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Form 88

In writing please quote No. and date of this letter.



Ex. Engineer Bldg. Proposal (W.S. H and K Wards)
Municipal Office, R. K. Padam Marg
Bandra (West), Mumbai - 400 050

Disapproval of Disapproval under Section 346 of the Mumbai Municipal Corporation Act as amended up to date.

This cancels Approval to the previous Plans Sanctioned under No CHE/WS/0439/K/337(NEW) dated 21/03/11.

No. CHE/WS-0439-K/337 (NEW) of 20

23 MAY 2013

MEMORANDUM

Mumbai No

Mr. Zahid Mukhi, Partner of M/s. Shreeji Developers, C.A. to owner The Bank of India Staff Club, Khar C.H.S. Ltd.

With reference to your Notice, letter No. 4100/4 dated 26/12/11 and delivered on 20/12/11 and the plans, Sections, Specifications and Description and further particulars and details of your building at proposed residential building on plot bearing CTS No 581 of village Vileparle, P.P. No. 59 of TPS VI Andheri, Andheri (West), Mumbai, furnished to me under your letter dated 20/12/11. I have to inform you that I cannot approve the building or work proposed to be erected, executed, and I therefore hereby formally intimate to you under Section 346 of the Bombay Municipal Corporation Act as amended upto date, my disapproval by the following reasons:-

A. CONDITIONS TO BE COMPLIED WITH BEFORE STARTING THE WORK / BEFORE PLINTH C.C.

- 1) That the commencement certificate under section 44(9) (1)(a) of the M.R.T.P. Act will not be entered before starting the proposed work.
- 2) That the compound wall is not constructed on all sides of the plot clear of the road adjoining the wall foundation below level of bottom of main size drain without obstructing the flow of surface water from the adjoining building to prove possession of holding as per D.C. Regulation No. 38(7) before starting the work.
- 3) That the low lying plot will not be filled up to ground level of at least 12 T.H.D. or 6" above adjoining road level whichever is higher with rubble, earth, boulders etc. and will not be levelled, rolled and consolidated and sloped towards road side, before starting the work.
- 4) That the Structural Engineer will not be appointed. Supervision certificate as per appendix XI regulation 5(2)(c) will not be submitted by him.
- 5) That the structural design and calculations for the proposed work and for existing building showing adequacy thereof to take up the additional load will not be submitted before C.C.
- 6) That the regular / sanctioned / proposed lines and reservations, C.R.Z. mapping will not be got demarcated on site through A.E. [Survey] / E.E. [L&C] / E.E. [D.P.] / D.T.L.R. before applying for C.C.

COPY FORWARDED TO WARD THROUGH SAP ON DT. 23/5/13

PLAN CLERK (K)

HCSP (WS)

- (1) That proper gutters and down pipes are not intended to be put to prevent water dripping from the leaves of the roof on the public street.
- (2) That the drainage work generally is not intended to be executed in accordance with the Municipal requirements.

Subject to your so modifying your intention as to obviate the before mentioned objections and meet by requirements, but not otherwise you will be at liberty to proceed with the said building or work at anytime before the ... day of ... 201, but not so as to contravene any of the provision of the said Act, as amended or affected or any rule, regulations or bye-law under that Act at the time and force.

Your attention is drawn to the Special Instructions and Note accompanying this Intimation of Disapproval.

SPERO
View 2

23/5/15
#02PKJWS

Executive Engineer, Building Proposals
Zone
Wards

SPECIAL INSTRUCTIONS.

- (1) THIS INTIMATION GIVES NO RIGHT TO BUILD UPON GROUNDS WHICH IS NOT YOUR PROPERTY.
- (2) Under Section 68 of the Bombay Municipal Corporation Act as amended, the Municipal Commissioner for Greater Mumbai has empowered the City Engineer to exercise, perform and discharge the powers, duties and functions conferred and imposed upon and vested in the Commissioner by Section 346 of the said Act.
- (3) Under the Law No.8, the Commissioner has fixed the following levels:-
 "Every person who shall erect as now commence building shall cause the same to be built so that every part of the profile shall be -
 "(a) Not less than 2 feet (60 cms) above the centre of the adjoining street at the nearest point at which the drain from such building can be connected with the sewers then existing or thereafter to be laid in such street."
 "(b) Not less than 2 feet (60 cms) above every portion of the ground within 5 feet (10 cms) of such building."
 "(c) Not less than 92 ft. (10 metres) above Tawa Hill Datum."
- (4) Your attention is invited to the provision of Section 162 of the Act whereby the person liable to pay property taxes is required to give notice of erection of a new building or occupation of building which has been vacant to the Commissioner, within fifteen days of the completion or of the occupation whichever first occurs. Thus, compliance with this provision is punishable under Section 471 of the Act irrespective of the fact that the valuation of the premises will be liable to be revised under Section 162 of the Act, from the earliest possible date in the current year in which the completion or occupation is detected by the Assessor and Collector's department.
- (5) Your attention is further drawn to the provision of Service 353-A about the necessity of submitting occupation certificate with a view to enable the Municipal Commissioner for Greater Mumbai to inspect your premises and to grant a requisition before occupation and to levy penalty for non-compliance under Section 471, if necessary.
- (6) Proposed date of commencement of work should be communicated in per requirements of Section 347(1) read of the Bombay Municipal Corporation Act.
- (7) One more copy of the block plan should be submitted for the Collector, Mumbai Suburban District.
- (8) Necessary permissions for non-agricultural use of the land shall be obtained from the Collector, Mumbai Suburban District before the work is started. The non-agricultural assessment shall be made at the rate that may be fixed by the Collector under the Land Revenue Code and Rules thereunder.

Attention is drawn to the notes accompanying this Intimation of Disapproval.

CHH/WS/0439/K/307(NEW)

(23/5/15)

(1) 23/5/15

23 MAY 2013

EEBP (W/S)-30/K/377 (NEW)

Ex. Engineer Bldg. Proposal (W/S)
H and K Wards
Municipal Office, R. K. Pathare Marg
Bandra (West), Mumbai - 400 050

- 7) That the Sanitary arrangement shall not be carried out as per Municipal specifications and drainage layout will not be submitted before U.C.
- 8) That the Registered Agreement with the existing tenant alongwith the Plan will not be submitted before U.C.
- 9) That the consent letter from the existing tenants for the proposed accommodation in the tenement will not be submitted before U.C.
- 10) That the Indemnity Bond indemnifying the Corporation for damages, loss, compensation and all the expenses and the undertaking regarding non-issuance will not be submitted before U.C. starting the work.
- 11) That the existing structure proposed to be demolished will not be demolished or necessary Phase Programme with agreement will not be submitted and get approved before U.C.
- 12) That the requirements of N.O.C. of: 1) Mahanagar Energy & Power, [a] S.C. and T.C.C. [b] A.A. & C.K. West Ward, [c] S.P. & S.W.D., [d] M.C.S.D., [e] H.F. will not be obtained and the requirements alongwith not be completed with before obtaining certificate from U.C.
- 13) That the quarry registered site vapors for through air test under U.C. Engineer will not be appealed before applying for U.C.
- 14) That the A.C. Dues Certificate/ Certificate related to H.F. is deposited for clearance A.A. & W.W. [K West Ward] shall not be submitted before applying for U.C.
- 15) That the N.O.C. from Society alongwith certificate extract of Council Body Resolution for developing the colony and alterations will not be submitted before U.C.
- 16) That the Rent and charges of the vacant premises will not be paid in respect of Ward Office and certificate receipt will not be submitted before asking for U.C.
- 17) That the development charges as per M.R.T.P. (regulation) Act 1992 will not be paid.
- 18) That the registered undertaking in proposed planning agreement in case of the excess area (constitute beyond permissible FSI) shall not be submitted before asking for U.C.
- 19) That the registration fees as introduced will not be paid before applying for U.C.
- 20) That the registered undertaking shall not be submitted on payment of difference in premium paid and calculated under revised land rates.
- 21) That the U.C. shall not be issued unless payment of advance for providing tenement in construction (to prevent any corner like Dugae Mahal, etc.) is made to the Incharge Officer of the concerned Ward Office and provision shall be made as and when required by

For and on behalf of

EEBP (W/S) K/W WARD
ISSUED
By.....

The Insecticide Officer for inspection of water tanks by providing an external ladder, gate and equipment as soon as directed by the Insecticide Officer shall not be complied with.

- 22) That the Phase programme will not be got approved before asking for C.O.C.
- 23) That the Labour Insurance Policy or policy to cover the compensation claims arising out of workers' compensation Act 1923 will not be taken out before starting the work and also will not be renewed during the construction work.
- 24) That the N.O.C. from the independent of Garden Irrigation authority shall not be submitted.
- 25) That the soil investigation will not be done and report thereof will not be submitted with structural design.
- 26) That the building will not be designed with the requirements of all relevant IS codes including IS code 1893 for earthquake design while granting occupation certificate from Structural Engineer to that effect will be insisted.
- 27) That no main beam in R.C.C. framed structure shall not be less than 230 mm wide. The size of the columns shall also not be governed as per the applicable IS Codes.
- 28) That all the concrete/slab/beam shall not be designed for five times the load as per IS code 1893:2000. This also includes the columns projecting beyond the ground and concrete overhead water storage tanks, etc.
- 29) That the R.C.C. framed structures the external walls shall be less than 230 mm of a brick masonry or 150 mm autoclaved cellular concrete block excluding plaster thickness as indicated in IS 432:1974 or IS 432:1974.
- 30) That the Vermiculite lining or disposal of wet waste as per the design and specification of Organisation is individually specified in this field as per the list furnished by Solid Waste Management Department of MCGM shall not be passed to the satisfaction of Municipal Commissioner.
- 31) That the phreatic programme for removal of the detrimental nature submitted and got approved.
- 32) That the approved engineering for not raising the 2200 ground level. All the and area covered free of F.S.L. will not be submitted.
- 33) That the registered engineering for water proofing of terrace and Sanitary parts shall not be submitted.
- 34) That the N.O.C. from E.E. (T&C) for parking layout in the pavement platform shall not be submitted.
- 35) That the Indemnity bond for acceptance of F.O.D. need not be submitted.

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- 36) That the owner/developer shall get display board at site before starting the work giving the details such as name and address of the owner/developer, architect and structural engineer, approval no. and date of the layout and building proposal, date of issue of C.C. area of the plot, permissible built up area, etc. (if applicable) approved number of floors etc.
- 37) That the design for Rain Water Harvesting System shall be submitted as per Govt. notification under Sec. 37(2) of M.R.&L.P. Act, 1966 under No. TFB-307/306 CR-74/2009 (ED-11) dt. 06/2007 shall not be permitted.
- 38) That the authority for Per. Control Agency to give any clearance/consent shall not be appointed in consultation with P.C.A. [N. West Ward]
- 39) That the R.C.T. shall not be submitted by the developer to sell the apartments floor or carpet area only and to abide by the provision of M.O.A. (over) amended dated and the E.H. order regarding the M.O.A. and its employment from the legal complications arising due to M.O.A. shall be submitted.
- 40) That the necessary remarks for starting of the construction of SWD shall not be obtained from Dy. Ch. Eng. (SW) City and District, U.T. K. one plot of C.C. and zone layout of area, same shall not be insisted before starting full C.C. for the building.
- 41) That the rains removal/drainage of Rs. 4500/- or Rs. 3/- per sq. ft. of the built up area, whichever is less shall not be paid by the owner/C.C.
- 42) That the Debris Management Plan shall not be got approved from Executive Engineer, Jm., and its conditions therein shall not be complied with.
- 43) That the N.O.C. from Collector, N.S.D. for excavation of land shall not be submitted.
- 44) That the layout shall not be got approved from Dy. Ch. Eng. 3660 B-1 (Civil Engr. 36025) shall not be made before asking for C.C.
- 45) The developer shall not submit the register of undertaking pertaining to contract work & follow in the rules, regulations, circulars, directives issued to the safety of construction and workers issued time to time by the department or building or other construction labour, Government of Maharashtra.
- 46) That the developer shall not intimate the prospective buyers and existing tenants regarding concessions awarded for deficiency in open space etc. as well as non-directing neighbourhood development with deficiency etc.
- 47) That the Register of Undertaking stating that the condition of E.H. of C.T. & C.T. & C.T. shall not be complied with and to this effect the mechanized parking equipped with safety measures will be maintained permanently in one condition in a satisfactory manner and to indemnify the owner/developer M.O.A. and its conditions against any fire, non-compliance, etc. arising out of fire or non-maintained system, insurance due to mechanized system or any fire loss shall not be sub-judged.

FOR THE MUNICIPAL OFFICE

EEBP (WS) KW WARD
ISSUED
By:

- 18) That the S.C.C. shall not be submitted by the developer stating that longable characteristics PSL for rehabilitation component shall not be used for same component.
- 49) That the NCC from the Registrar of Societies under Section 703 shall not be submitted.

B. CONDITIONS TO BE COMPLIED BEFORE FURTHER C.C.

- 1) That the notice in the form of proposed S.A.L of O.C.R. shall not be submitted on completion of plan.
- 2) That NCC from Civil Aviation department will not be obtained for the proposed height of the building.
- 3) That the clearance of NCC from C.A.A, U.T.C & R.A.A will not be completed until before starting the work above plot level and will give some indemnity bond as required by NCC. On 2008 CR-1 2008 CR-1 CR-1 and on 3-2008 shall not be submitted by developer.
- 4) That the job shall not be interrupted in the respect of Municipal dumping site and claim to that effect shall not be submitted to this office or court.
- 5) That the NCC from A.A & C (K.Wer) shall not be submitted.
- 6) That the plan shall continue to be C.C. construction and not be to stop.
- 7) That the work shall not be stopped or suspended.
- 8) That C.C. shall not be granted beyond plot level unless the concerned owner/builder provides the commitment in writing that he has moved the concerned section and files for providing construction in this regard & to range foundation (not construction) is given as per the specifications.
- 9) That the testing of building material to be used in the subject work shall not be done and results of the same will not be submitted immediately.
- 10) That the civil engineering for building works for start and work supervision of the work shall not be done and certificate to that effect shall not be submitted periodically in person.
- 11) That the monthly status report shall not be submitted regularly.

C. GENERAL CONDITIONS TO BE COMPLIED WITH BEFORE O.C. :-

- 1) That the separate vertical drainage with a separate gully trap water trap, D.D. tank etc. for Nursing home, user will not be provided and that the drainage system of the residential part of the building will not be affected.
- 2) That sewage disposal will not be line internally with C.C. pipe.
- 3) That the dust bin will not be provided as per C.P.W.E order No. OE/9797 II dated 28.6.1978.

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- 4) That the surface drainage of the plot will not be made in consultation with E.C.S.W.D. and at present remarks and a completion certificate will not be obtained and a certificate before applying for occupation certificate B.C.C.
- 5) That the 10' wide paved paths of the corners of the plot be provided.
- 6) That the surrounding open spaces, parking spaces and terrace will not be kept open and urban forest, and will not be level and developed before requesting for plan permission to occupy the plot, by submitting the B.C.C. to whichever is earlier.
- 7) That the name plate board showing a true name of the plot, etc. shall not be displayed at a prominent place between C.C. & B.C.C.
- 8) That the carriage entrance will not be provided before starting the works.
- 9) That the parking spaces will not be provided as per D.C.R. No. 26.
- 10) That B.C.C. will not be obtained and E.C.D. and other documents will not be cleared for refund within a period of six years from the date of occupation.
- 11) That every part of the building constructed at least partially overhead water tank will not be provided with the sewer access for the staff of local body. Officer with permission of temporary but safe and stable nature.
- 12) That the owner/developer will not hand over the possession to the prospective buyer before obtaining sanction for occupancy.
- 13) That the letter box of municipality shall not be provided on all the premises on the ground floor.
- 14) That the infrastructure works such as construction of hand-to-mouth drains, ducts for underground cables, concrete drainage, etc. shall not be done, till the necessary sanction/notifications required for providing these services shall not be provided.
- 15) That the regulation No. 15 and 46 of E.C. Reg. 1991 shall not be complied with.
- 16) That the necessary arrangement of borewell shall not be made/provided and necessary notification to that effect from the competent authority shall not be obtained before B.C.
- 17) That the provision of Rain water Harvesting as per the design prepared by approved consultants in the form shall not be made to the satisfaction of Municipal Corporation or other works developing plots having area more than 500 Sq. Mts. as per the provision of clause Sec 3(2) of M.R.T. Act 1966.
- 18) That the construction of the sewage pump out line as per D.C.R. shall not be done set with.

CH/WS/49/K/37



11. CONDITIONS TO BE COMPLIED WITH BEFORE, B.O. C. :-

- 5/30
V1002


 A. J. D. V. C. S.
 23/7/15

EX. ENGR. BLDG PROPOSAL
(W. 3.) K/EAST/WEST WARDS

ASPH-49 NOTES

- (1) The work should not be started unless objections are complied with.
- (2) A certified set of latest approved plans shall be displayed on site at the time of commencement of the work and during the progress of the construction work.
- (3) Temporary permission or agreement or deposit should be obtained any plot, to house and store for constructional purposes. Loading or unloading of workmen shall not be allowed on site. The temporary structures for storing construction material shall be demolished before submission of building completion certificate and a certificate issued by Architect submitted along with the building completion certificate.
- (4) Temporary sanitary accommodation on full flushing system with necessary drainage arrangement should be provided on site workers before starting the work.
- (5) Water connection for constructional purpose will not be given until the hoarding is constructed and application made to the Ward Officer with the required deposit for the construction of carriage entrance, over and road side drain.
- (6) The owners shall intimate the Hydraulic Engineer or his representative in Ward at least 15 days prior to the date of which the proposed construction work is taken to hand on the water existing in the compound will be unfrozen for their construction works and they will not use any Municipal Water for construction purposes. Failing this it will be presume the Municipal tap water has been consumed on the construction works and bills prefered against them accordingly.
- (7) The hoarding or screen wall for supporting the deposit of building materials shall be constructed before starting any work, even though no materials may be expected to be stored in front of the property. The scaffolding, cranks, masts, steel props, etc., shall not be deposited over footpaths or public street by the owners, clerks/their contractors etc. without obtaining prior permission from the Ward Officer of the area.
- (8) The work should not be started unless the manner in complying all the objection is approved by this department.
- (9) No work should be started unless the structural design is approved.
- (10) The work above ground should not be started before the same is shown to this office Sub-Engineer concerned and acknowledgement obtained from him regarding correctness of the given spaces and dimensions.
- (11) The application for sewer street connections, if necessary, should be made simultaneously with commencement of the work as the Municipal Corporation will require time to consider alternative site to avoid the excavation of the road on footpath.
- (12) All the terms and conditions of the approved layout / sub-division order No. _____ of _____ should be adhered to and complied with.
- (13) No Building / Drainage Completion Certificate will be accepted when water connection is not given except for the construction purpose, unless road is sanctioned to the satisfaction of the Municipal Commissioner as per the provision of Section 345 of the Bombay Municipal Corporation Act and as per the terms and conditions for sanction in the report.
- (14) Retention ground or security open space should be developed before submission of Building Completion Certificate.
- (15) The access road to the plot width shall be constructed in water bound macadam before commencing work and should be complete to the satisfaction of Municipal Commissioner including asphaltting, lighting and drainage before submission of the Building Completion Certificate.
- (16) Flow of water through adjoining holding or culvert, if any should be unobstructed.
- (17) The surrounding open spaces around the building should be consolidated in Concrete having broken glass pieces at the rate of 175 cubic meters per 10 square feet below payment.
- (18) The compound wall or fencing should be constructed clear of the road widening line with foundation below level of bottom of road side drain without obstructing flow of the water from adjoining building before starting the work to avoid the owner's holding.
- (19) No work should be started unless the existing structure proposed to be demolished are demolished.



15 MAY 2013
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- (20) This intimation of Disapproval is given exclusively for the purpose of enabling you to proceed further with the arrangements of obtaining the Objection Certificate from the Planning Commissioner under Section 43(1) of the Rent Act and in the event of your proceeding with the work either without an intimation about commencing the work under Section 43(1) Act, for your starting the work without complying the conditions provided for be removed the act shall be taken as a severe breach of the conditions under which this Intimation of Disapproval is issued and the sanction will be rescinded and the consent/certification granted under Section 43 of the Maharashtra Regional and Town Planning Act, 1966 (12 of the Town Planning Act) will be withdrawn.
- (21) If it is proposed to demolish the existing structures by negotiations with the tenants, under the circumstances, the work as per approved plans should not be taken up in hand, unless the City Engineer is satisfied with the following:
- (i) Specific plans in respect of working or relocating the existing tenants on hour starting the work and the area in completion of each.
 - (ii) Specifically signed agreement between you and the existing tenants that they are willing to avail of the Alternative accommodation in the proposed structure or stand alone unit.
 - (iii) Plans showing the phased programme of construction has to be duly approved by this office before starting the work so as not to compromise at any stage of construction, the Development Control Rules regarding open spaces, light and ventilation of existing structures.
- (22) In case of extension to existing building, closing of existing windows of rooms deriving light and air from other sides should be done first before starting the work.
- (23) In case of additional floor or work already in start is during monsoon which will cause water leakage and consequent nuisance to the tenants staying on the floor below.
- (24) The bottom of the over Land storage work above the finished level of the terrace shall not be more than 1 cm.
- (25) The work should not be started above first floor level unless the No Objection Certificate from Civil Aviation Department, where necessary is obtained.
- (26) It is to be understood that the foundations must be excavated down to hard soil.
- (27) Removal of the contents and other expenditures in the building should be so arranged as not to necessitate the staying of tenants inside the building.
- (28) The work arrangement must be carried out in strict accordance with the Municipal requirements.
- (29) No new well, tank, pond, cistern or reservoir shall be dug or constructed without the previous permission or writing of the Municipal Commissioner for Greater Mumbai, as required of Section 381-A of the Municipal Corporation Act.
- (30) All gully pipes and open channel drains shall be provided with tight fitting mosquito proof covers made of wrought iron plates or lugs. The manholes of all drains shall be covered with a properly fitting mosquito proof fitted cast iron cap over one piece, with locking arrangement provided with a bolt and huge screwed on tightly serving the purpose of a lock and the turning caps of the covers pressed with screw or cone shape pieces that is a section and riser with copper pipes with perforations also not exceeding 1.5 mm in diameter the system should be made easily, safely and permanently accessible by providing a firmly fixed iron ladder, the upper ends of the ladders should be varnished and extended as arms above the top where they are to be fixed and the lower ends in cement concrete block.
- (31) No broken bottles should be fixed near boundary walls. This prohibition extends only to broken bottles to not to the use of pots, jars, or cages over the boundary wall.
- (32) (a) Ladders should be provided as required (See Para No. 3(b)).
 (b) Lintels or arches should be provided over Door and Window opening.
 (c) The drains should be fixed as required under section 734-41.
 (d) The inspection chamber should be provided inside and outside.
- (33) If the proposed building is intended to be carried out on old foundations and structures, you will do so at your own risk.

COPY TO-ARCHITECT OWNER

CH/WS/0439/K/337

Forwarded to :- 1) Asst. Com. (K/W)
 2) A.E.W.W. (K/W)
 3) Addl. Tahsildar (N.A.) Andheri
 Tahsildar Andheri Compound, D. N. Rd.
 Andheri (W), Mumbai-400 058.
For INFORMATION.

Asst./Ex. Engineer Bldg. Proposals (WS)
 K/E Wards

Executive Engineer, Building Proposals
 Wards

Zones

Ward. 1/6

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