

West Bengal Municipal (Building) Rules, 1996

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West Bengal Municipal (Building) Rules, 1996

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PART 1

Preliminary

1. Short title, application and commencement :-

- (1) These rules may be called the West Bengal Municipal Building Rules, 1996.
- (2) Except as otherwise provided in these rules, they shall apply to buildings in the municipal areas, notified areas and industrial townships in West Bengal.
- (3) They shall come into force on the date of their publication in the Official Gazette.

2. Definitions :-

(a) In these rules, unless the context otherwise requires

- (1) the "Act" means by West Bengal Municipal Act, 1993 (West Ben. Act XXII of 1993);
- (2) "addition to a building" means addition to the cubic content or to the floor area of a building;
- (3) "area", in relation to a building means the superficies of a horizontal section thereof made at the plinth level, inclusive of the external walls and such portion of the party-walls as belongs to the building;
- (4) "advertising sign" means any surface of a structure with characters, letters, illustrations or illuminations applied thereto and displayed in any manner whatsoever to public view for the purposes of advertising or giving information regarding, or for attracting the notice of the public to, any place, person, public performance, article or merchandise whatsoever, and which surface or structure is attached to, forms part of, or is connected with, any land or building, or is fixed to a wall, hoarding, frame, post, kiosk, tree, structure, ground or fence, or is displayed in space or on screen;
- (5) "air-conditioning" means the process of treating air so as to control simultaneously its temperature, humidity, cleanliness and distribution to meet the requirement of conditioned space;
- (5A) "alteration" means change from one occupancy to another, or a structural change, such as an addition to the area or height, or the removal of part of a building or any change to the structure, such as, the construction of, cutting into or removal of any wall, partition, column, beam, joist, floor or other support, or a change to the fixture or equipment]
- (6) "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;
- (7) "applicant" includes a duly authorised agent of the applicant;
- (8) "Architect" means a person who is registered as an Architect by the Council of Architecture under [the Architect Act, 1972 (20 of 1972). An Architect for the purpose of rule 17 or rule 160

shall mean an architect with two years experience]

(9) "basement or cellar" means the lower storey of a building partly or wholly below the ground level or the abutting road level, whichever is higher;

(9A) "building" means any structure for whatsoever purpose and of whatsoever materials constructed and every part thereof whether used as human habitation or not includes foundation, plinth, walls, floors, roofs, chimneys, plumbing and building services fixed platform, verandah, balcony, cornice or projection, part of a building or anything affixed thereto or any wall enclosing or intended to enclose any land or space (other than a boundary wall not exceeding permissible limits as specified in these rules) and signs and outdoor display structures. Tents, temporary hospitals (with other than temporary structures), sHamiana, tarpaulin shelters, etc., erected for temporary and ceremonial or festive occasions with the permission of the Authority shall not be considered as building

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

(11) "building services", in relation to a building, means lighting and ventilation, electrical installations, air-conditioning and heating, acoustics and sound insulation, installation of lifts and escalators, water supply, sewerage and drainage, gas supply, and telephone installations;

(12) chajja or cornice" means a sloping, horizontal or structural, overhung usually provided over openings on external walls to provide protection from the sun and rain;

(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 and the flue-pipe;

(14) "commencement of work", in relation to a building, means the actual commencement of a building foundation work or erection or re-erection or alteration, of a building [including] foundation, but does not include mere excavation of earth;

(15) "courtyard" means a space permanently open to the sky, enclosed fully or partially by building, whether or not at ground level or any other level within, or adjacent to, a building, or a courtyard enclosed on all sides (being an inner courtyard) or a courtyard where one of the sides is not enclosed (being an outer courtyard);

(16) "covered area" means the horizontal area covered by a building immediately above plinth level on any floor, but does not include the spaces exempted under these rules and the space covered by

(a) garden, boundary, well and well structure, plant nursery, water pool, swimming pool (if not covered), platform round a tree, tank, fountain or bench,

(b) drainage, culvert, conduit [, septic tank] and soak pit,

(c) compound wall and gate, and area covered by chajja;

(17) cul-de-sad means a public or private street or passage closed at one end with provision for turning of cars;

(18) "dangerous", in relation to 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, dangerous to human life;

(19A) "drain" includes the sewer, a house drain, a drain of any other description, a tunnel, a culvert, a ditch, a channel and any other device for carrying off sullage, sewage, offensive matter, polluted water, rain water or subsoil water

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

(20A) "dwelling unit" means an independent housing unit with separate living, cooking and sanitary facilities;

(20B) "engineer" means a person having a degree in Civil Engineering of a recognised University or Institute

(21) "floor means, unless otherwise specifically provided in the rules, the lower surface in a storey, after the finishing of which one normally walks in a building;

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

(23) "Floor Area Ratio" or F.A.R. ("being the abbreviation of the whole words "Floor Area Ratio") means the quotient obtained by dividing the total floor area of all the floors of a building by the area of the plot, the formula being as follows: Total floor area of all floors FAR. = Area of the plot

(24) "Form" means a form appended to these rules;

(25) "framed building" means a building where the dead load and superimposed loads are transferred to foundation through framed members with rigid joints, which may be of R.C.C., prestressed concrete steel, timber, or the like, such members at the transfer of loads being not only experienced with directional stresses but also bending stress and shear stresses as well;

(25A) geo-technical engineer shall mean an engineer having at least 2 years experience in soil and foundation engineering under similar soil/geo-technical/slop conditions

(26) "ground coverage" means the quotient obtained by dividing the area of the plot covered by the building at the ground level by the total area of the plot, expressed as a percentage as follows : The area of the plot covered by building Ground coverage =-----
-----x 100 Total area of the plot

Explanation. For the purpose of calculating the ground coverage, all projections and overhangs shall be included in the covered area excepting cornice, weather-shade or chajja of not more than 0.50 metre in width :

(27) "ground level" means the average level of the centre line of the street or passage to which the plot abuts;

(27A) "habitable room" means a room occupied or designed for occupancy by one or more persons for study, living, sleeping, eating, cooking, if it is used as a living room, but not including bath-rooms, water-closet, compartments, laundries, serving and storage pantries, corridors, cellars, attics and spaces that are not used frequently or during extended period

(28) "height of a building" shall mean vertical distance measured from the average level of the centre line of the adjoining street or passage on which the plot abuts to the highest point of the building, [in case of flat roofs and in the case of sloped roofs, the mid-point between the eave's level and the ridge] For hill areas, the vertical distance shall be measured from the lowest floor level instead of average ground level as applicable in case of plains

(28A) "Heritage Building" means any building of one or more premises or any part thereof, which requires preservation and conservation for historical, architectural, environmental or cultural purpose and includes such portion of the land adjoining such building or any part thereof as may be required for fencing or covering or otherwise preserving such building and also includes the areas and buildings requiring preservation and conservation for the purpose as aforesaid under sub-clause (ii') of clause (a) of sub-section (4) of section 31 of the West Bengal Town and Country (Planning and Development) Act, 1979 (West Ben. Act XIII of 1979)]

(29) "house" includes any hut, shop or warehouse;

(30) khatal" means a place where cattle are kept or maintained for the purpose of trade or business in cattle or business in milk;

(31) "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 0.60 metre, for being used only as storage space;

(32) "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;

(33) "means of access" means a public or private street or passage open to the sky, [as shown in the survey map or other records of the Municipality], and includes passage which may not be open to the sky in the case of partition of an existing building;

(34) "mezzanine floor" means an intermediate floor between any two floors;

(35) "open space" means an area, forming an integral part of the site, at the ground level open to the sky;

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

(37) "parking space" means an area enclosed or unenclosed covered or open, sufficient in size to park vehicles with a driveway connecting the parking space with a street or alley and permitting ingress and egress of vehicle;

(38) "partition wall" means an interior non-load-bearing wall of storey or part-storey height;

(38A) "Party wall" means one wall forming part of a building and used or constructed to be used for the supports and separation of adjoining buildings to different owners or constructed or adopted to be occupied by different persons]

(39) "passage" means a means of access which is not a private or public street and which provides access to not more than three plots, and includes footway and drains attached to the passage and also includes all lands up to the property line of the plots abutting the passage;

(40A) "Promoter" means a person who constructs or caused to be constructed a building on a plot of land for the purpose of transfer of such building by sale gift or otherwise to any other person or a company, co-operative society or association of persons, and includes

(a) his assignee, if any;

(b) the person who constructs, and the person who transfer by sale, gift or otherwise, the building, if the two are different persons;

(c) any Board, Company, Corporation, Firm or other association of persons, established by or under any law for the time being in force;

(40B) "Purchaser means any person who, enters into an agreement with the Promoter for the purchase of a dwelling unit;

(40C) "Registrar" means the Registrar as defined in the West Bengal Co-operative Societies Act, 1980

(41) "Salt Lake township" means the Salt Lake Township within the limits of the Bidhannagar Municipality, owned and developed by the Government of West Bengal;

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

(42A) "services" in relation to a building, means lighting and ventilation, electrical installations, air conditioning and heating, acoustics and sound insulation, installation of lifts and escalators, water supply, fire fighting, sewerage and drainage, gas supply and telephone installations;

(42B) "service rooms" means rooms and covered spaces meant primarily for purposes other than human habitation. Service rooms may be used for parking, air-conditioning plant room or room for the other machines used for any building service or for other purposes, space for a stand-by generator for power supply, storage space for house-hold or other goods of nonflammable nature, strong room of bank cellar, and dark room

(43) "set back line" means a line usually parallel with the centre line of the road or street, laid down by a competent authority beyond which nothing can be constructed towards the road;

(44) "shed" means a light or temporary structure for shade or shelter;

(45) "site" means the entire area covered by building with outhouses, and includes the land at the front or in the sides of, and pertaining to, such building and the land required by regulations to be left open;

(45A) "structural engineer shall mean an engineer with at least 5 years experience in structural designs;

(45B) to construct a building" with its grammatical variation means

(i) to construct a new building or

(ii) to re-construct a building, or

(iii) to convert a building or any part of a building not being a flat or block, into a flat or block

(46) "to erect a building" has the same meaning as in section 197

(47) "tenement" means an independent dwelling unit with a kitchen;

(48) "use group" or "occupancy" means the purpose for which a building or a part of a building is used or intended to be used]

Explanation. For the purpose of classification of a building according to occupancy, an occupancy shall be deemed to include subsidiary occupancies, which are contingent upon it. The occupancy classification shall include residential, educational, institutional, assembly, business, mercantile (retail), mercantile (wholesale), industrial, storage and hazardous occupancies. Principal occupancy shall be the occupancy of covering more than 50% of the floor area of the building. In case no single occupancy covers more than 50% of the floor area of a building, it shall be classified as a building of "mixed use or occupancy".

(a) "residential building", that is to say, any building in which sleeping accommodation is provided for normal residential purpose as the principal use with or without cooking facility and/or dining facility. Such building shall include one or two or multi-family dwellings, lodging or rooming houses hostels, dormitories, apartment houses and flats, with private garages;

(b) "educational building" that is to say, any building used for school, college, library or day-care purposes as principal use involving assembly for instruction education or recreation incidental to education;

(c) "institutional building", that is to say, any building or part thereof ordinarily providing sleeping accommodation for occupants and used principally 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 of aged persons and or penal or correctional detention in which the liberty of the inmates is restricted such building shall include hospitals, clinics, dispensaries, sanatoria, custodial institutions and penal institutions like jails, prisons, mental hospitals and reformatories;

(d) "assembly building", that is to say, any building or part thereof where groups of people congregate or gather for amusement or recreation or for social, religious, patriotic, civil, travel, sports, or similar other purposes as the principal use such building shall include theatres, motion picture houses, drive-in-theatres, city halls, town halls, auditoria, exhibition halls, museums, skating rings, gymnasiums, restaurants eating houses, bars, hotels, boarding houses, places of worship, dance halls, club rooms, gymkhanas, passenger stations and terminals of air, surface and other public transportation services, recreation places and stadiums;

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

(f) "mercantile building (retail) that is to say, any building or part thereof used principally as shops, stores or markets for display of merchandise for retail sale thereof or for office and storage of service facilities incidental thereto;

(g) "mercantile building (wholesale) that is to say, any building or part thereof used principally as shop, store or market for display or merchandise for sale thereof on wholesale basis or for office and storage or service facilities incidental thereto, and shall include establishment, 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 agencies);

(h) "industrial building", that is to say, any building or structure or part thereof used principally for fabrication, assembly and/or processing of goods and materials of different kinds such building shall include laboratories powerplants, smoke house, refineries, gas plants, mills, dairies, factories and workshops;

(i) "storage building", that is to say, any building or part thereof used principally for the storage or sheltering of goods, wares or merchandise as in warehouses; such building shall include cold storage, freight depots, transit sheds, store house, public garages, hangars silos and barns;

(j) "hazardous building", that is to say, any industrial or storage building or part thereof used principally 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 alkalies, acids or other liquids or chemicals producing flames, fumes, explosions or mixtures of dust or which result in the division of matter into fine particles subject to spontaneous ignition;

(k) "steel tower includes the steel tower, having an height of 15 metres or above made for the purpose of telecommunication or other purposes;

Explanation. Types of buildings not dealt with specifically under these rules shall be guided by the latest edition of the National Building Code of India and/or any other relevant Acts, Rules, Codes of Bureau of Indian Standards]

(49) "Width of a street" means the whole extent of space, including the foot-path, side drains etc., within the boundaries of the street as specified in the survey map or other records of a Municipality]

(b) Words and expressions used but not otherwise defined shall have the same meaning as in the Act.

3. Power to relax rules :-

Notwithstanding anything contained in these rules a Municipality or other concerned authorities may, for reasons to be recorded in writing and with the previous approval of the State Government, relax any provision of these rules for dealing with a case in a just and equitable manner.

PART 2 Building

4. Criteria of using a piece of land as a building site (Note: For hill municipalities, Rule 156 is to be referred to. :-

(1) No piece of land shall be used as a building site in Municipalities unless the Board of Councillors is satisfied that

(a) land record is in conformity with the proposed construction;

(b) the level of the land is not lower than the level of the crown of the nearest public street;

(c) the land is capable of being well-drained by means of drainage facilities leading to existing public drains or drainage channels

(d) the soil of the site is likely to sustain the construction of the building thereon;

(e) where the site is within 5.00 metres of any side of a tank, the owner will take such measures as shall prevent any risk of drainage from such building passing into the tank.

Explanation. Soil will also include rocks, boulders laterite etc.

(2) No piece of land in the municipal area located in a sinking zone or central business area, as determined by the Board of Councillors, shall be used as a building site without prior approval of

the State Government:

Provided that for construction of any building on any piece of land in the municipal areas of the hill areas, prior testing of soil by a Government recognised testing organisation, in respect of land shall be made.

(3) No piece of land where a closed, sick or other industry was located or is in operation, shall be used as a site for construction of any building, other than an industrial building, without the prior approval of the competent authority appointed under clause (d) of section 2 of the Urban Land (Ceiling and Regulation) Act 1976 (33 of 1976).]

5. Applications for approval of sites and for permission to construct or re-construct buildings other than huts. [(Note: For hill municipalities, Rule 157 is to be referred to) :-

(1) Before submission of the building plan, approval of the building site has to be obtained. However, the applicant may simultaneously submit the site plan and the building plan to the Municipality for approval at his own risk and cost. But the Municipality shall consider the building plan submitted for approval only after the site plan is approved. In case the site plan is not approved the submitted building plan shall also be treated as not approved.

(2) Every application, specified in sub-rule (1) submitted in Form A, shall state, inter-alia, the proposed use of the land as per use or accompany group.

(3) Every application, specified in sub-rule (1), shall be accompanied by a site plan, in triplicate, and a fee as may be determined by the Municipality. The site plan shall be drawn to the scale of not less than one centimetre to six metres and shall be signed by the applicant and by the Licensed Building Surveyor, Architect/Structural Engineer as required for in rule 17 with a certificate to the effect that the site has been inspected personally and the structural design including that of foundation has been made on the basis of recommendations/findings of the Geo-technical Engineer.

(4) Every site-plan, specified in sub-rule (3), shall show or state on the body of the drawing showing the site-plan the following :

(a) the boundaries of the site and of any contiguous land belonging to the owner thereof with number assigned to plot/ premises;

(b) the position of the site in relation to neighbouring streets with dimensions;

(c) the name of the street on which the site abuts;

(d) the position of the building and of all other buildings including existing buildings (if any) which the applicant intends to erect upon his contiguous land referred to in clause (a) in relation to

(i) the boundaries of the site and, in case where the site has been sub-divided, the boundaries of the portion owned by the applicant and also the portions owned by the other owners and

(ii) all adjacent streets, buildings and premises within a distance of 12.0 metres of the site and of the contiguous land (if any) referred to in clause (a);

(e) the use or occupancy of all the buildings;

(f) the direction of North point;

(g) the means of access from the street to the building, and to all other buildings (if any) which the applicant intends to erect upon his contiguous land referred to in clause (a);

(h) the schematic position and approximate height and the number of storeys of all other buildings within 12.0 metres of the site; (i) the free passage or way in front of the building;

(j) the width of the street (if any) in front and at the rear of the building;

(k) the means of drainage of the proposed building leading to existing public drains or drainage channels with their location in relation to the site;

(l) the means of drinking water supply to the proposed building indicating the source and the distance from the site including the route through which the pipe line will be laid, if piped water supply is envisaged;

(m) the means of power supply to the proposed building on the site, indicating the route through which power supply will be achieved;

(n) areas of distress;

(o) such other particulars as may be specified by the Board of Councillors;

(p) the location of power line, water line, sewer line, natural drainage channel/ jhora, road side drain, protective works.

(5) In case of a promoter submitting site plan/building plan for approval, all provisions made in the West Bengal Building (Regulation for Promotion of Construction and Transfer by Promoters) Act, 1993 (West Ben. Act XX of 1993) shall apply.]

6. Further information required to be submitted by applicant :-

Within fifteen working days from the date of receipt of an application for approval of building-site, the competent authority may require the applicant

(a) to furnish him with any information on matters referred to in these rules which has not already been given in the documents thereunder; or

(b) to satisfy him that there are no objections which may lawfully be taken to the approval of the site.

7. Incomplete or defective information :-

(1) If any information or document required under these rules is, in the opinion of the [Board or Councillors] incomplete or defective, he may, within fifteen working days from the date of receipt of the same, require further information or documents to be furnished.

(2) If any requisition made under those rules is not complied with within one month the application for approval of the building-site may be refused.

8. Signature on approved site plan :-

When the competent authority has approved any site plan, the approved plan/plans shall be signed by such officer as may be authorised in its behalf and in such manner as may be directed and two copies of approved site plan will be returned to the applicant.]

9. Control of development of parks, public open spaces, ponds, wetlands, canals, river and other water front and brickfields :-

(1) For the purpose of these rules, public open space shall mean any open space which is open to the use for enjoyment of the public, whether it is actually used or enjoyed by the public or not and whether the entry is regulated by any charge or not.

(2)

(a) Generally, parks and public open spaces shall be classified for the purpose of these rules into three following groups:

(i) the parks and public open spaces with area up to 1500. sq. m. shall be termed as small park and public open spaces;

(ii) the parks and public open spaces with area more than 1500 sq. m. but up to 7000 sq. m. shall be termed as medium parks and public open spaces;

(iii) the parks and public open spaces with area more than 7000 sq. m. shall be termed as large parks and public open spaces.

(b) The structure above ground level shall be subject to the following provisions No structure other than the following shall be permitted in parks and public open spaces :

(i) statue of public interest;

(ii) structure related to play equipments and fixtures;

(iii) structure related to public amenities provided that the height of such buildings shall not exceed 4.00 metres and that total area covered by such building shall not exceed 10% of the total area of the parks and public open spaces 5% in the case of medium parks and public open spaces and 3% in the case of large parks and public open spaces. For the purposes of calculation of total area of parks and public open spaces as aforesaid the area of water-body, if any shall be excluded.

(c) The underground structure shall be subject to the following provisions

(i) No underground structure shall be allowed in small and medium parks and public open spaces;

(ii) in large parks and public open spaces underground structure for amenities or parking facilities may be allowed provided such structure shall not affect the environment or create traffic problem.

(3) No canal, pond water-body, wetland, rivulets, water source, natural spring, streams, drains, culverts shall be filled up provided that after taking due consideration of the existing relevant Acts, the drainage, slope, slip, landslide, ecology, culture, environment, pisciculture, fire fighting or any other material consideration, and for reasons to be recorded in writing the Board of Councillors with the prior approval of the State Government, may allow any canal, pond, rivulets, streams, rivers, flood plain area to be filled up.

(4) In the case of a building in the zone of river (within 15 metres from river bank) or other water fronts of large water bodies (more than 1000 acres),

(a) the maximum permissible height of a building in such zone shall be 5.00 metres. In the case of a building on stilts, the maximum permissible height of the building shall be 6.50 metres including the stilts, the minimum height of which shall be 3.00 metres. In such building, the stilted portion shall not be allowed to be walled up or covered along the sides;

(b) no building shall be more than 20.00 metres long alongside the river or other water fronts. There shall be a clear linear gap of 50.00 metres between the two buildings alongside the river or other water front;

(c) the maximum permissible covered area of such building shall be 200.00 sq. metres;

(d) the structures for recreational purpose conforming to this sub-rule may be permitted within the adjoining land.

(5) Existing brackets shall be allowed to be continued as brickfields within their own boundaries. After being declared as abandoned, the excavated portions shall have to be maintained by the owner at his cost as water-bodies where pisciculture of any type of recreational activity may be allowed.

10. sub-division of plots (Note : hills, Rule No. 158 is to be referred to :-

(1) No sub-division of any plot within the municipal area shall be undertaken without the prior approval of the Board of Councillors.

(2) Generally

(a) a plot to be sub-divided shall be termed as mother plot;

(b) sub-division shall not be allowed if the mother plot abuts a means of access having a width of less than 3.50 metres for plans;

(c) every individual plot obtained by sub-division of the mother plot shall abut a means of access having width of not less than 3.50 metres;

(d) the junctions of means of access within the mother plot shall be provided with splayed corners measuring not less than 2.50 metres on each side;

(e) these rules shall not apply to a scheme for Economically Weaker Section and Low Income Group Housing approved by the Government and Salt Lake Township within Bidhannagar Municipal Area;

(f) sub-division may be allowed on the condition that the following facilities shall be provided by the owner at his own cost to the satisfaction of the Board of Councillors:

(i) drainage facilities with pucca drain ensuring drainage of each individual plot and of the means of access and passages leading to existing public drains of natural drainage channels;

(ii) all weather means of access and related protective works, if necessary, along with street lighting;

(iii) street and passages along with street lighting;

(iv) sanitary facilities including garbage disposal facilities;

(v) water supply facilities;

(g) no permission for sub-division of a plot of land shall be granted unless each sub-divided plot is at least 100 sq. metres in area;

(h) no sub-division of a plot shall be granted unless a detailed layout plan of the area proposed to be sub-divided is submitted before the Municipality duly integrating the site layout plan with the general use of the land in the adjoining areas. The existing street pattern as also the other physical infrastructural facilities like drainage, sewerage, water supply electricity supply with location of high tension or low tension line with poles are also required to be shown.

(3) The maximum permissible length for the means of access shall be as given in the following table:

(4) For mother plot measuring more than 5000 sq. metres in area, sub-division may be allowed, provided 5% (eight per cent.) of the total area of the mother plot is developed as public open space. The width of each such open space shall not be less than 10.00 metres and each such open space shall abut a street having a width of not less than 7.00 metres. The minimum area of each such open space in one parcel shall be 400 square metres. This open space shall be in addition to the land required for providing the means of access to the individual plots obtained by sub-division of mother plot.

(5) For mother plot measuring more than 25,000.00 sq. metres in area, sub-division may be allowed provided seven per cent of the total area of the mother plot is reserved for use for facilities like school, health centre market, police outpost milk booth, post office, power sub-station, transport terminal, water treatment plant, sewage treatment plant and the like. Such land shall abut a street having a width of not less than 10.00 metres in addition to the land necessary for means of access and for open spaces mentioned in sub rule (3).

11. Delay in sanction or refusal of site plan :-

(1) Where the sanction of the site plan is not accorded by the [Board of Councillors] and no reason is assigned in this behalf, or [where] such sanction is not refused within a period of 60 days from the date of receipt of the application in this behalf or the receipt of necessary particulars, whichever is later, the applicant may make a representation to the Chairman of the Municipality.

(2) Upon such representation, the Chairman shall, after [causing] such enquiry as he may think fit and after giving the applicant an opportunity of being heard, [advise the Board of Councillors] to sanction the site plan either conditionally or unconditionally [or refuse sanction stating reasons] and communicate the same to the applicant within a period of 30 days from the date of receipt of the representation under sub-rule (1).

12. Masonry building not to be erected without special permission in certain cases :-

(1) Save with the special permission of the [Board of Councillors], no building (other than a hut) shall be erected unless

(a) the site of such building abuts on a public street or a projected public street or a private street duly sanctioned and constructed in accordance with the provisions of the Act or any other law in force immediately before the commencement of the Act; or

(b) there is access to the building from any such street by a passage or pathway appertaining to such site, and not less than 2.40 metres wide at any part.

(2) No building shall be erected so as to deprive any masonry or framed building of the appropriate means of access.

(3) The following buildings shall be exempted from the operation of these rules:

(a) any building erected or intended to be erected by or with the sanction of the competent authority for use solely as a temporary hospital for the reception and treatment of persons suffering from any infectious or contagious disease;

(b) any hoarding or like means of protection (other than a masonry wall) which the owner of any premises certifies to the competent authority, not less than seven days after erection, to have been erected for the purpose of preventing threatened acquisition of any easement over his own premises or any portion thereof, provided the stability of such hoarding or other means of protection is certified by the competent authority.

B. Submission of Building Plan

13. Application to the with a building plan for permission to erect a new building or to make addition or alteration to a building. :-

Chairman-in-Council]

(1) No person shall erect a new building, or re-erect or make addition and/or alteration to any building or cause the same to be done without first obtained a sanction from the Board of Councillors under these rules:" [Provided that no such sanction is required to be obtained from the Board of Councillors 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 of a cornice or chajja within the boundaries or the site and not overhanging a street, so, however, that the total height of the parapet wall shall not be more than 1.50 metres and width of the cornice or chajja shall not be more than 50 centimetres,

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

(c) white washing or painting,

(d) re-flooring of the surface of an existing floor,

(e) re-construction of an existing damaged roof without changing the character and dimension of such roof, re-flooring of the surface of an existing floor:

Provided that no such work as is referred to in clauses (a) and (c) shall be undertaken without giving the Board of Councillors fifteen days notice in writing stating the nature of work proposed to be undertaken;

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

(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 fallen bricks, stones or repairing of damaged pillars or beams;

(j) repairing or renewing existing plumbing services;

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

(2) Every person intending to erect a new building or to make addition and/or alteration to any

building, shall apply for sanction giving notice in writing in Form B [***] along with following:

- (a) copies of documents showing that the applicant has exclusive right to undertake such works;
- (b) duly authenticated copies of receipts showing payment of tax to the Municipality for the quarter previous to the date of the application in respect of the land, building or portion thereof upon which the building is proposed to be erected, [re-erected] [added to] or altered and a declaration [from the Municipality] stating that there is no arrear dues payable to the Municipality;
- (c) a declaration, stating the name, address and other particulars of Architect or Licensed Building Surveyor, etc. as the case may be, alongwith their consent, who are engaged as per rule 17]
- (d) requisite number of copies of the drawings as stipulated in rule 14;
- (e)
 - (i) certified copy of the approved site plan;
 - (ii) certified copy of the reports of tests for stability of slopes and for soil as per requirements in rule 4 and such test report should also indicate the maximum load that can be transferred to the soil of the particular site safely]
- (f) receipt of deposition of fees as specified in sub-rule (9) of rule 14 of these rules; and
- (g) in the case of steel towers, the authenticated copy of the relevant license issued by the Government of India or the State Government.

(3) In the case of site or plot measuring 500 square metres or above, covered by the Urban Land (Ceiling and Regulation) Act, 1976 (33 of 1976), the notice shall be accompanied by a "no objection certificate" from the competent authority, appointed under clause (of) of section 2 of the said Act, to the effect that there is no objection in respect of transfer of the site or plot under sub-section (3) of section 5 of that Act:

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

14. Particulars to be furnished in, and with, an application :-

- (1) Every application made under rule 13 shall be written on a printed form (to be supplied by the Municipality on payment of an amount not less than Rupees ten only or as may be determined by the Municipality for each such form) and shall state the location of the site reference number of approval of the site plan, the number assigned to the premises in the assessment book and its dimensions, and such other particulars as may be specified by the Board of Councillors.
- (2) All site plans, building plans, elevations and sections shall be on drawing sheets which shall be in any of the sizes specified in the table below:
- (3) The plans may be ordinary prints on Ferro-paper or other paper or blue printed, but one set of such plans shall be blue printed. Prints of plans shall be on one side of paper only.
- (4) The plans shall be coloured as specified in Table 2.:
- (5) The plan of the building elevations and sections according to the application shall be accurately drawn to a scale of one metre to one centimetre and coloured in the manner as laid down in Table 2.
- (6) The plans, sections (longitudinal and sectional) and elevations of building shall indicate
 - (a) the floor plans of all the floors including roof plan together with the covered area;
 - (b) existing buildings and the basement plan, if any, the sizes of rooms and sizes and spacings of structural members, and their materials;
 - (c) the location of essential services, that is to say, water closet, sink, baths, septic tank and the

like, and arrangement for drainage of sullage and other waste water disposal including sewer connection, if any;

(d) the sizes of footings, the thickness of basement walls, other walls, floor and roof slabs, the construction materials sizes and spacing of framing members, floor to ceiling heights, parapet heights with their materials, taking at least one fully dimensioned section (both longitudinally and crosswise) through staircase, bath and [water closet] as well as such other sections as would clearly indicate the details of architectural features, mezzanine floors and lofts;

(e) the front elevation and all other elevation from the abutting public streets;

(f) the house drainage plan [and site drainage plan upto nearest Municipal or natural outfall]

(g) the dimensions of all projected portions beyond the permissible building line;

(h) the roof plan indicating the drainage and slope of the terrace;

(i) the plans and details of private water-supply and sewerage disposal system [if any]

(j)

(i) the details of breast wall retaining walls or other protective measures, if any, which are required to be undertaken;

(ii) no part of the proposed building shall be permitted to be erected directly over the retaining or other similar protective walls;

(k) where structural design and/or soil/stability and similar other tests are necessary for a building under any provision of these rules, the copy of details of reports and/or recommendations of soil/stability other tests and/or copy of details of calculations for structural design duly signed by the competent personnel as specified in rule 17 or rule 160.]

(7) Doors and windows schedule shall show sizes of doors, windows and frames.

(8) The plan in its headline shall indicate specifically

(a) the purpose of construction,

(b) the name of the owner,

(c) the name of the police-station, and

(d) the name and jurisdiction list number of the mouza and cadastral survey number of the plot or plots of the site, if required.

(9) Every application shall be accompanied with an application fee of not less than Rupees ten only and not more than Rupees thirty only as may be determined by the Municipality.

(10) The nearest road of 3 m. width or more with the pathway connecting the road and the site should be shown in case of plot abutting roads less than 3 m.]

15. Specification and other information to accompany the application with building plan :-

Every such application shall further be accompanied by a brief specification giving the following information :

(a) the materials, and method of construction to be used for external wall partition walls, foundations, roofs, floors, stairs fire place and chimneys;

(b) the manner in which roof and house drainage and the surface drainage of the site will be disposed of;

(c) the manner, if any, in which it is proposed to pave the courtyard and open-spaces in the building or premises and the scope to which the surface is to be made in each case;

(d) the means of access that will be available for removal of nuisance;

(e) proposed occupancy or use of the building for ensuring conformity with the provisions of

Chapter XIV of the Act;

(f) the area of plot, area of the plinth of the proposed and existing buildings, if any, and the area of open spaces left;

(g) the number and area of each tenement, the area put to different occupancy or use group in all the floors of the proposed building including the same for existing building if any; (h) safety measures proposed to be taken during the construction of the building;

(i) for buildings other than residential and educational buildings the means of ingress and egress of vehicles shall be indicated;

(j) the position of water tanks with size which shall have to be constructed below the ground of just above;

(k) the area of garage (if any);

(l) number of flats proposed to be built in each floor and total number of flats (if any);

(m) calculation of F.A.R.

(n) an indemnity bond in Form 'L', in the case of building plans having provisions for deep foundation work, piling work, construction of basement or underground construction; and

(o) such other particulars as may be determined by the Municipality having jurisdiction.

16. Preparation of plan and supervision of execution of work (Note: For hills, Rule 159 Is to be referred to) :-

(1) Every person who intends to erect, re-erect or add to or alter any building shall get its plan prepared and structural work designed and supervised by an architect / structural engineer / licensed building surveyor as required under rule 17 while submitting the plan the architect / licenced building surveyor / structural engineer should certify to the effect that the site has been personally inspected while planning the building and / or designing the structural members, as well as has taken into account the findings of/or recommendation of stability analysis as well as soil tests performed as and where necessary under this rule.

(2) In all such cases, the licenced building surveyor, structural engineer or geo-technical engineer shall have to be empanelled with the Municipality.

(3) The name, address and licence or empanelment number of the person so employed and serial number / registration number in the case of architect shall be stated in the application in respect of such building.

(4) In case of building plans/site plans submitted by Central or State Government or by organisation controlled by Central or State Government if the plans are prepared and submitted under the signature of Government Engineer or Architect, who are employees of the applicant organisation, the Rule 16(1) shall not be applicable.]

17. Engagement of technical personnel (Note: For hill Municipalities , Rule 160 is to be referred to :-

Every person who intends to erect, re-erect, add to or alter any building shall, subject to the provisions of the Act and these rules, engage,

(a) for all buildings below 11.5m. in height a technical personnel not below the rank of a Licensed Building Surveyor for planning, design and construction of the building structure and the foundation;

(b) for all building from 11.5 m. to 14.5 m. in height and/or for erection involving piling works, deep foundation works or construction of basement or any other underground structure thereto, a licensed Building Surveyor [and/or any Architect and a Structural Engineer, for planning, design and construction of the building including foundation] and

(c) for all other buildings above 14.5 m. in height and/or erection involving piling works deep foundation works or construction of basement or any other underground structure thereto or separately, a licensed Building Surveyor, and or] an Architect, a Structural Engineer and [for

planning, design and construction of building] Engineer and Geo-technical

Provided that [the licensed Building Surveyors,] the Architect, the Structural Engineer and the Geo-technical Engineer will work in association with one another and they will be [individually and/or] collectively responsible for ensuring the safety of the building structure and its foundation : [* * *]

(2) In case of death, resignation, removal of Architect, Structural Engineer, Geo-technical Engineer or Licensed Building Surveyor as the case may be, a fresh engagement shall be made forthwith and shall be notified to the Chairman of the Municipality. No work shall be carried out in the intervening period, if any.

(3) The validity of any engagement made under this rule shall lapse, in the case of an Architect with lapse of validity of registration granted under the Architect's Act, 1972 (20 of 1972), or in the case of a Structural Engineer and a Geo-technical Engineer with the lapse of empanelment, or in the case of a Licensed Building Surveyor, with lapse of the validity of license.

(4) A Structural Engineer or a Geo-technical Engineer is also required to be empanelled with the Municipality.]

(5) A Licensed Building Surveyor shall have

(a) a degree in Civil Engineering or Architecture from a recognised university or an equivalent engineering qualification recognised by the Government and shall not have less than 2 years' experience in planning, design and execution of building works including sanitary and plumbing works related to buildings, or

(b) a diploma in Civil Engineering or Architecture from a recognised university or an equivalent engineering qualification recognised by the Government and shall not have less than 5 years' experience in planning, design and execution of building works including sanitary and plumbing works related to building.

18. Time and manner of disposal of application under rule 13 :-

Within fifteen working days from the date of receipt of an application with building plan, the [Board of Councillors] may require the applicant

(a) to furnish him with any information on matters referred to in these rules which has not already been given in the documents thereunder; or

(b) to satisfy him that there are no objections which may lawfully be taken to the approval of the building plan;

(c) if any requisition made under these rules is not complied with within one month, the application for approval of the building plans shall be treated as cancelled.

19. Action to be taken while a building is under construction :-

One copy of the [* * *] sanctioned building plan shall be kept at the site of the building at all times when building operations are in progress and such plans shall be available at all such times for the inspection of the [Municipality] or of any officer authorised by it in that behalf.

20. Sanction of building and permission to execute work :-

(1) Within sixty days of the receipt of any application with building plan or of any information or documents which the [Board of Councillors] may reasonably require the applicant to furnish before deciding whether permission shall be granted to execute any work, the competent authority shall, by written order

(a) accord sanction to Form C to the building plan conditionally or unconditionally to give permission to execute the work, or

(b) refuse in Form 'D' on one or more of the grounds mentioned in section 210 to accord such sanction, or

(c) accord sanction but impose conditions for permission to execute the work, or

(d) accord provisional sanction under the provision in section 210 of the Act:

Provided further that in the case of a provisional sanction, the applicant shall furnish a statement to the effect that, if he is unable to produce the licence or permission as required, 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 212 shall not be issued in respect of the use which is affected by the provisions of section 210.

(2) The Building Permit shall not be issued till a duly authenticated copy of a receipt showing payment to the Municipality of the Building Permit Fees payable under rule 25 or [95] of these rules for the sanction of the building, is produced before the Chairman-in-Council.

21. Power to cancel permission on the ground of material misrepresentation by applicant :-

If, at any time, permission to erect any masonry or framed building has been given and the [Board of Councillors] is satisfied that such sanction was granted in consequence of any material misrepresentation or fraudulent statement contained in the application or in the plans, elevations, sections or specifications submitted therewith in respect of such building, the [Board of Councillors] may cancel such permission, and any work done thereunder shall be deemed to have been done with out sanction.

22. Appeal on refusal of sanction of building plan :-

Where permission has been refused, the applicant may make further appeal to the Board of Councillors for [reconsideration.]

23. Sanction of building plan in case of delays :-

If, within the period specified in these rules, the Board of Councillors has neither sanctioned nor refused to accord sanction to execute any work, the applicant may appeal to the Chairman in writing, in this regard and if the appeal is not disposed of within 30 days from the date of receipt of the appeal, such sanction or permission shall be deemed to have been granted and the applicant may proceed to execute the work, so, however that nothing in the section shall be deemed to have permitted the applicant to contravene any of the provisions of this rule or any other rules or regulations applicable to such work.]

24. Duration and expiry of sanction of building plan :-

(1) A sanction to erect a building accorded under these rules shall be valid for three years from the date on which it is sanctioned and may be renewed thereafter for a further period of two years on payment, in the form of cash or bank draft, of such fee as may be determined by the Chairman-in-Council on the basis of rule 25, and on production of the previously sanctioned building plan. [A building plan may be revalidated for a further period of 5 years only in case a building has been partly completed and occupancy certificate in terms of rule 34 has been issued as well as on production of the previous sanctioned/ revalidated building plan, the completion certificate and on receipt of fees required to be paid as to be determined by the Municipality from time to time]:

Provided that, if the application for renewal of a building plan is made after the expiry of three years, the same shall be accompanied by a renewal fee with a fine not being less than Rupees two hundred and not being more than Rupees two thousand as may be determined by the Municipality.

(2) Any person who erects a building or continues the work of erection of a building after the permission sanctioned under these rules has expired, shall be deemed to erect such building or to continue such work without sanction.

(3) The erection of a building or work shall be completed within the period specified by the Board of Councillors under section 211.

25. Fees for sanction of building plans :-

(1)

(a) The Board of Councillors shall levy a minimum fee for sanction of building plan at such rates, specified in the following on the basis of the sanctioned total covered area in all floors however maximum fees will not exceed one and half times the minimum specified fees as given

hereunder:

(i) for building work up to 30 sq. metres of total covered area in all floor..... Rs. 250 (Rupees two hundred fifty only),

(ii) for every additional 10 sq. metres of covered area or part thereof beyond the first 30 sq. metres Rs. 50 (Rupees fifty only).]

(b) The rates as aforesaid shall be the basic rates and shall be applicable to Residential Buildings for own use.

(2) The Board of Councillors shall levy the following fees calculated on the basis of basic rates specified in sub-rule (1) for sanction of buildings other than residential buildings for own use :

(a) in case of Apartment Residential Building other than self use of the applicant, double the basic rate shall be charged;

(b) for Institutional Buildings, Assembly Building Business Buildings, and Mercantile Buildings, six times the basic rate shall be charged;

(c) for Industrial Buildings, Storage Building and Hazardous Building, eight times the basic rate shall be charged;

(d) in case of Charitable Institutional Building or Educational Building, not exceeding half the basic rate may be charged with the approval of [Board of Councillors].

(3) In the case of steel towers, the Board of Councillors shall levy fees at the rate of Rs. 3 per cubic metre of the volume of such towers.

(4) The Board of Councillors shall levy a development fee, in addition to the fees specified in sub-rule (1) or sub-rule (2) as the case may be, for passing the building plan of any building whose Floor Area Ratio has been calculated on the basis of a means of access which is a National Highway, State Highway or any such access having an width of 15 metres or above, at such rates as may be determined by the Board of Councillors.

26. Signature of approved plans :-

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

27. Retention of plan and submission of fresh applicants :-

When sanction to erect a new building (other than a hut) is refused

(a) the [Board of Councillors] shall retain two copies of the plan and shall, without charge furnish the applicant with its reason for such refusal in writing; and

(b) the applicant may, at any time thereafter send to the [Board of Councillors] a fresh application and fresh or modified documents under these rules with the object of meeting the objections for which such sanction was refused.

28. Notice to the [Board of Councillors] before commencement of work :-

Not less than seven days before any person commences to erect or re-erect a building the owner of the building shall send to the Chairman a written notice, in Form 'E', specifying the date on which he proposes to commence the work.

29. Notice for completion of work up to plinth level :-

(1) After the completion of the [structural] work up to the plinth level or up to one metre above ground level, whichever is higher, the applicant shall give a notice to the [Board of Councillors], in Form 'F', to enable him to inspect such work.

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

30. Deviations during construction :-

- (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 13 shall inform the [Board of Councillors] by notice in writing along with a certificate from the Architect or the Licensed Building Surveyor, as the case may be, together with drawings incorporating the deviations and structural calculation in case of structural deviations, stating the nature and purpose of such deviations at least fifteen days prior to carrying out such erection or execution of work, and may proceed with the execution of such work subject to the condition that such deviations shall be incorporated in the Completion Plan under rule 33;
 - (b) if [during] the erection or execution of work 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 sub-rule (1) of rule 13 shall prior to carrying out such erection or execution of works, submit, in accordance with the provisions of these rules, a revised plan incorporating the deviations intended to be carried out, for obtaining necessary sanction therefor.
- (3) If no notice is served under clause (a) of sub-rule (2) above, or the work of erection or execution is undertaken without the sanction referred to in clause (b) above such erection or execution of work shall be deemed to be in contravention of the provisions of the Act and these rules and shall be dealt with accordingly.

31. Demolition of unauthorised construction :-

- (1) The Board of Councillors may order for demolition or alteration of any building, if the competent authority is satisfied
 - (a) that the erection of any building
 - (i) has been commenced without obtaining the sanction or permission of the competent authority, or
 - (ii) is being carried on or has been completed otherwise than in accordance with the particulars on which such sanction or permission or order is based or after such sanction or permission has been lawfully withdrawn, or
 - (iii) is being carried on or has been completed in breach of any provision of the Act or these rules or of any condition, modification, direction or requisition lawfully given or made under the Act or under these rules.
- (2) If any material alteration of or addition to, any building has been commenced or is being carried on or has been completed in breach of any provision of the Act or these rules or if any alterations required by any notice issued under these rules have not been duly made, the [Board of Councillors] may, in addition to any prosecution that may be instituted under the Act, make an order directing that such erection, alteration or addition, as the case may be, or so much thereof as has been executed unlawfully or if any structure specified in the application or plan or specification as a structure to be demolished or altered before the erection of the new building has not been demolished or altered or if any material alterations or additions have been made, such alterations or additions shall
 - (a) be demolished by the owner thereof or altered by him to the satisfaction of the competent authority, as the case may require; or
 - (b) be demolished or altered by the competent authority at the expense of the [said owner]
 - (c) all demolished materials shall be removed by the Municipality at the cost of the owner or to the satisfaction of the Municipality within a maximum period of 30 days from the date of demolition]

Provided that prior to carrying out any demolition of any building or part thereof as described in the notice, the owner of the building shall be given a notice stipulating therein the date and time to appear himself or through his authorised representative before the Board of Councillors, who will hear the circumstances under which such deviation /unauthorised construction work has been carried out and after hearing record the order of the Board of Councillors and the said order shall be communicated to the owner officially.

32. Stoppage of erection of new building in certain cases :-

(1) In any case in which the erection of a new building or any other work has been commenced is being carried on unlawfully, the Chairman may, by written notice, require the person carrying on such erection or other unlawful work to discontinue the same.

(2) If any notice issued under these rules is not duly complied with, the competent authority may, with the assistance of the police, if necessary, take such steps as it may deem needful in order to stop the continuance of the unlawful work.

(3) If it appears to the competent authority that It is necessary, in order to prevent the continuation of the unlawful work, to depute any public or municipal officer to watch the premises, the cost of providing the same shall be borne by the person to whom the notice was addressed.

33. Completion of work :-

After the completion of the erection of building or the execution of any work, the owner of the building shall submit a notice of completion in Form 'G' under section 212. In case of deviation as stated in clause (a) of sub-rule (2) of rule 30, the notice shall be accompanied by three sets of building plan marked completion plan with all revisions and modifications including those referred to in sub-rule (2) of rule 30. The plans shall be duly signed by the applicant and the concerned technical personnel specified in rule 17:

Provided that for a residential or educational building in any municipal area excepting the Salt Lake Township, not exceeding 8.0 metre in height on a plot of 200 sq. metre in area, application of this rule may not be insisted upon but the owner will have to intimate in writing to the municipality about the completion of such building.

34. Occupancy certificate :-

(1) Within fifteen days of receipt of the notice of completion of building or work, the [Board of Councillors] or the authorised representative in this behalf shall inspect the building or work and shall satisfy itself or himself that the erection of the. building or the execution of the work has been done in accordance with the sanctioned plan.

(2) Within fifteen days from inspection the [Board of Councillors] shall, if it is satisfied that the building or the work has been completed in accordance with the sanctioned plan, issue an occupancy certificate, in Form 'H':

Provided that such certificate shall not be issued in the case of a building or any work for which provisional sanction was given unless the applicant produces [before the Chairman the licence or permission]

Provided further that the occupancy certificate shall be issued only after all the extra materials like sand, boulders, stone chips, cement, steel, bamboo, timber etc. lying on the public road have been removed by owner and the damages to public property, if any, has been made good by the owner with his own cost to the entire satisfaction of the Board of Councillors.]

(3) After due verification, one set of the building plan shall be returned to the applicant with the endorsement of approved completion plan under the signature of the Chairman or an officer authorised in this behalf.

(4) The [Board of Councillors] may, upon a written request from an applicant and on his furnishing an indemnity bond undertaking to indemnify the Board of Councillors against any risk, danger or damage to any person, whether an occupier or not, and on his giving an undertaking to ensure in such manner as the [Board of Councillors] may specify, public safety, issue a partial

occupancy certificate, subject to the provisions of sub-rule (1) and the proviso to sub-rule (2):

Provided that no partial occupancy certificate shall be issued unless the [Board of Councillors] is satisfied that the portion for which such partial occupancy is solicited is in a habitable condition :

Provided further that when the erection of the building or the execution of the work is completed within the period or the extended period provided for in the Act the applicant shall apply for conversion of the partial occupancy certificate or issue of an occupancy certificate, and such certificate may be issued in accordance with the provisions of these rules.

(5) In a case where the occupancy certificate is refused, the [Board of Councillors] shall communicate the reasons therefore in writing to the applicant within thirty days from the date of receipt of the notice of completion of the work.

(6) In case where in the opinion of the [Board of Councillors], the building or the work has not been completed in accordance with the sanctioned plan, he may take necessary action in accordance with the provisions of the Act and these rules.

(7) The [Board of Councillors] shall not permit connections to be made to municipal water mains and municipal drains, if any, from any new building in respect of which occupancy certificate has not been issued :

Provided that the [Board of Councillors] may order severance of such connections if he is of the opinion that the conditions of the partial occupancy certificate are being violated or if further erection of the building or execution of the work is proceeding contrary to the sanctioned plan.

(8) The [Board of Councillors] shall not permit connections to be made to municipal water mains, if any, from any new building in respect of which water connection fee as may be specified by the Board of Councillors from time to time, has not been paid in advance.

35. Delay in issue of occupancy certificate :-

(1) In case where, within a period of thirty days from the receipt of the notice of completion, the [Board of Councillors] fails to issue an occupancy certificate or to communicate refusal, the applicant may make a representation in writing to the Chairman.

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

36. Prohibition for use of building without occupancy certificate :-

No person shall occupy or permit to be occupied a building erected or re-erected or altered under the Act in respect of which an occupancy certificate or a partial occupancy certificate under these rules has not been issued by the [Board of Councillors].

37. Work subsequent to issue of occupancy certificate :-

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

38. Notice for covering up drains, etc :-

(1) Before proceeding to cover up drains or appliances connected with the drainage, the applicant shall give a notice to the [Board of Councillors], in Form i, stating that such drains or appliances are ready for inspection and shall specify the date and hour not being a date earlier than seven days from the date of the notice on which he will proceed to cover up such drains or appliances.

(2) An officer of the Municipality duly authorised by the [Board of Councillors]" in this behalf shall inspect the work at the site and within three days of such inspection, issue necessary direction, if any.

39. Power of [Board of Councillors] to guard against accidents during construction or repairs. :-

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

(2) Whoever takes down, alters or removes any such bar, chain, or post or removes or extinguishes any such light without the authority or consent of the [Board of Councillors] shall be punished with fine which may extend to two hundred and fifty rupees.

40. Power of [Board of Councillors] to cause hoards or fences to be set up during construction, repair, etc :-

* * *] A person intending to construct or take down any building or any other structure or to alter or repair any other structure externally shall, if the position or circumstances of the work is or are likely to cause, or may cause obstruction, danger or inconvenience in any street, before beginning such work,

(a) obtain beforehand permission in writing from the [Board of Councillors] so to do; and

(b) cause sufficient hoards or fences to be put up in order to separate the area where the work is to be carried on, from the street, and shall maintain such hoards or fences standing and in good condition to the satisfaction of the [Board of Councillors] during such time as the [Board of Councillors] considers necessary for the public safety or convenience, and shall cause the same to be sufficiently lighted during the night and shall remove the same when directed by the [Board of Councillors].

41. Power as to inflammable structures :-

(1)

(a) The Board of Councillors may, by public notice, direct that within certain limits to be fixed by the competent authority, the roofs and external walls of huts or other buildings shall not be made or renewed with grass mats, leaves or other highly inflammable materials without the consent of the Chairman in writing.

(b) The competent authority may, at any time, by written notice, require the owner of any building, which has an external roof or wall made of such material as aforesaid, to remove such roof or wall within such reasonable time as shall be specified in the notice, notwithstanding that the public notice has not been issued or that such roof or wall was made with the consent of the competent authority or before the issue of such notice, if any, provided that in the case of any such roof or wall in existence before the issue of such notice or made with the consent of the competent authority, the competent authority shall pay compensation for any damage caused by the removal, which shall not exceed the original costs of construction of the roof or wall.

(2) The floors of the lobbies, corridors, passages and landings of a building other than residential or educational shall be constructed of incombustible materials; the doors shall be constructed of fire-resisting materials and the flights of stairs shall be constructed either of incombustible materials or fire-resisting material.

(3) The following material shall, for the purposes of this rule, be deemed to be incombustible:

(a) brick-work constructed of bricks, well-burnt, hard and sound, properly bounded and solidly put together with

(i) mortar compounded of lime and shavp clean sand, hard clean broken brick, broken flint, grills or slag, well pulverized, or

(ii) cement mixed with any of the materials mentioned in sub-clause (i),

(b) granite or other stone which is suitable for building purposes by reasons of its solidity and durability;

- (c) slate, tiles bricks and terracotta, when used for coverings or corbels;
- (d) flag-stones when used for floors over arches, if not exposed on the underside and if not supported at the ends only;
- (e) concrete, composed of broken brick, stone chippings or selected slag and lime, cement or calcined gypsum, when the concrete is used for filling in between joists of floors to a depth of not less than ten centimetres;
- (f) any combination of concrete, steel or iron or any other materials approved in this behalf from time to time by the Board of Councillors.

Explanation. In this rule, the expression brick, lime or cement shall mean respectively such brick, lime or cement as conform to the standard and quality specified in this behalf in the latest edition of the National Building Code.

(4) The following materials shall for the purpose of sub-rule (2), be deemed to be fire-resisting, but not incombustible:

(a) sal, teak, and other hard timber, when used for beams of posts or in combination with steel, the timber and the steel (if any) being protected by plastering in cement or other incombustible or nonconducting external coating;

(b) in the case of staircases, sal teak or other hard timber, not less than four centimetres thick; and

(c) in the case of staircases, sal, teak or other hard timber, the treads and risers being not less than four centimetres thick.

42. The structural design :-

(1) The structural design of foundation, masonry, timber, plain concrete, reinforced concrete prestressed concrete and structural steel shall be in accordance with the provisions of the latest edition of the National Building Code of India and relevant Codes of practice of the Bureau of Indian Standards meant for plain and/or hill areas :

Provided that for the hill municipal areas in hill areas, the structural design for all parts of the building shall also take into consideration the seismic factors in accordance with the relevant ,BIS Codes of Practice/ Guidelines.]

(2) Unless otherwise specifically provided for in the Act or these rules all materials and workmanship shall be of good quality conforming generally to the accepted standard of the Public Works Department of the Government of West Bengal or Indian Standard Specification as included in the Part V on Building Materials and Part VII on Constructional Practice and Safety of the latest edition of the National Building Code of India.

43. Distance from electric lines :-

No building, or verandah, or balcony or projection in any building shall be permitted to be erected, re-erected, added to or altered in any case where the distance between such construction and any overhead electric lines, in accordance with the provision of the Indian Electricity Act, 1910 (9 of 1910), and the rules made thereunder, is less than that specified hereinafter:

44. Notification by State Government for fire protection :-

The State Government may from time to time prescribe in the interest of public safety by notification, such other conditions as may be necessary for the fire protection, fire prevention and fire fighting in relation to any class of buildings and the Board of Councillors shall comply with such conditions.

45. Rat-proofing :-

(1) Every building or part thereof, designed or intended for use of dwelling, storage or sale of food stuff, shall conform to the requirements specified in sub-rules (2) and (3).

(2) Every such building, unless supported on posts shall have continuous foundation walls,

extending from at least sixty centimetres below ground level, or shall have continuous floor of masonry or reinforced or other equal rat-proof material or materials as approved by the Board of Councillors.

(3) All openings in such foundations or floors, windows and drains and all junctions between foundation walls and building walls shall be effectively rat-proofed, that is, windows and doors shall be tight-fitting, other openings shall be securely covered with rat-proof screening or shall be tightly closed with metal-sheeting, concrete or other equal ratproof materials as may be approved by the Board of Councillors.

PART 3

Means of access, open space and parking space

46. [Rule for means of access (Note : For hill municipalities, Rule 164 is to be referred to)] :-

(1)

(a) Every plot shall abut a means of access which may be a public street or private street or passage.

(b) The relationship between the width of the means of access and the maximum permissible height of building shall be as indicated in these Rules.

(2) The minimum width of means of access in respect of a new building shall be as follows:

(a) No new building shall be allowed on a plot unless the plot abuts a street which is not less than 10.00 metres in width at any part, or there is access to the plot from any such street by a passage which is not less than 10.00 metres in width at any part:

(i) In the case of a residential building with other occupancies if any on less than 10% of the total covered area of the building, the width of such street or passage shall not be less than 2.40 metres at any part,

(ii) In the case of a residential building with educational occupancy on 10% or more of the total covered area of the building, the width of such street or passage shall not be less than 7.00 metres at any part,

(iii) In the case of an educational building with residential occupancy the width of such street or passage shall not be less than 7.00 metres at any part,

(iv) In the case of an educational building with other occupancy or occupancies not being residential on less than 10% of the total covered area of the building the width of such street or passage shall not be less than 7.00 metres at any part;

(b) Notwithstanding anything contained in clause (a) above, residential building up to a maximum height of 7.00 metres may be allowed on a plot abutting a means of access not less than 1.20 metres, provided such means of access is in long existence and is recorded in the settlement records [and/or Municipal records] accordingly.

(3) Any building which in full or part is put to assembly occupancy for the purpose of theatre, motion picture house, city hall, skating rink, auditorium, exhibition hall or for similar other purposes, shall not be allowed on a plot located within 50 metres on junction of two streets, the width of each of which is 15.00 metres or more.

47. [Ground coverage in respect of buildings. (Note : For hill municipalities. Rule 1 62 is to be referred to)] :-

(1)

(a) The maximum permissible ground coverage for building, when a plot contains a single building, will depend on the plot size and the use of the building as given in the table below:

TABLE

Maximum permissible Ground Coverage

(Plot containing a single building)

	Type of building	Maximum permissible ground coverage	
1.	Residential and educational :		
	(a) Plot size up to 200 sq. metres	65%	
		(b) Plot size above 500 sq. metres or more	50%

2.	Other uses including mixed use	40%
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(b) For any other size of the plot, in between the plot size of 200 to 500 square metres, the percentage of coverage shall be calculated by direct interpolation.

(2) When a plot contains more than one building, the maximum permissible ground coverage for the building shall be as stipulated in rule 52.

48. [Permissible height of buildings. (Note : For hill municipalities, Rule 161 is to be referred to)] :-

(1) Height of a building shall be the vertical distance measured from the average level of the centre line of the adjoining street or passage on which the plot abuts, to the highest point of the building, whether with flat roof or sloped roof.

(2)

(a) The following appurtenant structure shall not be included in the height of the building:

(i) stair cover not exceeding 2.40 metres in height;

(ii) lift machine rooms as per the latest edition of the National Building Code;

(iii) roof tanks and their supports, the height of support not exceeding 1.00 metre;

(iv) chimneys;

(v) parapet walls not exceeding 1.50 metres in height;

(vi) ventilating, air-conditioning and [other service equipments]

(vii) height above mid-point between eaves level and ridge level.]

(b) The aggregate area of the structures mentioned in clause (a) shall not exceed one-third of the area of the roof upon which these are erected.

(3) The maximum permissible height of buildings on a plot shall be as given in the table below:

TABLE

Width of means of access (in metres)		Maximum permissible height (in metres)
(a)	2.40 to 3.50	8.00

(b)	above 3.50 to 7.00	11.00
(c)	above 7.00 to 10.00	14.00
(d)	above 10.00 to 15.00	18.00
(e)	above 15.00 to 20.00	24.00
(f)	above 20.00 to 24.00	36.00
(g)	above 24.00	1.5 x (width of the means of acces + required width of front open space);

[Explanation. This table shall be read with rule 46. For height of building exceeding 14.5 metres, rule 51 shall be referred.]

(4) For any building to be erected or re-erected or added to in the vicinity of aeordrome, or which may affect the functioning of any microwave system for tele-communication purposes, the height of such building shall be governed by such rules or directions as may be made or issued in this behalf by Central Government or any other concerned authority.

[(5) The Board of Councillors may, if necessary, restrict the height or building in any area within the municipal area, below that provided under sub-rule (3) for reasons to be recorded in writing.]

PART 4
Open Spaces

49. Open spaces for building (Note : for hill Municipalities, Rule 163 is to be referred to) :-

(1) Generally.

(a) every room intended for human habitation shall about an interior or exterior open space or an open verandah, open to such interior or exterior open space. Open space shall be areas forming integral parts of the plot at ground level and shall be open to the sky without any projection or

overhang , excepting cornices, chajjas or weather-shades of not more than 0.50 metre width:

(b) every building shall have exterior open space comprising front open space rear open space and side open spaces. The minimum width prescribed for front open space, rear space and side spaces shall be provided along the entire front, rear and side faces of the building respectively. For this purpose the front of the building shall be that face of the building which faces the means of access of the building and the rear of a building shall be deemed to be that face of the building which is farthest from the means of access. These provisions shall also be applicable to each individual [building separately] when a plot contains more than one building. In the case of a corner plot located at the crossing of more than one street or passage, the rear of the building shall be deemed to be that face of the building which is farthest from the widest of all such streets and or passages;

(c) [open spaces prescribing to one site cannot be taken for another site. No building shall at any time] be created on any open space prescribed in these rules for a building and form part of the site thereof, nor shall such open space be taken into account in determining the area of any open space required under these rules for any other building;

(d) if the front open space is 3.00 metres or more in width a Gate Goomti for security purpose may be allowed in the said open space. The covered area of such Goomti shall not in any case exceed 3.00 sq. metres and the height of such Goomti shall not exceed 3.00 metres. The covered area of the Gate Goomti shall not be included in calculation of Ground Coverage.

(2) The minimum front open spaces shall be as follows:

(a) every residential or educational building shall have a minimum front open space at ground level of 1.20 metres at its narrowest part;

(b) in the case of residential educational building with other occupancy or occupancies covering more than 20% of the ground floor of the building, the minimum front open space at the ground level shall be 2.00 metres at its narrowest part:

Provided that for such building on plots with area 300.00 sq. metres or less the minimum width of the front open space shall be 1.20 metres if the part of the building used for other occupancy or occupancies is not more than 30.00 sq. metres at the ground floor;

(c) every industrial or storage or mercantile (wholesale) building shall have minimum front open space at ground level of 5.00 metres at its narrowest part [in the plains and 3.00 metres at its narrowest part in the hills]

(d) in the case of industrial or storage or mercantile (retail) building on plot area of less than 300.00 sq. metres the minimum front open space shall be 1.20 metres at its narrowest part;

(e) every institutional or mercantile (retail) or business building shall have a minimum front open space at ground level of 3.00 metres at its narrowest part;

(f) every assembly building shall have a minimum front open space at ground level of 4.00 metres at its narrowest part;

(g) every club (assembly) building on plot area less than 200 sq. metres, the minimum front open space shall be 2.00 metres;

(h) for mixed use buildings, the minimum front open space shall be the one applicable for that particular occupancy which gives the highest provision of the minimum front open space in this rules.

(3) The minimum rear open space shall be as follows:

(a) every building shall have a minimum rear open space at ground level of a width at its narrowest part of not less than that indicated below :

Height of building	Minimum rear
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(metres)	open space at its narrowest part (metres)
Up to 8.00 Above 8.00 but not more than 11.00 Above 11.00 but not more than 14.50	2.00 3.00 4.00

(b) notwithstanding anything contained in clause (a) above, the minimum width of rear open space at its narrowest part for industrial or storage or mercantile (wholesale) building shall be 3.50 metres.

(4) The minimum side open space shall be as follows:

(a) every building shall have minimum side open spaces at ground level of width at its narrowest part of not less than that indicated hereinafter:

Height of building (metres)	Minimum rear open space at ground level at its narrowest part (metres)		
Up to 11.00			Side 2
Above 11.00 but not more than 14.50	Side 1	1.20 1.20	2.50

[For plots of size not more than 65 (sixty five) sq. metres minimum side open space of 0.9 metre may be allowed on each side provided that the building height does not exceed 8.00 (eight) metres.]

(b) notwithstanding anything contained in clause (a) above, the minimum distance across the side open space from every new building to an existing building with a door or window opening shall be 1.80 metres;

(c) notwithstanding anything contained in clause (a) above, the minimum width of side open

spaces for an industrial or storage or mercantile (wholesale) building shall be 3.50 metres;

(d) in the case of a building more than 24.00 metres in depth on a plot abutting any street a passage along the entire depth of the building shall be provided and the minimum width of such passage shall be 4.0 metres.

(5) The interior open space shall be as follows :

(a) for inner courtyard: in case whole of one side or part of at least two sides of every room excepting bath, water-closets and store-room, is not abutting either the front rear or side open spaces, it shall abut in inner courtyard whose minimum width shall be 30% of the height of the building or 3.00 metres whichever is more

(b) for ventilation shaft, that is to say for ventilating water-closet and bath-room such water-closet or bathroom if not opening to front, side, rear or interior open space, shall open on to a ventilation shaft the size of which shall not be less than the values given below:

Height of building	Minimum area of ventilation shaft	Minimum width of shaft
(metres)	(sq. metres)	(metres)
Up to 11.00	1.50	1.00
Above 11.00 but not more than 14.50	3.00	1.20

(c) if there be building other than boundary wall on not more than three sides of a building the minimum width of such courtyard shall not be less than 20% of the height of the building or 2.5 metres, whichever is more.]

50. [Provision of parking space for a building within a plot (Note : For hill Municipalities, rule 164 is to be referred to)] :-

(1) Generally,

(a) the minimum size of a car parking space shall be 2.50 metres x 5.00 metres and that for a truck or bus parking space shall be 3.75 metres x 10.00 metres. These spaces do not include the area of circulation, internal roads, aisles and driveways. The minimum width of an internal circulation road shall be 3.50 metres for cars and 5.00 metres for trucks;

(b) in calculating the number of parking spaces as per the norms laid down in sub-rules (2), (3), (4), (5), (6), (7) or (8) hereinafter, the covered area shall be the same as the total covered area of the building, but shall exclude the area of covered parking spaces, if any;

(c) the parking lay-out plan shall be so prepared that the parking space for each vehicle becomes directly accessible from the drive-way or circulation drive-way or aisles. This clause shall not be applicable to residential building up to 14.50 metres in height;

(d) the open spaces within the plot may be allowed to be utilized for car parking spaces open to the sky provided that the minimum front, rear and side open spaces prescribed in rule 49 shall be kept free from parking;

(e) for areas with different occupancies in a building the number of parking spaces shall be worked out on the basis of each of the occupancies separately and such number will be added to find out the total number of parking spaces required for the building;

(f) in case of a plot containing more than one building; parking requirement shall be calculated for each building separately, on the basis of use of each building;

(g) in calculating the areas of different tenements or different occupancies in the same building or different units of the same occupancy in a building, the areas of common spaces of any floor, which are included in the calculation of the total covered area shall be distributed proportionately amongst the different units or tenements;

(h) for plots in a scheme for Economically Weaker Section and Low Income Group Housing under Government approved schemes, the parking requirement shall be as indicated in rule 54;

(i) for plots with means of access of less than 3.50 metres in width, car parking space may not be provided.

(2) For residential occupancy, car parking shall be subject to the following provisions (parking space includes spaces for parking of cars, two-wheelers, three-wheelers, bi-cycles, etc.).

(a) Building with single tenement:

(i) no car parking space shall be necessary for total covered area of less than 100.00 sq. metres;

(ii) one car parking space shall be necessary for a total covered area of 100.00 sq. metres but less than 200.00 sq. metres;

(iii) one car parking space for every 200.00 sq. metres of covered area shall be necessary for a total covered area of 200.00 sq. metres or more;

(b) Building with more than one tenement:

(i) Tenement each up to 50.00 sq. metres of covered area

(A) no car parking space shall be necessary up to five such tenements;

(B) one car parking space shall be necessary for six such tenements;

(C) One additional car parking space shall be necessary for every additional six such tenements.

(ii) Tenement each with more than 50.00 sq. metres but up to 75.00 sq. metres of covered area;

(A) no car parking space shall be necessary up to three such tenements;

(b) one car parking space shall be necessary for four such tenements;

(C) one additional car parking space shall be necessary for every additional four such tenements.

(iii) Tenement each with more than 75.00 sq. metres but up to 100.00 sq. metres of covered area; one car parking space shall be necessary for every two such tenements.

(iv) Tenement each with more than 100.00 sq. metres of covered area; one car parking space shall be necessary for each tenement having covered area less than 200.00 sq. metres; one additional car parking space shall be necessary for every additional 100.00 sq. metres of covered area of the tenement.

(v) For a building with tenements of different sizes, the car parking requirement shall be calculated on the basis of the requirement of each size group subject to the condition that at least one car parking space shall be necessary for more than 3,00.00 sq metres of total covered area of the building irrespective of the number or sizes of tenement.

(3) For business occupancy, car parking shall be subject to the following provisions (parking space includes spaces for parking of cars, two-wheelers three-wheelers, bi-cycles etc.):

(a) for cover area up to 1500.00 sq. metres: one car parking space for every 75.00 sq. metres of covered area, or part thereof shall be necessary;

(b) for covered area above 1500.00 sq. metres but up to 5000.00 sq. metres: twenty car parking spaces plus one additional car parking space for every 100.00 sq. metres of covered area or part thereof beyond 1500.00 sq metres shall be necessary;

(c) for covered area above 5000.00 sq. metres: fifty-five car parking spaces plus one car parking space for every 200.00 sq. metres of covered area or part thereof beyond the 5000.00 sq. metres shall be necessary.

(4) For mercantile (retail) occupancy, car parking shall be subject to the following provisions (parking space includes spaces for parking of cars, two-wheelers, three-wheelers, by-cycles etc.):

(a) no car parking space shall be necessary up to a total covered area of 50.00 sq. metres;

(b) for covered area above 50.00 sq. metres: one car parking space plus one additional car parking space for every additional 100.00 sq. metres of covered area shall be necessary.

(5) For assembly occupancy car parking shall be subject to the following provisions (parking space includes spaces for parking of cars two-wheelers, three-wheelers, bi-cycles etc.)

(a) Restaurant, eating house, bars, clubs and gymkhana no car parking space shall be necessary up to a total covered area of 200.00 sq. metres. For covered area of more than 200 sq. metres, one car parking space for every additional 200.00 sq. metres or part thereof shall be necessary;

(b) Hotel and boarding house

(i) one car parking space for every five guest rooms or part thereof shall be necessary for three-star four-star and five-star hotels;

(ii) one car parking space for every twenty guest rooms or part thereof shall be necessary for other hotels and boarding houses;

(iii) for areas to be used as restaurant, dining hall, shopping area, seminar hall, banquet hall and similar purposes, one additional car parking space for every 200.00 sq. metres of covered area or part thereof shall be necessary;

(c) Theatre, Motion Picture House, City Hall, Dance Hall, Skating Rink, Town Hall. Auditorium or similar other Halls or such other places

(i) having fixed seating arrangement one car parking space for every thirty seats shall be necessary;

(ii) having no fixed seating arrangement: one car parking space for every 100.00 sq. metres of covered area shall be necessary.

(6)

(a) For institutional occupancy, car parking shall be subject to the following provisions (parking space includes spaces for parking of cars, two-wheelers, three-wheelers, bi-cycles and the like):

(i) hospitals and other health-care institutions run by Government, Statutory Bodies, Local Authorities;

(A) in institutions where beds are provided, one car parking space for every twenty beds shall be necessary;

(B) in institutions where beds are not provided, one car parking space shall be necessary for every 100.00 sq. metres of covered area;

(ii) hospital and other health-care institutions not run by Government, Statutory Bodies, Local Authorities; one car parking space for every 75.00 sq. metres of covered area or part thereof shall be necessary;

(b) The required number of car parking space shall in no case exceed 200.

(7) For educational occupancy, car parking shall be subject to the following provisions (parking space includes spaces for parking of cars, two-wheelers, three-wheelers, bi-cycles etc):

(a) no car parking space shall be necessary up to a covered area of 100.00 sq. metres used for administrative purpose;

(b) for covered area more than 100.00 sq. metres but less than 400.00 sq. metres used for administrative purpose, one car parking space shall be necessary;

(c) for covered area of 400.00 sq. metres and above used for administrative purpose, one car parking space for every 400.00 sq. metres shall be necessary;

(d) for total covered area of more than 100.00 sq. metres, one bus parking space for every 1000.00 sq. metres shall be necessary, Such parking space shall be in addition to the car parking space required for the building.

(8) For industrial or storage or hazardous occupancy, car parking shall be subject to the following provisions (parking space includes spaces for parking of cars, two-wheelers three-wheelers, bi-cycles etc.) :

(a) no car or truck parking space shall be necessary up to a total covered area of 200.00 sq. metres;

(b) for covered area of more than 200.00 sq. metres, one car parking space for every 200.00 sq. metres and one truck parking space for every 1000.00 sq. metres subject to a minimum of one truck parking space, shall be necessary;

(c) the required number of car parking space shall in no case exceed 50 and the required truck parking space shall in no case exceed 50.

51. Tall buildings (exceeding fourteen and a half metres in height) :-

In Municipality the building height shall not normally be more than 14.50 metres (fourteen and a half metres). But in case of any building exceeding 14.50 metres in height, the [Board of Councillors], for reasons to be recorded in writing and with the previous approval of the State Government may sanction those schemes as special case if not otherwise covered by any law for the time being in force. In such cases the following special rules shall be applicable in addition to other rules under the Act:

(1) no building exceeding fourteen metres and a half in height shall be allowed on private or public street of not less than 10.00 metres in width;

(2) for every category of building referred to in [rule 49(2)] and exceeding fourteen metres and a half in height, there shall be a front open space of not less than 20% of the height of the building on 6 metres at its narrowest part, whichever is less

Provided that such open space for any building other than a residential or an educational building exceeding fourteen metres and a half in height shall not be less than the open space specified under [rule 49(2)] in respect of such categories of buildings with a height of fourteen metres and a half or less;

(3)

(a) every building exceeding fourteen metres and a half but not exceeding eighteen metres in height shall have a rear open space at ground along the entire width of the building forming an integral part of the site of a minimum width of five metres;

(b) every building exceeding eighteen metres but not exceeding twenty-four metres in height shall have a rear open space at ground along the entire width of the building forming an integral part of the site of a minimum width of eight metres;

(c) every building exceeding twenty-four metres but not exceeding fifty metres in height shall have a rear open space at ground along the entire width of the building forming an integral part of the site of a minimum width of eleven metres;

(d) every building exceeding fifty metres in height shall have a rear open space at ground along

the entire width of the building forming an integral part of the site of a minimum width of twelve metres;

(4)

(a) the minimum side open space of a building exceeding fourteen metres and a half but not exceeding eighteen metres in height shall be 3 metres and 50 centimetres on either side or more;

(b) the minimum side open space of a building exceeding eighteen metres in height shall be 20% of the height of the building subject to the minimum of five metres and fifty centimetres on either side;

(c) in the case of a building of more than 24 metres in depth and not exceeding 18 metres in height, one of the side shall be at least 4 metres in width;

(5)

(a) in case the whole of one side or part of a least two sides of every room excepting bath, water-closets and storeroom, is not abutting either the front, rear or side open spaces, it shall abut an inner courtyard whose minimum width shall be 30% of the height of the building or 3 metres whichever is more;

(b) for ventilating water-closet in bathroom such water closet or bathroom or kitchen or any room not intended for human habitation if not opening on to front, rear, side or interior open space, shall be up to a ventilation shaft, the size of which shall not be less than the values given below:

Height of building (metres)	Area of ventilation shaft (sq. metres)	Minimum width of shaft (metres)
Above 14.50 but not more than 18.00	6.00	2.40
Above 18.00	8.00	2.40

for building of height of more than 15.00 metres a mechanical ventilation system shall be installed besides the provision of ventilation shaft;

(c) if there be building other than boundary wall on not more than three sides of a courtyard, the minimum width shall be 20% of the height of the building or 2.50 metres whichever is more;

(6)

(a) for every building exceeding fourteen metres and a half, the Floor Area Ratio shall be as specified in the table below:

TABLE

Maximum Permissible Floor Area Ratios

Width of Means of Access (metres)	Residential Building	Institutional Business Buildings	
		Commercial zone, if any	Other zone
1. Above 14.5 to 20.0	2.25	2.50	2.25
2. Above 20.0 to 24.0	2.50	2.75	2.50
3.	2.75	3.00	,2.75

Above 24.0			
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(b) while calculating the floor area under this Chapter, the following shall not be included, namely;

(i) stair cover not exceeding 2.4 metres in height

(ii) lift machine room as per latest edition of the National Building code.

(iii) roof tanks and their support, the height of support not exceeding 1 metre.

(iv) chimneys, ventilating, air-conditioning and service equipment attached to the building:

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

[(v)] the area of covered car parking space as may have been provided for the required number of car parking spaces in accordance with rule 50, and for this calculation the area required for one car parking space shall be taken as 20 square metres inclusive of all circulation spaces;

(7) for construction of street towers, the criteria specified for buildings above 14.5 metres in height shall be followed.

PART 5

52. [Regulation for more than one building in one plot, existing buildings and the buildings under Government approved schemes] :-

(1)

(a) Every building on a plot containing more than one building shall abut as internal road connecting the means of access of the plot.

(b) The minimum width of such internal roads shall be 3.50 metres. Where internal road of 3.50 metres in width is not possible to be provided due to an existing building constructed prior to the enforcement of these rules, a building of not more than 7.0 metres in height may be allowed, provided that the width of the internal road shall not be less than 1.20 metres.

(c) The maximum permissible height of any building on a plot shall be determined by the width of the means of access on which the plot abuts according to the table given in sub-rule (3) of [rule 48]

(d) The minimum width and the maximum length of all such internal roads shall be as prescribed in the table below :

Width of means of access	Maximum length of the	means of access	
		For means of access closed	For means

		at one end	of of access open to street at both ends
(i) 3.50 metres and above but not more than 7.00 metres.	25.00 metres	75.00 metres	
(ii) Above 7.00 metres but not more	50.00 metres	150.00 metres	

than 10.00 metres		
(iii) Above 10.00 metres	No restriction	No restriction

(e) In case the building within a plot are not of the same occupancy, an individual of any particular occupancy shall comply with the rules governing such occupancy except the provisions regarding Ground Coverage which shall be in accordance with sub-rule (2) of this rule.

(2) Ground Coverage shall be as laid down below : for plots measuring 5,000 sq. metres or more in area, the maximum permissible ground coverage shall be 45% for residential or educational buildings and 35% for buildings of other use groups or for buildings with mixed occupancies:

Provided that the provisions of [rule 47] shall be applicable to plots measuring less than 5,000 sq. metres.

(3) Open space for building shall be as laid down below :

(a) every building shall have minimum external open space as prescribed in rule 49 provided that on these open spaces internal roads may be constructed]

(b) for plots measuring more than 5,000 sq. m. in area, provision of 8% of the total area of the plot is to be kept as public open space. The width of each such open space shall not be less than 10.00 metres and each such open space shall abut a street having a width of not less than 7.00 metres. The minimum area of each of such open space in one parcel shall be 400 sq. m. This open space shall be in addition to the land required for providing the means of access to the individual plots as prescribed in rule 46;

(c) for plot measuring more than 25.000 sq. m. area provision of 7% of the total area of the plot shall be reserved for use for facilities like School, Health Centres, Market, Police Outpost with booth, Post Office, Power Sub-station, Transport Terminal, Water Treatment Plant, Sewerage Treatment Plant and the like, such land shall abut a street having a width of not less than 10 metres in addition to the land necessary for means of access and for open spaces sanctioned in clause (d) of this sub-rule.

(4) The parking provisions shall be same as stipulated in rule 50.

53. Provisions regarding existing buildings :-

(1) The provisions of these rules shall apply only in the case of an existing building. Existing building, for this purpose, shall mean any building which was erected before the date of coming into force of these rules in accordance with a building plan sanctioned by an authority competent to sanction such building plan under the Bengal Municipal Act, 1932 (Bengal Act XV of 1932) or

any other law for the time being in force.

(2) In the case of existing building

(a) excepting storage buildings, where the open spaces required have not been provided, an addition in the number of stories, if otherwise permissible, may be allowed with a set back, provided such building continues with the same occupancy

Provided that no formal set back may be necessary up to a height of eight metres for adding only one floor over an existing single storeyed residential building;

(b) the extent of the set back from the property boundary shall be such as to make the addition to the building conform to the provisions of rules 47 and 49;

(c) if any car parking space is required to be provided under these rules and no such car parking space can be provided in such existing building, the covered area allowable under the provisions of these rules shall be reduced by the area required for such car parking space which cannot be provided in the said building.

Explanation. For the purpose of calculation, the area required for one car parking space shall be taken as 20.00 sq. metres:

(d) the height of the building shall conform to the rules as indicated in [rule 48] and in no case after addition the height shall exceed 14.50 metres:

(e) the addition to an existing building with residential occupancy shall not exceed 200.00 sq. metres in covered area:

(f) the addition to an existing building with educational occupancy shall not exceed the total covered area of the existing building;

(g) the addition to an existing building with other occupancies including mixed use building but excepting storage building shall [not exceed 100.00 sq. metres in covered areas]

[(h) in case of partition of existing building common walls may be allowed as the partition line.]

54. Provisions for buildings constructed under Government approved schemes :-

(1) Notwithstanding anything contained elsewhere 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 under any Government approved scheme, for residential use of persons belonging to low income group of industrial workers.

(2) The minimum size of a plot shall not be less than 30 square metres and the maximum size of the plot shall not be more than 65 square metres,

(3)

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

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

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

(5) The maximum height of the building shall be 10 metres.

(6) The minimum front open space for a building shall be 0.8 metre.

(7) The minimum rear open space for a building shall be 1.0 metre.

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

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

(9) No parking space within the plot shall be necessary.

PART 6

Requirements of Parts of Buildings

55. 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 it shall in no case be at a height less than 60 centimetres.

(2) Every inner courtyard shall be raised at least 15 centimetres above the level of the centre of the nearest street and shall be satisfactorily drained.

56. Habitable room :-

(1) No habitable room shall have an area of less than 9.50 sq. metres having a minimum width of 2.40 metres, where there is only one room. In case of more than one room, of these rooms shall be not less than 9.50 sq. metres with a width of 2.40 m. at minimum and the others shall not be less than 7.50 sq. metres in area with a minimum width of 2.10 metres.

(2) No habitable room shall have a height of less than 2.75 metres measured from the surface of the floor to the lowest point of the ceiling or the underside of any slab :

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

(3) All rooms in any building irrespective of their use-group, utilised for human habitation shall conform to sub-rules (1). (2) and (3).

(4) Any room to be used as retail shop shall have a minimum clear height of 2.3 metres measured from floor to bottom of the ceiling or beam, whichever is lower.]

57. Roof :-

(1) The roof of a building shall be so constructed or framed as to permit effectual drainage of the rain-water therefrom 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 [Board of Councillors] may require rain-water pipes to be connected to a drain or sewer through a covered channel formed [beneath] any street to connect the rain-water pipe to the road gutter or in any other approved manner.

(3) Rain-water pipes shall be affixed to the outside walls 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 [Board of Councillors].

(4) Every terrace on the top-most storey of any building shall have a common access and shall not be sub-divided.

58. Kitchen :-

(1) No kitchen shall have a floor area of less than 4.5 sq. metres and width of less than 1.8 metres :

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

(2) No kitchen shall have a height less than 2.5 metres measured from the surface 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 any pantry, 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 of not less than 1 sq. metre in area opening directly to an interior or exterior open space, or into any shaft;
- (d) a flue if necessary;
- (e) a refuse chute for discharge of solid wastes in case of any building exceeding eighteen metres in height.

59. Pantry :-

- (1) No pantry shall have a floor area of less than 3 sq. metres and a width of less than 1.4 metres.
- (2) Every pantry shall have
 - (a) a means of the washing kitchen utensils, if not provided in the kitchen, which shall lead directly or through a sink to a grated and trapped connection to any waste pipe;
 - (b) an impermeable floor.

60. Bathroom and water closet :-

- (1) No bathroom shall have a floor area of less than 1.8 sq. metres, width less than 1.2 metres and a height less than 2.2 metres measured from the surface of a floor to the lowest point of the ceiling or the underside of any slab:

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

- (2) No water closet shall have a floor area of less than 1.1 Sq metres and a width less than 0.9 metre.
- (3) Notwithstanding the provisions of sub-rule (1) or sub-rule (2) in the case of any building referred to in rule 54
 - (a) an independent bathroom may have a floor area of 1.45 sq. metres;
 - (b) a combined bathroom and water closet may have a floor area 2.0 sq metres, with a minimum width of 1.1 metres.
- (4) Every bathroom or water closet shall
 - (a) be so situated that at least one of its walls shall open to an interior or exterior open space or shaft and shall have an interior or exterior open space or shaft and shall have an opening in the form of window or ventilator or louver not less than 0.37 sq. metre in area;
 - (b) not be directly over any room other than a latrine or water closet or a washing place or a bathroom or a terrace unless it has a water-tight floor;
 - (c) have the platform or seat made of water tight non-absorbent materials;
 - (d) be enclosed by walls or partitions and the surface of every such wall or partition shall be finished with a smooth impervious material to a height of not less than 1 metre above the floor of such a room;
 - (e) be provided with a door completely closing the entrance to it; and
 - (f) be provided with an impervious floor covering sloping towards any drain with a suitable grade and not towards any verandah or other room.

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

61. 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 the floor of any room other than inhabited room, provided that 100 per cent of the area may be covered over any corridor.
- (3) Maximum height between any loft and ceiling shall be 1.20 metres and the clear height below the loft shall not be less than 2.10 metres.

62. Ledge or tand :-

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

63. Mezzanine floor :-

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

64. Store room :-

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

65. Garage :-

- (1) No garage for cars shall be less than 2.5 metres x 5 metres.
- (2) The minimum head room in a garage shall be 2.1 metres.
- (3) The size of any garage where more than one motor car is parked shall be calculated on the basis of the number of vehicles to be parked there.
- (4) No garage for trucks shall be less than 3.75 metres x 10.00 metres with a minimum head room of 3.50 metres.

66. Basement :-

- (1) Subject to specifications, if any, made in this behalf under the West Bengal Town and Country (Planning and Development) Act, 1979, the [Board of Councillors] may specify an area or ward or borough where the construction of any basement shall not be permitted.
- (2) A basement may be used as
 - (a) a parking space,
 - (b) an air-conditioning plant room or room for other machines used for any building service or for

other purposes,

(c) a space for a stand-by generator for power supply,

(d) a storage space for house-hold or other goods of non-inflammable nature,

(e) a strong room or bank cellar,

(f) a dark room,

(g) a stack room in any library; or

(h) a business building, or mercantile building (retail), or assembly building, if it is air-conditioned.

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

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

(5) No kitchen, bathroom or water-closet shall be permitted in any basement unless the sewer levels permit the same and there is no chance of back flow and flooding of sewerage. If permitted, such kitchen, bathroom or water-closet shall be placed against an external wall of the basement. Which shall also be the external wall of the building and shall be adequately lighted and ventilated. [Detailed] plans showing arrangement for drainage including pumping system shall be submitted in such cases.

(6) Every basement shall

(a) in every part be at least 2.4 metres in height from the floor to the underside of the roof slab or ceiling or any false roofing:

(b) have adequate arrangement so that surface drainage does not enter the basement, and have adequate arrangement for pumping out water, if necessary;

(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) have access by means of two more ramps and a staircase, which are separated from the main and alternate staircase providing access and exit from higher level floors, the width of each ramp shall not be less than 3.5 metres and the slope shall not be steeper than one vertical to six horizontal and the distance between the ramps shall be such as may be determined by the Municipal Chairman;

(e) in the case of such basement being used for a purpose as referred to in clause (g) of sub-rule (2), have sufficient numbers of access ways and exit ways so that the travel distance is not more than 15 metres;

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

Provided that any deficiency may be met by providing adequate mechanical ventilation in the form of blowers, exhaust fans at the rate of one exhaust fan for every 50 sq. metres of the basement area, or by air-conditioning;

(g) comply with the requirements of the West Bengal Fire Services Act. 1950 (West Ben. Act XVIII of 1950) and the rules and the directions made or issued thereunder.

67. Chimney :-

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

(2) Any chimney shall be built at least 0.9 metre above any flat roof:

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

68. Parapet :-

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

69. Boundary wall :-

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

70. Lighting and ventilation of room :-

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

(2) In any case where light and ventilation requirements are not met through day lighting and natural ventilation, the same shall be ensured through artificial lighting and mechanical ventilation as per the latest provisions of section 1 of Lighting and Ventilation of part VIII on Building Services of the latest edition of the National Building Code of India

Provided that the minimum aggregate area of the openings of habitable rooms and kitchens, excluding doors shall in no case be less than one-tenth of the floor area.

(3) No portion of any habitable room shall be assumed to be lighted if it is more than 7.5 metres from the opening assumed for lighting that portion.

[(4) The planning, design and installation of lighting and ventilation, electrical installations and fittings, air-conditioning and heating work, acoustics, sound insulations and noise control, the number, type and installations of lifts and escalators, shall be carried out in accordance with the provisions of building services of the latest edition of the National Electrical Code of India:

Provided that for electrical installation in respect of any building the provisions of the latest edition of the National Electrical Code and Indian Electricity Rules shall apply:

PART 7

Exit Requirements of Buildings

71. Definitions :-

In this Chapter, unless the context otherwise requires,

(a) "exit" means a passage, channel or means of access from any building, storeys or floor area to a street or other open space of safety and includes a vertical exit or a horizontal exit or an outside exit. Explanation. In this clause

(i) "Vertical exit" means an exit used for ascension or discension between two or more level s including stairways, smoke proof towers, ramps, lifts, escalators and fire escapes.

(ii) "horizontal exit" means a protected opening through or around a fire wall or a bridge connecting two buildings,

(iii) "outside exit" means an exit from the building to a street or to an open area leading to a street or to an enclosed fire resistive passage leading to a street;

(b) "travel distance" means the distance from the exit of a tenement of any premises on a floor of a building to a place of safety, be it a vertical exit, a horizontal exit or an outside exit, measured along the line of travel.

72. Fire protection :-

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

73. General exit requirements :-

(1) The following general requirements shall apply to exit:

- (a) all exits shall be free from obstructions;
 - (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 each 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 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 access to the exterior of a building or to an exterior open space 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, except in the case of a building for residential and educational use.
- (2) An exit may be a door-way, 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.
- (4) All basements shall have a minimum of two exits. Explanation. Ramps to the basement shall be considered as exits.

74. Arrangements of exits :-

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

75. Requirements regarding staircase :-

All buildings referred to in rule 72 shall be provided with such number of staircases as the [Board of Councillors] may require. Under no circumstances, the number of staircases shall be less than two in the case of a building of more than fourteen metres and a half in height and one of them shall be on the external face of the building.

76. Minimum width provisions :-

The following provisions for minimum width shall be made :

- (a) for each stairway in a residential building having not more than two tenements per floor, the minimum width shall be
 - (i) 0.90 metre in the case of a building having up to 11 metres in height,
 - (ii) 1.50 metres in the case of a building having above 11 metres and up to 14.5 metres in height,

(iii) 1.25 metres for primary stairway in the case of building above 14.5 metres in height;

(b) every additional tenements per floor to be served by the same staircase. The width of each stairway shall be increased by 0.15 metre, provided that for buildings constructed under the provisions of these rules, the minimum width for each of stairway shall not be less than 0.90 metre;

(c) for each stairway in institutional or mercantile buildings, the minimum width shall be 2.0 metres;

(d) for each stairway in educational or business or assembly buildings other than theatre, motion picture house city hall, dance hall, auditoria, exhibition hall or similar other halls or such other places, the minimum width shall be 1.80 metres;

(e)

(i) for assembly buildings not included in clause (b) above, the minimum width of each stairway shall be 1.80 metres where not more than 300 persons are to be accommodate.

(ii) for the accommodation of more than 300 persons, the minimum width of stairway as at (d) above shall be increased by 0.30 metre for every additional 100 persons or part thereof over 300 persons;

(iii) notwithstanding anything contained in sub-clause (ii), instead of a single staircase, corridor or passageway of the width prescribed by the said sub-rule, there may be two or more -staircases, corridors or passageways as may be sufficient for the number of persons that can be accommodated in the building, each having a width as prescribed in sub-rule (i);

(f) for all other buildings, the minimum width of each stairway shall be 1.50 metres;

(g) the minimum width of a passage or corridor shall be as follows:

(i) for a passage connecting vertical exits and the apartments/units, the width shall not be less than the width of each stairway specified in clauses (a) to (e) except for mercantile business buildings and assembly buildings;

(ii) for a passage within an apartment, the width shall not be less than 0.90 metre;

(iii) for a passage giving access to shops in a mercantile building the width shall not be less than 2 metres if the shops are on one side only and 3 metres if the shops are on both sides;

(iv) for a passage in a business building, the width shall not be less than 2.50 metres;

(v) for a passage in an assembly building, the width shall not be less than that as derived under sub-clauses (i), (ii) and (iii) of clause (e).

77. Provision for doors for an assembly room or hall :-

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

78. Other requirements :-

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

79. Consultation with the Director of Fire Services, before granting permission to erect a building :-

No permission for the erection, addition to or alteration of, any building other than a residential building or an educational building of less than fourteen metres and a half in height shall be granted unless the [Board of Councillors] in consultation with the Director of Fire Services of the Government of West Bengal or any Officer specially empowered by the Director for the purpose is

satisfied about the provision of means of exits and about the arrangements for protection against fire proposed for the building.

80. Requirements of special occupancies under any other law in force :-

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

PART 8

Structural Design

81. Structural design :-

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 loads concrete. [foundation, steel reinforcement, wood and masonry specified in the latest edition of the National Building Code of India, relevant Codes of Bureau of Indian Standards including Bureau of Standards Code No. IS 12070-1995. IS 13063-1996, IS 142243-1995 Parts I and II.]

82. Quality of materials and workmanship :-

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

83. Alternative materials, methods of design and construction :-

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

84. Tests :-

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

PART 9

Building and Plumbing Services

85. Building services :-

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

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

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

86. Plumbing services :-

The planning, design, construction and installation of water supply, drainage and sanitation and gas supply system shall be in accordance with the provisions of Water Supply, Drainage and Sanitation, Gas Supply on Plumbing Services, of the latest edition of National Building Code of India. Septic tank, pits or pit privy shall be so located in a premises or holding, that the same is easily accessible from the means of access to the plot.

87. Signs and outdoor display structures :-

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

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

PART 10

Provisions for Salt Lake Township within Bidhannagar Municipal Area

88. Special provision :-

(1) Notwithstanding anything contained elsewhere in these rules, the provisions of this part shall apply only to the Salt Lake Township and shall be construed to be in modification of, or to be supplementing, the other provisions of these rules in their application to the said Township.

(2) The provisions regarding construction of any building, in any plot measuring 1.5 k, within green verge, and 2 k/3 k plot within park allotted for Community Hall, Ward Committee office building or such other building shall be as may be required by the Bidhannagar Municipality:

Provided that the provision for approval of sites to construct or reconstruct building under rule 5 of these rules, shall not apply to the Salt Lake Township.

89. Administration :-

(1) The provisions of this part of these rules shall be enforced by the Bidhannagar Municipality.

(2) The Bidhannagar Municipality may, at all reasonable hours normally between sunrise and sunset and after giving forty eight hours previous notice, enter into or upon any building or premises for the purpose of ascertaining whether or not the provisions of this part of these rules are being complied with.

90. Definitions :-

(a) In this part

(1) "Alley" means a secondary public thoroughfare which affords a means of access to the abutting property;

(2) "Anita" or Mamti (Stair Cover) means a cabine, that is, the structure with a covering roof over a staircase and its landing built to enclose only the stairs for the purpose of providing protection from wheather and not used for human habitation;

(3) "Apartment House" means a building arranged, intended or designed to be occupied by three or more families, independent of each other;

(4) "Approved" means approved by the Bidhannagar Municipal Authority;

(5) "Assembly Place" means a room, floor area, or building designed, intended or used to seat or accommodate 100 or more persons and used as a place for meetings, entertainments, instructions, worship, or any such other use;

(6) "Authority" means the Board of Councillors of the Bidhannagar Municipality;

(7) "Balcony" means a horizontal projection including a hand rail, or balustrade to serve as passage or sitting-out place;

(8) Barsati, Saiban or "Penthouse" means covered space open at least on one side, constructed on a terraced roof used for shelter during rains;

(9) "Building, Height of" means the vertical distance measured in the case of flat roofs, from the top level to the Kerb Stone of the adjoining to the highest point of the building and in the case of pitched roofs, up to the point where the external surface of the other wall intersects the finished surface of the slopping roof and, in the case of garbles facing the road, the mid-point between

the caves level and the ridge. Explanation. Architectural features serving no other function except that of decoration shall be excluded for the purpose of taking heights. If the building does not abut on a street, the height shall be measured above the average level of the ground around and contiguous to the "building";

(10) "Building Industrial" means building wholly or principally used as a factory, warehouse, laundry, brewery, distillery, iron foundry or for any other similar purpose;

(11) "Building Line" means the line up to which the plinth of a building adjoining on a street or on an extension of street or on a future street lawfully extended. It includes the lines prescribed, if any, in any Scheme;

(12) "Building Line Permissible" means a line parallel to the front line of the plot at a distance of the minimum width of the frontyard, other times being as fixed by the Authority having jurisdiction;

(13) "Ceiling height" means the vertical distance between the floor and the ceiling or the bottom of the roof beam in case there is a beam;

(14) "Cross Wall" means an internal wall built into an external or partly wall up to its roof level and of which it forms the limiting factor for the purpose of deciding its thickness;

(15) "Damp-proof course" means a course consisting of some appropriate waterproofing materials provided to prevent penetration of dampness or moisture from any part of the structure to any other part at a height of not less than 15 cm (or 6 inch) above the surface of the adjoining ground;

(16) "Drain" includes a sewer, pipe, ditch, channel, and any other device for carrying off sewage, offensive matter, polluted water sullage, waste water, rain water or sub-soil water, sealed sewage mains and special machinery or apparatus for raising, collecting, expelling or removing sewage or offensive matter to the sewage outfall;

(17) "Drainage" means the act, process, method, or means of drainage, mode or discharge of water, system of drains;

(18) "Exit" means a passage, channel or means of egress from any building, storey or floor area to a street or other open space of safety;

(19) "Filling Station" means an area of land including any structure or structures thereon, used or designed to be used for the storage and supply of gasoline or oil or other fuel for the propulsion of vehicles;

(20) "Fire-resisting material" means any of the following materials and the like :

(a) Masonry constructed with good hard, sound and well burnt bricks, fire bricks, stone or other hard and incombustible materials properly bonded and set in limesurki, or lime-sand, or neat cement, or cement-sand mortar;

(b) reinforced cement concrete and other incombustible cement products;

(c) Teak and other hard woods when used for beams and posts or in combination with iron, the timber and iron being protected by a plastering or coating with an incombustible and non-conducting external coating not less than 6 cm (or 2 inch) thick or, in the case of timber, not less than 2.5 cm (or 1 inch) thick;

(d) Slates, tiles, bricks, and terracotta when used for covering and corbelling;

(e) Concrete, not less than 10 cm (or 4 inch) in thickness, composed or broken bricks, stone chippings or ballast and lime, cement when used for filling in between floor joists; and

(f) Any other material approved by any authority having jurisdiction;

(21) "Footing" means the offset portions of a foundation to provide for a greater bearing area;

(22) "Foundation" means the part of a structure which is below the lowermost floor and which provides support for the superstructure and which transmit loads of the superstructure to the

bearing materials;

(23) "Gallery" means the raised portion of room, which remains open to the room.

Explanation. The floor of the gallery may be either level or slopped, if the space below the gallery is enclosed or divided off from the room, the space so enclosed remains a ground floor room. If the side of the gallery which was open to the room is filled by a wall or partition, the gallery becomes a mezzanine floor;

(24) "Garage Private" means a building or outhouse designed or used for the storage of private owned motor vehicles;

(25) "Garage Public" means a building or portion thereof, other than private garage, operated for gain, designed or used for repairing, servicing, hiring, selling or storing motor driven or other vehicles;

(26) "Ground Floor" means the storey of a building to which there is an entrance from the outside of the adjacent ground or street;

(27) "Habitable Room" means a room occupied or designed for occupancy by one or more persons for study, living, sleeping, eating, kitchen, it is used as a living room but not including bathrooms, water-closet compartment, laundries, serving and storage pantries, corridors, cellars, and attic and spaces that are not used frequently;

(28) "Head Room" or "Headway" means the vertical distance between the floor and the ceiling.

Explanation. Where a finished ceiling is not provided, the underside of the joists or beams or tie-beams shall determine the upper point of measurement;

(29) "Latrine Connected" means a latrine connected to the Government sewer system;

(30) "Load Dead" means the weight of all permanent stationary construction becoming a part of the structure;

(31) "Load Live" means all loads except dead loads that may be imposed on a structure, and includes Wind loads;

(32) "Non-combustible", in relation to materials, means a non-combustible material which neither burns nor gives off inflammable vapours in sufficient quantity to ignite at a pilot flame;

(33) "Owner" means the person who receives the rent of the said premises or would be entitled to do so if the premises were let, and includes

(a) an agent or trustee who receives such rent on behalf of the owner;

(b) a receiver, executor or administrator or a manager appointed by any court of competent jurisdiction to have the charge of, to exercise the rights of, an owner of the said premises; or

(c) an agent or trustee who receives the rent of or is entrusted with or is concerned with any premises devoted to religious or charitable purposes;

(34) "Partition" means a wall which supports no load other than its own weight;

(35) "Pathway" includes an approach constructed with materials, such as bricks murrum, concrete, stone, asphalt, or the like;

(36) "Plaster" means a pier forming part of a wall partially projecting therefrom and bounded thereto;

(37) "Plot" includes a parcel or piece of land occupied or intended to be occupied by the main building together with its accessory buildings, used customarily or as incidental to it, and includes the open spaces required by these rules and having frontage upon a street or upon a private way that has officially been approved by the Authority;

(38) "Plot Corner" means a plot at the junctions of and fronting on two or more intersecting streets;

(39) "Plot Depth of" means the mean horizontal distance between the front and rear plot

boundaries;

(40) "Plot, Double Frontage" includes a plot having a frontage on two streets other than a corner plot;

(41) "Plot, Interior or Tandem" includes a plot access to which is by a passage from a street, whether such passage forms part of the plot or not;

(42) "Porch" means a covered surface supported on pillars or otherwise for the purpose of pedestrian or vehicular approach to a building;

(43) "Rain Water Pipe" includes a pipe or drain situated wholly above ground and used or Firm who/which has been registered and enrolled in the panel of the Authority;

(45) "Road" means any highway, street, lane, pathway, alley, stairway, passageway, carriageway, footway, square place or bridge, whether a thoroughfare or not over which the public have a right of passage or access or had passed and had access uninterruptedly for a specified period, whether existing or proposed in any scheme, and includes all bunds, canals, ditches, Storm-water drains, culverts, sidewalks, traffic islands, roadside tree and hedges retaining walls, fences, barriers and railings within the road lines;

(46) "Road Line" means the line defining the side limits of a road;

(47) "Sanctioned plan" means the set or drawings and statements submitted under these rules in connection with a building and duly approved and sanctioned by the authority;

(48) "Service road" means a road provided at the rear or side of a plot for service purpose;

(49) "Sewage drain" means a closed drain used or constructed to be used for conveying solid or liquid waste matter, excremental or otherwise, to a sewer;

(50) "Shop" means a building or part of a building where articles of food and of personal, domestic and household use and consumption are sold and goods of any kind are ordinarily retailed, but does not include a workshop;

(51) Slopsink means a sink used or constructed to be used for receiving solid or liquid excremental matter;

(52) "Smoke pipe" means a flue approximately horizontal, of metal or other material in which smoke or the products of combustion are conducted from a furnace to a chimney;

(53) "Storey Topmost" means the uppermost storey in a building, whether constructed wholly or partly on the roof;

(54) "Street has the same meaning as in clause (45);

(55) "Street level or Grade" means the officially established elevation of the centre line of the street upon which a plot fronts and if there is no officially established grade, the existing grade of the street at its mid-point;

(56) "Structure" includes anything that is built or constructed, an edifice or building or any kind or any piece of work artificially built up or composed of parts joined together in some definite manner, and includes building;

(57) "To abut" means to abut on a road so that any portion of the building is on the road boundary;

(58) "To erect" means to construct a building for the first time or to reconstruct existing building after demolishing it according to some fresh or revised plan;

(59) "To make material alterations" means to make any modification in any existing building by way of addition or alteration, or any other change in the roof, window, door, compound, sanitary and drainage system in any respect whatsoever, and includes

(a) conversion of a building or any part thereof for human habitation as one dwelling house into more than one dwelling house and vice versa

(b) conversion of a building or a part thereof not suitable for human habitation into a dwelling house or vice versa;

(c) conversion of a dwelling house or a part thereof into a shop warehouse or factory or vice versa;

(d) conversion of a building used or intended to be used for one purpose, such as, shop, warehouse, factory etc., into one for another purpose.

Explanation. Opening of a window and providing intercommunication doors shall not be considered as material alterations. Similarly, modifications in respect of gardening white-washing, painting retailing and other decorative works shall not be deemed to be material alterations.

(60) "To re-erect" means to construct for a second time or subsequent times a building or a part of a building after demolishing it, on the same plan as had been previously sanctioned;

(61) "Wall, External" includes an outer wall or a vertical enclosure of any building being a party wall, even though adjoining a wall of another building, and includes a wall abutting on an interior open space of any building;

(62) "Wall, Party" includes a wall built on land belonging to two adjoining owners, the wall being the joint property of both owners.

Explanation. If each of the two adjoining owners builds a dividing wall on their own property, they are not Party Walls' and no part of the footings of either wall shall project on to the land of the adjoining owner, except by legal agreement between the owners. Any such Party or dividing wall shall be considered for the purposes of these rules as being equivalent to an external wall, as far as thickness and height are concerned :

(63) "Wall, Party, Compound" includes wall, used or constructed to be used for separation of adjoining lands of different owners and not being part of a building but does not include a wall constructed on the land of one owner, the footings of which project over the land of another owner;

(64) "Warehouse" means a building, the whole or a substantial part of which is used or intended to be used for the storage of goods, whether for keeping or for sale or for any similar purpose , but does not include a store-room attached to and used for the proper functioning of a shop;

(65) "Window" includes an opening to the outside, other than a door, which provides all or part of the required natural light and ventilation or both to an interior space;

(66) "Water Closet (WC) means a privy with arrangement for flushing the pan with water, but does not include a bathroom;

(67) "Yard" means an open space at ground level between a building and the adjoining boundary lines of the plot unoccupied and unobstructed, except by encroachments or structures specially permitted by these rules on the same plot with a building.

Explanation. All yard measurements shall be the minimum distance between the front, rear and side plot boundaries, as the case may be, and the nearest point of the building including enclosed or covered porches, Every part of every yard shall be accessible from every other part of the same yard;

(68) "Yard, Front" means a yard extending across the front of a plot between the side yard lines and being the minimum horizontal distance between the streetline and the main building or any projection thereof other than steps, unenclosed balconies and unenclosed porches;

(69) "Yard Rear" means a yard extending across the rear of a plot between the side yard lines and being the minimum horizontal distance between the rear plot boundary and the rear of the building or any projection other than steps, unenclosed balconies or unenclosed porches;

(70) "Yard, Side" means a yard between the building and the side line of the plot and extending from the front line to the rear line of the plot and being the minimum horizontal distance between a side boundary line and the sides of the building or any other projection other than steps, unenclosed balconies or unenclosed porches.

Category of plot	Areas
1.5k	Any Plot having area of less than 2 cottahs;
2k	Any Plot having area of less than 3 cottahs;
3k	Any Plot having area of 3 cottahs or more but less than 4 cottahs;
4k	Any Plot having area of 4 cottahs or more but less than 5 cottahs;
5k	Any Plot having area of 5 cottahs or more but less than 6 cottahs;
6k	Any Plot having area of 6 cottahs or more but less than 7 cottahs;
7k	Any Plot having area of 7 cottahs or more but less than 8 cottahs;

8k	Any Plot having area of 8 cottahs or more but less than 9 cottahs;
9k	Any Plot having area of 9 cottahs or more but less than 10 cottahs;
10k	Any Plot having area of 10 cottahs or more but less than 11 cottahs;

(b) The words and expression used but not otherwise defined shall have the same meaning as in rule 2.

91. Additional requirements for submission of Building Plan :-

(1) For submission of Building Plan under rule 13. in addition to the conditions laid down in these rules the following conditions are required to be fulfilled for the purpose of this chapter:

(a) all plans should be duly signed and certified by the owner in writing with inscription "Certified that I have gone through the West Bengal Municipal (Building) Rules, 1996 and also undertake to abide by those rules during and after the construction of the building". Such plans should be signed and certified by the technical personnel engaged under rule 17 indicating their names, addresses qualifications and enrolment numbers allotted by the authority with the inscription "Certified that the plan has been designed and drawn up strictly according to the provisions of the West Bengal Municipal (Building) Rules, 1996;

(b) five copies of sewerage and water connection plans shall accompany the notice drawn to a scale of 1m to 1 cm (or 8 inch to 1 inch) and coloured as laid down in Table 2 in sub-rule (4) of rule 14, shall have to be submitted to the Authority. The size of the drawing sheet will be 30 x 22 cm.

92. Notice for an alteration only :-

When the notice is only for an alteration of the building, only such plans and statements as may be necessary shall accompany the notice:

Provided that a revised plan is to be submitted showing the changes proposed with the requisite fee. A clearing certificate shall have to be obtained afresh.

93. Repairs :-

No such notice shall be deemed necessary for repairs in any existing building constructed in accordance with these rules.

94. Deviation during construction :-

If during construction of a building any departure or deviation from the sanctioned plan is intended to be made, sanction of the Authority having jurisdiction shall be obtained before the change is made. The revised plan showing the deviation shall be submitted and the procedure

laid down for the original plan therefor shall apply to all such amended plans. If on inspection during the construction stage, it is detected that deviation from the sanctioned plans have been made, the applications for the revised plan may not be entertained and the clearance certificate as mentioned in clause (a) of sub-rule (3) of rule 148 will not be issued in respect of the water and sewerage connections till rectification of the deviations.

95. Fees :-

(1) No Building Plan as specified in rule 13 shall be deemed valid unless and until the person giving notice has paid the fees given below to the Authority having jurisdiction and an attested copy of the receipt of such payment is attached with the Building Plan.

(2) In the event of a building permit not being issued, the fees so paid shall not be returned to the owner. But he shall be allowed to resubmit it without any fees after complying with all the objections raised by the Authority having jurisdiction with in a period of one year from the date of rejection after which fresh fees shall have to be paid.

(3) Scale of fees for granting permission for building work under this part shall be as follows:

Category of plot		Fees per floor or part thereof per building
1.5k		Rs. 250.00
2k		Rs. 250.00
3k		Rs. 270.00
4k		Rs. 300.00
5k		Rs. 330.00
6k		Rs. 380.00
7k	..	Rs. 400.00
8k		Rs. 420.00
9k		Rs. 460.00
10k		Rs. 520.00
Above 10k		Rs. 750.00

(4) For each certified copy of sanctioned drawing, a fee of Rs. 120 per building shall be deposited in the usual manner.

96. Part construction :-

(1) Part construction of a building according to any sanctioned plan may be permitted. Prior approval of part construction shall have to be taken from the Authority by submitting 2 copies of the plans (floor plan and front elevation of the part of the building proposed to be constructed). The Authority reserves the right to get the front elevation modified in case of such part construction.

(2) Part construction should always start from the front and completed in full as per sanctioned plan for part construction.

(3) A partial occupancy certificate shall be issued for part construction under sub-rule (4) of rule 34 and no occupancy certificate shall be issued till part construction is completed in full.

(4) In the case of multistoried flats of Housing Co-operative Societies, a partial occupancy certificate may be issued for completion of 75% of the building. In this case, the members of the concerned housing Co-operative Society have to execute an indemnity bond with the condition that the member of the said Housing Co-operative Society shall complete the building on all respect within 180 days from the date of issue of the partial occupancy certificate and shall apply to the Authority for a full occupancy certificate.

97. Fees for sanction of revised plan or part plan :-

Fees for sanction of revised plan or for sanction of part plan shall be as follows : Part plan Rs. 240.00 per floor per building; Revised plan Rs 250.00 per floor per building; Revalidation fee Rs. 120.00 per floor per building; fee on completion certificate Re. 1.00 SFT as service charges (in connection with removal of rubbish) of the floor area of each floor.

98. Constructions not according to plan under sub-rule (2) of rule 29 or sub-rule (1) of rule 34 :-

(1) where, on inspection, it is found that any building or structure or any part thereof is being or has been erected in deviation of the sanctioned plan or in contravention of any of the provisions of the Act or the directions issued therein, the Chairman or his authorised representative may issue a Notice to the plot-holder to appear before him or his authorised representative within such period as would be mentioned in the Notice, but not less than 10 (ten) days from the date of issue of the letter requiring the plot-holder or his authorised representative to explain the reasons for committing such deviation/contravention as would be mentioned in the Notice.

(2) On giving hearing to the plot-holder or his authorised representative on the expiry of the period as mentioned in the Notice whichever is earlier the Chairman may make an order directing the demolition of the building or part thereof by the owner within such time as may be specified in the order and, in default, the Chairman may, without giving any further notice to plot holder himself effect the demolition and recover the cost from the owner of the building as an arrear of land revenue under the Bengal Public Demands Recovery Act, 1913 (Ben. Act III of 1913).

99. Cases of emergency :-

(1) In cases of emergency which in the opinion of the Authority, involves imminent danger to human life or health, the decision of the Authority shall be final. The Authority shall forthwith or with such notice as may be possible promptly cause such building, structure or portion thereof to be rendered safe or removed. For this purpose, the Authority may enter any time such structure or land on which it stands or abutting land or structure with such assistance and at such cost as may be deemed necessary. The Authority may also get the adjacent structure vacated and protect the public by an appropriate fence or such other means as may be necessary.

(2) Costs incurred under sub-rule (1) shall be a charge to the owner of the premises involve d. Such costs shall be a charge on the premises in respect of which or for the benefit of which the same have been incurred and shall be recoverable as an arrear under the Bengal Public Demands Recovery Act, 1913 (Ben. Act III of 1913).

100. Enforcement of Rules, Offences and Penalties :-

Without prejudice to the operation of any other law, it shall be the duty of the authority to take necessary measures to institute proceedings against any person who contravenes any of the

provisions of these rules.

101. Means of access :-

(1) For plots of more than 10k where more than one house will be permitted, the organisation which erects building shall provide as means of access to such building a clear path way not less than 3.6m (12ft) in width for 3 storeys and 5m (16ft) in width beyond 3 storeys from a street to the entrance door of such building, and such pathway shall, so long as it is used as a means of a access to that building be maintained free from any obstruction and shall not at any time cause or permit any portion of any building below a height of 5m (16ft) to overhang into such passage.

(2) No building shall be erected so as to deprive any other building of the means of access as provided in this rule.

(3) Every person who erects a building, shall indicate upon any plan required to be furnished by him in accordance with these rules the whole area of such means of access by a distinguishing colour and description.

(4) Every person who erects a building, shall not at any time erect or cause or permit to be erected or re-erected any building, which in any way encroaches upon or cause or permit to be diminished the area so set apart for this purpose.

(5) Every such means of access shall be drained and lighted to the satisfaction of Authority. Manhole-covers or other drainage water or any other fittings laid in such means of access shall be flushed with the finished surface level so as not to obstruct safe travel over the same.

(6) A person who undertakes construction work on building shall not reduce the access.

(7) The means of access under these rules shall not be deemed to be suitable and sufficient until they have been approved by the Authority who shall have power to prescribe the width of the clear way which he shall communicate.

102. Access to Dwelling Units and Rooms :-

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

103. . :-

(1) Obligatory front space, minimum side spaces and back spaces for various categories of residential buildings shall be as follows:

Category of plot	Front (fixed) (in metre)	Narrower Side (Min.) (in metres)	Wide Side (Min.) (in metres)	Back (Min) (in metres)
2k	1	0.75	2.50	2
3k	1	0.75	2.50	2

4k	1	0.75	2.50	4
5k	1.5	0.75	2.50	4
6k	2	0.75	2.50	6
7k	2	0.75	2.50	6
8k	2	0.75	3	7
9k	2	0.75	3	7
10k	2	0.75	3	7

(2) In every building specified in sub-rule (2) of rule 88 there shall be a fixed front open space measuring 1.0 metre, minimum side open space of 1.22 metres and minimum back open space of 1.22 metres.

Explanation. For Block Areas the provisions of rule 150 shall apply.

(3) For the corner plots the width of wider side space will be reduced to counterbalance the difficulty of planning of the building due to rounding off the frontage but the clear gap with its adjacent building should never be less than 2.5 metres (8.2). The side spaces of the corner plots will also be suitably adjusted where provision for paved passage, open ground, play ground, etc., will allow for such adjustment. The maximum covered area and F.A.R. will however remain the same as in other plots.

(4) A plan showing the area that may be built up or covered can be seen by each plot-holder in the office of the Authority sanctioning the building.

104. Open spaces with respect to covered area :-

Wherever the open spaces specified under rule 103 do not give the percentage of covered area in conformity with rule 105 the more restrictive of the two shall apply.

105. Covered Area :-

(1) The maximum covered area of residential buildings shall be governed by following:

Category of plot		Maximum permissible covered area
(i)	2, 3, 4 and 5 cottahs	55% of the site area

(ii)	6 and 7 cottahs	50% of the site area
(iii)	8, 9 and 10 cottahs	45% of the site area
(iv)	Building specified in sub-rule (2) of rule 88	60% of the site area

Explanation. For Block Areas, the provisions of rule 149 shall apply.

(2) In the wider side space (or in the back space in the case of corner plots of 4k and above), only one motor garage upto 4.88m (overall) in length 15 sq. metre in area and 2.25m. in height from ground level will be allowed (in the case of 2k or 3k corner plots, a garage may be allowed in any place outside the covered area without covering any part of the narrower side within the limits regulating the height and width). The minimum clear width and the area of this garage will be 2.25m and 9.60 sq. metre respectively. The garage or such portions of it as would be constructed within the minimum width of the wider space will be over and above the covered area specified above and will not also be taken into consideration while calculating F.A.R. No accesses to the roof of this garage will be allowed. Garage in the wider space cannot cover the minimum width of the back space as specified in rule 103.

106. Projection :-

(1) Window chajja or cornice may project up to 0.5m (1.8") on all sides of the building.

(2) One cantilever verandah from first floor upward projecting up to property line may be allowed only on the frontage and side facing the roads (for corner plots only). This projection may be extended up to 0.5m (1.8") on the wider and narrower side spaces also provided that the permissible limit of F.A.R. is not exceeded and that the width of such verandah shall not exceed 2.5m (8'2). Weather boards made either of concrete or pierced concrete of grill or glass or louvres or wood may be allowed to come down from second floor upwards up to the top level of windows in case of weather board from first floor, the clear gap between the bottom of weather board and plinth level should be at least 8'0. Only grills will be permitted to connect the above weather board to the verandah railings on each of the floors and no window or solid wall shall be allowed. Verandah railings may be taken up to a maximum height of a 1.25m (4'1), provided that the solid part of it, if so constructed is limited to a height of 1 m (3'4)

Provided that in any Co-operative Building on any plot of 5k or above, a cantilever verandah from ground floor and upwards projecting up to the property line may be allowed on frontage and side facing roads (for corner plot only) but under no circumstances shall any verandah projection be less than 2.4m in clear height from ground level and that permissible limit of F.A.R. is not exceeded.

(3) The cantilever verandah on the first floor and above may be constructed within the open space after keeping open the space compulsorily required to be kept open as per rule 103, provided the permissible limit of F.A.R. is not exceeded.

(4) Weather Board may be taken down from the projected cantilever balcony at the front open space from the 1st floor level up to 8 height (2.48m) from the plinth level.

(5) Projections for shelves not exceeding 0.25m (10 inch) beyond the outer surface of external walls may be allowed within the minimum width, narrow and back open spaces for the purpose of making wall cupboards or alcove, provided the thickness of the wall for such projections is minimum 10 brick work or 3 thick Reinforced Concrete.

(6) Under no circumstances shall any verandah projection be less than 8 in clear height from the plinth level.

107. Floor Area Ratio (F.A.R.) :-

Permissible floor area ratio shall be as follows :

Explanation. Floor Area Ratio (F.A.R.) Floor area ratio is the ratio of the total area of all the floor including the areas of walls, passage, staircase blocks, sanitary blocks, etc. of a building and accessory buildings to the gross area of plot.

108. Maximum number of floor :-

(1) Maximum number of floors to be built up shall be as follows:

Area of plot	Maximum Number of floors allowed
2k	G Plus 1 G means ground floor.
3k	G Plus 1
4k	G Plus 2
5k	G Plus 2
6k	G Plus 3
7k	G plus 3
8k	G plus 4
9k	G plus 4
10k	G plus 7
Any plot specified in sub-rule (2) of	

(2) So far as the restrictions to the number of storeys to be permitted in the buildings are concerned, the garage in the main building up to 2.25m. in height from ground level will not be considered as floor, if mezzanine floor is constructed, but these will be taken into consideration for the purpose of calculation of F.A.R.

(3) One mumti or a stair cover and above the permissible number of storeys will be allowed in each of the buildings but this will be covered by the rule of floor area ratio. The overall height of stair cover should be less than 9'0" (2.75 m).

(4) The overall height of any building, including the Mast, should not exceed 110 ft. (One hundred and ten feet):

Provided that parking space shall be provided in co-operative building, on any plot of 5 cottah or above the maximum clear floor height of such parking space shall be 2.75m. The height shall be measured from the ground level to the bottom level of ground floor slab (the ground floor) being the floor just above the parking space. Such parking space shall not be taken into account to calculate the permissible floor area ratio.

109. Maximum number of flat per storey :-

(1) Maximum number flat per storey shall be as follows:

2k	One Flat per Storey
3k	Do
4k	Do
5k	Do
6k	Two Flats per Storey
7k	Two Flats per Storey
8k	Do
9k	Do
10k	Three Flat per

	Sotrey.
In the case of a building specified in sub-rule (2) of rule 88	One Flats per Storey.

(2) A certificate shall be furnished by the owner of the plot measuring 2 cottahs to 5 cottahs on the body of each plan of building furnished for sanctioning the following form: "Certified that I shall not on later date make any addition or alteration to this plan so as to convert it for use or allow it to be used for two separate flats per floor / per storey."

(3) Notwithstanding anything containing in the preceding sub-rules, one additional bath-cum-W.C. for attendant may be allowed in each building, over and above the permissible numbers having minimum size as specified in rule 113. The said bath-cum-W.C. will be the integral part of the whole building:

Provided that one room for watchman with attached bath-cum-W.C. may be provided at car parking space of co-operative building, the floor area of which shall not be counted in floor area ratio. The floor area of such room should not be more than 10.00m² and that of the bath-cum-W.C. shall not be more than 3.00m².

110. Basement and floors underground rooms :-

Except with the written permission of the Authority, no person shall construct any basement floor vault or underground rooms either under or as a part of building or otherwise and this will be considered as a floor and floor area ratio as specified in rules 107 and 108.

111. Plinth regulation :-

(1) In the main building no plinth or any part of such building or outer house shall be more than 0.9m (3'0) and less than 0.5m (1'8) above the ground level, the reference ground level being taken as above the abutting footpath level.

(2) The minimum plinth height in respect of bathroom and W. C. only may be reduced, provided the required slope for drainage up to the manhole is available. For this purpose, the minimum plinth height has been fixed as 30-48 cm. (1'0) only. In no case the rules of minimum height and size of the room would be relaxed.

(3) The minimum plinth level of the garage shall be 8 cm. above the ground level.

(4) Every interior courtyard shall be raised at least 8 cm. above the footpath of the abutting street, and shall be satisfactorily drained.

112. Height regulation :-

(1) The height of all rooms for human habitation shall not be less than 2.75m (9'-0) measured from the surface of the floor to the lowest point of ceiling and beam.

(2) The height of Bathroom W. C. and stores, measured from the floor to the lowest point of ceiling or beam, shall not be less than 2.29m (7-6).

(3) The height of the kitchen, measured from the floor to the lowest point of ceiling, shall not be less 2.75m (9 ft).

(4) The Ledge or tand shall have a minimum head room of 2.1m (7 ft).

(5) The Loft shall have a minimum head room of 2.29m (7'-6).

113. Size of room :-

(1) No habitable room shall have a floor area of 9.50 m² except in the case of hostels attached to recognised institutions and in Industrial or Low Income Housing Schemes where the size of habitable rooms or the residence of a single person shall be not less than 7.45m².

(2) A kitchen shall have a floor area of not less than 4.20 sq. metres and shall not be less than 1.52m in width in case of plots having an area upto 167.2 sq. m and shall have a floor area of not less than 5.57 sq. metres and shall not be less than 1.83m in width in case of plots having an area of more than 162.7 sq. m. In case of Industrial or low Income Group Housing Scheme, the minimum floor area of kitchen should be 3.4 sq. metres. A kitchen which is intended for use as a dining room also, shall have floor area of not less than 9.29 sq. m with minimum width of 2.5 m.

(3) Every bathroom shall have a floor area of not less than 1.80 sq. metres for which the smallest side shall not be less than 1.22m. and if a water closet room is combined with the bathroom, the floor area shall not be less than 2.80 sq. metres and the smallest side shall not be less than 1.22 m. Every water closet shall have a floor area of not less than 1.10 sq. metres for which the smallest side shall not be less than 0.9m. The minimum floor area of Bathroom and W. C. in the case of Industrial or Low Income Group Housing Scheme should be 1.53 sq. metres and 1.10 sq. metre respectively.

114. Lighting and Ventilation of rooms :-

(1)

(a) Every habitable room shall have, for the admission of light and air, one or more fixtures, such as windows, fan, lights, etc. opening directly to the external air or into an open verandah, and of an aggregate area, inclusive of frames, of not less than 1/10th of floor areas. Note 1 : If a window is partly fixed and partly openable, only the later area will be counted for the above purpose. Note 2 : No portion of a room shall be assumed to be lighted, if it is more than 7.5 m (25 ft.) away from the door or window which is taken for calculation as ventilating that portion.

(b) Cross ventilation by means of windows shall be effected in at least one living room of a tenement either by means of windows in opposite wall, or if this is not possible or advisable then at least in the adjoining walls.

(2) In the case of mechanised light and ventilation the standards shall be such as to give the same intensity of ventilation as is provided in sub-rules (1) and (3) and subject to the approval of the Authority, provided alternative arrangements to ventilating and lighting the room according to the standards laid down in sub-rules (1) and (3) have also been made.

(3) Bathrooms and Water Closets shall be provided with natural light and permanent ventilation by one of the following means

(a) windows having an area of not less than 10 per cent of the floor area and located in an exterior wall facing a street alley, yard or an airshaft whose dimension in the direction perpendicular to the window is not less than 1/3 of the height of the building on which the window is located subject to a maximum and a minimum limit of 6 m (20 ft.) and 1 m (3 ft.) respectively,

(b) skylights, the construct/on of which shall provide light and ventilation as required in clause (a),

(c) ventilation ducts, provided such ducts have 1.30 cm² of area for each m² (2 in² of area for each ft²) of floor area with a minimum total area of 330 m² (48 m²) and a least dimension of 9 cm (3 1/2 in). The vent register or grills to the duct shall be located in or next to the ceiling or the ventilated space. A separate duct from each space room shall run to and above the roof and shall be provided with a lowered vent stack, provided, however, when an exhaust fan is used the duct opening may be located in an outer wall.

(4) Stores Box Rooms and the like shall have at least half of the ventilation required for living rooms. Where such ventilation by apertures in walls is not possible or advisable, at least there shall be ventilation by means of a flue or chimney.

(5) Laundry and recreation rooms located above the basement shall be lighted by windows located in exterior wall having opening of not less than 10 per cent of the floor area.

(6) Every kitchen shall be ventilated according to the standards prescribed for habitable rooms near the ceiling as far as possible. Each kitchen shall be furnished with smokeless chullas subject to the following condition :

(i) smoke shall not come out during the time of firing and cooking;

(ii) each kitchen shall be provided with a separate chimney;

(iii) chimneys provided for smokeless chullas shall be made of suitable diameter;

(iv) suitable provision shall be made at the bottom of chimney for clearing.

(7) Every staircase shall be lighted and ventilated from an open air space of not less than 3m (10 ft) depth, measured horizontally in the case of ground and one upper floor structure, 4m (15 ft.) in the case of ground and two upper and in structures, higher than this, the open air space shall be not less than 6m (20 ft.) provided that the lighting area shall be not less than 1m² (10 ft) per floor height. Every staircase shall be ventilated properly.

115. Other requirements :-

(1) Every bathroom or water closet shall

(i) be so situated that at least one of its walls be open to external air;

(ii) not preferably be directly over or under any room other than another latrine, garage, washing place, bath or terrace, unless it has a water-tight floor;

(iii) have the platform or seat either plastered with cement or made of some water-tight non-absorbent material;

(iv) be enclosed by walls or partitions of bricks. Surface of every such wall or partition shall be furnished with a smooth impervious material, such as cement plaster 1.3 cm (-omq) thick or glazed tiles or polished marble or any suitable material to a height of not less than 1 m (3 ft.) above the floor of such a room;

(v) be provided with an impervious floor covering slopping towards the drain; and

(vi) shall have a floor level of such a height as to ensure suitable grade towards the sewage drain;

(2) Every room to be used as kitchen shall have

(i) a floor area as provided under rule 113(b)

(ii) either a suitable flue for the escape of heated air or an approved form of smokeless chulla

(iii) a height as provided in rule 112(c);

(iv) unless separately provided in a pantry, means for the washing up of kitchen utensils which shall lead directly or through a sink to a grated and trapped connection to the waste pipe.

(3)

(i) A mezzanine floor may be permitted over the garage upto a height of 2.25m from ground level (reference ground level being taken as 8 cm above the abutting footpath level) built within the covered area. This mezzanine floor will not be treated as a separate floor (vide rule 108), but its area will be taken into consideration for the purpose of calculation of F.A.R. (vide rule 107), mezzanine floor will be counted as a floor for the purpose of rule 108 if the height of the garage exceeds 2.25m from ground level.

(ii) No mezzanine floor will be allowed over any other room or compartment.

(iii) Mezzanine floor is not to be sub-divided into smaller compartments or used as a kitchen. Its area should not be more than 1/4th of plinth area.

(iv) In no case a mezzanine floor shall be closed so as to make it liable to be converted into unventilated compartments.

116. Drainage of Roofs :-

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

117. Water Tanks and Cisterns :-

(1) A tank or a cistern constructed with a building and intended for storage of water for human consumption or domestic purpose shall comply with the following requirements: The authority shall supply water at the ground level only and any arrangement for lifting the water by means of pumps to a suitable height and distribution of water in the building shall have to be done as per approval of the authority. For this purpose, construction of house tanks should be made at suitable levels in every household operated by properly checked ball valves. No household up tap connections should be taken direct but through house tank.

(2) The tank of high level for distribution of water in the premises shall be constructed of metal RCC, or lined with metal or metal sheets and be of such a design weight and quality as has been approved by the Authority. The tank or cistern at ground level/below ground level for receiving supply from the water mains is to be constructed in the wider side and/or the back space (leaving) 1.52m for the back boundary line or within the built up area or partly between the side space, back space and the built up area. The depth of foundation of the tank should not exceed 0.75 (2-6) from the ground level, the ground level being taken as 8 cm (0-3 in) above the abutting footpath. This tank shall be water tight, properly covered over and shall be constructed of reinforced concrete or brick work in cement mortar or designed according to a manner approved by the Authority and shall be rendered inside with cement mortar.

(3) The tank shall be provided with a draw off pipe, tap or other apparatus the invert of which shall be not more than 5 cm (2 in) high from the bottom of the tank.

(4) The tank shall be provided with an overflow pipe which shall

(1) be so located and fitted as to prevent entry of animals and insects;

(2) not be connected to a drain or sewer;

(3) have an open end to permit the overflow pipe to serve also as a warning pipe;

(4) have to be so located that it is open for inspection by any person authorised by the Authority:

Provided that, in the case of any building specified in sub-rule (2) of rule 88, the tank or cistern at ground level/below ground level is to be constructed in any space excepting fixed front open space.

118. Pipes and Fittings :-

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

119. Sinks :-

(1) A sink shall be so located that at least one of its sides will be against an external wall or in a window recess or in a position to ensure suitable connection.

(2)

(a) Sinks shall be constructed of glazed stoneware, enamelled fireclay or other equally suitable material;

(b) They shall be of such shape as will facilitate their maintenance in a state of cleanliness;

(c) No wood work shall be used for covering any such sink;

(d) The bottom of the sink shall slope towards the outlet.

(3)

(a) A pipe shall be jointed to the sink by a bell mouth at the bottom of the sink having its internal diameter about one inch larger at the sink than at the other ends;

(b) The sink outlet shall be fitted with a brass grating and a plug;

(c) The sink waster pipe shall have an internal diameter of not less than 5 cm (2 in) and shall be preferably provided with a trap of drawn lead or other equally suitable material fitted with a brass cleaning crew at the bend.

120. Privy :-

No other privy except connected privy discharging into the underground sewerage system should be constructed in any building/The floor of every privy shall be made of C.C. Patent stone or vitrified or well-pointed earthen tiles or mosaic and shall be in every part at a height of not less than thirty centimetres above the level of the surface of the ground adjoining the privy. The floor of every connected privy in which the opening of the pan is placed on the level of the floor shall have a fall or inclination towards the pan of at least one in twenty-four. Every connected privy situated in a building shall have opening of not less than 0.55 sq. meter in area in any one of the walls of the privy as near the top of the wall as may be practicable and communicating directly with the open air.

121. Flushing of connected privies and urinals :-

(1) Every connected privy shall be provided with suitable water-cistern so arranged as

(a) to discharge direct into the pan of the privy not less than thirteen litres of water each time the cistern is used, and

(b) to prevent water being drawn from the cistern for any other purposes.

(2) All waste pipes and overflow pipe attached to such cistern shall terminate in the open air and an cut off from all direct communication with any drain.

(3) Every connected urinal shall be provided with adequate flushing arrangements to the satisfaction of the Authority.

(4) For the purpose of supplying water to the flushing cistern of a connected privy or connected urinal, a reserve tank of such capacity as may be prescribed by the Authority shall be provided at a height sufficient to supply the cistern with water:

Provided that the minimum size of a privy should be 1.10m² (12 sq. ft.). The wall of the privy should be lined internally with smooth impervious non-absorbent coating of best Portland Cement and should be of not less than 1.27 cm. thickness or of the glazed tiles or polished marble to a height of not less than 91 cm.:

122. Syphon-trap and Anti-syphonage Pipe :-

(1) Every connected privy and connected urinal shall be provided with a syphon trap which shall be proof against syphonage.

(2) In all cases where a connected privy or connected urinal is more than one storey high, an anti-syphonage pipe having an internal diameter of not less than fifty millimetres shall be provided and such pipe shall be carried independently to a height of at least sixty centimetres above the roof of the privy or urinal or the roof of the building in which such privy or urinal is situated.

(3) No container or other similar fittings shall be placed under the pan of a connected privy or connected urinal and no trap of the kind known as a 'D trap shall be used with any such privy or urinal.

123. Soil pipe for connected privies and connected urinals :-

(1) Every connected privy and connected urinal shall be provided with a soil pipe for carrying sewage to a city sewer.

(2) Such soil pipe shall be provided with air-tight joints and if it be placed above ground, shall be made of metal approved by the Authority.

(3) Such soil pipe shall, in addition to the prescribed trap, be provided with trap placed at some point between the privy or urinal and the sewer referred to in clause (4) above.

(4) Such soil pipe shall be ventilated by direct communication with the open air and if the privy or urinal is situated in a building the pipe shall be carried outside the building.

(5) The soil shall have to be connected to the sewer line through a master trap.

124. Rain-water pipes :-

(1) Rain-water pipe shall be at least 75 millimetres (3 inches) in diameter and be constructed of cast-iron, wrought-iron, glazed stoneware, asbestos or other equally suitable materials and shall be securely fixed.

(2) The mode of drainage of rain water should be as approved by the Authority.

(3) The drainage from the roof and compounds paved or unpaved will be permitted to flow over footpath into the kerb drains and ultimately into gully pits. Drainage from roof or compound paved or unpaved must not discharge into or be connected with any soil pipe or soil ventilation pipe or any waste ventilating pipe nor shall it discharge into sewer.

125. House Drainage :-

No drain pipe or spout from any floor shall be allowed to directly discharge on footpath or road. Drain shall be constructed (up to road).

126. Instruction :-

(1) The Authority may, at all reasonable, normally between sunrise and sunset enter into or upon any premises for inspection of sewer lines, manholes and allied connections and cleaning or maintenance of the same, as necessary.

(2) Before construction of building as per sanctioned building plan the plot-holder must submit his sewerage and water supply plan for sanction. The following rules should be observed in connection with preparation of the sewerage and water supply plan: The sewer and water connection plan shall show the ground floor plan of the building along with the property lines, alignment of water and sewer line position of Master Trap inspection pit, Yard gully, Sinks, Traps, Ground/Underground Water Reservoir and also the departmental Manhole. A section of the Underground or Ground Water Reservoir shall also be given.

(3)

(i) Only the domestic water from Bath, W. C., and Kitchen should be led to the sewerage system.

(ii) Rain and Storm Water from roof-top and Yard washing should be led to kerb drains of the adjoining roads.

(iii) Kitchen wastes should be diverted to waste water pipe of Bath and W. C. through an intercepting trap to be located at Ground level.

(iv) The house connection pipes projecting from adjoining sewer manhole are the properties of the project authorities and should not be interfered with or connected to the internal sewerage line of the plot without the expressed permission of the Authority.

(v) The internal sewer line should be connected to the house connection pipe of the main sewer line only through a master trap of approved design and quality.

(vi) Person making connection of the internal sewerage line with the main sewer line without proper permission and payment of necessary charge as specified in rule 148 are liable to pay penalty at such rates as may be fixed by the Authority.

(vii) A certificate as specified below shall be furnished by the owner of the plot on the body of

each of sewerage and water supply plan submitted for sanction: "Certified that I have full knowledge of the procedure that the sewer connection to the Authority's manhole is to be done strictly under supervision of the Authority's staff and done by the Authority for which a prescribed fee/charge is to be deposited earlier, that any unauthorised connection will be disconnected and that for such an unauthorised connection. I shall be liable to pay a penalty as may be imposed by the Authority having jurisdiction."

127. Disconnection of sewer and water line for violation of rule :-

The Authority reserves the right to disconnect any connection made in violation of the provision made in sub-rule (2) of rule 126.

128. Architectural features :-

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

129. Maintenance :-

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

130. Verandah and Advertising Sign :-

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

131. Unfinished Buildings :-

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

132. Cleaning of Site :-

As soon as any building is completed all rubbish, refuse of debris of any description shall be removed to the satisfaction of the Authority by the owner from the site or sites on which building operations have been carried out or from any adjoining land which may have been used for deposition of materials or debris.

133. Masts :-

All wires, poles, masts, stays, struts, lighting conductors and similar fixtures on new buildings shall be straight and of good appearance.

134. Unsightly Materials :-

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

135. Sheet Metal and Barbed wire fences :-

No sheet metal or barbed wire fence visible externally shall be erected on the frontage line or street line, the design whereof has been approved by the Authority.

136. Parks and Gardens :-

Owners of parks or gardens visible from the streets shall not plan replace or maintain trees and plants which in the opinion of the Authority having jurisdiction, conflict with the aesthetic appearance of the neighbourhood.

137. Decoration :-

(1) Monuments decorative and monument fountains, bridges and viaducts and in general, the decorative and ornamental features of public gardens and squares shall be built only after the approval of the Authority has been obtained, and the Authority may, in addition to drawings demand the submission of photographs or perspectives of the composition so that the artistic value of the project will be more efficiently and effectively illustrated.

(2) The colour combination or painting or such other treatment at the facade of each building

should be got approved by the Senior Architect who reserves the right to reject any such colour combination or painting or treatment if, in his opinion it is not aesthetic in its appearance.

(3) Where several facades constitute architectural composition, painting or such other treatment shall only be allowed where no aesthetic disfigurement can result to the composition as a whole.

138. Structural feature :-

(1) All structures shall be so designed, built and maintained that under the conditions of dead and live, loading the stresses in any of the material of construction or in the material on which a structure rests shall be well within the safe limits.

(2) In case there is a Building or Structure in the adjoining plot, all precautionary steps should be taken by the plot-owners against sand flowing into the trenches from the sides before the execution of foundation is started. For that purpose, shortings should be done in all excavation works. Shortings should be of tongues and grooves type. The height of shorting should be such that it may rise upto ground level by 2 feet and cover the depth to be excavated. The responsibility for any damages sustained by any existing building in the adjoining plots due to flowing of sand in the excavated trenches will be entirely on the plot owners(s) excavating the trenches.

(3) The foundations of every building shall be so designed and constructed as to sustain the dead load of the building and the superimposed load and transmit the load to and distribute them over the solid in such a manner that any pressure brought to bear on the soil by these loads shall not exceed the safe bearing capacity of the soil. With this end in view, the Engineer/Architect/Architect Engineering Firm will so design the foundation that the same may be safe in consideration of the normally varying bearing capacities of soils in different region of the Bidhannagar Municipal area and the possibility of total settlement or any unequal settlement, a certificate as specified below shall be furnished by the Engineer/Architect/Architect Engineering Firm in the body of each plan of building furnished for sanction: "Certified that the foundation and the super-structure of the building have been so designed by me/us will make such foundation and super-structure safe in all respect including the consideration of bearing capacity and settlement of soil etc.":

Provided that pile foundation may be allowed for a Multistoried Building. In this case lessee shall submit an Indemnity Bond stating that he/she will be responsible for any damage in adjoining area, during/ after pile driven and he/she will pay the entire cost of damage as will be assessed by the Authority.

(4)

(a) No construction shall be done except in masonry works. Every building, except in case of open building, shall have outer walls forming a part thereof constructed of brick, stone or other hard and incombustible substance approved by the Authority. All walls of masonry building shall be properly bonded.

(b) Single brick thick, i.e., 25 cm (10 in) load-bearing walls, can be adopted upto the three storied residential building if constructed in cement mortar of requisite proportion.

(c) In the case of residential buildings or flats where maximum height of rooms measured from the surface of the floor to the ceiling is restricted to 2.75m (9-0 in), load-bearing walls of 25 cm (10 in) thick can be adopted upto four storied buildings provided good bricks of 70 MG/CM² strength are used with cement mortar as specified by the National Building Code.

(d) Every wall of masonry building which is exposed to external air shall, in no case, be less than 25 cm in thickness:

Provided that where load-bearing walls of 25cm (10" thick) has been specified, use of 20 cm thick modular brick work may also be adopted upto three storied building only. In case of outer wall (not being load bearing), 20 cm thick modular brick work may be adopted in all cases.

(5) Every wall of masonry building shall have a damp proof course at the level of the ground floor. Such damp proof course may consist of asphalt, cement concrete, or any other durable

material impervious to moisture.

(6) Unless otherwise specified in these rules, specification and methods of construction shall conform to the provisions made in the National Building Code as amended from time to time.

139. Boundary wall :-

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

140. Staircase :-

In every domestic building, more than one storey in height the principal staircase shall have a width of not less than 1 m in every flight, provided that where the building is constructed or adopted to be occupied in flats or tenements, the width of the principal staircase serving more than two suits per floor shall be increased by 8 centimetres in every flight for every additional suites on a floor.

(2) Every such staircase shall be adequately lighted and ventilated by windows of not less than 1 sq. metre in area per storey.

(3) No wooden staircase will be allowed.

(4) Minimum clear head room in any staircase shall be two metres and twenty centimetres as measured from the top of the riser to the lowest position of the ceiling or beam perpendicularly above it.

(5) Every staircase shall be provided with treads of not less than twenty-five (25) centimetres in width and not more than eighteen centimetres in rise without winders with landings of width not less than that of the staircase. The treads and rise of each flight of stairs in such staircase shall be of uniform width and height. (The staircase landing from first floor and above may project from the building line in the wider side space up to a maximum width of 1 metre only). Clear height of such projected landing above ground level should be 2.13 M minimum. Similar projection of 1 m of staircase landing from the building line may also be allowed in the back space for corner plots, where the wider side space exists or where the wider side space is reduced to counterbalance the difficulty in planning, but a clear gap of 1.5 m must always be kept from the property line. Further projection beyond this line will however not be allowed in the shape of chajja or in any other form. This projection will however not be allowed in back spaces for rectangular plot, nor in the front spaces or in the narrower side spaces of any plot. In the case of public buildings, a staircase shall be provided for every 300 persons who are expected to use the building, No staircase shall be less than 1.5 m (5 ft) in width and the farthest corner of the building shall not be more than 18m (60 ft) distant from the staircase. The width of landing at the roof level for all categories of plots should not be wider than the minimum width of stairflight:

Provided that lift shall have to be provided for a building beyond 13.5m height from the ground level but the lift machine room will be as per latest edition of the National Building Code. The lift machine room will not be included while calculating floor area. Lift may also be provided in any buildings other than mentioned above as per norms stated above.

141. Worship room/meditation room within staircase at roof :-

A floor over stair flights only in the stair-room (mumti) may be constructed by raising the roof level with provision of additional steps, if required, for the purpose of having space for puja. in no case the area of staircase room should be increased at the roof level for an additional space. Height of puja room should not exceed 2.28 m (7'6) clear.

142. A.C. or C.I. sheet roofing to garage and staircase top :-

Asbestos cement or corrugated iron roofing to open space garage and staircase top may be constructed in place of R.C. Roofing

143. Lofts :-

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

144. Parapet wall :-

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

145. Density of population for large plots :-

For plots more than 10 cottahs, the density of population should not exceed 300 per acre and covered area should not exceed 40%. Both conditions must be fulfilled. For this purpose, a standard family will be considered as having 5 persons.

146. Garage :-

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

147. Carriageway leading :-

Carriageway leading will be allowed in each plot. The carriageway leadings will be constructed under the supervision of the Authority as per written requirement of the leaseholder of the plot. The cost of supervision charge will be borne by the applicants.

148. Sewerage and water supply connections :-

(1) The plot-owners shall have the right of connecting their private sewerage and water supply lines with sewerage and water supply system of the Municipality and shall derive the benefit of those services only after obtaining specific written permission from the Authority and on payment of connecting fees and other charges and for complying with the following requirement The private line of sanitary sewers and water distributions shall be laid by, and under the supervision of a plumber/plumbing firm registered with the Authority and the plot-holder shall apply for water/ sewer connections in Form 'K' (in duplicate) as a pre-requisite.

(2) Five copies of the sewerage and water supply plans shall have to be submitted for sanction to the Authority in the manner as mentioned in rule 91 (b).

(3)

(a) For obtaining Sewerage and Water Supply connection to the building from the supply mains the owner of the building shall have to obtain a clearance certificate for each floor of the building from the Authority to the effect that no deviation or departure has been made in the building from the sanctioned plan and that Sewerage and Water distribution system of the building have been done as per sanctioned plan. Unauthorised use of water and sewer line shall be liable to penalisation as may be imposed by the Municipality having jurisdiction. This clearance certificate in Form 'J' will be along with the occupancy certificate in Form 'H' issued after final inspection of the building which will be carried out on receipt of requisite intimation from the owner of the building in Form 'G' under rule 33.

(b)

(i) The sewer connection to the Authority's Manhole and/or water line connection to the Authority's water line is to be done strictly under supervision of the officers and/or staff, and/or agents authorised for the purpose by the Authority and, for this purpose, the charge as may be estimated by the Authority having regard to the rest of materials, labour and overhead at the prevailing market rate are to be deposited earlier.

(ii) Any unauthorised sewer connection or water line connection will be disconnected forthwith without giving any prior notice to the owner/occupier of the building and for such unauthorised sewer connection or water line connection, the owner of the building shall be liable to pay penalty as may be imposed by the Authority.

(4)

(a) The Authority may, in its discretion give temporary supply of water for construction purpose on payment of charges at the rate of Rs. 25 per month subject to the condition that water charge for six months should be paid in advance initially. For continuation of water supply for construction purpose beyond six months, the plot-holder pay monthly charges in advance. In

case of default, water supply will be disconnected forthwith without giving any notice to the plot-owner.

(b) The Authority reserves the right to forthwith disconnect temporary water supply connection if, on inspection, it is observed that water is being wasted by negligence of the plot-owner or the labour working in his plot.

149. Garbage disposal :-

A removable garbage bin of specified material and size with a lid will have to be provided by the owners/ occupiers and kept within the open space of the premises easily accessible to Government staff. Throwing garbage on street or on adjacent vacant area is strictly prohibited.

150. Rules relating to open space regulation of Building where Block allotment is made :-

(1) Residential : (a) Front Space 2.00 metres fixed. (b) Sides Space 1.00 metre minimum on narrower side and 3.7 metres minimum on wider side. (c) Back Space 7.00 metres minimum. Density should not exceed 300 per Acre. Covered area should not exceed 40% of the gross area.

(2) [Any plot of 4K or above for Office/Hospital etc. shall follow the following rules for obtaining building permit] : (a) Front Space 2.00 metres minimum. (b) Sides Space 1.00 metre minimum on narrower side and 3.7 metres minimum on wider side. (c) Back Space 7.00 metres minimum. (d) Garage space 175 square metres for every 1000 square metres of the floor area:

Provided that open spaces may be counted towards calculation of garage space:

(a) West Bengal Fire Services Directorate.

(b) Director of Factories/Industries, Government of West Bengal.

(c) West Bengal Pollution Control Board (d) West Bengal State Electricity Board, and

(e) Public Health Engg. Directorate Government of West Bengal.

151. Buildings on plots meant for use in part as shops on the ground floor :-

(1) Shops of some approved categories only will be permitted in shop-allowable plots. No area for shops dealing with building materials such as Cement, Steel, Brick, Sand, Lime, Soorkee and such edible items as meat, fish, vegetable, etc., is permitted. The decision of the Authority as to whether a particular category of shop will be permitted or not will be final.

(2) Shops at road-fronts only will be permitted. In corner plots, shops on one side only as shown in the layout plan will be permitted. Depth of shop rooms should not exceed 20 ft from the front building line.

(3) Minimum front opening of shop rooms shall be 3.04m. (10'4). The plinth of the shop room may be towered to 0.25 m. notwithstanding any thing contained in rule 111.

(4) A cantilever verandah projecting up to the property line shall have to be constructed by the owners at the first floor level all along the road frontages of the buildings. The weather board will also have to be taken down from the above verandah to the height of 2.75 m. (9'0) from the ground level. This verandah will not be considered in the calculation of F.A.R.

(5) The plot-holder shall ensure that the portion of pavement or public road is not encroached with building materials used for construction. The Authority sanctioning the building plan shall have the right to disconnect the temporary water connection of the plot-holder as allowed under clause (a) of sub-rule (4) or rule 148 and take such further action as may be considered necessary for the removal of the said encroachment.

152. Exemption :-

(1) The State Government may, by an order, exempt any plot from the provisions and restrictions hereinbefore to the extent and under such conditions as may be mentioned in the said order.

(2) The Chariman may, by an order allow relaxation of these rules in the case of minor technical variations from the sanctioned plans, caused by bona fide misapprehension, on such conditions, if

any, including payment of fees, as may be mentioned in the said order.

153. Interpretation :-

If any difficulty arises in interpreting any of the provisions of these rules, the Authority may refer it to the State Government and the interpretation given by the State Government thereon shall be final.

PART 11

Special Provision for Municipalities in the Hill Areas

154. Special Provisions :-

Notwithstanding anything contained elsewhere in these rules the special provisions of this part shall apply only to the Municipalities or Notified Area Authorities in the hill areas and shall be construed to be in modification of, or to supplementing, the other provisions elsewhere in this rule in their application to these Municipalities or Notified Area Authorities in the hill areas. Anything not covered under the special provisions shall be guided by the provision made elsewhere in this rule or the Act.

155. Power to relax rules :-

Notwithstanding anything contained in these rules a Municipality or other concerned authorities may, for reasons to be recorded in writing and with the previous approval of the State Government, relax any provision of these rules for dealing with a case in a just and equitable manner.

156. Criteria of using a piece of land as a building site :-

(1) No piece of land shall be used as a building site, unless the Board of Councillors is satisfied that

(a) land record is in conformity with the proposed construction

(b) the site of such building abuts an all weather public street, a projected public street or a private street/footpath, passage and is, not less than 1.50 metres wide at any part duly sanctioned and constructed and recorded in the Books of Municipality in accordance with the provisions of the Act or any other law in force immediately before the commencement of the Act:

Provided that, no building shall be created so as to deprive any other building or building site of the means of access as specified above;

(c) the site is at least 100 sq. metres in area;

(d) the land is capable of being well drained by means of drainage facilities leading to the existing public drainage channel or natural jhora

(e) the site is reasonably secured from danger from hillside slips from above, below, or the sides;

(f) the soil of the site is likely to sustain the construction of a building thereon; and for sites with inclinations of 30° and the above or for proposed building above 6.5 metres in height or 500 sq. metres in coverage, such sustainability shall be justified at the cost of applicant, by prior testing of soil and certification of stability of slopes and buildings conforming to the relevant Codes of Bureau of Indian Standards including IS 12070 : IS Code of Practice for design and construction of shallow Foundation on rock. IS 13063 : IS Code of Practice for structural safety of building on shallow Foundation on rock. IS 14243 (Parts I and II) : Selection and development of site in hill areas-guidelines. Detailed geo-technical investigations, testing and certification, in such cases, shall be carried out by a competent geo-technical engineering organisation or firm, recognised by the Board of Councillors.

Explanation. Soil will also include rocks, boulders, laterite etc.

(g) the site does not contain any portion which forms a component of the open spaces prescribed under the regulations for any other building or building site thereof.

(h)

(i) no part of the land is located within 200 metres from the boundary of a sinking or probable slip one, designated in a meeting by the Board of Councillors, or

(ii) within an area of distress or possible unequal settlements with wide fissures, regular cracks, faults, voids, rock, debris or landslides caused by subsidence or erosion, filling and disposal dumps including solid waste disposal or organic materials, or

(iii) it is located within an area showing high water table and fully saturated soils with a possibility of liquefaction and settlement on exposure to earthquakes or of water seepage in the foundations and erosion, or

(iv) any other vulnerable area identified by the Board of Councillors, as unsafe for environmental, geological, ecological, wind, drainage or any other reasons;

(i) no piece of land is located within five metres in any direction of the outside edge of such water courses;

(j) adequate drainage measures and protection works as specified in rules 166 and 167 shall be taken by the applicant at his own cost if it is located on the permanent shadow zones of ridges and spurs, at the bottom of the valleys or gorges or located by nature of its orientation in a zone as identified by the Board of Councillors to be inadequately sunlit so as to make it unfit for human habitation, if any;

(k) the site has not been subject to repeated blasting or, was a former quarry;

(l) where the site is within five metres of any side of a tank, the owner will take such measures as shall prevent any risk of the drainage from such building passing into the tank;

(m) where the site is within five metres of any side of a tank, water reservoir, jhora/natural springs, water source or natural drain or within two metres from either side of water pipe sewer line and/or other underground utilities, the owner shall take such measures at his own cost, which shall prevent any risk of damage and/or landslide thereto by construction of such buildings. The distance shall be measured from the outside edge of the jhora/drain/pipeline etc, as the case may be on either side. In case of jhoras such protection measure shall also have to be taken by the owner, at his own cost if the site is within 30 metres of jhora

(n) no piece of land shall be used as building site if it is located on the permanent shadow zones of ridges and spurs at the bottom of the valleys or gorges or located by the nature of its orientation in a zone as identified by the Board of Councillors to be inadequately sunlit so as to make it unfit for human habitation.

(2) No piece of land located in Central business area as determined by the Board of Councillors or in sinking zone or areas of distress with cracks caused by subsidence and/or slides or any other areas identified by Board of Councillors, with reasons to be recorded in writing, shall be used as a building site without prior approval of the State Government.

(3) No piece of land where a closed sick or other industry was located or is in operation, shall be used as a site for construction of any building, other than an industrial building without the prior approval of the competent authority appointed under clause (d) of section 2 of the Urban Land (Ceiling and Regulation) Act, 1976 (33 of 1976).

157. Application for approval of sites and for permission to construct or reconstruct buildings other than huts :-

(1) Before submission of the building plan, approval of the building site has to be obtained. However, the applicant may simultaneously submit the site plan and building plan to the Municipality for approval at his own risk and cost. But the Municipality shall consider the building plan submitted for approval only after the site plan is approved. In case the site is not approved, the submitted building plan shall also be treated as not approved.

(2) Every application, specified in sub-rule (1) submitted in Form A shall state inter alia the proposed use of the land as per use group provided in these rules.

(3) Every application, specified in sub-rule (1) shall be accompanied by a site plan in triplicate and the reports/ recommendations of tests for soil and stability of slopes as and where applicable under rule 156 and a fee as may be determined by the Municipality. The site plan shall be drawn to the scale of not less than one centimetre to six metres and shall be signed by the applicant

and by the Licensed Building Surveyor or Architect as required under rule 160 with a certificate to the effect that the site has been inspected personally by the Licensed Building Surveyor or the Architect as the case may be.

(4) Every site plan specified in sub-rule (3) shall show or state on the body of the sheet showing the site plan the following:

(a) the boundaries of the site and of any contiguous land belonging to the owner thereof with number assigned to plot/ premises;

(b) the position of the site in relation to neighbouring streets with dimensions;

(c) the name of the street on which the site abuts;

(d) the position of the building and of all other buildings including existing buildings (if any) which the applicant intends to erect upon his contiguous and referred to in clause (a) in relation to (i) the boundaries of the site and in case where the site has been sub-divided the boundaries of the portion owned by the applicant and also the portions owned by the other owners, and (ii) all adjacent streets, buildings and premises within a distance of 12.00 metres of the site and of the continuous land (if any) referred to in clause (a);

(e) the use or occupancy of all the buildings;

(f) the direction of North Point;

(g) the means of access from the street to the building and to all other buildings (if any) which the applicant intends to erect upon his contiguous land referred to in clause (a);

(h) the schematic position and approximate height and the number of storeys of all other buildings within 12.0 metres from each side of the site;

(i) the free passage or way in front of the building;

(j) the width of the street (if any) in front and at the rear of the building;

(k) the means of drainage of the proposed building leading to existing public drains or drainage channels with their location in relation to the site;

(l) the means of drinking water supply to the proposed building indicating the source and the distance from the site including the route through which the pipeline will be laid, if piped water supply is envisaged;

(m) the means of power supply to the proposed building on the site, indicating the route through which power supply will be achieved;

(n) areas of distress;

(o) such other particulars as may be specified by the Board of Councillors;

(p) the location of power line, water line, sewer line, natural drainage channel/jhora, road side drain protective works;

(q) location of land slides, if any on or near the site in hill areas detected during reconnaissance. The Board of Councillors shall cause to ensure that the site is away from the slide zone or areas of distress;

(r) on a sloping site in hill areas, proposals for diversion of the natural flow of water coming from uphill side of the building away from the foundation.

158. Sub-division of plots :-

(1) No sub-division of any plot within the municipal area shall be undertaken without the prior approval of the Board of Councillors.

(2) Generally

(a) a plot to be sub-divided shall be termed as mother plot;

(b) sub-division shall not be allowed if the mother plot abuts an all weather means of access having a width of less than 2.00 metres for plots having area less than 500 sq. metres and width not less than 3.0 metres for plots having area more than 500 sq. metres provided that an emergency vehicular access (min. 3 m wide) shall be available within a distance of 50 metres from the mother plot;

(c) every individual plot obtained by sub-division of the another plot shall abut a means of access having width of not less than 2.00 metres;

(d) these rules shall not apply to a scheme for Economically Weaker Section and Low Income Group Housing approved by the Government;

(e) sub-division may be allowed on the condition that the following facilities shall be provided by the owner at his own cost to the satisfaction of the Board of Councillors;

(i) complete drainage facilities in accordance with provisions made elsewhere for the hill areas, ensuring drainage of each individual plot and of the means of access and passages leading to existing public drains or natural drainage channels,

(ii) all weather means of access with related protective works, if necessary, along with street lighting,

(iii) sanitary facilities including sewage and garbage disposal facilities,

(iv) water supply facilities,

(v) Electricity and Telecommunication facilities,

(vi) all individual plots as well as the means of access and infrastructure provided shall be accompanied by complete protective measures in accordance with provisions made elsewhere for hill areas in these rules;

(f) no permission for sub-division of a plot of land shall be granted unless each sub-divided plot is at least 100 sq. metres in area;

(g) no sub-division of a plot shall be granted unless a detailed layout plan of the area proposed to be sub-divided is submitted before the Municipality duly integrating the site layout plan with the general use of the land in the adjoining areas. The existing street pattern as also other physical infrastructural facilities like drainage, sewerage, water supply, electric supply with location of high tension or low tension electric line with poles are also required to be shown.

(3) The mother plot shall abut an all weather means of access conforming to the conditions specified below:

(a) the means of access shall have a width of not less than 2.0 metres, for plots having an area less than 500 sq. metres and a width not less than 3.0 metres for plots having an area more than 500 sq. metres:

Provided that an emergency vehicular access (min. 3 m. wide) shall be available within a distance of 100m. from the mother plot;

(b) the minimum permissible width for any given length of means of access for sub-divided plots shall be as given in the following table: Length of internal road \Minimum width of means of access Upto 25.00 metres \1.5 metres (pedestrian pathways only) Above 25.00 metres but below 50.00 metres \3.0 metres Above 50.00 metres but below 100.00 metres \4.5 metres Above 100.00 metres \6.0 metres

(c) sub-division of a mother plot measuring more than 500 sq. metres in area shall only be allowed if a proportion of the total area of the mother plot is developed as public amenities or open space, as specified in the table below. This shall be in addition to the land required for providing the means of access to the individual plots obtained by sub-division of the mother plot as specified in this rules. Size of plot to be sub-divided \% of area to be reserved for community purpose (excluding roads) Above 2000 sq. metres and below 5000 sq. m. \7.5 5000 sq. metres and above \10.0 Moreover, each such space in a single parcel shall have minimum areas of 150 square metres and a minimum width of not less than 3.00 metres: and each such open space

shall about a means of access as specified in sub-rule (3) of this rule.

(4) For mother plots measuring more than 5000.00 sq. metres in area, sub-division may be allowed if an additional five per cent of the total area of mother plot is reserved for use for facilities like school, health centre, market, police outpost milk booth, post office, power sub-station, transport terminal, water tank for fire fighting/water treatment plant, sewage treatment plant and the like. Such land shall -about a means of access as specified in this rule. This is in addition to the land necessary for means of access as specified in sub-rule (3) and for public amenities and open spaces specified in this rule.

159. Preparation of plan and supervision of execution of work :-

(1) Every owner who intends to erect, re-erect, add to or alter any building, shall get its plan prepared and structural work designed and supervised by an architect/structural engineer/licenced building surveyor as required under rule 160. Submitting the plan the architect/ licenced building surveyor/structural engineer should certify to the effect that the site has been personally inspected while planning for the building and/or designing members, as well as has taken into account the findings and/or recommendations of stability analysis as well as soil test performed as and where necessary under this rule.

(2) In all such cases the licensed building surveyor, structural engineer or geo-technical engineer shall have to be empanelled with the Municipality.

(3) The name, address and licence or empanelment number of the person so employed and serial number in the case of architect shall be stated in the application in respect of such building.

(4) In case of building plans/site plans submitted by Central or State Government or by organisation controlled by Central or State Government, if the plans are prepared and submitted under the signature of a Government engineer or architect who are employees of the applicant organisation, the rule. 159 (1) shall not be applicable.

160. 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 the Act and these rules engage

(a) for all buildings up to 6.50 metres in height a technical personnet not below the rank of a Licensed Building Surveyor for planning, design and construction of the building foundation and superstructure and for all buildings above 6.50 metres but below 13.50 metres in height and/or for erection involving piling works, deep foundation or construction of basement or any other underground structure thereto, a licenced building surveyor and/or an architect and a structural engineer and a geo-technical engineer for conducting soil and other tests as required under rule 156(f), planning, design and construction of the building foundation and superstructure;

(b) A Licensed Building Surveyor shall have

(i) a degree in Civil Engineering or Architecture from a recognised university or its equivalent qualification recognised by the Government and shall not have less than two years experience in planning, design and execution of building works including sanitary and plumbing works related to buildings under similar geotechnical conditions, or

(ii) a diploma in Civil Engineering or Architecture from a recognised university or its equivalent qualification recognised by the Government and shall not have less than five years' experience in planning, design and execution of building works including sanitary and plumbing works related to buildings under similar geo-technical conditions;

(c) a structural engineer must have a degree in civil engineering from a recognised university or its equivalent with at least five years' experience (including two years in hill areas) in structural design;

(d) a geo-technical engineer must have a degree in civil engineering from a recognised university or its equivalent with at least two years experience in soil and foundation engineering under identical soil/slope/geo-technical conditions.

(2) The licensed building surveyor, the architect, the structural engineer and the geo-technical engineer will work in association with one another and/or collectively responsible for ensuring the safety of the building structure and its foundation.

(3) The licensed building surveyor, structural engineer or a geo-technical engineer is also required to be empanelled with the Municipality.

(4) In case of death, resignation removal of licensed building surveyor, architect, structural engineer, geo-technical engineer or, as the case may be a fresh engagement shall be made forthwith and shall be notified to the Chairman of the Municipality. No work shall be carried out in the intervening period, if any.

(5) The validity of any engagement made under this rule shall lapse, in the case of an architect with lapse of validity of registration granted under the Architect's Act, 1972 (20 of 1972) or in case of a structural engineer and a geo-technical engineer with the lapse of empanelment, or in the case of a licenced building surveyor, with lapse of the validity of licence.

161. Permissible height of building :-

(1)

(a) The following appurtenant structures shall not be included in the height of the building

(i) stair cover not exceeding 2.40 metres in height;

(ii) lift machine rooms as per the latest edition of the National Building Code;

(iii) roof tanks and their supports, the height of support not exceeding 1.00 metres;

(iv) chimneys;

(v) parapet walls not exceeding 1.50 metres in height;

(vi) ventilating, air-conditioning and other service equipments;

(vii) height above mid-point between eaves level and ridge level.

(b) The aggregate area of the structures mentioned in clause (a) [except (vii)] shall not exceed one-third of the area of the roof upon which these are erected.

(2) The maximum permissible height of a building as well as its permissible floor area shall be regulated by the width of the surrounding open space in the same holding plus the width of its means of access, depending on the type of building use as per the table below

width of means of access plus width of front open space				
	upto 3.0 m	3.0- 5.0 m	5.0-7. 5m	above 7.5m
Floor Area Ratio (F.A.R.) :				

Residential, Commercial, public & other uses	1.0	2.0	2.5	2.75
	1.0	1.5	2.0	2.5
Maximum permissible height	4.5m	6.5 m	11.5m	13.5m

Provided that in case a building is more than 11.50 metres in height prior approval of the State Government is required to be obtained.

(3) The Board of Councillors may, if necessary, restrict the height of building in any area within the municipal limits, below that provided above for reasons to be recorded in writing.

162. Ground coverage :-

The maximum permissible ground coverage for buildings when a single building is proposed for a plot, shall be regulated by the plot size, depending on the type of building use as given in the table below

163. Open spaces for building :-

(1) Generally.

(a) every room intended for human habitation shall abut and interior or exterior open space or an open verandah, open to such interior or exterior open space. Open spaces shall be areas forming integral parts of the plot at ground level and shall be open to sky without any projection or overhang excepting cornices, chajjas or weather shades of not more than 0.50 metre width;

(b) every building shall have exterior open spaces comprising front open space, and side open spaces. The minimum width prescribed for front open space, rear open space and side spaces shall be provided along the entire front, rear and side faces of the building respectively. For this purpose the front of the building shall be that face of the building which faces the means of access of the building and the rear of the building is that face of the building which is farthest from the means of access. These provisions shall also be applicable to each individual building separately when a plot contains more than one building. In the case of a corner plot located at the crossing of more than one street or passage, the rear of the building shall be deemed to be that face of the building which is farthest from the widest of all such streets and/or passages;

(c) open spaces prescribed to one site cannot be taken for another site. No building shall at any time be erected on any open space prescribed in these rules for a building and form part of the site thereof, nor shall such open space be taken into account in determining the area of any open space required under these rules for any other building.

(d) if the front open space is 3.00 metres or more in width, a Gate Goomti for security purpose may be allowed in the said open space. The covered area of such Goomti shall not in any case exceed 3.00 sq. m. and the height of such Goomti shall not exceed 3.00 metres. The covered area of the Gate Goomti shall not be included in calculation of ground coverage.

(2) The minimum front, rear and side open spaces shall be provided along the entire faces/sites of the building as given in the table below Minimum width of open space in metres \Front \ \Rear

\ \Side Residential and Educational uses \ \1.5 m \ \1.5 m \ \1.5 m Commercial, public and other uses \ \2.5 m \ \3.5 m \ \3.5 m

Provided that the minimum clearance, on all the sides between a building wall and the toe of a retaining or other protective wall shall be 1.50 metres, except on the side where the septic tank shall be installed, in which case, the minimum clear distance of 2.1 metres shall be provided:

(3) Notwithstanding anything contained elsewhere in this rule in the case of a building with a septic tank, a side open space of 2.1 metres shall be provided on any side of the building for the provision of the said septic tank.

(4) In the case of a building more than 25.0 metres in depth, a passage of width not less than 3.5 metres shall be provided along the entire depth of the building.

(5) For plots of size not more than 65 (sixty-five) sq. metres minimum side space of 0.90 metre may be allowed on each side provided the building height does not exceed 6.5 metres

(a) notwithstanding anything contained in this rule, the minimum distance across the side open space from every new building to an existing building with a door or window opening shall be 1.80 metres;

(b) notwithstanding anything contained in this rule, the minimum width of side open space for an industrial or storage or mercantile (whole-sale) building shall be 3.50 metres:

(c) in the case of a building more than 24.00 metres in depth on a plot abutting any street, a passage along the entire depth of the building shall be provided and the minimum width of such passage shall be 4.0 metres.

(6) The interior open space shall be as follows:

(a) for inner courtyard in case the whole of one side or part of at least two sides of every room excepting bath, water closets and store-room is not abutting either the front, rear or side open spaces, It shall abut an inner courtyard whose minimum width shall be 30% of the height of the building or 3,00 metres, whichever is more.

(b) For ventilation shaft, that is to say for ventilating water closet bathroom and kitchen such water closet or bath room or kitchen if not opening to front, side, rear or interior open space, shall open on to a ventilation shaft, the size of which shall not be less than the values given below :

Height of building (metres)	Minimum area of ventilation shaft (sq. metres)	Minimum width of shaft (metres)
up to 11.50	1.50	1.00
Above 11.50 but not more	3.00	1.20

than 12.50		
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(c) The minimum width shall not be less than 20% of the height of the building or 2.50 metres, whichever is more.

(7) The service rooms shall have access by means of two passages of staircases, providing access and exit from higher and lower level floors, the width of which shall not be less than 1.2 metres and the slope shall not be steeper than one 1 : 1 and so located that the travel distance on any floor up to any such access or exit is not more than 15.0 metres.

(8) Mezzanines are to be used strictly for purposes other than habitation or kitchens and eating places and may be provided between any two floors and shall be permitted with a minimum clear height at every part of at least 2.0 metres measured from the floor to the lowermost point on the underside of the roof, slab, beam or false ceiling. The area of such mezzanines shall be included in floor area in all calculations.

164. Access, circulation and parking :-

(1) Every plot shall abut a means of access which may be a public street or private street or passage, the minimum width of which shall be as specified in rule 156(1)(b).

(2) Any building which in full or part is put to assembly occupancy for the purpose of theatre, motion picture house, city hall, skating-rink, auditorium, exhibition hall or for similar other purposes shall not be allowed on a plot located within 50 metres of the junction of two streets, the width of each of which shall be a minimum of 8.0 metres.

(3) Every building on a plot having more than one building shall abut an internal road connecting the means of access of the plot and such roads shall conform to the requirements of internal road specified in rule 158. Number of car parking spaces as per covered area of plot and use Group \ Residential and Educational uses \1 Car Space per 300 sq. metres Commercial, public and other uses \1 Car Space per 200 sq. metres In case of a plot having more than one building or use, parking requirements shall be calculated according to the proportionate floor area of each building or use group, as the case may be.

(4) For plots abutting non-vehicular means of access less than 3.0 metres in width, car parking space need not be provided within the plot area but space with vehicular access has to be identified and owned by applicant for the required parking/garage space, as per this rule.

(5) The parking space for each vehicle shall be accessible from the means of access, either directly or through a driveway or internal circulation, aisle, the width of which shall not be less than 3.5 metres for cars and 5.0 metres for trucks and the gradient of which shall not be more than 1 :6.

(6) The minimum size of a car parking space shall be 2.50 metres x 5.00 metres and that for a truck or bus parking space shall be 3.75 metres x 10.00 metres. These spaces do not include the area of circulation, internal roads, aisles and driveways, and standards for these shall be guided by provisions in the National Building Code.

(7) No garage for cars shall be less than 2.5 metres x 5.0 metres (clear size) with a minimum head room of 2.0 metres and no garage for trucks shall be less than 3.75 metres x 10.00 metres (clear size) with a minimum head room of 3.50 metres.

(8)

(a) An internal road must be so constructed as to have a slope inwards towards the hillside. Such slope must be not less than the gradient of the road;

(b) where required, the inner and outer edges of an internal road must be protected by protective walls of such number and placed in such positions so the Board of Councillors may direct and constructed in accordance with the specifications in this rule.

165. Drainage measures :-

(1)

(a) An open drain must be provided on the inner side of an internal road, constructed in accordance with the specifications in rule 164;

(b) an effective slope and drainage system shall be maintained at all times on the developed ground after slope cutting or filling during and after development as per this rules on any site;

(c) The drainage system shall efficiently collect and carry away from the site, the water collected within the premises of the building complex or from the hillside above, for suitable disposal as quickly as possible to water courses such as main drains or natural streams/ jhoras without stagnation, avoiding any possibility of erosion, slope failure, damage to the building or other property in the vicinity.

(2)

(a) Proper slope, not less than 1:60 shall be maintained all around a building for quick drainage of the entire plot as provided in rules 156(1)(d) and 164.

(b) the flow of water, particularly on the upper side of the building, shall be diverted away from the foundations through suitable lined or unlined drains;

(c) drains for sullage/rain water must be constructed with round or half-round tiles embedded in concrete, or with U-shaped stone masonry set in lime mortar and plastered over the inner surface with Portland cement, or with U-shaped stone concrete and the sectional area of every drain shall be subject to the approval of the Municipality;

(d) drains for surface water only may be constructed either of dry rubble masonry or of any other material approved by the Board of Councillors, and may be either rectangular or U-shaped in section. Such drains shall not be connected with any drain carrying sullage water or sewage;

(e) except with the written permission of the Board of Councillors, no covered drain shall be constructed and no existing open drain shall be covered in:

(f) no building shall be placed cover any drain;

(g) where a small drain is crossed by a private road, a removable R.C.C. slab cover or wooden or iron grating, if the Board of Councillors so direct, must be laid over the drain, instead of a covered culvert.

(h) drains must discharge into the nearest water channel or public drain, unless in any case the Board of Councillors otherwise direct. The outfall of a drain into a water channel or public drain must be protected and guided in such manner as the Board of Councillors may direct. Where the drain of a private road joins the drain of a public road, The former drain must be so directed or so protected by strike-boards as to minimise the risk of damage to the public drain or road. Filters may also be provided where necessary;

(i) every building must be constructed so as not to project over or admit of water from the roof filling upon or damaging, any open space, road or passage it abuts, whether public or private;

(j) every building shall have rain water gutters and pipes connected to a drain, along the periphery of a building;

(k) a masonry drain must be placed round the periphery of every building or block of buildings, sufficient in section and slope to the satisfaction of the Municipality for the effectual drainage of the building and placed as to admit of the drainage being led into some drain at the time existing or projected;

(l) The surrounding ground adjacent to the building must be sloped from all sides towards the perimeter drain and an impervious apron, not less than 0.75 in width, shall be provided all around the building to prevent the entry of water into the foundations.

(3)

(a) Septic tank and soak pits shall also be so located so as to be easily accessible from the means of access to the plot;

(b) soak pits shall be constructed on the side of buildings as far as possible, at right angles to the slope of the land and as far as possible from the building foundations. There shall be a minimum clearance of 2.1 metres between the foundation and the soak pit to minimise the chances of dampness and slope failures due to seepage from the soak pit.

(4)

(a) A private bridge must be constructed as and where necessary to the satisfaction of the Municipality so as to leave sufficient waterway to pass the maximum discharge of the channel spanned by the bridge;

(b) the invert of the channel under a private bridge must, as far as practicable, be laid to the same slope as that of the channel;

(c) When a pocket for the deposit of debris is cut in the hillside above a private bridge, it must be lined with masonry walls unless if, constructed on solid rock.

166. Protective work in hills :-

(1) The cutting of slopes in the creation of steps and terraces for development work shall be carried out while ensuring the stability of excavations to provide for the safety of the buildings located and constructed thereon in accordance with the provisions in the BIS Codes.

(2) Local ground conditions shall be taken into account in the determination of the appropriate precautionary work and protection walls such as revetments, retaining walls, toe walls and breast walls as well as the specifications of the relevant codes of practice of the Bureau of Indian Standards including : IS 14243 Parts I and II : Selection and development of site for building in hill areas guidelines.

(3) The maximum height of cutting for development work as per soil strata shall be as given below: Loose soil or boulders with soil matrix 4.0 m Compact soil or boulders with soil matrix overlaying loose. soft, fractured or firm hard rock strata which remains vertical in 4 m high cutting when dry 6.0 m Hard stable rock with or without compact soil or _____ boulder with soil matrix up to 2 m thick_____8.0 m Cutting of slopes over a height of 6.0 metres shall not be ordinarily permitted, excepting with the special approval of the Board of Councillors.

(4)

(i) The foundation of every protection wall must be taken down to original and firm soil or rock, have a bed-line cut at right-angles with the face of the wall and a slope of 3:1 towards the hillside.

(ii)

(a) Where a protection wall does not exceed 6.0 metres in height and is not surcharged, the mean thickness of the revetment or wall above the footings shall not be less than one-third of the vertical height of the revetment or wall, measured from the top of the footings.

(b) where a protection wall does not exceed 6.0 metres in height and is surcharged, the height assumed, for the determination of mean thickness of the revetment or wall above the footings, shall be one and a half times the actual vertical height :

Provided that the width at the top shall in no case be less than 0.5 metres and shall not in any case exceed 1.0 metres,

(c) no structure shall be allowed to be raised from the top of the retaining/protective wall.

(iii)

(a) A protection wall may be of dry rubble masonry, or cement masonry as per the directions of the Board of Councillors,

(b) dry stone masonry protection walls shall include cement masonry bands in 1:4 cement sand

mortar 0.4 to 0.6 metres thick, at top and bottom and vertically at 2.0 to 5.0 metres spacing,

(c) no stone used shall be of greater height than its length or breadth, all stones used must be laid on their natural beds, and must be arranged so as to break joint as far as may be possible.

(d) every protection wall must be build up solid to full section and spawls or chips shall not be used for filling the courses unless their use is unavoidable;

(iv) one through bonding stone or line of bonding stones must be inserted at intervals at 1.50 metres in each course, and at points intermediate between the corresponding bonding stones of the course below: Any of the bonding stones which do not extend right through the wall must overlap each other for one-third of their length.

(v)

(a) Special investigations and analysis shall be carried out to determine the details of protection works in the case of R.C.C. retaining walls or protection walls on steep cut slopes greater than 6.0 metres in height, or in case of fine soils like silt, clay or shales,

(b) in all such cases, detailed designs must be submitted to the Board of Councillors, and the sections must be such as the Board of Councillors may approve,

(c) protection walls of height more than 6.00 metres and successive retaining walls shall only be permitted when there is hard stable rock behind and below the toe of the said wall, as permissible under relevant BIS Codes of Practice;

(vi) the height of cutting for any step of a stepped building shall not be more than 4 m and successive protection walls shall only be permitted when there is hard stable rock behind and below the toe of every such wall;

(vii)

(a) weep-holes shall be provided in breast walls and retaining walls equipped with graded filter for proper drainage at intervals of 1.2 metres horizontally and 1.2 metres vertically, in a staggered manner and beginning from 0.20 metre above ground level,

(b) water along the base of a breast wall and retaining wall shall be drained out by means of a suitable lined drain forming an integral part of the drainage system as specified in rule 166,

(viii) when, a slope is determined to be vulnerable to a debris slide in pursuance of any requisition or direction made or given by the Board of Councillors, the angle of a slope shall be reduced to an angle of not more than 30° to the horizontal plane through trimming or cutting to make the slopes stable along with minor protection both for soil and building work. Any barren surfaces above a cut slope shall be planted with selected varieties of light but deep rooted bushes, shrubs and grass to check soil erosion and improve the stability of the slope, in pursuance of any requisition or direction made or given by the Board of Councillors.

167. Special Conditions :-

(1)

(a) Additions to existing building shall only be permitted in the case of structurally sound structures with a record of the complete details pertaining to the soil/stability materials and system of construction;

(b) the total floor area height and ground coverage after addition to an existing building shall not exceed the provision of maximum permissible floor area height and open space as per the criteria specified in sections 161 162, 163 and other relevant rules, while the additions to an existing building shall further conform to the provisions for front, rear and side setback as specified in this Rules.

(2) In the case of multiple building in a plot, open space shall be set aside as specified in for the purpose of public and community activity, in addition to the provisions for open space and for providing the means of access as specified in this rules.

(3) Every building erected or re-erected, must have such structural and architectural features as

to prevent the building being in the opinion of the Board of Councillors, unsightly or unsuitable to its surrounding. Furthermore, if the roof or walls of any building are in the opinion of the Board of Councillors, is an unsightly condition they may by written order direct the owner to repair or colour-wash such part of the building as they may direct within the period specified in the order.

(4) The foundations of all buildings, parts must rest on solid ground or rock and have width and depth suitably designed according to the distribution of the soil and hard rock strata in different parts of the foundation, and have dimensions worked out as per the permissible safe bearing capacity and other consideration, in accordance with relevant Codes of Practice of BIS. The depth below the ground level shall not be less than 2.0 metres in the case of R.C.C. column footings and 1 : 2 metres in the case of all other foundations.

(5) Every building or part thereof shall have continuous foundation walls extending below ground level as specified. All openings in such walls, or in floors, walls, windows and drains and all junctions between building parts shall be tightly closed or effectively secured with pest-proof screening materials as approved by the Board of Councillors.

(6) The party-walls of a masonry or framed building or the end wall of a ferro-concrete building must be built of stone or brick bedded in lime or cement mortar for their full height and if the Board of Councillors so direct, must be carried up of a thickness of not less than 0.25 metre, above the roof, flat or gutter to such a height as will give a distance of at least 0.5 metre, measured at right angles to the slope of the roof above the highest part of the roof, flat or gutter.

(7)

(a) Individual columns of all R.C.C. framed buildings, in the case of stepped foundations, shall be interconnected in two directions, generally at right angles, by R.C.C. beams at the footing level designed in accordance with BIS Codes of Practice;

(b) individual columns of all R.C.C. framed building as well as all external and internal walls of a load bearings structure shall be interconnected in two directions, generally at right angles, by R.C.C. beams at plinth level adequately designed in accordance with BIS Codes of Practice;

(c) there shall be adequately designed R.C.C. lintel bands in all external and internal brick and stone masonry walls at vertical intervals not more than 0.9 metre. These shall be continuous and connected to each other at the same level in the case of all load-bearing walls and tied to the columns in case of R.C.C. framed structures.

(8) No building shall be altered so as to reduce the number, width or location of exists to less than what is required under the criteria specified in this rules.

(9) If any car parking space is required to be provided under the criteria specified in this rule and no such car parking space can be provided in such existing building, the floor area allowable under the provisions of these rules shall be reduced by the area required for such car parking spaces which cannot be provided for in the said building.

(10) No building shall be erected or re-erected in any locality if the Board of Councillors at a meeting, records in writing that the proposed construction, either by reason of the nature of its construction and location or by reason of the uses to which it is intended to be put, is likely to affect in any substantial degree prejudicially any existing building in the locality by reducing its market value or by diminishing any advantage it enjoys on account of its situation or otherwise.

(11) The Municipality may decide the width of buffer zone upslope and downslope of National Highways and State Highways where no new construction or addition/alteration to any existing structures or change of use will be allowed.

(12) The minimum widths for corridors within the building shall be as follows : Residential tenement (internal) 0.9 metre Mercantile. Business and Assembly buildings 2.0 metres Access to shop in mercantile buildings (shop on one side only) 2.0 metres (shop on both sides) 3.0 metres The width of all other corridors and those connecting vertical exist to individual units shall not be less than the width of the corresponding staircases as specified in the rules.

168. Preservation and conservation of Heritage Building :-

(1) Every owner or occupier of any heritage building declared as such by the Municipality shall maintain, preserve and conserve it and shall not change its use in contravention of the provisions of these rules or the regulations made thereunder for its maintenance, preservation or conservation.

Explanation I. The word "maintain", with its grammatical variations and cognate expressions, shall include fencing, covering, repairing, restoring or cleansing or doing of any act which may be necessary for the purpose of preserving or conserving of, or securing convenient access to, a heritage building.

Explanation II. "Owner shall, notwithstanding anything contained elsewhere in the Act include, for the purposes of this chapter

(a) a joint owner of a heritage building vested with the power of management thereof on behalf of himself and any other joint owner, or successor-in-title or any such joint owner, or

(b) a manager or trustee, vested with the power of management of a heritage building or successor-in-office of such manager or trustee.

(2) Where the Municipality on the recommendation of the Heritage Conservation Committee and also the Chairman of the Municipality is of the opinion that any building in the Municipality should be preserved and conserved for historical, architectural, environmental, cultural and ecological purpose, it may declare such building as a heritage building :

Provided that during the period when any proposal for declaring any building as a heritage building is under consideration of the Heritage Conservation Committee or the Chairman of the Municipality, no owner of such building or no lessee or sub-lessee to whom such building has been leased out shall transfer such building by way of sale, lease or mortgage without the prior approval of the Chairman of the Municipality.

(3) The Chairman of the Municipality shall constitute a Committee to be called the Heritage Conservation Committee with the Chairman of the Municipality as its Chairman and the Councillor-in-Charge of Public Works as its Conservation.

(4) The Committee shall have, in addition to the Chairman and the Convenor, seven other members as follows

(a) One shall be a nominee of the District Magistrate of the District;

(b) One shall be a nominee of the Director of the Department of Archeology, Govt. of West Bengal;

(c) One shall be an eminent architect;

(d) One shall be an artist;

(e) One shall be an environmentalist;

(f) One shall be a historian;

(g) One shall be the concerned Executive Engineer of the Municipal Engineering Directorate.

(5) The Committee may co-opt any person to be nominated by the concerned department of the State Government while dealing with any land or building under the management of the said department.

(6) The Committee shall in accordance with the provisions of the Act and the Rules and the Regulations made thereunder scrutinise every application or proposal for declaration of a building as a heritage building, and recommend to, and also advise, the Chairman in respect of preservation and conservation of such building as a heritage building.

(7) The Committee shall meet at such periodical interval as may be determined by the Chairman.

(8) The Chairman shall in case of emergency take such measures as may be necessary for the preservation and conservation of a heritage building provided that such measures shall be required to be approved by the Heritage Conservation Committee at its meeting.

(9) The Heritage Conservation Committee shall have the power to function independent of the Board of Councillors for the purpose of preservation, conservation and maintenance of heritage building in so far as such power does not offend any other provision of the Act or the rules made thereunder relating to construction or use of building;

Provided that for erection or re-erection in a heritage building and part thereof, or for restoration of any heritage building to its old shape, design or beauty in the case of unlawful demolition, or for making any change of internal and external wall, structural pattern, floor roof, interior or exterior architectural floor, facade or skyline or for any other change, of a heritage building, the provisions of the Act and the rules made thereunder shall apply mutatis mutandis.

(10) Subject to the other provisions of the Act, the Chairman, may acquire, purchase or take on lease any heritage building for the purpose of preservation and conservation thereof:

Provided that in the case of heritage building declared as such for the purpose of preservation and conservation as required under sub-clause (ii) of clause (a) of sub-section (4) of section 31 of the West Bengal Town and Country (Planning and Development) Act, 1979, the approval of the concerned department of the State Government shall be taken.

(11) When the owner of any heritage building is not willing to preserve or conserve any heritage building, the Chairman may, for the purpose of acquisition of such heritage building by agreement and on the recommendation of the Heritage Conservation Committee and with the approval Of the Board of Councillors, allow the transfer of right of development of such heritage building, which shall be heritable and transferable, to the owner of such heritage building on such manner, and subject to such conditions as may be prescribed.

Explanation I. "Development" shall have the same meaning as in clause (7) of section 2 of the West Bengal Town and Country (Planning and Development) Act, 1979.

Explanation II. "Right of development of a heritage building" shall mean the right of development, in the prescribed manner, of such potentials as may be available in respect of such heritage building on a plot of land different from the land and building comprising the heritage building but in the same ward of the Municipality.

(12) Subject to such rules or regulations as may be made under these rules and any Act every person shall have the right of access to any heritage building acquired by the Municipality.

(13) The Municipality shall have the right to allow the transfer or right of development to the lessee of a heritage building where the unexpired period of the term of lease is for 90 years, and to take the heritage building on sub-lease by agreement, if there is provisions for such sub-lease in the deed executed between the owner and the lessee, provided that the question of payment of premium or rent in such case to the owner shall not, notwithstanding any agreement in this behalf arise, and if the owner as confirming party to the agreement waives the right to receive any further payment of such premium or rent.

(14) If the Municipality considers that it is necessary to acquire any building declared as a heritage building for the purpose of preservation and conservation as required under sub-clause (ii) of clause (a) of sub-section (4) of section 31 of the West Bengal Town and Country (Planning and Development) Act, 1979, by agreement or under the Land Acquisition Act, 1894, permission of the concerned Department of the State Government shall be taken before such acquisition.

(15) If the owner of a heritage building enters into an agreement with the Municipality to maintain, preserve and conserve such heritage building property at his own expenses, the Municipality may, in such case, exempt wholly or partly the owner of such heritage building from payment of rates of taxes or fees for supply of water or any other charge in respect of such heritage building.

(16)

(i) The Chairman may, pending acquisition of a heritage building by the Municipality under these rules or any Act and with the approval of the Board of Councillors proposes to the owner of such heritage building to enter into an agreement with the Municipality for a specified period for the maintenance of such heritage building;

(ii) the agreement as aforesaid may provide for all or any of the following matters

(a) maintenance of the heritage building by the owner or by the other person willing to maintain the said heritage building,

(b) custody of the heritage building and the duties of the person who may be employed to watch it,

(c) the restriction on the owners right

(1) to use the heritage building for any other purpose detrimental to its conservation,

(2) to charge any fee for entry into or inspection of, the heritage building, and

(3) to build on or near the site of the heritage building.

PART 13

Miscellaneous

169. Savings :-

(1) All rules as to the use of building sites and execution of building works, made under the Bengal Municipal Act, 1932 (Ben. Act XV of 1932) (hereinafter referred to as the former rules) and in force, immediately before the coming into force of these rules shall, with effect from the date of coming into force of these rules, cease to have effect.

(2) Notwithstanding such ceaser, 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.