

ENDORSEMENT.

Copy communicated to Town Planning Officer, Assistant Town Planning Officer and Building Inspectors for information and necessary action.

ESA/S.5.a

FOR COMMISSIONER.

To
The Town Planning Officer, Assistant Town Planning Officer and Building Inspectors.

Copy to The Building Clerk and GI for stock file.
Spare 10 copies.

Copy of Government Memorandum No.49095-M2/70-7 dated 30th March 1971, Rural Development and Local Administration Department.

Subj Rules - Revised Building Rules 1952 - Applicability of Rule 9(2)(a) to rear space to G.O.Ms.No.32 3425 Health dated 1-11-1952 - clarifications - issued.

- Ref: 1. G.O.Ms.No.3425 Health dated 1-11-1952.
2. Government Memorandum No.198252-A/M2/64-2 dated 12.12.64.
3. From the Director of Town Planning letter No.Rc.19933/69 H1 dated 7.10.1969.

According to rule 9(2) of the Building Rules, 1942 no building shall be built within four feet of the boundary of the street. A question was raised whether rule 9(2) of the Building Rules prohibiting construction of buildings or structures within four feet from the boundary of the street shall apply to the rear of the sites abutting another street, even in cases where rule 9(4) and 9(5) (open space in between boundary of every building site and the building itself) and 9(7) (constructions, not intended for human habitation, are allowed, provided the aggregate area not exceeding one fourth area left) are satisfied. In the G.O.first cited, orders were issued that when the rear space has been left according to rule 9(4) or 9(5), it is not necessary to set back the buildings permissible in that space under rule 9(7) (i.e.) construction of well, latrine, garage, cow-shed etc), by four feet from the boundary of the street and the rule 9(2) will apply only to the front and the side open spaces of buildings and not to the rear space complying with the rule 9(4) or 9(5). Subsequently, the Special Committee appointed for the modification of the "Scheme Rules" and for suggesting amendments to the Building Rules had recommended certain modifications to rule 9(2). Accordingly, in the Memorandum second cited, it has been ordered that where the street is at any place less than 12 feet in width, no building shall be built within six feet from the centre point of the said street. In view of the position set out in the above Memorandum, a question has now arisen whether the exemption granted in the G.O.first cited will hold good in respect of all streets. The above question has been examined in consultation with the Director of Town Planning.

2. The following clarifications are issued:-

- (i) The exemption granted in G.O.Ms.No.3425 Health dated 18th November 1952 will hold good only in respect of streets where the width of road is more than 12 feet.
- (ii) So far as the street or lane where width of the road is less than 12 feet, the revised orders issued in Memorandum No.19825- A/M2/64-2 dated 12-12-64 will hold

good. The intention in issuing the above revised order is to have at least 12 feet width in between the houses that are being constructed on either side where the width of the street is less than 12 feet. It also provides better ventilation and lighting facilities besides better privacy in between the houses. Thus the revised rule 9(2)(a) will be applicable to all streets, where the width of the road is less than 12 feet, including rear side of of the building.

~~of all~~ The Director of Town Planning and the Commissioners of all Municipalities are requested to acknowledge the receipt of this Memorandum.

E.C.P.PRABHAKAR,
Secretary to Government.

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