

**GOVERNMENT OF SIKKIM
URBAN DEVELOPMENT AND HOUSING DEPARTMENT
GANGTOK**

No.GOS/UD&HD/6 (294)2001

Dated:16/10/2001

NOTIFICATION

In exercise of the powers conferred by Sub-section (2) of section 7 and section 17 of the Sikkim Allotment of House Sites and Construction of Building (Regulation and Control) Act, 1985 (11 of 1985), the State Government hereby makes the following regulations further to amend the Sikkim Building Construction Regulations, 1991, namely:-

- (1) (1)These Regulations may be called the Sikkim Building Construction (Amendment) Regulations, 2001.
- (2) They shall extend to all the notified areas in Sikkim.
- (3) They shall come into force at once.
- (4) They shall apply to both Government allotted sites and private sites.
- (2) In the Sikkim Building Construction Regulation, 1991, (hereinafter referred to as the said regulations), in regulation 17, -
 - (a) for sub-regulation (I), the following shall be substituted, namely:-

“(i) The maximum height of buildings constructed in allotted sites or private holdings within a notified area shall be in accordance with the suitability and profile of the locations based on the stability map of the area as prepared by the Mines and Geology Department from time to time which shall be as follows: -

Stability zone	Admissible number of floors
1.	5 ½ storeys
2.	1 ½ storeys
3.	3 ½ storeys
4.	2 ½ storeys
5.	1 ½ storeys
6.	No construction is allowed.

Provided that the height of buildings shall be regulated in accordance with the size of the plot allotted or possessed and structural design of the foundation of the proposed building;

- (b) after sub-regulation (V) the following sub regulation shall be added, namely: -

“(vi) Any structure beyond the permissible number of floors or allotted area or approved Blue print Plan completed or under construction on or before the date of notification of these regulations, shall be regularized after payment of regularization fee to be prescribed by Notification by the Government.

3. In the said regulation, after regulation 38, the following regulation shall be inserted, namely:-

39 Power to relax In case of genuine difficulties arising out of the implementation of any of the regulations in regard to buildings or structures proposed to be constructed by the Government of Sikkim or Government of India or any registered organization the State Government reserves the right to relax from application of any of the provisions which it considers justifiable on the merit of each case.”

Commissioner –cum- Secretary
Urban Development & Housing Department.