

Form 346
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उपमुख अमियता इमारत (प्रस्ताव) प.उ.दीन
महापालिका इमारत, सी विंग, संस्कृती कॉम्प्लेक्स,
१० फुट डी.डी. रोड, नैद-लसिस शिजेनवड,
कादिवली (पूव), पुणे-४११००१
in replying please quote No.
and date of this letter.

THIS I.O.D. /C.C. IS ISSUED SUBJECT
TO THE PROVISIONS OF URBAN LAND
CEILING AND REGULATIONS ACT 1979

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

24 NOV 2010

No.: CHE/A-4906/BP(WS)/AR
No. E.B./CE/ BS/A of 200 - 200

MEMORANDUM

Shri Michael Rodrigues - Owner.

Municipal Office,

Mumbai200

With reference to your Notice letter No. ³³⁷3009 dated .21.09.2010~~2009~~ and delivered on 200 and the plans, Sections Specifications and Description and further particulars and details of your buildings at Proposed building on plot bearing C.T.S. No. 240. furnished of village Mandpeshwar at Madona Colony, Borivali (West) to me under your letter, dated 200. 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 C.C. 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 of the plot clear of the road widening line with foundation below level of 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.Reg.No.38(27).
3. That the low lying plot will not be filled up to a 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 levelled, rolled, consolidated and sloped towards road side, before starting the work.

() 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 23 day of Nov. 2011, but not so as to contravene any of the provision of the said Act, as amended 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.

Executive Engineer, Building Proposals,
Zone, Wards.

24 NOV 2010

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) more 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 on 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 necessary 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.

4. That the Structural Engineer will not be appointed, supervision memo as per Appendix XI (Regulation 5(3) (ix) will not be submitted by him.
5. That the structural design including provision of seismic/wind load and or calculations and for the proposed work and for existing building showing adequacy thereof to take up additional load shall not be submitted before C.C.
6. That the sanitary arrangement for workers shall not be carried as per Muni. Specifications and drainage layout will not be submitted before C.C.
7. That the agreement with the existing tenant if any alongwith the plans will not be submitted before demolition of existing structure.
8. That the consent letter from the existing tenants for the proposed additions/alterations in their tenement will not be submitted before C.C.
9. That the Indemnity Bond indemnifying the Corporation for damages, risks accidents etc. and to the occupiers and an undertaking regarding no nuisance will not be submitted before C.C./starting the work.
10. That the requirements of N.O.C. of E.E. (S.W.D.)/E.E. (T&C)/E.E. (R.C.)/E.E. (SEW)/E.E. (W.W.)/C.F.O. will not be obtained before requesting for C.C. and the requisition will not be complied with before occupation certificate / B.C.C.
11. That the qualified/registered site supervisor through Architects /Structural Engineer will not be appointed before applying for C.C.
12. That the No dues Pending Certificate from A.E.(W.W.)R/North shall be submitted before C.C.
13. That the N.O.C. from A.A. & C. (R/North) shall not be submitted before requesting for C.C. and final N.O.C. shall not be submitted before requesting for occupation / B.C.C.
14. That the copy of the application made for non-agricultural user permission shall not be submitted before requesting for C.C.
15. That the regd. u/t. from the developer to the effect that meter cabin, Stilt Portion, society office, servants toilet, part/pocket terrace shall not be misused in future shall not be submitted before requesting for C.C.

16. That the development charges as per M.R.T.P. Act (Amendment) Act 1992 will not be paid before C.C.
17. That the C.T.S. Plan and P.R. Card area written in words through S.L.R. shall not be submitted before C.C.
18. That the provision from Reliance Energy Ltd./M.T.N.L. shall not be made.
19. That to appoint private pest control agency for anti laval treatment monitored by Insecticide Officer before requesting for C.C.
20. That the P.C.O. Charges shall not be paid to Insecticide Officer before requesting for C.C.
21. That the Janata Insurance Policy shall not be submitted before C.C.
22. That the requisitions of clause 45 & 46 of DCR 91 shall not be complied with and records of quality of work, verification report, etc. shall not be maintained on site till completion of the entire work.
23. That the regd. U/T. shall not be submitted for payment of difference in premium paid and calculated as per revised land rates before requesting for C.C.
24. That the soil investigation will not be done and report thereof will not be submitted with structural design before requesting for C.C.
25. That the N.O.C. from Tree Authority shall not be submitted and requirements therein shall not be complied with before requesting for C.C.
26. That the provisions of Rain Water Harvesting as per the design prepared by approved consultants in the field shall not be made to the satisfaction of Municipal Commissioner while developing plots having area more than 1000 sq.mtrs.

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

1. That the plinth/stilt height shall not be got checked by this office staff.
2. That the water connection for construction purposes will not be taken before C.C.

THIS I.O.D. /C.C. IS ISSUED SUBJECT
TO THE PROVISIONS OF URBAN LAND
CEILING AND REGULATIONS ACT 1976

24 NOV 2010

EXECUTIVE ENGINEER.

BUILDING PROPOSAL (W.S.)

3. That the plan for Architectural elevation and projection beyond proposed building line will not be submitted and got approved before C.C.
4. That the permission for constructing temporary structure of any nature shall not be obtained.
5. That the quarterly progress report of the work will not be submitted by the Architect

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

1. That the dust bin will not be provided as per C.E.'s Circular No. CE/9297/II of 26.6.1978.
2. That 10'0" mt. wide paved pathway upto staircase will not be provided.
3. That the surrounding open spaces, parking spaces and terrace will not be kept open.
4. That the name plate/board showing Plot No., Name of the Bldg. etc. will not be displayed at a prominent place before O.C.C./B.C.C.
5. That carriage entrance shall not be provided before starting the work.
6. That B.C.C. will not be obtained and I.O.D. and debris deposit etc. will not be claimed for refund within a period of 5 years.
7. That the non-agricultural permission/revised N.A. shall not be submitted before occupation.
8. That terraces, sanitary blocks, nahanis in kitchen will not be made Water proof and same will not be provided by method of pounding and all sanitary connections will not be leak proof and smoke test will not be done in presence of municipal staff.
9. That final N.O.C. from E.E. (S.W.D.) / Lift Inspector shall not be submitted before occupation.
10. That final N.O.C. from A.A. & C. R/North shall not be submitted before occupation.
11. That Structural Engineers laminated final Stability Certificate along with upto date Licence copy and R.C.C. design canvas plan shall not be submitted.
12. That the debris shall not be removed before submitting B.C.C.

13. That the Co.Op.Hsg. Society of the prospective purchaser shall not be formed and regd. certificate to that effect shall not be submitted before B.C.C.
14. That canvas mounted plans shall not be submitted along with Notice of Completion of work u/sec. 353A of M.M.C. Act for work completed on site.
15. That every part of the building constructed and more particularly O.H. tank will not be provided with proper access for staff of P.C.O. office with a provision of safe and stable ladder.
16. That Site Supervisor certificate for quality of work and completion of the work shall not be submitted in prescribed format.
17. That some of the drains shall not be laid internally with C.I. Pipes.

D - CONDITIONS TO BE COMPLIED WITH BEFORE B.C.C.

1. That certificate under Sec. 270A of B.M.C. Act will not be obtained from H.E.'s Department regarding adequacy of water supply.

THIS I.O.D. /C.C IS ISSUED SUBJECT
TO THE PROVISIONS OF URBAN LAND
CEILING AND REGULATIONS ACT 1970

24 NOV 2010

Pranoday Kumar
24/11/10
EXECUTIVE ENGINEER,
BUILDING PROPOSAL (W.S.)