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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
Urban Development Department
Town & Country Planning Branch
“Nagarayan”
DF-8, Sector-I, Bidhannagar, Kolkata-700 064

No. 2344-T&CP/C-2/3A-06/2014

Dated, Kolkata, the 21st December, 2015.

NOTIFICATION

In exercise of the power conferred by section 138 of the West Bengal Town Country (Planning and Development) Act, 1979, (West Ben. Act XIII of 1979), the Governor is pleased hereby to make, with immediate effect, the following amendments in the West Bengal Town and Country Planning (Development of Township Project) Rules, 2008, published with this department notification No. 2255-T&CP/C-2/1C-3/2005, dated the 27th October, 2008, in the *Kolkata Gazette, Extraordinary*, Part I, dated the 31st October, 2008, as subsequently amended (hereinafter referred to as the said rules):-

Amendments

In the said rules,—

(1) in the said rules 2,—

(a) for clause (c), *substitute* the following clause:—

‘(c) “Applicant” means owner/s of the land within the project area or a consortium of developers (under a developers’ agreement to form a consortium and to make a township larger than the minimum required under the Township Policy of the State Government) each of such developers holding and possessing land within ceiling limit of the West Bengal Land Reforms Act, 1955, in his name in contiguous blocks with a proper title document, mutation certificate and includes the authorised representative of the owner(s) or consortium of developers or anybody having the right to develop the said land in accordance with law, and shall also include the transferee;’;

(b) for clause (e), substitute the following clause:—

‘(e) “Basic Urban Infrastructure Facilities” includes non-residential and job-oriented activities like medical, educational, commercial, industrial, recreational or special uses and other infrastructural facilities like post office, fire fighting station, police station or outpost and other relevant facilities;’;

(c) for clause (h) substitute the following clause:—

‘(h) “Project Area” means the total area of the contiguous parcel of land, covering at least Fifty (50) Acre of land;’;

(2) in rule 3, in sub-rule (I),—

(a) for the words, figures and brackets “thirty (30) metres”, substitute the words, figures and brackets “fifteen (15) metres”;

(b) for the words and letters “Urban Development Plan Formulation and Implementation (UDPFI)”, substitute the words and letters “Urban and Regional Development Plan Formulation and Implementation (URDPFI)”;

(3) in rule 4,—

(a) for the Table, substitute the following Table:—

“

Type of Township	Area for basic Urban Infrastructure Amenities	Area for Basic Urban Infrastructure Facilities	Additional Open Space
Residential	30% of project area	25% of project area	nil
Institutional	30% of project area	25% of project area	nil
Industrial	30% of project area	25% of project area	10% of Project Area
Other Spl. category	30% of project area	25% of project area	nil
Integrated	30% of project area	25% of project area	5% of Project Area

(b) in Note (i), for the words “Health or sport or alike township, principal use shall be covering at least two-third of the Net Project Area”, substitute the words and brackets “medical or educational or industrial or commercial (job-oriented) or Sports or alike township, principal use shall be covering at least one-fourth of the Net Project Area”;

(c) for Note (iii), substitute the following Note:—

“Note (iii).— There shall be provision of minimum 25% of total residential units for economic weaker section category housing in each Township as per the stipulation made by the State Government in this regard from time to time. Such category of housing shall be allotted to eligible families by a Government agency through a transparent process which may include —

(a) the price of such units shall be recovered by the developer concerned from the beneficiaries;

(b) the size, specifications and price of such units shall be laid down by the State Government;

(c) a panel of Chartered Engineers shall be drawn up to certify the quality standards of such units”;

(4) for rule 5, substitute the following rule:—

“(5) Development Control Regulation for a Township Project shall conform to the Land Use and Development Control Plan (LUDCP) of the concerned area. For planning of the Township Project, the total FAR shall be calculated on total area of the Township Project, irrespective of the use of the area reserved for urban infrastructure amenities or urban infrastructure facilities, with the concept of Global Floor Area Ratio. However, in the case of thematic Township the extent of Global FAR will be as laid down in the West Bengal Municipal Building Rules notwithstanding anything contained in LUDCP. The Ground Coverage shall not

exceed 40% of the Project area. The area where no LUDCP exists, the West Bengal Municipal Building Rules shall be followed.”;

(5) in the rule 6, for the words, figures and brackets “two hundred (200)”, *substitute* the word, figures and brackets “eighty (80)”;

(6) in rule 7,—

(a) in sub-rule (1), for the word “in the Form appended to this rule”, *substitute* the word “and the District Magistrate if it falls outside the planning area, in the Form appended to this rule.”;

(b) for clause (b) of sub-rule (2), *substitute* the following clause:—

“(b) Schedule of Plots within the Project Area as per prescribed format in Form II, including—

(i) *Mouza* Map indicating the plots under the Township Area,

(ii) Certified Copy of *Khatian*,

(iii) Plot information of vested land (if any)

(iv) Copy of the agreement of consortium;”;

(c) after sub-rule (3), *insert* the following sub-rule:—

“(4) The concerned Planning or Development Authority shall conduct a physical verification survey of the proposed project area to verify the prior holding of the land.

(5) Each proposal for development of township shall be a major policy decision of the State Government in the Urban Development Department.”;

(7) after rule 8, *insert* the following rule:—

“9. **Resettlement.**— The permission of development of township shall be withdrawn in case of forceful eviction of any existing settlement on the proposed township land as the township shall be made on vacant. Minor resettlement, if any, shall be made on the same project area.

10. **Re-sanction of plan.**— (1) The Development Authority may allow the proposal for re-sanction of building plan on payment of requisite fees;

(2) No additional FAR shall be allowed under any circumstances.

(3) No Permission may be granted for any request for change from non-residential to residential

(8) Application Form appended to these rules shall be renumbered as Form-I and after Form-I, so renumbered, *insert* the following form:—

“FORM II

Form for Land Schedule

[See clause (b) of sub-(2) of rule 7]

[Land schedule for carrying out any “Township Project” under rule 7(2) (b) of the West Bengal Town and Country Planning (Development of Township Project) Rules,2008]

Mouza;

J.L No:

PS:

District:

Khatian No.	Plot No.	Owner	Total Area (in Acre)	Share	Area in Township (in Acre)

By order of the Governor,

DEBASHIS SEN

Principal Secretary to the Government of West Bengal.