

The Kolkata Municipal Corporation

Central Municipal Office Building
Office of the Municipal Commissioner
5, S.N. Banerjee Road, . Kolkata-700 013

Dated: 19/04/2024

Municipal Commissioner's Circular No.: 07 of 2024-2025

Sub: Posting of Guard at unauthorised construction site

Building Department frequently receives complaints regarding unauthorized constructions in different parts of the city within KMC area. On receipt of such complaints, or during routine inspections if Building Department detects unauthorized construction is taking place, department takes appropriate actions under section 401 & 401A of the KMC Act 1980. Local Police authority is also informed to take action as per provisions of law.

Now section 401 (3) to 401 (5) of the KMC Act 1980 states as follows:

(3) If an order, made by the Municipal Commissioner under section 400 or under sub-section (1) of this section directing any person to stop the erection of any building or the execution of any work, is not complied with, the Municipal Commissioner may take such measures as he deems fit or may require any police officer to remove such person and all his assistants and workmen from the premises within such time as may be specified by the Municipal Commissioner and such police officer shall comply with such requirement.

(4) After the requirement under sub-section (3) has been complied with, the Municipal Commissioner may, if he thinks fit, depute, by a written order, a police officer or an officer or other employees of the Corporation to watch the premises in order to ensure that the erection of the building or the execution of the work is not continued.

(5) Where a police officer or an officer or other employee of the Corporation has been deputed under sub-section (4) to watch the premises, the cost of such deputation to be determined by the Corporation by regulations shall be paid by the person at whose instance such erection or execution is being continued or to whom notice under sub-section (1) has been given and shall be recoverable from such person as an arrear of tax under this Act.

Henceforth, in case of unauthorised constructions where actions have been taken by Building Department under section 401 and/or 401A of the KMC Act 1980, the DG(Building) on approval of Municipal Commissioner will depute an officer or other employees of the Corporation on the specific proposal of the Building Department to watch the premises in order to ensure that the erection of the building or the execution of the work is not continued.

The cost of such deputation as determined by the Building Department shall be paid by the person at whose instance such erection or execution is being continued or to whom notice under sub-section (1) of Section 401 has been given and shall be recoverable from such person as an arrear of tax.

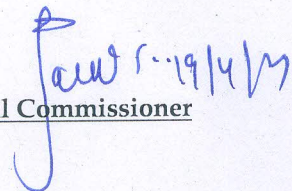
This Circular is issued in public interest and will take immediate effect.

All concerned are requested take necessary action accordingly.


Municipal Commissioner

Copy to:

1. OSD to Hon'ble Mayor
2. PA to Hon'ble Deputy Mayor
3. PA to Hon'ble MMIC (All)
4. Additional Municipal Commissioner
5. DG (Building)
6. C.O.(IT)
7. Dy. Ch. Engineer (B)/ North,
8. Dy. Ch. Engineer (B)/South
9. All Ex. Engineer (C) of Building Department.


Municipal Commissioner