

प्रेषक,

अमित सिंह नेगी,
सचिव,
उत्तराखण्ड शासन ।

सेवा में,

- | | |
|---|---|
| 1- मुख्य प्रशासक,
उत्तराखण्ड आवास एवं नगर विकास प्राधिकरण,
देहरादून । | 2- उपाध्यक्ष,
समस्त विकास प्राधिकरण,
उत्तराखण्ड । |
| 3- सचिव,
समस्त विशेष क्षेत्र विकास प्राधिकरण,
देहरादून/ नैनीताल/ गंगोत्री । | 4- उपाध्यक्ष/ जिलाधिकारी,
समस्त स्थानीय विकास प्राधिकरण,
उत्तराखण्ड । |

आवास अनुभाग-2

देहरादून : दिनांक 30 अक्टूबर, 2017

विषय- EoDB अन्तर्गत मानचित्र स्वीकृति की प्रक्रिया के सरलीकरण के संबंध में।

महोदय,

उपर्युक्त विषयक विषयक शासन के पत्र 388/V/आ0-2016-132(आ0)/2015, दिनांक 08 मार्च, 2016 का सन्दर्भ ग्रहण करने का कष्ट करें। EoDB अन्तर्गत राज्य में प्रभावी भवन निर्माण एवं विकास उपविधि/विनियम-2011 (यथा संशोधित 2015 एवं 2016) में संशोधन कार्य गतिमान हैं।

उक्त के निरन्तरता भवन मानचित्र की स्वीकृति की प्रक्रिया में पारदर्शिता व सरलीकरण, परिवाद निवारण प्रणाली तथा मानचित्र स्वीकृति के समय जमा किये जाने वाले विविध शपथ-पत्र/प्रमाण-पत्र के स्थान पर एकीकृत शपथ-पत्र/प्रमाण-पत्र एवं आवश्यकानुसार क्षतिपूर्ति बन्धकनामा का प्रारूप संलग्न कर प्रेषित करते हुए मुझे यह कहने का निदेश हुआ है कि सम्बन्धित स्थानीय विकास प्राधिकरण/विशेष क्षेत्र विकास प्राधिकरण/विकास प्राधिकरण स्तर पर मानचित्रों की स्वीकृति में उक्त निर्धारित प्रक्रिया को अपनाये जाने के संबंध में तत्काल प्रभाव से अपने क्षेत्र में इन प्राविधानों का अनुपालन सुनिश्चित करें। संशोधित की जा रही भवन उपविधि/विनियम में इन प्राविधानों को सम्मिलित किया जाएगा।

संलग्नक-यथोक्त।

भवदीय,
(अमित सिंह नेगी)
सचिव
९

REFORMS UNDER EASE OF DOING BUSINESS

(1) Applicability of Reforms under Ease of Doing Business

The reforms as mentioned in the below section will be applicable to all structures and buildings in the State of Uttarakhand for all use groups except for single dwelling units (upto 105 sq. mt.) and Convenience Shops (upto 30 sq. mt.).

(2) Reforms under Ease of Doing Business

All the agencies / authorities / departments that are concerned with the approval of Building Plans or Occupancy-cum-Completion Certificates shall follow the below mentioned guidelines to ensure that the process for granting of construction permits be provided to users / applicants in a smooth and transparent manner.

All the agencies / authorities / departments are to ensure that online applications are invited and that the entire mechanism of approval shall happen without any physical touch points. Physical submission of any document in hard-copy shall not be accepted including fees thus ensuring that the entire approval process be done electronically with no hard-copy file movement.

The users / applicants should be able to track the status of their applications online through the unique reference number through any stage of the process. The users / applicants should also be provided online approval / rejection / objection letters (preferably digitally signed).

- (i) Buildings be inspected based on computerized risk based assessment to ensure that low risk buildings are not imposed regulatory burdens and adequate monitoring is engaged on the buildings that pose higher risks
- (ii) Ensure that all the inspection reports at every stage of construction i.e. pre-construction, during-construction and post-construction be submitted within 48 hours of the inspection
- (iii) All the inspections reports be available for view and download by the applicants on their logins
- (iv) After the inspections have been completed, an online certificate be issued for the inspections
- (v) The inspectors for the site inspections be allocated either randomly (preferred) or by jurisdiction and that manual allocation not be done
- (vi) Third party Architects (duly registered with Council of Architecture) be entrusted with the task of providing the Completion Certificates for all such buildings based on which the



applicant should then apply for the Occupancy-cum-Completion Certificate to the agencies / authorities / departments / urban local bodies of the State.

- (vii) All the affidavits and undertakings that are required from the applicant have been made into a single comprehensive affidavit to ensure that users / applicants need not provide multiple affidavits and undertakings.
- (viii) For Building Plan Approval, only a single, joint site inspection be carried out by all concerned authorities such as Fire, Sewerage, Electricity, Labor, Water Department and internal departments responsible for granting construction permits in urban areas and IDC instead of separate inspections by all the relevant agencies
- (ix) All the approval / rejection records should be easily verifiable through the portal of the agencies / authorities / departments .
- (x) The timelines as below need to be adhered and should be limited to 45 days for the entire life cycle of approvals for construction permits:
 - I. Building Plan Approval is provided within 30 days
 - II. Plinth Inspection is done within 7 days of intimation
 - III. Final Occupancy-cum-Completion certificate is provided within 8 days (including inspections)
- (xi) All the fees and charges that are to be borne out by the user / applicant should be prominently shown on the respective websites. The fees and charges calculations should be done through online fee calculators.
- (xii) All the agencies / authorities / departments should provide an online medium to the users / applicants to raise queries / grievances and that timely action be taken to resolve them

(3) Creation of Smooth and Transparent Mechanisms

All the agencies / authorities / departments should also provide the relevant areas which are under their jurisdictions to ensure that users / applicants are easily able to verify the concerned agency for approvals.

The agencies / authorities / departments / local bodies should also ensure robust systems for management of information and create actionable reports to identify and rectify issues that may be in the processes for the provisions of various services for construction permits. Departmental dashboards and reports be made available to each of the stakeholders in the system to ensure timely action can be taken to rectify and correct issue areas.

(4) Grievance Redressal Committee for Building Byelaws

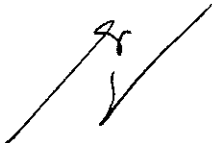
All the agencies / authorities / departments which implement these building bye-laws, there shall be a Grievance Redressal Committee for building bye laws which shall be headed by a senior



officer of the Competent authority who shall receive complaints/ difficulties/appeals and provide appropriate redressal in a time bound manner. The above committee shall comprise of:

- (i) An officer of the concerned Competent authority not below the level of Class-1 officer.
- (ii) A senior officer of agencies / authorities / departments not below the level of Class-1 officer.
- (iii) Three representatives from the profession, one each from architecture, engineering and town planning, to be nominated by Housing Department.
- (iv) Any other official/professional may be co-opted if required.

This committee shall be constituted by the Executive Head of the authority/local body and shall have a term of 3 years after which, it shall be reconstituted with a change of members. If the authority/ local body so desires, some or all the members may continue. This committee shall meet regularly, at least once a month and consider the grievances / appeals/ queries regarding sanction, completion, interpretation etc. of these bye laws and codes, etc. The decision of this committee shall be final and binding in all matters related to interpretation of these building bye-laws. All decisions taken by this committee shall be recorded in minutes of the meeting and place on the website of the concerned Authority/ Local Body. All grievances/ appeals shall be in the form of an application. Fees if any shall be decided by the concerned authority/ local body.



FORM (A)
APPLICATION FORM

From

.....
.....

To

.....
.....

Sir,

I / We apply for permission to erect / re-erect / add / alter a building / wall in accordance with the plans submitted herewith on Site no. _____; Street no. _____; at _____ / Khasra no. _____, Village _____ (strike out whichever is not applicable)

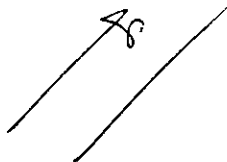
I / We attach the following plans as required by the Byelaws along with an un-editable compact Disc / DVD or any, other electronic medium permissible by Competent Authority from time to time containing the drawings so submitted

- a. Site plan (in triplicate) showing the position of site proposed to be built upon;
- b. Building plans (alongwith elevations and sections) (in triplicate);
- c. Service plans (in triplicate);
- d. Landscape plan and Contour Plan
- e. Structural drawings (for record), as may be applicable;
- f. Other plans as required
- g. Scrutiny fee @ as decided by the Competent Authority deposited as per prescribed mode
- h. Form (B) duly filled and signed where ever applicable.
- i. Form (C) duly filled and signed where ever applicable.

Signature of the Applicant:

Name of the Applicant:

Address of the Applicant:

A handwritten signature in black ink, consisting of a stylized 'S' followed by a flourish, written over two parallel diagonal lines.

FORM (B)
CERTIFICATE

S. No.	Name Of Personnel Alongwith Registration Number	Declaration	Address & Phone Number
1	Owner / Owners / Lessee / Authorized Agent	I / we declare that I am / we are the absolute / owner / owners / lessee of the land on which I / we intend to erect the Building and am / are enclosing copies of relevant document of ownership / lease certified by Magistrate / Notary public / a Gazetted Officer. SIGN:	
2	Builder / Developer / Construction Firm	The construction of the building will be undertaken as per the approved building plans, structural design given by the Structural Engineer, and will be supervised through the following Architects / Engineers: 1. 2. SIGN:	
3	Architect	I / we have gone through the Building Regulations made under the provisions of the Building Byelaws and have satisfied myself / ourselves that the site and building plans are in accordance with provisions contained therein. SIGN:	
4	Supervision Engineer	The construction of the building will be undertaken as per the approved building plans, structural design given by the Structural Engineer, and will be supervised by me, SIGN:	
5	Structural Engineer	The structural drawings have been prepared with the provisions of the National Building Code and the relevant Indian Standard Byelaws (with latest amendments) including Bureau of Indian Standard Byelaws for structures resistant to earthquakes and other natural hazards. The local soil conditions, its load bearing capacity and the underground water table etc. have been	



S. No.	Name Of Personnel Alongwith Registration Number	Declaration	Address & Phone Number
6	Supervisor / Surveyor	kept in view while designing the same. In addition, the structural safety/ stability of adjoining existing buildings has been ensured. SIGN: I / we have gone through the Building Regulations made under the provisions of the Building Byelaws and have satisfied myself / ourselves that the site and building plans are in accordance with provisions contained therein. SIGN:	
7	Engineer/ Structural Engineer/ Geotechnical Engineer (for high rise buildings)	we certify that we have carried out subsurface investigation at site and have performed various tests required to determine engineering properties of soil substrata and ground water based on which we have given recommendations about the type of foundation, soil bearing capacity and the depth at which the foundations shall be placed, considering the structural system and loads supplied by the structural engineer to enable the engineer/structural engineer to design the foundations and other structures below ground, as stipulated in National Building Code of India and its Part 6 .Structural Design, Section 2 Soils and Foundations. and other relevant Codes. SIGN:	
8	Town Planner	I / we have gone through the Building Regulations made under the provisions of the Building Byelaws and have satisfied myself / ourselves that the site and building plans are in accordance with provisions contained therein. SIGN:	
9	Fire Officer	I / we have gone through the Building Regulations made under the provisions of the Building Byelaws and NBC FOR FIRE SAFETY and have satisfied myself / ourselves that the site and building plans are in accordance with provisions contained therein. SIGN:	
10	Third Party Auditor	I / we declare that the structural design has been checked and has been found to be in order. The design is in	

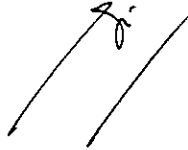


S. No.	Name Of Personnel Alongwith Registration Number	Declaration	Address & Phone Number
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(For Buildings More
Than 15 M. In
Height)

accordance with the provisions of the National Building Code and the relevant Bureau of Indian Standard Codes (with latest amendments) including Bureau of Indian Standard Codes for structures resistant to earthquakes and other natural hazards. The local soil conditions, its load bearing capacity and the underground water table etc. have been kept in view while designing the same.

SIGN:



FORM (C)
COMBINED INDEMNITY BOND
FOR
BASEMENT/ ANY STRUCTURAL CHANGE TO EXISTING BUILDING

This Indemnity Bond is executed by Shri / Smt. S / o, D / o, W /
o Shri /Smt..... R/
O.....in favor of
(Name of Development Authority / Local Development Authority)

Whereas the executants has submitted to the concerned Authority the plans for, sanction of basement/ structural change to existing building over Plot No..... under the provisions of the Act and bye-laws made there under:

And whereas the concerned Authority has agreed to sanction the aforesaid construction subject to the conditions that the owner shall indemnify the concerned Authority in the event of any loss or damage being caused to the adjoining building on account of the construction of the said basement/ structural change to existing building either at the time of digging of its foundations or in the course of its construction or even there after and also against any claim of any concern thereto.

And whereas the executant has agreed to execute an indemnity bond to the above affect and also to abide by the terms imposed by the concerned Authority to the grant of sanction for construction of the basement/ structural change to existing building.

Now this deed witnesses:

1. That in consideration of the sanction of the plans by..... for construction of the basement/ structural change to existing building, the executant undertakes that he / she shall at all times keep.....harmless and free from any liability, loss or damages / flowing from any injury or damage caused to the adjoining built-up properties or to any person as a consequence of the construction of basement/ structural change to existing building, at the time of digging of its foundations or during the course of its construction or at any time thereafter.
2. The owner agreed and undertakes that in the event of any claim being made by any person or persons against the concerned Authority either in respect of the sanction granted by the concerned Authority to the owner for the construction of basement/ structural change to existing building or in respect of the construction or manner of construction of the basement/ structural change to



existing building , by the owner or the consequences flowing from the said sanction the executant shall be responsible and liable and not the concerned Authority.

3. The executant agrees and undertake to indemnify the concerned Authority fully in respect of any amount which the concerned Authority may be required to pay to any person either by way of compensation or damages or on any other account as a result of any claim or suit or any other proceedings concerning the sanctioning of the construction of the basement/ structural change to existing building and also in respect of the costs and expenses which the concerned Authority may incur on defending any action.
4. Without prejudice to the above undertaking the executant hereby binds itself to pay to the concerned Authority to the full extent any amount which the concerned Authority may be required to pay to any person in connection with, relating to or concerning the sanctioning of the basement/ structural change to existing building , or the making thereof.
5. The owner further agrees and undertakes that this bond shall remain in full force and effect till the executant faithfully observes / performs the undertaking herein before contained.

In witness where of the executants above named has signed this bond on this.....
day ofat.....

Witness 1

1. Name.....
2. Full Address.....
3. Signature.....

Witness 1

1. Name.....
2. Full Address.....
3. Signature.....

Indemnifier

1. Name.....
2. Full Address.....
3. Signature.....

A handwritten signature consisting of a stylized 'A' or 'R' followed by a diagonal slash.