

**GOVERNMENT OF KHYBER PAKHTUNKHWA LOCAL GOVERNMENT,
ELECTIONS AND RURAL DEVELOPMENT
DEPARTMENT**

NOTIFICATION

Peshawar, dated the 11th April, 2012.

No. PO (LG) 1-10/GDA/2011.—In exercise of the powers conferred by section 30 of the Galiyat Development Authority Act, 1996 (Khyber Pakhtunkhwa Act No. VII of 1996), the Galiyat Development Authority, with the approval of the Government of the Khyber Pakhtunkhwa, is pleased to make the following rules, namely:

**THE GALIYAT DEVELOPMENT AUTHORITY
(BUILDING CONTROL) RULES. 2012.**

1. Short title, extent and commencement.---(1) These rules may be called the Galiyat Development Authority (Building Control) Rules, 2012.

(2) These rules shall extend to those areas as notified by Government, under sub-section (2) of the Galiyat Development Authority Act, 1996 (Khyber Pakhtunkhwa Act No. VII of 1996), vide Notification No. C/SADC/PE&D, dated: 30th March, 2000.

(3) It shall come in to force at once.

2. Definitions. In these rules, unless the context otherwise requires, the following expressions shall have the meanings hereby respectively assigned to them, that is to say,-

- (a) "Act" means the Galiyat Development Authority Act, 1996 (Khyber Pakhtunkhwa Act No. VII of 1996);
- (b) "Architect" means an Architect registered with the Pakistan Council of Architects;
- (c) "areas" mean areas as mentioned in sub-rule (2) of rule 1;
- (d) "Authority" means the Galiyat Development Authority established under sub-section (1) of section 3 of the Act;
- (e) "balcony" means the platform or other similar structure, projection outward from the wall of any building and supported by bracket or cantilevered and not used as passage;
- (f) "basement" means a storey which is below the ground storey level or, if there is no ground storey, means a story the ground of which is situated at such a level or levels that some points on its perimeter

are below the level of the finishing surface of the ground adjoining the building in the vicinity of the point;

- (g) "bath room" means a room containing a water tap or a shower or a bath tub or a bath tray and water closet;
- (h) "builder" means a person or body of persons, including a society or a statutory body, engaged in construction of buildings on contract or as owner or agent of the owner, for the purpose of transferring such building on hire or by sale or on the basis of ownership and includes any department of the Federal Government or Government responsible for construction of government buildings, but does not include a person or persons engaged as mason or such other artisan;
- (i) "Building Control Agency" means a unit under control of the Authority to look after the construction activities in the areas;
- (j) "car park" means a shelter or open area reserved for parking of motor vehicle;
- (k) "chujja" means any structure projecting out-side from the wall of any building and supported by brackets or cantilevered, covered by roof and not used for habitation;
- (l) "commercial building" means a building including shops, show rooms, offices, clinics, workshop, hotel, restaurant, guest house, rest house, motel on any floor and may also have apartments in it;
- (m) "Committee" means the Building Plan approval Committee constituted under rule 21;
- (n) "covered area" means horizontal area of a building covered under its roofs as out lined by the outer surface of the exterior walls including verandah;
- (o) "damp proof course" means a layer of material impervious to moisture;
- (p) "dangerous building" means all buildings, walls or structures, which are structurally unsafe;
- (q) "developer" means a person or body of persons including a society engaged in developing a plot/ or plots for any kind of building activity for transfer by allotment to the members if the developer be

a society or to other persons on the basis of ownership or lease or rent;

- (r) "Civil Engineer" means a person, who has Bachelor's Degree in Civil Engineering from a recognized University and registered as professional Civil Engineer with Pakistan Engineering Council;
- (s) "erect or re-erect a building" means the construction of a new building, wall or column and includes structural alterations in any building , or the making of any addition to a building;
- (t) "external wall" means any outer wall of a building abutting on an external or internal open space;
- (u) "floor area" means the total sum of covered area of all floors of a building;
- (v) "floor" means and includes any horizontal plot forming the surface of any storey and joist, board, timber, stone, concrete, steel or other substance connected with or forming part of such platform;
- (w) "Form" means a Form appended to these rules;
- (x) "gallery" means an open or a covered walkway or a long passage upper floor of seats, a room for the exhibition of works of art and underground passage;
- (y) "garage" means a building or part thereof designed, adopted or used for the housing of a motor vehicle;
- (z) "godown" means any building or part thereof designed, adopted or used for storage purposes but does not include any garage ancillary to a residential building;
- (aa) "housing unit" means a part or whole of the residential building capable of being used independently for human habitation;
- (ab) "impervious material" means any material, which prevents the passage of dampness and moisture;
- (ac) "kitchen" means any room, balcony or verandah intended to be used wholly or partly for preparing or cooking food for human consumption;
- (ad) "masonry" means stone, bricks or cement concrete blocks laid in lime, cement or mud mortar;

- (ae) "occupier" means and includes an owner in actual occupation of his own land or building, or liable to pay to the owner the rent or any portion of the rent of the land or building in his possession;
- (af) "partition" means an internal vertical structure which sub-divides a storey of building into sections and which supports no load other than its own weight;
- (ag) "plans" means the building plans showing the proposed detail of the arrangement of intended building works;
- (ah) "plinth" means the portion of a building between the level of the site and the level of the ground-floor, having a minimum of two feet height with respect to the center of street or road to provide protection to the building and other infrastructure in the event of torrential rains, in such a way as to integrate it into the overall public storm water drainage system;
- (ai) "plot area ratio" means the ratio between the plot area and the covered area of a building;
- (aj) "public building" means a building designed for public use and includes an Educational Building, Post Office, Police Station, Town Hall, Library and Cultural Center and all those public buildings where entry of public is not restricted;
- (ak) "residential building" means a building or part thereof designed or adopted for use of human habitation;
- (al) "set back" means the distance between the edge of the street and outer surface of exterior wall of building;
- (am) "sewerage" means wastewater containing human, industrial or any other chemical inorganic or organic waste;
- (an) "shop" includes any room or part of a building used wholly or mainly for the purpose of trade or business;
- (ao) "soak pit" means a pit filled with boulders or brick bats used for disposal of wastewater;
- (ap) "society" means a society, which directly or indirectly deals with providing plot to its members for housing, commercial or industrial purpose;
- (aq) "special building" includes cinema/theatre, auditorium and office;

- (ar) "structural calculation" means detailed calculations showing sufficiency of the strength of every load bearing part of the proposed structures;
- (as) "sun shade" means an outside projection from a building over a minimum height of 2.15 meters from the plinth level meant to provide protection from weather;
- (at) "toilet" means a space for washing up and dressing purpose and may include urinals and water closets; and
- (au) "water closet" means a fixture which is connected to a water supply system so that excreta may be carried away by flushing and may also refer to an enclosure containing such a fixture.

3. Land use planning and housing schemes,---No person shall erect or re-erect a building in the areas without approval of the Authority.

4. Use of land for building.---(1) No building shall be used in a manner inconsistent with the prescribed use in a scheme approved by the Authority.

(2) No land in any scheme approved by the Authority shall be used for purpose, other than that to which it is assigned in the scheme and approved as such by the Authority.

5. Tax on building.---(1) There shall be charged, levied and paid annual tax on all buildings in the areas, determined on the basis of the built-up area by the Authority with the approval of Government.

(2) The **tax** shall be payable yearly on or before the thirty-first day of August in the financial year for which the rate is notified.

(3) The Director General shall assess, value and notify the tax on 1st day of May, and shall come into force on the first day of the following July of the financial year.

6. Appeal against valuation.---(1) Any person aggrieved, by the assessment, valuation and notification as referred in sub-rule (3) of rule 5, may appeal within thirty days from the date of notification, to the Secretary, Local Government and Rural Development Department, Government of Khyber Pakhtunkhwa.

(2) All appeals, under sub-rule (1), shall be conclusively decided before fifteenth day of June, following the notification.

7. Revision by the Authority.--- The Authority may, on application made within a period of fifteen days from the decision of the appeal, call for and examine the record of the process or proceedings or the order for the purpose of satisfying itself as to the

legality or propriety of the same and may pass such order in reference thereto as it may consider appropriate.

8. Tax to be levied notwithstanding appeals. ---The tax shall be levied in accordance with the valuation as notified by the Director General, and shall be collected and be recoverable notwithstanding any appeal, which may be pending with respect to it.

9. Collection of tax.--- The tax shall be paid into the designated account of the Authority within ten days of the receipt of demand notice.

10. Recovery of tax from tenant.--- Where the tax due from any person is in the arrears, the Authority may serve upon any person paying rent in respect of the building, or any part thereof, to the person from whom the arrears are due, a notice stating the amount of such arrears of tax and requiring all future payments of rent by the person paying the rent in to the designated account of the Authority until such arrears shall have been duly paid, and such notice shall operate to transfer to the Authority the right to recover, receive and give a discharge for such rent.

11. Penalty for default.--- If any person, on being served with a notice, fails to pay the tax, the Authority may recover from him, a sum not exceeding the amount of the tax so unpaid, in addition to the amount of tax payable by him:

Provided that no such penalty shall be imposed unless, the Authority is satisfied that the person on notice has willfully failed to pay the amount.

12. Recovery of unpaid tax.—If any sum, due on account of tax or as penalty, is not paid within the time allowed for its payment and the person from whom it is due, does not show cause to the satisfaction of the Authority, or any person authorized by it as to why he should not pay the same, such sum along with all cost of recovery may be recovered as an arrears of land revenue.

13. Encroachment.--- (1) No allottee, of a residential or commercial plots, shall encroach upon the land of other allottees, the Authority, Government, or any building.

(2) Any encroachment made shall be removed, after giving twenty four hours notice to the allottee or any person in possession of the plot on his behalf, at the risk and cost of the encroacher.

(3) The Authority may, withdraw a facility provided by it which is used in violation of the sanction, without serving a notice or assigning any reason.

(4) The Authority may, attach and confiscate any material used to create temporary encroachment, in any shape, in the jurisdiction of the Authority.

14. Plan and documents.---(1) Every person, intending to erect or re-erect any building, shall give notice of such intention In writing to the Director General on Form "A" and shall at the same time submit-

- (a) proof of ownership of the plot on which construction is intended or the express permission of the owner of the plot as the case may be;
- (b) attested copy of his National Identity Card;
- (c) site plan of the land, on which it is intended to erect or re-erect the building;
- (d) four copies, including one cloth pasted, of ammonia prints of the plan bearing, in token of its having been prepared by him, the signature of the Architect;
- (e) undertaking of the applicant on a Judicial Stamp Paper of rupees fifty to the effect, that he will abide by the rules, regulations and instructions issued by the Authority during and after construction;
- (f) any other information or document, regarding elevations and sections, required by the Authority; and
- (g) in case a structure, proposed to be constructed on a site, adjacent to a public street or a plot, under the control or management of Government or of another local authority, the plans and specifications referred to above in quadruplicate and one complete set of the plan shall be forwarded by the Authority Immediately for presentation to Government or the local authority concerned for information and filing of objections if any. Any objection shall be communicated to the Authority within ten days of receipt of the copy of the plan.

(2) The building plan shall be approved only for the specified use of land as mentioned in the approved Master Plan/ housing scheme,

(3) The approval of the Committee, for a plan shall be valid for a period of two years only. In case of non-completion of the construction work within specified time, the owner shall re-submit a fresh building plan for approval of the Committee.

15. Site plan.--- Every site plan shall be drawn to a scale of not less than one thirty two of an inch to a feet (1":32'), and shall show,-

- (a) plot number of the site on which construction is proposed;
- (b) plot number of the adjoining plots;
- (c) direction of the north point;
- (d) boundaries of the site;

- (e) location and direction of natural drainage;
- (f) position of the site in relation to neighboring streets and the level in relation to the street, if any, on which it abuts;
- (g) position of the proposed building in relation to the boundaries of the site;
- (h) names, if any, and width of all streets on which the site abuts;
- (i) all existing building structures, if any, on or over the site or projecting beyond it and their exact position on the site;
- (j) proposed buildings and the proposed drainage methods; and
- (k) proposed building line and existing line of the buildings on either side,

16. Building Plan.--- (1) The plan of the proposed building shall be drawn to a scale of not less than one-eighth of an inch to the feet (1" = 8'), and shall show-

- (a) the position and dimensions of all projections beyond the main walls of the building;
- (b) the position of proposed drains, privies, latrines, urinals, septic tanks and cesspits;
- (c) the level and width of the foundations and the level of the lowest floor with reference to the level of the center of the street on which the front of the proposed building is to abut;
- (d) means of access to the building and its various floors;
- (e) method of ventilation to all the rooms;
- (f) open spaces of minimum of five feet width on sides and surroundings of all buildings including garages, outhouses, water tanks, open pipes, water sewerage and public roads and paths; and
- (g) the use to which the proposed building or buildings are likely to be put.

(2) Plans sections and elevations of every floor, including basement, if any, of the building intended to be erected drawn to a scale of not less than one-eighth of an inch to the feet (1" = 8').

(3) While preparing building plan, for both residential and commercial purposes, the plot area will be divided in the following ratio of,-

- (a) covered area (including garages, out =33%

houses and stores etc,

(b) paved open area = 17%

(c) open green spaces = 50%

(4) Detailed drawings and structural calculations duly signed by the Architect or Civil Engineer for commercial and public building of covered area exceeding 500 Sq. meter, or height exceeding 13 meter (including height of the basement floor if any) shall be submitted to the Authority, however the responsibility of ensuring structural and constructional safety shall be that of the Architect and Civil Engineer.

(5) In case of an addition of a storey or a part thereof in an existing building, the owner shall produce a certificate from a qualified engineer to the effect that the foundation of the building in question is safe to sustain the additional load.

(6) Projects requiring Environment Impact Assessment under section 12 of the Pakistan Environmental Protection Act, 1997 (Act No. XXXIV of 1997), shall be submitted to the Environment Protection Agency by the Authority before submission of case to the Committee.

(7) No application for erection or re-erection shall be considered by the Committee, unless a fee of Rupees five and ten per square feet of the covered area of the residential and commercial buildings is respectively accompanied. Such fee shall be submitted in the form of a bank draft or pay order in favour of the Authority.

(8) For areas within 250 feet, both sides from right of the way, outside the jurisdiction of townships, the scrutiny fee shall be charged at the rate of Rs. 3/- per sq feet for residential area and Rs. 6/- per sq feet for commercial area.

(9) In case of building, which is proposed to be re-built or altered, the plan shall show all the existing buildings, roads etc. in black, and proposed building, alterations or roads in red.

(10) The Committee shall not consider the building plan, unless it is certified by the Architect that the plan submitted with the application is in accordance with the provisions of the rules.

17. Security. ---At the time of submission of plans for approval, every prospective builder shall deposit with the Authority a sum of rupees fifty thousand (Rs. 50,000/-), as security for removing debris and waste material from the site after completion of the building construction work. The security shall be refunded on production of a completion certificate, issued by the Authority:

Provided that if the builder or owner fails to remove the debris, the same shall be removed by the Authority at the risk and cost of the builder or owner after deduction of

such cost from security, the balance, if any, shall be refunded. In case of shortfall, the builder or owner shall pay the additional cost of removal of debris.

18. Restrictions.--- (1) No builders or owner shall be allowed, to store or dump construction material at road side or in the streets. In case of violation such material will be removed on the risk and cost of the builder or owner.

(2) Cutting of trees, and mountains, excavation of stones and digging, except for foundation equal to the width and depth of foundation as in approved design, is prohibited. No explosive, for the purpose of leveling, excavation of digging for foundation, shall be used.

(3) The allottee or any person on his behalf shall not obtain any temporary or permanent electricity or gas connection without approval of building plan by the Authority.

(4) No person shall commence construction or operations on residential or commercial or other building, street, road drain etc, or engage in digging of ground or slope, land leveling and other works in a manner affecting the existing landscape, water streams, trees or vehicular road or existing construction or safety of the people, unless these are in accordance with the Master Plan or Land-use plan or the policy or guidelines of the Authority. Moreover, a certificate of "Initial Environmental Examination" has to be obtained by the builder or owner under the provision of section 12" of the Pakistan Environmental Protection Act, 1997 (Act No. XXXIV of 1997) as the case may be.

(5) The Authority may require, from person who has submitted an application, to erect or re-erect a building, to produce, in addition to the plans and specifications required under the rules elevations of the proposed building, together with full specifications as to the materials and methods of construction to be employed for internal walls, partition walls, foundations, roofs, ceilings, floors, staircases, fireplaces (chimneys), retaining walls, sewerage and water supply:

Provided that no windows or doors, ventilators or openings to the extent possible be constructed that affect the privacy of the other existing buildings.

19. Document of title.---Every person, who intends to carry out building work, shall produce documents of title, relating to the plot, showing his right to carry out such work. Mere approval of building plans cannot be quoted as a proof of the title being lawful,

20. Employment of Architect.--- Every person, who intends to erect or re-erect a building, shall employ an Architect to plan, design the building and supervise the construction of the building.

21. Building plan Approval Committee.---For the purpose of approval of building plans, the Authority shall, under section 8 of the Act, constitute a Committee to be called the Building Plan Approval Committee and comprising of the following:

- | | | |
|-----|--------------------------------------------|-----------------------|
| (a) | Administrative Secretary to the Government | Chairman |
| (b) | Director General; | Member |
| (c) | Director of the Authority; | Member-cum-Secretary. |
| (d) | Assistant Director (Technical); and | Member |
| (e) | Draftsman; | Member |

22. Works not in accordance with approved building plan.---(1) All works shall be open to inspection by the officers of the Authority.

(2) If the inspecting officer finds that a building is or has been -constructed otherwise than in accordance with the approved plan, or contravenes any of the provisions of these rules, he may, by notice in writing, require the person carrying out such building works, within a period to be specified in such notice, either to make such alterations as shall be specified in such notice with the object of bringing the work in conformity with the said plans or provisions of the rules or to get the approved plan modified after complying with the requirements of the rules.

(3) In the event of non-compliance with the notice, it shall be lawful for the Authority to order that further construction be stayed, that the construction made or such part thereof, as may be specified, be demolished and that the cost of such demolition be recovered from the builder or owner concerned in addition to any other penalty imposed.

(4) In case of violation of approved plan, and in addition to requiring rectification by the owner, the inspecting officer not below the rank of Assistant Director may impose a penalty equivalent to **rupees thirty** per square feet for the area of violation.

23. Execution.---The foundation of a building shall be wide enough to allow distribution of load, on each square feet, according to the load bearing capacity. No building shall be constructed upon newly filled earth unless the Architect certifies that reasonable time has passed and the site can sustain proposed structure, and special permission of the Authority is obtained.

24. Safety and stability of buildings. ---Every person, who carries out building works, shall use sound building materials of good quality and when properly put together, shall ensure safety and stability of the buildings.

25. Height of room and minimum floor height.---(1) The minimum clear height of a room shall be as follows:

S.No	Particular of building work.	Feet
1	2	3
(i)	habitable room	9.5
(ii)	kitchen-pantry	8
(iii)	bathroom, W.C's latrine verandah, porch, carriage.	7 ½
(iv)	place of instruction, assembly	12
(v)	Shop	10

Explanation: Height of a room shall be taken to be the vertical measurement from the upper surface of the floor to the underside of the highest part of ceiling less one-half of the vertical measurement between the lowest and highest parts of the ceiling. Where there is no ceiling, the measurement shall be to the underside of the rafters.

(2) **Minimum floor area:** The minimum floor area shall be as follows:

S.No	Floor area.	Square feet.
1.	2.	3.
(i)	habitable room	100
(ii)	Kitchen	50
(iii)	Shop	100
(iv)	latrine W.C	15
(v)	bath room	20
(vi)	combined W.C wash-basin and bathroom	45

26. Basement. ----(1) Construction of single storey basement if permissible under the law shall require specific approval of the Committee.

(2) Construction of basement may be allowed under part of the ground floor, in case the ground levels so permit:

Provided that no such basement shall be used for human habitation. Such basement shall not be taken into consideration for the purpose of determining number of storeys and building height:

Provided further that the covered area of the basement is less than eighty per cent of the covered area of the ground floor and the roof of the basement is below ground level or street level on any side.

27. Means of escape in case of emergency.---All means of escape from a building including exit ways, corridors, stairs etc, shall permit unobstructed access to a street, to an open space or to an adjoining building or roof, from where access to the street may be obtained,

28. Staircase.---The staircase shall be as follows,-

- (a) the staircase of every two-storey building other than apartment building shall have clear width of three and a half feet;
- (b) the rise of the stair case step shall not be more than 0.09 meters (7½ inches and the tread no less than 0.25 meters (10 inches); and
- (c) there shall not be more than 15 risers between each landing. A landing shall not be less than 3½ feet in depth except in case of service staircase where the number of risers may be increased depending upon the situation and design.

29. Inter floor---Inter floor shall only be permitted in room other than those meant for habitation purpose, such as bathroom, stores, kitchen, pantries, passages, garages if combined with the main building, verandahs or rooms meant for similar ancillary uses.

30. Projection.---(1) No portion of any building in a street or road, in which a line of frontage has been fixed by the Authority, shall be built to project behind such line of frontage.

(2) No balcony, steps or other projection shall be allowed to be erected or re-erected over any street, except in accordance with the provisions of the rules and permission from the Authority.

31. Method of measurement of open space.---(1) The minimum open space prescribed between a building and the boundaries of its plots, shall be measured between the greatest projections of the buildings and the plot boundaries at right angle thereto.

(2) The minimum frontage mandatory open space i.e. house line shall be ten (10) feet from the boundary of the plot or road, as the case may be.

32. Inspection of buildings.---(1) Officers of the Authority may visit the site of construction at any time, without giving any prior notice during the process of building works.

(2) It shall be the responsibility of the owner to get the work inspected at the following stages of construction,-

- (a) at plinth or basement level;

- (b) at ground floor level;
 - (c) at any subsequent floor level if approved in building plans;
 - (d) at the time pouring of stair or tower or barsati;
 - (e) at any time, before the application made under rule has been approved; **(This should be the responsibility of GDA)**
 - (f) at any time while the building operations are being carried out;
 - (g) within thirty days from receipt of the notice of completion or the certification to that effect; and
- (h) at any time, after the building has been erected or re-erected but the notice of completion or certificate of completion has not been received. **(This should be the responsibility of GDA)**

33. Addition and alteration.---(1) Every person, who intends to make any addition or alternation to a building, involving the removal or re-erection of any roof or any outer wall or of any wall which supports the roof or change the size of any existing room or passage thus affecting the light and ventilation of the building or any other addition or alternation, shall submit an application to the Authority in writing for permission to execute such works.

(2) In case where the engagement of a Civil Engineer or Architect is necessary, the name of the Civil Engineer or Architect, who is engaged to supervise the execution, shall also be intimated to the Authority with a certificate in Form-D, along with information and documents required under these rules.

34. Rounding of boundary wall.---Boundary wall of corners of end plots abutting two-roads or street will be chamfered as under,-

- (a) road width up to twenty (20) to thirty (30) feet: By minimum six (6) feet; and
- (b) road width above thirty (30) feet: By minimum ten (10) feet.

35. Width of roads in townships.---The width of roads in the township shall not be less than twenty (20) feet in any case.

36. Boundary wall.---No boundary walls, shall be allowed except steel grill, wooden fencing or barbed fencing.

37. Grant or refusal of permission.---(1) To grant or refuse sanction, to building plans, shall rest with the Committee.

(2) Sanction to building plans, including terms and conditions, specifically stating that no alternation, at any stage, will be permissible in the approved plan and that buildings erected or re-erected in contravention will be dismantled and the cost of dismantling will be recovered from the applicant in addition to any other penalties, shall

be communicated to the applicant by authorized officer of the Authority along with one copy of the plan duly signed by him.

(3) In case of refusal to grant sanction, Committee shall communicate reasons for refusal to the applicant.

(4) Any person feeling aggrieved, by the refusal to grant sanction, may file appeal before Secretary LG&RD Department which shall decide the matter after affording an opportunity of hearing to the aggrieved person. The decision of the Secretary, LG&RD Department, in this respect, shall be final.

38. Cancellation of permission.---(1) If at any time after sanction, to erect or re-erect a building, has been granted, the Authority is satisfied that such permission was obtained in consequence of any material misrepresentation, concealment of facts or fraudulent statement, in the plans, elevation sections or specifications and documents submitted therewith in respect of such building, such sanction may be cancelled or withdrawn and any work done there under shall be deemed to have been/done without permission.

(2) Any person aggrieved by a decision of the Authority/ within one month of the order of cancellation, or suspension, as the case may be, file a review before the Administrative Secretary Authority.

(3) The order of the Administrative Secretary Authority in review shall be final.

39. Work carried out without permission.---(1) If any building works are carried out in contravention of the provision of these rules, the Authority shall give a notice in writing requiring the concerned person to immediately stop the construction work and to attend, personally or through agent duly authorized in writing by him, on such day, and at such time and place as specified in the notice and to show cause why such unauthorized work or part thereof be not removed or altered at his risk and cost.

(2) If the owner fails to show sufficient cause to the satisfaction of the Authority, the Authority shall demolish, remove or alter the building works or part thereof at the risk and cost of the owner.

40. Demolition of dangerous structures.---(1) If any building or structure is in dangerous condition or otherwise unfit for human habitation, the owner shall inform the Authority forthwith.

(2) The Authority shall have the power to eject the owner or occupier from such building within a reasonable time for the purpose of demolition under the supervision of a Civil Engineer.

(3) The cost of evacuation and demolition of the building shall be recovered from the owner.

41. Drains and sewers.---(1) No open sewer or drain shall be passed through any room used or intended to be used as a living or sleeping room of the building.

(2) No drain shall be constructed within the thickness of any wall of any building.

(3) All stack-pipes for the disposal of roof-drainage, shall be of cast iron or cement concrete. No flue shall be so constructed as to pass through or be within two-three feet of any wall or structure made of inflammable material except at its point of exit, at which it must be rendered safe by a casing of non-inflammable material at least one foot thick.

(4) House drains, through which waste or sullage water is intended to be passed, shall be constructed of concrete pipe or other impervious material and shall be connected to the nearest public sewerage drain wherever such a drain exists within fifty feet of the proposed building. In the absence of such a public sewerage drain the house drain shall be discharged into a soakage pit through a septic tank or cess pit, which shall be constructed and maintained by the owner of the building.

42. Latrine, privy, etc.---(1) No person, shall construct any latrine or privy which is not water-borne.

(2) No person, shall install water-hushed latrines in his house unless the house drains are connected with a public sewer or unless arrangements are made by him to purify the sewage in a properly constructed septic tank of a suitable size and to discharge the effluent into a public sewer or into a sullage drain to be constructed by him. These works shall be capable of carrying off the effluent without danger to the public health and environment. Such installations shall be constructed under the supervision of Civil Engineer and subsequently approved by him before they are put into use and no pipes and drains from septic tank shall extend within five feet of the boundary of the plot unless it is to be connected underground to public sewer.

(3) No person, shall dispose off the effluent from a septic tank by surface flow or by subsoil drainage or into cesspits.

(4) A drain shall be provided for every privy, bathroom and cooking place. Such drain shall be constructed of glazed pipes or other impervious material and shall connect the floor of the privy, bathroom or cooling place with public masonry drain, or a private cesspit constructed as hereinafter prescribed.

(5) Every dwelling house, shall have at least one latrine or water-closet and one bathroom. In the case of servant quarters attached to dwelling house, such quarter shall have one water closet or latrine and one bathroom for such quarter.

(6) The floor of every latrine, privy, urinal shall be of masonry, or of tiles, or of cement and shall not be less than three inches above the level of the surface of the adjoining ground.

(7) The floor of every latrine, privy and bathroom shall have a slope to the drain in such way that liquid flow off quickly.

(8) In every urinal the walls to a height of three feet above the floor and in every latrine and privy, both the seat and the walls to a height of three feet above the floor, shall be masonry:

Provided that in the case of a water-closet of European type, the seat may be of wood.

(9) Every latrine, privy, urinal, or bathroom shall be provided with adequate ventilation which, in the case of latrine, privy, or urinal, situated in or near a building, shall be effected by an opening not less than one square feet in one of the walls, as near the top of the wall as may be practicable, and communicating directly with the open area.

(10) Every latrine, or privy shall be so constructed that-

- (a) there shall be adequate access thereto for the purpose of cleaning; and
- (b) when the outer door, if any, thereof is open, the seats shall not be visible from the street or other public place.

43. Cess-pits.---No person, shall construct a private cesspit, unless,

- (a) there is public drain within 100 feet of the premises for which it is required;
- (b) except within the boundaries of private land;
- (c) except a cess-pit of masonry with a cast iron moveable covering; and
- (d) adequate access is provided thereto for the purpose of cleaning.

44. Sewerage disposal.---(1) Where no public sewer is in existence:

- (a) all sludge water shall be connected to septic tanks; and
 - (b) all waste water may be connected to soak pits or cess pits.
- (2) Cess-pits and septic tanks shall be,-
- (a) so constructed as to be impervious to liquid either from outside or inside; and

- (b) so situated as not to cause pollution or contamination to any spring or system of water, the water from which is used or likely to be used for drinking or domestic purposes.

45. Obligation for disposal of garbage, discharges & emissions.---(1) it will be obligatory for the resident owners, as well as visiting tourists, to strictly abide by these rules with regard to safe disposal of solid waste, garbage, discharges, emissions, waste, air pollution and noise pollution.

(2) All hotels and commercial concerns, in the areas of the Authority, shall make adequate arrangements for disposal of garbage and discharges.

46. Notice of completion and occupancy.---(1) Every person, who carries out and completes construction of an approved building shad, within one month of the completion of the work, deliver to the Authority, at its office, notice in writing on the prescribed Form "B" or "C" as the case may be, of such completion duly signed by the Architect employed.

(2) After the receipt of notice the Authority shall depute an officer to inspect such work and after such inspection, either approve or disapprove the building for occupancy or make such further order, as he may deem necessary.

(3) No person shall occupy or permit to occupy or use or perm it to use the whole or any part of any land or building affected by erection or re-erection until permission has been granted by the officer deputed for inspection.

47. Fire resistance and fire precautions.---(1) No building shall be roofed with straw or other easily inflammable material.

(2) No fireplace, to be used as such, shall be constructed unless the floor beneath it and around it for a width of three feet has been rendered fireproof by being covered with earthenware tiles or concrete or some other fireproof substance.

(3) Every fire place shall, before use as such, be provided with chimney with an iron, brick, or stone flue to afford free means of exit for smoke.

48. Exemption.---No application is required for the following operations, provided that they do not infringe any of these rules;

- (a) repairs in the form of replacement of existing material by similar material if no demolition is involved and the building remain throughout the operations substantially the same as it was;
- (b) the alteration of sunshade not abutting on or overhanging any street or the property of any other person;

- (c) the opening or closing of internal windows or door; and
- (d) the replacement of internal doors or windows;

49. Water meter.--- Installation of water meter will be obligatory in all the residential and commercial buildings where the owners have opted for use of water from the installed water supply schemes/sources owned or maintained by the Authority/Government. Installation fee and water charges, as determined by the Authority, shall be charged from the owner.

50. Constructional timber.--- Movement and use of constructional timber, in the territorial limits of the Authority, shall be governed by the Khyber Pakhtunkhwa Forest Ordinance, 2002 (Khyber Pakhtunkhwa Act No. XIX of 2002).

SECRETARY TO
GOVERNMENT OF THE KHYBER PAKHTUNKHWA
LOCAL GOVERNMENT, ELECTIONS AND RURAL
DEVELOPMENT DEPARTMENT

Form – A
Galiyat Development Authority

Place.....

Date.....

APPLICATION FOR APPROVAL OF PLANS

To,

The Director General,
Galiyat Development Authority,
Abbottabad

I/We hereby apply for permission to erect/re-erect/make addition to and/or alternation in building on plot/mutation/khasra No.....situated at..... in accordance with the building plans submitted (in quadruplicate) herewith for approval.

Necessary particulars and attachments are given below which are certified to be true:

1. Plot No..... & Scheme No.....
2. Mutation / Ownership Documents.
3. Intended use of proposed building works.
4. Specification of foundation.
5. Specification of Plinth.
6. Specification of Super-structure
7. Specification of floor
8. Specification of roof
9. Method of drainage and sewerage.
10. Particulars of Architect employed to prepare the plan.

It is acknowledged that I have studied the rules and shall ensure compliance failing which I will have no objection to any penal action initiated by the Authority against me under the rules..

Name.....

Address.....

.....

Your faithfully

.....

(Owner's)

Address.....

.....

Date.....

Form - B

Place.....
Date.....

To,

The Director General,
Galiyat Development Authority,
Abbottabad

Dear Sir,

I/We hereby give notice of completion of erection/re-erection of building on plot/mutation/Khasra No.....Scheme No.....and of drainage and water supply arrangements therein and apply for permission to occupy the said building.

The said work has been carried out in building in accordance with the rules as well as instructions and advice issued by the Authority from time to time.

Your faithfully

.....

(Owner's)

Address.....

.....
Dated.....

Form C
(Work Carried Out Without Permission)

Place.....
Dated.....

To,

The Director General,
Galiyat Development Authority,
Abbottabad

Dear Sir,

1. Whereas I/We have constructed _____ on plot/mutation/Khasra NO. _____ Scheme No _____ as-shown on the plan attached herewith without your prior permission.
2. Where I/We have made deviations from the approved buildings plans and other instructions _____ approved under your No. _____ dated _____ in the course of erection/re-erection of the building on plot as shown on the Plans attached herewith.
3. Whereas I/We are willing to make any alternation required to be made in the said structure so as to make it consistent with the previsions of rules,

It is, therefore, requested that the unauthorized nature of the said structure may be condoned, the revised plan (attached herewith) may be approved and permission to occupy the said building may be granted.
(Delete whatever is inapplicable)

Yours Faithfully
.....
(Owner's)
Address.....
.....
Dated.....

Place.....
Date.....

I am willing to pay any cost/penalty/fee as determined under the rules.

Form -D
Architect / Civil Engineer Certificate

I /We hereby certify that the existing structure on plot/mutation/khasra No.....situated.....is in consonance with the Galiyat Development Authority (Building Control) Rules,2009;

I/We further certify that the said existing structure has fully and correctly shown on the plan submitted by me/us; and

I/We further certify that the Building is structurally stable. Necessary structural calculations and details are attached herewith.

Architect/Civil Engineer

Place.....
Date.....