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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
DEPARTMENT OF MUNICIPAL AFFAIRS
WRITERS' BUILDINGS : KOLKATA

NOTIFICATION

No. 450/MA/O/C-4/3R-8/2003 Kolkata, the 9th September, 2009.

In exercise of the power conferred by section 600, read with section 404 of the Kolkata Municipal Corporation Act, 1980 (West Ben. Act LIXI of 1980) (hereinafter referred to as the said Act), the Governor is pleased hereby to make the following rules, after previous publication as required by sub-section (1) of section 600 of the said Act:

The Kolkata Municipal Corporation Building Rules, 2009

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NOTIFICATION

Chapter - I

PRELIMINARY

1. Short title, application and commencement

(1) These rules may be called The Kolkata Municipal Corporation Building Rules, 2009.

(2) They shall apply to all building activities in Kolkata other than activities referred to in section 450 of The Kolkata Municipal Corporation Act, 1980.

(3) They shall come into force on the 15th day of September, 2009.

2. Definitions - In these rules unless the context otherwise requires --

(1) "the Act" means The Kolkata Municipal Corporation Act, 1980 (West Ben. Act LIX of 1980);

(2) "advertising sign" means any surface of a structure with characters, letters, illustrations or illuminations applied thereto and displayed in any manner whatsoever to public view for purposes of advertising or to give information regarding or to attract the public to any place, person, public performance, article or merchandise whatsoever, and which surface or structure is attached to, forms part of or is connected with any land, building or is fixed to a wall, hoarding, frame, post, kiosk or structure or to the ground or to any post, fence or displayed in space or in screen;

(3) "air-conditioning" means the process of treating air so as to control simultaneously its temperature, humidity, cleanliness and distribution to meet the requirement of conditioned space;

(4) "alteration" has the same meaning as in sub-section (3) of section 390;

(5) "apartment" means part of a property having a direct exit to a street or a passage or to a common area leading to such street or passage which together with its undivided interest in the common areas and facilities forms an independent unit;

(6) "applicant" includes, the owner for the time being, his agents and the successors in interest of the applicant;

(7) "architect" means a person who is registered as an Architect by the Council of Architecture under the Architects Act, 1972;

(8) "balcony" means a horizontal projection with a handrail or balustrade or a parapet, to serve as passage or sitting out place;

(9) "basement or cellar" means the lower storey or stories of a building partly or wholly below ground level;

(10) "building plan" means a plan accompanying a notice for sanction or provisional sanction for erection, re-erection, addition to or alteration of a building;

(11) "building services" in relation to a building means lighting and ventilation, electrical and allied installations, air-conditioning, heating and mechanical ventilation, acoustics, sound insulation and noise control, installation of lifts and escalators, water supply, drainage and sanitation, gas supply, landscaping, signs and outdoor display structures, fire fighting and safety arrangements, solid waste management, electronic and telecommunication installations;

(12) "chajja or cornice" means a horizontal structure, overhanging, usually provided over external walls to provide protection from sun and rain;

(13) "chimney" means the construction by means of which a flue is formed for the purpose of carrying the products of combustion to the open air and includes chimney stack or stay and flue pipe;

(14) "commencement of work" in relation to a building means the actual commencement of erection of a building including foundation work or re-erection or alteration, but mere excavation of earth or demolition of existing building shall not constitute commencement of work;

(15) "Corporation" means The Kolkata Municipal Corporation, established under the Act;

(16) "covered area" means the horizontal area covered by a building at any floor level but does not include the spaces exempted under these rules;

(17) "ground coverage" means the maximum area of the building footprint at the ground level, considering all horizontal projections in all floors, excluding the cornies, chajjas and architectural features projecting upto 0.6 m. from the outer building line;

(18) "carpet area" means the covered area of a building at any floor level, excluding the area of walls and structural members;

(19) "dangerous" in relation to a building means a building which by reason of its age, inadequate maintenance, dilapidation, abandonment or by any other reason, has become structurally unsafe or is not provided with adequate means of egress or which constitutes a fire hazard or which has otherwise become dangerous to human life;

(20) "depth" in relation to a plot means the distance from the front to the rear line of the plot:

(21) "Development Plan" means the Land Use and Development Control Plan (LUDCP) for the Kolkata Municipal Corporation Area as approved by the Government of West Bengal under section 37(2) of the West Bengal Town and Country (Planning and Development) Act, 1979;

(23) "drainage" means the removal of any liquid by a system constructed for the purpose;

(24) "escalator" means a mechanical device to transport persons between two or more levels in an inclined direction by means of guided moving steps;

(25) "floor" means the lower surface in a storey after finishing on which one normally walks in a building, unless otherwise specifically mentioned;

(26) "floor area" means the covered area of a building at any floor level;

(27) "Floor Area Ratio" or the letters "F.A.R" (being the abbreviation of the whole words "Floor Area Ratio") mean the-quotient obtained by dividing the total floor area on all floors of a building by the area of the plot including the area of the water bodies, if any within the plot but not including the areas stipulated in (Rule 70(3)] as follows:

$$\text{F.A.R.} = \frac{\text{Total floor area on all floors}}{\text{Area of the plot}}$$

(28) "footing" means a foundation unit constructed in brick work masonry or concrete under the base of a wall or column for the purpose of distributing the load over an area required as per structural design;

(29) "garage" means a building or portion thereof designed and used for parking of motor driven or other vehicles;

(30) "Geo Technical Engineer" means a person with at least a Bachelors Degree in civil or construction engineering from a recognized university, institute or an equivalent engineering qualification recognized by the Government, having not less than five years' experience in planning and control of soil investigation work and formulation of basis for design and construction of different types of foundation and who has been empanelled by the Corporation as a Geo Technical Engineer under these rules;

(31) "Government" means the Government of West Bengal;

(31A) 'Green Building' means a structure created by using processes that are environmentally responsible and resource-efficient throughout a building's life-cycle i.e. from design, construction, operation, maintenance, renovation, and demolition. The same should be certified by the designated authorities or agencies notified by Municipal Affairs Department, Government of West Bengal;

(32) "height of building" means, subject to the provisions of rule 77, the vertical distance measured from average level of the centerline of the street or passage, to which the plot, abuts, to the highest point of the building whether with flat roof or sloped roof;

(33) "ledge or tand" means a shelf-like projection, supported in any manner except by means of vertical supports within a room itself but not having projection wider than 0.75 m., to be used only as storage space;

(34) "Licensed Building Surveyor" means a qualified surveyor who has been licensed under the Act;

(35) "lift" means an appliance designed to transport persons or materials between two or more levels in a vertical or substantially vertical direction by means of guided car platform;

(36) "loft" means an intermediary floor between two floors or a residual space in a pitched roof, above normal floor level which is constructed or adopted for storage purposes;

(37) "masonry" means an assemblage of masonry units properly bonded together with mortar;

(37A) 'Mass Housing Project' means the housing development project which should be certified by Housing Department, Government of West Bengal, as mass housing project;

(38) "means of access" means a public street or private street or passage, open to the sky provided that in the case of partition of an existing building, the passage need not be open to the sky;

(38A) 'Mega Commercial Project' means a project of floor area of twenty thousand square meters or above under use group Assembly building and / or Business building and / or Mercantile building;

(39) "mezzanine floor" means an intermediate floor between the ground floor and the first floor or between any two floors;

(40) "occupancy" or "use group" as stated in section 390 (2) of the Act means the purpose for which a building or a part of building is used or intended to be used;

(40) [1] "principal occupancy" is the purpose for which more than 50% of the total floor area of a building is used or intended to be used;

Explanation:

The classification of buildings on the basis of occupancy shall include -

(a) "Residential building" means, any building in which sleeping accommodation is provided for normal residential purpose as the principal use with cooking facility or dining facility or both; such building shall include one or two or multi-family dwellings, hostels, apartment houses and flats; in case of hostels or dormitories attached to educational institutions there may or may not be any cooking facilities;

(b) "Educational building" means, any building used for school, college, or day-care purposes involving assembly for instruction, education or recreation incidental to educational buildings;

(c) "Institutional building" means, any building or part thereof ordinarily providing sleeping accommodation for occupants and used for the purposes of medical or other treatment or care of persons suffering from physical or mental illness, disease or infirmity, care of infants, convalescents or aged persons and for penal or correctional detention in which the liberty of the inmates is restricted; such buildings shall include hospitals, clinics, dispensaries, sanatoria, custodial institutions and penal institutions tike jails, prisons, mental hospitals and reformatories;

(d) "Assembly building" means, any building or part thereof where group of people congregate or gather for amusement or recreation or for social, religious, patriotic, civil, travel, sports, and similar other purposes; such buildings shall include theatres, motion picture houses, drive-in-theatres, city halls, town halls, auditoria, exhibition halls, museums, skating rinks, gymnasium, restaurant, seating houses, hotels, boarding houses, lodging or rooming houses, guest-houses, dormitories, places of worship, dance halls, club rooms, gymkhanas, passenger stations and terminals of air, surface and other public transportation services, recreation piers, multiplex and stadia;

(e) "Business building" means any building or part thereof used for transaction of business for keeping of accounts and records or for similar purposes; such buildings shall include offices, banks, professional establishments and court houses and libraries for the principal function of transaction of public business and keeping of books and records, and shall also include office buildings (premises) solely or principally used as an office or for office purposes.

Explanation:

(i) the expression "office purpose" shall include the purpose of administration and clerical work (including telephone and telegraph and computer operating), and

(ii) the expression "clerical work" shall include writing, book-keeping, sorting papers, typing, filing, duplicating, punching cards or tapes, machine calculating, drawing of matter for publication, and editorial preparation of matter for publications;

(f) "Mercantile building" means, any building or part thereof used as shops,-stores or markets for display or sale of merchandise, either wholesale or retail, or for office, storage and located in the same building; such building shall include establishments wholly or partly engaged in wholesale trade, manufacturer's wholesale outlets (including related storage facilities), warehouses and establishments engaged in truck transport (including truck transport booking agency);

(g) "Industrial building" means, any building or structure or part thereof in which products or materials of all kinds and properties are fabricated, assembled or processed as in assembly plants; such buildings shall include laboratories, power plants, smoke houses, refineries, gas plants, mills, dames, factories, workshops, automobile repair garages, and printing presses;

(gg) 'Information Technology Building' means a building used principally for transaction of information technology enabled services. The same should be certified by Department of Information Technology and Electronics, Government of West Bengal;

(h) "Storage building" means, any building or part thereof used primarily for the storage or sheltering of goods, wares or merchandise as in warehouses; such building shall include cold storages, freight depots, transit sheds, store houses, public garages, hangars, truck terminals, grain elevators, barns and stables;

(i) "Hazardous building" means, any building or part thereof used for the storage, handling, manufacture or processing of highly combustible or explosive materials or products which are liable to burn with extreme rapidity or which may produce poisonous fumes or explosions during storage, handling, manufacture or processing or which involve highly corrosive, toxic or noxious alkalis, acids or other liquids or chemicals producing flames, fumes, explosions or mixtures of dust which result in the division of matter in to fine particles subject to spontaneous ignition.

(40) [2] "mixed occupancy" shall mean those buildings in which more than two compatible occupancies are intended to be .present in different proportions and none of the occupancies are intended to be exceed 50% of total floor area and which shall have mixed use rules in the matter of means of access, occupancy distribution, permissible use of open space, FAR, car parking and height of building for the purposes of these rules;

(41) "open space" means an area forming an integral part of the site, open to the sky;

(42) "parapet" means a low wall or railing built along the edge of a roof or a floor;

(43) "parking space" means an area either enclosed or unenclosed, covered or open sufficient in size to park vehicle(s), located at any level having sufficient maneuvering space for loading and unloading;

(44) "partition wall" means an interior non load bearing wall, one storey or part -storey in height;

(45) "plinth" means the portion of the structure between the surface of the surrounding ground and surface of the floor, immediately above the ground, minimum height of which is 600 mm.;

(46) "row housing" means a row of houses with only front and rear open spaces and interior open space where applicable;

(47) "schedule" means the schedule to these rules;

(48) "section" means a section of the Act;

(49) "single building" means a building having single block or multiple blocks connected at any level including basement level where mandatory open spaces are considered in respect of the tallest block;

(50) "smoke-stop door" means a door for preventing or checking the spread of smoke from one area to another;

(51) "stair cover" means a structure with a covering roof over a staircase and its landing built to enclose only the stair for the purpose of providing protection from weather and not used for human habitation;

(52) "storey" means the portion of a building included between the surface of any floor and the surface of the floor next above it, or if there be no floor above it, then the space between any flooar and the roof next above it;

(53) "Structural Engineer or Reviewer" means a person with at least a Bachelor's Degree in civil or structural or construction engineering from a recognized University or an equivalent engineering qualification recognized by the Government, having at least five years' experience in the field of design and construction of structures of buildings of different types and who has been empanelled by the Corporation as a Structural Engineer under these rules;

(54) "tenement" means an independent dwelling unit with a kitchen or cooking space;

(55) "transport vehicle" means a public service vehicle', a goods carriage, an educational institution bus or a private service vehicle as defined in the Motor Vehicles Act, 1988 (59 of 1988) or in any modification or re-enactment thereof for the time being in force;

(56) "travellator" is a mechanical device meant to transport persons or materials horizontally by means of a guided belt;

(57) "toilet" means a room which is used both for bathing and as a water closet;

(58) "water closet" or the letters "W.C." (being the abbreviation of the whole words "water closet") means a privy with arrangement for flushing the part or commode with water but does not include a bathroom;

(59) "width of a public street" means the whole extent of space, including the footpath within the boundaries of the street as specified in the survey map or any other records of the Corporation;

(60) Other words and expressions have the meanings respectively assigned to them in the Act.

CHAPTER II

GENERAL

3. Prohibition of erection of Building without Building Permit

(1) No person shall erect a new building, or re-erect, or make addition to, or alteration of lany building, or cause the same to be done as specified in section 392, without obtaining a sanction in the form of a Building Permit from the Municipal Commissioner under the Act, and without obtaining such permission for development from the concerned authority as may be required under the West Bengal Town and Country (Planning and Development) Act, 1979 (West Ben. XIII of 1979).

(2) Notwithstanding the provisions of sub-rule (1) no building permit shall be required for-

(a) erection, re-erection, addition to, or alteration of -

(i) an internal partition wall which does not violate any of the provisions of the Act or these rules, or

(ii) a parapet wall or a cornice or chajja within the boundaries of the site and not overhanging a street, however, that the total height of the parapet wall shall not be more than 1.50 m. and width of the cornice or chajja shall not be more than 60 cm. ;

(b) repairing of a staircase or of lift-shaft ;

(c) white washing or painting;

(d) reflooring of the surface of an existing floor;

(e) minor repairs and reflooring of an existing damaged roof without changing the character and dimension of such roof:

Provided that the character of a damaged roof may be allowed to be changed and its reconstruction permitted by permission in writing of the Commissioner on such terms as he may consider fit, upon application being made to him with three copies of plan; on payment of requisite fees and on submission of structural stability certificate from a Structural Engineer, Architect or a Licensed Building Surveyor, as the case may be.

Provided further that no such work as is referred to in clauses (a) and (e) shall be undertaken without giving the Municipal Commissioner fifteen days' notice in writing stating the nature of work proposed to be undertaken ;

(f) erection of a false ceiling in any floor for air-conditioning, lighting or decorative purposes;

(g) plastering and patch work;

(h) providing or closing an internal door or window or a ventilator not opening directly opposite a door or a window of another building;

(i) replacing of tallen bricks, stones or repairing of damaged pillars or beams;

(j) repairing or renewing existing plumbing, sanitary and other utility services;

(k) repairing of boundary wall ;

(l) carrying out such other work as is necessary in the opinion of the Municipal Commissioner, for reasons to be recorded in writing, to maintain the building in a condition of good repair or to secure it to prevent danger to human life.

CHAPTER III

PROCEDURE FOR SANCTION

4. Notice for erection or alteration of a building

(1) Every person who intends to erect a new building on any site whether previously built upon or not or re-erect or make addition to or alteration of any building shall apply for sanction by giving notice in writing to the Municipal Commissioner.

(2) Every such notice for erection or re-erection or addition or alteration shall be in the form as specified in Schedule I. one copy of which shall be submitted along with all the enclosures required under these rules.

Note I : The application shall contain, in addition to the notice as aforesaid, duly stamped and legally enforceable declarations, indemnities etc., as required.

Note II : Except in case of a residential building to be erected or re-erected or altered on a plot of five hundred squre metre or less of land, the notice shall be accompanied by six sets of -

(a) Key (location) Plan,

(b) Site Plan,

(c) Building Plan (Architectural),

(d) General Specifications.

In case of a residential building to be erected or re-erected or altered on a plot of five hundred squre metre or less of land, one set of the aforesaid is to be submitted.

(3) The notice shall be accompanied by copies of documents showing that the applicant has exclusive right to erect, re-erect or alter any building or portion thereof upon the land.

(4) In the case of a site or plot measuring 500 squre metre or more to which, the Urban Land (Ceiling and Regulation) Act, 1976, (33 of 1976) applies, the notice shall be accompanied by a "no objection certificate" from the competent authority, appointed under clause (d) of section 2 of the said Act. to the effec that there is no objection on in respect of transfer of the site or plot under sub-section (3) of section 5 of the said Act:

Provided that the requirement as aforesaid shall be deemed to have been waived on the failure of the competent authority to furnish the certificate within three months from the date of reference to it.

(5) In the case of a plot referred to in section 364, the notice shall be accompanied by a certificate from the Municipal Commissioner that it is a plot included in the layout plan as approved by the Mayor-in-Council under section 365 along with a statement of the conditions of such approval.

(6) The notice shall in accordance with the provisions of sub-section (I) or sub-section (2), as the case may be, of section 395 specify in terms of sub-section (2) of section 390:

(a) the purpose for which the building is intended to be used, or

(b) the purpose for which the building is proposed to be used after execution of any of the works referred to in clauses (b) to (m) of sub-section (1) of section 390 or after alteration, and shall also be accompanied by a declaration by the applicant in a form as specified in Schedule II to the effect that he shall comply with the requirements of section 416 at all times.

(7) In case, the intended use of the building is such that under section 425 a license or permission is required from Government or any statutory body under any law for the time being in force, or from the Municipal Commissioner under any of the provisions of Chapter XXIII of the Act, the notice shall state the nature of the use of the building proposed to be erected, re-erected or altered with reference to the relevant section under Chapter

XXIII of the Act or any other law for the time being in force, and shall be accompanied by duly authenticated copies of such license or permission wherever applicable, before such erection, re-erection or alteration:

Provided that in case where such license or permission cannot be produced along with the notice, the applicant shall clearly state that he is seeking provisional sanction in the notice in question.

(8) The notice shall, where necessary, be accompanied by a declaration of the necessary permission under Section 63 of the Calcutta Improvement Act, 1911 (Ben. Act V of 1911) has been obtained.

(9) The notice shall be accompanied by duly authenticated copies of receipts showing payment of tax to the Corporation upto the quarter previous to the date of the application in respect of the land, building or portion thereof upon which the building is proposed to be erected, re-erected, or altered, and a declaration stating that there is no arrear dues payable to the Corporation.

(10) The notice shall be accompanied by a composite declaration of the applicant in the form as specified in Schedule III covering the following :-

(a) that the work of erection, re-erection or alteration will be supervised by an Architect or Licensed Building Surveyor, a Structural Engineer and a Geo- Technical Engineer, as the case may be, as may be required under these rules;

(b) that the works relating to water supply, drainage and sewerage shall be supervised by an environmental engineer or licensed plumber, as may be required under these rules;

(c) that no building materials shall be deposited in any street except with the prior written permission of the Municipal Commissioner and on deposit of fees for stacking materials as per demand raised by the Corporation and that the same will be stacked only at a place as may be directed by the Corporation;

(d) that the applicant will make plantation as per Corporation's guidelines in the open spaces of the site.

(11) The notice shall also be accompanied by a general undertaking of the applicant in the form as specified in Schedule IV.

(12) In a case involving piling work, deep foundation work or construction of basement or any other underground structures, including superstructure, the notice shall be accompanied by an Indemnity Bond as specified in Schedule V.

(13) An additional set may be required to be submitted alongwith structural plan, design calculation as well as Geo Technical report (if applicable) before issuance of sanction.

(14) All the plans enclosures and statements shall be signed by the Architect or Licensed Building Surveyor, a Structural Engineer and a Geo Technical Engineer as the case may be, and also by the person intending to erect, re-erect, or alter the building.

(15) The applicant shall, at the time of giving the notice, be required to deposit as application fee such amount as may be determined by the Corporation.

(16) The applicant shall, prior to the sanction of the building plan, be required to produce the originals of all documents, duly authenticated copies of which may have been enclosed with the notice, for scrutiny by the Municipal Commissioner.

(17) The applicant shall also have to fully indemnify the Corporation in respect of all actions, suits, proceedings, claim, or damages from any third party arising out of the acts or omissions of the applicant. Such indemnity should be in the form specified in Schedule V.

(18) In the event, boundaries are not mentioned in the title document submitted by the applicant and there is no site plan forming part of such document, a deed of declaration containing boundary details of the boundary and land area, should be registered with the appropriate registration authorities and submitted along with the notice.

(19) The notice shall also be accompanied by a certified copy of the registered deed of gift recording gift of land to the Corporation, where necessary.

5. Key (Location) Plan

The Key Plan drawn to a scale of not less than 1: 4000 shall show the boundary of the location of the site with respect to neighborhood landmarks and public streets.

6. Site Plan

The Site Plan drawn to a scale of 1: 600 (except in respect of a site more than 5000 square metre where a scale of not less than 1: 1000 can be used) shall show:

(a) the boundaries giving dimensions of the site and of any contiguous land belonging to the owner thereof;

(b) the position of the site in relation to neighbouring street or street within a distance of 25 metre of the site and if there is none the name and the distance of the nearest existing street;

(c) the name or names of street or streets and widths thereof on which the site abuts;

(d) the means of access from the street or passage to the building in respect of which sanction is sought for and to other existing building if any, and other buildings which the applicant intends to erect upon his contiguous land, if any;

(e) all existing buildings or structures on, over or under the site or projecting beyond it ;

(f) the position of the building which the applicant intends to erect or alter in relation to -

(i) the boundaries of the site,

(ii) any existing building or structure upon his contiguous land (with number of storeys and height) or any building or structure which the applicant intends to erect upon such land,

(iii) all other existing premises, buildings or structures (with number of storeys and height) within a distance of twelve metres of the site.

(g) the open spaces to be provided for the building under these rules,

(h) the position on the site of-

(i) any tube-well, existing or proposed, with reference to section 248,

(ii) supply pipes, or any underground water reservoir for conveying to the premises the supply of wholesome or unfiltered water from the service mains of the Corporation, and pipes, septic tanks, house drains or other means of communication with any municipal drain, or the traps or apparatus connected therewith, with reference to section 313.

(i) the position of any receptacles for temporary deposit of solid wastes, existing or proposed with reference to section 340.

(j) the direction of the north point relative to the plan of the building.

7. Building Plan

(1) Building plans, elevations and sectional elevations drawn to scale of 1:100 and in case of sites whose area exceeds 5000 square metre, drawn to a scale of 1 :200, with part drawing in a suitable larger scale for clarity, if need be, shall include and show -

(a) floor plans together with covered area of each floor including in the case of the ground floor and basements, the ground coverage in relation to the area of the plot. means of access and open spaces, floor plan of any accessory building or buildings and basement plan, if any; clearly indicating the size and spacing of all supporting members and sizes of rooms and details of foundation,

(b) terrace plan indicating the drainage and the slope of the roof including position of rainwater pipes.

(c) the position and width of any staircase, Escalator, travelator, ramp or other exit way and of any lift well, lift machine room and lift pit,

(d) a plan showing the position of pipes, underground and overhead reservoirs for water supply and house drains, septic tanks if any or means of communication with any municipal drain or the traps or of apparatus connected therewith in conformity with section 313 ;

(e) schedules of doors, windows and ventilators,

(f) details of parking layout plan, if any, along with maneuvering space for loading and unloading,

(g) appurtenant open spaces required under these rules,

(h) any projections beyond the regular line of street,

(i) the position of any receptacles for temporary deposit of solid waste in conformity with the provisions of section 340,

(j) a description of the proposed use or occupancy of each part of the building,

(k) elevations of all sides of the building facing the street or streets,

(1) sectional drawings indicating clearly the sizes of footings, thickness and depth of basement from ground level, sizes and spacing of framing members, floor slabs and roof slab with their materials, height of building, rooms and parapet and at least one section through each of the staircase, toilets, ramps and lift well with machine room:

Provided that the structural plan giving details of all structural elements and materials to be used along with structural calculations need not be submitted along with the notice for application of sanction but shall have to be submitted prior to issuance of sanction.

(m) the direction of the north line relative to the plans.

(2) In case of a residential building exceeding 20.0 metre in height or a non-residential building, the building plan shall, in addition to the provision of sub-rule(1) also show, as required by the Municipal Building Committee the following:

(a) special requirements as to access, circulation, building services and safety, human health and fire safety based on occupancies group or use group as laid down in National Building Code of India and in the West Bengal Fire Services Act, 1950,

(b) parking layout plan showing parking spaces, driveways together with ingress or egress arrangements,

(c) width of main and alternate staircase along with balcony approach, corridor, ventilated lobby approach,

(d) location and details of lift enclosures,

(e) location and size of fire lift,

(f) smoke-stop lobby or door, where provided.

(g) details of exits including provision of ramps in the case of hospitals and for special risks,

(h) location of smoke exhauster and fan,

(i) location of smoke exhauster in basement,

(j) details of fire alarm network,

(k) location of centralized control connecting the alarm system, built-in fire protection arrangements and public address system,

(1) location and dimensions of static water storage tank and pump room along with fire service inlets for mobile pump and water storage tank,

(m) location and details of fixed fire protection installations such as sprinklers, wet risers, hose reels, drenchers and carbon dioxide installation,

(n) location and details of first aid equipment,

(o) special requirements, if any of occupancies for residential building educational building, institutional building, assembly building, business building, mercantile building, storage building, industrial building and hazardous building under these rules,

(p) location for installation of a sub-station for electric supply, transformer, generator and switch gear room,

(q) location of the air-conditioning plant room, if any,

(r) plan for installation of boilers, if any,

(s) refuse chutes and refuse chamber (if any) and,

(t) location for signs and outdoor display structures (if any).

(3) (a) Structural design as required in, these rules shall be carried out by an empanelled Structural Engineer as per schedule XV.

(b) A preliminary design of the structure, other than for masonry buildings and residential buildings upto a height of 10 metre, giving details of all structural elements and specifications of materials, along with a structural design basis report shall be prepared by such Structural Engineer and submitted along with the notice.

(c) A detailed structural design and structural drawing prepared by such Structural Engineer and reviewed by an empanelled Structural Reviewer, shall be submitted along with the notice, in respect to residential buildings to exceed 40 metre in height and for all buildings, other than for residential use, to contain a built up area of more than 500 square metre,

(d) The structural design of foundations, elements of masonry, plain concrete, reinforced concrete, pre-stressed concrete and structural concrete shall conform to the provisions of the National Building Code of India (NBC) taking into consideration the relevant Indian Standards.

8. Sizes of drawing sheets

(1) All site plans, building plans, elevation and sections shall be on drawing sheets which shall be in any of the sizes specified in the table below:-

TABLE 1
Drawing Sheet sizes

Serial No.	Designation	Trimmed Size (mm)
1	A0	990 x 1198
2	A1	594 x 990
3	A2	495 x 594
4	A3	297 x 495
5	A4	247 x 297
6	A5	148 x 247

(2) The plans may be ordinary prints of ferro-paper or other paper or blue printed or ammonia print or computer generated print, but one set of such plans shall be blue printed. Prints of plans shall be on one side of paper only.

9. Colouring notation for plans

The plans shall be coloured as specified in Table 2 below :-

SI. No.	Item	Site Plan			Building Plan		
		White Plan	Blue Plan	Amonia Print	White Plan	Blue Plan	Amonia Print
1.	Plot Lines	Thick Black	Thick Black	Thick Black	Thick Black	Thick Black	Thick Black
2.	Existing Street	Green Wash	Green Wash	Green Wash	Green Wash	Green Wash	Green Wash
3.	Future street if any	Green Dotted	Green Dotted	Green Dotted	Green Dotted	Green Dotted	Green Dotted
4.	Permissible Building Lines	Thick Dotted Black	Thick Dotted Black	Thick Dotted Black	Thick Dotted Black	Thick Dotted Black	Thick Dotted Black
5.	Open Spaces	No colour					
6.	Existing Work	Yellow	Yellow	Yellow	Yellow	Yellow	Yellow
7.	Work proposed to be demolished	Yellow Hatched	Yellow Hatched	Yellow Hatched	Yellow Hatched	Yellow Hatched	Yellow Hatched
8.	Proposed Work	Red Filled in	Red Filled in	Red Filled in	Red Filled in	Red Filled in	Red Filled in
9.	Drainage and sewerage work	Red Dotted	Red Dotted	Red Dotted	Red Dotted	Red Dotted	Red Dotted
10.	Water supply work	Black Dotted thin	Black Dotted thin	Black Dotted thin	Black Dotted thin	Black Dotted thin	Black Dotted thin
11	Deviations	Red Hatched	Red Hatched	Red Hatched	Red Hatched	Red Hatched	Red Hatched
12.	Recreation Ground	Green Hatch	Green Hatch	Green Hatch	Green Hatch	Green Hatch	Green Hatch

NOTE: For land developments or sub-divisional layout, suitable colouring notations shall be used

10. Dimensions

All dimensions shall be indicated in metric units in a uniform manner.

11. Specifications

The specifications of the proposed construction shall provide a type and grade of materials and method of construction to be adopted.

12. Requisition to determine validity of notice

(1) The Municipal Commissioner may at any time, but not later than fifteen days of the receipt of notice under rule 4, issue a requisition to the applicant specifying at a time, all the defects in the notice for sanction of plan and the applicant shall make his submission in reply to such requisition within fifteen days thereafter.

(2) The Municipal Commissioner may, within fifteen days after the receipt of such reply, require further information or revised plan as he may deem fit and such information or revised plan shall be submitted within such period as may be specified by the Municipal Commissioner.

(3) If any plan or information as required under sub-rule (1) or sub-rule (2) is not forthcoming within the specified time or if the plan or information as required under these rules is not furnished to the satisfaction of the Municipal Commissioner, such notice shall be deemed not to be valid under sub-section (3) of section 395 and shall not be processed any further and the applicant shall be informed by notice in this regard.

(4) Fresh notice under section 393 or section 394 .as the case may be, shall thereafter be necessary.

(5) All notices shall either be delivered by hand or sent under certificate of posting or by pre-paid Registered Post with A/D.

13. Sanction or provisional sanction or refusal of building or work.- Within a period of sixty days, or for any case governed by clauses (b) to (m) of sub-section (1) or sub-section (3), of section 390 within a period of thirty days, of the receipt of any valid notice under these rules with reference to section 393 or section 394, as the case may be, the Municipal Commissioner shall in accordance with the provisions of section 396 and with reference to the provisions of section 313 by written order, either-

(a) sanction or provisionally sanction with such conditions, if any, not inconsistent with the provisions of the Act and these rules as he may think fit, the erection, re-erection, addition to, or alteration of, the building and shall issue a Building permit to the applicant in the form as specified in Schedule VI, or

(b) refuse sanction or provisional sanction under the provisions of the Act and rule 16 and communicate the same to the applicant in the forms as specified in Schedule VII:

Provided that in a case where the site of the proposed building or work is likely to be affected by any scheme of acquisition of land for any public purpose or by any proposed regular line of a public street or extension, improvement, widening or alteration of any street the Municipal Commissioner may, under the proviso to sub-section (1) of section 398, withheld sanction to the erection of the building or the execution of the work for such period, not exceeding six months, as he may deem fit:

Provided further that in the case of provisional sanction, the applicant shall furnish a statement to the effect that if he is unable to produce the licence or permission as required under sub-section (3) of section 396, the provisional sanction would be at his own risk and cost and shall not be made final and the occupancy certificate under sub-section (2) of section 403 shall not be issued in respect of the use which is affected by the provisions of sub-section (3) of section 396.

14. Aesthetic quality of urban Environmental design

The aesthetic quality of urban and environmental design of structures with respect to every application for erection or re-erection of a building shall be considered by the Municipal Commissioner including as to-

(a) conservation, preservation and beautification of-

(i) monumental buildings, public parks and public garden including locations or installations of statues or fountains therein,

(ii) any area of special, historical or cultural significance as the Mayor-in-Council may consider, or

(b) conservation and preservation of any project which aims to beautify Kolkata or to add to its cultural vitality or to enhance the quality of its urban design, or

(c) conservation and preservation of any project or layouts for sports, cultural, social or for other similar purposes, or

(d) construction of under-passes, over-passes and regulation of street furniture and advertisement hoardings, or

(e) consideration of architectural expression and visual appearances of the buildings.

15. Building Permit

(1) The Building Permit shall subject to the provisions of these rules be issued under the signature of the Municipal Commissioner.

(2) The Building Permit shall not be issued till a duly authenticated copy of a receipt showing payment to the Corporation of the Building Permit Fees payable under these rules for the sanction of the building, is produced before the Municipal Commissioner.

(3) The Building Permit shall, subject to the provisions of sub-section (3) of section 398 be valid for a minimum period of five years from the date of issue of such permit and may be renewed by the Municipal Commissioner for such further period, such that the original period of validity and period(s) of renewal and renewals, if any, do not exceed ten years from the date of issue of permit, on payment of such fees and charges as may be fixed by the Mayor-in-Council from time to time and on such other terms and conditions as may be considered appropriate.

(4) The Building Permit shall in conformity with the provisions of sub-section (5) of section 396 clearly and specifically state the occupancy or use group for which the Building Permit is valid.

(5) In the case of a building which is intended to be erected at the comer of two streets, the Building Permit shall specify the conditions imposed under clause (b) or clause (c) or clause (d) or clause (e) of sub-section (1) of section 405.

(6) The Building Permit shall as required under section 407, specify the conditions imposed regarding use of inflammable materials.

(7) In the case of a building affected by the provisions of section 408, the Building Permit shall be issued in conformity with the declaration under sub-section (3) thereof.

(8) One set of the plans (along with a certified Copy thereof) and specification submitted along with the notice duly countersigned by the Municipal Commissioner, shall be returned to the applicant along with the Building Permit.

16. Grounds for refusal

(1) The Municipal Commissioner may refuse sanction or provisional sanction for erection, re-erection, addition to or alteration of a building on anyone of the following grounds to be specifically recorded in the form as specified in Schedule VIII:-

(a) that the building or the work or the use of the site for the building or the work or any of the particulars comprised in the site plan, ground plan, elevation, section or specification would contravene the provisions of the Act or these rules or any other rules or regulations made under the Act, or of any other law in force for the time being,

(b) that the notice for sanction does not contain the particulars or is not prepared in the manner required under these rules,

(c) that any information or document required by the Municipal Commissioner under the Act or these rules has not been duly furnished,

(d) that in cases requiring a layout plan under section 364 or section 365 such layout plan has not been sanctioned in accordance with the provisions of the Act.

(e) that the building or the work would be an encroachment on Government land or land vested with the Corporation,

(f) that the site of the building or the work does not abut on a street or projected street and that there is no access to such building or work from any such street or by any passage from such street,

(g) that the conditions mentioned in sub-section (1) of section 406 has not been fulfilled or that it contravenes the provisions of sub-section (2) thereof,

(h) that the erection of the building or the execution of any work affects or is likely to affect the sky-line or the aesthetic quality of urban or environmental design, or any public amenity therein or the functioning of radio communication systems for telecommunication purposes or purposes of civil aviation,

(i) that in case where a building is intended to be erected for a purpose which is contrary to the provisions of the Act or any other law for the time being in force,

(j) that in the case of re-erection, addition to or alteration of a building the intended purpose of which is such as may lead to such mixed occupancies as are contrary to the provisions of the Act or any other law for the time being in force,

(k) that the arrear taxes payable to the Corporation have not been paid.

(2) The Municipal Commissioner may, subject to the provision of sub-section (1) of section 405, refuse under clause (a) of that sub-section, sanction of any building which is intended to be erected at the comer of two or more streets.

(3) The Municipal Commissioner shall refuse sanction to any building plan where prior approval of the Mayor-in-Council in this regard is necessary and such approval has not been given.

(4) If the Municipal Commissioner, having regard to-

(a) the existing water supply, sewerage and drainage system in any ward or part thereof, or

(b) the traffic carrying capacity of a street in any ward or part thereof, is of the opinion that the erection of any building or execution of any work in such ward or part thereof will put additional burden on the existing civic services, he may sanction the erection of such building or execution of such work subject to such restrictions or conditions, including uses, as he may deem fit to impose:

Provided that no such action shall be taken by the Municipal Commissioner without scrutiny of such case by the Municipal Building Committee and without prior approval of the Mayor-in-Council.

17. Effect of refusal

(1) The notice submitted by the applicant under sub-rule (1) of rule 4 shall lapse with the refusal of sanction or provisional sanction under these rules.

(2) Fresh notice under section 393 or 394, as the case may be, shall be necessary if the applicant proposes to amend his earlier notice and its enclosures.

18. Delay in sanction or refusal

(1) If within a period of sixty days, or for any case governed by clause 1(b) to (m) of sub-section (1) of section 390 within a period of thirty days, of the receipt of any notice under these rules with reference to section 393, or section 394, as the case may be, or of any information under section 395, the Municipal Commissioner does not sanction or provisionally sanction or refuse to sanction under section 396 the applicant may in accordance with the provisions of section 398 make a representation to the Mayor.

(2) The Mayor shall, after such enquiry as he may think fit, and after giving the applicant an opportunity of being heard, direct the Municipal Commissioner to sanction or provisionally sanction or refuse sanction and communicate the same to the applicant within a period of thirty days from the date of receipt of the representation by the Mayor.

(3) The applicant shall under no circumstances violate the provisions of section 392.

19. Cancellation of Building Permit

The Municipal Commissioner may in accordance with the provisions of section 397 by a written order, cancel any Building Permit issued under these rules.

20. Notice for demolition of a building

Every person who intends to demolish any building or part thereof shall give notice in writing to the Municipal Commissioner. The demolition work will be executed taking due care of adjoining structures and carried on under the supervision of a Structural Engineer empanelled with the Corporation.

21. Retention of temporary structures along with water supply and drainage connection

(a) After sanction of plan and commencement of work, the applicant may be allowed at his own risk and cost, and with prior permission of the Municipal Commissioner to retain and make use of part of the existing structures and also the existing drainage and water supply connections for the purposes of providing temporary accommodation to tenants or for being used as a site office, construction material storage space, workers' toilet and other allied purposes. The permission referred to herein may be granted on such terms and conditions, including as to the period within which such structure or facility has to be demolished or dismantled, as considered appropriate by the Municipal Commissioner.

(b) In case any declaration is given by the applicant that he would set aside any portion of the site for widening of the road or for other purposes, as a precondition to sanction, the applicant may do so, for the time being, by physically shifting the boundary wall, prior to issuance of Building Permit, pending execution and registration of appropriate documents and compliance of other formalities.

CHAPTER IV

EXECUTION OF WORK

22. Notice of commencement

At any time within two years from the date of the issue of the Building Permit but not less than seven days before commencing the erection of the building or the execution of the work the applicant shall give notice in writing to the Municipal Commissioner in a form as specified in Schedule IX of the proposed date of commencement of such erection or such execution.

Provided that if within the period of the validity of the Building Permit the commencement does not take place within thirty days of the date so notified, the notice shall be deemed not to have been given and a fresh notice shall be necessary.

23. Documents at site

(1) From the date of commencement upto the date of issue of completion certificate under section 403 of the Act the applicant shall keep at the site copies of one set of plans and specifications and any provisions thereof as returned to him by the Municipal Commissioner along with the building permit and shall also exhibit at a conspicuous place the number of the premises, the name of the Architect or Licensed Building Surveyor, Structural Engineer and Geo Technical Engineer, as the case may be, the name of the owner and number and date of the Building Permit.

(2) Where any tests in respect of any material and/or works are made to ensure conformity with the requirements of these rules, copies of reports and records of the tests shall also be kept for inspection at the site.

Provided further that all such documents shall also be produced before the Municipal Commissioner when so required by him.

24. Notice for completion of work upto plinth level

(1) After the completion of the structural work upto the plinth level or upto one m. above ground level, whichever is higher, the applicant shall give a notice to the Municipal Commissioner in the form as specified in Schedule X to enable him to inspect such work.

(2) An officer of the Corporation duly authorized in this behalf shall inspect the work at the site within seven days from the date of receipt of the notice and within three days of such inspection issue necessary direction, if any.

25. Notice for covering up drains, etc.

(1) Before proceeding to cover up drains or appliances connected with the drainage, the applicant shall give a notice to the Municipal Commissioner in the form as specified in Schedule XI stating that such drains or appliances are ready for inspection and shall specify the date and hour not being a date earlier than seven days from the date of the notice on which he will proceed to cover up such drains or appliances.

(2) An officer of the Corporation duly authorized by the Municipal Commissioner in this behalf shall inspect the work at the site and within three days of such inspection, issue necessary direction, if any.

26. Deviation during execution of works

(1) No deviation from the sanctioned plan shall be made during erection or execution of any work.

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

(a) if during erection or execution of work any internal alteration within the sanctioned covered space which does not-violate the provisions of the Act or these rules is intended to be made, the person referred to in sub-rule (1) of rule 4 shall inform the Municipal Commissioner by notice in writing alongwith a certificate

from the Architect or the Licensed Building Surveyor and Structural Engineer, as the case may be, together with drawings incorporating the deviations, and structural calculation in case of structural deviations, stating the nature and purpose of such deviations, at least fifteen days prior to carrying out such erection or execution of work and may thereafter proceed with the execution of such work, subject to the condition that such deviations shall be incorporated in the 'Completion Plan 1 under sub-rule (2) of rule 27;

(b) if during the erection or execution of the work, any external deviation beyond the sanctioned covered space is intended to be made and which does not violate the provisions of the Act or these rules, the person referred to in sub-rule (1) of rule 4, shall prior to carrying out such erection or execution of works, submit in accordance with the provisions of these rules, a revised plan incorporating the deviation intended to be carried out, for obtaining necessary sanction.

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

27. Notice of completion

(1) Within one month after the completion of the erection of any new building or execution of any work the applicant shall in the form as specified in Schedule XII duly countersigned by the Architect or Licensed Building Surveyor and Structural Engineer as the case may be, give notice to the Municipal Commissioner of such completion under section 403 of the Act.

(2) The notice shall be accompanied by 3 sets of building plans (either ammonia print or computer generated print) marked as 'Completion Plans' with all the revisions and modifications including those referred to in sub-rule (2) of rule 26 incorporated therein and clearly stating the occupancy or use-group for which the building or the work has been sanctioned. The plans shall be duly signed by the applicant and the Architect or the Licensed Building Surveyor, and the Structural Engineer, as the case may be.

(3) The notice shall be accompanied by a structural stability certificate duly signed by a Structural Engineer and Architect or Licensed Building Surveyor, as the case may be, and wherever applicable shall be accompanied by.

(a) in the case of a building having more than three separate and independent residential units or apartments and all buildings other than residential buildings, a certificate from the Licensed Building Surveyor or Architect that internal house drainage and water supply network have been satisfaction of the Municipal Commissioner;

(b) fire safety certificate, if applicable under the West Bengal Fire Services Act, 1950 (West Ben. Act XVIII of 1950) and the rules made thereunder has been obtained;

(c) in the case of building referred to in clause (a) a certificate from the electricity supply undertaking regarding provision to its satisfaction, of transformer, sub-station, ancillary power supply as required;

(d) a certificate pertaining to the lift installation, if any;

(e) such other certificates/documents/declarations as are necessary under any law for the time being in force or as the Mayor-in-Council may, from time to time, specify in this behalf.

28. Completion Certificate

(1) Within fifteen days of the receipt of notice of completion of building work, the Municipal Commissioner shall inspect the building or work and shall satisfy himself that the erection or the execution of the work has been completed in accordance with completion plan.

(2) Within ten days of inspection, the Municipal Commissioner shall, if he is satisfied that the building or work has been completed in accordance with the completion plan issue a completion certificate in the form as specified in Schedule XIII :

Provided that such certificate shall not be issued in the case of building or any work for which provisional sanction was given unless the applicant produces before the Municipal Commissioner the license or permission in accordance with sub-section (3) of section 396 and documents recording compliance of the terms and conditions of such provisional sanction.

(3) After due verification, one set of the building plan as submitted under rule 27 shall be returned to the applicant with the endorsement "Approved Completion Plan", under the signature of the Municipal Commissioner.

(4) In case where the Completion Certificate is refused, the Municipal Commissioner shall communicate the reasons thereof in writing to the applicant within a reasonable time of inspection under sub rule (1) above.

(5) In case where in the opinion of the Municipal Commissioner the building or the work has not been completed in accordance with the completion plan he may take necessary action in accordance with the provisions of the Act and rules.

(6) The Municipal Commissioner shall not permit connections to be made to municipal water mains and municipal drains-from any new building in respect of which Completion Certificate has not been issued;

Provided that the Municipal Commissioner may permit connections to be made in respect of a building where Partial Completion Certificate or Block wise Completion Certificate has been issued as per provision of rules 29 and 30.

Provided further that the Municipal Commissioner may order disconnection of such connections if he is of the opinion that the conditions of the Partial Completion Certificate or Block wise Completion Certificate are being violated or if further erection of the building or execution of the work is proceeding contrary to the sanctioned plans.

29. Partial Completion Certificate

(1) Upon a written request made to the Municipal Commissioner for issuance at Partial Completion Certificate consequent upon completion of a part of a building which is under construction, the Municipal Commissioner, on being satisfied that the construction of the specified portion is complete in all respects; that the remaining construction cannot be completed as per sanction plan within a reasonable period of time and that circumstances exist for allowing partial occupation of the building, may issue Partial Completion Certificate valid for a specified period, in the form as specified in Schedule XIII.

(2) A written request under sub-rule (1) shall be accompanied by-

(a) a notice of completion in the form as specified in Schedule X for the portion of the building which is stated to be complete, along with all enclosures as per rule 27 as applicable,

(b) structural stability certificate for the portion of the building which is stated to be complete,

(c) an indemnity bond/undertaking to indemnify the Corporation against any risk, danger or damage to any person, whether an occupier or not, and an undertaking to ensure, in such manner as the Municipal Commissioner may specify, public safety,

(d) an undertaking that no person shall occupy or shall be allowed to occupy any portion of the building for which Completion Certificate has not been issued,

(e) an undertaking that in the event of violation of the terms of the Partial Completion Certificate, the Corporation shall be entitled to disconnect municipal water mains and municipal drains for the entire building without any notice.

(f) any other documents or undertakings that the Municipal Commissioner may deem necessary.

(3) When the erection of the building or the execution of the work is completed within the period or extended period provided for in section 399, the applicant shall apply for conversion of the Partial Completion Certificate or issue of Completion Certificate and such certificate may be issued in accordance with the provisions of these rules.

30. Block wise Completion Certificate for building proposal containing more than one building on a plot

(1) Upon a written request made to the Municipal Commissioner for issuance of Block wise Completion Certificate consequent upon completion of one or more of number of buildings out of a block of buildings (where the proposal consists of more than one building), the Municipal Commissioner, on being satisfied that the construction of the particular block is complete in all respect and that circumstances exist for allowing occupation of the particular block of building and issue Block wise Completion Certificate for that particular block of building in the form as specified in Schedule XV

(2) A written request under sub-rule (1) shall be accompanied by-

(a) notice of completion in form as specified in Schedule X for the particular block of building which is stated to be complete along with all enclosures as per rule 27 as applicable.

(b) structure stability certificate for the particular block of building which is stated to be complete.

(c) an indemnity bond undertaking to indemnify the Corporation against any risk, danger or damage to any person, whether an occupier or not, and an undertaking to ensure, in such manner as the Municipal Commissioner may specify, public safety.

(d) an undertaking that no person shall occupy or shall be allowed to occupy any other block of building or any portion for which completion certificate has not been issued.

(e) an undertaking that in the event of violation of the terms of the Block wise Completion Certificate, the Corporation shall be entitled to disconnect water mains and municipal drains for the entire block and other buildings in the plot without any notice.

(f) any other documents or undertakings that the Municipal Commissioner may deem necessary.

(3) The applicant shall however, within the validity period of the sanction, apply for and obtain full completion certificate for the rest of the blocks of buildings.

31. Delay in issue of Completion Certificate

(1) In case where within a period of thirty days of the receipt of the notice of completion, duly completed in all respects, the Municipal Commissioner fails to issue a Completion Certificate or communicate his refusal, the applicant may in accordance with the provisions of section 403 make a representation in writing to the Mayor.

(2) The Mayor shall, after such enquiry as he may think fit, and after giving the applicant an opportunity of being heard, direct the Municipal Commissioner to issue the certificate or communicate refusal of the same to the applicant within a period of thirty days from the date of receipt of the representation to the Mayor.

32. Prohibition for use of building without Completion Certificate

Subject to other law, rules and regulations for the time being in force, no person shall occupy or be permitted to occupy a building erected or re-erected or altered under the Act in respect of which a Completion Certificate under rule 28 or a Partial Completion Certificate under rule 29 or Block wise Completion Certificate under rule 30 has not been issued by the Municipal Commissioner.

33. Work subsequent to issue of Completion Certificate

If any re-erection or addition or alteration of a building in respect of which an completion Certificate has been issued is intended fresh notice under section 393, or section 394, as the case may be, shall be necessary.

34. Prohibition of work at night

(1) No person shall without obtaining permission from the Municipal Commissioner, erect, re-erect, alter or add to a building or execute any work between the hours of sunset and sunrise.

(2) If the Municipal Commissioner is satisfied "that the erection or alteration of any building or execution of any work is being carried out between the hours of sunset and sunrise without permission he may take such action as may be necessary under the Act.

35. Inspection

(1) The Municipal Commissioner or an officer of the Corporation duly authorized by him in this behalf may in pursuance of the provisions of sections 314, 413, 544, 545, 546, 547 or 548 or any other provisions of the Act, Inspect erection, re-erection, addition to or "alteration" of any building or execution of any work.

(2) The Municipal Commissioner may in accordance with the provisions of section 315 or section 402 or any other provisions of this Act require action to be taken by the applicant or the owner of any building.

36. Transmission of approved completion plans

(1) Within 7 days of issue of the Completion Certificate, the issuing officer shall transmit, for purposes of levy of a consolidated rate under the Act, one set of the building plans as approved under rule 28 to such officer of the Corporation as the Municipal Commissioner may specify in this respect.

(2) The ammonia print blue print set of such plans shall beJtept in such medium as the Municipal Commissioner may direct, including in electronic mediumjform, for preservation as a permanent record, within such time and in accordance with such orders as the Municipal Commissioner may make from time to time in this respect.

(3) The plans transmitted or deposited shall bear the endorsement "Approved Completion Plans" and shall be signed by the Municipal Commissioner.

CHAPTER V

MUNICIPAL BUILDING COMMITTEE

37. Constitution of Municipal Building Committee

(1) The Mayor-in-Council shall in accordance with the provisions of sub-section (1) and (2) of section 391, constitute a Municipal Building Committee with the Municipal Commissioner as its Chairman and an officer of the Corporation as its Convener.

(2) The Committee shall have, in addition to the Chairman and the Convener, eight other members of whom-

(a) One shall be a nominee of the Kolkata Metropolitan Development Authority.

(b) One shall be a nominee of the Commissioner of Police, Kolkata.

(c) One shall be the Director of the West Bengal Fire Services (or his nominees).

(d) One shall be a nominee of the State Government.

(e) One shall be the Chief Engineer, Municipal Engineering Directorate, Department of Municipal Affairs, Government of West Bengal (or his nominee).

(f) One shall be an architect of repute to be selected in consultation with the Council of Architecture constituted under Section 3 of the Architects Act 1972 (20 of 1972).

(g) One shall be a Town Planner of repute to be selected in consultation with the Institute of Town Planners of India; and

(h) One shall be a nominee of the Department of Environment, Government of West Bengal.

(3) A member nominated to the Committee shall hold office till an order withdrawing his nomination or for nomination of a successor is received by the Municipal Commissioner from the relevant authority.

(4) No act or proceeding of the Committee shall be called into question on the ground of the existence of any vacancy in, or any defect in the constitution of the Committee.

(5) The Committee may co opt one person as provided in sub section (3) of section 391.

38. Functions of the Municipal Building Committee

(1) The Committee shall in accordance with the provisions of (a) sub-section (5) of section 391 scrutinize every application for erection or re-erection of a building for which notice has been received under section 393 or section 394. except for a residential building to be erected or re-erected on a plot of five hundred square metre or less of land and shall forward its recommendations to the Mayor-in-Council.

(2) In case of any building which is intended to be erected at the comer of two streets, the Committee shall, in accordance with provision to sub-section (1) of section 405 scrutinize every such plan and shall forward its recommendations to the Mayor-in-Council.

(3) The Committee shall consider and recommend on any other matter included in Chapter XXII of the Act as referred to it by the Mayor-in-Council.

(4) The Municipal Commissioner shall as soon as possible communicate to the Committee for its information the decision of the Mayor-in-Council on any of the Committee's recommendations.

(5) The aesthetic quality of urban and environmental designs of structures with respect to every application being scrutinized by it, shall be considered by the Committee, as contained in rule 14, before making its recommendation to the Mayor-in-Council.

39. Recommendations of the Municipal Building Committee

(1) The Municipal Commissioner shall, as early as possible, communicate the recommendations of the Committee to the Mayor-in-Council along with dissenting notes, if any, for its considerations in accordance with the provisions of sub-section (7) of section 39V and its decision in accordance with the second proviso to sub-section (1) of section 396

(2) No person shall divulge any recommendations of the Municipal Building Committee to any person other than one entitled to know it for official purpose only during the processing of such recommendation.

(3) The Mayor-in-Council shall consider the recommendation of the Committee and may accept the same or in case of non-acceptance*or any modification, alteration or cancellation of the same shall record the reasons thereof, within 30 (thirty) days from the date of communication of such recommendations.

(4) The Municipal Commissioner shall communicate the decision of the Mayor-in-Council to the applicant within 7 (seven) days from the date of resolution of the Mayor-in-Council.

CHAPTER VI
BUILDING PERMIT FEE AND OTHER FEES

40. Validity of Notice

Save as otherwise provided under the Act and these rules, no notice under section 393 or section 394 shall be valid till the submission fee has been paid to the Corporation in accordance with these rules.

41. Schedule of rates for Building Permit Fee

(1) The Corporation shall in accordance with the provision of sub-section (3) of section 131 state the schedule of rates at which Building Permit Fee for sanction of revised plan shall be levied by it during the year next following.

(2) The rate of fee shall be on the basis of sanctioned floor area, as well as width of means access and zone in which the plot is situated. Provided that different rates shall be specified for different occupancy or use groups as defined under sub-section (2) of section 390.

(3) The rates shall be on the same basis for erection, re-erection, addition, to or alteration of any building.

41A. Schedule of rates for Incremental Floor Area Ratio

(1) Notwithstanding anything contained in rule 41 of these rules, the rate payable for the incremental Floor Area Ratio as stated in rule 69A shall be payable in terms of the rates formulated in terms of 'circle rates' of the Inspector General (Registration) as prescribed by the Finance Department, Government of West Bengal.

(2) All incremental fees or charges collected on account of grant of additional Floor Area Ratio shall be payable to the State Exchequer directly. As may be decided by Finance Department, in consultation with Department of Municipal Affairs, a portion of the collected fees or charges may be allotted or transferred to the Kolkata Municipal Corporation for undertaking developmental schemes.

Provided that this rate will not be applicable in case of incremental area accrued by providing additional parking in terms of provision to clause (g) of sub rule (2) of Rule 69;

42. Calculation of the Building Permit Fees

The Building Permit Fee payable in any case shall be calculated on the basis of the total floor area sanctioned in the building plan including basement, covered parking space and mezzanine floor, as the case may be.

43. Other Fees

(1) The Corporation shall in accordance with the provisions of sub-section (3) of section 131 specify an amount payable in respect of-

(a) conversion of a Partial Completion Certificate to a Full Completion Certificate in accordance with the provisions of sub rule (4) of rule 28 ;

(b) an application for permission to use any building or part thereof under section 416 or section 418, or section 419 or section 420 or section 421 for section 422 or section 423, as the case may be ;

(c) any other fee under Chapter XXII or Chapter XXIII of the Act and these rules.

(2) The fees shall be payable in advance and a duly authenticated copy of a receipt showing payment to the Corporation shall be produced along with any notice or application, as the case may be.

44. Stacking Fees

(1) The Corporation" shall in accordance with the provisions of sub-section (3) of section 131 specify rates at which Stacking Fee payable in respect of a permission under sub-rule (14) of rule 4 for stacking, depositing any building materials including building rubbish in any street shall be charged and different rates may be specified for different categories of streets.

(2) The Stacking Fee payable in any case shall be calculated on the basis of the total floor area sanctioned in the building plan including basement, covered parking spaces, and mezzanine floors.

(3) The Stacking Fee shall be paid along with the sanction fee prior to obtaining sanction of a building plan.

(4) The Stacking Fee shall not be refundable under any circumstances.

(5) In case of violations of the provision of sub-rule (14) of rule 4, Stacking Fees at a rate not less than twice the rate specified under sub-rule (1) shall be payable within a period of one month from the date of service of notice by the Municipal Commissioner under this sub-rule.

CHAPTER VII
ARCHITECTS AND LICENSED BUILDING SURVEYORS AND OTHER AUTHORISED TECHNICAL PERSONNEL

45. Validity of applications containing plans, specifications and notices

Save as otherwise provided under the Act and these rules -

(a) No key plan, Site plan, building plan or specification accompanying a notice given under section 393 or section 394, or any other plan in respect of which it is so stipulated, shall be valid unless an Architect or Licensed Building Surveyor in association with an Structural Engineer and Geo Technical Engineer as the case may be, certifies that such plan has been prepared under his supervision and the applicant also certifies that such work will be carried out under the supervision of an Architect and / or Licensed Building Surveyor in association with an Structural Engineer and Geo Technical Engineer as the case may be in accordance with the provisions of the Act. these rules and the sanctioned or the provisionally sanctioned plan;

(b) no notice given under rule 22 or rule 24. or rule 25, or no other notice in respect of which it is so stipulated, shall be valid unless it is signed by an Architect and/or Licensed Building Surveyor and Structural Engineer, Geo Technical Engineer and Structural Reviewer as required hereunder.

46. Property owned by Government

In case of building plans in respect of property owned by Central or State Government or any other controlled by the Central or State Government, prepared and submitted under the signature of Engineer and or Architect who are its employees, compliance of rule 49 may not be insisted upon:

Provided that the minimum qualification of such Engineer and or Architect is as prescribed in these rules.

47. Engagement of Technical Personnel

(1) Every person who intends to erect, re-erect, add to or alter any building shall, subject to the provisions of this Act and the rules, engage.

(a) for all residential buildings upto 10.0 m. in height and not involving deep foundation, at least one ‘person not below the rank of Licensed Building Surveyor for planning, design and construction of the building including the foundation;

(b) for all buildings above 10.0 m. and up to 15.50 m. in height and/or erection involving piling works, deep foundation works or construction of basement or any other underground structure thereto, a Licensed Building Surveyor and/or an Architect and a Structural Engineer for planning, design and construction of the building including the foundation;

(c) for all other buildings, an Architect, a Structural Engineer, Geo Technical Engineer and Structural Reviewer for planning, designing and construction of the building including the foundation.

Provided that such Licensed Building Surveyor, Architect, Structural Engineer, Geo- Technical Engineer and Structural Engineer, will work in association with one another and will be jointly and/or severally responsible for all acts and/or omission in connection with their duties and responsibilities for ensuring the safety of structure and other obligations herein contains.

(2) In case of death, resignation or removal of an Architect, a Structural Engineer, a Geo- Technical Engineer, a Licensed Building Surveyor or Structural Reviewer, as the case may be, as engaged under this rule, a fresh engagement shall be made forthwith and shall be notified to the Municipal Commissioner with reference to the notice given under section 393 or section 394. No work shall be carried out in the intervening period.

(3) The validity of any engagement made under this rule shall lapse in the case of an Architect, with the lapse of validity of registration granted under the Architects Act, 1972 or in the case of a Structural Engineer and a Geo-Technical Engineer with the lapse of his empanelment with the Corporation or, in the case of a Licensed Building Surveyor with the lapse of the validity of license given under the provisions of the Act and these rules, as the case may be.

(4) A Structural Engineer and a Geo- Technical Engineer, Structural Reviewer shall be empanelled in the manner as may be specified by the Municipal Commissioner and validity of their engagement shall similarly lapse with the lapse of their empanelment.

48. Association of Engineers with Architect or Licensed Building Surveyor

An Architect / Licensed Building Surveyor -

(a) for all classes of buildings above 25.5 m in height, shall associate in work an empanelled Structural Engineer (Class I) having a post graduate degree in structural engineering from a recognized University or an equivalent engineering qualification recognized by the Government, with at least five years' experience in structural design and execution of different classes of buildings, or having a degree in civil engineering or structural engineering from a recognized, University or an equivalent engineering qualification recognized by the Government with at least ten years' experience in structural design and execution of different classes of buildings; and

(b) for buildings having a height of 25.5 m, shall associate in work an empanelled Structural Engineer (Class II) having a post graduate degree in structural engineering from a recognized University or an equivalent engineering qualification / membership recognized by the Government, with at least three years' experience in structural design and execution of different classes of buildings, or having a degree in civil engineering or structural engineering from a recognized University of an equivalent engineering qualification recognized by the Government, with at least five years' experience in structural design and execution of different classes of buildings.

49. Association of Geo-Technical Engineers or Licensed Building Surveyor or Structural Engineers

An Architect / Licensed Building Structural or Structural Engineer-

(a) for all classes of buildings of more than 20.0 m in height shall associate in work an empanelled Geo Technical Engineer (Class - I), having a post graduate degree in Geo Technical Engineering from a recognized University or equivalent engineering qualification or membership recognized by the Government, with at least five years' relevant experience in soil exploration, investigation and recommendation of types of foundation and execution of such work;

(b) for all classes of buildings of upto an upio an height of 20.00 m., shall associate work an empanelled Geo Technical Engineer (Class - II), having a post graduate degree in Geo Technical Engineering from a recognized University or an equivalent engineering qualification recognized by the Government, with at least 3 years' relevant experience in soil exploration, investigation and recommendation of types of foundation and execution of such work.

50. Licensed Building Surveyor

Minimum professional requirements of a Licensed Building Surveyor are given below:

(a) A Class I Licensed Building Surveyor shall have at least a Bachelors Degree in civil construction Engineering from a recognised University or an equivalent engineering qualification' of a professional institution recognised by the Government and shall not have not less than five years' experience in planning, design and execution of building works including sanitary and plumbing works related to buildings, or a diploma in Civil Engineering or Architecture from a recognised University or an equivalent engineering qualification of a professional institution recognised by the Government and shall have not less than ten years' experience in planning, design and execution of building works including sanitary and plumbing works related to buildings. A Class I Surveyor is to be engaged for all classes of buildings not exceeding 15.5 m in height.

(b) A Class II Licensed Building Surveyor shall have at least a diploma in civil engineering or architecture from a recognised University or an equivalent engineering qualification of a professional institution recognised by the Government and shall have not less than five years' experience in planning, design and execution of building - works including sanitary and plumbing works related to buildings. A Class II Surveyor is to be employed for all classes of buildings not exceeding 10.0 m in height.

51. Duties and responsibilities of Architects and Licensed Building Surveyors

(1) They shall be conversant with the provisions of the Act, these rules and all relevant rules and regulations made under the Act and shall prepare plans, sections, elevations and other structural details as per the provisions of these rules,

(2) They shall prepare and submit all plans as may be necessary together with all documents and other details which are required to be submitted under these rules.

(3) They shall comply with all requisitions received from the Municipal Commissioner in connection with the work under their charge promptly, expeditiously and fully. When they do not agree with such requisition, they shall state their objections in writing within the stipulated time, in default of which the plans and the notice shall be rejected.

(4) They shall immediately intimate to the owners of the corrections or other changes they make on the plans, documents and details as per requisition from the Municipal Commissioner.

(5) They shall not accept any employment for preparation and submission of plans, if the same is intended to be executed in contravention of the provisions of the Act.

(6) They shall give all facilities to the Municipal Commissioner to inspect and examine the work in progress.

(7) They shall be held responsible for any work executed on site ijn contravention of the provisions of the Act, these rules or other relevant rules and regulations.

(8) They should not deviate or allow any deviation from the sanctioned plan in the execution of work at site except in accordance with the provisions of rule 26.

(9) They shall submit the completion certificate and completion plan immediately after the work is completed.

(10) They shall be deemed to have continued their supervision and control of construction of the building unless they have given notice in writing to the Municipal Commissioner that they have ceased to serve as the Architect or Licensed Building Surveyor for the building and shall be held responsible for the work executed up to the date of intimation.

(11) The Municipal Commissioner shall exercise control over the action of any Architect or Licensed Building Surveyor, as the case may be, and may in the case of violation of any of the provisions of the Act and these rules-

(i) in the case of a Licensed Building Surveyor, suspend or revoke the licence in accordance with the provisions of the sub-section (3) of section 543; and

(ii) in the case of an Architect, make a reference to the 'Council of Architecture for taking necessary action under the Architects Act, 1972.

52. Duties and Responsibilities of Structural Engineers

(1) They shall be conversant with the provisions of the Act and all relevant rules and regulations made under the Act and shall prepare structural designs and structural details as per the provisions of these rules,

(2) They shall prepare and submit all such structural plans together with all documents, calculations in proper forms and other details including structural design of foundations, prepared in consultation with the Geo-Technical Engineer, as are required to be submitted under these rules.

(3) They shall comply with all requisitions received from the Municipal Commissioner in connection with the work under his charge promptly expeditiously and fully. When they do not agree with such requisition, they shall state their objections in writing within the stipulated time, in default of which the plans and the notice shall be rejected.

(4) They shall immediately intimate to the applicant of the corrections or other changes, they make on the structural plans, documents and details as per requisition from the Municipal Commissioner.

(5) They shall not accept any request or engagement for preparation and submission of structural plans, if the same are found to be in contravention of the provisions of the Act.

(6) They shall be responsible for full quality control of materials and workmanship at site in connection with the structures and carry out necessary tests on materials used at site, conducted by recognized institutions/ organization. No completion certificate will be issued unless copies of such test reports are submitted by the Structural Engineer along with the structural stability certificate of the building/s.

(7) They shall give all facilities to Municipal Commissioner to inspect the work in progress.

(8) They shall not deviate or allow any deviation from the submitted structural plan in the execution of work at site.

(9) They shall work in association with other technical personnel and shall be jointly and severally responsible for any work executed on site in contravention of the provisions of the Act, these rules or other relevant rules and regulations.

(10) They shall submit a certificate that the structures have been constructed as per submitted structural plans and the building is safe for occupation along with the application for completion certificate after the completion of the building.

(11) They shall be deemed to have continued their supervision unless they have given notice in writing to the Municipal Commissioner that they have ceased to serve as the Structural Engineer for the work and submit a status report of the work completed under their supervision. They shall be held responsible for the work executed up to the date of such intimation.

(12) They shall inform the Municipal Commissioner as to the person who had engaged him under rule 48 forthwith.

53. Duties and Responsibilities of Geo- Technical Engineers

(1) They shall be conversant with the provisions of the Act and all relevant rules and regulations made under the Act and shall conduct soil investigation and submit report as per provisions of the rules.

(2) They shall prepare and submit all such reports, calculation in proper forms recommending the size, shape and type of foundation conforming to all relevant I.S. Codes and National Building Code of India.

(3) They shall be deemed to have continued their supervision unless they have given notice in writing to the Municipal Commissioner that they have ceased to serve as the Geo Technical Engineer for the work and submit a status report of the work completed under their supervision. They shall be held responsible for the work executed upto the date of intimation.

(4) They shall inform the Municipal Commissioner as to the person who had engaged them under rule 48 forthwith.

(5) They shall comply with all requisitions received from the Municipal Commissioner in connection with the work under their charge promptly, expeditiously and fully. When they do not agree with such requisition, they shall state their objections in writing within the stipulated time, in default of which the plans and the notice shall be rejected.

54. Duties and Responsibilities of Structural Reviewer

(1) To review and certify as complying with these rules the design prepared by Structural Engineer as may be required under these rules.

(2) To submit addendum to the certificate or a new certificate in case of subsequent changes in structural design.

55. Duties and Responsibilities of Owner or Applicant

(1) To appoint an Architect, Licensed Building Surveyor, a Structural Engineer, a Geo- Technical Engineer and a Structural Reviewer as may be required under these rules.

(2) To provide safety of workers and others during excavation, construction and erection.

(3) To ensure that no undue inconvenience is caused, in course of the construction activities,

(4) To do Observe and perform directions of the Municipal Commissioner issued from time to time and all terms and conditions of the Building Permit and the provisions of all laws rules and regulations relating to the building.

(5) To be responsible for non-compliance of instructions, details and specifications supplied by the Architect, Licensed Building Surveyor and the Structural Engineer during with the construction of the building.

(6) Not to do or cause or allow any deviation from the sanctioned plan in the course of execution of the building, against the instruction of Architect or Licensed Building Surveyor and Structural Engineer.

CHAPTER VIII

REQUIREMENTS AS TO SITES AND MEANS OF ACCESS

56. Prohibition for use of site for building

(1) No piece of land shall be used as a site for the erection, re-erection, addition to or alteration of, any building except in accordance with the provisions of the Act and these rules and the West Bengal Town and Country (Planning and Development) Act, 1979 (West Bengal Act XIII of 1979) and the rules and regulations, if any made thereunder'in relation to use of any land for erection of a new building or execution of any work.

(2) If any question arises as to what, for the purposes of the Act shall be deemed to be the site for erection, re-erection, addition to or alteration of any building, the Municipal Commissioner shall determine the same and his decision shall be final.

57. Conditions as to use of a building site

No piece of land shall be used as a site form" erection, re-erection, addition to or alteration of, any building -

(a) unless the Municipal Commissioner is satisfied on a Soil Investigation Report from a Geo-Mechnical Engineer, giving design parameter on the basis of the condition of the soil at site and accepted by the Structural Engineer, submitted by the person referred to in sub-rule (1) of rule 4 that the site is, from engineering point of view, fit to be built upon:

Provided that no such Soil Investigation Report shall be necessary in the case of a new 1 building or addition to and alteration of an existing building not exceeding 10.0 m. in height:

Provided further that no such Soil Investigation Report shall be necessary for addition to alteration of existing buildings as permissible under Chapter XII of this rule but upto the height of 10.00 m. only:

Provided also that soil investigation, whenever required, shall be done under the direction of a Geo-Technical-Engineer;

(b) if the building to be erected is intended for human habitation, unless the Municipal Commissioner is satisfied that it is capable of being well-drained and that the owner will take necessary steps to drain it;

(c) if the frontage of the site abutting the road is less that five m. unless the Municipal Commissioner is satisfied that the site can. subject to the fulfillment of other conditions specified in these rules, be used for construction of a building.

Provided that if the frontage of the site abutting the road is more than 3.5 m but less than 5.0 m. Municipal Commissioner may sanction building of height of 12.5 m with FAR one grade higher than the width of frontage or passage as specified in Table 3 under rule 70.

Provided further that FAR shall not exceed the permissible limit of the abutting road abutting the premises.

(d) if under sections 364, and 365 laying down and making of street or streets giving access to the site is necessary, unless the street or streets giving such accesses has or have been laid down.

(e) if in accordance with the provisions of clause (f) of sub-section (2) of section 396 and clause (f) of sub-rule (1) of rule 16, the site of the building or execution of work does nit abut on a street or projected street and there is no access to such building or work from any such street by any passage appertaining to such site;

(f) if in the opinion of the Municipal Commissioner it would be unsafe to construct a building on it for reasons to be recorded in writing.

58. Distance from electric lines

No building or verandah, balcony or projection of any building, shall be permitted to be erected, re-erected, added to or altered in any case where the distance between such construction and any overhead electric lines, in accordance with the provisipns of the Electricity Act, 2003 and the rules framed thereunder is less than as specified below :-

		Vertical Clearance	Horizontal Clearance
(a)	Low and medium voltage lines including service lines	2.5 m.	1.2m
(b)	High Voltage lines upto and including 11,000 volts	3.7 m	1.2 m
(c)	High Voltage lines above 11,000 volts and upto 33,000 volts	3.7 m	2.0m
(d)	For extra high voltage line beyond 33,000 volts	3.7 m plus 0.3 m for every additional 33,000 volts or parts thereof	2.0 m plus 0.3 m for every additional 33.000 volts or parts thereof

Note: "m" indicates metre(s)

59. Prohibitions concerning means of access

(1) No new building shall be erected or added to on a site unless -

(a) the site abuts on a street which is not less than nine m. in width at any part, or

(b) there is access to the site from any such street by a passage which is not less than nine m. in width at any part;

(c) in the case of a residential building with other occupancy or occupancies if any except educational occupancy, of less than 10% of the total floor area of the building, the width of such street or passage shall not be less than 2.4 m. at any part;

(d) in the case of a residential building with educational occupancy of 10% or more of the total floor area of the building, the width of such street or passage shall not be less than 7.00 m. at any part;

(e) in the case of an educational building with residential occupancy, the width of such street or passage shall not be less than 7.00 m. at any part;

(f) in the case of an educational building with other occupancy or occupancies not being residential if any, of less than 10% of the total floor area of the building, the width of such street or passage shall not be less than 9.0 m. at any part;

However, in case the width of means of access is more, than 7 m. but less than 9.0 m. an educational building of not more than 600 sq. m. of total floor- area may be permitted.

(g) In case of institutional building of total floor area not more than 1000 sq. m. with other occupancies of less than 10% of total floor area the width of such street or passage shall not be less than 7 m. at any part.

(2) Notwithstanding anything contained in sub-rule (1), the Mayor-in- Council may allow any residential building up to a maximum height of 7 m. and FAR of 0.8 on a plot abutting a means of access of not less than 1.2 m. of width at any part:

Provided that in case of a residential building only, a street/passage the width of which is less than 3. 5 m. but not less than 1.2 m. may be considered provided that the width of all such streets or passages, on the front, sides or rear be increased to make the width of the said passage / streets 1.75 m. from the center line of the passage/road by gifting the required portion of land in front by registered document to the Corporation or by relinquishing the required portion land on the sides or the rear by the applicant. However, advantage of FAR and Ground Coverage for such relinquished portion of land shall however be considered, in general;

Provided also that in case of a land area upto 200 sq.m., open space of at least 600 mm. front / side or both, as the case may be, subject to that minimum open space as prescribed in rule 62 is maintained from the original property line before such gift be allowed, in case strip of land has to be gifted to make the width of the means of access 1.75 m. from the centre line of the said means of access, provided, the foundation of the building is not encroached.

Provided further that if the gifting of the proposed strip of land or relinquishing is not practicable for widening of street/passage, the FAR shall be reduced by 20% of the value as shown in Table 3 of rule 70.

(3) Notwithstanding anything contained in the proviso to sub-rule (1) the Mayor-in-Council may in the case of a plot which is 1,000 sq. m. or less, intended for erection or re-erection of a building to be used as an educational building or a place of worship, reduce, by resolution, the requirements of the said proviso -

(a) as to the width of such street, or

(b) as to the width or length of such passage, to such extent as it may deem fit, so, however, that the width of such street or passage shall in no case be less than 1.2 m.

(4) Every new building shall have a means of access as required under these rules and in the case of re-erection, addition to or alteration of an existing building or otherwise the existing means of access shall not be reduced below the levels required under these rules.

(5) No buildings shall be erected, re-erected, added to or altered to deprive any other building of the means of access as required under these rules.

(6) Notwithstanding the provisions of these rules, in the case of any building which is intended to be erected at the corners of two streets, the Municipal Commissioner may, in accordance with the provisions of clause (c) of sub-section (1) of section 405. place special conditions concerning exit or entry from any street.

(7) Any building which is in full or part is put to assembly occupancy for the purpose of theatre, motion picture, city hall, dance hall, skating ring, auditorium, exhibition hall or for similar other purposes viz schools and colleges shall not be allowed on a plot located within 50 m. of junction of two streets the width of each of which is 15 m. or more.

60. Requirements of a passage

(1) The Mayor-in-Council may, in consultation with the Municipal Building Committee with regard to different categories of streets as classified under section 346 or different occupancy or use groups as referred to under sub-section (2) of the section 390, specify from time to time the minimum widths and the corresponding maximum lengths of any passage in relation to the specified sizes of plots or heights of buildings or both.

(2) Every person who erects, re-erects, adds to or alters any building shall in a distinctive manner show the whole area of any means of access appertaining to a site on the site plan.

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

CHAPTER IX

OPEN SPACES

61. Open space prescribed for one site not to be taken for another site

(1) No building shall at any time be erected on any open space prescribed under these rules for a building and forming part of the site thereof, nor shall such open space be taken into account in determining the area of any open space required under these rules for any other building.

(2) For the purpose of this rule, the back of a building shall be deemed to be that face of the building which is furthest from any means of access to the site:

Provided that, where a building is situated at the side of more than one street or passage, the hack of the building shall be deemed to be that face of the building which is furthest from the widest of all such streets or passages:

Provided further that the Commissioner having regard to the conditions prevailing at the site and its surrounding may allow the prayer to treat some other face as the back of the building.

(3) Every building shall have exterior open spaces comprising front open space, rear open space and side open space as mentioned in rule 62 to rule 69. The minimum width prescribed for front open space, rear open space and side open spaces shall be provided along the entire front, rear and side faces of the building respectively. For this purpose, the front of the building shall be that face of the building, which faces the means of access of the building. These provisions shall also be applicable to each individual building when a plot of land contains more than one building, provided that the rear open space for this purpose is to be taken as the average width available along the entire rear face of the building with the minimum width available being not less than 50% of the stipulated width.

(4) Every open space required to be provided under these rules shall be kept open to sky and no roof, weather shed or cornice more than 0.6 m. in width shall overhang or project over the said open space.

62. Minimum open spaces with respect to buildings for residential use

Height of building	Front open space	Open space on side-1	Open space on side-2	Rear open space
Upto 7.0 m	1.2 m	1.2m	1.2 m	2.0 m
Above 7.0 m upto 10.0 m	1.2m	1.2m	1.2m	3.0m
Above 10.0 m upto 12.5 m	1.2m	1.2m	1.5m	3.0m
Above 12.5 m upto 15.5 m	2.0m	1.5m	2.5m	4.0m
Above 15.5 m upto 20.0 m	3.5m	4.0m	4.0m	5.0m
Above 20.0 m upto 25.5 m	5.0m	5.0m	5.0m	6.5m
Above 25.5 m upto 40.0 m	6.0m	6.5m	6.5m	8.5m
Above 40.0 m upto 60.0 m	8.0m	8.0m	8.0m	10.0m
Above 60.0 m upto 80.0 m	10.0m	15% of the height of building *or 11.0 m. whichever is less*	15% of the height of building *or 11.0 m. whichever is less*	12.0m
Above 80.0 m	12.0m	15% of the height of building *or 14.0 m. whichever is less*	15% of the height of building *or 14.0 m. whichever is less*	14.0m

Provided that in case of a building for residential use having irregular shape at the back of the building, the rear open space will be considered on the basis of the average rear open space as per following calculations :

(a) a minimum of 1.5 m for building height upto 7.0 m;

(b) a minimum of 2.0 m for building height above 7.0 m and upto 12.5 m;

(c) a minimum of 3.0 m for building for building height above 12.5 m and upto 15.5 m;

(d) a minimum of 4.0 m for building height above 15.5 m and upto 20.0 m.;

Explanation : Total projected area of the rear open space in sqm. should be divided by width of the rear of the building in meters.

63. Minimum open spaces with respect to buildings for educational use

Height of building	Front open space	Open space on side-1	Open space on side-2	Rear open space
Upto 10.0 m for land area upto 500.0 sq. m	2.0m	1.8 m	4.0 m	3.5 m
Upto 10.0 m for land area above 500.0 sq. m	3.5 m	3.5 m	4.0 m	4.0 m
Above 10.0 m upto 15.5 m	3.5 m	4.0 m	4.0 m	5.0 m
Above 15.5 m upto 20.0 m	5.0 m	5.0 m	5.0 m	6.0 m
Above 20.0 m	20% of the height of building or 6 m, whichever is more	20% of the height of building or 5 m, whichever is more	20% of the height of building or 5m, whichever is more	20% of the height of building or 8 m, whichever is more

64. Minimum open spaces with respect to buildings for institutional, assembly, business, marcantile and mixed uses.

Height of building	Front open space	Open space on side-1	Open space on side-2	Rear open space
Upto 10.0m for land area upto 500.0 sq. m	2.0m	1.2 m	4.0 m	4.0 m
Upto 10.0 m for land area above 500.0 sq. m	3.0 m	3.5 m	4.0 m	4.0 m
Above 10.0 m upto 20.0 M	4.0 m	4.0m	4.0 m	5.0 m
Above 20.0 m upto 25.5 m	5.0 m	5.0m	5.0 m	6.0m
Above 25.5 m upto 40.0 m	6.0 nr	6.5 m	6.5 m	9.0m
Above 40.0 m upto 60.0 m	8.0 m	9.0 m	9.0 m	10.0 m
Above 60.0 m upto 80.0 m	10.0 m	15% of the height of building *or 11.0 m. whichever is less*	15% of the height of building *or 11.0 m. whichever is less*	12.0 m
Above 80.0 m	12.0 m	15% of the height of building *or 14.0 m. whichever is less*	15% of the height of building *or 14.0 m. whichever is less*	14.0 m

65. Minimum open spaces with respect to industrial and storage buildings

Height of building	Front open space	Open space on side-1	Open space on side-2	Rear open space
Up to ~~10.0 m~~ *12.5 m*	5.0 m	4.0 m	4.0 m	4.5 m
Above ~~10.0 m~~ *12.5 m* upto 20.0 m	6.0 m	6.5 m	6.5 m	10.0 m
Above 20.0 m	20% of the height of building or 6m, whichever is more	20% of the height of building or 6.5m, whichever is more	20% of the height of building or 6.5m, whichever is more	20% of the height of building or 10.0m, whichever is more

65A. Minimum open spaces with respect to heritage building and / or land having water body

In case of heritage building and/or land having water body, Mayor-in-Council may allow, on the recommendation of Municipal Building Committee, necessary relaxation in respect of front, sides and rear spaces keeping sufficient open space available for movement of Fire and Emergency vehicles upto the satisfaction of West Bengal Fire & Emergency Services provided that the existing Heritage Building or Water Body or both taken together occupy at least 25% of the land area.

66. Joint Open Space

Subject to the provisions of rules 63, 64. 65 and 66, joint open space shall be provided in between two buildings, if the height of one of such buildings exceeds 15.50 m. whether or not both buildings belong to the same owner, as follows:

(I) 7.00 m - if height of both the buildings exceeds 15.50 m;

(2) If one of the building exceeds 15.50 m. in height-

(a) 5.00 m - if height of the other building is more than 12.5 m but less than 15.5 m.

(b) 4.00 m - if height of the other building is more than 10.0 m but less than 12.5 m

(c) 3.50 m - if height of the other building is more than 7.0m but less than 10.0 m

(d) 3.00 m - if height of the other building does not exceed 7.0 m.

(3) The above rule of joint open space shall not be applicable in case the adjoining structure is not exceeding 5.0 m. in height.

(4) In case of multiple blocks of buildings connected with each other, the open spaces between the two blocks will have to be ~~40%~~ *15%* of the height of the lower block or 7.0 m. whichever is more.

67. Interior open space

(1) In case the whole of one side or part of at least two sides of every habitable room is not abutting the front, rear or side open spaces it shall abut an interior open space. Interior open space at ground level shall be called courtyard.

(2) Any room, which is separated only by a verandah from that interior open space, shall be deemed to abut on such interior open space for the purpose of this rule.

(3) The minimum dimension of any side of every interior open space (a) at ground level, all sides of which are enclosed by a building or part thereof, shall be 30% of the height of the building, or 3.0 m., whichever is more (b) at any other level, all sides of which are enclosed by a building or part thereof, the height shall be measured from the said level where interior open space is formed.

(4) Notwithstanding anything contained in sub-rule (3), if all sides of an interior open space are enclosed by a combination of higher and lower blocks of a building, then minimum dimension of such interior open space shall be governed by the height of lower block provided that in no case the covered "area of" such lower block shall be less than~25% of the total Covered area of the concerned building constituting the interior open space.

(5) For the purpose of this rule, if any interior open space or courtyard enclosed on three sides by a building or part there use of is meant to serve lighting and ventilation purpose to a part or whole of one side of one or more habitable rooms, then the minimum width of such open space shall be 2.4 m. for buildings upto 15.5 m. in height; 3.5 m. for buildings above 15.5 m. upto 25.5 m. in height; 5.0 m. for buildings above 25.5 m. up to 40.0 m. height; and 7.0 m. for all buildings above 40.0 m. in height.

Provided that the depth of such open space shall not exceed twice its width and the same may be reduced to 1.2 m. if no habitable room, or balcony attached to the habitable room is facing the interior open space. However, in case the depth of such interior open space is less than the width, the same shall not be considered as interior open space, but be called as "notch" and the same will be permitted without any restriction.

(6) A ventilation shaft having no access to the same except through one door for service purposes shall not be treated as a courtyard, if the area of such shaft is less than 20 sq. m.

68. Exemption related to open space.

(a) Cornice, chajja or weather shade and all such features related to facade, treatment such as fins, flower boxes, pilasters, column capitals, arches, pediments, trellises, ducts for encasing pipe lines, pipe supports and all such features used to enhance the aesthetic quality of a building (not more than 60 cm) shall be allowed to overhang or project over open spaces Provided that such projections shall not be allowed at a height less than 2.5 m. over the ground level. Ducts for encasing pipe lines, pipe supports etc: will however be allowed from the ground level without creating obstruction to the movement of vehicles/fire tenders wherever applicable as per rule;

(b) Sewers and its appurtenances, under ground water reservoir, septic tank and ramp may be allowed to be constructed in the open spaces upto 60 cm above ground level provided that these do not obstruct vehicular movement;

(c) Notwithstanding anything contained in rule 63,64,65 the front open space is 3.50 m. or more, gate goomty not exceeding a height of 3.0 m. and an area of 9.0 sq. m. for security purposes may be allowed on the said open space. Such goomty shall be so located as not to obstruct vehicular movement from the means of access to the side or rear open spaces and shall be exempted from the provisions of rules 63, 64, 65 One such gate goomty will be allowed for every 2000 sq. m of land area;

(d) In case of residential building only, the projections (overhang) of wardrobes, alcoves, cup boards and shelves shall be permitted at floor level upto 50 cm from the first floor level and above and provided the area of each such cupboard shall not exceed 2.0 sq. m. per habitable room and shall not exceed 3% of the respective gross floor area of the building of which such cupboards form a part. However in exterior open space this can be extended to 60 cm from first floor onwards for buildings having side open space more than 2.5 m.;

(e) A canopy or canopies and or a porch/porches each not exceeding 15 sq. in. in area or one percent (1 %) of the ground floor area whichever is higher, having a clear width of not less than 2.5 m. may be allowed at a minimum clear height of 2.5 m. from the ground level provided that requisite space for the movement. of fire tenders is left all round the building unobstructed by such canopies/porches;

(f) Outdoor type transformer will be allowed to be installed in the mandatory open space provided-

(i) There will remain after such proposed installation clear minimum open space of 1.2 m. from the adjoining boundary line.

(ii) While providing such space for transformer, a minimum open space of 4.00 m. shall have To be kept to facilitate vehicular movement wherever applicable.

CHAPTER X

AREA AND HEIGHT LIMITATIONS

69. Floor Area Ratios

(1) The Floor Area Ratios shall be as specified in Table 3 below: -

Table 3

Maximum Permissible Floor Area Ratio

SI. No.	Width of Means of Access (m)	Use Groups of Buildings*			
		Residential Buildings	Educational Buildings	Industrial, Storage and Hazardous Buildings	Assembly, Institutional Business, Mercantile Buildings including Mixed use Buildings.
1.	Upto 2.4	Nil	Nil	Nil	Nil
2.	Above 2.4 to 3.5	1.25	Nil	Nil	Nil
3.	Above 3.5 to 7.0	1.75	Nil	Nil	Nil
4.	Above 7.0 to 9.0	2.00	2.00	Nil	Nil
5.	Above 9.0 to 15.0	2.25	2.25	2.00	2.00
6.	Above 15.0 to 20.0	2.50	2.50	2.00	2.25
7.	Above 20.0 to 24.0	2.75	2.75	2.00	2.50
8.	Above 24.0	3.00	3.00	2.00	2.75

Provided that the width of means of access mentioned under Table 3 is to be taken as the average road width abutting the entire length of the plot.

(2) While calculating the floor area under this chapter, the following shall not be included, namely:-

(a) stair cover not exceeding 3.0 m. in height and stair case with landing upto the extent of the width of the stairway in each floor including ramp if there be any,

(b) lift machine room as per latest edition of the National Building Code,

(c) ~~lift landing lobby with a maximum area of 6 sq.m. in all floors including roof if any,~~ *3.0 sq.m for every lift in each floor including roof, if any*,

(d) roof tanks and their support, the height of support not exceeding 1 m,

(e) chimneys, ventilating, air-conditioning and service equipments attached to the building:

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

(f) areas of loft, ledge or tand and areas of cupboards or wardrobes upto a maximum extent of 3% of total floor area,

(g) the actual area used for covered car parking space and area of basement used for car parking only in accordance with table 6 of sub-rule (1) of rule 78 subject to a maximum permissible limit for one car parking space of 25 sq. m for ground floor and ~~35 sqm~~ *40 sqm.* other than ground floor inclusive of all circulation spaces and ramps,

Provided that, if additional parking is provided in excess of provisions in table (6) of sub - rule (1) of rule 78 in case of big residential complexes, old residential high - rise buildings, Mega Commercial Project, hospitals and educational buildings etc., the additionally provided parking space should not be counted as consumption of Floor Area Ratio.

(h) area of service floor as permitted in rule 114.

(i) areas for toilet, garden covered with permeable material, pergola, expanded or similar other materials at the roof level upto 5% of the total roof area or 10 sq. m whichever is less.

(j) the area of escalator;

(3) In addition to the above provision, the exemptions in calculation of FAR shall also be permissible as per provision in rule 68.

(4) In case of premises having a heritage building, the Floor Area Ratio of the premises may be increased upto a maximum of 0.5 but in no case the floor area increased be more than the floor area of retained heritage building (part or full) upon obtaining recommendation of the Heritage Conservation Committee from heritage point of view.

69A. Allowing additional Floor Area Ratio

(1) Notwithstanding anything contained in rule 69 of these rules, incremental Floor Area Ratio may be allowed over and above the Floor Area Ratio allowable under rule 69 of these rules in the following cases:

(a) 10% additional Floor Area Ratio shall be allowed in cases of any proposed or constructed green buildings and certification of green buildings will be done by the designated authorities or agencies to be notified by the Department of Municipal Affairs, Government of West Bengal;

(b) additional Floor Area Ratio of 15% may be allowed in cases of Mass Housing Projects, Hospitals, Information Technology Buildings, Mega Commercial Projects, if there are adequate municipal infrastructure and facilities available in the locality to cater to the enhanced civic demands;

(c) in areas located within 500 meters on either side of the operational metro corridor or under Construction Metro Corridor where Construction work has actually began, a maximum of 15% additional Floor Area Ratio may be allowed over the prescribed limit in respect of the properties abutting means of access of 15 meters to less than 24 meters, and a maximum of 20% addition Floor Area Ratio may be allowed over the prescribed limit for properties abutting means of access 24 meters and above.

(2) For allowing additional Floor Area Ratio, as mentioned in clauses (a) to (c) in sub-rule (1) of this rule, following conditions shall be complied with:

(1) in no case the benefit, as mentioned in clauses (a) to (c) in sub-rule (1) of this rule, shall be clubbed;

(2) the grant of additional Floor Area Ratio must be in conformity with the Land Use Developmental Control Plan and must not contravene any other building rule or the norm for structural stability or any norm of other regulatory authorities (e.g. Environment Department, Pollution Control Board, Fire and Emergency Services Authority, etc.);

(3) there should be adequate municipal infrastructure and facilities to cater the enhanced civic demand.

70. Ground Coverage in respect of buildings

(1) For any building the area of the plot to be covered by such building shall be as given in the table 4 below:-

Table 4

Ground Coverage for Building

Occupancy or Use Group	Maximum Percentage of Ground Coverage	
	Plot Size up to 200 sq. m.	Plot Size up to 500 sq. m. or more
Residential	60%	50%
Educational	50%	45%
Institutional	40%	40%
Assembly	40%	40%
Mercantile (Retail)	40%	40%
Industrial	40%	40%
Storage	40%	40%
Business	40%	40%

(2) For any other size of the plot in between plot size of 200 sq. m. and 500 sq. m., the percentage coverage shall be calculated by direct interpolation.

(3) Notwithstanding anything contained in sub-rule (1), for plots measuring more than 5000 sq. m. in area, the maximum, permissible ground coverage shall be 45% for residential building or buildings and 35% for building or buildings with other occupancies including mixed occupancy.

~~(4) For buildings on plots measuring 5000 sq. m, additional ground coverage to the extent of 15% may be allowed for car parking and building services. The additional ground coverage of 15% will be exclusively utilized for~~

~~car parking, ramps, staircase, lift for upper level car parking and building services such as A.C. plant room, generator room, fire fighting equipments, electrical equipments etc. not exceeding 5% out of such 15% subject to compliance of other relevant rules.~~

(4) For building on plots measuring above 3000 Sqm. and upto 5000 Sqm., additional ground coverage to the extent of 10% may be allowed for car parking and building services. The additional ground coverage of 10% will be exclusively utilized for car parking, ramps, stair case, lifts for upper level car parking and building services, such as A.C. Plant room, Generator Room, Fire Fighting equipment, electrical equipment etc. not exceeding 3% out of such 10% subject to compliance of other relevant rules.

(5) For building on plots measuring above 5000 Sqm., additional ground coverage to the extent of 15% may be allowed for car parking and building services. The additional ground coverage of 15% will be exclusively utilized for car parking, ramps, stair case, lifts for upper level car parking and building services, such as A.C. Plant room, Generator Room, Fire Fighting equipment, electrical equipment etc. not exceeding 5% out of such 15% subject to compliance of other relevant rules.

71. Transfer of Open Space

(1) Where any plan for the erection of a building on any plot or for addition for any existing building has been sanctioned taking into account the extent of open space on such plot as shown in the plan and the Floor Area Ratio allowable therefore under these rules and the whole of such open space or any part thereof has been transferred, then -

(a) if the transfer takes place before the commencement of the erection of the building or the execution of the work of such addition or alteration, such erection or such addition or alteration shall not be undertaken until a fresh plan on the basis of the area of the open space after the transfer is submitted and sanctioned under these rules;

(b) if such transfer takes place during such erection or addition or alteration, the work of such erection or such addition or alteration shall not be proceeded with until a revised plan showing the extent of the open space on the basis of which the Floor Area Ratio may be allowed, is submitted and sanctioned under these rules;

(c) if such transfer takes place at any time after completion of such erection or such addition or alteration-

(i) the completion certificate if not already granted, shall not be granted, and

(ii) such portion of the building or the addition or alteration as is not allowable under these rules because of such transfer, shall be demolished, and

(iii) the extent of the building or such addition or alteration and the portion there which shall be demolished, shall be determined by the Municipal Commissioner:

Provided that no action under this sub-clause shall be taken without giving owner and the persons likely to be affected thereby a reasonable opportunity of being heard.

72. Addition of new plot

When one or more new plots of land are added to one or more premises by way of amalgamation or otherwise, the existing buildings on any such plots may be considered to be in accordance with these rules at the material time when the building/buildings was/were sanctioned are satisfied considering amalgamated plot to be one parcel of land. Addition and alteration to the sanctioned building or addition of a new building or new block on newly added land/lands may be permitted as per prevailing rules considering amalgamated land to be one parcel of land.

73. Linking of two blocks

Notwithstanding anything contained in rules 62, 63, 64 and 65 if there are two adjacent plots or adjacent buildings belonging to the same owner, gangways between these two buildings may be permitted at any level subject to the condition that it does not obstruct movement of vehicles or fire vehicles, as the case may be, the minimum width of the gangway being not less than that of a stairway and not exceeding 3.00 m. at any place.

74. Permissible Height of Buildings

(1) The permissible height of the buildings on means of access of different widths shall be as given in Table 5:-

Table 5

Permissible Height of Buildings

Width of Means of Access (in m.)		Permissible Height of Building (in m.)	Permissible Height of Building (in m.)
			In case of free gifting of strip of land having a width of 2.5 m. throughout the frontage of the entire plot.
(i)	above 2.4 upto 3.0	7.0	Nil
(ii)	above 3.0 upto 5.0	10.0	12.5
(iii)	above 5.0 upto 7.0	12.5	15.5
(iv)	above 7.0 upto 9.0	20.0	25.5
(v)	above 9.0 upto 12.0	40.0	-
(vi)	above 12.0 upto 15.0	60.0	-
(vii)	above 15.0	No restriction	-

Note:

(1) There will be no restriction in heights of buildings on plots abutting means of access above 10 m. in width subject to free gifting of strip of land having a width of 5 m. throughout the front of the entire plot along the means of access. However, this increase in height as mentioned above shall be permissible provided the area of the plot is at least 2,500 sq. m. and frontage of the plot abutting the main road is at least 15.0 m.

(2) In case of such additional height obtained by free gifting the strip of land as mentioned hereinabove, the applicant will get FAR of original road width only however, the applicant will be given benefit of FAR and ground coverage taking into consideration the portion gifted to the Corporation.

(3) average width of the means of access shall be calculated as per area of the means of access in sqm. abutting the premises divided by the length of the frontage of the property.

(4) Mayor-in-Council may allow additional height for a proposed building on a plot of land where there is water body or a heritage building on the recommendation of the Municipal Building Committee provided that the existing Heritage Building or Water Body or both taken together occupy at least 25% of the land area.

75. Height limit for civil aviation purposes

For any building to be erected, or re-erected in terms of clause (b) of sub-section (1) of section 390, or added to, in the vicinity of an aerodrome, or which may affect the functioning of any microwave system for telecommunication purposes, the height of such building shall, in accordance with the second proviso to sub-section (5) of section 391 be governed by such rules or directions as may be made or issued in this behalf by the Government of India.

76. Height exemption

The height of the following appurtenant structures shall not be included in calculating the height of a building:-

(a) roof tanks and their support, the height of support not exceeding one m.,

(b) ventilating, air-conditioning and similar service equipment,

(c) chimneys,

(d) parapet walls not exceeding one and a half m. in average height,

(e) lift machine room as specified in the latest publication of National Building Code, and stair cover upto, a height of 3 m. from the roof level,

(f) toilet at roof level upto a height of 3.0 m. subject to maximum floor area of 3.00 sq. m,

(g) garden cover with permeable material not exceeding 3.00 m. in height,

(h) equipments for telecommunication such as microwave antennae, towers and dish antennae as well as room for installing the said equipments or their support equipments subject to a maximum area of 25 sq. m. and further subject to permission of the same from Municipal Commissioner,

(i) raising of ground level upto 600 mm. provided the entire site is raised to avoid flooding for areas prone to water logging with prior permission of the Municipal Commissioner.

Note: the aggregate area of such structures in clauses (a) to (h) above shall not exceed one-third of the area of the roof of the building upon which these are erected.

CHAPTER XI

PARKING, LOADING AND UNLOADING SPACE

77. Minimum Parking Space

(1) No off-street parking space shall be less than -

(a) 12.5 sq. m. (2.5 m. in width and 5 m. in length), for a motor car, with a minimum head room of 2.2 m. if parked in a covered area,

(b) 37.5 sq. m. (3.75 m. in width and 10 m. in length), for a truck and bus with a minimum head room of 4.75 m. if parked in a covered area.

(2) The minimum width of circulation driveway to be provided for adequate maneuvering of vehicles shall be 4.0 m. for cars and 5.00 m. for trucks exclusive of parking space referred to in sub-rule (1) However, a projection from a height above 5.50 m. from the ground level may be permitted keeping the mandatory open space open to sky as per this rule.

(3) The parking layout plan shall be so prepared that the parking space for each vehicle becomes directly accessible from driveway or circulation driveway or aisles. However stack car parking arrangement will be allowed in such a way that every car can be moved by shifting not more than one car. This stack car parking will be allowed only on the ground floor level.

(4) (a) For building with different uses, the area of parking space shall be worked out on the basis of respective uses separately and parking space to be provided for the total number of vehicles thus required.

(b) In case of a plot containing more than one building, parking requirement for all buildings shall be calculated on the basis of consideration of the area of respective uses a uses.

(5) Notwithstanding anything contained in sub-rules (1), (2), (3) or (4), if the site abuts on a street or means of access -which is less than 3.5 m., parking space may not be insisted upon.

(6) (a) In case of buildings of Single Occupancies, other than residential and education, for the purpose of calculating requirement of car parking spaces, the area of common spaces shall be excluded.

(b) In case of buildings used only for residential or educational occupancy or both, for the purpose of calculating requirement of car parking spaces, the area of common spaces shall be included.

(c) In case of buildings having mixed occupancies / more than one occupancies wherein one of the occupancy types is residential or educational, for the purpose of calculating requirement of car parking spaces, the area of common spaces in the proportion of residention of residential or educational usage to the area of the whole building, shall be taken into account.

78. Parking Space requirements for motor cars

(1) The packing space requirements for motor cars in respect of different categories of buildings are given in Table 6 below: -

Table 6

Off-street Car Packing Space

SI. No.	Occupancy	Car Parking Space Requirement
I.	*Residential*	*(1) Building with single tenement -* *(a) For a building having one tenement of less than 100 sq. m. in floor area - no car parking space;* *(b) For a building having a tenement of 100 sq. m. or more but less than 200 sq. m. of floor area - one car parking space;* *(c) For a building having one tenement of 200 sq. m. or more of floor area - one car parking space for every 200 sq. m.*

SI. No.	Occupancy	Car Parking Space Requirement
		(2) Buildings with multiple tenements- *(A) Tenement with less than 50 sq. m. of floor area -* *(a) Up to 5 such tenements - no car parking space,* *(b) For 6 such tenements - one car parking space,* *(c) For every additional 6 of such tenements - one additional car parking space.* *(B) Tenement with more than 50 sq. m. but less than 75 sq. m. of floor area-* *(a) Up to 3 such tenements - no parking space,* *(b) For 4 such tenements - one car parking space,* *(c) For every additional 4 of such tenements - one additional parking space.* *(C) Tenement with more than 75 sq. m. but less than 100 sq. m. for every two such tenement additional one car parking space.* *(D) Tenement with more than 100 sq. m. floor area - one car parking space for 100 sq. m. and one car parking space for every additional 100 sq. m* *(E) Tenements of different sizes in a building - Car parking space shall be calculated on the basis of each size-group, where no car parking space is necessary under (A), (B), (C) and (D) so, however, that at least one car parking space shall be necessary for more than 300 sq. m. of the total covered area in the building irrespective of number of sizes of tenements.*
II.	*Educational*	*(a) For floor area up to 100 sq. m. used for administrative purpose - no car parking space,* *(b) For floor area of more than 100 sq. m. but less than 400 sq. m. used for administrative purpose - one car parking space,* *(c) For floor area of 400 sq. m. and above used for administrative purpose - one car parking space for every 400 sq. m.* *(d) For every new educational building having total covered area of more than 1000 sq. m., one bus parking space for every 1000 sq. m. shall be required. This shall be in addition to the car parking space required for the building.*
III.	*Institutional*	*(a) For hospitals and other health care institutions run by Government, statutory bodies or local authorities -* *(i) one car parking space up to 20 beds and one car parking space for every additional 20 beds,* *(ii) One car parking space for every 100 sq. m. of floor area where beds are not provided.* *(b) For hospitals and other health care institutions not run by the Government, statutory bodies or local authorities - one car parking space for every 75 sq. m. of floor area, subject to a maximum of 500 parking spaces.*
IV.	*Assembly*	*(a) For theatres, motion picture houses, city halls, dance halls, skating ring, exhibition halls, town halls, auditorium or similar other halls, or such other places -* *(i) having fixed seating arrangement - one car parking space for every 10 seats,* *(ii) having no fixed seating arrangements - far every 35 sq. m. of carpet area, one car parking space,*

SI. No.	Occupancy	Car Parking Space Requirement
		(b) For restaurant, eating houses, bars, clubs, gymkhana - no car parking space shall be necessary up to a total covered area of 20.0 sq. m. For carpet area of more than 20 sq. m. one car parking space for every 35 sq. m. or part thereof shall be necessary.
		(c) For hotels and boarding houses - (i)one car parking space for every two (2) guest rooms shall be necessary for star hotels, (ii) One car parking space for every four (4) guest rooms or part thereof shall be necessary for other hotels and boarding houses. (iii) Additional car parking space for areas, to be used as restaurant, dinning, hall, shopping halls, seminar halls, banquet halls and other purposes – one car parking space for every 35 sq. m. of carpet area or part thereof shall be necessary,
		(d) For other assembly buildings like place of worship, gymnasium sports stadium, railway or by passenger station, airport terminal or any other places where people congregate or gather for the purpose as specified in clause (d) of sub section (2) of section 390 - of the Act - requirement of parking space shall be determined by the Mayor-in-Council.
V.	*Business*	*(a) For floor area up to 1500 sq. m. - one car parking space for every 50 sq. m. of carpet area.*
		(b) For floor area in additional to the number of ear parking spaces as required in terms of clause (a) above, additional one car parking space for every 75 sq m. of carpet area beyond 1500 sq. m. of floor area,
		(c) For floor area above 5000 sq. m - in addition to the number of car parking spaces required in clause (a) and (b) above, additional one car parking space for every 100 sq.m of carpet area beyond 5000 sq.m.
VI.	*Mercantile (Retail)*	*(a) For carpet area lip to 25 sq. m.- no car parking space.*
		(b) For carpet area above 25 sq. m. - one car parking space for every 35 sq. m.
VII.	*Industrial or Storage or Hazardous or Mercantile (Wholesale)*	*(a) For floor area above 200 sq. m. - one car parking space,*
		(b) For floor area above 200 sq. m. - one car parking space for every 200 sq.m. and one truck parking space for every 1000 sq. m. subject to a minimum of one truck parking space,
		(c) In no case the required car parking space shall exceed 50 and the required truck parking space shall exceed 50.

NOTE: *Calculations for required car parking space should be made on the basis of carpet area of the building unless otherwise, mentioned, other than the car parking area itself.*

(2) Notwithstanding the provisions of sub-rule (1), the Mayor-in-Council may in any area or ward or borough for the purpose of this provision consultation with the Municipal Building Committee, require additional parking spaces to be provided in such area as mentioned in Table 6 (1) of sub-rule of this rule.

~~(3) Multilevel mechanical parking shall only be allowed on the open spaces without encroaching the statutory open spaces. The number of cars so parked shall not be more than fifteen percent of the car parking requirement as stipulated in sub-rule (1) subject to approval of the Mayor-in-Council in consultation with Municipal Building Committee.~~

(3) Mechanical parking shall be allowed in all floors and in open space without encroaching the statutory open spaces up to two tire level with 5.0 m. ramp and driveways provided advantage of FAR will be given for one tire of parking only and no back to back parking will be allowed.

79. Parking, loading and unloading space for transport vehicles

In the case of any building other than a residential building, the Mayor-in-Council shall, in consultation with the Municipal Building Committee, specify the requirements of parking, loading and unloading spaces for trucks, buses, ambulance vans or other types of transport vehicles as necessary in addition to the spaces required for motor cars.

80. Parking spaces to be distinct

The open spaces required under Chapter IX and driveway shall not be treated as parking space for the purpose of these rules. However, open car parking may be allowed on the mandatory open space, ~~provided that a clear driveway of 6.00 m. width is maintained~~ *provided that a clear driveway is maintained as follows :*

(i) 4.0 m. for building height upto 15.5 m.;
(ii) 5.0 m. for building height above 15.5 m. and upto 25.5 m.; and
(iii) 6.0 m. for building height above 25.5 m.

CHAPTER XII

PROVISIONS FOR MORE THAN ONE BUILDING IN A PLOT

81. General

(l) The provisions of this Chapter shall, notwithstanding anything contained in any other provisions of these rules, but, subject to the provisions of the Act, apply in relation to more than one building on a plot:

Provided that a two storied service building upto a maximum floor area of 200 sq. m. in the same plot shall not be considered as more than one building for this purpose provided such building complies with the other provisions of these rules.

(2) Every building on a plot containing more than one building which does not abut on means of access shall abut an internal road connecting the means of access of the plot. The floor area ratio shall be calculated on the basis of the width of means of access on which the plot abuts.

(3) The width of such internal roads shall not be less than 4.0 m. Where internal road of 4.0 m. of width is not possible to be. provided due to an existing building constructed prior to the commencement of these rules, a building of not more than 7 m. in height may be allowed, provided that the width of the internal road shall not be less than 1.20 m.

(4) Every internal road as required under this rule shall be kept free from any projection thereon and shall be kept open to the sky. No chajja or cornice or weather shed more than 600 mm. shall overhang or project thereon.

(5) The minimum width and the maximum length of all such internal roads shall be as per table below: -

Table 6A

Width and Length of Internal Roads

Minimum width of Internal Roads	Maximum Length of Internal Roads	
	For internal roads closed at one end	For internal roads open to street at both end
(a) 4.00 m.	50 m.	100 m.
(b) 7.00 m.	100 m.	200 m.
(c) 9.00 m.	No restriction	No restriction

(6) The maximum permissible height of any building on a plot shall be determined by the width of the means of access on which the plot abuts according to the Table 5 of sub-rule (l) of rule 74.

(7) In case of buildings within a plot not being of same occupancy, any individual building of any particular occupancy shall comply with the rules for that occupancy excepting the provisions of ground coverage and floor area ratio.

(8) Every building shall have minimum external open spaces as prescribed under Chapter IX of these rules, provided that on these open spaces, internal roads may be constructed.

(9) The plot having an existing heritage building or a water body, the internal road width between such buildings may be allowed to be 3.5 m. irrespective of the length of such internal road on the recommendation of the Municipal Building Committee without disturbing such heritage building or water body provided that the existing heritage building or water body or both taken together occupy at least 25% of the land area.

CHAPTER XIII

EXISTING BUILDING

82. Provisions regarding existing buildings

(1) The provisions of this chapter shall, notwithstanding anything contained in any other provisions of these rules, apply in the case of an existing building.

(2) In this chapter, the expression "existing building" means any building which was erected before the date of coming into force of these rules in accordance with a building plan sanctioned by an authority competent to sanction such building plan under Bengal Municipal Act, 1932, Kolkata Municipal Act, 1951, Kolkata Municipal Corporation Act, 1980, or any other law for the time being in force and which does not comply with the provisions of rule 62 rule 63 rule 64 rule 65 rule 66 and rule 70 of these rules and -

(a) the buildings which are allowed to stand under section 400(1) of the Act, and

(b) the buildings allowed to stand in refugee rehabilitation plots under section 4l3A of the Act.

(3) Even if the height of the building exceeds fifteen and a half m.; the same shall be subject to compliance with the provisions of rule 69.

(4) The extent of the setback shall be such as to make the addition to the building conform to the provisions of Chapter IX from the property boundaries.

(5) If any car parking space is required to be provided under Chapter XI for the new area proposed to be added and no such car parking space can be provided in such existing building, the floor area allowable under rule 69 shall be reduced by the area required for such car parking space. For this calculation, the area required for one car parking space is to be taken as 25 sq. m. Existing car parking spaces as per sanctioned building plan shall be taken into account as car parking spaces, even if the same does not conform to the specified size of 2.50 x 5 m.

(6) If the dimension of stair, corridors, ventilating shaft and set backs of an existing building constructed as per the sanctioned plan are less than those stipulated under the present rule, the Municipal Commissioner may allow the construction of the added portion as per dimensions of the existing portion, without compliance to the provisions of existing rules.

(7) The provisions of other Chapters of these rules shall apply in all other respects.

CHAPTER XIV

PROVISIONS FOR BUILDINGS IN GOVERNMENT APPROVED SCHEMES

83. General

Notwithstanding anything elsewhere contained in these rules, the provisions of this Chapter shall apply in respect of matters provided therein, in the case of buildings constructed by Governments, or any of the statutory bodies mentioned in clause (a) of sub-section (8) of section 171 under any Government approved scheme, for residential use of persons belonging to low income group or of industrial workers.

84. Size of the plot for a building

The minimum size of a plot shall not be less than 30 sq. m. and the maximum size of a plot shall not be more than 65 sq. m.

85. Means of Access

(1) No building shall be constructed on a plot if the width of the means of access to the site is less than 1.2 m.

(2) No building exceeding 8.0. m. in height shall be allowed on a plot if the width of the means of access to the site is less than 3.5 m.

86. Ground Coverage

The maximum permissible ground coverage shall be 75% of the area of the plot.

87. Maximum height of the building

The maximum height of the building shall not be more than 10 m.

88. Front Open Space

The minimum front open space for a building shall be 0.80 m.

89. Rear Open Space

The minimum rear open space for a building shall be 1.0 m.

90. Side Open Space

The building may be of the row-housing type and the maximum length of the buildings in a row shall be 50 m. After every 50 m. of the length of the buildings in a row, there shall be an open space of not less than 2.5 m. in width for the entire depth of the building:

Provided that such open space shall not be necessary if there is a street or passage at such location, the minimum width of which is not less than 2.5 m.

91. Floor Area Ratio

The maximum floor area ratio shall be 1.75.

92. Parking Space-

No parking space within the plot shall be necessary.

93. Other Criteria

All other criteria will be followed as per other rules constituted these rules.

CHAPTER XV

PROVISIONS FOR BUILDINGS CONSTRUCTED BY SMALL SCALE INDUSTRIES IN INDUSTRIAL ESTATES APPROVED BY GOVERNMENT

94. General

Notwithstanding anything elsewhere contained in these rules, the provisions of this Chapter shall apply in respect of matters provided therein, in the case of buildings constructed by small scale industries within an industrial estate approved by Government for residential use or as factory shed / buildings.

95. Size of the plot for a building

The minimum size of a plot shall be 200 sq. m.

96. Means of Access

No building shall be constructed on a plot if the width of the means of access to the site is less than ~~1.2 m~~ *5.0 m*.

97. Ground Coverage

The maximum permissible ground coverage will be 50% for a plot size upto 500 sq. m. and 40% above 500 sq. m.

98. Maximum height of the building

~~The maximum height of the building shall be 10 m.~~

The Maximum height of the building co-relating to the means of access shall be considered as under :-

Road Width	*Building Height*
5.0 m up to 7.0 m	*12.5 m*
Above 7.0 m upto 9.0 m	*15.5 m*
Above 9.0 m	*20.0 m*

99. Front Open Space

~~The minimum front open space for a building shall be 2 m. for plot size upto 500 sq. m. and 4 m. above 500 sq. m.~~

The minimum front open space for a building shall be as follows :

Building Height	*Minimum Front Open Space*
Upto 12.5 m	*2.0 m*
Upto 15.5 m	*2.0 m*
Upto 20.0 m	*4.0 m*

100. Rear Open Space

~~The minimum rear open space for a building shall be 4.00 m.~~

The minimum rear open space for a building shall be as follows :

Building Height	*Minimum Rear Open Space*
Upto 12.5 m	*4.0 m*
Upto 15.5 m	*4.0 m*
Upto 20.0 m	*6.0 m*

101. Side Open Space

~~The minimum side open space on the narrower side will be 1.5 m. and 4.00 m. on the other side.~~

The minimum side open space for a building shall be as follows :

Building Height	*Minimum Side Open Space (Narrower side & Other Side)*
Upto 12.5 m	*1.5 m & 4.0 m*
Upto 15.5 m	*1.5 m & 4.0 m*
Upto 20.0 m	*6.0 m*

102. Floor Area Ratio

~~The maximum floor area ratio shall be 1.5.~~

The maximum Floor Area Ratio depending on the width of means of access shall be as follows :

Width of Means of Access	*F.A.R.*
5.0 m to 7.0 m	*1.5*
Above 7.0 m to 9.0 m	*1.75*
Above 9.0 m	*2.00*

103. Parking Space

One car parking space for every 200 sq. m. of floor area or part thereof.

104. Other Provision

All other Criteria shall be followed as per the provisions of other rules contained under these rules.

CHAPTER XVI

REQUIREMENTS OF PARTS OF BUILDINGS

105. Plinth

(1) The plinth or any part of a building or any accessory building shall be so located with respect to the crest of the road level that adequate drainage of the site is assured and in no case it shall be at a height less than 60 cm.

(2) Garage and parking space shall be raised at least 15 cm. above the level of the highest crest of the road of the nearest street and shall be satisfactorily drained.

(3) Every inner courtyard shall be raised at least 30 cm. above the level of the highest crest of the road of the nearest street and shall be satisfactorily drained.

(4) In case of rehabilitation of tenants for shop or any habitable room or for a new shop in the ground floor in excess of mandatory car parking space, a plinth height of 30.0 cms. may be allowed.

106. Habitable Room

(1) No habitable room shall have a floor area of less than 6 sq. m.

(2) No habitable room shall have a width of less than 2.4 m.

(3) No habitable room shall have a height less than 2.90 m. measured from the surface of the floor to the lowest point of the ceiling or the underside of any slab.

(4) All rooms in any building irrespective of their use-group used for human habitation shall comply with sub-rules (1), (2), and (3).

(5) The area of a habitable room proposed under the provisions of Chapter XII of these rules shall not be less than 6 sq. m and height not less than 2.75 m. measured from the surface of the floor to the lowest point of the ceiling or the underside of any slab.

Provided that in the case of any centrally air-conditioned building, the height of any habitable room shall not be less than 2.4 m. measured from the surface of the floor to the underside of any slab or false ceiling as the case may be.

Provided further that in case of any pitched roof, the average height shall not be less than 2.75 m. and the minimum height at eaves level shall not be less than 2.1 m.

107. Kitchen

(1) No kitchen shall have a floor area of less than 4.5 sq. m. and width of less than 1.5 m.

Provided that if any kitchen is to be used for eating purposes also, such floor area shall not be less than 9.5 sq. m. and the width shall not be less than 2.4 m.

(2) No kitchen shall have a height less than 2.5 m. measured from the surface of a floor to the lowest point in the ceiling or the underside of any slab except for the portion to accommodate any floor trap for any upper floor.

(3) Every room to be used as a kitchen shall have -

(a) unless separately provided with a pantry, an area meant for the washing of kitchen utensils which shall lead directly or through a sink to a grated and trapped connection to a waste pipe,

(b) an impermeable floor,

(c) a window not less than 1 sq. m. in the area opening directly to an interior or exterior open space, or into any shaft.

(d) a flue duct, if necessary.

(4) In a building constructed under the provisions of Chapter XIII of these rules, the area of a kitchen shall not be less than 3 sq. m. with a minimum width of 1.20 m.

108. Pantry

(1) No pantry shall have a floor area of less than 3 sq. m. and width of less than 1.4 m.

(2) Every pantry shall have -

(a) a means of the washing of kitchen utensils, if not provided in the kitchen, which shall lead directly or through a sink to grated and trapped connection to any waste pipe,

(b) an impermeable floor.

109. Bathroom and water closet

(1) No bathroom shall have a floor area of less than 1.8 sq. m., a width less than 1.2 m. and height less than 2.1 m. measured from the surface of a floor to the lowest point of the ceiling or the underside of any slab:

Provided that it is a combined bathroom and a water closet, such floor area shall not be less than 2.6 sq. m.

(2) No water closet shall have a floor area of less than 1.2 sq. m. and a width less than 1.0 m.

(3) Notwithstanding the provisions of sub-rule (1) or sub-rule (2), in the case of any building referred to in rule 84.

(a) an independent bathroom shall have a floor area of 1.45 sq. m.,

(b) a combined bathroom and water closet shall have a floor area of 2.4 sq.m., with a minimum width of 1.1m.

(4) Every bathroom or water closet shall -

(a) be so situated that at least one of its walls shall face an interior open space or exterior open space or shaft and shall have an opening in the form at a window or ventilator or louvre not less than 0.40 sq. m. in area,

(b) not be directly over any room other than a latrine or water closet or washing place or a bathroom or a terrace unless it has a water tight floor,

(c) have the platform of seat made of water tight non-absorbent materials,

(d) be enclosed by walls or partitions and the surface of every such wall or partition shall be finished with a smooth impervious material to a height of not less than 1 m. above the floor of such a room.

(e) be provided with a door completely closing the entrance to it, and

(f) be provided with an impervious floor sloping towards any drain with a suitable gradient.

(5) No room containing any water closet shall be used for any purpose except as a lavatory and no such room shall open directly into any kitchen or cooking space or pantry by a door, window or other opening,

(6) In a building constructed under the provisions of Chapter XIII of these rules, the sizes of bathrooms and water closet shall conform to the following-

(i) the area of an independent water closet or independent bathroom shall not be less than 1.00 sq. m. with a minimum width of 0.9m.

(ii) the area of a combined bathroom with water closet shall not be less than 1.50 sq. m. with a minimum width of 1.00 m.

110. Lifts

(1) Lifts shall conform to the following provisions and the provisions of the latest edition of the National Building Code of India:-

(i) at least one lift shall be provided in every building more than 12.5 m. in height,

(ii) in the case of buildings more than 20 m. in height, and 1000 sq. m. of floor area for each floor at least two lifts shall be provided.,

(iii) in the case of a proposal to add one additional floor to an existing building having a lift, it will not be necessary to raise the existing lift to the additional floor.

(2) Subject to the above, the number, type and capacity of lift shall satisfy the requirements of the National Building Code of India,

111. Loft

(1) A loft may be permitted in buildings of all use-groups.

(2) The area of any such loft shall be restricted to 25 per cent of the area of the floor of any room (other than an inhabited room) provided that 100% of the area may be covered over any corridor.

(3) Maximum height between any loft and ceiling shall be 1 20 m. and the clear height below the loft shall not be less than 2.10 m.

112. Ledge or tand

(1) A ledge or tand in habitable room shall not cover more than 15 per cent of the floor on which it is constructed and shall not interfere with the ventilation of the room under any circumstances.

(2) The ledge shall be provided at a minimum height of 2.1 m. from floor level.

(3) The maximum width of any ledge or rand shall be 0.60 m.

113. Mezzanine floor

(1) A mezzanine floor may be permitted to be used for any purpose provided the use conforms to the relevant rules.

(2) A mezzanine floor may be permitted over a habitable room provided that -

(a) it conforms to any standard for a habitable room as regards lighting and ventilation,

(b) it is so constructed not to interfere under any circumstances with the ventilation of the space over and under it,

(c) such mezzanine floor is not subdivided into smaller compartments,

(d) such mezzanine floor or any part of it shall not be used as a kitchen, and

(e) in no case a mezzanine floor shall be subdivided so as to make it liable to be converted into inventilated compartments.

(3) An area up to 25 per cent of the covered area on the particular floor shall be permitted for construction of mezzanine floor.

(4) The height of any mezzanine floor shall not be less than 2.1 m. from floor level to the ceiling or underside of a slab.

114. Service Floor

~~One 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 buildings, other than for residential use.~~

For the purpose of plumbing, electrical and other utility services in case of all buildings, the number of service floor(s) in between two floors and their respective heights, may be as approved by the Mayor-in-Council upon recommendation of the Municipal Building Committee.

115. Store Room

No store room in any residential building shall have a floor area less than 1.5 sq. m. and a height less than 2.1 m.

116. Garage

(1) No garage shall be less than 2.5 m. x 5 m.

(2) The minimum head room in a garage shall be 2.1 m. and floor level of the garage at ground floor must not be lower than ground level.

(3) The size of any garage where more than one motor car is parked shall be calculated on basis of the number of vehicles in accordance with the provisions of Chapter XI.

117. Roof

(l) The roof of a building-shall be so constructed or framed as to permit effectual drainage of the rain-water there from by means of sufficient rain water pipes of adequate size, wherever required, so arranged, joined and fixed as to ensure that the rain water is carried away from the building without causing dampness in any part of the walls or foundations of the building or those of an adjacent building.

(2) The Municipal Commissioner may require rain-water pipes to be connected to a drain or sewer through a covered channel formed beneath any street to connect the rain-water pipe to a road gutter or in any other approved manner and/or rain water harvesting system in conformity with rule 144.

(3) Rain-water pipes shall be affixed to the outside of the walls or through pipe shaft of the building or in recesses or chases cut or formed in such walls or in such other manner as may be approved by the Municipal Commissioner.

(4) Every terrace on the/topmost storey of any building shall have a common access and shall not be subdivided.

118. Basement

(1) Subject to provisions of the West Bengal Town and Country (Planning and Development) Act, 1979 a basement may be constructed under any building subject to conformity with the relevant rules.

(2) A basement may be put to any of the following uses -

(a) as a parking space,

(b) as an air-conditioning plant room or room for other machines used for any building service or for other purposes.

(c) as a storage space for household or other goods of nonflammable nature,

(d) as a strong room or as a bank cellar,

(e) as a dark room,

(f) as a stack room in any library,

(g) for the purposes of a business building or mercantile building (retail) or an assembly building, if it is air-conditioned and the top of the basement is at least 1.0 m. above ground level, provided the fire safety norms as per National Building Code are complied with.

~~(3) Outer walls of a basement shall not extend within the exterior open spaces as required under Chapter IX of these rules.~~

(3) Outer walls of a basement may be extended below ground level upto a maximum of 5.0 m. from the property line only for one level of basement for use of parking only. In case more than one basement is required, the depth of the basement shall not exceed the distance between boundary line and outer periphery of basement in all sides.

(4) No basement or portion thereof shall be used for residential purpose.

(5) No kitchen, bathroom or water closet shall be permitted in any basement unless there is proper drainage arrangement. If permitted, such kitchen, bathroom or water closet shall be placed against an external wall of the basement, which shall also be the external wall of the building, and shall be adequately lit and ventilated. Detailed plans showing arrangements for drainage including pumping system shall be submitted in such cases.

(6) Every basement shall-

(a) in every part be at least 2.1 m. in height from the floor to the underside of the beam or false ceiling,

(b) have adequate arrangement so that surface drainage does not enter the basement, and have adequate arrangement for pumping out water, if necessary, by providing "Sump pit" or similar system.

(c) have water-tight walls and floors which shall be so designed that the effect of the surrounding soil and moisture, if any, is taken into account in design and adequate damp-proofing treatment is given,

(d) in case the parking area in the basement is less than 1000 sq. m., only one ramp will be required. In case the parking area in the basement is more than 1000 sq. m. at least two ramps should be provided. Width of each ramp shall not be less than 4.0 m. and the slope shall not be steeper than one vertical to six horizontal and the distance between the ramps shall be such as may be approved by the Municipal Commissioner,

(e) if the basement is not used for car parking purposes, ramps will not have to be provided. In such cases, at least two staircases of minimum width as per use group shall have to be provided and such staircase shall be enclosed type.

~~(f) in the case of a basement being used for a purpose as referred to in clause (i) of sub-rule (2), the same must have sufficient numbers of access ways and exit ways so that the maximum travel distance is not more than 15 m. from any point,~~

(f) in the case of a basement being used for a purpose as referred to in clause (f) of sub-rule (2), the same must have sufficient numbers of access ways and exit ways so that the maximum travel distance is not more than 22.5 m. from any point,

(g) have adequate ventilation as required for any occupancy or use group under these rules:

Provided that any deficiency may be met by providing adequate mechanical ventilation in the form of blowers and exhaust fans,

(h) comply with the requirements of the West Bengal Fire Services Act, 1950, Fire Prevention and Safely Rules, 1996, and provisions laid down in National Building Code, as amended from time to time.

119. Chimney

(1) Any chimney shall conform to the requirements of the latest version of IS : 1645-1960 Code of Practice for the fire safety of buildings (general): chimneys, flues, flue pipes and hearths.

(2) Any chimney shall be built at least 0.9 m. above any roof:

Provided that the top of any chimney shall not be below the top of any adjacent wall and in the case of a sloping roof, the top of the chimney shall not be less than 0.6 m. above the ridge of the roof in which the chimney penetrates.

120. Parapet

A parapet and guardrails shall be provided on the edge of any roof terrace or balcony and it shall not be more than 1.5 m. in height on average.

121. Lighting and ventilation of rooms

(1) Every habitable room, kitchen, staircase and bathroom or water-closet shall have, for the admission of light and air, one or more apertures, such as windows, glazed doors, fans and lights, opening directly to the external wall or into an open verandah.

(2) In any case where light and ventilation requirements are not met through day lighting and natural ventilation, the same shall be ensured through artificial lighting and mechanical ventilation, as per the latest provisions on Building Services of the latest edition of the National Building Code of India.

Provided that in no case, the minimum aggregate area of the openings of habitable rooms and kitchen, excluding doors, shall not be less than one-tenth of the floor area.

(3) For ventilation of any room, including a bathroom or water closet or kitchen or any other room not intended to be used as an inhabited room if it does not open into the front, rear or side open space or an interior open space, it shall open into ventilation shaft which shall not be less than the specification in Table 7 and Table 7A below.

TABLE 7

Ventilation Shafts for Kitchen or Toilet

Height of the building (in m.)	Minimum size of ventilation shaft (in sq. m.)	Minimum width of the shaft (in m.)
Up to 12.5	2.5	1.2
Above 12.5 & upto 15.5	5.0	2.0
Above 15.5 & up to 20.0	6.0	2.4
Above 20.0	9.0	3.0

TABLE -7A

Combined Ventilation Shaft for Kitchen and Toilet

Height of the building (in m.)	Minimum size of ventilation shaft (in sq. m.)	Minimum width of the shaft (in m.)
Up to 12.5	3.0	1.5
Above 12.5 & upto 15.5	6.5	2.5
Above 1 5.5 & upto 20.0	8.0	2.75
Above 20.0	9.0	3.0

Provided that for any building with a height exceeding 20 m., a mechanical ventilation system shall be installed in addition to the provisions of minimum ventilation shaft:

Provided further that no chajja shall be allowed in any ventilation shaft

Provided also that no ventilation shaft may be required for fully air-conditioned building, or mechanically ventilated toilet, kitchen, bath and water closet.

CHAPTER XVII

FIRE PROTECTION AND EXIT REQUIREMENTS

122. Definitions

In this chapter, unless the context otherwise requires, -

(a) "exit' means passage, channel or means of egress from any place of occupancy in a building to a place of safety through an escape route which includes a room exit, protected corridor, lobby, enclosed staircase or ramp leading to a final exit,

(b) "final exit" means an exit from a building to an open place at ground level,

(c) "travel distance" means the distance to be travelled from any point in a building to either vertical or horizontal escape route, or external escape route, or final exit.

123. Fire Protection

Every building for residential uses of fifteen and a half metres and above in height, and buildings of other uses and buildings with basement shall be provided with adequate means of exit and all arrangement for protection in case of fire.

124. General exit requirements

(1) The following general requirement shall apply to all exits:

(a) exit may be both horizontal and vertical and shall be free from any obstruction,

(b) no building shall be altered so as to reduce the number, width or protection of exits to less than what is required under these rules,

(c) exits shall be clearly visible and routes to reach exit shall be clearly marked,

(d) all exits shall be properly illuminated,

(e) fire fighting equipments shall, where provided along exits, be suitably located and clearly marked so as not to obstruct the exit way and there shall be clear indication about its location from either side of the exit,

(f) alarm devices shall be installed to ensure prompt evacuation through exits,

(g) all exits shall provide continuous means of egress to the exterior of a building or to an exterior open space of the premises leading to a street or means of access,

(h) exits shall be so arranged that they may be reached without passing through another occupied unit.

(2) An exit shall be a door-way of a room, corridor, passage-way to staircase, ramp or a verandah or terrace which has access to the street or to the roof of a building. An exit may also include a horizontal exit leading to an adjoining building at the same level.

(3) Lifts and escalators shall not be considered as exits. However, if the lift lobby and shaft is recommended as per requirement of West Bengal Fire Services Act, 1950 it may be considered as fire escape route.

(4) All basements shall have a minimum of two exits. Ramps to the basement shall also be considered as exits.

125. Arrangements of exits

(1) Exits shall be so located that the travel distance shall not exceed -

(a) 22.5 m., in the case of a residential building or an educational building or an institutional building,

(b) 30 m., in the case of an assembly building or a business building or a mercantile building or an industrial building or a storage building.

(2) For floors with sprinklers which are not part of the requirements for that floor and occupancy, the travel distance in sub-rule (1) may be increased by 50 per cent, of the distance preserved in clause (a) and (b) of sub-rule (1) of this rule.

(3) The travel distance to an exit from the dead end of a corridor shall not exceed half the distance specified in sub-rule (1), except in an educational building or an assembly building or an institutional building in which case it shall not exceed 6 m.

(4) Whenever more than one exit is required for any room space or floor of a non residential building, exits shall be placed as remote from each other as possible and shall be arranged to provide direct access in separate directions from any point in the area served.

126. Requirements regarding staircases

All buildings referred to in rule 123 shall be provided with such number of staircases as the Municipal Commissioner may require. Under no circumstances, the number of staircases shall be less than two in the case of a building of more than twenty m. in height and one of them being on the external face of the building and shall be enclosed type as per requirement of West Bengal Fire Services Act, 1950. In case the staircase or staircases are not facing external surface of the building or not having ventilation shaft, mechanical ventilation shall be provided, if required.

127. Minimum Width provisions

The following provisions for minimum width shall be made :-

Table - 8A

Category of Building	Height of the Building, (Mtrs.)	Width of the Stairway (Mtrs.)	No. of Staircase
Residential	Above 7.00	1.00	1
	Above 7.00 and Up to 10.00	~~1.20~~ *1.0 m. with landing 1.2 m. having maximum 150 sq.m. floor plate in each floor*	1
	~~Above 10.00 and Upto 12.50~~	~~1.35~~	1
	~~Above 12.50 and Upto 15.50~~ *Above 10.00 and Upto 15.50*	~~1.35~~ *1.1 m. with landing 1.35 m. having maximum 150 sq.m. floor plate in each floor*	1
	Above 15.50 and Upto 20.00	1.25	2
	Above 20.00 and Upto 25.50	1.25	2
	Above 25.50 and Up to 40.00	1.25	2
	40.00 and above	1.50	2

However, for residential building not having more than three tenements or 500 sq. m. per floor (whichever is less) one staircase of 1.50 m. of width may be permitted upto a building height of 20 m. If in any case, the floor area or the number of tenements exceed the above value, the number of staircases should be increased as per the prescribed Table No. 8A.

Table -8B

Category of Building	Area per floor	Width of the Stairway (Mtrs.)	Minimum No. of Staircase (Height upto 12.5 Mtrs.)	Minimum No. of Staircase (Height Above 12.5 Mtrs.)
Educational	Upto 500 sq. m.	~~1.35~~ *1.5*	1	2
	Above 500 sq. m.	~~2.0~~ *1.8*	2	2
Assembly	Upto 500 sq. m.	1.50	1	2
	Above 500 sq. m.	2.0	2	2
Institutional	Upto 500 sq. m.	1.50	1	2
	Above 500 sq. m.	2.0	2	2
Business	Upto 500 sq. m.	1.50	1	2
	Above 500 sq. m.	1.50	2	2
Mercantile (Retail)	Up to 500 sq. m.	1.80	2	2
	Above 500 sq. m.	2.00	2	2

However, buildings for marriage halls, banquet halls, multipurpose hall etc. shall have at least two staircases *having a minimum width of 1.5 m* for any height and floor area.

Table - 8C

Minimum width provision for passage and corridors

Category of passage or corridor	Minimum width (m.)
Passage connecting vertical exit and the tenement or units	Not less than the width of each stairway specified under Table 8A and 8B
Passage within an apartment	1.0 m,
Passage giving access to shops in a mercantile building -	
(a) shops on one side only	2.0
(b) shops on both side	3.0
Passage in a business building	2.5

128. Other requirements

In respect of matters relating to the fire prevention and fire protection, for which provisions have not been made in this chapter, the provisions of the latest edition of the National Building Code and latest edition of the National Electrical Code and B.I.S. Code shall apply.

129. Consultation with the Director of Fire Services before granting permission to erect a building

No permission for the erection, addition to or alteration of, any building other than a residential building of less than fifteen and a half metres in height or a building with basement shall be granted unless the Municipal Commissioner in consultation with the Director of Fire Services of the Government of West Bengal or any officer specially empowered by the Director for this purpose is satisfied about the provisions of means of exits and about the arrangements for protection against fire proposed for the building in terms of West Bengal Fire Services Act, 1950, read with West Bengal Fire Services Fire Prevention and Fire Safety Rule 1996.

130. Power to Municipal Commissioner to ask for sufficient means of exits

Where on the basis of the report of the Director of Fire Services or any other officer specially empowered by him the Municipal Commissioner is of the opinion that the means of exit from any building is insufficient to allow safe exit in the event of fire, or the in-built fire protection measures are inadequate he may by written notice require the owner or occupier of the building to alter or reconstruct any existing staircase in such manner, or to provide such additional or emergency staircases as he may determine, or such fire protection measures, as he may, in consultation with the Director of Fire Services or any other officer specially empowered by him or otherwise, suo moto, determine.

CHAPTER XVIII

OTHER REQUIREMENTS

131. Requirements under any other law in force

Notwithstanding anything contained in these rules any building shall comply with the special requirements, if any, laid down in the Factories Act, 1948(63 of 1948) or in any other law for the time being in force in relation to such building.

132. Requirements as to electricity

(1) Any building with floor area 5,000 sq. m or more should have an electrical power distribution drawing with anticipated load demand. The electricity drawing must be approved by an Electrical Engineer or an Energy Manager or a certified Energy Auditor or a person duly qualified by the appropriate authority and holding a supervisory license. The electrical drawing must be submitted along with the building plan.

(2) In respect of any building having total floor area of 20,000 sq. m. or more and used for commercial purpose and where the connected load is expected to be 500 KW or more, a certified Energy Auditor should approve the electrical power distribution plan of the building. For erection and commissioning job of the electrical plants and equipments of such buildings, a certified Energy Auditor should supervise the job and will have to finally give "Completion Certificate of Electrical Works" on satisfactory completion of the work.

(3) Any building with high load demand may ask for HT supply and in such case the local power utility will take the final decision of HT supply depending upon the nature of the building.

(4) Every building with a load demand of 50 KW or more or a building with total floor area of more than 5,000 sq. m should provide an open space for commissioning a transformer. The land must be kept free for the utility and no construction work will be allowed to be carried on the space. The space should be well accessed by 3 m wide roads for normal truck or lorry movement for loading and unloading of transformer and accessories for erection and maintenance.

(5) For overhead supplies to the power supply point, the line to earth gap must comply with the requirements of the National Building Code of India.

CHAPTER XIX

STRUCTURAL DESIGN

133. Structural design

(1) The structural design of foundation, masonry timber, plain concrete, reinforced concrete, pre-stressed concrete and structural steel shall be in accordance with the provisions of the latest edition of National Building Code of India or Bureau of Indian Standards (BIS).

(2) For earthquake protection a Structural Engineer shall design the structure taking into consideration the Indian Standard Codes as given below.-

(i) IS: 1893- 2002 : "Criteria for Earthquake Resistant Design of Structures (Fifth Revision),"

(ii) IS: 13920-1993: "Ductile Detailing of Reinforced Concrete Structures subjected to Seismic Forces Code of Practice,"

(iii) IS: 4326 - 1993 : "Earthquake Resistant Design and Construction of Buildings - Code of Practice (Second Revision),"

(iv) IS: 13828-1993 : "Improving Earthquake Resistance of Low Strength Masonry Buildings - Guidelines"

(v) IS: 13827- 1993 : "Improving Earthquake Resistance of Earthen Buildings - Guidelines

(vi) IS: 13935-1993 : "Repair and Seismic Strengthening of Buildings-Guidelines."

(3) In addition to the above, provisions of National Building Code are also to be taken into consideration for design purpose,

134. Quality of materials and workmanship

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

135. Alternative materials methods of designs and Construction

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

136. Tests

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

CHAPTER XX

BUILDING AND PLUMBING SERVICES

137. Building Services

(l) 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 Electrical Installation, Air-Conditioning and Heating, Installation of Lifts and Escalators on Building Services of the latest edition of the National Building Code of India. For electrical aspects of the building services the provisions of the latest edition of National Building Code shall apply.

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

(3) Electrical Installations in respect of any building exceeding thirteen and a half m. in height shall conform to the provisions of the latest edition of National Electrical Code.

138. Plumbing Services

(1) The planning, design, construction and installation of water supply, drainage and sanitation and gas supply system shall be in accordance with the provisions of water supply, drainage and sanitation, gas supply and plumbing services of the latest edition of National Building Code of India.

(2) The underground reservoir shall be constructed in such a way that the manhole portion must be raised 300 mm. or more above ground level to avoid surface contamination. The inlet supply pipe always be kept above the higher level of the stored water surface.

(3) All other requirements regarding plumbing services, not specifically mentioned in this rule shall conform to the provisions of the latest edition of National Building Code of India.

(4) The depth of the underground water reservoir/septic tank/inspection pits or manhole should not be more than the shallowest foundation depth and the distance between the edge of foundation and such underground structure should not be less than 50% of the width of the. underground structure provided however, this provision will not be applicable for such structures appearing at a distance of 4.0 m. or more from the main foundation line of the building.

139. Signs and outdoor display structures

(1) The construction of advertising signs and outdoor display structures shall be in accordance with the provisions regarding Signs and Outdoor Display Structures in the latest edition of the National Building Code of India.

(2) Every building shall display in a prominent place on the front side the premises number as assigned to it by the Corporation and the street name so as to be conveniently visible from any street.

CHAPTER XXI
MISCELLANEOUS

140. Repeal and Savings

(1) Subject to the provisions of sub-rule (2) with effect from the date of coming into the force of these rules, the rules as to the use of building sites and the execution of building work continuing to remain in force by virtue of the provisions of the clause (f) of sub section (2) of section 635 shall cease to continue to remain in force.

(2) Any application for sanction of any plan to erect a building submitted on or before the date on which the new rule would come into force in accordance with the provision of these rules and lying pending for sanction on that date shall not be rejected on the ground of the coming into force of these rules during the pendency of such application and every such application shall be considered in accordance with the provisions of the former rules.

(3) Notwithstanding such cesser, every building plan sanctioned under the former rules and remaining valid on the date immediately before the date of coming into force of these rules, shall continue to remain valid till the expiry of the period of validity thereof.

141. Removal of difficulties

If any difficulty or hardship arises in giving effect to any of the provisions of these rules, the Mayor-in-Council may, as occasion may require, by order, do or cause to be done anything or take such measure as may be necessary for removing the difficulty or hardship, on the basis of a set of guidelines to be framed hereafter by the Municipal Building Committee, as further recommended by the Corporation and approved by the State Government.

142. Old and insecure buildings

(1) The following relaxations of these rules will be available for construction of building in place and stead of existing buildings after demolition thereof :-

(a) FAR: Additional FAR to the tune of ~~50%~~ *100%* of the area presently occupied by the tenants(s) will be allowed over and above the FAR being presently utilized in the existing structure/Premies;

(b) Height: Normally the height of the re-erected building shall not be allowed to be more than 15.5 m unless the applicant is otherwise so entitled. However, this restriction on height may be relaxed as per the Act provided the proposal for re-erection complies with fire laws and provided further that additional car parking space as may be recommended by Municipal Building Committee is made available,

(c) Car Parking Space: At least 50% of the ground floor space of the re-erected building shall normally be earmarked for car parking space where construction of basement for car parking facilities is not feasible as per opinion of the Municipal Building Committee. However where construction of a basement is feasible as per opinion of the Municipal. Building Committee such basement may normally be earmarked for car parking space.

(2) The relaxations under sub-rule (1) above will be available only when the existing building which is to be demolished meets either of the following criteria:

(a) The building is more than 50 years and is partly or fully occupied by tenants, or

~~(b) The building is less than 50 years old but has rendered unfit for human habitation by natural forces, which building is also partly or fully occupied by tenants.~~

(b) the building which is upto 50 years old and declared unfit for human habitation by the appropriate authority, and when tenants demand, and are assured of equivalent amount of renewed space, post construction.

Explanation – for the purpose of this sub – clause, the appropriate authority shall be such as may be decided by the State Government.

(3) Every application for availing relaxation under sub-rule (1) has to be accompanied with documentary evidence of the tenants of the existing building signifying their consent to the demolition thereof:

(4) All applications for relaxation of Building Rules made under this rule have to be approved by the Municipal

Building Committee and its recommendations accepted by the Mayor-in-Council.

(5) The provisions of this rule will also apply to cases where more than one plot-owner applies after all such plots being amalgamated and mutated as per law.

(6) All other rules shall apply, *mutatis mutandis*.

143. Maintenance of Buildings

For all buildings older then 40 years, the owner of the building shall have to get the building inspected by a Structural Engineer within a year from the date of coming into force of these rules or within a year of the building becoming more than 40 years old if the building is not more than 40 years old at the time of commencement of these rules. The structural inspection report shall be furnished, by the owner to the Municipal Commissioner or to such officer and within such time as he may direct in this behalf, by public notice. Such report shall be valid for such period as may be fixed by the Municipal Commissioner and fresh report shall have to be obtained on its expiry. If any action for ensuring the structural safety and stability of the building is to be taken, as recommended by such Structural Engineer, the same shall be completed within such period as may be specified by him after giving notice to the Municipal Commissioner.

144. Rain Water Harvesting and Tree Cover

(1) Rain, Water Harvesting (RWH)

RWH system shall form a part of the building and shall have to be included in the plan, either for direct use of the rain water or for ground water recharging or both, in case of-

(i) new building or buildings or any housing complex as per Environmental Impact Assessment Guideline issued by the State Government/Government of India;

(ii) expansion of any existing building or buildings or housing complex, as per Environmental Impact Assessment Guidelines Issued by the State Government/Govt. of India.

This system shall comply with Central and State statutory requirements laid down in the relevant Acts and bye-Laws.

(2) Tree Cover

Provision for tree cover should be included in the plan for building sites -

(i) for any project covering a total floor area of 6000 sq. m or more, the applicant should arrange for raising and maintenance of tree cover at his own cost which should be at least 15% of the land area within the premises.

(ii) for any other project, having lesser total floor area, the tree cover should be reduced proportionately in the perspective of (i) above.

The applicant shall arrange to raise and maintain the plantation at his own cost and submit such programme to the Commissioner before the plan is approved.

145. Waste water recycling

Waste water recycling system shall be incorporated in all buildings including group housing as per Environmental Impact Assessment Guidelines Issued by the State Government/Govt. of India.

146. Provisions for physically handicapped or disabled persons

Notwithstanding anything contained elsewhere in these rules, there shall be provisions in all building plans of public utility buildings for disabled friendly devices like ramps with railing, toilet and drinking water facilities. Braille or auditory signals shall be provided in all lifts in accordance with the provisions of signage guideline laid down in National Building Code.

147. Provision for use of solar energy

Provision for use of solar energy in the form of solar heater and/or solar photo cells shall be included in building plans in case of any new building whose height is to exceed 15.5 m or expansion of any existing building if its height is to exceed 15.5 m.

Provided that use of solar water heater and solar power generation shall be mandatory as per government norms.

FORMS AND SCHEDULES
THE KOLKATA MUNICIPAL CORPORATION
FOR BUILDINGS
SCHEDULE I
[See rule 4(2)]

Notice for erection / re-erection / addition to or alteration of a building

From (name and address of the applicant)

Name : ……..

Address : ……..

..……..

Phone No. Fax No. Email

Date:

To

Municipal Commissioner,

The Kolkata Municipal Corporation.

Subject: Notice for erection / re-erection / addition to or alteration
Under section 393, 394 of Kolkata Municipal Corporation Act 1980 (strike out which is not applicable)

Sir,

I / We hereby give notice under the section specified above and intend to undertake the work as specified above under rule 4 of The Kolkata Municipal Corporation Building Rules, 2009. I/ We hereby request you to grant us necessary Building Permit under rule 15 of the Kolkata Municipal Corporation Building Rules, 2009.

In support of this notice, I / We wish to make the following statements: -

1. Assessee No.: …….. Borough No.: ……. Ward No.: …….

2. Premises No.: ……...……

3. (i) Name of Owner(s):

   (a) Phone No.: ……...……...……

   (b) Address: ……...…….……...

   (ii) Name of Applicant : ……..……

   Phone No.: ……..……...

   Address : ……..……..

   (iii) Right in which Applicant in applying: Owner/ …….. (any other right, please state and disclose proof)

4. Name of the Architect / L.B.S.:

   Class: ……..…….. No.: ……..…….. Phone No.: ……..…..…….. Fax: ….…….…….. Email: …….……...

   Address : ……..……..……...

5. (a) Name of Structural Engineer: ……..……..

Class: …….…….. No.: …….…….. Phone No.: ….…….…….. Fax: ….…….…….. Email: ……..…….....

Address : ……...……....

(b) Name of Geo. Tech. Eng.: ……..……...

Class: …….…….. No.: ……. Address : ……..…..

Phone No.: ….……...……...…. Fax: ….…….…….. Email: …….…….....

6. (1) (i) Area of land:

(a) As per title document (m^2) ……...……

(b) As per physical measurement (m^2) ……

(iii) Boundaries of site on North ……...……...

South ……..……...……...

East ……..

West ……

6. (2) Nature of land: Whether solid filled up tank or part tank? If tank specify the area, both solid/tank.

……...…….

7. (a) Proposed height of the building: ……..……

(b) No. of stories: …….……..

8. Width of means of access :-

(a) Kolkata Municipal Corporation/Physical road width as per observation of Chief Valuer and Surveyor Department / relevant Dept: ……...……

(b) Private road / common passage (as per Deed/Documents):

(c) Alignment (if any) of Kolkata Municipal Corporation / Kolkata Improvement Trust: ……...…… ..... (Prescribed/Proposed)

Width of alignment: ……...……..…… (m)

9. Premises falls within …….. Zone as per L.U.D.C.P. Provision.

10. Corner plot Yes/No

11. Junction distance (for assembly use only) ……..…… (m)

11A. Distance of site from flyover …….. (m)

12A. Principal occupancy: ……...

B. Other occupancy / occupancies (if any) ……..……...

13. Whether the premises is tenanted: ……..……. Yes/No

14. Whether the proposal involves construction on vacant land / additional block / or floor / by demolishing the existing structure: ……..……..

15. Height of the adjoining building / buildings:

North …….. (m) South ……..…….. (m) East ……..…….. (m) West …….. (m)

16. Depth of the building: …….. (m)

17. Existence of any door or windows next to boundary line within 0.6m : Yes/No

18. Total area of (i) Star cover: …….. (m^2) (ii) Lift Machine Room: …….. (m^2)

(iii) Roof Tank: …….. (m^2) (iv) Total Roof Area: …….. (m^2)

(v) Total Loft Area: …….. (m^2) (vi) Other Structures: …….. (m2)

19. Ground floor area: …….

20. Main characteristic details of building:

SI. No.	Items	Proposed Value	Permissible Value	Remarks
(a)	Height of the building (m)			
(b)	Front Open Space (N/S/E/W)			
(c)	Rear Open Space (N/S/W/W)			
(d)	Side Open Space (N/S/W/W)			
(e)	Side Open Space (N/S/W/W)			
(f)	Joint Open Space	(N/S/W/W) (N/S/W/W) (N/S/W/W) (N/S/W/W)		
(g)	Interior Open Space: (i) Inner court yard: (ii) Outer court yard:			
(h)	Ground coverage: (i) Area sq. m. (ii) Percentage			
(i)	Floor area ratio (FAR)			
(j)	Total covered area in all floors sq. m.			
(k)	Service area in ground floor sq. m.			
(l)	Basement area sq. m.			
(m)	Mezzanine floor sq. m.			
(n)	Internal Road (i) Width (ii) Length			
(0)	Stair case (i) Number (ii) Minimum width or each flight (m) (iii) Area of staircase including landing in each floor			

(p) Escalator (i) Number

(ii) Size

(q) Lift (i) Number

(ii) Size

(iii) Ht. of the Lift Machine Room

(iv) Size of the Lift Machine Room

(v) Area of Lift Machine Room with lift Landing Lobby in each floor.

(r) Addition & Alteration work (Strike out if not applicable)

		Area (sq. m.)	Parking Reqd,	Parking Provided
(i)	Existing floor area			
(ii)	Proposed floor area			
(iii)	Total floor area			

(s) Width of ramp/ slope of ramp/ area of ramp

(t) Width of driveway : ……...

(u) Ventilation shaft.

(i) Area (sq. m.): ……..……..……

(ii) Minimum Width (sq. m.): ……..……..……..

(iii) Service door provided in shaft: Yes/No.

(v)	Parking Space as per rule 77 and rule 78	Required No. of Car Parking	Parking Provided Open	Covered
		Required No. of Bus/ Truck Parking	Open	Covered

(w) Occupancy or Use Group

(i) Residential

(a) Single Tenement: Area

Area ……(sq. m.)

(b) Multiple Tenement:

Area ……(sq. m.)

Total =

(ii) Other uses: ?

Type	Area	% Coverage	Proposed	Permissible	Remarks
(a)	Educational				
(b)	Institutional				
(a)	Assembly				
(b)	Mercantile (retail)				
(c)	Storage				
(d)	Industrial				
(e)	Business				
(f)	Any other use				

20. Proof of ownership (whether by Deed of Conveyance/Gift/Lease/Record of Rights (Parcha)/Partition/ Exchange/ Will (duly probated)/other documents and mutation certificate issued by (KC) : Please give particulars.

21. (a). In case where applicant is Govt. body or KIT, KMDA etc. to whom the land was given by LA Collector: Please give allotment and possession letter along with site plan, land area and boundary.

22. Proof of boundary through:

a) Deed Plan : Yes/No

b) Registered boundary declaration : Yes/No

c) Assessment Report (Assessment Book Copy) : Yes/No

24. Gift of land to the KMC by throwing of land to common passage/KMC Road : Yes/No (for widening of road/ splaying of corner)

25. In support of our application we are enclosing herewith following documents :-

Premises No. _____

	Description	Submitted (Yes/No/NA)	Reference	Date
i)	Three sets of plan			
ii)	Application form/notice			
iii)	a. Current paid up Tax Receipt			
	b. Assessment Book Copy			
iv)	Tax Clearance Certificate			
v)	Observation from KIT			
vi)	Observation from Chief valuer and Surveyors Dept. KMC			
vii)	Clearance certificate/application copy from ULC Dept.			
viii)	Observation of WBFS Deptt.			
ix)	Indemnity Bond			
x)	Copy of Deed and plan			
xi)	Registered boundary declaration			
xii)	Registered deed of gift/certified copy with original registration receipt, gift of land for splayed portion as required under section 405			

	Description	Submitted (Yes/No/NA)	Reference	Date
xiii)	Registered declaration of throwing in case of side and back strip of land (but in case of front strip of land registered deed of gift only)			
xiv)	Registered undertaking for common passage under section 364/ 365 with original receipt of registration			
xv)	Registered declaration for transfer of land due to alignment in force			
xvi)	Registered Power of Attorney			
xvii)	Appeal for Conditional Section			
xviii)	Legality of existing structure			
xix)	FAR Calculation Sheet			
xx)	Soil Investigation Report			
xxi)	Structural Design Calculation			
xxii)	General Undertaking			

Signature of Owner

Signature of Architect / LBS

Structural Engineer

Geo Technical Engineer

Sub Assistant Engineer Assistant Engineer (C) Executive Engineer (C)

SCHEDULE II
[See rule 4(6)(b)]

FORM OF DECLARATION

From: ……
……
……
(Name and Address of the applicant)

Dated ……..
Office Ref. No and date,
If any ……

To
Municipal Commissioner
The Kolkata Municipal Corporation,
Kolkata

Subject: Declaration under sub-rule (6) of rule 4.

Premises No. and Building Particulars:

Street ……..

Ward No …….

Borough No ……

Sir,

I / We hereby declare that while executing the works mentioned by me/us in the notice given under sub-rule (1) of rule 4 of The Kolkata Municipal Corporation Building Rules, 2009. I / we shall comply with the requirements of section 416 of The Kolkata Municipal Corporation Act, 1980.

Yours faithfully.

Signature of the
Applicant (s)

SCHEDULE III
[See rule 4(10)]

COMPOSITE DECLARATION

To
Municipal Commissioner
The Kolkata Municipal Corporation
Kolkata

Ref: Premises No .....

Sir,

I / We have submitted an application for erection /re-erection /addition to / alteration of building/s at the above premises under sections 393/394 of The Kolkata Municipal Corporation Act, 1980. In connection with the said application, I/We do hereby declare -

1. That the work of erection, re-erection or addition or alteration will be supervised by an Architect or Licensed Building Surveyor, a Structural Engineer, a Geo Technical Engineer as required under the rules of The Kolkata Municipal Corporation.
2. That the works relating to water supply, drainage and sewerage shall be supervised by a licensed plumber,
3. That there are no arrear dues payables to The Kolkata. Municipal Corporation in respect of the said premises.
4. That necessary observation under section 63 of the Kolkata Improvement Act. 1911 has been obtained,
5. That the soil of the said premises is fit to be built upon from engineering point of view and a copy of the soil test report submitted by Geo Technical Engineer referred to in sub-rule (1) of rule 53 is annexed hereto.
6. That I/we shall plant trees or saplings as per Corporation's guidelines in the front and other open spaces of the premises.

Yours faithfully,

Signature of the Applicant(s)

SCHEDULE IV
[See rule 4(11)]

GENERAL UNDERTAKING

Ref: Premises No. .....

I/We have submitted an application for erection / re-erection / addition to / alteration of building/s at the above premises under sub-clause 393/394 of Kolkata Municipal Corporation Act, 1980. In connection with the said application, I / We do hereby undertake -

(1) That no building material shall be deposited in any street except with the prior written permission of the Municipal Commissioner and on deposit of fees for stacking materials as per demand raised by the Corporation and the same will be stacked only at a place as may be directed by the Corporation,

(2) That by virtue of the proposed sanction, we shall not have any automatic right of use as proposed in the plan nor the proposed sanction will have any other overriding affect on other laws or statutes in force and in case any other permission, licence or sanction is required under any relevant law or statute, the same will be obtained by me/us prior to use of the proposed building/portion of the building. Further the Municipal Authority may revoke the sanction plan and cancel any Completion Certificate, in case we fail to obtain the relevant permission, licence or sanction as may be applicable,

(3) That I / We shall take filtered water supply connection from The Kolkata Municipal Corporation before construction of the building and after obtaining sanction from the Water Supply Department. 1/ We further undertake that I/we shall not install any power driven, deep tube well and / or hand driven shallow tube well. If 1/ we do not get filtered water supply connection from The Kolkata Municipal Corporation, I/ we shall make separate application to Water Supply Department for construction / regular connection either through tube well or through Corporation surface water supply,

(4) That I/we shall abide by all observations and recommendations made or from time to time as may be made by Departments of The Kolkata Municipal Corporation for the proposed construction,

(5) That I/we shall abide by all provisions and relevant Rules and Regulations and The Kolkata Municipal Corporation Act, 1980 during course of the works to be undertaken by us as mentioned in our application.

IN WITNESS WHEREOF I / We sign this undertaking on the ……..day of ……..20….

Witness:

1.

2.

(Executants)

SCHEDULE V
[See rule 4(12)]

INDEMNITY

THIS INDEMNITY BOND is executed by Shri ……... son of ..... residing at Premises No ..... (hereinafter called "the Obligors") in favour of The Kolkata Municipal Corporation.

WHEREAS I /We have submitted to The Kolkata Municipal Corporation (hereinafter referred to as "the Corporation") building plans with provisions for deep foundation works, piling works, construction of basement and underground construction including superstructure;

AND WHEREAS I / We have represented to the Corporation that if sanction is granted for the Construction for the aforesaid works, I/we shall indemnify the Corporation for any loss or damage at the time of execution of the said works or at any time thereafter;

AND WHEREAS I / We undertake that all precautionary measures shall be undertaken by me/us and no excavation shall be carried out beyond the boundaries of the plot and any damage occuring during the execution of the works or due to excavation made at site to the municipal services or public utility services or properties /other third person /properties shall he made good by me/us;

AND WHEREAS I / We further undertake and agree to indemnity the Corporation to the full extent of any claim put up against the Corporation either by way of damage, compensation or in any other way in case the Corporation is required to pay any amount to any person or owner or owners of the adjoining properties;

AND WHEREAS I / We further hereby indemnify the Corporation for non-compliance of any of the conditions imposed for the sanction and/or any provisions of The Kolkata Municipal Corporation Act and the Building Rules and 1/ we shall remain responsible for the damages which the Corporation may suffer because of such non-compliance;

AND WHEREAS I / We further undertake and agree to indemnify the Corporation of all costs and expenses to which the Corporation is put to or suffer in order to defend any action in this regard in any Court of law.

AND WHEREAS I / We further undertake and agree to indemnify the Corporation in respect of all actions, suits, proceedings, claims or damages from any third party arising out of the acts or omissions of me/us.

IN WITNESS WHEREOF the obligors abovementioned have signed this Deed of Indemnity on the ..... day of ……20 ……

Witness:

1.

2.

(Executants)

SCHEDULE VI
[See rule 13]

FORM OF BUILDING PERMIT

From: Municipal Commissioner
The Kolkata Municipal Corporation
Kolkata

Dated ……..…….
Office Ref. No and
date, if any : …….……...

To ……..
(Name and Address of the applicant)

Subject: Issue of sanction/provisional sanction of erection / re-erection / addition to or alteration of, the building and issue of Building Permit under rule 13

Building Particulars:
Premises No. and Street ……..……
Ward No. …….……....
Borough No. ……..……..

Sir,

With reference to your application dated the …….…… for the sanction / provisional sanction under sections 393 / 394 / 396(3) of The Kolkata Municipal Corporation Act. 1980, for erection / re-erection / addition to or alteration of, the building on premises No. …….……, Street: ……..……...……, Ward No.:……. Borough: ……..…….. this Building Permit is hereby granted subject to the following conditions, namely: -

(1) The Building Permit No ……..……...…… dated the ……..…..…..……. is valid up to the ……..day of ……..……(month) ……..…….. (year) ……..

(2) The Building Permit No ……..…..…..dated the ……..…..…….is valid for ……..……occupancy/ use-group.

(3) The following restrictions/special conditions under section 405(b)/(c) of the Kolkata Municipal Corporation Act, 1980 must be noted and observed, subject to all of which this permit is being issued:

(a)

(b)

(c)

(d)

4 The following conditions regarding use of inflammable materials must be noted and observed, subject to all of which this permit is being issued:

(a)

(b)

(c)

(d)

5. The following further conditions must be noted and observed, subject to all of which this permit is being issued:-

(a)

(b)

(c)

(d)

6. The building/work for which this Building Permit is issued has to be completed within ……..……

7. The construction will be undertaken as per sanctioned plan only and no deviation from The Kolkata Municipal Corporation Building Rules, 2009 will be permitted. Any deviation from the rules in the construction/work is liable to be demolished and the supervising Architect/Licensed Building Surveyor/other technical personnel engaged for the job will run the risk of having his license cancelled.

8. One set of the plans and specifications submitted along with the notice under sub-rule (i) of rule 4 duly countersigned is returned herewith.

Yours faithfully,

Municipal Commissioner
(Signature and designation of the officer to whom powers have been delegated)

Annexure:

Office No ……...

Official Stamp ……

Dated ……...

SCHEDULE VII
[See rule 13]

FORM OF COMMUNICATION OF REFUSAL OF SANCTION

From: Municipal Commissioner,
The Kolkata Municipal Corporation,
Kolkata.

Dated ……..…….
Office Ref. No and
date, if any : ……...……...

To …….……..
(Name and Address of the applicant)

Subject: Communication of refusal of sanction under rule 13
of the Kolkata Municipal Corporation Building Rules 2009

Building Particulars:

Premises No. and Street ……..…… …

Ward No. : ……

Borough No. ……

Sir,

With reference to your application dated the …….. for sanction / provisional sanction under sections 393 / 394 / 396(3) of the Kolkata Municipal Corporation Act, 1980, for erection / re-erection / addition to or alteration of, the building on plot No ……. (Number, Street, Address, Ward No & Borough No.), this is to inform you that the sanction/provisional sanction has been refused under rule I3(1)(b) of the Kolkata Municipal Corporation Building Rules, 2009. The ground / grounds on which the sanction has been refused are annexed herewith.

Yours faithfully,

Municipal Commissioner
(Signature and designation of
officer to whom powers have been
delegated)

Enclo: As above

SCHEDULE VIII
[See rule 16(1)]

GROUNDS FOR REFUSAL OF SANCTION/PROVISIONAL SANCTION

From: Municipal Commissioner,
The Kolkata Municipal Corporation,
Kolkata.

Dated ……..…….
Office Ref. No and
date, if any : ……..…..

Subject: Refusal of sanction / provisional sanction erection / re-erection / addition to or alteration of building

Building Particulars:

Premises No. and Street ……..……

Ward No. : ……

Borough No. ……

Sanction / provisional sanction has been refused under rule 16(1) of the Kolkata Municipal Corporation Building Rules, 2009. The ground / grounds on which the sanction has been refused are annexed herewith.

(1)

(2)

(3)

(4)

(5)

Office No ……...

Official Stamp ……

Dated the …….

…….……
Municipal Commissioner
(Signature and designation of the officer to whom powers have been delegated)

SCHEDULE IX
[See rule 22]
FORM OF NOTICE OF COMMENCEMENT

From: ……..……
……..……
(Name and Address of the applicant)

Dated …….
Office Ref No, and
date, if any : ……...

To
Municipal Commissioner
The Kolkata Municipal Corporation, Kolkata

Subject: Notice of commencement under rule 22 of the Kolkata Municipal Corporation Building Rules, 2009 as per Building Permit No …….dated the……

Building Particulars:

Premises No. and Street ……

Ward No. …….

Borough No. …….

Sir,

I / We hereby give notice that the erection, re-erection of/addition to/alteration of the building on premises No. ..... Street: ……..……. Ward: ……. Borough: ……. will be commenced on ..... (date) as per Building Permit No ……..…….. dated ……..…., granted by you, under the supervision of …… Architect/Licensed Building Surveyor, Licence No ……, Class ..... and ……..…… (give names of other technical personnel appointed as required under the rules) and in accordance with the plans and specifications sanctioned.

Yours faithfully,

……..……
Signature of the Applicant (s)

Countersigned

.....
(Signature, name, address of the Architect/Licensed Building Surveyor/other technical personnel)

SCHEDULE X
[See rule 24(1)]
FORM OF NOTICE OF COMPLETION OF WORK UP TO PLINTH LEVEL

From: ……..……
……..……
(Name and Address of the applicant)

Dated ……..…….
Office Ref No, and
date, if any : ……...

To

Municipal Commissioner,
The Kolkata Municipal Corporation, Kolkata

Subject: Notice of completion of work up to the plinth level under sub-rule (1) of rule 24 of the Kolkata Municipal Corporation Building Rules, 2009

Building Particulars:

Premises No. and Street: ……

Ward No. ……....

Borough No. ……..

Sir,

I/We hereby inform you that construction upto the plinth level of No. ……..…...Street ……..…..……, Ward ……. Borough No ……. for which Building Permit No ……dated the ..... was issued, has been completed in accordance with the sanctioned plan.

The work may be inspected in pursuance of the provisions of the sub-rule (2) of rule 24 of the Kolkata Municipal Corporation Building Rules, 2009.

Yours faithfully,

……..……
Signature of the Applicant (s)

Countersigned

.....
(Signature, name, address of the Architect/Licensed Building Surveyor/other technical personnel)

SCHEDULE XI

[See Rule 25(1)]

FORM OF NOTICE OF INSPECTION OT DRAINS AND APPLIANCES CONNECTED WITH DRAINAGE

From: ……..……
……..……
(Name and Address of the applicant)

Dated ……...…….
Office Ref No, and
date, if any : ……...

To

Municipal Commissioner,
The Kolkata Municipal Corporation, Kolkata

Subject: Inspection of drains and appliancesvconnected with drainage under rule 25(1) of the Kolkata Municipal Corporation Buildings Rules, 2009.

Building Particulars:

Premises No. and Street _____

Ward No. _____

Borough No. _____

Sir,

I/ We hereby give notice of my intention to cover up drainage/ appliances connected with ……...……..… on ……...…… (date) at ……..(time) at premises No: ……..… Street: ……. Ward No: …….**.....** Borough : …….. and request for inspection of the same.

The work was sanctioned vide Building Permit No ……dated ……...

Yours faithfully,

……
…….……
Signature of the Applicant (s)

Certified that the drainage work in the above premises has executed under my supervision and the work is in accordance with the sanction plan and conforms to the provisions of the Kolkata Municipal Corporation Building Rules, 2009 and The Kolkata Municipal Corporation^ Water Supply, Sewerage and Drainage) Regulations, 1984.

……
Signature of the, Licensed Plumber

……
(Name and Address of the Licensed Plumber) (License No. ……)

SCHEDULE XII

[See Rule 27 (1)]

FORM OF NOTICE OF COMPLETION

From: ……
……..……..……
(Name and Address of the applicant)

Dated …….
Office Ref. No and date,
If any ……...

To

Municipal Commissioner
The Kolkata Municipal Corporation, Kolkata.

Subject: Notice of completion under rule 27(1), of the Kolkata Municipal Corporation Building Rules, 2009.

Building Particulars:

Premises No. and Street : _____

Ward No. _____

Borough No. _____

Sir,

1 / We hereby give notice that the erection/ re-erection/addition to/alteration of the building on premises No……..……. Street: ……. Ward No: …… Borough No ……..…… has been completed according to the plans sanctioned vide Building Permit No ……. dated ……...

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

.....
(Signature of the Architect/Licensed Building Surveyor/other technical personnel)
.....
(Name, address and License No. of the Architect/Licensed Building Surveyor/ other technical personnel)

Enclosure:

NOTES:

(1) Three sets of the building plans marked as 'Completion Plans' signed by the applicant and the Architect/ Licensed Building Surveyor, one set of which is cloth bound (clearly stating the occupancy and use-group for which the building or the work has been sanctioned).

(2) Structural Stability Certificate signed by Structural Engineer countersigned by the Architect/Licensed Building Surveyor as per form, below.

(3) Fire Safety Certificate issued under the West Bengal Fire Services Act, 1950 and the rules made thereunder.

(4) Certificate under clause (a) of sub-rule (3) of rule 27.

(5) Certificate from Municipal Commissioner under clause (b) of sub-rule (3) of rule 27.

(6) Certificate from electric supply undertaking under clause (c) of sub-rule (3) of rule 27.

(7) A certificate pertaining to lift installation, if any.

(8) Other certificates (mention the nature of other certificates).

Note: Enclose items which are necessary.

Form of the Structural Stability Certificate

"We hereby certify that the erection/re-erection /addition to /alteration of building on premises No: …..**.....**…….. Street: …….. Ward No: …… Borough: …….. has been supervised by me and has been completed wholly/in part on ……..…….. (date) according to the plans sanctioned vide Buil ding Permit No ……. 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. No provisions of the Kolkata Municipal Corporation Act, 1980 and the Kolkata Municipal Corporation Building Rules, 2009 have been violated in course of the work. The building is structurally safe and fit for use for which it has been erected/re-erected/altered/added to."

……..
(Signature of the Architect /
Licensed Building Surveyor)

……
Signature of the Structural Engineer
(Name, address and empanelment number
of the Structural Engineer.)

……
(Name, address and License No. of the
Architect/ Licensed Building Surveyor)

SCHEDULE XIII

[See rules 28(2), 29]

FORM OF COMPLETION CERTIFICATE

From: The Municipal Commissioner,
The Kolkata Municipal Corporation,
Kolkata.

Dated ……
Office Ref No, and
date, if any ……...

To ……..……
……..
(Name and Address of the applicant)

Subject: Grant of Occupancy Certificate under sufy-rule (2) of rule 27 the Kolkata Corporation Building

Building Particulars:
Premises No. and Street ……
Ward No …….
Borough No ……

Sir,

With reference to your notice dated the ……, I hereby certify that the building as per description below on premises No…… Street ……..…….. Ward No: …….. Borough: ..... dated has been inspected with reference to planning parameters given in Chapter VIII to Chapter XVI of the Kolkata Municipal Corporation Building Rules, 2009. On the basis of the same, the representation contained in your aforesaid notice and the Structural Stability Certificate and other certificates furnished by you, this building is certified to have been completed as per sanction.

Description of Construction, use and conditions, if any: …….

One set of building plans with endorsement "Approval Completion Plan" is returned herewith (where required).

Yours-faithfully,

Municipal Commissioner /
(Signature and designation of the officer
to whom powers have been delegated)

SCHEDULE XIV

STRUCTURAL INSPECTION REPORT

(This Form has to be completed by empanelled Structural Engineer after his site inspection and verification regarding compliance of all recommendation by the owner, which in the opinion of the registered Structural Engineer are necessary for safety of the structure)

I. Description by title and location of the property including premises no. etc.:

II. Name of the present owner:

III Description of the structure:
Class I or Class II (Briefly describe the property in general and the structure in particular)

(a) Function (b) Framed construction

	Residence (With or without shops)	Apartments (With or without shops)	Office Bldg.	Shopping Centre	School/ College	Hostel	Audi torium	Factory
	1.	2	3	4	5	6	7	8
A. Load bearing / masonry wall construction								
B. Framed structure								
Construction and Structural materials	Critical load bearing element	Brick	RCC	Stone	Timber	Steel		
	Roof Floor	RCC	Timber	RBC	Steel	Jack-arch		

SCHEDULE XV
[See rule 7(3)]

Reinforced concrete framed buildings

Sl. No.	Description	Information	Notes
1.	**Type of Building** • Regular frames • Regular frames with Shear walls • Irregular frames • Irregular frames • Irregular frames with shear walls • Soft storey		IS 1893 Cl. 7.1
2.	**Number of basements**		
3.	**Number of floors including ground floor**		
4.	**Horizontal floor system** • Beams and slabs • Waffles • Ribbed Floor • Flat slab with drops • Flat plate without drops		
5.	**Soil data** • Type of soil • Recommended type of foundation - Independent footings - Raft - Piles • Recommended bearing capacity of soil • Recommended, type, length, diameter and load capacity of piles • Depth of water table • Chemical analysis of ground water • Chemical analysis of soil		IS 1498
6.	**Foundations** • Depth below ground level • Type * Independent * Interconnected * Raft * Piles		

7.	**System of interconnecting foundations** • Plinth beams • Foundation beams		IS: 1893C1.7.12.1
SI. No.	Description	Information	Notes
8.	**Grades of concrete used in different parts of building**		
9.	**Method of analysis used**		
10.	**Computer software used**		
11.	**Torsion included**		
12.	**Base shear** a. Based on approximate fundamental period b. Based on dynamic analysis c. Ratio of a/b		IS: 1893 Cl. 7.5.3
13.	Distribution of seismic forces along the height of the building		IS: 1893 Cl. 7.7 (Provide sketch)
14.	The Column of soft ground storey specially designed		IS: 1893 Cl. 7.10
15.	**Clear minimum cover provided in** • Footing • Column • Beams • Slabs • Walls		IS: 456 Cl. 26.4
16.	Ductile detailing of RC frame		
	• Type of reinforcement used		
	• Minimum dimension of beams		IS: 456 Cl. 5.6
	• Minimum dimension of columns		IS: 13920 Cl. 6.1
	• Minimum percentage of reinforcement of beams at any cross section		IS: 13920 Cl. 7.1.2 IS: 456 Cl. 26.5. 1. l.(a)
	• Maximum percentage of reinforcement at any section of beam		IS: 13920 Cl. 6.2.1. IS: 456 Cl. 26.5.1.1.(b)
	• Spacing of transverse reinforcement in 2-d, length Qf beams near the ends		IS: 13920 Cl. 6.2.2. IS: 13920 Cl. 6.3.5.
	• Ratio of capacity of beams in shear to capacity of beams in flexure		
	• Maximum percentage of reinforcement in column		
	• Confining stirrups near ends of columns and in beam-column joints a) Diameter b) Spacing		IS: 456 Cl. 26.5.3.1.
	* Ratio of shear capacity of columns to maximum seismic shear in the storey		IS: 13920 Cl. 7.4

General Notes

1. A certificate to the effect that this report will be completed and submitted with the application for Building Development Permission.

2. In addition to the completed report following additional information shall be submitted, at the latest, one month before commencement of Construction.

2.1 Foundations

2.1.1. In case raft foundation has been adopted indicate K. value used for analysis of the raft

2.1.2 In case pile foundations have been used give full particulars of the piles, type, dia, length, capacity.

2.1.3. In case of high water table indicate system of countering water pressure, and indicate the existing water table, and that assumed to design foundations.

2.2 Idealization for Earthquake analysis

2.2.1 In case of a composite system of shear walls and rigid frames, give distribution of base shear in the two systems on the basis of analysis, and that used for design of each system.

2.2.2 Indicate the idealization of frames and shear walls adopted in the analysis with the help of sketches.

2.3 Submit framing plans of each floor.

2.4 In case of basements, indicate the system used to contain earth pressures.

Buildings in Structural Steel

1.	Adopted method of Design	o Simple o Semi-rigid o Rigid	IS: 800; Cl. 3.4.5 IS: 800; Cl. 3.4.5 IS: 800; CI 3.4.6.
2.	Design based on	o Elastic analysis o Plastic analysis	IS: 800; Section-9 SP: 6 (6)
3.	Floor Construction	o Composite o Non-composite o Boarded	
4.	Roof Construction	o Composite o Non-composite o Metal o Any other	
5.	Horizontal force resisting system adopted	o Frames o B raced frames o Frames & shear walls	Note: Seismic force as per IS : 1893 would depend on system.
6.	Slenderness ratios maintained	Members defined in Table 3.1, IS 800	IS: 800; CI. 3.7
7.	Member deflection limited to	Beams, Rafters Crane Girders Purlins Top of Columns	IS: 800; CI. 3.13

8.	Structural members	o Encases in concrete o Non encased	IS: 800: Section-l0
9.	Proposed material	o General weld-able o High strength o Cold formed o Tubular	IS:2062 IS: 8500 IS: 801,811 IS: 806
10.	Minimum metal thickness Specified for corrosion protection	o Hot rolled sections o Cold formed sections o Tubes	IS: 800, CI. 3.8 Cl. 3.8.1 toCI.3.8.4. Cl. 3.8.5 Cl. 3.8.5.
11.	Structural connections	o Rivets o C T Bolts o S H F G Bolts o Black Bolts o Welding Field Shop (specify welding type proposed) o Composite	IS: 800; Section-8 IS: 1929, 2155, 1149 IS 6639, 1367 IS: 3757, 4000 IS: 1363, 1367 IS: 816, 814, 1395, 7280 3613, 6419, 6560, 813, 9595
12.	Minimum fire rating proposed, with method	o Rating ……. hours o Method proposed in tumescent Painting Spraying Quilting Fire retardant Boarding	IS: 1641, 1642 & 1643

As per proposed amendment in Town and Country Planning Legislation Regulations for Land Use Zoning, Additional Provisions in Development Octroi Regulations for Safety & Additional Provisions in Building Regulations / Byelaws for Structural Safety - in Natural Hazard Zones of India.

By order of the Governor,

K. C. Mondal,
Special Secy. to the Govt. of West Bengal.

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