

Form 346
088in replying please quote No.
and date of this letter.

Valid upto 02 DEC 2015

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

No. E.B./CE/

BS/A

of 20 - 20

MEMORANDUM

CE / 6644 / BPES / AN 03 DEC 2014

Municipal Office,

Mumbai20

M/s. Swastik Ventures C.A. to Owner

With reference to your Notice, letter No. 7263 dated 05.06.2014 20 and delivered on
20 and the plans, Sections Specifications and Description and further particulars and

Proposed redevelopment of existing building No.126 on F.P.No.311(pt) of
TPS Ghatkopar III & CTS No.5662(pt) of village Ghatkopar-Kirol, furnished
 details of your plan dated 20..... I have to inform you that I cannot approval of the building
 or work proposed to be erected or executed, and I therefore hereby formally intimate to your, under Section 346 of
 the Bombay Municipal Corporation Act as amended upto-date, my disapproval by thereof reasons :-

**(A) CONDITIONS TO BE COMPLIED WITH BEFORE STARTING
THE WORK BEFORE PLINTH C.C.**

1. That the commencement certificate under Sec.44/69(1)(a) of the M.R.&T.P. Act will not be obtained before starting the proposed work.
2. That the compound wall is not constructed on all sides except on road side of the building of the plot clear of road widening line with foundation below the bottom of road side drain without obstructing the flow of rain water from the adjoining holding to prove possession of holding before starting the work as per D.C.Regulation No.38(27).
3. That the low lying plot will not be filled up to reduced level of at least 92 T.H.D. or 6" above adjoining road level whichever is higher with murum, earth, boulders, etc. and will not be leveled, rolled, consolidated and sloped towards road side before starting the work.
4. That the specification for layout/D.P./or access roads/development of setback land will not be obtained from Executive Engineer (Road Construction) before starting the construction work and the access and setback land will not be developed accordingly including providing street lights and S.W.D., the completion certificate will not be obtained from Executive Engineer (R.C.)/Executive Engineer (S.W.D.) E.S. before submitting building completion certificate.

28/11/14
S.E(B.P)

29/11/14
A.E(B.P)

11/12/14
Executive Engineer Building Proposal
(Eastern Suburbs.)

() That proper gutters and down pipes are not intended to be put to prevent water dropping from the leaves of the roof on the public street.

() 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 **02 DEC 2015** 200, but not so as to contravene any of the provision of the said Act, as amended as aforesaid or any rule, regulations or bye-law made under that Act at the time In force.

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

MA \ 3378 \ 5555 *Mmmmy*
11/12/14

13/01/15
28/11/14
S.E(B.P)

29/11/14
Executive Engineer, Building Proposals,
Zone, ES-II(N) Wards.
A.E(B.P)

SPECIAL INSTRUCTIONS

(1) THIS INTIMATION GIVES NO RIGHT TO BUILD UPON GROUND 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 Byelaw, No. 8 of the Commissioner has fixed the following levels :--

"Every person who shall erect as new domestic building shall cause the same to be built so that every part of the plinth 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 sewer than 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 (160 cms.) of such building.

"(c) Not less than 92 ft. () meters above Town Hall Datum

(4) Your attention is invited to the provision of Section 152 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 167 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 Section 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 permission before occupation and to levy penalty for non-compliance under Section 471 if necessary.

(6) Proposed date of commencement of work should be communicated as per requirements of Section 347 (1) (aa) of the Bombay Municipal Corporation Act.

(7) One more copy of the block plan should be submitted for the Collector, Mumbai Suburbs District.

(8) Necessary permission 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 paid at the site 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.

1. That the Licensed Structural Engineer will not be appointed, supervision memo as per appendix XI Regulation 5(3)(IX) will not be submitted by him.
2. That the structural design and calculations for the proposed work considering seismic forces as per I.S.Code Nos.456-2000, 13920 - 1993, 4326 and 1893 - 2002 as per circular u.no.CE/PD/11945/1 dated 2.2.2006 for existing building showing adequacy thereof to take up additional load will not be submitted by him.
3. That the regular/sanctioned/ proposed lines and reservations will not be got demarcated at site through A.E.(Survey)/E.E.(T&C)/ E.E.(D.P.)/ D.I.L.R. before applying for C.C.
4. That the registered undertaking and additional copy of plan shall not be submitted for agreeing to hand over the setback land free of compensation and that the setback handing over certificate will not be obtained from Ward Officer and the ownership of the setback land will not be transferred in the name of M.C.G.M.
5. That the registered agreement with existing tenants along with the plans for demolition of their tenements for acceptance of alternate accommodation will not be submitted before C.C.
6. That the consent letter from existing tenants for proposed additions/alterations in their tenement will not be submitted before C.C.
7. That the Indemnity Bond indemnifying the Corporation for any legal dispute of plot, Ownership, any action pending on existing structures, damages, risks, accidents, etc. and an undertaking regarding no nuisance to the occupants or to neighbourhood will not be submitted before C.C./starting the work.
8. That the existing structure proposed to be demolished will not be demolished or necessary phase programme with agreement will not be submitted and got approved before C.C.
9. That the requirements of N.O.C. of concerned Electric Supply Co. will not be obtained and the requisitions, if any, will not be complied with before occupation certificate/B.C.C.
10. That the qualified / registered site supervisor through architect/structural engineer will not be appointed before applying for C.C.& his name and license No. duly revalidated will not be submitted.
11. That 'No dues pending' certificate from Assistant Engineer, Water Works Ward before C.C. shall not be submitted.
12. That adequate care in planning, designing and carrying out construction will not be taken in the proposed building to provide for the consequence of settlement of floors and plinth filling etc.
13. That adequate care will not be taken to safeguard the trees existing on the plot while carrying out construction work & remarks from S.G. shall not be submitted.
14. That the notice under Sec.347(1)(a) of the Mumbai Municipal Corporation Act will not be sent for intimating the date of commencement of the work.
15. That this office will not be intimated in prescribed proforma for checking the opens spaces and building dimensions as soon as the work upto plinth is completed.
16. That the clearance from Assessment Department regarding upto date payment of municipal taxes will not be submitted.

17/12/14
S.E.(B.P.)

17/12/14
A.E.(B.P.)

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