



सत्यमेव जयते

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RANCHI, FRIDAY 1st MARCH, 2024

Urban Development & Housing Department

NOTIFICATION

28th February, 2024

No.-7/न०वि०/अधि/स०सो०/102/2013-820--In exercise of the powers conferred under clause-89 of the Jharkhand Building Bye-laws, 2016, as amended, the Government of Jharkhand do hereby notify the Jharkhand Building (Xth Amendment) Bye-laws, 2024.

Sl.	Chapter	Clause	Sub-clause	Provision	Amended Provision
1	IV	39	39.7	In case the plot is affected by a road widening or in the way to construct a new road/ parks/any public utility and if the owner of the plot voluntarily surrenders the affected portion of his land to the Authority without any claim of compensation or through a TDR (Transferable Development Right) scheme implemented by the Government the owner shall be entitled to build on the remaining plot, an area calculated on the basis of the FAR as	In case the plot is affected by a road widening or in the way to construct a new road/ parks/any public utility and if the owner of the plot voluntarily surrenders the affected portion of his land to the Authority without any claim of compensation or through a TDR (Transferable Development Right) scheme implemented by the Government the owner shall be entitled to build on the remaining plot, an area calculated on the basis of

				applied to the total area prior to such surrender. Provided that the surrender of the land shall be affected by a deed of transfer to be executed by the owner in favour of the Authority for widening of road. The plot owner can use this T.D.R for any other new building project within the jurisdiction of the Competent Authority. Provided further that, in case of individual house up to maximum height of G+2 (where TDR is not availed), the owner may execute an affidavit from competent legal authority/public notary in place of deed of transfer in the favour of the authority concerned.	the FAR as applied to the total area prior to such surrender. Provided that the surrender of the land shall be affected by a deed of transfer to be executed by the owner in favour of the Authority for widening of road. The plot owner can use this T.D.R for any other new building project within the jurisdiction of the Competent Authority. Provided further that, in case of individual house up to maximum height of G+2 (where TDR is not availed), the owner may execute an affidavit from competent legal authority/public notary in place of deed of transfer in the favour of the authority concerned. Provided in cases, where affected portion of land through a deed of transfer cannot be executed by the owner in favour of the Authority due to any provision of law being in force, the applicant shall submit an undertaking to the effect that such portion of land could be used for public utilities (road widening or in the way to construct a new road/park etc.) without any hindrance in future. In case, the applicant creates any hindrance in use of affected/marked portions of land for public utilities (road widening or in the way to construct a new road/park etc.) in future, approval of concerned building plan shall be deemed to be cancelled without any further notice.
2	IV	56	56.2	Construction of energy efficient building shall be referred to Energy Conservation Building Code, 2007.	Construction of commercial buildings (as per Jharkhand Energy Conservation Building Code, 2022 and Jharkhand ECBC Rules, 2022) having a connected load of 100 Kilo Watt (kw) or contract demand of 120 Kilo-Volt-Ampere (kVA) and above shall be referred to Jharkhand Energy Conservation Building Code, 2022 and Jharkhand ECBC Rules, 2022 for their compliance.

3	VIII	76	Incentive for solar heating & lighting and waste water recycling 76.1 Incentive FAR shall be admissible for Green Building and Sustainability provisions (installing Solar Heating, Lighting and Waste Water Recycling, City & Site Level Greenery, Roof Top Solar Energy installation.) by the Authority after assessing the installation as per following provisions: 76.1.1 GRIHA Three star/IGBC Silver or equivalent rating-3% incentive FAR on basic FAR. 76.1.2 GRIHA Four star/IGBC Gold or equivalent rating-5% incentive FAR on basic FAR. 76.1.3 GRIHA Five star/IGBC Platinum or equivalent rating-7% incentive FAR on basic FAR. Provided that, achieving minimum GRIHA Three star/IGBC Silver or equivalent rating for construction projects shall be mandatory for all buildings belonging to Government, Semi-Government, local bodies and public sector undertakings. 76.2 Incentive FAR will be awarded after certification from the empanelled agency. This FAR shall be exclusive of the limits specified in the Master Plan/Building Bye-laws. 76.3 In case that the developer fails to achieve committed rating as per certification at the time of final occupancy, a penalty shall be imposed at the rate two (2) times of the land cost as per Circle Rate for the incentive FAR for the rating not achieved.	Incentive for solar heating & lighting and waste water recycling 76.1 Incentive FAR shall be admissible for Green Building and Sustainability provisions (installing Solar Heating, Lighting and Waste Water Recycling, City & Site Level Greenery, Roof Top Solar Energy installation.) by the Authority after assessing the installation as per following provisions: 76.1.1 GRIHA Three star/IGBC Silver/ASSOCHAM GEM 3 or equivalent rating-3% incentive FAR on basic FAR. 76.1.2 GRIHA Four star/IGBC Gold/ASSOCHAM GEM 4 or equivalent rating-5% incentive FAR on basic FAR. 76.1.3 GRIHA Five star/IGBC Platinum/ASSOCHAM GEM 5 or equivalent rating-7% incentive FAR on basic FAR. Provided that, achieving minimum GRIHA Three star/IGBC Silver, ASSOCHAM GEM 3 or equivalent rating for construction projects shall be mandatory for all buildings belonging to Government, Semi-Government, local bodies and public sector undertakings. 76.2 Incentive FAR will be awarded after certification from the empanelled agency. This FAR shall be exclusive of the limits specified in the Master Plan/Building Bye-laws. 76.3 In case that the developer fails
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				76.4 Competent Qualified and experience agencies shall be empanelled at the State level by UD&HD who shall duly carryout the certification activities in all the areas under Urban Local Bodies/Regional Development Authorities/Urban Public Sector Undertakings. 76.5 The system of Green Rating for buildings shall be adopted as per the guidelines issued under Green Rating for Integrated Habitat Assessment (GRIHA) developed by The Energy and Resource Institute (TERI)/Indian Green Building Council (IGBC) formed by the Confederation of Indian Industry (CII).	to achieve committed rating as per certification at the time of final occupancy, a penalty shall be imposed at the rate two (2) times of the land cost as per Circle Rate for the incentive FAR for the rating not achieved. 76.4 Competent Qualified and experience agencies shall be empanelled at the State level by UD&HD who shall duly carryout the certification activities in all the areas under Urban Local Bodies/Regional Development Authorities/Urban Public Sector Undertakings. 76.5 The system of Green Rating for buildings shall be adopted as per the guidelines issued under Green Rating for Integrated Habitat Assessment (GRIHA) developed by The Energy and Resource Institute (TERI) or Indian Green Building Council (IGBC) formed by the Confederation of Indian Industry (CII) or ASSOCHAM GEM developed by Associated Chamber of Commerce and Industry of India (ASSOCHAM). 76.6 The Urban Development & Housing Department shall be competent to include or exclude any process developed by reputed agencies in future.
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By the order of the Governor of Jharkhand,

Arava Rajkamal,

Secretary to Government.

Urban Development & Housing Department.
