

## **5.0 Procedure During Construction**

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### **5.1 Inspection of Construction**

#### **5.1.1 Inspection of Construction at Any Time**

- 1 All buildings / development for which development permission is required, are subject to inspection by the Competent Authority and the Competent Authority reserves the right to inspect such buildings at any time during the period of Construction without giving prior notice of its intention to do so.
- 2 Owner of the building unit and / or any person undertaking construction shall permit authorized officers of the Competent Authority to enter the building unit and inspect the building for the purpose of enforcing these Rules.
- 3 No inspection of a residential premise shall be done after sunset and before sunrise without sufficient cause and without giving a reasonable opportunity of being heard.

#### **5.1.2 Inspection where Direct Development Permission is Issued**

- 1 All building / developments for which Direct Development Permission has been issued shall be subject to random inspection by the Competent Authority during construction.
- 2 It shall be the responsibility of the Architect on Record / Engineer on Record and the Clerk of Works on Record for the development to report commencement, progress at various stages, and completion of construction to the Competent Authority as specified in Rule No. 5.5.

#### **5.1.3 Inspection where Development Permission is Granted**

- 1 All buildings for which development permission has been granted shall be subjected to periodic inspection by the Competent Authority during construction.
- 2 It shall be the responsibility of the Owner, the Architect on Record or Engineer on Record, and the Clerk of Works on Record for the building to report commencement, progress at various stages, and completion of construction to the Competent Authority as specified in Rule No. 5.5.

#### **5.1.4 Inspection for Fire Safety and Protection of Building under Construction**

For buildings listed in Schedule No. 4, the Fire Officer shall carry out inspections at appropriate intervals, to ensure that the fire protection requirements and measures for such building under construction are adequate and operational. Fire Officer shall also satisfy himself that all elevators including fire lifts are duly tested and their test certificates are submitted to his satisfaction. If the above work is entrusted to a registered Fire Protection Consultant on Record (FPCOR), his reports shall be countersigned by the Fire Officer.

In case of inadequacy of these Rules, he shall issue a notice to the owner or occupier of such building directing him to rectify the shortcomings /contraventions within a specified period. Copies of all such notices shall also be endorsed by the Competent Authority.

### **5.2 Information to be Prominently Displayed on Site**

- 1 It shall be the responsibility of the Clerk of Works on Record and the Owner to erect a notice board on the building unit displaying key information pertaining to the building/development within 15 working days from the grant or issue of development permission.
- 2 Specifications for notice board and the information to be displayed are specified in Schedule No. 7A.
- 3 The notice board should be prominently visible, easily readable and should be located next to the primary access to the building unit. More than one notice board may be erected.
- 4 The notice board/s should be maintained for the entire period of construction / development up to issue or grant of occupancy certificate.

- 5 Failure to comply with this Rule may result in cancellation of the development permission. Penalties leviable on the Clerk of works on Record for not displaying the necessary information are stipulated in Schedule No. 7A.

### **5.3 Documents and Drawings to be Maintained on Site**

- 1 It shall be the responsibility of the Clerk of Works on Record and the Owner for the building to keep all the documents and drawings listed in Schedule No. 7B on the site, at all times after issuing notice of commencement of construction to the Competent Authority up to the issue or grant of occupancy certificate.
- 2 These documents should be made available to any authorised officer of the Competent Authority inspecting the site for the purpose of enforcing these Rules.
- 3 Failure to comply with this Rule may result in cancellation of the development permission. Penalties leviable on the Clerk of works on Record for not displaying the necessary information are stipulated in Schedule No. 5A.

### **5.4 Reducing Inconvenience and Ensuring Safety during Construction**

#### **5.4.1 Stacking, Storing and Disposal of Building Material**

- 1 The stacking of building materials, sand debris on public roads, highways shall be prohibited.
- 2 It shall be the responsibility of the Clerk of Works on Record and the Owner / Developer to ensure that no building material, building equipment or building debris is stacked, stored, left or disposed off, outside the building unit for which development permission has been granted, on any public street or space.
- 3 Permission may be obtained in special circumstances to stack building materials, sand, debris on public roads / highways from the Competent Authority on payment of Deposits and Charges indicated in Schedule No. 5A.

#### **5.4.2 Barricading the Building Unit / Plot during Construction**

- 1 It shall be the responsibility of the Architect on Record or Engineer on Record and Clerk of Works on Record to ensure that the plot on which construction is being undertaken is adequately barricaded and safety measures are in place and there is no public inconvenience caused and or safety is compromised.
- 2 Failure to comply with this Rule may result in cancellation of a development permission.

#### **5.4.3 No Damage or Undue Inconvenience during Construction**

It shall be the responsibility of the Clerk of Works on Record and the Owner or Developer to undertake all necessary measures to ensure that no

- 1 No damage is caused to adjoining properties due to construction.
- 2 No undue inconvenience is caused to the public, due to factors such as noise, dust, smell, or vibrations.
- 3 No traffic is not disrupted due to construction.
- 4 Failure to comply with this Rule may result in cancellation of a development permission.

#### **5.4.4 Liability for Ensuring during Construction**

The Owner or Developer and the Clerk of Works on Record shall be responsible for ensuring that all necessary measures for safety for all are taken on site. Grant of Development Permission, grant of Building Use Permission for part of a building or issuing of any instructions to ensure public safety or reduce inconvenience, does not render the Competent Authority liable for any injury, damage or loss whatsoever that may be caused to anyone in or around the area during the Period of Construction.

## **5.5 Progress of Construction and Inspection**

### **5.5.1 Notice for Commencement of Construction**

- 1 The owner and the AOR shall intimate the Competent Authority about the commencement of construction after obtaining construction permission within 15 days of such commencement in the format prescribed in Form No. 19.
- 2 The construction shall commence only after the Competent Authority registers the issue of Direct Development Permission by the AOR / EOR.
- 3 Failure to notify the Competent Authority after commencing construction may result in cancellation of the development permission.

### **5.5.2 Development Permission may Lapse if Construction Not Commenced on Time**

Development permission can be extended for one year at a time, provided that there has been no change in the Rules of the construction is in conformity with new Rules. The extended period shall in no case exceed three years. In the aggregate, a development permission cannot remain valid for a period of more than six years. After that an application for a new development permission shall be made.

### **5.5.3 Competent Authority to be Notified of Progress of Construction**

The Owner or Developer and the Architect on Record or Engineer on Record shall be responsible for notifying the Competent Authority of progress of construction having been completed up to the stages stipulated in Schedule No. 7C. Notice of Progress of Construction shall be made in the format prescribed in Form No. 20. and approved by the Persons on Record.

The Notice of Progress of Construction shall not be necessary in the following cases:

- 1 Alteration in building not involving the structural part of the building.
- 2 Extension of existing residential building on the ground floor up to maximum area of 40 sqm.

On receipt of the Notice of Progress of Construction from the owner or developer, it shall be the duty of the Competent Authority, if necessary, to check any deviation from the sanctioned plan and convey decision within 7 days to the owner or developer accordingly for compliance.

## **5.6 Inspections**

- 1 The Competent Authority shall carryout the inspection of construction based on the 'risk' posed by the development. Any development carried out by the owner, or the developer attracts risk during the design and construction. Risk is defined as the likelihood of non- compliance with building regulations and the potential extent of harm to current and future users of building and the environment associated with non-compliance.
- 2 The different Risk Consequence Classes (CC), along with description of the principles, use groups, design supervision levels (SL) And inspection requirements are indicated in Schedule No. 8
- 3 For the purpose of inspecting the construction at different stages, the Competent Authority may hire the services of the architects / engineers who are registered with the PDA. Schedule No. 8 indicates the experience requirements for such professional to conduct inspections based on the Risk Consequence Classes of buildings / development.
- 4 For this the Competent Authority shall, for the subsequent financial year, latest by 15 March every year invite the applications of architects and engineers who would be willing to work as inspection architect / engineer. On receipt of the applications, Competent Authority shall make a panel of approved engineer / architect. The Competent Authority shall make a contract agreement with all the engineers / architect included in the panel. The agreement shall include the scope of work, the reporting systems, and the protocols (including penalty Clauses, mode of payments and reporting systems both online and in hard copies) for smooth functioning of inspections.

- 5 The Competent Authority shall decide the fees for each site visit and the site report.