

346

Form

88

in replying please quote No. and date of this letter.

Valid upto 09 APR 2014

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

10 APR 2013

CE/4401/BPES/AL

No. E.B./CE/

BS/A

of 200 - 200

MEMORANDUM

Municipal Office,

M/s. Runwal Reality Pvt. Ltd.

Mumbai200

With reference to your Notice, letter No. 3725ed 05.11.2011 and delivered on 200 and the plans, Sections Specifications and Description and further particulars and details of your buildings at Proposed residential building on land bearing C.I.S.No. 68771 to 8 of village Mohili at Kuria (West), Mumbai I have to inform you that I cannot approval of the building to me under your letter, dated 200 or work proposed to be erected or 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 thereof reasons :-

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

1. That the commencement certificate under Sec.45/69(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 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.

Signature
Executive Engineer Building Proposal
(Eastern Suburban) - I

() 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 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 Information of Disapproval.

[Signature]
Executive Engineer, Building Proposals,
Zone, Wards.

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 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 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) (a) 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 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.

5. That the specification for layout/D.P./for access road/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 light 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.
6. 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.
7. 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.
8. That the regular/sanctioned/proposed lines and reservation 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.
9. 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.
10. 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.
11. That the requirement of N.O.C. of Chief Fire Officer/ Reliance Energy will not be obtained and the requisition, if any, will not be completed with before occupation certificate/B.C.C./948
12. That the condition mentioned in I to R premises letter of Executive Engineer (D.P) under no.CHE/17850/DPES/ dt.22/10/2012 will not be complied with.
13. That the qualified registered site supervisor through architect/structural engineer will not be appointed before applying for C.C & his name and license no. Duty revalidated will not be submitted.
14. That the no dues pending certificate shall be submitted from Asst. Engineer, Water Work, 5th Ward before C.C.
15. That the true copy of sanctioned layout sub-division/amalgamation approved along with the terms and conditions will not be submitted before C.C. and compliance thereof will not be done before submission of B.C.C.
16. 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 floor and plinth filling etc.
17. That adequate care will not be taken to safeguard the trees existing on the plot while carrying out construction work & NOC from tree authority will not be submitted.

[Signature]
 Executive Engineer Building Proposal
 (General Suburban) - I

BRIHANMUMBAI MAHANAGARPALIKA

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18. 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.
19. That this office will not be intimated in prescribed Performa for checking the opens spaces and building dimensions as soon as the work upto plinth is completed.
20. That the clearance certificate from assessment Department regarding upto payment of Municipal taxes etc. will not be submitted.
21. That the requirement of bye law 4(c) will not be complied with before starting the drainage work and in case Municipal sewer is not laid, the drainage work will not be carried on as per the requirement of Executive Engineer (sewerage Project), Planning & completion certificate from him will not be submitted.
22. That the copy of intimation of Disapproval condition & other layout or sub division condition imposed by the corporation in connection with the developmental site shall not be given to the would be purchaser and also displayed at site.
23. That a Janata Insurance Policy or policy to compensation claims arising out of workman's compensation act 1923 will not be taken out before stating the work and will not be renewed during the construction of work.
24. That the development charging as per M.R.T.P (amendment) Act. 1992 will not be paid.
25. That the carriage entrance shall not be provided before stating the work.
26. That the adequate & decent temporary sanitary accommodation will not be provided for construction workers on before starting the work.
27. That the documentary evidence regarding ownership area and boundaries of holding is not produced by way of extract from district inspector of land records, extracts from city survey record and conveyance deed etc.
28. That the separate P. R. Cards for each sub-divided plots, road, etc. exhibiting area in words & figures will not be submitted.
29. That the debris will not be removed before submitting the building completion certificate and requisite deposit will not be paid before starting the work towards faithful compliance thereof.
30. That the No Objection Certificate from Hydraulic Engineer for the proposed development will not be obtained and his requirement will not be complied with.
31. That the proposed will contravene the section 251(A) (A) of the Mumbai Municipal Corporation Act.
32. That the remarks from Asset. Engineer, Water regarding location, size capacity of the suction tank, and overhead storage tank for proposed and existing work will not be submitted before starting the work and his requirements will not be complied with.
33. That the capacity overhead tank will not be provided as per "p" from issued by department of Hydraulic Engineer and structural design to that effect admitted before requesting to grant commencement certificate.
34. That the N.O.C. from Insecticide Officer shall not be submitted.

[Signature]
Executive Engineer Building Proposed
(Essential Suburbia) -3

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35. That the board mentioning the name of an Architect/Owner shall not be displayed on site.
36. That the requirements as per circular No. CE/PD/12387 of 17/03/2005 shall not be complied with during the execution of work
37. That the necessary remarks for training of nalla/construction of S.W.D. will not be obtained from DY.Ch.E.(S.W.D) City & Central cell, before plinth C.C and compliance of said remarks will not be insisted before granting full C.C for the building.
38. That the debris management plan shall be submitted to S.W.M. department and NOC shall be obtained and submitted to this office.
39. That the C.C. shall not be asked unless payment of advance for providing treatment at construction site to prevent epidemic like dengue, malaria etc. is made to the insecticide officer of the concerned ward office and provision shall not be made as and when required by insecticide officer for inspection of water tanks by providing safe and stable ladder, etc and requirement as communicated by the insecticide officer shall not be complied with.
40. That the work shall not be carried out between 7.00 a.m. to 7.00 p.m.
41. That the register U/T shall not be submitted by Owner/ Developer/ builder to sell the tenements/ flat on carpet area basis only and abide by the provisions of Maharashtra Ownership flats (Regulation) of the promotion of construction, sale, Management & Transfer) Act; (MOFA) amended upto date Indemnity Bond indemnifying MCGM & its officers from any legal complication arising due to MOFA shall not be submitted.
42. That the 9.00 mt. right of way / means of access shall not be constructed as per Ch.E.(Rds.) remarks.
43. That the 9.00 mt. right of way / means of access shall be allowed as a right of way / means of access to all land locked properties having access through said right of way / means of access.

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

1. That the N.O.C. from Civil Aviation Department will not be obtained for the proposed height of the building.

C) GENERAL CONDITIONS TO BE COMPLIED WITH BEFORE O.C.

1. That some of the drains will not be laid internally with C.I. pipes of adequate size.
2. That the dust bin will not be provided as per C.E.'s circular No.CE/9296/11 of 26.6.1978.
3. That the surface drainage arrangement will not be made in consultation with Executive Engineer (S.W.D.) or as per his remarks and a completion certificate will not be obtained and submitted before applying for occupation certificate.
4. That 10 ft. wide paved pathway upto staircase will not be provided.


Executive Engineer (S.W.D.)
(Eastern Suburban) - 3

5. That the surrounding open spaces, parking spaces and terrace will not be kept open and un-built upon and will not be leveled and developed before requesting to grant permission to occupy the building or submitting the B.C.C. whichever is earlier.
 6. That the name plate/board showing plot No. name of the building etc. will not be displayed at a prominent place before O.C.C./B.C.C.
 7. That the parking spaces shall not be provided as per D.C.Regulation No.36.
 8. 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 6 years from the date of its payment.
 9. That the provision will not be made for making available water for flushing and other non-potable purposes through a system of bore well and pumping that water through a separate overhead tank which will be connected to the drainage system and will not have any chances of mixing with the normal water supply of the Corporation.
 10. That the certificate to the effect that the licensed surveyor has effectively supervised the work and has carried out tests for checking leakages through sanitary blocks, terraces, fixtures, joints in drainage pipes etc. and that the workmanship is found very satisfactory shall not be submitted.
 11. That three set of plans mounted on canvas will not be submitted.
 12. That the certificate from Lift Inspector regarding satisfactory installation and operation of lift will not be submitted.
 13. That the federation of flat owners of the sub-division / layout for construction and maintenance of the infrastructure will not be formed.
 14. That the every part of the building construction and more particularly, overhead tank will not be provided with a proper access for the staff of Insecticide Officer with a provision of temporary but safe and stable ladder etc.
 15. That the final NOC from S.G. shall not be submitted.
 16. That the infrastructural works such as; construction of hand-holes/manholes, ducts for underground cables, concealed wiring inside the flats/rooms, rooms/space for telecom installations etc. required for providing telecom services shall not be provided.
 17. That the requisitions of clause No.45 & 46 of D.C.R.91 shall not be compiled with.
 18. That the provision for rain water harvesting as per design prepared by consultant in the field shall not be made to the satisfaction of Municipal Commissioner.
 19. That the Vermiculture bins for disposal of wet waste as per the design and specification of organizations / individuals specialized in this field, as per the list furnished by Solid Waste Management Department of MCGM, shall not be provided to the satisfaction of Municipal Commissioner.
- D) CONDITIONS TO BE COMPLIED WITH BEFORE B.C.C.**
1. That certificate under Section 270-A of the Bombay Municipal Corporation Act will not be obtained from H.E.'s department regarding adequacy of water supply.



Executive Engineer
(Building Proposals) (E.S.) II

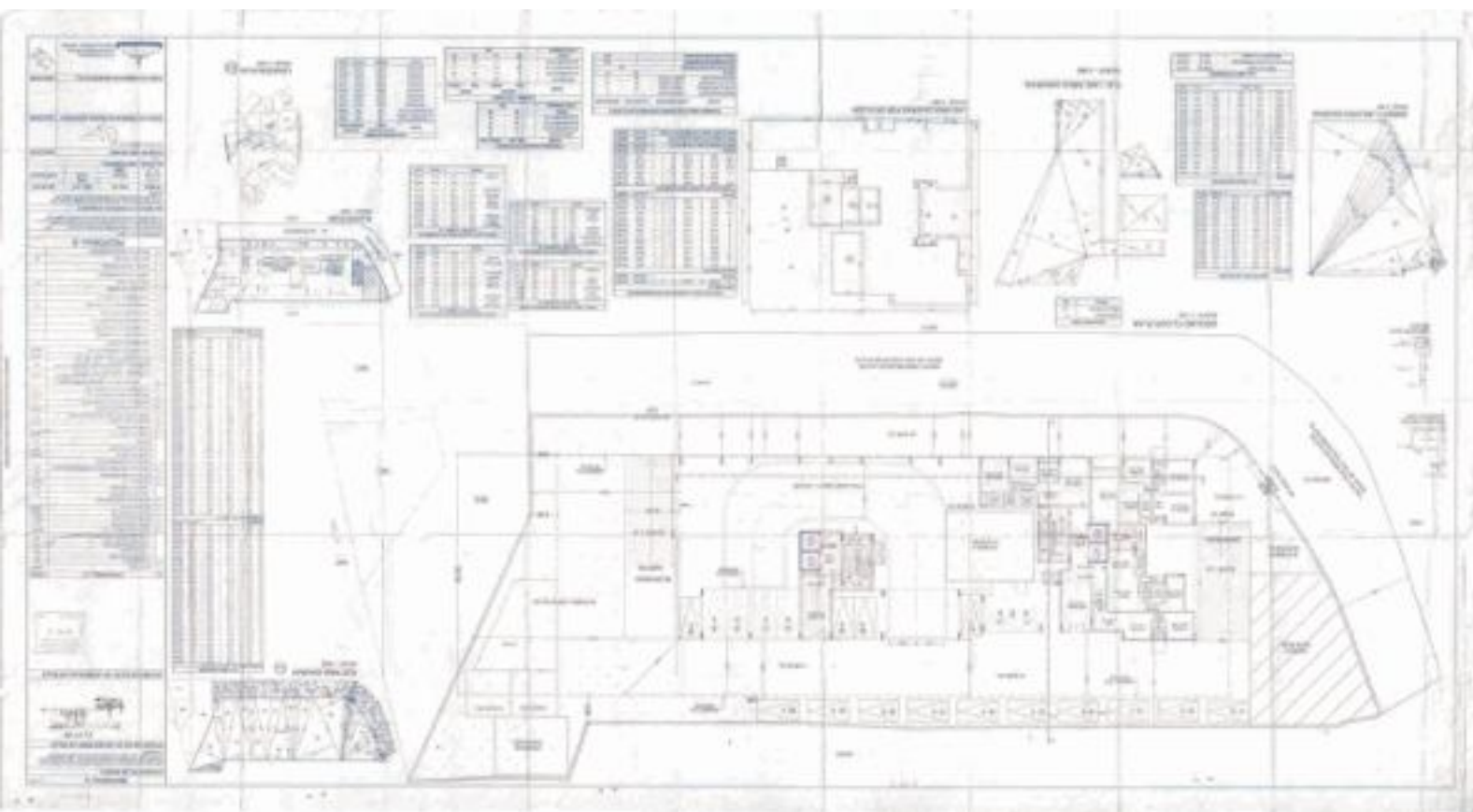
- (20) This Intimation of Disapproval is given exclusively for the purpose of enabling you to proceed further with the arrangements of obtaining No Objection Certificate from the Housing Commissioner under Section 13 (b) (H) of the Rent Act and in the event of your proceeding with the work either without an intimation about commencing the work under Section 347 (1) (a) or your starting the work without removing the structures proposed to be removed the act shall be taken as a severe breach of the conditions under which this Intimation of Disapproval is issued and the sanctioned will be revoked and the commencement certificate granted under Section 45 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 evicting or rehousing the existing tenants on board stating their number and the area in occupation 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 at standard rent.
- (iii) Plans showing the phased programme of construction has to be duly approved by this office before starting the work so as not to contravene at any stage of construction, the Development control Rules regarding open spaces, light and ventilation of existing structure.
- (22) In case of extension to existing building, blocking of existing windows of rooms deriving light and its from other sides should be done first before starting the work.
- (23) In case of additional floor no work should be start or during monsoon which will same arise water leakage and consequent nuisance to the tenants staying on the floor below.
- (24) the bottom of the over hand storage work above the finished level of the terrace shall not be more than 1 metre.
- (25) The work should not be started above first floor level unless the No Objection Certificate from the Civil Aviation Authorities, where necessary is obtained.
- (26) It is to be understood that the foundation must be excavated down to hard soil.
- (27) The positions of the pillars and other appendages in the building should be so arranged as not to necessitate the laying of drains inside the building.
- (28) The water arrangement must be carried out in strict accordance with the Municipal requirements.
- (29) No new well, tank, pond, cistern or fountain shall be dug or constructed without the previous permission in writing of the Municipal Commissioner for Greater Mumbai, as required in Section 381-A of the Municipal Corporation Act.
- (30) All gully traps and open channel drains shall be provided with tight fitting mosquito proof covers made of wrought iron plates or hinges. The manholes of all systems shall be covered with a properly fitting mosquito proof hinged cast iron cap over in one piece, with locking arrangement provided with a bolt and huge screwed on tightly serving the purpose of a lock and the warning proper of the ribbet pre-fessed with screw or dome shape pieces (like a garden man rose) with copper pipes with perforations each not exceeding 1.5 mm. in diameter. the cistern shall be made easily, safely and permanently a cessible by providing a firmly fixed iron ladder, the upper ends of the ladder should be earmarked and extended 40 cms. above the top where they are to be fixed an its lower ends in cement concrete blocks.
- (31) No broken bottles should be fixed over boundary walls. This prohibition refers only to broken bottles to not to the use of plain glass for coping over compound wall.
- (32) (a) Louvers should be provided as required by Bye-law No. 5 (b).
(b) Lintels or Arches should be provided over Door and Window opening.
(c) The drains should be laid as require under Section 234-1 (a).
(d) The inspection chamber should be plastered inside and outside.
- (33) If the proposed additional is intended to be carried out in old foundations and structures, you will do so at your own risk.

Copy to owner

Ramul Realty Pvt. Ltd.


Executive Engineer, Building Proposals

Zones E-5-2-12.....Wards



REVISIONS TO THE DESIGN

REVISION NO. 1

DATE: 10/10/2010
BY: [Signature]
CHECKED BY: [Signature]



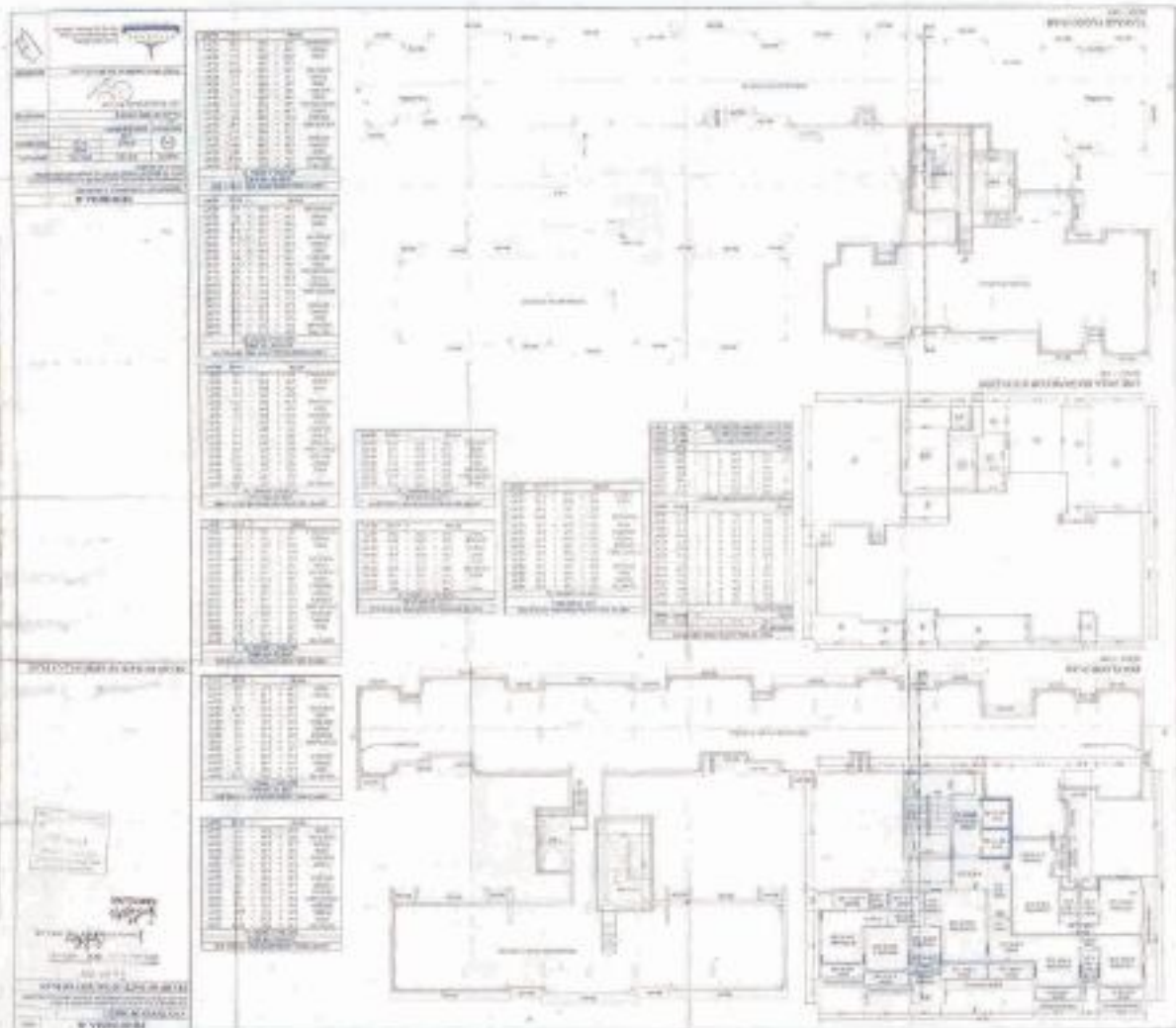
REVISIONS TO THE DESIGN

REVISION NO. 1

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