

**Government of West Bengal**

Housing Department  
Law & Apartment Cell  
New Secretariat Buildings  
1, Kiran Shankar Roy Road  
**Kolkata 700001**

HO-23011(11)/3/2021-APARTT CELL-Dept. of HO      Date:- 06.02.2023

**ORDER**

Whereas clause (2) of bye-law 5 of the West Bengal Apartment Ownership Bye-laws, 1974 provided that the number of managers of a Board shall be equal to one-third of the number of the apartment owners of the property concerned but in no case it **shall be less than three or more than twenty-four**. Therefore all the Associations having more than 72 members had 24 managers;

And whereas the West Bengal Apartment Ownership Bye-laws, 1974 has been superseded by the West Bengal Apartment Ownership Bye-laws, 2022 with effect from 06.04.2022;

And whereas clause (2) of bye-law 7 of the West Bengal Apartment Ownership Bye-laws, 2022 provides that the number of managers of a Board shall be equal to one-third of the number of the apartment owners of the property concerned but in no case it **shall be less than three or more than forty-eight**. Therefore the Associations which have more than 72 members but not more than 144 members shall have one-third of the number of the members as managers since the number of managers will not be more than forty-eight in those cases;

And whereas all the Associations having more than 144 members shall have forty-eight managers being the upper ceiling of the number of managers an Association can have under the West Bengal Apartment Ownership Bye-laws, 2022 as the one-third of the number of the members of those Associations will be more than forty-eight ;

And whereas due to increase in the upper ceiling of the number of managers in terms of clause (2) of the bye-law 7 of West Bengal Apartment Ownership Bye-laws, 2022

many Associations are required to re-fix the number of managers and fill up the said vacancy or vacancies for the larger interest of the Associations;

Now, therefore, this Authority hereby directs the Presidents of all the Associations having tenure of the current Board of Managers beyond **31.05.2023** to fill up the vacancy of managers arisen due to increase in upper ceiling of the number of managers of an Association in terms of clause (2) of the bye-law 7 of West Bengal Apartment Ownership Bye-laws, 2022 by **15.03.2023**.



**(DebasisGhosh)**

Competent Authority  
under the West Bengal Apartment Ownership Act, 1972  
&  
Joint Secretary to the Government of West Bengal