

Government of West Bengal
Department of Panchayats & Rural Development
Joint Administrative Building (6th to 9th Floors) HC-07, Sector III
Bidhannagar, Kolkata – 700 106

No.438/SS/PN/O/I/3R-6/2004(Pt-II)

Dated: 11.06.2015

NOTIFICATION

Whereas, in terms of the provisions of rules 64 to 83 of the West Bengal Panchayat (Panchayat Samiti Administration) Rules, 2008 read with section 114A of the West Bengal Panchayat Act, 1973, a Panchayat Samiti shall control building operations within the jurisdiction of a Development Authority under the area of the Panchayat Samiti following the procedure mentioned therein;

And whereas, the State Government in its 'ease of doing business initiatives' had been contemplating to simplify the procedure for granting permission for erection of new structure or a new building or to make any addition to an existing structure or building within the jurisdiction of a Development Authority under the area of a Panchayat Samiti for the purpose of setting up of industry;

Now, therefore, in exercise of the power conferred under section 212 of the West Bengal Panchayat Act, 1973, the Governor, after careful consideration is hereby pleased to issue the following instructions :

- (1) In case of erection of a new structure or a new building or to make any addition to an existing structure for the purpose of setting up of an industry other than an industry in any industrial estate or industrial park within the jurisdiction of a Development Authority under the area of a Panchayat Samiti, application in Form 4A, in triplicate, along with all relevant documents as required in rule 65 of the West Bengal Panchayat (Panchayat Samiti Administration) Rules, 2008 shall be submitted in the designated office of the Department of Micro, Small and Medium Enterprises & Textiles or the Department of Commerce & Industries of the State Government. The designated office of the said Departments, after scrutiny to check the completeness of the said application, shall forward the application to the Panchayat Samiti or the Zilla Parishad concerned or the Panchayats & Rural Development Department for vetting, depending upon the plinth area and the height as specified in the rule 74 of the West Bengal Panchayat (Panchayat Samiti Administration) Rules, 2008. When vetting of the Panchayats & Rural Development Department is necessary, the application shall be forwarded by the designated office of the Department of Micro, Small and Medium Enterprises & Textiles or the Department of Commerce & Industries to the Panchayats & Rural Development Department through the Zilla Parishad concerned. The Panchayat Samiti concerned shall finally accord permission.

- (2) If the State Government or an authority or an agency under the State Government intends to set up or has set up an industrial estate or industrial park within the jurisdiction of a Development Authority under the area of a Panchayat Samiti, application for erection of any structure or building or any addition to the structure or building for setting up an industry within such industrial estate or industrial park shall be submitted directly to the industrial development authority or corporation or other organization as the State Government may by notification specify (e.g. WBIDC, WBSIDC, WBIIDC & WEBEL) giving proper intimation to the Panchayat Samiti concerned. The industrial development authority or corporation shall finally accord permission.
- (3) Fees for the purpose of erection of a new structure or a new building or to make any addition to an existing structure for industry other than an industry in any industrial estate or industrial park shall not be deposited along with the application form as mentioned in rule 66 of the West Bengal Panchayat (Panchayat Samiti Administration) Rules, 2008. Instead, fees for the purpose shall be deposited at the office of the Panchayat Samiti at the time of collection of the approved plan.
- (4) If the erection of a new structure or a new building or to make any addition to an existing structure or building is only for setting up of an industry in any industrial estate or industrial park, the required fees shall be deposited to the office of the Panchayat Samiti concerned by the applicant after sanction of the plan by the industrial development authority/corporation/other organization but before collection of the sanctioned plan from the sanctioning authority.
- (5) For erection of a new structure or a new building or to make any addition to an existing structure for the purpose of setting up of an industry other than an industry in any industrial estate or industrial park within a Panchayat Samiti having plinth area upto 300 sq meter and height upto 6.5 meter, the Panchayat Samiti concerned shall accord permission; for plinth area more than 300 sq meter and height upto 15 meter, vetting of building plan by the Zilla Parishad is necessary; and for building of height more than 15 meter, vetting of the building plan by the Panchayats & Rural Development Department is necessary. Permission shall ultimately be granted by the Panchayat Samiti on the basis of the vetting of the building plan by the authority concerned.
- (6) In case of direct permission by Panchayat Samiti for construction of building as per plinth area and height, the time limit for according permission will be 30 (thirty) days from the date of receipt of the application, which must be complete in all respects, at the office of the Panchayat Samiti. When the vetting of the building plan plan by a Zilla Parishad is necessary, the Zilla Parishad concerned shall take all necessary measures for vetting of the plan in such a way that permission can be granted by the Panchayat Samiti within 30 (thirty) days from the date of receipt of the application, which must be complete in all respects, at the office of the Zilla Parishad. When the

vetting of the building plan by the Panchayats & Rural Development Department is necessary, it shall take all necessary measures for vetting of the plan in such a way that permission can be granted by the Panchayat Samiti within 60 (sixty) days from the date of receipt of the application, which must be complete in all respects, at the office of the Zilla Parishad. If permission is not accorded within such time limit, it shall be presumed that the Panchayat Samiti has accorded permission.

- (7) In case any application along with a site map and a construction plan, complete in all respects, is received by a Panchayat Samiti for No Objection Certificate (NOC) for construction of a drainage system for clearance of storm water or appropriate sewage prior to commencement of construction activity for the purpose of setting up of an industry within the jurisdiction of a Development Authority, the Panchayat Samiti shall provide the NOC within 15 days. If permission is not accorded within such time limit, it shall be presumed that the Panchayat Samiti has accorded permission.

By order of the Governor,



OSD & EO Special Secretary to the
Government of West Bengal

No.438/1(58)/SS/PN/O/I/3R-6/2004(Pt.-II)

Dated: 11.06.2015

Copy forwarded for information and necessary action to:

- (1) The Commissioner, Panchayats & Rural Development, West Bengal, Jessop Building, 63 N.S Road, Kolkata-700001
- (2) The District Magistrate & Executive OfficerZilla Parishad (All)
- (3) The Additional Executive Officer,Zilla Parishad (All)/ Mahakuma Parishad
- (4) The District Panchayats & Rural Development Officer,(All)

He is requested to communicate the copy of this order to all Panchayat Samitis and Gram Panchayats within the district.



OSD & EO Special Secretary to the
Government of West Bengal