

GOVERNMENT OF ASSAM
GUWAHATI DEVELOPMENT DEPARTMENT
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DISPUR, GUWAHATI-6.

ORDERS BY THE GOVERNOR OF ASSAM

NOTIFICATION

Dated, Dispur, the 16th Feb., 2018

No.GDD.109/09/Pt-I/748: Whereas it is expedient to amend the Guwahati Building Construction (Regulation) Byelaws, 2014 for inclusion of provisions for smooth implementation of Pradhan Mantri Awas Yojna (Urban) Projects in Guwahati, the Governor of Assam, in exercise of the powers conferred by section 4 of the Guwahati Building Construction (Regulation) Act, 2010, (Assam Act No. XVI. 2010), is pleased to amend the Guwahati Building Construction (Regulation) Byelaws, 2014 in the manner hereinafter appearing, namely:-

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| Short title,
extent and
commencement | 1. (1) These Byelaws shall be called the Guwahati Building Construction (Regulation) (Amendment) Byelaws, 2018. |
| | (2) It shall extend to the whole of the Guwahati Metropolitan Area notified in the Master Plan for the city of Guwahati. |
| | (3) They shall come into force on the date of their publication in the Official Gazette. |
| Insertion of new
chapter VII | 2. In the principal Byelaws, after Chapter -VI, a new Chapter -VII shall be inserted with Byelaws 122, 123 and 124 as in the following, namely :- |

"Chapter VII

(Special Provisions for Projects under Pradhan Mantri Awas Yojana (Urban) Projects in Guwahati)

122. A project shall be eligible for additional benefits as prescribed in byelaw 123 where at least 50 percent area of the total FAR of a project is used for building units of Economically Weaker Section (EWS) and Lower Income Group (LIG) category with carpet area ranging from 21 sq.m. to 60 sq.m. Such projects shall hereinafter be termed as PMAY projects.
123. (i) Byelaw 26(1) (a) allows for different FAR for Residential Buildings based on Zoning under different Intensities. For PMAY Projects in Guwahati, Byelaw 26(1) is read to the effect that Maximum FAR allowed for High Intensity Zone is applicable according to Plot Size and Existing Road Width irrespective of Intensity Zoning classification;
- (ii) PMAY projects are exempted from the purview of Byelaw 49(a) of Guwahati Building Construction (Regulation) Byelaws, 2014 to the extent that at least one room intended to be used as an inhabited room shall have a floor area of minimum 9 sq.m. and all other habitable rooms shall be of atleast 6.5 sq.m. as per National Building Code, 2016;
- (iii) PMAY projects are exempted from the applicability of Byelaw 52(b) of Guwahati Building Construction (Regulation) Byelaws, 2014 to the extent that the minimum size of the independent bathroom shall be 1.2 sq.m. with a minimum width of 1m;

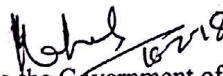
- (iv) Byelaw 83(d) of Guwahati Building Construction (Regulation) Byelaws, 2014 shall not apply to PMAY Projects;
- (v) The Appendix I of the Guwahati Building Construction (Regulation) Byelaws, 2014 which mandates that every 1 tenement of 80 sq.m Built up Area shall have a Car parking and every unit below 60 sq.m Built up Area shall have a Scooter parking shall instead be read as every unit with a carpet area of 60 sq.m or below shall have a minimum of one number of Scooter parking and every unit with a carpet area above 60 sq.m shall have a minimum of one number of car parking for the purpose of PMAY Projects;
- (vi) PMAY Projects shall mandatorily provide for Children Play Area, Common Recreation House/Community Hall as specified by GMDA and is not considered within FAR.
124. (i) The building plans pre-approved by the State Level Sanctioning and Monitoring Committee (SLSMC) of Pradhan Mantri Awas Yojna (Urban) are deemed to be approved by GMC and/or GMDA as the case maybe, subject to fulfilment of norms as per existing byelaws. However, nothing shall be construed to authorise any person to do anything in contravention or against the terms of the lease or title of the land;
- (ii) On submission of a Site Plan along with Pre-Approved Building plan to the Authority, permission shall be deemed approved instantly and the owner/beneficiary can undertake the construction;
- (iii) GMC and/or GMDA as the case maybe, shall forego the application and approval fee for pre-approved building plans of Beneficiary Led Construction (BLC) beneficiaries under PMAY(Urban) Scheme;
- (iv) On completion, owner/beneficiary shall submit an intimation to the Authority;
- (v) For construction not as per instant sanction or construction done in deviation of the sanction or deemed approval, penal action shall be initiated as per the relevant sections of the Acts against the owner/beneficiary;
- (vi) The floor plans of pre-approved building plans or a combination of pre-approved floor plans may be adopted for planning a project under Affordable Housing in Partnership (AHP) component under PMAY. However for such projects, clearance from local Authority shall be obtained for the Site Plan;
- (vii) Deemed sanctions shall not apply to proposals falling within the Prohibited and Regulated areas as defined by Ancient Monuments and Archaeological Sites and Remains Act 2010, Works of Defense Act, 1903 (Act No. VII of 1903), Airport Authority of India, Notified Water Bodies and Hills and other Prohibited and Regulated areas.”

Sd/-
(Ajay Tewari, IAS)
Principal Secretary to the Govt. of Assam,
Guwahati Development Department

Copy forwarded for information to :

1. The Deputy Commissioner, Kamrup (Metro), Panbazar, Guwahati-1
2. The Commissioner, Guwahati Municipal Corporation, Panbazar, Guwahati
3. The CEO, GMDA, Bhangagarh, Guwahati
4. The Mission Director, PMAY-HFA(U) Assam, Dispur, Guwahati-6
5. The Director, Town & Country Planning Assam, Dispur, Guwahati-6
6. The Director, Directorate of Municipal Administration, Dispur, Guwahati-6
7. P.S to the Hon'ble Minister of Guwahati Development Department, Dispur, Guwahati-6
8. Staff Officer to the Chief Secretary, Assam, Dispur, Guwahati-6
9. P.S. to the Principal Secretary to the Govt. of Assam, Urban Development Department & Guwahati Development Department, Dispur, Guwahati-6
10. P.S. to the Commissioner and Secretary to the Government of Assam, Urban Development Department & Guwahati Development Department, Dispur, Guwahati-6
11. The Deputy Director, Assam Govt Press, Bamunimaidam, Guwahati-21 with a request to publish the above notification in the next issue of Assam Gazette.

By order etc.,


Joint Secretary to the Government of Assam
Guwahati Development Department.
Dispur, Guwahati-6

S/c