

বিজ্ঞপ্তি

পূর্ব বর্ধমান জেলা পরিষদ কার্যালয়, পোঃ - বর্ধমান, থানা - বর্ধমান সদর, জেলা - পূর্ব বর্ধমান

স্মারক সংখ্যা- ৩৯২/সি.বি.-৬৩পি

তাং ১২.০৯.২০২২

পশ্চিমবঙ্গ পঞ্চায়েত আইন ১৯৭৩ (সংশোধিত)-এর ১৮১ ধারা মতে জেলা পরিষদের কার্যাবলি নির্বাহী করিবার নিমিত্ত এই আইন বা ওই অধীনে প্রণীত নিয়মাবলীর বিধান সমূহের সহিত অসামঞ্জস্য নহে এরূপ উপবিধি সমূহ প্রণয়ন এবং তৎসহ রাজ্য সরকার কর্তৃক নির্দিষ্ট সর্বোচ্চ হার সাপেক্ষে বিভিন্ন বিষয়ে উপশুল্ক, ফি বা অভিকর ধার্য করার জন্য ২২৩(১) ধারা বলে জেলা পরিষদ বাই ল বা উপবিধি তৈরী করার প্রয়োজন অনুভব করছে। এই লক্ষ্যে ১২.০৯.২০২২ তাং-এর পূর্ব বর্ধমান জেলা পরিষদের সভার সর্বসম্মত অনুমোদন ক্রমে প্রস্তুত খসড়া বাই ল (উপবিধি) ইংরাজীতে অত্র জেলা পরিষদ কার্যালয় সহ নিম্নলিখিত অফিস এবং স্থানগুলিতে এই বিজ্ঞপ্তি প্রচার করা হইতেছে যে পূর্ব বর্ধমান জেলা পরিষদের অত্র সংযোজিত উপবিধিগুলি গ্রহণ সম্বন্ধে কোন আপত্তি বা সংশোধনের প্রস্তাব থাকিলে তাহা যে কেহ উক্ত জেলা পরিষদের কার্যালয়ে ১২.০৯.২০২২ তাং হইতে ২৮.৯.২০২২ তাং (৪৫ দিন) ছুটির দিন ছাড়া বেলা ১০.৩০ মিঃ হইতে ৫.০০ ঘটিকার মধ্যে লিখিতভাবে বিবেচনার জন্য পেশ করিতে পারিবেন এবং তাহা যথাসময়ে বিবেচিত হইবে।

উক্ত খসড়া উপবিধি (ইংরাজী) উক্ত পূর্ব বর্ধমান জেলা পরিষদ কার্যালয়ে বিজ্ঞপ্তি প্রকাশের তারিখ ১২.০৯.২০২২ হইতে (৪৫ দিন) ২৮.৯.২০২২ তারিখের মধ্যে অফিসের দিনগুলিতে অফিস চলাকালীন দেখা যাইবে।

কোন আপত্তি না পাওয়া গেলে এই খসড়া বাই ল (উপবিধি)টিকে অথবা কোন লিখিত আপত্তি পাওয়া গেলে তাহা জেলা পরিষদের সাধারণ সভায় বিবেচনা সাপেক্ষে এক মাসের মধ্যে চূড়ান্তভাবে অনুমোদন ও কার্যকর করা হইবে।

স্বাক্ষর.....
নির্বাহী আধিকারিক
পূর্ব বর্ধমান জেলা পরিষদ

বিঃ দ্রঃ সংযোজিত উপবিধি উপরে উল্লিখিত দিনে অবশ্যই প্রকাশিত করিয়া উক্ত মর্মে নিম্ন স্বাক্ষরকারীকে রিপোর্ট দেবেন।

পূর্ব বর্ধমান জিলা পরিষদ উপবিধি-২০২২ পুস্তিকা ৪৫ দিন পর্যন্ত প্রকাশিত করিবার পর পূর্ব বর্ধমান জেলা পরিষদ অফিসে ফেরত দিবেন এবং এই প্রকাশের মর্মে একটি সার্টিফিকেট দিবেন।

নিম্নলিখিত স্থানে বিজ্ঞপ্তি প্রচারিত হইবে।

১.গ্রাম পঞ্চায়েত অফিস।
২.পঞ্চায়েত সমিতি অফিস।
৩.জিলা পরিষদ কার্যালয়।
৪.সাব রেজিস্ট্রী অফিস।
৫.থানা।
৬.জেলা শাসকের অফিস।
৭.মহকুমা শাসকের অফিস।
৮.জেলা জাজেস কোর্ট।
৯.সাবডিভিশনাল জাজেস কোর্ট

The Purba Bardhaman Zilla Parishad
Court Compound, Purba Bardhaman-713101

No: 3192/P.B.Z.P

Dated : 12.09.2022

In exercise of the power conferred Part XIII Chapter II Rule 33, Power to Amend, Insert, delete etc, of, The Purba Bardhaman Zilla Parishad General Bye - Law 2005 and in exercise of the power conferred by Section 223 (1) of the West Bengal Panchayat Act, 1973 as amended (hereinafter referred to as the said Act) the Zilla Parishad is hereby to make, after previous publication as required by Sub-Section (1) of the said Section, the following Revised Bye-Law under Section 162,181 (1), (2), (3) of the said Act read with Provision under Rule 135,136,172,176,177,188,189 of the West Bengal Zilla Parishad (Election, Constitution & Administration Rule, 1964) Rules and Rule 90 (4) of the West Bengal Zilla Parishad & Panchayat Samities Accounts & Financial Rules, 2003 delegated by the B.D.A. under Town and Country Planning Act, 1979; control of Building operation by way of technical approval and development under T. C. P. Act, 1979 as amended up to date within territorial jurisdiction of Panchayat Area of Purba Bardhaman District, and also control of Building operation by way of technical approval and development within the remaining part of the territorial jurisdiction of the Panchayat Area of the Purba Bardhaman Zilla Parishad (beyond the Area of T. C. P. Act Panchayat Area and B.D.A. Panchayat Area), for the purpose of carrying out and discharge of responsibilities as laid down under Section 153 of the West Bengal Panchayat Act, 1973 as amended up to date namely:

The Purba Bardhaman Zilla Parishad Revised General Bye - Law, 2022(Revised & Amended Version of General Bye-law 2005)

The Purba Bardhaman Zilla Parishad
Court Compound, Purba Bardhaman-713101

CONTENTS

Preliminary

Sl.	Content	Page No.
Part - I		
1.	Short title & Commencements : THE PURBA BARDHAMAN ZILLA PARISHAD REVISED GENERAL BYE - LAW, 2022	6
2.	Definitions	6
Part - II (Chapter - I)		
3.	Road, drain, Canal & Embankment	8
	1. Encroachment and obstruction of land.	8
	2. Sale, collecting or gathering of articles in the vicinity of road.	8
	3. Cutting of plants, Trees or Hedges, obstructing road or drain or overhanging on land.	8
	4. Damage to Bridges Culvert or Cause Way or Road.	8
	5. Damages to fences, post, soil, turf, or grass on road.	8
	6. Channel across road.	8
	7. Obstruction of water ways adjoining the road.	9
	8. Excavation on or near road.	9
	9. Protection of excavation on or near road.	9
	10. Use of Road, Bridges, Culvert or Canal while close traffic.	9
	11. Discharge of rainwater from roof to Road.	9
	12. Flow of filth on the road.	9
	13. Removal of trees or erection fallen on the road.	9
	14. Curing of hides & skin on or near road.	9
	15. Slaughter of Animals, Cleaning of Carcass etc. on or near road.	10
	16. Placing or Burning of Bodies on road.	10
	17. Steeping offensive matters on road side drain, pit, excavation.	10
	18. Care of vehicles on roads.	10
	19. Carrying Bamboos or Bullah on cart on road.	10
	20. Transport of heavy vehicles with loads over bridge, culverts and roads.	10
	21. Width of Tyres.	11
	22. Lighting of vehicle on the road.	11
	23. Nuisance on road and land.	11
(Chapter - II)		
4.	Trees	11
	1. Damage to trees.	11
	2. Tapping or taking fruit from trees on road or land.	11

Sl.	Content	Page No.
(Chapter - III)		
5	Fires	11
	1. Lighting of Fires	11
(Chapter - IV)		
6	Water Supply Reserve for drinking and culinary purposes.	11
	1. Taking of water.	11
	2. Bathing or Washing.	12
	3. Fouling of water.	12
	4. Overhanging trees or vegetation.	12
	5. Removal of earth and grass from side or slope.	12
	6. Cultivation on bank, sides, or slope of reserve tank and well.	12
	7. Building on banks, sides, slopes of a reserve tank or well.	12
	8. Dams, Stakes and Fishing Apparatus.	12
	9. Fishing in reserve tanks and wells.	12
(Chapter - V)		
7	Fair & Melas	13
	1. License for fair and melas.	13
(Chapter - VI)		
8	Registration of vehicles, Boats / Water conveyance	13
(Chapter - VII)		
9	Levy or toll, taxes on road, bridge and Jetty	14
(Chapter - VIII)		
10	Fare Chart on different ferries under jurisdiction of Purba Bardhaman Zilla Parishad	15
(Chapter - IX)		
11	Levy of fees for providing Sanitary arrangement at the places of worship, pilgrimage, fair and melas	17
(Chapter - X)		
12	Levy of fees for establishment of parking zone:	17
(Chapter - XI)		
13	Rate for providing pipe line drinking water, irrigation or any other purpose	17
(Chapter - XII)		
14	Providing lighting facilities at public places	18
(Chapter - XIII)		
15	Fees for occupation of Dak and Inspection Bungalows owned and managed by Zilla Parishad	18
(Chapter - XIV)		
16	Leave and License	18
	1. Temporary Leave and License of immovable properties.	18
	2. Long term arrangement for use of the land.	19
(Chapter - XV)		
17	Leave & License of Ferry service owned & vested in Zilla Parishad	19
(Chapter - XVI)		
18	Let out of Commercial Complex & Office Building	19
(Chapter - XVII)		
19	Erection of Electric Crematorium at	20

Sl.	Content	Page No.
Part-III (Chapter - I)		
20	Technical approval for Construction of Building above 2 (Two) storied house (6.50 mtr.) up to 15.00 meter height in the jurisdiction of the Purba Bardhaman Zilla Parishad	20
	1. Panchayat under B. D. A. Area	20
	2. T. C. P. Act of Panchayat Area other than B. D. A. Area(ANNEXURE-II)	21
	3. Panchayat Area other than B. D. A. & T. C. P. Act Area(ANNEXURE-III)	21
	4. Technical approval for Construction of Building	21
Part-IV		
21	Collection of fees / NOC in Ulhas Mini Township	22
	Chapter-I - Collection of fees / NOC in Ulhas Mini Township	22
	Chapter-II – Sanskriti Lokomancha, Annex, Sanskriti Guest Room & Sanskriti Metro Cinema Hall	22
Part-V		
22	Development Project	25
Part-VI		
23	Fees for Medical Dispensaries	26
Part-VII		
24	Tourism Project	26
Part-VIII (Chapter - I)		
25	Sale of Tender Paper & tender documents	26
(Chapter - II)		
26	Sale of Bye - Law, Building Bye - Laws etc.	27
(Chapter - III)		
27	Erection of Hoarding in Zilla Parishad Land, Building etc.	27
	1. Fees for erection of hoarding, advertisement etc. in the Purba Bardhaman Zilla Parishad building, bridge, health centre, Zilla Parishad Land i.e. within Zilla Parishad property, premises or territorial jurisdiction of the Purba Bardhaman Zilla Parishad and the Gram Panchayats under it.	27
	2. Fees for installation of tower, fees for displaying of advertisement in the Purba Bardhaman Zilla Parishad buildings, walls, bridges, health centres, Zilla Parishad Land i.e. within Zilla Parishad property, premises or territorial jurisdiction of the Purba Bardhaman Zilla Parishad and the Gram Panchayats under it.	27
	3. Charges for Road cutting for laying of cables, electrical lines, pipelines, telecommunication cables etc., on the roads owned & maintained by Zilla Parishad.	27
	4. Renewal charges for hoarding, advertisement etc.	27

Sl.	Content	Page No.
Part-IX		
(Chapter - I)		
28	Empanelment of technical personnel for operation of Building Bye - Law	28
	1. Application fee	28
	2. Registration fee	28
	3. Refundable Security Deposit	28
	4. Non - refundable Renewal Fee for Empanelment for	28
Part-X		
29	Utilization of Fund Collected from this Bye - Law	29
	1. Maintenance of Asset out of which the fees collected. The percentage to be determined by Zilla Parishad time to time.	29
	2. Normal administrative expenditure, which are not covered by any other grant or fund provided for specific purpose, the percentage to be determined by Zilla Parishad time to time.	29
	3. Taking any other Development Project.	29
	4. Utilisation for Health, Education & Nutrition.	29
Part-XI		
30	Penalty for breach of By-Laws	29
Part-XII		
(Chapter - I)		
31	1. Mechanism for settlement of Dispute	30
	2. Power to require alteration of existing buildings	30
	3. Power to order removal of dangerous buildings	31
	4. Power to order buildings to be vacated in certain circumstances	31
(Chapter - II)		
32	Power to Amend, Insert, Delete etc.	32
Part-XIII		
33	Save & Repeal	32

Preliminary

Part - I

1. Short title & Commencements :

1. This Bye - Law may be called THE PURBA BARDHAMAN ZILLA PARISHAD REVISED GENERAL BYE-LAW, 2022
2. They shall come into force on the day of this final publication as fixed by the Zilla Parishad i.e., w.e.f. 01.09.2022

2. Definitions :

1. Road, Culvert, Drain, Canal, Embankment, Land, Jetty means and include the Road, Culvert, Drain, Canal, Embankment, land, Jetty owned by, possessed by, managed by and vested in Purba Bardhaman Zilla Parishad.
2. Trees mean and include trees standing on Zilla Parishad land owned by, possessed by or vested in Purba Bardhaman Zilla Parishad.
3. Tank, Well, Water Reservoir means and includes Tank, Well, Water Reservoir owned by, managed by, possessed by and vested in Purba Bardhaman Zilla Parishad.
4. Fair & Melas means and includes fair and mela organised or conducted within the territorial jurisdiction of Purba Bardhaman Zilla Parishad.
5. Vehicle, Boats, Water Conveyance means & includes vehicle, boat sand water conveyance, plying within the territorial jurisdiction of Purba Bardhaman Zilla Parishad.
6. Ferry means & includes a ferry established, vested or managed by Purba Bardhaman Zilla Parishad.
7. Sanitary arrangement means & includes sanitary provided by Purba Bardhaman Zilla Parishad.
8. Parking zone means & includes any parking zone established or notified by Purba Bardhaman Zilla Parishad.
9. Pipe line drinking water, irrigation facility mean & include the facility provided or managed by Purba Bardhaman Zilla Parishad.
10. Lighting facilities means & includes lighting facilities provided or managed by Purba Bardhaman Zilla Parishad at public places.
11. Public places means& includes places notified by the Government or by Purba Bardhaman Zilla Parishad.
12. Dak & Inspection Bungalow means & includes Dak & Inspection Bungalow owned or managed by Purba Bardhaman Zilla Parishad.
13. Immovable properties mean & include property owned, vested in or managed by Purba Bardhaman Zilla Parishad.
14. Commercial Complex & Office Building means & includes Land & Building owned, vested in or managed by Purba Bardhaman Zilla Parishad.
15. Electric Crematorium means & includes crematorium erected, vested or managed by

Purba Bardhaman Zilla Parishad.

16. Contractor means & includes contractor enrolled in Purba Bardhaman Zilla Parishad.
17. Technical Approval for Construction of Building above two storied up to 15.00 meter height means & includes (a) Building situated in Panchayat Area under B. D. A. jurisdiction (b) Building situated in Panchayat Area under T. C. P. Act, 1979 jurisdiction (c) Panchayat Area beyond B.D.A. & T. C. P. Act jurisdiction and the entire territorial jurisdiction of Purba Bardhaman Zilla Parishad.
18. Development Project means & includes any project taking up, vested in or managed by Purba Bardhaman Zilla Parishad.
19. Medical Dispensary means & includes any dispensary owned, established by, vested in or managed by Purba Bardhaman Zilla Parishad.
20. Tourism project means & includes any project established, vested in or managed by Purba Bardhaman Zilla Parishad.
21. Funds mean & include amount collected by this Bye-Law.
22. Penalty means & includes any breach of this Bye - Law.
23. Arbitration Committee means & includes any committee constituted by the Purba Bardhaman Zilla Parishad for this Bye - Law.
24. Zilla Parishad means & includes the Purba Bardhaman Zilla Parishad.
25. Government means the Government of West Bengal.
26. Court means the Hon'ble District Court, Purba Bardhaman.
27. The Act means & includes the West Bengal Panchayat Act, 1973, the West Bengal Town & Country Plan Act, 1979.
28. Rules means & includes the Zilla Parishad Election, Constitution & Administration Rules, 1964.
29. Bye - Law means & includes the Purba Bardhaman Zilla Parishad General Bye - Law, 2022.
30. Competent authority means & includes any officials so empowered by Purba Bardhaman Zilla Parishad and also includes the office bearers of the Purba Bardhaman Zilla Parishad.
31. "Executive Officer" means and includes Executive Officer, Purba Bardhaman Zilla Parishad and District Magistrate & Collector Purba Bardhaman and includes Additional Executive Officer Purba Bardhaman Zilla Parishad and Additional District Magistrate and Additional Collector, Purba Bardhaman.

Part - II

(Chapter -I)

3. Road, Drain, Canal & Embankment :

(1) Encroachment and obstruction of land :

- (a) No person shall encroach a road and land of Purba Bardhaman Zilla Parishad by cultivating crops thereon.
- (b) No person shall by means of any building fence, pit, embankment or ditch, or any other obstruction any road and land or by means of any cut, drain or water course thereon intended for the purpose of drainage or irrigation or by exposing thereon any goods for or by placing thereon any substance or materials which may cause any encroachment or obstruct traffic or cause any inconvenience to the passer by or passenger or hinder or impede the flow of water.

(2) Sale, collecting or gathering of articles in the vicinity of road:

No person shall expose or place any articles for sale in any Bazar or Market or Hat in the vicinity of a road or collects or gathers any article in the vicinity of Road so as to interfere with the traffic and the Road.

(3) Cutting of plants, Trees or Hedges, obstructing road or drain or overhanging on land:

Any person in possession of or having control over any plant, trees, hedges obstructing, overhanging or overshadowing any road or public drain or any sluice or drain connected with the public drain or land shall, if so require, by notice in writing sign by the Zilla Parishad authority so empower, cut down, prune or trim such plant trees or hedges within the period in the manner specified in such notice.

(4) Damage to Bridges, Culvert or Cause Way or Road:

- 1) No person shall :-
- (a) Damage or destroy or cause to be destroyed or damage any bridge, culvert, or cause way built on or across any road or
- (b) Erect any fence or other object on or adjacent or close to the opening of any such Bridge or Culvert or cause way, for any purpose so as to impede the free flow of water there under or so as to damage thereto.
- (c) Cast Nets for fishing purposes from any parapit of any such bridges or culverts.

(5) Damages to fences, post, soil, turf, or grass on road:

- 1) No person shall:-
- (a) Destroy or damage or cause to be destroyed or damage any fence or post erected on any road or
- (b) Dig, scrap, uproot or remove any soil, turf or grass from any part of the road.

(6) Channel across road:

- (a) No person shall cut a channel on convey water by channel across any road, except with the permission of the Zilla Parishad. (b) Any person who has been

permitted by the Zilla Parishad for any specific location to cut and maintain for any period a channel across the road shall on expiry of such period, cover or refill the channel so as to restore the roads to its former condition and until then maintain the channel cut by him in proper condition so as to do not materially interfere with the normal use of road, (c) Any person who has a prescriptive right to keep a channel open for carry water across road shall keep the channel in proper order so as to prevent danger or inconvenience to the public.

(7) Obstruction of water ways adjoining the road:

No person shall obstruct a water way adjoining a road so as to injure or intend to injure the road and land boundary or otherwise render the road impassable,

(8) Excavation on or near road:

1) No person shall:-

(a) Make way excavation on any road and land boundary or any hole, pit, tank, or well within 15 meter of any road without permission of Zilla Parishad.

(b) Every person by whom or by whose direction any hole, pit, tank, or well has been excavated within 15 meters of a road shall be bounded to take such order therewith as will prevent damage to or erosion of road.

(9) Protection of excavation on or near road:

The owner or occupier of any tank, or well or other excavation on or near the side of any road shall bound to fence in or duly protect such excavation in such manner as directed by the writing notice of the Zilla Parishad.

(10) Use of road, Bridges, Culvert or canal while close traffic :

No person shall Passover or drive any animals or vehicles over or any substances on any road. Bridge, Culvert, Canal, so as to injure the same while it is under construction or repair or is affected by flood or is otherwise render unfit for traffic and is closed to traffic under the order of the Zilla Parishad.

(11) Discharge of rainwater from roof to Road:

No person shall allow the rain water to be discharged from the roof of any building owned by or occupied by him on any road by means of a spout pipe or other articles intended for the conveyance of water.

(12) Flow of filth on the road:

No person shall allow of water from any privy or any matter offensive or deleterious to health to flow on any road.

(13) Removal of trees or erection fallen on the road:

Any person owing or possessing a tree or house, wall, or other erection which has fallen on or part of which has fallen off to a road or any land shall if so require by written notice by the Zilla Parishad removes such trees, house, wall, erection or part thereof within the period specified in such notice.

(14) Curing of hides & skin on or near road:

No person shall cure hides & skin on or within 30 meters from any road even there is permission of the Panchayat Samities by provision of dangerous and offensive trade as

laid down in the Panchayat Act, 1973.

(15) Slaughter of Animals, Cleaning of Carcass etc. on or near roads:

No person shall slaughter animal or clean any carcass or deposit / collect bones, flesh or hides on or within 50 meters of any road.

(16) Placing or Burning of Bodies on road:

No person shall place or burn any corpse or carcass on or near any road.

(17) Steeping offensive matters on road side drain, pit, excavation:

No person shall strap any jute, hemp, bamboo, hide or other offensive matter in any drain, borrow pit excavation at the side of any road.

(18) Care of vehicles on roads :

- (a) No person shall drive or have in his charge on any road more than one vehicle at a time.
- (b) No person in charge of, or having control over any vehicle shall allow it to stand, unattended on the road.
- (c) No person shall leave a vehicle on a road for any time longer than what is necessary for loading and unloading it.
- (d) No person shall drive on road a vehicle laden with Bamboos, Planks, or other materials of similar character, which exceeds four meters in length and project beyond the vehicle unless it accompanied by another person.
- (e) Owner and driver of vehicles loaded with bricks or others shall be responsible for there being so secure that the contents thereof may not fall down on any road.
- (f) If any vehicle breakdown on a road, the driver shall remove it to the edge of the road and shall within a reasonable time remove the vehicle from the road including all materials if any which have fallen from the vehicles and shall place the vehicle in such a position that may not obstruct any traffic.
- (g) No person shall lead or drive any vehicle up or down the slope of any road except at crossing fixed by the Zilla Parishad.

(19) Carrying Bamboos or Bullah on cart on road:

No person shall carry bamboos or bullah on a cart or any vehicle on any road in such a manner so as to scrape the road or to cause injury or annoyance or risk of injury to traveler thereof.

(20) Transport of heavy vehicles with loads over bridge, culverts and roads:

- (a) No person shall drive a vehicle with materials total weight not exceeding the permissive load limit over any bridge, culvert, road except with the special permission of the Zilla Parishad.
- (b) The Zilla Parishad shall have the power to stop the movement of any type of heavy vehicles on any road, Bridge, Culverts if such movement is considered to damage such road, Bridge, Culverts or cause in sanitary condition to the local people. Whenever such restriction is imposed, proper notice board will be arranged at the side of the road by the Zilla Parishad.

(21) Width of Tyres:

No Bullock Cart, Power Tiller, Pump Set, Generator shall travel on any road unless the iron tyres of the wheels are covered by rubber strap or belt or in case of carts not having iron tyres the wooden rim of the wheel will be two (2) inches or more in wide.

(22) Lighting of vehicle on the road:

Every carriage drawn by a horse, every wagon drawn by any other animal, or propelled by motive power and every motor car, motor bus or motor lorry shall carry two conspicuous light one on either side and every two wheel cart and every bicycle, tricycle, shall carry one conspicuous light when traveling on a road between dusk and dawn.

(23) Nuisance on road and land:

No person shall commit any nuisance on any road or any land.

(Chapter - II)

4. Trees

(1) Damage to trees :

No person shall destroy or damage or cause to be destroyed or damaged:

- (a) Any trees planted by or under the charge of Zilla Parishad or standing on any road or any land of the Zilla Parishad or
- (b) Any Gabion or other defensive enclosure erected for the production of such trees.

(2) Tapping or taking fruit from trees on road or land:

No person shall tap any date on Palm trees or remove fruits from any trees planted or under the" control of the Zilla Parishad or standing on any Road or land of the Zilla Parishad without leave and license or written permission previously obtained from or on behalf of the Zilla Parishad.

(Chapter - III)

5. Fires

(1) Lighting of Fires:

No person shall light a fire in a unenclosed place within 10 meters of any wooden bridge vested in the Zilla Parishad or within 50 Meters of any Inspection or Dak Bungalow vested in the Zilla Parishad.

(Chapter - IV)

6. Water Supply Reservoir for drinking and culinary purposes:

(1) Taking of water :

No person shall take water from a Reserve tank or Well except for drinking or culinary purposes save with express permission of the Zilla Parishad.

(2) Bathing or Washing:

- (a) No person shall bath or wash any portion of his own body or body of the other person or
- (b) Wash clothes or wash any cattle or other animals.
- (c) Allow any of his ducks, Geese, or other birds to enter the water in any reserve tank or well or upon any of the banks, slopes or side of reserve tank or well.

(3) Fouling of water:

- 1) No person shall
 - (a) Commit any nuisance in or on the bank or slop or sides of a reserve tank or well or
 - (b) Throw any filthy substance therein or
 - (c) In any way pollutes the water thereof or
 - (d) Allow the water of any sink, sewer, cesspool, or privy or any other offensive matter belonging to him or being in his hand to flow there into or
 - (e) Steep jute or bamboo in or on the bank or slope or side of any reserve tank and well.

(4) Overhanging trees or vegetation :

No person shall allow any tree, bamboo or other vegetation growing in land in his occupation to overhang any reserve tank or well so as to foul the water thereof or shall fail to cut or remove the same after reasonable notice in that behalf from the Zilla Parishad.

(5) Removal of earth and grass from side or slope :

No person shall cut sods or grass or remove earth or grass from or otherwise damage the side or slope of any reserve tank without express permission of the Zilla Parishad.

(6) Cultivation on bank, sides, or slope of reserve tank and well:

No person shall cultivate on bank, side or slope of a reserve tank or well except in such a manner as may be approved by the Zilla Parishad.

(7) Building on banks, sides, slopes of a reserve tank or well:

No person shall erect any hut or house or other structure upon the banks, sides, slopes, of a reserve tank or well without the permission of the Zilla Parishad.

(8) Dams, Stakes and Fishing Apparatus :

No person shall construct dams, fix stakes or place fishing nets or apparatus across on in any reserve tank or well or any part of a river, khal or other channels set apart for the supply of water for drinking and culinary purposes.

(9) Fishing in reserve tanks and wells :

No person shall catch or attempt to catch fish in reserve tank whatsoever manner without permission of Zilla Parishad.

(Chapter - V)

7. Fair & Melas:

No fair and Mela shall be organized or conducted within the territorial jurisdiction of Purba Bardhaman Zilla Parishad except of taking license.

(1) Licensee for fair and melas:

- a) The owner or leave and licensee of every fair and mela or the leave and licensee of a land including patta holder intending to hold a fair and mela thereon shall under Section 162 of the West Bengal Panchayat Act, 1973, read with Rule 136 of West Bengal Zilla Parishad (Election, Constitution & Administration) Rules, 1964, shall have to apply to the Zilla Parishad for licence and shall pay Rs. (Rupees 1000/-) only as licence fee for each day.
- b) In case of cultural fare & Mela or Gramin Folk Fare, the rate of licence fee per day may be considered by the Zilla Parishad authority which may be considered maximum to the tune of 1000 Rs. - 2000 Rs. rate per day.
- c) Licensee bounded by condition of licence: The licensee shall be bounded by the condition of the licence granted to him.

(Chapter - VI)

8. Registration of Vehicles, Boats / Water Conveyance:

(1) Under Section 181 (1)(c) of West Bengal Panchayat Act, 1973, read with Rule 172 of West Bengal Zilla Parishad (Election, Constitution, and Administration) Rule, 1964, the Purba Bardhaman Zilla Parishad fixed the rate of registration of boats and water conveyance plying within the territorial jurisdiction of Purba Bardhaman Zilla Parishad, whatever may be the purpose, in the following manner. Such imposition of registration and renewal will not cease the power of registration of boats and water conveyance of any other authority as per rules notified in this respect. The number plate shall be fixed on the boat at a conspicuous place.

Sl. No.	Description of Boat / Water Conveyance	Registration Fee (Rs.)	Renewal Fee, (Rs.)
1.	Boat with one sailor / Majhi	20	20
2.	Boat with two sailor / Majhi	40	40
3.	Boat with three sailor / Majhi	50	50
4.	Boat with four sailor / Majhi	60	60
5.	Boat with more than four sailor / Majhi	200	200
6.	Launch or other water conveyance with maximum carrying capacity of 50 passengers and goods of equal weight	500	500
7.	Launch or other water conveyance with maximum carrying capacity of more than 50 passengers and goods of equal weight	700	700

The Purba Bardhaman Zilla Parishad may waive or exempt any kind of boat or water conveyances after issuing written order in this regard.

(2) Licencee bounded by condition of the licence:

The licensee is bounded by the condition of the licence granted to him.

(Chapter - VII)

9. Levy or toll, taxes on road, bridge and jetty:

The Zilla Parishad may by notification established toll bar on any road, bridge, and Jetty.

(1) At every toll bar established by the ZP on any road other than Katchha road or any bridge vested in or managed by it, a toll shall be paid at the following rates for motor car, motor bus, motor lorry or any other conveyance by the person in charge of such vehicle and conveyance under section 181 (1)(C) of the West Bengal Panchayat Act, 1973 read with Rule 176 of West Bengal, Zilla Parishad (Election, Constitution & Administration) Rule, 1964 namely:

Sl. No.	Description Conveyance	Rate per trip (Rs.)
1.	Motor Lorry, Truck with load	25 - 100
2.	Motor Lorry, Truck without load	50
3.	Bus, Minibus with passengers	100
4.	Bus, Minibus without passengers	50
5.	Regular Bus, Mini Bus with or without Passengers	50 (with) 25(without)
6.	Tractor with trailer	10-30
7.	Tractor without trailer	20
8.	Tractor, Matador, delivery van with goods	40
9.	Tractor, Matador, delivery van without goods	20
10.	Tracker regular route with or without passenger	20
11.	Motor car	25
12.	No toll will be levied on the following vehicles: Government Vehicles, School Bus, Ambulance, Relief Truck, or any other vehicles used for the duties other than commercial purpose of any local bodies constituted under statutory rule State and Central Government or any other vehicle notified by the Zilla Parishad in writing.	Free
13.	No toll would be levied on Motor cycle, Bicycle and animal.	Free
14.	No Toll would be levied on people crossing, using the road or bridge on foot.	Free
15.	No Toll would be levied on any animal driven cart with or without load.	Free
16.	Every construction machinery (HCM) or earth moving equipment/Multi axle Vehicle with 3-6 axles/ Trailer Truck/Over-sized vehicles (7 or more axle)	100

List of Toll Road & Bridge

Sl No	Name of Road	Block	Length (In KM)	Toll Amount In per year (In Lakh)
1.	Operation and Management of Toll Collection on the road from Gobindapur on Guskara Bhedia Road to Gobindapur on Guskara Kashemnagar-Nathunhat Road	Mongalkote	13.00	30.00
2.	Operation and Management of Toll Collection on the road from Nabagram Canelpar to Batagram (via Majhipara) on Guskara Bhedia road	Mongalkote	5.50	2.00
3.	Operation and Management of Toll Collection on the road from Aradanga to Rupsha Primary School	Khandaghosh	2.50	6.00
4.	Operation and Management of Toll Collection on the road from Polempur to Nabagram	Khandaghosh	22.00	75.00
5.	Operation and Management of Toll Collection on the road from Raipur on Kasba Bharatpur road to Lohapur	Galsi-I	5.10	100.00
6.	Operation and Management of Toll Collection on the road from Bhulkuri Rasui Road	Ketugram-II	6.00	50.00
7.	Operation and Management of Kurkuba Toll Collection over the Khari River (Wooden Bridge)	Galsi-II	-	0.485

List of Pond

The following Ponds are under direct control of Purba Bardhaman Zilla Parishad. The Zilla Parishad will decide the rate of leasing out of these Ponds & duration of lease will be decided in the concerned Sthayee Samity meeting of Zilla Parishad. Both the amount & span of lease may vary time to time.

Sl No	Place	Block
1.	TalbonaPukur	Katwa
2.	ChamchaPukur	Katwa
3.	MatikataPukur	Ketugram
4.	TeliPukur	Ketugram
5.	Natunpukur	Memari
6.	Padma Pukur	Purbasthali-I
7.	Gol Dighi	Jamalpur
8.	BaratalPukur	Jamalpur

(Chapter - VIII)

10. Fare Chart on different ferries under jurisdiction of Purba Bardhaman Zilla Parishad:

- (1) As per section 181 (1)(C) of West Bengal Panchayat Act, 1973, read with Rule 177 of West Bengal Zilla Parishad (Election, Constitution & Administration) Rule, 1964, every person crossing a ferry established by the Zilla Parishad or under its management shall pay a fare according to the following rates mentioned against each of the ferry services.

- (a) No ferry shall be established by any person or establishment without the authority of the Zilla Parishad, so empowered by the Ferry Act, 1885 or any other authority notified by the Government time to time in this respect within the territorial jurisdiction of Purba Bardhaman Zilla Parishad and the Zilla Parishad is only empowered if not bar by the Government by specific notification Fare Chart on different ferries under jurisdiction of Purba Bardhaman Zilla Parishad:

List of Ferry (Table-A)

Sl No	Name of Ferry	Name of Panchayat Samity	Starting Point	End Point	Distance (Mtr)
1.	Edrakpur Sub-Ferry(Chupi)	Purbasthali-II	Naba Pally Railway Gate	Edrakpur	150
2.	Majhida	Purbasthali-II	Tamaghata Village	Dadpur Village, Udaychandpur Village	100
3.	Tamaghata	Purbasthali-II	Tamaghata Village	Keshi Danga & Korkore Village	250
4.	Shankarpur	Purbasthali-II	Gandharpara	Kasthasali Char, Rajapur	150
5.	Kamalnagar	Purbasthali-II	Kamlnagar Village	Vebodanga, Dahrmada Bazar	450
6.	Jaluidanga	Purbasthali-I	Jaluidanga	Kishoriganj	450
7.	Nasaratpur	Purbasthali-I	Siddhipara	Monmohanpur	450
8.	Mertala	Purbasthali-II	Mertala	Debnagar	150
9.	Shillya	Galsi-I	Shillya	Khanpara	400
10.	Dewanganj	Katwa-II	Dainhat	Matiyari	300
11.	Kulpara	Galsi-II			200
12.	Uddharanpur	Ketugram -II	Uddharanour	Bhagabantapur	230
13.	Sakkhai	Ketugram -II	Katwa Para	Sankhai	200
14.	Kasthasali	Purbasthali-II			150
15.	Charkamalnagar	Purbasthali-II			150
16.	Kalinagar	Kalna-I	Terainagar	Kalinagar	300
17.	Begunkola	Ketugram -II	Katwa Ghutkiyapara	Bagunkola	100
18.	Hatkalna	Kalna-I	Bijonagar	Kaldanga	300
19.	Narikeltala	Purbasthali-I	Edrakpur	Madhaipur, Nadia	300

Table-B

*** Rate Per head per Trip (Rs.) at Ferry Ghat (as per Table-A)**

Sl. No	Description	Rate per Head per trip	Condition
1	Any person above 8 years of age	Rs. 4.00	Upto 20 kg luggage
2	Any person above 8 years of age	Rs. 6.00	Above 20 kg. luggage
3	For any kind of cattle	Rs. 6.00	
4	By-cycle	Rs. 6.00	
5	Motor Bike (two wheeler)	Rs. 8.00	

*There is a relaxation on fare of Two Rupees (2.00/-) for any differently-abled passengers and similarly for students, studying under any recognized School/ Madrasa/ College/ University, shall also get a relaxation on fare of Two Rupees (2.00/-) on production of Identity Card in every case.

(Chapter - IX)

11. Levy of fees for providing Sanitary arrangement at the places of worship, pilgrimage, fair and melas:

(1) Fees for providing sanitary arrangement:

For providing sanitary arrangement at any place of worship or pilgrimage, fair & melas Zilla Parishad may levy fees under Section 181(1) (C) (2), read with Rule 188 of West Bengal, Zilla Parishad (Election, Constitution & Administration) Rule, 1964, in the following manner from the pilgrim / person in charge of animal and the vender as the case may be visiting or staying in the places.

1	For visitor / pilgrim above 8 years of age	Rs. 5.00 per head
2	For animal	Rs. 2.00 per animal
3	For vender / Trade man carrying trade in the area without stall	Rs. 20.00 per vender
4	For vender/Trade man carrying trade in the area with stall not exceeding 200 Sq. feet	Rs. 40.00 per vender per stall
5	For vender/Trade man plying trade in the area with stall exceeding 200 Sq. feet	Rs. 40.00 per vender per stall

(Chapter - X)

12. Levy of fees for establishment of parking zone:

At every parking zone if established by Zilla Parishad for parking of vehicle etc. Parking fees may be levied at the following rates:

1	Motor Bus, Motor Lorry, Motor Car, Tractor with Tractor	Rs. 10.00 per two hour or part thereof and Rs. 3.00 for additional hour or part thereof.
2	Three - Wheeler, Motor Van, Tractor without Tractor and Auto Rickshaw	Rs. 5.00 per two hour or part thereof and Rs. 2.00 for additional hour or part thereof
3	Two - Wheeler	Rs. 5.00 per two hour or part thereof and Rs. 2.00 for additional hour or part thereof

(Chapter - XI)

13. Rate for providing pipe line drinking water, irrigation or any other purpose:

(1) Under Section 181 (1) (c) (ii) of West Bengal Panchayat Act, 1973, Zilla Parishad may establish project for supply of pipe line water for drinking, irrigation or for any other purpose within the territorial jurisdiction of this Zilla Parishad and for providing such facilities, Zilla Parishad may fix a rate for service charges for such purposes as to be deemed fit by adopting resolution in its appropriate body and by notification thereof.

(Chapter - XII)

14. Providing lighting facilities at public places:

(1) Under Section 181 (1) (c) (v) of West Bengal Panchayat Act, 1973, read with Rule 189 of West Bengal, Zilla Parishad (Election, Constitution & Administration) Rule, 1964, Zilla Parishad may arrange for providing lighting facilities in the public street and places within the territorial jurisdiction of this Zilla Parishad and for providing such arrangement Zilla Parishad may fix a rate for service charges for such purposes as to be deemed fit by adopting resolution in its appropriate body and by notification thereof

(Chapter - XIII)

15. Fees for occupation of Dak and Inspection Bungalows owned and managed by Zilla Parishad:

As per provision of West Bengal Panchayat Act, 1973, Zilla Parishad owned and managed some Dak and Inspection Bungalows in few places under its jurisdiction. The Zilla Parishad may fix charges for occupation of such Dak and Inspection Bungalows.

Sl. no.	Description	Span	A.C. room/ Non A.C.	Rent rate for Govt./ Private
1	Katwa Duk& I.B. Bungalow	One Day	A.C	600/- (Govt.); 1000/- (Private)
	KatwaDuk& I.B. Bungalow	One Day	Non A.C	250/- (Govt.); 500/- (Private)
	Katwa Duk & I.B. Bungalow (Meeting Hall)	3 HRS	Non A.C	600/-
2	Kalna Duk& I.B. Bungalow	One Day	A.C	600/- (Govt.); 1000/- (Private)
	KalnaDuk& I.B. Bungalow	One Day	Non A.C	250/- (Govt.); 500/- (Private)
	Kalna Duk& I.B. Bungalow (Meeting Hall)	3 HRS	Non A.C	300/-

(Chapter - XIV)

16. Leave and Licence :

(1) Temporary Leave and Licence of immovable properties:

All landed properties and tanks possessed by Zilla Parishad or under its management, Zilla Parishad may issue leave and licence on temporary basis by open auction or by customary convention on negotiation if auction fails in the following manner or the order issued by the Government by notification from time to time.

a)	Land for cultivation years	one year, subject to maximum three
b)	tanks for fishing purpose	maximum period three years

(2) Long term arrangement for use of the land:

Minimum 5 years subject to Maximum 10 years on yearly renewal basis. The mode of issuance of leave and licence and the rate thereof may be determined by the Zilla Parishad on recommendation of Artha Sanstha Unnayan - O – Parikalpana Sthayee Samiti. The rate in case of long term leave & licence, may be determined in the following mode:

- (a) Nonrefundable advance / salami to be fixed on the basis of market value of the land of the area - 10% of the land value submitted by concerned Sub-Register.
- (b) The yearly rent to be fixed on square feet or land value basis as determined by Zilla Parishad - square feet rate to be obtained from L. A. Collector or in case of land value : 2% for commercial purpose and 1% for residential purpose.
- (c) No permanent structure should be allowed to be built on the land.

In case of leave and licence of immovable properties to any charitable organization preferably school, Zilla Parishad may relax the rate of leave & licence.

(Chapter - XV)

17. Leave & Licence of Ferry service owned & vested in Zilla Parishad:

(I) All ferries owned or managed by it, Zilla Parishad may arrange for distribution by way of leave and licence on open auction, or customary negotiation between the parties, if auction failed, or, by way of any other form, as directed by the Government from time to time in this regard.

The maximum period of leave and license will be for a period of one year preferably starting from 1st April to 31st March of each year. In case of demise of the leave & licensee during the period of leave and licence, the ferry shall be vested upon the Zilla Parishad.

(Chapter - XVI)

18. Let out of Commercial Complex & Office Building:

- (1) The Zilla Parishad may construct or, undertake any commercial, or market complex on its own land or the building, vested on it. The rate for let-out will be fixed by the Zilla Parishad as deemed fit after obtaining rate of commercial rent from the L. A. Collector of Purba Bardhaman. The rate shall be monthly basis & square feet basis. The Zilla Parishad may determine non refundable 'Salami' from the occupier which may be deemed fixed by the Zilla Parishad in its meeting in appropriate body on recommendation of Artha Sanstha Unnayan-O-Parikalpana Sthayee Samiti. Salami shall in no case be less than cost of construction.

Sl. No.	Name of Market Complex	No. of Rooms	Yearly Fees Collection (Rs.)
1.	Kusumgram Market Complex	40	407784/-
2.	Babrakpur Market Complex		82800/-
3.	Bhatar Market Complex	68	81600/-
4.	Gushkara Market Complex including Bank	27	360744/-
5.	Katwa Market Complex	8	50688/-
6.	Satgachia Market Complex including BOI	173	598416/-

7.	Operation of Zilla Parishad Canteen	-	7200/-
8.	Lease Money of Burdwan Bhaban	-	1425000/-
9.	Rent of Angikar Hall		50000/-

- Rate for market complex is proposed to be fixed as per Land Acquisition Department.

(2) Letting out of building for official purpose :

(a) The Zilla Parishad may let out its building or complexes for establishment of offices of any Government Department, statutory or local bodies on the rate fixed by L. A. Collector or determined by the Zilla Parishad on recommendation of Artha Sanstha Unnayan- O-Parikalpana Sthayee Samiti. (b) No Salami shall be charged for such let out.

(Chapter - XVII)

19. Erection of Electric Crematorium at:

- (1) The Zilla Parishad has erected an electric crematorium at under Panchayat Samity, Zilla Parishad may fix the rate of cremation on burning of bodies with ancillary expenses by adopting a resolution in the meeting of appropriate body on recommendation of Artha Sanstha Unnayan-O- Parikalpana Sthayee Samiti.
- (2) The Zilla Parishad may maintain the crematorium with concerned Panchayat Samity and local Gram Panchayat as per terms and condition agreed upon.
- (3) The Zilla Parishad may explore the option to maintain the crematorium on joint venture or by way of leave & licence to other reputed institution or organization in the interest of public service.

Part - III

(Chapter - I)

20. Technical approval for Construction of Building above 2 (Two) storied house (6.50 mtr.) upto 15.00 meter height in the jurisdiction of the Purba Bardhaman Zilla Parishad:

Every owner intends to construct building for various purposes or erection of tower etc. beyond 2 (two) storied and up to 15.00 (Fifteen) meter height shall have been guided by the Purba Bardhaman Zilla Parishad Building Bye - Laws under the jurisdiction of Town & Country planning Act amended up to 1997 and any other places other than the jurisdiction of the T. C. P. Act mentioned above and fall under the territorial jurisdiction of Purba Bardhaman Zilla Parishad. The area are provided into three parts namely (1) Panchayat Area under B. D.A. (2) Panchayat Area under T. C. P. Act, 1979 beyond B. D. A. Area. (3) Panchayat Area others than area mentioned in (1) & (2) above.

- (1) **Panchayat under B. D. A. Area :** Every owner intends to construct building for various purpose or erection of tower etc. beyond two storied and up to 15.00 meter height shall have been guided by the Purba Bardhaman Zilla Parishad building Bye- Laws annexed herewith in Annexure -1 under the jurisdiction of

B. D.A.

- (2) **T. C. P. Act of Panchayat Area other than B. D. A. Area (Annexure – II):**
Every owner intends to construct building for various purpose or erection of tower etc. : (1) Beyond 6.5 meter height and up to 15.00 meter height and (2) Any construction beyond 300 square meter covered area and upto 15.00 meter height shall have been guided by the Purba Bardhaman Zilla Parishad Building Bye - Laws for T. C, P. Act , Area beyond B. D. A. Area annexed herewith in Annexure - II. The sanctioning authority will be District Planning Authority instead of Gram Panchayat Panchayat and the building etc. beyond 15.00 (Fifteen) meter heights, the matter shall be referred to Government. (Please see Annexure - II for details)
- (3) **Panchayat Area other than B.D.A. & T.C.P. Act Area (Annexure – III)**
:Every owner intends to construct building for various purpose or erection of tower etc. : 1) Beyond 6.5 meter height and up to 15.00 meter height and 2) Any construction beyond 300 square meter covered area and upto 15.00 meter height shall have been guided by the Purba Bardhaman Zilla Parishad Building Bye - Laws for the Panchayat Area beyond the jurisdiction B. D. A. and T. C. P. Act Area is annexed herewith in Annexure - III. The sanction authority shall be the Prodhan of the respective Gram Panchayat and the building etc. beyond 15.00 (Fifteen) meter heights, the matter shall be referred to Government. The condition laid down in Section 23 & 24 of the West Bengal of the Panchayat Act, 1973 & subsequent rule in this behalf remain enforce in addition to this Bye-Laws. (Please see Annexure - III for details)
- (4) **Technical approval for Construction of Building :**
No person/s should obtain Technical Approvals of Building Plans within the areas of this district as mentioned above in 21 (i), (ii) & (iii) from any other authority, like Prodhans of a Gram Panchayat, or E.Os of any Panchayat Samity or from any other authority other than the Purba Bardhaman Zilla Parishad for Construction purpose as mentioned herein.
- (i) Beyond two storied building and up to 15.00 meter height and also Beyond 6.5 meter height and up to 15.00 meter height.
- (ii) Any construction beyond 300 square meter covered area and upto 15.00 meter height shall have to be guided by the Purba Bardhaman Zilla Parishad Revised Building Bye - Laws, 2022.
- (iii) Such Building Plan will not be valid in the eye of law and fresh Building Plan will have to be obtained from the Purba Bardhaman Zilla Parishad.
- (iv) This will also invite Penal provisions of Rule 32 under Part XII of the Revised general Bye Law against the Person/s obtaining it and the Person/s responsible for sanctioning it as well.

Part - IV
(Chapter -1)

21. Collection of fees/NOC in Ulhas Mini Township

Purba Bardhaman Zilla Parishad owns a lease hold property, namely the Ulhas Mini Township, covering an area of 97.3 acre more or less, permits its sub lessee (s) to re allot occupied plot against a pre fixed rate chart, as follows :-

For Non- Legal Heir Transfer		
sl no.	Subject	Fees fixed as per decision in ASUOPSS meeting held on 20/07/2017
1	Residential Plot	
A	Transfer of Lease	
	With Pre Approval	Rupees 50000 per cottah
	Without Pre Approval or Post Approval	Rupees 75000 per cottah
B	NOC icw Residential House construction	Rupees 5000 per Plot
C	Delayed Registry	Rupees 40000 per cottah
2	Commercial Plot	
	Transfer of Lease	
A	With Pre Approval	Rupees 75000 per cottah
	With outPre Approval or Post Approval	Rupees 100000 per cottah
B	NOC icw Commercial House construction	Rupees 7000 per Plot
C	Delayed Registry	Rupees 50000 per cottah
3	For Flat/Apartment Transfer	
A	Upto 1000 Sq. Ft. Floor area	Rupees 30000 per Flat
B	Upto 1001 Sq. Ft. To 2000 Sq. Ft.Floor area	Rupees 40000 per Flat
C	Upto 2001 Sq. Ft. To 3000 Sq. Ft.Floor area	Rupees 50000 per Flat
D	More than 3000 Sq. Ft. Floor area	Rupees 60000 per Flat

For Legal Heir Transfer		
A	Gift deed to legal heir	
	Residential Plot	
1	With Pre Approval	Rupees 25000 per cottah
2	Without Pre Approval or Post Approval	Rupees 37500 per cottah
3	Gift deed to legal heir due to death of lees holder	Rupees 10000 per Plot
B	Gift deed to legal heir	
	Commercial Plot	
1	With Pre Approval	Rupees 37500 per cottah
2	Without Pre Approval or Post Approval	Rupees 50000 per cottah
3	Gift deed to legal heir due to death of lees holder	Rupees 20000 per Plot
C	NOC icw Commercial House construction	
1	Residential House construction	Rupees 5000 per cottah
2	Commercial House construction	Rupees 10000 per cottah

Collection of maintenance fees from the ULHAS Mini Township.

Sl. No	Subject	Quantity (In Cattah)	Service Charge	Revised Serviced Charge	Remarks
1	Residential Plot	1.5, 2.0,3.0,4.0,5.0	Monthly 270 Rupees	Monthly 400 Rupees	10% increment per year
2	Commercial Plot	2.0, 3.0	Monthly 275 Rupees	Monthly 600 Rupees	10% increment per year
		4.0, 5.0 6.0	Rupees 1800 per	Rupees 3000 per	

Sl. No	Subject	Quantity (In Cattah)	Service Charge	Revised Serviced Charge	Remarks
			cottah/ per year	cottah/ per year	
3	Commercial unit		Monthly 304 Rupees	Monthly 400 Rupees	10% increment per year

(Chapter - II)

Sanskriti Lokomancha, Annex, Sanskriti Guest Room & Sanskriti Metro Cinema Hall:-

In the year 1994 "Sanskriti" started functioning for multipurpose Cultural Activities. Capacity of the Hall is 1400. The Hall is used for holding of different kind of programmes like Conference, Meeting, Workshop, Training, Seminar, Drama, Theatre, Film Festival & other alike Cultural Activity which invariable boost up the Cultural fabric of East Bardhaman along with adjoining Districts.

The Complex has a separate facility of movie show at "Sanskriti Metro" with a 175 sitting capacity & the Sanskriti Hall is equipped with all modern facilities for holding meeting/seminar with a 90 sitting capacity.

Rate Chart regarding hiring of Sanskriti Lokomancha

Sl. No.	Span	Rate Chart regarding hiring of Sanskriti Lokomancha	Rate Chart	
			Working Day	Saturday, Sunday & Other Holiday
1	2.30 Hrs.	Any cultural programme performed by the artists (Solo/Group) residing at Purba Bardhaman District	7000	9000
	3 Hrs		9000	10000
	4 Hrs		10000	12000
2	3 Hrs	Any cultural programme performed by the artists (Solo/Group) residing other than Purba Bardhaman District or joint programme as stated sl. No. 1 & 2.	10000	12000
	4 Hrs		12000	13000
3	Holding of Conference by the Private Organization			
a	3 Hrs	Without any cultural Programme	9000	10000
	4 Hrs		10000	12000
b	4 Hrs	With any cultural programme performed by the artists(Solo/Group) residing at Purba Bardhaman District	11000	13000
c	4 Hrs	With any cultural programme performed by the artists (Solo/Group) residing other than Purba Bardhaman District	12000	16000
d	4 Hrs	With Film Show	12000	15000
4	4 Hrs	For holding seminar / conference by Govt. Organization	9000	10000
5	2 Hrs	Stage rehearsal or arrangement of Light, Sound, any decoration (as per approval and not hampering other main programme, if any)	1200	1500
6-a	Everyday	For holding seminar / conference for consecutive two days or more by any Govt. Organization	20000	25000
6-b		For holding seminar / conference for consecutive two days or more by any Private Organization (Political / Apolitical)	25000	30000
6-c		For holding seminar / conference for consecutive two days or more by any Commercial Organization	30000	35000

Sl. No.	Span	Rate Chart regarding hiring of Sanskriti Lokomancha	Rate Chart	
			Working Day	Saturday, Sunday & Other Holiday
7	-	Arrangement of decoration/dismantling during whole night after main programme at evening upto next day morning for the programme as stated in Sl. No. 6 (without hampering main programme)	Per day 9000 (except AC)	

Rate Chart of Sanskriti Annex

Sl. No.	Span	Hiring Rate Chart of Sanskriti Annex	Reservation Rate	
			Working Day	Saturday, Sunday & Other Holiday
1	3 Hrs	Holding meeting by any Govt. or Private organization	6000/-	
2	Beyond 3 Hrs.	Holding meeting by any Govt. or Private organization	1200/- per hour	

Rate Chart of Sanskriti Guest Room

Sl. No.	Span	Description	Rate (Rs.)
1	1 day	Guest Room (1st Floor) per day	500/-
2	4 Hours	Top floor of VVIP Room	1200/-
3	Beyond 4 Hrs.	Top floor of VVIP Room	300/- per hrs.

Rate Chart of Lobby at Sanskriti (For any Floor)

Sl No.	Span	Description	Rate (Rs.)
1	1 (one) day	Lobby at Sanskriti (For any Floor)	1000/-

Film Show at Metro

Sl No.	Stall	No. of Seats	Gross Ticket Rate (RS)	Remarks
1	Rear	126	150/-	Rate of ticket changeable time to time
2	Front	49	125/-	

Note :- All rates/ rate of Sanskriti/ Metro are changeable time to time.

1. Rate for using additional time beyond rate chart as state above :

For Sanskriti Lokomancha :

20% for additional 1st hour and

10% per hour for next hours on basic rate

2. Rate for using additional time during Programme :

(As per prior approval of Sanskrit in charge)

- (a) At Sanskriti Lokomancha : 25% of basis rent or Rs. 3500/- (whichever is maximum) and @ 25% of basis rent per hour for next hours.

- (b) at conference hall: 25% of basis rate per hour.
3. (a) For Consecutive 3 days programme: 15% rent exempted for 2nd day and @ 20% rent exempted for 3rd and next days.
- (b) For holding drama show only: 50% @ 40% rent exempted for district team and Kolkata team.
- (c) For holding programme in morning: within 1 P.M., 20% rent exempted.
4. Rate for any temporary covered shed in Sanskriti premises (as per approval) Rs. 72/- per sq.m.
5. Deposition of refundable security money (for Non Govt. Programme) :
- For Sanskriti Lokomancha : Rs. 6000/-
For Conference / Annex Hall : Rs. 4000/-

Others terms & Condition

1. Details of Programme, Sample of invitation card/tickets and agreement with Artist are to be submitted earlier (for any cultural programme)
2. Necessary Local Administrative permission is to be submitted before one day of programme, positively (for any cultural programme)
3. No foods & beverages will be allowed inside the hall (Both for Sanskriti& Metro)
4. Reservation prayer will be accepted from 15 to 60 day before the programme.
5. Air Conditioning System may be hampered during programme, due to any fault, and during load shedding cooling temperature in the hall will be hampered.
6. Sufficient Volunteers should be engaged by organizers for holding any Programme (Non Govt. Programme)

Part - V (Chapter - I)

22. Development Project:

It is felt that the socio -economic upliftment demands Urbanization & Development Project in all respects in Panchayat Area which is not defined within the purview of control of building operation as per Section 23 of the West Bengal Panchayat Act, 1973. It requires more plan which emphasis such development. Gram Panchayats & Panchayat Samities are not well equipped in structural support in quality & quantity of man-power. Considering the (reality, Purba Bardhaman Zilla Parishad made this Bye-Law for overall control of such Development Project within the territorial jurisdiction of it. The Zilla Parishad shall charge fees for technical sanction / technical vetting and development of such project which will be deemed fit, by adopting a resolution of fixation of such fees in its appropriate body on recommendation of Artha Sanstha Unnayan - O -Parikalpana Sthayee Samity.

Part - VI
(Chapter - I)

23. Fees for Medical Dispensaries:

Zilla Parishad has to maintain different charitable dispensaries in different places. In order to keep running & providing minimum medical facilities to rural people, Purba Bardhaman Zilla Parishad shall impose the fees for patients in the following manner:

a)	New Patients	Rs. 5.00 in each occasion
b)	Old Patients	Rs. 2.00 in each occasion

Part – VII
(Chapter -I)

24. Tourism Project:

The Purba Bardhaman Zilla Parishad may promote any tourism project within the territorial jurisdiction of the Purba Bardhaman Zilla Parishad or promote any joint venture with Government, Statutory Bodies or reputable organization or person. For promotion of such project Zilla Parishad shall impose fees for:

- (a) Entry in places
- (b) Sanitary arrangement
- (c) Lighting arrangement
- (d) Campus fees for availing Campus for party / picnic / miscellaneous purposes on square feet basis.

The rate shall be fixed by Zilla Parishad adopting resolution to this effect in its appropriate body on recommendation of the Artha Sanstha Unnayan-O-Parikalpana Sthayee Samity.

Part - VIII
(Chapter - I)

25. Sale of Tender Papers and Documents:

The Zilla Parishad shall sale the tender documents for it work or works entrusted, to the eligible tenderers. The rate of tender documents shall be fixed by the Zilla Parishad by adopting resolution in appropriate body.

The present Rate of Tender Paper is as follows:

(a)	For Work Value from Rs. 100000.00 to Rs. 500000.00 :	Value of Tender Paper is Rs. 500/-
(b)	For Work Value above Rs. 500001.00 and upto Rs. 5000000.00 :	Value of Tender Paper is Rs. 7000 /-

(c)	For Work Value above Rs. 5000001.00 and upto Rs. 1,00,00000.00 :	Value of Tender Paper is Rs. 10000/-
(d)	For Work Value above Rs. 1,00,00001.00: - 10,00,00000.00	Value of Tender Paper is Rs. 15000/-

(Chapter - II)

26. Sale of Bye - Law, Building Bye - Laws etc. :

The Zilla Parishad shall sale the Bye-Law and Building Bye-Laws and etc. on payment of cost as fixed by the Zilla Parishad in its appropriate body. The books may be available from Zilla Parishad Office or also any other offices as decided by the Zilla Parishad. Present price for full set of Bye-Law is Rs. 300.00 (three hundred) only and the Cost of Application Form is Rs. 50.00 (fifty) only.

(Chapter - III)

27. Erection of Hoarding in Zilla Parishad Land, Building etc.:

No person shall be allowed to erect or to display any hoarding in Zilla Parishad land, building, road, road side land, Bridge etc. except the written permission of the Zilla Parishad. If permitted the person erects or displays the hoarding shall have to obtain technical vetting from the Zilla Parishad on payment of fees as determined by the Zilla Parishad. The rent for permission shall be fixed on square ft. basis.

(1) Fees for erection of hoarding, advertisement etc. in the Purba Bardhaman Zilla Parishad building, walls, bridge, health center, Zilla Parishad Land i.e. within Zilla Parishad property premises or territorial jurisdiction of the Purba Bardhaman Zilla Parishad & Gram Panchayats under it.

(i) For Static hoarding 20/- Sqft. per month.

(ii) For Mobile hoarding on motor vehicle/car - Rs. 30/- Sqft. per month.

(2) Fees for installation of tower, fees for displaying of advertisement in the Purba Bardhaman Zilla Parishad buildings, walls, bridges, health centers, Zilla Parishad Land i.e. within Zilla Parishad property, premises or territorial jurisdiction of the Purba Bardhaman Zilla Parishad and the Gram Panchayats under it.

Installation of tower - Rs. 3.00 per Cu.m. in the total volume of the tower + development fees Rs. 30,000.00 irrespective of height of the tower.

(3) Charges for Road cutting for laying of cables, electrical lines, pipelines, telecommunication cables etc. on the roads owned & maintained by Zilla Parishad.

(i) Charges for Road cutting for laying of cables, electrical lines, pipelines, telecommunication cables etc. on the roads owned & maintained by Zilla Parishad @ Rs. 200.00 per m length of the road cutting.

(4) Renewal charges for hoarding, advertisement etc.

(i) Renewal Charges for hoarding, advertisement - 100% of the original rate.

Part - IX
(Chapter -I)

28. Empanelment of technical personnel for operation of Building Bye - Law:

In pursuance of Building Bye - Law for the Panchayat Area under B.D.A., for the Panchayat Area under T. C. P. Act, 1979, Panchayat Area beyond the area under B.D.A. & T. C. P. Act, the Zilla Parishad charges fees for registration, empanelment renewal for technical personnel for the supervision and operation of the Building Bye - Law in different area and different class in the following manner mention against each of the technical personnel for empanelment to the Zilla Parishad:

(1) Application fee:

a)	For Licenced Building Surveyor:	Rs. 500.00
b)	For Structural Engineer / Architect:	Rs. 1000.00

(2) Registration fee:

After selection of the Technical Personnel by the Zilla Parishad for empanelment, a non - refundable registration fee shall be paid by the Technical Personnel in the following manner:

a)	For Licensed Building Surveyor:	Rs. 1000.00
b)	For Structural Engineer / Architect:	Rs. 2000.00

(3) Refundable Security Deposit:

The empanelled Technical Personnel shall have to deposit a refundable Security Deposit subject to condition in the following manner:

a)	For Licensed Building Surveyor :	Rs. 2000.00
b)	For Structural Engineer / Architect:	Rs. 3000.00

(4) Non Refundable Renewal Fees for Empanelment for Technical Personnel:

Every empanelled technical personnel shall have to pay a non - refundable renewal fee for empanelment in each year in the following manner:

a)	For Licensed Building Surveyor :	Rs. 300.00
b)	For Structural Engineer / Architect:	Rs. 500.00

Part - X

29. Utilization of Fund Collected from this Bye - Law:

All the fees, whatever may be, the nomenclature & fine etc., collected out of this Bye - Law, shall be utilised in the following manner:

- (1) Maintenance of Asset out of which the fees collected. The percentage to be determined by Zilla Parishad time to time.
- (2) Normal administrative expenditure, which are not covered by any other grant or fund provided for specific purpose, the percentage to be determined by Zilla Parishad time to time.
- (3) Taking any other Development Project for promotion of Socio - economic upliftment of rural people such as Education, Health, Tourism, Agriculture, Ecological Balance, Marketing etc.
- (4) 40% of the amount so collected shall be utilized for Health, Education & Nutrition.

Part - XI

30. Penalty for Breach of Bye - Laws:

A breach of any Bye - Laws mentioned in the entries in Column -1 of the ' Table below shall be punishable with fine, which may extend to the sum mentioned in the corresponding entries in Column - 2 thereof:

TABLE

	Bye - Laws	Maximum Fine/Penalty (in Rs.)
Part - II	Chapter i - Rule 3 (11), (10), (14), (15), (16), I (4) b, Chapter iv - 6 (9), 6 (3) Chapter vi - 8 (3)	2000.00
Part - II	Chapter i-3 (17)	3000.00 '
Part - II	Chapter i - 3 (2), (18) g, (18) a, Chapter iv - 6 (5), 6(1), Chapter v - 7 (1) b, Chapter ii - 4 (1), Chapter i - 3 (22), 3 (5)	1000.00
Part - II	Chapter v - 7 (1) a	1000.00 per day
Part-II	Chapter iv - 6 (7), Chapter i - 3 (18) b, 3 (8), 3 (6), 3 (9), 3 (12) 3i (4) a, 3 (1) a, Chapter iii - 5 (1), Chapter iv-6 (6)	5000.00
Part - II	Chapter i - 3 (19)	200.00
Part - II	Chapter i - 3 (18) f, 3 (1) b, 3 (18) d, 3 (18) e, 3 (21), 3 (13), Chapter iv - 6 (8), 6 (4), 6 (2), Chapter ii-4 (2)	500.00
Part - II	Chapter i - 3 (23), (18) c, 3 (i - a)	100.00
Part - II	Chapter i - 3 (4) I C, Chapter ix - 11 (1)	50.00
Part - II	Chapter x -12, Chapter xiii -15 (2) (Part -10) Chapter I - 29 Chapter vi - 8 (2), Chapter viii - 10 (1), Chapter vii - 9 (1), 9 (2), Chapter xi - 13 (1), Chapter xii - 14 (1), Chapter xiii - 15 (1), Chapter xiv - 16 (Part - VI), Chapter i - 23 (Part-VIII) Chapter i-25	Double the rate / fare
Part -II	Chapter xvi - 18 (1)	50% of the rent.
Part-II	Chapter xvi - 18 (2)	6% on rent P.A.
Part-II	Chapter xvii -19(1), (Part - VII),	1.00 per

	Bye - Laws	Maximum Fine/Penalty (in Rs.)
	Chapter I-24(1) a	occasion
Part - III	Chapter i -20 (4), (2)	For forfeiture of Security Deposit amount
Part - VII	Chapter i-24 (1) b	0.50 per occasion
Part - II	Chapter i - 3 (20), (7)	10000.00
Part - IX	Chapter i -II (26) & II (27), III -28 (1), (2)	Four times of the normal rate
Part - IV	Chapter i - 21 (1), (2), (3) (Part - V) Chapter I - 22	As provided in the respective Bye - Law

Penalty in connection with breach of other clause which are not covered in the above noted penalty clause shall be guided by penalty clause of such separate Bye - Law relating to Building Bye - Law.

In case of containing breach of the provision of any clause of Bye - Law, offender shall be punishable with a further fine at the rate of Rs. 10.00 per day during which the breach continues after the offender has been convicted of such breach.

Recovery of dues : Any fees impose on the basis of this Bye - Law including fine shall be treated as public money and shall be recovered by the **Public Demand Recovery Act** as enforceable.

Part-XII

(Chapter - I)

31. (1) Mechanism for settlement of Dispute:

- (i) Every dispute relating to implementation of this Bye - Law namely The General Bye - Laws of Purba Bardhaman Zilla Parishad, 2022, shall be resolved in a Arbitration Committee constituted and formed by the Sabhadhipati, Purba Bardhaman Zilla Parishad in this regard. Failing of arbitration by the above committee, the affected party may institute a suit in the Hon'ble High Court, Kolkata and no other court shall have the power to trial such dispute.

- (ii) Regularization of Building, Establishment and Construction:

(2) Power to require alteration of existing buildings:

The Executive Officer may, with a view to promoting public or occupier's convenience, safety, privacy or sanitation or to securing conformity with the provisions of this Act and the rules and the regulations made there under, by order in writing, require the owner of any existing building to make such alterations therein within such period as may be specified in the order:

Provided that before making any such order Executive Officer shall afford a reasonable opportunity to the owner to show cause why such order should not be made.

(3) Power to order removal of dangerous buildings:

- (i) If any wall or building or anything affixed thereto, be deemed by the Executive Officer, Purba Bardhaman Zilla Parishad to be in a ruinous state or likely to fall or to be in any way dangerous, he shall forthwith cause a written notice to be served on the owner and to put on some conspicuous part of the wall or building or served on occupier, if any, of the building requiring such owner or occupier forthwith to demolish, repair or secure such wall, building or thing, as the case may require.
- (ii) The Executive Officer may, if it appears to him necessary so to do, cause a proper hoarding or fence or other means of protection to be put up at the expense of the owner of such wall or building for the safety of the public or the inmates thereof, and may, after giving them such notice as the Executive Officer may think necessary, require the inmates of the building to vacate it.
- (iii) The provisions of this Act and of any rules or regulations made there under relating to buildings shall apply to any work done in pursuance or in consequence of a notice issued under sub-section).
- (iv) (a) Notwithstanding anything contained in foregoing sub-sections, the Executive Officer may, forthwith or with such notice as he thinks fit, demolish, repair or secure or cause to be demolished, repaired or secured, any such wall or building or thing affixed thereto, on the report of the District Executive Officer, Purba Bardhaman Zilla Parishad or his authorised officials and certifying that such demolition, repair or securing of the building, wall or thing is necessary for the safety of the public or the inmates of the building.
(b) In any such case the Executive Officer may cause the inmates of the building to be summarily removed from the same or such portion thereof as he may consider necessary.
(c) All expenses incurred by the Executive Officer in taking action under this sub-section shall be paid by the owner of such wall, building or thing.
- (v) Any action taken by the Executive Officer under sub-section(iv) shall unless to contrary is proved, be deemed to have been taken lawfully and in good faith and with due care and attention.

(4) Power to order buildings to be vacated in certain circumstances:

- (i) The Executive Officer may, by order in writing, direct that any building, which in his opinion is in a dangerous condition or is not provided with sufficient means of egress in case of fire or is occupied in contravention of the building plan so sanctioned by Zilla Parishad, be vacated forthwith or within such period as may be specified in the order:
Provided that at the time of making such order the Executive Officer shall record a brief statement of the reasons there for.
- (ii) If any person fails to vacate the building in pursuance of such order, the Executive Officer may direct any police officer to remove such person from the building and the police officer shall comply with such direction.
- (iii) The Executive Officer shall, on the application of any person who has vacated or has been removed from any building in pursuance of any order or any direction, as the case may be, under this section, reinstate such person in the building as soon as the circumstances permit.

Chapter - II

32. Power to Amend, Insert, Delete etc.

Purba Bardhaman Zilla Parishad has every right to amend, insert or delete any clause of Bye-Laws or any part thereof, and also have right to keep in abeyance any clause or part of any Bye-Laws thereof in operation by notification.

Part - XIII

Chapter -I

33. Save & Repeal:

- (a) All rule, orders, Bye - Laws & notification relating to the Bye - Laws published & issued by the Zilla Parishad from time to time, under the Bengal Local Self Government Act, 1885 read with the Bengal Self Government Rule, 1885, the West Bengal Panchayat Act, 1957, or, the West Bengal Panchayat Act, 1973, or the West Bengal Zilla Parishad Act, 1963 read with West Bengal Zilla Parishad (Election, Constitution and Administration) Rules, 1964, applicable to the Zilla Parishad, Purba Bardhaman & continuing in force immediately before coming into force of these rules, are hereby repealed.
- (b) Notwithstanding herewith, such repeal, anything done or any action taken under the Acts & rules specified in Sub - Rule (1) shall be deemed to have been validly done or taken under the provision of this Act & Rule.

ANNEXURE-II

Building plan

Building Bye -Law of Purba Bardhaman Zilla Parishad (for T.C.P. Act Area)

CONTENTS

Sl. No.	Particulars	Page
1.	Short Title Application	34
2.	Definitions	34
3.	Means of Access	37
4.	Ground Coverage of Buildings	38
5.	Heights of Buildings	38
6.	Open Spaces for Buildings	39
7.	Parking within a Plot of Land	42
8.	Development of Plot of Land containing more than one building	43
9.	Control of Development of Residential Building of economically Weaker Section and Low Income Group Housing Scheme approved by Zilla Parishad	44
10.	Requirements of Buildings	44
11.	Existing Buildings	45
12.	Control of Development of Parks, Public Open Spaces, Ponds, Wetlands, Canals, River & other waterfront, Brick Fields and Industrial Land & Building	46
13.	Development of Building Site	48
14.	Procedure for obtaining permission for carrying out development.	49
15.	Engagement of Technical Personnel	51
16.	Approval and Technical Charges	51
17.	Cases to be referred to the Government (P&RD) for concurrence	53
18.	Restrictions	53
19.	Non - requirement of permission	53
20.	Deviation of Sanction Plan and Regularisation thereof	54
21.	Inspection	54
22.	Penalty	54
23.	Certified copy of Sanctioned Plan	55
24.	Validity on Renewal of Sanction Plan	55
25.	Issue of Completion Plan Certificate	55
26.	Save & Repeal Clause	55

Building Plan

BYE -LAWS OF Purba Bardhaman Zilla Parishad (FOR T.C.P. ACT AREA)

1. Short Title Application:

- (1) These Sub Bye -Laws shall be called the Building Plan Bye- Laws of Purba Bardhaman Zilla Parishad for T.C.P. Act Area and any other Developing Authority notified by the Government under the Revised General Bye -Law, 2022 Purba Bardhaman Zilla Parishad.
- (2) They shall apply to the areas within the territorial jurisdiction of the Purba Bardhaman Zilla Parishad and the Gram Panchayats under it as notified by the State Government from time to time and such Panchayat area which are notified / will be notified by the State Government from time to time as Country and Town Plan Act Area as per The West Bengal Town and Country (Planning and Development Act, 1979 (West Bengal Act XII of 1979).

2. Definitions:

In these Bye -Laws unless the context otherwise requires:

- (1) "The Act" means the West Bengal Town and Country (Planning and Development Act, 1979 (West Bengal Act XII of 1979);
- (2) "Parishad" means the Purba Bardhaman Zilla Parishad.
- (3) "Government" means the Government of West Bengal;
- (4) "Section" means section of the Act;
- (5) "Chajja" or "Cornice" means a sloping or horizontal structural overhang usually provided over openings on external walls to provide protection from sun and rain;
- (6) "Chimney" means a construction by means of which a flue is formed for the purpose of conveying gaseous products of combustion to the open air, and includes chimney stack and the flue pipe;
- (7) "Courtyard" means a space at ground level or any other level permanently open to the sky, enclosed fully or partially by building within or adjacent to a building and includes a courtyard enclosed on all sides or a courtyard where one of the sides is not enclosed;
- (8) "Cul-de -sac" means a public or private street or passage closed at one end;
- (9) "Floor Area" -Floor area means the covered area of a building at any floor level;
- (10) "Ground Coverage" means the quotient obtained by dividing the area of the plot covered by the building at the ground level by the total area of the plot, expressed as a percentage as follows :

$$\text{Ground Coverage} = \frac{\text{The area of plot covered by building} \times 100}{\text{Total area of the plot}}$$

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 meters in width;

- (11) "Khatal" means a place where cattle are kept or maintained for the purpose of trade or business in cattle including business in milk or otherwise;
- (12) "Ledge" or "Tand" means a shelf -like projection, supported in any manner except by means of vertical supports within a room itself but not having projection wider than 0.75 meter, to be used only as a storage space;
- (13) "Loft" means in intermediary floor between two floors or a residential space in a pitched roof above normal floor level which is constructed or adopted for storage purpose;
- (14) "Means of access" means a public street or passage open to the sky, and includes a passage, which may not be open to sky in the case of partition of an existing building.
- (15) "Open Space" means an area, forming an integral part of the site, at the ground level open to the sky;
- (16) "Passage" means a means of access, which is not a private street or a 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;
- (17) "Private Street" means any street, road, land, alley or passage which provides access to four or more plots and which is not a public street, and includes footway and drains attached to any street and also includes all lands up to the property line of the plots abutting the private street but does not include a passage provided in effecting the partition of any masonry building amongst joint owners where such passage is less than 2.50 meters wide;
- (18) "Public Street" means any street, road, lane, gully, alley, passage, pathway, square, whether a thorough fare are not, over which the public have a right of way, and includes :
 - (a) the roadway over any public bridge or causeway,
 - (b) the footway attached to any such street, public bridge or causeway, or
 - (c) the drains attached to any such street, public bridge or causeway and where there is not drain attached to any such street, shall, unless the contrary is shown, be deemed to include to any such street alignment has been fixed and the area within such alignment has been required by the Gram Panchayat and the alignment has been demarcated up to such alignment.
- (19) "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, 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 the building it shall be classified as a building of "mixed use" or occupancy. The classification of buildings based on principal occupancy, shall be as follows:

- (i) "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 or dining facility or both. Such building shall include one or two multi-family dwellings, lodging or roomed houses, hostels, dormitories, apartment houses and flats, and private garages.
- (ii) Residential Building Built By Contractors :Residential Building Constructed by Developer or Building Contractors under Agreement for letting out tenants through the Developer or Contractors.
- (iii) "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;
- (iv) "Institutional Building" that is to say any building, nursing home or part thereof ordinary providing sleeping accommodation for occupants and used principally for the purposes of medical or other treatment or care or persons suffering from physical or mental illness, disease or infirmity, care of infants, convalescents or aged persons and for penal or correctional detention in which the liberty is restricted, such building shall include hospitals, clinics, dispensaries, sanatoria, custodial institutions and penal institutions like jails, prisons, mental hospitals and reformatories;
- (v) "Assembly Building" that is to say any building or part thereof where groups of people congregate or gather for amusement or recreation or for costal, religious, patriotic, civil, travel, sports, and similar other purposes as the principal use. Such building shall include Theaters, Motion Picture Houses, Drive-in-Theatres, City Halls, Town Halls, Auditoriums, Exhibition Halls, Museums, Skating Rinks, Gymnasiums, Restaurants, Eating Houses, Bars, Hotels, Boarding Houses, Places of Worship, Dance Halls, Club Rooms, Gymkhanas, Passenger Station and Terminals of Air, Surface and other public transportation services, recreation piers and stadiums ;
- (vi) "Business Building" means and includes Commercial Buildings, 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 is 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 ;
- (vii) "Mercantile Building (Retail)" that is to say any building or part thereof used principally as shops, stores or markets for display or retail sale of merchandise or for office and storage of service facilities incidental thereto;
- (viii) "Mercantile Building (Wholesale)" that is to say any building or part thereof used principally as shop, store or market for display or sale of merchandise on wholesale basis, or for office storage or service facilities thereto, and shall include establishments, wholly or partially engaged in wholesale trade, manufacturers

wholesale warehouses and establishments engaged in truck transport (including truck transport booking agencies) ;

- (ix) "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, power plants, smoke houses, refineries, gas plants, mills, dairies, factories and workshops ;
 - (x) "Storage Building" that is to say any 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 involve highly corrosive, toxic or noxious alkalis, acids or other liquids or chemicals producing flames, fumes, explosion or mixtures of dust or which result in the division of matter into the particles subject to spontaneous ignition ;
 - (xi) "Structure relating to electric High Tension Tower, Telecom Tower, Brick Field, Chimney etc." that is to say any structure or part thereof used or constructed on the land of public property, private property, even on the roof of any public building, private building, etc. and shall come under the preview of the technical approval of this Bye —Law.
- (20) "Width of a street" means the whole extent of space, including the footpath, within the boundaries of the street as specified in the survey map or other records of a Gram Panchayat.
 - (21) Other words and expressions used in these Bye-Laws shall have the meanings respectively assigned to them in the Act.
 - (22) Competent / Sanctioning Authority means Proddhan of respective Gram Panchayat or his authorised representative / Zilla Parishad, BDA, as the case may be.
 - (23) Technical authority means District Engineer, Executive Engineer or any other Engineer authorised by the Zilla Parishad.

3. Means Of Access:

- (1) Every plot of land proposed or intended to be developed shall abut on a means of access.
- (2) The width of the means of access abutting a plot of land shall regulate the maximum permissible height of a building on such plot of land in the manner laid down in Bye -Law 6.
- (3) No new building shall be allowed to be constructed on a plot of land unless such plot of land abuts on a means of access which is not less than 2.4 meters in width at any part;

Provided that:

- (a) In the case of residential building, with other occupancy or occupancies, if any, on less than 10% of the total covered area of the building, the width of such means of access shall not be less than 2.40 meters at any part ;
- (b) 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 means of access shall not be less than 7.00 meters at any part;

- (c) In the case of an educational building, with other occupancy or occupancies not being residential occupancy, the width of such means of access shall not be less than 7.00 meters at any part.
- (d) 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 means of access shall not be 7.00 meters at any part;
- (e) In the case of a residential building not exceeding the height of 3.75 meters and not likely to cause adverse effects on the environment, the width of such means of access shall not less than 1.20 meter at any part.
- (4) No building, which, in full or in part, is put to assembly occupancy as a Theater Hall, a Motion Picture House, City Hall, Dance Hall, Skating Rink, Auditorium, Exhibition Hall or for a similar other purpose, shall be allowed to be constructed on a plot of land which is located within a distance of 50 meters from the junction of two streets each having a width of 15.00 meters or more.

4. Ground Coverage of buildings:

- (1) The maximum permissible ground coverage for a plot of land containing a single building shall depend on the use of the building as indicated in the table below :

Sl.No.	Occupancy	Maximum Percentage of Ground Coverage	
		Plot Size up to 200 Sq. meter	Plot Size above 500 Sq. meter
1	Residential	65%	50%
2	Educational	65%	50%
3	Institutional	40%	40%
4	Assembly	40%	40%
5	Mercantile (Retails)	40%	40%
6	Mercantile (Wholesale)	40%	40%
7	Industrial	40%	40%
8	Storage	40%	40%
9	Hazardous	40%	40%
10	Business	40%	40%
11	Mixed	40%	40%

For any other size of the plot in between plot size of 200 sq. meter the percentage coverage shall be calculate by direct interpolation.

- (2) When a plot of land contains more than one building, irrespective of Occupancy mentioned above the maximum permissible ground coverage for the buildings shall be 40%.

5. Heights of Buildings:

- (1) The height of a building shall mean the vertical distance measured from the average level of the center line of the street or passage on which the plot of land abuts to the highest point of the building, whether with a flat roof or a sloped roof.
- (2) The height of the following appurtenant structures shall not be included in the compilation of the height of a building:
 - (a) (i) Stair cover up to a height of 2.40 meters,

- (ii) Lift Machine Rooms as specified in the latest edition of the National Building Code,
- (iii) Roof tanks and their supports, the aggregate height not exceeding 2.40 meters,
- (iv) Chimneys,
- (v) Parapet walls not exceeding 1.50 meters in height,
- (vi) Ventilating, air -conditioning and other service equipment's of similar nature.
- (b) The provision of clause (a) shall not, however, apply in the aggregate area covered by the structures mentioned therein exceeds one third of the area of the roof upon which these are erected.
- (3) The maximum permissible height of a building on a plot of land shall be as indicated in the table below:

Table (Heights of Buildings)

Sl. No.	Width of means of access in meters	Maximum permissible height in meters
(a)	2.40 to 3.50	8.50 (G + II)
(b)	Above 3.50 to 7.00	11.50 (G + III)
(c)	Above 7.00 to 10.00	15.00 (G + IV)
(d)	Above 10 >	Above 15.00

- (4) For any building, to be erected or re - erected or added to, in vicinity of an aerodrome, or which may affect the functioning of any microwave system for tele- communication purpose, the height of such building shall be governed by such Bye-Laws or directions as may be made or issued in this behalf by the Government of India or by any other appropriate authority.

6. Open Spaces for Buildings:

- (1) Generally:
 - (a) Every room intended for human habitation shall abut on an 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 of land 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 0.75 meters width.
 - (b) Every building shall have exterior open spaces comprising front open space, rear open space and side open spaces. The minimum width prescribed for front open space and side open spaces shall be provided along the entire front, rear and side open spaces shall be provided along the entire front, rear and side faces of the building respectively. For this purpose, the front of the building shall be that face of the building, which faces 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 when a plot of land contains more than one building. In the case of a corner plot of land located at the crossing or more than one street of 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) No building shall at any time be erected on any open space prescribed in these Bye-Laws for a building and from part of the site thereof, nor shall such open space be taken into account in determining the area or any open space required under these Bye-Laws for any other building.
- (d) If the front open space is 3.00 meters or more, 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. meters and the height of such "Goomti" shall not exceed 3.00 meters. The covered area of the "Gate Goomti" shall not be included in the calculation of Ground Coverage.
- (e) For the purpose of maintaining distance from overhead electric lines, no building, or verandah, 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 Bye-Laws - framed there under, is less than as specified hereinafter:

		Vertical Clearance	Horizontal Clearance
(i)	Low and medium voltage lines including service lines	2.5m	1.2m
(ii)	High voltage lines upto & including 11000 volts	3.7m	1.2m
(iii)	High voltage lines above 11000 volts and upto and including 33000 volts	3.7m	2.0m
(iv)	For extra high voltage lines beyond 33000 volts	3.7 m plus 0.3 m for every additional 33000 volts or parts thereof.	2.0 m plus 0.3m for every additional 33000 volts or parts thereof.

Note: "m" indicates meter.

- (2) The minimum front open space shall be as follows:
 - (a) Every residential or educational building shall have a minimum front open space at ground level of 1.20 meters.
 - (b) In the case if residential or educational building with other occupancy or occupancies covering more than 20% of the floor area at ground floor of the building, the minimum front open space at the ground level shall be 2.00 meters, provided that for such buildings on plots of land with area of 300.00 sq. meters or less, the minimum width of the front open space shall be 1.20 meters if the part of the building used for other occupancy or occupancies is not more than 30.00 sq. meter at the ground floor;
 - (c) Every industrial or storage or mercantile (wholesale) building shall have a minimum front open space at ground level of 5.00 meters;
 - (d) In the case of industrial or storage or mercantile (retail) buildings on plot of land with area less than 300.00 sq. meters, the minimum front open space shall be 1.20 meters;

- (e) In the case of hazardous buildings, the minimum front open space shall be 10.00 meters;
 - (f) Every institutional of mercantile (retail) or business building shall have a minimum front open space at ground level of 3.00 meters;
 - (g) Every assembly building shall have a minimum front open space at ground level of 4.00 meters ;
 - (h) For fixed use buildings, the minimum front open space shall be the one applicable for that particular occupancy for which the highest value of the minimum front open space is prescribed and
- (3) The minimum rear open space shall be as follows :
- (a) Every building shall have a minimum rear open space at ground level as indicated below:

SI. No.	Height of building (meters)	Minimum width of rear space (meters)
(a)	Up to 8.50	2.00
(b)	Above 8.50 but not more than 11.50	3.00
(c)	Above 11.50 but not more than 15.000	4.00

- (b) Notwithstanding anything contained in clause (a) the minimum width or rear open space for an industrial or storage of mercantile (wholesale) building shall be 3.50 meters;
 - (c) In the case of hazardous buildings, the minimum rear open space shall be 10.00 meters;
- (4) The minimum side open space shall be as follows:
- (a) Every building shall have minimum side open spaces at ground level as indicated hereinafter:

Height of building (meters)	Minimum width of side open space at ground level (meters)	
	Side-1	Side-2
Upto 8.50	1.20	1.20
Above 8.50 but not more than 11 .50	1.20	1.20
Above 11.50 but not more than 15.000	1.20	2.50

- (b) Notwithstanding anything contained in Clause (a) the minimum distance across the side open space from every new building to an existing building to an existing building with a door or window opening shall be 1.80 meters;
- (c) Notwithstanding anything contained in Clause (a) the minimum width of side open spaces for an industrial or storage or mercantile (wholesale) building shall be 3.50 meters;
- (d) In the case of a building more than 24.00 meters in length on a plot of land abutting any street, a passage along the entire length of the building shall be provided and the minimum width of such passage shall be 4.00 meters;
- (e) In the case of hazardous buildings, the minimum side open space shall be 10.00 meters on either side;

- (5) (a) There shall be an interior open space or courtyard if the whole of one side or parts of at least two sides of every room, excepting a bath - room water closet, or store - room does not abut on either the front, or the rear or a side open space.
- (b) The whole of one side of each room which does not so abut on any one of such open spaces shall abut on such a courtyard.
- (c) The minimum width of such courtyard shall be 30 percent of the height of the building or 3 meters, whichever is more.
- (d) In case there is no building other than boundary wall on one or more sides of a courtyard, the minimum width of the court -yard shall be 20 per cent of the height of the building or 2.50 meter, whichever is more.
- (6) (a) There shall be a ventilation shaft to which a water —closet or bath—room, not abutting to front, rear, side or interior open space, shall open.
- (b) Such ventilation shaft shall be of the dimensions as indicated below:

Sl. No.	Height of building (meters)	Minimum area of ventilation shaft (sq. meters)	Minimum width of shaft (meters)
(a)	Upto 11.50	1.50	1.00
(b)	Above 11.50 but not more than 15.000	3.00	1.20

7. PARKING WITHIN A PLOT OF LAND :-

- (1) Generally:
- (a) The minimum size of a car parking space shall be 2.50 meters x 5.00 meters and that for a truck or bus parking space shall be 3.75 meters x 10.00 meters. These spaces do not include the area of circulation, internal space, aisles and drive - ways;
- (b) The minimum width of an internal circulation road shall be 3.50 meters for cars and 5.00 meters for trucks and buses;
- (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 for residential building;
- (d) The open spaces within the plot of land may be allowed to be utilized for car parking spaces provided that the minimum open space required to be provided for under Bye-Laws 7 shall be kept free from parking;
- (e) For a building with different occupations, the number of parking spaces shall be worked out on the basis of each of the occupancies separately and such numbers shall be added to determine the total number of parking spaces required for the building;
- (f) In case of a plot of land containing more than one building, parking requirement shall be calculated for each building separately on the basis of the use of each building;
- (g) In calculating the areas of different tenements or different occupancies in the same occupancy in a building the areas of common spaces of any floor, shall be distributed proportionately amongst the different units or tenements;

- (h) For plots with means of access of less than 3.50 meters in width, car parking space need not be provided.
- (2) For any use group of occupancy of building car parking shall be subject to the following:
- (a) No car parking space shall be necessary for a total floor area of less than 100.00 sq. meters.
- (b) For a total floor area of 100.00 sq. meters or more, one car parking space for the first 100.00 sq. meters and one car parking space for every additional 1 00.00 sq. meters.
- (i) For a building with education occupancy having a total floor area of more than 1000 sq. meters, one bus parking space for every 1000.00 sq. meters shall be necessary. Such bus parking space required for the building.
- (ii) For industrial or storage or hazardous occupancies, no car or truck parking space shall be necessary upto a total floor area of 2000.00 sq. meters. For floor area of the building about 200.00 sq. meters one car parking space for every 200.00 sq. meters and one truck parking space for every 1000.00 sq. meters, subject to a minimum of one truck parking space shall be necessary. The number of required car or truck parking space shall not in any case exceed 50.

8. Development of Plot of Land Containing More than one Building:-

- (1) This Bye -Laws shall apply to a plot of land of area less than 5000 sq. meters.
- (a) Every building on a plot of land containing more than one building shall abut on internal road connecting the means of access of the plot of land.
- (b) The minimum width of such internal road shall not be less than 3.50 meters. Where an internal road of 3.50 meters in width is not possible to be provided for due to the existence of a building constructed prior to the enforcement of these bye laws, a building of not more than 3.75 meters in height may be allowed to be constructed, provided that the width of the internal road shall not in any case be less than 1.20 meters.
- (c) The maximum permissible height of any building on a plot of land shall be determined according to the width of the means of access on which the plot of land abut as indicated in the table provided in Sub - Bye - Law(3) of Bye-Laws 6.
- (d) The maximum length permissible for the internal road shall be indicated in the following table :

Sl. No.	Width of means of access	Maximum length of the means of access	
		For means of access closed at one end	For means of access open to street at both ends
(i)	2.4 meters and above But not more than 7.00 meters	25.00 meters	75.00 meters
(ii)	Above 7.00 meters but Not more than 10.00 meters	50.00 meters	150.00 meters
(iii)	Above 10.00 meters	No restriction	No restriction

- (e) In case the buildings within a plot of land are not of the same occupancy, and

individual building of any particular occupancy shall comply with the provision of these Bye -Laws governing such occupancy.

- (f) Every building shall have minimum external open spaces as prescribed in Bye -Laws 6.
- (g) Parking spaces shall be required to be provided for in accordance with Bye-Laws 7.
- (2) In case the plot of land containing more than one building has an area of 500 sq. meters or more, the provisions of Bye -Laws 4 shall be applicable. For that purpose, the plot of land containing more than one building shall be deemed to be the "mother plot" and the land covered by each building together with the external open space as prescribed in Bye -Laws 6 shall be deemed to be an "individual plot".

9. Control of Development of Residential Building for Economically Weaker Section and Low Income Group Housing Scheme Approved By Zilla Parishad:

- (1) Notwithstanding anything contrary contained elsewhere in these Bye -Laws, for plots of land covered by a scheme for Economically Weaker Sections or by a Low Income Group Housing Scheme approved by the Zilla Parishad, the following provisions shall be applicable, provided that the size of the plot is not more than 65.00 sq. meters in area :
 - (a) No building shall be allowed on a plot of land, if the width of its means of access is less than 1.20 meters.
 - (b) No building exceeding 8.00 meters in height shall be allowed on a plot of land if the width of its means of access is less than 3.50 meters.
 - (c) The maximum permissible ground coverage shall be 75% of the area of the plot of land.
 - (d) The maximum permissible height of the building shall be 10.00 meters.
 - (e) The minimum front open space shall be 0.80 meters.
 - (f) The minimum rear open space shall be 1.00 meters.
 - (g) No side open space shall be required, provided that the buildings shall be of row - housing type and the maximum aggregate length of such buildings in a row shall be 50.00 meters. After every 50.00 meters of length of such buildings in a row, there shall be an open space of not less than 2.50 meters in width for the entire depth of the building. Such open space shall not be necessary if there is a street or passage at such location the minimum width of which is not less than 2.50 meters.
 - (h) There shall be no need to provide any car parking space within the plot.

10. Requirements of Building:

In any building, the size of the rooms shall conform to the following provisions:

- (1) Habitable Room :

A habitable room shall have a minimum floor area of 6.00 sq. meters and of minimum width of 2.40 meters

For this purpose, any room intended to be used for human habitation, other than a kitchen, bathroom, water closet, store / multipurpose room, shall be deemed to be a habitable room.

(2) Kitchen :

Kitchen shall have a minimum floor area of 3.00 meters and a minimum width of 1.50 meters.

(3) Water—Closet and Bath—Room :

The area of an independent water -closet shall not be less than

0.80 sq. meters with a minimum width of 0.85 meters. The area of an independent bath -room shall not be less than 0.80 sq. meter with a minimum width of 0.85 meter. If water -closet is combined with bath -room, its floor shall not be less than 1.50 sq. meters with a minimum width of 0.90 meter.

(4) Minimum Heights of Rooms :

The height of all habitable and multipurpose rooms shall not be less than 2.60 meters from the surface of the floor to the lowest point of the ceiling (bottom of the slab and / or beam). In the case of sloping roof, the average height of room for habitable rooms shall not be less than 2.60 meters and the minimum height at eaves shall be 2.10 meters. The height of kitchen, bath, water -closet and corridor / passage shall not be less than 2.10 meters measured from the surface of the floor to the lowest point of the ceiling (bottom of the slab and /or beam).

11. Existing Buildings:

(1) The provisions of this bye laws shall apply only in the case of an existing building. Existing building, building, for this purpose, shall mean any building which was erected before the date of coming into force of these Bye -Laws in accordance with a building plan sanctioned by an authority competent to sanction such building plan under any law for the time being in force.

(2) In the case of existing building :

(a) Excepting storage building, where the open spaces required have not been left, and addition in the number of stories, if otherwise permissible, may be allowed with a setback provided such building continuous with the same occupancy and it is structurally safe;

Provided that no front set back may be necessary upto a height of eight meters for adding only one floor over an existing single storied residential building.

(b) The extent of the set back from the property boundary shall be such as to make the addition to the building in conformity with the provisions of Bye —Laws 5 & 6;

(c) If any car parking space is required to be provided under these Bye -Laws and no such car parking space can be provided in such existing building, the floor area allowable under the provisions of these Bye -Laws 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. meters;

(a) The height of the building shall conform to the provisions of Bye -Laws 6 and in no case the height shall exceed 15.000 meters after any addition to the number of stories;

(b) The addition to an existing building with residential occupancy shall not exceed 200.00 sq. meter in total floor area;

- (c) The addition to an existing building educational occupancy shall not exceed the total floor area of the existing building;
- (d) The additional to an existing building with other occupancies including mixed uses but excepting storage use shall not exceed 100.00 sq. meters in total floor area.

12. Control of Development of Parks, Public Open Spaces, Ponds, Wetlands, Canals, River & Other Water Front, Brick Fields and Industrial Land & Building:

- (1) For the purpose of these bye laws, public open space shall mean any open space which is open to the use of enjoyment of the public, whether it is actually used or enjoyed by the public or not and whether the entry is required by any charge or not.
- (2) (a) Generally, parks and public open spaces shall be classified for the purpose of these bye laws into three group as below:
 - (i) The parks and public open spaces with area upto 1500.00 sq. meters shall be termed as "small park and public open spaces";
 - (ii) The parks and public open spaces with area above 1500.00 sq. meters but upto 7000.00 sq. meters shall be termed as "medium parks and public open spaces";
 - (iii) The parks and public open spaces with area more than 7000.00 sq. meters 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 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 building shall not exceed 4.00 meters and that total area covered by such buildings shall not exceed 10% of the total area of the parks and public open spaces in the case of small 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 purpose 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 any traffic problem.
- (3) No Canal, pond, water body or wetland shall be filled up :

Provided that, having regard to the drainage, ecology and environment, Pisciculture, fire fighting or any other material consideration the Zilla Parishad Authority may, for reasons to be recorded in writing and with the previous approval of the State Government, allow any canal, pond, water body, or wet land to be filled up.

- (4) In the case of a building in the zone of a river or other water front :
- (a) The maximum permissible height of such building shall be 5.00 meters. In the case of a building on stilts, the maximum permissible height of building shall be 6.50 meters including the stilts the minimum height of which shall be 3.00 meters. 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 meters long alongside a river or other water front. There shall be a clear linear gap of 50.00 meters between two buildings alongside the river and other water front ;
 - (c) The maximum permissible floor area of such building shall be 200.00 sq. meters.
- (5) Brick Field :
- (a) Existing brick fields may be allowed to operate within their present boundaries;
 - (b) After the operation of any such brickfield is discontinued or abandoned, the excavated portions of such a brickfield shall not be filled up but shall have to be maintained as water bodies, where Pisciculture or any type of recreation activity may be allowed. The unexcavated portions of such a brickfield may be used for construction of structures for recreational purposes, provided that such structures still conform to the provision of Sub -Rule (4) above. Sub -Division shall not be allowed if the mother plot abuts a means of access having a width of less than 10.00 meters;
- (6) Development of Industrial Land & Building or Structure:
- (a) No land used by or for an existing industry shall be used by as for any purpose other than the purpose of such industry.
 - (b) No land under use by or for an industry since identified as sick, closed or otherwise non-functional and considered to be surplus shall be developed for any purpose other than the revival of the industry so identified as sick, closed or otherwise non -functional.
 - (c) The Purba Bardhaman Zilla Parishad Authority having regard to the environmental inspect on the locality and any other material consideration, may, however, for reasons recorded in writing and with the previous approval of the State Government allow the development including change of use of any land mentioned in Clause (b) above for any purpose other than that mentioned in the said clause.
 - (d) Drainage System:
 - (i) The roof of the building shall be so constructed as to permit effective drainage of rain water there from by means of rain water pipes which are to be fixed on the outside walls.
 - (ii) Accumulated rain water and other surface water will have to be led to main storm water sewer line through pucca surface drains, gully pits, master traps etc.

(e) Chimney:

- (i) Chimneys, where provided shall conform to the requirements of IS : 1645 - 1960, Indian Standard Code of Practice for Fire Safety of Buildings (General), Chimneys etc.
- (ii) Notwithstanding anything contained in (i) above, Chimneys will be built at least 0.90 meter above flat roof and the top of the adjacent parapet wall. In case of sloping roofs the Chimney top shall not be less than 0.60 meter above the ridge of the roof through which the Chimney penetrates.
- (iii) Notwithstanding anything contained in (i) & (ii) above, the height of the Chimney should also conform to the standard prescribed by the West Bengal Pollution Control Board.

(f) Treatment of sewage:

- (i) Septic Tanks and soak pits wherever necessary will have to be designed as per standard norms.
- (ii) No effluent from the Septic Tanks will be allowed to be discharged directly to underground storm water system, any water body or in any water course.
- (iii) No sanitary waste water should be discharged into any water body without proper treatment to bring down the polluting parameters within the limit prescribed by the West Bengal Pollution Control Board.
 - (1) Treatment of Industrial Effluent: Each and every individual entrepreneur will have to arrange for treatment of industrial effluent within the said plot.
 - (2) No untreated effluent will be allowed to be discharged to any water body. The effluent quantity after treatment should be of such standard so as to conform to the standards by West Bengal Pollution Control Board.

(g) Pollution Control measures:

Clearance certificate from the State Pollution Control Board, Government of West Bengal is required to be obtained prior to commissioning of any industrial unit.

(h) Fire escapes:

- (i) All fire escapes shall be directly connected to the ground.
- (ii) Entrance to fire escapes shall be separate and remote from the internal staircase.
- (iii) Fire escapes shall be constructed of non-combustible materials.
 - (1) Fire safety requirement:

Buildings shall be so planned, designed and constructed as to ensure fire safety and this shall be done in accordance with Part -IV "Fire Protection" of National Building Code of India, 1970 corrected up to date. Buildings of Industrial, storage have to be cleared by the local fire brigade authority by whatever name it is called.

13. Development of Building Site:-

No plot shall be used as a site for erection or re-erection of any building:

- (1) If the level of the plot is lower than the level of the crown of the nearest public street, and
- (2) Unless the land is capable of being well -drained by means of drainage facilities leading to existing public drains or drainage channels.
- (3) Provided that no piece of the land shall be approved for erection of a building and no building plan shall be sanctioned unless a certificate from competent authority as defined in Clause (d) of Section 2 of the urban land (Ceiling and Regulation) Act, 1976 to the effect that there is no objection to transfer of the land under Sub - Section 3 of Section 5 of the said act, has been submitted along with the application for sanction of building plan.

14. Procedure for Obtaining Permission For Carrying Out Development:

- (1) Any person / body intending to carry out any development or constructing any structure under Zilla Parishad. shall have to make an application form as specified at Annexure -"A" in writing to the Parishad / Gram Panchayat. The application form shall be available at the office of the Parishad / concerned Gram Panchayat on payment. The cost of Application Form shall be as fixed by the Parishad from time to time. Applications not in prescribed format, will not be entertained. The rate of Application Form is fixed at Rs. 50/- in addition to this Bye -Law at Rs. 300/-.
- (2) The following documents should be furnished with the duly filled up application:
 - (a) Deed of Purchase / Record of rights indicating details of classification and ownership of the land proposed to be developed.
 - (b) Mutation Certificate in favor of applicant(s).
 - (c) Affidavit indicating devolution of ownership from the original purchaser to the present applicant (s).
 - (d) Four copies of the KEY (Location) Plan drawn to a scale of not less than 1:4000 and showing the boundary of the location of the site with respect to neighborhood landmarks and public streets.
 - (e) Four copies of the Site Plan drawn to a scale of 1:600 which shall show:
 - (i) The boundaries, giving dimensions of the site and of any contiguous land belonging to the applicant (s) thereof,
 - (ii) The position of the site in relation of neighboring street or streets within a distance of twenty five meters of the site, and if there is none, the name and distance of the nearest existing street,
 - (iii) The means of access from the street, or passage, to the building in respect of which sanction is sought and to other existing buildings (if any) and other buildings which the applicant (s) intends to erect upon his contiguous land, if any,
 - (iv) All existing buildings or structures on, over, or under the site or projecting beyond it,
 - (v) The position of the building which the applicant (s) intends to erect or alter in relation to:
 - (1) the boundaries of this site,
 - (2) any existing building or structure upon his contiguous land (with

number of storey's and height) or any building or structure which, the applicant intends to construct upon such land,

- (vi) The open spaces to be provided for the building under these Bye - Laws.
 - (vii) The position of the electric line if it falls within distance of 7 meters from any part of the plot.
 - (viii) Existing structure if demolished for alteration or renovation with hatch line in yellow colour.
 - (ix) The opinion of the concerned Sanctioning Authority viz. Prodhan, Developing Authority as the case may be.
- (f) Four copies each of Building Plans, Evaluations and Sectional Elevations drawn to a scale of 1:100 shall include and show:
- (i) Floor plans together with the covered area of each floor, including in the case of the ground floor, the ground coverage in relation to the area of the plot, means of access and open spaces, floor plan of any accessory building or buildings and basement plan, if any clearly the sizes and spacing of all supporting members and sizes of rooms, and details of foundation,
 - (ii) Terrace plan indicating the drainage and the slope of the room,
 - (iii) Schedules of doors, windows and ventilators,
 - (iv) Details of parking layout plan, if any, along with loading and unloading spaces,
 - (v) A description of the proposed use occupancy of each part of the building,
 - (vi) Sectional drawings indicating clearly the sizes of footings, thickness of basement walls, wall construction, sizes and spacing framing members, floor slabs and roof slab with their materials, height of building, rooms and parapet and at least one section through each of the staircases, and toilets:

Provided that the structural plan giving details of all structural elements and materials used, with structural calculations may be submitted separately,
 - (vii) The direction of the north point relative to the plans.
- (g) Soil Test Report & Structural Design with Calculation Sheet from a competent Structural Engineer concerned for building more than G + 2
- (h) Structural Stability Certificate from competent Licensed Technical Personnel for building more than height of G+2

On receipt of such application duly made along with the required documents, the Parishad may after causing further enquiry and asking the applicant to produce any further document, if it deemed fit, may be returned with recommendation after receiving assessed fees, to the concerned Gram Panchayat for:

- (i) granting permission unconditionally.
- (ii) granting permission subject to such conditions as it may deem fit.
- (iii) refuse permission.

If the permission is granted subject to conditions or is refused, the grounds of

imposing such condition of such refusal shall be recorded in the order and the order shall be communicated to the applicant.

In case of permission two sets of approved copy of building plan along with the site plan should be returned to the applicant by the Gram Panchayat Authority. The date within which erection or construction should be completed shall be communicated by the owner of building plan to the Parishad / Gram Panchayat within 15 days of receipt of the approved plan.

The permission so granted shall remain in force as specified in the Section 48 of the Act.

15. Engagement of Technical Personnel:

Every person/ body intending to erect, re - erect, addition or alteration any building, structure etc. shall subject to the provision of this act and rules, engage Technical Personnel in the following manner:

a) For all building structure etc. below 8.50 meter in height	A Technical Personal not below the rank of Licenced Building Surveyor having due empanelment of Purba Bardhaman Zilla Parishad for planning, design and supervision for construction of building, structure including foundation.
b) For all building, structure etc. 8.50 meter and above m height	A Licenced Building Surveyor and a Structural Engineer or an Architect duly empanelled by Purba Bardhaman Zilla Parishad for planning, design and construction of building, structure including foundation.

In case of death, resignation or removal of an Architect, a Structural Engineer or a Licensed Building Surveyor, a fresh engagement of Licensed Building Surveyor/ Structural Engineer/ Architect as the case may be and shall be notified by the technical authority. No work shall be carried out in the intervening period, if any.

The validity of engagement made under this rule shall lapse with the lapse of validity of licence given under the provision of this Bye-Law.

A Structural Engineer, Architect or a Licensed Building Surveyor shall be empanelled in the manner as may be specified by the Zilla Parishad.

16. Approval And Technical Charges:

A

Sl. No.	Category of Construction	Approval and Technical Fees (in Rupees)
1.	(i) Residential Building above 6.5 meters in height (ii) Residential Building Constructed by Developer or Building Contractors under Agreement for letting out tenants through the Developer for /Contractors	150.00 per m ² per floor Rs 250.00 per m ² per floor
2.	Industrial Building	500.00 m ² per floor
3.	Commercial Building under Rule 2 Explanation (v)	450.00 m ² per floor
4.	Educational Building /Institutional Building, other than Government aided under Educational Building	450.00 m ² per floor
5.	Government aided Institutional Building under Educational Building	100.00 m ² per floor

Sl. No.	Category of Construction	Approval and Technical Fees (in Rupees)
6.	Ashram, Orphanage, Missionaries, Research Center for charitable purpose under Institutional Building	100.00 per m ² per floor
7.	Hospital, Nursing Home, Child Home, Old Age Home, Ashram, Research Center for non - charitable purpose under Institutional Building	250.00 per m ² per floor
8.	Assembly Building" that is to say any building or part thereof where groups of people congregate or gather for amusement or recreation or for costal, religious, patriotic, civil, travel, sports, and similar other purposes as the principal use. Such building shall include Theaters, Motion Picture Houses, Drive - in - Theatres, City Halls, Town Halls, Auditoriums, Exhibition Halls, Museums, Skating Rinks, Gymnasiums, Restaurants, Eating Houses, Bars, Hotels, Boarding Houses, Places of Worship, Dance Halls, Club Rooms, Gymkhanas, Passenger Station and Terminals of Air, Surface and other public transportation services, recreation piers and stadiums	500.00 m ² per floor
9.	"Mercantile Building (Wholesale)" that is to say any building or part thereof used principally as shop, store or market for display or sale of merchandise on wholesale basis, or for office storage or service facilities thereto, and shall include establishments, wholly or partially engaged in wholesale trade, manufacturers wholesale warehouses and establishments engaged in truck transport (including truck transport booking agencies); including Mercantile Building (Retail)	500.00 m ² per floor
10.	Storage Building" that is to say any 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 involve highly corrosive, toxic or noxious alkalis, acids or other liquids or chemicals producing flames, fumes, explosion or mixtures of dust or which result in the division of matter into the particles subject to spontaneous ignition	500.00 m ² per floor
11.	Structure relating to electric High Tension Tower, Telecom Tower, Brick Field, Chimney etc. under Rule 2 Explanation (x)	Rs. 3.00 per cubic metre
12.	NOC for Construction of Boundary wall (Land used for commercial purpose) Note- i) Natural surface/sub surface floor of water is not affected. ii) Height of boundary wall should be as per government Rule.	
13.	NOC for Laying of pipe line for rural road (Gas and cable line) Note- i) Reference Memo no-674-W(c)-1M -7513 dated-	Rs. 15000 per crossing

Sl. No.	Category of Construction	Approval and Technical Fees (in Rupees)
	22/09/2013 from Special Secretary, PWD, Government of West Bengal ii) 575- W(c)-1M -7513 dated- 29/08/2013 of Principal Secretary, PWD , Government of West Bengal	
14.	Hiring charge of storage godown	Rs. 0.56 per Cubic fit per month

Zilla Parishad may consider to reduce the approval and technical fees as a very special case to the tune of maximum 50% of the rate on receipt of specific appeal from the applicant on public interest.

17. Cases to be Referred to the Govt. (P & R.D. Deptt.) for Concurrence:-

- For development of any land located within 500 meters on either side of the center line of the National Highways or any other road or street declared as Expressway, except the cases for construction of buildings upto G +1 Level.
- For construction of any structure exceeding a height of 15 meters.

18. Restrictions:

- No dry latrine shall be permitted within the building premises.
- No permission for sanction of building plan for residential purpose will be given below the area of land 100 sq. meter.
- No development permission shall be given for areas where land acquisition proceeding have been initiated by the Burdwan Development Authority or any other Organization.
- The provisions of the West Bengal Fire Service Act, 1950 shall have to be followed.

19. Non Requirement of Permission:

No permission would be required in the following cases:

- For erection of any new thatched structure, tin shed or tile shed, without Brick wall covering an area not exceeding eighteen square meters and such structure or shed does not cover 3/4th of the total area of the land including appurtenant land.
- For repairing of an existing structure or building unless any structural change involved or such repair brings any change in existing covered area or such repair includes any addition of a projection from the existing structure or building at ground level or upper level.
- For erection of a boundary wall up to height of 2 meters unless it is made of brick or cement concrete and unless the bounded area is not kept as vacant land but is used or likely to be used as stockyard or for any commercial or institutional purpose either on open space or by erecting temporary shed.
- For the carrying out by the Central or the State Government or any local authority of any works required for the maintenance or improvement of a highway, road or public street, being works carried out on land within the boundaries of such highway, road or public street.

- e. For the carrying out by the Central or the State Government or any local authority of any works for the purpose of inspecting, repairing or renewing any drains, sewers, mains, pipes, cables or other apparatus including the breaking open of any street or other land for that purpose.
- f. For the construction of unmetalled road intended to give access to land solely for agricultural purpose.
- g. For normal use of land which has been used temporarily for other purposes.
- h. In case of land, normally used for one purpose and occasionally used for any other purpose, for the use of land for that other purpose on occasions.
- i. For use, for any purpose incidental to the use of a building for human habitation, or any other building or land attached to such building.

20. Deviation Of Sanction Plan & Regularisation Thereof:

No deviation from the sanctioned plan shall be made during erection or execution of any work. Not with standing anything contained in the rule in anywhere:

- (i) If during erection or execution of work any internal alteration within the sanctioned covered space which does not violate the provision of the Act or these rules, the person referred to in Sub- Rule (1) Rule (14) shall inform Sanctioning Authority and Technical Authority in writing along with a certificate from Architect or the Licensed Building Surveyor as the case may be together with drawings incorporating the deviation stating the nature and purpose of such deviation along with fee @ Rs. 5.00/M² prior to carrying out such erection.
- (ii) If during the erection or execution any external deviation beyond the sanctioned covered space is intended to be made and which violate the provision of rule but which does not exceed the permissible covered Area, the person referred to Sub - Rule (1) Rule (14) shall submit in accordance with the provision of these rules, a revised plan incorporating the deviations intended to carry out obtaining necessary sanction plan along with fee of @ Rs. 10.00/M² to Sanctioning Authority and Technical Authority.

21. Inspection:

- (i) The Parishad may cause inspection / enquiry through any competent person for the purpose of ascertaining the facts / documents submitted with the application form for obtaining permission.
- (ii) Any competent person on behalf of the Parishad may inspect the construction site during construction and may issue suitable instruction for carry on the construction as per the sanctioned building plan/ site plan by the Parishad.

22. Penalty:

Stoppage of erection work:

- (i) As soon as the sanctioning authority or the authority who has given technical approval, receive any information that any unauthorized development and construction has been commenced or is being carried out unlawfully or in a manner which is in violation of technical approval, the competent authority may by writing notice to the person carrying such erection, to stop the work before inspection of the competent authority or his representatives. The competent and the technical authority shall have free access inspect any erection or development

within the jurisdiction of this Bye-Law.

- (ii) If the written notice for stoppage of erection order or development not carried out by the person carrying such unlawful erection or development for whatsoever manner the authority mentioned in this clause may lodge F. I. R. with the local Police Station where cause of the action arises and may also issue legal notice. Necessary police help in this regard may also be taken by the competent authority.
- (iii) Demolition, Alteration or Regularization of Building, Establishment and Construction

On inspection of the competent authority or the technical authority or any other authority so empowered as the case may be, may order for demolition / alteration or to impose penal charges for regularization at the rate of 3 (three) time per sq. m. in respective building cases for the unauthorized portion or as a whole as applicable if the authorities concerned is satisfied to that effect, about the erection of the building or development:

- (i) Has been commenced without obtaining the sanction or permission, technical approval of the authority concerned.
- (ii) Has been commenced or is being carried out with internal or external deviation, which is a breach of any provision of the act or rules.

Violation of Classification of Building:

No building could be used other than for which use of the building was permitted. If any building or a part thereof is used subsequently for different purposes other than the classification under which sanction of the building was accorded under provision of the Bye - Law, the same will be treated as unauthorised construction / development. The competent authority shall stop such violation or shall impose penalty as mentioned in section 22 (1) of this Bye - Law after considering the various aspect namely viz. pollution, health hazard, industrial hazard, absences nature etc. or both.

23. Certified copy of sanctioned plan:

Certified copy of the technical approval of any Building Plan or Sanction Plan will be available on payment of Rs. 1000.00 per set from the Sanctioning Authority or the competent authority as the case may be.

24. Validity on Renewal of Sanction Plan:

- a. The sanction plan remains valid for three consecutive years from the date of sanction.
- b. The validity of sanction plan may be renewed or revalidated for another three years by the sanctioning authority on payment of Rs. 3000/- on the basis of written application.

25. Issue of Completion Plan Certificate:

- (i) The Zilla Parishad may issue Completion Plan Certification application, provided that the Building or any Structure constructed under a Plan issued by this Zilla Parishad has been completed according to the plan in all respect. and there is no deviation.
- (ii) The Zilla Parishad may issue such Completion Plan certification payment at the rate of 5% of the Total Plan Sanction Fee.

26. Save & Repeal Clause:

- (i) All rule clauses, Bye- Laws relating to the Building Bye-Laws, Purba Bardhaman Zilla Parishad published and issued from time to time and continuing in force immediate before coming into force of this rule are hereby repealed.
- (ii) Notwithstanding contained herewith, such repeal, anything done or any action taken under the Acts. & rules prior to this rule shall be deemed have been validity done or, taking the under the provision Act & Rule.

ANNEXURE-III

Building plan

**Building Bye -Law of Purba Bardhaman Zilla Parishad
(for Panchayat Area other Than BDA Area &
T.C.P. Act, 1979 Area)**

CONTENTS

Sl. No.	Particulars	Page
1.	Short Title Application	57
2.	Definitions	57
3.	Means of Access	60
4.	Ground Coverage of Buildings	61
5.	Heights of Buildings	62
6.	Open Spaces for Buildings	62
7.	Parking within a Plot of Land	65
8.	Development of Plot of Land containing more than one building	66
9.	Control of Development of Residential Building of economically Weaker Section and Low Income Group Housing Scheme approved by Zilla Parishad	67
10.	Requirements of Buildings	68
11.	Existing Buildings	68
12.	Control of Development of Parks, Public Open Spaces, Ponds, Wetlands, Canals, River & other waterfront, Brick Fields and Industrial Land & Building	69
13.	Development of Building Site,	72
14.	Procedure for obtaining permission for carrying out development.	72
15.	Engagement of Technical Personnel	74
16.	Approval and Technical Charges	74
17.	Cases to be referred to the Government (P&RD Deptt.) for concurrence	76
18.	Restrictions	76
19.	Non - requirement of permission	76
20.	Deviation of Sanction Plan and Regularisation thereof	77
21.	Inspection	77
22.	Penalty	77
23.	Certified copy of Sanctioned Plan	78
24.	Validity on Renewal of Sanction Plan	78
25.	Issue of Completion Plan Certificate	78
26.	Save & Repeal Clause	78

Building Plan

Bye-Laws of Purba Bardhaman Zilla Parishad (For Panchayat Area other Than BDA area And T.C.P. Act, 1979 Area)

1. Short Title Application:

- (1) These Sub -Bye-Laws shall be called the Building Plan Bye- Laws for Panchayat Area other than BDA Area and T.C.P. Act, 1979 Area of Purba Bardhaman Zilla Parishad under Revised General Bye-Law of Purba Bardhaman Zilla Parishad, 2014.
- (2) They shall apply to there as within the territorial jurisdiction of the Purba Bardhaman Zilla Parishad and the Gram Panchayat Panchayats under it, as notified by the State Government from time to time and such Panchayat area which will notified by the State Government from time to time and excluding the area notified under any other Developing Authority notified by the Government.
- (3) These Sub - Bye-Law shall apply in case of construction / repair / addition or alteration of building structure beyond 6.5 meters of height upto 15.00 meters and any construction beyond 300 M² covered area under Panchayat excluding the area of BDA and other Developing Authority notified by the State Government.

2. DEFINITIONS:

In these Bye- Laws unless the context otherwise requires:

- (1) "The Act" means the West Bengal Town and Country Planning and Development Act, 1979 (West Bengal Act XII of 1979);
- (2) "Parishad" means the Purba Bardhaman Zilla Parishad;
- (3) "Government" means the Government of West Bengal;
- (4) "Section" means section of the Act;
- (5) "Chajja" or "Cornice" means a sloping or horizontal structural overhang usually provided over openings on external walls to provide protection from sun and rain;
- (6) "Chimney" means a construction by means of which a flue is formed for the purpose of conveying gaseous products of combustion to the open air, and includes chimney stack and the flue pipe;
- (7) "Courtyard" means a space at ground level or any other level permanently open to the sky, enclosed fully or partially by building within or adjacent to a building and includes a courtyard enclosed on all sides or a courtyard where one of the sides is not enclosed;
- (8) "Cul-de-sac" means a public or private street or passage closed at one end;
- (9) "Floor Area"-Floor area means the covered area of a building at any floor level;
- (10) "Ground Coverage" means the quotient obtained by dividing the area of the plot covered by the building at the ground level by the total area of the plot, expressed as a percentage as follows:

$$\text{Ground Coverage} = \frac{\text{The area of plot covered by building} \times 100}{\text{Total area of the plot}}$$

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 meters in width;

- (11) "Khatal" means a place where cattle are kept or maintained for the purpose of trade or business in cattle including business in milk or otherwise;
- (12) "Ledge" or "Tank" means a shelf-like projection, supported in any manner except by means of vertical supports within a room itself but not having projection wider than 0.75 meter, to be used only as a storage space;
- (13) "Loft" means in intermediary floor between two floors or a residential space in a pitched roof above normal floor level which is constructed or adopted for storage purpose;
- (14) "Means of access" means a public street or passage open to the sky, and includes a passage, which may not be open to sky in the case of partition of an existing building.
- (15) "Open Space" means an area, forming an integral part of the site, at the ground level open to the sky;
- (16) "Passage" means a means of access, which is not a private street or a 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;
- (17) "Private Street" means any street, road, land, alley or passage which provides access to four or more plots and which is not a public street, and includes footway and drains attached to any street and also includes all lands up to the property line of the plots abutting the private street but does not include a passage provided in effecting the partition of any masonry building amongst joint owners where such passage is less than 2.50 meters wide;
- (18) "Public Street" means any street, road, lane, gully, alley, passage, pathway, square, whether a thorough fare are not, over which the public have a right of way, and includes:
 - (a) The road way over any public bridge or causeway,
 - (b) The foot way attached to any such street, public bridge or cause way, or
 - (c) The drains attached to any such street, public bridge or cause way and where there is not drain attached to any such street, shall, unless the contrary is shown, be deemed to include to any such street alignment has been fixed and the area within such alignment has been required by the Gram Panchayat and the alignment has been demarcated up to such alignment.
- (19) **"Use Group" or "Occupancy" means the purpose for which a building or apart 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(etail), mercantile (wholesale), industrial, storage and hazardous, 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 the building it shall be classified as a building of "mixed use" or occupancy. The classification of buildings based on principal occupancy, shall be as follows:

- (i) "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 or dining facility or both. Such building shall include one or two multi-family dwellings, lodging or roomed houses, hostels, dormitories, apartment houses and flats, and private garages.
- (ii) Residential Building Built By Contractors:
Residential Building Constructed by Developer or Building Contractors under Agreement for letting out tenants through the Developer or Contractors.
- (iii) "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;
- (iv) "Institutional Building" that is to say any building, nursing home or part there of ordinary providing leaping accommodation for occupants and used principally for the purposes of medical or other treatment or care or persons suffering from physical or mental illness, disease or infirmity, care of infants, convalescents raged persons and for penal or correctional detention in which the liberty or the mated is restricted, such building shall include hospitals, clinics, dispensaries, sanatoria, custodial institutions and penal institutions like jails, prisons, mental hospitals and reformatories;
- (v) "Assembly Building" that is to say any building or part there of where groups of people congregate or gather for amusement or recreation or for costal, religious, patriotic, civil, travel, sports, and similar other purposes as the principal use. Such building shall include Theaters, Motion Picture Houses, Drive-in-Theatres, City Halls, Town Halls, Auditoriums, Exhibition Halls, Museums, Skating Rinks, Gymnasiums, Restaurants, Eating Houses, Bars, Hotels, Boarding Houses, Places of Worship, Dance Halls, Club Rooms, Gymkhanas, Passenger Station and Terminals of Air, Surface and other public transport at ion services, recreate on piers and stadiums;
- (vi) "Business Building" means and includes Commercial Buildings, that is to say any building or part there of 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 is 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;
- (vii) "Mercantile Building (Retail)" that is to say any building or part there of used principally as shops, stores or markets for display or retail sale of merchandise or for office and storage of service facilities incidental thereto;
- (viii) "Mercantile Building (Wholesale)" that is to say any building or part thereof used principally as shop, store or market for display or sale of merchandise on wholesale basis, or for office storage or service facilities thereto, and shall include establishments, wholly or partially engaged in wholesale trade, manufacturers wholesale warehouses and establishments engaged in truck transport (including truck transport booking agencies);

- (ix) "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, power plants, smoke houses, refineries, gas plants, mills, dairies, factories and workshops ;
- (x) "Storage Building" that is to say any 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 involve highly corrosive, toxic or noxious alkalis, acids or other liquids or chemicals producing flames, fumes, explosion or mixtures of dust or which result in the division of matter into the particles subject to spontaneous ignition;
- (xi) "Structure relating to electric High Tension Tower, Telecom Tower, Brick Field, Chimney etc. "that is to say any structure or part thereof used or constructed on the land of public property, private property, even on the roof of any public building, private building, etc. and shall come under the preview of the technical approval of this Bye-Law.
- (20) "width of a street" means the whole extent of space, including the footpath, within the boundaries of the street as specified in the survey map or other records of a Gram Panchayat.
- (21) Other words and expressions used in these Bye-Laws shall have the meanings respectively assigned to them in the Act.
- (22) Competent/Sanctioning Authority means Prodhan of respective Gram Panchayat or his authorised representative/Zilla Parishad/BDA, as the case may be.
- (23) Technical authority means District Engineer, Executive Engineer or any other Engineer authorised by the Zilla Parishad.

3. Means of Access:

- (1) Every plot of land proposed or intended to be developed shall a but on a means of access.
- (2) The width of the means of access abutting a plot of land shall regulate the maximum permissible height of a building on such plot of land in the manner laid down in Bye-Law 6.
- (3) No new building shall be allowed to be constructed on a plot of land unless such plot of land abuts on a means of access which is not less than 2.4 meters in width at any part;

Provided that:

- (a) In the case of residential building, with other occupancy or occupancies, if any, on less than 10% of the total covered area of the building, the width of such means of access shall not be less than 2.40 meters at any part ;
- (b) 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 means of access shall not be less than 7.00 meters at any part;
- (c) In the case of an educational building, with other occupancy or occupancies not being residential occupancy, the width of such means of access shall not be less than 7.00 meters at any part.
- (d) 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 means of access shall not be 7.00 meters at any part;
- (e) In the case of a residential building not exceeding the height of 3.75 meters and not likely to cause adverse effects on the environment, the width of such mean so faces shall not less than 1. 20 meter at any part.
- (4) No building, which, in full or in part, is put to assembly occupancy as a Theater Hall, a Motion Picture House, City Hall, Dance Hall, Skating Rink, Auditorium, Exhibition Hall or for a similar other purpose, shall be allowed to be constructed on a plot of land which is located within a distance of 50 meters from the junction of two streets each having a width of 15.00 meters or more.

4. Ground Coverage of buildings:

- (1) The maximum permissible ground coverage for a plot of land containing a single building shall depend on the use of the building as indicated in the table below:

Sl. No.	Occupancy	Maximum Percentage of Ground Coverage	
		Plot Size upto 200 Sq. meter	Plot Size above 500 Sq. meter
1	Residential	65%	50%
2	Educational	65%	50%
3	Institutional	40%	40%
4	Assembly	40%	40%
5	Mercantile(Retails)	40%	40%
6	Mercantile(Wholesale)	40%	40%
7	Industrial	40%	40%
8	Storage	40%	40%
9	Hazardous	40%	40%
10	Business	40%	40%
11	Mixed	40%	40%

For any other size of the plot in between plot size of 200 sq. meter the percentage coverage shall be calculate by direct interpolation.

- (2) When a plot of land contains more than one building, irrespective of Occupancy mentioned above the maximum permissible ground coverage for the buildings shall be 40%.

5. Heights of Buildings:

1. The height of a buildings hall mean the vertical distance measured from the average level of the center line of the street or passage on which the plot of land abuts to the highest point of the building, whether with a flat roofer slope droop.
2. The height of the following appurtenant structures shall not be included in the compilation of the height of a building:
 - a. (i) Stair cover up to a height of 2.40 meters,
 - (ii) Lift Machine Rooms as specified in the latest diction of the National Building Code,
 - (iii) Roof tanks and their supports, the aggregate height not exceeding 2.40 meters,
 - (iv) Chimneys,
 - (v) Parapet walls not exceeding 1.50 meters in height,
 - (vi) Ventilating, air-conditioning and other service equipment's of similar nature.
 - b. The provision of clause (a) shall not, however, apply in the aggregate area covered by the
structures mentioned therein exceeds one third of the area of the roof upon which these are erected.
3. The maximum permissible height of a building on a plot of land shall be as indicated in the table below:

Table (Heights of buildings)

SI. No.	Width of means of access in meters	Maximum permissible height in meters
(a)	2.40 to 3.50	8.50(G+II)
(b)	Above 3.50 to 7.00	11.50(G+III)
(c)	Above 7.00 to 10.00	15.000(G+IV)
(d)	Above 10>	Above 15.00

4. For any building, to be erected or re-erected or added to, in vicinity of an aerodrome, or which may affect the functioning of any microwave system for tele-communication purpose, the height of such building shall be governed by such Bye- Laws or directions as may be made or issued in this behalf by the Government of India or by any other appropriate authority.

6. Open Spaces for Buildings:

- (1) Generally:
 - (a) Every room intended for human habitation shall a but on an 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 of land 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 0.75 meters width.

- (b) Every building shall have exterior open spaces comprising front open space, rear open space and side open spaces. The minimum width prescribed for front open space and side open spaces shall be provided along the entire front, rear and side open spaces shall be provided along the entire front, rear and side faces of the building respectively. For this purpose, the front of the building shall be that face of the building, which faces 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 when a plot of land contains more than one building. In the case of a corner plot of land located at the crossing or more than one street of 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) No building shall at any time be erected on any open space prescribed in these Bye-Laws for a building and from part of the site thereof, nor shall such open space be taken in to account in determining the area or any open space required under these Bye -Laws for any other building.
- (d) If the front open space is 3.00 meters or more, 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. meters and the height of such "Goomti" shall not exceed 3.00 meters. The covered area of the "Gate Goomti" shall not be included in the calculation of Ground Coverage.
- (e) For the purpose of maintaining distance from overhead electric lines, no building, or verandah, 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 Bye -Laws framed there under, is less than as specified hereinafter:

		Vertical Clearance	Horizontal Clearance
(i)	Low and medium voltage lines including Service lines	2.5m	1.2m
(ii)	High voltage lines upto & including 11000 volts	3.7m	1.2m
(iii)	High voltage lines above 11000 volts and upto and including 33000 volts	3.7m	2.0m
(iv)	For extra high voltage lines beyond 33000 volts	3.7 m plus 0.3 m for every additional 33000 volts or parts thereof.	2.0 m plus 0.3 m for every additional 33000 volts or parts thereof.

Note: "m" indicates meter.

- (2) The minimum front open space shall be as follows:
- (f) Every residential or educational building shall have a minimum front open space at ground level of 1.20 meters.
- (g) In the cease fires identical or educational building with other occupancy or occupancies covering more than 20% of the floor area at ground floor of the building, the minimum front open space at the ground level shall be 2.00 meters, provided that for such buildings on plots of land with area of 300.00 sq. meters or

less, the minimum width of the front open space shall be 1.20 meters if the part of the building used for other occupancy or occupancies is not more than 30.00 sq. meter at the ground floor;

- (h) Every industrial or storage or mercantile (wholesale) building shall have a minimum front open space at ground level of 5.00 meters;
 - (i) In the case of industrial or storage or mercantile (retail) buildings on plot of land with area less than 300.00 sq. meters, the minimum front open space shall be 1.20 meters;
 - (j) In the case of hazardous buildings, the minimum front open space shall be 10.00 meters;
 - (k) Every institutional of mercantile (retail) or business building shall have a minimum front open space at ground level of 3 .00 meters;
 - (l) Every assembly building shall have a minimum front open space at ground level of 4.00 meters;
 - (m) For fixed use buildings, the minimum front open space shall be the one applicable for that particular occupancy for which the highest value of the minimum front open space is prescribed and
- (3) The minimum rear open space shall be as follows:
- (a) Every building shall have a minimum rear open space at ground level as indicated below :

Sl. No.	Height of building (meters)	Minimum width of rear space (meters)
(a)	Upto 8.50	2.00
(b)	Above 8.50 but not more than 11.50	3.00
(c)	Above 11.50 but not more than 15.000	4.00

- (b) Notwithstanding anything contained in clause (a) the minimum width or rear open space for an industrial or storage of mercantile (wholesale) building shall be 3.50 meters;
 - (c) In the case of hazardous buildings, the minimum rear open space shall be 10.00 meters;
- (4) The minimum side open space shall be as follows:
- (a) Every building shall have minimum side open spaces at ground level as indicated hereinafter :

Height of building (meters)	Minimum width of side open space at ground level (meters)	
	Side-1	Side-2
Upto 8.50	1.20	1.20
Above 8.50 but not more than 11.50	1.20	1.20
Above 11.50 but not more than	1.20	2.50

Height of building (meters)	Minimum width of side open space at ground level (meters)	
	Side-1	Side-2
15.000		

- (b) Notwithstanding anything contained in Clause (a) the minimum distance across the side open space from every new building to an existing building to an existing building with a door or window opening shall be 1.80 meters;
- (c) Notwithstanding anything contained in Clause (a) the minimum width of side open spaces for an industrial or storage or mercantile (wholesale) building shall be 3.50 meters;
- (d) In the case of a building more than 24.00 meters in length on a plot of land abutting any street, a passage along the entire length of the building shall be provided and the minimum width of such passage shall be 4.00 meters;
- (e) In the case of hazardous buildings, the minimum side open space shall be 10.00 meters on either side;
- (5) (a) There shall be an interior open space or court yard if the whole of one side or parts of at least two sides of every room, excepting a bath-room water closet, or store-room does not abut on either the front, or the rear or a side open space.
- (b) The whole of one side of each room which does not so a buton any one of such open spaces shall a buton such a courtyard.
- (c) The minimum width of such courtyard shall be 30 percent of the height of the building or 3 meters, whichever is more.
- (d) In case there is no building other than boundary wall on one or more sides of a courtyard, the minimum width of the court - yard shall be 20 percent of the height of the building or 2.50 meter, whichever is more.
- (6) (a) There shall be a ventilation shaft to which a water-close to bath-room, not abutting to front, rear, side or interior open space, shall open.
- (b) Such ventilation shaft shall be of the dimensions as indicated below:

Sl. No.	Height of building (meters)	Minimum area of ventilation shaft (sq. meters)	Minimum width of shaft (meters)
(a)	Upto 11.50	1.50	1.00
(b)	Above 11.50 but not more than 15.000	3.00	1.20

7. Parking Within A Plot of Land:

- (1) Generally:
 - (a) The minimum size of a car parking space shall be 2.50 meters x 5.00 meters and that for a truck or bus parking space shall be 3.75 meters x 10.00 meters. These spaces do not include the area of circulation, internal space, aisles and drive-ways;
 - (b) The minimum width of an internal circulation road shall be 3.50 meters for cars and 5.00 meters for trucks and buses;
 - (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 for residential building;

- (d) The open spaces within the plot of land may be allowed to be utilized for car parking spaces provided that the minimum open space required to be provided for under Bye-Laws 7 shall be kept free from parking;
 - (e) For a building with different occupations, the number of parking spaces shall be worked out on the basis of each of the occupancies separately and such numbers shall be added to determine the total number of parking spaces required for the building;
 - (f) In case of a plot of land containing more than one building, parking requirement shall be calculated for each building separately on the basis of the use of each building;
 - (g) In calculating the areas of different tenements or different occupancies in the same occupancy in a building the areas of common spaces of any floor, shall be distributed proportionately amongst the different units or tenements;
 - (h) For plots with means of access of less than 3.50 meters in width, car parking space need not be provided.
- (2) For any use group of occupancy of building car parking shall be subject to the following:
- (a) No car parking space shall be necessary for a total floor area of less than 100.00 sq. meters.
 - (b) For a total floor area of 100.00 sq. meters or more, one car parking space for the first 100.00 sq. meters and one car parking space for every additional 100.00 sq. meters.
 - (i) For a building with education occupancy having a total floor area of more than 1000 sq. meters, one bus parking space for every 1000.00 sq. meters shall be necessary. Such bus parking space required for the building.
 - (ii) For industrial or storage or hazardous occupancies, no car or truck parking space shall be necessary upto a total floor area of 2000.00 sq. meters. For floor area of the building about 200.00 sq. meters one car parking space for every 200.00 sq. meters and one truck parking space for every 1000.00 sq. meters, subject to a minimum of one truck parking space shall be necessary. The number of required car or truck parking space shall not in any case exceed 50.

8. Development of Plot of Land Containing More Than One Building:

- 1) This Bye - Laws shall apply to a plot of land of area less than 5000 sq. meters. ..
 - a) Every building on a plot of land containing more than one building shall abut on internal road connecting the means of access of the plot of land.
 - b) The minimum width of such internal road shall not be less than 3.50 meters. Where an internal road of 3.50 meters in width is not possible to be provided for due to the existence of a building constructed prior to the enforcement of these bye laws, a building of not more than 3.75 meters in height may be allowed to be constructed, provided that the width of the internal road shall not in any case be less than 1.20 meters.

- c) The maximum permissible height of any building on a plot of land shall be determined according to the width of the means of access on which the plot of land abut as indicated in the table provided in Sub-Bye- Law (3) of Bye- Laws 6.
- d) The maximum length permissible for the internal road shall be indicated in the following table:

Sl. No.	Width of means of access	Maximum length of the means of access	
		For means of access closed at one end	For means of access open to street at both ends
(i)	2.4 meters and above but not more than 7.00 meters	25.00 meters	75.00 meters
(ii)	Above 7.00 meters but not more than 10.00 meters	50.00 meters	150.00 meters
(iii)	Above 10.00 meters	No restriction	No restriction

- e) In case the buildings within a plot of land are not of the same occupancy, and individual building of any particular occupancy shall comply with the provision of these Bye- Laws governing such occupancy.
 - f) Every building shall have minimum external open spaces as prescribed in Bye-Laws 6.
 - g) Parking spaces shall be required to be provided for in accordance with ' Bye-Laws 7.
- (5) In case the plot of land containing more than one building has an area of 500 sq. meters or more, the provisions of Bye-Laws 4 shall be applicable. For that purpose, the plot of land containing more than one building shall be deemed to be the "mother plot" and the land covered by each building together with the external open space as prescribed in Bye- Laws 6 shall be deemed to be an "individual plot".
- 9. Control of Development of Residential Building For Economically Weaker Section And Low Income Group Housing Scheme Approved By Zilla Parishad:**
- (1) Notwithstanding anything contrary contained elsewhere in these Bye - Laws, for plots of land covered by a scheme for Economically Weaker Sections or by a Low Income Group Housing Scheme approved by the Zilla Parishad, the following provisions shall be applicable, provided that the size of the plot is not more than 65.00 sq. meters in area:
- (a) No building shall be allowed on a plot of land, if the width of its means of access is less than 1.20 meters.
 - (b) No building exceeding 8.00 meters in height shall be allowed on a plot of land if the width of its means of access is less than 3.50 meters.
 - (c) The maximum permissible ground coverage shall be 75% of the area of the plot of land.
 - (d) The maximum permissible height of the buildings hall be 10.00 meters.
 - (e) The minimum front open space shall be 0.80 meters.
 - (f) The minimum rear open space shall be 1.00 meters.

(g) No side open space shall be required, provided that the buildings shall be of row - housing type and the maximum aggregate length of such buildings in a row shall be 50.00 meters. After every 50.00 meters of length of such buildings in a row, there shall be an open space of not less than 2.50 meters in width for the entire depth of the building. Such open space shall not be necessary if there is a street or passage at such location the minimum width of which is not less than 2.50 meters.

(h) There shall be no need to provide any car parking space within the plot.

10. Requirements of Building:

In any building, the size of the rooms shall conform to the following provisions:

(1) Habitable Room :

A habitable room shall have a minimum floor area of 6.00 sq. meters and of minimum width of 2.40 meters

For this purpose, any room intended to be used for human habitation, other than a kitchen, bathroom, water closet, store / multipurpose room, shall be deemed to be a habitable room.

(2) Kitchen:

Kitchen shall have a minimum floor area of 3.00 meters and a minimum width of 1.50 meters.

(3) Water-Closet and Bath-Room:

The area of an independent water - closet shall not be less than 0.80 sq. meters with a minimum width of 0.85 meters. The area of an independent bath - room shall not be less than 0.80 sq. meter with a minimum width of 0.85 meter. If water - closet is combined with bath - room, its floor shall not be less than 1.50 sq. meters with a minimum width of 0.90 meter.

(4) Minimum Heights of Rooms:

The height of all habitable and multipurpose rooms shall not be less than 2.60 meters from the surface of the floor to the lowest point of the ceiling (bottom of the slab and/ or beam). In the case of sloping roof, the average height of room for habitable rooms shall not be less than 2.60 meters and the minimum height at eaves shall be 2.10 meters. The height of kitchen, bath, water - closet and corridor / passage shall not be less than 2.10 meters measured from the surface of the floor to the lowest point of the ceiling (bottom of the slab and/ or beam).

11. Existing Buildings:

(1) The provisions of this bye laws shall apply only in the case of an existing building. Existing building, building, for this purpose, shall mean any building which was erected before the date of coming into force of these Bye - Laws in accordance with a building plan sanctioned by an authority competent to sanction such building plan under any law for the time being in force.

(2) In the case of existing building:

(a) Excepting storage building, where the open spaces required have not been left, and addition in the number of stories, if otherwise permissible, may be allowed with a setback provided such building continuous with the same occupancy and it is structurally safe;

Provided that no front set back may be necessary upto a height of eight meters for adding only one floor over an existing single storied residential building.

- (b) The extent of the set back from the property boundary shall be such as to make the addition to the building in conformity with the provisions of Bye-Laws 5 & 6;
- (c) If any car parking space is required to be provided under these Bye-Laws and no such car parking space can be provided in such existing building, the floor area allowable under the provisions of these Bye-Laws 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. meters:

- (a) The height of the building shall conform to the provisions of Bye-Laws 6 and in no case the height shall exceed 15.000 meters after any addition to the number of stories;
- (b) The addition to an existing building with residential occupancy shall not exceed 200.00 sq. meter in total floor area;
- (c) The addition to an existing building educational occupancy shall not exceed the total floor area of the existing building;
- (d) The additional to an existing building with other occupancies including mixed uses but excepting storage use shall not exceed 100.00 sq. meters in total floor area.

12. Control of Development of Parks, Public open Spaces, Ponds, Wetlands, Canals, River & other Water Front, Brickfields and Industrial Land & Building:

- (1) For the purpose of these bye laws, public open space shall mean any open space which is open to the use of enjoyment of the public, whether it is actually used or enjoyed by the public or not and whether the entry is required by any charge or not.
- (2) (a) Generally, parks and public open spaces shall be classified for the purpose of these bye laws into three group as below:
 - (i) the parks and public open spaces with area upto 1500.00 sq. meters shall be termed as "small park and public open spaces";
 - (ii) The parks and public open spaces with area above 1500.00 sq. meters but upto 7000.00 sq. meters shall be termed as "medium parks and public open spaces";
 - (iii) The parks and public open spaces with area more than 7000.00 sq. meters 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 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 building shall not exceed 4.00 meters and that total area covered by such buildings shall not exceed 10% of the total area of the parks and public open space sin the case of small 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 purpose 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 any traffic problem.
- (3) No Canal, pond, water body or wet land shall be filled up:

Provided that, having regard to the drainage, ecology and environment, Pisciculture, firefighting or any other material consideration the Zilla Parishad Authority may, for reasons to be recorded in writing and with the previous approval of the State Government, allow any canal, pond, water body, or wet land to be filled up.
- (4) In the case of a building in the zone of a river or other waterfront:
 - (a) The maximum permissible height of such building shall be 5.00 meters. In the case of a building on stilts, the maximum permissible height of building shall be 6.50 meters including the stilts the minimum height of which shall be 3.00 meters. 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 meters long alongside a river or other water front. There shall be a clear linear gap of 50.00 meters between two buildings alongside the river and other water front;
 - (c) The maximum permissible floor area of such building shall be 200.00 sq. meters.
- (5) Brick Field:
 - (a) Existing brick fields may be allowed to operate within their present boundaries;
 - (b) After the operation of any such brickfield is discontinued or abandoned, the excavated portions of such a brickfield shall not be filled up but shall have to be maintained as water bodies, where Pisciculture or any type of recreation activity may be allowed. The unexcavated portions of such a brickfield may be used for construction of structures for recreational purposes, provided that such structures shall conform to the provision of Sub -Rule (4) above. Sub-Division shall not be allowed if the mother plot abuts a means of access having a width of less than 10.00 meters;
- (6) Development of industrial Land & Building or Structure:
 - (a) No land used by or for an existing industry shall be used by as for any purpose other than the purpose of such industry.
 - (b) No land under use by or for an industry since identified as sick, closed or otherwise non-functional and considered to be surplus shall be developed for any purpose other than the revival of the industry so identified as sick, closed or otherwise non-functional.
 - (c) The Purba Bardhaman Zilla Parishad Authority having regard to the environmental inspect on the locality and any other material consideration, may, however, for reasons

recorded in writing and with the previous approval of the State Government allow the development including change of use of any land mentioned in Clause(b) above for any purpose other than that mentioned in the said clause.

(d) Drainage System:

- (i) The roof of the building shall be so constructed as to permit effective drainage of rain water there from by means of rain water pipes which are to be fixed on the outside walls.
- (ii) Accumulated rain water and other surface water will have to be led to main storm water sewer line through pucca surface drains, gulley pits, master traps etc.

(e) Chimney :

- (i) Chimneys, where provided shall conform to the requirements of IS : 1645 -1960, Indian Standard Code of Practice for Fire Safety of Buildings (General), Chimneys etc.
- (ii) Notwithstanding anything contained in (i) above, Chimneys will be built at least 0.90 meter above flat roof and the top of the adjacent parapet wall. In case of sloping roofs the Chimney top shall not be less than 0.60 meter above the ridge of the roof through which the Chimney penetrates.
- (iii) Notwithstanding anything contained in (i) & (ii) above, the height of the Chimney should also conform to the standard prescribed by the West Bengal Pollution Control Board.

(f) Treatment of sewage:

- (i) Septic Tanks and soak pits wherever necessary will have to be designed as per standard norms.
- (ii) No effluent from the Septic Tanks will be allowed to be discharged directly to underground storm water system, any water body or in any water course.
- (iii) No sanitary waste water should be discharged into any water body without proper treatment to bring down the polluting parameters within the limit prescribed by the West Bengal Pollution Control Board.

- (1) Treatment of Industrial Effluent: Each and every individual entrepreneur will have to arrange for treatment of industrial effluent within the said plot.

- (2) No untreated effluent will be allowed to be discharged to any water body. The effluent quantity after treatment should be of such standard so as to conform to the standards by West Bengal Pollution Control Board.

(g) Pollution Control measures:

Clearance certificate from the State Pollution Control Board, Government of West Bengal is required to be obtained prior to commissioning of any industrial unit.

(h) Fire escapes:

- (i) All fire escapes shall be directly connected to the ground.
- (ii) Entrancetofireescapesshallbeseparateandremotefromtheinternalstaircase.
- (iii) Fire escapes shall be constructed of non-combustible materials.

(1) Fire safety requirement:

Buildings shall be so planned, designed and constructed as to ensure fire safety and this shall

be done in accordance with Part- IV "Fire Protection" of National Building Code of India, 1970 corrected up to date. Buildings of Industrial, storage have to be cleared by the local fire brigade authority by whatever name it is called.

13. Development of Building Site:

No plot shall be used as a site for erection or re-erection of any building:

- (1) If the level of the plot is lower than the level of the crown of the nearest public street, and
- (2) Unless the land is capable of being well-drained by means of drainage facilities leading to existing public drains or drainage channels.
- (3) Provided that no piece of the land shall be approved for erection of a building and no building plan shall be sanctioned unless a certificate from competent authority as defined in Clause (d) of Section 2 of the urban land (Ceiling and Regulation) Act, 1976 to the effect that there is no objection to transfer of the land under Sub -Section 3 of Section 5 of the said act, has been submitted along with the application for sanction of building plan.

14. Procedure For Obtaining Permission for Carrying Out Development:

- (1) Any person/body intending to carry out any development or constructing any structure under Zilla Parishad, shall have to make an application form as specified at Annexure - "A" in writing to the Parishad / Gram Panchayat. The application form shall be available at the office of the Parishad / concerned Gram Panchayat on payment. The cost of Application Form shall be as fixed by the Parishad from time to time. Applications not in prescribed format, will not be entertained. The rate of Application Form is fixed at Rs. 50/- in addition to this Bye-Law at Rs. 300/-.
- (2) The following documents should be furnished with the duly filled up application :
 - (a) Deed of Purchase / Record of rights indicating details of classification and ownership of the land proposed to be developed
 - (b) Mutation Certificate in favour of applicant(s).
 - (c) Affidavit indicating devolution of ownership from the original purchaser to the present applicant (s).
 - (d) Four copies of the KEY(Location) Plan drawn to a scale of not less than 1:4000 and showing the boundary of the location of the site with respect to neighborhood landmarks and public streets.
 - (e) Four copies of the Site Plan drawn to a scale of 1:600 which shall show:
 - (i) The boundaries, giving dimensions of the site and of any contiguous land belonging to the applicant (s) thereat:
 - (ii) The position of the site in relation of neighboring street or streets within a distance of twenty five meters of the site, and if there is none, the name and distance of the nearest existing street,
 - (iii) The means of access from the street, or passage, to the building in respect of which sanction is sought and to other existing buildings (if any) and other buildings which the applicant (s) intends to erect upon his contiguous land, if any,
 - (iv) All existing buildings or structures on, over, or under the site or projecting beyond it,

- (v) The position of the building which the applicant (s) intends to erect or alter in relation to :
 - (1) The boundaries of this site,
 - (2) Any existing building or structure upon his contiguous land (with number of storey and height) or any building or structure which, the applicant intends to construct upon such land,
 - (vi) The open spaces to be provided for the building under these Bye - Laws.
 - (vii) The position of the electric line if it falls within distance of 7 meters from any part of the plot.
 - (viii) Existing structure if demolished for alteration or renovation with hatch line in yellow colour.
 - (ix) The opinion of the concerned Sanctioning Authority viz. Pradhan, Developing Authority as the case may be.
 - (f) Four copies each of Building Plans, Evaluations and Sectional Elevations drawn to a scale of 1 :100 shall include and show:
 - (i) Floor plans together with the covered area of each floor, including in the case of the ground floor, the ground cover age in relation to the area of the plot, means of access and open spaces, floor plan of any accessory building or buildings and basement plan, if any clearly the sizes and spacing of all supporting members and sizes of rooms, and details of foundation,
 - (ii) Terrace plan indicating the drainage and the slope of the room,
 - (iii) Schedules of doors, windows and ventilators,
 - (iv) Details of parking layout plan, if any, along with loading and unloading spaces,
 - (v) A description of the proposed use occupancy of each part of the building,
 - (vi) Sectional drawings indicating clearly the sizes of footings, thickness of basement walls, wall construction, sizes and spacing framing members, floor slabs and roof slab with their materials, height of building, rooms and parapet and at least one section through each of the staircases, and toilets :

Provided that the structural plan giving details of all structural elements and materials used, with structural calculations may be submitted separately,
 - (vii) The direction of the north point relative to the plans.
 - (g) Soil Test Report & Structural Design with Calculation Sheet from a competent Structural Engineer concerned for building more than G+2
 - (h) Structural Stability Certificate from competent Licensed Technical Personnel for building more than height of G +2
- On receipt of such application duly made along with the required documents, the Parishad may after causing further enquiry and asking the applicant to produce any further document, if it deemed fit, may be returned with recommendation after receiving assessed fees, to the concerned Gram Panchayat for:
- (i) Granting permission unconditionally.

(ii) Granting permission subject to such conditions as sit may deem fit.

(iii) Refuse permission.

If the permission is granted subject to conditions or is refused, the grounds of imposing such condition of such refusal shall be recorded in the order and the order shall be communicated to the applicant.

In case of permission two sets of approved copy of building plan along with the site plan should be returned to the applicant by the Gram Panchayat Authority. The date within which erection or construction should be completed shall be communicated by the owner of building plan to the Parishad / Gram Panchayat within 15 days of receipt of the approved plan.

The permission so granted shall remain in force as specified in the Section 48 of the Act.

15. Engagement of Technical Personnel:

Every person / body intending to erect, re-erect, addition or alteration any building, structure etc. shall subject to the provision of this act and rules, engage Technical Personnel in the following manner:

a) For all building structure etc. below 8.50 meter in height	A Technical Personal not below the rank of Licenced Building Surveyor having due empanelment of Purba Bardhaman Zilla Parishad for planning, design and supervision for construction of building, structure including foundation.
b) For all building, structure etc. 8.50 meter and above m height	A Licenced Building Surveyor and a Structural Engineer or an Architect duly empanelled by Purba Bardhaman Zilla Parishad for planning, design and construction of building, structure including foundation.

In case of death, resignation or removal of an Architect, a Structural Engineer or a Licensed Building Surveyor, a fresh engagement of Licensed Building Surveyor/ Structural Engineer/ Architect as the case may be and shall be notified by the technical authority. No work shall be carried out in the intervening period, if any.

The validity of engagement made under this rule shall lapse with the lapse of validity of licence given under the provision of this Bye-Law.

A Structural Engineer, Architect or a Licensed Building Surveyor shall be empanelled in the manner as may be specified by the Zilla Parishad.

16. Approval And Technical Charges:

Sl. No.	Category of Construction	Approval and Technical Fees (in Rupees)
1.	Residential Building above 6.5 meters in height Residential Building Constructed by Developer or Building Contractors under Agreement for letting out tenants through the Developer for /Contractors	150.00 per m ² per floor Rs 250.00 per m ² per floor
2.	Industrial Building	500.00 m ² per floor
3.	Commercial Building under Rule 2 Explanation (v)	450.00 m ² per floor
4.	Educational Building /Institutional Building, other than Government aided under Educational Building	450.00 m ² per floor
5.	Government aided Institutional Building under Educational Building	100.00 m ² per floor

Sl. No.	Category of Construction	Approval and Technical Fees (in Rupees)
6.	Ashram, Orphanage, Missionaries, Research Center for charitable purpose under Institutional Building	100.00 per m ² per floor
7.	Hospital, Nursing Home, Child Home, Old Age Home, Ashram, Research Center for non - charitable purpose under Institutional Building	250.00 per m ² per floor
8.	"Assembly Building" that is to say any building or part thereof where groups of people congregate or gather for amusement or recreation or for postal, religious, patriotic, civil, travel, sports, and similar other purposes as the principal use. Such building shall include Theaters, Motion Picture Houses, Drive - in - Theatres, City Halls, Town Halls, Auditoriums, Exhibition Halls, Museums, Skating Rinks, Gymnasiums, Restaurants, Eating Houses, Bars, Hotels, Boarding Houses, Places of Worship, Dance Halls, Club Rooms, Gymkhanas, Passenger Station and Terminals of Air, Surface and other public transportation services, recreation piers and stadiums	500.00 m ² per floor
9.	"Mercantile Building (Wholesale)" that is to say any building or part thereof used principally as shop, store or market for display or sale of merchandise on wholesale basis, or for office storage or service facilities thereto, and shall include establishments, wholly or partially engaged in wholesale trade, manufacturers wholesale warehouses and establishments engaged in truck transport (including truck transport booking agencies); including Mercantile Building (Retail)	500.00 m ² per floor
10.	"Storage Building" that is to say any 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 involve highly corrosive, toxic or noxious alkalis, acids or other liquids or chemicals producing flames, fumes, explosion or mixtures of dust or which result in the division of matter into the particles subject to spontaneous ignition	500.00 m ² per floor
11.	Structure relating to electric High Tension Tower, Telecom Tower, Brick Field, Chimney etc. under Rule 2 Explanation (x)	Rs. 3.00 per cubic meter
12.	NOC for Construction of Boundary wall (Land used for commercial purpose) Note- i) Natural surface/sub surface floor of water is not affected . ii) Height of boundary wall should be as per government Rule.	Rs. 20.00 per sq. meter
13.	NOC for Laying of pipe line for rural road (Gas and cable line) Note- i) Reference Memo no-674-W(c)-1M -7513 dated- 22/09/2013 from Special Secretary, PWD, Government of West Bengal ii) 575- W(c)-1M -7513 dated- 29/08/2013 of Principal Secretary, PWD , Government of West Bengal	Rs. 15000 per crossing
14.	Hiring charge of storage godown	Rs. 0.56 per Cubic fit per month
15.	Vetting Charge for estimate	0.50 % of vetted cost
16.	Distance Certificate	Rs. 300/- per Unit
17.	Transfer fees of shop for Ownership	Rs. 5000 per sq meter
18.	Rent of hire Charges of Road Roller	Rs. 750/- P/D Rs. 15000/- P/M

Zilla Parishad may consider to reduce the approval and technical fees as a very special case to the tune of maximum 50% of the rate on receipt of specific appeal from the applicant on public interest.

17. Cases To Be Referred To The Government of West Bengal. (P & R.D. Deptt.) For Concurrence:

- (a) For development of any land located within 500 meters on either side of the center line of the National Highways, or any other road or street declared as Expressway, except the cases for construction of buildings upto G+1 Level.
- (b) For construction of any structure exceeding a height of 15.00 meters.

18. Restrictions:

- (a) No dry latrine shall be permitted within the building premises.
- (b) No permission for sanction of building plan for residential purpose will be given below the area of land 100 sq. meter.
- (c) The provisions of the West Bengal Fire Service Act, 1950 shall have to be followed.

19. Non Requirement of Permission:

No permission would be required in the following cases:

- (a) For erection of any new thatched structure, tin shed or tile shed, without Brick wall covering an area not exceeding eighteen square meters and such structure or shed does not cover 3/4th of the total area of the land including appurtenant land.
- (b) For repairing of an existing structure or building unless any structural change involved or such repair brings any change in existing covered area or such repair includes any addition of a projection from the existing structure or building at ground level or upper level.
- (c) For erection of a boundary wall upto height of 2 meters unless it is made of brick or cement concrete and unless the bounded area is not kept as vacant land but is used or likely to be used as stockyard or for any commercial or in situational purpose either on open space or by erecting temporary shed.
- (d) For the carrying out by the Central or the State Government or any local authority of any works required for the maintenance or improvement of a highway, road or public street, being works carried out on land within the boundaries of such highway, road or public street.
- (e) For the carrying out by the Central or the State Government or any local authority of any works for the purpose of inspecting, repairing or renewing any drains, sewers, mains, pipes, cables or other apparatus including the breaking open of any street or other land for that purpose.
- (f) For the construction of unmetalled road intended give access to land solely for agricultural purpose.
- (g) For normal use of land which has been used temporarily for other purposes.
- (h) In case of land, normally used for one purpose and occasionally used for any other purpose, for the use of land for that other purpose on occasions.
- (i) For use, for any purpose incidental to the use of a building for human habitation, or any other building or land attached to such building.

20. Deviation of Sanction Plan & Regularisation Thereof:

No deviation from the sanctioned plan shall be made during erection or execution of any work. Notwithstanding anything contained in the rule in anywhere:

- (i) If during erection or execution of work any internal alteration within the sanctioned covered space which does not violate the provision of the Act or these rules, the person referred to in Sub- Rule (1) Rule (14) shall inform Sanctioning Authority and Technical Authority in writing along with a certificate from Architect or the Licensed Building Surveyor as the case may be together with drawings incorporating the deviation stating the nature and purpose of such deviation along with fee @ Rs. 5.00/M2 prior to carrying out such erection.
- (ii) If during the erection or execution any external deviation beyond the sanctioned covered space is intended to be made and which violate the provision of rule but which does not exceed the permissible covered Area, the person referred to Sub-Rule (1) Rule (14) shall submit in accordance with the provision of these rules, a revised plan incorporating the deviations intended to carry out obtaining necessary sanction plan along with fee of @ Rs. 10.00/M2 to Sanctioning Authority and Technical Authority.

21. Inspection:

- (i) The Parishad may cause inspection / enquiry through any competent person for the purpose of ascertaining the facts / documents submitted with the application form for obtaining permission.
- (ii) Any competent person on behalf of the Parishad may inspect the construction site during construction and may issue suitable instruction for carry on the construction as per the sanctioned building plan/ site plan by the Parishad.

22. Penalty:

Stoppage of erection work:

- (i) As soon as the sanctioning authority or the authority who has given technical approval, receive any information that any unauthorized development and construction has been commenced or is being carried out unlawfully or in a manner which is in violation of technical approval, the competent authority may by writing notice to the person carrying such erection, to stop the work before inspection of the competent authority or his representatives. The competent and the technical authority shall have free access inspect any erection or development within the jurisdiction of this Bye- Law.
- (ii) If the written notice for stoppage of erection order or development not carried out by the person carrying such unlawful erection or development for whatsoever manner the authority mentioned in this clause may lodge F. I. R. with the local Police Station where cause of the action arises and may also issue legal notice. Necessary police help in this regard may also be taken by the competent authority.

(iii) Demolition, Alteration or Regularization of Building, Establishment and Construction

On inspection of the competent authority or the technical authority or any other authority so empowered as the case may be, may order for demolition / alteration or to impose penal charges for regularization at the rate of 3 (three) time per sq. m. in respective building cases for the unauthorized portion or as a whole as applicable if the authorities concerned is satisfied to that effect, about the erection of the building or development:

- (i) Has been commenced without obtaining the sanction or permission, technical approval of the authority concerned.
- (ii) Has been commenced or is being carried out with internal or external deviation, which is a breach of any provision of the actor rules.

Violation of Classification of Building:

No building could be used other than for which use of the building was permitted. If any building or a part thereof is used subsequently for different purposes other than the classification under which sanction of the building was accorded under provision of the Bye - Law, the same will be treated as unauthorised construction I development. The competent authority shall stop such violation or shall impose penalty as mentioned in section 22 (1) of this Bye - Law after considering the various aspect namely viz. pollution, health hazard, industrial hazard, absences nature etc. or both.

23. Certified Copy of Sanctioned Plan:

Certified copy of the technical approval of any Building Plan or Sanction Plan will be available on payment of Rs. 1000.00 per set from the Sanctioning Authority or the competent authority as the case may be.

24. Validity On Renewal of Sanction Plan:

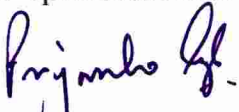
- (a) The sanction plan remains valid for three consecutive years from the date of sanction.
- (b) The validity of sanction plan may be renewed or revalidated for another three years by the sanctioning authority on payment of Rs. 3000/- on the basis of written application.

25. Issue of Completion Plan Certificate:

- (i) The Zilla Parishad may issue Completion Plan Certificate on application, provided that the Building or any Structure constructed under a Plan issued by this Zilla Parishad has been completed according to the plan in all respect. and there is no deviation.
- (ii) The Zilla Parishad may issue such Completion Plan certificate on payment at the rate of 5% of the Total Plan Sanction Fee.

26. Save & Repeal Clause :

- (i) All rule clauses, Bye- Laws relating to the Building Bye-Laws, Purba Bardhaman Zilla Parishad published and issued from time to time and continuing in force immediate before coming into force of this rule are hereby repealed.
- (ii) Notwithstanding contained herewith, such repeal, anything done or any action taken under the Acts. & rules prior to this rule shall be deemed have been validity done or, taking the under the provision Act& Rule.


Executive Officer
Purba Bardhaman Zilla Parishad


Sabhadhipati
Purba Bardhaman Zilla Parishad