

Rules Under Section 15 of the Bihar Itki Tuberculosis Sanatorium (Regulation of Buildings) Act, 1951

BIHAR

India

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Rule

RULES-UNDER-SECTION-15-OF-THE-BIHAR-ITKI-TUBERCULOSIS-SANATORIUM-OF 1951

- Published on 30 May 1953
- Commenced on 30 May 1953
- [This is the version of this document from 30 May 1953.]
- [Note: The original publication document is not available and this content could not be verified.]

Rules Under Section 15 of the Bihar Itki Tuberculosis Sanatorium (Regulation of Buildings) Act, 1951Published vide Notification No. 7100-Medl., dated the 30th May, 1953, published in Bihar Gazette, 1953 Part 2, pages 1916-19Notification No. 7100-Medl., dated the 30th May, 1953. Published in the Bihar Gazette, 1953, Part II, Pages 1916-19. - In exercise of the powers conferred by Section 15 of the Itki Tuberculosis Sanatorium (Regulation of Buildings) Act, 1951 (Bihar Act XXIII of 1951), the Governor of Bihar is pleased to make the following Rules :-

1. Particulars to be stated in application for sanction to build.

(1)Any person giving notice to the Sanatorium Local Authority of his intention to erect, re-erect or alter any building shall do so in writing and shall forward with such notice :-(i)a site plan of the land on a scale of not less than thirty-three feet to one inch showing all adjacent premises and roads, all means of access to such land and the drainage level thereof;(ii)a ground plan on a scale of not less than eight feet to one inch showing all existing and projected buildings, including outhouses, privies, drains and other structures and the open spaces round the same;(iii)an elevation or vertical section of every projected structure on a scale of not less than four feet to one inch;(iv)a complete specification of the structure which he intends to erect, re-erect or alter;(v)a statement of the locality and road in or besides which the site is situated.(2)Where a building is being constructed for accommodation of patients suffering from tuberculosis, such person shall also submit with the notice details of arrangements to be made for destruction of sputum, sterilisation of sputum cups, arrangements for nursing of and medical attendance on patients, etc.

2. Preparation of Plans, etc, by municipal staff.

- All plans, maps, specification, etc, required by Rule 1 to be filed along with the notice may be prepared by or under the supervision of a draftsman authorised by the Sanatorium Local Authority for the purpose on payment of the fees prescribed below and shall bear the draftsman's signature and a certificate that the plans, etc., comply with all the requirements of these Rules. For, the complete plans required under Rule 1, the rate of fee shall not exceed four annas per square inch, of the ground plan, if the building be one-storied, and five annas per square inch, if the building be two-or three-storied, provided that the fee shall not be less than one rupee and shall not exceed three rupees.

3. Provision in a building or room.

(1) Each building constructed for accommodating tuberculosis patients shall contain adequate provision for incinerating of sputum and other articles contaminated by it and for sterilisation of sputum cups boiling in accordance with instructions to be issued by the Sanatorium Local Authority. (2) The room intended for habitation of a person or persons not suffering from tuberculosis in a building for residential purposes shall have clear superficial area of at least one hundred square feet and a minimum height of eleven feet, but a room intended for a person suffering from tuberculosis shall have a clear superficial area of at least one hundred and twenty square feet and at least one window measuring not less than 3 feet - 3 feet and one door constructed in such a manner as will ensure free cross-ventilation. (3) The rooms intended for habitation in a building for residential purposes shall have a clear superficial area of at least one hundred square feet and a minimum height of ten feet.

4. Building to be away from an aerial electric line.

- If a proposed building will, either during or after the construction thereof render an aerial electric line accessible from scaffolding erected for the construction thereof, no such building shall be erected until in accordance with the Rules made under the Indian Electricity Act aerial electric line has been altered, or, in the case of a temporary addition, or alteration securely guarded.

5. Sites.

- No land shall be used as a site for the erection or re-erection of a building :- (1) If the building is to abut on a road, unless the site is of such shape that the frontage of the building can be made form parallel to the line of the road or as nearly parallel to the said line as the Chairman of the Sanatorium Local Authority may consider necessary; and (2) If the building to be erected or re-erected is a public building or a building for residential purpose :- (a) unless the site is certified by an engineer or overseer, as the case may be, to be dry and well drained or to be capable of being rendered dry and well drained. In the latter case, the Chairman of the Sanatorium Local Authority may decide that a certificate that the site has been rendered dry and well drained shall be necessary before the construction of any building and if he so decides, he shall inform the applicant of the

action which must be taken and the improvement which must be made, before the certificate can be granted. Where the Chairman decides that a certificate in respect of any site is necessary, he may state by whom it shall be given, and no person shall erect any building on such site until such certificate has been so granted;(b)where the site is a tank filled up with earth and the foundation of the building does not reach down to the original ground, unless such tank has been so filled up for a period of not less than five years;(c)where the site has been filled up with, or used for depositing rubbish, offensive matter or sewage unless (i) the site was so filled up or so used at least seven years before the application; (ii) the Chairman of the Sanatorium Local Authority has examined the site and granted a certificate to the effect that from a sanitary point of view it is fit to be built on, and (iii) the building is single-storied.

6. Foundations.

- The foundation of every building shall be masonry and shall, except where otherwise permitted by the Chairman of the Sanatorium Local Authority, rest on concrete or solid ground.

7. Materials of floors.

- All floors within a building shall be constructed of concrete or masonry except in the upper stories.

8. Materials of external walls.

- Where a building consists of two or more stories, the external walls of all the stories except the top one shall be constructed of stone or burnt bricks set in lime or cement mortar.

9. Materials of roof.

- Except in the areas and lanes described in the schedule below the external roof of every building shall be constructed of masonry, tiles, slates, corrugated iron or other non-inflammable materials which may be supported on timber, beams, rafter, etc.

10. Prohibition of inflammable materials.

- The external walls of every building and all fire-places and chimneys shall be constructed of masonry, burnt bricks, mud or other non-inflammable materials and no timber shall be used within one foot of any chimney, flue.

11. Level of court-yard and open space.

- Where there are no other means of drainage every interior courtyard of a building for residential purposes and every open space provided under Rule 22 shall be raised at least six inches above the level of the centre of the nearest road, not being an embankment, so as to admit of easy drainage into the road.

12. Private privies.

- Every building shall have one or more private privies. Every privy shall :-(a)be situated at a distance of not less than six feet from the nearest habitable room and not less than fifteen feet from the cook-house;(b)be so situated or constructed as to allow of easy access for removal or cleaning by the conservancy staff;(c)be constructed on a pucca platform rendered impervious by cement or other impervious materials raised at least nine inches above the ground level and with an inclination of not less than half an inch in a foot towards the drain;(d)be provided for night-soil and urine with separate removal watertight receptacles of a shape and size to be approved by the Chairman of the Sanatorium Local Authority in writing and so placed that there base may not be below the drainage level;(e)be so constructed as to leave a space of at least three square feet for ventilation between the walls and roofs, or in the alternative be ventilated by windows of sufficient size; and also to leave space of at least 6 inches between the lower end of the door and floor to allow of thorough ventilation;(f)be provided with an adequate pucca drain for the discharge of water from the platform to a sewer or cesspool, with a spout six inches long where it discharges.

13. Privy on upper floor.

- No person shall build -(a)a privy on any upper floor of a building unless it be of the water closet type:Provided that if a private sweeper is maintained, the Chairman of the Sanatorium Local Authority may give permission in writing for erecting a served privy containing a commode;(b)a room other than a bath-room or privy over or below a served privy;(c)a "sandak" or drop privy.

14. Prohibition of cesspool where public drain accessible.

- No cesspool shall be constructed without the written permission of the Chairman of the Sanatorium Local Authority and shall not in any case, be constructed or used where the house drain is within a distance of fifty yards from a public masonry drain and can be connected thereto.

15.

Every cesspool shall -(a)Construction of cesspool. - Be made of stone or burnt brick with lime mortar and lined with an impervious layer of cement and shall be so constructed as to have all rounded of and to have a rounded sump;(b)Access to and cleaning of cesspool. - Be so situated and constructed as to allow of easy access for the purpose of emptying and cleaning the same.

16. Drains.

- Drains of masonry or other impervious materials shall be provided for the drainage of the courtyard, outhouses and privies at such level as to connect properly with the public drains.

17. Prohibition of drains through or under house.

- No drain shall pass through or under a building for residential purposes: Provided that an interior courtyard may be so drained but in no case shall such drain pass under a living room.

18. Drainage from the upper stories.

- The drainage from the upper stories and from the roof of a building used for residential purposes shall be carried down to the surface drains by means of pipes.

19. Privies and urinals.

- No person shall, except as portion of a building for residential purposes, build, or cause to be built or shall keep after prohibition by the Chairman of the Sanatorium Local Authority any privy or urinal within ten feet of any road, not as a portion of such building, within four feet from the road, or from any roadside drain.

20. Prohibition of projection from room.

- No part of a building which abuts upon a road shall overhang the road for the side drain thereof except so far as is permitted by the Chairman of the Sanatorium Local Authority.

21. Depth of a building for residential purposes.

- The depth of a building for residential purposes shall not be greater than double its frontage and shall not exceed 60 feet except where each room is provided with a window or windows opening on to an external air space open to the sky and equal in width to half the height of the highest lateral wall.

22. Air space for building for residential purposes.

- Every person, who erects or re-erects a building for residential purposes, shall provide both at the front and the back thereof an open space extending along the whole width of the house to a distance at every part of not less than twenty feet and ten feet respectively, measured in a line drawn at right angles to the external front or back wall respectively: Provided that :-(i) if the front or back of the building abuts on a road or public open space which is not less than twenty or ten feet in width respectively the provision of the open space required by this Act at the front or back, as the case may be, shall not be necessary, and (ii) if the front or back of the building abuts on a road or a public open space which is less than twenty feet or ten feet in width respectively, the building may be erected up to a distance of twenty feet or ten feet respectively from the opposite side of such road or open space: Provided further that in the case of re-erection, where the site on which the building is erected is not more than 1,500 square feet in area, the person who re-erects the building shall provide at the front and the back open spaces not less than the spaces which have been provided at the front and

the back of the original building.

23. Air space for outhouses.

- No building appurtenant to a building for residential purposes shall be erected in the open space required by the preceding Rule in front of the main building and there shall be left an open space of four feet at all round such appurtenant building.

24. Plinth.

- Every building to be erected or re-erected shall be build on a plinth the top surface of which shall be at least two feet above the ground level and at least one foot above the level of the centre of the nearest road unless such road form an embankment provided that the Chairman may by order in writing permit otherwise.

25.

The floor or lowest floor of every building erected or re-erected from the ground level shall be constructed at such level as will admit of the construction of a drain sufficient for the effectual drainage of the building, and place at such level as will admit of the drainage being led into the nearest existing public drain or otherwise away from building if there is no public drain within one hundred feet from the building.

26. Height of single-storied building.

- No building other than a building constructed of stone or burnt brick and lime shall exceed one storey or eighteen feet in height.

27. Height of building.

- The height of a building shall not exceed the width of the road on which the building abuts except where the width of such road does not exceed fifteen feet, in which case the height of the building shall not exceed one and a half times the width of the road. If the house is situated on a corner plot, the height of the house shall be regulated by the width of the street on which the house fronts: Provided that if the house or one or more of its stories be set back, the height of the house may be increased as much as the basement of the portion has been set back.

28. Measurement of height.

- The height shall be considered to include the parapet and half the height of any sloping roof above the level of the parapet but shall be exclusive of the plinth to height of two feet.

29. Prohibition against building right up to public road or drain.

- Notwithstanding anything contained in these Rules, no building of any kind shall be erected or re-erected within two feet of any public road or drain and no hut shall be erected or re-erected within six feet of a masonry building.

30. Windows.

- The external walls of every room intended for habitation in a building for residential purposes shall be provided with windows for the admission of light and ventilation. The area occupied by such windows shall not be less than one-tenth of the floor space of the room.

31. Ventilation of staircases.

- Every staircase in a building shall be provided with one or more windows of at least two square feet in area. In the case of a building of more than two stories, the staircase shall have a window in each storey.

32. Discharge of water.

- No person shall affix or cause to be affixed to any building owned or occupied by him any gutter, spout or other thing intended for the conveyance and discharging of water, or shall leave in any such building any opening for the discharge of water in such a way that the water discharged therefrom is thrown or falls upon a road or into any drain in or near a road except through a down-pipe or other suitable contrivance reaching to the level of the road or drain.

33. Excavation of well near latrine.

- No person shall excavate or construct any well within twenty feet from any latrine, privy, sink or cesspool.

34. Construction of a well.

- Every well within a building or its compound shall be built of masonry with a raised masonry platform and pucca drain.

35. Construction of kitchen.

- Every kitchen shall be provided with a chimney or such other outlet for smoke as the Commissioner may require and no kitchen shall be constructed with a thatched roof or a roof made of inflammable material.

36. Erection of walls or other enclosures.

- No person shall erect or re-erect any enclosure, wall, fence, or any other structure on any land within the Sanatorium area without the permission of the Chairman of the Sanatorium Local Authority in writing.

37.

The owner, lessee or occupier of a building shall in his application for a licence for accommodating tuberculosis patients for gain in such a building furnish the following particulars :-(a)whether the building has been erected or re-erected in accordance with the Building Rules;(b)the details of the building, for example, the size and number of room, the sanitary and other fittings provided therein;(c)the number of tuberculosis patients proposed to be accommodated; and(d)arrangements made for the destruction of sputum cups, etc., and for medical attendance and nursing of patients.

38.

Each such application shall be accompanied by a licence fee of one hundred rupees.