



GOVERNMENT OF KERALA

Abstract

LSGD- Kerala Municipality Building Rules, 2019 - Making Self-Certification mandatory for low-risk buildings in Municipal and Corporation areas -Simplification- Orders Issued.

LOCAL SELF GOVERNMENT (RA) DEPARTMENT

G.O.(Ms)No.84/2023/LSGD Dated,Thiruvananthapuram, 31-03-2023

ORDER

As part of simplifying procedures for issue of building permits, Government proposes to bring in reforms, making self-certification mandatory for applications for building permits for low-risk buildings in Municipal and Corporation areas with effect from 1st April 2023.

2.The following directions are hereby issued for making self-certification mandatory for obtaining building permit for low-risk buildings in Municipal and Corporation areas.

2.1. Any person who intends to construct or reconstruct a low-risk building or make alteration or addition or extension or change in occupancy of a low-risk building to another low-risk building in any Municipality or Corporation area shall submit an online self-certified application in the Form in Appendix A1A along with documents as specified in Rule 19A of Kerala Municipality Building Rules, 2019 (KMBR 2019) to the Secretary of the Municipality or Corporation, as the case may be, for approval of building site and for permission to execute the work. All plans submitted along with the online application shall be certified by the Licensee. Clearances and NOCs from any authority concerned, required under these Rules or any other relevant Act or Rules, town planning schemes etc shall be submitted along with the online application. Online submission of self-certified documents shall be mandatory with effect from 1st April 2023, for obtaining permission for construction of low-risk buildings in Municipal and Corporation

areas.

2.2. On submission of online self-certified application in Appendix A1A along with payment of application fee, permit fee and the documents specified in sub-rule (1) of Rule 5 of KMBR 2019, the system will automatically generate Self-certified Building Permit in Appendix O along with an Acknowledgement Receipt. The Form of Acknowledgement Receipt is attached as Annexure to this order. After receiving the Acknowledgement Receipt, the applicant may commence construction of the low-risk building from the date of commencement as mentioned in the self-certified Building Permit in Appendix O.

2.3. The Principal Director, Local Self Government Department (LSGD) shall ensure that all necessary modifications in the online system are effected before 1st April 2023 for facilitating online self-certification of Building Permit.

2.4. Under Rule 98 of KMBR 2019, the Regional Joint Director of Urban Affairs is the Registering Authority for the grant of Registration Certificate for registration of Institution, Architect, Engineer, Town Planner etc. As the post of Regional Joint Director does not exist under Special Rules for the Local Self Government State Service, 2022, the Joint Director, Local Self Government Department (in the District) is designated as the 'Registering Authority' for the purpose of Rule 98 of KMBR 2019, in the respective district.

2.5. As provided in sub-rule (7) of Rule 99 of KMBR 2019, a registered Architect, Institution, Building Designer, Town Planner, Engineer, Supervisor shall empanel with the Registering Authority, by submitting an application in Appendix Q for empanelment. However, only a limited number of persons and institutions have got themselves empanelled so far. Therefore, Government have decided that empanelment of the licencees with the Registering Authority is not compulsory for a period up to 30th June 2023, in order to facilitate smooth implementation of self-certification process for construction of low-risk buildings. Any person or institution registered under Rule 99 of the KMBR 2019 can submit application for self-certification for construction of low-risk building, even if he or it is not empanelled, until 30th June 2023. Such person or institution shall apply for empanelment to the Registering

Authority concerned on or before 30th June 2023. All persons and institutions registered under Rule 99 of the KMBR 2019 shall be deemed to be empanelled licensees until 30th June 2023. The Principal Director, LSGD shall ensure that necessary modifications are made to the online system for incorporating this provision.

2.6. It shall be the responsibility of the Owner / Licensee /Registered Architect / Institution / Building Designer / Town Planner / Engineer / Supervisor to ensure that the building is constructed in accordance with the conditions laid down in the KMBR 2019.

2.7. Rule 19 B of KMBR 2019 provides that at any stage of construction of low-risk buildings, if the Licensee who submitted self-certified Building Permit notices that such building is being constructed in violation of such building plan or permit, the Licensee shall intimate the authority concerned regarding such violations for stopping further construction. The Licensee shall submit complete details along with photographs of the building being constructed to the Secretary of the Municipality or Corporation. The Secretary shall immediately issue a notice to the owner on the basis of the intimation received from the Licensee, directing him stop further construction and rectify violations. In such cases, the Owner shall not make further additions in violation of the conditions. The Owner may, after removal of violations, engage a Licensee for preparing the revised drawings for obtaining revised self-certified Building Permit. In such cases, on completion of construction, Occupancy Certificate shall be given only after scrutiny of revised self-certified Building Permit and site inspection by the authorities.

2.8. As per subrule (3) of Rule 19 B of KMBR 2019, after submission of application for building permit or at any time during the construction of building, if there is a change in the Owner or the Licensee, this shall be intimated to the Secretary of the Municipality or Corporation within 7 days of occurrence of the change through the online system, that he is no longer responsible for the construction, from the date of submission of the intimation. The construction work shall have to be suspended until the new Owner or Licensee, as the case may be, undertakes full responsibility of the project by submitting an online intimation to the Secretary.

2.9. The Secretary of the Municipality or Corporation or authorized Officer reserves the right to verify the self-certified Building Permit or

plan on ground, at any stage, and violations, if found, shall have to be rectified by the Owner. In case the Owner fails to rectify violations, the Secretary shall take necessary steps to rectify the violations.

2.10. As per Rule 19 D of KMBR 2019, in the case of low-risk buildings, the Licensee shall conduct plinth level inspection and submit the Plinth Level Inspection Report in Appendix P to the Secretary. The Secretary or the Officer authorized by him may offer remarks on Appendix P and convey the same along with the observed deviation or objection, if any, to the Owner/ Licensee within five days of the date of receipt of the Inspection Report. The following documents shall be submitted by the Owner/ Licensee along with Appendix P:

a) Building plans indicating the plinth level construction at the site, in relation to the plot dimensions, area and setbacks, duly signed by the Owner and Licensee.

b) Signed photograph(s) showing geographical co-ordinates, also with date showing construction upto plinth level at site.

2.11. Every Owner shall, on completion of construction or reconstruction or addition or alteration of building, as per the self-certified Building Permit, submit a Completion Certificate certified and signed by him to the Secretary in Appendix E1 together with copy of plans and drawings of completed building, and photographs with geographical co-ordinates through the online system. The Secretary shall follow the procedures provided in Rule 20 of KMBR 2019 for issuing Completion Certificate.

3. In case of incorrect or false submission regarding the built-up area and height of the building (such that the building does not come under the category of low-risk building), penal action shall be taken against such Licensees/ Owners.

4. If area of a building for which self-certified building permit is obtained is in excess of the allowable limit for low-risk buildings, then revised permit for the total area shall be taken through normal procedure.

5. The provisions of Rule 56 will be applicable for Government approved schemes as mentioned in Chapter VIII of KMBR 2019. Such applicants also have the option to avail the self-certification facility.

6. A Technical Cell will be constituted in the office of the Principal Director, LSGD to monitor and evaluate the self-certification process.
7. The KMBR 2019 shall be modified as necessary to incorporate the changes in due course.

(By order of the Governor)
DR SHARMILA MARY JOSEPH
PRINCIPAL SECRETARY

Copy to:

The principal Director, Thiruvananthapuram
The Director of Urban Affairs, Thiruvananthapuram.
The Director of Panchayath, Thiruvananthapuram.
The Chief Town Planner, Thiruvananthapuram.
The Chief Town Planner (Vigilance), Thiruvananthapuram.
The Regional Joint Director, (Kollam, Ernakulam, Kozhikode)
All District Town Planners (through the Chief Town Planner)
All Grama Panchayath Secretaries (through Panchayath Director)
All Corporation/Municipality Secretary (through Urban Affairs Director)
The Executive Director, Information Kerala Mission
All Sections of LSGD
Information & Public Relations Dept/Web New Media(releasing Govt Web Site
Stock File /Office Copy.

Forwarded /By order

Signed by

Priya S A Section Officer

Date: 31-03-2023 14:29:13

Copy to

- PS to Hon. Minister for LSG
- PA to Additional Chief Secretary (LSGD)
- PA to Principal Secretary (LSGD)