

FREQUENTLY ASKED QUESTIONS

Suvarna Paravanige
Gruha Nakshe

Automatic Plan Sanction (APS)

What is automatic plan sanction (APS)?

Automatic plan sanction is another **single window** initiative of Bangalore Mahanagara Palike to sanction residential building plan within 3 working days, provided the plan prepared and documents enclosed are in order. Under this scheme, the applicants need only to file the application and all subsequent letter/permissions etc at the **single window only**.

Who can avail the APS?

The scheme is open to:

- (a) All properties falling under Bangalore Mahanagara Palike limits and is restricted to residential plans on site area not exceeding 4000 square feet (372 square metres) not exceeding Ground + three upper floors (the total height from ground level shall not exceed 15 metres - refer byelaw 16 (h) of 2003.
- (b) Any additions/modifications to existing residential building in site area not exceeding 4000 square feet (372 square metres) not exceeding Ground + three upper floors (the total height from ground level shall not exceed 15 metres-refer byelaw 16 (h) of 2003.

Where can I get an application form to apply under APS?

For your convenience the prescribed application form along with the list of documents to be filed is available at the **single window counter** of all BMP Zonal Offices. The full text of the building byelaw is available in the website <http://bmponline.org/> and can also be downloaded.

How does one file an application under APS?

- a) Under the APS you will require the assistance of an Engineer, Architect or a Supervisor, duly registered with the Bangalore Mahanagara Palike, to prepare the plan as per the Building Byelaw – 2003.
- b) In the prescribed application form, the registered Engineer / Architect /Supervisor will guide you in filing all the required documents and affidavits attached to the APS application form.
- c) To ensure that all the requisite documents are filed, a checklist is also provided along with the application form.
- d) While submitting the form, your Architect/Engineer/Supervisor will make the necessary calculation for the fee payable and the same has to be paid by Account Payee Demand Draft in favour of Commissioner, Bangalore Mahanagara Palike at the **single window counter**. The fee structure is also provided along with the application form.
- e) The filled application form has to be addressed to Assistant Director of Town Planning and handed over at the **single window counter** of the respective jurisdictional Zonal office. In this regard an acknowledgment will be issued. You need to produce the acknowledgement, on the schedule date, while collecting the approved sanction.

What do you mean by registered Architect/Engineer/Supervisor?

Registered Architect/Engineer/Supervisor means a qualified Architect/Engineer/Supervisor who is registered with Bangalore Mahanagara Palike.

After I submit the plan, will the sanction be automatic?

Yes. If the plan is as per the building byelaws and if all the requisite documents are enclosed and are in order, the plan will be automatically sanctioned and you can collect the plan from the **single window counter** on the third working day from the date of submission.

How long is the sanctioned plan valid?

The sanctioned plan under the APS is valid for 2 years from the date of sanction. You should commence the building within this period or else the sanction will lapse.

If the construction cannot be done within the stipulated period what should be done?

In such cases you should apply for fresh sanction of plan at the **single window counter** and follow the same procedure as detailed above.

What does Rain Water Harvesting mean? Is it mandatory?

Rainwater harvesting means storage or recharging into ground of rain water falling on the terrace or on any paved or unpaved surface within the building site. It is mandatory as per Building Bye-law 2003 (No. 32) to help improve the ground water table.

Once I receive the sanctioned plan, what are my obligations?

You have the following obligations:

- a) To file the intimation of **Commencement of work** in Annexure VIII at the **single window counter** of the concerned Zonal Office. After completing the building up to the plinth level, you are obliged to file an application for **Commencement Certificate** as specified in Annexure IX at the **single window counter**. Site inspection will be made within 3 working days from the date of submission of your application by the authorized officer. After the inspection, the site engineer will inform you, in writing, if there are any objections. If there are no objections you can collect the Commencement Certificate from single window counter on the next working day after 4 PM.
- b) To ensure that the construction of building is according to the sanctioned plan. Failure to do so will result in action contemplated under the KMC Act.
- c) Display a copy of the approved plans issued and the specifications of the building to be constructed on site.
- d) After the building is completed you are required to file an application in Annexure X at the **single window counter** for Occupation certificate.
- e) The Asst Director of Town Planning or the designated engineer will inspect the building for its adherence to the sanctioned plan and if found to be in order will issue the occupancy certificate within 15 working days.

What are the obligations of the Engineer / Architect/ Supervisor to Bangalore Mahanagara Palike?

The Engineer / Architect/ Supervisor is obliged to see that the plan prepared and submitted is as per the building byelaws and the general requirements prescribed under part II of the byelaws. The Engineer / Architect/ Supervisor have to file an affidavit to this effect that he will adhere to the byelaws in force.

During the construction stages they are responsible to see that the building is built as per the sanction plan. If there are any lapses, their registration with Bangalore Mahanagara Palike will be revoked as provided under the KMC Act and Building Bye-laws. BMP may also report their conduct to their respective National Institute/Council for taking necessary action deemed fit.

If the services of the Engineer / Architect/ Supervisor are terminated for whatever reason, they are obliged to file a letter of their disassociation. This letter should enclose a sketch or a photograph of the building to denote the extent of their involvement when their services were engaged. Failure to give this letter and sketch/photograph would make them jointly liable for deviation, if any, committed.

The Architects/Engineers/Supervisors are also requested to file *pdf* (Portable Document Format) format of site plan indicating setbacks and height of the building. Free *pdf* writer is available on net at <http://www.primopdf.com>.

What is Occupancy Certificate? How to obtain Occupancy Certificate? Is it mandatory?

After the building is completed, permission is required to be obtained from the prescribed authority to occupy the premises. The prescribed authority will inspect the building and after ascertaining that the building is as per the sanctioned plan, will issue a certificate. This certificate is called the Occupancy Certificate. Occupancy Certificate is mandatory as per Bye-law No 5.7 of Building Bye-law 2003. Application for occupancy certificate will not be accepted if it is not accompanied by the completion certificate issued by the Architect/Engineer/Supervisor in the prescribed form

What if the building is not as per the sanctioned plan and has some deviations?

If the building constructed is in violation/deviation of the sanctioned plan, the BMP may if the violations / deviations are within 5% of (1) the set back to be provided around the building, (2) plot coverage (3) floor area ratio and (4) height of the building and the demolition is not feasible without affecting structural stability regularize such violations/deviations after recording detailed reasons for the same. However, the penalty for regularization is steep and will be enforced stringently. If the deviations/violations exceed these limits, the authorities, after issue of notice can demolish those portions that have exceeded the sanction plan.

Can I change the Engineer / Architect/ Supervisor while the building is in progress?

You can change the Engineer / Architect /Supervisor at any time, but you are obliged to inform BMP about this termination of contract. Secondly, if you have engaged a different Engineer / Architect / Supervisor, you as well as the new incumbent, will have to report in writing to the sanctioning authority. However, please note that when your building is under construction you will need the assistance of Engineer / Architect / Supervisor as under the KMC Act they alone are authorized to file the application for commencement certificate/completion certificate/road cutting permission.

What are the fees to be paid for plan sanction?

Your Architect / Engineer / Supervisor will help you to calculate the prescribed fees to be paid. You will have to pay the fees through two separate Demand drafts **in favour of Commissioner, Bangalore Mahanagara Palike** at the time of submitting the application. One Demand Draft is towards scrutiny fee which is 5% of licence fee. The scrutiny fee is non refundable. The second Demand draft is towards licence fee for plan sanction. In an event if your plan is not sanctioned, the licence fee will be refunded.

Do I require to file any legal opinion regarding my title to my property?

Under the Automatic Plan Sanction BMP engineers will not visit your site before sanctioning the plan. In order to help speed up the process of issuing the sanction plan, applicants for sites **other than those allotted by BDA/KHB/BDA approved layouts and sites allotted by other statutory bodies** are required to submit legal opinion on title to the property. If the legal opinion is not filed along with the application then the plan will be sanctioned after due verification of the title.

What are the details to be shown in building plan?

There are many details to be followed in the building plan. Your engineer / architect /supervisor will guide you on these details as they are obliged to follow the same before submitting the plan for approval. If they miss out on some of the details, the plans may not be sanctioned and may have to be re-submitted.

Is it possible that the BMP will refuse permission for construction?

Yes, BMP may refuse permission to construct in some sites on health and safety grounds or other valid reasons mentioned in the byelaws. Your Engineer / Architect /Supervisor will advise you if your site is not suitable for applying for permission.

What are the documents and drawings to be submitted along with the application?

Your Engineer / Architect/ Supervisor will guide you in the documents that require to be filed along with the application for sanction of building plan. However, in brief the following copies of the documents and drawings have to be submitted along with the application:

Sl.No	Particulars	Sl.No	Particulars
1	Title Deed/Possession certificate (Attested copy)	11	Foundation Certificate (in case of additions/alterations to existing building)
2	Legal opinion on title deed.	12	Other Certificates (if applicable) from (a) From BDA (i) If there is Change of Land use (ii) If site allotted is for industrial purpose (iii) If the property is Amalgamated / bifurcated (b) Railways (if property is abutting railway margin) (c) BMRCL (if property is within the notified area)
3	Property Assessment extract along with Property PID No. issued by Bangalore Mahanagara Palike.		
4	City Survey Sketch issued by the Department of Survey and Settlement, and Land Records (City Survey) or attested copy of approved layout by BDA / KHB (if City Survey Sketch is not available for the area, an endorsement shall be obtained from ADLR office and enclosed. Also in such a case encumbrance certificate for the last 13 years should be enclosed)		
5	Upto date tax paid receipt (copy)		
6	Previously sanctioned plan (in case of additions/alterations/modifications)	13	Supervision certificate in the form given in Schedule III (Annexure III)
7	Drawings (one drawing on tracing film and 6 copies in ammonia prints)	14	Affidavit by Applicant (Annexure IV)
8	Demand draft (2 No)	15	Affidavit by Architect/ Engineer/ Supervisor (Annexure V)
9	Indemnity bond on stamp paper (Rs. 100/-)	16	Check list duly signed by Architect/ Engineer/ Supervisor (Annexure VI)
10	Schedule II of National Building Organisation (Annexure II)	17	Land use certificate certified by Architect/Engineer/Supervisor

What should I do if my plan is not sanctioned within 3 days?

Please keep a photocopy of all the forms that you submit to BMP at the **single window counter**. You can lodge a complaint with the Joint Commissioner of the respective zone or Joint Director of Town Planning, BMP. You can contact them at the following Telephone Numbers:-

Sl. No.	Zone	Tel.No
1	Joint Commissioner East Mayo Hall, Bangalore	22975801
2	Joint Commissioner South	22975701
3	Joint Commissioner Malleswaram West	22975648
4	Joint Director Town Planning, NR Road, Bangalore	22975590