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

GOVERNMENT OF WEST BENGAL

Housing Department

New Secretariat Buildings,

1, K. S. Roy Road, Kolkata-700 001.

NOTIFICATION

No. 23(GN)-H2/NT-11/2009 Dated, Kolkata, the 24th Sept., 2010.— In exercise of the powers conferred by section 159 read with section 65 of the New Town Kolkata Development Authority Act, 2007 (West Ben. XXX of 2007) (hereinafter referred to as the said Act), the Governor is pleased hereby to make, after previous publication as required under sub-section (1) of section 159 of the said Act, the following amendments in the New Town, Kolkata (Buildings) Rules, 2009 (hereinafter referred to as the said rules) :—

Amendments

In the said rules:—

(1). in rule 5 —

(a) after clause (c) of sub-rule (2), the following shall be *inserted*:-

“ (d) The Development Authority may allow the proposal for re-sanction of building plan, if it considers fit, on payment of such fees applicable under these rules, and plan sanction fee paid earlier shall be deducted subject to condition that there will be no refund of fees in any case”;

(b) in item (III) of sub-rule 6 for the word and figure “Rupees 15/-” the word and figure “Rupees 20/-”, shall be *substituted*;

(2). in rule 17—

(a) in clause (vi) of sub-rule (2) for the words “Public Health Engineer” wherever they occur, the words “Public Health Engineer or Environmental Engineer” shall be *substituted*;

- (b) in item (a) of clause (vi) of sub-rule (2) for the words "Public Health Engineering", the words "Public Health Engineering or Environmental Engineering" shall be *substituted*;
- (c) in item (a) of clause (vi) of sub-rule (2) the words "with specialization in Public Health Engineering" shall be *omitted*;
- (3). In rule 20—
- (a) in Note (b) of sub-rule (1), after the words "another appurtenant structure", *insert* the words "To be exempted only for Over Head Water Tank";
- (b) in Table III, in row 2, for the figure "13" *substitute* the figure "20" and for the figure "1.50" *substitute* the figure "2.00";
- (c) in Table III, row 3 shall be *omitted*;
- (4). in rule 21—
- (a) for clause (a) of note (2), the following shall be *substituted* :-
- "stair well area, the stair case with landing up to the extent of the width of the stairway in each floor";
- (b) In clause (c) of note (2) for the bracket words and figure "(maximum 75 mm)", *substitute* the words and figure "upto 300 mm. The length of chajja in such cases should be restricted to the width of the opening plus 100 mm on either side of the opening. Vertical projection (if any) in such cases will be restricted to 75 mm";
- (5). in note (a) of sub-rule (7) of rule 22, after the word "adjoining plots" *insert* the words "No two narrow sides shall be adjacent";
- (6). In rule 23—
- (a) In clause (a) of sub-rule (1) for the words and figures "The minimum width of such driveway shall be 5.5m" *substitute* the words and figures "The minimum width of such driveway shall be 5.0 m";
- (b) in Note of sub-rule (2), for the word "Exact", *substitute the word* "Actual";
- (c) after sub-rule (2), the following sub-rules shall be *inserted* :-
- "(3) The Development Authority may change the ratio of usage pattern of Car, LCV and Buses keeping the total area of parking spaces as mentioned in column 2 of Table-X of sub rule (2);
- (4) There may be provisions of mechanized multilayer parking facility in plots where there is difficulty in arranging parking space, even after constructing basement for car parking";
- (d) in item (i) sub-rule 2(B), after the words "for ground floor parking" *insert* the words " up to a maximum extent of";
- (e) in item (ii) sub-rule 2(B), after the words "for Basement and Upper floor or roof parking" *insert* the words "up to a maximum extent of " ;
- (f) in item(ii) Sub-rule 2(b), after the words "for Basement and Upper floor/roof parking" *insert* the words "up to a maximum extent of";
- (7). after rule 28, the following rule shall be *inserted* :—
- "28A. Exemption of sanction fees :** Building sanction fee may be exempted up to the extent of 5% of sanction fee for any philanthropic institution, whose activities are concerned with research and development or erecting building exclusively for welfare or charitable purpose only and no profit is incurred. The amount will be reimbursed after three years from the date of occupancy on satisfactory operation of work. The audit report to that effect shall be submitted by the owner of land";

(8). in rule 31 for the second proviso, *substitute* the following proviso :-

“Provided further that the height of compound walls for jails, electric sub-stations, transformer stations, sanatorium hospitals, workshops, factories, storage buildings, army institutions etc. shall be as per their own norms or subject to approval of the Development Authority”;

(9). in sub-rule(2) of rule 33, for the words and figure “the Architect shall be the Technical Person for submitting building plan and for erection of building in terms of rule 17” *substitute* the words “The concerned technical person shall have at least a Diploma in Architecture for Rehabilitation and Resettlement Plots”;

(10). after rule 33, the following rule shall be *inserted*:-

“34. Relaxation of rules :- Notwithstanding anything contained in these rules, the State Government may, in appropriate cases, relax, by order, any provision of these rules..

(11) in Schedule-III, in line 13 after the words and bracket “of the building (s) is”, *insert* the words “sanctioned or”.

By order of the Governor,

PARTHA PRAN DUTTA,
Secretary to the Government of West Bengal.

Note:- The principal rules were published in the Kolkata Gazette Extraordinary vide notification no. 952-H2/NT-11/2009 dated 10th August, 2009 and last amended vide Notification No. :-

1) 22(GN)-H2/NT-11/2009 dt. 26.08.2010.