WEST BENGAL MUNICIPAL (BUILDING) RULES, 2007

Registered No. WB/SC-247 Zolkata No. 6N3ette MAGHA 25] Extraordinary Published by Authority WEDNESDAY, FEBRUARY 14, 2007 [SAKA 1928 PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc. The West Bengal Municipal (Building) Rules, 2007 No. 67/MA/O/C-4/3R-8/2002 NOTIFICATION Kolkata, the 14th day of February, 2007. In exercise of the power conferred by sub-section (1) of section 417, read with section 198 of the West Bengal Municipal Act, 1993 (West Ben. Act XXII of 1993) (hereinafter referred to as the said Act), the Governor is pleased hereby to make, after previous publication as required by sub-section (l) of section 417 of the said Act, the following rules:— Part 1 Preliminary 1. Short title, application and commencement: (l) These rules may be called the West Bengal Municipal (Building) Rules, 2007. (2) Except as otherwise provided in these rules, they shall apply to buildings in the municipal areas, notified areas and Industrial Townships in West Bengal. (3) They shall come into force on the date of their publication in the Oficial Gazette

2. Definitions: (l) In these rules, unless the context otherwise requires,—(1) "the Act" means the West Bengal Municipal Act, 1993 (West Ben. Act XXII of 1993); (2) "addition to a building" means addition to the cubic content or to the floor area of a building; (3) "area", in relation to a building, means the superficies of a horizontal section thereof made at the plinth level, inclusive of the external walls and such portion of the party-walls as belongs to the building; 2 THE KOLKATA GAZETTE, EXTRAORDINARY, FEBRUARY 14, 2007 (4) "advertising sign" means any surface of a structure with characters, letters, illustrations or illuminations applied thereto and displayed in any manner whatsoever to public view for the purposes of advertising or giving information regarding, or for attracting the notice of the public to, any place, person, public performance, article or merchandise whatsoever, and which surface or structure is attached to, forms part of, or is connected with, any land /or building, or is fixed to a wall, hoarding, frame, post, kiosk, structure, ground or fence, or is displayed in space or on screen; (5) "air-conditioning" means the process of treating air so as to control simultaneously its temperature, humidity, cleanliness and distribution to meet the requirement of conditioned space; (6) "alteration" means change from one occupancy to another, or a structural change, such as an addition to the area or height, or the removal of part of a building, or any change to the structure, such as, the construction of, cutting into or removal of any wall, partition, column, beam, joist, floor or other support, or a change to the fixture or equipment; (7) "apartment" means part of a property having a direct exit to a street or a passage or to a common area leading to such street or passage which together with its undivided interest in the common areas and facilities forms an independent unit; (8) "applicant" means Owner of the land and includes authorised representative of the owner or anybody having construction right in accordance with law and shall also include the transferee; (9) "architect" means a person who is registered as anArchitect by the Council of Architecture under the Architects Act, 1972 (20 of 1972); (IO) "balcony" means a semi open space including horizontal projection with a handrail or balustrade to serve as passage or sitting out place; (l l) "basement or cellar" means the lower storey of a building partly or wholly below the ground level or the abutting road level, whichever is higher; (12) "boundary wall" means a wall constructed along the property line not exceeding permissible height as specified in these rules; (13) "building plan" means a plan accompanying a notice for sanction, or provisional sanction for erection, or re- erection, or addition to, or alteration of, a building; (14) "building services" or "services", in relation to a building, means lighting and ventilation, electrical installations, air-conditioning and heating, acoustics and sound insulation, installation of lifts, travelators and escalators, water supply, sewerage and drainage, gas supply, fire fighting arrangements, solid waste management, electronic, tele- communication and telephone installations; (15) "chajja or cornice" means a sloping, horizontal or structural, overhung usually provided over openings on external walls to provide protection from the sun and rain; (16) "chimney" means the construction by means of which a flue is formed for the purpose of carrying the products of combustion to the open air, and includes chimney stack and flue-pipe; (17) "commencement of work", in relation to a building, means the actual comrnencement of a building foundation work or erection or re-erection or alteration of a building including foundation, but does not include mere excavation of earth; (18) "courtyard" means a space permanently open to the sky, enclosed fully or partially by building, whether or not at ground level or any other level within, or adjacent to, a building, or a courtyard enclosed on all sides (being an inner courtyard) or a courtyard where one of the sides is not enclosed (being an outer courtyard); (19) "covered area" means the ground area covered by building immediately above plinth level considering all the floors at all levels, but does not include the spaces exempted under these rules and the space covered by (a) garden, boundary, well and well structure, plant nursery, water pool, swimming pool (if not Covered), platform round a tree, tank, fountain or bench, (b) drainage, culvert, conduit, septic tank or soak pit, (c) compound wall and gate, and area covered by chajja; (20) "cul-de-sac" means a public or private street or passage closed at one end with provision for turning of cars; (21) "dangerous", in relation to a building which, by reason of its age, inadequate maintenance, dilapidation, abandonment or by any other reason, has becpme structurally unsafe or is not provided with adequate means of egress or which constitutes a fire hazard, dangerous to human life; THE KOLKATA GAZETTE, EXTRAORDINARY, FEBRUARY 14, 2007 (22) "depth", in relation to a plot, means the distance from the front to the rear line of the plot; 3 (23) "drain" includes sewer, a house drain, or a drain of any other description, a tunnel, a culvert, a ditch, a channel and any other device for carrying off sullage, sewage, offensive matter, polluted water, rain water or subsoil water; (24) "drainage" means the removal of any liquid by a system provided

for the purpose; (25) "dwelling unit" means an independent housing unit with separate living, cooking and sanitary facilities; (26) "engineer" means a person having minimum Bachelor degree in Civil Engineering or in Construction Engineering of a recognised University or Institute; (27) "escalator" means a mechanical device to transport persons between two or more levels in an inclined direction by means of guided moving steps; (28) "floor" means, unless otherwise specifically provided in these rules, the lower surface in a storey, after the finishing of which one normally walks in a building; (29) "floor area" means the covered area of a building at any floor level; (30) "Floor Area Ratio" or "F.A.R." (being the abbreviation of the whole words "Floor Area Ratio") means the quotient obtained by dividing the total floor area of all the floors of a building by the area of the plot, the formula being as follows: Total floor area of all floors F.A.R. Area of the plot (31) "form" means a standard format for application to the Authorities appended to these rules; (32) "framed building" means a building where the dead load and superimposed load are transferred to foundation through framed members with rigid joints, which may be of R.C.C., prestressed concrete, steel, timber, or the like, such members at the transfer of loads being not only experienced with directional stress but also bending stress and sheer stress as well; (33) "Geo-technical Engineer" shall mean a person who having a minimum bachelors degree in civil or construction engineering from a recognized university, institute or an equivalent engineering qualification recognized by the Government and having not less than five years' experience in soil investigation work and formulation of basis for design and consü•uction of different types of foundation; (34) "Ground coverage" is the percentage of the largest covered area as per roof plan of building/buildings against the area of the plot including the area of the water bodies, if any, within the plot; Ground coverage = The area of the plot covered by building x 100; Total area of the plot (35) "ground level" means the level at a height of 15 cm above the average level of the centre line of the street or passage to which the plot abuts; (36) "habitable room" means a room occupied or designed for occupancy by one or more persons for study, living, sleeping, eating, cooking, if it is used as a living room, but not including bath-rooms, water-closet, compartments, laundries, serving and storage pantries, corridors, cellers, attics and spaces that are not used frequently or during extended period clause; (37) "height of a building" shall mean vertical distance measured from the ground level, as defined in clause (35), to the highest point of the building, in case of flat roofs and in the case of sloped roofs, the mid-point between the eave's level and the ridge; Note.—For hill areas, the vertical distance shall be measured from the lowest floor level instead of average ground level as applicable in case of plains; (38) "house" includes any hut, shop or warehouse; (39) "Khatal" means a place where cattle are kept or maintained for the purpose of trade or business in cattle or business in milk; (40) "ledge" or "tand" means a shelf-like projection, supported in any rnanner except by means of vertical supports, within a room itself but not having projection wider than 0.60 metre, for being used only as storage space; 4 THE KOLKATA GAZETTE, EXTRAORDINARY, FEBRUARY 14, 2007 (41) "Licensed Building Surveyor (LBS)" means a qualified surveyor who has been licensed under these rules: (42) "lift" means an appliance designed to transport persons or materials between two or more levels in a vertical or substantially vertical direction by means of guided car platform; as specified in these rules; (43) "loft" means an intermediary floor between two floors or a residual space in a pitched roof above normal floor level which is constructed or adopted for storage purposes; (44) "masonry" means an assemblage of masonry units properly bonded together with mortar; (45) "means of access" means a public or private street or passage open to the sky, as shown in the survey map or other records of the Municipality and includes a passage which may not be open to the sky in the case of partition of an existing building; (46) "Mezzanine floor" means an intermediate floor between any two floors; (47) "Municipal authorities" means the municipal authorities specified in section 12 of the Act; (48) "open space" means an area,

forming an integral part of the site, at the ground level open to the sky; (49) "Parapet" means a low wall or railing built along the edge of a roof or a floor; (50) "parking space" means an area enclosed or unenclosed, covered or open, sufficient in size to part vehicles with a driveway connecting the parking space with a street or alley and permitting ingress and egress of vehicle; (51) "partition wall" means an interior non-load-bearing wall of storey or part storey height; (52) "Party wall" means one wall forming part of a building and used or constructed to be used for the supports and separation of adjoining buildings to different owners or constructed or adopted to be occupied by different persons; (53) "passage" means a means of access which is not a private or public street and which provides access to not more than three plots, and includes footway and drains attached to the passage and also includes all lands up to the property line of the plots abutting the passage; (54) "plinth" means the part of a wall or structure between the ground level and the level of the lowest floor of a building above ground level; (55) "principal occupancy" means highest occupancy among the different use of a building/ buildings but not less than 50% of the total usable area. (56) "purchaser" means any person who, enters into an agreement with the Promoter for the purchase of a dwelling unit; (57) "Registrar" means the Registrar as defined in the West Bengal Co-operative Societies Act, 1983; (58) "row housing" means a row of houses with only front open space and rear open space and interior open space where applicable; (59) "Salt Lake township" means the Salt Lake Township, within the limits of the Bidhannagar Municipality, and Nabadiganta Industrial Township owned and developed by the Government of West Bengal; (60) "schedule" means the schedule to these rules; (61) "section" means a section of the Act; (62) "service rooms" means rooms and covered spaces meant primarily for purposes other than human habitation such as for the purpose of using it for parking, air-conditioning plant room or room for the other machines used for any building service or for other purposes such as space for a stand-by generator for power supply, storage space for household or other goods of non-inflammable nature, strong room or bank celler, and dark room; "set back line" means a line usually parallel with the centre line of a road or street, laid down by a competent authority beyond which nothing can be constructed towards the road; (64) "shed" means a light or temporary structure for shade or shelter; (65) "single building" means a building having single block or multiple blocks connected at any level including basement where mandatory open spaces are considered in respect of the tallest block; site" or "building site" means the entire area covered by a building with out-houses, and includes the land (66) at the front or in the sides of, and pertaining to, such building and the land required by rules to be left open; (67) "storey" means the portion of a building included between the surface of any floor and the surface of the floor next above it, or if there be no floor above it, then the space between any floor and the top of roof next above it; THE KOLKATA GAZETTE, EXTRAORDINARY, FEBRUARY 14, 2007 5 (68) "smoke-stop door" means a door for preventing or checking the spread of smoke from one area to another; (69) "stair cover" means a structure with a covering roof over a staircase and its landing built to enclose only the stair for the purpose of providing protection from weather and not used for human habitation; (70) "structural engineer" shall mean an engineer having a minimum bachelor degree in civil engineering or structural engineering from a recognized University or an equivalent engineering qualification recognized by the Government having at least five years experience in the field of design and construction of structure of the building of different types with at least 5 years experience in structural designs; (71) "to construct a building" with its grammatical variation means— (i) to construct a new building, or (ii) to re-construct a building, or (iii) to convert a building or any part of a building, not being a flat or block, into a flat or block; (72) "tenement" means an independent dwelling unit with a kitchen; (73) "Water closet" or the letters "W.C." (being the abbreviation of the whole words "water closet") means a privy with arrangement for flushing the pan with water and does not include a bathroom; (74) "Width of a street" means the whole extent of space, including the roadway over any public bridge or flyover. footway and drains attached to such street. within the boundaries of the street as specified in the survey map or other records of a Municipality. (2) Words and expressions used but not otherwise defined shall have the same meaning as in the Act

PART 11 Building in areas other than municipalities in hill areas A. Building Sites: 3. Criteria of using a piece of land as a building site. (l) No piece of land shall be used as a site for the erection, re-erection, addition to, or alteration of, any building except in accordance with the provisions of the Act and these rules. (2) If any question arises as to what, for the purposes of the Act, shall be deemed to be the site for erection, re- erection, addition to or alteration of, any building, the Municipal Authority shall determine the

same and his decision shall be final. (3) No piece of land shall be used as a building site in Municipality unless the Board of Councillors is satisfied that,— (a) (b) (c) (d) (e) land record is in conformity with the proposed construction; the level of the land is not lower than the level of the crown of the nearest public street; the land is capable of being well-drained by means of drainage facilities leading to existing public drains or drainage channels; the soil of the building site is likely to sustain the construction of a building thereon; where the site is within 5.00 metres of any side of a tank, the owner will take such measures as shall prevent any risk of drainage from such building passing into the tank; Explanation.—"soil" shall include rocks, boulders, laterite. (4) No piece of land in the municipal area, located in a sinking zone or central business area, as determined by the Board of Councillors, shall be used as a building site without prior approval of the State Government: Provided that for construction of any building on any building on any piece of land in the municipal areas of the hill areas, prior testing of soil by a Government recognised testing organisation, in respect of land shall be made. (5) No piece of land where a closed, sick or other industry was located or is in operation, shall be used as a site for construction of any building, other than an industrial building, without the prior approval of the competent authority appointed under clause (d) of section 2 of the Urban Land (Ceiling and Regulation) Act, 1976 (33 of 1976). 6 THE KOLKATA GAZETTE, EXTRAORDINARY, FEBRUARY 14, 2007 (6) The site shall abut on a street or projected street and there shall be access from any such street by any passage appertaining to such site. (7) If in the opinion of the Municipal Authority it would be unsafe to construct a building on any piece of land, the Municipal Authority may prohibit any construction thereto

4. Applications for approval of building sites and for permission to construct or reconstruct buildings other than huts.— (l) Before submission of the building plan, approval of the building site has to be obtained from the municipal authorities. The applicant may simultaneously submit the site plan and the building plan to the Municipality for approval at his own risk and cost. But the Municipality shall consider the building plan submitted for approval only after the site plan is approved. In case the site plan is not approved, the submitted building plan shall also be treated as not approved. (2) Every application, under sub-rule (l) submitted in Form A, sball state, inter alia, the proposed use of the land as per use group or occupancy. (3) Every application, under sub-rule (1), shall be accompanied by a site-plan in triplicate and a fee as may be determined by the Municipality subject to the following:— (i) for site plan up to 2()() sq. meters of area : Rs. 200/- (Rupees two hundred only); (ii) for every additional 100 sq. meters of areas or part thereof beyond the first 200 sq. metres : Rs. 100/- (Rupees one hundred only): Provided maximum fees not exceeding five times the minimum fees as specified, may be determined by the Board of Councillors at a meeting. Note.—The site plan shall be drawn to the scale of not less than one centimetre to six metres and shall be signed by the applicant and by the Licensed Building Surveyor, Architect or Structural Engineer as required for under rule 15 with a certificate to the effect that the site has been inspected personally and the structural design including that of foundation has been made on the basis of recommendations or findings of the Geotechnical Engineer. (4) Every site-plan, under sub-rule (3), shall show or state on the body of the drawing showing the site-plan, the following:— (a) (b) (c) (d) (e) (f) (g) (h) (i) (j) (k) (l) the boundaries of the site and of any contiguous land belonging to the owner thereof with number assigned to plot or premises; the position of the site in relation to neighboring streets with dimensions; the name of the street on which the site abuts; the position of the building and of all other buildings including existing buildings, if any, which the applicant intends to erect upon his contiguous land referred to in clause (a) in relation to— (i) the boundaries of the site and, in case where the site has been sub-divided, the boundaries of the portion owned by the applicant and also the portions owned by the other owners, and (ii) all adjacent streets, buildings and premises within a distance of 12 metres of the site and of the contiguous land, if any, referred to in clause (a); the use or occupancy of all the buildings; the direction of North point; the means of access from the street to the building, and to all other buildings, if any, which the applicant intends to erect upon his contiguous land referred to in clause (a); the schematic position and approximate height and the number of storeys of all other buildings within 12 metres of the site; the free passage or way in front of the building; the width of the street (if any) in front and at the rear of the building; the means of drainage of the proposed building leading to existing public drains or drainage channels with their location in relation to the site; the means of drinking water supply to the proposed building indicating the source and the distance from the site including the route through which the pipe line will be laid, if piped water supply is envisaged; THE KOLKATA GAZETTE,

EXTRAORDINARY, FEBRUARY 14, 2007 7 (m) the means of power supply to the proposed building on the site, indicating the route through which power supply will be achieved; (n) areas of distress; (o) Such other particulars as are necessary under these rules as may be specified by the Board of Councillors; (p) the location of power line, water line, sewer line, natural drainage channel, jhora, road side drain, protective works. (5) In case of a promoter submitting site plan or building plan for approval, all provisions made in the West Bengal Building (Regulations for Promotion of Construction and Transfer by Promoters) Act, 1993 (West Ben. Act XX of 1993) shall apply

5. Further information required to be submitted by applicant.— Within fifteen working days from the date of receipt of an application for approval of building-site, the Municipal authority may require the applicant— (a) to furnish him with any information on matters referred to in these rules which has not already been given in the documents thereunder; or (b) to satisfy him that there are no objections which may lawfully be taken to the approval of the site

6. Incomplete or defective information.— (l) If any information or document required under these rules is, in the opinion of the Board of Councillors, incomplete or defective, he may, within fifteen working days from the date of receipt of the same, require further information or documents to be furnished. (2) If any requisition made under these rules is not complied with within one month, the application for approval of the building-site may be refused

7. Signature on approved site plan.— When the competent authority has approved any site plan, the approved plan or plans shall be signed by such officer as may be authorized in its behalf and in such manner as may be directed and two copies of approved site plan will be returned to the applicant

8. Contml of development of parks, public open spaces, ponds, wetlands, canals, river and other water front and brick fields.— (l) For the purpose of these rules, public open space shall mean any open space which is open to the use for enjoyment of the public, whether it is actually used or enjoyed by the public or not and whether the entry is regulated by any charge or not. (2) (a) Parks and public open spaces shall be classified for the purpose of these rules into three following groups: (i) the parks and public open spaces with area up to 1500 sq. m. shall be termed as small parks and public open spaces; (ii) the parks and public open spaces with area more than 1500 sq. m. but up to 7000 sq. m. shall be termed as medium parks and public open spaces; (iii) the parks and public open spaces with area more than 7000 sq. m. shall be termed as large parks and public open spaces. (b) The structure above ground level shall be subject to the following provisions: No structure other than the following shall be permitted in parks and public open spaces:— (i) statue of public interest; (ii) structure related to play equipments and fixtures; (iii) structure related to public amenities provided that the height of such buildings shall not exceed 4.00 metres and that total area covered by such building shall not exceed 10% of the total area of the parks and public open spaces, 5% in the case of medium parks and public open spaces and 3% in the case of large parks and public open spaces. 8 THE KOLKATA GAZETTE, EXTRAORDINARY, FEBRUARY 14, 2007 Note.— For the purpose of calculation of total area of parks and public open spaces as aforesaid the area of water body, if any, shall be excluded. (c) The underground structure shall be subject to the following provisions:— (i) no underground structure shall be allowed in small and medium parks and public open spaces; (ii) in large parks and public open spaces underground structure for amenities or parking facilities may be allowed, provided such structure shall not affect the environment or create traffic problem. (3) No canal, pond, water body, wetland, rivulets, jhora, water source, natural spring, streams, drains, culverts shall be filled up: Provided that after taking due consideration of the existing relevant Acts, the drainage, slope. slip, landslide, ecology, culture, environment, pisciculture, fire fighting or any other material consideration, and for reasons to be recorded in writing the Board of Councillors with the prior approval of the State Government, may allow any canal, pond, rivulets, streams, rivers, Hood plain area to be filled up. (4) (a) In the case of a building in the river zone (within 15 metres from river bank) or other water fronts of large water bodies (more than 1000 acres), the maximum permissible height of a building in such zone shall be 5.00 metres of river. (b) in the case of a building on stilts, the maximum permissible height of the building shall be 6.50 metres including the stilts, the minimum height of which shall be 3.00 metres. In such building, the stilted portion shall not be allowed to be walled up or covered along the sides; (c) no building shall be more than 20.00 metres long alongside the river or other water fronts. There shall be a clear linear gap between the two buildings alongside the river or other water front as per following: (i) 30

metres in case the river width is more than 75 metres; (ii) 20 metres in case the river width is between 50 and 75 metres; (iii) 15 metres in case the river width is less than 50 metres; (d) the maximum permissible covered area of such building shall be 200.00 sq. metres; (e) the structures for recreational purpose conforming to this sub-rule may be permitted within the adjoining land. (5) Existing brick fields shall be allowed to be continued as brick fields within their own boundaries. After being declared as abandoned, the excavated portions shall have to be maintained by the owner at his cost as water bodies where pisciculture or any type of recreational activity may be allowed

9. Sub-division of plots in areas other than municipalities in hill areas.— (l) No sub-division of any plot within the municipal area shall be undertaken without the prior approval of the Board of Councillors. (2) (a) A plot to be sub-divided shall be termed as "mother plot"; (b) sub-division may not be allowed if the "mother plot" abuts a means of access having a width of less than 3.50 metres for plains; (c) every individual plot obtained by sub-division of the "mother plot" shall abut a means of access having width of not less than 3.50 metres; (d) the junctions of means of access within the "mother plot" shall be provided with splayed comers measuring not less than 2.50 metres on each side; Note.—Clauses (a) to (d) shall not apply to a scheme for Economically Weaker Section and Low Income Group Housing approved by the Government, and Salt Lake Township; (e) sub-division may be allowed on the condition that the following facilities shall be provided by the owner at his own cost to the satisfaction of the Board of Councillors:— (i) drainage facilities with pucca drain ensuring drainage of each individual plot and of the means of access and passages leading to existing public drains or natural drainage channels; (ii) all weather means of access and related protective works, if necessary, along with street lighting; THE KOLKATA GAZETTE, EXTRAORDINARY, FEBRUARY 14, 2007 (iii) streets and passages along with street lighting; (iv) sanitary facilities including garbage disposal facilities; (v) water supply facilities; 9 (f) no permission for sub-division of a plot of land shall be granted unless each sub divided plot is at least 80 sq. metres in area with minimum width of 6.0 m; (g) no sub-division of a plot shall be granted unless a detailed layout plan of the area proposed to be sub-divided is submitted before the Municipality duly integrating the site layout plan with the general use of the land in the adjoining areas. The existing street pattern as also the other physical infrastructural facilities like drainage, sewerage, water supply. electricity .supply with location of high tension or low tension electric line with poles are also required to be shown. (3) The maximum permissible length for the means of access shall be as given in the following table: Maximum length of the means of access Width of means of access (i) 3.50 metres and above but not more than 7.00 metres (ii) Above 7.00 mefres but not more than 10.00 metres (iii) Above 10.00 metres For means of access closed at one end 25.00 metres 50.00 metres No restriction For means of access open to street at both ends 75.00 metres 150.00 metres No restriction (4) For "mother plot" measuring more than 5,000.00 sq. metres in area, sub-division may be allowed, provided eight per cent of the total area of the "mother plot" is developed as public open space. The width of each such open space shall not be less than 10.00 metres and each such open space shall abut a street having a width of not less than 7 .00 metres. The minimum area of each such open space in one parcel shall be 400 square metres. This open space shall be in addition to the land required for providing the means of access to the individual plots obtained by sub-division of "mother plot". (5) For "mother plots" measuring more than 25,000.00 sq. metres in area, subdivision may be allowed, provided seven per cent of the total area of the mother plot is reserved for use for facilities like school, health centre, market, police outpost, milk booth, post office, power sub-station, transport terminal, tree cover, rain water harvesting, sewage recycling, water treatment plant, sewage treatment plant and- the like. Such land shall abut a street having a width of not less than 10.00 metres in addition to the land necessary for means of access and for open spaces mentioned in sub-rule (3). 10, Masonry building not to be erected without special permission in certain cases. (1) Save with the special permission of the Board of Councillors, no building, other than a hut, shall be erected unless (a) the site of such building abuts on a public street or a projected public street or a private street duly sanctioned and constructed in accordance with the provisions of the Act or any other law in force immediately before the commencement of the Act; or (b) there is access to the building from any such street by a passage or pathway appertaining to such site, and not less than 2.40 metres wide at any part. (2) No building shall be erected so as to deprive any masonry or framed building of the appropriate means of access. (3) The following buildings shall be exempt from the operation of this rule: (a) any building erected or intended to be erected by or with the sanction of the competent authority for use solely as a temporary hospital for the reception and treatment

of persons suffering from any infectious or contagious disease; (b) any hoarding or like means of protection (other than a masonry wall) which the owner of any premises certifies to the competent authority, not less than seven days after erection, to have been erected for the purpose of preventing threatened acquisition of any easement over his own premises or any portion thereof, provided the stability of such hoarding or other means of protection is certified by the competent authority. 10 THE KOLKATA GAZETTE, EXTRAORDINARY, FEBRUARY 14, 2007 B. Submission of Building Plan: 11. Application to the Board of Councillors with a building plan for permission; to erect a new building or to make addition or alteration to a building.— (l) No person shall erect a new building, or re-erect or make addition to and/or alteration of any building or cause the same to be done without first obtaining a sanction in the form of a Building Permit from the Board of Councillors under these rules. (2) Notwithstanding the provisions of sub-rule (l), no Building Permit shall be required subject to consideration of structural safety of the said building as well as adjoining structure at the responsibility of owner and further subject to prior intimation to the Municipal Authority for,— (a) erection, re-erection, addition to, or alteration of— (i) an internal partition wall which does not violate any of the provisions of the Act or these rules, or (ii) a parapet wall or a cornice or chajja within the boundaries or the site are not overhanging a street, so, however, that the total height of the parapet wall shall not be more than 1.50 metres and width of the cornice or chajja shall not be more than 50 centimetres; (b) repairing of a staircase or lift-shaft; boundary wall; (c) white washing or painting; (d) reflooring of the surface of an existing floor: (e) re-construction of an existing damaged roof without changing the character and dimension of such roof: Provided that no such work as is referred to in clauses (a) and (c) shall be undertaken without giving the Board of Councillors fifteen days notice in writing stating the nature of work proposed to be undertaken; (f) (h) (i) (j) (k) erection of a false ceiling in any floor for air-conditioning, lighting or decorative purpose; plastering and patch work; providing or closing, an internal door or window, or a ventilator, not opening directly opposite a door or a window of another building; replacing of fallen bricks, stones or repairing of damaged pillars or beams; repairing or renewing existing plumbing services; carrying out such other work as is necessary in the opinion of the Board of Councillors, for reasons to be recorded in writing, to maintain the building in a condition of good repair or to secure it to prevent danger to human life. (3) Every person intending to erect a new building or to make addition and/or alteration to any building, shall apply for sanction giving notice in writing in Form B attached to this rule along with the following: (a) the Application shall contain, in addition to the notice as aforesaid, all declarations, indemnities, which the applicant has to comply with under the building rules, the duties payable under the Indian Stamp Act, in its application to West Bengal, on the various declarations, indemnities; (b) copies of documents showing that the applicant has exclusive right to undertake such works; (c) duly authenticated copies of receipts showing payment of tax to the Municipality for the quarter previous to the date of the application in respect of the land, building or portion thereof upon which the building is proposed to be erected, re-erected, added to or altered and a declaration from the Municipality stating that there is no arrear dues payable to the Municipality; (d) . a declaration, stating the name, address and other particulars of technical personnel as the case may be, along with their consent, who are engaged as per rule 15; (e) requisite number of copies of the drawings as stipulated in rule 12; (f) (i)' certified copy of the approved site plan; (ii) certified copy of the reports of tests for stability of slopes and for soil as per requirements in rule 3 and such test report shall also indicate the maximum load that can be transferred to the soil of the particular site safely; (g) in the case of steel towers, the authenticated copy of the relevant license issued by the Government of India or the State Government. THE KOLKATA GAZETTE, EXTRAORDINARY, FEBRUARY 14, 2007 11 (4) In the case of site or plot measuring 500 square metres or above, covered by the Urban Land (Ceiling and Regulation) Act, 1976 (33 of 1976), the notice shall be accompanied by a "no objection certificate" from the competent authority, appointed under clause (d) of section 2 of the said Act, to the effect that there is no objection in respect of transfer of the site or plot under sub-section (3) of section 5 of that Act: Provided that the requirement as aforesaid shall be deemed to have been waived on the failure of the competent authority to furnish the certificate within three months from the date of reference to it. (5) In case the intended use of the proposed building or part thereof is such that a license or permission is required from Government or any statutory body under any law for the time being in force, the necessary permission or license shall have to be obtained prior to use of such space and by virtue of the sanction the applicant will not have any automatic right of such use nor the sanction will have any

overriding effect on any other law or statute in force. (6) The notice shall, where necessary, be accompanied by, (a) documents, namely Clearance Certificate or Permission or Observation or No Objection Certificate, as the case may be, as may be required for obtaining sanction of the building plan; (b) certified copy of the registered deed of gift for gifting the land to the Municipality, where necessary; (c) a composite declaration of the applicant in the form 'B'. (7) (a) All the building plans, enclosures and statements shall be signed by an Architect or a Licensed Building Surveyor, a Structural Engineer, and a Geo-technical Engineer as the case may be, and also by the person intending to erect, re-erect, or alter the building; (b) An undertaking that the work of erection, re-erection or alteration will be planned, designed and supervised by an Architect or Licensed Building Surveyor, a Structural Engineer and a Geo-technical Engineer, as the case may be, as required under these rules; (c) an undertaking that no building materials shall be deposited in any street except with the prior written permission of the Municipal Authority and on deposit of fees for stacking materials as specified in rule 25 of these rules, the same will be stacked only at a place as may be directed by the Municipality. (8) In a case involving pile work, deep foundation work or construction of basement or any other underground structures, including superstructure, the notice shall be accompanied by an Indemnity Bond. (9) The notice shall be accompanied by two sets initially of— (a) key (location) plan :—The key plan drawn to a scale of not less than I : 4000 shall show the boundary of the location of the site with respect to neighbourhood landmarks and public streets; (b) site plan; (c) building plan (Architectural); and (d) specifications. Note.—Four number of sets, as may be required, alongwith structural plan, design calculation as well as Geo-technical report, if applicable, shall be submitted for record before issuance of formal sanction. (IO) The applicant shall, prior to the sanction of the building plan, be required to produce the originals of all the documents duly authenticated copies of which have been enclosed with the notice, for scrutiny. (l l) The applicant shall also indemnify the municipal authorities for any action, suits, proceedings, claim of damages by any third party, or tenant. Further in case the boundary and site plan is not mentioned in the title document submitted by the applicant in such event a deed of declaration along with boundary plan as well as detail of the boundary along with land area should be registered with the concerned registration authority and the same should be submitted along with application

12. Particulars to be furnished in, and with, an application.— (l) Every application made under rule 11 shall be written on a printed form (to be supplied by the Municipality) and shall state the location of the site, reference number of approval of the site plan, the number assigned to the premises in the assessment book and its dimensions, and such other particulars as may be specified by the Board of Councillors. (2) All site plans, building plans, elevations and sections shall be on drawing sheets which shall be in any of the sizes specified in the table below:— 12 THE KOLKATA GAZETTE, EXTRAORDINARY, FEBRUARY 14, 2007 TABLE Drawing Sheet sizes Serial No. 1 2 3 4 5 6 Designation Trimmed Size mm 990 x 1198 594 x 990 495 x 594 297 x 495 247 x 297 148 x 247 (3) The plans may be ordinary prints of Ferro-paper or other paper or blue printed or generated print, but one set of such plans shall be blue printed. Prints of plans shall be in the manner specified in the table given below: Sl. No. l. 2. 3. 4. 5. 6. 7. 8. 9. 10. 11

12. Item Plot Lines Existing Street Future street if any Permissible Building Lines Open Spaces Existing Work Work proposed to be demolished Proposed Work Drainage and sewerage work Water supply work Deviations Recreation Ground White Plan Thick Black Green Wash Green Dotted Thick Dotted Black Yellow Yellow Hatched Red Filled in Red Dotted Black Dotted Red Hatched Green Wash Site Plan Blue Plan Thick Black Green Wash Green Dotted Thick Dotted Black Yellow Yellow Hatched Red Filled in Red Dotted Black Dotted Red Hatched Green Wash TABLE Amonia Print Thick Black Green Wash Green Dotted Thick Dotted Black Yel low Yellow Hatched Red Filled in Red Dotted Black Dotted Red Hatched Green Wash Building Plan White Plan Thick Black Green Wash Green Dotted Thick Dotted Black No colour Yellow Yellow Hatched Red Filled in Red Dotted Black Dotted Red Hatched Green Wash Blue Plan Thick Black Green Wash Green Dotted Thick Dotted Black Yellow Yellow Hatched Red Filled in Red Dotted Black Dotted Red Hatched Green Wash Amonia Print Thick Black Green Wash Green Dotted Thick Dotted Black Yellow Yellow Hatched Red Filled in Red Dotted Black Dotted Red Hatched Green Wash (4) The plans shall be coloured as specified in Table of sub-rule (3).(5) Building plans, elevations and sectional elevations shall be drawn to scale of I : 100 and I : 200 for Plans, case of sites

whose area exceeds 2000 square metres. (6) The plans, sections (longitudinal and sectional) and elevations of building shall indicate and show: A. For buildings upto 14.5 m. height— the floor nlans nf fill flnnrq includino roof plan together with the covered area: the sizes of rooms and sizzs and spacings of structural members and their materials; THE KOLKATA GAZETTE, EXTRAORDINARY, FEBRUARY 14, 2007 13 (c) (d) (e) (f) (g) (h) (i) (j) (k) the location of essential services, that is to say, water closet, sink, båths, septic tank and the like, and arrangement for drainage or sewerage and other waste water disposal including sewer connection, if any; the sizes of footings, the thickness of basement walls, other walls, floor and roof slabs, the construction materials, sizes and spacing of framing members, floor to ceiling heights, parapet heights with their materials, taking at least one fully dimensioned section (both longitudinally and crosswise) through staircase, bath and water-closet as well as such other sections as would clearly indicate the details of architectural features, mezzanine floors, and lofts; the front elevation and all other elevation from the abutting public streets; the house drainage plan and site drainage plan up to nearest Municipal outfall or natural outfall; the dimensions of all projected portions beyond the permissible building line; the roof plan indicating the drainage and slope of the terrace; showing position of Rain Water pipes; the plans and details of private water-supply and sewerage disposal system, if any; (i) the details of breast wall, retaining walls or other protective measures, if any, which are required to be undertaken; (ii) no part of the proposed building shall be permitted to be erected directly over the retaining or other similar protective walls; where structural design or soil stability and similar other tests are necessary for a building under any provision of these rules, the copy of details of reports and/or recommendations of soil stability or other tests and/or copy of details of calculations for structural design duly signed by the competent personnel as specified in rule 15 or rule 161 (for Municipalities in hill areas). B. For buildings exceeding 14.5 metres in height— The building plan shall, in addition to the provision of sub-rule (l) also show:— (a) (b) (c) (d) (e) (D (g) (h) (i) (j) (k) (l) (m) (n) (o) (p) (q) (r) (s) (u) 1 special requirements as to access, circulation, building services and safety, human health and Fire based on occupancies or use group as laid down in National Building Code of India, and in the West Bengal Fire Services Act, 1950; parking layout plan showing parking spaces, driveways together with ingress or egress arrangements; width of main and alternate staircases along with balcony approach, corridor, ventilated lobby approach ; location and details of lift enclosures; location and size of fire lift; smoke-stop lobby or door, where provided; details of exits including provision of ramps in the case of hospitals and for special risks; location of smoke exhauster and fan; location of smoke exhauster in basement; details of fire alarm network; location of centralized control connecting the alarm system, built-in fire protection arrangements and public address system; location and dimensions .of static water storage tank and pump room along with fire service inlets for mobile pump and water storage tank; location and details of fixed fire protection installations such as sprinklers, wet risers, hose reels, drenchers and carbon dioxide installation: location and details of first aid equipment; special requirements, if any, of occupancies for residential building, educational building, institutional building, assembly building, business building, mercantile building, storage building, industrial building and hazardous building under these rules; location for installation of a sub-station for electric supply, transformer, generator and switch gear room, location of the air-conditioning plant room, if any; plan for in Illation of boilers, if any; refuse Chu' and refuse chamber, if any; location for Signs and outdoor display structures, if any; conveniences for physically challenged personnel. West Ben. Act XVIII of 1950. 14 THE KOLKATA GAZETTE, EXTRAORDINARY, FEBRUARY 14, 2007 (7) Doors and windows schedule shall show sizes of doors, windows, and frames. (8) The plan in its headline shall indicate specifically,— (a) the purpose of construction, (b) the name of the owner, (c) the name of the police-station, and (d) the name and jurisdiction list number of the mouza and cadastral survey or revisional settlement number of the plot or plots of the site, if required. (9) The nearest road of 3 metre width or more with the pathway connecting the road and the site should be shown in case of plot abutting roads less than 3 metre. (IO) In case of addition, alteration or reconstruction of old buildings, which were constructed prior to enforcement of any building rules in the concerned area without the approval of any authority, in addition to the documents, as stipulated in this rule, structural stability certificate as per provisions of sub-rule (l) of rule 170 shall be submitted with the building plan, and in all such cases the sanction shall be made as per the provisions of these rules

13. Specification and other information to accompany the application with building plan.—Every such application shall further be accompanied by a brief specification giving the following information:—

(a) (b) (c) (d) (e) (f) (h) (i) (j) (k) (m) (n) the materials, and method of construction to be used for external walls, partition walls, foundations, roofs, floors, stairs, fire place and chimneys; the manner in which roof drainage and house drainage and the surface drainage of the site will be disposed of; the manner, if any, in which it is proposed to pave the court-yard and open spaces in the building or premises and the scope to which the surface is to be made in each case; the means of access that will be available for removal of nuisance; proposed occupancy or use of the building for ensuring conformity with the provisions of Chapter XIV of the Act; the area of plot, area of the plinth of the proposed and existing buildings, if any, and the area of open spaces the number and area of each tenement, the area put to different occupancy or use group in all the floors of the proposed building including the same for existing building, if any; safety measures proposed to be taken during the construction of the building; for buildings, other than residential and educational buildings, the means of ingress and egress of vehicles shall be indicated; the position of water tanks with size which shall have to be constructed below the ground or just above; the area of garage, if any; number of flats proposed to be built in each floor and total number of flats, if any; calculation of F.A.R.; and an indemnity bond in Form 'L' , in the case of building plans having provisions for deep foundation work, piling work, construction of basement or underground construction

14. Preparation of plan and supervision of execution of work in areas other than Municipalities in hill areas.— (l) Every person who intends to erect, re-erect or add to, or alter, any building shall get its plan prepared and structural work designed and supervised by an architect or structural engineer or licensed building surveyor as required under rule 15. While submitting the plan the architect or licensed building surveyor or structural engineer shall certify to the effect that the site has been personally inspected while planning the building and/or designing the structural members, as well as he has taken into account the findings of or recommendations of stability analysis as well as soil tests performed as and where necessary under this rule. (2) In all such cases, the licensed building surveyor, structural engineer or Geo-technical Engineer shall have to be empanelled with the Municipality. (3) The name, address and license or empanelment number of the person so employed and serial number or registration number in the case of architect shall be stated in the application in respect of such building. (4) In case of building plans or site plans submitted by the Central Government or the State Government or by organization controlled by the Central or the State Government, if the plans are prepared and submitted under the signature of the Government engineer or Architect, who are employees of the applicant organization, sub-rule (l) of this rule shall not be applicable: THE KOLKATA GAZETTE, EXTRAORDINARY, FEBRUARY 14, 2007 15 Provided that the minimum qualification of the Government Engineer or Government Architect will be same as in the case of Architect or Licensed Building Surveyor, Empanelled Structural Engineer or Geo-technical Engineer

15. Engagement of technical personnel in areas other than municipalities in hill areas.— (l) Every person who intends to erect* re-erect, add to or alter any building shall,. subject to the provisions of the Act and these rules, engage,— (a) for all buildings below 11.5 meter in height, a technical personnel not below the rank of a Licensed Building Surveyor for planning, design and construction of the building structure and the foundation; (b) for all buildings from 11.5 meter to 14.5 meter in height and/or for erection involving pile works, deep foundation works or construction of basement or any other underground structure thereto, a Licensed Building Surveyor and/or an Architect and a Structural Engineer, for planning, design and construction of the building including foundation; and (c) for all other buildings above 14.5 meter in height and/or for erection involving pile works, deep foundation works or construction of basement or any other underground structure thereto or separately, a Licensed Building Surveyor and/or an Architect, a Structural Engineer and a Geo-technical Engineer for planning, design and construction of building: Provided that the Licensed Building Surveyor, the Architect, the Structural Engineer and the Geo-technical Engineer will work in association with one another and they will be individually or collectively responsible for ensuring the safety of the building structure and its foundation. (2) In case of death, resignation or removal of Architect, Structural Engineer, Geotechnical Engineer or Licensed Building Surveyor, as the case may be, a fresh engagement shall be made forthwith and shall be notified to the Chairman of the Municipality. No work shall be carried out in the intervening period, if any. (3) The validity of any engagement made under this rule shall lapse, in the case of an Architect with lapse of validity or registration granted under the Architects Act, 1972, (2 of 1972), or in the case of a Structural Engineer and a Geo- technical Engineer, with the lapse of empanelment, or in the case of a Licensed

Building Surveyor, with lapse of the validity of license. (4) A Licensed Building Surveyor shall have— (a) a minimum Bachelors' degree in Civil Engineering or Construction Engineering or Architecture from a recognised university or an equivalent engineering qualification recognised by the Government and shall not have less than 2 years' experience in planning, design and execution of building works including sanitary and plumbing works related to buildings, or (b) a diploma in Civil Engineering or Architecture from a recognised university or an equivalent engineering qualification recognised by the Government and shall not have less than 5 years' experience in planning, design and execution of building works including sanitary and plumbing works related to buildings

16. Duties and responsibilities of Architect and Licensed Building Surveyor.— Duties of the Architect and Licensed Building Surveyor shall be as follows: (a) (b) (c) (d) (f) they shall be conversant with the provisions of the Act, these rules and all relevant rules and regulations made under the Act and shall prepare plans, sections, elevations and other structural details as per the provisions of these rules, they shall prepare and submit all plans as may be necessary together with all documents and other details which are required to be submitted under these rules, they shall comply with all requisitions received from the Municipal Authority in connection with the work under their charge promptly, expeditiously and fully. When they do not agree with such requisition, they shall state their objections in writing within the stipulated time, in default of which the plans and the notice shall be rejected, they shall immediately intimate to the owners of the corrections or other changes they make on the plans, documents and details as per requisition from the Municipal Authority, they shall not prepare and submit plans, if the same is intended to be executed in contravention of the provisions of the Act, they shall give all facilities to the Municipal Authority to inspect and examine the work in progress, they shall be held responsible for any work executed on site in contravention of the provisions of the Act, these rules or other relevant rules and regulations, 16 THE KOLKATA GAZETTE, EXTRAORDINARY, FEBRUARY 14, 2007 (h) they shall not deviate or allow any deviation from the sanctioned plan in the execution of work at site except in accordance with the provisions of rule 31, (i) they shall submit the completion certificate and completion plan immediately after the work is completed, (j) they shall be deemed to have continued their supervision and control of construction of the building unless they have given notice in writing to the Municipal Authority that they have ceased to serve as the Architect or Licensed Building Surveyor for the building and shall be held responsible for the work executed up to the date of intimation, (k) the MunicipalAuthority shall exercise control over the action of any Architect or Licensed Building Surveyor, as the case may be, and may in the case of violation of any of the provisions of the Act and these rules (i) in the case of a Licensed Building Surveyor, suspend or revoke the license; (ii) in the case of an Architect, make a reference to the Council of Architecture for taking necessary action under the Architects Act, 1972

17. Duties and Responsibilities of Structural Engineers.— Duties and responsibilities of Structural Engineers shall be as follows:— (b) (c) (d) (e) (f) (h) (j) (k) (l) (m) he shall be conversant with the provisions of the Act and all relevant rules and regulations made under the Act and shall prepare structural designs and structural details as per the provisions of these rules, he shall prepare and submit all such structural plans together with all documents, calculations in proper forms and other details including structural design of foundations, prepared in consultation with the Geo- technical Engineer, as are required to be submitted under these rules, he shall comply with all requisitions received from the Municipal Authority in connection with the work under his charge promptly, expeditiously and fully. When he does not agree with such requisition, he shall state his objections in writing within stipulated time, in default of which the plans and the notice shall be rejected, he shall immediately intimate the person, who has engaged him of the corrections or other changes, he makes on the structural plans, documents and details as per requisitions from the Municipal Authority. he shall not prepare and submit the structural plans, if the same are found to be in contravention of the provisions of the Act. he shall be responsible for full quality control of materials and workmanship at site and carry out necessary tests on materials used at site, conducted by recognized institutions or recognized organization. No completion certificate will be issued unless copies of such test reports are submitted by the structural engineer for departmental record alongwith the structural stability certificate of the building/s, he shall give all facilities to Municipal Authority to inspect the work in progress, he shall be held responsible for the structural design and execution of the same on site and for contravention of the provisions of the Act, these rules and other relevant rules and regulations relating to structural safety, he shall not deviate or allow any deviation from

the submitted structural plan in the execution of work at site, the Licensed Building Surveyor, the Architect, the Structural Engineer and the Geo-technical Engineer shall work in association with one another and they shall be individually or collectively responsible for ensuring the safety of the building structure and its foundation, he shall submit a certificate that the structure has been constructed as per submitted structural plans and the building is safe for occupation along with the application for completion certificate after the completion of the building, he shall be deemed to have continued his supervision unless he has given notice in writing to the Municipal Authority that he has ceased to serve as the Structural Engineer for the work and submits a status report of the work completed under his supervision. He shall be held responsible for the work executed up to the date of intimation, he shall forthwith inform the Municipal Authority as to the person who has engaged him under rule 15 of these rules

18. Duties and Responsibilities of Geo-technical Engineers.— Duties and responsibilities of Geo-technical Engineers shall be as follows:— (a) he shall be conversant with the provisions of the Act and all relevant rules and regulations made under the Act and shall conduct soil investigation and submit report as per provisions of these rules, THE KOLKATA GAZETTE, EXTRAORDINARY, FEBRUARY 14, 2007 17 (b) he shall prepare and submit all such reports, calculation in proper forms recommending the size, shape and type of foundation confirming all relevant B.I.S. Codes and National Building Code of India, (c) he shall be responsible for the execution of the type of foundation as recommended by him and other relevant rules and regulations relating to the safety of the foundation of the structure, (d) he shall submit a certificate that the type of foundation of the structure has been constructed as per the recommendations made by him in the report and the building is safe in respect to its foundation along with the notice of completion of work upto plinth level, (e) the Licensed Building Surveyor, the Architect, the Structural Engineer and the Geo-Technical Engineer shall work in association with one another and they shall be individually or collectively responsible for ensuring the safety of the building structure and its foundation, (D he shall be deemed to have continued his supervision unless he has given notice in writing to the Municipal Authority that he has ceased to serve as the geo technical engineer for the work and submits a status report of the work completed under his supervision. He shall be held responsible for the work executed upto the date of intimation, (g) he shall forthwith inform the Municipal Authority as to the person who has engaged him under the rule 15 of these rules, (h) he shall comply with all requisitions received from the Municipal Authority in connection with the work under his charge promptly, expeditiously and fully. When he does not agree with such requisition, he shall state his objections in writing within stipulated time given by the Board of Councillors, in default of which the plans and the notice shall be rejected

19. Time and manner of disposal of application under rule 11.— Within sixty days from the date of receipt of an application with building plan, the Board of Councillors may require the applicant— (a) to furnish it any information on matters referred to in these rules which has not already been given in the documents thereunder; or (b) to satisfy it that there are no objection which may lawfully be taken to the approval of the building plan

20. Action to be taken while a building is under construction.— One copy of the sanctioned building plan shall be kept at the site of the building at all times when building operations are in progress and such plans shall be made available at all such times for the inspection of the Municipality or of any officer authorised by it in that behalf

21. Sanction of building and permission to execute work.— (l) Within sixty days of the receipt of any application with building plan or of any information or documents which the Board of Councillors may reasonably require the applicant to furnish before deciding whether permission shall be granted to execute any work, the Board of Councillors shall, by written order (a) accord sanction, in Form 'C', to the building plan conditionally or unconditionally and to give permission to execute the work, or (b) refuse in Form 'D' on one or more of the grounds mentioned in section 210 to accord such sanction, or (c) accord sanction but impose conditions for permission to execute the work, or (d) accord provisional sanction under the proviso to section 210: Provided that in the case of a provisional sanction, the applicant shall furnish a statement to the effect that, if he is unable to produce the license or permission as required, the provisional sanction shall be at his own risk and cost and shall not be made final and the occupancy certificate under sub-section (2) of section 212 shall not be issued in respect of the use which is affected by the provisions of

section 210. (2) The Building Permit shall not be issued till a duly authenticated copy of a receipt showing payment to the Municipality of the Building Permit Fees payable under rule 24 or rule 100 of these rules for the sanction of the building, is produced before the Chairman-in-Council. 22. (i) Building Permit (sanction for building construction plan).— The Building Permit shall, in conformity with the provisions of the Act, clearly and specifically state the occupancy or use group for which the Building Permit is valid. 18 THE KOLKATA GAZETTE, EXTRAORDINARY, FEBRUARY 14, 2007 In the case of a building which is intended to be erected at the corner of two streets, the Building permit shall specify the conditions imposed under clause (d) of section 213. The Building Permit shall, as required, specify the conditions imposed regarding use of inflammable materials. One Set of the plan (along with another set of certified copy of plan) and specification submitted along with the notiCe duly countersigned by the Municipal Authority, shall be returned to the applicant along with the Building Permit 23. Duration and expiry of sanction of building plan.— (1) A sanction to erect a building accorded under these rules shall be valid for three years from the date on which it is sanctioned and may be renewed thereafter for a further period of two years on payment, in cash or bank draft, of such fee as may be determined by the Chairman-in-Council on the basis of rule 24, and on production of the previously sanctioned building plan. A building plan may be revalidated for a further period of 5 years only in case a building has been partly completed and occupancy certificate in terms of rule 34 has been issued as well as on production of the previous sanctioned building plan, the completion certificate and on receipt of fees subject to minimum of 25% and maximum of 50% of sanction for construction of building fee required to be paid as to be determined by the municipality from time to time. (2) The erection of a building or work shall be completed within the period specified by the Board of Councillors under section 211

24. Fees for sanction of building plans.— (l) (a) The Board of Councillors shall levy a fee for sanction of building plan at such rates, specified as following on the basis of the sanctioned total covered area in all floors:— (i) for building work up to 30 sq. metres of total covered area in all floors.... Rs 500/- (Rupees five hundred only) (ii) for every additional IO sq. metres of covered area or part thereof beyond the first 30 sq. metres.... ... Rs 75/- (Rupees seventy five only); However maximum fees not exceeding 5 times the minimum specified fees may be determined by the Board of Councilors at a meeting. (b) The rates as aforesaid shall be the basic rates and shall be applicable to Residential Buildings for own use. Provided that for sanction of building plans for thatched buildings to be constructed with mud, mortar and brick in slum areas a fee at the flat rate of Rs. 200/- (Rupees two hundred only) shall be levied. (2) The Board of Councillors shall levy the following fees, calculated on the basis of basic rates specified in sub- rule (l), for sanction of buildings plans other than plan for residential buildings for own use: (a) in case of Apartment Residential Building other than self use of the applicant, double basic rate shall be charged; (b) for Institutional Buildings, Assembly Buildings, Business Buildings and Mercantile Building, six times the basic rate shall be charged; (c) for Industrial Buildings, Storage Buildings and Hazardous Buildings, eight times the basic rate shall be charged; (d) in case of Charitable Institutional Building or Educational Building, not exceeding half the basic rate may be charged with the approval of Board of Councillors. (3) In the case of steel towers, the Board of Councillors shall levy fees at the rate of Rs. IO per cubic metre of the volume of such towers. (4) The Board of Councillors shall levy a development fee subject to the maximum of 10% of the construction cost of the building, in addition to the fees specified in sub-rule (l) or sub-rule (2), as the case may be, for sanctioning the building plan of any building whose Floor Area Ratio has been calculated on the basis of a means of access which is a National Highway, State Highway or any such access having width of 15 metres or more

25. Stacking Fees.— (l) The Municipality may specify rates at which Stacking Fee payable in respect of a permission for stacking. Depositing any building materials including building rubbish in any street shall be charged and different rates may be specified for different categories of streets subject to minimum 10% and maximum 50% of fee for sanction of the building construction per month. (2) The Stacking Fee payable in any case shall be calculated on the basis of the total area sanctioned in the building plan including basement, covered parking space, and mezzanine floor. THE KOLKATA GAZETTE, EXTRAORDINARY, FEBRUARY 14, 2007 19 (3) The Stacking Fee shall be paid along with the sanction fee prior to obtaining sanction of a building plan. (4) The Stacking Fee shall not be refundable under any circumstances. (5) For stacking of material on the road, applicant will have to take prior permission from the Municipality for stacking materials. The stacking fee will be applicable for all plots

except those with land area more than 2000 sq.m, subject to an undertaking that the applicant will not stack any building material including excavated earth on the Public Road

26. Signature of approved plans.— When the Board of Councillors has given permission to execute any work, the approved plans of the work shall be signed by such officer as may be authorised in its behalf and in such manner as he may direct and one set of approved plan and one set of certified copy of the approved plan shall be handed over to the applicant

27. Retention of plan and submission of fresh applications.— When sanction to erect a new building (other than a hut) is refused,— (a) the Board of Councillors shall retain two copies of the plan and shall,without charge, furnish the applicant with its reason for such refusal in writing; and (b) the applicant may, at any time, thereafter, send to the Board of Councillors a fresh application and fresh or modified documents under these rules with the object of meeting the objections for which such sanction was refused. C. Commencement of Work: 28. Notice to the Board of Councillors before commencement of work.— (l) Not less than seven days before any person commences to erect or re-erect a building, the owner of the building shall send to the Chairman a written notice, in Form 'E' , specifying the date on which he proposes to commence the work. (2) From the date of commencement upto the date of issue of occupancy certificate the applicant shall keep at the site copies of one set of plans and specifications and any provisions thereof as returned to him by the Municipal Author- ity alongwith the building permit and shall also exhibit at a conspicuous place the number of the premises, the name of the Architect or Licensed Building Surveyor, as the case may be, the name of the owner and number and date of the building permit. Where any tests in respect of any material and/or works are made to ensure conformity with the requirements of these rules, copies of reports and records of the tests shall also be kept for inspection at the site

29. Prohibition of work at night.— No person shall without obtaining permission from the Municipal Authority, erect, re-erect, alter or add to a building or execute any work between the hours of sunset and sunrise. The authority shall check that such permission will conform to the permissible noise level as per norms laid down by the West Bengal Pollution Control Board

30. Notice for completion of work up to plinth level.— (l) After the completion of the structural work up to the plinth level or up to one metre above ground level, whichever is higher, the applicant shall give a notice to the Board of Councillors, in Form 'F', to enable him to inspect such work. (2) An Officer of the Municipality duly authorised in this behalf shall inspect the work at the site within fifteen days from the date of the receipt of the notice and within seven days of such inspection issue necessary direction, if any

31. Deviations during construction.— (l) No deviation from the sanctioned plan shall be made during erection or execution of any work. (2) Notwithstanding anything contained in sub-rule (l), (a) if during erection or execution of work any internal alteration within the sanctioned covered space which does not violate the provisions of the Act or these rules is intended to be made, the person referred to in sub-rule (l) of rule 11 shall inform the Board of Councillors by notice in writing along with a certificate from theArchitect or the Licensed Building Surveyor, as the case may be, together with drawings incorporating the deviations and structural calculation in case of structural deviations, stating the nature and purpose of such deviations at least fifteen days prior to carrying out such erection or execution of work, and may proceed with the execution of such work subject to the condition that such deviations shall be incorporated in the 'Completion Plan' under rule 33; 20 THE KOLKATA GAZETTE, EXTRAORDINARY, FEBRUARY 14, 2007 (b) if during the erection or execution of work any external deviation beyond the sanctioned covered space , either horizontal or vertical or both, is intended to be made and which does not violate the provisions of the Act or these rules, the person referred to sub rule (l) of rule 11 shall, prior to carrying out such erection or execution of works, submit, in accordance with the provisions of these rules, a revised plan incorporating the deviations intended to be carried out, for obtaining necessary sanction therefor; (c) if total sanctioned building is intended to be shifted as a whole within the periphery of the boundary keeping mandatory open space within the rule, this can be permitted with prior notice to the Municipal Authority with a revised plan. After serving such notice the owners may be allowed to proceed with the work unless there is any objection from the end of the Municipal Authority within 15 days

32. Demolition of unauthorized construction.— (l) The Board of Councillors may order for demolition or alteration of any building, if it is satisfied that the erection of any building (i) has commenced without

obtaining the sanction or permission under the law, or (ii) is being carried on or has been completed otherwise than in accordance with the particulars on which such sanction or permission or order is based or after such sanction or permission has been lawfully withdrawn, or (iii) is being carried on or has been completed in breach of any provision of the Act or these rules or of any condition, modification, direction or requisition lawfully given or made under the Act or under these rules. (2) If any material alteration of, or addition to, any building has been commenced or is being carried on or has been completed in breach of any provision of the Act or these rules or if any alterations required by any notice issued under these rules have not been duly made, the Board of Councillors may, make an order directing that such erection, alteration or addition, as the case may be, or so much thereof as has been executed unlawfully, or if any structure specified in the application or plan or specification as a structure to be demolished or altered before the erection of the new building, has not been demolished or altered, or if any material alterations or additions have been made, such alterations or additions shall, (a) be demolished by the owner thereof or altered by him to the satisfaction of the competent authority, as the case may require; or (b) be demolished or altered by the competent authority at the expense of the said owner; (c) all demolished materials shall be removed by the Municipality at the cost of the owner or to the satisfaction of the Municipality within a maximum period of 30 days from the date of demolition: Provided that prior to carrying out any demolition of any building or part thereof as described in the notice, the owner of the building shall be given a notice stipulating therein the date and time to appear himself or through his authorized representative before the Board of Councillors, who will hear the circumstances under which such deviation unauthorized construction work has been carried out and after hearing record the order of the Board-of-Councillors and the said order shall be communicated to the owner officially

33. Completion of work.— Within one month after the completion of the erection of a building or the execution of any work, the owner of the building shall submit a notice of completion in Form 'G' as required under section 212 of the Act. In case of deviation as stated in clause (a) of sub-rule (2) of rule 31, the notice shall be accompanied by three sets of building plan marked 'completion plan' with all revisions and modifications including those referred to in sub-rule (2) of rule 31. The plans shall be duly signed by the applicant and the concerned technical personnel specified in rule 15: Provided that for a residential building or educational building in any municipal area, excepting the Salt Lake Township, not exceeding 8.0 metre in height on a plot of 200 sq. metre in area, application of this rule may not be insisted upon but the owner will have to intimate in writing to the municipality about the completion of such building. Note.—The notice shall be accompanied by a structural safety certificate duly signed by the Architect or Licensed Building Surveyor and/or Empanelled Structural Engineer, as the case may be, and wherever applicable shall be accompanied by— (a) in the case of a building having more than three separate and independent residential units or apartments and all buildings other than residential buildings, a certificate from the Technical persons employed as per rule 15 that inside house drainage and water supply net work have been completed to the satisfaction of the Municipal Authority; THE KOLKATA GAZETTE, EXTRAORDINARY, FEBRUARY 14, 2007 21 (b) fire safety certificate, if applicable under the West Bengal Fire Services Act, 1950 (West Ben. Act XVIII of 1950) and the rules made thereunder; (c) in the case of building referred to in clause (a), a certificate from the electric supply undertaking regarding provision to its satisfaction, of transformer, sub-station, ancillary power supply as required; (d) a certificate pertaining to the lift installation, if any; (e) such other certificates or documents or declarations as are necessary under any law for the time being in force or as the Municipal Authority may, from time to time, specify in this behalf

34. Occupancy certificate.— (l) Within fifteen days of receipt of the notice of completion of building or work, the Board of Councillors or the authorised representative in this behalf shall inspect the building or work and shall satisfy itself or himself that the erection of the building or the execution of the work has been done in accordance with the sanctioned plan. (2) Within fifteen days from inspection, the Board of Councillors shall, if it is satisfied that the building or the work has been completed in accordance with the sanctioned plan, issue an occupancy certificate, in Form 'H': Provided that such certificate shall not be issued in the case of a building or any work for which provisional sanction was given unless the applicant produces before the Chairman the license or permission required for sanctioned for construction of building: Provided further that the occupancy certificate shall be issued only after all the extra materials like sand, boulders, stone chips, cement, steel, bamboo, timber, lying on the public road have been

removed by owner and the damages to public property, if any, has been made good by the owner with his own cost to the entire satisfaction of the Board of Councillors. (3) After due verification, one set of the building plan shall be returned to the applicant with the endorsement of approved completion plan under the signature of the Chairman or an officer authorised in this behalf. (4) The Board of Councillors may, upon a written request from an applicant and on his furnishing an indemnity bond undertaking to indemnify the Board of Councillors against any risk, danger or damage to any person, whether an occupier or not, and on his giving an undertaking to ensure, in such manner as the Board of Council lors may specify, public safety, issue a partial occupancy certificate, subject to the provisions of sub-rule (l) and the proviso to sub-rule (2): Provided that no partial occupancy certificate shall be issued unless the Board of Councillors is satisfied that the portion for which such partial occupancy is solicited is in a habitable condition: Provided further that when the erection of the building or the execution of the work is completed within the period or the extended period provided for in the Act, the applicant shall apply for conversion of the partial occupancy certificate or issue of an occupancy certificate and such certificate may be issued in accordance with the provisions of these rules. (5) In a case where the occupancy certificate is refused, the Board of Councillors shall communicate the reasons in writing, to the applicant within thirty days from the dale of receipt of the notice of completion of the work. (6) In case where, in the opinion of the Board of Councillors, the building or the work has not been completed in accordance with the sanctioned plan, it may take necessary action in accordance with the provisions of the Act and these rules. (7) The Board of Councillors shall not permit connections to be made to municipal water mains and municipal drains, if any, from any new building in respect of which occupancy certificate has not been issued: Provided that the Board of Councillors may order severance of such connections if it is of the opinion that the conditions of the partial occupancy certificate are being violated or if further erection of the building or execution of the work is proceeding contrary to the sanctioned plan. (8) The Board of Councillors shall not permit connections to be made to municipal water mains, if any, from any new building in respect of which water connection fee, as may be specified by the Board of Councillors under the relevant rules, has not been paid in advance. (9) Tolerance Limit for architectural measurement before or after finishing works on the outer face of the wall at the ground floor level shall be 50 mm. 22 THE KOLKATA GAZETTE, EXTRAORDINARY, FEBRUARY 14, 2007 35. Delay in issue of occupancy certificate.— (l) In case where, within a period of thirty days from the receipt of the notice of completion, the Board of Councillors fails to issue an occupancy certificate or to communicate refusal, the applicant may make a representation in writing to the Chairman. (2) The Chairman shall, after such enquiry as he may think fit, and after giving the applicant an opportunity of being heard, issue the occupancy certificate or communicate refusal of the same to the applicant within a period of thirty days from the date of receipt of the representation

36. Prohibition of use of building without occupancy certificate.— No person shall occupy or permit to be occupied a building erected or re-erected or altered under the Act in respect of which an occupancy certificate or a partial occupancy certificate under these rules has not been issued by the Board of Councillors

37. Work subsequent to issue of occupancy certificate.— If any re-erection or addition or alteration of a building in respect of which an occupancy certificate has been issued is intended, a fresh notice under the Act or these rules, as the case may be, shall be necessary

38. Notice for covering up drains, etc.— (l) Before proceeding to cover up drains or appliances connected with the drainage, the applicant shall give a notice to the Board of Councillors, in

Form I, stating that such-drains or appliances are ready for inspection and shall specify the date and hour not being a date earlier than seven days from the date of the notice on which he will proceed to cover up such drains or appliances. (2) An officer of the Municipality duly authorised by the Board of Councillors in this behalf shall inspect the work at the site and, within three days of such inspection, issue necessary direction, if any

39. Power of Board of Councillors to guard against accidents during construction or repairs.— The Board of Councillors shall, so far as practicable during the construction or repair of any building, street, drain, water-supply line or other premises vested in the Municipality or in an owner, cause proper precaution for guarding against accident to be taken by shoring up and protecting the adjoining buildings, and shall cause such bar, chain or post as it shall think fit, to be fixed across or in any street to prevent the passage of any carriage, cart or other vehicle, or of cattle, and avert danger while such construction or repair is being carried on, and shall cause such construction or repair work in a street to be sufficiently lighted and guarded during the night

40. Power of Board of Councillors to cause hoards or fences to be set up during construction, repair, etc.— A person intending to construct or take down any building or any other structure or to alter or repair any other structure externally shall, if the position or circumstances of the work is or are likely to cause, or may cause obstruction, danger or inconvenience in any street, before beginning such work,— (a) obtain beforehand permission in writing from the Board of Councillors so to do; and (b) cause sufficient hoards or fences to be put up in order to separate the area where the work is to be carried on, from the street, and shall maintain such hoards or fences standing and in good condition to the satisfaction of the Board of Councilors during such time as the Board of Councillors considers necessary for the public safety or convenience, and shall cause the same to be sufficiently lighted during the night and shall remove the same when directed by the Board of Councillors

41. Power as to inflammable structures.— (l) (a) The Board of Councillors may, by public notice, direct that within certain limits to be fixed by it, the roofs and external walls of huts or other buildings shall not be made or renewed with grass, mats, leaves or other highly inflammable materials without the consent of the Chairman in writing. (b) The competent authority may, at any time, by written notice, require the owner of any building, which has an external roof or wall made of such material as aforesaid, to remove such roof or wall within such reasonable time as shall be specified in the notice, notwithstanding that the public notice has not been issued or that such roof or wall was made with the consent of the competent authority on or before the issue of such notice. THE KOLKATA GAZETTE, EXTRAORDINARY, FEBRUARY 14, 2007 23 (2) The floors of the lobbies, corridors, passages and landings of a building other than residential or educational shall be constructed of incombustible materials; the doors shall be constructed of fire-resisting materials and the flights of stairs shall be constructed either of incombustible materials or fire-resisting material. (3) The following material shall, for the purposes of this rule, be deemed to be incombustible:— (a) brick-work constructed of bricks, well-burnt, hard and sound, properly bounded and solidly put together with— (i) mortar compounded of lime and sharp clean sand, hard clean broken brick, broken flint, grills or slag, well pulverized, or (ii) cement mixed with any of the materials mentioned in sub-clause (i); (b) granite or other stone which is suitable for building purposes by reasons of its solidity and durability; (c) slate, tiles, bricks and terracotta, when used for coverings or corbels; (d) flag-stones when used for floors over arches, if not exposed on the underside and if not supported at the ends only; (e) concrete, composed of broken brick, stone chippings or selected slag and lime, cement or calcined gypsum, when the concrete is used for filling in between joists of floors to a depth of not less than ten centimetres; (f) any combination of concrete, steel or iron or any other materials approved in this behalf from time to time by the Board of Councillors. Explanation.—ln this rule, the expression brick, lime or cement shall mean respectively such brick, lime or cement as conform to the standard and quality specified in this behalf in the latest edition of the National Building Code. (4) The following materials shall, for the purpose of sub-rule (2), be deemed to be fire-resisting, but not incombustible:— (a) sal, teak, and other hard timber, when used for beams or posts or in combination with steel, the timber and the steel (if any) being protected by plastering in cement or other incombustible or non-conducting external coating; (b) in the case of staircases, sal, teak or other hard timber, not less than four centimetres thick; and (c) in the case of staircases, sal, teak or other hard timber, the treads and risers being not less than four centimetres thick

42. The structural design.— (l) The structural design of foundation, masonry, timber, plain concrete, reinforced concrete, prestressed concrete and structural steel shall be in accordance with the provisions of the latest edition of the National Building Code of India and relevant Codes of practice of the Bureau of Indian Standards meant for plain and/or hill areas, as provided in rule 86: Provided that for the municipal areas in hill areas, the structural design for all parts of the building shall be prepared taking into consideration the seismic factors in accordance with the relevant BIS Codes of Practice or Guidelines. (2) Unless otherwise specifically provided for in the Act or these rules, all materials and workmanship shall be of good quality, conforming generally to the accepted standard of the Public Works Department of the Government of West Bengal or Indian standard specification as included in the Part V on Building Materials and Part VII on Constructional Practice and Safety of the .latest edition of the National Building Code of India

43. Distance from electric lines.— No building, or verandah, or balcony or projection in any building shall be permitted to be erected, re-erected, added to or altered, in any case where the distance between such construction and any overhead electric lines, in accordance with the provision of the Electricity Act, 2003 (36 of 2003), is less than that specified hereinafter:— (a) Low and medium voltage lines including service lines (b) High voltage lines up to and including 11,000 volts (c) High voltage lines above 11,000 volts and up to and including 33,000 volts (d) For extra high voltage lines beyond 33,000 volts Note : "m" indicates Metre. Vertical clearance 2.5 m 3.7 m 3.7 m 3.7 m plus 0.3 m for every additional 33,000 volts or parts thereof Horizontal clearance 1.2 m 1.2 m 2.0 2.0 m plus 0.3 m for everyadditional 33,000 volts or parts thereof THE KOLKATA GAZETTE, EXTRAORDINARY, FEBRUARY 14, 2007 44. Rat-proofing.— (l) Every building or part thereof, designed or intended for use of dwelling, storage or sale of food stuff, shall conform to the requirements specified in sub-rules (2) and (3). (2) Every such building, unless supported on posts, shall have continuous foundation walls, extending from at least sixty centimetres below ground level, or shall have continuous floor of masonry or reinforced or other equal rat-proof material or materials as approved by the Board of Councillors. (3) All openings in such foundations or floors, windows and drains and all junctions between foundation walls and building walls shall be effectively rat-proofed, windows and doors shall be tight-fitting, other openings shall be securely covered with rat-proof screening or shall be tightly closed with metal sheeting, concrete or other equal rat-proof materials as may be approved by the Board of Councillors

PART 111 Means of access, open space and parking space 45. Rules for means of access in areas other than the Municipalities in hill areas.— (l) (a) Every plot shall abut a means of access which may be a public street or private street or passage. (b) The relationship between the width of the means of access and the maximum permissible height of building shall be as indicated in rule 49. (2) The minimum width of means of access in respect of a new building shall be as follows:— (a) no new building shall be allowed on a plot unless the plot abuts a street which is not less than 10.00 metres in width at any part, or there is access to the plot from any such street by a passage which is not less than 10.00 metres in width at any part: Provided that:— (i) in case of a residential building with other occupancies, if any,of less than 10% of the total floor area of the building, the width of such street or passage shall not be less than 2.40 metres at any part, (ii) in case of a residential building with educational occupancy of 10% or more of the total floor area of the building, the width of such street or passage shall not be less than 7.00 metres at any part, (iii) in case of an educational building with residential occupancy the width of such street or passage shall not be less than 7.00 metres at any part, (iv) in case of an educational building with other occupancy or occupancies not being residential of less than 10% of the total covered area of the building the width of such street or passage shall not be less than 7.00 metres at any part; (b) notwithstanding anything contained in clause (a), residential buildings up to a maximum height of 7.00 metres may be allowed on a plot abutting a means of access not less than 1.20 metres, provided such means of access is in long existence and is recorded in the settlement records and/or Municipal records accordingly. (3) Any building which in full or part is put to assembly occupancy for the purpose of theatre, motion picture house, city hall, skating rink, auditorium, exhibition hall or for similar other purposes shall not be allowed on a plot located within 50 metres of junction of two streets, the width of each of which is 15.00 metres or more. (4) Notwithstanding the provisions of these rules, in the case of any building which is intended to be erected at the corners of two streets, the Municipal Authority may, in accordance with the provisions of the Act, place special conditions concerning exit or entry from any street. (5) Requirements of a private passage:

Every means of access appertaining to a site shall be drained and lighted to the satisfaction of the Municipal Authority and manhole covers or other drainage, water supply or other fittings laid in such means of access shall be flushed with the finished surface so as not to obstruct safe travel over the same

PART 1] THE KOLKATA GAZETTE, EXTRAORDINARY, FEBRUARY 14, 2007 25 46. Ground coverage in respect of buildings in areas other than municipalities in hill areas.— (l) (a) The maximum permissible ground coverage for building, when a plot contains a single building, shall depend on the plot size and the use of the building as given in the table below: TABLE Maximum permissible Ground Coverage (Plot containing a single building) Type of building. l. Residential and educational: (a) Plot size up to 200 sq. metres (b) Plot size of above 500 sq. metres; 2. Other uses including mixed use Maximum permissible ground coverage. (b) for any other size of the plot, in between the plot size of 201 to 500 square metres, the percentage of coverage shall be calculated by direct interpolation. (2) When a plot contains more than one building, the maximum permissible ground coverage for the building shall be as stipulated in rule 54. (3) For mercantile buildings (retail) and assembly buildings on plots measuring 5000 sqm. or more, the additional ground coverage to the extent of 15% may be allowed for car parking and building services. The additional ground coverage of 15% will be exclusively utilized for car parking, ramps, staircase, lift for upper level car parking and for building services such as Air Conditioned plant room, generator room, fire fighting equipments, electrical equipments not exceeding 5% out of such 15% shall be used, subject to compliance of other relevant building rules

47. Addition of new plot.— When one or more plots of land are added to one or more premises by way of amalgamation or otherwise, in that event the existing buildings on any plot/plots, if any, shall stand as authorized in case those are constructed in accordance with the building rules of the material time when the building/buildings was/were sanctioned. Addition, alteration to the sanctioned building or addition of a new building or new block on newly added land/lands may be permitted as per these rules considering amalgamated land to be a new plot

48. Linking of two blocks.— Notwithstanding anything contained in rule 51 if there are two adjacent plots or adjacent buildings of the same owner, gangways between two buildings may be permitted at any level subject to the condition that it does not obstruct movement of vehicles or fire vehicles. The minimum width of the gangway shall not be less than that of stairway and not exceeding 3.00 meters at any place

49. Permissible height of buildings in areas other than municipalities in hill areas.— (1) Height of a building shall be the vertical distance measured from the average level of the centre line of the adjoining street or passage on which the plot abuts to the highest point of the building, whether with flat roof or sloped roof. (2) (a) The following appurtenant structure shall not be includéd in the height of the building: (i) (ii) (iii) (iv) (v) (vi) (vii) stair cover not exceeding 2.40 metres in height; lift machine rooms as per the latest edition of the National Building Code; roof tanks and their supports, the height of support not exceeding 1.00 metre; chimneys; parapet walls not exceeding 1.50 metres in height; ventilating, air conditioning and other service equipments; height above mid-point between eaves level and ridge level; 26 THE KOLKATA GAZETTE, EXTRAORDINARY, FEBRUARY 14, 2007 (viii) toilet at roof level upto a height of 3.0 mtrs. subject to maximum floor area of 3.00 sq.m.; (ix) garden cover with permeable material not exceeding 3.00 mtrs. in height; (x) equipments for communication such as Microwave Antenna, Towers, Dish Antenna as well as room for installing the said equipments or their support equipments subject to a maximum area of 20 sq.m. and further subject to permission of the same from Municipal Authority. (b) The aggregate area of the structures mentioned in clause (a) shall not exceed one-third of the area of the roof upon which these are erected; (3) The maximum permissible height of buildings on a plot shall be as given in the table below: TABLE Width of means of access (in metres). 2.40 to 3.50 (a) above 3.50 to 7.00 (b) above 7.00 to 10.00 (c) (d) above 10.00 to 15.00 above 15.00 to 20.00 (e) (f) above 20.00 to 24.00 (g) above 24.00 Maximum permissible height (in metres). 8.00 11.00 14.50 18.00 24.00 36.00 1.5 x (width of the means of access + required width of front open space). Note : (I) There will be no restriction in height of buildings for plots abutting means of access above IO mtrs in width subject to free gifting of strip of land as per prescribed street alignment. However, this increase in height as mentioned above shall be permissible provided the minimum area of the plot is 2500 sqm. and minimum frontage of the plot abutting the main road is 30.0 Meters. (11) In case of such additional height by free gifting the strip of land as mentioned hereinabove, the applicant will get FAR of original road width only. However,

the applicant will be given benefit of FAR and ground coverage of the portion gifted to the Municipality. Explanation.—This table shall be read with rule 45. For height of building exceeding 14.5 metres, rule 53 shall be referred. (4) For any building to be-erected or re-erected or added to in the vicinity of aerodrome, or which may affect the functioning of any microwave system for tele-communication purposes, the height of such building shall be governed by such rules or directions as may be made or issued in this behalf by the Central Govemment or any other concerned authority. (5) The Board of Councillors may, if necessary, restrict the height of building in any area within the municipal area, below the permissible height provided under sub-rule (3) of this rule for reasons to be recorded in writing

PART IV Open spaces 50. Open spaces for building in areas other than municipalities in hill areas.— (l) (a) Every room intended for human habitation shall abut an interior open space or exterior open space or an open verandah open to such interior open space or exterior open space. Open spaces shall be areas forming integral parts of the plot at ground level and shall be open to the sky without any projection or overhang excepting comices, chajas or weather-shades of not more that 0.50 metre width; (b) Every building shall have exterior open spaces comprising front open space, rear open space and side open spaces. The minimum width prescribed for front open space, rear open space and side open spaces shall be PART I] THE KOLKATA GAZETTE, EXTRAORDINARY, FEBRUARY 14, 2007 27 provided along the entire front, rear and side faces of the building respectively. For this purpose the front of the building shall be that face of the building which faces the means of access of the building and the rear of a building shall be deemed to be that face of the building which is farthest from the means of access. These provisions shall also be applicable to each individual building separately when a plot contains more than one building. In the case of a comer plot located at the crossing of more than one street or passage, the rear of the building shall be deemed to be that face of the building which is farthest from the widest of all such streets and/or passages; (c) Open spaces prescribing to one side cannot be taken for another side. No building shall at any time be erected on any open space prescribed in these rules for a building and form part of the site thereof, nor shall such open space be taken into account in determining the area of any open space required under these rules for any other building; (d) If the front open space is 3.00 metres or more in width a Gate Goomti shall not in any case exceed 3.00 sq. metres and the height of such Goomti shall not exceed 3.00 metres. The covered area of the Gate Goomti shall not be included in calculation of Ground Coverage. (e) For corner plots: In the case of any building intended to be erected at the corner of two streets, the authority in accordance with the provision of clause (d) of section 213, scrutinize every building plan, except the plan for a residential building, to be erected or re-erected on plot of land of 300 square meters or less provided the height does not exceed 12.5 meters and may accord approval: Provided that the comers of such plot are splayed off as under:— (i) in case of both the adjoining roads are below 3.5m width and area of land is within 200 sqm., the comer of such plot shall be splayed by 1.20m x 1.20m., (ii) in case any of the adjoining roads is of width 3.5m and above, the comer of such plot shall be splayed by 2.50m x 2.50m. The land within the splayed portion shall be transferred to the Municipality by a deed of gift. However, area of land gifted to Municipality shall be considered for F. A. R. and Ground Coverage as applicable. (2) The minimum open spaces with respect to height and Category of buildings shall be as follows:— (a) For residential use: Height of building (in meter). Upto 8.0 Above 8.0 upto 11.0 Above 11.0 upto 14.5 Above 14.5 upto 18.0 Above 18.0 upto 24.0 Above 24.0 upto 36.0 Above 36.0 upto 60.0 Above 60.0 upto 80.0 Above 80.0 Front open space (in meter). 1.2 1.2 1.5 3.5 5.0 6.0 8.0 10.0 12.0 Open space on side 1 (in meter). 1.2 1.2 1.5 3.5 5.0 6.5 8.0 of the height of the building of the height of the building Open space on side 2 (in meter). 1.2 1.2 2.5 3.5 5.0 6.5 8.0 of the height of the building of the height of the building Rear open space (in meter). 2.0 3.0 4.0 5.0 7.0 9.0 10.0 12.0 14.0 28 THE KOLKATA GAZETTE, EXTRAORDINARY, FEBRUARY 14, 2007 (b) For Educational use: Height of Building. upto 11.0 meter (land area upto 500.0 square meter) upto 11.0 meter (land area above 500.0 square meter) Above 11.0 meter upto 14.5 meter Above 14.5 meter upto 21.0 meter Above 21.0 meter Front Open Space (in meter). 2.0 3.5 3.5 5.0 of the height of the building or 6.0 M, whichever is more Open Space on side 1 (in meter). 1.8 3.5 4.0 5.0 of the height of the building or 5.0 M, whichever is more Open Space on side 2 (in meter). 4.0 4.0 4.0 5.0 of the height of the building or 5.0 M, whichever is more (c) For Institutional, Assembly, Business, Mercantile and Mixed use Building: Height of Building. upto 11.0 meter (land area upto 500.0 square meter) upto 11.0 meter (land area above 500.0 square meter) Above 11.0 meter upto 18.0 meter Above 18.0 meter upto 24.0 meter Above 24.0 meter upto 36.0 meter

Above 36.0 meter Front Open Space (in meter). 2.0 3.0 4.0 5.0 6.0 8.0 (d) For Industrial and Storage Building: Height of Building. upto 11.0 M Above 11.0 M I upto 18.0M Above 18.0M Front Open Space (in meter). 5.0 6.0 6.0 or of the height of the building whichever is more Open Space on side 1 (in meter). 1.8 3.5 4.0 5.0 6.5 9.0 Open Space on side 1 (in meter). 4.0 6.5 6.0 or of the height of the building whichever is more Open Space on side 2 (in meter). 4.0 4.0 4.0 5.0 6.5 9.0 Open Space on side 2 (in meter). 4.0 6.5 6.0 or of the height of the building whichever is more Rear Open Space (in meter). 3.5 4.0 5.0 6.0 of the height of the building or 8.0 M, whichever is more Rear Open Space (in meter). 4.0 4.0 5.0 9.0 9.0 10.0 Rear Open Space (in meter). 4.5 10.0 6.0 or of the height of the building whichever IS more PART 1] THE KOLKATA GAZETTE, EXTRAORDINARY, FEBRUARY 14, 2007 29 Note : (i) Every residential building of height not more than 8.0 m on plot size not exceeding 65 sq.m in area shall have a minimum front space at ground level of 0.90 m. (ii) For plots of size not more than 65 sq. metres, minimum side open space of 0.9 metres may be allowed on each side, provided that the building height does not exceed 8.00 (eight) metres; (iii) Notwithstanding anything contained in clause (a) of sub-rule (2), the minimum distance across the side open space from every new building to an existing building with a door or window opening shall be 1.80 metres; (iv) In the case of a building more than 24.00 metres in depth on a plot abutting any street, a passage along the entire depth of the building shall be provided and the minimum width of such passage shall be 4.0 metres. (3) Interior Open Space. The interior open space shall be as follows:— (a) For inner courtyard— (i) in case the whole of one side or part of at least two sides of every habitable room is not abutting either the front open space, rear open space or side open spaces, it shall abut an interior open space. Interior open space at ground level shall be called courtyard. (ii) Any room which is separated only by a verandah from the interior open space shall be deemed to abut on such interior open space for the purpose of this rule. (iii) The minimum dimension of any side of every interior open space (a) at ground level all sides of which are enclosed by a building or part thereof shall be 30% of the height of the building or 3.0 meters, whichever is more (b) at any other level, all sides of which are enclosed by a building or part thereof shall be 30% of the height of the building or 3.0 meters, whichever is more, measured from the said level where interior open space is formed. (iv) Notwithstanding anything contained in these rules, if all sides of an interior open space is enclosed by a combination of higher and lower blocks of a building, the minimum dimension of such interior open space shall be governed by the height of lower block: Provided that in no case the covered area under such lower block shall be less than 25% of the total covered area of the concerned building constituting the interior open space. (v) For the purpose of this rule, if any interior open space or courtyard enclosed on three sides by a building or part thereof is meant to serve lighting and ventilation purpose to a part or whole of one side of one or more habitable rooms, the minimum width of such open space shall be 2.4 meters for buildings upto 14.5 meters in height, 3.5 meters for buildings above 14.5 meters upto 24.0 meters height, 5.0 meters for buildings above 24.0 meters upto 36.0 meters height, and 7.0 meters for all buildings above 36.0 meters height: Provided that the depth of such open space shall not exceed twice its width and the same may be reduced to 1.2 m, if no habitable room, or balcony attached to the habitable room is facing the interior open space. However, in case the depth of such interior open space is less than the width, the same shall not be considered as interior open space but be called as Notch and the same will be permitted without any restriction. (vi) A ventilation shaft having no access to the same except through one door for service purposes shall not be treated as a courtyard if the area of such shaft is less than 20 square meters. (b) Ventilation Shafts for Kitchen or Toilet— For ventilation of bathroom or water closet or if it does not open into the front open space, rear open space or side open space or an interior open space, it shall open into a ventilation shaft which shali not be less than the specification in Table I and Table 2 below:— 30 THE KOLKATA GAZETTE, EXTRAORDINARY, FEBRUARY 14, 2007 Height of the building (in meters). Up toll.O • Above 11.0 but less than 14.5 From 14.5 but less than 20.0 20.0 and above TABLE 1 Minimum size of ventilation shaft (in square meters). 2.5 6.0 9.0 TABLE 2 Combined Ventilation shaft for Kitchen and Toilet: Height of the building (in metres). Up tol 1.0 Above 11.0 but less than 14.5 From 14.5 but less than 20.0 20.0 and above Minimum size of ventilation shaft (in sqm). 3.0 6.5 8.0 9.0 Minimum width of the shaft (in meters). 1.2 2.0 3.0 Minimum width of the shaft (in metres). 1.5 2.5 2.75 3.0 Provided that for any building with a height exceeding 20 meters, a mechanical ventilation system shall be installed in addition to the provisions of minimum ventilation shaft: Provided further that no chajja shall be allowed in any ventilation shaft: Provided also that no ventilation shaft may be required for fully air-

conditioned building, or mechanically ventilated toilet, kitchen, bath and W.C. (c) If there be building other than boundary wall on not more than three sides of a building the minimum width of such courtyard shall not be less than 20% of the height of the building or 2.50 metres, whichever is more. (4) Joint Open Space Subject to the provisions contained in this rule, the joint open space shall be provided in between two buildings, if the height of one of such building exceeds the height of 14.50 M whether belongs to the same owner or not, as follows :— (I) 7.00 M — if height of both the buildings exceeds 14.50 M, (11) If one of the buildings exceeds 14.50 M in height— (a) 4.50 M — if height of the other building is above 11.0 M but does not exceed 14.5 M, (b) 3.50 M — if height of the other building is above 8.0 M but does not exceed 11.0 M, (c) 3.00 M — if height of the other building does not exceed 8.0 M. Note.—lf any of the buildings has basement, the minimum Joint Open Space againSt the basement line shall be kept as 7.0 m. The rule of Joint Open Space shall not be applicable in case the adjoining structure is not exceeding 5.0 M in height. The Joint Open Space between two buildings may vary at places considering the variation of height of any of the buildings or both the buildings

51. Exemption related to Open Spaces calculations:—(l) Cornice, chajja or weather shade and all such features related to fagade treatment such as fins, flower boxes, pilasters, column capitals, arches, pediments, trellises, ducts for encasing pipe lines, pipe supports and all such features used to enhance the aesthetic quality of a building (not more than 50 cm) shall be allowed to overhang or project oxer the said open space: PART 11 THE KOLKATA GAZETTE, EXTRAORDINARY, FEBRUARY 14, 2007 31 Provided that such projections shall not be allowed at a height less than 2.5 metres over the ground level. Ducts for encasing pipe lines, pipe supports will however be allowed from the ground level without creating obstruction to the movement of-vehicles or Fire Tender wherever applicable as per rule. (2) Sewer and its appurtenances, underground water reservoir, septic tank and ramp may be allowed to be constructed in the open spaces upto 60 cm above ground level provided that these do not obstruct vehicular movement. A canopy or canopies and/or a porch or poches each not exceeding 15 square metres in area or one percent (1%) of the ground floor area whichever is higher, having a clear width of not less than 2.5 metres may be allowed at a minimum clear height of 2.5 metres from the ground level: Provided that requisite space for the movement of fire tender is left all round the building unobstructed by such canopies or porches. (3) Outdoor type transformer will be allowed to be installed in the mandatory open space provided it keeps clear minimum open space of 1.2 metre from the adjoining boundary line. While providing such space for transformer, a minimum open space of 4.00 M shall have to be kept to facilitate vehicular movement in cases wherever applicable as per rule

52. Pmvision of parking space for a building within a plot in the areas other than municipalities in hill areas.— (A) Minimum Parking Space: (1) No off-strect parking space shall be less than— (a) 12.5 square meters (2.5 meters in width and 5 meters in length) for a motor car with a minimum head room of 2.2 meters if parked in a covered area, (b) 37.5 square meters (3.75 meters in width and 10 meters in length) for a truck and bus with a minimum head room of 4.75 meters if parked in a covered area. (2) The minimum width of circulation driveway to be provided for adequate maneuvering of vehicles shall be 4.0 mtrs. for cars and 5.00 mtrs. for trucks exclusive of parking space referred to in sub rule (1). However, a projection from a height above 5.50 mtrs. from the ground level may be permitted keeping the mandatory open space open to sky as per this rule. (3) The parking layout plan shall be so prepared that the parking space for each vehicle becomes directly accessible from driveway or circulation driveway or aisles. However stack car parking arrangement will be allowed in such a way that every car can be moved by shifting not more than one car. This stack car parking will be allowed only on the basement and ground floor levels. (4) (a) For building with different uses, the area of parking space shall be worked out on the basis of respective uses separately and parking space to be provided for the. total number of vehicle thus required. (b) In case of a plot containing more than one building, parking requirement for all buildings shall be calcu- lated on the basis of consideration the area of respective use or uses. (5) Notwithstanding anything contained in sub-items (1), (2), (3) or (4) of this rule, if the building site abuts on a street or means of access which is less than 3.5 meters, parking space may not be insisted upon. (6) In calculating the areas of different occupancies in the same building or different units of same occupancy in a building, the areas of common spaces of •any floor which is included in the calculation of the Floor Area Ratio as per provision of these rules shall be distributed proportionately amongst the different units or occupancies. However, in case of residential use, the actual floor area of the tenements shall be considered excluding the

areas of the common space. The requirements of car parking spaces shall be calculated accordingly. (B) Parking Space requirements for motor cars: (l) The parking space requirements for motor cars in respect of different categories of buildings are Oiven in the Table below:— 32 Sl. No. 1. 11. 111. lv. THE KOLKATÄ GAZETTE, EXTRAORDINARY, FEBRUARY 14, 2007 Occupancy. Residential Educational Institutional Assembly (a) (b) (c) Note. I: 11. (i) (ii) (a) (b) (c) (d) (e) Off-street Car Parking Space Table Car Parking Space Requirement. One car parking space to be provided for every 150 sqm of floor area upto a total floor area of 600 sqm., One car parking space to be provided for every 140 sqm of floor area above a total floor area of 600 sqm up to 5000 sqm., One Car parking space to be provided for every 130 sqm of floor area above a total floor area of 5000 sqm. However for building or buildings having individual tenements size not ex- ceeding 60 sqm. in the entire building, one car parking space to be provided for every 250 sqm of floor area; For the purpose of calculation of number of car park nearest whole number is to be considered. For all educational buildings, one car parking space and one bus parking space are to be provided for every 500 sqm of floor area and part thereof (exceeding 50%). However, at least one car parking space is to be provided for every educational building. For hospitals and other health care institutions— One car parking space for every 150 sqm of. floor area is to be provided for a total floor area not exceeding 1000 sqm. However, at least one car parking space is to be provided for such institution building. One car parking space for every 100 sqm of floor area is to be provided for a total floor area exceeding 1000 sqm (subject to a maximum of 250 nos of car parking space). For theaters, motion picture houses, auditorium or similar other car parking space for every 75 sqm of floor area shall be required. However, at least one car parking space is to be provided for such buildings even having less than 75 sqm of floor area; For Exhibition Halls, Town Hall or City Halls and similar other halls—one car parking space for every 200 sqm of floor area shall be required. However, at least one car parking space is to be provided for such halls even having less than 200 sqm of floor area; For restaurant, eating houses, bars, clubs, gymkhana, dance halls - one car parking space for every 75 sqm of floor area and/or part thereof (exceeding 50%). However, at least one car parking space is to be provided for such buildings even having less than 75 sqmetres, For hotels — one car parking space for every 250 sqm of floor area and/or part thereof (exceeding 50%). However, at least two car parking space is to be provided for such hotel buildings: Provided that for Hotels with Banquet Hall for other facilities like Conference, Marriage Ceremony and other public gatherings one car parking space for every 50 sqm of such floor area of banquet hall shall be required additionally: Provided further that while calculating the area of hotel to assess the requirement of car parking, area of banquet hall will not be considered. For boarding house and guest house — one car parking space for every 500 sqm of floor area and/or part thereof (exceeding 50%). However, at least one car parking space is to be provided for such houses For other assembly buildings - like place of worship, gymnasium, sports stadium, railway or bus passenger station, airport terminal; or any other places where people congregate or gather—requirement of parking space shall be determined by the Chairman-in-Council. THE KOLKATA GAZETTE, EXTRAORDINARY, FEBRUARY 14, 2007 33 1.11. VII. Business Mercantile (retail) Industrial, Storage and Mercantile (Wholesale) (a) (b) (a) (b) One car parking space for every 100 sqm of floor area and/or part thereof (exceeding 50%). However, at least one car parking space is to be provided for such building. For floor area up to 50 sq.m.—no car parking space. For floor area above 50 sq.m.—one car parking space plus an additional car parking space for every 100 sq.m. of the covered area. For floor area up to 200 sq.m.—no car parking space. For floor area above 200 sq.m.—one car parking space for every 200 sq.m. and one truck parking space for every 1000 sqm. subject to a minimum of one truck parking space. In no case the required car parking space shall exceed 50 and the required truck parking space shall exceed 50: Provided that while calculating the floor area for the purpose of car parking space required, covered areas for car parking are not to be considered. (2) Notwithstanding the provisions of sub-item (l) this part, the Chairman-in-Council may in any area or ward or borough for the purpose of this rule, require additional parking spaces to be provided in such area. (C) Parking spaces to be distinct: The open spaces required under rule 50 and driveway shall not be treated as parking space for the purpose of these rules. However, open car parking may be allowed on the mandatory open space, provided that a clear driveway of 4.00 mtrs. width is maintained

53. Tall buildings (exceeding fourteen and a half metres in height).—(l) In Municipality the building height shall not normally be more than 14.50 metres (fourteen and a half metres). But in the case of any building exceeding 14.50 metres in height, the Board of Councillors, for reasons to be recorded in writing and with the previous approval of the Superintending Engineer of the Municipal Engineering Directorate, Government of West Bengal, having jurisdiction over the concerned municipal area may sanction those schemes as special cases if not otherwise covered by any law for the time being in force. (2) The Superintending Engineer will make his recommendation on the basis of Structural Stability Certificate given by the empanelled LBA or Structural Engineer or Geo-technical Engineer and he will also consult the Land Use and Development Plan, if any, of the concerned municipal area before giving such approval. In such cases, the following shall be applicable in addition to other rules under the Act. The certificate of structural stability is to be furnished in the following manner by the empanelled LBA, Structural Engineer and Geo-technical Engineer:— Certificate of Structural Stability We hereby certify that the foundation and superstructure of the building proposed for construction on Plot .... have been so designed by me/us will make .. Ward No. .... Street .... such foundation and superstructure safe in all respect including the consideration of bearing capacity and settlement of soil etc. Signature of LBA (Name, Address and Empanelment No.) Signature of Structural Engineer (Name, Address and Empanelment No.) Signature of Geo-technical Engineer (Name, Address and Empanelment No.) Note.—All such technical personnel are required to be empanelled with the concerned Municipalities. In case, the system of empanelment has not been introduced in any particular Municipality, the requisite certificate from the empanelled Structural Engineer and Geo-technical Engineer under Kolkata Municipal Corporation or any other Municipality may be asked for: (I) No building exceeding fourteen metres and a half in height shall be allowed on private or public street of not less than 10.00 metres in width; 34 THE KOLKATA GAZETTE, EXTRAORDINARY, FEBRUARY 14, 2007 (11) there shall be a minimum front open space for every category of tall building at its narrowest part, as per provisions of sub-rule (2) of rule 50; (11) there shall be a minimum rear open space for every category of tall building along the entire width of the building

forming an integral part of the site, as per provisions of sub-rule (2) rule 50; (I V) there shall be minimum open spaces on both sides for every category of tall building at its narrowest part, as per provisions of sub-Qile (2) of rule 50; (V) (a) in case the whole of one side or part of at least two sides of every room excepting bath, water-closets and store-room, is not abutting either the front open space, rear open space or side open space, it shall abut an inner courtyard whose minimum width shall be 30% of the height of the building or 3 metres, whichever is more; (b) for ventilating water closet in bathroom, such water closet or bathroom or kitchen or any room not intended for human habitation, if not opening on to front open space, rear open space, side open space or interior open space, shall be opened up to a ventilation shaft, the size of which shall be as per provisions incorporated in Tables under rule 50; (VI) • (a) for every building exceeding fourteen metres and a half, the Floor Area Ratio shall be as specified in the table below: Maximum Permissible Floor Area Ratios Width of Means of Access (meters). Above 14.50 to 20.00 Above 20.00 to 24.00 Above 24.00 Residential Building Commercial zone, if any. 2.25 2.50 2.75 Other zone. 2.50 2.75 3.00 Institutional Business Building. 2.25 2.50 2.75. (b) While calculating the floor area under this Chapter, the following shall not be included: (i) stair cover not exceeding 2.4 metres in height and stair case with landing upto the extent of the width of the stairway in each floor including ramp if there be any, (ii) lift machine room as per latest edition of the National Building Code. Lift Landing lobby with a maximum area of 6 sqm in all floors including roof, if any; (iii) roof tanks and their support, the height of support not exceeding I metre; (iv) chimneys, ventilating, air-conditioning and service equipment attached to the building: Provided that the aggregate area of these structures mentioned at (i) to (iv) above shall not exceed one- third area of the roof upon which these are erected; (v) the actual area under covered car parking space and area of basement used for car parking only in accordance with the table in rule I) subject to a maximum permissible limit for one car parking space as 25 sq.m for ground floor and 35 sq.m other than ground floor inclusive of all circulation spaces and ramps. However, the area actually covered by the car parking space may be allowed even if the same is more than mandatory requirement. But the covered car parking shall be within the permissible ground coverage; (vi) areas of loft, ledge or tand and areas of cupboards or wardrobes upto a maximum extent of 3% of total floor area but shall include the area of mezzanine floor; (vii) area of service floor as permitted in rule 67; (viii) the areas for garden covered with permeable material, pergola, expanded or similar other materials at the roof level, up to 5% of the total roof area or IO sqm whichever is more, subject to adoption of adequate structural safety measures; (ix) in addition to the above provision, the exemptions in calculation of FAR shall also be permissible as per provision in rule 51. (c) All steel towers above 14.5 metre height should be ground based ones. Minimum access to such structure should not be less than 5 metre on any part. No such structure should be constructed on the mandatory open spaces of any existing building. THE KOLKATA GAZETTE, EXTRAORDINARY, FEBRUARY 14, 2007 PART V 35 54. Regulation for more than one building in one plot, existing buildings and the buildings under Government approved schemes.— (l) (a) Every building on a plot containing more than one building which does not abut on means of access shall abut an internal road connecting the means of access of the plot. The floor area ratio shall be calculated on the basis of the width of means of access on which the plot abuts (b) The minimum width of such internal roads shall be 3.50 metres. Where internal road of 3.50 metres in width is not possible to be provided due to an existing building constructed prior to the enforcement of these rules, a building of not more than 7.0 metres in height may be allowed, provided that the width of the internal road shall not be less than 1.20 metres. (c) The maximum permissible height of any building on a plot shall be determined by the width of the means of access on which the plot abuts according to the table given in sub-rule (3) of rule 49. (d) The minimum width and the maximum length of all such internal roads shall be as prescribed in the table below:— Table Width and Length of Internal Roads Width of means of access. 3.50 meters and above but not more than 7.00 meters above 7.00 meters but not more than 10.00 meters Above 10.00 meters Maximum length of the means of access. 25.00 50.00 No restriction 75.00 150.00 No restriction : Provided that every internal road as required under this rule shall be kept free from any projection thereon and shall be kept open to the sky. Note.—No chajja or cornice or weather shed more than 500 mm. shall overhang or project thereon. (e) In case the buildings within a plot are not of the same occupancy, an individual building of any particular occupancy shall comply with the rules governing such occupancy except the provisions regarding ground coverage which shall be in accordance with sub rule (2) of this rule. (2) Ground coverage for plots measuring 5000 sq. metres or mote in area, the maximum permissible ground

coverage shall be 45% for residential buildings or educational buildings, and 35% for buildings of other use groups or for buildings with mixed occupancies: Provided that the provisions of rule 46 shall be applicable to plots measuring less than 5,000 sq. metres. (3) Open space for building shall be as laid down below:— (a) every building shall have minimum external open space prescribed in rule 50, provided that on these open spaces internal roads may be constructed; (b) for plots measuring more than 5000 sq. m. in area, provision of 8% of the total area of the plot is to be kept as public open space. The width of each such open space shall not be less than 10.00 metres and each such open space shall abut a street having a width of not less than 7.00 metres. The minimum area of each of such open space in one parcel shall be 400 sq. m. This open space shall be in addition to the land required for providing the means of access to the individual plots as prescribed in rule 45. No objection certificate from the Director of West Bengal Fire services and West Bengal Pollution Control Board in respect of the proposed construction is to be submitted along with the application for building permit; (c) for plots measuring more than 25000 sq. m. in area provision of 7% of the total area of the plot shall be reserved for use for facilities like. School, Health Centres, Market, Police Outpost with booth, Post Office, Power Sub-station, Transport Terminal, Water Treatment Plant, Sewerage Treatment Plant as well as the provisions for Green cover and free gift of land for Economically Weaker Section housing and the like, such land shall abut a street having a width of not less than IO metres in addition to the land necessary for means 36 THE KOLKATA GAZETTE, EXTRAORDINARY, FEBRUARY 14, 2007 of access and for open spaces sanctioned in clause (b) of this sub-rule. No objection certificate from the Director of West Bengal Fire services and West Bengal Pollution Control Board in respect of the proposed construction is to be submitted alongwith the application for building permit. (4) The parking provisions shall be the same as stipulated in rule 52

55. Provisions regarding existing buildings.— (l) The provisions of these rules shall apply only in the case of an existing building. Note.—Existing building, for this purpose shall mean any building which was erected before the date of coming into force of these rules in accordance with a building plan sanctioned by an authority competent to sanction such building plan under the Bengal Municipal Act; 1932 (Ben. Act XV of 1932) or any other law for the time being in force. (2) In the case of existing building,— (a) (b) (c) (d) (f) (g) (h) excepting storage buildings, where the open spaces required have not been provided, an addition in the number of stories, if otherwise permissible, may be allowed with a set back, provided such building continues with the same occupancy: Provided that no formal set back may be necessary up to a height of eight metres for adding only one floor over an existing single storied residential building; the extent of the set back from the property boundary shall be such as to make the addition to the building conform to the provisions of rules 46 and 50; if any car parking space is required to be provided under these rules and no such car parking space can be provided, the covered area allowable under the provisions of these rules shall be reduced by the area required for such car parking space which cannot be provided in the said building. Explanation.—For the purpose of calculation, the area required for one car parking space shall be taken as 20.00 sq. metres; the height of the building shall conform to the rules as indicated in rule 49 and in no case after addition the height shall exceed 14.50 metres; the addition to an existing building with residential occupancy shall not exceed 200.00 sq. metres in covered area; the addition to an existing building with educational occupancy shall not exceed the total covered area of the existing building; the addition to an existing building with other occupancies including mixed use building but excepting storage building shall not exceed 100.00 sq. metres in covered areas; in case of partition of existing building common walls may be allowed as the partition line

56. Provisions for buildings constructed under Government approved schemes.— (l) Notwithstanding anything contained elsewhere in these rules, the provisions of this part shall apply in respect of matters provided therein, in the case of buildings constructed by Governments, or any of the statutory bodies under any Government approved scheme, for residential use of persons belonging to low income group or of industrial workers. (2) The minimum size of a plot shall not be less than 30 square metres and the maximum size of the plot shall not be more than 65 square metres. (3) The following provisions shall be complied with for the construction of building under sub-rule (1):— (a) (b) (c) (d) (e) (f) (g) (h) no building shall be constructed on a plot if the width of the means of access to the site is less than 1.2 metres; no building exceeding 8.0 metres in height shall be allowed on a plot if the width of the means of access to the site is less than 3.5 metres; the maximum permissible ground coverage shall be 75% of the area of the plot; the maximum height of the building shall be 10 metres; the minimum front open space for a building

shall be 0.8 metre; the minimum rear open space for a building shall be 1.0 metre; the buildings may be of the row housing type with common wall and the maximum length of the buildings in a row shall be 50 metres. After every 50 metres of length of the building in a row, there shall be an open space of not less than 2.5 metres in width for the entire depth of the building: Provided that such open space shall not be necessary if there is a street or passage at such location, the minimum width of which is 2.5 metres; no parking space within the plot shall be necessary. THE KOLKATA GAZETTE, EXTRAORDINARY, FEBRUARY 14, 2007 PART VI Requirements of Parts of Buildings 57. Plinth.— 37 (l) The plinth or any part of a building or any accessory building shall be so located with respect to the crest of the road level that adequate drainage of the site is assured and it shall in no case be at a height less than 60 centimeters. (2) Every inner courtyard shall be raised at least 30 centimeters above the level of the centre of the nearest street and shall be satisfactorily drained. (3) Garage and parking space shall be raised at least 15 centimeters above the ground level

58. Habitable room.(l) No habitable room shall have an area less than 9.50 sq. metres having a minimum width of 2.40 metres, where there is only one room. In case of more than one room, one of these rooms shall be not less than 9.50 sq. metres with a width of 2.40 metres at the minimum and the others shall not be less than 7.50 sq. metres in area with a minimum width of 2.10 metres. (2) No habitable room shall have a height of less than 2.75 metres measured from the surface of the floor to the lowest point of the ceiling or the underside of any slab: Provided that in the case of any centrally air-conditioned building, the height of any habitable room shall not be less than 2.4 metres measured from the surface of the floor to the underside of any slab or false ceiling, as the case may be: Provided further that the height from the surface of the floor up to the beam shall not be less than 2.4 metres: Provided also that in the case of any pitched roof, the average height shall not be less than 2.75 metres and the minimum height at eaves level shall be 2.1 metres. (3) All rooms in any building irrespective 'of their use-group, utilized for human habitation, shall conform to sub- rules (l) and (2) of this rule. (4) Any room to be used as retail shop shall have a minimum clear height of 2.3 metres measured from floor to bottom of the ceiling or beam, whichever is lower

59. Roof.— (l) The roof of a building shall be so constructed or framed as to permit effectual drainage of the rain-water there from by means of sufficient rain-water pipes of adequate size, wherever required, and so arranged, joined and fixed as to ensure that the rain-water is carried away from the building without causing dampness in any part of the walls or foundations of the building or those of an adjacent building. (2) The Board of Councillors may require rain-water pipes to be connected to a drain or sewer through a covered channel formed beneath any street to connect the rain-water pipe to a road gutter or any other approved device. (3) Rain-water pipes shall be affixed to the outside of the walls of the buildings in recesses or chases cut or formed in such walls or in such other manner as may be approved by the Board of Councillors. (4) Every terrace on the top-most storey of any building shall have a common access and shall not be sub-divided

60. Kitchen.— (l) No kitchen shall have a floor area of less than 4.5 sq. metres and width of less than 1.8 metres: Provided that if any kitchen is to be used for eating purposes also, such floor area shall not be less than 9.5 sq. metres and the width shall not be less than 2.4 metres. (2) No kitchen shall have a height less than 2.5 metres measured from the surface ofa floor to the lowest point in the ceiling or the underside of any slab except for the portion to accommodate any Floor trap for any upper floor. (3) Every room to be used as a kitchen shall have,— (a) (b) (c) (d) (e) unless separately provided with any pantry, meant for the washing of kitchen utensils which shall land directly or through a sink to a grated and trapped connection to a waste pipe; an impermeable floor; a window of not less than I sq. metre in area opening directly to an interior or exterior open space, or into any shaft; a flue duct, if necessary; a refuse chute for discharge of solid wastes, in case of any building exceeding eighteen metres in height. 38 THE KOLKATA GAZETTE, EXTRAORDINARY, FEBRUARY 14, 2007 61. Pantry.— (l) No pantry shall have a floor area of less than 3 sq. metres and a width of less than 1.4 metres. (2) Every pantry shall have a means of the washing kitchen utensils, if not provided in the kitchen, the effluent from which shall lead directly or through a sink to grated and trapped connection to waste water drainage system

62. Bathroom and water closet.— (l) No bathroom shall have a floor area of less than 1.8 sq. metres and width less than 1.2 metres and a height less than 2.2 metres measured from the surface of a floor to the

lowest point of the ceiling or the underside of any slab: Provided that if it is a combined bathroom and a water closet, such floor area shall not be less than 2.6 sq. metres. (2) No water closet shall have a floor area of less than 1.2 sq. metres and a width less than 1.0 metre. (3) Notwithstanding the provisions of sub-rule (1) or sub-rule (2), in the case of any building referred to in rule 56, (a) an independent bathroom may have a floor area of 1.45 metres; (b) a combined bathroom and water closet may have a floor area of 2.0 sq. metres, with a minimum width of 1.1 metres. (4) Every bathroom or water closet shall— (a) be so situated that at least one of its walls shall open to an interior open space or exterior open space or shaft and shall have an opening in the form of window or ventilator or louver not less than 0.40 sq. metre in area; (b) not be directly over any room, other than a latrine or water closet or a washing place or a bathroom or a terrace, unless it has a water tight floor; (c) have the platform or seat made of water tight non-absorbent materials; (d) be enclosed by walls or partitions and the surface of every such wall or partition shall be finished with a smooth impervious material to a height of not less than I metre above the floor of such a room; (e) be provided with a door completely closing the entrance to it; and (f) be provided with an impervious floor covering sloping towards any drain with a suitable grade and not towards any verandah or other room. (5) No room containing any water closet-shall be used for any purpose except as a lavatory and no such room shall open directly into any kitchen or cooking space or pantry by a door, window or other opening

63. Lifts.— Lifts shall conform to the provisions hereafter contained and the provisions of the National Building Code of India. At least one lift shall be provided in every building having more than 14.5m. in height. In the case of a proposal to add one additional floor to an existing building having a lift, it will not be necessary to raise the existing lift to the additional- floor. Subject to above, the number, type and capacity of lift shall satisfy the requirements of section 5 of the Installation of Lifts and Escalators of National Building Code of India

64. Loft.— (l) A loft may be permitted in buildings of all use-groups. (2) The area of any such loft shall be restricted to 25 per cent of the area of the floor of any room other than inhabited room: Provided that hundred per cent of the area may be covered over any conidor and toilet. (3) Maximum height between any loft and ceiling shall be 1.20 metres and the clear height below the loft shall not be less than 2.10 metres

65. Ledge or tand.— (l) A ledge or tand in a habitable room shall not cover more than 15 per cent of the floor on which it is constructed and shall not interfere with the ventilation of the room under any circumstances. (2) The ledge shall be provided at a minimum height of 2.1 metres from floor level. (3) The maximum width of any ledge or tand shall be 0.60 metre

66. Mezzanine floor.— (l) A mezzanine floor may be permitted only between the ground floor and the first floor of any building. (2) A mezzanine floor may be permitted over a habitable room provided that— (a) it conforms to any standard for a habitable room as regards lighting and ventilation; (b) it is so constructed as not to interfere under any circumstances with the ventilation; THE KOLKATA GAZETTE, EXTRAORDINARY, FEBRUARY 14, 2007 (c) such mezzanine floor is not subdivided into smaller compartments; (d) such mezzanine floor or any part of it shall not be used as kitchen; and 39 (e) in no case a mezzanine floor shall be subdivided so as to make it liable to be converted into unventilated compartments. (3) An area up to 25 per cent of the covered area on the ground floor shall be allowed. (4) The height of any mezzanine floor shall not be less than 2.1 metres or more than 2.7 metres

67. Service Floor.— One service floor having maximum clear height of 1500 mm. maybe allowed between any two floors for plumbing, electrical and other utility services in case of buildings other than residential use 68. Store room. No store room in any residential building shall have a floor area less than 1.5 sq. metres and a height of less than 2. I metres

69. Garage.— (l) No garage for cars shall be less than 2.5 metres x 5 metres. (2) The minimum head room in a garage shall be 2.25 metres and floor level of the garage at ground floor must not be lower than ground level. (3) The size of any garage where more than one motor car is parked shall be calculated on the basis of the number of vehicles to be parked there. (4) No garage for trucks shall be less than 3.75 metres x 10.00 metres with a minimum head room of 3.50 metres 70. Basement. (l) Subject to specifications, if any, made in this behalf under the West Bengal Town and Country (Planning and Development) Act, 1979, the Board of Councillors may specify an area or ward or borough where the construction of any basement shall not be permitted. (2) A basement may be used as— (a) (b) (c) (d) (e) (f)

(g) (h) as a parking space, as an air-conditioning plant room or room for other machines used for any building service or for other purposes, as a space for a stand by generator for power supply, as a storage space for house-hold or other goods of non-inflammable nature, as a strong room or bank cellar, as a dark room, as a stack room in any library, or for the purpose of a business building or mercantile building (retail) or an assembly building if it is air- conditioned and the top of the basement is at least 750 mm above ground level: Provided the fire safety norms as per National Building Code are complied with. (3) Outer walls of a basement shall not extend to the exterior open spaces as requirecl under these rules. (4) No basement or portion thereof shall be used for residential purpose. (5) No kitchen, bathroom or water closet shall be permitted in any basement unless the sewer levels permit the same and there is no chance of back flow and flooding of sewerage. If permitted, such kitchen, bathroom or water closet shall be placed against an external wall of the basement, which shall also be the external wall of the building and shall be adequately lighted and ventilated. Detailed plans showing arrangement for drainage including pumping system shall be submitted in such cases. (6) Every basement shall— (a) in every part be at least 2.4 metres in height from the floor to the underside of the roof slab or beam soffit or ceiling or any false roofing; (b) have adequate arrangement so that surface drainage does not enter the basement, and have adequate arrangement for pumping out water, if necessary; 40 THE KOLKATA GAZETTE, EXTRAORDINARY, FEBRUARY 14, 2007 4 (c) have water-tight walls and floors which shall be so designed that the effect of the surrounding soil and moisture, if any, is taken into account in design and adequate damp-proofing treatment is given; (d) in case the parking area in the basement is less than 1000 sqm, only one ramp will be required. In case the parking area in the basement is more than 1000 sqm at least two ramps shall be provided. Width of each ramp shall not be less than 3.5 mtrs and the slope shall not be steeper than one vertical to six horizontal and the distance between the ramps shall be such as may be determined by the Municipal Authority: Provided that if the basement is not used for car parking purposes, ramps will not have to be provided. In such cases at least two staircases of minimum width as per use group' shall have to be provided and such staircase shall be enclosed type. (e) in the case of such basement being used for a purpose as referred to in clause (g) of sub-rule (2) of this rule have sufficient numbers of access ways and exit ways so that the travel distance is not more than 15 metres; (f) have adequate ventilation as required for any occupancy or use group under these rules: Provided that any deficiency may be met by providing adequate mechanical ventilation in the form of blowers, exhaust fans at the rate of one exhaust fan for every 50 sq. metres of the basement area, or by air- conditioning; (g) comply with the requirements of the West Bengal Fire Services Act, 1950, fire prevention and safety rules, 1996, and provisions laid in National Building Code (NBC)

71. Chimney.— (1) Any chimney shall conform to the requirements of the latest version of BIS : 1645- 1 960 Code of Practice for fire safety of buildings (general): chimneys, flues, flue pipes and hearths. (2) Any chimney shall be built at least 0.9 metre above any flat roof: Provided that the top of any chimney shall not be below the top of any adjacent wall and, in the case of a slopping roof, the top of the chimney shall not be less than 0.6 metre above the ridge thereof in which the chimney penetrates

72. Parapet—A parapet wall and guardrails shall be provided on the edge of any roof terrace or balcony and it shall not be more than 1.5 metres in height 73. Boundary wall.— No boundary wall shall exceed 2 metres in height on the road side, the solid portion of compound walls shall not exceed 1.5 metres in height. The foundation of boundary wall, below ground level, shall not encroach upon any adjacent land outside the plot area

74. Lighting and ventilation of room.— (1) Every habitable room, kitchen, staircase and bathroom or water closet shall have, for the admission of light and air one or more apertures, such as windows, glazed doors and fan lights, opening directly to the external or air or into an open verandah. (2) In any case where light and ventilation requirements are not met through day lighting and natural ventilation, the same shall be ensured through artificial lighting and mechanical ventilation as per the latest provisions of section I of Lighting and Ventilation of Part VIII on Building Services of the latest edition of the National Building Code of India: Provided that the minimum aggregate area of the openings of habitable rooms and kitchens, excluding doors, shall in no case be less than one-tenth of the floor area. (3) No portion of any habitable room shall be assumed to be lighted if it is more than 7.5 metres from the opening assumed for lighting that portion. (4) The planning, design and installation of lighting and ventilation, electrical installations and fittings, air- conditioning and heating work, acoustics, sound insulations and noise control and the

number, type and installations of lifts and escalators, shall be carried out in accordance with the provisions of building services of the latest edition of the National Electrical Code of India: Provided that for electrical installation in respect of any building the provisions of the latest edition of the National Electrical Code and the rules made under the Electricity Act, 2003, shall apply. (5) For ventilating water closet and bath-room, such water closet or bath-room, if not opening to front open space, side open space, rear open space or interior open space, shall open on to a ventilation shaft as per provisions of sub-rule of rule 50: Provided that the planning, design construction and installation of water supply, drainage, sanitation and gas supply systems shall be in accordance with the provisions of plumbing services of the latest edition of National Code of India. THE KOLKATA GAZETTE, EXTRAORDINARY, FEBRUARY 14, 2007 PART VII Exit Requirements of Buildings 75. Definitions.— In this Chapter, unless the context otherwise requires,— 41 (a) "exit" means an escape route which includes passage, channel or means of access from any buildings, storeys or floor area to a street or other open space of safety and includes a vertical exit or a horizontal exit or an outside exit; Explanation.—ln this clause,— (i) "vertical exit" means an exit used for ascension or descension between two or more levels including stairways, smoke proof towers, ramps, lifts, escalators and fire escapes, (ii) "horizontal exit" means a protected opening through or around a fire wall or a bridge connecting two buildings, (iii) "outside exit" means an exit from the building to a street or to an open area leading to a street or to an enclosed fire resistive passage leading to a street; (b) "travel distance" means the distance from the exit of a tenement of any premises on a floor of a building to a place of safety, be it a vertical exit, a horizontal exit or an outside exit, measured along the line of travel

76. Fire protection.— Every building for residential and educational uses of more than fourteen metres and a half in height, and all buildings of other uses and buildings with basement shall be provided with adequate means of exit and all arrangement for protection in case of fire

77. General exit requirements.— (l) The following general requirements shall apply to exit:— (b) (c) (d) (e) (D (g) (h) all vertical exits or horizontal exits shall be free from obstructions; no building shall be altered so as to reduce the number, width or protection of exits to less than what is required under these rules; exits shall be clearly visible and routes to reach each exit shall be clearly marked; all exits shall be properly illuminated; fire-fighting equipment shall, where provided along exits, be suitably located and clearly marked so as not to obstruct the exit way and there shall be clear indication about its location from either side of the exit; alarm devices shall be installed to ensure prompt evacuation through exits; all exits shall provide continuous means of access to the exterior of a building or to an exterior open space leading to a street or means of access; exits shall be so arranged that may be reached without passing through another occupied unit, except in the case of a building for residential and educational uses. (2) An exit may be a door-way, corridor, passage-way to staircase, ramp or a varandah or terrace which has access to the street or to the roof of a building. An exit may also include a horizontal exit leading to an adjoining building at the same level. (3) Lifts and escalators shall not be considered as exits: Provided that if the lift, lobby and shaft is provided as per requirement of West Bengal Fire and Emergency Services, it shall be considered as fire escape route. (4) All basements shall have a minimum of two exits. Explanation.— Ramps to the basement shall be considered as exits

78. Arrangements of exits.— (l) Exits shall be so located that the distance between two exits on the floor shall not exceed,— (a) 22.5 metres, in the case of a residential building or an educational building or an institutional building or a hazardous building; and 42 THE KOLKATA GAZETTE, EXTRAORDINARY, FEBRUARY 14, 2007 (b) 30 metres, in the case of an assembly building or a business building or a mercantile building or an industrial building or a storage building. (2) For floors with sprinklers, which are not part of requirements for that floor and occupancy, the distance in sub- rule (1) may be increased by 50 per cent. (3) The distance to an exit from the dead end of a corridor shall not exceed half the distance specified in sub-rule (l), except in an educational building or an assembly building or an institutional building in which case it shall not exceed 6 metres. (4) Whenever more than one exit is required for any room. space or floor of a building, exits shall be placed as remote from each other as possible and shall be arranged to provide direct access in separate directions from any point in the area served

79. Requirements regarding staircase.— All buildings referred to in rule 76 shall be provided with such number of staircases as the Board of Councillors may require. Under no circumstances, the number of

staircases shall be less than two in the case of a building of more than fourteen metres and a half in height and one of them shall be on the external face of the building and shall be enclosed or pressurised type as per requirements of West Bengal Fire Services. In case the staircase or staircases are not facing external surface of the building or not having ventilation shaft, mechanical ventilation is required

80. Minimum Width Provisions.— (1) The following provisions for minimum width of stairways shall be made: TABLE 1 Category of Building Residential Height of the Building (in metres). Up to 8.00 Above 8.00 & Up to 11.00 Above 11.00 & Up to 14.50 Above 14.50 & Up to 18.00 Above 18.00 & Up to 24.00 Above 24.00 & Up to 36.00 Above 36.00 Width of the Stairway (in metres). 1.00 1.2 1.35 1.25 1.25 1.25 1.50 No. of Staircase. 1 1 1 2 2 2 2. (2) For residential buildings of height above 14.5 m and upto a height of 24.00 m with not more than three tenements or 500 sqm. per floor (whichever is less), one staircase of 1.50 mtrs. of width may be permitted. If by any case the floor area or the number of tenements exceed the above value, the number of staircase should be increased as per the prescribed norms in table given below:— -4 THE KOLKATA GAZETTE, EXTRAORDINARY, FEBRUARY 14, 2007 43 Category of building. Educational Assembly Institutional Business Mercantile (Retail) Area per floor. Upt 0 500 sqm. Above 500 sqm. Up to 500 sqm. Above 500 sqm. Up to 500 sqm. Above 500 sqm. Up to 500 sqm. Above 500 sqm. Up to 500 sqm. Above 500 sqm. TABLE 11 Width of the Stairway (Mtr.). 1.35 2.0 1.50 2.0 1.50 2.0 1. 50 1.50 1.80 2.00 Minimum Number Staircase of (Height upto 11.0 Mtrs.). 2 2 1 2 2 2 2 2 Minimum Number of Staircase (Height above I I .O Mtrs.). 2 2 2 2 2 2 2 2 2 2 Provided that buildings for Marriage Hall, Banquet Hall, Multipurpose Hall shall have at least two number of staircase of any height and floor area

81. Provision for doors for an assembly room or hall.— The doors of a room or a hall, where groups of people congregate or gather in any building, shall be made to open outwards and no locks or bolts for closing the same from outside shall be affixed thereto. There shall be at least two such doors in every such room or hall if not more than 300 persons are intended to be accommodated therein and an additional door shall be provided for every 100 persons or part thereof in excess of 300 persons. The width of every such door shall not less than 1.80 metres

82. Other requirements.— In respect of matters relating to fire prevention and fire protection, for which provisions have not been made in this part, the provisions of the latest edition of the National Building Code and the latest edition of the National Electrical Code shall apply

83. Consultation with the Director of Fire Services before granting permission to erect a building.— No permission for the erection, addition to, or alteration of, any building other than a residential building or an educational building of less than fourteen metres and a half in height shäll be granted unless the Board of Councillors in consultation with the Director of Fire Services of the Government of West Bengal or any Officer specially empowered by the Director for the purpose, is satisfied about the provision of means of exits and about the arrangements for protection against fire proposed for the building

84. Power to Municipal Authority to ask for sufficient means of exits.— Where on the basis of the report of the Director of Fire Services of the Government or any other officer specially empowered by him, the Municipal Authority is of opinion that the means of exit from any building is insufficient to allow safe exit in the event of fire, or the in-built fire protection measures are inadequate, he may by written notice require the owner or occupier of the building to alter or reconstruct any existing staircase in such manner, or to provide such addi- tional or emergency staircases as he may determine, or such fire protection measures, as he may, in consultation with the Director of Fire Services of the Government or any other officer specially empowered by him, deten•nine

85. Requirements of special occupancies under any other law in force.— Notwithstanding anything contained in these rules, a building shall comply with the special requirements, if any, laid down in the Factories Act, 1948 (63 of 1948) or in any other law for the time being in force in relation to such building. 44 THE KOLKATA GAZETTE, EXTRAORDINARY, FEBRUARY 14, 2007 PART VIII Structural Design 86. Structural design.— (l) •The structural design of foundation, masonry timber, plain concrete, reinforced concrete, pre-stressed concrete and structural steel shall be in accordance with the provisions of the latest edition of National Building Code of India (NBCI) and/or Bureau of Indian Standard (BIS).' (2) For earthquake protection, a structural engineer shall design the structure taking into consideration the Indian standard codes as given below:— (i) BIS : 1893 — 2002 "Criteria for Earthquake Resistant Design

of Structures (Fim Revision)", (ii) BIS : 13920-1993 "Ductile Detailing of Reinforced Concrete Structures subjected to Seismic Forces Code of Practice", (iii) BIS : 4326 — 1993 "Earthquake Resistant Design and Construction of Buildings — Code of Practice (Second Revision)" , (iv) BIS : 13828-1993 "Improving Earthquake Resistance of Low Strength Masonary Buildings — Guidelines" (v) BIS : 13827 — 1993 " Improving Earthquake Resistance of Earthen Buildings — Guidelines", (vi) BIS : 13935-1993 "Repair and Seismic Strengthening of Buildings — Guidelines": Provided that the provisions of National Building Code is also to be taken into consideration for design purpose

87. Quality of materials and workmanship.—All materials and workmanship shall be of good quality conforming to the accepted standards of the Public Works Department of the Government of West Bengal or Indian Standard Specifications as included in Part V on Building Materials and Part VII on Constructional Practices and Safety of the latest edition of the National Building Code of India

88. Alternative materials, methods of design and construction.—The Board of Councillors may approve any alternative material or method of design or construction if he is satisfied that such alternative is satisfactory and conforms to the provisions of the relevant parts of the National Building Code of India regarding materials, methods of design and construction and that such materials, methods of design or work are for the purpose intended equivalent to those specified in the Code in quality, strength, compatibility, effectiveness, fire and water resistance, durability and safety

89. Tests.—Whenever there is insufficient evidence of compliance with the provisions of these rules or there is evidence that any material or method of design does not conform to the requirements of these rules, or in order to substantiate any claim for alternative materials or design, the Board of Councillors may require tests to be made sufficiently in advance as proof of compliance and such tests shall be made at the expenses of the owner and in such manner as the Board of Councillors may direct

PART IX Building and Plumbing Services 90. Building services.— (1) The planning, design and installation of electrical fittings, air-conditioning and heating work, installation of lift and escalators shall be carried out in accordance with the provisions of Electrical Installations, Air-conditioning and .Heating, Installation of Lifts and Escalators on Building Services of the latest edition of the National Building Code of India. For electrical aspects of building services the provisions of the latest edition of National Electrical Code shall apply. (2) The number of type of lifts to be provided in different buildings shall be as specified in the latest edition of National Building Code of India. (3) Electrical installations in respect of any building exceeding fourteen metres and a half in height shall conform to the provisions of the latest edition of National Electrical Code

91. Plumbing services.— (1) The planning, design, construction and installation of water supply, drainage and sanitation, and gas supply system shall be in accordance with the provisions of Water Supply, Drainage and Sanitation, Gas Supply or Plumbing Services, of the latest edition of National Building Code of India. Septic tank, pits of pit privy shall be so located in a premises or holding, that the same is easily accessible from the means of access to the plot. (2) The underground reservoir shall be constructed in such a way that the manhole portion must be raised 300 mm. or more above ground level to avoid surface contamination. The inlet supply pipe shall always be kept above the higher level of the stored water surface

PART 1] THE KOLKATA GAZETTE, EXTRAORDINARY, FEBRUARY 14, 2007 45 (3) The depth of the Underground Water Reservoir or Septic Tank or Inspection Pits or manholes shall not be more than the shallowest foundation depth and the minimum distance between edge of foundation and such underground structure shall not be less than 50% width of the underground structure. Note: All other services, which are not mentioned in this part, shall conform to the provisions of the latest edition of National Building Code of India

92. Signs and outdoor display structures.— (l) The construction of advertising signs and outdoor display structures shall be in accordance with the provisions of Signs and Outdoor Display Structures of the latest edition of the National Building Code of India. (2) Every building shall display in a prominent place on the front side, the premises number as assigned to it by the Municipality and the street name, so as to be conveniently visible from the street

PART X Provisions for Salt Lake Township within Bidhannagar Municipal Area and Nabadiganta Industrial Township 93. Special provision.— (l) Notwithstanding anything contained elsewhere in these

rules, the provisions of this part shall apply only to the Salt Lake Township within Bidhannagar Municipal area and Nabadiganta Industrial Township and shall be construed to be in modification of, or to be supplementing, the other provisions of these rules in their application to the said Township. (2) The provisions regarding construction of any building in any plot measuring 1.5 k within green verge, and plot measuring 2k or 3k plot within park, allotted for Community Hall, Ward Committee office building or such other building, shall be as may be required by the Bidhannagar Municipality or Nabadiganta Industrial Township Authority, as the case may be: Provided that the provision for approval of building sites to construct or reconstruct building under rule 4 of these rules, shall not apply to the Salt Lake Township

94. Administration.— (l) The provisions of this part of these rules shall be enforced by the Bidhannagar Municipality or Nabadiganta Industrial Township Authority, as the case may be. (2) The Bidhannagar Municipality or the Nabadiganta Industrial Township Authority may, at all reasonable hours normally between sunrise and sunset and after giving forty eight hours' previous notice, enter into or upon any building or premises for the purpose of ascertaining whether or not the provisions of the Part of these rules are being complied with

95. Definitions.—ln this part,— (l) "alley" means a secondary public thoroughfare which affords a means of access to the abutting property; (2) "Anita" or "Mumty (Stair Cover)" means a cabin, that is, the structure with a covering roof over a staircase and its landing built to enclose only the stairs for the purpose of providing protection from weather and not used for human habitation; (3) "apartment house" means a building arranged, intended or designed to be occupied by three or more families, independent of each other; (4) "approved" means approved by the Bidhannagar Municipal Authority or Nabadiganta Industrial Township Authority, as the case may be; (5) "Assembly Place" means a room, floor area, or building designed, intended or used to accommodate one hundred or more persons and used as a place for meetings, entertainments, instruction, worship, or any such other use; (6) "Authority" means the Board of Councillors of the Bidhannagar Municipality; or the Nabadiganta rndustrial Township Authority, as the case may be; (7) "balcony" means a horizontal projection, including a hand rail, or balustrade to serve as passage or sitting out- place; (8) "Barsati", "Saiban" or "Penthouse" means covered space open at least on one side, constructed on a terraced roof used for shelter during rains; (9) "height of building, or building height of " means the vertical distance, measured in the case of flat roofs, from the Road crown top level or15 cm above of the Kerb Stone of the adjoining road, whichever is higher, to the highest point of the building and, in the case of pitched roofs, up to the point where the external surface of the outer wall intersects the finished surface of the sloping roof and, in the case of gables facing the road, the mid-point between the eaves level and the ridge. 46 THE KOLKATA GAZETTE, EXTRAORDINARY, FEBRUARY 14, 2007 Explanation.—Architectural featuyes serving no other function except that of decoration shall be excluded for the purpose of taking heights. If the building does not abut on a street, the height shall be measured above the average level of the ground around and contiguous to the building; (10) "building line" means the line up to which the plinth of a building adjoining on a street or on an extension of a street or on a future street lawfully extended. It includes the lines prescribed, if any, in any scheme; (11) "building line permissible" means a line parallel to the front line of the plot at a distance of the minimum width of the front yard, other lines being as fixed by the Authority having jurisdiction; (12) "ceiling height" means the vertical distance between the floor and the ceiling or the bottom of the roof beam in case there is a beam; (13) "cross wall" means an internal wall built into an external or party wall up to its roof level and of which it forms the limiting factor for the purpose of deciding its thickness; (14) "damp-proof course" means a course consisting of some appropriate waterproofing materials provided to prevent penetration of dampness or moisture from any part of the structure to any other part at a height of not less than 15 c.m. (or 6 inch) above the surface of the adjoining ground; (15) "drain" includes a sewer, pipe, ditch, channel, and any other device for carrying off sewage, offensive matter, polluted water, sullage, waste water, rain water of sub-soil water, sealed sewage mains and special machinery or apparatus for raising, collecting, expelling or removing sewage or offensive matter to the sewage outfall; (16) "drainage" means the act, process, method, or means of drainage, mode of discharge of water, system of drains; (17) "exit" means a passage, channel or means of egress from any building, storey or floor area to a street or other open space of safety; (18) "Filling Station" means an area of land including any structure or structures thereon, used or designed to be used for the storage and supply of gasoline or oil or other fuel for the propulsion of vehicles; (19) "Fire-resisting material" means any of the following materials and the like:— (a) masonry consüucted with good, hard, sound and well-burnt bricks, fire bricks, stone or other hard and incombustible materials properly bonded and set in lime-surki, or lime-sand, or neat cement, or cement- sand mortar; (b) reinforced cement concrete, and other incombustible cement products; (c) teak and other hard woods when used for beams and posts or in combination with iron, the timber and iron being protected by a plastering or coating with an incombustible and non-conducting external coating not less than 6 cm (or 2 inch) thick or, in the case of timber, not less than 2.5 cm. (or 1 inch) thick; (d) slates, tiles, bricks, and terracotta when used for covering and corbelling; (e) concrete, not less than IO cm (or 4 inch) in thickness, composed of broken bricks, stone chippings or ballast and lime, cement when used for filling in between floor joists; and (f) any other material approved by any Authority having jurisdiction; (20) "footing" means the offset portions of a foundation to provide for a greater bearing area; (21) "foundation" means the part of a structure which is below the lowermost floor and which provides support for the superstructure and which transmits loads of the superstructure to the bearing materials; (22) "gallery" means the raised portion of a room, which remains open to the room. Explanation.—The floor of the gallery may be either level or sloped. If the space below the gallery is enclosed or divided off from the

room, the space so enclosed remains a ground floor room. If the side of the gallery which was open to the room is filled by a wall or partition, the gallery becomes a mezzanine floor; (23) "gargge private or private garage" means a building or outhouse designed or used for the storage of private owned motor vehicles; (24) "garage public or private garage or public garage" means a building or portion thereof, other than private garage, operated for gain, designed or used for repairing, servicing, hiring, selling or storing motor driven or other vehicles; (25) "ground floor" means the storey of a building to which there is an entrance from the outside of the adjacent ground or street; (26) "ground level" means the average level of the centre line of the street or passage to which the plot abuts; or 15 cm above the abutting footpath level whichever is higher. 4 THE KOLKATA GAZETTE, EXTRAORDINARY, FEBRUARY 14, 2007 47 (27) "habitable room" means a room occupied or designed for occupancy by one or more persons for study, living, sleeping, eating, kitchen, if it is used as a living room but not including bathrooms, water closet compartment, laundries, serving and storage panties, corridors, cellars, and attic and spaces that are not used frequently; (28) "head room" or "headway" means the vertical distance between the floor and the ceiling. Explanation.—Where a finished ceiling is not provided, the underside of the joists or beams of tie beams shall determine the upper point of measurement; (29) "latrine connected" means a latrine connected to the Government sewer system; (30) "load, dead or dead load" means the weight of all permanent stationary construction becoming a part of the structure; (31) "load, Live or live load" means all loads except dead loads that may be imposed on a structure, and includes, Wind loads; (32) "non-combustible", in relation to materials, means a non-combustible material which neither burns nor gives off inflammable vapors in sufficient quantity to ignite at a pilot flame; (33) "owner" means the person who receives the rent of the said premises or would be entitled to do so if the premises Were let, and includes,— (a) an agent or trustee who receives such rent on behalf of the owner; (b) a receiver, executor or administrator or a manager appointed by any court of competent jurisdiction to have the charge of, to exercise the rights of, an owner of the said premises; or (c) an agent or trustee who receives the rent of or is entrusted with or is concerned with any premises devoted to religious or charitable purposes; (34) "partition" means a wall which supports no load other than its own weight; (35) "pathway" includes an approaCh constructed with materials, such as bricks, murram, concrete, stone, asphalt, or the like; (36) "plaster" means a pier

forming part of a wall partially projecting therefrom and bounded thereto; (37) "plot" includes a parcel or piece of land occupied or intended to be occupied by the main building together with its accessory buildings, used customarily or as incidental to it, and includes the open spaces required by these rules and having frontage upon a street or upon a private way that has officially been approved by the Authority; (38) "plot corner" means a plot at the junctions of and fronting on two or more intersecting streets; (39) "plot, depth of or depth of plot" means the mean horizontal distance between the front and rear plot boundaries; (40) "plot, double frontage or double frontage plot" includes a plot having a frontage on two streets other than a corner plot; (41) "plot, interior or tandem" includes a plot access to which is by a passage from a street, whether such passage forms part of the plot or not; (42) "porch" means a covered surface supported on pillars or otherwise for the purpose of pedestrian or vehicular approach to a building; (43) "Rain Water Pipe" includes a pipe or drain situated wholly above ground and used or constructed to be used for carrying water directly from roof, surface of elevated courtyard or other open surface; (44) "registered plumber/plumbing firm" includes a qualified Plumber/Plumbing Firm who or which has been registered and enrolled in the panel of the Authority; (45) "road" means any highway, street, lane, pathway, alley, stairway, passageway, carriageway, footway, square, place or bridge, whether a thoroughfare or not over which the public have a right of passage or access or had passed and had access uninterruptedly for a specified period, whether existing or proposed in any scheme, and includes all bunds, canals, ditches, storm-water drains, culverts, sidewalks, traffic islands, road side tree and hedges, retaining walls, fences, barriers and railings within the road lines; (46) "road line" means the line defining the side limits of a road; (47) "sanctioned plan" means the set of drawings and statements submitted under these rules in connection with a building and duly approved and sanctioned by the authority; (48) "service road" means a road provided at the rear or side of a plot for service purpose; (49) "sewage drain" means a closed drain used or constructed to be used for conveying solid or liquid waste matter, excremental or otherwise, to a sewer; 48 THE KOLKATA GAZETTE, EXTRAORDINARY, FEBRUARY 14, 2007 (50) "shop" means a building or part of a building where articles of food of personal, domestic and household use and consumption are sold and goods of any kind are ordinarily retailed, but does not include a workshop; (51) "slop sink" means a sink used or constructed to be used for receiving solid or liquid excremental matter; (52) "smoke pipe" means a flue, approximately horizontal, of metal or other material in which smoke or the products of combustion are conducted from a furnace to a chimney; (53) "storey topmost" means the uppermost storey in a building, whether constructed wholly or partly on the roof; (54) "street"-has the same meaning as in clause (45); (55) "street level or grade" means the officially established elevation of the centre line of the street upon which a plot fronts and if there is no officially established grade, the existing grade of the street at its mid-point; (56) "structure" includes anything that is built or constructed, an edifice or building or any kind or any piece of work artificially built up or composed of parts joined together in some definite manner, and includes building; (57) "to abut" means to abut on a road so that any portion of the building is on the road boundary; (58) "to erect" means to construct a building for the first time or to reconstruct existing building after demolishing it according to some fresh or revised plan; (59) "to make material alterations" means to make any modification in any existing building by way of addition or alteration, or any other change in the roof, window, door, compound, sanitary drainage system in any respect whatsoever, and includes— (a) conversion of a building or any part thereof for human habitation as one dwelling house into more than one dwelling house and vice versa; (b) conversion of a building or a part thereof not suitable for human habitation into a dwelling house or vice versa; (c) conversion of a dwelling house or a part thereof into a shop, warehouse or factory or vice versa; (d) conversion of a building used or intended to be used for one purpose, such as shop, warehouse, factory, etc. into one for another purpose. Explanation.—Opening of a window and providing intercommunication doors shall not be considered as material alterations. Similarly, modifications in respect of gardening, white-washing, painting, retailing and other decorative works shall not be deemed to be material alterations. (60) "to re-erect" means to construct for a second time or subsequent times a building or a part of a building after demolishing it, on the same plan as had been previously sanctioned; (61) "wall, external or external wall" includes an outer wall or a vertical enclosure of any building being a party wall, even though adjoining a wall of another building, and includes a wall abutting on an interior open space of any building; (62) "wall, party or part wall" includes a wall built on land belonging to two adjoining owners, the wall being the joint property of both owners. Explanation.—lf each of the two adjoining owners builds a dividing wall on their

own property, they are not 'Party Walls' and no part of the footings of either wall shall project on to the land of the adjoining owner, except by legal agreement between the owners. Any such 'Party wall' or dividing wall shall be considered, for the purposes of these rules as being equivalent to an external wall, as far as thickness and height are concerned; (63) "wall, part, compound" includes wall, used or constructed to be used for separation of adjoining lands of different owners and not being part of a building, but does not include a wall constructed on the land of one owner, the footings of which project over the land of another owner; (64) "warehouse" means a building, the whole or a substantial part of, which is used or intended to be used for the storage of goods, whether for keeping or for sale or for any similar purpose, but does not include a store-room attached to and used for the proper functioning of a shop; (65) "window" includes an opening to the outside, other than a door, which provides all or part of the required natural light and ventilation or both to an interior space; (66) "water closet (WC)" means a privy with arrangement for flushing the pan with water, but does not include a bathroom; (67) "yard" means an open space at ground level between a building and the adjoining boundary lines of the plot unoccupied and unobstructed, except by encroachments or structures specially permitted by these rules on the same plot with a building; PART I] THE KOLKATA GAZETTE, EXTRAORDINARY, FEBRUARY 14, 2007 49 Explanation.— All yard measurements shall be the minimum distance between the front plot boundary, rear plot boundary and side plot boundary, as the case may be, and the nearest point of the building including enclosed or covered porches. Every part of every yard shall be accessible from every other part of the same yard; (68) "yard, front or front yard" means a yard extending across the front of a plot between the side yard lines and being the minimum horizontal distance between the street line and the main building or any projection thereof other than steps, unenclosed balconies and unenclosed porches; (69) "yard, rear or rear yard" means a yard extending across the rear of a plot between the side yard lines and being the minimum horizontal distance between the rear plot boundary and the rear of the building or any projection other than steps, unenclosed balconies or unenclosed porches; (70) "yard, side or side yard" means a yard between the building and the side line of the plot and extending from the front line to the rear line of the plot and being the minimum horizontal distance between a side boundary line and the sides of the building or any other projection other than steps, unenclosed balconies or unenclosed porches. Note:- The different categories of plots mentioned in these rules, shall be as specified below: Category of plot 1.5 k 2k 3k 4k 7k 8k 10k Areas Any Plot having area of less than 2 cottahs; Any Plot having area of less than 3 cottahs; Any Plot having area of 3 cottahs or more but less than 4 cottahs; Any Plot having area of 4 cottahs or more but less than 5 cottahs; Any Plot having area of 5 cottahs or more but less than 6 cottahs; Any Plot having area of 6 cottahs or more but less than 7 cottahs; Any Plot having area of 7 cottahs or more but less than 8 cottahs; Any Plot having area of 8 cottahs or more but less than 9 cottahs; Any Plot having area of 9 cottahs or more but less than 10 cottahs; Any Plot having area of 10 cottahs or more but less than I I cottahs

96. Additional requirements for submission of building plan.— For submission of building plan under rule 11, in addition to the conditions laid down in these rules the following conditions are required to be fulfilled for the purpose of this chapter:— (a) all plans shall be duly signed and certified by the owner in writing with inscription "Certified that I have gone through the West Bengal Municipal (Building) Rules, 2007, and also undertake to abide by those rules during and after the construction of the building" Such plans shall also be signed and certified by the technical personnel engaged under rules 14-18 indicating their names, addresses, qualifications and enrollment numbers allotted by the authority with inscription "Certified that the plan has been designed and drawn up strictly according to the provisions of the West Bengal Municipal (Building) Rules, 2007" (b) five copies of sewerage and water connection plans shall accompany the notice drawn to a scale of I m to I cm (or 8' to 1.0") and coloured as laid down in sub-rule (3) of rule 12 shall have to be submitted to the Authority. The size of the drawing sheet will be 30 x 22 cm

97. Notice for an alteration only.— When the notice is only for an alteration of the building, only such plans and statements as may be necessary shall accompany the notice: Provided that a revised plan is to be submitted showing the changes proposed with the requisite fee as specified in rule 100. (I) Every person who intends to demolish any building or part thereof shall give notice in writing to the Note. Municipal Authority. The demolition work to be executed taking care of adjoining structures under the supervision of qualified or empanelled structural engineer. (11) The building plan shall have to be obtained afresh. 50

THE KOLKATA GAZETTE, EXTRAORDINARY, FEBRUARY 14, 2007 98. Repairs.— No notice shall be deemed necessary for repairs in any existing building constructed in accordance with these rules

99. Deviation during construction.— If during copstruction of a building any departure or deviation from the sanctioned plan is intended to be made, sanction of the Authority shall be obtained before the change is made. The revised plan showing the deviation shall be submitted and the procedure laid down for the original plan therefor shall apply to all such amended plans. If on inspection during the construction stage, it is detected that deviation from the sanctioned plans have been made, the applications for the revised plan may not be entertained and the clearance certificate as mentioned in clause (a) of sub-rule (3) of rule 151 will not be issued in respect of the water and sewerage connections till rectification of the deviations

100. Fees.— (l) No building plan shall be deemed valid unless and until the person giving notice has paid the fees specified in sub-rule (2) to the Authority having jurisdiction and an attested copy of the receipt of such payment is attached with the building plan. (2) Scale of fees for granting permission for building work under this part, shall be as follows:— (a) Rs 3.50 per sq.ft. of total floor area covered in case of residential plots; (b) Rs 10.00 per sq.ft. of total floor area covered in case of commercial plots and co-operative buildings

101. Part construction.— (l) Part construction of a building according to any sanctioned plan may be permitted. Prior approval of part construction have to be taken from the Authority by submitting 2 copies of the plans (floor plan and front elevation of the part of the building proposed to be constructed). The Authority reserves the right to get the front elevation modified in case of such part construction. (2) Part construction shall always start from the front and completed in full as per sanctioned plan for part consü•uction. (3) A partial occupancy certificate shall be issued for part construction under sub rule (4) of rule 34 and no occupancy certificate shall be issued till part construction is completed in full. (4) In the case of multistoried flats of Housing Co-operative Societies a partial occupancy certificate may be issued for completion of 75% of the building. In this case the members of the concerned Housing Co-operative Society have to execute an indemnity bond with the condition that the member of the said Housing Co-operative Society shall complete the building on all respect within 180 days from the date of issue of the partial occupancy certificate and shall apply to the Authority for a full occupancy certificate

102. Fees for sanction of revised plan or part plan.— Fees for sanction of revised plan or for sanction of part plan shall be as follows: (a) part plan—Rs 300.00 per floor per building; (b) revised plan—Rs. 2.00 per sq. ft. of total floor area covered per building; (c) renewal fee—Rs. 200.00 per floor per building; 103. Constructions not according to plan under sub-rule (2) of rule 30 or sub rule (1) of rule 34.— Where, on inspection, it is found that any building or structure or any part thereof is being or has been erected in deviation of the sanctioned plan or in contravention of any of the provisions of the Act or the directions issued therein, the Chairman or his authorized representative may issue a notice, in writing, to the plot-holder to appear before him or his authorized representative within such period as would be mentioned in the Notice, but not less than IO (ten) daysfrom the date of issue of the letter, requiring the plot-holder or his authorized representative to explain the reasons for committing such deviation or contravention as would be mentioned in the notice

104. Cases of emergency.— In cases of emergency which, in the opinion of the Authority, involves imminent danger to human life or health, the decision of the Authority shall be final. The Authority shall forthwith or with such notice as may be possible promptly cause such building, structure or portion thereof to be rendered safe or removed. For this purpose, the Authority may enter any time such structure or land on which it stands or abutting land or structure with such assistance and as may be deemed necessary. The Authority may also get the adjacent structure vacated and protect the public by an appropriate fence or such other means as may be necessary. THE KOLKATA GAZETTE, EXTRAORDINARY, FEBRUARY 14, 2007 105. Means of access.— 51 (l) For plots of more than 10 K where more than one house will be permitted, the organisation which erects building shall provide as means of access to such building a clear pathway not less than 3.6 m. in width for 3 storeys and 5 m (16 ft) in width beyond 3 storeys from a street to the entrance door of such building, and such pathway shall, so long as it is used as a means of access to that building be maintained free from any obstruction and shall not at any time cause or permit any portion of any building below a height of 5 m (16 ft) to overhang into such passage. (2) No building shall be erected so as to deprive any other building of the means of access as provided in this rule. (3) Every person

who erects a building shall indicate upon any plan required to be furnished by him in accordance with these rules the whole area of such means of access by a distinguishing colour and description. (4) Every person who erects a building shall not at any time erect or cause or permit to be erected or re-erected any building, which in any way encroaches upon or cause or permit to be diminished the area so set apart for this purpose. (5) Every such means of access shall be drained and lighted to the satisfaction of the Authority. Manhole covers or other drainage, water or any other fittings laid in such means of access shall be flushed with the finished surface level so as not to obstruct safe travel over the same. (6) A person who undertakes construction work on building shall not reduce the access. (7) The means of access under these rules shall not be deemed to be suitable and sufficient until they have been approved by the Authority who shall have power to prescribe the width of the clear way which he shall communicate

106. Access to Dwelling Units and Rooms.— In every building containing more than one dwelling, access shall be provided to each dwelling unit without the necessity of passage through any other dwelling unit. Note.—No room containing water closet shall be used for any purpose except as a lavatory and no such room open directly into any kitchen or cooking space by a door, window or other opening. Every room containing water closet shall have doors completely closing the entrance to it

107. Obligatory front space, minimum side spaces and back spaces for various categories of residential buildings.— (l) Obligatory front space, minimum side spaces and back spaces for various categories of residential buildings shall be as follows:— Front (fixed) Category of 2k 3k 5k 6k 7k 8k 9k 10k (in metre). 1.00 1.00 1.00 1.50 2.00 2.00 2.00 2.00 2.00 Narrower side (Min.) (in metre). 0.90 0.90 0.90 0.90 1.00 I .00 1.20 1.20 1.20 wide side (Min.) (in metre). 2.50 2.50 2.50 2.50 3.00 3.00 3.00 3.50 3.50 back (Min.) (in metre). 2.00 2.00 4.00 4.00 6.00 7.00 7.00 7.00 7.00 (2) In every building specified in sub-rule (2) of rule 93 there shall be a fixed front open space measuring I .0 metre, minimum side open space of I .22 metres and minimum back open space of 1.22 metres. Explanation—For Block Areas the provisions of rule 153 shall apply. (3) For the corner plots, the width of wider side space will be reduced to counterbalance, the difficulty of planning of the building due to rpunding off the frontage but the clear gap with its adjacent building shall never be less than 2.5 52 THE KOLKATA GAZETTE, EXTRAORDINARY, FEBRUARY 14, 2007 metres (8'-2"). The side spaces of the corner plots will also be suitably adjusted where provision for paved passage, open ground, play-ground, will allow for such adjustment. The maximum covered area and F.A.R. will however remain the same as in other plots. (4) A Plan showing the area that may be built up or covered can be seen by each plot holder in the office of the Authority sanctioning the building

108. Open spaces with respect to covered area.— Whenever the open spaces specified under rule 107 do not give the percentage of covered area in conformity with rule 109 the more restrictive of the two shall apply

109. Covered area.— (l) The maximum covered area of residential buildings shall be governed by the following: (i) (ii) (iii) (iv) (v) Category of Plot 2,3 and 4 cottahs 6 and 7 cottahs 8,9 and 10 cottahs Building specified in sub rule (2) of rule 93 IT, ITES & other permissible Industrial & Commercial Sector Buildings Maximum permissible covered area 55% of the site area 50% of the site area 45% of the site area 60% of the site area 40% of the site area Explanation.—For Block Areas, the provisions of rule 153 shall apply. (2) In case of existing buildings only in the wider side space (or in the back space in the case of comer plots of 4 K and above), only one motor garage up to 5.00 m (overall) in length, 15 Sq. Metre in area and 2.25 m in height from Ground Level will be allowed in the case of 2 K or 3 K corner plots, a garage may be allowed in any place outside the covered area without covering any part of the narrower side within the limits regulating the height and width). The minimum clear width and the area of this garage will be 2.25 m and 9.60 sq. metre respectively. This garage or such portions of it as would be constructed within the minimum width of the wider space will be over and above the covered area specified above and will not also be taken into consideration while calculating F.A.R. No accesses to the roof of this garage will be allowed. Garage in the wider space cannot cover the minimum width of the back space as specified in rule 107

110. Projection.— (l) Window chajja or cornice may project up to 0.5 m (1'-8") on all sides of the building. (2) One cantilever verandah from first floor upward projecting upto property line may be allowed only on the frontage and side facing the roads (for corner plots only). This projection may be extended up

to 0.5 m (l '-8") on the wider and narrower side spaces also, provided that the permissible limit of FAR is not exceeded and that the width of such verandah shall not exceed 2.5 m (8'- 2"). Weather boards made either of concrete or pierced concrete or grill or glass or louvres or wood may be allowed to come down from second floor upwards up to the top level of windows in case of weather board from first floor, the clear gap between the bottom of weather board and plinth level shall be at least 8-0". Only grills will be permitted to connect the above weather boards to the verandah railings on each of the floors and no window or solid wall shall be allowed. Verandah railings may be taken up to a maximum height of 1.25 m (4-1 "), provided that the solid part of it, if so constructed is limited to a height of I m (3'-4"): Provided that in any co-operative building on any plot of 5 K or above, a cantilever verandah from ground floor and upwards projecting upto the property line may be allowed on frontage and side facing roads (for corner plot only) but under no circumstances shall any verandah projection be less than 2.4 m in clear height from ground level and that permissible limit of F.A.R. is not exceeded. (3) The cantilever verandah on the first floor and above may be constructed within the open space after keeping open the space compulsorily required to be kept open as per rule 107, provided the permissible limit of F.A.R. is not exceeded. (4) Weather Board may be taken down from the projected cantilever balcony at the front open space from the 1st floor level up to 8' height (2.43 m) from the plinth level

PART I] THE KOLKATA GAZETTE, EXTRAORDINARY, FEBRUARY 14, 2007 53 (5) Projections for shelves not exceeding 0.25 m (10") beyond the outer surface of external walls may be allowed within the minimum wider, narrow and back open spaces for the purpose of making wall cupboards or alcove, provided the thickness of the wall for such projections is minimum 10" brick work or 3" thick reinforced concrete. (6) Under no circumstances shall any verandah projection be less than 8' in clear height from the plinth level

111. Floor Area Ratio (F.A.R.).— (l) Permissible floor area ratio shall be as follows:— Area of Plot 2K 3K 4K 5K 6K 7K 8K 9K 10K Permissible for Floor Area Ratio 1.25 1.25 1.75 1.75 2.10 2.10 2.25 2.25 3.20 2.75 Note institutional, industrial and Commercial Buildings .—For IT and ITES Buildings, FAR of 5.9 shall be permitted. However, in such building minimum 80% of the built up space shall have to be utilized for IT or ITES activities and condition stipulated by the State Government or ULB has to be adhered to. Exemptions in calculation of FAR should be as per provisions laid down •in Rifle 53 (b). Any plot specified in sub-rule (2) of rule 93, Floor Area Ratio shall be 1.35. Explanation.—Floor area ratio, for the purpose of this rule, is the ratio of the total area of all the floors including the areas of walls, passages, staircase blocks, sanitary blocks, etc. of a building and accessory buildings to the gross area of 112. Maximum 9umber of floor.— (1) Maximum number of floors to be built up shall be as follows:— Area of Plot 2K 3K 4K 5K 6K 7K 8K 9K 10K Any plot specified in sub-rule (2) of rule 93. Maximum no. of Floors allowed G Plus 1 G Plus 1 G Plus 2 G Plus 2 G Plus 3 G Plus 3 G Plus 4 G Plus 4 G Plus 7 G Plus 1 G means Ground floor 54 THE KOLKATA GAZETTE, EXTRAORDINARY, FEBRUARY 14, 2007 (2) So far as the restrictions to the number of storeys to be permitted in the buildings are concerned, the parking floor in the main building at ground level up to 2.25 m in height from garage floor level to the beam soffit will not be considered as floor, and will not be taken into consideration for the purpose of calculation of F. A.R. (3) One mumti or a stair cover above the permissible number of storeys will be allowed in each of the buildings and this will not be covered by the rule of floor area ratio. The overall height of stair cover shall not exceed 2.85 m. (4) The overall height of all tall buildings including the Mast should not exceed the approval accorded by the Airport Authority of India. Note.—parking space at ground level shall be provided in all buildings including co-operative buildings, on any plot of 4 cottah or above, the maximum clear floor height of such parking space shall be 2.25 m. The height shall be measured from the ground level to the beam somt level of ground floor slab (the ground floor) being the floor just above the parking space. Such parking space shall not be taken into account to calculate the permissible floor area ratio

113. Maximum number of flat per storey.— (l) Maximum number of flats per storey shall be as follows:— 2K 3K 4K 5K 6K 7K 8K 9K 10K In the case of any building specified in sub-rule (2) of rule 93 One Flat per Storey One Flat per Storey One Flat per Storey 'IWo Flats per Storey Flat per Storey n•vo Flat per Storey n•vo Flat per Storey Flat per storey Three Flats per Storey One Flat per Storey (2) A certificate shall be furnished by the owner of the plot measuring 2 cottahs to 5 cottahs on the body of each plan of building furnished for sanction in the following form:— "Certified that I shall not on later date

make any addition or alteration to this plan so as to convert it for use or allow it to be used for two separate flats per floor/per storey." (3) Notwithstanding anything containing in the preceding sub-rules, one additional bath-cum-W.C. for attendant may be allowed in each building, over and above the permissible numbers having minimum size as specified in rule 117. The said bath-cum- W.C. will be the integral part of the whole building: Provided that one room for watchman with attached bath-cum- W.C. may be provided at car parking space of co- operative building, the floor area of which shall not be counted in floor area ratio. The floor area of such room shall not be more than 10.00 sq. m. and that of the bath-cum-W.C. shall not be more than 3.00 sq. m.: Provided further that one room for watchman with attached bath-cum- W.C. may be allowed at the roof level of all existing buildings not exceeding the height of mumti roof, subject to the condition that the wider side space of all such buildings will be made free from any sort of construction, the floor area of which shall not be counted in floor area ratio. The floor area of such room shall not be more than 10.00 sq. m. and that of the bath-cum-W.C. shall not be more than 3.00 sq. m

114. Basement and floors underground rooms.— Except with the written permission of theAuthority, no person shall construct any basement floor, vault or underground rooms either under or as a part of building or otherwise and this will be considered as a floor and floor area ratio as specified in rules Ill and 112

115. Plinth regulation.— (l) In the main building, no plinth or any part of such building or outer house shall be more than 0.9 m (3-0") and less than 0.5 m (I '-8") above the ground level, the reference ground level being taken as 15 cm above the abutting footpath level or road crown level whichever is higher, vide clause (9) of rule 95. THE KOLKATA GAZETTE, EXTRAORDINARY, FEBRUARY 14, 2007 55 (2) The minimum plinth height in respect of bathroom and water closet only may be reduced, provided the required slope for drainage up to the manhole is available. For this purpose, the minimum plinth height has been fixed as 30.48 cm (i.e. I '-0") only. In no case the rules of minimum height and size of the room would be relaxed. (3) The minimum floor level of the garage shall be 15 cm above ground level. (4) Every interior courtyard shall be raised at least 30 cm above the footpath of the abutting street, and shall be satisfactorily drained

116. Height regulation.— (1) The height of all rooms for human habitation shall not be less than 2.75 m (91-0") measured from the surface of the floor to the lowest point of ceiling and beam. (2) The height of Bathroom, water closet and stores, measured from the floor to the lowest point of ceiling or beam, shall not be less than 2.29 m (7'-6"). (3) The height of the kitchen, measured from the floor to the lowest point of ceiling, shall not be less then 2.75 m (9 ft): Provided that the maximum height of each floor of any residential building shall be restricted to 3.6 m unless and otherwise specified in the guidelines of National Building code. (4) The ledge or tand shall have a minimum head room of 2.1 m (7 ft). (5) The loft shall have a minimum head room of 2.29 m (7-6")

117. Size of room.— (1) No habitable room shall have a floor area of 9.50 sq. m. except in the case of hostels attached to recognised institutions and in Industrial or Low Income Housing Schemes where the size of habitable rooms or the residence ofa single person shall be not less than 7.45 sq. m. (2) A kitchen shall have a floor area of not less than 4.20 sq metres and shall not be less than 1.52 m in width in case of plots having an area up to 167.2 sq m and shall have a floor area of not less than 5.57 sq metres and shall not be less than 1.83 m in width in case of plots having an area of more than 167.2 sq m. In case of Industrial or Low Income Group Housing Scheme, the minimum floor area of kitchen shall be 3.4 sq m. A kitchen, which is intended for use as a dining room also, shall have floor area of not less than 9.29 sq m with a minimum width of 2.5 m. (3) Every bathloom shall have a floor area of not less than 1.80 sq m for which the smallest side shall not be less than 1.22 M and if a water closet room is combined with the bathrom, the floor area shall not be less than 2.80 sq m and the smallest side shall not be less than 1.22 m. Every water closet shall have a floor area of not less than 1.10 sq M for which the smallest side shall not be less than 0.9 m. The minimum floor area of bathroom and water closet in the case of Industrial or Low Income Group Housing Scheme shall be 1.53 sq m and l. IO sq m respectively. (4) A ledge or tand in a habitable roof shall not cover more than 25% of the area of the floor on which it is constructed and shall not interfere with the ventilation of the room under any circumstances

118. Lighting and Ventilation of rooms.— (l) (a) Every habitable room shall have, for the admission of light and air, one or more fixture, such as windows, fan, lights, opening directly to the external air or into

an open verandah, and of an aggregate area, inclusive of frames, of not less than 1/ 10th of floor areas. Note (l): If a window is partly fixed and partly openable, only the latter area will be counted for the above purpose. Note (2): No portion of a room shall be assumed to be lighted, if it is more than 7.5 m (25 ft) away from the door or window which is taken for calculation as ventilating that portion. (b) Cross ventilation by means of windows shall be effected in at least one living room of a tenement either by means of windows in opposite walls, or if this is not possible or advisable, then, at least in the adjoining walls. (2) In the case of mechanized light and ventilation, the standards shall be such as to give the same intensity of ventilation as is provided in sub-rules (l) and (3) and subject to the approval of the Authority, provided alternative arrangements to ventilating and lighting the room according to the standards laid down in sub-rules (l) and (3) have also been made. (3) Bathrooms and water closets shall be provided with natural light and permanent ventilation by one of the following means:— (a) windows having an area of not less than IO per cent of the floor area and located in an exterior wall facing 56 THE KOLKATA GAZETTE, EXTRAORDINARY, FEBRUARY 14, 2007 a street alley yard or an airshaft whose dimension in the direction perpendicular to the window is not less than 1/3 of the height of the building on which the window is located subject to a maximum and a minimum limit of 6 m (20 ft) and I m (3 ft) respectively; (b) skylights, the construction of which shall provide light and ventilation as required in clause (a); (c) ventilation ducts, provided such ducts have 1.30 cm2 of area for each m2 (2 in2 of area for each ft2) of floor area with a minimum total area of 330 m2 (48 in2) and a least dimension of 9 cm (3h in). The vent register or grills to the duct shall be located in or next to the ceiling or the ventilated space. A separate duct from each space or room shall run to and above the roof and shall be provided with a lowered vent stack: Provided, however, that when an exhaust fan is used, the duct opening may be located in an outer wall. (4) Stores Box Rooms and the like shall have at least half of the ventilation required for living rooms. Where such ventilation by apertures in walls is not possible or advisable, at least there shall be ventilation by means of a flue or chimney. (5) Laundry and recreation rooms located above the basement shall be lighted by windows located in exterior walls having openings of not less than IO per cent of the floor area. (6) Every kitchen shall be ventilated according to the standards prescribed for habitable rooms near the ceiling as far as possible. Each kitchen shall be furnished with smokeless chullas subject to the following conditions: (i) smoke shall not come out during the time of firing and cooking; (ii) each kitchen shall be provided with a separate chimney; (iii) chimneys provided for smokeless chullas shall be made of suitable diameter; (iv) suitable provision shall be made at the bottom of chimney for clearing. (7) Every staircase shall be lighted and ventilated from an open air space of depth (measured horizontally) not less than,— (i) 3 m (10 ft) in case of ground and one upper floor structure; (ii) 4 m (15 ft) in case of ground and two upper floor structures; (iii) 6 m (20 ft) in case of further higher structures: Provided that the lighting area shall be not less than I m (10 sq. ft) per floor. Note.—Every staircase shall be ventilated properly

119. Other requirements.— (1) Every bathroom or water closet shall— (i) (ii) (iii) (iv) (v) (vi) be so situated that at least one of its walls shall be open to external air; not preferably be directly over or under any room other than another latrine, garage, washing place, bath or terrace, unless it has a water-tight floor; have the platform or seat either plastered with cement or made of some water-tight non-absorbent material; be enclosed by walls or partitions of bricks. Surface of every such wall or partition shall be furnished with a smooth, impervious material, such as cement plaster 1.3 cm thick or glazed tiles or polished marble or any suitable materials to a height of not less than 1 m (3 ft) above the floor of such a room; be provided with an impervious floor covering sloping towards the drain; and have a floor level of such a height as to ensure suitable grade towards the sewage drain. (2) Every room to be used as kitchen shall have (i) a floor area as provided under rule 117(2); (ii) either a suitable flue for the escape of heated air or an approved form of smokeless chulla; (iii) a height as provided in rule 116(3); (iv) unless separately provided in a pantry, means for the washing up of kitchen utensils which shall lead directly or through a sink to a grated and trapped connection to the waste pipe

120. Drainage of roofs.— The roof of a building shall be so constructed or framed as to permit effectual drainage of the rain water therefrom by means of a sufficiency of rain-water pipes of adequate size so arranged, joined and fixed as to ensure that the rainwater is carried away from the building without causing dampness in any part of the walls or foundation of the building or those of an adjacent building. THE KOLKATA GAZETTE, EXTRAORDINARY, FEBRUARY 14, 2007 121. Water tanks and cisterns.— 57

(l) A tank or a cistern constructed with a building and intended for storage of water for human consumption or domestic purpose •shall comply with the following requirements:— (i) the Authority shall supply water at the ground level only and any arrangement for lifting the water by means of pumps to a suitable height and distribution of water in the building shall have to be done as per approval of the Authority. For this purpose, construction of house tanks shall be made at suitable levels in every household operated by properly checked ball valves; (ii) no household up tap connections should be taken direct but through house tank. (2) The tank of high level for distribution of water in the premises shall be constructed of metal reinforced cement concrete or lined with metal or metal sheets and be of such a design, weight and quality as has been approved by the Authority. The tank or cistern at ground level or below ground level for receiving supply from the water mains is to be constructed in the wider side and/or the back space (leaving) 1.52 m for the back boundary line or within the built up area or partly between the side space, back space and the built up area. The depth of foundation of the tank shall not exceed 0.75 m (2-6") from the ground level, the ground level being taken as 8 cm (0'-3t') above the abutting footpath. This tank shall be water tight, properly covered over and shall be constructed of reinforced concrete or brick work in cement mortar or designed according to a manner approved by the Authority and shall be rendered inside with cement mortar. (3) The tank shall be provided with a draw off pipe, tap or other apparatus the invert of which shall be not more than 5 cm (2 inch) high from the bottom of the tank. (4) The tank shall be provided with an overflow pipe which shall— (a) be so located and fitted as to prevent entry of animals and insects; (b) not be connected to a drain or sewer; (c) have an open end to permit the overflow pipe to serve also as a warning pipe; (d) have to be so located that it is open for inspection by any person authorized by the Authority: Provided that, in the case of any building specified in sub-rule (2) of rule 93, the tank or cistern at ground level or below ground level is to be constructed in any space excepting fixed from open space

122. Pipes and Fittings.— All pipes including all bends, junctions, tees, and elbows and all fittings used in connection with, or forming part of, the sanitary installation of a building or for the supply and distribution of water to and in a building shall be made of such material and be of such manner as may be approved by the Authority

123. Sinks.— (1) A sink shall be so located that at least one of its sides will be against an external wall or in a window recess or in a position to ensure suitable connection. (b) (c) (d) (b) (c) Sinks shall be constructed of glazed stoneware, enameled fireclay or other equally suitable material; they shall be of such shape as will facilitate their maintenance in a state of cleanliness; no wood work shall be used for covering any such sink; the bottom of the sink shall slope towards the outlet. A pipe shall be joined to the sink by a bell mouth at the bottom of the sink having its internal diameter about one inch larger at the sink than at the other ends; the sink outlet shall be fitted with a brass grating and a plug; the sink waste pipe shall have an internal diameter of not less than 5 cm (2 inch) and shall be preferably provided with a trap of drawn lead or other equally suitable material fitted with a brass cleaning screw at the bend

124. Privy.— No other privy except connected privy discharging into the underground sewerage system shall be constructed in ariy building. The floor of every privy shall be made of cement concrete Patent stone or vitrified or well-pointed earthen tiles or mosaic and shall be in every part at a height •of not less than thirty centimetres above the level of the surface of the ground adjoining the privy. The floor of every connected priyy in which the opening of the pan is placed on the level of the floor shall have a fall or inclination towards the pan of at least one in twenty four. Every connected privy situated in a building shall have opening of not less than 0.55 sq meters in area in anyone of the walls of the privy as near the top of the wall as may be practicable and communicating directly with the open air. 58 THE KOLKATA GAZETTE, EXTRAORDINARY, FEBRUARY 14, 2007 125. Flushing of connected privies and urinals.— (1) Every connected privy shall be provided with suitable water-cistern, so arranged as— (a) to discharge direct into the pan of the privy not less than thirteen litres of water each time the cistem is used, and (b) to prevent water being drawn from the cistern for any other purposes. (2) All waste pipes and overflow pipe attached to such cistern shall terminate in the open air and a cut off from all direct communication with any drain. (3) Every connected urinal shall be provided with adequate flushing arrangements to the satisfaction of the Authority. (4) For the purpose of supplying water to the flushing cistern of a connected privy or connected urinal, a reserve tank of such capacity as may be specified by the Authority shall be provided at a height sufficient to supply the cistern with water: Provided that the

minimum size of a privy shall be 1.10 m2 (12 sq ft). The wall of the privy shall be lined internally with smooth impervious non-absorbent coating of rest Portland Cement and shall be of not less than I .27 cm thickness or of the glazed tiles or polished marble to a height of not less than 91 cm: Provided further that every connected privy and connected urinals shall be provided with a pan of such form and dimensions as may be approved by the Authority: Provided also that every connected privy and connected urinal shall be provided with an air-tight water-trap immediately below the pan

126. Syphon-trap and Anti-syphonage Pipe.— (l) Every connected privy and connected urinal shall be provided with a syphon trap which shall be proof against syphonage. (2) In all cases where a connecter privy or connected urinal is more than one storey high, an anti-syphonage pipe having an internal diameter of not less than fifty millimetres shall be provided, and such pipe shall be carried independently to a height of at least sixty centimetres above the roof of the privy or urinal or the roof of the building in which such privy or urinal is situated. (3) No 'container' or other similar fittings shall be placed under the pan of a connected privy or connected urinal and no trap of the kind known as a 'D trap' shall be used with any such privy or urinal

127. Soil pipe for connected privies and connected urinals.— (l) Every connected privy and connected urinal shall be provided with a soil pipe for carrying sewage to a city sewer. (2) Such soil pipe shall be provided with air-tight joints, and if it be placed above ground, shall be made of metal approved by the Authority. (3) Such soil pipe shall, in addition to the prescribed trap, be provided with trap placed at some point between the privy or urinal and the sewer referred to in sub-rule (l). (4) Such soil pipe shall be ventilated by direct communication with the open air and if the privy or urinal is situated in a building, the pipe shall be carried outside the building. (5) The soil pipe shall have to be connected to the sewer line through a master trap

128. Rain-water pipes.— (l) Rain-water pipe shall be a least 75 millimetres (3 inches) in diameter and be constructed of cast-iron, wrought- iron, PVC glazed •stoneware, asbestos or other equally suitable materials and shall be securely fixed. (2) The mode of drainage of rain water shall be as approved by the Authority. (3) The drainage from the roof and compounds, paved or un-paved, will be permitted to flow over footpath into the kerb drains and ultimately into gully pits. Drainage from roof or compound, paved or un-paved, must not discharge into or be connected with any soil pipe or soil ventilation pipe or any waste ventilating pipe nor shall it discharge into sewer

129. House Drainage.— No drain pipe or spout from any floor shall be allowed to directly discharge on footpath or road. Drain shall be constructed up to street gutter

PART I] THE KOLKATA GAZETTE, EXTRAORDINARY, FEBRUARY 14, 2007 59 130. Instruction.— (l) The Authority may, at all reasonable, normally between sunrise and sunset, enter into or upon any premises for inspection of sewer lines, manholes and allied connections and cleaning or maintenance of the same, as necessary. (2) (a) Before construction of building as per sanctioned building plan, the plot-holder must submit his sewerage and, water supply plan for sanction. (b) The following shall be observed in connection with preparation of the sewerage and water supply plan: The sewer and water connection plan shall show the ground floor plan of the building alongwith .the property lines, alignment of water and sewer line position of Master Trap inspection pit, Yard gully, sinks traps ground or underground water reservoir and also the departmental Manhole. A section of the underground or ground Water Reservoir shall also be given. (ii) (iii) (iv) (v) (vi) Only the domestic water from bath, water closets, and Kitchen shall be led to the sewerage system; Rain and Storm Water from roof-top and Yard washing shall be led to kerb drains of the adjoining roads; Kitchen wastes shall be diverted to waste water pipe of bath and water closets through and intercepting trap to be located at Ground level; the house connection pipes projecting from adjoining sewer manhole are the properties of the project authorities and shall not be interfered with or connected to the internal sewerage line of the plot without the expressed permission of the Authority; the internal sewer line shall be connected to the house connection pipe of the main sewer line only through a master trap of approved design and quality; person making connection of the internal sewerage line with the main sewer line without proper permission and payment of necessary charge as specified in rule 151 are liable to pay penalty under the Act; (vii) A certificate as specified below shall be furnished by the owner of the plot on the body of each of sewerage and water supply plan submitted for sanction:— "Certified that I have full knowledge of the procedure that the sewer connection to the

Authority's manhole is to be done strictly under supervision of the Authority's staff and that any unauthorised connection will be disconnected"

131. Disconnection of sewer and water line for violation of rule.— The Authority reserves the right to disconnect any connection made in violation of the provision made in sub-rule (2) of rule 130

132. Architectural features.— The Architectural features and designs of all buildings and structures must be to the satisfaction of the Authority who reserves the right to reject any plan after recording the reasons for such rejection

133. Maintenance.— The Authority shall be empowered to demand that owners undertake at their own expense any maintenance work that it deems necessary for decorative repair of building. Such work shall be completed within the period specified in the covering notice

134. Verandah and Advertising Sign.— The appearance of all verandahs advertising sign and similar projection shall be subject to the approval of the Authority, which may demand that such existing structure be altered where necessary at the owner's expense so as to conform harmoniously with the neighboring area

135. Unfinished Buildings.— No building shall be left with unfinished portion including projecting reinforcing bars which in the opinion of the Authority are unsightly unless the permission prescribing conditions with respect to the structure and the period for which such permission remain valid

136. Clearing of Site.— As soon as any building is completed, all rubbish, refuse or debris of any description shall be removed, to the satisfaction of the Authority, by the Owner from the site or sites on which building operations have been carried out or from any adjoining land which may have been used for deposition of materials or debris. 60 THE KOLKATA GAZETTE, EXTRAORDINARY, FEBRUARY 14, 2007 137. Masts.— All wires, poles, masts, stays, struts, lighting conductors and similar fixtures on new buildings shall be straight and of good appearance

138. Unsightly Materials.— The use of any disfigured or damaged materials which, in the opinion of the Authority, results in an unsightly appearance of a building shall not be allowed

139. Sheet Metal and Barbed wire fences.— No sheet metal or barbed wire fence visible externally shall be erected on the frontage line or street line, the design whereof has been approved by the Authority

140. Parks and Gardens.— Owners of parks or gardens visible from the streets shall plat, replace or maintain trees as per the laws in force and shall not in the opinion of the Authority having jurisdiction, conflict with the aesthetic appearance of the neighborhood

141. Decoration.— (1) Monuments, decorative and monumental fountains, bridges and viaducts and in general, the decorative and ornamental features of public gardens and squares shall be built only after the approval of the Authority has been obtained, and the Authority may, in addition to drawings, demand the submission of photographs or perspectives of the composition so that the artistic value of the project will be more efficiently and effectively illustrated. (2) The colour combination or painting or such other treatment at the facade of each building shall be got approved by the authorized architect of heritage committee which reserves the right to reject any such colour combination or painting or treatment if, in its opinion is not aesthetic in its appearance. (3) Where several facades constitute architectural composition, painting or such other treatment shall only be allowed where no aesthetic disfigurement can result to the composition as a whole

142. Structural feature.— (1) All structures shall be so designed, built and maintained that under the conditions of dead and live loading the stresses in any of the material of construction or in the material on which a structure rests shall be well within the safe limits. (2) In case there is a building or structure in the adjoining plot, all precautionary steps shall be taken by the plot owners against and flowing into the frenches from the sides before the execution of foundation is started. For that purpose, shorting shall be done in all excavation works. Shorting shall be of tongues and grooves type. The height of shorting shall be such that it may rise up to ground level by 2 feet and cover the depth to be excavated. The responsibility for any damages sustained by any existing building in the adjoining plots due to flowing of sand in the excavated trenches will be entirely on the plot owner(s) excavating the trenches. (3) The foundations of every building shall be so designed and constructed as to sustain the dead load of the building and the superimposed load and transmit the load to and distribute them over the solid in such a manner that any pressure brought to bear on the soil by these loads shall not exceed the safe bearing capacity of the soil. With this end in view, the Engineer or Architects or Architect Engineering Firm will so design the foundation that the same may be safe in consideration of the normally varying bearing capacities of soils in different regions of the Salt Lake Township and the possibility of total settlement or any unequal settlement, a certificate as specified below shall be furnished by the Engineer or Architect or Architect Engineering Firm in the body of each plan of building fumished for sanction (provisions of rule 15 along with all sub clauses as applicable shall be followed): "Certified that the foundation and the superstructure of the building have been so designed by me/us will make such foundation and superstructure safe in all respect including the consideration of bearing capacity and settlement of soil etc.". Provided that pile foundation may be allowed for a Multistoried Building. In this case Lessee shall submit an Indemnity Bond stating that he will be responsible for any damage in adjoining area, during or after pile driven and he will pay the entire cost of damage as will be assessed by the Authority. (4) (a) No construction shall be done except in masonry works, Every building. except in case of open building, shall have outer walls

forming a part thereof constructed of brick, stone or other hard and incombustible substance approved by the Authority, All walls of masonry building shall be properly bonded: (b) Single brick thick, that is, 25 cm (10") load bearing walls, can be adopted up to three storied residential building if constructed in cement mortar of requisite proportion; PART 1] THE KOLKATA GAZETTE, EXTRAORDINARY, FEBRUARY 14, 2007 61 (c) in the case of residential buildings or flats where maximum height of rooms measured from the surface of the floor to the ceiling is restricted to 2.75 m (9'-0"), load bearing walls of 25 cm (IO") thick can be adopted up to four storied buildings, provided good bricks of 70 kg/cm2 strengih are used with cement mortar as specified by the National Building Code; (d) every wall of masonry building which is exposed to external air shall, in no case, be less than 25 cm in thickness: Provided that where load-bearing walls of 25 cm (IO" thick) has been specified, use of 20 cm thick modular brick work may also be adopted up to three storied buildings only. In case of outer wall (not being load-bearing), 20 cm thick modular brick work may be adopted in all cases. (5) Every wall of masonry building shall have a damp proof course at the level of the ground floor. Such damp proof course may consist of asphalt, cement concrete, or any other durable material impervious to moisture. (6) Unless otherwise specified in these rules, specification and methods of construction shall conform to the provisions made in the National Building Code

143. Boundary wall.— No boundary wall shall exceed 2 metres in height. On the road side, the solid portion of compound walls shall not exceed 1.5 M in height. The foundation of the Boundary Wall below ground level shall not encroach upon any adjacent land outside the plot area

144. Staircase.— (l) In every domestic building, more than one storey in height, the principal staircase shall have a width of not less than I metre in every flight: Provided that where the building is constructed or adopted to be Occupied in flats or tenements, the width of the principal staircase serving more than two suites per floor shall be increased by 8 centimetres in every flight for every additional suites on a floor. (2) Every such staircase shall be adequately lighted and ventilated by windows of not less than I sq. metre in area per storey. (3) No wooden staircase will be allowed. (4) Minimum clear head room in any staircase shall be two metres and twenty five centimetres as measured from the top of the riser to the lowest position of the ceiling or beam perpendicularly above it. (5) Every staircase shall be provided with treads of not less than twenty-five centimetres in width and not more than eighteen centimetres in rise without winders with landings of width not less than that of the staircase. The treads and rise of each flight of stairs in such staircase shall be of uniform width and height. (The staircase landing from first floor and above may project from the building line in the wider side space up to a maximum width of I metre only.) Clear height of such projected landing above ground level shall be 2.25 m minimum. Similar projection of I metre of staircase landing from the building line may also be allowed in the back space for corner plots where no wider side space exists or where the wider side space is reduced to counterbalance the difficulty in planning, but a clear gap of 1.5 metre must always be kept from the property line. Further projection beyond this line will, however not be allowed in the shape of chajja or in any other form. This projection will, however, not be allowed in back spaces for rectangular plot, nor in the front spaces or in the narrower side spaces of any plot. In the case of buildings other than residential or hazardous building, a staircase shall be provided for every 300 persons who are expected to use the building. No staircase shall be less than 1.5 metre (5 ft) in width and the farthest corner of the building shall not be more than 18 m (60 ft) distant from the staircase. The width of landing at the roof level for all categories of plots shall not be wider than the minimum width of stair flight: Provided that lift (as per provisions of rule 63) shall have to be provided for a building beyond 13.5 m height from the Ground Level but the lift machine room will be as per latest edition of the National Building Code. The lift machine room will not be included while calculating floor area. Note.—Lift may also be provided in any building other than mentioned above as per norms stated in these rules. 145, Worship room/meditation room within staircase at roof.— A floor over stair flights only in the stair room (mumti) may be constructed by raising the roof level with provision of additional steps, if required, for the purpose of having space for puja. In no case the area of staircase room shall be increased at the roof level for an additional space. Height of puja room shall not exceed 2.28 m (7' 6")

146. Asbestose Cement or Corrugated Iron sheet roofing to garage and staircase top.— Asbestos cement or corrugated iron roofing to open space garage and staircase top may be constructed in place of R.C. roofing. 62 THE KOLKATA GAZETTE, EXTRAORDINARY, FEBRUARY 14, 2007 147. Lofts.—

Lofts will be permitted over store room, bath room and over passages, but in no case will each separate loft exceed 5 sq. metre in area. This will not, however, be considered while calculating the F.A.R

148. Parapet wall.— The height of the parapet wall on the roof shall not exceed 1.25 metres

149. Garage.— Minimum size of a private garage within the built up area shall be 9.60 sq. m and minimum clear height and width of garage shall be 1.83 m (6 ft) and 2.25 m (7'4") respectively. The floor of the garage shall have adequate slope for drainage into a grated and grease trapped connection to the soil pipe of the sewage system

150. Carriageway leading.— Can-iageway leading will be allowed in each plot. The carriageway leadings will be constructed under the supervision of the Authority as per written requirement of the lease-holder of the plot. The cost of supervision charge will be borne by the applicants

151. Sewerage and water supply connections.— (l) The plot owners shall have the right of connecting their private sewerage and water supply lines with sewerage and water supply system of the Municipality and shall derive the benefit of those services only after obtaining specific written permission from the Authority and on payment of connecting fees and other charges under the Act and for complying with the following requirement: "The private line of sanitary sewers and water distributions shall be laid by, and under the supervision of, a plumber or plumbing firm registered with the Authority and the plot holder shall apply for water or sewer connections in form 'K' (in duplicate) as a pre-requisite" (2) Five copies of the sewerage and water supply plans shall have to be submitted for sanction to the Authority in the manner as mentioned in clause (b) of rule 96. (3) (a) For obtaining sewerage and water supply connection to the building from the supply mains, the owner of the building shall have to obtain a clearance certificate for each floor of the building from the Authority to the effect that no deviation or departure has been made in the building from the sanctioned plan and that sewerage and water distribution system of the building have been done as per sanctioned plan. The clearance certificate in form 'J' will be along with the occupancy certificate in form 'H' issued after final inspection of the building which will be carried out on receipt of requisite intimation from the owner of the building in form 'G' under rule 33. (b) (i) The Sewer connection to the Authority's Manhole and/or water line connection to the Authority's water line is to be done strictly under supervision of the officers and/or staff and/or agents authorised for the purpose by the Authority and, for this purpose, the charge as may be estimated by the Authority having regard to the rest of materials, labour and overhead at the prevailing market rate are to be deposited earlier. (ii) Any unauthorised sewer connection or water line connection will be disconnected forthwith without giving any prior notice to the owner or occupier of the building. (4) (a) The Authority may, in its discretion, give temporary supply of water for construction purpose on payment of charges at the rate of Rs. 25/- per month, subject to the condition that water charge for six months shall be paid in advance initially. For continuation of water supply for construction purpose beyond six months, the plot-holder shall pay monthly charges in advance. In case of default, water supply will be disconnected forthwith without giving any notice to the plot owner. (b) The Authority reserves the right to forthwith disconnect temporary water supply connection if, on inspection, it is observed that water is being wasted by negligence of the plot owner or the labour working in his plot

152. Garbage disposal.— A removable garbage bin of specified material and size with a lid will have to be provided by the owners or occupiers and kept within the open space of the premises easily accessible to Government staff. Throwing garbage on street or on adjacent vacant area is strictly prohibited. THE KOLKATA GAZETTE, EXTRAORDINARY, FEBRUARY 14, 2007 153. Rules relating to open space regulation of Building where Block allotment is made.— 63 (1) Residential: (a) Front Space (b) Side Space (c) Back Space 2.00 meters fixed; 1.20 meters minimum on narrower side and 3.70 meters minimum on wider side; 7.00 metres minimum. Note.—Covered area shall not exceed 40% of the gross area. (2) Any plot of 4 K or above for all other categories of buildings eg. Office/Hospital, Institutional, Commercial, Business, Assembly, Mercantile, Industrial, Storage etc. shall comply with the following rules for obtaining building permit:— (i) Maximum Ground Coverage - 40% (ii) FAR for road access of 9 meters, 10 meters and above 17 meters shall 1.5, 2.5 and 4.0 respectively; (iii) Statutory open Spaces— (Open spaces around the building) For building below 18 m height Provisions of the rule 50 may be followed, For building above 18 m height all around set back of 6 m to be increased by I m for every 3 m height increase. Provided that a "No objection" certificate shall be produced from the authorities as

indicated below for construction of office or hospital on any plot of 4 K or above:— (a) the West Bengal Fire Services Directorate, (b) the Director of Factories or Industries, Government of West Bengal, (c) the West Bengal Pollution Control Board, (d) the West Bengal State Electricity Board, and (e) the Public Health Engineering Directorate, Government of West Bengal

154. Buildings on Plots meant for use in part as shops on the ground floor.— (1) Shops of some approved categories only will be permitted in shop allowable plots. No area for shops dealing with building materials such as Cement, Steel, Brick, Sand, Lime, Soorkee and such edible items as meat, fish, vegetable, is permitted. The decision of the Authority as to whether a particular category of shop will be permitted or not will be final. (2) Shops as road-fronts only will be permitted. In corner plots, shops on one side only as shown in the layout plan will be permitted. Depth of shop room shall not exceed 20 ft from the front building line. (3) Minimum front opening of shop rooms shall be 3.04 metre (10'4"'). The plinth of the shop room may be towered to 0.25 m notwithstanding anything contained in rule 115. (4) A cantilever verandah projecting up to the property line shall have to be constructed by the owners at the first floor level all along the road frontages of the buildings. The weather board will also have to be taken down from the above verandah to the height of 2.75 M (9'0') from the ground level. This verandah will not be considered in the calculation of FAR. (5) The plot-holder shall ensure that the portion of pavement or public road is not encroached with building materials used for construction. The Authority sanctioning the building plan shall have the right to disconnect the temporary water connection of the plot holder as allowed under clause (a) of sub-rule (4) of rule 151 and take such further action as may be considered necessary for the removal of the said encroachment

155. Structural design.— (i) Provisions of rule 86 in respect of proper structural design with seismic resistance for all structures beyond IO m in height to be followed: Provided that in the case of any building exceeding 14.50 meters in height, the Board of Councillors, for reasons to be recorded in writung and with the previous approval of the Superintending Engineer of the Municipal Engineering Directorate, Government of West Bengal, having jurisdiction over the concerned municipal area may sanction those schemes as special cases if not otherwise covered by any law for the time being in force. The Superintending Engineer will make his recommendation on the basis of Structural Stability Certificate given by the empanelled LBA/Structural & 64 THE KOLKATA GAZETTE, EXTRAORDINARY, FEBRUARY 14, 2007 Geo-technical Engineer and he will also consult the Land Use and Development Control Plan, if any, of the concerned municipal area before giving such approval. In such cases, the following shall be applicable in addition to other rules under the Act. The certificate of structural stability is to be furnished in the following manner by the empanelled LBA, Structural Engineer and Geo-technical Engineer. Certificate of Structural stability We hereby certify that the foundation and superstructure of the building proposed for construction on plot .... Street . .. Ward No. .... have been so designed by me/us will make such foundation and super structure safe in all respect including the consideration of bearing capacity and settlement of soil etc. Signature of LBA (Name, Address and Empanelment No.) Signature of Structural Engineer (Name, Address and Empanelment No.) Signature of Geo-technical Engineer (Name, Address and Empanelment No.) All such technical personnel are required to be empanelled with the concerned Municipalities. In case, the system of empanelment has not been introduced in any particular Municipality, the requisite certificate from the empanelled Structural Engineer and Geo-technical Engineer under Kolkata Municipal Corporation or any other Municipality may be asked for. (ii) for fire protection provisions of rules 76 to 80 to be ensured; (iii) parking Space (off street) : should be as per provisions laid down in rule 52 for all categories of building on plot area 4K and above. (iv) All tall buildings should be designed as green buildings with Carbon credit and provisions of Photovoltaic films for utilizing Solar Energy, RWH, Sewage recycling, with dependency reduced to 50% on the external Power sources, using non-conventional energy potentialities. Provisions as per rules 169 to 174 are to be ensured in all cases wherever applicable

PART X1 Special Provision for Municipalities in the Hill Areas 156. • Special Provisions.— Notwithstanding anything contained elsewhere in these rules, the special provisions of this part shall apply only to the Municipalities or Notified Area Authorities in the hill areas and shall be construed to be in modification of, or to supplementing, the other provisions elsewhere in these rules in their application to the Municipalities or Notified Area Authorities in the hill areas. Anything not covered under the special provisions shall be guided by the provision made elsewhere in these rules or the Act

157. Criteria of using a piece of land as a building site.— (l) No piece of land shall be used as a building site, unless the Board of Councillors is satisfied that (a) land record is in conformity with the proposed construction; (b) the site of such building abuts an all weather public street or a projected public street or a private street or footpath or passage and is not less than 1.50 metres wide at any part, duly sanctioned and constructed and recorded in the Books of Municipality in accordance with the provisions of the Act or any other law in force immediately before the commencement of the Act: Provided that no building shall be erected so as to deprive any other building or building site of the means of access as specified above; (c) the site is at least 100 sq. metres in area; (d) the land is capable of being well drained by means of drainage facilities leading to the existing public drainage channel or jhora or under course of natural drainage line; (e) the site is reasonably secured from danger from hillside slips from above, below, or the sides; (f) the soil of the site is likely to sustain the construction of a building thereon; and, for sites with inclinations of 300 and above or for proposed building above 6.5 metres in height or 500 sq. metres in coverage, such sustainability shall be justified, at the cost of applicant, by prior testing of soil and certification of stability of slopes and buildings conforming to the relevant codes of Bureau. of Indian Standards including— THE KOLKATA GAZETTE, EXTRAORDINARY, FEBRUARY 14, 2007 (i) BIS : 2070 : IS Code of practice for design and construction of shallow Foundation on rock; 65 (ii) BIS : 3063 : IS Code of practice for structural safety of building on shallow Foundation on rock; (iii) BIS : 4243 (Parts I & 11) : Selection and development of site in hill areas-guidelines. Note.—Detailed geotechnical investigations, testing and certification, in such cases, shall be carried out by a competent geotechnical engineering organization or firm, recognised by the Board of Councillors. Explanation: soil will also include rocks, boulders, laterite. (g) the building site does not contain any portion which forms a component of the open spaces prescribed under the regulations for any other building or building site thereof; (h) (i) no part of the land is located within 200 metres from the boundary of a sinking zone or probable slip zone, designated in a meeting by the Board of Councillors; or, (ii) within an area of distress or possible unequal settlements with wide fissures, regular cracks, faults, voids, rock, debris or landslides caused by subsidence or erosion, filling and disposal dumps including solid waste disposal or organic materials, or; (iii) it is located within an area showing high water table and fully saturated soils with a possibility of liquefaction and settlement on exposure to earthquakes or of water seepage in the foundations and erosion, or, (iv) any other vulnerable area identified by the Board of Councillors, as unsafe for environmental, geological, ecological, wind, drainage or any for other reasons; (i) no piece of land is located within five metres in any direction of the outside edge of such water courses; (j) adequate drainage measures and protection work as specified in rules 166 and 167 shall be taken by the applicant at his own cost if it is located on the permanent shadow zones of ridges and spurs or at the bottom of the valleys or gorges or located by nature of its orientation in a zone as identified by the Board of Councillors to be inadequately sunlit so as to make it unfit for human habitation, if any; (k) the site has not been subject to repeated blasting or, was a former quarry; (l) where the site is within five metres of any side of a tank, the owner will take such measures as shall prevent any risk of the drainage from such building passing into the tank; (m) where the site is within five metres of any side of a tank, water reservoir, jhora or natural spring, water source or natural drain or within two metres from either side of water pipe, sewer line and/or other underground utilities, the owner shall take such measures at his own cost, which shall prevent any risk of damage or landslide thereto by construction of such buildings. Note.—The distance shall be measured from the outside edge of the jhora or drain or pipeline, as the case may be, on either side. In case of jhoras, such protection measure shall also have to be taken by the owner, at his own cost if the site is within 30 metres of jhora; (2) No piece of land located in Central business area as determined by the Board of Councillors or in sinking zone or areas of distress with cracks caused by subsidence or slides or any other areas identified by Board of Councillors, with reasons to be recorded in writing, shall be used as a building site without prior approval of the State Government. (3) No piece of land where a closed, sick or other industry was located or is in operation, shall be used as a site for construction of any building, other than an industrial building, without the prior approval of the competent authority appointed under clause (d) of section 2 of the Urban Land (Ceiling and Regulation) Act, 1976 (33 of 1976)

158. Application for approval of sites and for permission to construct or reconstruct buildings other than huts.— (l) Before submission of the building plan, approval of the building site has to be obtained, Note.—The applicant may simultaneously submit the site plan and building plan to the Municipality for

approval at his own risk and cost. But the Municipality shall consider the building plan submitted for approval only after the site plan is approved. In case the site plan is not approved, the submitted building plan shall also be treated as not approved. (2) Application, under sub-rule (1) submitted in Form A, shall state inter alia the proposed use of the land as per use group provided in the Act. (3) Every application, specified in sub-rule (l) shall be accompanied by a site plan in triplicate and the reports and/or recommendations of tests for soil and stability of slopes, as and where applicable under rule 157 together with a fee as specified in rule 4. The site plan shall be drawn to the scale of not less than one centimetre to six metres and shall be signed by the applicant and by the Licensed Building Surveyor or Architect as required under rule 161 with a certificate to the effect that the site has been inspected personally by the Licensed Building Surveyor or the Architect, as the case may be. 66 THE KOLKATA GAZETTE, EXTRAORDINARY, FEBRUARY 14, 2007 (4) Every site-plan specified in sub-rule (3) shall show or state on the body of the sheet showing the site plan the following:— (a) (b) (c) (d) (D (g) (h) (i) (j) (k) (l) (m) (n) (o) (p) (q) (r) the boundaries of the building site and of any contiguous land belonging to the owner thereof with number assigned to the plot or the premises; the position of the building site in relation to neighboring streets with dimensions; the name of the street on which the building site abuts; the position of the proposed building and of all other buildings including existing buildings (if any) which the applicant intends to erect upon his contiguous and referred to in clause (a) in relation to— (i) the boundaries of the building site and, in case where the site has been subdivided, the boundaries of the portion owned by the applicant and also the portions owned by the other owners, and (ii) all adjacent streets, buildings and premises within a distance of 12.00 metres of the building site and of the continuous land (if any) referred to in clause (a); the use or occupancy of all the buildings; the direction of North Point; the means of access from the street to the proposed building and to all other buildings (if any) which the applicant intends to erect upon his contiguous land referred to in clause (a); the schematic position and approximate height and the number of storeys of all other buildings within 12.0 metres from each side of the building site; the free passage or way in front of the building; the width of the street (if any) in front and at the rear of the building; the means of drainage of the proposed building leading to existing public drains or drainage channels with their location in relation to the building site; the means of drinking water supply to the proposed building indicating the source and the distance from the site including the route through which the pipeline will be laid, if piped water supply is envisaged; the means of power supply to the proposed building on the site, indicating the route through which power supply will be achieved; areas of distress; such other particulars as may be specified by the Board of Councillors; the location of power line, water line, sewer line, natural drainage channel or jhora, road side drain, protective works; location of land slides, if any, on or near the building site in hill areas detected during reconnaissance. The Board of Councillors shall cause to ensure that the building site is away from the slide zone or areas of distress; on a sloping building site in hill areas, proposals for diversion of the natural flow of water coming from uphill side of the building away from the foundation

159. Sub-division of plots.— (l) No sub-division of any plot within the municipal area shall be undertaken without the prior approval of the Board of Councillors. (2) (a) A plot to be sub-divided shall be termed as mother plot; (b) every individual plot obtained by sub-division of the mother plot shall abut a means of access having width of not less than 2.00 metres; (c) this rule shall not apply to a scheme for Economically Weaker Section and Low Income Group Housing approved by the Government; (d) sub-division may beallowed on the condition that the following facilities shall be provided by the owner at his own cost to the satisfaction of the Board of Councillors:— (i) complete drainage facilities in accordance with provisions made elsewhere for the hill areas, ensuring drainage of each individual plot and of the means of access and passages leading to existing public drains or natural drainage channels, (ii) all weather means of access with related protective works, if necessary, along with street lighting, 67 (iii) (iv) (v) (vi) THE KOLKATA GAZETTE, EXTRAORDINARY, FEBRUARY 14, 2007 sanitary facilities including sewage and garbage disposal facilities, water supply facilities, electricity and telecommunication facilities, all individual plots as well as the means of access and infrastructure provided shall be accompanied by complete protective measures in accordance with provisions made elsewhere for hill areas in these rules, (f) no permission for sub-division of a plot of land shall be granted unless each sub-divided plot is at least 80 sq. metres in area; (g) no sub-division of a plot shall be granted unless a detailed layout plan or the area proposed to be sub- divided is submitted before the Municipality duly integrating the!site layout plan with

the general use of the land in the adjoining areas. The existing street pattern as also other physical infrastructural facilities like drainage, sewerage, water supply, electric supply with location of high tension or low tension electric line with poles are also required to be shown. (3) The mother plot shall abut an all weather means of access conforming to the conditions specified below: (a) the means of access shall have a width of not less than 2.0 metres, for plots having an area less than 500 sq. metres and a width not less than 3.0 metres for plots having an area more than 500 sq. metres: Provided that an emergency vehicular access (minimum 3 m wide) shall be available within a distance of 100 m from the mother plot: (b) the minimum permissible width for any given length of means of access for sub-divided plots shall be as given in the following table:— Length of internal road Up to 25.00 metres Above 25.00 metres up to 50.00 metres Above 50.00 metres up to 100.00 metres Above 100.00 metres Minimum width of means of access 1.5 metres (pedestrain pathways only) 3.0 metres 4.5 metres 6.0 metres (c) Sub-division ofa mother plot measuring more than 500 sq. metres in area shall only be allowed if a proportion of the total area of the mother plot is developed as public amenities or open space, as specified in the table below. Size of plot to be sub-divided Above 2000 sq. metres and below 5000 sq. m 5000 sq. metres and above % of area to be reserved for public amenties or open space (excluding roads) 7.5 10.0 Note.—This shall be in addition to the land required for providing the means of access to the individual plots obtained by sub-division of the mother plot as specified in this rule. Moreover, each such space in a single parcel shall have minimum areas of 150 square metres and a minimum width of not less than 3.00 metres; and each such open space shall abut a means of access as specified in sub-rule (3) of this rule. • (4) For mother plots measuring more than 5000.00 sq. metres in area, sub-division may be allowed if an additional five percent of the total area of mother plot is reserved for use or facilities like school, health centre, market, police outpost, milk booth, post office, power sub-station, transport terminal, water tank for fire fighting or water treatment plant, sewage treatment plant and the like. Such land shall abut a means of access as specified in this rules. This is in addition to the land necessary for means of access as specified in sub-rule (3) and for public amenities and open spaces specified in this rule. 68 THE KOLKATA GAZETTE, EXTRAORDINARY, FEBRUARY 14, 2007 160. Preparation of plan and supervision of execution of work.— (l) Every owner who intends to erect, re-erect, add to, or alter, any building, shall get its plan prepared and structural work designed and supervised by an architect or structural engineer or licensed building surveyor or Geo technical Engineer as required under rule 161. While submitting the plan, the architect or licensed building surveyor or structural engineer or Geo technical engineer shall certify to the effect that the site has been personally inspected by him while planning for the building and/or designing the structural members, as well as he has taken into account the findings and/ or recommendations of stability analysis as well as soil tests performed as and where necessary under this rule. (2) In all such cases, the licensed building surveyor, structural engineer or geo technical engineer shall have to be empanelled with the Municipality. (3) The name, address and license or empanelment number of the person so employed and serial number in the case of architect shall be stated in the application in respect of such building. (4) In case of site plans or building plans submitted by the Central Government or the State Govemment or by organization controlled by the Central Government or the State Government, the plans prepared and submitted under the signature of a Government engineer or Government architect. who are employees of the Central Government or the State Government or the organisation control by the Central Government or the State Government, sub-rule (l) shall not be applicable

161. Engagement of technical personnel.— (l) Every person who intends to erect, re-erect, add to, or alter, any building shall, subject to the provisions of the Act and these rules, engage,— (a) for all building up to 6.50 metres in height, a technical personnel not below the rank of a licensed building surveyor for planning, designing and construction of the building foundation and superstructure, and for all buildings above 6.50 metres but below 13.50 metres in height and/or for erection involving piling works, deep foundation or construction of basement or any other underground structure thereto, a licensed building surveyor and/or an architect and a structural engineer and a geo-technical engineer for conducting soil test and other tests as required under rule 157(f), planning, designing and construction of the building foundation and superstructure; (b) a licensed building surveyor who shall have— (i) a minimum Bachelor degree in civil engineering, Construction Engineering or Architecture from a recognised university or its equivalent qualification recognised by the Government and shall not have less than two years experience in planning, designing and execution of building works including sanitary and plumbing works related to

buildings under geo-technical condition similar to that of hill areas, or (ii) a minimum diploma in Civil Engineering or Architecture from a recognised university or its equivalent qualification recognised by the Government and shall not have less than five years experience in planning, designing and execution of building works including sanitary and plumbing works related to buildings under similar geo-technical condition similar to that of hill areas; (c) a Structural Engineer who must have a minimum Bachelor degree in civil engineering or construction engineering from a recognized university or its equivalent with at least five years experience (including two years in hill areas) in structural design; (d) a Geo-technical Engineer who must have a minimum bachelor degree in civil engineering or construction engineering from a recognised university or its equivalent with at least two years experience in soil engineering and foundation engineering under identical soil/slope/geo technical conditions. (2) The licensed building surveyor, the architect. the structural engineer and the geo-technical engineer will work in association with one another and will be individually and/or collectively responsible for ensuring the safety of the building structure and its foundation. (3) The licensed building surveyor, structural engineer or a geo-technical engineer is also required to be empanelled with the Municipality. Duties and Responsibilities of Licensed Building Surveyor, Architect, Structural Engineer or Geo-technical Engineers will be governed by rules 16, 17, 18 of these rules. (4) In case of death, resignation or removal of Licensed building Surveyor, Architect, Structural Engineer or Geo-technical Engineer, as the case may be. a fresh engagement shall be made forthwith and shall be notified to the Chairman of the Municipality. No work shall be carried out till such engagement is made. (5) The validity of any engagement made under this rule shall lapse, in the case of an architect with lapse of validity of registration granted under the Architect's Act, 1972 (20 of 1972), or in case of a structural engineer and a geo-technical engineer with the lapse of empanelment, or in the case of a licensed building surveyor, with lapse of the validity of license. THE KOLKATA GAZETTE, EXTRAORDINARY, FEBRUARY 14, 2007 162. Permissible height of building.— 69 (l) The maximum permissible height of a building as well as its permissible floor area shall be regulated by the width of the surrounding open space in the same holding plus the width of its means of access, depending on the type of building use as per the table below: width of means of access plus width of front open space Residential Commercial, Public and other uses Maximum permissible height Floor Area Ratio (FAR): Up to 3.0 m 3.0-5.0 m 1.0 1.0 4.5 m 2.0 1.5 6.5 m 5.0-7.5 m 2.5 2.0 above 7.5 m 2.75 2.5 Provided that in case a building is more than 11.50 metres in height, prior approval of the State Government is required to be obtained. Note.— For buildings of residential (excluding a height of 6.5 metres), commercial, public and other uses the means of access of at least 3 metre wide should be available within a distance of 100 metres of foot-path length from the proposed plot. (2) (a) The following appurtenant structures shall not be included in the height of the building: (i) (ii) (iii) (iv) (v) (vi) (vii) stair cover not exceeding 2.40 metres in height; lift machine rooms as per the latest edition of the National Building Code; roof tanks and their supports, the height of support not exceeding 1.00 metres; chimneys; parapet walls not exceeding 1.50 metres in height; ventilating, air-conditioning and other service equipment; height above mid-point between eaves level and ridge level; (b) The aggregate area of the structures mentioned in clause (a) shall not exceed one-third of the area of the roof upon which these are erected. (3) 'Ihe Board of Councillors may, if necessary, restrict the height of building in any area within the municipal limits, below that provided sub-rule(l) for reasons to be recorded in writing

163. Ground coverage.— The maximum permissible ground coverage for buildings when a single building is proposed for a plot shall be regulated by the plot size, depending on the type of building use as given in the table below:— Plot Size Maximum permissible ground coverage 100-400 sq .m 400-1200 sq. m Over 1200 sq. m Residential and Educational uses Commercial, Public and other uses 164. Open spaces for building.— (1) The following shall be the open spaces of the buildings:— (a) every room intended for human habitation shall abut an interior open space or exterior open space or an open verandah open to such interior open space or exterior open space. Open spaces shall be areas

forming integral parts of the plot at ground level and shall be open to sky without any projection or overhang excepting comices, chajas or weather-shades of not more than 0.50 metre width; 70 THE KOLKATA GAZETTE, EXTRAORDINARY, FEBRUARY 14, 2007 (b) every building shall have exterior open spaces comprising front open space, and side open spaces. The minimum width prescribed for front open space, rear open space and side spaces shall be provided along the entire front, rear and side faces of the building respectively. For this purpose the front of the building shall be that face of the building which faces the means of access of the building and the rear of the building is that face of the building which is farthest from the means of access. These provisions shall also be applicable to each individual building separately when a plot contains more than one building. In the case of a corner plot located at the crossing of more than one street or passage, the rear of the building shall be deemed to be that face of the building which is farthest from the widest of all such streets and/or passages; (c) open spaces prescribing to one site cannot be taken for another site. No building shall at any time be erected on any open space prescribed in this rule for a building and form part of the site thereof, nor shall such open space be taken into account in determining the area of any open space required under these rules for any other building; (d) if the front open space is 3.00 metres or more in width, a Gate Goomti for security purpose may be allowed in the said open space. The covered area of such Goomti shall not in any case exceed 3.00 sq. m. and the height of such Goomti shall not exceed 3.00 metres. The covered area of the Gate Goomti shall not be included in calculation of ground coverage. (2) The minimum front open space, rear open space and side open space shall be provided along the entire faces or sides of the building as given in the table below:— Minimum width of open space in metres Residential and Educational uses Commercial, Public and other uses Front 1.5 m 2.5 m Rear 1.5 m 3.5 m Side 1.5 m 3.5 m Provided that the minimum clearance, on all the sides between a building wall and the toe of a retaining or other protective wall shall be 1.50 metres, except on the side where the septic tank shall be installed, in which case, the minimum clear distance of 2.1 metres shall be provided: Provided further that for mixed use buildings, the minimum front open space shall be the one applicable for that particular occupancy which gives the provision of the minimum front open space in these rules: Provided also that for a building of more than I I .00 metres in height, the minimum open spaces provided in this rule shall be increased by 0.3 metre in all cases. (3) Notwithstanding anything contained elsewhere in this rule in the case of a building with a septic tank, a side open space of 2.1 metres shall be provided on any one side of the building for the provision of the said septic tank. (4) In the case of a building more than 25.0 metres in depth, a passage of width not less than 3.5 metres shall be provided along the entire depth of the building. (5) For plots of size not more than 65 (sixty-five) sq. metres, minimum side space of 0.90 metre may be allowed on each side provided the building height does not exceed 6.5 metres. Explanation. — (i) Notwithstanding anything contained in this rule, the minimum distance across the side open space from every new building to an existing building with a door opening or window opening shall be 1.80 metres; (ii) Notwithstanding anything contained in this rule, the minimum width of side open space for an industrial or storage or mercantile (wholesale) building shall be 3.50 metres; (iii) In the case of a building more than 24.00 metres in depth on a plot abutting any street, a passage along the entire depth of the building shall be provided and the minimum width of such passage shall be 4.0 metres. (6) The interior open space shall be as follows:— (a) for inner courtyard, in case the whole of one side or part of at least two sides of every room excepting bath, water closets and store-room is not abutting either the front open space, rear open space or side open space, it shall abut an inner courtyard whose minimum width shall be 30% of the height of the building or 3.00 metres, whichever is more. (b) for ventilation shaft, that is to say,— for ventilating water closet, bathroom and kitchen such water closet or bath room or kitchen if not opening to front open space, side open space, rear open space or interior open space, shall open on to a ventilation THE KOLKATA GAZETTE, EXTRAORDINARY, FEBRUARY 14, 2007 shaft, the size of which shall not be less than the values given below: 71 Height of building (metres) Up to 11 .50 Above 11 .50 but not more than 12.50 Minimum area of ventilation Shaft (sq. metres) 1.50 3.00 Minimum width of shaft (metres) 1.00 1.20 Note.—No chajja shall be allowed in the ventilation shaft unless the width of shaft is 2.40 metres or more. (c) the minimum width shall not be less than 20% of the height of the building or 2.50 metres, whichever is more. (7) The service rooms shall have access by means of two passages of staircases, providing access and exit from higher and lower level floors, the width of which shall not be less than 1.2 metres and the slope shall not be steeper than one 1:1 and so located that the travel distance on any floor up to any such access or exit

is not more than 15.0 metres. (8) Mezzanines are to be used strictly for purposes other than habitation or kitchens and eating places and may be provided between any two floor and shall be permitted with a minimum clear height at every part of at least 2.0 metres measured from the floor to the lowermost point on the underside of the roof, slab, beam or false ceiling. The area of such mezzanines shall be included in floor area in all calculations

165. Access, circulation and parking.— (l) Every plot shall abut a means of access which may be a public street or private street or passage, the minimum width of which shall be as specified in rule 157(l)(b). (2) No building which in full or part is put to assembly occupancy for the purposes of theatre, motion picture house, city hall, skating-rink, auditorium, exhibition hall or for similar other purposes shall be allowed on a plot located within 50 metres of the junction of two streets, the width of which is of 8.0 metres or less. (3) Every building on a plot having more than one building shall atilt an internal road connecting the means of access of the plot and such roads shall conform to the requirements of internal roads specified in rule 159. (4) Number of Car Parking Spaces as per Covered Area of plot and Use Group shall be as follows: Residential and Educational uses Commercial, Public and other uses I Car Space per 300 sq. metres I Car Space per 200 sq. metres Note.—ln case of a plot having more than one building or use, parking requirements shall be calculated according to the proportionate floor area of each building or use group, as the case may be. (5) For plots abutting non-vehicular means of access less than 3.0 metres in width, car parking space need not be provided within the plot area but space with vehicular access has to be identified and owned by applicant for the required parking or garage space, as per this rule. (6) The parking space for each vehicle shall be accessible from the means of access, either directly or through a driveway or internal circulation, aisle, the width of which shall not be less than 3.5 metres for cars and 5.0 metres for trucks and the gradient of which shall not be more than I : 6. (7) The minimum size of a car parking space shall be 2.50 metres x 5.00 metres and that for a truck or bus parking space shall be 3.75 metres x 10.00 metres. These spaces do not include the area of circulation, internal roads, aisles and driveways, and standards for these shall be guided by provisions in the National Building Code. (8) No garage for cars shall be less than 2.5 metres x 5.0 metres (clear size) with a minimum head room of 2.25 metres and no garage for trucks shall be less than 3.75 metres x 10.00 metres (clear size) with a minimum head room of 3.50 metres. (9) (a) An internal road must be so constructed as to have a slope inwards towards the hillside. Such slope must be not less than the gradient of the road; (b) Where required, the inner and outer edges of an internal road must be protected by protective walls of such number and placed in such positions as the Board of Councillors may direct and constructed in accordance with the specifications in this rule. 72 THE KOLKATA GAZETTE, EXTRAORDINARY, FEBRUARY 14, 2007 166. Drainage measures.— (l) (a) An open drain must be provided on the inner side of an internal road, constructed in accordance with the specifications in this rule. (b) An effective slope and drainage system shall be maintained at all times on the developed ground after slope cutting or filling, during and after development as per this rule on any site; (c) The drainage system shall efficiently collect and carry away from the site the water collected within the premises of the building complex or from the hillside above for suitable disposal as quickly as possible to water courses such as main drains or natural streams/jhoras without stagnation avoiding any possibility of erosion, slope failure, damage to the building or other property in the vicinity. (2) (a) Proper slopes, not less than l: 60 shall be maintained all around a building for quick drainage of the entire plot as provided in this rule. Note.—The possibilities of erosion or ground failure through ingress and percolation of water into soft ground or through joints and fissures in the soil crust shall be prevented by suitable surface protection measures such as surface grouting, stone pitching, planting of small plants and grass, so as to protect and make the surface impervious in accordance with the provisions of the BIS Codes, specially the minimum distance from provision required to be maintained for planting trees; (b) The flow of water, particularly on the upper side of the building, shall be diverted away from the foundations through suitable lined or unlined drains; (c) Drains for sullage or rain water must be constructed with round or half round tiles embedded in concrete, or with V-shaped stone masonry set in lime mortar and plastered over the inner surface with Portland cement, or with V-shaped stone concrete and the sectional area of every drain shall be subject to the approval of the Municipality; . (d) Drains for surface water may be constructed only either of dry rubble masonry or of any other material approved by the Board of Councillors, and may be either rectangular or V-shaped in section. Such drains shall not be connected with any drain carrying sullage water or sewage; (e) Except with the written permission of the

Board of Councillors, no covered drain .shall be constructed and no existing open drain shall be covered in; (f) No building shall be placed to cover any drain; (g) Where a small drain is crossed by a private road, a removable R.C.C. slab cover or wooden grating or iron grating, if the Board of Councillors so direct, must be laid over the drain instead of a covered culvert. (h) Drains must discharge into the nearest water channel or public drain, unless in any case the Board of Councillors otherwise direct. The outfall of a drain into a water channel or public drain must be protected and guided in such manner as the Board of Councillors may direct. Where the drain of a private road joins the drain of a public road, the former drain must be so directed or so protected by strike-boards as to minimize the risk of damage to the public drain or road. Filters may also be provided where necessary; (i) Every building must be constructed so as not to project over, or admit of water from the roof falling upon or damaging, any open space, road or passage it abuts, whether public or private; (j) Every building shall have rain water gutters and pipes connected to a drain along the periphery of a building; (k) A masonry drain must be placed round the periphery of every building or block of buildings, sufficient in section and slope to the satisfaction of the Municipality for the effectual drainage of the building and be placed as to admit the drainage being led into some drain at the time existing or projected; (l) The surrounding ground adjacent to the building must be sloped from all sides towards the perimeter drain and an impervious apron, not less than 0.75 m wide, shall be provided all around the building to prevent the entry of water into the foundations. (3) (a) Septic tank and soak pits shall be so located so as to be easily accessible from the means of access to the (b) Soak pits may be constructed on the side of buildings at right angles to the slope of the land and from the building foundations. There shall be a minimum clearance of 2.1 metres between the foundation and the soak pit to minimize the chances of dampness and slope failures due to seepage from the soak pit. (4) (a) A private bridge must be constructed as and where necessary to the satisfaction of the Municipality so as to leave sufficient waterway to pass the maximum discharge of the channel spanned by the bridge. THE KOLKATA GAZETTE, EXTRAORDINARY, FEBRUARY 14, 2007 73 (b) The invert of the channel under a private bridge must be laid to the same slope as that of the channel;. (c) When a pocket for the deposit of debris is cut in the hillside above a private bridge, it must be lined with masonry walls unless constructed on solid rock

167. Protective work in hills.— (l) The cutting of slopes in the creation of steps and terraces for development work shall be carried out while ensuring the stability of excavations to provide for the safety of the buildings located and constructed thereon in accordance with the provisions in the BIS Codes. (2) Local ground conditions shall be taken into account in the determination of the appropriate precautionary work and protection walls such as revetments, retaining walls, toe walls and breast walls as well as the specifications of the relevant codes of practice of the Bureau of Indian Standards including BIS 14243-Part I & 11 : Selection and development of site for building in hill areas guidelines. (3) (a) The maximum height of cutting for development work as per soil strata shall be as given below: Loose soil or boulders with soil matrix Compact soil or boulders with soil matrix overlaying loose, soft, fractured of firm hard rock strata which remains vertical in 4 m high cutting when dry Hard stable rock with or without compact soil or boulder with soil matrix up to 2 m thick 4.0m; 6.0m; 8.0m; (b) Cutting of slopes over a height of 6.0 metres shall not be ordinarily permitted, excepting with the special approval of the Board of Councillors. (4) (i) The foundation of every protection wall must be taken down to original and firm soil or rock, have a bed- line cut at right-angles with the face of the wall and a slope of 3 : I towards the hillside; (ii) (a) (b) (c) (iii) (a) (b) (c) (d) Where a protection wall does not exceed 6.0 metres in height and is not surcharged, the mean thickness of the revetment or wall above the footings shall not be less than one-third of the vertical height of the revetment or wall, measured from the top of the footings, Where a protection wall does not exceed 6.0 metres in height and is surcharged, the height assumed for the determination of mean thickness of the revetment or wall above the footings shall be one and a half times the actual vertical height: Provided that the width at the top shall in no case be less than 0.5 metre and shall not in any case exceed 1.0 metre, No structure shall be allowed to be raised from the top of the retaining wall or protective wall; A protection wall may be of dry rubble masonry, or cement masonry as per the directions of the Board of Councillors, Dry stone masonry protection walls shall include cement masonry bands in I : 4 cement sand mortar of 0.4 to 0.6 metre thick at top and bottom, and vertically at 3.0 to 5.0 metres spacing, No stone used shall be of greater height than its length or breadth. All stones used must be laid on their natural beds, and must be arranged so as to break joint. Every protection wall must be built up solid to full section and spawls or chips shall not be used for filling the courses unless their use is unavoidable; (iv) one thorough bonding stone or line of bonding stones must be inserted at intervals at 1.50 metres in each course and at points intermediate between the corresponding bonding stones of the course below Note.— Any of the bonding tones which do not extend right through the wall must overlap each other of one- third of their length. (v) (a) Special investigations and analysis shall be carried out to determine the details of protection works in the case of R.C.C. retaining walls or protection walls on steep cut slopes greater than 6.0 metres in height, or in case of fine soils like silt, clay or shales, (b) In all such cases, detailed designs must be submitted to the Board of Councillors and the sections must be such as the Board of Councillors may approve, 74 THE KOLKATA GAZETTE, EXTRAORDINARY, FEBRUARY 14, 2007 (c) Protection walls of height more than 6.00 metres and successive retaining walls shall only be permitted when there is hard stable rock behind and below the toe of the said wall as permissible under relevant BIS Code of Practice; (vi) The height of cutting for any step of a stepped building shall not be more than 4 m and successive protection walls shall only be permitted when there is hard stable rock behind and below the toe of every such wall; (vii) (a) Weep-holes shall be provided in breast walls and retaining walls equipped with graded filter for proper drainage at intervals of 1.2 metres horizontally and 1.2 metres vertically in a staggered manner and beginning from 0.20 metre above ground level, (b) Water along the base of a breast wall and retaining wall shall be drained out by means of a suitable lined drain

forming an integral part of the drainage system as specified in rule 166; (viii) When a slope determined to be vulnerable to a debris slide in pursuance of any requisition or direction made or given by the Board of Concillors, the angle of a slope shall be reduced to an angle of not more than 300 to the horizontal plane through trimming or cutting to make the slopes stable along with minor protection both for soil and building work. Note.—Any barren surfaces above a cut slope shall be planted with selected varieties of light but deep rooted bushes, shrubs and grass to check soil erosion and improve the stability of the slope, in pursuance of any requisition or direction made or given by the Board of Councillors

PART XII 168. Special conditions.— (l) (a) Additions to existing buildings shall be permitted only in the case of structurally sound structures with a record of the complete details pertaining to the soil or stability materials and system of construction; (b) The total floor area, height and yound coverage after addition to an existing building shall not exceed the provisions of maximum permissible floor area, height and open space as per the criteria specified in the rules 162, 163, 164 and other relevant rules, while additions to an existing building shall further conform to the provisions for front, rear and side setback as specified in these rules. (2) In the case of multiple buildings in a plot, open space shall be set aside for the purpose of public and community activity in addition to the provisions for open space and for providing the means of access as specified in these rules. (3) Every building erected or re-erected must have such structural and architectural features as to prevent the building being in the opinion of the Board of Councillors, unsightly or unsuitable to its surrounding. If the roof or walls of any building are, in the opinion of the Board of Councillors, in an unsightly condition they may by written order direct the owner to repair, paint or colour-wash such part of the building as they may direct within the period specified in the order. (4) The foundations of all buildings or parts must rest on solid ground or rock and have width and depth suitably designed according to the distribution of the soil and hard rock strata in different parts of the foundation, and have dimensions worked out "as per the permissible safe bearing capacity and other consideration in accordance with relevant Codes of Practice of BIS. The depth below the ground level shall not be less than 2.0 metres in the case of R.C.C. Column footings and I : 2 metres in the case of all other foundations. (5), Every building or part thereof shall have continuous foundation walls, extending below ground level as specified. All openings in such walls or in floors, walls, windows and drains and all junctions between building parts shall be tightly closed or effectively secured with pest-proof screening materials as approved by the Board of Councillors. (6) The party-walls of a •masonry or framed building or the end wall of a ferroconcrete building must be built of stone or brick bedded in lime or cement mortar for their full height and if the Board of Councillors so direct, must be carried up to a thickness of not less than 0.25 metre above the roof, flat or gutter to such a height as will give a distance of at least 0.5 metre measured at right angles to the slope of the roof above the highest part of the roof, flat or gutter. (7) (a) Individual columns of all RCC framed buildings shall, in the case of stepped foundations, be interconnected in two directions, at right angles, by RCC beams at the footing level, designed in accordance with BIS Codes of Practice; (b) Individual column of all RCC framed buildings as well as all external and internal walls of a load bearing structure. shall be interconnected in two directions at right angles by RCC beams at plinth level adequately designed in accordance with BIS Codes of Practice; (c) lhere shall be adequately designed RCC lintel bands in all external and internal brick and stone masonry walls at vertical intervals not more than 0.9 metre. These shall be continuous and connected to each other at the same level in the case of all load bearing walls and tied to the columns in case of RCC framed structures. THE KOLKATA GAZETTE, EXTRAORDINARY, FEBRUARY 14, 2007 75 (8) No building shall be altered so as to reduce the number, width or location of exits to less than what is required under the criteria specified in these rules. (9) •If any car parking space is required to be provided under the criteria specified in these rules and no such car parking space can be provided in such existing building, the floor area allowable under the provisions of these rules shall be reduced by the area required for such car parking spaces which cannot be provided for in the said building. (10) No building shall be erected or re-erected in any locality, if the Board of Councillors at a meeting records in writing that the proposed construction, either by reason of the nature of its construction and location or by reason of the uses to which it is intended to be put, is likely to affect prejudicially any existing building in the locality by reducing its market value or by diminishing any advantage it enjoys on account of its situation or otherwise. (11) The Municipality may decide the widths of buffer zone upslope and downslope of National Highways and State Highways where no new construction or addition or alteration to any existing structures or change of use will be allowed. (12) The

minimum widths for corridors within the buildings shall be as follows:— Residential tenement (internal) Mercantile, Business and Assembly buildings Access to shop in mercantile buildings: Shops on one side only Shops on both sides 0.9 metres; 2.0 metres; 2.0 metres; 3.0 metres; Note.—The width of all other corridors and those connecting vertical exits to individual units, shall not be less than the width of the corresponding staircases as specified in these rules. (13) Rain Water Harvesting (Roof Top Rain Water Harvesting (RWH): Roof top RWH system shall form a part of all buildings and shall have to be included in the plan in a distinctive manner. (14) Solar Panel—Provision for use of solar energy in the form of solar heater and /or solar photo cells may be included in the Building Plan. Note.—lf solar energy system is proposed in any building, an incentive to the tune of 10% reduction in the hlilding plan sanction fee may be allowed. (15) Maintenance of building — Provisions of rule 170 of these rules to be followed

169. Old and Insecured Buildings.— (1) Old Buildings of the Municipal area which are of age of more than 50 years or have been damaged by natural force like earthquake, fire etc. and which are partly or fully occupied by tenant will get special consideration in respect of their reconstruction as per opinion of the Board of Councillors provided the applicant is fully agreeable to rehabilitate all the tenants after reconstruction by providing the equivalent area under his possession before construction or otherwise upon mutual settlement with the tenants (2) Reconstruction under sub-rule (1) may also be permitted in cases where owner or owners of more than one plot apply for such consideration upon all such plots being amalgamated and mutated as per law. Explanation.—For the purpose of this rule 'special condition' shall be the consideration of reduction of mandatory open spaces, allowing the Extra Height, FAR, Ground Coverage, Car Parking provisions and other rules as will be found necessary as per opinion of the Board of Councillors

170. Maintenance of Buildings.— (1) In case of buildings older than 20 years, it shall be the duty of the owner of a building to get his building inspected by an Empanelled Structural Engineer (ESE) within a year from the date of coming into force of these rules. The structural inspection report shall be produced by the owner to the Municipal authority. If any action for ensuring the structural safety and stability of the building is to be taken, as recommended by ESE, it shall be completed within stipulated period as may be specified by the ESE. (2) Structural safety certificate from an empanelled structural engineer after every 6 years for buildings older than 20 years is to be produced by the owner at the time of general. revaluation of the building. 76 THE KOLKATA GAZETTE, EXTRAORDINARY, FEBRUARY 14, 2007 171. Rain Water Harvesting and Tree Cover,— (l) (a) Roof top RWH system shall form a part of the building and shall have to be included in the building plan, either for direct use of the rain water or for ground water recharging, or both, applicable in case of new building or any new housing complex or expansion of any existing building or housing complex. (b) If RWH system is proposed in any axisting building or housing complex not covered under above provision. an incentive to the tune 15% reduction in the building plan sanction fee may be allowed. (2) Provision for Tree Cover shall be included in the site plan,— (i) for any housing complex covering a total floor area of 6000 sq.mtre or more, the applicant shall arrange for raising and maintenance of tree cover at their own cost which shall be at least 15% of the land area within the mandatory open space of the premises. (ii) for any other housing complex having lesser total floor area, the tree cover shall be reduced proportionately in the perspective of clause (i) of this sub-rule.

172. Waste water recycling.— Waste water recycling system shall be incorporated in all buildings including group housing having a minimum discharge of 40,000 litres and above per day for flushing of toilets/ Gardening/ car washing etc.

173. Provisions for physically handicapped/disabled personnel.— Notwithstanding anything contained elsewhere in these rules. there shall be provisions in the building plans of public utility buildings for disabled friendly devices like ramps with railing, toilet and drinking water facilities, Braille or Auditory signals in all lifts in accordance with the provisions of Disabilities Act, 1995. Barrier free entry of disabled persons into departmental stores, theatres, with wheel chair, shall be ensured

174. Provision for use of Solar Energy.— Provision for use of solar energy in the form of solar heater and /or solar photo cells shall be included in the Building Plan in case of any new building exceeding 14.5 m in height or expansion of any existing building causing height to exceed 14.5 m. If Solar Energy system is proposed in any building not covered under above provision, an incentive to the tune 10% reduction in the building plan sanction fee may be allowed

175. No objection from authority.— No Objection Certificate, if any, must be obtained by this office authority and shall be accompanied with the application for obtaining building sanction plan. THE KOLKATA GAZETTE, EXTRAORDINARY, FEBRUARY 14, 2007 FORM A (See rule 4) Application for approval of a site for a Building . (Name in full in block letters) . (Address) To The Chairman, . Municipality/Notified Area Authority/lndustrial Township Authority 77 Sir, I/We hereby give you notice that the Premises No.Holding No. ....Street..... .....WardCircle..... as ResidentialCommercial/Industrial/Others (specify) . will be used in future and I forward herewith a site plan and building plan (in case of hill area) in triplicate of the land for your approval (along with the fee determined by the Municipality) as prescribed in rule 4 of the West Bengal Municipal (Building) Rules, 2007 under the West Bengal Municipal Act, 1993 (West Ben. Act XXII of 1993). The reports/recommendations of the soil test and test for stability of slope as required under rules 14 and 157 are also attached herewith. I request that the site may be approved. Certified that the site has been inspected personally by the undersigned andthe structural design including that of foundation has been made on the basis of recommendations/findings of the Geo technical engineer. Certificate to be incorporated and signature of: Dated: Amhitect/Licensed Building Surveyor Structural Engineer (if applicable under rule 15) Countersigned Geo technical Engineer (if applicable under rule 15) *Strike out if not applicable. Yours faithfully, Signature of Owner/Owners 78 THE KOLKATA GAZETTE, EXTRAORDINARY, FEBRUARY 14, 2007 FORM B (See rule 11(3)] Application for Permission to Construct or Reconstruct, Addition to, or Alteration of Building OFFICE USE Application No. RB/CBAB/ Date .... From: .... (Name in full in block letters) .....(Address) Phone No. Purpose of construction: To The Chairman, Sir, Fax No. E-mail Date: .... Residential/CommerciaVIndustrial/Others (specify) .. Municipality/Notified Area Authoritynndustrial Township Authority I/We hereby give you notice that I/we intend to undertake the work as specified above at premises No./HoIding No. .... in ....Street ....Ward/Circle . under rule 11(2) of West Bengal Municipal (Building) Rules, 2006. I/We hereby request you to grant us necessary Building Permit under rule 21 of West Bengal Municipal (Building) Rules, 2007. In accordance with provisions of the West Bengal Municipal (Building) Rules, 2007, I forward herewith— (a) (b) (c) (d) (e) (f) (g) (h) (i) (j) (k) (1) (m) (n) (o) (p) (q) approved site plan of the land; a plan in triplicate showing elevation and sections of the proposed building together with a specification of the work (in case of a building under the Salt Lake Township under Bidhannagar Municipality or Nabadiganta Industrial Township Authority the provisions of rule 96(a) has to be followed); statement of particulars (Annexure); water supply and sewage disposal plans; copy of the possession certificate; five copies of sewage and water connection plan as per rule 96(b); reports of soil test or test for stability of slope as per rule 157; detailed calculation of structural design as per provision in these rules; current paid up Municipal Tax receipt; clearance certificate/application copy from U.L.C. Branch of Urban Development Department, Government of West Bengal (if applicable); no objection of West Bengal Fire and Emergency Services Dept. (if applicable); indemnity Bond (As per

form No. L); copy of Deed and Deed plan; registered Undertaking for common passage (if applicable); power of Attorney (if applicable); sanctioned plan in case of any existing structure; FAR Calculation Sheet (if applicable). I request that the plan may be approved and that the permission may be accorded to execute the work. *Please note that I am also enclosing herewith the documents as desired by you as per instruction. Certificate to be incorporated and signature of Yours faithfully, Signature of Owner/Owners THE KOLKATA GAZETTE, EXTRAORDINARY, FEBRUARY 14, 2007 79 Architect/Licensed Building Surveyor Date: 'Strike out if not applicable'. Structural Engineer (if applicable under rule 15) Countersigned Geo technical Engineer (if applicable under rule 15) *I/We hereby declare that I/we am/are the owner/owners of the property to be built upon and the copy of the registered deed of the land or other documents in support of ownership/ownerships of land are submitted herewith, That the aforesaid plot of land is the only plot of vacant land held by me/us in any of the urban agglomerations covered under the Urban Land (Ceiling and Regulation) Act, 1976 and that extent of that plot is within the ceiling limit on vacant land imposed by the said Act; *That I do not hold any other vacant land or any other land with building with a dwelling unit therein in any of the urban agglomerations referred to in the said Act; *That in the event of the aforesaid plot of land being declared as excess by the competent authority under the Urban Land (Ceiling and Regulation) Act, 1976, I shall abide by the decision of the competent authority under that Act; Certificate of Engagement: Certified that I/we have been engaged as licensed Building Surveyor/Structural Engineer/Geo technical Engineer for the proposed building at premises No. .... by the owner(s) .... for planning, designing, supervision and completion of the work as per rule 15 of the West Bengal Municipal (Building) Rules, 2007. We undertake to work in close association with each other and will be individually and/or collectively responsible for ensuring the safety of the building as a whole; Certified that the site has been personally inspected while planning the building and/or designing the structural members, as well as has taken into account the findings Offor recommendation of stability analysis as well as soil tests performed as and where necessary under these rules. Structural Engineer (if applicable under rule 15) Geo technical Engineer (if applicable under rule 15) Signature of Architect/LBS Certified that this certificate duly signed by the concerned technical personnel has also been incorporated on the body of the building plan. Name .... Signature of Owner/Owners Full Postal Address ..... Date: .... *This declaration is not necessary for the Salt Lake Township. THE KOLKATA GAZETTE, EXTRAORDINARY, FEBRUARY 14, 2007 80 ANNEXURE OF FORM B (Statement of Particulars and Specification) 1. 2. 3

4. Class: .... No. .... Phone No. .... Address: .... 5. . ..... Fax .... Phone No. . Class: No Address: .... E-mail . Phone No. ..... Fax No. ... . 6.1 6.2 7. 8. 9. IO. Holding No.. Premises No. .... (i) Name of Owner(s): .... (a) Phone No. ..... (b) Address: .... (ii) Name of applicant: .... Status: owner, authorized by power of attorney, others .... (a) Phone No. .... (b) Address: .... Name of Architect/Licensed Building Surveyor: Ward No. .... (a) Name of Structural Engineer (if applicable) .. .. Fax .... E-mail ... . E-mail .... (b) Name of Geo technical Engineer (if applicable) .... Class: No ... ... Address: . (i) Area of land: (a) As per Deed (rn2) .... (b) As per Physical Measurement (m2) .... (ii) Boundaries of site on North .... South .... East .... West .... Nature of land whether solid/filled up part water body, if water body specify the area both on solid land and water body .... (a) Proposedheight of the building: .... (b) No. of stories: .... Width of means of access: (a) Municipal road: . (b) Private road]Common passage (as per Deed/Documents): .... (Prescribed/Proposed) (c) Alignment (if any): . Width of alignment: .... Junction distance (for Assembly use only)..... (a) Principal occupancy: .... (b) Other occupancy/occupancies (if any) . THE KOLKATA GAZETTE, EXTRAORDINARY, FEBRUARY 14, 2007 Whether the existing premises is rented: Yes/No. 81 11. Whether the proposal involves new construction/horizontal addition]vertical addition by demolishing the existing 12. structure: .... Height of the adjoining building/buildings: 13. 14. .. ..(m2) 15

16. North .... . (m) South .. Total area of (i) Stair cover .... (m) East .... (m2) (ii) . (m2) (iv) (vi) . (m) West . Lift Machine Room .... Total Roof Area .... Other Structure .... (m2) ...(m2) (iii) Roof Tank .... (v) Total Loft Area .... Ground

FloorArea: .... Main Characteristic details of building: Sl. No. Items (a) Height of the building (m) Proposed Value Permissible Value Remarks (b) Front open space (N/S/E/W) (c) Rear open space (N/S/E/W) (d) Side open space (N/S/E/W) (e) Side open space (N/S/E/W) (D Interior Open Space : (i) Inter court yard : (ii) Outer court yard : (g) Ground coverage: (i) Area M2 (ii) Percentage (h) Floor area ratio (FAR) (i) Total covered area in all floors (m2) (j) Service area in ground floor (m2) (k) Basement area (m2) (l) Mezzanine floor (m2) (m) Stair case: (n) Escalator: (o) Lift: (ii) (iii) (i) (ii) (i) (ii) (iii) (iv) (v) Number Minimum width of each flight (m) Area of stair case including landing in each floor Number Size Number Size Height of the Lift Machine Room Size of the Lift Machine Room Area of Lift Machine Room with Lift Landing Lobby in each floor 82 THE KOLKATA GAZETTE, EXTRAORDINARY, FEBRUARY 14, 2007 (p) Addition and Alteration work (Strike out if not applicable) (i) Existing floor area (ii) Proposed floor area (iii) Total floor area (q) Width of ramp (r) Width of driveway (s) Ventilation shaft: (i) Area (m2) (ii) Minimum Width (m2) (iii) Service door provided in shaft Area (m2) Slope of ramp Yes/N0. Parking Required Area of ramp Parking Provided (t) Parking Space as per rule 52 (u) Occupancy or Use group (i) Residential Total (ii) Other uses: Type (a) Residential (b) Educational (c) Institutional (i) Assembly (ii) Mercantile (RST) (iii) Storage (iv) Industrial (v) Business (vi) Any other use Required No. of Car Parking Required No. of Busnruck Parking Area Open Open % Coverage Covered Covered Proposed Parking Provided Remarks 17. Proof of ownership (whether it is Deed of conveyance/Gift/Lease/Record of rights (Parcha)/Pafiition/Exchange/ Will and Probate or other documents and mutation certificate issued by Municipality/others. 18. 'In case where applicant is Government/Semi-Government or Statutory body to whom the land was given by LA Collector—Allotment and possession letter along with site plan, land area and boundary

19. The materials to be used as specification of the constructions: (a) Foundation, (b) Floors, (c) Walls, (d) Roofs, (e) Fire places/Chimneys.20. (a) Appropriate number of inhabitants proposed to be accommodated. (b) The number, size and specification of latrine, kitchen, bath to be provided. *Strike out whichever is not applicable

FORM C (See rule 21) FORM OF BUILDING PERMIT 83 From: The Chairman, . Municipality/Notified Area Authority/lndustrial Township Authority Dated .... Ref. No. and date, if any .... To (Name and address of the applicant) Subject: Issue of sanction/provisional sanction of erection/re-erection/addition to/or alteration of the building and issue of Building Permit under rule 21. Building Particulars: Sir, With reference to your application dated the sanction for .... building on Plot No. ..... Street .... this Building Permit do hereby granted subject to the following conditions, namely:— l. The Building Permit is valid up to the 2. The Building Permit No. .... Premises No. and Street .... Ward No. .... for the sanction/provisional . erection/re-erection/addition to/alteration of, the .... Ward No. ....(Year). .. day of .... (month) . ... dated the .... is valid for occupancy of the use group (Residential/Commercial/Others—specify); 3. The building/work for which this Building Permit is issued shall be completed within .....

4. The construction will be undertaken as per sanctioned plan only and no deviation from the Building Rules, under West Bengal Municipal Act, 1993 will be permitted. Any deviation done against the said rules is liable to be demolished

5. One set of the plans and specifications submitted along with the notice duly countersigned is returned herewith. Yours faithfully, (Chairman) (Signature and designation of the officer to whom powers have been delegated). Office No. .... Official Stamp ..... Dated the ..... THE KOLKATA GAZETTE, EXTRAORDINARY, FEBRUARY 14, 2007 84 Ward No. .... From: The Chairman, To

FORM D (See rule 21) FORM OF COMMUNICATION OF REFUSAL OF SANCTION . Municipality/Notified Area Authority/lndustrial Township Authority Dated .... Office Ref. No. and date, if any .... (Name and address of the applicant) Subject: Communication of refusal of sanction under rule 21. Building Particulars: Sir, Premises No. and Street .... for the sanction/provisional .... erection/re-erection/addition to/alteration of, the building With reference to your application dated the .... sanction for .... (number, street, address, Ward No.) the sanction/provisional sanction on plot ... . has been refused under rule 21 of the Building Rules, under the West Bengal Municipal Act, 1993. The ground/grounds on which the sanction has been refused is/are as follows:— Yours faithfully, (Chairman) (Signature and designation of the officer to whom powers have been delegated). Office No. .... Official Stamp .... Dated the .... THE KOLKATA GAZETTE, EXTRAORDINARY, FEBRUARY 14, 2007 FORM E (See rule 28) FORM OF NOTICE OF COMMENCEMENT 85 From: .... (Name and address of the applicant) Street ..... , Ward No. .... No. .... Dated .... Office Ref. No. and date, if any .... To The Chairman, .. Municipality/Notified Area Authority/lndustrial Township Authority Subject: Notice of commencement under rule 28 of the West Bengal Municipal (Building) Rules, 2007 under the West Bengal Municipal Act, 1993 as per Building Permit No. .... dated .... Building Particulars: Sir, Premises No. and Street .... Ward No. ..... I/We hereby give notice that the erection/re-erection of/addition to/alteration of the building on plot..... , will be commenced on (date) as per Building Permit dated .....•... granted by you, with the plans and specifications sanctioned. Yours faithfully, (Signature of the applicant(s) THE KOLKATA GAZETTE, EXTRAORDINARY, FEBRUARY 14, 2007 86 FORM F [See rule 30(1)] FORM OF NOTICE OF COMPLETION OF WORK UP TO PLINTH LEVEL OR UP TO 1.0 METRE ABOVE GROUND LEVEL WHICHEVER IS HIGHER From: .... Dated ..... (Name and address of the applicant) Office Ref. No. and date, if any .... To The Chairman. ... Municipality/Notified Area Authority/lndustrial Township Authority Subject: Notice of completion of süuctural work up to plinth level or up to 1.0 metre above ground level whichever is . Ward No. .... for higher under rule 30(1). Building Particulars: Sir, Premises No. and Street .... Ward No. .... I/We hereby inform you that the structural construction up •to the plinth level or up to 1.0 metre above ground level whichever is higher on Plot No. .... Street ...., which Building Permit has been issued to me vide your letter No. .... dated . has been completed in accordance with the sanctioned plan. The work may be inspected in pursuance of the provisions of sub-rule (2) of rule 30 of the West Bengal Municipal (Building) Rules, 2006 under the West Bengal Municipal Act, 1993. Yours faithfully, Signature of the applicant(s) 87 PART 1] From: .... (Name and address of the applicant) Office Ref. No. and date, if any .... To The Chairman, . Municipality/Notified Area Authority/lndustrial Township Authority Subject: Notice of completion under rule 33/151(3). sanctioned vide Building Permit No. .... dated .... THE KOLKATA GAZETTE, EXTRAORDINARY, FEBRUARY 14, 2007 FORM G [See•rules 33, 151(3)] FORM OF NOTICE OF COMPLETION Dated . Building Particulars: Sir, Premises No. and Street .... Ward No I/We hereby give notice that the erection/re-erection/addition to/alteration of, the building on plot .... Street . has been completed according to the plans Ward No. . I/We have to request you to arrange for the inspection and for the issue of an occupancy certificate. Yours faithfully Countersigned Signature of the applicant(s) (Signature of the Architect/Licensed Building Surveyor) (Name, address and Licence No. of the Architect/Licensed Building Surveyor) Enclosure: (l.) Three sets of the building plans marked as 'Completion Plans' signed by the applicant and theArchitect/Licensed Building Surveyor, one set of which is cloth bound laminated (clearly stating the occupancy and use-group for which the building or the work has been sanctioned). (2.) Structural stability certificate signed by Empanelled Structural Engineer and countersigned by the Architect/ Licensed Building Surveyor. (3.) Fire Safety Certificate issued under the West Bengal Fire Services Act, 1950 or the rules made thereunder. (4.) Certificate from electric supply undertaking. A certificate pertaining to lift installation, if any. (6.) Other certificates (mention the nature of other certificates). *Strike out which are not applicable. 88 No. .... THE KOLKATA GAZETTE, EXTRAORDINARY, FEBRUARY 14, 2007 Form of Structural Stability Certificate We hereby certify

that the erection/re-erection/addition to/alteration of building on plot . Street..... completed wholly/in part on .... has been supervised by us and has been ....., Ward No. .... (date), according to the plans sanctioned vide Building Permit . dated .... The work has been completed in accordance with the sanctioned plan and to our best satisfactions. The workmanship and all the materials (type and grade) have been used strictly in accordance with general and detailed specification. No provisions of the West Bengal Municipal Act, 1993 and the West Bengal Municipal (Building) Rules, 2006 have been violated in course of the work. The building is structurally safe and fit for use for which it has been erected/re-erected/ altered/added to. Signature of the Structural Engineer (Name, address and empanelment No. of the Structural Engineer). Signature of the Architect/ Licensed Building Surveyor (Name, address and License No. of the Architect/Licensed Building Surveyor). THE KOLKATA GAZETTE, EXTRAORDINARY, FEBRUARY 14, 2007 89 FORM H [See rule 34(2)] FORM OF GRANTING OCCUPANCY CERTIFICATE From: The Chairman, . Municipality/Notified Area Authority/lndustrial Township Authority Dated . Office Ref. No. and date, if any .... To (Name and address of the applicant) Subject: Grant of Occupancy Certificate under sub-rule (2) of rule 34. Office No. ..... Dated the .... Building Particulars: Sir, Premises No. and Street .... Ward No. .. With reference to your notice of completion dated description below on plot . I hereby certify that the building as per , Street .... Ward No. .. dated . , in respect of which plans were sanctioned vide Building Permit No. . has been inspected with reference to the provision of the Building Rules, under the West Bengal Municipal Act, 1993. On the basis of the same and on the strength of the Structural Stability Certificate, this building is certified to be fit for occupation. Description of construction, use and conditions, if any .... One set of building plans with endorsement "Approved Completion Plan" is returned herewith (where required). Yours faithfully, (Signature and designation of the officer to whom powers have been delegated). Official Stamp .. .. Building Particulars: Sir, 90 THE KOLKATA GAZETTE, EXTRAORDINARY, FEBRUARY 14, 2007 FORM 1 [See rule 38(1)] FORM OF NOTICE OF INSPECTION OF DRAINS AND APPLIANCES CONNECTED WITH DRAINAGE From: .... Dated .... (Name and address of the applicant) Office Ref. No. and date, if any .. To The Chairman, . Municipality/Notified Area Authority/lndustrial Township Authority Subject: Inspection of drains and appliances connected with drainage under rule 38(1). (time) in the premises .... dated .... Premises No. and Street .... Ward No. .... Borough No. .... I/We hereby give notice of my intehtion to cover up drainage/appliances for drainage on ..... (date) at .... of the same. The work was sanctioned vide letter No. ..... . and request inspection Yours faithfully, Signature of the applicant(s) THE KOLKATA GAZETTE, EXTRAORDINARY, FEBRUARY 14, 2007 FORM J [See rule Sub: Clearance Certificate in respect of permanent Water and/or Sewerage connection. 91 Ref.• Building on Plot No. .... • m Block .... in Sector .... the Bidhannagar Municipality/Nabadiganta Industrial Township. . in Block .... The Building on Plot No. .... in Sector .... , of Salt Lake Township under , of Salt Lake Township under the Bidhannagar Municipality/Nabadiganta Industrial Township Authority has been inspected as per owner's . and found to have been constructed in respect of Ground Floor and/or First Floor/ application dated .... Second Floor as per approved plan/part plan (with/without Boundary wall). Permanent water connection and/or sewerage connection is/are recommended. Memo No. .... Copy forwarded for information and necessary action to: Shri/Smt Yours faithfully, (Chairman) Bidhannagar Municipality/ Industrial Township Authority Dated .... Yours faithfully, (Chairman) Bidhannagar Municipality/ Industrial Township Authority 92 To The Chairman, Bidhannagar Municipality/Nabadiganta Industrial Township Authority Plot No. ... . . . for Rs. .... THE KOLKATA GAZETTE, EXTRAORDINARY, FEBRUARY 14, 2007 FORM K [See rule 151(1)] Sir, The undersigned residing at .... Block No. .... and being the owner of the Plot hereby applied for permission to connect the house sewer of the said plot with the sewerage of the Salt Lake Township under the Bidhannagar Municipality/Nabadiganta Industrial Township Authority. The sanitary arrangements and laying of sewer of the said plot have been done as per plan sanctioned vide . and the clearance certificate has been issued vide Memo No. .... dated . by the Chairman, Bidhannagar Municipality/Nabadiganta Industrial Township Authority and it is open to inspection of the

Officers of Bidhannagar Municipality/Nabadiganta Industrial Township Authority. AR.B.I. Challan representing deposit of Rs. .... Dated .... is submitted herewith. (Signature of the applicant(s) Address .... Information to be filled in by the Licensed Plumber who executes the house sewerage level of invert of sewer at point nearest to master trap . point .... master trap .... Dated .... Distance of master trap from centre of sewer at its nearest . Distance of municipal manhole from a point in the sewer immediately opposite the Signature of the Plumber Plumber License No. .... Address .... Forwarded to..... .. Clearance certificate has been issued. Sewerage connection may be given after realizing the requisite fees. Engineer-in-charge Bidhannagar Municipality/ Nabadiganta Industrial Township Authority Certified that a R.B.I. Challan No. .... sewer connection has been received in this office. Date .... representing deposit for Officer-in-charge of Finance Bidhannagar Municipality/ Nabadiganta Industrial Township Authority Certified that the house sewer of the above plot have been inspected and approved by me. Permission for giving connection may be accorded. Date ..... Engineer-in-charge Bidhannagar Municipality Nabadiganta Industrial Township Authority THE KOLKATA GAZETTE, EXTRAORDINARY, FEBRUARY 14, 2007 93 Remarks: Sewer connection made under my supervision. Date .... Officer-in-charge of Finance Bidhannagar Municipality/ Nabadiganta Industrial Township Authority Engineer-in-charge Bidhannagar Municipality/ Nabadiganta Industrial Township Authority Officer-in-charge of Finance Bidhannagar Municipality/ Nabadiganta Industrial Township Authority Submitted to the Chairman, Bidhannagar Municipality/Nabadiganta Industrial Township Authority, Sewer connection to Plot No. .... given on .... Plot-holder to Please note Officer-in-charge of Finance Bidhannagar Municipality/ Nabadiganta Industrial Township Authority After permission is accorded, the plot-holder shall give connection to the sewer at his cost under the supervision of Municipal staff. The plot-holder shall fix up date and time and give clear 10 days notice (excluding Sundays and holidays) so that supervision by the Municipal staff can be arranged. Shri..... .. . residence of .... 94 . ... owners of premises No..... in (name of the street and No. of word). THE KOLKATA GAZETTE, EXTRAORDINARY, FEBRUARY 14, 2007 FORM L [See rule 13(n)] FORM OF INDEMNITY BOND (To be submitted on non-judicial stamp paper of Rs. IO) This Indemnity Bond is executed by Shri [PART 1 and ....son/sons of Shri .... WHEREAS I/we am/are submitting to the Municipality (hereinafter referred to as the said Municipality) building plans with provisions for deep foundation works, piling works, construction of basement and underground constructions; AND WHEREAS I/we am/are representing to the said Municipality that if sanction is granted for the construction of the aforesaid works, I/we shall indemnify the said Municipality for any loss or damage at the time of execution of the said works or thereafter; AND WHEREAS I/we undertake that all precautionary measures shall be undertaken by me/us and no excavation shall be carried out beyond the boundaries of- the plot. Any damage occuring during the execution of the works or due to excavation made at site to the municipal services/public utility services or properties shall be made good by me/us; AND WHEREAS I/we further undertake and agree to indemnify the said Municipality to the full extent of any claim put up against the said Municipality either by way of damage, compensation or in any other way, in case the said Municipality is required to pay any amount to any person or owner or owners of the adjoining properties; AND WHEREAS I/we further undertake and agree to indemnify the said Municipality of all costs and expenses the said Municipality may require to defend any action in this regard to any court of law; IN WITNESS HEREOF, the owners above mentioned put their hands and seal to the said Indemnity Bond on . day of .... Witness: Signature By order of the Governor, Sd/- K. C. MONDAL, Jt. Secy. to the Government qfWest Bengal. Published by the ConEoller of Printing and Stationery, West Bengal and printed at Saraswaty Press Ltd. (Government of West Bengal Enterprise), Kolkata 700 056