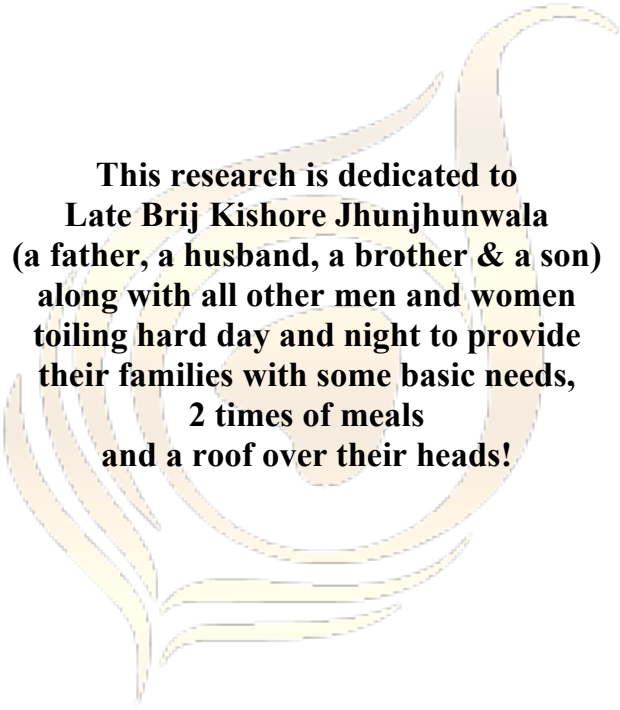


# **Bihar Building Byelaws: The Rise or Fall of Bihar?**



**A Research conducted by**

**DeoYogi Consultants**



**This research is dedicated to  
Late Brij Kishore Jhunhunwala  
(a father, a husband, a brother & a son)  
along with all other men and women  
toiling hard day and night to provide  
their families with some basic needs,  
2 times of meals  
and a roof over their heads!**

## **Message from the CEO**



**Shri Prateek Jhunjhunwala  
(CEO, Founder & Statesman)**

Bihar, once a centre of a mighty empire, has since lost its erstwhile glory. It is yet found to be shackled in the horrors of its past, the ones committed during the pre-independence era. Old wounds run deep and will need plenty of nursing care to bring Bihar, out of the dungeons of past sorrows and miseries. Independence was the turning point and ushered hope that the next generations would be able to think afresh and gave a leash of life to the ailing state.

Bihar faces a string of socio-economic and socio-political issues which directly and more often indirectly affects the wellbeing of her people. The caste identity severely affects her policy making. Like Bharat, she faces the issue of brain drain resulting into acute shortage of skilled manpower. A lot many of her younger populace are

forced to stay away from home. Bihar anxiously awaits the day when her people will find their way back, no longer plying to foreign lands in search of opportunities and a good living.

A lot changed during the Covid outbreak when many of her children came back home and even decided to stay back for different reasons. These reasons not only included their love for their ancestral homes but also a sense of responsibility towards their ageing parents and family who could no longer take care of themselves all by themselves. As much as Bihar was saddened when uncounted perished in the epidemic due to inappropriate healthcare facilities, somewhere she was elated too on seeing the ‘Ghar Wapasi’ of many who had left their homelands years ago.

The epidemic was in a way a game-changer for the state. Those who had long migrated to other developed states and nations, came back with added skills and experience. They who played a pivotal role in the development of the places they had settled in were now trying to uplift their own state. With a firm determination to do something about it too, they decided to put their skills and the resources they had at their disposal in the service of their mother state, to alleviate her miseries and endeavored to regain her lost glories.

With a network of hundreds of expert researchers, advisors and activists consisting of doctors, engineers, entrepreneurs, chartered accountants, lawyers, ex govt.

employees and media personnel together with a vast pool of MBA's in finance & marketing hailing from various fields such as healthcare, education, finance, law, infrastructure development, print & media, information technology & other digital services, etc., we present before you a multifaceted organization with the sole objective of the present day living in this state through a multi-pronged approach also involving improved policy making and its implementation by better coordination between the efforts put together by public and private entities.

Among the important issues that has not just caught our attention but has been a crying need of this state since decades is the 'Bihar Building Byelaws. This Statute, we believe needs urgent attention and must be brought up for early rectification. It is our honour to share a concise version of our research based on the thorough study of formulation of the Bihar Building Byelaws, the implementation of its provisions and their impact on the infrastructure development. The Building Byelaws not just severely affects the planned development of the state infrastructure but also acts as a speed-breaker for families and homes, buildings and apartments and the plethora of construction work being conducted across the state.

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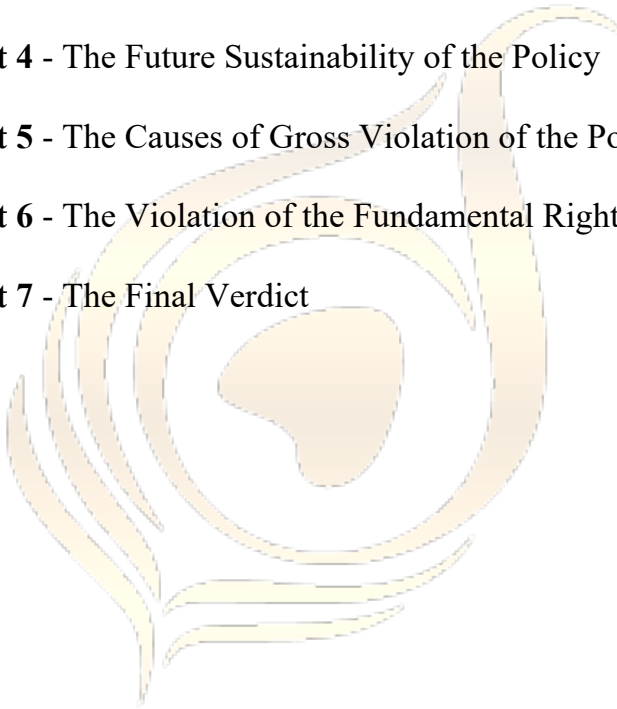
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## **Part 1**

### **An Overview of Bihar**

The mighty empire of Magadha, now reduced to a small state, called Bihar, towards the east of India, was founded a few millenniums ago. “Maharaja (great king) Chandragupta Maurya” was one of the rulers of the empire of Magadha and the founder of the Mauryan dynasty. It was only after seeing the Magadhan army, when "Alexander" had realized that it would be futile to pursue his dream of conquering the world any longer. His able generals didn't know how to fight the vast and more able army of Magadha.

From being the birthplace of Buddhism and Jainism or harbouring one of the holiest places of Sikhs, to being home of mighty warriors and skilled artisans, empire of Magadh was the beacon of learning and education with most of the greatest of the ancient universities present within its boundaries. Students from many countries used to visit these universities and receive education in various fields.

The empire of Magadh saw a decline during the Middle Ages with the country breaking into fragments. It suffered the worst during the colonial rule when it was exploited the most. The residents were robbed of their ancient unique skills and craftsmanship, and along with it their sense of pride. The exploitation was so great that the present-day state of "Bihar" has yet not emerged from it.

From being the most prosperous region to becoming the poorest of the states, Bihar has lived it all, almost resonating the condition of India over the ages. Though Bihar was robbed of its wealth, Bihari's are still known for their intellect, maybe because of their genetic memory or due to the knowledge and skill, of their great ancestors, teachers and universities, that yet remains in the hearth and soil of their home. No wonder many of the candidates qualifying the Union Public Service Commission (UPSC) exams belongs from Bihar, despite the prevalent present day poor education facilities.

Infrastructure development is one of the major challenges that our govt. faces in the present times. Various laws related to planned construction have been formed and amended over time. Every elected government tries to outdo the other and come out with fresher and newer provisions. The present Bihar Building Byelaws was passed in 2014, ever since then there has been reports of its gross violation happening throughout the state.

Upon an enquiry into the same, it can be said that the reports were found to be absolutely true. Different research analysts and organisations claim the figure of building law violations to be somewhere in between 50% - 90%. It was also found that a lot was on stake, much more than what could be calculated in mere financial terms. Hundreds and thousands of citizens were living with a noose hanging around their necks, due to a defective law making and even poorer implementation of them.



It became absolutely necessary to urgently have a thorough study of the Byelaws and determine the reasons behind these gross violations. Some of the salient features about Bihar's demography and geography, along with their comparison with the other states of our country, relevant with this research are mentioned below: -

- Total population of around 13 crores
- Total land mass of approximately 94,000 square kilometre (acronym 'sqkm')
- 1<sup>st</sup> amongst the most densely populated states
- 2<sup>nd</sup> largest populated state in our country
- 12<sup>th</sup> largest state by area
- 14<sup>th</sup> largest economy by GDP
- Ganges river divides Bihar into northern and southern portions
- 3 parts on the basis of physical and structural conditions – the Southern Plateau, the Shivalik range, Bihar's Gangetic Plain
- The Southern Plateau is made up of hard rocks like gneiss, schist and granite with many conical hills
- Bihar's Gangetic Plain is located between the Southern Plateau and Northern Mountains
- The Shivalik Region lies in sub Himalayan foothills stretching over an area of around 250 sqkm
- Bihar is home for many rivers including Ganga, Gandak and Kosi along with also being home for many hills such as Rajgir hills, Mandar hills, Kaimur hills, Bateshwar hills, and Barabar hills

- Agricultural land in Bihar stands at around 70% of the total aggregate value
- Around 75% of the total population is engaged in agricultural industry
- Urban population of Bihar is around 11.29%
- Rural population is estimated at around 88.71%
- Bihar has an urbanisation rate of approximately 20%
- 58% of the population of Bihar is of below 25 years
- Bihar lies in Subtropical region of the Temperate Zone with an yearly average temperature of 26 degrees
- Total flood prone area of 68,900 sqkm (73.2%)
- 16.5% of the total flood affected area in India
- 22.1% of the flood affected population of our country lives in Bihar
- Around 16% of the land mass of northern Bihar is completely waterlogged
- Forest area of 6800 sqkm (7.1%)
- Nature Conservation area of 6845 sqkm (7.27%)
- Avg Water body of 750 sqkm
- Size of urban area of Patna – 250 sqkm
- Total urban population of Patna – 25 lakhs
- Raj Bhawan – 100 acres
- AIIMS Patna – 134 acres

## **Part 2**

### **A Study of The Bihar Building Byelaws**

The Building Byelaws are crucial in many respects. Apart from the benefits that they are supposed to deliver, they're also used by government as legal tools to regulate coverage, height, building bulk, architectural designs and other construction aspects so as to achieve orderly development of an area.

The Central and State Ministries of Housing and Urban Developments have time to time felt a need for revision to accommodate the growing needs of planned infrastructural development and formed *Norms for Rooftop Solar PV Installation, Segregated sanitation facilities for visitors in public buildings, Additional provisions in Building regulations for natural hazard prone areas, Conservation of heritage sites including heritage buildings, heritage precincts and natural feature areas, for safe use of glass, barrier free environment for disabled, children and old persons and Mitigation of the effects of electromagnetic radiation on built spaces.*

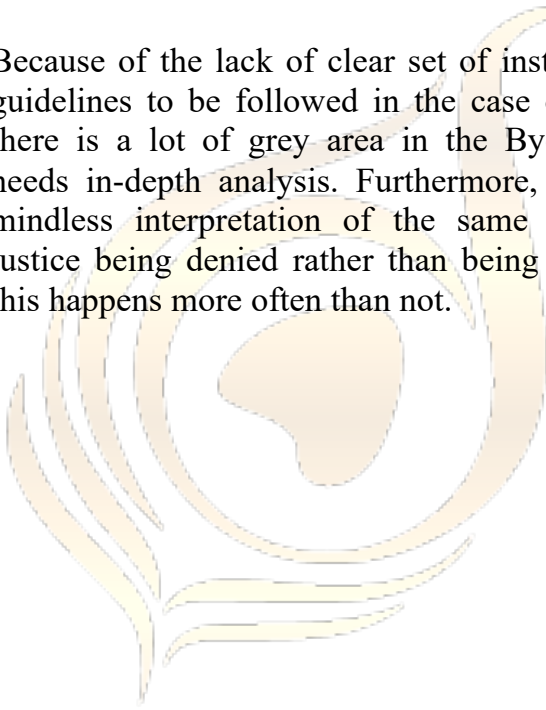
A strategy or planning should never be rigid. When implementing a strategy plenty of new factors come into light. It becomes necessary to consider these factors to avoid any unnecessary confrontation and make way for the desired result. There is always scope for improvisation. A strategy needs to be flexible to leave space for improvement. The Building Byelaws needs to be updated from time to time acknowledging these factors. It is

important to do so for many reasons. One of the most important reasons could easily be to maximise the output per unit input.

Upon a thorough study of the provisions contained in the Bihar Building Byelaws, following can be said about the Byelaws: -

- The Byelaws are a work in progress yet evolving, keeping in mind the needs and aspirations of a state which after all these years of independence is a struggling economy and still needs all of the precious nourishment and due care it can get. Quite a number of amendments in the building bye-laws laws affirms that the provisions contained therein are not absolute;
- A plethora of provisions enshrined in the said statute appear badly outdated, lack teeth and are debatable to mention the least. Not only some of the provisions contained in the byelaws are illogical but their innate implications are also greatly controversial;
- It reflects a more idealistic viewpoint and lacks a realistic approach without giving due importance or consideration to an infrastructure industry that is trying to survive on various fronts. At times, in many situations it has been felt that there is little correlation between the theoretical ambitious plan and on ground reality.

- The conservative and orthodox provisions contained in the said Byelaws are not only proving to be out of sync with the needs of a modern-day society but are also proving fatal to the developmental aspirations of our state which is endeavoring hard to break the rusted shackles of its past;
- Because of the lack of clear set of instructions and guidelines to be followed in the case of deviation, there is a lot of grey area in the Byelaws which needs in-depth analysis. Furthermore, a blind and mindless interpretation of the same can lead to justice being denied rather than being served. And this happens more often than not.



## **Part 3**

### **The Current Viability of the Policy**

Humans are terrestrial animals, quite like millions of other creatures. Along with trillions of such inhabitants on this planet, we share with them all the natural resources our planet has got to offer us for a living. We share not only air and water but also land which is unfortunately available in limited quantities, making it a precious and quantifiable resource. It becomes our moral responsibility to provide adequate space for all the living beings.

Apart from the need to provide space for conserving such other lives, we need land not only for our very own shelter and earning livelihood but also for the agriculture, government infrastructure and places of other public utilities such as school, colleges and hospitals. Many of these require huge spaces and open areas, leaving little space for plenty of other activities.

An urban area or urban agglomeration is a human settlement with a very high population density and an infrastructure providing us with a concrete environment. A metropolitan area is region consisting of a densely populated urban agglomeration and its surrounding territories sharing industries, commercial spaces, learning spaces, transport network, government buildings, defence network, power stations and housing.

The Bihar Building Byelaws leaves several questions unanswered. Though it tells us about how the government plans to utilize land for the numerous activities it can be used for, but they fail to provide a clear information on how much land that they aim to reserve for each of these activities, when recurring occurrences of floods which along with various other natural calamities cause heavy losses of lives, livestock and farm earnings.

In the absence of any clearly defined goals, objectives or vision it becomes necessary to carefully evaluate the net available resources and their distribution to analyze the viability of the Byelaws. Based on various presumptions regarding the need for measured distribution of land for varied uses, several hypothetical arrangements were made. Along with the maximum availability of resources to fulfillment of minimum requirements and vice versa, numerous other combinations were studied carefully. Of these best arrangements were discussed to assess the resources available at our disposal and their relevance with our present-day needs along with future possibilities.

Some of the many most relevant situations have been discussed here, to understand the viability of various provisions of the Bihar Building Byelaws, to understand if the Byelaws does justice with the expectations of the citizens. Some of the common denominations, ratios and approximate values rounded off to nearest thousands that have been used for simpler and easier calculations to reach a mathematical conclusion are as follows: -

1 sqkm = 1,00,00,000 sqft (1 crore sqft)

Total area of Bihar – 94,000 sqkm

Total population of Bihar – 130 million

Agricultural land – 66,000 sqkm or 70%

Flood prone areas – 69,000 sqkm or 73%

With 70% of agricultural area and 73% flood prone area, if we take it as that the least of our agricultural land is affected by flood, then there yet remains a huge overlapping area. With 43% of overlapping area, around 61.5% of the total agricultural land is still prone to floods and only 38.5% is available for year-round agriculture. But this is when we leave no space at all for our shelter or carrying on of other activities.

If half-heartedly we assume that all of our agricultural land happens to be in flood prone area, then in that case we are left with just 27% area that is suitable for other activities. But this includes hills and mountain ranges which cannot be affected by floods, along with spaces reserved for protected forest reserves and national parks meant for the conservation of other species. If we assume half of the 27% constitutes such areas and deduct it to derive the actual available land for human settlement, we are left with 13.5% or 12,700 sqkm of land for carrying on of human activities.

Finally, if in these hotspots of human settlement, we conservatively distribute 20% of land for each activity such as, grounds and parks, health and education, government infrastructure, commercial centres and residential areas



which are all of equal importance, then we are left with nearly 2,540 sqkm for each of the abovementioned activities.

Various researchers and social organisations claim that a person needs a minimum of 500 sqft space for shelter. Even with this bare minimum, 13 crore people of Bihar would roughly need 6,500 sqkm of space for shelter alone. If government allows a Floor Area Ratio (FAR) of 2 for residential buildings, then 3,250 sqkm of land would be needed to house the current population while the available land for residential activities amounts to 2,540 sqkm, i.e., 710 sqkm short of the total land required for residential purposes.

The situation is even more dire in urban areas with a higher population density. Patna with 2.5 million of urban population and 250 sqkm of urban area, is one of the largest urban agglomerations in our country. The 2.5 million residents of Patna, with an average minimum requirement of 500 sqft for shelter, would roughly require 125 sqkm of space, which with a FAR of 2 can be achieved in 62.5 sqkm of land. If 20% i.e., 50 sqkm, of the total space is available for residential purposes then still 12.5 sqkm more will be needed to sustain the current population.

## **Part 4**

### **The Future Sustainability of the Policy**

When in 1954, Bihar's flood policy was introduced, the flood prone area in Bihar was estimated to be around 25 thousand sqkm and there was approximately 160 km of embankments. Now when there is around 3465 km of such related constructions, the amount of flood-prone area has increased to 69 thousand sqkm.

Many a times an inadequately formed policy can yield no results, unwanted results or even worse adverse results. To assess the true worthiness of any policy it becomes necessary to also ascertain the sustainability of the policy over a larger time frame. Problems that can arise in future and preparing for it beforehand. The success of any policy depends upon its long-term effects and side effects.

To ascertain the sustainability of the Bihar Building Byelaws, it is necessary to consider all of the relevant factors, which if ignored can not only render the policy short of achieving the desired result but also have devastating effects on environment and urban living overtime. It can shatter state infrastructure for it will be only a matter of time before the exploited will voice for their right to access of natural resources, but the state machinery will have none left with it to distribute them for free anymore.

Out of plenty of such relevant factors, a few which have already begun to be a cause of concern are mentioned below: -

- **Population explosion** - The population of our state has been growing exponentially with roughly 30% increment, alone in the last decade. It is the need of the present times to identify or modify the obsolete and conservative provisions to provide decent and healthy shelter to the growing population.
- **Scarcity of land** - Though the population is growing exponentially but the available land remains the same. To avoid the encroachment of agricultural and forest land it becomes necessary to clear the road for making taller buildings.
- **Natural disasters** - Bihar is India's most flood prone state with around 75% of the population in northern Bihar living under the recurring threat of flood devastation. The situation have only worsened with the flood affected areas increasing in number and size overtime.
- **Developmental aspirations** - To cater to the needs of the progressive needs of the modern-day society it becomes necessary to have a sound understanding of what is required, removing the hinderances and make laws accordingly.

- **Economic growth** - Our state is yet considered an agricultural economy when the world around us is moving ahead with a techno friendly environment, modern day infrastructure and Byelaws which foster economic growth by creating space for innovative minds.
- **Quagmire of cases** – The current deficiencies in the Bihar Building Byelaws are a host of many problems causing general social unrest, thus resulting into a number of disputes and claims of all kinds. Our Honourable Courts are overburdened with such types of cases.
- **Loss of revenue** – The conservative provisions contained in the Bihar Building Byelaws together with the multiplicity of cases and claims are not only causing huge financial losses to the citizens but they're also leading to a huge loss of revenue for the state as well.
- **Soil Density** – The density of a soil or the kind of land on which the construction is being done plays an important role in deciding the height of a building. It is not prudent to form a Building Policy, without taking due consideration of the fact that density of the soil differs from area to area.

## **Part 5**

### **The Causes of Gross Violation by Citizens**

If there is a problem, then there is a solution, and that solution cannot be attained by a faulty strategy. Before the formation of any policy, it is a crucial part of the process, to have a careful study of the on-ground reality. Cover as much ground as humanly possible. One sided perception of things results into unnecessary clashes between stakeholders leading to number of legal battles, burdening further our already overburdened courts.

Upon our research we were able to segregate these cases of violations between two broad categories. First being of encroachment and the other being of an unauthorized construction. Both share different attributes and cannot be mindlessly punished as same. While encroachment can be considered unauthorized and illegal, an unauthorized construction does not necessarily have to be illegal. It can also have happened unknowingly and unwillingly.

During our research we came across various factors that can be held responsible for the mass gross violation of the Bihar Building Byelaws throughout the state. It is important to consider these factors before beginning to hand out severe punishments for various reasons. For one being that inappropriate punishments can be in severe violation of the fundamental rights guaranteed to every citizen by our constitution.

Some of the causes behind this gross violation of the Bihar Building Byelaws are mentioned below: -

- **Conservative provisions:** Several provisions in the Bihar Building Byelaws appear to be conservative and provide narrow space for growth proving detrimental to the developmental aspirations of the citizens. They provide less space for development and reduces the optimum potential that can be achieved through better strategic planning.
- **Illiteracy:** A vast majority of people of our state are either illiterate or not educated enough to understand the compliances on their own, rendering them unqualified to properly evaluate any law or portion of any law, all by themselves. Even the good employees of the Municipal Corporations are graduates in many disciplines but law. They are not capable enough to figure out the inconspicuous grey areas and frequently their judgements are based on what they understand in black and white.
- **Unawareness** - Government has failed to spread awareness regarding the peculiarities mentioned in the Bihar Building Byelaws. While deciding the structure of a building, several compliances must be followed, which are yet not made aware in whole to the public who generally only happens to know only one or two of all which have been gathered in bits and pieces from various sources.

- **Finances** – Land is used for several purposes including being used as a means for investment. With the land being a constant, it's always in high demand while its supply runs low. The prices of plots all over the state have skyrocketed over the last few decades. People are already beginning to find it cheaper constructing a taller building with a stronger foundation and greater load bearing capacity than buying a land with bigger plot size.
- **Size of plots** – Scarcity of place coupled with a conservative Floor Area Ratio, tends to reduce the optimum output that can be achieved through the use of available resources. A good development plan alone will not be enough, a good plan for spreading awareness will also be needed to increase the output of such places.
- **Value of setback** - The Bihar Building Byelaws requires that a minimum flat setback is to be made while constructing any building irrespective of the size of the plot or value per sqft. It fails to consider the fact that economic value of land differs from region to region ranging from few hundreds to tens of thousands per sqft. The byelaws also fail to acknowledge the fact that in the urban areas, the size of spaces that are being sold and purchased go as low as to being 100 sqft.

- **Corruption** – Deeply rooted corruption prevalent in the governmental agencies entices the people and the authorities to ignore any deviation from the provisions mentioned in the Bihar Building Byelaws leading to an environment of confusion, distrust and misinformation amongst the people.
- **Technological advancements** – Recent cutting edge technological advancements made in the fields of construction and planning have to be regularly taken into consideration to increase the productivity of every inch of land. The land available may look suffice for now but it will not always be so.
- **Keeping up with the Jonases** – A psychological analysis of people have shown that while deciding on how to construct their buildings, they have frequently shown a tendency to emulate their neighbours. They try to match or surpass their neighbours not wanting to be outdone by them.
- **Responsibility fixation** – For any kind of violation or deviation that happens, the onus of it befalls solely upon the owner when there were plenty of other stakeholders such as engineers, architects, builders and even the Municipal Corporations. Any kind of timely action taken by the authorities could have saved him from mistaking any violation.



## **Part 6**

### **The Violation of Fundamental Rights**

The word justice arouses within a person emotion of various kinds. It is not just a mere word; it is a hope that keeps people alive, an expectation that they'll get what they deserve, with hope and faith upon the judiciary and the Indian Constitution. If nothing breaks a man like injustice does, then nothing in this world is as beautiful as justice being served.

With this very thought in mind the founders of our nation enshrined in our Constitution the Fundamental Rights. The fundamental rights are some basic rights and freedoms that the Constitution of India guarantees to every other citizen of our country. Right of justice is one of the underlying principles behind the formation of those fundamental rights. While access to justice; emphasizes on access of justice to all irrespective of their caste, creed, colour or race, right of justice emphasizes on justice being served to all without any discrimination.

Article 12 – 35 of our Constitution contains these fundamental rights. The fundamental rights of justice as mentioned in our constitution have been defined time to time by our Hon'ble High Courts and the Supreme Court, acknowledging and accommodating things that are deemed to be necessary for being able to live one's life without any prejudice with peace and harmony.

The inappropriate planning and implementation of the Bihar Building Byelaws stand in gross violation of several of these fundamental rights. The relevant fundamental rights being violated by the byelaws, as contained in Article 14 and Article 21 of the Constitution of India and described time to time by our learned legal institutions are as follows:

- **Article 14: Right of Equality** – It states that the state shall not deny to any person equality before law or the equal protection of the laws within the territory of India. The said Article if commands the State not to deny to any person ‘equality before law’, it also commands the State not to deny the ‘equal protection of laws’.

It also implies that when there is a mass gross violation of any law or any provision of any law then no person shall be singled out and punished for that violation. Either everyone is to be held responsible or none of them is to be punished.

- **Article 21: Protection of life and liberty** - It states that no person shall be deprived of his life or personal liberty except according to procedure established by law. This implies that this right has been provided against the state only. State here includes not just the government, but also, government departments, local bodies, the legislatures, etc.

The right to life is not just about the right to survive but it also entails being able to live a complete life of dignity and meaning. The Supreme Court has described this right as the ‘heart of fundamental rights’. The courts have stated that any procedure under law for the deprivation of life and liberty of a person must not be unfair, unreasonable, arbitrary, whimsical or fanciful.

The courts have overtime enshrined list of rights that Article 21 covers based on earlier judgements. Right to shelter and right to earn livelihood are two important rights enshrined by them.

- a) **Right to shelter** assures the right of a person to claim a reasonable accommodation so that the person could grow mentally, physically and intellectually. The courts in various judicial pronouncements acknowledged the importance of shelter and said that the state is bound to protect it at all costs.
- b) **Right to earn livelihood** is included in the definition of the word ‘life’ as employed by Article 21. The Supreme Court has held that right to life includes the right to earn livelihood and the government cannot deprive a person of his/her livelihood without following the due process. Hence, it is important for the law to have been drafted deliberately and with due diligence.

## **Part 7**

### **The Final Verdict**

Every modern society today stands and thrives on modified and reformed statutes. These laws must undergo a perpetual process of reform and modification, for if change does not happen, such statutes and laws turn stale over time and then meaningless, for they can no longer serve the growing needs of a dynamic society and world. To serve the progressive needs of the society and citizens of the state is the primary responsibility of every statute, unless that happens, they overtime run the risk of turning redundant.

With this salient promise our lawmakers have, even amended our constitution, 106 times till far. Moreover, every statute, every law, and every byelaw in this country, which has been, have all gone through profound changes to accommodate the needs of a modern-day society. Laws which were formulated in the 19<sup>th</sup> or early 20<sup>th</sup> century, have all gone through profound changes so that they have a new look, accommodating the needs of the present-day society.

Those laws which are not very old, even they had to be changed, for example, The Right to Information Act, which was formed in 2005, not long ago, needed profound changes, calling for many amendments, with the most recent Right to Information (Amendment) Act passed in 2019. So even in a matter of few decades, laws are being changed and the old Acts are getting nullified, or they are

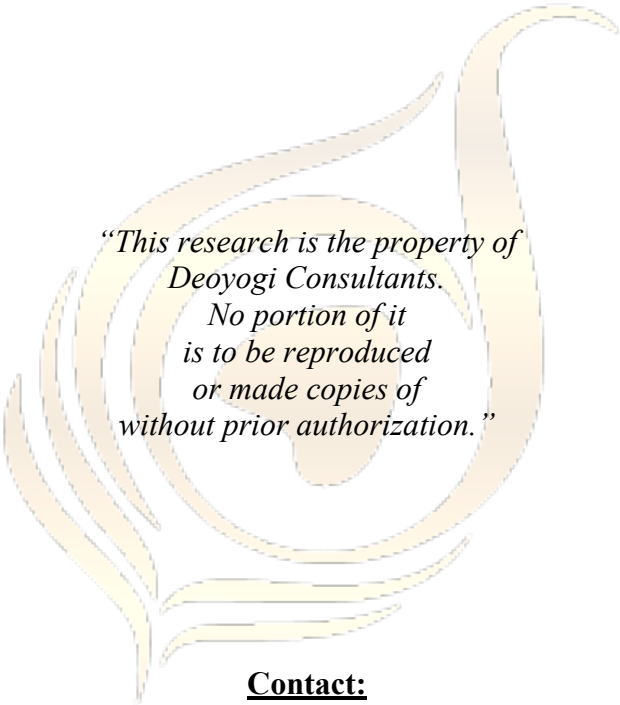
being rescinded, and a new law on the same line is being brought into action. Again, sometimes a new statute or law makes it incumbent that related and associated laws be modified. Like the Cyber Law of 2000, made it necessary for many erstwhile statutes to make relevant changes in tune with the cyber ways of doing things.

Good governance entails that the government takes proactive measures to define and redefine, modulate and remodulate all old and archaic laws with obsolete provisions so that they are more akin to serving the needs of a modern society. If that does not happen then the government has failed in its most basic responsibility of being responsible to the people because the constitution says, it is of the people, by the people, for the people. If it does not so happen then the entire spirit behind formation of any law is defeated.

Based on our extensive research, it is our opinion that, The Bihar Building Byelaws have progressively failed to serve the needs of the society and citizens of the state, on various parameters. Notwithstanding the basic needs, it is being detrimental to the developmental aspirations of the citizens and of the state as well. It has not only turned a peril to the people who aspire for a modern day living but also to the government, the municipalities, and local authorities. It is leading to a quagmire of cases which crowd the courtrooms and do not seem to conclude as the needs of the society as not substantiated by law. It is leading to disputes, claims of all kinds, huge losses of revenue along with general social unrest.

Thus, coming to the conclusion, it will not be wrong to say that some of the provisions contained in the Byelaws are greatly controversial and afford little space for logic and reasoning. No law or any provision of any law should ever be illogical. They must be complete in every aspect. A serious reconsideration of the provisions contained in the Bihar Building Byelaws is needed to overcome the deficiencies and provide justice to the citizens, the needs of the growing society and our state which is still considered as an agricultural economy.

It will also be our humble request to the state government, to take into consideration various factors highlighted in our report should they be found worthy, to take necessary proactive measures in order to have a head start towards a more amenable and healthy statute that would be able to protect the present generation, sustain the future generations, and also delivers on the guarantees given by our Constitution, which promises to all of her citizens a stable and healthy living free from unwanted hurdles and hardships, irrespective of their “Paisha, Pahunch & Power...”



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