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

GOVERNMENT OF WEST BENGAL
Department of Urban Development & Municipal Affairs
Town & Country Planning Branch
“Nagarayan”
DF-8, Sector-I, Bidhannagar, Kolkata-700 064.

NOTIFICATION

No. 1011–T&CP/C-2/2C-17/2020, Dt. 01.06.2021.—The following draft amendments which the Governor, in exercise of the power conferred by section 159 of the New Town, Kolkata Development Authority Act, 2007 (West Ben. Act XXX of 2007) (hereinafter referred to as the said Act), proposes to make in the New Town Kolkata (Buildings) Rules, 2009 (hereinafter referred to as the said rules), is hereby published, as required by sub-section (1) of section 159 of the said Act, for the information of persons likely to be affected thereby;

The draft will be taken into consideration on or after the expiry of a period of 21 days from the date of publication of this notification in the *Official Gazette*, and any objection or suggestion, in writing, with respect thereto, which may be received by the undersigned within the said period, shall be duly considered:—

Draft amendments

In the said rules,—

(1) after rule 6, *insert* the following rule:—

"6A. As there is no provision of further re-validation of sanction after 10 years from the date of issuance of sanction even if no occupancy certificate / partial occupancy certificate issued earlier; occupancy certificate / partial occupancy certificate shall be issued if the building is completed even after 10 years from the date of sanction, making additional payment of 15% of the original sanction fees.";

(2) in rule 21, after Table-IV, in clause “E)”, for sl. No. ii) of the second proviso, *substitute* the following sl. No.:—

'ii) The rate / fee / charge payable for the additional FAR as detailed in clauses A) to C) shall be decided in terms of "Land price/Lease Premium rates" of WBHIDCO Ltd. For availing additional F.A.R as per clause D) for "Affordable Housing" no such rate/fee/charge shall be payable. All incremental fees / charges collected on account of grant of additional FAR will be payable to WBHIDCO Ltd directly.';

- (3) in rule 22, after sub-rule (9), after sl. No. (c) of the Note, *insert* the following sl. No.:—
- "(d) One tree cover shall be provided for each 80 sq.mt. of plot area as per provisions at Table-IX. However, at least one tree shall be planted in every plot irrespective of use-group and plot size.";
- (4) in rule 23,—
- (a) after the note of sub-rule (2), *omit* the following figure, number and words:—
- "23. Parking space within a plot.—
- (2) Provision for car Parking Space shall be as follows:—";
- (b) after clause (C), *insert* the following clauses:—
- "(D) 2% of the car parking space shall have to be provided for electric vehicle charging facilities. At least one car parking space shall be equipped with electric vehicle charging facilities for all plots irrespective of use-group and plot size.
- (E) For plot size above 10 hectare, 20% of the parking space shall have to be allotted for electric vehicle charging facilities. The said allotted space for electric vehicle charging facilities will be exempted from Floor Area Ratio (FAR) and Ground Coverage calculation provided that, the required mandatory parking space has to be provided as described in rule 23 of the said rule.";
- (5) in rule 25, after sub-rule (3), *insert* the following sub-rules:—
- "(4) One dedicated Fire Fighting Kiosk measuring 200 sq.ft. area, preferably located at ground floor for the following type of buildings:-
1. All stand-alone Residential Buildings above 45 mtr. height.
 2. All Residential Complex having floor area more than 2.0 lac sq.ft.
 3. All educational occupancy having provision of air conditioning, basement parking, laboratory, auditorium of 500 person capacity and market complexes.
 4. Other High Risk Buildings as specified in this Department's notification No. 279/DS/FS/0/C-1/FIA-3/96, dated 08.07.2003, depending upon Building's vulnerability to Fire.
- Such kiosks shall contain the following equipment:—
- (i) 4 nos. 4.5 kg. CO2 extinguisher;
 - (ii) 4 nos. 4.5 kg. ABC type extinguisher;
 - (iii) 2 nos. ceiling hook;
 - (iv) 4 nos. Fire Bucket;
 - (v) 1 no. Lock Cutter;
 - (vi) 2 nos. 14 lb. Hammer;
 - (vii) 2 nos. Crowbar;
 - (viii) 1 no. Insulated Axe;
 - (ix) 2 nos. Stretcher;
 - (X) 2 nos. Smoke Hood;
 - (xi) 2 nos. Torch Light.
- (5) Lightning Arrester on all tall buildings/structures (more than 15.1 Mt. height) in New Town Kolkata shall be installed mandatorily.";
- (6) in rule 28, after sub-rule (3), *insert* the following sub-rules:—
- (4) Rain Water Harvesting.—**
- (a) Roof top RWH system shall form a part of the building and shall have to be included in the building plan, either for direct use of the rain water or for ground water recharging, or both, applicable in case of new building or any new housing complex or expansion of any existing building or housing complex.
- (b) If RWH system is proposed in any existing building or housing complex not covered under above provision, an incentive to the tune 15% reduction in the building plan sanction fee may be allowed.
- (5) Waste water recycling.—** Waste water recycling system shall be established in all buildings including group housing having minimum discharge of 25,000 litres and above per day for flushing of toilets/gardening/car washing etc.

- (6) Reflecting paint or roof top solar panel shall be applied over roof area to minimize the heat absorption for all plots irrespective of use-group and plot size.
- (7) Maximum permissible limit of portable water.–**
- (a) For residential population maximum permissible limit of portable water shall be 120 Lt. per Capita per day
- (b) For floating population (Non-residential population) maximum permissible limit of portable water shall be 40 Lt. per Capita per day."
- (8) Roof Top Gardening –**
- (a) In order to promote eco-friendly measures, all plot owners are encouraged to include roof top garden with solar sheds in the building (shed to be provided as and where applicable). For plot area above 300sq mt., roof top garden shall be mandatory. For plot area less than 300 sqm building sanction fees shall be reduced by 2%. This shall be reimbursed after three years, from the date of occupancy, of successful running of the arrangement. The audit report for the item will be submitted by the owner duly prepared and signed by concerned expert.
- (b) If roof top garden with solar shed (shed to be provided as and where applicable), is included in an existing building(s), an annual reduction of 2% property tax for the said building for three years, may be allowed. On completion of the work, the same needs to be intimated to NKDA and subsequently approved by the Authority. The reduction in property tax shall be reimbursed after three years of successful running of the arrangement, from the date of approval by the Authority, the audit report for the item will be submitted by the owner duly prepared and signed by concerned expert.
- (c) Area to be covered by roof garden, as per uses and plot sizes are given below:–

Building Type	Roof Area to be covered by Roof Top Garden	
Residential	Single dwelling units with Plot size up to 300 sq.m.	40% of roof area
	Single dwelling units with Plot Size above 300 sq.m.	40% of roof area
	Multiple dwelling units with Plot size above 300 sq.m.	25% of roof area
Educational	Plot size up to 1 acre	30% of roof area
	Plot size more than 1 acre	25% of roof area
Other Uses	Plot size up to 1 acre	30% of roof area
	Plot size more than 1 acre	25% of roof area
Storage & Industrial	Any Plot Size	Not required

- (d) Design requirement for the roof top garden are as follows:–
- (i) Sheds to be provided for the garden as and where applicable. Use of solar panels in the shed is preferable.
- (ii) Building Structure need to be designed appropriately to sustain the load of soil to be used for roof garden.
- (iii) Proper water proofing to be done so that there is no problem of seepage / leakage.
- (iv) In case Garden is proposed on roof level with adequate waterproofing, the same should be raised from the terrace level by a maximum of 600 mm.
- (v) In places the roof garden is happening, the parapet height allowable will be 1.25 m from the soil fill of 600 mm.
- (vi) A room of area maximum 5 sq.m. will be allowed free of FSI at roof level for keeping garden equipment."

By Order of the Governor,

*Principal Secretary to the Government of West Bengal.
Department of Urban Development & Municipal Affairs.*