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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

‘NAGARAYAN’,

DF-8, Sector-I, Bidhannagar, Kolkata - 700 064.

NOTIFICATION

No. 2255-T&CP/C-2/1C-3/2005(II)

Kolkata, the 27th October, 2008.

In exercise of the power conferred by section 138 of the West Bengal Town and Country (Planning and Development) Act, 1979, the Governor is pleased hereby to make the following rules :-

Rules

1. Short title & commencement :-

- (1) These rules may be called the West Bengal Town & Country Planning (Development of Township Projects) Rules, 2008.
- (2) They shall come into force on the date of publication in the Official Gazette.

2. Definitions :-

In these rules, unless the context otherwise requires,

- a) “the Act” means the West Bengal Town & Country (Planning & Development) Act, 1979 (West Bengal Act XIII of 1979);
- b) “Additional Open Space” means the areas to be provided in the form of greenery, water bodies etc. to be used as a buffer between zones or used to ensure the desired physical environment;
- c) “Applicant” means owner of the land within the planning area and includes authorised representative of the owner or any body having the right to develop the said land in accordance with law and shall also include the transferee;

- d) "Basic urban infrastructure amenities" includes infrastructure to provide the basic utilities and services like roads and transport system including parking facilities, street lighting, street furniture; power supply and distribution system; telecommunication system; necessary system and facilities for potable water supply, drainage, sewerage and sanitation system; solid waste including bio-medical and e-waste management system; organised open space including landscaping, plantation, urban forestry, rainwater harvesting and other relevant urban services;
- e) "Basic urban infrastructure facilities" includes commercial facility, medical facility, educational facility, recreational facility and other infrastructural facilities like post office, fire fighting station, police station/outpost and other relevant facilities;

Explanation - For the purpose of this clause,-

- i) 'commercial facility' shall include premises provided for convenient shops to cater the needs of the township dwellers, market of perishable goods and other establishments or institutions or centres in such activities or such services as compatibly carried out or rendered in the residential area or zone;
- ii) 'medical facility' shall include premises provided for in-patient treatment and out-patient health care unit, dispensary or pharmacy or medical stores and physician's chambers, pathological examination and other diagnostic centres, blood bank, shops of medical equipments & instruments and other alike;
- iii) 'educational facility' shall include the premises for pre-preliminary level school to institutions for higher or specialised learning;
- iv) 'recreational facility' shall include premises for outdoor and indoor games and sports, socio-cultural and religious activities;
- f) "Clause" means the clause under the section of the Act;
- g) "Net Project Area" means the Project Area minus the area to be provided for accommodating basic urban infrastructure amenities, basic urban infrastructure facilities and additional open space;
- h) "Project Area" means the total area of the contiguous parcel of land, covering at least forty (40) hectare of land in case of a residential township, thirty (30) hectare of land in case of any special category of township and one hundred (100) hectare of land in case of an integrated township;
- i) "Section" means the section of the Act;
- j) "Town Planner" means a person with requisite qualification, recognised by the Institute of Town Planners, India with Bachelor Degree in Civil Engineering or Architecture or Planning or equivalent.

3. Accessibility :-

- (1) The site of proposed township project shall have an access with a road not less than thirty (30) metres land width (Right of Way), if not abutting an existing road of at least Sub-Arterial category of Road as recommended in Urban Development Plans Formulation and Implementation (UDPFI) guidelines. The land required to develop this access road shall not be included in the project area.
- (2) No internal road within the Project Area shall be of land width less than ten (10) metres.

4. Allocation of Land Area :-

The area to be provided for basic urban infrastructure amenities, basic urban infrastructure facilities and additional open space within the township project shall not be less than the following limit:-

Type of Township	Area for Basic Urban Infrastructure Amenities	Area for Basic Urban Infrastructure Facilities	Additional Open Space
Residential	<i>35% of Project Area</i>	<i>10% of Project Area</i>	<i>nil</i>
Institutional	<i>35 % of Project Area</i>	<i>10% of Project Area</i>	<i>nil</i>
Industrial	<i>35% of Project Area</i>	<i>10% of Project Area</i>	<i>10% of Project Area</i>
Other Special Category	<i>35% of Project Area</i>	<i>10% of Project Area</i>	<i>nil</i>
Integrated	<i>35% of Project Area</i>	<i>10% of Project Area</i>	<i>5% of Project Area</i>

Note :

- (i) In Special Category of township like Information Technology or Information Technology Enabled Services or Health or Sports or alike township, principal use shall be covering at least two-third of the Net Project Area but not exceeding three-fourth of the Net Project Area and at least one-fourth of the Net Project Area shall be used for residential purpose.
- (ii) In Integrated Township at least one-third of the Net Project Area shall be used for residential purpose and at least half of the Net Project Area shall be used for other special purposes like Institutional, Industrial, Commercial Complexes and alike.
- (iii) There shall be provision for economic weaker section and low income group category housing in the township as per the stipulation made by the State Government in this regard.
- (iv) Principal uses shall also include necessary allied activities exclusively associated with the basic purpose like hostel accommodation, staff quarters; specific outdoor and indoor play areas like football ground, gymnasiums etc. and recreational facilities like auditoriums and open air theatres for exclusive use of the institute or industry.
- (v) Adequate provision for residential accommodation for service-population should be considered.

5. Development Control Regulations :-

Development Control Regulations for a Township Project shall conform to the Land Use and Development Control Plan (LUDCP) of the concerned area. The area where no Floor Area Ratio (FAR) in Land Use and Development Control Plan (LUDCP) has been prescribed, the FAR shall not exceed 2.50. The ground coverage shall not exceed 35% of the project area. The area where no LUDCP exists, the Development Control Regulations for Township Project of West Bengal shall be followed.

6. Number of Dwelling Units:-

Every Township shall have at least two hundred (200) dwelling units per hectare of the Net Project Area.

7. Application for Permission for Development of 'Township' Project:-

- 1) Subject to the provision of this rule, the applicant shall apply for permission for development of township project to the concerned Planning and Development Authority in the Form appended to this rule.
- 2) The following particulars and documents shall be submitted along with the application :-
 - a) Detailed Project Report/Master Plan of the Township Project;
 - b) Schedule of Plots within the Project Area;
 - c) Drawings in Quadruplicate -
 - i) An index map on a scale not smaller than 1:10000;
 - ii) Site plan of the Project Area with peripheral dimension showing the surrounding area and the existing access or accesses to the Project Area on a scale not smaller than 1:4000;

- iii) Layout plan of the Project Area on a scale not smaller than 1:1000 showing the use specific location of area to be provided for basic urban infrastructure amenities, basic urban infrastructure facilities and additional open space including the schedule of areas of the proposed uses, clearly delineating the different use-zones as far as possible by means of colour, letters and explanatory notes or in some other convenient manner illustrated in the plan;
- iv) Off site infrastructure;
- v) Development phasing with project completion schedule;
- vi) Public Transport Linkage Plan;
- vii) Details of proposed land showing the contours;
- viii) Rehabilitation & Resettlement Plan, if required;
- ix) A detailed plan of all proposed development work showing the plan, section and elevation on a scale not smaller than 1:100;
- x) Environmental Impact Assessment report;

- d) No objection certificate from relevant agencies and appropriate authorities or authorised persons like West Bengal Fire Services, West Bengal Pollution Control Board, Structural Engineer, Geo-Technical Engineer etc;
- e) An extract of record of rights or property register card or any other relevant document showing ownership of land proposed to be specified;
- f) The Authority may also call from the applicant in writing any further information that may be required for the purpose of considering the application;
- g) The Site Plan and Layout plan shall be prepared by a Town Planner and the detailed plan of all proposed development works shall be prepared by a registered Architect or Civil Engineer.

3) The Planning or Development Authority may also allow the applicant to submit a proposal for development of a township project with pertinent drawings and documents for provisional permission even prior to application in prescribed format. After scrutiny of the said drawing and documents, the concerned Authority, if satisfied in principle with the proposal, may issue an interim permission valid for a period not exceeding one (1) year, provided the applicant pays at the rate of Rs 5000.00 (Rupees five thousand) per hectare of the Project Area as processing charge.

8. Time-limit for completion of Township Project:-

The Applicant shall complete the development work in at least one-third of the project area to make it operational within a span of five (5) years from the date of receipt of formal permission from the concerned Authority.

By order of the Governor,

P. K. PRADHAN,
Principal Secretary to the Government of West Bengal.

Application Form**(See Rule 7)**

[Application for permission for carrying out any "Township Project" under section 46 of the West Bengal Town and Country (Planning and Development) Act, 1979]

From :

Name :

Address

To

ThePlanning Authority/Development Authority.

Sir,

I intend to develop a "Township" project covering hectare of land under the jurisdiction of Municipal Corporation/ Municipality/ Gram Panchayat covering Mouza or Mouzas with JL No.(s) accessible from or abutting the existing road named under Police Station, in accordance with the provisions of section 46 of the West Bengal Town and Country (Planning and Development) Act, 1979 and rule 7 of the West Bengal Town & Country Planning (Development of Township) Rules, 2008.

Following Documents and Drawings in quadruplicate are submitted herewith for consideration of the proposal:

- i)
- ii)
- iii)
- iv)

I request that the proposed development may be approved and that permission may be accorded to carry out the Township Project.

Signature of the Town Planner

Signature of the Applicant.