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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
“NAGARAYAN”, DF-8, Sector-I,
Salt Lake City, Kolkata - 700 064

No. 837-UD/O/M/HID/41-3/2011

Dated : 21st March, 2018

NOTIFICATION

In exercise of the powers conferred by Section 159 read with Section 65 of the New Town Kolkata Development Authority Act 2007 (West Bengal Act XXX of 2007) (hereinafter referred to as the said Act), the Governor is hereby pleased to make, after previous publication as required under sub-section (1) of Section 159 of the said Act, the following amendments in the New Town Kolkata (Building) Rules, 2009 (hereinafter referred to as the said rules):—

Amendments

In the said Rules, the amendments made vide Gazette Notification No. 3634-UD/O/M/HID/41-3/2011, dated, the 14th November, 2017 shall be repealed and following provisions shall be inserted:

(1) In Rule 4, after clause (g). the following clause will be inserted:—

“(h) A certificate of the Architect to the effect that all the measures as prescribed in National Building Code (NBC) or as may be notified by the State Government or the Development Authority, from time to time, regarding barrier free and accessibility features, incorporated in the building plan.”;

(2) After Rule 4, the following Rule will be inserted:—

“4A. Provision of re-sanctioning of existing building plan. – (1) Notwithstanding, anything contained in these rules,—

- (a) Where commencement of work has not been done on the basis of any building plan sanctioned under the rules in force before coming into force of these rules, no re-validation shall be allowed and the applicant may be asked to submit new proposal under these rules; and
- (b) Where construction has been done partially and the previous sanction has been obtained in conformity with these rules, re-sanction may be allowed on payment of requisite fees and charges.

- (2) Where construction has been commenced and the previous sanction of the building plan has been obtained in violation of the provisions of these rules, the re-sanction of the building plan shall be made under the provision of this rule on the request of the applicant:

Provided that if the building is already constructed, in part or in full, on the basis of such building plan which has been obtained in violation of the any provision of these rules, shall be seized to exist unless the contradiction is removed and if the contradiction has not been removed, the re-sanction may be processed as per the provisions of respective rule under which the original plan has been sanctioned unless the applicant opts for sanction of building plan under these rules.

- (3) The re-sanction of the existing building plan as mentioned in sub-rules (1) and (2), shall be valid only for 5 (five) years from the date of issuing re-sanction without provision of further re-validation.”

By order of the Governor,

Sd/-

(ONKAR SINGH MEENA)

Secretary to the Government of West Bengal