As per discussion held with the Hon’ble Chief Minister, Government of West Bengal and as per decision of Mayor-in-Council held on 30-10-2013 for small repairing works, construction of partition walls, construction of a small toilet, Meter room, construction of lifts, re-construction of roof and other small utilities, the applicant or the owner, intends to execute such works, need not obtain ‘No Objection’ Certificate from the local councilors for building related issues.

As per rule 3(2) of Bldg. Rules, 2009, there is enough scope for dealing with such cases. The items which are not covered in rule 3(2) of Bldg. Rules, 2009 may be dealt case to case basis, where there is no complaints from the neighbouring buildings or from other co-sharers of the properties under rule 3(2) read with Section 410 of C.M.C. Act, 1980.

The recommendations of M.I.C. dt. 30.10.2013 are as follows :-

(1) To extend the scope of rule 3(2) read with Section 410 of C.M.C. Act, 1980, for construction of toilets, prayer room, partition walls etc. not more than 25% of the total floor area (including staircase) of residential buildings up to III storiad & 15% up to III storiad, without encroaching the rights of the neighboring buildings and rights of the co-sharers.

(2) To minimize the harassment, wide-spread publication should be done on implication of rule 3(2) of Bldg. Rules, 2009 and scope of Section 410 of C.M.C. Act, 1980

(3) Initimation to Kolkata Police in regard to the above.

(4) All the elected representatives of Kolkata Municipal Corporation may also be informed as above.

(5) Procedure for sanction:-

i. Owner/owners of the bldg. will submit 3 sets of plan showing the existing structure in yellow colour and proposed structure in red colour along with signature of the owner/owners and LBSArchitect. In case of additional proposal at 2nd floor level structural stability certificate has to be submitted by LBS, Class I/E.S.E.

ii. In case of additional proposal at 3rd floor level, structural stability certificate has to be submitted by ESE of any Class.

iii. Minimum 1.2 Mtr. wide open space has to be provided from the boundary of the property.

iv. Application should be accompanied by registered deed of Conveyance or other legal document by which exclusive right of erection be proved.

v. Application should further be accompanied by calculation of floor area of the existing bldg. and the proposed portion of the bldg. along with xerox copy of the tax bill and no outstanding certificate from Assessment Department.

vi. On receipt of the application after causing necessary verification of the record and site inspection by the department, Asstt. Engineer (C) of the concerned Ward will issue permission after taking necessary approval from the concerned Ex. Engineer of the Borough. No fees and charges should be levied for such permission.

vi. A separate registrar should be maintained in each Borough office with proper records of acceptance of such application and disposal of the same.

However, by this process the existing building in the approved plan should not be considered as regularised.

Copy to:
1. P.A. to Hon’ble Mayor
2. P.A. to Municipal Commissioner
3. D.G. (Bldg.)-II
4. Dy. Ch. Engineer (B)/North
5. Dy. Ch. Engineer (B)/South
6. Dy. Ch. Engineer (C)/Bldg./Ex. Engineer of all Borough Offices
7. Dy. Manager (System - Bldg.)
8. A.O.- I - for information and necessary action.
9. Chairman, Indian Institute of Architects, West Bengal Chapter,
10. Secretary, LBS Association.

Director General (Building)
THE KOLKATA MUNICIPAL CORPORATION
BUILDING DEPARTMENT
5, S.N. BANERJEE ROAD,
KOLKATA-700 013.

Dated: the 4th January, 2014

Addendum to Office Circular No 9 of 2013-2014

In reference to office Circular No. 9 of 2013-14 dt. 30.12.2013 following columns under head “Procedure for sanction” to be inserted.

i) Addition and alteration be approved on buildings/premises processed under Sec. 400, sub section (1) of C.M.C. Act, 1980 subject to submission of undertaking from applicant stating that the decision of the Spl. Officer/Hearing officer (Bldg.), Municipal Building Tribunal and any Court of Law will be abided by and if demolition order is passed approval on addition and alteration will be revoked.

ii) Ownership has to be proved and proposals to be signed by all co-owners.

iii) Applicant/s will have to deposit Rs. 100/- for the approved plan.

The above additions should take immediate effect.

Director General (Building)

Copy to:
1) Hon’ble Mayor
2) Municipal Commissioner
3) Director General (B)-II
4) Dy. Ch. Engineer (B)/North
5) Dy. Ch. Engineer (B)/South.
6) All Dy. Ch. Engineer/E.E. (Bldg.) of all Boroughs.
7) Dy. Manager (System), Bldg.
8) A.O.-I for information and necessary action.
9) Chairman, Indian Institute of Architects, West Bengal Chapter.

Director General (Building)