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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 AND MUNICIPAL AFFAIRS
(MUNICIPAL AFFAIRS BRANCH)
NAGARAYAN, 6TH FLOOR,
DF-8, SECTOR-I, SALT LAKE, KOLKATA- 700 064

NOTIFICATION

No. 544/UDMA-15011(24)/8/2023-LS-MA SEC, dated, Kolkata, the 26th July, 2023.— The following draft amendments which the Governor, in exercise of the power conferred by section 417, read with section 198 of the West Bengal Municipal Act, 1993 (West Ben. Act XXII of 1993) (hereinafter referred to as the said Act), proposes to make in the West Bengal Municipal (Building) Rules, 2007, published under notification No. 67/MA/O/C-4/3R-8/2002, dated the 14th day of February, 2007 (hereinafter referred to as the said rules), is hereby published, as required by sub-section (1) of section 417 of the said Act, for the information of persons likely to be affected thereby.

The draft will be taken into consideration after thirty days on and from the date of its publication in the Official Gazette and any objection or suggestion with respect thereto which may be received by the undersigned within the period as aforesaid shall be duly considered:—

Draft amendments

In the said rules,—

(1) after rule 20, insert the following rule,—

“20A. Appointment of Committee for sanctioning building plan.—

- (1) The Board of Councillors shall, in accordance with the provision of section 204, appoint a Committee with the Chairman of the Municipality as its Chairman and the Executive Officer of the Municipality as its Convener.
- (2) The Committee, in addition to the Chairman and the Convener, shall consist of the following members:
 - (a) the Vice Chairman;
 - (b) one Councillor nominated by the Board of Councillors;

- (c) the Finance Officer of the Municipality; and
 - (d) two engineers of the Municipality nominated by the Board of Councillors.
- (3) A member nominated to the Committee shall hold office till an order withdrawing his nomination or for nomination of a successor is received by the Chairman of the Committee from the Board of Councillors or till he remains in office, whichever is earlier.
- (4) No act or proceeding of the Committee shall be called in question on the ground of the existence of any vacancy in, or any defect in the appointment of the Committee.”;

(2) in rule 21,—

(i) in sub-rule (1),—

(a) for the words “sixty days”, substitute the words “fifteen days”;

(b) for the words “the Board of Councillors” wherever they occur substitute the words “the Committee referred to in rule 20A”;

(ii) in sub-rule (1A), for the words “the Board of Councillors”, substitute the words “the Committee referred to in rule 20A”;

(3) for rule 23, substitute the following rule:—

“23. Duration and expiry of sanction of building plan.— (1) A sanction to erect a building accorded under these rules shall be valid for minimum period of three years from the date on which it is sanctioned and may be renewed thereafter for a further period of two years on production of the previously sanctioned building plan or shall be valid for minimum period of five years, as the case may be, on payment of such fee as may be determined by the Chairman-in-Council on the basis of rule 24.

Provided that building plan may be revalidated for such further period(s) that the original period of validity and period(s) of renewal or renewals, as the case may be, do not exceed ten years from the date on which it is sanctioned, in case a building has been partly completed and occupancy certificate in terms of rule 34A has been issued as well as on production of the previous sanctioned building plan and the completion certificate and on receipt of fees subject to minimum of 25% and maximum of 50% of sanction for construction of building fee required to be paid as to be determined by the municipality from time to time.

(2) The erection of a building or work shall be completed within the period specified by the Committee referred to in rule 20A under section 211.”;

(4) for rule 28, substitute the following rule:—

“28. Duties of the applicant after commencement of the work.— (1) With commencement of the work up to the date of issue of occupancy certificate the applicant shall keep at the site, copies of one set of plans and specifications and any provisions thereof as returned to him by the Municipal Authority along with the building permit and shall also exhibit at a conspicuous place, the number of the premises and the name of the Architect or Licensed Building Surveyor, as the case may be, the name of the owner and number and date of the building permit.

(2) Where any tests in respect of any material and/or works are made to ensure conformity with the requirements of these rules, copies of reports and records of the tests shall also be kept for inspection at the site.”

By order of the Governor,

S. DAS

Special Secretary to the Government of West Bengal