

GOVERNMENT OF WEST BENGAL
URBAN DEVELOPMENT & MUNICIPAL AFFAIRS DEPARTMENT
POURA PRASHASAN BHAWAN
DD – I, SECTOR – I, SALT LAKE CITY, KOLKATA – 700064

ORDER

NO. 567/ MA/O/C-4/3R-2/2015

Dated, Kolkata, the 28th day of December, 2016

WHEREAS in terms of the amendment of the West Bengal Municipal Building Rules, 2007, issued vide Notification No. 773/MA/O/C-4/3R-2/2015 dated 1st December, 2015 (herein referred as the said rules), the definition of “Green Building” has been incorporated in clause (l) under rule 2A of the said rules which, inter alia, states – “ ‘Green Building’ means a structure created by using processes that are environmentally responsible and resource-efficient throughout the building’s life-cycle i.e. from design, construction, operation, maintenance, renovation and demolition;

AND WHEREAS designated authorities or agencies for certification of “Green Building” (pre-certification or provisional certification and final certification) have been notified by the Department of Municipal Affairs vide Notification No. 633/MA/O/C-4/3R-4/2014 dated 14.09.2015 ; and

AND WHEREAS the Schedule of Rates to be charged for allowing the additional Floor Area Ratio (hereinafter to be referred as F.A.R.) for “Green Building” have been notified by the Municipal Affairs Department with the concurrence of Finance Department vide No. 624/MA/O/C-4/3R-3/2014 (Pt.) dated 09.09.2015 ;

NOW THEREFORE, the Governor is pleased hereby to specify the incremental fees/ charges on the additional “Floor Area Ratio (F.A.R.)” and lay down the guidelines for grant of additional Floor Area Ratio (F.A.R.) and certification of “Green Building” and also designate the agencies for certification (Pre-certification or Provisional Certification and Final-certification) of “Green Building” within the ambit of the said rules:-

A. Incremental fees/ charges on additional Floor Area Ratio (F.A.R.) on “Green Building”:-

(i) In case of “Green Building” the rates/ charges payable for availing addition “Floor Area Ratio” as mentioned in clause [a] of sub-rule (1) of Rule 53A of the of the West Bengal Municipal Building Rules, 2007, notified by Municipal Affairs Department vide Notification No. 773/MA/O/C-4/3R-2/2015 dated 01.12. 2015, shall be 10% of the incremental land, as per the circle rates of the Inspector General (Registration) of the said land.

(ii) In case of other categories as mentioned in clause [b] and [c] of sub-rule (1) of Rule 53A of the said Rules, the fees/ charges payable for additional ‘Floor Area Ratio’ shall be 25% of the incremental land, as per the circle rates of the Inspector General (Registration) of the said land.

‘Head of Accounts’ for the purpose of collection and transfer of fees and charges on account of additional Floor Area Ratio in respect of Green buildings:-

i) 0216-Housing-02- Urban Housing-800-Other Receipts-010-collection of fees and charges on account of additional floor area ratio in respect of Green and other categories of buildings -16-Other Fees.

ii) 3604-Compensation and Assignments to Local Bodies and Panchayati Raj Institution-00-200- other Miscellaneous Compensation and Assignments-NP-035-Transfer of fees and charges on account of additional floor area ratio in respect of Green and other categories of buildings -31-02.

B. Guidelines for certification and grant of additional Floor Area Ratio (F.A.R.):-

- (1) 10% additional floor Area Ratio for “Green Building” as per provision under Rule 53A of the West Bengal Municipal Building Rules, 2007, notified by Municipal Affairs Department vide Notification No. 773/MA/O/C-4/3R-2/2015 dated 01.12. 2015 shall be allowed only for buildings which have been granted “Gold” rating or higher under IGBC rating system or at least “Four Star” rating or higher under GRIHA Rating Systems.

- (2) Sanction of building plan for construction of "Green Building" and grant of additional F.A.R. shall be allowed on the basis of pre-certification by the agencies that are following GRIHA/ IGBC Rating System as notified vide Notification No. 633/MA/O/C-4/3R-4/2014 dated 14.09.2015.
- (3) The projects which are under construction/ implementation and are pre-certified under the Rating System will also be eligible for availing additional F.A.R. subject to observance of other conditions mentioned in this order.
- (4) The fees/ charges for availing additional F.A.R. shall be deposited as per rates notified by the Municipal Affairs Department vide 624/MA/O/C-4/3R-3/2014 (Pt.) dated 09.09.2015 and as per provisions under sub-rule (2) of Rule 24A of the West Bengal Municipal Building Rules, 2007, notified by Municipal Affairs Department vide Notification No. 773/MA/O/C-4/3R-2/2015 dated 01.12. 2015.
- (5) Periodic inspection during the construction in regard to compliance of "Green Building" norms shall be done by the rating agencies issuing the pre-certification.
- (6) Grant of additional F.A.R. should not be in contravention of any building rules of any regulatory/ statutory authorities.
- (7) Plan sanctioning authorities may issue partial Completion Certificate on the basis of inspection report from the rating agency. However, final Completion Certificate shall be issued by the plan Sanctioning Authority only after receipt of the Final Certification from the rating agency.
- (8) In case of non-compliance of the guidelines and upon failure to obtain the rating as mentioned at Para (1) above, penalty equivalent to one hundred and fifty percent of the value of the floor area sanctioned for availing the additional F.A.R., as per I.G. (Registration) value of the said building, shall be imposed by the Plan Sanctioning Authority.

C. Agencies designated for certification:-

The Agencies to be notified, which follow the rating programme given below will be the designated agencies for certification (Pre-certification or Provisional Certification and Final Certification of "Green Building") :-

- (I) Green Rating Integrated Habitat Assessment - GRIHA India; and
- (II) Indian Green Building Council – IGBC.

By Order of the Governor

Sd /-

Jt. Secy. to the Govt. of West Bengal

NO. 567/1(150)/ MA/O/C-4/3R-2/2015

Dated, Kolkata, the 28th day of December, 2016

Copy forwarded for information and necessary action to, the -

1. Chairman/ Chairperson, _____ Municipality/ NAA/ Industrial Township Authority.
2. Commissioner, Asansol/ Bidhannagar/ Chandernagore/ Durgapur/ Siliguri Municipal Corporation.
3. Chief Engineer, Municipal Engineering Directorate, West Bengal.
4. PS to MIC, MA & UD Departments, Govt. of West Bengal.
5. Pr. S to Secretary of this Department.



Joint Secretary