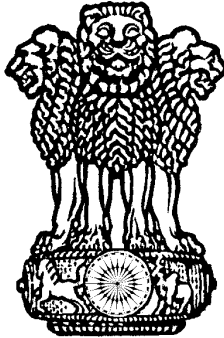


The



Kolkata **Gazette**

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MONDAY, AUGUST 10, 2009

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PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL

HOUSING DEPARTMENT
New Secretariat Buildings
1, Kiran Sankar Roy Road, Kolkata-700 001

NOTIFICATION

No. 952-H2/NT-11/2009

Dated: 10th August, 2009

In exercise of the power conferred by section 159 read with section 65 of the New Town Kolkata Development Authority Act, 2007 (West Ben. Act XXX of 2007) (hereinafter referred to as the said Act), the Governor is pleased hereby to make, after previous publication as required under sub-section (1) of section 159 of the said Act, the following rules namely:—

Rules

Chapter I

1. Short title, application and commencement:—(1) These rules may be called The New Town Kolkata (Building) Rules, 2009.

(2) They shall come into force on the date of their publication in the *Official Gazette*.

2. Definitions:— (1) In these rules, unless the context otherwise requires,—

- (a) “**the Act**” means the New Town Kolkata Development Authority Act, 2007 (West Ben. Act XXX of 2007);
- (b) “**apartment**” means an independent dwelling unit with a kitchen or kitchenette or Pantry, sanitary toilet, ablution and washing spaces or 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;

- (c) “**applicant**” means Owner of the land and includes authorized representative of the owner or anybody having construction right in accordance with law and shall also include the transferee;
- (d) “**architect**” means a person registered as such under the provisions of the Architects Act, 1972;
- (e) “**basement**” means the lower storey of a building, partly or wholly below the ground level;
- (f) “**building**” means a structure constructed for whatsoever purpose and of whatsoever materials, and includes the foundation, plinth, wall, floor, roof, chimney, fixed platform, veranda, balcony, chajja, cornice or projection or a part thereof or anything affixed thereto or any wall (other than boundary wall) enclosing or intended to enclose any land but does not include a tent, samiana or tarpaulin shelter erected for temporary use with the permission of the Development Authority;
- (g) “**Central business district and sub-central business districts**” are the areas delineated by the planning authority as such;
- (h) “**chajja**” or “**cornice**” or “**weather shade**” means a sloping or horizontal structural overhang usually provided over openings on external walls to provide protection from sun and rain or provided at any other level;
- (i) “**civil engineer**” means a civil engineer having the qualifications and experience prescribed in sub-rule 2(ii) of rule 17;
- (j) “**clear height**” shall be the vertical distance measured from the surface of the floor to the lowest point of the ceiling of the under side of any slab;
- (k) “**community parking**” means the parking places for cars in residential areas for the use of the visitors, service peoples, doctors;
- (l) “**covered area**” means the horizontal area covered by a building at any floor subject to the exemption of the spaces as may be specified in these rules made under the Act;
- (m) “**courtyard**” shall mean an area permanently open to sky enclosed partly or fully by one or more building and/or by walls;
- (n) “**cul-de-sac**” means a public or private road closed at one end for vehicular traffic, with provision for turning;
- (o) “**Development Authority**” means the New Town Kolkata Development Authority constituted under the Act;
- (p) “**dome**” means a curve roof structure spanning an area; often spherical in shape and includes a square fabricated pan form; used in two ways joist concrete floor construction, a vault substantially hemispherical in shape, but sometime slightly pointed or bulbous; a ceiling of similar form;
- (q) “**electrical engineer**” means an electrical engineer having qualifications and experience prescribed in rule 17;
- (r) “**electrical supervisor**” means an electrical supervisor having qualifications and experience prescribed in rule 17;
- (s) “**floor area ratio**” means the quotient obtained by dividing the total covered area on all floors, excluding areas stipulated in these rules, by the plot-area, viz.,

$$\text{“Floor Area Ratio (F.A.R.)”} = \frac{\text{Total covered area on all floors}}{\text{Plot area}};$$

- (t) “**geo-technical engineer**” means a geo-technical engineer having qualifications and experience as prescribed in rule 17;
- (u) “**ground coverage**” means the quotient obtained by dividing the area of the plot covered by the building at the ground level by the total area of the plot, expressed as a percentage as follows:

$$\text{“Ground coverage”} = \frac{\text{The area of the plot covered by building when vertically projected on the ground level}}{\text{Total area of the plot}} \times 100$$

- (v) “**ground level of a plot**” shall be the average level of the center line of that portion of the means of access on which the plot abuts;
- (w) “**height of building**” means the vertical distance measured from the average level of the center line of the means of access to which the plot abuts, to the highest point of the building whether with flat roof or sloped roof excluding appurtenant structures on the roof ;
- (x) “**inner courtyard**” is a courtyard enclosed on all sides.
- (y) “**interpolation**” means a method of calculating a new point between two or more existing data points;
- (z) “**IT / ITES business**” that is to say, any plot containing **building/s** used principally for transaction of Information Technology/Information Technology Enabled System business;
- (za) “**kitchenette**” means a cooking space or a cooking alcove;
- (zb) “**kiosk**” means a small pavilion, usually open, built in gardens or parks. A similar structure, often enclosed, for the sale of merchandise such as newspaper or magazines;
- (zc) “**lift-well**” means a vertical space for movement of lift-cage;
- (zd) “**means of access**” means a road, giving access to the plot;
- (ze) “**minaret**” means a tall tower in or contiguous to a mosque with stairs leading up to one or more balconies from which the faithful are called to prayer;
- (zf) “**online sanction**” means communications that provide a real-time connection;

Explanation—For the purpose of this clause ‘real-time’ means the actual time during which something occurs relating to or denoting a system in which input data is available virtually immediately as feed back to the process for which it is coming.

- (zg) “**open space**” means an area, forming an integral part of the plot at ground level and shall be open to the sky without any projection or overhang **excepting** cornices, chajjas or weather shades of not more than 0.075 mm width, which may be designated in different manner as follows:—
 - (i) “**marginal open space of a building**” means an open space at ground level forming an integral part of the plot between the extreme face of the building and the nearest boundary line of the plot. Marginal open space along the entire front face or rear face or the side faces of the building shall be designated as front open space, rear open space and side open spaces 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 the farthest from the means of access;
 - (ii) “**inter open space**” means an open space in a plot measured between closest points of the two buildings when vertically projected on ground level;
 - (iii) “**public open space**” means any open space which is open to the use and enjoyment of the public, whether it is actually used or enjoyed by the public or not and whether the entry is regulated by charge or not;
 - (iv) “**green open space**” means an area open to sky and left uncovered so that greenery can grow as well as surface water can percolate underground;
- (zh) “**Outer courtyard**” is a courtyard where one of the sides is not enclosed;
- (zi) “**parking**” means an area provided to keep standing a vehicle. It may be covered, semi-covered or open. It may be private or public. It excludes parking space for repair generally called a garage;
- (zj) “**planning authority**” means the planning authority declared under the West Bengal Town and Country (Planning and Development) Authority Act, 1979;
- (zk) “**plumber**” means a plumber having qualifications and experience prescribed in sub-rule 2(ix) of rule 17;
- (zl) “**Public Health Engineer**” means a Public Health Engineer having qualifications and experience prescribed in sub-rule 2(vi) of rule 17;
- (zm) “**rule**” means a rule of these rules;
- (zn) “**Sanctioning Authority**” for the purposes of the rules, means the Chairman of the Development Authority or such other officer of the Development Authority who may be empowered as such by Chairman of the Development Authority, by order;

- (zo) “**schedule**” means a schedule appended to these rules;
- (zp) “**section**” means section of the Act;
- (zq) “**stair-well**” means a vertical space encircled by the flights of stair;
- (zr) “**Structural Engineer**” means a structural engineer having qualifications and experience prescribed in rule 17;
- (zs) “**Town Planner**” means a Town Planner having qualifications and experience prescribed in rule 17;
- (zt) “**toilet**” means a room which is used both for bathing and water closet;
- (zu) “**Urban Designer**” means an Urban Designer having qualifications and experience prescribed in rule 17;
- (zv) “**W.C.**” or “**water closet**” means a privy with arrangement for flushing the pan with water but does not include a bathroom;
- (zw) “**width of a road**” means the whole width of space, including the service road (if any), footpath, open side drain and other features within the boundaries of the street, i.e., right of way.

(2) Words and expressions used and not defined in these rules, shall have the same meaning as respectively assigned to them in the Act.

3. Prohibition to erect building:—(1) No person shall erect any building until he takes over the possession of the land.

(2) The Development Authority shall give notice, in writing, if erection of any building is taken place in contravention of the provision of the Act and these rules and to stop such erection of building, and to remove unauthorized building or development:

Provided that the cost to be incurred on such removal shall be recovered in accordance with the provisions of the Bengal Public Demand Recovery Act, 1913 (Ben. Act III of 1913)

4. Application for permission to erect building.—An application for permission to erect building shall consist of the following—

- (a) an applicant shall apply in the form specified in Schedule I, Schedule II, Schedule V and Schedule VI within three years from the date of possession of the land from the planning authority to the Sanctioning Authority to erect building, failing which additional fees for giving permission to erect building, may be levied;
- (b) forms and drawings as specified in Schedule I and Schedule II, shall be signed by the architect, civil engineer, structural engineer, town planner and urban designer as the case may be;
- (c) an applicant intending to avail himself of the on-line system may apply directly through website in the specified format uploaded thereof:

Provided that an applicant intending to avail himself of on-line system except uploading of drawings for building height below 15 metre and plot area upto 1500 square metre may apply directly through website in the specified format uploaded thereof. However, the applicant applied through website in the aforesaid partial on-line system will furnish the hard copies of the application mentioned in Schedules above.

Note: The Development Authority may, by order, specify the website for the purpose.

- (d) copies of other relevant documents, if any;
- (e) no objection certificate from the West Bengal Fire and Emergency Services, if applicable, along with original drawings containing the recommendation;
- (f) no objection certificate from the Airports Authority of India, wherever applicable;
- (g) Scrutiny fees as mentioned in sub-rule (6) of rule 5.

5. Levy of fees for sanction of building plan:—(1) The Development Authority shall levy,—

- (a) building sanction fees as specified in sub-rule (3).
- (b) fees for occupancy certificate and partial occupancy certificate may be charged as specified in sub-rule (4) and sub-rule (5) respectively;
- (c) stacking fees to be levied as specified in sub-rule (7);

Explanation.—Stacking fee for the purpose of this rule means a stacking fee payable in respect of stacking of building materials including building rubbish.

Note: Fifty percent of the building sanction fees shall have to be deposited for obtaining the sanction for the pile-work, if any.

(2) Building sanction fees payable for per square meter of covered area:—**(a) Residential use:**

(i) Plots measuring up to 300 square meter;	(a) Rs. 75 per square meter if FAR is up to 1.5;
	(b) Rs.100 per square meter for FAR above 1.5 and up to allowable limit <i>for the total FAR availed.</i>
(ii) Plots measuring above 300 square meter and up to 4000 square meter;	(a) Rs. 125 per square meter if FAR is up to 1.5;
	(b) Rs. 175 per square meter for FAR above 1.5 and up to allowable limit <i>for the total FAR availed.</i>
(iii) Plots measuring above 4000 square meter;	(a) Rs. 200 per square meter if FAR is up to 1.5;
	(b) Rs. 300 per square meter for FAR above 1.5 and up to allowable limit <i>for the total FAR availed.</i>

(b) Educational use or Institutional use: Rs. 250 per square meter;

(c) Buildings other than Residential use, Educational use and Institutional use

(i) Rs. 400 per square meter if FAR is up to 1.5;

(ii) Rs. 600 per square meter for FAR above 1.5 and up to allowable limit *for the total FAR availed.*

(3) Fees for occupancy certificate:—The owner shall have to give notice of completion in the form specified in Schedule VII together with the fees prescribed below for obtaining occupancy certificate in the form specified in Schedule VIII by the Development Authority:-

(A) Buildings of residential use or educational use or institutional use:**(a) For floors below 15.1 meters in height:**

(i) building in plot area upto 300 square meter	Rs. 2000/- per building;
(ii) building in plot area above 300 square meter and upto 500 square meter	Rs. 5000/- per building;
(iii) building in plot area above 500 square meter and upto 1500 square meter	Rs. 7000/- per building;
(iv) building in plot area above 1500 square meter and upto 5650 square meter	Rs. 9000/- per building;
(v) building in plot area above 5650 square meter	Rs. 12000/- per building;

(b) For each additional floor of 15.1 meters and above in height or part thereof:

(i) building in plot area upto 300 square meter	Rs. 300/- per floor;
(ii) building in plot area above 300 square meter and upto 500 square meter	Rs. 500/- per floor;
(iii) building in plot area above 500 square meter and upto 1500 square meter	Rs. 700/- per floor;
(iv) building in plot area above 1500 square meter and upto 5650 square meter	Rs. 900/- per floor;
(v) building in plot area above 5650 square meter	Rs. 1200/- per floor;

(B) Buildings other than residential use or educational use or institutional use:

(i) buildings in plot area upto 500 square meter	Rs. 20000/- per building;
(ii) buildings in plot area above 500 square meter	Rs. 22000/- per building;

(4) Fees for partial occupancy certificate:—The owner shall have to give notice of partial completion in the form specified in Schedule IX together with the fees prescribed below for obtaining partial occupancy certificate in the form specified in Schedule X by the Development Authority:—

A. Buildings of residential use, educational use or institutional use**(a) For floors below 15.1 meters in height**

- | | |
|---|--------------------------|
| (i) building in plot area upto 300 square meter | Rs. 1000/- per building; |
| (ii) building in plot area above 300 square meter and upto 500 square meter | Rs. 2500/- per building; |
| (iii) building in plot area above 500 square meter and upto 1500 square meter | Rs. 3500/- per building; |
| (iv) building in plot area above 1500 square meter and upto 5650 square meter | Rs. 4500/- per building; |
| (v) Building in plot area above 5650 square meter | Rs. 6000/- per building; |

(b) For each additional floor of 15.1 meters and above in height or part thereof

- | | |
|---|----------------------|
| (i) building in plot area upto 300 square meter | Rs. 150/- per floor; |
| (ii) building in plot area above 300 square meter and upto 500 square meter | Rs. 250/- per floor; |
| (iii) building in plot area above 500 square meter and upto 1500 square meter | Rs. 350/- per floor; |
| (iv) building in plot area above 1500 square meter and upto 5650 square meter | Rs. 450/- per floor; |
| (v) building in plot area above 5650 square meter | Rs. 600/- per floor; |

B. Buildings other than residential use, educational use or institutional use:

- | | |
|--|---------------------------|
| (i) buildings in plot area upto 500 square meter | Rs. 10000/- per building; |
| (ii) buildings in plot area above 500 square meter | Rs. 11000/- per building; |

(5) Scrutiny fee

- | | |
|---|-------------|
| (i) building in plot area upto 200 square meter | Rs. 250/-; |
| (ii) building in plot area above 200 square meter and upto 500 square meter | Rs. 350/-; |
| (iii) building in plot area above 500 square meter and upto 5650 square meter | Rs. 1000/-; |
| (iv) building in plot area above 5650 square meter | Rs. 3000/-; |

(6) Stacking fees

- | | |
|---|---|
| (i) Width of Road or Means of access upto 18 meters | Rupees 10/- per square meter of total covered area; |
| (ii) Width of Road or Means of access above 18 meters
- upto 36 meters | Rupees 15/- per square meter of total covered area; |
| (iii) Width of Road or Means of access above 36 meters | Rupees 15/- per square meter of total covered area; |

(7) Fire Service Charge:

	Building height	Fees
(i)	Upto 20 meters	Nil
(ii)	From 20 meters to 30 meters	2% of the building sanction fees
(iii)	Above 30 meters	5% of the building sanction fees

(8) All payments under these rules shall be made through account payee bank draft or account payee bankers cheque or account payee pay order drawn in favour of the New Town Kolkata Development Authority.

6. Additional fee on building sanction fee:—Additional fee on building sanction fee will be levied if the application is submitted after the expiry of three years from the date of possession of the plot given by the Planning Authority Rate of such additional fee will be computed at rupees fifteen per square meter of the covered area per year counted from the date of expiry of three years from the date of taking over possession of the plot.

7. **Amenity charges:**—The Development Authority shall levy the following amenity charges:—

Table-I

Type	Size of Plot (in square meters)	Charges per connection (in Rupees)		
		Residential use	Plot of other than residential use or educational use or institutional use	Plot of educational use or institutional use
Water Supply connection	Up to 500	Rs. 5000.00	Rs. 7500.00	Rs. 6000.00
	Above 500 up to 1500	Rs. 10000.00	Rs. 15000.00	Rs. 12000.00
	Above 1500 up to 5000	Rs. 15000.00	Rs. 22500.00	Rs. 18000.00
	Above 5000 up to 10000	Rs. 20000.00	Rs. 30000.00	Rs. 24000.00
	Above 10000 up to 20000	Rs. 25000.00	Rs. 37500.00	Rs. 30000.00
	Above 20000	Rs. 25000.00 plus Rs. 2500.00 for every 10000 square meter or part thereof	Rs. 37500.00 plus Rs. 3750.00 for every 10000 square meter or part thereof	Rs. 30000.00 plus Rs. 3000.00 for every 10000 square meter or part thereof.
Sewerage connection	Up to 500	Rs. 4000.00	Rs. 6000.00	Rs. 4800.00
	Above 500 up to 1500	Rs. 8000.00	Rs. 12000.00	Rs. 9600.00
	Above 1500 up to 5000	Rs. 12000.00	Rs. 18000.00	Rs. 14400.00
	Above 5000 up to 10000	Rs. 15000.00	Rs. 22500.00	Rs. 18000.00
	Above 10000 up to 20000	Rs. 20000.00	Rs. 30000.00	Rs. 24000.00
	Above 20000	Rs. 20000.00 plus Rs. 2000.00 per 10000 square meter or part thereof	Rs. 30000.00 plus Rs. 3000.00 per 10000 square meter or part thereof	Rs. 24000.00 plus 2400.00 per every 10000 square meter or part thereof.
Drainage connection	Up to 500	Rs. 2000.00	Rs. 3000.00	Rs. 2400.00
	Above 500 up to 1500	Rs. 4000.00	Rs. 6000.00	Rs. 4800.00
	Above 1500 up to 5000	Rs. 6000.00	Rs. 9000.00	Rs. 7200.00
	Above 5000 up to 10000	Rs. 8000.00	Rs. 12000.00	Rs. 9600.00
	Above 10000 up to 20000	Rs. 10000.00	Rs. 15000.00	Rs. 12000.00
	Above 20000	Rs. 10000.00 plus Rs. 1000.00 per every 10000 square meter or part thereof	Rs. 15000.00 plus Rs. 1500.00 per every 10000 square meter or part thereof	Rs. 12000.00 plus 1200.00 per every 10000 square meter or part thereof.

Note: The above water supply connection charges are exclusive of ferrule and water meter charges.

8. **Particulars of Drawings and Statements to be submitted:**—(1) The hard copy drawings shall be ammonia prints and blue prints. One set out of total four sets of such drawings shall be blue printed. Prints of drawings shall be on only one side of the paper. One additional set of drawings and area statement shall be in the form of soft copy and to be submitted in Compact Disc duly signed by the Architect.

(2) The drawings shall be coloured as specified in Table below:—

TABLE-II

Sl. No.	Item	Site Plan	Building Plan, Sections etc.
1.	Plot Lines	Thick Black	Thick Black
2.	Existing Road	Dark Green	
3.	Future Road, if any	Green dotted	
4.	Permissible building lines	Thick dotted Black	
5.	Open spaces		
6.	Existing work	Yellow	Yellow
7.	Work proposed to be demolished	Yellow Hatched	Yellow Hatched
8.	Proposed work	Red filled in	Red
9.	Drainage and Sewerage work	Red dotted	Red dotted
10.	Water supply work	Black dotted thin	Black dotted thin
11.	Greenery	Green wash	
12.	Deviation	Red Hatch	Red Hatch
13.	Facilities	Violet	

(3) An applicant intending to submit the proposal for sanction of building plan in the on-line system shall follow the colour code of drawings as per format uploaded in the website of the Development Authority.

9. Prohibition of sub-division and amalgamation of plots of land likely to affect the building operations:— Amalgamation and sub-division of plots shall not be allowed.

10. Grant of sanction for erection of building:— Within a period of 60 (sixty) days from the date of receipt of the application under rule 4, completed in all respect, the Sanctioning Authority shall—

(a) accord sanction, for erection of building as specified in Schedule III ; or

(b) reject the application if it is not in accordance with the provisions of the Act and these rules:

Provided that rejection of an application to erect building shall not debar any applicant to make fresh application under rule 4.

11. Duration and expiry of a sanction:—(1) A sanction to erect building under these rules shall be valid for five years from the date on which it is sanctioned and may be renewed thereafter for a further period of five years on payment of fee at the rate of fifteen percent of the building sanction fee and on production of the previous sanction for erection of building.

(2) The sanction for erection of building may be revalidated further for a period of five years only, if the building operation has been partly completed and partial occupancy certificate has been issued, on production of the renewed previous sanction for building operation, the partial occupancy certificate and on receipt of 15% building sanction fees of the remaining portion.

12. Execution of erection of building:—(1) Not less than seven days before any person commences to erect building, the owner of the plot shall send to the Sanctioning Authority a written notice, in the form as specified in Schedule IV specifying the date on which he proposes to commence erection of building.

(2) From the date of commencement of erection of building till the date of issue of occupancy certificates, the applicant shall keep one set of the approved drawings at the work -site for checking by the Development Authority.

(3) An Officer of the Development Authority duly authorised shall inspect the work-site and issue necessary direction, if any, and also submit reports to the Development Authority for their information and further necessary action, if any.

(4) Within one month after the completion of erection of any building, the applicant shall inform the Sanctioning Authority of such completion of work by a Completion Notice in the form as specified in Schedule VII duly countersigned by the Architect, Civil Engineer or Structural Engineer, as the case may be. The notice shall be accompanied by three sets of drawings with all the revisions and modifications duly signed by the applicant and Architect, Civil Engineer or Structural Engineer, as the case may be in the form of hard copy and marked as "Completion Plan". A Structural Stability certificate shall accompany the notice and other certificates or documents as stated in the Schedules.

13. Deviations during erection of building:—(1) No deviation from the sanction shall be made while erecting building.

(2) Notwithstanding anything contained in sub-rule (1),—

- (a) if during execution of work with regard to erection of building, any internal alteration within the sanctioned covered space which does not violate the provisions of the these rules made under the Act, is intended to be made, the applicant shall inform the Sanctioning Authority by notice in writing along with a certificate from the Architect and the Civil Engineer or Structural Engineer, together with drawings incorporating the deviations and structural drawings and calculations in case of structural deviations, stating the nature and purpose of such deviations at least fifteen days prior to carrying out such 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 sub-rule (4) of rule 12;
- (b) if during execution of work with regard to erection of building any external deviation beyond the sanctioned covered space is intended to be made and which does not violate the provisions of these rules made under the Act, the applicant shall prior to carrying out such works, submit, in accordance with the provisions of these rules, a notice in writing along with a certificate from the Architect and the Civil Engineer or the Structural Engineer together with the drawings incorporating the deviations and structural drawings and calculations, and shall be accompanied with a fee not exceeding rupees five hundred per square meters of external deviation beyond the sanctioned covered space incorporating the deviations intended to be carried out, for necessary sanction thereof.

(3) If no notice is served under clause (a) of sub-rule (2) above, or execution of any work is undertaken without the sanction referred to in clause (b) of sub-rule (2) above, such execution of work shall be deemed to be in contravention to the provisions of the Act and these rules and shall be dealt with the provisions of the Act and the rules.

14. Occupancy certificate:—(1) Within fifteen days of the receipt of the completion notice, under sub-rule (4) of rule 12 the Sanctioning Authority after inspection will issue within one month of the said inspection, an Occupancy Certificate in the form as specified in Schedule VIII

(2) If the Occupancy Certificate under sub-rule (1) is refused, the Sanctioning Authority shall communicate in writing, within one month, to the applicant stating therein the grounds of such refusal.

15. Partial Occupancy certificate:—(1) Whenever a request is made by the applicant to the Sanctioning Authority to occupy a part of a building or a building within a complex, which is under construction, Sanctioning Authority may allow partial occupancy and issue partial occupancy certificate as specified in Schedule X.

(2) A written request for the partial occupancy under these rules shall be accompanied by—

- (a) a notice for partial completion in the form as specified in Schedule IX for the portion of the building or a building within a complex, which is proposed to be occupied;
- (b) the structural stability certificate for the occupation of the portion of building or a building within a complex, which is proposed to be occupied.

(3) If the partial occupancy is refused under sub-rule (2), the Sanctioning Authority shall communicate the reasons thereof in writing to the applicant.

16. Validity of plan and notices:—Save as otherwise provided under these rules, no drawings submitted by an applicant shall be valid unless it is signed by the applicant and the concerned registered Architect and the Structural Engineer or Civil Engineer as specified in rule 17.

17. Engagement of technical persons for sanction of building plan and erection of building; and their qualifications, duties etc.:—(1) Every person who intends to undertake building operation shall have to engage technical persons as follows:—

Activity	Plot size	Technical Persons
Sanction of building plan	plot size up to 1500 square meters and height below 15.1 meters	(i) Architect (ii) Civil Engineer
	plot size exceeding 1500 square meters and up to 2 hectares and / or buildings of height of 15.1 meters and above	(i) Architect (ii) Structural Engineer (iii) Geo-technical Engineer
	plot size above 2 hectares	(i) Architect (ii) Town Planner or Urban Designer (iii) Structural Engineer (iv) Geo-technical Engineer

Election of Building	plot size up to 1500 square meters and height below 15.1 meters	(i) Architect (ii) Civil Engineer (iii) Electrical Supervisor (iv) Plumber
	plot size exceeding 1500 square meters and up to 2 hectares and / or buildings of height of 15.1 meters and above	(i) Architect (ii) Structural Engineer (iii) Geo-technical Engineer (iv) Public Health Engineer (v) Electrical Engineer(only for buildings having height above 18 meters)
	plot size above 2 hectares	(i) Architect (ii) Town Planner or Urban Designer (iii) Structural Engineer (iv) Geo-technical Engineer (v) Public Health Engineer (vi) Electrical Engineer

Note — Technical person engaged for a particular project may be changed by the owner with prior intimation to the Development Authority as well as the concerned Technical person.

(2) The qualification, experience, duties and responsibilities of Technical persons

(i) Architect

(a) Minimum Qualification:—

A person must have registered under the provisions of the Architect's Act, 1972 (20 of 1972).

(b) The following shall be the duties and responsibilities of the Architect,—

- (i) preparation and planning of all types of lay-outs and sub-mission of drawings and details including sub-mission of the proposal and notice of commencement and notice of completion and declaration as per the Schedules. He/She shall have to give undertakings as per the schedules and as required by the Sanctioning Authority. He/She shall also have to certify the drawings as may be required by the Sanctioning Authority.
- (ii) he shall supervise the architectural design, execution and construction works as per specification and drawings approved by the Sanctioning Authority. He shall also be responsible to ensure that the work is executed and arrangements have been made as per the approved plans and also is in conformity with the stipulations of the National Building Code and the Bureau of Indian Standards for safe and sound construction and non-hazardous functioning of the services incorporated in the building and for making adequate provisions for services and equipment for protection from fire hazards as per the stipulations of the West Bengal Fire and Emergency Services, West Bengal Pollution Control Board and Civil Aviation Authority, as the case may be.
- (iii) he shall be conversant with the provisions of the Act and rules made thereunder so that all the submitted drawings, designs and lay-out etc. so prepared be in conformity with these rules.
- (iv) he shall prepare the revised plan and drawings in case of any revision with reference to earlier submission of plan and drawings if the same is warranted. He shall submit partial completion and completion drawings.
- (v) he shall be responsible for all the works executed by the contractors including legal matters relating to contractor alongwith the other professional(s) of the project;

(ii) Civil Engineer

(a) Minimum Qualifications and Experience:—

A degree in Civil Engineering from any recognized University or Institute or any equivalent civil engineering qualification recognized by the Government and shall have at least two years experience in planning, design, and execution of building works including sanitary and plumbing works related to buildings;

(b) The following shall be duties and responsibilities of the Civil Engineer:—

- (i) supervision and execution of construction works as per drawings approved by the sanctioning authority and as per the submitted structural designs. He has also to submit declarations or undertakings as per the schedules and as required by Sanctioning Authority. He shall also have to certify the drawings as may be required by the Sanctioning Authority;

- (ii) he shall prepare and submit structural details and design of buildings of height below 15.1 metres and must submit certificate of structural stability of such buildings as per sub-rule (b) or (c) of rule 4, as the case may be,
- (iii) he shall prepare and submit plan and drawings for sanitary and plumbing arrangements for all buildings;
- (iv) he shall be responsible for making adequate arrangements to ensure not only that the work is executed as per the approved plans but also is in conformity with the stipulations of the National Building Code and the BIS standards for safe and sound construction and non hazardous functioning of the services incorporated in the building and for making adequate provisions for services and equipment for protection from fire hazards as per National Building Code and as per the recommendations of the West Bengal Fire and Emergency Services, if any. Civil Engineer shall also be responsible to ensure that the work is executed following the observations of the West Bengal Pollution Control Board and Civil Aviation Authority, as the case may be;
- (iv) he shall be responsible to ensure full quality control of all the works related to the construction, making suitable at-site test or laboratory tests of construction materials, concretes and maintain proper records of those;
- (vi) he shall prepare the revised calculations and drawings in case of any revision with reference to the earlier submission of drawing and design as the case may be, if the same is warranted;
- (vii) he shall be responsible for all the works executed by the contractors including legal matters relating to contracts or contractors along with the concerned Architect and other concerned professional(s) of the project.

(iii) Structural Engineer

(a) Minimum Qualifications and Experience:—

A Master's degree in Civil Engineering with specialization in Structural Engineering from a recognized University or Institute or its equivalent and at least two years experience in Structural design works. He must have proven track record for design of multi-storied buildings including design of deep foundations or basements;

Or

A degree in Civil Engineering from any recognized University or Institute or its equivalent with at least seven years experience of structural design of buildings of height 15 metres above. He must have proven track record for design of multi-storied buildings including designs of deep foundations or basement.

(b) The following shall be duties and responsibilities of the Structural Engineer:—

- (i) preparation and submission of structural drawings, design and calculation details for all types of buildings as per National Building Code and Bureau of Indian Standards;
- (ii) he shall submit certificate of structural stability of such building as per these rules;
- (iii) supervision and execution of structural construction works, the structural stability and overall structural soundness of the building;
- (iv) he shall be responsible to ensure full quality control of all the works at site and arrange the in-site test or laboratory tests of the building materials and the test and reports for soil and maintain proper records of those for his evaluation and design consideration;
- (iv) he shall prepare the revised calculations and drawings in case of any revision with reference to the earlier submission of drawing and design;
- (vi) he shall be responsible for all the works executed by the contractors including legal matters relating to contracts or contractors along with the concerned Architect and other concerned professional(s) of the project;
- (vii) he shall be responsible for making adequate arrangements to ensure not only that the work is executed as per the approved plans but also is in conformity with the stipulations of the National Building Code and the Bureau of Indian Standards for safe and sound construction and non hazardous functioning of the services incorporated in the building and for making adequate provisions for services and equipment for protection from fire hazards as per the recommendations of the West Bengal Fire and Emergency Services, if any. Structural Engineer shall also be responsible to ensure that the work is executed following the observations of the West Bengal Pollution Control Board and Civil Aviation Authority, as the case may be.

(iv) Geo-technical Engineer**(a) Minimum Qualifications and Experience:—**

A Master's degree in Civil Engineering with specialization in Geo-technical or Foundation Engineering from a recognized University or Institute or its equivalent and at least two years experience in the field of design and construction of deep foundation and underground basement of buildings of different types;

Or

A degree in Civil Engineering from any recognized University or Institute or its equivalent with at least seven years experience in the field of design and construction of deep foundation and underground basement of buildings of different types.

(b) the following shall be duties and responsibilities of the Geo-technical Engineer:—

- (i) soil investigation for design of structures exceeding 15 meters in height and / or all buildings on plots and exceeding 1500 square meters and other buildings with deep foundation including pilings and/or underground basements;
- (ii) preparation of a comprehensive report on soil investigation for submission to appropriate authority by analysing the soil samples for estimating the bearing capacity of the soil on which foundation of the structure will be constructed;
- (iii) he shall suggest such type of foundation that would be suitable or economical for the type of soil where construction has been proposed and shall be responsible for supervision of excavation of trenches, filling, piling works and certification of width and depth of foundation requirements;
- (iv) he shall check at site the nature of soil after excavation so that foundation is extended up to appropriate depth that has been proposed in the Geo-technical report.

(v) Town Planner**(a) Minimum Qualifications and Experience:—**

A degree in Architecture or Civil Engineering or Planning from a recognized University or Institute and a Post-graduate degree or Post-graduate diploma in Town Planning or City Planning or Regional Planning from recognized University or Institute and experience in the field of Town Planning or City Planning or Regional Planning at least for a period of two years after receiving the Post graduate degree or diploma.

Or

A degree in Architecture or Civil Engineering or Planning from a recognized University or Institute and a graduate degree or diploma in Town Planning or City Planning or Regional Planning from any recognized University or Institute and experience in the field of Town Planning at least for a period of seven years after receiving the graduate degree.

(b) The following shall be duties and responsibilities of the Town Planner:—

- (i) detailed layout of plot of land with regard to building operation having area more than two hectares;
- (ii) he shall also provide details of building positions along with infrastructure proposals that would include internal roads, open areas and other utility services subject to the rules made under the Act;
- (iii) he shall also provide inter connectivity of underground utility services of the plot with infrastructure of the Planning area in his layout plan and get the approval of the same from the Sanctioning Authority as and when necessary;

(vi) Public Health Engineer**(a) Qualifications and Experience:—**

A degree in Civil Engineering from a recognized University or Institute or its equivalent and a Post-graduate degree or Post-graduate diploma in Public Health Engineering from any recognized University or Institute and experience in the field of Public Health Engineering at least for a period of two years after receiving the Post graduate degree or Post-graduate diploma;

Or

A degree in Civil Engineering from a recognized University or Institute with specialization in Public Health Engineering and has experience in the field of Public Health Engineering at least for a period of seven years after receiving the graduate degree;

(b) The following shall be duties and responsibilities of the Public Health Engineer:—

- (i) detailed layout of plot in connection with building 15 meters in height or more and / or having plot area more than 1500 square meters planning and supervision of water supply, sewerage and plumbing arrangements;
- (ii) he shall be responsible for all water supply, sewerage, drainage and plumbing works of the building in conformity with National Building Code of India and Bureau of Indian Standards for safe and sound construction and operational hazard of non-functioning services incorporated in or under the buildings;
- (iii) he shall be responsible to ensure full quality control of all the works relating to his work including laboratory test, if any, and shall also maintain proper records of them;
- (iv) he shall prepare and submit plan and drawings for sanitary and plumbing arrangements for all buildings;

(vii) Electrical Engineer**(a) Qualifications and Experience:—**

A degree in Electrical Engineering from a recognized University or equivalent degree recognized by the Government and shall have minimum two years experience in electrical installations arrangement, air-conditioning of buildings;

(b) The following shall be duties and responsibilities of the Electrical Engineer:—

- (i) detail layout of plot in connection with building of more than 18 meters in height and/or having plot area more than 1500 square meters and planning of electrical installation arrangements air-conditioning;
- (ii) he shall be responsible for all electrical works including works relating to supply connection, substation, if any, lifts, escalators and other installation including wiring of the building and related matters. The work shall be carried out as per stipulation of National Building Code of India and Bureau of Indian Standards for safe and sound erection of electrical installation;
- (iii) he shall also be responsible for the safety of labours engaged for the electrical work;

(viii) Electrical Supervisor**(a) Qualifications and Experience:—**

Electrical Supervisor must hold a license from Directorate of Electricity, Government of West Bengal or having passed National Certificate of Competency for Supervisorship (Electrical), Government of West Bengal. He shall be engaged for day-to-day execution of electrical works and shall have minimum five years of experience;

(b) The following shall be duties and responsibilities of the Electrical Supervisor:—

- (i) supervision of electrical installation both external and internal, necessary wirings and air-conditioning, installations of lifts, escalators;
- (ii) he shall be responsible for execution as well as materials used for construction of all electrical works, which would include supply connection, substation (if any), lifts, escalators, other installations including electrical wiring;
- (iii) he shall be responsible for any defect in the works under him;
- (iv) he shall also be responsible for the safety of labours engaged for the work;

(ix) Urban Designer**(a) Minimum Qualifications and Experience**

A degree in architecture from a recognized University or Institute and a Post-graduate degree or Post-graduate diploma in architecture (urban design) / urban design from recognized University or Institute, having membership of the Institute of urban designer, India and experience in the field of urban design at least for a period of two years after receiving the Post graduate degree or diploma;

(b) The following shall be duties and responsibilities of the Urban Designer:—

- (i) detailed layout of plot of land with regard to building operation having area more than two hectares;
- (ii) he shall also provide details of building positions along with infrastructure proposals that would include internal roads, open areas and other utility services subject to the rules made under the Act;
- (iii) he shall also provide inter connectivity of underground utility services of the plot with infrastructure of the Planning area in his layout plan and get the approval of the same from the Sanctioning Authority as and when necessary;

(x) Plumber**(a) Minimum qualification and experience:**

A plumber must hold license under any Municipality or any Statutory Authority for five years or more;

(b) The duties and responsibilities of the plumber is execution and supervision of internal and external plumbing (water supply sewerage and drainage) works for buildings.

CHAPTER - II

18. Mixing of uses or occupancies. –(1) Every plot on which erection of building will be undertaken shall be provided with a principal use or joint principal use by the Development Authority.

Note: A joint principal use in this context shall be a combination of any two permissible principal uses which together shall be covering at least eighty percent of the total use and each of them shall be covering at least thirty percent of the total floor area of the building in a plot.

(2) The mixing of the other uses or occupancies with the joint principal use(s) or occupancy shall be allowed as mentioned in Table – I below:

Table – I

Principal/Joint Principal Use and occupancy.	Uses not permissible for mixing.	Maximum extent of permissible mixing.
Residential	Mercantile (Wholesale), Storage, Industrial , Hazardous	10% of the total covered area of all floors,
Educational	Business, Information Technology, business, Mercantile (Wholesale), Storage, Industrial, Hazardous	20% of the total covered area of all floors,
Institutional	Assembly, Business, Information Technology business, Mercantile (Retail) Mercantile (Wholesale), Storage, Industrial, Hazardous	20% of the total covered area of all floors,
Assembly	Educational, Institutional, Mercantile (Wholesale), Storage, Industrial, Hazardous	20% of the total covered area of all floors,
Business	Educational, Institutional, Mercantile (Wholesale), Storage, Industrial, Hazardous	20% of the total covered area of all floors,
Mercantile (Retail)	Educational, Institutional, Mercantile (Wholesale), Storage, Industrial, Hazardous	20% of the total covered area of all floors,
Mercantile (Wholesale)/ Storage	Residential, Educational, Institutional, Assembly, Mercantile (Retail), Industrial, Hazardous	20% of the total covered area of all floors,
Business-Assembly	Educational, Institutional, Mercantile (Wholesale), Storage, Industrial, Hazardous	20% of the total covered area of all floors,
Business- Mercantile(retail)	Educational, Institutional, Mercantile (Wholesale), Storage, Industrial, Hazardous	20% of the total covered area of all floors,
Mercantile(retail)- Assembly	Educational, Institutional, Mercantile (Wholesale), Storage, Industrial, Hazardous	20% of the total covered area of all floors,
Industrial	Residential, Educational, Institutional, Assembly, Mercantile (Retail), Mercantile (wholesale), Hazardous	20% of the total covered area of all floors,
Information Technology and Information Technology Enabled Services Business	Educational, Institutional, Mercantile (Wholesale), storage, Industrial, Hazardous	10% of the total covered area of all floors,
Hazardous	All other uses	Not Applicable

Note: Hazardous use cannot be mixed with any other uses in a building. In plots with industrial as the principal use, exclusive hazardous use may be permitted with prior specific approval of the Planning Authority.

19. Means of access.—Means of access shall be in the following manner:—

- (a) every plot shall about a means of access;
- (b) entry from plots to the adjacent public open spaces shall not be allowed without specific written permission from the Development Authority;
- (c) building(s) in a plot not abutting on a means of access shall abut on an internal road.
- (d) in plots above 10 ha organized park(s) provided within the plot, shall abut on an internal road.
- (e) the minimum width of internal road for different size of plots shall be as given in Table- II below:

Table – II**Minimum Width of Internal Roads for different size of plot:**

Plot size	Minimum width of Internal Roads;
Upto 1500 square meters	3.50 meters;
Above 1500 square meters upto 1 hectares	4.50 meters;
Above 1 hectare upto 2 hectares	5.50 meters;
Above 2 hectares upto 10 hectares	7.00 metres;
Above 10 hectares	10.00 metres;

20. Height of buildings.—(1) The following appurtenant structures shall not be included in the height of the building: -

- (a) stair cover not exceeding 2.6 metres in height from the surface of the roof;
- (b) lift machine rooms as per the latest edition of the National Building Code. ;
- (c) roof tanks and their supports, the height of support not exceeding 0.75 meter and the top of the tank not exceeding 2 meters from the surface of the roof or highest point of the building;
- (d) parapet walls or railings not exceeding 1.2 meters in height;
- (e) ventilating, air-conditioning and other service equipment;
- (f) dome, minaret, kiosk and other non-usable feature not exceeding 2.6 meters in height;

Note:

- (a) There shall be provision for lift in buildings having height more than 15.1 m.
- (b) No appurtenant structure shall be constructed on another appurtenant structure.

(2) The maximum permissible height of the building excluding the appurtenant structure specified sub rule (1) for different width of Means of Access shall be as follows : -**Table – III**

Width of Means of Access	Maximum Permissible Height excluding the appurtenant structures
Upto 10 meters	15.1 meters
Above 10 meter Upto 13 meter	1.50 ∞ (Width of means of access)
Above 13 meter upto 20 meter	2.00 ∞ (Width of means of access)
Above 20 meter upto 40 meter	2.50 ∞ (Width of means of access)
Above 40 meter	No restriction

Note: Clearance for microwave system for Tele-communication purpose in accordance with such rules or direction issued by or on behalf of Government of India. No Objection Certificate from the Civil Aviation Authority shall have to be submitted for construction of building.

(3) The minimum clear height of a floor shall be 2.7 meter provided that for service floor, this shall not be more than 1.8 m and for Mezzanine Floor, this shall be minimum 2.2 meter.

21. Floor area ratio (F.A.R.) and ground coverage. –

The Floor Area Ratio and Ground Coverage shall be as given below in Table IV

Table – IV

Plot size (square meter/ hectare).	Residential building, Educational building and Institutional building.		Industrial building, Storage building, mercantile (wholesale) building and Hazardous building.		Business building, Mercantile (retail) building, Assembly building, Business- Assembly, Business-Mercantile (retail) and Mercantile(retail)- Assembly.		Information Technology and Information Technology Enabled Services.	
	Maxi- mum permi- ssible F.A.R.	Maxi- mum permi- ssible Ground Coverage	Maximum permissi- ble F.A.R.	Maximum permissi- ble Ground Coverage	Maxi- mum permi- ssible F.A.R.	Maxi- mum permi- ssible Ground Coverage	Maximum permissi- ble F.A.R.	Maximum permissi- Ground Coverage
Below 1500 square meters	2.5	55%	1.5	40%	1.5	45%	2.5	45%
4000 square meter	2.35	50%	1.5	40%	1.75	40%	2.5	40%
2 hectare	2.25	45%	1.5	40%	2.0	40%	2.5	40%
10 hectare	2.0	40%	1.5	40%	2.0	35%	2.0	40%
20 hectare	1.75	35%	1.5	40%	2.0	35%	2.0	40%
Above 20 hectare	1.5	35%	1.5	40%	2.0	35%	2.0	40%
Sub-Central Business District	—	—	—	—	2.25	35%	2.0	40%
Central Business District	—	—	—	—	2.5	35%	2.5	40%

Note:

(1) The Floor Area Ratio and Ground Coverage in between two consecutive slabs of the “Plot size” table shall be calculated on interpolation basis.

(2) The total covered area for calculation of Floor Area Ratio shall consist of the areas of all the floors with the circulation spaces, spaces for sanitary facilities and other ancillary areas within the building including the area of basement or cellar, area of the mezzanine floors, area of walls, pillars and other structural members, the area of all the projections, but shall not include the following:—

- (a) stair well area and lift well area;
- (b) stair cover not exceeding 2.6 meters in height;
- (c) projection for cornice, weather shade, chajja; (maximum 75 mm.) No such projection shall be allowed in the ground floor, below the lintel level for any building(s);
- (d) lift machine rooms as per the National Building Code;
- (e) roof tanks and their supports, the height of support not exceeding 0.75 metre;
- (f) ventilating, air-conditioning and service equipment attached to the building;

Provided that the aggregate area of these structures mentioned at clauses (a) to (f) shall not exceed one-third the area of the roof upon which these are erected;

- (g) area of loft;
- (h) the covered area used for car, bus and truck parking spaces as may have been provided for the required number of cars, buses or trucks in accordance with the provision of rule 23;
- (i) the area of covered car parking spaces as may have been provided for the community car parking required in accordance with the rule 23;
- (j) for building above four storied in height, areas for a servants room and toilet (maximum 15 square meter), darwans/quarters for caretakers (maximum 15 square meter); generator room with all services provided, for the project, in ground and basement;
- (k) rain water harvesting tanks and other accessories, if any;
- (l) fire refuge area of 15 square meter or an area equivalent to 0.3 square meter per person;
- (m) area of service floor having maximum clear height of 1800 mm. may be allowed between any two floors for plumbing, electrical and other utility services in case of all hotel buildings under assembly use and hospital buildings under institutional use other than residential use;
- (o) full area of the terrace, open to sky.

(3) The essential utilities within a plot shall be water supply, sewerage, drainage, solid waste management and power supply services. The structures and appurtenants to be used exclusively for these five categories of essential utilities shall be exempt from the provision of ground coverage and Floor Area Ratio for the particular plot.

22. Open space. –(1) Open Space means an area forming an integral part of the plot, open to the sky and no chajja or cornice or weather shade more than 75 mm. widths shall overhang or project thereon. The total area of open spaces in a plot shall be as follows:-

The area of Open Space in a Plot = (Total area of the Plot) – (Area of the plot covered by Building when vertically projected on the ground level)

(2) Every building shall have marginal 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 provided along the entire front face, rear face and side faces of the building respectively. For this purpose, the front face of the building shall be that face of the building that faces the means of access and the rear face of a building shall be deemed to be that face of the building, which is farthest from the means of access.

(3) In the marginal open space one or more “Gate Goomti” for security purpose may be allowed. The covered area of each “Goomti” shall not exceed 3.00 square meters and the height of such “Goomti” shall not exceed 3.00 meters,

Provided that in case of land area of two hectares or more, such area of gate goomti may be increased upto twelve square meters

(4) **The minimum front open space shall be as follows:—**

Table – V

Type of building	Minimum front open space for building height in meter	
	Up to 15.1 m.	Above 15.1 m.
Residential	1.2 meter	15% of building height or 3.5 meter which ever is more;
Educational, Institutional, Mercantile (Retail), Business including IT and ITES, Assembly,	3.0 meter	
Industrial, Mercantile (Wholesale), Storage, Hazardous,	Minimum 15% of of building height or 5 meter whichever is more.	

22. Open space.—**(5) The minimum rear open space shall be as follows:—****Table – VI**

Type of building		Minimum rear open space for building height in meter	
		Upto 15.1 m.	Above 15.1 m.
Residential	Plot area upto 300 sq m	2.0 metres	25% of building height or 4 meter whichever is more
	Plot area above 300 sq m	3.5 metres	
Educational, Institutional, Mercantile (Retail), Business including IT/ ITES, Assembly,		25% of building height or 4 meter whichever is more	
Industrial, Mercantile (Wholesale), Storage, Hazardous,		25% of building height or 5 meter whichever is more	

¹/₅₀₀₀ “Joint Principal use (a) Business-Mercantile (Retail), Mercantile (Retail)-Assembly and (b) Business-Assembly in two rows are to be incorporated in table X.

(6) The minimum side open space shall be as follows:—**Table – VII**

Type of building		Minimum side open spaces for building height in meter			
		Side 1 Open Space		Side 2 Open Space	
		Upto 15.1 m.	Above 15.1 m.	Upto 15.1 m.	Above 15.1 m.
Residential	Plot area upto 300 sq m	0.8 metres	15% of building height or 3.5 meters which ever is more,	2.4 metres,	15% of building height or 3.5 meters whichever is more,
	Plot area above 300 sq m	1.2 metres,			
Other building		15% of building height or 3.5 meters whichever is more		15% of building height or 3.5 meters whichever is more	

(7) Inter Open Space between two buildings, within a plot, shall be 20% of the height of the lower building subject to a minimum of 3.2 meter and maximum of 12m.

Note:

- Side 1 of any plot shall always be adjacent to narrower side 2 of adjoining plot;
- Facing a plot from the means of access, the left hand side of the plot shall be treated as side 1 and the right hand side of the plot shall be treated as side 2.

(8) Inner Courtyard and Outer Courtyard and Ventilation Shaft

Every room intended for human habitation or kitchen shall abut an inner courtyard or outer courtyard or marginal open space or an open verandah which is open along its length onto the courtyard or marginal open space .

(a) For Inner Courtyard

In case any room, excepting bath, water-closets and store-room, is not abutting any marginal open spaces, it shall abut on inner courtyard whose minimum width shall be 30% of the height of the building or 3.20 meters, whichever is more, If an inner courtyard is formed by a composite block of higher and lower blocks, the minimum width of courtyard shall be determined by the maximum height of lower block;

(b) For Outer Courtyard

- the minimum width of such courtyard shall not be less than 20% of the height of the lower building or 3.2 meter which ever is more, upto a maximum limit of 10.0 m
- the maximum depth of that courtyard shall not be more than 1.5 times the width;
- outer courtyard having depth upto 1.2 metres shall be treated as a “Recess” not a courtyard.

(c) For ventilation shaft

- (i) the width and size shall not be less than as given in Table -VIII of this clause;
- (ii) no projection shall be allowed in the ventilation shaft. For all buildings suitable arrangements for access into the ventilation shaft shall have to be provided for maintenance of service lines;

Table –VIII**Ventilation shaft for toilet**

Height of the building.	Minimum size of ventilation shaft.	Minimum width of the shaft.
Upto 11.5 meters	3.0 square meter	1.5 meter
Above 11.5 meter and upto 15.1 meter	6.5 square meter	2.5 meter
Above 15.1 meter and upto 20.0 meter	8.0 square meter	2.75 meter
Above 20 meter	9.0 square meter	3.0 meter

(9) Green Open Space within a plot

A part of the total Open Space in a plot shall be maintained as Green Open Space as specified in the table below.

Table - IX

Plot size	Minimum area of green open space
Upto 1500 sq m.	4% of plot area,
1 hectare	5% of plot area,
10 hectares	8% of plot area,
20 hectares	10% of plot area,
above 20 hectares	12% of plot area.

Note :

- (a) The minimum area of green open space in between two consecutive slabs of the “Plot Area” shall be calculated on interpolation basis.
- (b) The Green Open Space shall not be paved and shall be so maintained that rain water can percolate underground providing a suitable base vegetation/plantation.
- © The provisions contained in West Bengal Trees (Protection and conservation in non-forest areas) Act, 2006 shall be taken into consideration

23. Parking space within a plot.—(1) (a) the minimum size of a car parking space shall be 2.50 m. x 5.00 m. and that for a L.C.V. shall be 3 m. x 7.5 m. and that for a truck or bus parking shall be 3.75 m. x 10.00 m. These sizes do not include the circulation spaces. The minimum width of circulation driveway with single side parking shall be 3.50 m. for cars and 5.00 m. for L.C.V. or trucks or buses if parking spaces are provided on both sides of the circulation driveway. The minimum width of such driveway shall be 5.5 m. for cars and 7 m. for L.C.V. or bus or truck.

(b) for calculating the number of parking as per the norms laid down in sub-rule 2, the covered area shall be same as the total covered area of the building excluding the area of covered parking, if any;

(c) the parking layout plan shall be so prepared that the parking as mentioned in sub-clause (a) of sub-rule 1 for each vehicle becomes directly accessible from the circulation driveway having minimum width as mentioned in clause (a) of sub rule 1. However for residential buildings below 15.1 meters in height., back to back parking may be allowed;

(d) the open spaces within the plot may be allowed to be utilized for parking open to the sky, provided that the minimum front open space, rear open space and side open spaces prescribed in rule 22 or 3.5 meters whichever is less are kept free from parking from the building line for plots having area more than 300 square meter.

(e) in case of a plot containing more than one building parking requirement shall be calculated for total covered area, on the basis of use of different uses.

(2) **Provision for Car Parking Spaces shall be as follows:—**

- (a) parking provisions for different types of buildings are given in terms of car parking space in Table – X of these sub-rule.
- (b) the space standards given below will be considered for calculation of exemption from permissible maximum floor area as mentioned in rule 21
- (i) for ground floor parking—25 square meter per Car Parking space and 40 square meters. per L.C.V. parking bay and 60 square meter per Bus or Truck Parking space inclusive of circulation spaces.
- (ii) for Basement and Upper floor/roof parking—30 square meter per Car Parking space and 50square meter per L.C.V. parking space and 70 sq m. per Bus or Truck Parking space inclusive of circulation spaces.
- (c) for the covered parking spaces, which do not have any covered space for circulation and have a direct access from the roads / internal roads, the exemption for car parking shall be 12.5 square meter per space and for L.C.V. parking shall be 22.5 square meter per bay and for bus or truck parking 37.5 square meters per bus or truck parking space. This is not applicable for residential buildings not exceeding 15.1 meter in height.

Note: Exact area used for the covered parking shall be considered for exemption for vehicles, which are at least fifty percent under cover. The minimum headroom (soffit of the beam) to be provided for cars shall be 2.5 meter and for truck or bus shall be 4.75 meters if parked in a covered area.

23. Parking space within a plot. –

(2) Provision for car Parking Space shall be as follows:—

(A) Provisions for parking spaces against floor area are given in the Table below.

Table – X

Type of building			Number of Car Parking spaces and minimum extent of parking spaces to be provided for cars, L.C.V. or truck or bus
Residential	Plot size Upto 300 square meters		1 car parking space/150 square meters floor area
	Above 300 square meters		1 car parking space/100 square meters floor area
Educational	Upto school level,	If residential,	1 parking space/1000 square meters floor area. Bus: Car = 60:40
		If not residential,	1 parking space/5000 square meters floor area. Bus: Car = 40:60
	Above school level,		1 parking space/500 square meters floor area Car: Bus = 95:5
Mercantile (Retail), Business-Mercantile (Retail), Merchantile (Retail)-Assembly			1 parking space/100 square meters floor area Car: LCV:Truck=80:15:5
Mercantile (Wholesale),			1 parking space/500 square meters floor area Car: LCV : Truck=20:30:50
Institutional,			1 parking space/100 square meters floor area Car: LCV:Bus=88:10:2
Assembly,			1.2 parking space/100 square meters floor area Car: Bus=98:2
Business, Business-Assembly,			1.5 parking space/100 square meters floor area Car: Bus=98:2
Industrial,			1 parking space/500 square meters floor area Truck: LCV:Car =80:15:5
Storage,			1 parking space/500 square meters floor area Truck: LCV:Car =40:40:20

(B) Space standards given below will be considered for calculation of exemption from permissible maximum floor area as mentioned in rule 22;-

- (i) for ground floor parking -25 sq m per car parking space and 40 sqm per L.C.V. parking bay and 60 square meters per Bus or Truck Parking space inclusive of circulation spaces;
- (ii) for Basement and Upper floor parking 30 square meters per Car Parking space and 70 sqm per bus or truck parking space inclusive of circulation spaces;
- (iii) for the covered parking spaces, which have uncovered spaces for circulation, the actual area used for covered parking shall be considered for exemption.
- (iv) actual area used for the covered parking shall be considered for exemption for vehicles, which are at least fifty percent under cover.

(C) Minimum headroom (soffit of the beam) to be provided for cars shall be 2.5 meters and for truck/bus shall be 4.75 meters if parked in a covered area.

Note: For fractional car parking space, it will be rounded upto next whole number, if it is 0.5 or more.

- (a) for plot size above 10 hectare Community Car Parking shall be provided at the rate of 20% of the car parking required for this plot under this rule;
- (b) loading unloading space and embarking and disembarking spaces for L.C.V. and buses and trucks, if any, shall be provided within the plot. If parked in a covered space, minimum headroom of 4.75 meters shall have to be provided.

24. Provision for facilities and utilities.—(1) For all plots above 1 hectare and above in area, facilities and utilities shall be provided for the minimum requirements of which are indicated in the table below. :-

Table XI

Plot Area	Minimum Floor Area for facilities	
	Residential Building	Other Uses
Below 1 hectare	Nil	Nil
1 hectare	3% of total floor area in the plot	2.5% of total floor area in the plot,
2 hectares	4% of total floor area in the plot	3% of total floor area in the plot,
10 hectares	6% of total floor area in the plot	4% of total floor area in the plot,
50 hectares	7% of total floor area in the plot	6% of total floor area in the plot,
Above 50 hectares	8% of total floor area in the plot	7% of total floor area in the plot.

Note :

- (1)
 - (a) the minimum floor area between two consecutive slabs of the plot area shall be calculated on interpolation basis;
 - (b) the Facilities for the purpose of this rule will comprise health, education and shopping facility and community spaces.
- (2) Provision of Water body and forestry will be made for plot area above 10 hectare.

25. Fire protection of building. –

(1) Every building shall be provided with adequate means of exit as well as all arrangements and measures as per the provisions of the prevailing National Building Code for protection in case of fire. This should be duly certified by the Architect.

(2) Notwithstanding anything contained in these regulations in respect of following buildings, no permission for carrying out building operation shall be granted unless a No Objection Certificate from Directorate of Fire and Emergency Services, Government of West Bengal is given for,—

- (a) Buildings on plot size exceeding 0.5 hectare;
- (b) All residential buildings exceeding 15.1 meters in height;
- (c) All buildings other than residential buildings.

(3) In case of buildings for which 'No Objection Certificate' will be required from Directorate of Fire and Emergency Services, Government of West Bengal, the Architect shall certify that the plans and drawings submitted by the Architect incorporate the provisions recommended by the Directorate of Fire and Emergency Services, Government of West Bengal while issuing the No Objection Certificate.

[The certificate of Architect in Schedule –II as stated above will incorporate these provisions in case of such buildings.]

CHAPTER - III**26. Structural design. –**

(1) The structural design shall be in accordance with IS: 1893 – 1984, IS: 13920 – 1993, IS: 13828 – 1993, IS: 13827 – 1993, IS: 13935 – 1993, IS 4326: 1993 and IS 1893 (Part – I) 2002 given in Annexure – A including the Indian Standards for earthquake protection of buildings.

Note: Whenever an Indian Standard or National Building Code is referred to, the latest provision in the Standard should be adhered to.

(2) 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 the National Building Code of India.

27. Building and plumbing services. –

(1) Building Services:-

(a) The planning design and installation of electrical fittings, air-conditioning and heating work, installation of lifts and escalators shall be carried out in accordance with the provisions of the National Building Code of India. For electrical aspects of building services, the provisions of the National Electrical Code shall apply.

(b) The number of type of lifts to be provided in different buildings shall be as specified in the National Building Code of India.

(2) Plumbing Services:-

(a) Only the domestic water from Bath, Water Closet and Kitchen shall be led to the sewerage system;

(b) Rain and storm water from roof – top and Yard washing shall be connected to the drainage system or waste water recycling system or water harvesting system where provided;

(c) The house connection pipes projecting from adjoining sewer manhole are the properties of the Development Authority and shall not be interfered with or connected to the internal sewerage line of the plot without the written permission of the Development Authority;

(d) The internal sewer system shall be connected to the house connection pipe of the main sewer line only through a master trap of approved design and quality;

(3) 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 on Plumbing Services, of the National Building Code of India.

(4) The Development Authority or any officer authorised by it may, at all reasonable time, 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.

(5) Construction of dug-well or tube-well while erection of building is taking place is not permitted without written approval of the Development Authority.

(6) Septic Tank or any other form of on-spot Sanitation is not normally allowed. The Development Authority may, however, give permission in special cases for such facilities to be implemented as per the specific design of the facility prepared by the Development Authority

28. Environmental consideration during erection of building. –

(1) In order to keep safe and sustainable environment, all owners of the plots have to maintain the smooth functioning of building and plumbing services, smooth drainage system etc. Moreover, they are also encouraged to accommodate innovative environmental arrangements as stated below to keep environment more ecologically friendly.

(2) Building sanction fees shall be reduced by 2% for each of the four arrangements mentioned below. These shall be reimbursed after three years, from the date of occupancy, of successful running of the arrangements. The audit report for each of the four items will be submitted by the owner duly prepared and signed by concerned experts as mentioned:-

(a) rain water harvesting, consisting storing, treating and use of rain water accumulated in roof, pathway, garden, which amounts not less than 10% of the total water consumption of the users annually of the said plot to be vetted by concern expert;

- (b) alternative sources of energy like solar energy and other which reduces not less than 30% of the average energy consumption (vetted by energy expert) by the users of the plot;
- (c) solar passive Architecture, which reduces the load on conventional energy consumption (vetted by energy expert) as well as increases the building efficiency in lighting, ventilation.;
- (d) use of Fly ash bricks, aggregates (at least 50 % of total quantity of brick used for the project) etc to be vetted by the development authority.

29. Basement. –

The condition of basement shall be as follows:-

- (a) no portion of the basement shall be allowed to encroach upon the mandatory open spaces;
- (b) the portion of the basement beyond the building profile shall flush with the ground level if the same is not taken in the ground coverage. The structure of such basement should be so designed that it should be capable of taking the load of heavy vehicles like fire engines etc.;
- (c) every basement shall be in every part at least 2.5 meters in height from the floor to underside of the roof slab or beam or ceiling and with maximum height not more than 4.75 meter;
- (d) adequate ventilation shall be provided for the basement. The standard of ventilation shall be of acceptable limit. Any deficiency may be met by providing adequate mechanical ventilation in the form of blowers, exhaust fans [one exhaust fan (300 mm dia, 1400 rpm, heavy duty) for 50 square meters basement area], air-conditioning system, etc.;
- (e) the minimum height of the ceiling of any basement shall be 0.9 meters and maximum of 1.2 meter above the average road level on the front side of the building, if not flushed with the ground level;
- (f) adequate arrangement shall be made such that surface water does not enter the basement;
- (g) the walls and floors of the basement shall be watertight and be so designed that the effect of the surrounding soil and moisture, if any, are taken into account in design and adequate damp proofing treatment is given;
- (h) all the staircases from the basement shall be segregated on the ground floor level.
- (i) In case the Development Authority allows the partitions in the basements, no compartment shall be less than 50.0 square meters in area and each compartment shall have ventilation standards as laid down in sub-clause (d) above separately and independently. The basement partition shall however, conform to the norms laid down by West Bengal Fire and Emergency Services.
- (j) The other provisions of prevailing National Building Code shall be used for guidance.

30. Miscellaneous. –

(1) The construction of advertising signs and outdoor display structures shall be in accordance with the provisions of Signs and Outdoor Display Structure of the provisions of the National Building Code of India, and orders issued by the Development Authority from to time.

(2) Every building shall display, in a prominent place on the front side, the premises number and the road or street name or number as assigned to it by the planning authority, so as to be conveniently visible from the road or street as per the specifications laid down by the Development Authority.

(3) All construction materials shall be stored within the plot. As soon as the construction of any building is completed, all rubbish, refuse or debris of any description shall be removed to the satisfaction of the Development Authority by the Owner from the site or sites on which erection of building have taken place or from any adjoining land which may have been used for deposition of materials or debris.

31. Boundary wall or compound wall and compound gate. –

(1) Except with the special permission of the Development Authority, the maximum height of the compound wall shall not be 1.5 meter above the centre line of the Means of access. Compound wall up to 2.4 meter height may be permitted if the top 0.9 meter is of open type constructions.

Provided that the provisions of this sub-are not applicable to boundary walls of jails, electric substations, transformer stations, institutional buildings like sanatorium, hospitals, industrial buildings like workshops, factories, storage buildings, educational buildings like schools, colleges, including hostels, and other uses of public-utility undertakings.

Provided further that the height of the compound wall of the buildings mentioned hereinabove provision may be permitted upto 2.4 meters.

(2) For project, which requires 'No Objection Certificate' from the Directorate of the Fire and Emergency Service, the width and height of the access gates into the premises shall not be less than 4.5 meters and 5 meters respectively abutting means of access.

32. Master plan of plots -

- (a) In case of plots above 1 hectare in area Master Plan for the entire plot shall be submitted for approval by the Planning Authority or Development Authority. Building plans for the entire plot or a part of it will be submitted for sanction on approval of the Master plan.
- (b) Master plan shall contain:
 - (i) Layout of the plot showing-
 - (a) building outline (b) basement boundary (c) internal roads and their connectivity with means of access (d) marginal open spaces (e) green open spaces
 - (ii) water supply, sewerage and drainage connection points to the plot.
 - (iii) written statement indicating height of each building, total floor area, FAR and ground coverage.

33. Special Provisions for Rehabilitation and Resettlement Schemes.

(1) The owner of Rehabilitation and Resettlement Plots shall apply in plain paper to the sanctioning authority along with the Architectural drawing signed by him, as per the rules set under the guidelines for the Rehabilitation and Resettlement Plots.

(2) Notwithstanding anything contained in any other provisions of these rules, the Architect shall be the Technical Person for submitting building plan and for erection of building in terms of rule 17.

(3) A sum of Rs.200.00 per floor shall be levied from the owner of the Rehabilitation and Resettlement Plots as building sanction fees.

(4) Maximum size of R.R. Plot is 67 square meters.

(5) Minimum width of means of access to the Rehabilitation and Resettlement Plots shall not be less than 3.5 meters.

(6) Plinth height shall not be less than 450 mm.

(7) Open spaces for the building: -

- (a) minimum front open space is 0.8 meter;
- (b) minimum rear open space is 1.2 meter;
- (c) minimum side open spaces are-
 - (i) side 1 - 0.8 meter,
 - (ii) side 2 - 1.2 meter

(8) Maximum height of the building is 7 meters.

(9) Stair cover or mummy room shall not exceed 2.6 meters in height.

(10) Support of roof tank shall not exceed 1 meter in height.

(11) Parapet shall not exceed 1 meter in height.

EXPLANATION:

(i) Rehabilitation and Resettlement Plot means the plot earmarked for the beneficiary whose land with residential structure has fallen within the areas described in Schedule I of the Act.

(ii) Facing a plot from the means of access, the left hand side of the plot shall be treated as side – 1 and right hand side of the plot shall be treated as side – 2.

NOTE:

In absence of any sewerage system, septic tank along with soak pit shall have to be provided for this type of plot. The effluent from the septic tank should not be discharged into the open drains under any circumstances.

SCHEDULE I**APPLICATION FORM FOR UNDERTAKING ERECTION OF BUILDING**

[see rule 4]

Reference :

Date:

From :

Name :
 Address of correspondence :
 Telephone no. :
 Fax no. (if any) :
 E-mail address (if any) :

To
 The Sanctioning Authority,
 New Town Kolkata Development Authority.

Subject : Application for erection of building at Premises No. _____ Street/ Road No. _____
 _____ Use group _____

Sir,

I / We intend to undertake erection of building on the land specified hereinafter and request that permission for erection of such building may kindly be granted.

In support of the application, I / we wish to make the following statement:-

(A) **Particular of the proposed erection of building** _____
 (Use and total covered area to be written)

(B) **Particulars of the plot**

(a) Location:-

Complete address : _____

Police Station : _____

(b) Area (square meters) of the plot:-

As per document : _____

(c) Boundary:-

North : _____

West : _____

South : _____

East : _____

(d) Existing and proposed use:-

Existing Use : _____

Total Covered Area : _____

Proposed Use : _____

Total Covered Area : _____

(e) Ownership particulars:-

(i) Free Hold

Name of the Owner(s) : _____

Address of Owner(s) : _____

(ii) Lease Hold

Name of the Owner(s) : _____

Address of Owner(s) : _____

Registration Particulars : _____

(C) **The building proposal :**

(a) Means of Access

Land abuts the Street/ Road	
Name and No. of Street/Road	
Width of the Street/ Road	

(f) Height of the Building (meters) as per New Town Kolkata (Building) Rules 2009:

Permissible.	Proposed.

(g) Parking Statement:

Total covered area in square meters	Required Nos. of parking	Proposed Nos. of Covered parking	Proposed Nos. of Open Parking.	Total Nos. of Parking Proposed.

(h) Open Space (in meters):

Front Open Space.		Rear Open Space.		Side1 Open Space.		Side2 Open Space.	
Required.	Provided.	Required.	Provided.	Required.	Provided.	Required.	Provided.

(i) Inter Space of Buildings:

Serial No. of buildings	Required.	Provided.

(j) Outer courtyard:

Serial No. of buildings.	Serial No. of courtyard.	Required.	Provided.

(o) Internal Water Supply: -

(i) The source of filtered water supply as identified and marked on the plan including the Internal layout of distribution : _____

(ii) Nos. of occupants : _____

(iii) Capacity of semi- underground reservoir in litres : _____

(iv) Capacity of overhead reservoir in litres : _____

(v) Ferrule size : _____

(p) Sanitary and Drainage arrangement:

(i) The connection points for Sewer and Drain as identified and marked on the plan, including the internal layout : _____

(ii) Nos. of occupants : _____

(iii) Area of plot in square meters : _____

(iv) Size of internal sewer in millimeters : _____

(v) Size of storm drain in millimetres : _____

Note.—Access to the plot shall not be allowed with driveway over the street inlet.

(q) Distribution of area for Public Open Space, Land for Facilities and Land for Utilities:

Total area of plot (in square meters):

Use.	Public Open Space.		Land for Facilities.		Land for Utilities.	
	No.	Percentage.	No.	Percentage.	No.	Percentage.
Residential						
Other than Residential						

(D) Engagement of Technical Persons:

I/We certify that I/we have employed the following technical persons, as per qualifications and experience mentioned in these rules, for the purpose of preparation of plan, design and drawings as well as supervision of construction works, whose particulars are given below:

(a) Architect:

Name : _____

Address including e-mail, if any : _____

Telephone no. including Fax no. (if any),: _____

Registration no. of Council of Architecture _____

Valid up to : _____

Enrolment No. issued : _____

Signature _____

(b) Civil Engineer:

Name : _____

Address including e-mail, if any : _____

Telephone no. including Fax no. (if any) : _____

Enrolment No. issued _____

(c) Structural Engineer:

Name : _____

Address including e-mail, if any : _____

Telephone no. including Fax no. (if any) : _____

Enrolment No. issued _____

(d) Town Planner/Urban Designer:

Name : _____

Address including e-mail, if any : _____

Telephone no. including Fax no. (if any) : _____

Enrolment No. issued : _____

(e) Public Health Engineer:

Name : _____

Address including e-mail, if any : _____

Telephone no. including Fax no. (if any) : _____

Enrolment No. issued : _____

(f) Geo Technical Engineer:

Name : _____

Address including e-mail, if any : _____

Telephone no. including Fax no. (if any), : _____

Enrolment No. issued : _____

(g) Electrical Engineer:

Name : _____

Address including e-mail, if any : _____

Telephone no. including Fax no. (if any), : _____

Qualification and Experience : _____

(E) Undertakings

1. I/We confirm that the erection of building to be undertaken shall be strictly in accordance with the Act and the rules made thereunder.
2. I/We confirm that no building materials shall be deposited in any street except with the written permission of the Sanctioning Authority.
3. I/We confirm that I / we shall not transfer the open space or any part thereof, shown in building plan, as land appurtenance to the proposed building.

(F) Enclosures

- (a) Copy of the document showing the exclusive right to develop the land;
- (b) Four sets of hard copies of the drawings and soft copy in compact disc including the areas in polyline. Out of Four sets of hard copies, three sets of Ammonia prints and one set of Blue Print with signature of Applicant(s), Architect and other concerned technical persons of the project as per the rules made under the Act;

Note : All drawings should contain necessary certification and signature of Architect, Civil Engineer / Structural Engineer, Town Planner / Urban Designer (as the case may be), and signature of the applicant;

- (c) Key (location) Plan, scale not less than 1:1000;
- (d) Site Plan, scale not less than 1:600;
- (e) Building plans, elevations, sections scale 1:100;
- (f) Details drawings, if any, scales 1:50, 1:25, if any;
- (g) Major Specifications;
- (h) FAR calculation sheet and car parking statement signed by the Architect and Applicant(s);
- (i) Services, plumbing and sanitary layouts showing the plumbing installations, signed by the Civil Engineer or Public Health Engineer and the Architect;
- (j) Plan showing the location of substation, captive genset signed by Electrical Engineer or Electrical Supervisor and the Architect, as the case may be;
- (k) Soil investigation report by Geo-technical Engineer, as the case may be;
- (l) Structural drawings and detail design calculations including piling drawings and calculations, if any and Certificate of Structural Stability of the building signed by the Structural Engineer or Civil Engineer (as the case may be);
- (m) No Objection Certificate *as the case may be*, from:-
 - (i) West Bengal Fire and Emergency Services,
 - (ii) Civil Aviation Authority,

A note stating that all the recommendations or the "No Objection Certificates" of West Bengal Fire and Emergency Services, Civil Aviation Authority, if any, will be adhered to the project shall be incorporated in all the drawings;
- (n) Indemnity Bond for construction to be undertaken;
- (o) Undertaking from the professionals engaged for the project;
- (p) Undertaking for starting of pile work, if any;

Note. All enclosures shall be authenticated by the applicant.

(G) Declaration

I/We hereby declare that the information given above (as well as in the enclosures and annexure including drawings, plans) is true and correct to the best of my knowledge and belief.

Date & Place:

Yours faithfully,

Signature of the applicant(s)

INDEMNITY BOND FOR CONSTRUCTIONS TO BE UNDERTAKEN

(To be made on a non-judicial stamp paper of Rs. 10)

[see schedule I (F)(n)]

BY THE PRESENT INDEMNITY BOND EXECUTED by us on this _____ day of _____ 200__
I/We, _____ having registered office / residing at

----- (hereinafter) called the
'OBLIGOR/'OBLIGORS' which expression shall mean and include my/our successors, and legal representatives and assigns do hereby bind myself/ourselves with the promise and undertaking in favour of the New Town Kolkata Development Authority, 03-MAR, New Town, Kolkata-700156 constituted under the New Town, Kolkata Development Authority Act, 2007 (West Ben Act XXX of 2007) (hereinafter called the 'OBLIGEE', which expression shall mean and include its successor, legal representatives, administrators and assigns).

WHEREAS the OBLIGOR/OBLIGORS has /have started / shall start construction of the proposed building at _____
_____ morefully, described in the schedule given hereunder as per Sanctioned Building Plan more particularly the Structural design formulated in the National Building Code of India (hereinafter referred to as the 'NBCI') and has maintained / shall maintain all necessary safety measures during as well as after such construction as per the provisions spelt out in the NBCI, and with regard to natural hazards say by way of earthquake etc. the OBLIGOR/OBLIGORS has/have followed / shall follow all the provisions as per the provisions contained in the New Town Kolkata (Building) Rules, 2009.

AND WHEREAS all materials already in use or to be used and workmanship already adopted or to be adopted in such construction work are as far as possible of good quality as referred to in the NBCI, and any alternative materials or workmanship, if uses, must be in conformity with the standards recommended by NBCI.

NOW THIS INDENTURE WITNESSESS that in view of such averments I/we do hereby undertake:-

1. That the OBLIGEE shall not be held responsible for any type of negligence or non-compliance of or deviation from rules in respect of the faulty specification of materials/alternative materials used or faulty workmanship / alternative workmanship adopted by the OBLIGOR, at any stage during construction or thereafter.
2. The OBLIGOR/OBLIGORS undertakes/undertake to indemnify and keep harmless the OBLIGEE from all claims actions and proceedings and against all risks, danger or damager to any person whether an occupier or other than occupier and any other persons not belonging to the OBLIGOR/OBLIGORS.
3. "FURTHER MORE THE OBLIGOR/OBLIGORS" undertakes/undertake to indemnify the OBLIGEE against any damage to the said structure due to faulty design, defective construction technique or using substandard materials or any other reasons whatsoever.
4. If at any time, during the period of construction it is found that the construction is not in accordance with the plan and design on which construction work was allowed, or if it is subsequently detected that any paper/document submitted by the OBLIGOR/OBLIGORS is/are false or has/have not been issued by the concerned competent authority, or, construction work is at variance with the guidelines and instructions issued thereof, the OBLIGEE shall have the right to suspend construction and direct the OBLIGOR/OBLIGORS to remedy the defects falling which money deposited towards the fees for sanction of building plan shall be forfeited and legal action will initiated by the OBLIGEE.

SIGNED AND DELIVERED

BY THE OBLIGOR : _____

In presence of witness:

SCHEDULE:

Plot No. : _____

Premises No. : _____

Area in square meter. : _____

Street No. : _____

Action Area : _____

New Town Kolkata

SCHEDULE II

[see rule 4]

FORM OF DECLARATION

(For preparation of Proposal)

Reference :

Date :

From :

Name :

Address of correspondence :

Telephone no. :

Fax no. (if any) :

E-mail address (if any) :

To

The Sanctioning Authority,
The New Town Kolkata Development Authority.

Subject : Declaration in respect of Premises No..... and Building Particulars:

Street/Road

Use Group

Sir,

1. I/ We hereby declare that the proposals of erection, re-erection or alteration in the above premises shall be prepared by Shri, an Architect and by Shri, as Structural Engineer/ Civil Engineer.
2. As the plot area is more than 2 Hectare, I hereby appoint Shri..... as Town Planner/Urban Designer.
3. As this building is 15 meter and/or more in height and/or having plot area more than 1500 square meters, I hereby appoint Shri, as Public Health Engineer.
4. As this building is more than 18 meter in height and/or having plot area more than 1500 square meters., I hereby appoint Shri, as Electrical Engineer.
5. As this building is 15 meter and/or more in height and/or having plot area more than 1500 square meters, and/or having deep foundation/ piling and or basement I hereby appoint Shri as Geo Technical Engineer.

Yours faithfully,

Signature of the applicant(s)

Name of the Town Planner

Signature of the Town Planner

Name of the Public Health Engineer

Signature of the Public Health Engineer

Name of the Geo Technical Engineer

Signature of the Geo Technical Engineer

Name of the Electrical Engineer

Signature of the Electrical Engineer

Name of the Urban Designer

Signature of the Urban Designer

Certificate of the Architect

I certify that all the Architectural Drawings of the project at Premises No. _____ have been prepared by me complying with the New Town Kolkata Building Rules, 2009. I also certify that the plans and drawings prepared by me comply with all Provisions regarding the Fire Protection as per the prevailing National Building Code. I shall be held responsible if any incorrect information is furnished by me or any violation of provisions of these rules or the prevailing National Building Code is found in any of the drawings and documents, signed by me and submitted to the Sanctioning Authority for obtaining sanction.

Certificate of the Structural Engineer

Certified that the structural drawing and design of both the foundation and superstructure of the building / buildings has been made considering the Soil Test Report, as per the rules and regulations made under the Act and also considering all possible loads, seismic load and the moments generated by the proposed structure as per the Bureau of Indian Standard and National Building Code of India and certified that it is safe and stable in all respect and these provisions shall be adhered to during the construction.

Signature of the applicant

Signature of the Architect
Council Registration no.

Signature of the Structural
Engineer/ Civil Engineer

SCHEDULE III

[See rule 10]

Form of sanction of building plan

From:

The Sanctioning Authority,
New Town Kolkata Development Authority.

To:

Name and address of the applicant

Sub: Issue of sanction/provisional sanction of erection/re-erection/addition to/alteration of the building.

Building Particulars

Premises No.

Sir,

With reference to your application No.

Yours faithfully

Signature of the Sanctioning Authority

SCHEDULE IV

[See rule 12(1)]

Form of Notice of Commencement

Reference :

Date :

From :

Name :
 Address of correspondence :
 Telephone No. :
 Fax No. (if any) :
 E-mail address (if any) :

To
 The Sanctioning Authority,
 New Town Kolkata Development Authority.

Subject : Notice of commencement as per Building Sanction..... dated in
 respect of Premises No.

Building Particulars :

Premises No. :

Street/Road :

Use Group :

Sir,

I/We hereby give notice that the erection of building on plot will be commenced on as per Building sanction dated granted by you, under the supervision of Shri/Smt. as Architect and Shri/Smt. as Structural Engineer or Civil Engineer and in accordance with the plans sanctioned.

Yours faithfully,

Signature of the applicant(s)

Countersigned :

(i) Signature of the Architect

Name of the Architect

Address of the Architect

Registration No. of the Architect

(ii) Signature of the Structural Engineer/Civil Engineer

Name of the Structural Engineer/Civil Engineer

Address of the Structural Engineer/Civil Engineer

Authenticated by the applicant

SCHEDULE V

[See rule 4]

Form of Declaration

(For Supervision by Plumber)

Reference:

Date:

From:

Name :

Address of correspondence :

Telephone No. :

Fax No. (if any) :

E-mail address (if any) :

To

The Sanctioning Authority,
New Town Kolkata Development Authority.

Subject : Declaration in respect of Premises No.and Building Particulars:

Street/Road

Use Group

Sir,

I/We hereby declare that the works relating to water supply, drainage and sewerage shall be supervised by Shri/Smt., as Plumber.

Yours faithfully,

Signature of the applicant(s)

Countersigned:

Signature of the Plumber

Name of the Plumber

Address of the Plumber Engineer

Authenticated by the applicant

SCHEDULE VI

[See rule 4]

Form of Declaration

(For Supervision by Electrical Supervisor)

Reference :

Date :

From :

Name :

Address of correspondence :

Telephone No. :

Fax No. (if any) :

E-mail address (if any) :

To

The Sanctioning Authority,
New Town Kolkata Development Authority.

Subject : Declaration in respect of Premises No and Building Particulars:

Street/Road

Use Group

Sir,

I/We hereby declare that the works relating to House wiring and electrical installations shall be supervised by Shri/Smt. as Electrical Supervisor.

Yours faithfully,

Signature of the applicant(s)

Countersigned:

Signature of the Electrical Supervisor

Name of the Electrical Supervisor

Address of the Electrical Supervisor

Authenticated by the applicant

SCHEDULE VII

[See rule 12]

Form of Notice of Completion

Reference :

Date :

From :

Name :
 Address of correspondence :
 Telephone No. :
 Fax No. (if any) :
 E-mail address (if any) :

To
 The Sanctioning Authority,
 New Town Kolkata Development Authority.

Subject : Notice of completion of work as per Building Sanction..... dated
 in respect of Premises No.

Building Particulars :

Premises No.

Street/Road

Use Group

Sir,

I/We hereby give notice that the building operation on plot has been completed according to the plans sanctioned.

I/We have to request you to arrange for the inspection and for the issue of an Occupancy Certificate.

Yours faithfully,

Signature of the applicant(s)

Countersigned :

(i) Signature of the Architect

Name of the Architect

Address of the Architect

Registration No. of the Architect

(ii) Signature of the Structural Engineer/Civil Engineer

Name of the Structural Engineer/Civil Engineer

Address of the Structural Engineer/Civil Engineer

Authenticated by the applicant

Enclosures :

- (1) Four hard copy and a soft copy of drawings marked as completion plan with all revisions and modifications signed by the applicant and the technical persons as required;
- (2) Structural Stability Certificate signed by Structural Engineer or Civil Engineer;
- (3) Structural Stability Certificate for underground reservoir from Structural Engineer or Civil Engineer;
- (4) Fire Safety Certificate towards occupancy of building issued under the West Bengal Fire Services Act, 1950;
- (5) Completion Certificate for internal drainage, water supply, sewerage and plumbing works from Public Health Engineer;
- (6) Completion Certificate from Electrical Engineer or Licensed Electrical Supervisor for house wiring and all electrical installations;
- (7) Certificate from Directorate of Electricity Undertaking regarding provision to its satisfaction, of transformer, sub-station and ancillary power supply;
- (8) A certificate pertaining to lift installation and operation.

Form of the Structural Stability Certificate

I/We hereby declare that the operation of building on Premises No., Street, has been supervised by me and has been completed dated according to the plans sanctioned vide Building sanction dated The work has been completed in accordance with the sanctioned plan and to our best satisfaction. The workmanship and all the materials (type and grade) have been used strictly in accordance with general and detailed specification. The design and drawing of both foundation and superstructure of the building have been made by me, considering the Soil Test Report and as per the New Town Kolkata Development Authority (Building) Rules 2009, and also considering all the possible loads including the seismic load, and the moments generated by the proposed structure as per Bureau of Indian Standard and National Building Code of India.

I hereby declare that the building is safe and fit for use for which it has been erected/re-erected/altered/added to.

Signature of the Structural Engineer or Civil Engineer _____

Name of the Structural Engineer or Civil Engineer _____

Address of the Structural Engineer or Civil Engineer _____

Authenticated by the applicant _____

SCHEDULE VIII

[See rule 14(1)]

Form of Occupancy Certificate

Reference :

Date :

From :

The Sanctioning Authority,
New Town Kolkata Development Authority.

To

Name :
Address of correspondence :
Telephone No. :
Fax No. (if any) :
E-mail address (if any) :

Subject : Grant of Occupancy Certificate as per Building Sanction..... dated
in respect of Premises No.

Reference : Notice of completion, dated

Building Particulars :

Premises No.
Street/Road
Use Group

Sir/Madam,

With reference to your notice of completion dated all necessary documents in respect of the building at premises No. have been received.

On inspection of the premises it is certified that the building is fit for occupation (use group).

One set of Building Plans with endorsement "Approved Completion Plan" under the signature of an authorized officer of the Sanctioning Authority is returned herewith.

Yours faithfully,

The Sanctioning Authority

Office No. _____

Office Stamp _____

Dated _____

SCHEDULE IX

[See rule 15]

Form of Notice of Partial Completion

Reference :

Date :

From :

Name :

Address of correspondence :

Telephone No. :

Fax No. (if any) :

E-mail address (if any) :

To

The Sanctioning Authority,

New Town Kolkata Development Authority.

Subject : Notice of partial completion as per Building Sanction dated
in respect of Premises No.

Premises No.

Street/Road

Use Group

Sir,

I/We hereby give notice that the erection of building on plot has been completed according to the plans sanctioned.

I/We have to request you to arrange for the inspection and for the issue of the issue of an Partial Occupancy Certificate.

Yours faithfully,

Signature of the applicant(s)

Countersigned :

(i) Signature of the Architect

Name of the Architect

Address of the Architect

Registration No. of the Architect

(ii) Signature of the Structural Engineer or Civil Engineer

Name of the Structural Engineer or Civil Engineer

Address of the Structural Engineer or Civil Engineer

Enclosures :

- (1) Four sets of the building drawings showing the portion of the building which is proposed to be occupied marked as "Partial Completion Plan" with all the revisions and modifications duly signed by the applicant, Architect and the Structural Engineer or Civil Engineer;
- (2) Structural Stability Certificate for the portion of the building which is proposed to be occupied signed by Structural Engineer or Civil Engineer;
- (3) An Indemnity Bond undertaking to indemnify the Sanctioning Authority against any risk, danger or damage to any person, whether an occupier or not, and an undertaking to ensure, in such manner as the Sanctioning Authority may specify, Public safety;
- (4) An undertaking that no person shall occupy or shall be allowed to occupy any other portion of the building for which Occupancy Certificate has not been issued.

Note: Enclose items which are necessary.

Form of the Structural Stability Certificate

I/We hereby certify that the erection/re-erection/addition to/alteration of the portion of the building which is proposed to be occupied on Plot No., Street, has been supervised by me and has been completed partially dated, according to the plans sanctioned vide Building Sanction/Permission Certificate dated

The work has been partially completed in accordance with the sanctioned plan and to our best satisfaction. The workmanship and all the materials (type and grade) have been used strictly in accordance with general and detailed specification. The design and drawing of both foundation and superstructure of the building has been made by me, considering the Soil Test Report and as per the provisions contained under the New Town Kolkata (Building) Rules, 2009 and also considering all the possible loads including the seismic load, and the moments generated by the proposed structure as per Bureau of Indian Standard and National Building Code of India.

I hereby declare that the building is safe and fit for use for which it has been erected/re-erected/alterd/added to.

Signature of the Structural Engineer or Civil Engineer _____

Name of the Structural Engineer or Civil Engineer _____

Address of the Structural Engineer or Civil Engineer _____

Authenticated by the applicant _____

SCHEDULE X

[See rule 15]

Form of Partial Occupancy Certificate

Reference :

Date :

From :

The Sanctioning Authority,
New Town Kolkata Development Authority.

To

Name :
Address of correspondence :
Telephone No. :
Fax No. (if any) :
E-mail address (if any) :

Subject : Grant of Partial Occupancy Certificate as per Building Sanction
dated in respect of Premises No.

Building Particulars:

Premises No.
Street/Road
Use Group

Sir,

With reference to your notice of partial completion dated all necessary documents in respect of the building at premises No. have been received.

On inspection of the premises by the person it is certified that the portion of the building is fit for occupation as (use group).

The partial Occupancy Certificate is issued subject to that when erection of the building is completed you will have to apply for Occupancy Certificate. The partial occupancy certificate is valid for

One set of Building Plan with endorsement "Approved Partial Completion Plan" under the signature of the Sanctioning Authority is returned herewith.

Yours faithfully,

The Sanctioning Authority

Office No. _____

Office Stamp _____

Dated _____

ANNEXURE A

(See rule 26)

List of Indian Standards/Guidelines for Hazard Safety

For earthquake protection:

1. IS: 1893-1984/2002(part I) “Criteria for Earthquake Resistant Design of Structures (Fourth Revisions)” June, 1986.
2. IS: 13920-1993 “Ductile Detailing of Reinforced Concrete Structures subject to Seismic Forces-Code of Practice” November, 1993.
3. IS: 13828-1993 “Criteria for Earthquake Resistant design and Construction of Building-Code of Practice (Second Revision)” October, 1993.
4. IS: 13828-1993 “Improving Earthquake Resistance of Low Strength Masonry Buildings-Guidelines” August, 1993.
5. IS: 13827-1993 “Improving Earthquake Resistance of Earthen Buildings-Guidelines” October, 1993.
6. IS: 13935-1993 “Repair and Seismic Strengthening of Buildings-Guidelines” November, 1993.

By order of the Governor,

S. DUTTA ROY,
*Secretary to the Government of West Bengal,
Housing Department.*