single storey structures will be permitted in the COS along the access roads.

- i. KESC substation to the required size by the concerned authorities.
 - ii. Time/Gate office of 150sq.ft (13.94sqm) area.
 - iii. Guard / Security room of size not more than 90 Sq.ft (8.36Sqm).
- (e) All effluents discharged from industrial processes will be in keeping with the standards laid down by the applicable Federal / Provisional / Local Government / Environmental Protection Agency standards.
- (f) In all buildings / containers used for storage of inflammable materials, approval of explosives department Ministry of Industries is mandatory.
- (g) For installation of all Boilers in/outside the factory, special approval from the Chief Boiler Ministry of Industries is mandatory.
- (h) For industries using natural gas, the laying / testing certificate of pipes has to be furnished by contractors who are registered with the relevant Gas Company.
- (i) All hazardous waste shall be disposed off as per conditions mentioned in the Drainage, Sanitation Bye-laws and as per EPA Standards.
- (j) List of specific traders and industries which are required especially designated / approved areas for their location (excluding residential and general industrial zones).
- (k) Dangerous trades and inflammable materials for the purposes of these Bye-laws are Timber; Fire wood in excess of 200 Tons, charcoal and coal in excess of 300 bags and 100 bags respectively; Hay and straw; Sugar refining; Acetylene gas manufacture; Ammonia, Chlorine or bleaching powder manufacture; Distillation of coal, petroleum, refuse grade or bones; Storage of petroleum in excess of 19,984.8 Gallon (75,700 litres); and Manufacturing of gun powder and fire crackers etc.
- l) offensive trades emitting obnoxious smells/effluents for the purposes of these Bye-laws are Processing and trading in bones, tallow, offal, fat, blood, hides, skins, manure, catgut, oil cloth, fish and hoof; Burning of lime manufacturing of cement, bricks, earthenware & pottery; coke ovens; crematory; glue or gelatine manufacturing where the processes include the refining or recovery of products from fish, animal refuse or offal; Grease, lard, fat or tallow rendering or refining, lime, cement manufacture; rubber or shoe polish manufacture; and slaughtering of animals.

163. Cottage Industries, Work-Shops, Godowns Standards:-

S. NO.	PLOT SIZES (SQ. YDS.)	FOOT PRINT	FAR	MIN. COS FRONT (Ft.)	MIN. COS SIDES (Ft)	MIN. COS REAR (Ft.)
1.	Less than 120	80%	1:2	---	---	5 (1.5m)
2.	121-240	70%	1:2	5 (1.5m)	---	8 (2.5m)
3.	241-500	70%	1:1.75	5 (1.5m)	---	8 (2.5m)
4.	Above 500	70%	1:1.5	10 (3m)	10 (3m)	8 (2.5m)

Under no circumstance will any type of hazardous, obnoxious, offensive or noisy activities be carried out which create a nuisance for the neighbours and the locality.

164. Poultry Farms Standards.- These are special type of plots where not more than 1/3rd of the plot area shall be allowed to be covered including all ancillary structures and minimum COS of 20ft all around shall be left.

165. Exemptions from FAR.- in all category-II building such as commercial, public sale, public use amenity buildings and industrial buildings the following areas shall be excluded from FAR but these shall be accounted for calculation of scrutiny fees etc.

- a) Car parking including ramps and driveways.
- b) Building services areas, such as KESC & SSGC sub-stations, electrical and mechanical plant rooms, lift shaft, lift machine rooms, Electrical and mechanical ducts and electric power generator space. Corps room with washing area, meter rooms, passages, stairs, drivers sitting area with bathroom, guard room with bathroom etc.
- c) Circulation or common public use area such as covered passages, corridors, foyers, reception areas, entrance lobbies, lift and stairs lobbies, stairs towers;
- d) **For public sale/public use/industrial and commercial plots exceeding 600 Sqyd a min of 2% of the permissible floor area ratio / proposed covered area shall be provided for recreation facilities / children play / payer area. This area shall not be included in the total floor area up to a maximum of 2% of total floor area, recreation area can be provided other than approved area for the betterment of residents and without entailing any financial benefits but not exceeding 5% of total allowable area.**
- e) Lofts on bathroom and kitchen; arcades; Open balconies in front of buildings;
- f) OHWT and UGWT in all buildings and Oil Tanks in petrol stations.

166. Exemptions from FP.- in all category-II building such as commercial, public sale, public use amenity buildings and industrial buildings the following areas shall be excluded from FP but these shall be accounted for calculation of scrutiny fees etc.

- a) Building services areas, such as KESC & SSGC sub-stations, electrical and mechanical plant rooms, lift shaft, lift machine rooms, Electrical and mechanical ducts and electric power generator space. Corps room with washing area, meter rooms, passages, stairs, drivers sitting area with bathroom, guard room with bathroom etc.

167. Chamfering for corner Plots.- the corners of all plots abutting on two intersecting roads shall be chamfered as follows.-

- (a) from thirty feet to fifty nine feet width of the road, the distance should be eight feet or as per site plan issued by the concerned authority;
- (b) from sixty feet to one hundred and nine feet width of the road, the distance should be twelve feet. In case of service road the chamfer will be governed by the width of service road; and
- (c) from one hundred and ten feet and above width of the road, the distance should be twelve feet. In case of service road the chamfer will be governed by the width of service road; and
- (d) in case of plot area upto one hundred and twenty sq. yards abutting on two roads of two different widths, the required chamfering on both sides shall be governed by the width of smaller road.

168. Building Plan of Boundary Walls.- No building plan of boundary walls on any category-1 or Category-II plots shall be entertained by the Board without **confirmation of title documents from the concerned department.**

CHAPTER-XVI: PARKING REQUIREMENT

169. Scope.- Parking requirement 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 totally applicable to the proposed addition only within the property limits as required under these Bye-laws.-

170. General Conditions:-

- (a) 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 sq.yards and having front more than sixty feet.
- (b) The parking space, including ramps, shall be exempted from FAR.
- (c) The parking space requirements of every building shall be determined as a sum of parking requirement for each type of use to which the building is subjected.
- (d) Minimum clear height of parking structure without obstruction shall be seven feet six inch.
- (e) Detailed plan clearly showing entry, exit gradient of ramp, turning radius storage spaces, circulations and movement of vehicles etc shall be submitted.
- (f) Parking can be provided on any floor with compulsory ramp as a mean of access. However car lift may be provided in addition to ramp.
- (g) Electrical or mechanical ventilators to be provided for parking in the basement.
- (h) Multiple basements for parking can be permitted.
- (i) 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.

- (j) When unit 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.

171. Standards for parking spaces.- Configuration of parking space under these Bye-laws shall conform to the minimum standards given in the table below:

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	18 ft.	
One way Traffic	11 ft.	
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

- 172. General conditions:** At least one motor vehicle parking space shall be provided for:
- (a) Every 6 bedrooms for a hotel of three star category and above. In addition to a per room requirement, parking space shall be provided for all facilities e.g. restaurants, conference room etc.
 - (b) Every 10 beds and every consulting room of a clinical / medical building;
 - (c) Every 100Sq. ft in places of all public assembly, unless specified as hereunder;
 - (d) Every 50 visitors who can be accommodated by an area or structure for sports activities;
 - (e) Every 2000 Sq.ft of floor area of office space in an industrial building unit;
 - (f) Every 800 Sq.ft of floor area of space for retail shopping;
 - (g) Every 8 seats / occupancy of restaurants or banquet hall;
 - (h) Every 1000 Sq.ft (92Sqm) of business office;
 - (i) Every 4000 sq.ft floor area of all educational institutions situated on a plot measuring 2000 Sq.ft and above or minimum 0.75 motor vehicle parking space shall be provided per class room whichever is more;
 - (j) Every 60 Sq.ft of marriage lawn/hall of minimum plot area of 1000 Sq.ft.
 - (k) **Apartment building- one car space for every 1000 Sqft in all Flat Sites, commercial buildings & commercial-cum-residential building;**
 - (l) Every 300Sq. ft of floor area of Cinema;
 - (m) For Cineplex parking shall be calculated @ one car for two seats.
 - (n) Minimum one out of every fifty car parking stalls shall be dedicated for the disabled persons at most convenient location.
- 173. Exemption from provision of parking space.-** All places of workship and all buildings on plots of odd shapes and dimensions have length or breath as less than 30 feet where there is no physical possibility of designing car parking space within premises, the exemption may be given by the Board.

CHAPTER-XVII: BYE-LAWS FOR DEVELOPMENT OF PRIVATE LANDS

174. Definitions.- (1) In this Chapter unless there is anything repugnant in the subject or context.-

- (i) ‘amalgamation’ means the joining of two or more adjoining plots into a single plot;
- (ii) ‘cantonment’ means the Cantonment as defined in the Cantt Act 1924.
- (iii) ‘company’ means a company registered under the Companies Ordinance 1984.
- (iv) ‘competent authority’ means the Cantt Board, in whose jurisdiction the private Housing Scheme is being developed.
- (v) ‘concept plan’ means a plan which indicates the approximate location or relationship but not the precise site or boundaries, roads utility lines, community facilities, residential and other uses of lands designated for the development of a new Community Project or the renewal, improvement, amelioration, or redevelopment of an existing Community Project;
- (vi) ‘co-operative housing society’ means a co-operative housing society registered with the Registrar Co-operative Societies, Sindh under the Co-operative Societies Act, 1925 (VII of 1925);
- (vii) ‘developer’ means a company or a cooperative society or a firm or a person the owner of land who intends to develop a housing scheme.
- (viii) ‘development permit’ means municipal sanction granted by the Board under **these byelaws**, whether or not so denominated, having the effect of permitting development of a land development project;
- (ix) ‘existing housing scheme’ means the housing schemes or projects in existence before notification of these Bye-law;
- (x) ‘government’ means the Federal Government.
- (xi) ‘land’ means earth and includes water and air above, below or on the surface, and anything attached to earth and the meaning assigned to it under Land Acquisition Act, 1894 (1 of 1884);

- (xii) 'land development' means the dividing of land into plots or amalgamation of plots and development of private lands in a planned manner, by means of provision of water, sewerage, roads, streets, public recreation parks, dispensaries, school and other allied facilities for a community that would come to reside in the area so developed;
- (xiii) 'licensed town planner' means qualified town planner having a degree or post graduate diploma in City, Regional, Town and Country Planning from a recognized university or institution and registered as a town planner with the PCATP and also registered as town planner with the Board;
- (xiv) 'plot' means any size of land capable of being described with such definiteness that its location and boundaries may be established, which is designated by its owner or developer as land to be used or developed as a unit or which has already been used or developed as a unit;
- (xv) 'private land' means land not owned by the federal government, Provincial Government or any Government, Development Board etc, but includes the land held by private persons or proprietary rights or on a long lease;
- (xvi) 'private person' includes an individual, a group of individuals, a registered housing society, a co-operative housing society, a proprietary company or a limited company;
- (xvii) 'public agency' includes a person or body of persons including semi autonomous or autonomous bodies appointed by, or under the Federal or Provincial Government to exercise powers and discharge functions in connection with the affairs of these Governments;
- (xviii) 'public buildings' means buildings which are provided at community level involving mass gathering or assembly and used for physical expression and activity of the people, desired for a common social life. These buildings consist of administrative, recreational, educational, cultural, health & religious centres;
- (xix) 'registered housing society' means a housing society registered under the Registration Act 1908 (XVI of 1908);
- (xx) 'residential use' means a plot allocated for construction of a building exclusively designed for use of human habitation together with such out-

houses has are ordinarily ancillary to the main building and are used for residential purposes;

- (xxi) ‘road’ includes any public or private road, highway, street, lane, alley or bridge whether built upon or metalled or not as used for communication;
- (xxii) ‘schedule’ means the schedule to these Bye-laws;
- (xxiii) ‘scheme’ means development of a site for private housing scheme;
- (xxiv) ‘sub-division’ means the division of land held under one ownership into two or more plots; and
- (xxv) ‘sub-division plan’ means layout plan of sub-division of land or plot;
- (xxvi) ‘town planner’ means a town planner registered with the Pakistan Council of Architects and Town Planners.

- (2) The words and expressions used but not defined in this chapter shall have the same meaning as assigned to them in the Cantt. Act-1924 and these Bye-laws.

175. Land Development Permit:- No private person or company shall carryout land development, or permit land development, without prior sanction of the Board, granted as “Development Permit” on prescribed **Form**.

176. Application of Approval of Land Development:- Subject to these Bye-laws:-

- (a) The applicant shall submit an application to the Board as per **Form-X**; and
- (b) The application shall be accompanied by following mandatory documents;
 - (i) Scrutiny fee at the rate as fixed by the Cantt. Board from time to time.
 - (ii) Developer’s ownership /title documents in respect of land proposed for the scheme along with site plan (aks-e-shajra) duly verified by the concerned District Officer (Revenue).
 - (iii) Non encumbrance certificate pertaining to the land proposed for the Scheme duly issued by the concerned revenue authority.
 - (iv) In case, the association is registered body, copy of valid registration with the concerned authority, copy of memorandum / article of association and particulars of executive body of the association. A

copy of the resolution / decision nominating the person responsible for the affairs of the society / association may also be provided.

- (v) Documents of Registration as Co-operative society if relevant.
- (vi) Undertaking for compliance with all provisions of the Co-operative Society statute of the Sindh provinces and their rules and Bye-laws made there under if the developers is a cooperative housing society.
- (vii) No objection Certificate from the PAF, Civil Aviation Authority and National Highway Authority or a neighbouring Government developing Agency etc if required.
- (viii) Location plan and layout plan of the Scheme including the division of the Scheme into plots, provision for streets, drains and open spaces, reservation of land for public utility services to be transferred to the Cantt board.
- (ix) The developer must arrange joint physical demarcation of the scheme by revenue authorities and MEO for identification of physical features by the Cantonment Board especially if the Armed Forces land is nearby or in the vicinity.
- (x) Topographic / site survey of the area.
- (xi) The developer will submit seven copies of Topographic maps of the proposed site drawn to a scale of 1' = 200 on tracing cloth with through study of existing features, with contour interval of 5, including electricity lines with quantum of electric flow, telephone, gas, water courses (its run off), sewer and water lines, drains, nullahs etc. Any feature under and above the land other than the aforementioned should be incorporated in the topographic sheet. Official survey numbers and Khasra number will be indicated on the sheet.
- (xii) Certified copies of Mutations if favour of the developer.
- (xiii) Certificate copies of extract from latest/current register/record of Rights.
- (xiv) If there is previous sub-division involved, which is not included in the latest record of rights, then the latest copy of the said sub-division plan.
- (xv) Field Map prepared on tracing cloth by Survey Superintendent.

- (xvi) Detailed list showing filed numbers (Survey Number) with area against each with necessary details.
- (xvii) Copy of the CNIC of the Developer or its authorized representative.
- (xviii) Details of land proposed to be acquired, if any, provided that such land shall not exceed 20% of the total area of the housing scheme.
- (xix) Statement of the works that shall be executed at the cost of Developer.
- (xx) Statement of the period during which the area shall be developed.
- (xxi) Copy of registered irrevocable general power of attorney shall be attached if the plan submitted by a person other than the owner of land;
- (xxii) Six copies of maps and plans of an appropriate scale prepared by a licensed town planner as required in *Form-X*;
- (xxiii) No Objection Certificate from such authorities as deemed necessary requirement by the Board at any stage;
- (xxiv) Undertaking for compliance with all provisions of rules and Bye-laws of the Sindh Co-operative Societies Act, 1925 (VII of 1925), if the application is a member of a Cooperative Housing Society;
- (xxv) An undertaking on a stamped paper in *Form-XI* ; and
- (xxvi) Other information as required under Schedule-I.

177. Important ingredients of land development scheme.- The following shall be given due consideration by the developer in planning a scheme for the purposes of these Bye-law:

- (a) Change in the use of land or structure thereon;
- (b) Reconstruction, alteration, or material change in external appearance of land;
- (c) Deposit of refuse, solid or liquid wastes;
- (d) The installation of underground or over land public service utilities; and
- (e) Re-establishment of a use which has been abandoned for one year or above.

178. Allocation of land for various uses and amenities.- (1) The allocation of land for various uses shall be made in accordance with the following, the sum of which must total to 100% when calculated as whole, namely:-

- (a) Residential (inclusive of Flat site/s.....Maximum 55%
- (b) Commercial.....Maximum 05%

Amenities

- (c) Road and Streets.....Minimum 25%
- (d) Parks/Play ground.....Minimum 08%
- (e) Public Uses including
Religious Buildings/Health Centres.....Minimum 04%
- (f) Educational Use.....Minimum 03%

(2) The amenities may be provided in layout plan according to its area and size of population shall comprise mosque, school, clinic or dispensary, post office, community hall, bus stop and commuter parking bays.

(3) Re-creational area can be increased other than the approved area for the betterment of the residents and without taking any financial benefit but not exceeding 5% of the total allowable area.

179. Planning Standards- for the purpose of roads and residential use, the “National Reference Manual on Planning and infrastructure Standards” shall be kept in view. The land use other than the above shall be as under:-

- (a) Maximum size of Residential Plots. 600 Sq. Yds.
- (b) Minimum size of Residential Plots. 80 Sq. Yds.
- (c) Maximum size of Commercial Plots. 2000 Sq. Yds.
- (d) Minimum size of Commercial Plots. 100 Sq. Yds.
- (e) Minimum Access Road Width 40 Feet
- (f) Minimum Road (Internal) Width 24 Feet

180. Plan for Utilities and Services.- Following plans will be attached with the proposals:-

- (a) Proper Sewerage Disposal and Drainage Plan prepared by qualified persons showing full details / specifications.
- (b) A Plan prepared by qualified / approved contractors for provision of electricity, duly approved by concerned electric company.
- (c) A water supply scheme prepared by qualified engineer for the scheme.
- (d) Municipal Waste disposal Plan.
- (e) Plan for provision of gas facility duly approved by Gas Company.

181. Inviting Objections:- The Cantt Board after fulfilment of the pre-requisites by the Developer and verification of the title of the Developer, shall at the Developers Cost, cause to be published in the least two daily national newspapers, public notice inviting objections to the proposed scheme within 14 days of publication of public notice. The objections, if received, shall be communicated to the Developer within 07 days for attending the same.

182. Pre-requisites of Planning a Scheme:- Cantt Board shall examine the application keeping in view the following:-

- (a) That all the documents / requirements as per **Bye-law 176** are completed.
- (b) That width of access road is not less than 40 feet.
- (c) That Scheme is safe from flooding.
- (d) **That minimum area of the scheme is not less 12.5 acres.**
- (e) That land is not required or has been notified by the Government for any other purpose.
- (f) The Board shall not proceed further with the application in case any of the pre-requisites are not fulfilled and the Developer shall be informed accordingly.

183. Scrutiny of Scheme:- The Board shall examine the application in the light of public objection, if any, and the planning standards and shall convey their observations / objections, if any to the Developer within three days, after the date of filing of objection, who shall resubmit the same within 30 days after attending the same.

184. Scrutiny fee.- (1) An application for a development permit shall pay scrutiny and other fees to the Board as specified in Schedule-I and as revised by the Board from time to time for the type of land development indicated therein.

(2) Scrutiny fee shall be exclusive of all other charges which may be recovered by the landlords, lessors or licensors or by other public agencies.

(3) All fee specified in Schedule-I shall be subject to revision by the Board at its own discretion from time to time and shall be paid by the applicant at the scale as in vogue by the Board.

185. Site Inspection and consultation.- (1) The applicant submitting land development plans shall arrange for at least one inspection of his site by functionary of the Board.

(2) In connection with the submission of the application, the applicant shall consult with and obtain certificates from appropriate public agencies or companies concerned with the provision of water supply, sewerage, electricity, gas, telephone service and other public services appropriate to the particular development.

186. Application process.- (1) Land ownership and other documents shall be examined by the Board subject to payment of scrutiny fees by the applicant as specified in Schedule-I.

(2) In case documents mentioned in these Bye-law are found in order, a public notice shall be given in the newspapers for inviting public objection within a period of thirty days, after which the case shall be placed before the Board.

(3) In case of receipt of any objection within due time under above sub Bye-law, the same shall be referred to the Board which may accept or reject it as it deem fit.

(4) Subject to these provisions the Board may issue development permit.

187. Sanction and its Conveyance.- (1) If at the Cantt Board proceed to sanction the Scheme, then prior to issuance of such sanction, it shall require the Developer to fulfil within 15 days the following requirements:-

- (a) Deposit the prescribed fee for sanction to be fixed by the Cantt Board.
- (b) Submit transfer deed for transfer of the area under roads, open spaces / parks and graveyard to the Cantt Board.
- (c) Mortgage 20% of the saleable area of the Scheme or furnish bank guarantee/insurance guarantee equivalent to the total cost of development

works as security for due completion of development works in the name of Cantonment Board.

- (d) Area for public buildings, shall be transferred to the Cantt Board and reclassified as C land. The area so transferred shall not be used by the transferee for any other purpose.

(2) The Cantt Board shall at the Developer's cost, cause to be published in two daily national newspaper, public notice giving the details of plots mortgaged with it, if any providing that such plot shall not be purchased or disposed off until the same are released after satisfactory completion of the completion works.

(3) After fulfilment of the above requirements a formal letter of sanction shall be issued by the Cantt Board within 10 days.

(4) No Scheme shall be advertised or published in any forum, media and press, nor plots or houses shall be offered for sale in any scheme prior to its sanction.

(5) The developers shall include the following in the advertisement:-

- (a) Total area of approved scheme alongwith its location.
- (b) Total number of residential and commercial plots of various sizes as approved by the Cantt Board.
- (c) The details of plots mortgaged with the Cantt Board.
- (d) Period for completion of development work (s).
- (e) Name of sanctioning authority and letter of sanction.
- (f) In case of allocation of plots through ballot, it shall be indicated in the advertisement.

188. Approval of Design and Specification:-

- (a) The Developer shall submit to the Cantt Board within three months of the sanction of the Scheme detailed design and specification of water supply system, sewerage and drainage system, natural gas, roads and streets, electricity and street lights.
- (b) The Cantt Board may sanction design and specification after obtaining comments from concerned departments and authorities.

- (c) The electric network shall be implemented in accordance with the policy, design and specifications as approved by WAPDA or any other agency so by the Government.
- (d) The development work shall be completed by the Developer within the period specified in the sanction order.

189. Farm Housing Scheme: - Such scheme shall not be allowed in any case in the Cantt area.

190. Release of mortgaged plots:- The mortgaged shall be released by the Cantt Board, on obtaining field reports from the concerned departments and authorities about the satisfactory completion of development works in the following order and proportion, respectively:-

- | | | |
|-----|--|-----|
| (a) | Water Supply, Sewerage and Drainage System | 30% |
| (b) | Roads | 30% |
| (c) | Electricity | 30% |
| (d) | Street Lights and Horticulture | 10% |

192. Modification:- No modification in the sanctioned scheme shall be made without the sanction of the Cantt Board and also without observing the procedure for sanction.

193. Sub-division and Amalgamation of Land:- for the sub-division, amalgamation and change of land use the following criteria shall be followed by the Board:-

- (a) No sub-division of any residential and commercial plot shall be allowed without the prior approval of the Board.
- (b) Six blue print copies of plot to be sub-divided, duly signed by the owner and licensed Town Planner shall be submitted to the Board alongwith the requisite sub-division proposal.
- (c) Each application of sub-division shall be considered on the basis of location of plot, utility services, road, with density of the area and other relevant factors and not on legal or inheritance basis.

- (d) Plots earmarked for flats/multi storey buildings / towers shall not be considered for sub-division into smaller plots.
- (e) No sub-division shall be considered without each of the sub-division part having a direct approach from a planned road or street.
- (f) **In case of sub-division the minimum size of plot permissible shall be 80 Sq.Yds for residential purpose and 100 Sq.Yds for commercial purpose.**
- (g) Amalgamation of two or more plots shall be allowed on plots whose land grant terms and conditions are similar provided the rules of original plots shall be applicable on amalgamated plots except on compulsory open spaces as decided by the Board and no separate buildings or bungalows shall be permitted on amalgamated plots and where there is no similar category of plots, the land grant terms and conditions of the larger plot shall prevail.

194. Sale of Plots:- Sale of plots to different persons shall be subject to furnishing a commitment duly notarized, by the purchasers that they bind themselves to byelaws of the Board in the event of violation, they will be liable to penalty as decided by the Board. The purchasers will bound to pay the development charges and TIP Tax as per the rates prevailing at the time in the concerned Cantt Board. This kind of affidavit may be made a part of original lease deed.

195. Change of Land use:- No change in land use of any category of land shall be allowed without prior approval of the Board and subject to the following criteria, namely:-

(1) *Residential plots:-*

- (a) The applicant shall apply and pay necessary fee to the Board for change of land use of the plot with full justification, which shall examine the case in the light of the layout of the area.
- (b) The Board shall then issue a public notice for call of objections against the change of land use of the plot in accordance with the provisions of these Bye-law, the expenses of which shall be borne by the applicant.
- (c) The Board shall give due consideration to the objection received from the public, if any, before the final decision. The Board may accept or reject any such objection as if deem fit;
- (d) Subject to above, the Board may approve change of land use; and

- (e) Residential plot within a residential neighbourhood can be allowed to be used for educational purposes by the Board after inviting public objections from neighbourhood, taking into consideration the availability of suitable parking.

(2) *Change of land use of commercial plots.*- Commercial plots may be converted from original use to any other use with the approval of the Board in a manner as it deem fit.

(3) Ordinary usage of land as mentioned in the revenue record will normally be not allowed to be charged without permission of the Board. The Cantt Executive Officer will ensure and submit a report regarding the effect on environment regarding the organization and change of purpose from Agricultural to Residential or Commercial basis. Executive Officer may ask the developer or proposer to make alternate arrangement regarding cutting of trees and plantations of trees after colony is being developed.

196. Conversion Charges:- Depending on the usage of land which the housing scheme is proposed following conversion charges will apply according to area carved for residential or commercial activity:

- | | |
|---------------------------------|---------------------------|
| (a) Agricultural to Residential | = 5% of valuation table. |
| (b) Agricultural to Commercial | = 25% of valuation table. |
| (c) Residential to Commercial | = 20% of valuation table. |

197. Execution of Scheme:- No person shall develop a Scheme except in conformity with these rules. If the scheme is not developed within the stipulated period or if the development is not in conformity with terms of sanction, the Cantt Board may take over the development of the Scheme and execute necessary works from the proceeds of sale of mortgaged plots or encashment of bank guarantee. In case of difference, the same may be recovered from the Developer as arrears of land revenue.

198. Appeal and Review:- any person aggrieved by any order of Cantt Board may prefer an appeal before the DML&C of the concerned region. The decision of DML&C concerned shall be reviewable by the DG ML&C on an appeal preferred by any persons.

199. Supervision and control:- (1) The DG ML&C / DML&C may call for and examine the record of any proceeding for the purpose of satisfying itself to the correctness, legibility or propriety of sanction of scheme, recommendations, observations, penalty or order recorded or and as to the regularity of any proceedings.

(2) On examining the record, the DG ML&C / DML&C may pass such order as it deems fit and the orders issued shall be binding on the Cantt Board as well as developer. But before

cancelling or recalling sanction of the scheme, the DG ML&C / DML&C shall afford the Developer an opportunity of being heard.

200. Conditions for development permit.- The Board may attached to a development permit any condition which may concern these Bye-law including.-

- (a) Establishing more detailed facts by requiring the submission of additional and detailed drawings, maps and documents,
- (b) Minimizing any adverse impact of the proposed development upon other lands including the hours of use and operation and the type or intensity of activities which may be conducted;
- (c) Controlling and regulating the sequence of land development, including its date of commencement and completion;
- (d) Ensuring that land development is properly maintained;
- (e) Observing the provisions of development plan and any applicable concept plan or contingency plan for the community in which the proposed land development is located;
- (f) Following the provision of any approved development or scheme of a public agency which might be adversely affected by the proposed land development;
- (g) Protecting existing resources, installations, or investments of the Federal Government, Provisional Government or a public agency; and
- (h) Keeping in view relevant conditions or needs in the neighbourhood and its community relating to sanitation, road and street network, traffic and transport facilities, the existence or absence or municipal services in the area, programs for the further provisions of such services, public amenities, industrial and commercial activities and facilities, air and water quality, other attributes of physical environment and significant social and economic characteristics of inhabitants.

201. Rejection of application for land development.- (1) The Board Shall have the discretion to reject request for approval of a scheme in case no response is received from the applicant within a period of two months from the date of communication of any objection to him or on any matter regarding the scheme without assigning any reason.

(2) The Board may reject an application for any reason it may deem fit, provided it shall state and intimate such reason to the applicant.

202. Validity of land development permit.- (1) The development permit shall be valid for the period as specified by the Board and may, in exceptional circumstances, on application of the developer, be extended for such further period as the exigencies of the situation may demand. The extension shall be subject to full justification of the circumstances and if, by any reason, the Board is satisfied that delay has been occurred for the fault of the developer, the extension may be subjected to payment of such composition fees as fixed by the Board.

(2) Any amendment or revision in the development permit or layout plan of the land development scheme can be made by the Board at its discretion, after formal information to the public through press media.

203. Security deposits. (1) The applicant or developers shall deposit cash security deposits or a bank guarantee/**insurance guarantee** equivalent to two percent of the cost of the project with the Board to be held in a separate account. In case of delay in the completion of the project, where such delay has not been condoned by the Board, deduction from the security shall be made in proportion to the extent of the delay. This amount, or lesser amount in case of deduction, shall be refunded after one year of the successful completion of the project after obtaining the completion certificate from the Board.

(2) The two percent security deposit shall be paid in four equal instalments as under, namely:-

- (a) one-fourth at the time of grant of development permit;
- (b) one-fourth after one hundred and twenty days of grant of development permit;
- (c) one-fourth after two hundred and forty days of grant of development permit; and
- (d) one-fourth after three hundred and sixty days of grant of development permit.

(3) The Board shall have the right to utilize the security deposits to remedy any fault or defect in the development works, of the scheme after receiving complaints of the allottees, if the developer fails to rectify the same by himself, or to remedy violation of any condition of the development permit granted by the Board that comes to light at the time of the completion of the scheme, or in case the developer fails to comply with any of the following namely:-

- (a) to develop the scheme in accordance with the plan as sanctioned by the Board;
- (b) to hand over possession of plots to the allottees or purchasers as per agreement with them;

- (c) to successfully complete the scheme on time as per specified period granted by the Board, inclusive of internal and external development works; and
 - (d) to obtain completion certificate from the Board.
- (4) The security deposits shall not, in any way, prejudice the Board's rights under these Bye-law to initiate any other proceedings or action in the event or violation of any of these Bye-laws.
- (5) The security deposit shall be released to the developer after one year of obtaining of completion certificate, provided all the liabilities are cleared by the developer towards his clients to the satisfaction of the Board.

204. Application for NOC.- A Developer applying to the Board for NOC for Sale and advertisement of plots shall furnish and subsequently comply the following, namely:-

- (1) *Determination of price and cost estimate.-* The Developer shall submit the selling / allotment price of various plots along with schedule of payments for registered information of the Board, with such details as may be required. This price shall be quoted in all the advertisement and promotion literature published by the developer. No escalation in the cost shall be allowed except where inflation (as defined by the Ministry of Finance) is above double digit for a particular year and in such a case, excess over the double digits shall be the percentage of the price increase. The developer, in the said case, shall simply inform the Board along with relevant inflation figure. No escalation shall be granted to the developer who has failed to complete the project in the specified time.
- (2) *Fee for NOC.-* A developer shall pay to the Board a fee for the "NO OBJECTION CERTIFICATE FOR SALE" as per charges fixed by the Board from time to time. The Board shall publish a notice about the salient features of each public sale project (name of project, address, developer, office address, town planner, architects, engineers, number and seven days of issuance of such an "NOC for sale/advertisement"
- (3) *Application form for allotment.-* After the receipt of NOC from the Board the developer shall get filled an application form from the persons intending to book a plot in the project.
- (4) *Execution of sub-lease.-* A plot shall be offered for sale or allotment on cash as per schedule of payment provided by the developer. The sub-lease shall be executed as per sale and allotment conditions, in favour of allottee, before delivering the possession of the plot.

- (5) *Confirmation of allotment.*- The developer through an allotment letter to the allottees shall confirm the allotment of the plot, within fifteen day of the booking. The allotment letter shall specify the plot number, street, phase etc in line with the layout plan approved by the Board.
- (6) *Agreement with allottee.*- Within fifteen days of the issuance of allotment letter and before calling other instalments in respect of the plot the developer shall execute an agreement with the allottees.
- (7) *Payment of instalment.*
- (a) The payment of instalment shall be made by the allottee strictly according to the schedule of payment. In case of failure, a fifteen days notice shall be issued by Registered A/D or registered courier service on the last given address and if the allottee fails to make payment within the above period, another notice shall be issued by the developer 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 developer shall not rebook the cancelled plot within thirty of receipt of copy of cancellation letter by the Board, providing that the developer shall publish the cancellation notice in the two leading newspapers (English and Urdu) under the heading of cancellation of plot.
- (b) In response to the above cancellation notice, if the allottee intends to continue the booking, the developer 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.
- (c) If no response to the developer is received from the allottee during the said period, the cancellation of the plot shall be confirmed automatically. In case the cancellation is made before allotment, the developer shall refund the total amount paid till that time by the allottee within thirty day. However, after allotment of plot, the developer shall retain four percent of the amount paid that far, and the rest of the amount shall be refunded within thirty days.
- (d) In spite of failure to make payment of instalments in time, if the developer does not resort to cancellation as provided in these Bye-laws, the developer may or may not charge mark-up on the unpaid instalments at the prevailing bank rate and the allottee shall be informed accordingly.

(8) *Timely completion of the project.*- The developer shall maintain steady progress of work irrespective of the situation of payment by the individual allottees and availability of loan by the loan-giving agency, if any. The developer shall fulfil the obligation of the timely completion of the project by arranging the deficit finances from his own resources. The developer shall inform the allottee every three months regarding progress of the project.

(9) *Withdrawal of allotment.*- The allottee can withdraw his/her allotment of the plot by surrendering the original letter of allocation / allotment to the company and in this event the developer shall refund to the allottee the amount deposited till that time. In case the cancellation is made before allotment the developer shall refund total amount paid by the allottee till cancellation within thirty days. However, after the allotment of the plot, 4% of the amount paid that far, shall be retained by the Builder and the rest of the amount shall be refunded within thirty days.

(10) *Extension in date of completion.*- Extension in date of completion shall be allowed to a developer if he produces documentary proof that more than fifty percent of his client have defaulted in payments of two or more instalments for over six months period. The developer shall also submit consent of at least fifty percent of the allottees while applying for the extension in time under this clause.

(11) *Sublet & transfer of allotment.*- The allottee can sub-let, transfer or sell his plot to anyone, with prior written permission of the developer, who shall allow transfer on receipt of all outstanding dues up to that time and transfer fee of half percent of the total price of the plot. However, no transfer fees shall be charged in case the transfer is made within three months of the allotment.

(12) *Delay in completion and compensation for period delay.*- The developer shall complete the project and hand over physical possession of the plots complete in all respect to the allottee within 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 period of delay calculated from the due completion time as specified by the Board or extension granted thereof.

(13) *Abandonment of the project.*- if, for any reason, the project is abandoned by the developer, he shall refund the total amount received from the purchaser with mark-up at the prevailing bank rate on the same, 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 plot, within sixty days of the announcement to the effect of the abandonment of the project.

(14) *Defect liability.*- The developer shall assume defect of the development work done for a period of twelve months after obtaining of completion certificate.

(15) *Sale or transfer of the project.*- No developer shall sell or transfer the whole or any part of the project to any one without the prior sanction of the Board, unless prior intimation to the Board is given and No Objection from the two-third majority of the allottees is obtained. The new developer shall assume all responsibilities and liabilities if the agreement made between the outgoing developer and the allottees. In addition, new developer must get the previous NOC issued by the Board revalidated in his favour.

(16) *Formation of association & maintenance of utilities.*- The allottees would form an association to handle the affairs of the project and maintenance of the services and amenities. The right of easement, appurtenances and other common rights shall be transferred to such association.

(17) *Settlement of disputes.*- All disputes between the developer and the allottee/s shall be referred to the Board for its decision. Any appeal against the decision made by the authorized officer of the Board may be filed before Director ML&C Lahore Region whose decision shall be final and binding upon both parties.

(18) *Use of amenity spaces.*- Common use/amenity spaces, recreational area, parking area in the project shall neither be converted nor mis-utilized and shall be used exclusively of the benefit of the allottees of the project as per approved plan and shall also not to be calculated in the covered area.

(19) *Instruction of the Board.*- Besides the above Bye-law, the order and instructions of the Board for procedural implementation of these Bye-laws from time to time shall be followed and complied strictly by all concerned.

205. Development at site.- Development of roads, streets, lanes, footpaths, street lighting, water supply, sewerage including proper disposal arrangements, in area or township sponsored by developers, shall be carried by developers at their own cost and the Board shall not be responsible for provision of these facilities. The Board shall, however, be responsible for their maintenance once development has been completed by the developers to the entire satisfaction of the Board and the area in question is formally taken over by the Board for maintenance purposes or when the majority of the area comes under house tax net.

206. Revocation of land development permit.- If the Board find that any of the provision of these Bye-law or any conditions of development permit have been violated, it may issue an order revoking the permit and ceasing the development, sale and transfer activates of the

scheme and may seal the office of the management, after providing an opportunity to be heard in person, particularly:-

- (a) if the developer or owner has mis-represented or suppressed facts or documents while seeking development permit in any form whatsoever.
- (b) if the developer or owner responsible for the violation has not taken proper action as directed by the Board within a specified time period.
- (c) if serious complaints are received by the Board against the scheme or its developers, concerning any matter related to the scheme, and where the developer fails to redress genuine public grievances to the satisfaction of the Board.

207. Application of Bye-law to existing housing scheme:- (1) These Bye-law shall be applicable to all the existing housing schemes in the Cantonment in reference to sub-division, amalgamation, change in land use and fee payable for such permission.

(2) The application of these Bye-law to the existing housing schemes may, however, be relaxed by the Board in the case of housing schemes which are already in existence prior to these Bye-laws, whether developed or non-developed, (approved by the then KDA or relevant authority) but not approved by the Board in whole or in part, if seek development permit on ex-post facto basis, and where the developer submit an affidavit that tailoring of the current Bye-laws of the land development permit on “as is where is” basis, as one time measure, subject to such composition fees as may be fixed by the Board.

208. removal, prevention, rectification of violation:- (1) The CEO or authorized officer or official shall carryout inspection and take other appropriate measures to ensure compliance with these Bye-laws.

(2) If the Board shall find that any of the provisions of these Bye-laws, or any rules relating thereto, or any conditions of a sanction are being or have been violated, it shall serve a notice in writing on any person responsible for the violation.

(3) The notice shall indicate the nature of the violation and the CEO may order such action as it may deem appropriate to correct the violation including but not limited to:-

- (a) The discontinuance or demolition of any violation being done; and
- (b) Requiring the developer who is carrying out or has carried out such violation on or before such day as shall be specified in such notice, by a statement in writing subscribed by him or by an agent duly authorized by him and

addressed to the Board, to show sufficient cause why the violation shall not be removed or rectified to comply with these Bye-laws.

(4) If such developer fails to show sufficient cause to the satisfaction of the Board why such violation shall not be removed or rectified, the Board may take the following actions:-

- (i) To cease the project and seal the concerned administration or site offices of the developer or management till rectification of the violation against the provisions of these Bye-laws;
- (ii) Any other measure authorized by these Bye-laws and the Act; and
- (iii) The giving of notice and making and serving of an order under this Bye-law and its sub-Bye-law shall not be a prerequisite to the initiation of, and shall not bar, any prosecution under any applicable law, and the CEO may take action under this Bye-law whether or not a prosecution has been initiated.

CHAPTER – XVIII: COMPOSITION FEE SCHEDULE

209. Composition fee imposed

a. In order to arrest the increasing tendency of un-authorized construction / changes of purposes, the following measures has been adopt:-

1. The Serious violations / major violations of Building bye-Laws shall not be compounded. In case it is compounded, the following composition fee shall be charged by the Cantonment Board:-

a. Residential

<u>Plot Size</u>	Composition fee
i 400 Sq.Yds and above	Minimum of 02 lacs to 25% of assessed cost of construction
ii Less than 400 Sq.Yds	Minimum of 5% of assessed cost of construction

b. Commercial

i Commercial	Minimum of 10% of assessed capital cost of land and building
--------------	--

2. In case the minor violation the Board will notify the charges for minor violation as per case-to-case basis