

F.No. 5/6/2025-Deregulation
Government of India
(Bharat Sarkar)
Cabinet Secretariat
(Mantrimandal Sachivalaya)

New Delhi, the 25th June, 2025

To
Chief Secretaries of all States

Subject: National Building Code, 2016 - clarification reg.

Sir/Madam,

I am directed to refer to Cabinet Secretariat's OM no. 082/2/1/2020-CA.V(Vol.III) dated 24.01.2025 constituting a Task Force to pursue de-regulation and compliance reduction, to promote ease of doing business and ease of living, towards faster development and job creation. In its interactions with the State Governments, several of them have raised an issue regarding the National Building Code, 2016.

2. The matter has been examined in consultation with the Bureau of Indian Standards and accordingly the following clarifications are issued:-

- (i) The National Building Code is not legally binding. It is a voluntary code for reference. It is not a "code" in the legally binding sense.
- (ii) Being a voluntary document, the National Building Code does not fall under Section 29, read with Section 17, of the Bureau of Indian Standards Act, 2016, and hence non-compliance with the National Building Code does not constitute an offence. In other words, the National Building Code is not "criminalized" and hence, there is no question of "decriminalization".
- (iii) The subject of "Land & Buildings" is listed in List II (State List) in the Constitution (entry 18). Fire Services are also in the State domain, vide Entry 5 of the State List read with the Twelfth Schedule (Entry 7) of the Constitution. Hence, buildings and matters like norms for Floor Area Ratio/Floor Space Index, set back, ground coverage, parking, green area, fire regulation etc. as well as other aspects covered in National Building Code are within the exclusive legislative and executive jurisdiction of the States. The Centre does not have legislative competence over such subjects in respect of State Governments.

3. The above clarifications are for information and necessary action.

Yours faithfully,


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