

C I R C U L A R

Sub: Building Rules - Applicability to partition walls and sub-divisions.

...
Copies of G.O.No.Ms.184 P.H. dated: 20-1-48 and Memo No.96137-47-2-F2 P.H. dated 20-1-1948 relating to the above subject are forwarded for information and necessary guidance .

SD. R.D.N. Sinham,
For Director of Town Planning.

(True Copy)

To The Commissioner, Madurai Municipality with reference to his letter No.P3-1458-47 dated: 28-5-47 with the ~~two~~ Municipal files.
Copy to all other Commissioners of Municipalities and Executive Officers of Panchayat Boards where chapter IX and X of the District Municipalities Act have been extended.

Copy of G.O.No.Ms.184 P.H. dated: 20-1-48, Education and Public Health Deptt.

BUILDING RULES - Applicability to partition walls and subdivisions of buildings - orders passed.

Read:- From the Commissioner, and Special Officer, Madurai Municipality,
No. P3-1458/47, dated: 28-5-1947.
From the Director of Town Planning, Rec.No.2105/47, dated: 1-8-47 and
Rec.No.2105/47 dated: 15-10-47.
Memorandum No.86257/47-1 F2 Dated: 1-12-1947.
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ORDER

The Director of Town Planning is informed that the construction of a partition wall, of whatever height, intended for "the conversion into more than one dwelling house of a building originally constructed as one dwelling house" will be "reconstruction" of a building within the meaning of the definition in section 3(24) (c) of the Madras District Municipalities Act, 1920, and will therefore require permission under section 197 et seq of the Act. On the question whether the existing Building Rules issued in G.O.No.2179 Public Health, dated: 15th July 1942 will apply to such a reconstruction, the Director is informed that, as far as rule 9 is concerned, It applies only to new constructions and certain types of conversions of, or additions to, buildings, and not to the above type of reconstruction, viz., the construction of the partition wall. If the partition wall has the effect of diminishing the open space from something above 1/3 to something less than 1/3, it may be taken to be an addition made to an existing building, to which the rule will apply. If not, the rule will not apply. The other rules, however, for example rules 3,4,7 and 10 will apply to the reconstruction.

(TRUE COPY)

Copy of Government Memo. No.96137-47-2 F.2 P.H. dated: 20th January 1948, Education and Public Health Department.

Sub: Buildings - subdivision of - Interpretation of building -provisions of the Act and applicability of building - rules = orders- passed.

Ref: From the Director of Town Planning Rec.No.1685/47 dt: 26-10-1947
Government Memorandum No.86257/47-1 F2 P.H. dated: 1-12-1947.
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The attention of the Director of Town Planning invited to G.O.No.184 Dated: 20-1-1948.

2) THE Government agree with the Director of Town Planning regarding the particular case in question. In modification of the orders contained in Memorandum No.73975/46-2 F2 P.H. dated: 17-1-1947, they declare that such cases are not cases of 'necessary repair' falling within the deciding powers of a Municipal Council under section 215 (2) of the Madras District Municipalities Act, 1920.

C.O. Coorey,
Joint Secretary to Government.

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(True Copy)