

The



Kolkata **Gazette**

सत्यमेव जयते

Extraordinary
Published by Authority

CAITRA 19]

FRIDAY, APRIL 9, 2010

[SAKA 1932

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

GOVERNMENT OF WEST BENGAL
DEPARTMENT OF MUNICIPAL AFFAIRS
WRITERS' BUILDINGS, KOLKATA

NOTIFICATION

No. 227/MA/O/C-4/3R-8/2002 (Pt-I)

Kolkata, the 9th April, 2010.

In exercise of the power conferred by sub-section (1) of section 417, read with section 198 of the West Bengal Municipal Act, 1993 (West Ben. Act XXII of 1993) (hereinafter referred to as the said Act), the Governor is pleased hereby to make, after previous publication as required by sub-section (1) of section 417 of the said Act, the following amendments in the West Bengal Municipalities (Building) Rules, 2007, published under notification No. 67/MA/O/C-4/3R-8/2002, dated the 14th day of February, 2007 (hereinafter referred to as the said rules) :

Amendments

In the said rules, —

(1) in rule 50, after sub-rule (4), *insert* the following sub-rule:

"(5) **Open space norm for construction of dwelling houses for poor under various Government schemes:** Notwithstanding anything contained in this rule, the open space norm stipulated in this rule shall not be applicable for construction of dwelling houses for poor slum dwellers under various programmes implemented by the Government of India or the State Government. The Municipality shall fix the open space norm under this sub-rule in consideration of the ground realities but subject to the provisions of the Act and rules made thereunder.";

(2) in sub-rule (1) of rule 109, in the second column of the table—

- (a) against row number (i), for the words and numbers "2, 3 and 4 cottahs", *substitute* the words and numbers "2, 3, 4 and 5 cottahs";
- (b) against row number (ii), *omit* the number "5,";

(3) in rule 153,—

(a) in the marginal note for the words "Rules relating to open space regulation of Building where block allotment is made", *substitute* the words "Rules relating to open space regulation of Building where block allotment is made and the Building or Buildings other than Residential Building or Buildings";

(b) in sub-rule (2), —

(i) for the words "Any plot of 4K or above", *substitute* the words "Any plot of 8K or above";

(ii) in clause (ii), in the second row of the first column of the table, for the word "10K", *substitute* the words "8K, 9K and 10K"; and

(iii) to the proviso for the words "Provided that a 'No objection' certificate shall be produced from authorities as indicated below for construction of any building", *substitute* the words "Provided that the car parking shall be provided as per provisions of these rules, and a 'No objection' certificate shall be produced from each of the authorities as indicated below for construction of any non-residential building or buildings";

(c) after sub-rule (2), *insert* the following sub-rule:

"(3) Notwithstanding anything contained in this rule, in cases of buildings other than residential buildings on a plot of 4K, 6K, and 7K, the requirements for residential buildings, as specified in these rules, shall be followed, and in case of Buildings other than Residential Building on a plot of 5K, requirement for residential building on a plot of 6K, as specified in these rules, shall be followed."

By order of the Governor,

K. C. MONDAL,

Secretary in Charge to the Govt. of West Bengal.