

3 PROCEDURE FOR SECURING DEVELOPMENT PERMISSION.

3.1 APPLICATION FOR DEVELOPMENT PERMISSION

Subject to the provisions of Section : 26, 27, 28, 34 & 49 of the Act. any person intending to carry out any development as defined in the Act in any building or in or over any land. within the limits of Development Area in conformity with the Development Plan proposals shall make an application in writing to the Competent Authority in prescribed form No. C or C(a) along with the receipt of the payment of the scrutiny fee. development charges betterment charges. not demand as per sanctioned final T.P. Scheme and other charges and dues if any to be leviable under the Act and the regulations.

3.2 SCRUTINY FEE

A person applying for a permission to carry out any development shall have to pay scrutiny fees along with his application to the Competent Authority Bhavnagar Municipal Corporation at the following rates:

3.2.1 FOR BUILT UP AREA

For low rise building Rs. 3.00 per sq. mt. of Built up area of all floors for the intended residential development or part thereof subject to minimum scrutiny fee of Rs. 300.00

3.2.2 COMMERCIAL AND MIX DEVELOPMENT

For high-rise. commercial. mix development and other than residential use Rs. 5.00 per sq.mt. of Built area of all floors for the intended development or part thereof subject to minimum scrutiny fee Rs. 300.00

3.2.3 SUB-DIVISION AND AMALGAMATION OF LAND

- a) Rs. 1.50 per sq. mt. of building unit plot area for subdivision and amalgamation of all types of development
- b) Rs. 0.50 per sq. mt. of building unit plot area for subdivision and amalgamation for agricultural use.

Minimum scrutiny fee shall not be less than Rs. 300.00

3.2.4 RENEWAOF DEVELOPMENT PERMISSION

Development permission granted under these regulation shall be deemed to be lapsed. if such development work has not been commenced till the expiry one year from the date of commencement certificate development permission. Provided that the Competent Authority may on application made to it before the expiry of above period (one year) extended such period by a further period of one year at a time by charging Rs. 300/- for renewal of development permission. The extended period shall in no case exceed three years in the aggregate.

3.2.5 PUBLIC CHARITABLE TRUST :

Rs.500.00 if the inteded development is for hospitals, dispensaries, schools or colleges or a place of worship, dharmshala, hostels etc. constructed by a public charitable trust

registered under Public Charitable Trust Act. 1950 or for any other purpose which the Authority may specify by a general or special order.

3.2.6 DEVELOPMENT PERMISSION FOR OPEN LAND USE TYPE DEVELOPMENT

In case of open land use type development the scrutiny fees will be Rs 500.00 per 4000 Sq. Mts. or part there of the plot area subject to maximum of Rs. 2500.00

3.3 FORMS OF APPLICATION

Every person who gives notice under relevant section of the Act shall furnish all information in forms and format prescribed under these regulations and as may be amended from time to time by the Competent Authority. The following particulars and documents shall be submitted along with the application.

- (I) (a) The applicant shall submit satisfactory documentary legal evidence or its right to develop or to build on the land in question including extract from the Property Register for city survey lands or an extract from the Record of Rights for Revenue lands or the copy of the index of registered sale deed as the case may be
- (I) (b) He shall also submit a certified copy of approved sub-divisions layout of final plot from the concerned Authority or latest approved sub-divisions layout of city survey numbers or revenue numbers from relAuthority as the case may be. showing the area and measurements of the plot or land on which he proposes to develop Provided that the Authority may dispense with this requirement in the cases where it is satisfied regarding the ownership of land on the basis of any documentary evidence or proof produced by the applicant.
- (II) A certificate of the licensed structural designer in regard to the proposed building shall be submitted under these Development Control Regulations.
- (III) A site plan (required copies) of the area proposed to be developed to a scale not less than 1:500 as the case may be showing the following details wherever applicable. In the case where plot is more than 10 Hectors scale shall not be less than 1 : 1000.
 - i) The boundaries of the plot and plot level in relation to neighbouring road level.
 - ii) The positions of the plot in relation to neighbouring streets.
 - iii) The name of the street in which the plot is situated.
 - iv) all the existing buildings and of all other Development exists on or under the site.
 - v) The position of buildings and of all other buildings and construction which the applicant intends to erect.
 - vi) The means of access from the street to the buildings or the site and all other building and constructions which the applicant intends to erect.
 - vii) Yards and open spaces to be left around the buildings to secure free circulation of air. admission of light and access.
 - viii) The width of street in from and of the street at the side or rear of the building.
 - ix) The direction of north point relative to the plan of the buildings.
 - x) Any physical feature such as trees, wells, drains, O.N.G.C. well & pipeline, high tension Line, railway line.
 - xi)a) Existing streets on all the sides indicating clearly the regular line for streets if any prescribed under the ACT and passing through the building units.
 - b) The location of the building in the plot with complete dimensions.
 - c) The area within the regular line of the street not to be built upon but to be added to

the street. hatched in green together with its measurements.

- xii) Area classified for exemption of built-up area calculations.
 - xiii) A plan indicating parking spaces. if required under these regulations.
 - xiv) The positions of the building units immediately adjoining the proposed development.
 - xv) The positions of every water closet, privy, urinal, bathrooms, cess pool, well or cistern in connection with the building other than those shown in the detailed plan
 - xvi) The lines of drainage of the building the size depth and inclination of every drain and the means to be provided for the ventilation of the drains.
 - xvii) The position and level of the out fall of the drain.
 - xviii) The position of sewer. where the drainage is intended to be connected to sewer.
 - xix) Open space required under these Development Control Regulations.
 - xx) Tree plantation required under regulation No. 31.
- (IV) A detailed plan (required copies) showing the plans. sections and elevations of the proposed development work to a scale of 1 : 100 showing the following details wherever applicable:
- a) Floor plans of all floors together with the covered, area, clearly indicating the size and spacing of all framing members and sizes of rooms and the position of staircases. ramps and lift wells.
 - b) The use of all parts of the building.
 - c) Thickness of walls, floor slabs and roof slabs with their materials. The section shall indicate the height of building and height of rooms and also the height of the parapet. the Drainage and the slope of the roof At least one section should be taken through the staircase. The position, form and dimension of the foundation. wall floor roofs. chimneys and various parts of the building means of ventilation and accesses to the various parts of the building and its appurtenances also should be shown in one cross section.
 - d) The building elevation from the major street.
 - e) The level of the site of the building. the level of lowest of building in relation to the level of any street adjoining the cartilage of the building in relation to one another and some known datum or crown of road.
 - f) Cabin plan.
 - g) The north point relative to the plans.
 - h) The form and dimensions of every water closets, privy, urinals, bathroom, cesspools, well and water tank or cistern to be constructed in connection with the building.
 - i) One copy of the detailed working drawing including structural details based on the approved building plan shall be submitted before days of commencement of the construction work at site for information and record. The applicant will inform the authority the date for commencement of work Provided that in the case of individual residential buildings up to G-2 on a plot not more than 500 sq.mts. in size the Competent Authority shall not enforce. on request of the owner developer. to submit such details. subject to the condition that for such area similar types of structures and soil investigation report are already available on record.
- (V) For high rise building and for special building like assembly, institutional, industrial

storage and hazardous occupancy the following additional information shall be furnished/indicated in the following plans in addition to the items under clause 3.3.

- a) Access to fire appliances/vehicles with details of clear motorable access way around the building and vehicular turning circle.
 - b) Size (width \) of main and alternate staircase along with balcony approach. corridor, ventilated lobby approach as the case may be.
 - c) Location and details of lift enclosures.
 - d) Location and size of fire lift.
 - e) Smoke stops lobby door where provided.
 - f) Refuse chutes, refuse chamber, service duct etc. where to be provided.
 - g) Vehicular parking space.
 - h) Refuse area, if any.
 - i) Details of building services. air-conditioning system with position or dampers. mechanical ventilation system. electrical service. boiler gas pipes etc. where provided.
 - j) Details of exist including provision of ramps etc. for hospitals.
 - k) Location of generator transformer and switch gear room where required.
 - l) Smoke exhauster system. if any.
 - m) Details of fire alarm system network.
 - n) Location of centralised control. connecting all fore air, suste, built-in fire protection arrangements and public address system etc. where required.
 - o) Location of dimension of static water storage tank and pump room.
 - p) Location and details of fixed fire protection installations such as sprinkles wet risers. house reels. drenchers. CO2 installations etc.
 - q) Location and details of first-aid fire fighting equipment installations.
 - r) Location for electric transformer.
- (VI) In case of layout of land or plot :
- a) A site-plan (in required numbers) drawn to a scale not less than 1 : 500 showing the surrounding lands and existing access to the land included in the layout plan.
 - b) A layout plan (in required numbers) drawn to a scale of not less than 1:500 showing:
 - i) Sub-division of the land or plot or building unit with dimension and area of each of the proposed sub-divisions and their use according to these regulations.
 - ii) Width of the proposed streets and internal roads.
 - iii) Dimensions and areas of open space provided for under these regulations.
- (VII) Certificate of undertaking Certificate in the prescribed form No. 2(a),2(b), 2(c) and 2(d) by the registered Architect Engineer Structural Designer Clerk of Works. Developer Owner.
- (VIII) Full information should be furnished in Form No. 3 and Form No. 4 as the case may be along with the plan.
- (IX) The applicant shall also obtain copy of N.O.C. From relevant Authority as per Regulation No. 4.2 wherever applicable.

3.4 GENERAL NOTATION FOR PLAN

The folowing notation generally shall be used for plans referred to in 3.3: (III): (V) and (VI).

Sr. No.	Item	Site Plan	Bldg. Plan
01.	Plot line	Thick black	Thick black

02.	Existing Street	Green
03.	Future Street if any	Green dotted
04.	Permissible lines	Thick black dotted
05.	Open space	No colour	No colour
06.	Existing work	Blue	Blue
07.	Work proposed to be demolished	Yellow Hatched	Yellow Hatched
08.	Proposed work	Red	Red
09.	Work without permission if started on site	Grey	Grey
10.	Drainage and sewerage work	Red dotted	Red dotted
11.	Water supply work	Black dotted	Black dotted

3.5 DOCUMENTS TO BE FURNISHED WITH THE APPLICATION

- a) A person who is required under relevant section of the Act to give any notice or to furnish any plans sections or written particulars by these Development Control Regulations. shall sign such notice plans sections or written particulars or cause them to be signed by him and his duly authorised registered Architect. Engineer, Developer etc. as the case may be such person or authorised registered Architect. Engineer, Developer shall furnish documentary evidence of his Authority If such notice or other document is signed by such authorised registered Architect Engineer Developer it shall state the name and address of the person on whose behalf it has been furnished.
- b) Any notice or document shall be delivered to the office of the Competent Authority within such hours as may be prescribed by the Competent Authority.
- c) The forms, plans, sections and descriptions to be furnished under these development control regulations shall all be signed by each of the following persons
 - i) A person making application for development permission under relevant section of the Act
 - ii) A Person who has prepared the plans and section with description who may be registered engineer or an architect
 - iii) A person who is retained or engaged to supervise the said construction
 - iv) A person who is responsible for the structural design of the construction is a structural designer
 - v) A clerk of works who is to look after the day-to day supervision of the construction
 - vi) A Developer
- d) A person who is engaged either to prepare plan or to prepare a structural design and structural report or to supervise the building shall give an undertaking in form No.2(a).2(b). 2(c) and 2(d) prescribed under these Development Control Regulation.
- e) Every person who under the provision of the relevant sections of the Act may be required to furnish to the Authority any plan or other document shall furnish copies (in required number) of such plans and other document and copies (in required) of such document which he may be called upon to furnish. one copy of each such plan and document shall be returned on approval to the applicant duly signed by the Competent Authority of the Authority or authorised Officer.
- f) It shall be incumbent on every person whose plans have been approved to submit amended plans for any deviation amounting to increase in built-up area. F.S.I. building

height or change in plans. he proposes to make during the course of construction of his building work. and the procedure laid down for plans or other documents here to before shall be applicable to all such amended plans.

- g) It shall be incumbent on every person whose plans have been approved. to submit a completion plan showing the final position of erected or re-erected building in duplicate or in required numbers and one copy of plan to be returned to the applicant after approval.
- h) Approval of drawings and acceptance of any statement. documents. structural report. structural drawings. progress certificate. or building completion certificates shall not discharge the owner. engineer. architect, clerk of works and structural designer. Developer, Owner, from their responsibilities imposed under the Act. the Development Control Regulations and the laws of tort and local acts.
- i) The landowner shall be held responsible if any Unauthorised Construction. Addition & Alteration is done without prior permission of competent Authority.

3.6 PLANS AND SPECIFICATIONS TO BE PREPARED BY REGISTERED ARCHITECT/ENGINEER

The plans and particulars prescribed under regulation No. 3.3 above shall be prepared by a registered architect/engineer. The procedure for registration of architect engineer shall be as laid down in these regulations.

3.7 REJECTION OF APPLICATION

If the plans and information given as per regulation No. 3.1, 3.2 and 3.3 do not give all the particulars necessary to deal satisfactorily with the development permission application. the application may be liable to be rejected.

3.8 CANCELLATION OF PERMISSION

The development permission if secured by any person by any misrepresentation or by producing false documents. such development permission will be treated as cancelled revoked.