

Samtse Development Control Regulations 2022



Department of Human Settlement
Ministry of Works and Human Settlement

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The Samtse LAP I & II Development Control Regulations (SDCR) have been divided into five major parts:

Section 1: Administration.

Contains the applicability of these regulations, the definitions of terms and expressions used in the regulations, and the provisions related to interpretation, discretionary powers, the delegation of powers, etc.

Section 2: Procedure for obtaining Development Permit.

Contains the procedure for obtaining development permit including sections on documents and particulars to be furnished along with the applications, the fees to be paid, the validity of the approvals, liabilities and responsibilities of the applicant.

Section 3: Procedures during development /building construction.

Contains provisions for the issue of various certificates, service connections, documents to be kept on-site, mandatory inspections, etc.

Section 4: Planning regulations.

Contains the permissibility of various uses and activities in the designated precincts and the permissible plot coverage, minimum plot sizes and building heights in the specified zones.

Section 5: Building regulations.

The provisions of the Bhutan Building Rules 2002 are to be read in conjunction with the SDCR. Only those provisions that relate to the plot coverage, minimum plot sizes and the number of floors have been prepared specifically for Samtse.

SECTION 1: ADMINISTRATION.

1.1 Title and Commencement

This regulation shall be called the Samtse Development Control Regulations (SDCR). These regulations shall come into force with effect from the date of their notification by the Royal Government of Bhutan.

1.2 Jurisdiction

This SDCR applies to the areas within the boundary of Samtse LAP I and LAP II.

1.3 Applicability

- i. These regulations shall be applicable from the date of their notification by the Royal Government of Bhutan. The regulations shall be applicable to all development in the listed jurisdiction unless otherwise stated.
- ii. Except, as otherwise stated, these regulations shall apply to all development, redevelopment, erection or re-erection of a building, change of use, etc., as well as to the design, construction, reconstruction of, and making material additions and alterations to a building.
- iii. Planning permit should always precede the building permit.
- iv. If there is a conflict between the requirements of these regulations and those of any other rules or bylaws, these regulations shall prevail.

1.4 Interpretation

Unless the context otherwise requires, the terms and expressions not defined herein shall have the same meaning as indicated in the following legislations:

- i. The Local Government Act 2014 (Amendment)
- ii. The Land Act 2007
- iii. National Housing Policy 2002
- iv. Building Code of Bhutan 2003
- v. Bhutan Building Regulation 2018

1.5 Delegation of Power

The implementing authority may delegate any of the powers, duties or functions conferred or implemented upon or vested in the implementing authority to its officers, or a designated committee of officers generally or specifically in writing and may impose certain conditions and limitations on the exercise of such powers as it may deem fit.

1.6 Discretionary Powers

The implementing authority may exercise its discretion in conformity with the intent and spirit of these regulations, to mitigate any demonstrable hardship or to sub-serve public interest in the following ways:

- i. Decide on matters where it is alleged that there is an error in any order, requirement, decision and determination, interpretation made by it under the delegation of powers, while applying these regulations.
- ii. Interpret these regulations in various contexts or in situations where more clarity is required. Under such circumstances the implementing authority's decision shall be final and binding.
- iii. Decide upon the nature and the extent of concessions in respect of marginal distances, room heights, etc. that can be granted in cases of proven hardship for reasons which are to be recorded in writing. However, such relaxation shall not affect the health, safety and hygiene of the inhabitants of the building and the neighborhood and the structural stability of the building. Provided further that while granting such relaxation, as above, the authority may impose conditions as may be necessary. These may include a payment of a deposit and its forfeiture for non-compliance, payment of a premium amount and other obligations, etc.
- iv. No concessions shall ever be made with respect to lot coverage or additional floors.
- v. Decide on the fine or compounding charges to be made applicable in cases of developments where non-adherence to these regulations is detected.
- vi. Authorize the erection of a building or the use of premises for public services undertaking or a public utility purpose where such an authorization is reasonably necessary for the convenience and the welfare of the public, even if such erection or use is not permitted as per these regulations.
- vii. Determine and establish the location of zoning boundaries in cases of doubts or controversies.

All matters stated above may be decided by a committee designated and authorized by the implementing authority. When issues arise that are not covered within these regulations, the implementing authority shall refer the matter to the competent authority.

1.7 Relations to other plans or regulations

The SDCR should be read in conjunction with the provisions of the Structure Plan and the BBR 2018. If there is any inconsistency between this SDCR and other regulations, the SDCR prevails.

1.8 Definitions

Accessory Use - A structure that is not the main use on a plot. A garage is an accessory use to a house and a storage shed is an accessory use to a commercial building.

Attic - The space within the confines of the roof structure, above the ceiling or the top floor which is constructed and adopted for storage purposes, lift machine room, water tanks etc.

Basement - The story of a building below the lowest ground level.

Building- Any structure for whatsoever purpose, and of whatsoever materials constructed and every part thereof, whether used as human habitation or not including foundations, plinths, walls, columns, floors, roofs, chimneys, plumbing and building services, fixed platforms, verandas, balconies, cornices or projections, part of a building or anything affixed thereto. However, structures of a temporary nature like tents, hutments, etc. erected for temporary purposes or for ceremonial occasions, with the permission of the Implementing Authority, shall not be considered to be "buildings".

Building Height- The permissible number of floors. This is inclusive of the ground floor and will be determined from the ground floor level. In addition to the precinct regulations, the height of buildings shall be governed by the “Guidelines on Traditional Architecture of Bhutan” and by the overall allowable building heights.

Commercial Building - A building or part thereof primarily used for commercial purposes such as shops, stores, departmental stores or markets, for display and sale of goods or merchandise, including office, storage and service facilities incidental thereto located in the same building.

Community- The people living in a particular place and usually linked by common interests.

Community Facilities/Services - Facilities/services used in common by a number of people, including schools, health, recreation, police, fire, public transportation, community center, etc.

Demarcation- The marking of the site plan at the actual location, on the ground, by the implementing authority in the presence of the owner and adjacent plot owners, if any.

Density - A measure of the intensity of occupants or use and measured in units per area. Units are commonly referenced in plots, dwellings, rooms or people per area.

Development - Carrying out of subdivision (division of land) or building construction on a plot of land. This also includes structural changes, demolition of buildings, excavation of land, and/or any change in use.

Existing Use - Authorized use of a plot of land, a building, or a structure existing before the commencement of these regulations.

Floor - The lower surface in a story on which one normally walks into a building. This does not include a mezzanine floor. The floor at ground level with direct access to a street or open ground/ land shall be called the ground floor. The ground floor shall also be counted as a floor in defining the number of floors and referred to as the ground floor. All additional floors shall be numbered sequentially starting with 1.

Floor area - Shall mean the total area of the floor including the area of walls.

Front - The area of land or side of building facing the primary road.

Household - The socioeconomic unit which often coincides with the basic kinship unit of society. Usually several related persons living together in a form of shelter and sharing food and other basic resources.

Implementing Authority – The government body responsible for governance, implementation and additions/corrections of these regulations.

Infrastructure - The basic physical networks, including water supply, sewage disposal, electricity, circulation, street lighting, storm drainage, and telephone.

Plot Coverage - The percentage of building area to the total area of the plot. If half of the lot is covered by a building the lot coverage will be 50%.

Occupancy Certificate - An official document issued by the implementing authority certifying that the building is safe and fit for occupancy.

Open Space - A parcel of public land set aside to retain land, water, flora, fauna, historic or aesthetic features in their natural state; scenic or open condition; parcel size to be based on the surface area necessary to maintain the integrity of the unique site characteristics. Public use to be based on the preservation of the unique site characteristics and the scope of facility development to be based on the evaluated carrying capacity of the site.

Parking Space - An area, enclosed or unenclosed, covered or uncovered, sufficient in size to park vehicles with space for their movement. Parking spaces may be served by a driveway connecting them with a street, or alley, and permitting ingress or egress of vehicles.

Permit - A valid authorization in writing by the implementing authority to carry out development or a work regulated by the regulations.

Right of Way - An area reserved for road carriageway, central verge, footpath, roadside drains, avenue plantations and utilities.

Road/Street - Any expressway, highway, boulevard, street, lane, pathway, alley, stairway, passageway, carriageway, footway or bridge, whether a thoroughfare or not, over which the public has the right of passage or access or have passed and had access uninterruptedly for a specified period, whether existing or proposed in any scheme.

Setbacks - The distance between the plot boundary and the building's outer edge, or the distance between buildings within a plot.

Site Plan - The up-to-date legal plan of the plot showing all boundaries, their dimensions, the total plot area, angles in degrees of corners, abutting legal roads and required set-backs issued by the competent authority.

Sub-division - The division of a single plot or building unit into two or more legal parts.

SECTION 2: PROCEDURES FOR OBTAINING A DEVELOPMENT PERMIT

2.1 Development Permit

No person shall change the use of land or carry out development or erect a building or carry out additions and alterations or carry out civil construction activity without obtaining a written permit from the implementing authority. A Development permit shall be issued only to the legal owner of the land/plot. Provided that no such development permit shall be necessary for the following:

- i. Carrying out works for the maintenance, improvement or alteration of a building, being works which affect only the interior of the building without altering the structural members of the building or which do not materially affect the external appearance thereof – such as providing or closing of a window or a door or ventilator not opening towards other's property, providing intercommunication door, white washing/painting, retiling, plastering and patch work, re-flooring and replacement of flooring. Provided further that no built-up area shall be added to the existing work without seeking the implementing authority's permit. Provided however that no such exemption shall be available in the case of heritage buildings/structures in heritage precincts.
- ii. Carrying out the following works by/in compliance with an order or direction made by an authority under a law for the time being in force:
 - a. Required for the maintenance or improvement of highway, road or public street, being works carried out on land within the boundaries of such highway, road or public street including repairs, extensions, modifications to existing service installations, culverts, bridges, tunnels, drains, foot over bridges, subways, pavements, pedestrian railings along pavements, medians, etc.,
 - b. For the purpose of constructing, laying, inspecting, repairing or renewing drains, sewers, mains, pipes, cable, telephone or other apparatus including breaking open of a street or other land for that purpose,
 - c. Falling in the purview of the operational constructions by government departments/ bodies, such as water tanks—over head or underground, pumping stations, substations, traffic signals, bus stop shelters, overhead electrical equipment for electrification, etc.

2.2 Procedure for Obtaining Development Permit

A person or body intending to carry out layout development as defined in these regulations in or over a land and/subdivide land or to erect a building or carry out additions and alterations to a building or to carry out development within the limits of the jurisdiction shall obtain a

prior permit for the same from the implementing authority by providing all the required information in the prescribed forms, formats and plans prescribed under these regulations and as may be amended from time to time by the implementing authority.

The application shall be signed by the legal owner of the plot or authorized signatory. The applicant shall submit signed plans and drawings along with the application and pay the requisite scrutiny fees, development charges, betterment charges, and other charges and dues if any to be levied under these regulations.

2.3 Documents and particulars to be furnished with the application

The following particulars and documents shall be submitted along with the application.

Table 1: List of Documents and Particulars to be furnished with the Application.

	Land Development	Building Development
1	Copy of the land ownership certificate issued by the implementing authority.	Copy of the land ownership certificate issued by the implementing authority.
2	Copy of the site plan certified / issued by the implementing authority.	Copy of the site plan certified / issued by the implementing authority.
3	Copy of Ordinance Certificate substantiating "Use Conformity".	Copy of Ordinance Certificate substantiating "Use Conformity".
4	Three copies of the proposed layout plan drawn to a readable scale showing all the details of the development.	Three copies of the proposed layout plan drawn to a readable scale showing all the details of the development. Three copies of the detailed drawings showing the plans, sections and elevations of the proposed building to a scale of 1:100 showing all the details.
5	Certificate of Architect or Planner who prepared the plans and drawings.	Certificates of Architect and Engineers who prepared the plans and drawings.
6	Copy of No Objection Clearance from relevant authority wherever applicable.	Copy of No Objection Clearance from relevant Authority wherever applicable.
<p>Notes:</p> <ol style="list-style-type: none"> All the drawings shall be prepared in the metric system only. The applicant shall sign all forms, plans, sections or written particulars or cause them to be signed by his authorized signatory and registered Architect and Engineers. One copy of each plans and documents shall be returned, on approval, to the applicant duly signed by the implementing authority or authorized officer. 		

It shall be incumbent on the person/body whose plans have been approved, to submit any modified plans with variations such as increase in the built-up area, building height or change in plans he proposes to make during the course of construction of his building work, and the procedure laid down for plans or other documents hereto before, shall be applicable to all such modified plans.

2.4 Scrutiny, Services and Amenity Fees

The permit for carrying out the development will be granted by the implementing authority only on the payment of scrutiny fees for processing the submitted application, service and amenities fees for execution of works as decided by the implementing authority. These fees and maintenance charges are liable for revision by the implementing authority from time to time.

2.5 Grant of Development Permit

On receipt of the application for a development permit, the implementing authority will either grant or refuse the development permit in accordance to the provisions of the regulations and further inquiries. The permit may be granted with or without conditions or subject to general or special orders. The development permit shall be in the prescribed form and it should be issued by an officer authorized by the implementing authority. Every order granting permit subject of conditions or refusing permission shall state the grounds for imposing such conditions or for such refusal.

Granting the development permit shall mean acceptance by the implementing authority of all the requirements of these regulations excluding the following:

- i. Easement rights.
- ii. Soil bearing capacity of the respective plot.
- iii. Variation in area from recorded areas of a plot or a building.
- iv. Structural reports and structural drawings.
- v. Soundness of material specifications used in construction of the building.

2.6 Rejection of Application

If the plans and information given do not contain all the particulars necessary to deal satisfactorily with the development permit application, the application shall be rejected.

2.7 Validity of Approval

The validity of the approved plan shall be for two years from the date of approval. The development should start within 365 Gregorian calendar days from the issue of the development permit.

2.8 Revalidation/Renewal

Development permit granted under these regulations shall be deemed to have lapsed, if such development work has not commenced till the expiry, of 365 Gregorian calendar days from the date of granting the development permit. However, the implementing authority may on application made to it before the expiry of above period, grant an extension of 365 Gregorian

calendar days at a time, on the payment of revalidation/renewal charges as decided by the implementing authority.

2.9 Cancellation/ Revocation of Approval

If a person/ body have secured a development permit through misrepresentation or production of false documents, then the development permit will be cancelled/revoked.

2.10 Suspended/Cancelled/Revoked due to Change of Ownership

Development permit granted under these regulations shall be deemed to be suspended/cancelled/ revoked, in cases of change of ownership, unless the ‘original’ owner who applied for, and obtained the development approval submits a letter to the implementing authority about the change in ownership giving details of the transaction and the new owner submits an application duly attaching copies of all the official records of such a transaction and an undertaking that he accepts the transfer to himself, of all the responsibilities and liabilities of the previous owner that relate to the development on the site.

2.11 Liabilities and Responsibility of the Applicant

Notwithstanding the development permit granted under these regulations, a person/body undertaking any development work shall continue to be wholly and solely liable for any injury or damage (direct or indirect) or loss whatsoever that may be caused to anyone in or around the area during such construction and no liability whatsoever in this regard shall be cast on the implementing authority. Neither the grant of the development permit nor the approval of the plans, drawings and specifications shall in any way absolve the applicant of the responsibility for carrying out the development in accordance with the requirement of these regulations.

2.12 Demolition/Reconstruction of Dangerous/ Unsafe/ Dilapidated Buildings

Wherever it is necessary to demolish a dilapidated/unsafe structure in the interest of public safety, such demolition shall be carried out by the applicant wherever so directed by the implementing authority. However, if the same is to be reconstructed, it shall be done in conformity with these regulations with due approval from the implementing authority.

2.13 Temporary Permit

Applications for temporary permit need not be submitted through the registered professional and will be applicable only in the developable area as earmarked in Samtse Local Area Plan I. A scrutiny fee shall be paid as decided by the implementing authority. The maximum validity of the temporary structures is 1 year after the implementing authority accords development permit. The proponent can apply for the renewal of the temporary permit on the expiration of its validity which will be verified by the implementing authority. This temporary permit shall be permitted only for:

- i. In the case of private premises - temporary sheds to be used for storing construction material / as watchmen's cabin during construction phase,
- ii. On public roads, highways - temporary sheds to be used for storing construction material/as watchmen's cabin/ workmen's shelter during construction/ repairs/ maintenance of public roads.

2.14 No Objection Clearance from Referral Authorities

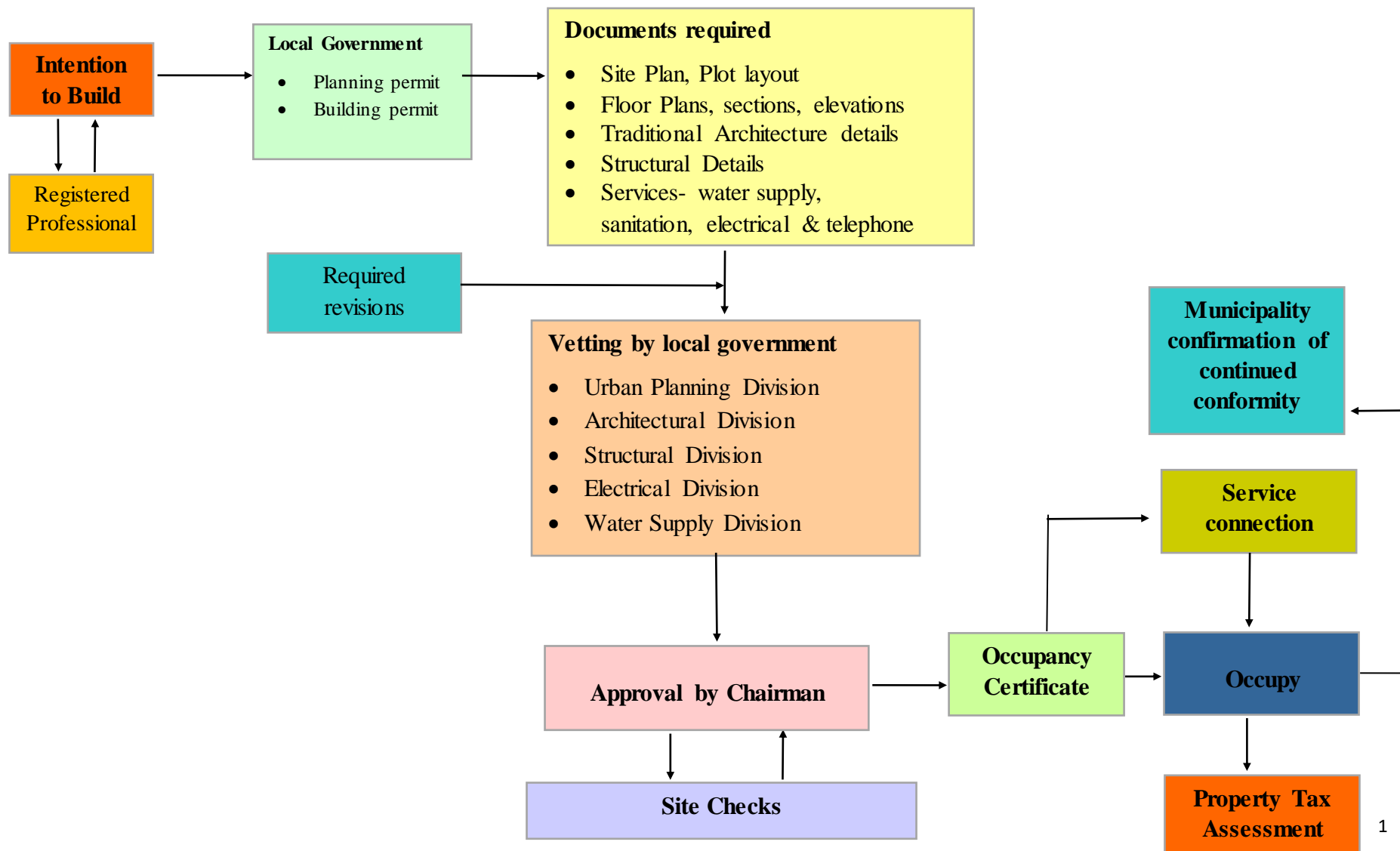
The proposal submitted shall be in conformity with other acts/regulations and shall, wherever applicable submit the NOC, from the respective authorities for conformity with their regulation and standards.

2.15 Development Undertaken on Behalf of the Government

The Office-in-Charge of a government department shall inform in writing to the implementing authority of the intention to carry out a development for its purpose along with the plans of the proposed development or construction.

- i. All the development undertaken on behalf of the government shall strictly conform to these regulations and seek approval in the same manner as it's done by a private individual.
- ii. Any government proposal, which is not in conformity with the Samtse Structure Plan and these regulations should have prior approval from the competent authority.

Chart 1: Chart showing procedure for obtaining building permit and completion of building construction



SECTION 3: PROCEDURE DURING DEVELOPMENT/BUILDING CONSTRUCTION

3.1 Temporary Service Connections

An applicant with a certified copy of a development permit may apply to the respective agencies for temporary connection of services like electricity, water and sewerage. The use of a public street/road or a public place for loading and unloading and stacking of materials of construction and construction equipment shall not be allowed.

3.2 Documents at Site

The applicant shall keep the issued development permit (planning and building permit) along with the necessary documents such as a copy of the approved drawings and specifications on the site during construction.

3.3 Commencement Certificate

No applicant shall carry out any further work after any of the inspection stages without an inspection and clearance by the implementing authority. On receipt of the progress report certifying that the work has been executed as per the approved plan, it shall be the duty of the implementing authority to inspect, verify and endorse the report.

3.4 Inspections

Developments shall be subject to routine/periodic inspections by the implementing authority or persons/bodies authorized by the implementing authority. The implementing authority may, at any time during erection of a building or the execution of work or development, make an inspection without giving prior notice of its intention to do so. In the event of deviation(s) from the approved plan, including quality control or any of the conditions noted in this section, the implementing authority shall have the full authority to stop construction.

3.5 Inspections at Various Stages

The following shall be the recognized stages for progress verification in the erection of a building or the execution of a work, which shall be verified and approved by the authorized engineer/ building inspector from the implementing authority for carrying out further construction work as per the sanctioned plan:

- i. Site layout
- ii. Foundation
- iii. Plinth
- iv. Ground story
- v. First story

vi. Before roofing

A person/body who is empowered/responsible under these regulations shall give to the designated officer of the implementing authority at least four working days' notice in writing of the time at which the work will be ready for inspection. This shall be called the progress certificate, which shall be duly filled-in and kept with the owner/site engineer/supervisor and produced at the time of each inspection to be scrutinized and signed/endorsed by the building inspector, before the commencement of the next stage of construction.

3.6 Deviations during Construction

Alteration in the approved development and/or building plan shall require prior approval from the implementing authority. Notwithstanding anything stated in the above regulations it shall be incumbent on the person whose plans have been approved to submit revised plans for deviations he/she proposes to make during the course of construction of his/her building work and the procedure laid down for plans or other documents here to before shall apply to all such revised plans.

3.7 Occupancy Certificate for Buildings

The applicant shall obtain an occupancy certificate from the implementing authority prior to occupancy or use of the completed development/building. The occupancy certificate should be renewed every three years.

The application for the occupancy certificate shall include:

- i. In case of any change from the approved plans, (which is permissible within these regulations), a completion report in the prescribed form along with three copies of the 'as built' drawings endorsed by the registered architect/engineer. It shall also be incumbent on every person who is engaged under this SDCR to supervise the erection or re-erection of the building, to endorse this completion report. One copy of the 'as built' drawings shall be stamped and returned to the applicant after inspection and approval by the implementing authority.
- ii. A copy of the progress certificate containing all the comments and endorsements of the building inspector at every stage of inspection. In case of occupying the building or part thereof without obtaining an occupancy certificate, the security deposit shall be forfeited. On receipt of the application, the building and its premises shall be inspected by the implementing authority to verify that the work has been completed as per the approved drawings, or if there is a change, permissible within the regulations, approve and endorse the 'as built' drawings submitted along with the completion report. The inspection team shall consist of authorized architect and engineer from the implementing authority. Based on this inspection report, the occupancy certificate shall be issued.

3.8 Issue of Occupancy Certificate

The authority issuing the occupancy certificate shall ensure that:

- i. Proper hygienic and sanitation facilities have been provided as per standards and are located as per the approved plan.
- ii. Domestic drains (to collect the rainwater) have been constructed as per standards and as per the design directions approved.
- iii. The completed portion of the building/dwelling unit applied for occupancy is fit and safe for such.
- iv. Construction debris around the building, and/or on the abutting road, and/or adjoining property is cleared by the applicant.
- v. The applicant has permanently displayed the full postal address (house number, street name and zone) outside the main entrance to the building and each unit has been given an individual number or letter.
- vi. The trees as per the design are planted on-site or a suitable deposit has been collected by the implementing authority.
- vii. The parking spaces are properly developed and the layout of parking is provided as per the approved plans. Signboards indicating the entrance, exit and location of parking spaces for different types of vehicles are permanently erected and maintained at an appropriate prominent location.
- viii. The completion report endorsed by the implementing authority procured and submitted by the owner.

3.9 Permanent Service Connections

The occupancy certificate shall not be issued unless the required information is furnished by the owner and the structural designer/architect concerned. Permanent connections will only be given to services like water, sewerage, electricity and telephone by the respective agencies after the occupancy certificate has been issued.

3.10 Change of Building or Premises Uses

The applicant shall apply in writing to the implementing authority for conversion of approved building or premises uses to other uses or activities. Permission for change of use shall be given only if the building use conforms to the precinct category schedule, structural safety of the building and other relevant clauses of the regulations.

3.11 Confirmation Inspections by Referral Authorities

Developments sanctioned through special conditions/appeals shall be liable for inspections by the special authorities or the implementing authority for revalidation of the development permit.

3.12 Safety on Site

All construction sites must be organized in a manner that the safety of all persons, on the site, at all times is assured. Special care must be taken that no person is electrocuted, that no one falls, or that no one is burnt, or that no material falls on a person.

3.13 Child Labour

It is incumbent that the applicant or his site in-charge sees that no underage workers, or children, are present on the construction site, either as employees, guests, or as dependents of legal employees.

3.14 Protection of Adjoining Public Properties

No construction activity on any site shall damage any of the public properties located adjoining the site, or use these properties for activities like storing construction materials.

3.15 Development without Prior Approval

If a development requiring the written permit of the implementing authority under the provision of these regulations or other rules, regulation or by-law is done by a person without obtaining written a permit, it shall be deemed to be unauthorized. The implementing authority shall at any time, by written notice, order the same to be removed, pulled down or undone. If the requisitions contained in the order are not carried out by the person or owner within the given period of time, the implementing authority shall remove or alter such work and the expenses thereof shall be paid by the person or owner as the case may be.

In cases where development has already started/commenced on site for which development permit in writing is not obtained from the implementing authority, but where this development on site is in accordance with the provisions of these regulations, the development permit for such work on-site without the prior permit may be granted by the implementing authority on the merits of each individual case. For such development works, an additional amount shall be charged on the entire land area or total built-up area as per the following rates, over and above the regular charges/fees.

3.16 Basement

Basement shall be used specifically for **Parking and store** only. The height and other requirements shall remain same as per the circular & Notification MoWHS /DHS /CDRD /Adm/ 2020-2021/2466.

*Basements ***shall not be used*** for any of the following reasons:

- Habitable purposes; for showrooms or shops; plumbing lines or toilets; gymnasium, snooker rooms, entertainment (karaoke and nightclubs) or any other similar uses.

Table 2: Regularization Fees for Developments without Prior Approval

Nature of unauthorized Development	Whether Development would have been Approved	Rate of Regularization and/or Penalty
Application for development	Yes	20 times the regular fees */ charges #
	No	10 times the regular fees & removal of the deviations at the owner's cost
Application made but development commenced before grant of permit.	Yes	10 times the regular fees/ charges
	No	Removal of the deviations at the owner's cost

* **Regular fees** refer to the fees that the implementing authority charges for scrutiny and approval of development applications.

Charges refer to the charges and levies that the implementing authority may impose for its services and facilities

Section 4: Planning Regulations

4.1 LIST OF PRECINCTS DESIGNATED IN THE SAMTSE LOCAL AREA PLAN I and II

The Precinct Schedule has been formed to facilitate an easier functioning city. Different precincts have different land uses, in an attempt to prevent conflict in land uses. The following list of Precinct categories has been formed so that the city can function in harmony with one another. Each precinct protects a group of human activities from interfering, or destructive aspects of other human activities.

The definition of Precincts maintains an ecological balance between nature's order and an order of human activities. Thus each precinct reflects a sphere of human or natural conduct. By defining and separating these spheres, the optimum meaning and functionality of each sphere is protected. With this principle in mind, the following precincts have been defined.

- 1. UC-1: Urban Hub (Town Core)**
The town centre, high density precinct of trade and commerce.
- 2. UV-1: Urban Village 1**
High density, mixed use precinct.
- 3. UV-2: Urban Village 2**
Medium density, residential precinct
- 4. UV-3: Urban Village 3**
Low density, residential precinct
- 5. UV-4: Restricted Development**
Development is restricted in height and coverage to protect the slopes and ecology of the slopes
- 6. I-1: Institutional 1**
Institutional land uses such as the Educational and training institutes and health service centers. Public, corporate and other offices such as Town hall, Telecom, BPC, FCB, NGOs, Banks, etc.
- 7. I-2: Institutional 2**
Land uses related to defense, national security and military
- 8. E-1: Environment Precinct 1**
Environmental conservations, River landscape
- 9. E-2: Environment Precinct 2**
Forest Environment Conservation
- 10. E-6: Local Green Space System**
Public parks, open and leisure spaces.

11. H: Heritage Precincts

Dzong, Lhakhangs, sacred and historic sites.

12. S1 Services Precinct 1

Precincts characterized by service infrastructure, public service facilities and amenities such as transformer station, electric vehicle charging stations, firefighting, sewerage treatment plants, and water treatment plants etc.

13. S2 Services Precinct 2

Precincts characterized by industrial, heavy maintenance, wholesaling etc.

14. S3 Services Precinct 3

Bus Terminal and Dry port.

15. BZ: Buffer Zone

Buffers along the rivers and streams, around heritage structures and sites; along international boundaries and under High Tension (HT) lines

16. SZ: Special Zone

Land uses such as the Royal uses, land for future endowment (Standards to be framed after the uses in these areas are confirmed later in the future) and special economic zones.

Table 3: Permissible uses for settlement areas.

Precinct Designated	Uses Permissible	Special conditions and restrictions
(UC-1): Urban Hub	<p>Entertainment, cultural and shopping centers, cinema hall, restaurants and food courts, game parlours, lodging and boarding houses, hotels, tourism and recreational based facilities.</p> <p>Commercial center, public buildings, dispensaries and satellite clinics, office buildings, public facilities, public utilities, banks, professional offices, supermarkets, etc.</p> <p>Local level retail shops and services establishments.</p> <p>Household economic activity, light home workshops, and cottage industries not involving use of, or installation of, any machinery driven by more than 10 Kw power and which do not create noise, vibrations fumes, dust, etc., only in independent dwelling units (not in tenement dwellings or flats). Eg. Bakery, tailoring units, beauty parlours etc. as part of residential units.</p>	Firewood and Timber Stock Yard, High School, Boarding and Lodging.
(UV-1): Urban Village 1	<p>Convenience Shopping / Basic Amenities</p> <p>All uses permitted in UV - 2</p>	<p>Firewood and Timber Stock Yard, High School, Boarding and Lodging.</p> <p>All permissible non-residential uses in residential area may be permitted in a residential dwelling only on the ground floor or any other floor with separate means of access/staircase from within the building.</p>
	<p>Convenience Shopping / Basic Amenities</p> <p>All uses permitted in UV - 3</p> <p>Retail commercial use such as Retail Shops, Restaurants, Hotels, Maternity Homes, Clinics, Convenience Shopping, Professional Offices and Establishments (of less than 15 employees), ATMs, Crèche / Children's day</p>	<p>Firewood and Timber Stock Yard, High School, Boarding and Lodging.</p> <p>Household economic activity, light home workshops, and cottage industries</p>

(UV-2): Urban Village 2	<p>care centre, Kindergartens, Primary Schools, Dispensaries, Clinics, Health Centres, Pathological Laboratories, Maternity Homes, Nursing Homes, Local Hospitals, Public Facilities, Public Utilities, Public Transportation Stops, Parks, Gardens, Playgrounds, Apartments and Service Establishments (residential), etc.,</p> <p>Other amenities such as Local Libraries, , Club Houses, Community Halls , Petrol Pumps with or without Service Stations, Kiosks, Taxi Stands, Vegetable Vendors, Display Areas, Neighbourhood Pub (one only), Outdoor Cafes.</p>	<p>involving use of, or installation of, any machinery driven by more than 10 Kw power and which creates noise, vibrations fumes, dust, etc, shall not be permitted.</p>
(UV-3): Urban Village 3	<p>All types of residential dwellings including apartments and group housing, professional services.</p> <p>Local meeting hall, gymnasium, recreations such as futsal, tennis, etc may be permitted provided that it meets the minimum plot size requirements so that it can accommodate the basic facilities required.</p> <p>Ubiquitous local level retail shops and services establishments, small restaurant, pre - primary and primary school, dispensary, clinic.</p> <p>Non-residential uses (commercial uses) in residential area may be permitted in a residential dwelling only on the ground floor.</p> <p>For development of resorts and home stays, TCB guidelines should be followed</p>	<p>Firewood and Timber Stock Yard, High School, Boarding and Lodging shall not be permitted.</p> <p>Household economic activity, light home workshops, and cottage industries involving use of, or installation of, any machinery driven by more than 10 KW power and which create noise, vibrations, fumes and dust shall not be permissible in the tenement dwellings or flats.</p>
(UV-4): Urban Village -4	<p>Precincts with 30% and above slopes characterized by orchards, green houses, on-farm food processing & research.</p> <p>Agriculture, Horticulture, Orchards, Floriculture, Vegetable Gardens, Facilities for Plant Tissue-culture, Mushroom Culture, Green Houses, Cold Storage incidental to Agriculture and related uses, Dairy Farms, Poultry Farms, nursery.</p>	<p>Special conditions apply pertaining to the soil type and topography.</p> <p>Due to the kind of topography, soil stability tests shall be carried out before the construction approval.</p> <p>Construction in the precinct shall be done</p>

		in a split level.
H: Heritage Precinct	Spiritual & religious structures including Dzong, Lhakhang, Chortens, Mani Walls, Prayer Wheels, Monasteries, & activities related to enhancement/protection/conservation of heritage structures and Sacred historic sites. Buffer around heritage structures and sites;	Residence/caretaker's house within the same compound if any shall be restricted to a single floor without overpowering the architecture and sanctity of the Heritage buildings.
I-1: Institutional.	Educational, training, cultural & government institutions, public libraries, Museums, art galleries, exhibition halls, diplomatic enclave, government offices, Telecom, BPC, FCB, NGOs, Banks, etc.	Residential & other activities incidental to the main institutional uses shall be permitted within the permissible coverage and setback provisions not more than 20% of the ground coverage. Bars & night entertainment are strictly prohibited.
I-2: Institutional.	Zones related to National Security Defense related	To be cleared by His Majesty / the Army Headquarters
S-1:Service Precinct1	Vegetable & Craft markets. Public utility, public facility, services buildings, Water treatment plant, sewage aerobic & mechanical plants, electric substations, incineration plants, cremation/ burial grounds, abattoir/ slaughterhouse, fuel station, etc.	No objection or clearances to be obtained from relevant agencies.
	Service Centers, Industries and Workshops Wholesale markets and their ancillary uses, ice factory and cold storage, warehouses, Go downs, restaurants, lodges, dormitory, oil depot, steel	Residential dwelling only for industrial

S-2: Service Precinct 2	<p>stockyard, timber stockyard, junkyard, sawmill, LPG Cylinder storage depot, storage of permissible goods.</p> <p>Service industries – to serve residential activities, commercial and industrial establishments, and also the daily needs of the people, fuel stations, pasteurizing and milk processing.</p> <p>Manufacturing, battery charging, bakeries and confectionaries, cleaning and pressing establishments for clothes, small cold storage units, etc.</p> <p>Light industry, Non-polluting industrial activity.</p>	<p>workers and other public utility service staffs working within the industrial premises, querying of gravel, sand, clay and stone.</p> <p>Storage of inflammable goods, Dumping of solid industrial wastes (subject to N.O.C. from authorities such as the National Environment Commission (NEC) / Dept. of Trade and Industry).</p>
S3 Service Precinct 3	Dry Ports and Bus Terminals	
E1: Environment Precinct 1	<p>Natural reserve and sanctuary, the river basin, streams, rivulets, fauna breeding places, unique flora, and bio-mass preserves.</p> <p>Activities related to environment enhancement/protection and permitted/undertaken by or on behalf of the National Environment Commission (NEC).</p>	<p>The existing structures can be retained and further development shall not be permitted.</p> <p>Existing land use, which is considered not to cause an impact on the ecosystem, can be retained by obtaining the clearance/ No Objection Certificate from National Environment Commission.</p>
E2: Environment Precinct 2	<p>Natural reserve and sanctuary, the river basin, streams, rivulets, fauna breeding places, unique flora, and bio-mass preserves.</p> <p>Activities related to environment enhancement/protection and permitted/undertaken by or on behalf of the Forest Department.</p>	<p>No access road or any service installations to private plots to be permitted through this zone.</p> <p>No development or construction shall be permitted within thirty meters of the edge</p>

		of the watercourse or the edge of the gullies of river and major stream or such distance as may be prescribed under any other general or specific orders of Royal government or any other authority.
E6: Local Green Space System	Open and public spaces; lawns and parks.	
BZ: Buffer Zone	Along international boundaries and under High Tension (HT) lines	
SZ: Future Endowment	For future plans and endowments. Land uses such as the Royal uses, land for future endowment and special economic zones.	

Table 4: Permissible development control schedule.

SL. NO.	PRECINCT	Max. Permissible F.A.R	MIN SETBACK	MAX HEIGHT	REMARKS
1	UC-1 (Urban Core)	3	1.5m on front, 2m on two sides & 3m on the rear	5	
2	UV-1 (Urban Village 1)	2.5	2m on front, 3m on two sides & 5m on the side accommodating septic tank	5	
3	UV-2 (Urban Village 2)	2.25	3m on three sides. 3m on the side connected by sewer network or 5m on the side accommodating septic tank	5	
4	UV-3 (Urban Village 3)	1.8	3m on three sides. 3m on the side connected by sewer network or 5m on the side accommodating septic tank	4	
5	UV-4 (Urban Village 4)	0.9	3m on three sides. 3m on the side connected by sewer network or 5m on the side accommodating septic tank	3	Slope between 30% - 57 %
6	I-1 (Institutional Precinct 1)	0.9	3m on three sides. 3m on the side connected by sewer network or 5m on the side accommodating septic tank	3	Residential component shall not exceed 20%)
7	I-2 (Institutional Precinct 2)	0.9	3m on three sides. 3m on the side connected by sewer network or 5m on the side accommodating septic tank	3	Residential component shall not exceed 20%)
8	S-1:	1.35	3m on three sides. 3m on the side	3	Public Utilities, facilities and

	Service Precinct 1		connected by sewer network or 5m on the side accommodating septic tank		services
9	S-2: Service Precinct 2	1.35	3m on three sides. 3m on the side connected by sewer network or 5m on the side accommodating septic tank	3	
10	S-3: Service Precinct 3	1	3m on three sides. 3m on the side connected by sewer network or 5m on the side accommodating septic tank		Bus Terminal
		1.5			Dry port
11	E-1: Environment Conservation				
12	E-2: Forest Environments				
13	E-6: Local Green space system			1	
14	H: Heritage Precinct	As per the guidelines of DCHS, MoHCA.			
15	BUFFER ZONES				
	SPECIAL ZONES				
	Endowment for the future; Royal Uses				

Note:

1. Plot less than 7 decimal shall develop as per the “Guidelines for the development on small plot”.
2. The plinth area for the building shall be limited to a maximum of 500 sq.m beyond which any building shall be considered as a separate structure and must follow all the requirements as an independent structure.
3. No plot sub-divisions shall result in a plot less than 9.1 decimal in LAP-I and LAP-II.
4. In any case, no development shall be allowed in the form of single leveled block, which involves cutting the natural terrain of the plot by more than 2 meters height; however, the construction shall be allowed in a split level in such situation.
5. Cantilevers in the form of portico or porch shall be allowed within the minimum setbacks, with a condition that the dimension of such cantilever projection should be less than half the dimension of the setback, with no habitable use above them. These projections shall strictly comply with traditional architectural guidelines prescribed by the competent authority.

SPECIAL CONDITIONS:

1. *The following plots (ST1-627, ST1-606, ST1-476, ST1-531, ST1-458, ST1-625, ST1-633, ST1-616, ST1-617, ST1-594, ST1-555, ST1-557, ST1-551, ST1-569, ST1-568, ST1-554, ST1-565, ST1-545, ST1-570, ST1-567, ST1-566, ST1-530, ST1-528, ST1-628, ST1-542, ST1-529, ST1-590) in Gairigaon area shall carry out soil stability test before construction.*
2. *The following plots shall be included under UV-4 precinct: (ST1-412, ST1-214, ST1-379, ST1-378, ST1-271, ST1-404, ST1-400, ST1-374, ST1-426, ST1-424, ST1-710, ST1-709, ST1-429, ST1-635, ST1-427, ST1-347, ST1-423, ST1-636, ST1-416, ST1-344, ST1-422, ST1-343, ST1-431, ST1-346) ST1-276, ST1-277, ST1-430).*

Consolidation of smaller plots

Consolidation with other small plots, allowing joint ownership to create a standard size plot shall be permitted.

Projected Balconies

Cantilevered balconies (not enclosed) projecting up to 1.2 m into the setback area from the external face of the ground floor wall shall be permitted. Projections beyond 1.2 m may be permitted provided they do not extend into the setback areas and they are structurally safe.

Such projections/ structures shall not cover the septic tanks.

Parking Areas

All the permitted proposals within the respective precincts shall provide plot level parking spaces as per the parking standard mentioned in Table 6. Proposals in Urban Core shall be exempt from plot level parking provided the total clear retail floor area is less than 450 sqm beyond which provision shall be made of 1 car parking space for every 30 sqm of clear retail space or part thereof.

Table 5: Parking requirements standards.

DESCRIPTION OF USE IN THE BUILDING	NUMBER OF VEHICLE PARKING SPACE REQUIRED
Residential space	<ol style="list-style-type: none"> 1. Residential unit with total area less than 60 sqm: 25% cars & 75% 2 wheelers. 2. Residential unit with total area between than 60 -90 sqm: 50% cars & 50% 2 wheelers. 3. Residential unit with total area equal to or more than 90 sqm: 1 car space for every 90 sqm.
Public Halls, Community Centers, Exhibition centers	One car space for every 30 sqm of public floor space or part thereof.
Restaurant, bars, café & eateries	One car space for every 15 sqm of public floor space or part thereof.
Shopping centre (over 450 sqm clear retail floor space)	One car space for every 20 sqm of clear retail floor space or part thereof.
Commercial use	One car space for every 30 sqm of clear retail floor space or part thereof.
Offices	One car space for every 30 sqm net usable office floor area.
Theatres & Cinemas	One car space for every 10 fixed seats for public accommodation or part thereof.
Hotels & Guest House	One car space for every 30 sqm of clear retail floor space or part thereof.
Warehouses	One car space for every 100 sqm usable floor area.
Vehicle services & repair workshop	Five car space per service/repair bay.

Section 4: Building Regulations

5.1 Architectural Design

Same as BBR 2018

5.2 Circulations Space Requirements

Same as BBR 2018

5.3 Light and Ventilations Requirements

Same as BBR 2018

5.4 Artificial Lighting and Mechanical Ventilation

Same as BBR 2018

5.5 Ventilation Shaft

Same as BBR 2018

5.6 Fire Safety

Same as BBR 2018

5.7 Garage cum Servants Quarters

Same as BBR 2018

5.8 Porch

Same as BBR 2018

5.9 Septic Tank

Same as BBR 2018

5.10 Roof and Site Drainage

Same as BBR 2018

5.11 Access for the Disabled

Same as stipulated in the Guidelines for Differently Abled Friendly Construction 2017

5.12 Structural Control

Same as BBR 2018

5.13 Water Supply and Sanitation Control

Same as BBR 2018

5.14 Electrical Installations Control

Same as BBR 2018

5.15 Telephone

Same as BBR 2018

5.16 Attic

Human occupancy of the attic spaces shall not be permitted.

5.17 Basement

As per the circular & Notification MoWHS/DHS/CDRD/Adm/2020-2021/2466.

5.18 Minimum Floor Space of Rooms in Residential Buildings

Same as BBR 2018

5.19 Painting and building color

Same as BBR 2018 and Building Color Code of Bhutan 2014

5.20 Water Requirement

As per the table given below;

Table 6: Water for Institutional Needs (as per IS: 1172-1963)

Sl. no	Institutions	Water requirements (Liters per head per day)
1	Hospitals (including laundry)	
	a)No. of beds exceeding 100	450 (per bed)
	b)No. of beds not exceeding 100	340 (per bed)
2	Hotels	180 (per bed)
3	Hostels	135
4	Nurse homes & medical quarters	135
5	Boarding schools/colleges	135
6	Restaurants	70 per seat
7	Airports	70
8	Bus stations	70(could be reduced to 25 where bathing facilities are not provided)
9	Day School/Colleges	45
10	Offices	45
11	Factories	45(could be reduced to 30 where no bathing rooms are required)
12	Cinema, Concert halls & theatres	15
13	Garden, Sports ground	3.5 per sqm
14	Animal/Vehicles	45

Table 7: Water Requirements for Domestic Purpose (as per IS: 1172-1963)

Sl.No	Description	Amount of water in litres per head per day
1	Bathing	55
2	Washing of Clothes	20
3	Flushing of W.C.	30
4	Washing of House	10
5	Washing of utensils	10
6	Cooking	5
7	Drinking	5
Total		135

APPOINTMENT FORM FOR BUILDING CONSTRUCTION LAYOUT

Name of applicant:
.....

Thram number:
.....

Plot number:
.....

Location of plot:
.....

Contact Number:
.....

(Owner Signature & Date)

**The appointment should be made one day earlier Dzongkhag Building Inspector.*

Appointment date:Time:

FINAL BUILDING LAYOUT CHECKING

The final layout checking was done on dated: as per the construction approval No
Dated..... located at..... Owned by Mr.
/Mrs..... and found the alignment/orientation and four side setback of the building are maintained as per the approved layout plan/drawing.

Part I

Dzongkhag Building Inspector: (Signature & date)

.....Date

Part-II

Signature of Surveyor if applicable: (Signature & Date)

.....Date

I hereby agree to construct my building as per the approval accorded by the Dzongkhag Administration and I will not deviate out of the final layout checked by the Municipality. If I deviate from the approved plan, I shall be liable for the penalties as per the any relevant regulations.

Owner's name:Signature:

Contact No.....

Owners Site supervisor /Engineers name:

Sign:Contact No.....

For office use.

Any comment:

Signature:

APPLICATION FOR OCCUPANCY CERTIFICATE

The Municipal Chairman,
Samtse Municipality,
Samtse Dzongkhag.

Dasho,

I hereby certify that the ADDITION / ALTERATION / CONSTRUCTION of building on
Plot no.:....., registered under Thram No.:.....in.....Lam, has been
completed on, according to the approved building plan/drawings,
vide permit no.:.....,
dated.....

The work has been completed to our best satisfaction. Workmanship and all the materials
(type and grade) have been used strictly in accordance with the approved
documents/drawings and relevant standards, codes of practice and specifications. Provisions
of the Bhutan Building Rules, conditions or orders issued there under have not been
transgressed/violated in the course of the work. The building is fit for use for which it has
been added /altered/ constructed. The necessary '**Occupancy Certificate**' may be issued.

Signature of the Owner:

Name & Address:

.....

Telephone No. (Residence): Telephone No. (Office):

E-mail address:

Date:

***Note:**

Enclosed is the completion certificate duly signed by the Site Engineer

COMPLETION CERTIFICATE - From Site Engineer.

I hereby certify that the building construction /development/ erection/ re-erection or material alteration in/of building on plot No....., registered under Thram no.:....., belonging to Mr /Mrs /Ms.....in Lam (street), in Samtse/Gola has been supervised by me and has been completed on....., according to the plans sanctioned, vide No....., dated.....

The work has been completed to my best satisfaction, the workmanship and all the materials (type & grade) have been used strictly in accordance with general and detailed specifications.

All conditions stipulated in the construction agreement dated have been fulfilled. The building is fit for use for which it has been erected, re-erected or altered, constructed and enlarged.

.....

Name & Signature of Site Engineer/ Contractor

Address of Site Engineer/ Contractor

.....

.....

.....

Signature & Name of the Owner

Signature, Name & Designation of the Authorized Official

With Official seal (in case of Govt. /Semi-Govt. Project).

Date:

UNDERTAKING LETTER - From Electrician.

I hereby certify the electrification works in the entire building on plot No....., registered under Thram no.:....., belonging to Mr /Mrs /Ms..... in Lam (street), in Samtse/Gola has been supervised by me and has been completed on....., according to the plans and standards sanctioned, vide No....., dated.....

The work has been completed to my best satisfaction, the workmanship and all the materials (type & grade) have been used strictly in accordance with general and detailed specifications.

All conditions stipulated in the construction agreement dated have been fulfilled.

The building is fit for use for which it has been erected, re-erected or altered, constructed and enlarged.

.....

Name & Signature of Electrician

Address of Electrician

.....

.....

.....

Signature & Name of the Owner

Signature, Name & Designation of the Authorized Official

With Official seal (in case of Govt. /Semi-Govt. Project).

Date:

LETTER OF UNDERTAKING FOR BASEMENT APPROVAL

Date:

I, undersigned undertake that my building basement is required for the following:

- To meet parking requirements for the tenants of my proposal structure or
- To bring the ground floor at the same level of the existing road level.

Upon approval of the basement, I agree to the following terms and condition laid down by Samtse Dzongkhag.

1. I will use the basement as vehicular parking or as storage only as reflected in the approved drawings.
2. Once the basement has been approved and constructed, I will not propose or convert the basement into habitable/ commercial space.
3. I pledge to resolve all issues related to drainage and sewage with my own personal expense.
4. I undertake to repair, reconstruct and compensate for any damages inflicted upon the adjoining properties and take full responsibility for any other issues related due to the excavation of the building basement.
5. I agree to remove and demolish any construction in the basement as per Dzongkhag notification if any of the above clauses are violated.
6. I accept the aforementioned terms and agree to all conditions laid down by Dzongkhag with regards to the construction of the basement.

Name:

CID No.:

Plot No.:

Thram No:

Mobile No.:

Affix Legal
stamp here
(Sign)

Witness

Name:

CID No.:

Mobile No.:

Affix Legal
stamp here
(Sign)