

ANNEXURE

OUTLINE DEVELOPMENT PLAN

**NOW TERMED AS
(LAND USE & DEVELOPMENT CONTROL PLAN)**

- I. Siliguri Urban Area
- II. Jalpaiguri Urban Area
- III.. Naxalbari Urbanizing Area

**The Zoning and Sub-Division
Regulation for control of Development
and use of Land within the
Siliguri-Jalpaiguri Development Authority
Area**



**SILIGURI - JALPAIGURI DEVELOPMENT AUTHORITY
SILIGURI**

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Price Rs. 35/-

Siliguri Jalpaiguri Development Authority
SILIGURI

NOTIFICATION

Whereas it is expedient in the interest of the general public to provide for controlling the use and development of land within the jurisdiction of the Siliguri-Jalpaiguri Development Authority and for matters connected therewith:

The Siliguri-Jalpaiguri Development Authority hereby provides the following regulations under section 31 (4) (d) of the West Bengal Town & Country (Planning & Development) Act. 1979, for the said purposes, namely:

PRELIMINARY

1. (1) These regulations may be called the zoning and sub-division regulations for Control of Development and Use of Land within the Siliguri-Jalpaiguri Development Authority area.

(2) It extends to all the areas within the Siliguri Police Station and Naxalbari Police Station in the district of Darjeeling excluding the areas declared as Reserved or protected Forests under the Indian Forest Act. 1927.

And all the areas within Rajganj Police Station and Kotowali Police Station in the Sadar Sub-division of the District of Jalpaiguri along the West Bank of the river Teesta excluding the areas declared as Reserved or Protected Forests under the Indian Forest Act, 1927.

(3) It shall apply in the first instance to the areas as herein after provided in Schedule-I but the Authority may by notification apply provision of these regulations to any other area specified in such Notification.

DEFINITIONS

2: For the purpose of this Regulation unless the context other wise requires:-

1. "The Act" means the West Bengal Town & country (Planning & Development) Act. 1979 (West Bengal Act. XIII of 1979).

2. "Apartment" means part of a property having a direct exit to a road, street or highway or to a common area leading to such road, street or highway which together with its undivided interest in the common areas and facilities forms an independent residential unit.
3. "Authority" means the Siliguri-Jalpaiguri Development Authority. This will also include any person or persons appointed by the aforesaid Authority for enforcement of the provisions of this Regulation within its jurisdiction.
4. "Basement" means the lower storey of a building partly below ground level.
5. "Building" means any structure for what-so-ever purpose and what-so-ever material constructed and every part thereof whether used as a human habitation or not and includes foundation plinth, walls, floors, roof, chimneys, plumbing and building services, fixed platforms, verandah, balcony, cornice or projections, part of a building or any thing affixed thereto. Tents, Shamiyahs and tarpaulin shelter shall not be considered as buildings.
6. "Building Architects" means a qualified architect holding valid Associate membership of the Indian Institute of Architects under the Architects Act, 1972.
7. "Building Height" means the vertical distance measured in the case of flat roofs, from the average level of the ground around.
8. "Business House" means all buildings of Commercial class other than mercantile buildings as defined in this Section.
9. "Building Line" means the line upto which the plinth of a building adjoining a street or an extension of a street or on a future street may lawfully extend. It includes the lines prescribed, if any, in any scheme.
10. "Building Surveyors" means building Surveyors as described in Schedule-III of this regulation.
11. "Commencement of erection of a building" means the actual Commencement of erection of a building, including foundation work, re-erection or alteration.
12. "Covered area" means the ground area covered immediately above the plinth level by the building but does not include the spaces exempted under this Regulation.
13. "Depth" in relation to a plot means the distance from the front to the rear line of the plot.
14. "Detached Building" means a building whose roof and walls are independent of any other building with open spaces on all sides as specified in this Regulation.

15. "Drainage" include a sewer a house drain, a drain of any other description, a tunnel, culvert of a sewage, Sewage of offensive matter, polluted water, rainwater or sub-soil water.
16. "Existing Building or Use" means a building or structure or its use, constructed or used as the case may be, in an authorised manner, and existing or as the case may be, in use on the date of coming into force of the Act.
17. "Floor" means the lower surface in a storey after finishing on which one normally walks in a building, unless otherwise specifically mentioned, and shall not refer to a mezzanine floor.
18. "Floor area" means the covered area of a building at any floor level.
19. "Floor area Ratio (F.A.R.)" means the quotient obtained by dividing the total covered area of all the floors of the building by the area of the plot.
20. "Garage" means a building or portion thereof designed and used for parking of motor driven or other vehicles.
21. "Mezzanine Floor" means an intermediate floor, between the ground floor and the first floor.
22. "Mercantile Building" means any Mercantile building or part thereof used as shops, stores or markets for display or Sale of merchandise or for office, storage or service facilities incidental thereto.
23. "Open Space" means an area, forming an integral part of the site, open to the sky.
24. "Parking Space" means an area enclosed or unenclosed, covered or open, sufficient in size to park vehicles, together with a drive way connecting the parking space with a street.
25. "Plinth area" means the built-up covered area measured at the floor level of basement or of any storey.
26. "Plot" means the area of land as shown in the latest settlement map published by the State Government.
27. "Row Housing" means a row of houses with only front and rear open spaces.
28. "Schedule" means the schedule to this Regulation.
29. "Semi Detached Building" means a building detached on three sides with open spaces as specified.
30. "Street" means any highway, street, roadline, Gully passage carriage-way pathway, square, place or bridge, whether a thoroughfare or not, over which the public have a rightof-way whether existing or proposed in any scheme.

31. "Street Line" means the line defining the side limit of a street.
32. "Use of Building" means the uses classified in Schedule-VI of this regulation.
33. "Tenement" means an independent dwelling with a kitchen.
34. "Width of a street" means the whole extent of space, including the footpath, storm-water drains within the boundaries of the street as specified in the settlement survey maps or other records of the Local Self Govt. Authorities or within the regular line of the street if specified by the Authority.
35. Words and expressions used in this Regulation and not otherwise defined have the same meaning as in the "Act".

METHOD OF APPLICATION

3. (1) Any person or body (excluding a department of the Central or the State Government or any local authority) intending to carry out any development on any land shall make an application in writing to the Authority for permission in the form as prescribed in Schedule - II along with particulars mentioned thereunder.
- (2) Every such plan shall also include a map drawn to a scale of not less than 1:5000, showing the boundary of the location of the site with respect to neighbourhood land marks and public streets.
- (3) Every building proposed for construction shall have as an integral part of the building a defined area shown clearly on the site plan.
- (4) In case of semi-detached building and Row houses, the site plan and the detail plan showing the plan, sections and elevations shall include all its part whether existing or proposed for construction.
- (5) In the case of a department of the Central or State Govt. or any Local authority when intending to carry out any development other than operational constructions, on any land, the concerned department or authority shall be guided by the provisions of Section 46 (5) to (7) to the West Bengal Town and Country (Planning & Development) Act, 1979.
4. No piece of land shall be used as a site for the erection or re-erection of a masonry or framed building otherwise than in accordance with :-
 - (1) The provisions of this Regulation and the schedules annexed hereto/ and,
 - (2) Any order, rules or by-laws made relating to the Control of

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- Use and Development of Land by the State Govt. or under the West Bengal Town and Country (Planning & Development) Act, 1979 or under any other Local Self Government Act passed by the State Govt.
5. The validity of every permission for any development granted by the Authority shall be subject to the provisions of Section 48 of the West Bengal Town and Country (Planning & Development) Act, 1979.

BUILDING ARCHITECT AND LICENSED BUILDING SURVEYOR

6. (1) The Authority, in accordance with the sub-rule (3) Rule 8 of the West Bengal Government Notification No. 2352-T & CP/IR-6/80 dated the 2nd April 1980 and the provisions made in Schedule - III of this Regulation, shall receive building plan application from Building Architects registered under Architects Act 1972 and shall also appoint and issue licenses to such persons as it thinks fit to act as Licensed Building Surveyor for the purposes of granting permission for development under Section 46 of the Act.
- (2) Every person who intends to erect, re-erect and or to alter any building shall, subject to the provisions of this Regulations employ Building Architect or a Licensed Building Surveyor as the case may be.
- (3) No key plan, site plan, building plan or specification accompanying a building plan application or no revised plan submitted in relation to any deviation during execution of works shall be valid unless a Building Architect or a Licensed Building Surveyor, as the case may be certifies that such work shall be carried out under his supervision in accordance with the provisions of this Regulation.
- (4) The qualification to be required of persons eligible for preparation of building plans in respect of the several classes of building shall be such as are prescribed in Schedule - III.
- (5) The Licenses issued to the building surveyors shall be for a renewable period of three years.
- (6) The rules for guidance of Building Architect and Licensed Building Surveyor shall be such as are prescribed in Schedule - III.
- (7) The Authority may, from time to time prescribe a scale of fees of Licensed Building Surveyor in respect of any class of

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buildings to be made applicable in the absence of a written contract to the contrary.

(8) "Licensed Building Surveyor or a Building Architect shall produce his/her identity card valid registration certificate under the Archi tects Act, 1972 as and when demanded by the Authority.

(PART-II)

ZONING AND SUB-DIVISION OF LAND REGULATIONS

7. No person shall use or permit to be used any land or carry out any development within the Siliguri-Jalpaiguri Development Authority area otherwise than in conformity with the general use of land shown in the Outline Development Plan prepared by the Authority under the West Bengal Town & Country (Planning & Development) Act, 1979.

The broad land use zones of the three Outline Development Plan segments and the uses compatible to the broad land use zones have been annexed in schedule iv and v respectively.

8. No person shall use a building or the substantial part of a building for which permission was granted by the Authority, for use as, andbelonging to, any one class of building as a building of any other class in such a manner that the building or part thereof as used will not be in-conformity with the use for which permission was originally granted.

The classification of building for the purpose of this regulation, or any other regulation used herein after have been provided in Schedule - VI

9. No sub-division of any plot in the area described in Schedule - I of this Regulation shall be undertaken without prior approval of this Authority.

10. No permission for sub-division of land shall be granted unless (1) the site of such plot has a minimum lot size of at least 100 Sq. metres.

(2) A detailed layout plan of the area or proposed to be sub-divided is submitted before the authority, duly integrating the said layout plan with the general use of land in the adjoining areas, the existing street pattern as also the other physical infrastructure facilities.
No road or lane in a plot sub-divided shall fall below 3 metres in width.

11. For any sub-division of land the minimum R.O.W. in front to be maintained and the percentage of area to be reserved for public amenities shall be as given in the table below:

Table No.1A

Length of Internal Road	R.O.W. to be Maintained
Upto 25 mtrs.	3.0 metres.
25 + - 50	4.5 metres.
50 + - 75	6.0 metres.
75 + - 100	7.5 metres.
above 100	10.0 metres.

Table No.1B

Plot size and community Service Area	% of area to be received for public purposes (excluding roads)
Size of the plot to be sub-divided	
Below 0.33 acres	Not required
Upto 0.66 acres	5%
Upto 1.00 acres	7.5%
Upto 3.00 acres	10%
Above 3 acres	15%

Part III – Building Regulations

BUILDING SITE

12. Save with the special permission of the Authority no place shall be used as a site for erection of amasonry or framed building unless the Authority is satisfied that.

BUILDING REGULATIONS

- (1) The site of building has a minimum forttage of 6metres.
- (2) The site of such building excepting markettile buildings has a minimum lot size of 100 Sq. metres.

(3) The site of such building abuts on a public street or has access to the building from any such street by a passage or pathway appertaining to such site which is not less than 2.5 metres wide at any part.

Provided that the authority may in special cases, relax the provisions of this regulation and permit construction of a building 7.0 metres in height, if such site gets access to it from a street through a passage which is not less than 1.8 metres in width and if the space between the site and the street is not more than 18 metres.

(4) The Site is fit to be built upon from the drainage, sanitation and other engineering point of view.

*12 (5) Provided that notwithstanding anything contained in these regulations for the time being in force, no building shall be constructed in all areas falling within 15 (fifteen) metres on either side from the centre of Eastern Bye-Pass originating from its intersection with NH-31 and Sevoke Road up to intersection with Sahudangi Road.

13. No building shall be constructed on a plot without maintaining a minimum perpendicular distance of 3.35 metres from the centre line of any abutting street.

Provided that the provision of this regulation shall not apply in relation to building to be constructed upto a level of 7.0 metres in height, on a street where to the satisfaction of the Authority, seventy five percent of the building have already been constructed.

BUILDING GENERALLY

14. (1) The structural planning and design, construction planning, design of installation of building and plumbing services of all buildings shall be made in accordance with the provisions of part - IV, V, VI, VII, VIII and IX of the latest version of the National Building Code of India which shall mutatis mutandis, be deemed to have been incorporated in this Regulations. The latest version of the National Building Code of India shall be referred to at the time of enforcement.

(2) Loading to be resumed for buildings shall be as per Part - VI, Section - I of the National Building Code.

*[Inserted as per amendment vide No. 372-T & CP/C-2/IS-1/2001 Dt. 30.01.2001]

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(3) Design of foundation shall be as per part - VI, Section -2 of the National Building Code.

(4) Plumbing services, namely water supply and drains shall be as per part - IX of National Building Code.

OPEN SPACE

15. Evert room intended for human habitation shall about an interior or exterior open space or an open verandah open to such interior or exterior open space.

16. Front Open space:- The front open spaces for different classes of buildings shall be as follows:-

(1) Buildings of residential classes:-

(a) Every building not exceeding 13 metres in height shall have a front open space, forming an integral part of the site, of a minimum width of 1.2 metres in its narrowest part.

(b) Every residential building of more than 13 metres but not exceeding 18.5 metres in height shall have a front open space forming an integral part of the site of minimum width of 1.6 metres in its narrowest part.

(c) Every residential building exceeding 18.5 metres in height shall have a front open space forming an integral part of the site of a minimum width of 2.8 metres in its narrowest part.

(2) Buildings of Commercial Class:-

(a) Every building of Commercial Class not exceeding 13.0 metres in height shall have a front open space forming an integral part of the site of a minimum width of 1.2 metres in its narrowest part.

(b) Every building of commercial class of more than 13.0 metres but not exceeding 18.5 metres in height shall have a front open space forming an integral part of the site of a minimum width of 1.5 metres in its narrowest part.

(c) Every building of commercial class exceeding 18.5 metres in height shall a front openspace forming an integral part of the site of a minimum width of 3 metres in its narrowest part.

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(3) Buildings of Industrial Class:-

- (a) Every building of industrial class employing up to 10 workers with power and 20 workers without power shall have a front open space forming an integral part of the site of a minimum width of 2.5 metres in its narrowest part
- (b) Every Building of Industrial class employing more than 10 workers with power or more than 20 workers without power shall have a front open space forming an integral part of the site of a minimum width of 3.5 metres in its narrowest part.

Building of Ware House Class:-

- (4) Every building of warehouse class shall have a front open space forming an integral part of the site of a minimum width of 4.5 metres wide and 3.0 metres wide abutting on street right of way upto 9 metres wide and more than 9 metres wide respectively.

(5) Public Buildings:-

Every public building shall have front open space forming an integral part of the site of a minimum width of 4 metres in its narrowest part.

17. Read open space: The rear open spaces for different classes of buildings shall be as follows:-

(1) Buildings of Residential class:-

- (a) Every residential building upto 13.0 metres in height shall have a rear open space forming an integral part of the site of an average width of 2.5 metres and at no place measuring less than 1.8 metres, except in the case of back to back site width of the rear open space shall be 2.5 metres throughout.
- (b) Every residential building more than 13.0 metres in height but not exceeding 18.5 metres in height shall have a rear open space forming an integral part of the site of an average width of 3.5 metres and at no place measuring less than 3.0 metres except in the case of back site the width of the rear open space shall be 4.0 metres throughout.

- (c) Every building exceeding 18.5 meters in height shall have a rear open space forming an integral part of the site of a minimum width of 6.0 metres in its narrowest part.

(2) Building of Commercial Class:-

- (a) Every building of Commercial class upto 13.0 metres in height shall have a rear open space forming an integral part of the site of an average width of 2.5 metres and at no place measuring 1.8 metres.
- (b) Every building of Commercial Class more than 13.0 metres in height but not exceeding 18.5 metres in height shall have a rear open space forming an integral part of the site of a minimum width of 3 metres in its narrowest part.
- (c) Every building of commercial class exceeding 18.5 metres in height shall have a rear open space forming an integral part of the site of a minimum width of 6 metres in its narrowest part.

(3) Building of Industrial Class:-

- (a) Every building of industrial class employing up to 10 workers with power and 20 workers without power shall have a rear open space forming an integral part of the site of a minimum width of 3.3 metres in its narrowest part.
- (b) Every Building of Industrial class employing more than 10 workers with power or more than 20 workers without power shall have a front open space forming an integral part of the site of a minimum width of 6 metres in its narrowest part.

Building of Ware House Class:-

- (4) Every building of warehouse class shall have a rear open space forming an integral part of the site of a minimum width of 4.5 metres and 3.5 metres abutting roads upto 9 metres and more than 9 metres wide respectively. However a clear width of 3.5 metres may be maintained where the back of the building does not abut on a street or road.

(5) Public Building:-

Every public building shall have a rear open space forming an

integral part of the site of a minimum width of 6 metres in its narrowest part.

18. Side open spaces:- The side open spaces for different classes of building shall be as follows:-

(1) Building of Residential Class:-

- (a) No building of residential class not exceeding 13.0 metres in height shall have.
- (i) Side open space of less than 1.2 metres in width on either side in case of a detached building.
- (ii) A side open space of less than 1.5 metres in case of a semi detached building.
- (b) Every building of more than 13.0 metres but not exceeding 18.5 metres in height shall have a side space forming an integral part or the site of a minimum width of 2.0 metres in its narrowest part.
- (c) Every building of residential class exceeding 18.5 metres in height shall have a side open space on its either side forming an integral part of the site of a minimum width of 2.5 metres in its narrowest part.

(2) Buildings of Commercial Class:-

- (a) Every building of Commercial Class not exceeding 13.0 metres in height shall have side open spaces forming an integral part of the site of not less than--
 - (i) 1.2 metres in width on either side in case of detached building.
 - (ii) 1.5 metres in width on either side in case of a semi detached building.
- (b) Every building of Commercial class more than 13 metres but not exceeding 18.5 metres in height shall have a side open space on its either side, forming an integral part of the site of a minimum width of 1.8 metres in its narrowest part.
- (c) Every building of Commercial class exceeding 18.5 metres in height shall have a side open space on its either side, forming

an integral part of the site of a minimum width of 3 metres in its narrowest part.

(3) Building of Industrial Class:-

- (a) Every building of Industrial Class employing 10 workers with power or 20 workers without power shall have a side open space on its either side, forming an integral part of the site, of a minimum width of 2.5 metres in its narrowest part.
- (b) Every building of Industrial Class employing more than 10 workers with power or more than 20 workers without power shall have a side open space on its either side, of a minimum width of 3.8metres in its narrowest part.
- (4) **Building of Warehouse Class:-**
Every building of warehouse class shall have a side open space on it either side forming an integral part of the site of a minimum width of 3.8 metres in its narrowest part. On one side with the special permission of the Authority, out of 3.8 metres 2 metres in width may covered for loading and unloading purposes be ground floor at a height of atleast 3.5 metres.

(5) Public Buildings:-

Every public building shall have a side open space on its either side forming an integral part of the site of a minimum width 3.8 metres in its narrowest part.

19. Open Space for buildings of mixed class:-

Wherever a building is of mixed class all open space regulation of the building shall be guided by the regulation of the particular class for which the building is predominantly used. In case where there are two different class of uses in one floor, it shall be guided by the regulation of that class for which the floor is predominantly used.

20. In the case of any plot, if the Authority, upon a specific request of an applicant is satisfied that it is impracticable to provide the front, rear, or side open spaces as required under the provision of section 16, 17 and 18 of this Regulation it may reduce the limit of all or any of the front, rear or the side open spaces, to the extent, the Authority deems fit.

AREA AND HEIGHT LIMITATION

21. Floor Area Ratios:- (1) Excepting in special cases, where in the opinion of the Authority, the conditions are such that the provisions of this regulation may be relaxed, limitations of floor area and height of a building within the Authority area shall be determined in terms of the floor area Ratio Table as specified below:-

Width of street/means of access (in metres)	Residential	Commercial	Public Educational Institution Hospital, Nursing Home, Hotel and Lodges Offices etc.	Building Place of public assembly	Ware house in declared locality
below 2.5	1.50	Not permitted	Not permitted	Not permitted	Not permitted
below 5.0	1.75	1.50	1.50	-do-	-do-
below 7.5	2.25	2.00	2.00	1.75	2.00
below 10.0	2.50	2.25	2.00	2.00	2.00
below 15.0	2.80	2.50	2.50	2.50	2.50
below 20.0	3.00	3.00	2.75	2.75	2.75
below 25 mtrs	3.50	3.25	3.25	3.00	3.00
25metres and above	4.00	3.75	3.50	3.25	3.25

(2) The F.A.R. specified in the table above may be increased by 10 percent for the following services only:

- A basement for cellar used as a parking space for airconditioning plant room or for other machines used for any building service:-
- Electric cabin or sub-station, watchman's room both not more than 4.5 square metres in area, pump house and shaft for solid wastes.
- Staircase room not exceeding 2.5 metres in height and lift machines room not exceeding 4 metres in height, above the topmost storey.

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*Provided that, notwithstanding anything contained in this regulation for the time being in force in case of buildings otherwise eligible for height exceeding 14.5 metres, under regulation 22, the total floor space available in the area hereinafter described in Schedule VII shall be the multiple of total number of floors and the ground coverage permissible under this regulation.

22. Height Limitation:- The height of buildings shall be regulated in the following manner:-

- No building exceeding 7 metres in height shall be constructed on a street which has a right of way less than 2.5 metres.
- No building exceeding 10 metres in height shall be constructed on a street which has a right of way less than 5 metres in width.
- No building exceeding 13.0 metres in height shall be constructed on a street which has a right-of way less than 10.0 metres in width.
- No building exceeding 18.5 metres in height shall be constructed on a street which has a right-of-way less than 13 metres in width.
- Building upto a maximum height of 27.5 metres shall be permitted on a street which has a right-of way exceeding 18 metres in width.
- Notwithstanding anything contained in sub-section (1), (2), (3) or (4) lift room or a stair-case room with a height not exceeding 2.5 metres and parapet wall not exceeding a height of 1 metre shall not be taken into account in calculating the height of the building.

*Provided that, notwithstanding anything contained in these regulations for the time being in force, no building exceeding 14.5 metres in height shall be constructed in the area as hereinafter described in schedule VII.

23. Where such building abuts upon more than one street its height shall be regulated by the wider of such streets so far as it abuts upon such wider street, and also to a distance of 18.5 metres from such wider street so far as it abuts upon the narrower of such streets.

*Inserted as per amendment vide No. 383-T & CP/IR-5/89 dated. 13.2.1996

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24. The permissible height of a building in a site connected to a public road by a exclusive passage of at least 5 metres in width shall be determined by the width of the public street so connected if space between the site and the street is not more than 18 metres.

25. Covered Area:- The total area to be covered by the buildings of a particular class on any site shall not exceed:-

(1) Buildings of the residential class:-

- (a) 66% of the total area of the site when the area of such a plot is upto 200 Sq. metres.
- (b) 60% of the total area of the site when the area of such a plot is 200 Sq. metres but does not exceed 335 Sq. metres.
- (c) 50% the total area of the site when the area of such a plot is above 335 Sq. metres.

(2) Buildings of Commercial Class:-

- (a) 66% of the total area of the site when the area of such a plot does not exceed 200 Sq. metres.
- (b) 60% of the total area of the site when the area of such a plot exceed 200 Sq. metres.

(3) Buildings of Industrial Class:-

50% of the total area of the site leaving at least 50% of the total area open to the sky.

(4) Building of Ware-house Class:-

60% of the total area of the site leaving at least 40% of the total area open to the sky.

(5) Public Buildings:-

50% of the total area of the site leaving at least 50% of the total area open to sky.

26. Minimum Parking Space (1) No off-street parking space shall be less than —

- (a) 12.5 square (2.5 metres in width and 5 metres in length), for a motor car, with a minimum head room of 2.1 metres, if parked in a covered area.
- (b) 37.5 square metres (3.75 metres in width and 10 metres in length) for a truck or bus with a minimum head room of 4.75 metres if parked in a covered area.

(2) The minimum width of circulation driveway to be provided for adequate manoeuvring of vehicle shall be 3.5 metres for cars and 5 metres for trucks exclusive of the parking space referred to in sub-rule (1)

(3) The parking lay-out plan shall be so prepared that the parking space for each vehicle becomes directly accessible from the doorway or circulation driveway or aisles, "this rule shall not be applicable for residential buildings not exceeding 13.00 metres in height."

(4) For buildings with mixed uses, the area of parking space shall be worked out on the basic of each of the uses separately and parking space to be provided for the total number of parked vehicle.

(5) Notwithstanding anything contained in sub-rules (1), (2), (3) or (4) if the site abuts on a street or means of access which is less than 3.5 metres, parking space need not be insisted upon.

(6) In case of a plot containing more than one building, parking requirement shall be calculated for each building separately on the basis of use of each building.

**TABLE - 6
OFFSTREET CAR PARKING SPACE**

Sl. Occupancy No.	Car parking space Requirement
1. Residential	<p>1. Building with single tenement For a building having one tenement of less than 120 Sq. m. floor area. No Car parking space.</p> <p>(a) For a building having one tenement of 120 Sq. m. or more but less than 200 Sq. m. of floor area One Car Parking Space.</p> <p>(b) For a building having one tenement of 200 Sq. m. or more of floor area-one Car parking space for every 200 Sq. metres.</p> <p>2. Buildings with multiple tenements- Tenement with less than 50 Sq. of floor area.</p> <p>(a) Up to 5 such tenements-no car parking space.</p> <p>(b) For 6 such tenements-one car parking space.</p> <p>(c) For every additional 6 of such tenements-one additional car parking space.</p> <p>3. Tenement with more than 50 Sq. m. but less than 75 Sq. m. of floor area.</p> <p>(a) Up to 3 such tenement-no parking space.</p> <p>(b) For 4 such tenements-one car parking space.</p> <p>(c) For every additional 4 of such tenements-one additional car parking space.</p> <p>4. Tenements with more than 75 Sq. m. but less than 100 Sq. m.-for every three such tenements one car parking space.</p> <p>5. Tenements with more than 100 Sq. m. Floor area but less than 120 Sq. m.-one car Parking space for every two such tenements.</p>

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<p>6. Tenements of different sizes in a building.</p> <p>(a) Car parking space shall be calculated on the basis of each size group, where no car parking space is necessary under (1), (2), (3) and 4 so, however that at least one car parking space shall be necessary for more than 300 Sq. m. of the total covered area in the building irrespective of number of sizes of tenements.</p>	<p>(a) Tenements with more than 120 Sq. m. floor area one car parking space for every tenements.</p>
<p>II. Institutional</p> <p>(a) For hospitals and other health care institutions not run by Government, statutory bodies or local authorities--one car parking space for every 75 Sq. m. of floor area to a maximum of 200 parking spaces.</p>	<p>(a) For theatres, motion picture houses, city halls, dance halls, skating ring exhibition halls, town halls, auditorium or similar other halls or such other places-- (i) Having fixed seating arrangement one car parking space for every 50 seats. (ii) Having no fixed seating arrangements for every 100 Sq. m. of covered area, one car parking space.</p>
<p>III. Assembly</p> <p>(a) For restaurant, seating houses, bars, clubs, gymkhana-no car parking space shall be necessary upto a total covered area of 200 Sq. m. for covered area of more than 200 Sq. m. one car parking space for every additional 200 Sq. m. or 200 Sq. m. or part thereof shall be necessary.</p> <p>(c) For hotels and boarding houses-- (i) One car parking space for every 5 guest rooms or part thereof shall be necessary for 3-star, 4-star and 5-star. (ii) One car parking space for every 20 guest rooms or part thereof shall be</p>	<p>(b) For restaurant, seating houses, bars, clubs, gymkhana-no car parking space shall be necessary upto a total covered area of 200 Sq. m. for covered area of more than 200 Sq. m. one car parking space for every additional 200 Sq. m. or 200 Sq. m. or part thereof shall be necessary.</p>

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**PART IV - SPECIAL REGULATIONS
FIRE AND EXIT REQUIREMENTS**

28. Fire protection requirements --(1) Every building shall be planned, designed and constructed to ensure fire safety and this shall be done, unless otherwise specified in rules orders or directions under the West Bengal Fire Services Act, 1950 and in accordance with the provisions of Part - IV on fire protection of the latest edition of the National Building Code of India.

(2) In case of any building exceeding 13.0 metres in height additional provisions shall be as follows:-

(a) In addition to the provisions of Part-IV on Fire protection of National Building Code of India, Provisions shall be made in accordance with the West Bengal Fire Service Act, 1950.

(b) The internal enclosing walls of any staircase shall be of brick or R.C.C. construction having fire resistance of not less than two hours.

(c) Buildings, according to occupancy and use groups, shall be protected by wet riser or sprinkler installation system with the fire service connections as per details given in table below:-

Occupancy or Use Groups Requirements

(1)	(2)
Residential building below 13 metres in height,	Nil.
Respective of floor area.....	Wet risers and (or)
Residential building exceeding 13 metres	Down corners.
in height.....	Wet Risers and (or)
Non-residential buildings 13 metres and above	Down Corners.
in height, irrespective of floor area.....	High pressure water
All the basements, sub-basements having	spray or foam sprinkler.
special risks like storage of hazardous and	
explosive material in a building 13 metres	
and above.....	

(d) Any of the above categories in the Table above may incorporate an automatic sprinkler/drencher system, if the risks is such that requires installation of such protective methods.

necessary for other, hotels and boarding houses.

(iii) Additional car Parking space for areas to be used as restaurant, dining hall, shopping areas, seminar halls, banquet halls and other purpose-one car parking space for every 200 Sq. m. of covered area or part thereof shall be necessary.

(d) For theatres, motion picture houses, city halls, town halls, auditoriam and other halls having no fixed sitting arrangement for every 100 Sq. m. one car parking space.

IV. Business

1.(a) For floor area upto 1500 Sq. m. one car parking space for every 75 Sq. m. of floor area.

(b) For floor area above 1500 Sq. m. but upto 5000 Sq. m.-twenty car parking spaces plus additional one car parking spaces for every 100 Sq. m. of floor area beyond 1500 Sq. m.

V. Mercantile (retail)

1.(a) For floor area upto 50 Sq. m. no car parking space.

(b) For floor area above 50 Sq. m. one car parking space for every 100 Sq. m.

VI. Industrial or Storage or Hazardous or Mer-cantile (Wholesale)

1.(a) For floor area upto 200 Sq. m. no car parking space.

(b) For floor area above 200 Sq. m. one car parking space for every 200 Sq. m. and one truck parking space for every 1000 Sq. m. subject to a minimum of one truck parking space.

27. The area to be reserved for parking of vehicle as mentioned under Section 26 of this Regulation shall be over and above the areas to be kept as open spaces under various other provisions of the Regulation.

- (e) The hydrants shall be provided within the court-yard.
 - (f) The dry riser installations may be permitted for buildings upto a height of 18.5 metres, if the arrangements for water supply and provisions of static water storage tank are satisfactory.
 - (g) The wet Riser installation shall conform to IS:3844-1966 Code of practice for internal fire hydrants in multistoried building.
 - (h) The Residential building above 13.0 metres but not exceeding 18.5 metres in height shall provide static water tank upto 1,00,000 liters capacity.
 - (i) Non residential building above 13.0 metres but not exceeding 18.5 metres in height shall provide static water tank upto 1,00,000 liters capacity.
 - (j) The residential building above 18.5 metres in height shall provide static water tank upto 1,50,000 liters capacity.
 - (k) Non Residential building above 18.5 metres in height shall provide static water tank upto 1,50,000 liters capacity.
29. General exit requirements:- The following general requirements shall apply to exits:-
- (1) Every building meant for human habitation/occupancy shall be provided with exits free from any constructions sufficient to permit safe escape of occupants in case of fire or other emergencies.
 - (2) Every building exceeding 18.5 metres in height shall be provided with such number of stair cases as the Authority may require. Under no circumstances, however the number of stair cases shall be less than two, and one of them being on the external face of the building.
 - (3) (a) Every residential building of less than 18.5 metres in height, the width of each flight of the staircase shall not be less than 1 metre.
 - (b) Subject to the provisions of sub-sec. (2) in every building, other than residential buildings, which is less than 18.5 metres in height, the width of each flight of the staircase shall not be less than 1 metre and 50 centimetres.

- (c) Every building exceeding 18.5 metres in height, the width of each flight of the principal staircase shall not be less than 2 metres.
 - (4) (a) All staircases shall terminate at the ground level, staircases for basements shall not be continuous with main staircases.
 - (b) All basements shall have a minimum of two exits.
 - (5) In all buildings where more than one staircase has been provided, the staircases shall be placed remote from one another and under no circumstances the landing meant for one shall be taken advantage of for another.
30. Every building above 16 metres in height or comprising six or more stories shall provide a lift or some other similar mechanical contrivance for carrying persons from one floor to the other.
31. Requirements of Building:- (1) Plinth:- The plinth of any part of a building or any accessory building shall be so located with respect to the surrounding ground level or crest of the road level that adequate drainage of the site is assured and in no case it shall be at a height less than 60 cm.
- (2) Every inner courtyard shall be raised at least 15 cm. above the level of the centre of the nearest street and shall be satisfactorily drained.
32. Habitable Room:- (1) No habitable room shall have a floor area of less than 8 square metres.
- (2) No habitable room shall have a width of less than 2.4 metres.
 - (3) No habitable room shall have a height less than 2.75 metres measured from the surface of the floor to the lowest point of the ceiling or the under side of any slab; Provided that in the case any centrally airconditioned building, the height or any habitable room shall not be less than 2.4 metres measured

from the surface of the floor to the under side of any slab or false ceiling, as the case may be.

33. Mezzanine Floor (1) A mezzanine floor may be permitted only between the ground floor and the first floor of any building.
- (2) A mezzanine floor may be permitted over a habitable room provided that-
- (a) It conforms to any standard for a habitable room as regards lighting and ventilation.
 - (b) It is so constructed as not to interfere under any circumstances with the ventilation of the space over and under it.
 - (c) Such mezzanine floor is not sub-divided into smaller compartments.
 - (d) Such mezzanine floor or any part of it shall not be used as a kitchen and
 - (e) In no case a mezzanine floor shall be sub-divided so as to make it liable to be converted into unventilated compartments.
 - (3) An area upto 35 percent of the covered area on the ground floor shall be allowed for mezzanine floor.
 - (4) The height of any mezzanine floor shall not be less than 2.2 metres.
34. Garage:- (1) No garage shall be less than 2.50m. x 5.00m.
- (2) Any garage if located in any side open space shall not be erected within 6 metres from the rear plot line.
 - (3) The maximum head room in a garage shall be 2.4m.
 - (4) The plinth of a garage located at ground level shall not be less than 15cm. above the surrounding ground level.
35. Use of Basement floor:- (1) A basement may be put any of the following uses.
- (a) as a parking space.
 - (b) as an air-conditioning plant room or room for other machines used for any building service or for other purposes.

- (c) a space for a stand-by generator for power supply.
 - (d) as a storage space for house-hold or other goods of non-flammable nature.
 - (e) as a strong room or as back cellar.
 - (f) as a dark room.
 - (g) as a stack room in any library.
 - (h) for the purpose of a Commercial building or a merchantile building or an assembly building provided that it is air-conditioned or adequately lighted ventilate to the satisfaction of the Authority.
- (2) No basement or portion thereof shall be used for residential purposes.
- (3) No kitchen, bathroom or water closet shall be permitted in any basement.
- (4) Every basement shall:-
- (a) be so constructed that the minimum height of its ceiling shall be 0.9 metres and maximum height 1.2 metres above the average surrounding ground level.
 - (b) in every part be at least 2.4 metres in height from the floor to the under side of the roof slab or ceiling or any false roofing.
 - (c) have adequate arrangement so that surface drainage does not enter the basement.
 - (d) have water-tight walls and floors which shall be so designed that the effect of the surrounding soil and moisture, if any, is taken into account in design and adequate damp-proofing treatment is given.
 - (e) have an access which is separated from the main and alternate staircase providing access and exit from higher level floors, where the staircase is continuous, the same shall be of enclosed type serving as a fire separation from the basement floor and higher level floors, subject to the provisions of clause (c). open ramps may be permitted if these are constructed within the building-line.

(f) in the case of such basement being used for a purpose as referred to in clause (h) of sub-rule (1), have sufficient number of access-ways and exit-ways so that the travel distance is not more than 15 metres.

(g) have adequate Ventilation as required for any occupancy or use group under these regulations.

Provided that any deficiency may be met by providing adequate mechanical ventilation in the form of blowers, exhaust fans at the rate of one exhaust fan for every 50 square metres of the basement area, or by air-conditioning.

36. Parapet:- A parapet wall and guardrails shall be provided on the edge of any roof terrace or balcony and it shall not be less than 1 metre and more than 1.5 metre in height:

Provided that in any case where a roof terrace is not accessible by a staircase, no parapet wall may be provided.

37. Walls for supply of potable water shall be located as per the relevant provisions of the latest edition of the West Bengal Municipal Act or any other revision made thereunder.

38. Soak wells shall be located as per the relevant provisions of the latest edition of the West Bengal Municipal Act. or any other revision made there under.

39. Every building with four or more apartments shall provide garbage pits to the satisfaction of the Authority.

40. Boundary wall:- In the case of any corner plot, the Authority may, if deems fit, for reasons to be recorded in writing, require that the height of any boundary wall be restricted to 0.75metres for a length of ten metres on the front and side streets on any intersection and may allow open see-through type construction above such height.

41. Lighting and ventilation of room:- (1) Every habitable room kitchen and bathroom or water closet shall have, for the admission of light and air, one or more appartures, such as windows, glazed doors and lights, opening directly to the external air or into an open verandah.

(2) In any case where light and ventilation requirements are not met through day lighting and natural ventilation, the same shall be ensured through artificial lighting and mechanical ventilation as per the latest provisions of section 1 of Lighting and Ventilation of Par - VIII on Building Services of the latest edition of the National Building Code of India: Provided that in no case, the minimum aggregate area of openings of habitable rooms and kitchens excluding doors, shall be less than one tenth of the floor area.

42. Not less than three days before any person commences to erect a building, the owner of the building shall send to the authority a written notice duly signed by his/her Building Architect/Surveyor specifying the date on which it is proposed to commence the work.

Any person deviating from his approved plan during the execution, shall submit to the Authority a revised plan for such deviation of the building for which the plan has already been approved.

43. Within one month after the completion of the erection of a building:-

(1) The owner of the building shall send to the Authority a written notice of the fact of such completion and

(2) The Building Architect/Licensed Building Surveyor engaged under this Building Regulations to supervise the erection of the said building, shall send to the Authority a certificate in the following form:

"BUILDING COMPLETION CERTIFICATE"

I do hereby certify that the following building work (here insert full particulars of the work) has been supervised by me and has been completed to my satisfaction; that the workmanship and the whole of the materials used are good and that no provisions of the regulations as enumerated in the building regulations for Jurisdiction of the Siliguri-Jalpaiguri Development Authority area notified by the said Authority have been transgressed in the course of work.

44. (1) Every permission for any development granted under this Act, shall remain valid for a period of one year from the date of such permission.

(2) The Siliguri-Jalpaiguri Development Authority may, on application made in this behalf before the expiry of the aforesaid period, extend the same for such times as it may think proper, but the total period shall in no case exceed three years.

45. Save with the special permission of the authority, no building shall be attached to the adjacent building beyond a maximum height of 13 metres from the ground level.

46. No Construction of row houses shall be undertaken within the Authority area. The Authority may, if it deems fit, for reasons to be recorded in writing, allow construction of organised row houses under exceptional circumstances.

47. The Siliguri-Jalpaiguri Development Authority if satisfied that the conditions for proposed development are of exceptional nature may, upon a specific request of an applicant, relax any of the regulations provided under the Siliguri Jalpaiguri Development Authority Zoning and Sub-divisional Regulations for Control of Development and Use of Land.

48. For any matter relating to the construction of buildings not otherwise dealt in under different sections of this Regulations, the provisions of the latest version of the National Building code shall mutadlies, be deemed to have been incorporated in this Regulation.

49. All building regulations approved earlier by the Siliguri-Jalpaiguri Development Authority for enforcement within its jurisdiction shall stand repealed with effect from the date on which the Outline Development plan for

(a) Siliguri Planning Area.

(b) Jalpaiguri Planning Area.

(c) Naxalbari Planning Area.

receive approval of the State Government.

SCHEDULE - I

The Siliguri-Jalpaiguri Development Authority Zoning and Sub-division Regulations shall come into force at the first instance only to:

(a) All the areas within the Siliguri Police Station and the Mouzas Uttar Bagdogra (J. L. No. 93), Durniguri (J. L. No. 94), Rupsing (J. L. No. 95), Bhujibari (J. L. No. 98), Dakshin Bagdogra (J. L. No. 99), and Putimari (J. L. No. 100), Naxalbari (J. L. No. 27), Dayaram (J. L. No. 22) within the Naxalbari Police Station in the district of Darjeeling excluding the area declared as reserved forest under the Indian forest Act. 1927.

(b) All the area under Mouza Dabgram (J. L. No. 2) and Binnaguri (J. L. No 3) within the Rajgang Police Station and Mouzas Kharia including Jalpaiguri Municipal area (J. L. No. 7) Patkata (J. L. No. 5) and Paharpur (J. L. No. 6) within Kowali Police Station in the district of Jalpaiguri and

(c) All the areas falling within a distance of 250 mtms. on both sides of the National Highways and State Highways falling within the jurisdiction of the Siliguri-Jalpaiguri Development Authority declared vide G.O. No. 1877-T & CP/IR-6/80 dated, 17.03.1980

SCHEDULE - II

Application for permission for development under Section 46 of the West Bengal Town & Country (Planning & Development) Act, 1979.

**(WIDE WEST BENGAL GOVT.)
NOTIFICATION NO. 2352-T & CPI/R - 6180
DATED 02.04.1980**

From:.....
(Name of the owner of the land)
Address:.....

To : the Siliguri-Jalpaiguri Development Authority, Siliguri

Sir,

I intend to carry out development of a building
.....metres high in.....

storeys in the site or plot of land detailed below, in accordance with the provisions of section 46 of the West Bengal Town & Country (Planning and Development) Act, 1979 & Rule 8 of the Outline Development plan and the Detailed Development Plan, Rules, 1980.

1. Particulars of proposed development
 - (i) Name of the Street.....
 - (ii) Location.....
 - (iii) Plot No.....
 - (iv) Holding No.....
 - (v) Sheet No.....
 - (vi) Ward No.....
 - (vii) Name of the Mouza.....
 - (viii) Khata No.....
 - (ix) Name of the Municipality/gram Panchayat.....

- (x) Name of the Police Station.....
- (ii) Area of the plot.....
- (iii) Existing use of the plot.....

2. I forward herewith--

- *A) A site plan (in quadruplicate) of the area proposed to be developed (scale : Not less than 1:300).
- *B) A detailed plan (in quadruplicate) showing the plan section and elevations of the proposed development work ; (scale : Not less than 1:100).
- *C) An extract or record of right/property registered (any other documents showing ownership of land to be specified).

*A) (In the case of layout) a site plan (in quadruplicate) showing the surrounding land and existing access to the land included in the layout:

*B) (In the case of layout) a plan (in quadruplicate) showing

- (i) Sub-divisions of the land or plot with dimension and area of such of the proposed sub-divisions and its use according to prescribed regulations;
- (ii) Width of the proposed streets and
- (iii) Dimensions and areas of open spaces provided in the lay out for the purpose of garden or recreation or any like purpose.

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

I do hereby declare that the key plan, site plan and the building plan have been prepared under my supervision and I shall be responsible for the supervision of the building in accordance with the provisions of the S.J.D.A.Regulations

I do hereby declare that the building proposed construction shall be supervised by the B.A./L.B.S. signing the building plan application or in his absence by any other B.A./L.B.S. of the appropriate category and as approved by the Authority.

Signature of the Licensed Building Surveyor/Building Architect S.J.D.A. Registration No. Signature of the Owner of the land

Date:..... Dated:.....

***STRIKE OUT WHICHEVER IS NOT APPLICABLE**

SCHEDULE-III

Building Architects/Licensed Building Surveyors (vide sub-rule (3) Rule (B) of the West Bengal Government, Notification No. 2352-T & CP/IR-6/80 dated, 02.04.1980).

Building Architects:- There shall be two classes of Building Architects..

Save with the special permission of the Authority the qualifications and the scope of work, for different classes of Building Architect shall be as follows:-

"A" CLASS BUILDING ARCHITECT

QUALIFICATIONS:

A degree in Architecture from a recognised University or Institution as defined in the Architects Act. (1972) and holding the registration with Council of Architecture under the Architects Act. (1972)

EXPERIENCE:

Shall have at least five years experience in design and supervision of buildings to the satisfaction of the Authority.

For Buildings exceeding 18.5 metres in height qualified Civil/Structural Engineer with 5 years experience shall be associated with the Architect in order to ensure the structural safety of the building proposed for construction, scope of Work:-He/She shall be competent to act as Building Architect for all classes of building Architect for all classes of building.

"B" CLASS BUILDING ARCHITECT

QUALIFICATIONS

(a) A degree in Architecture from a recognised University or Institution as defined in the Architects Act. (1972) and holding the registration with Council of Architecture under the Architects Act. (1972).

(b) A diploma in Architecture from a recognised University or Institution as defined in the Architects Act. (1972) and holding the registration with Council of Architecture under the Architects Act (1972) and shall have at least five years experience in the design and supervision of building to the satisfaction of the Authority.

SCOPE OF WORK

He/She shall be competent to Act. as Building Architect for buildings upto 13 metres in height of any type and class.

2. LICENSE BUILDING SURVEYOR

There shall be three classes of Licensed Building Surveyors to whom licenses shall be issued by the Siliguri-Jalpaiguri Development Authority for renewable period of three years.

Save with special permission of the Authority, the qualifications, scope of work and the license fees for different classes of Building Surveyors shall be as follows:-

"A" CLASS LICENSED BUILDING SURVEYOR

QUALIFICATIONS

Graduates in Civil Engineering or Architecture of recognised universities or Institutions or corporate members of the Indian Institute of Architects or any other Institution considered equivalent to the above, of Architects or any other Institution considered equivalent to the above.

EXPERIENCE

Shall have at least years 5 experience in structural design and supervision of building to the satisfaction of Authority.

SCOPE OF WORK

For building exceeding 18.5 metres in height a Graduate Architect with five years experience shall be associated with the Civil Engineer in order to ensure, pleasing elevations desirable layout of the building proposed to be constructed.

License Fee:- 600=00 per annum.

"B" CLASS LICENSED BUILDING SURVEYOR

QUALIFICATION

(a) Graduates in Civil Engineering or Architecture of recognised Universities or Institutions or corporate members of the Institution of Architects or similar equivalent recognised bodies.

(b) Persons holding upper sub-ordinate diploma or diploma of Licentiate in Civil Engineering or a diploma in architecture from a recognised Institution or similar equivalent recognised qualifications and having at least five years experience in buildings construction in a position of responsibility.

SCOPE OF WORK

1. Domestic and Commercial classes of Buildings upto a maximum height of 13.00 metres above ground level.
2. Public buildings not exceeding a cubical extent of 2000 cubic metres.
3. Simple Industrial and warehouse classes of buildings not exceeding a cubical extent of 2000 cubic metre.

LICENSE FEE

Rs. 400=00 per annum.

"C" CLASS LICENSED BUILDING SURVEYOR QUALIFICATION

- A) Persons holding upper-Sub-ordinate diploma of Licentiate in Civil Engineering or a diploma in Architecture from Recognised Institute or similar equivalent recognised bodies.
- B) Draftsman or Junior Architects who have been in practice for at least five years or have worked in a responsible position for five years in building construction in a firm employing qualified Engineers or qualified Architects.

SCOPE OF WORK

Domestic and Commercial classes of buildings upto a height of 7 metres with a saicase room not exceeding 2.5 metres in height. The following are excluded from the scope of this class.

- (1) Public buildings.
- (2) Warehouse and Industrial classes of buildings.

LICENSE FEE

Rs. 200=00 per annum.

REGULATIONS FOR GUIDANCE OF BUILDING ARCHITECTS/SURVEYOR

1. License to Building Surveyors shall be granted only as individual and in case of firms asking for license on behalf of any of their employees, the license shall be granted in the name of that employee which shall however cease as soon as the side employee ceases his connection with the firm. The same license however may be revalidated in the name of some other member of the firm having the requisite qualification.

2. All plans submitted shall bear the signature of the Building Architects/Licensed Building Surveyor who shall see that the plans submitted conform to the zoning & sub-divisions regulations as also the building regulations formed by the Siliguri-Jalpaiguri Development Authority.

3. Permissible relaxation in the regulations inforce prayed for shall be specifically mentioned in the application form or in the forwarding letter justifying the reasons thereof.

4. It shall be incumbent on every Building Architect/Licensed Building Surveyor to see that the owner of the Building in which he/she may be professionally engaged submits to the Authority a written notice specifying the date of commencement of the work as required, under these regulations for this Authority area.

5. The Building Architect/Licensed Building Surveyor, shall be responsible for proper execution of the building in which he/she is professionally engaged or consulted and shall forthwith inform the Authority and cases of violation in the plan submitted to and approved by Siliguri-Jalpaiguri Development Authority.

6. It shall be incumbent on every Building Architect/Licensed Building Surveyor in all matters in which he is professionally consulted and engaged to assist and co-operate with the Siliguri-Jalpaiguri Development Authority and the Officers of the side Authority in the implementation of the provisions of the Act and of any regulation framed there under.

7. It the event of any doubt or dispute arising as to the interpretation of the regulations framed by the Authority, the matter shall be referred to the Chief Executive Officer, Siliguri-Jalpaiguri Development Authority whose decision on the matter shall be final.
8. Every Licensed Building Surveyor shall pay his/her license fees as herein before mentioned, within a specified date in the year in which it falls due.

9. The License is not transferable, subject to clause 1 above.
10. The renewal of the license is subject to the discretion of the Chief Executive Officer, Siliguri-Jalpaiguri Development Authority.

CANCELLATION OF LICENSE

The Siliguri-Jalpaiguri Development Authority may at anytime cancel the License of any License Building Surveyor during the period of the validity of the license or may take with the council of Architects cancellation of registration certificate of a Building Architect registered under Architect Act, 1972 if the Authority is satisfied that:

1. The Building Architect/Licensed Building Surveyor is involved directly or in an indirect way in an-unauthorised building activity or fails to comply with regulations herein before mentioned.
2. The Building Architect/Licensed Building Surveyor has suppressed any material fact in obtaining sanction to building plan under rule-46 of the West Bengal Town & Country (Planning & Development) Act, 1979.
3. The Building Architect/Licensed Building Surveyor has submitted incorrect and incomplete building plan to the Authority for the purpose of obtaining written permission under Rule 46 of the Act.
4. The Building Architect/Licensed Building Surveyor has failed to submit the building completion certificate as required under Section-43 of this Regulations for Siliguri-Jalpaiguri Development Authority area.
5. The Building Architect/Licensed Building Surveyor has in any way violated the professional conduct of a Building Architect/Licensed Building Surveyor and is considered technically unsound to undertake his professional responsibility.
6. The Building Architect/Licensed Building Surveyor is adjudged insolvent, or of unsound mind, or is engaged in or committed to anti social activities.
7. The Building Architect/Licensed Building Surveyor is considered infirm for undertaking planning and execution of a building to the satisfaction of the Authority.

SCHEDULE IV

BROAD LAND USE ZONES OF THREE PLANNING AREAS

Board Land Use Zones of three Planning Areas:-

1. Siliguri Planning Area
2. Jalpaiguri Planning Area
3. Naxalbari Planning Area

THE CALCUTTA GAZETTE, EXTRAORDINARY, FEBRUARY 7, 2001

1. Siliguri Planning Area		Name of the planning zone	Land uses Zone No.	Sub-Planning Area No.	Proposed use of Sub-Planning Area	Land Use Planning Block No.	Proposed use
Siliguri Municipality	01	01/02	01/01	01/01	Residential & Commercial	01/01/01 01/01/02	Residential Commercial & Mixed Residential
					Transportation Communication, Residential and Commercial	01/02/01 01/02/02 01/02/03 01/02/04 01/02/05	Residential Transportation and Communication Agricultural Residential & Commercial
					Industrial, Residential, Public & Semi-Public	01/03/01 01/03/02 01/03/03 01/03/04 01/03/05	Mixed use with Commercial, Residential, Public & Semi-Public Industrial Residential Mixed use with Commercial, Residential, Public & Semi-Public Agricultural Industrial
					Commercial & Residential	01/04/01 01/04/02 01/04/03 01/04/04	Mixed use (Commercial/Residential) Commercial/Residential Commercial/Residential Residential

Name of the Planning Zone	Land uses Zone No.	Sub-Planning Area No.	Proposed use of Sub-Planning Area	Land use Planning Block No.	Proposed use
Siliguri Municipality (excluding Siliguri Municipality) & Maitigara (Investigation Centre) P.S.	01			01/04/05 01/04/06 01/04/07	Residential Commercial & Mixed Commercial
		01/05	Public & Semi-Public Residential	01/05/01 01/05/02 01/05/03 01/05/04	Residential Public & Semi-Public Residential
		01/06	Residential, Public & Semi-Public and Commercial	01/06/01 01/06/02	Residential, Public & Semi-Public and Commercial & Mixed Residential, Public & Semi-Public and Commercial & Mixed
		01/07	Residential, Public & Semi-Public, Industrial and Commercial	01/07/01 01/07/02	Residential, Public & Semi-Public, Industrial Residential
		01/08	Residential, Transportation & Communication open Space, Public & Semi-Public	01/08/01 01/08/02 01/08/03	Residential/Open Space, Public & Semi-Public Commercial & Residential
		04/01	Residential, Commercial & plantation (T.G) Transport & Communication	04/01/01 04/01/02 04/01/03 04/01/04	Residential Commercial Plantation (T.G) Residential & Commercial, Residential, Commercial Transport & Communication
		04/02	Residential, Commercial & Agricultural Plantation	04/02/01 04/02/02 04/02/03 04/02/04	Commercial Residential Agricultural Plantation, Residential & Commercial
		04/03	Agricultural, Industrial Residential, Horticulture	04/03/01 04/03/02 04/03/03 04/03/04	Agricultural Industrial Residential Vacant

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Name of the Planning Zone	Land uses Zone No.	Sub-Planning Area No.	Proposed use of Sub-Planning Area	Land use Planning Block No.	Proposed use
Siliguri P.S. (excluding Siliguri Municipality & Maitigara (Investigation Centre) P.S.	04			04/03/05 04/03/06 04/03/07	Agricultural Horticulture Residential
		04/04	Tea Plantation Agricultural Conservation	04/04/01 04/04/02 04/04/03 04/04/04	Tea Plant Agricultural Agricultural
		04/05	Agricultural, Residential Public & Semi-Public	04/05/01 04/05/02 04/05/03 04/05/04 04/05/05 04/05/06 04/05/07 04/05/08	Agricultural Residential Public & Semi-Public Residential Residential Agricultural Residential
		04/06	Residential Agricultural Public & Semi-Public River	04/06/01 04/06/02 04/06/03 04/06/04 04/06/05 04/06/06	Public & Semi-Public Agricultural Residential River Bed/Vacant River Balason Residential/Agricultural
		04/07	Residential Agricultural Mixed, Tea Estate	04/07/01 04/07/02 04/07/03	Residential Agricultural/Mixed Tea Estate
		04/08	Agricultural, Public Semi-Public	04/08/01 04/08/02 04/08/03 04/08/04	Public, Semi-Public Vacant Agricultural
		04/09	Agricultural, Residential, Commercial, Industrial, Public & Semi-Public		
Daggram	03			03/01/01 03/01/02 03/01/03	Residential Residential Public, Semi-Public
		03/02	Transportation and Communication, Public & Semi-Public	03/02/01	Transportation and Communication, Public & Semi-Public

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Name of the Planning Zone	Land uses Zone No.	Sub-Planning Area No.	Proposed use of Sub-Planning Area	Land use Planning Block No.	Proposed use
Dabgram	03	03/03	Residential & Commercial	03/03/01 03/03/02 03/03/03	Commercial Residential Residential
		03/04	Residential & Agricultural	03/04/01 03/04/02 03/04/03 03/04/04	Residential Residential Residential Agricultural
		03/05	Residential	03/05/01 03/05/02 03/05/03 03/05/04 03/05/05	Residential Residential Residential Residential Residential
		03/06	Residential & Commercial, Agricultural, Industrial Public & Semi-Public	03/06/01 03/06/02 03/06/03 03/06/04 03/06/05 03/06/06 03/06/07	Commercial Agricultural Industrial Public & Semi-Public Residential Commercial Commercial
		03/07	Residential & Commercial, Industrial Public & Semi-Public	03/07/01 03/07/02 03/07/03 03/07/04 03/07/05	Commercial Residential Public & Semi-Public Industrial Residential
		03/08	Commercial & Industrial	03/08/01	Commercial & Industrial
		03/09	Commercial, Industrial, Public & Semi-Public and Conservation	03/09/01 03/09/02 03/09/03	Industrial Public, Residential & Commercial Conservation, Residential & Commercial, Industrial, Conservation, Residential & Commercial, Industrial
Bimnaguri	05	05/01	Residential & Conservation	05/01	Residential & Conservation
		05/02	Commercial & Industrial	05/02	Commercial & Industrial
		05/03	Conservation	05/03	Conservation

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Name of the Planning Zone	Land uses Zone No.	Sub-Planning Area No.	Proposed use of Sub-Planning Area	Land use Planning Block No.	Proposed use
Bimnaguri	05	05/04 05/05	Transport & Communication Conservation		
Bagdora	06	06/02	Residential, Commercial, Public & Semi-Public Agricultural and Industrial	06/02/01 06/02/02	Residential, Commercial, Industrial, Public & Semi-Public Agricultural Residential, Industrial Public & Semi-Public and Agricultural

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2. Jalpaiguri Planning Area					
Name of the Planning Zone	Land uses Zone No.	Sub-Planning Area No.	Proposed use of Sub-Planning Area	Land use Planning Block No.	Proposed use
Jalpaiguri Municipality	02	02/01	Commercial	02/01/01	Commercial
				02/01/02	Commercial
				02/01/03	Commercial
				02/01/04	Commercial
				02/01/05	Commercial
				02/01/06	Commercial
	02/02	Residential	02/02/01	Residential	
			02/02/02	Residential	
			02/02/03	Residential	
			02/02/04	Residential	
02/03	Residential	02/03/01	Residential		
		02/03/02	Residential		
02/04	Conservation	02/04/01	Conservation		
		02/04/02	Conservation		
02/05	Conservation	02/05/01	Conservation		
		02/05/02	Conservation		
02/06	Residential	02/06/01	Residential		
		02/06/02	Residential		
02/07	Public & Semi-Public	02/07/01	Public & Semi-Public		
		02/07/02	Public & Semi-Public		
02/08	Residential	02/08/01	Residential		
		02/08/02	Residential		
02/09	Residential	02/09/01	Residential		
		02/09/02	Residential		
02/09/03	Residential	02/09/03	Residential		
		02/09/04	Residential		
02/09/05	Residential	02/09/05	Residential		

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2. Jalpaiguri Planning Area					
Name of the Planning Zone	Land uses Zone No.	Sub-Planning Area No.	Proposed use of Sub-Planning Area	Land use Planning Block No.	Proposed use
Jalpaiguri Municipality	02	02/10	Residential	02/10/01	Residential
				02/10/02	Residential
		02/11	Residential	02/11/01	Residential
				02/11/02	Residential
		02/12	Residential	02/12/01	Residential
		02/12/02	Residential		
3. Naxalbart Planning Area					
Name of the Planning Zone	Land uses Zone No.	Sub-Planning Area No.	Proposed use of Sub-Planning Area	Land use Planning Block No.	Proposed use
Naxalbart	06	06/01	Agricultural, Residential, Commercial, Public & Semi-Public and Tea Garden	06/01/01	Agricultural, Residential, Commercial, Public & Semi-Public
				06/01/02	Agricultural, Tea Garden & Residential
		07/01	Industrial		
		07/02	Residential, Industrial, Public & Semi-Public		
		07/03	Residential, Public & Semi-Public		
		07/04	Residential		
		07/05	Conservation		
		07/06	Conservation		

Note: Tea Garden land resumed by the Government will come under purview of LUDCP and may be used for Area Development Schemes which may include Residential, Commercial, Industrial, Public & semi-Public, Public Utility services, Open Space, apart from plantation.

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SCHEDULE-V

List of uses Compatible and Incompatible to Predominant Land Use Zones

A. RESIDENTIAL AREA

a. The following shall be compatible uses.

- (i) Restaurant, Guest House and Boarding houses.
 - (ii) Dharmasalas.
 - (iii) Banks.
 - (iv) Government Offices including Post and Telegraphs Offices.
 - (v) Professional Offices.
 - (vi) Schools and other Educational Cultural and Recreational Institutions.
 - (vii) Religious Institutions.
 - (viii) Fire Station.
 - (ix) Police Station.
 - (x) Libraries.
 - (xi) Hospitals.
 - (xii) Health Clinics and Nursing Homes.
 - (xiii) Electrical supply sub-stations and water sewerages and drainage pumping stations.
 - (xiv) Parks, Open spaces, Bathing Ghats and Swimming Pools.
 - (xv) Miscellaneous retail shops not prejudicial to residential uses.
 - (xvi) Small scales home industries employing less than 5 (five) persons with power or 10 (ten) persons without power which do not produce or give out smoke, dust liquid wastes, obnoxious gases vibration, noise or are not in any way prejudicial to residential quarters.
- ##### b. The following shall be incompatible uses
- (i) Industries excluding those coming within Categories A/a (XVI).
 - (ii) Commercial uses excluding those coming within categories A/a (I).
 - (iii) Manufacture & storage of explosives and petroleum or other incendiaries.
 - (iv) Wholesale loading, unloading & warehousing business.
 - (v) Burial grounds, cemeteries and burning places.
 - (vi) Khatais.
- #### B. COMMERCIAL AREA
- ##### a. The following shall be compatible uses.
- (i) Apartments with ground and basement as commercial.

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- (ii) Hotels and Boarding Houses.
- (iii) Public parks and Open spaces.
- (iv) Police & Fire Station.
- (v) Post & Telegraph Offices.

(vi) Small scale industries employing less than 10 persons with power or 20 persons without power which do not produce or give out smoke, liquid, wastes, obnoxious gases, vibration, noise or are not in any other way prejudicial to commercial uses.

(vii) Coal, Timber, Petroleum, Kerosene & other fuel depots & Chemical and Paints storage provided that with regard to them (vi) and (vii) previous permission in writing of the Authority shall be obtained in each case.

B. (b) The following shall be incompatible uses.

- (i) Residential uses excluding those coming within Categories B/a (I)
- (ii) Industrial uses excluding those coming within Categories B/a (a) (vii)

Industrial Area

C.(a) The following shall be compatible uses.

- (i) Wholesale loading, unloading, storage & warehousing business.
- (ii) Limited residential uses for housing the watch & ward staff.
- (iii) Limited Commercial uses for serving the area.
- (b) The following shall be incompatible uses.
- (i) Manufacture & storage of leather & leather products.
- (ii) Manufacture & storage of animal products.
- (iii) Manufacture & storage of explosives.
- (iv) Manufacture of rubber, petroleum, coke & chemicals.
- (v) Plastic goods Factory.
- (vi) Fertiliser Factory.
- (vii) Slaughter houses.
- (viii) Residential uses excluding those coming within categories C/a (ii)
- (ix) Commercial uses excluding those coming within categories A/a (I) & A/a (II).
- (x) Offices & Institutions.
- (xi) Public recreational uses.

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SCHEDULE-VI

There shall be following classes of buildings:

- (a) Building of the residential class : These are buildings which shall be used strictly for dwelling purposes only and are distinct from all other classes of buildings.
- (b) Building of Commercial class : These are buildings which shall accommodate business, shopping, commercial activities and the like, these are distinct from buildings of the other classes mentioned herein before and hereinafter.
- (c) Public Buildings : These are buildings which shall be used:
 - (i) For the purpose of public accommodation with or without payment for entertainment or otherwise, such as Hospital, Nursing Homes, Educational Institutions, Lecture Hall, Libraries, Covered Swimming Pools, Stadium and Cinema Halls, Auditoriums etc.
 - (ii) As a place of public worship, Workhouse, Public Hall, Public Exhibition Room or Public Place for assemblies etc.
 - (iii) For any other public purposes.
- (d) Building of Ware House Class and Industrial Class:
These are buildings which shall be used for the purposes of processing, manufacturing and storing merchandise or materials of all descriptions.
- (e)(b) Building of Mixed Class:
These are buildings which may accommodate more than one class of the above classes (a) to (d) in the same buildings.

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SCHEDULE-VII

* In terms of the provision, after regulation 22 of the regulation, restriction limiting the height of buildings up to a maximum of 14.5 metres shall come into force, at the first instances only to--

- (a) All the areas falling with Ward Nos. 1 to 31, 33 and 45 of Siliguri Municipal Corporation.
- (b) All the areas falling within a distance of 50 metres from its centre on either side of Sevoke Road originating from its intersection with Tenzing Norway Road on the South and extending upto its junction with NH-31 in Ward No. 42 of Siliguri Municipal Corporation.

*[Inserted as per amendment vide no. 383-T & CP/IR-5/89 dated, 13.02.1961]

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