

**Government of West Bengal**  
**Department of Urban Development & Municipal Affairs**  
**“NAGARAYAN”, 6<sup>th</sup> Floor,**  
**DF-8, Sector-I, Salt Lake, Kolkata - 700 064**

No. 859/MA/O/C-4/1M-31/2015 (Pt-IV)

Dated, 7<sup>th</sup> October, 2020

**ORDER**

**Sub: Guidelines for issuance of permission by the Urban Local Bodies for storage/stacking of construction materials including rubbish and excavated earth on the public road or pavement during the construction of building(s).**

WHEREAS, Rule 25 of the West Bengal Municipal (Building) Rules, 2007 provides that prior permission from the Urban Local Bodies of the State, which are either guided by the West Bengal Municipal Act, 1993 or the West Bengal Municipal Corporation Act, 2006 shall have to be taken by every applicant seeking storage / stacking of the construction materials including rubbish and excavated earth on the public road or pavement, during construction of building(s);

AND WHEREAS, obtaining prior permission from any Urban Local Body for such storage/stacking of the construction materials including rubbish and excavated earth on the public road or pavement , during construction of building(s) is mandatory for all plots of such construction having land area up to 2000 sq. meter;

AND WHEREAS, Rule 25 of the West Bengal Municipal (Building) Rules, 2007 also provides that a Stacking Fee, shall be levied on the applicant seeking permission for storage/stacking of the construction materials including rubbish and excavated earth on the public road or pavement, and the stacking fee shall be calculated on the basis of the total area sanctioned in the Building Plan including basement, covered parking space and mezzanine floor;

AND WHEREAS, the said rule also provides that any Urban Local Body may specify different rates for different categories of roads subject to minimum 10% and maximum 50% of the building sanction fee per month;

AND WHEREAS, all the public roads and pavement within the area of any Urban Local Body are under the control of the concerned Urban Local Body with the responsibility of maintaining and regulating of the same;

AND WHEREAS, it is expedient to frame a uniform guideline for the Urban Local Bodies of the State which are either guided by the West Bengal Municipal Act, 1993 or the West Bengal Municipal Corporation Act, 2006, for issuing permission for storage/stacking of the construction material including rubbish and excavated earth on the public road or pavement, after necessary verification of documents/drawing, spot inspection, technical verification, deposit of fees etc.,

AND WHEREAS, the State Government is under compulsion to create and develop one Web Portal for the online submission of the application for obtaining permission of storage/construction material including rubbish excavated earth on the public road/pavement, online deposit of requisite fee, online tracking of the status of the application, online uploading of the permission letter of the Urban Local Body etc., to implement the Business Reforms at the District level under the Ease of Doing Business (EoDB) as per the instruction of the Department of Expenditure, Govt. of India;

NOW, THEREFORE, the Government in the Urban Development & Municipal Affairs Department lays down the following guidelines for guidance of the Urban Local Bodies of the State which are either guided by the West Bengal Municipal Act,1993 or the West Bengal Municipal Corporation Act,2006 for issuing permission of storage/stacking of the construction material including rubbish excavated earth on the public road/pavement, and also for the sake of uniformity, transparency in the process and time bound delivery of the services :

- 1) To obtain the permission from the respective Urban Local Body , the applicant desirous of construction of a building on a plot having land area up to 2000sq. Meters, shall have to apply to the appropriate authority in the specific format (Annexure-A). The applicant may also apply online in the specified Web Portal to the concerned Urban Local Body in the specified digital format. The format should be filled up properly else it will be treated as rejected due to absence of any data or documents.
- 2) The detailed drawing showing the location of the storage/stacking of material, and the particulars mentioning the area along with the time schedule and quantity of stacking of building material with respect to phasing of proposed construction activities, supported with bar diagram, duly signed by the applicant and the site engineer involved, should be annexed with the application format. The document(s) and drawing(s) should be uploaded through the Web Portal in the online application.
- 3) After successful submission of application and other required document(s) and drawing(s), the concerned Urban Local Body shall arrange for a joint inspection in presence of the representative of the applicant, site engineer of the applicant, all other relevant officials of the Urban Local body and local Police Authority within next 3 (three) working days.
- 4) The joint inspection report along with the relevant documents including document(s) about the payment of the Stacking Fee , shall be placed before the appropriate authority of the Urban Local Body for final decision within next 2 (two) working days.
- 5) On approval of the application by the appropriate authority of the Urban Local Body, a permission letter in the process format (Annexure-B) will be issued in favour of the applicant, on confirmation of the payment of the deposit of the stacking fee as determined by the Urban Local Body, to the concerned Urban Local Body, within next 2 (two) working days. The permission letter of the Urban local Body may be obtained and downloaded through within that due time. The rejected proposal will be returned to the applicant by the Urban Local Body showing definite reason within 7 (seven) working days of the date of submission of the application.
- 6) The applicant and the site engineer in-charge of the applicant must strictly follow the drawing and schedule of programme of the use/disposal of the building materials including rubbish and excavated earth, which have been submitted for approval. Under no circumstances, the storage/stacking of construction material including rubbish and the excavated earth, should be violated from the approved drawings and time schedule. Otherwise, the Urban Local Body may take every steps to stop the construction work and take proper action against such violation. Under no circumstances any particular quantum of construction material should be stored / stacked on the public road or pavement for more than 48 hours and the applicant should utilise or get it consumed that stored / stacked materials gradually within 48 hours.
- 7) For violation of the approved drawing for stacking/storage of construction material including rubbish and excavated earth and the time schedule for use/disposal, the Urban

Local Body authority may impose penalty @1% of the total stacking /storage fee for every single day of delay up to first 7 (seven) days. It may be increased to the rate of 2% for each day thereafter.

- 8) If the violation continued for 15 (fifteen) days from the schedule date, the Urban Local Body authority may seize the material for the convenience of traffic flow and citizen.
- 9) Urban Local Body concerned shall issue necessary instruction to the applicant and the site engineer regarding safety and security purpose viz., (a) proper barricading of the construction material including rubbish and excavated earth (b) engagement of manpower to arrange smooth traffic management, if required (c) arrangement of proper illumination and reflector during night etc., and the applicant and the site engineer- in charge must follow this instruction strictly, otherwise the Urban Local Body may intervene and stop the work at site.
- 10) The applicant must be well alert with regard to the stacked/stored and barricaded construction material including rubbish and excavated earth at all time. If the stacked/stored materials are scattered /dispersed for the inconvenience and lack of safety to the traffic movement, the applicant should redo the stacking of construction material immediately and in case of his ignorance, the Urban Local Body authority will take appropriate action.

This Order shall take immediate effect.

By order of the Governor,

sd/-

**Joint Secretary to the  
Government of West Bengal**

**APPLICATION FORM**

From: .....

Date: .....

.....

(Name and Address of the Applicant  
with phone no. & e-mail ID)

To: The Commissioner/Chairperson/ Chairperson of the Board of Administrators,  
.....Municipal Corporation/Municipality/NAA

Sub: Prayer for permission for Storage/Stacking of construction materials including rubbish of  
building(s) & excavated earth on the public road or pavement for..... (Name of Project)  
in the ..... (Name of work site), Borough  
No..... Ward No. ....

Sir/Madam,

I / we on behalf of my/our organization would like to inform you that I/ we would undertake  
the work of construction ..... (Name of the work) in your municipal  
area for ..... (Purpose of the work). The statements of the particulars  
of the proposed work are as follows:

1. Name and type of the proposed construction work/ building:
2. Ward Number:
3. Borough Number:
4. Premises No.:
5. Area of the Plot of land on which the construction will be done ( in sq meter) :
6. Proposed date of commencement of work:
7. Scheduled date of completion of work:
8. I / we attach the detailed drawings of Site plan of the spot where the building material including  
rubbish of building(s) & excavated earth proposed to be stored/stacked.
9. I /we attach the Bar diagram showing the construction phases, type & quantity of construction  
material to be stacked with respect to time schedule.
10. I /we attach the document confirming the payment of the Stacking fees to the ULB authority in  
connection with the construction of the aforesaid project.
11. I /we do hereby undertake that:-
  - a) I /we shall strictly follow the drawing and time schedule which have been submitted to the  
ULB authority for approval. Under no circumstances, the field activities will be violated  
from the approved drawing and time schedule. In default on my/our part, the municipal  
authority shall be at liberty to take every step either to stop the construction work or to  
impose penal action as per norms.
  - b) I /we shall strictly follow all the instructions of the ULB authority regarding safety and  
security of the worksite.
  - c) I /we shall take all necessary measures to free the site(s) from stored/stacked building  
materials, rubbish and excavated earth so that the site(s) remain useable, safe and secured,  
immediately after completion of the construction work in each phase.

Please provide necessary permission to store/stack the building materials for the proposed construction and to execute the said work at your earliest convenience.

Thanking you.

Yours faithfully,

.....  
(Signature and seal of the authorised signatory of the implementing authority)(applicant)

.....  
(Signature and seal of the Engineer –in charge of the site of the implementing authority with Name, contact number etc.)

**Certificate for Permission for Storage/Stacking of Construction Materials including Rubbish of Building(s) & Excavated Earth on the Public Road or its sides.**

From: The Commissioner/Secretary/Chairman /Chairperson, Board of Administrators/ Administrator/ Executive Officer, .....Municipal Corporation/Municipality/NAA

To: .....  
.....  
.....  
(Name and Address of the Applicant)

**Sub:** Prayer for permission for Storage/Stacking of Construction Materials including Rubbish of Building(s) & Excavated Earth on the Public Road or pavement for ..... (Name of Project) in the ..... (Name of work site), Ward No. .... & Borough No.....

**Ref:** Application No. .... Dated .....

Dear Sir/Madam,

With reference to your application mentioned above, this Municipal Corporation / Municipality / NAA has been pleased to grant the permission in connection with Storage/Stacking of Construction Materials including Rubbish of Building(s) & Excavated Earth on the Public Road or pavement namely..... for..... (Name of Project) in the ..... (Name of work site), Ward No. .... & Borough No..... Subject to the following terms and conditions:

- i. The proposed activities must be executed in the field strictly as per the submitted drawing and time schedule without any violation.
- ii. The time line of completion as mentioned should be maintained strictly.
- iii. Any deviation from the drawing and time line may lead to stoppage of the work at site or imposition of any penal action from financial point of view as per norms.
- iv. Under no circumstances any particular quantum of construction material should be stored / stacked on the public road or pavement for more than 48 hours and the applicant should utilise or get it consumed that stored / stacked materials gradually within 48 hours.
- v. The safety and security measures at site as per prevailing Government Order should be followed on priority basis without any compromise.
- vi. After completion of the construction, work in each phase the site should be free from all stored/stacked construction materials, rubbish and excavated earth so that the site should be usable, safe and secured.

Yours sincerely,

\_\_\_\_\_  
Commissioner/Secretary/Chairman /Chairperson, Board of Administrators/  
Administrator/ Executive Officer

**Refusal of Application**

From: The Commissioner/Secretary/Chairman /Chairperson, Board of Administrators/ Administrator/  
Executive Officer

..... Municipal Corporation/Municipality/NAA

To: .....

.....

.....

(Name and Address of the Applicant)

**Sub:** Prayer for permission for Storage/Stacking of Construction Materials including Rubbish of Building(s) & Excavated Earth on the Public Road or pavement for ..... (Name of Project) in the ..... (Name of work site), Ward No. .... & Borough No.....

**Ref:** Application No. .... Dated .....

Dear Sir/Madam,

With reference to your application mentioned above, this is to inform you that this Municipal Corporation / Municipality / NAA has refused the permission in connection with the Storage/Stacking of Construction Materials including Rubbish of Building(s) & Excavated Earth on the Public Road or pavement for..... (Name of Project) in the ..... (Name of work site), Ward No. .... & Borough No..... for the following reasons:

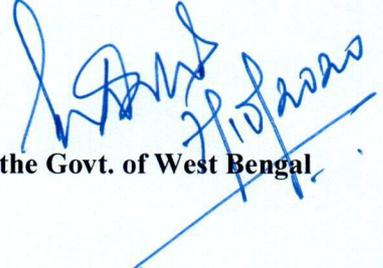
- 1.
- 2.
- 3.

Yours sincerely,

\_\_\_\_\_  
Commissioner/Secretary/Chairman /Chairperson, Board of Administrators/  
Administrator/ Executive Officer

Copy forwarded for information and necessary action to the -

1. Chairman/Chairperson, Board of Administrator/Administrator, ..... Municipality/Notified Area Authority.
2. Principal Secretary, MS & ME & T Department, Government of West Bengal.
3. District Magistrate,....., P.O. ...., Dist. ....
4. Director of Local Bodies, West Bengal, Pura Prashasan Bhavan, DD-1, Sec - I, Salt Lake, Kolkata-64.
5. Secretary, Municipal Engineering Directorate, Bikash Bhaban, Salt Lake, Kolkata-91.
6. Chief Engineer, Municipal Engineering Directorate, Bikash Bhaban, Salt Lake, Kolkata-91.
7. Director, State Urban Development Agency.
8. Joint Secretary (Law/Statutory Cell), Department of Urban Development and Municipal Affairs.
9. Additional Chief Engineer, North, Municipal Engineering Directorate.
10. Commissioner, Bidhannagar/Siliguri/Asansol/Durgapur/Chandernagore Municipal Corporation.
11. Executive Officer, ..... Municipality/Notified Area Authority.
12. Private Secretary to the Hon'ble Minister-in-Charge of this Department.
13. P S to Principal Secretary of this Department.
14. P.A. to Mayor/ Chairperson, Board of Administrator, Administrator, Bidhannagar/Siliguri/Asansol/Durgapur/Chandernagore Municipal Corporation.
15. Section Officer, e-Governance Cell of this Department with a request to upload the same in the departmental Website.
16. Guard file of Law & Statutory Wings of this Department.

  
Joint Secretary to the Govt. of West Bengal