

The



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PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

KOLKATA MUNICIPAL CORPORATION

5, S. N. Banerjee Road, Kolkata – 700 013

NOTIFICATION

No. 1414/I&PR/16-17

Kolkata, the 30th March, 2017

In exercise of the power conferred by section 602 read with section 603 and clause (a) of sub-section (2) of section 171 of the Kolkata Municipal Corporation Act, 1980 (West Ben. Act LIX of 1980) (hereinafter referred to as the said Act), the Kolkata Municipal Corporation with the approval of the State Government make the following regulations :—

Regulations

CHAPTER - I

1. **Short title and commencement** — (1) These regulations may be called the Kolkata Municipal Corporation (Covered Space) Regulations, 2017.
(2) They shall come into force on the date of their publication in the Official Gazette.
2. **Definitions.**— (1) In these regulations, unless the context otherwise requires —
 - (a) "the Act" means the Kolkata Municipal Corporation Act, 1980 (West Ben. Act LIX of 1980);
 - (b) "section" means a section of the Act;
 - (c) 'Scheme' means scheme of Unit Area Assessment System as envisaged under the Act;
 (2) Words and Expressions used but not defined in these Regulations would have the same meaning and expression as provided in the Act.

CHAPTER-II

3. **Covered Space** – Save as otherwise provided in the Building Rules, expression 'covered space' in relation to a building shall mean the total floor area including the thickness of walls, gangway, garage, open garage and car parking space, verandah, common area for service and facility, open terrace, balcony and such other projections and also include basement, mezzanine floor, *barsati* and stilts meant for parking, Television/Telecom and other towers and hoarding erected on the roof, surface or any other open space of the premises.

Explanation: In case of Television tower or Telecom tower and other tower, the covered space shall include the area covered by the extremities of foundation multiplied by the total height, while in the case of hoardings; covered space shall mean the square of extremities of the poles on which hoardings are erected plus the area of the hoarding.

- 4. **Courtyards**– Courtyards, partially or completely enclosed by walls on buildings, designed for light as well as ventilation for thermal comfort shall be included into the covered space in case of being roofed or exempted, if unroofed, in accordance with the figures shown in the drawings hereafter.

Explanation: A roof covered by pergolas i.e. structure of posts for climbing plants for bringing partial shadow by means of its created grid of beams, creating open punctures to admit light, rain and air is not considered under covered space unless the openings in the pergolas are covered with temporary or permanent materials.

Courtyard, vide Regulation no. 4

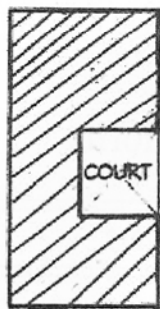


Fig. a

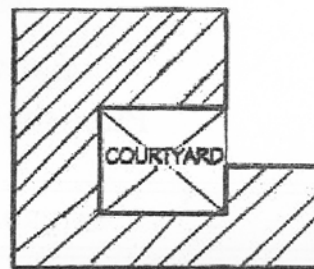


Fig. b

B

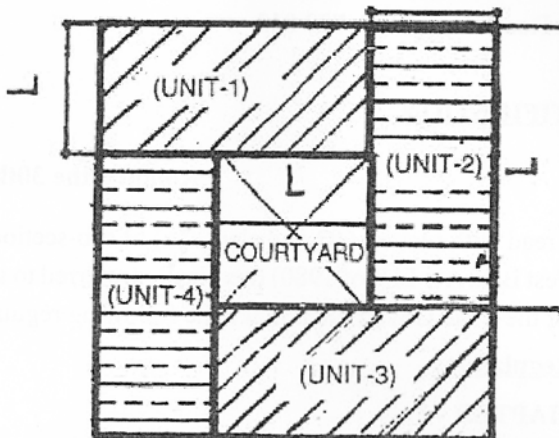


Fig. c

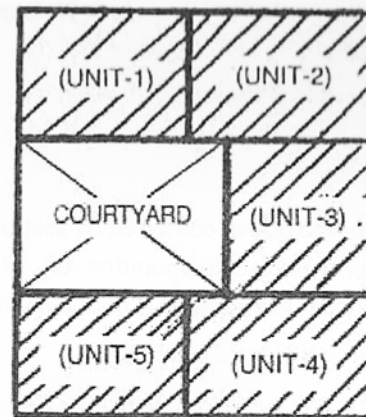


Fig. d

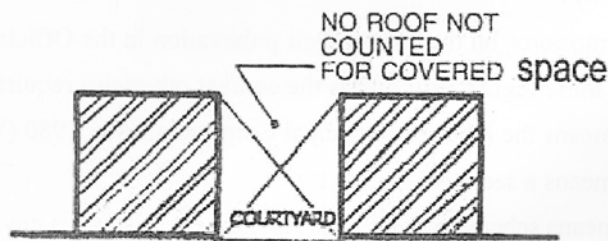


Fig. e

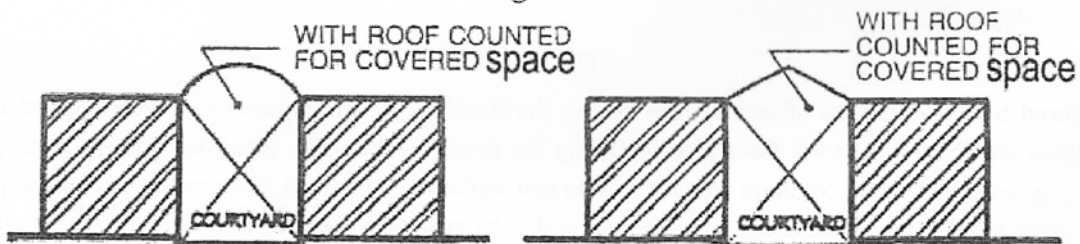


Fig. f

Explanation to Regulation no. 4

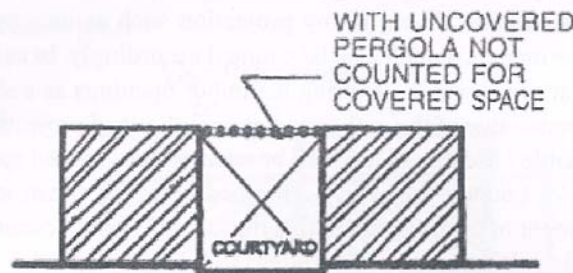


Fig. g

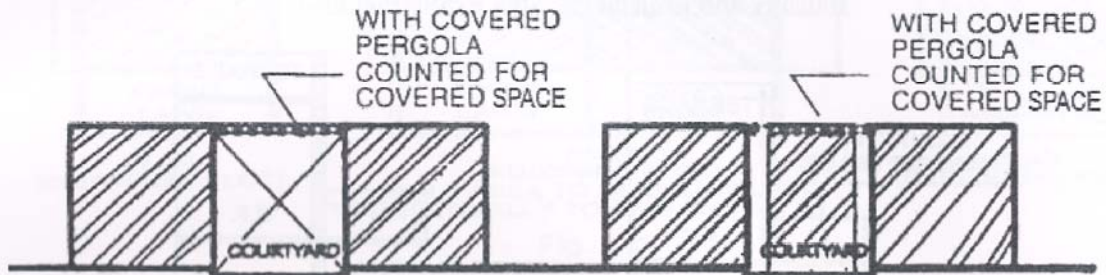
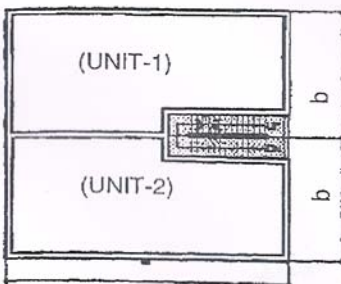
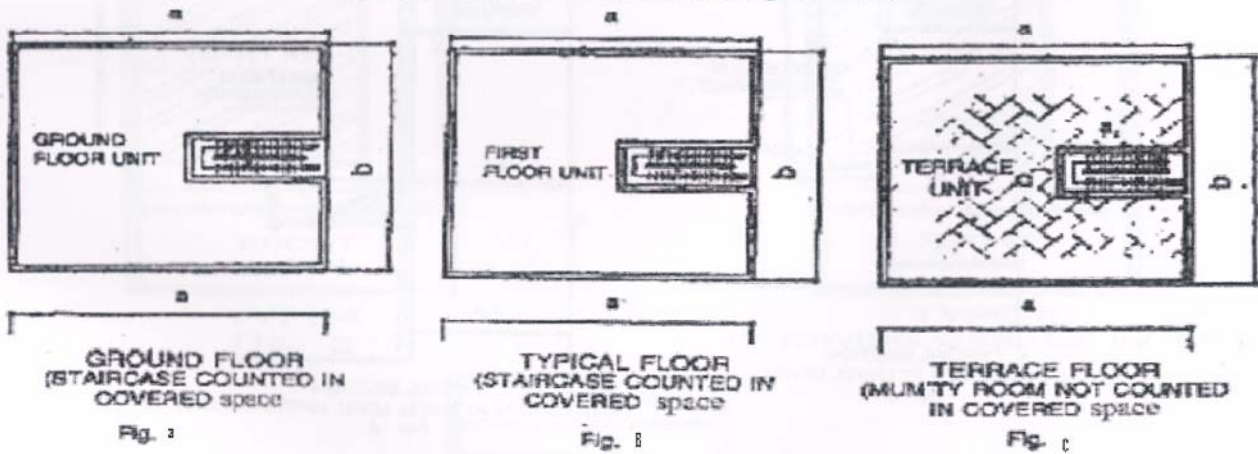


Fig. h

Fig. i

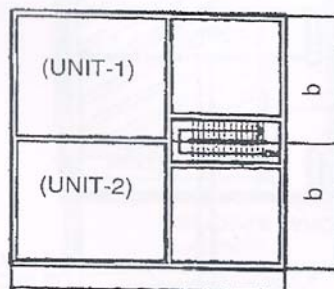
5. **Fire-escape staircase**—A fire-escape staircase, whether added to an existing building or not, shall not be considered as within a covered space.
6. **Staircase**—The staircase is counted for the covered space calculation. However, the mummy room area of the staircase and lift machine room shall/may not be counted for covered space calculation. If the staircase serves for more than one unit, accordingly, the area of the staircase shall proportionately be divided and added to the covered area of the unit. Such typical units, served by a single staircase is shown in drawing hereafter.

Staircase and mummy room, vide Regulation no. 6



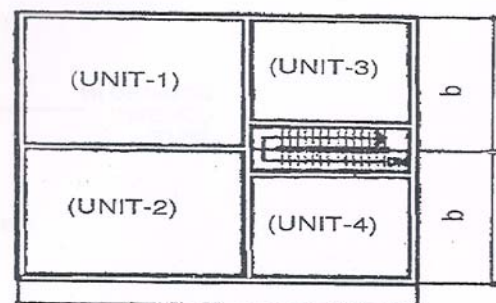
GROUND FLOOR
(STAIRCASE AREA TO BE DISTRIBUTED TO TWO UNITS EQUALLY)

Fig. d



TYPICAL FLOOR
(STAIRCASE AREA TO BE DISTRIBUTED TO TWO UNITS EQUALLY)

Fig. e

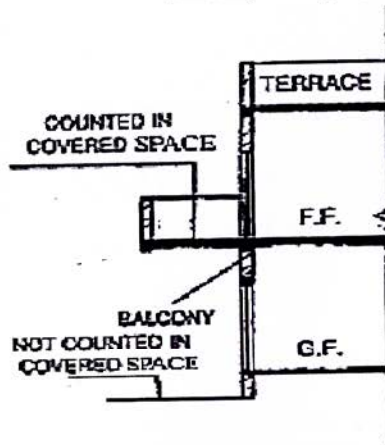


TYPICAL FLOOR
(STAIRCASE AREA TO BE DISTRIBUTED TO FOUR UNITS EQUALLY)

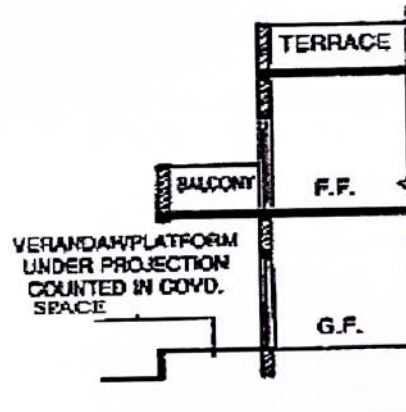
Fig. f

7. **Balcony area or any other projection**— Balcony area or any other projection that may be termed as open terrace or any such name or any such projection / appendage termed by any nomenclature either covered or open, shall be counted for covered space calculation. Even, if any projection such as canopy is used as balcony by providing access either temporarily or permanently shall also be counted accordingly. In case, the canopy is exclusively meant for portico i.e. not projected at roof level or covering the major openings as a shade, it need not be considered for covered space calculation. Irrespective of the authorized or unauthorized projections beyond the property boundary, for balcony or any other habitable / useable space shall be counted for covered space calculation. Such unauthorized projections i.e. beyond the plot boundary like any other unauthorized construction shall be counted for covered space calculation but the payment of property tax in this regard shall be not considered as regularized projections or structure as per Kolkata Municipal Corporation (Building) Rules, 2009 and also it will not be the point for claiming the regularization.

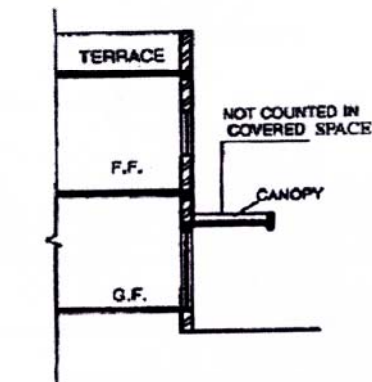
Balcony and projections, vide Regulation no.7



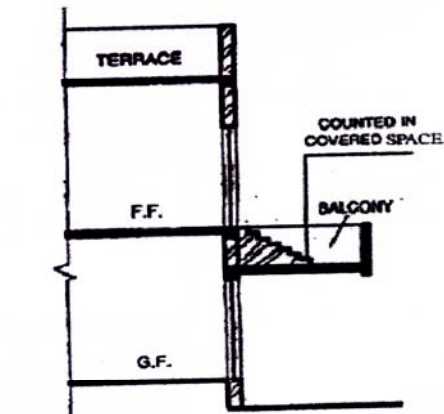
TYPICAL SECTION
(WITH BALCONY AT ROOF LEVEL)
Fig. a



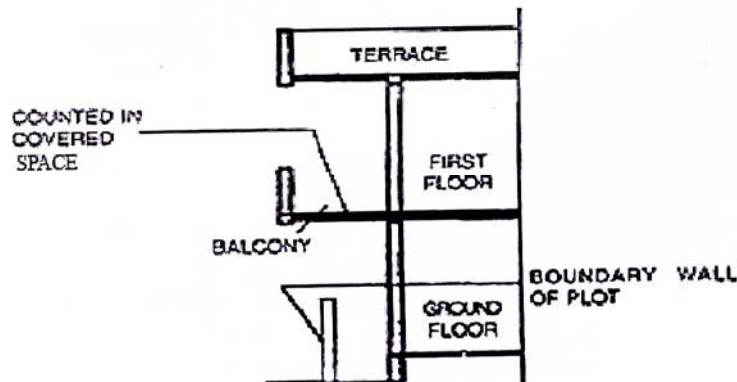
TYPICAL SECTION
(WITH BALCONY AT ROOF LEVEL)
Fig. b



TYPICAL SECTION
(WITH CANOPY AT LINTEL LEVEL)
Fig. c



TYPICAL SECTION
(WITH CANOPY AT LINTEL LEVEL APPROACHABLE)
Fig. d



TYPICAL SECTION
Fig. e

8. **Common wall**– The common wall at any row type development i.e. for attached or semi- attached housing unit, where a single wall is shared by side units the central line of the wall, which falls in its plot boundary shall be considered for calculating covered space

Vide Regulation No. 8

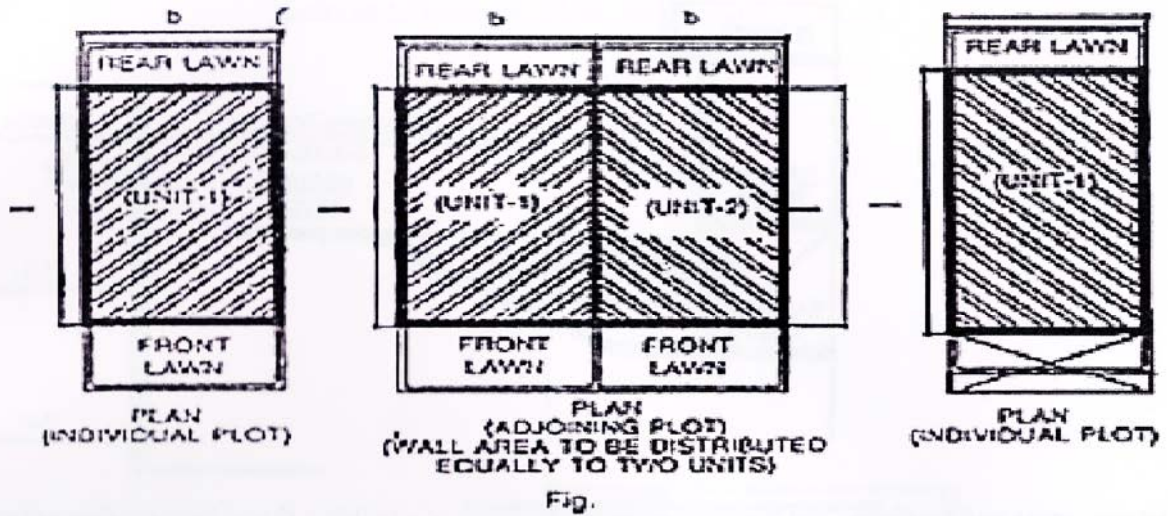
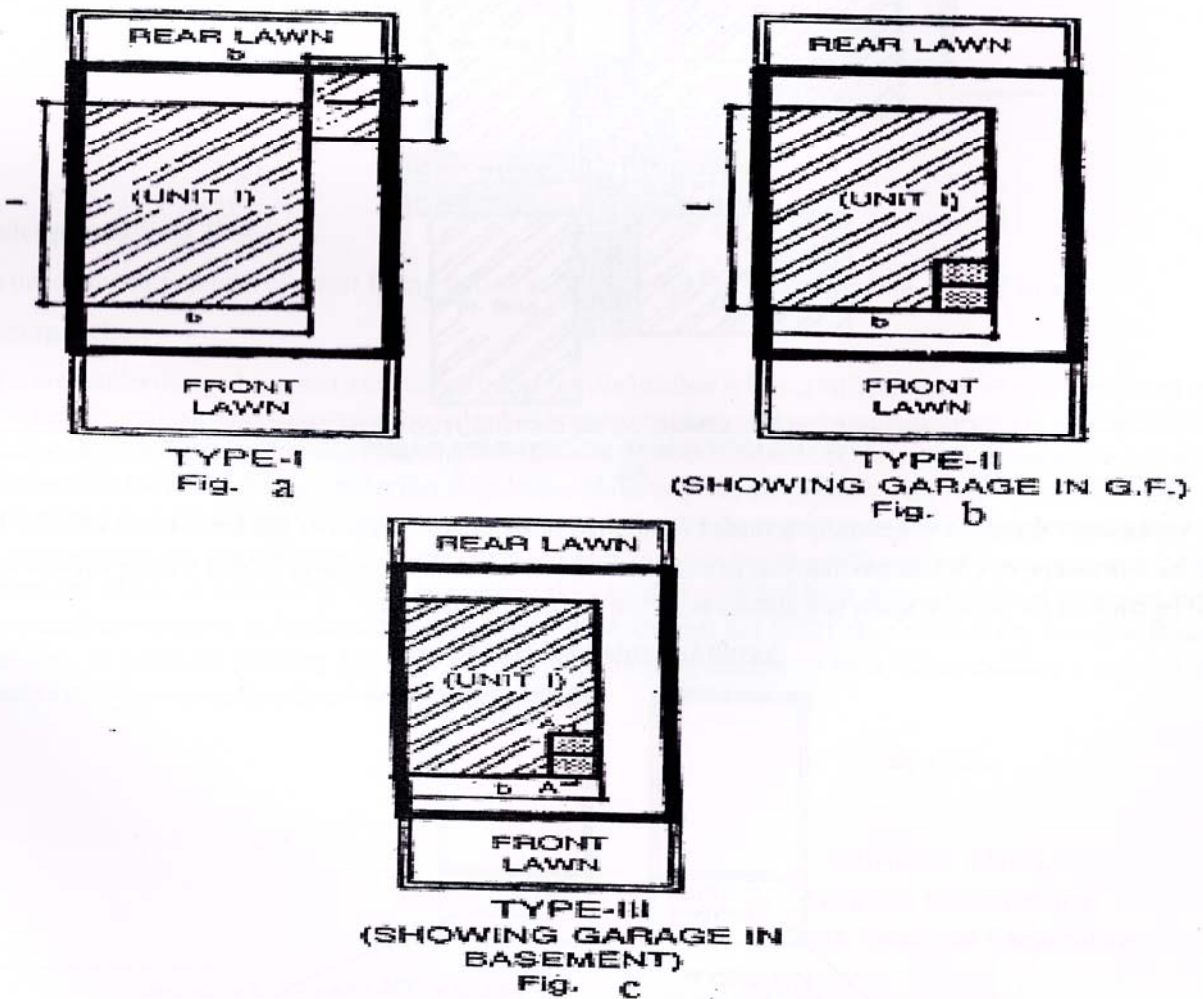


Fig.

9. **Garage**– The garage is a structure in which one or more cars / vans etc. are kept for parking the vehicle. A house / building with separate / built in garage shall be considered for covered space calculation. Mechanised car parking shall also be considered as garage for covered space calculation.

Garage, vide Regulation no. 9



10. **Basement**– Basement floor shall be considered for covered space Calculations.

Basement, vide Regulation no. 10

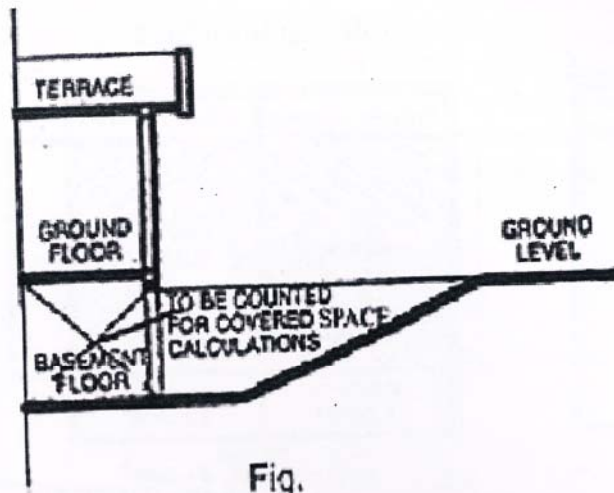
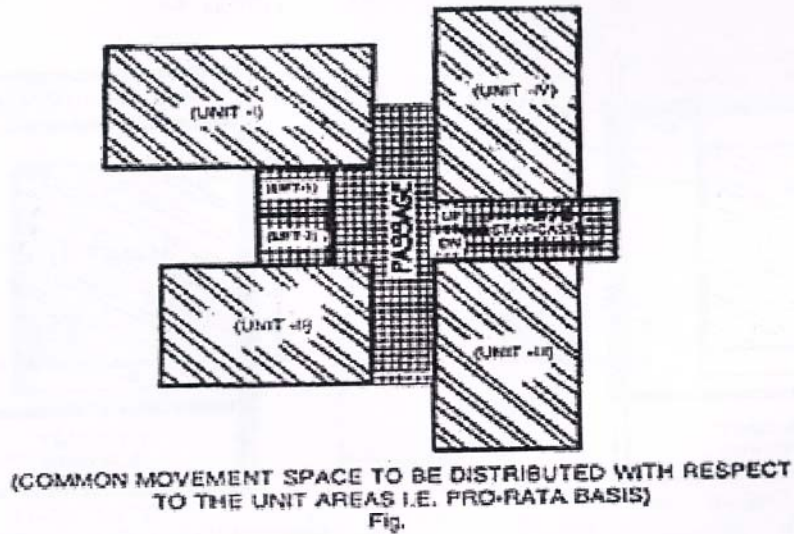


Fig.

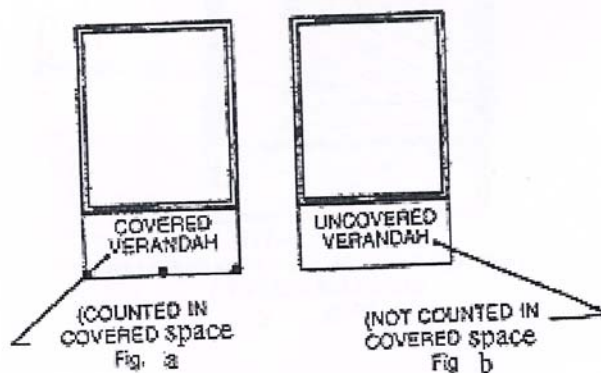
11. **Common areas and facilities**– The 'common areas and facilities' of a building shared by more than one owner or occupier or assessee of a building shall also be considered as within a covered space on proportionate basis. A common space serving to connect single or multiple habitable building units by a corridor and lift / staircase shall be counted for covered space calculation.

Vide Regulation no. 11



12. **Verandah**– Verandah is generally a roofed / unroofed open fronted terrace or platform which extends from the front, back or side(s) of a house, pavilion etc. In case, verandah is covered by means of roof or with or without sidewalls, it will be counted for covered space calculation as shown in drawing hereafter

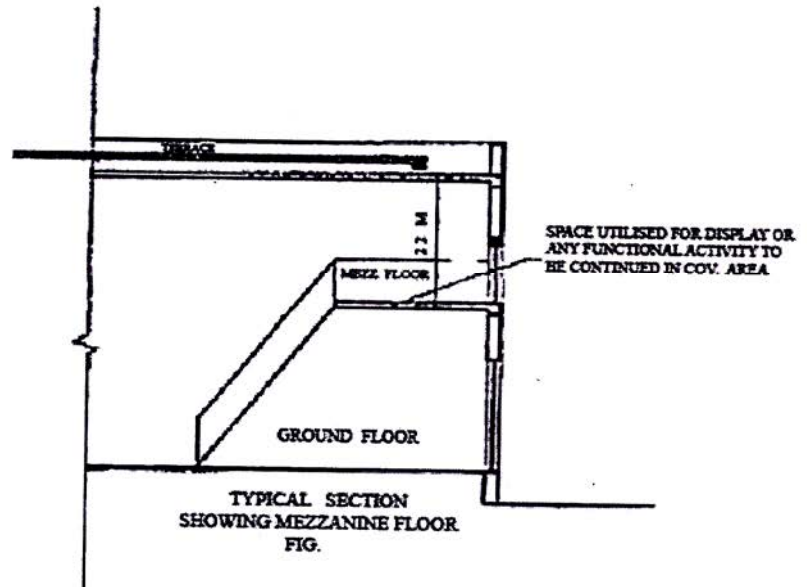
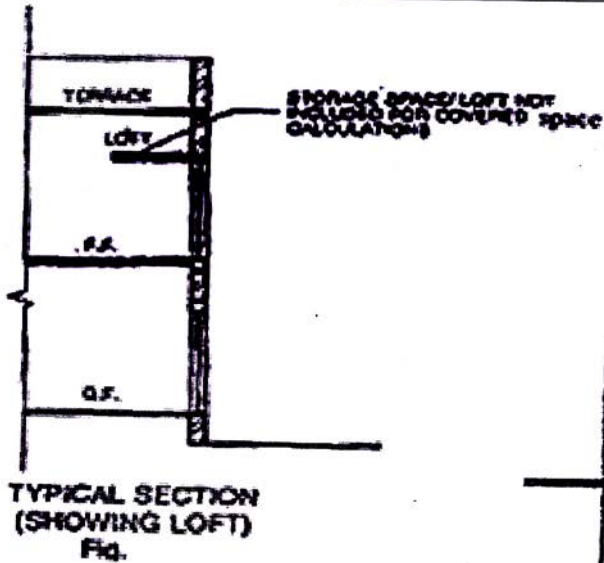
Verandah, vide Regulation no. 12



13. **Mezzanine floor**—The mezzanine floor, having minimum height of 2.2M and above, shall be considered for covered space calculation.

The 'loft or refuse areas' within the permissible cubical limit under the Kolkata Municipal Corporation (Building) Rules, 2009, shall not be considered as within a covered space.

Lofts and Mezzanine Floor, vide Regulation no. 13



14. **Underground Fuel Tank:**

An underground fuel tank of a fuel filling station shall be considered as a part of the covered space.

15. **Discrepancies :**

If the area under covered space as ascertained under this Regulation is found different from what is mentioned in the registered instrument, deed of conveyance, deed of licence or tenancy agreement or any relevant agreement (under whatever nomenclature or for whatever purpose), under normal circumstances, the higher figure of the two will be considered as the covered space under this Regulation. However, if in the registered instrument etc, super built area is mentioned and if that differs from the covered space as defined in the regulation, owner or any person liable to pay tax shall submit the calculated area of his covered space (mentioning proportionate common area and facilities separately) which, if required by the Corporation, shall be duly certified by a degree holder in valuation from a recognized university or an Architect registered under the Architects Act 1972 (20 of 1972) or any Licensed Building Architect, or Licensed Building Surveyor enlisted with the Corporation, or by a Valuer holding a diploma from Institution of Surveyors & enlisted with the Corporation.

By Order,

KHALIL AHMED,
Municipal Commissioner
Kolkata Municipal Corporation