	Government of West Bengal Department of Panchayats & Rural Development	<u>Controlled Copy</u>	
DOCUMENT NO:	SOP 3/ P&RD		
SECTION TITLE:	PROCEDURE FOR SEEKING PERMISSION FOR ERECTION OF A NEW STRUCTURE OR NEW BUILDING OR TO MAKE ANY ADDITION TO THE EXISTING STRUCTURE OR BUILDING IN AN AREA UNDER THE JURISDICTION OF GRAM PANCHAYAT OTHER THAN IN INDUSTRIAL ESTATE OR INDUSTRIAL PARK AND OTHER THAN IN AN AREA WITHIN THE JURISDICTION OF A PANCHAYAT SAMITI WHERE THE STATE GOVERNMENT DECLARES ITS INTENTION TO PREPARE AND PUBLISH A DEVELOPMENT PLAN AND GRANT PERMISSION THEREOF		
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1. **Purpose:** Seeking permission for erection of a new structure or building or to make any addition to the existing structure or building in an area under the jurisdiction of Gram Panchayat other than in industrial estate or industrial park and other than in an area within the jurisdiction of a Panchayat Samiti where the State Government declares its intention to prepare and publish a development plan and grant of permission thereof.
2. **Scope:** Control of building operation in Panchayat areas
3. **Authorities and Responsibilities:**
 - (A) Responsibility of granting permission for erection of a new structure or building or to make any addition to the existing structure or building in Panchayat areas lie on the following officers:
 - (i) Executive Officer of Zilla Parishad concerned
 - (ii) Executive Officer of Panchayat Samiti concerned
 - (iii) Pradhan of Gram Panchayat concerned
 - (B) The following Officers act as Reviewing Authority and Appellate Authority under the West Bengal Right to Public Services Act, 2013 if the Designated Officer fails to provide services within the stipulated time period:
 - (i) Additional Chief Secretary/Principal Secretary of the P&RD Department
 - (ii) Special Secretary, P&RD Department
 - (iii) Joint Secretary, P&RD Department (looking after vetting cell)
 - (iv) Sub-Divisional Officer of Sub-Division concerned
4. **References:** (i) The West Bengal Panchayat Act, 1973

(ii) The West Bengal Panchayat (Gram Panchayat Administration) Rules, 2004

5. Abbreviation:

P&RD	: Panchayats & Rural Development.
E.O.	: Executive Officer
GP	: Gram Panchayat
PS	: Panchayat Samiti
ZP	: Zilla Parishad

6. Procedure:

- (i) Any person or agency intending to erect a new structure or a new building or to make any addition to any existing structure or building in an area within the jurisdiction of GP other than in industrial estate or industrial park and other than in an area within the jurisdiction of a PS where the State Government, in the interest of public, declare its intention to prepare and publish a Development Plan shall make an application before the appropriate authority in specified format through the web portal of the P&RD Department <https://gpms.wbprd.gov.in> by seeking permission for erection of a new structure or a new building or to make any addition to any existing structure or building. In case of online application the applicant have to fill up the application form completely, upload requisite documents. After agreeing with the Terms and Condition for getting necessary permission, the applicant will be able to submit the application and will get a 15 digit Application Id and a QR code thereafter. The office to which the application is to be submitted and the authority to grant necessary permission are given below:

TABLE-1

Sl No.	Purpose	Application to be submitted to	Permission will be given by
1	Erection or alteration etc. of structure or building for residential, institutional purpose and for setting up of an industry in the area within the jurisdiction of GP other than in the area of an industrial estate or industrial park and other than in an area within the jurisdiction of a PS where the State Government, in the interest of public, declare its intention to prepare and publish a Development Plan		
	(i)For building having plinth area not more than 150 sq. meters and height upto 6.5 meters	GP office	Pradhan of GP
	(ii)For building having plinth area more than 150 sq. meters but not more than 300 sq. meters and height upto 6.5 meters.	PS office	EO of PS
	(iii)For building having plinth area more than 300 sq. meters and height more than 6.5 meters	ZP office	EO of ZP

(ii) Documents to be attached/uploaded with the application:

- a) Building Plan and Site Plan of the proposed building or structure(in pdf format), prepared and authenticated by a competent technical person as mentioned below:

TABLE-2

Nature of building	Qualification
1. Residential building up to the height of 4 (four) metres.	Draftsman (Civil)
2. Residential building up to the height of 11 (Eleven) meters	Licensed building surveyor having diploma in Civil Engineering.
3. Residential building up to the height of 15 (Fifteen) meters	Degree holder in Civil Engineering.
4. All buildings (Residential, Commercial or Institutional)	Architect

- b) Copy of Records of Right and copy of such other records showing title and interest of the applicant in respect of the land.
- c) Copy of the document showing the character of the land or Conversion Certificate, if so happened.
- d) Soil stability report issued or authenticated by LBS, Structural Engineer, Geo-technical Engineer (The technically qualified person shall either be empanelled or registered with any Municipality or Municipal Corporations within West Bengal)

(iii) (a) For construction of building or erection of structure having height upto 15 meters other than in an area within the jurisdiction of a PS where the State Government, in the interest of public, declare its intention to prepare and publish a Development Plan, the GP/PS/ZP concerned on receipt of the application, will check the completeness of the application in the light of the provisions of the existing Rules. The GP/PS/ZP may also make a preliminary enquiry for the purpose in the manner given in the existing Rules.

(b) In case of building having height more than 15 meters irrespective of the plinth area, the ZP concerned will forward the application along with documents to the P&RD Department for necessary vetting.

(c) Being satisfied with the genuineness and completeness of the application in the light of the provisions of the existing Rules, the GP/PS/ZP, within 10 days of the date of receipt of the application (when the building is to be constructed for setting up of an industry) or 30 days of the date of receipt of the application (in case of construction of building for residential or other purpose), will intimate the applicant about completeness of his application and the amount of fees to be paid for the purpose in accordance with the rate mentioned in the existing Rules.

(d) The GP/PS/ZP will issue an acknowledgement to the applicant in Form I of the WB Right to Public Services Rules, 2013 by noting down the date within which the service shall be provided after depositing fees by the applicant.

(e) The applicant will get the intimation regarding completeness of his application as well as the amount payable for the purpose through an SMS in his registered mobile No.. The

applicant may also check the status of his application as well as information regarding amount payable for the purpose in the web portal by using the 15 digit Application Id already received by him during submission of his application.

(f) In case of insufficient document or the documents are found not in conformity with the existing Rules or incomplete filling up of the application format, the application will be rejected by the GP/PS/ZP. In that case the GP/PS/ZP shall intimate the applicant about such rejection by mentioning the reason behind such rejection.

(g) If the application is made for construction of building or structure for the purpose of setting up of an industry, the GP will send intimation of such rejection within 15 days from the date of application. The PS and ZP concerned will give such intimation within 20 days and 30 days respectively from the date of receiving application.

(h) If the application is made for construction of building or structure for residential or other purposes other than for setting up of an industry, the intimation regarding such rejection will be given by the GP or PS or ZP within 60 days from the date of application. The applicant may also get the information by checking the status of his application in the portal by using his application Id.

(i) In case of such rejection, the applicant will have to submit the application form along with other requisite documents afresh. He can import the data filled up by him in the earlier application form to new application form by choosing import option and by using his earlier application Id.

(iv)Payment of fees: On receipt of the intimation regarding payment of fees to be made for the purpose from the GP/PS/ZP concerned in accordance with the fees specified in the existing Rules, the applicant may choose any one of the payment gateways for making online payment and shall pay the exact amount within 3 days of such intimation.

(v)Issuance of Permission: The GP/PS/ZP on receipt of the payment made by the applicant, shall issue permission for construction of building or structure along with the building and site plan vetted by the GP/PS/ZP in the manner given in Table-3 below. The applicant will get an intimation regarding permission for construction of building or structure through SMS and can download the permission letter along with vetted building from web portal by using Application Id already received by him during submission of his application.

TABLE-3

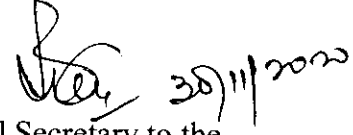
Sl No.	Specification of building or structure	Plan to be vetted by
i)	Plinth area upto 150 sq. meters and height upto 6.5 meters	Gram Panchayat
ii)	Plinth area upto 300 sq.meters and height upto 6.5 meters	Panchayat Samiti
iii)	Plinth area more than 300 sq.meters and height upto 15 meters	Zilla parishad
iv)	Height more than 15 meters	P & RD Department

7. Stipulated time period for providing services under the West Bengal Right to Public Services Act, 2013:

The Pradhan of GP/EO of PS/EO of ZP concerned shall have to grant permission for construction of building or structure within the stipulated time limit fixed for the Designated Officer as notified in Notification No. 3978/PN/O/I/4P-3/2013 dated 25/11/2020 of the P&RD Department from the date of depositing fees by the applicant. If the application is incomplete in any respect, the application shall be rejected by the GP/PS/ZP and the same shall be intimated to the applicant within the stipulated time period fixed for the Designated Officer as notified under the above-mentioned Notification No. from the date of receipt of the application stating reason behind such rejection.

If the permission for construction of building or structure is not issued within the stipulated time period mentioned in the said Notification or in case of rejection of the application by the GP/PS/ZP concerned, the applicant may prefer an appeal before Appellate Officer as notified in the said Notification No. of the P&RD Department within the stipulated time period mentioned therein.

If the Appellate Officer fails to dispose the appeal within the time period as notified in the said Notification No. of the P&RD Department, the applicant may also prefer an appeal before the Reviewing Officer mentioned in the said Notification. The decision of the Reviewing Authority will be final.

Handwritten signature and date: 30/11/2020

Special Secretary to the
Government of West Bengal
Panchayats & Rural Development Department