

Form 346
88

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

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

CE/4776/BPES/AM

No. E. B./CE/

BS/A

of 199 -199

MEMORANDUM

To,

Municipal Office.
12 AUG 1999
Bombay.....199

Shri Mohan T. Kukreja, C.A. to Krishna G. Gaikar & Others.

PFC/113/6978/94

21.4.1994 199

and delivered on

With reference to your Notice, letter No. dated

199... and the plans, Sections, Specifications and Description and further particulars

and details of your building at No. 2, Plot No. 11, CTS 128/B/5 of village Chembur,
Gaikar Layout, Chembur.

furnished to me under your letter, dated 199... I have to inform you that I cannot approve
of the building 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 up-to-date, my disapproval
by thereof reasons :-

- A) That the letter from the owner appointing registered structural engineer is not submitted & the structural design & calculations for proposed work are not submitted through him along with the supervision memo before starting the work.
- B) That compound wall is not constructed clear of road widening line with foundation below the level of the bottom of road side drain without obstructing the flow of rain water from adjoining holding to prove the possession of the holding before starting the work.
- C) That the notice under Sec. 347(1)(a) of the Bombay Municipal Corporation Act will not be sent for intimating the date of commencement of the work & intimation will not be sent to this office for check, the open spaces & building dimensions as soon as the plinth work is completed.
- D) That certificate under Sec. 270-A of Bombay Municipal Corporation Act will not be obtained from H.E. regarding sufficiency of water supply.
- E) That clearance certificate from Assessment Dept. regarding upto date payment of Municipal taxes etc. will not be submitted.
- F) That adequate No. of trees will not be planted at site as per the standard requirements.
- G) That adequate care will not be taken to safeguard the trees existing on the plot while carrying out the construction work.
- H) That adequate & decent temporary sanitary accommodation will not be provided for construction workers at site before starting the work.
- I) That the arrangement for moveable refuse container of 1 Cu.M. capacity as per the specifications of Chief Engineer (Solid Waste Management) shall not be provided on site before submitting Building Completion Certificate.
- J) That the requirements of bye law 100 will not be complied with before starting the drainage work. If the Municipal sewer is not laid, the drainage work will not be carried out as per the requirements of Executive Engineer (Sanitation). Planning & completion certificate from him will not be submitted.
- K) That surrounding open spaces, parking spaces & terraces will not be properly consolidated, paved with concrete, asphalt or sand, sloped & drained.
- L) That certificate to the effect that the licensed surveyor has effectively supervised the work & has carried out inspection checking leakages through sanitary blocks, terraces, fixtures, joints in drainage pipes etc. & that the workmanship is found very satisfactory shall not be submitted.
- M) That the requirements of bye law 100 will not be complied with the sanitary block, lobby, & staircase.
- N) That five sets of plans of the building will not be submitted.
- O) That the copy of the Intimation of Disapproval Certificate, layout & plan of the building, on completion of construction, connection with sewerage, & the building would be purchased by the owner.

() 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..... 1996 but not so as to contravene any of the provisions 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 Notes accompanying this Intimation of Disapproval.

Signature 12.8.11
Executive Engineer, Building Proposals
Zone, (C) 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 Bombay 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 in such street."

"(b) Not less than 2 feet (60 cms.) above every portion of the ground within 5 feet (150 cms.) of such building.

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

(4) Your attention is invited to the provisions of Section 152 of the Act whereby the person liable for property taxes is required to give notice of erection of a new building or occupation of a 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's Collector's Department.

(5) Your attention is further drawn to the provision of Section 353-A about the necessity of submitting an occupation certificate with a view to enable the Municipal Commissioner for Greater Bombay 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 167 (1) (aa) of the Bombay Municipal Corporation Act.

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

(8) Necessary permission for Non-agricultural use of the land shall be obtained from the Collector, Bombay Suburban District before the work is started. The Non-agricultural assessment shall be paid 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.

बृहन्मुंबई महानगरपालिका

MUNICIPAL CORPORATION OF GREATER BOMBAY

CE/4776/BPES/AM

12 AUG 1995

.. 3 ..

Office of the

Off. Chief Engineer,

(Bldg. Division) (Eastern Suburbs)

With Office: Municipal Transport Garage Bldg.

Behind S.E. Depot,

East Nagar Chhatrapati (East)

Bombay-400 072

- P) That the drainage work generally is not intended to be executed in accordance with the Municipal requirements.
- Q) That the road lines will not be demarcated on site jointly by Sub-Engineer (D.P.), Sub-Engineer (T&C) and Sub-Engineer (Survey).
- R) That the debris will not be removed before submitting the building completion certificate and deposit Rs. 7,510/- will not be paid before starting the work towards faithful compliance thereof.
- S) That a copy of the agreement subject to which flats etc. are sold to the purchasers shall not be submitted.
- T) That a Janata Insurance Policy or policy to cover the compensation claims arising out of Workmen's Compensation Act, 1923 will not be taken out before starting the work & will not be renewed during the construction of work.
- U) That some of the passages & lobbies will not be properly lighted & ventilated.
- V) That the ventilators of adequate size will not be provided over doors and windows.
- W) That the carriage entrance across road side drain will not be provided before starting the work.
- X) That the N.A. permission from the Collector of Bombay will not be submitted.
- X1) That No Objection Certificate from Civil Aviation Dept. for the proposed height of the building will not be submitted before reaching the work upto 22'9" height.
- Y) That the surface drainage arrangement will not be made in consultation with the Executive Engineer, Storm Water Drains (Suburbs).
- Z) That No Objection Certificate from Hydraulic Engineer for the proposed development will not be obtained & his requirements will not be complied with.
- Z1) That the terms & conditions of the sanctioned sub-division/layout will not be complied with.
- Z2) That the proposal for amended layout/sub-division will not be submitted & got approved before starting the work & terms and conditions thereof will not be complied with.
- Z3) That the electric poles along internal access road/layout roads will not be provided as per the standard regarding size, height, material & foundation to be laid down of respective electric supply Co. and approved by this office.
- Z4) That commencement certificate under Sec. 45 of the Maharashtra Regional & Town Planning Act, 1966 will not be obtained before starting the work.
- Z5) That the conditions mentioned in the clearance under No. Appeal Desk/ULC/Sec. 20/(New)SR6 of 15.2.94 obtained from the Competent Authority under U.L. (C & R) Act 1976 will not be complied with.
- Z6) That the remarks from the Asst. Engineer, Water Works regarding location, size, capacity of suction tank, overhead storage tank for proposed & existing work will not be submitted before starting the work and his requirements will not be complied with.

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that the capacity of the overhead tank will not be provided under the 'P' form issued by the Department of Hydraulic Engineer and structural design to that effect submitted before requesting to grant commencement certificate.

that the work shall not be carried out under supervision and guidance of a qualified supervisor and his name and qualifications shall not be intimated to this office.

that the registered undertaking from the owners/developers for limitation of the extra area if found constructed beyond the permissible limit at the risk and cost of owner/developer will not be submitted and the necessary security deposit of Rs. will not be paid before asking for commencement certificate.

That the Indemnity Bond indemnifying the Municipal Corporation of Greater Bombay against accident, risk, damage during the progress of the work will not be submitted before asking for commencement certificate.

That the development charges amounting to Rs. 1,004,000/- in view of amendments in M.R.T.P. Act 1992 will not be paid before asking for commencement certificate.

that the N.O.C. from the Asst. Engineer (Water Works) 'M' ward will not be submitted for additional water & sewer charges.

that a common antenna will not be provided for the benefit of members of the building.

that the provision will not be made for making available water for flushing and other non-potable purposes through a system of pot wells and pumping that water through a separate overhead tank which will be connected to the drainage system and will not have any chance of mixing with the normal water supply of the Corporation.

that all conditions mentioned in this I.O.D. shall not be complied with and refund of security deposit shall not be claimed within 6 years from the date of issue of the I.O.D.

the work shall be started after compliance of objections H.

C.C. will be issued after compliance of objections A, B, C, D, E, F, G, H, I, J, K, L, M, N, O, P, Q, R, S, T, U, V, W, X, Y, Z.

No. 210 of 28, 29, 2103, 211, 212, 213, 214.

the terms and conditions of the sanctioned and approved plan.

the plan shall be submitted to the Divisional Engineer, Eastern Suburbs, for approval.

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12 AUG 1995

NOTES

- are complied with
- (1) The work should not be started unless objections
 - (2) A certified set of latest approved plans shall be displayed on site at the time of commencement the work and during the progress of the construction work.
 - (3) Temporary permission on payment of deposit should be obtained for any shed to house and store for constructional purposes. Residence of workmen shall not be allowed on site. The temporary structures for storing constructional materials shall be demolished before submission of building completion certificate and a certificate signed 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 for workers, before starting the work.
 - (5) Water connection for constructional purposes will not be given until the hoarding is constructed and application is made to the Ward Officer with the required deposit for the construction of carriage entrance, over the road side drain.
 - (6) The owners shall intimate the Hydraulic Engineer or his representative in Wards atleast 15 days prior to the date of which the proposed construction work is taken in hand that the water existing in the compound will be utilized for their construction works and they will not use any Municipal Water for construction purposes. Failing this, it will be presumed that Municipal tap water has been consumed in the construction works and bills preferred against them accordingly.
 - (7) The hoarding or access wall for supporting the deposit of building materials shall be constructed before starting any work and though no materials may be expected to be stabled in front of the property. The scaffolding, bricks, metal sand, props, debris, etc., should not be deposited over footpaths or public street by the owner/architect/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 obviating all the objections is approved by this department.
 - (9) No work should be started unless the structural design is approved.
 - (10) The work above plinth should not be started before the same is shown to this office Sub-Engineer concerned and acknowledgement obtained from him regarding correctness of the open spaces and dimension.
 - (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 and footpath.
 - (12) All the terms and conditions of the approved layout/sub-division under No. of should be adhered to and complied with.
 - (13) No Building/Drainage Completion Certificate will be accepted non water connection granted (except for the construction purposes) unless road is constructed 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 to the layout.
 - (14) Recreation ground or amenity open space should be developed before submission of Building Completion Certificate.
 - (15) The access road to the full 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 maintained unobstructed.
 - (17) The surrounding open spaces around the building should be consolidated in concrete having broken glass pieces at the rate of 125 cubic metres per 10 Sq. metres 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 rain water from adjoining holding before starting the work to prove the owner's holding.
 - (19) No work should be started unless the existing structures proposed to be demolished are demolished.
 - (20) This Intimation of Disapproval is given exclusively for the purposes of enabling you to proceed further with the arrangements of obtaining No. Objection Certificate from the Housing Commissioner under Section 130(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(4) (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 sanction will be revoked and the commencement certificate granted under Section 45 of the Maharashtra Building (Regulation) Act, 1962 shall be void.

- (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 your 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 or 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 head 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, obtained.
- (26) It is to be understood that the foundations must be excavated down to hard soil.
- (27) The positions of the nahanis and other appurtenances 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 Bombay, as required in Section 381-A of the Municipal Corporation Act.
- (30) All gully traps and open channel drains shall be provided with right fitting mosquito proof covers made of wrought iron plates or hinges. The manholes of all cisterns 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 pipes of the ribbet pretessed with screw or dome shape pieces (like a garden mari rose) with copper pipes with perfections each not exceeding 1.5 mm. in diameter. The cistern shall be made easily, safely and permanently a ceasible by providing a firmly fixed iron ladder, the upper ends of the ladder should be earmarked and extended 60 cms. above the top where they are to be fixed and 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 plane glass for coping over compound wall.
- (32) (a) Louvres should be provided as required by Bye-law No. 5(b).
 (b) Lintels or Arches should be provided over Door and Window openings.
 (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 addition is intended to be carried out on old foundations and structures, you will do so at your own risk.

Singh
 Executive Engineer, Building Proposals
 Zone ----- Wards

CE/4776/BPES/AM 03 JAN 2015

To,
Shri. P. R. Doshi,
"Laalasis Plot no.219
11th Road, Chembur,
Mumbai 71.

**Sub: Amended Plans for Proposed Residential Building on PLOT bearing CTS
No. 128/B/5 village Chembur, Chembur in M/West Ward.**

Ref: Your letter under No. PPC/113/354/2014 dated 29/11/2014

Sir,

I have to inform you that, the amended plans submitted by you for the above mentioned work are hereby approved, subject to the compliance of the conditions mentioned in this office Intimation of Disapproval under even no. CE/4776/BPES/AM dated 12/08/1995, conditions of Amended Plans dated 05/08/2010, 23/01/2014 and following additional conditions:

1. That the RCC Design and calculations as per the amended plans considering seismic forces as per the relevant IS Code should be submitted through registered Structural Engineer before starting the work.
 2. That the Extra water and sewerage charges shall be paid to A.E. (W.W.) M-West Ward.
 3. That all the requisite fees, premiums, deposits shall be paid before issue of C.C.
 4. That the C.C. Shall be got endorsed as per the approved amended plans.
 5. That the Quarterly Progress Report shall be submitted by the Architect.
 6. That the registered undertaking cum Indemnity Bond shall be submitted indemnifying the MCGM and its officers, servants, agents and the Municipal Commissioner against any / all actions, acts, costs, claims, damages, demands of any nature and any kind whatsoever, which may be instituted, claimed or made and further indemnifying them against any legal dispute of the plot, ownership, accidents, damages, risks by any person or persons, any third party or legal entity or society or Trust by reasons of granting of approval under the provisions of DCR 1991.
 7. That all the structural members below the ground shall be designed considering the effect of chlorinated water, sulphur water, seepage water, etc and any other possible chemical effects and due care while constructing the same will be taken and completion certificate to that effect shall be submitted before obtaining C.C. beyond plinth from the licensed Structural Engineer.
 8. That as per Circular No. Ch. E/27921/DP/Gen dated 06/01/2014, the owner / developer and the concerned Architect / L.S. shall compile and preserve the following documents:
 - a. Ownership Documents,
 - b. Copies of IOD, C.C. and subsequent Amendments,
 - c. Copies of Soil Investigation Reports,
 - d. RCC details and the canvas mounted Structural drawings,
 - e. Structural Stability Certificate from Licensed Structural Engineer,
 - f. Structural Audit Reports,
 - g. All details of repairs carried out in the buildings,
 - h. Supervision Certificate issued by the Licensed Supervisor,
 - i. Building Completion Certificate issued by Architect / L.S.,
 - j. NOC and completion certificate issued by C.F.O.,
 - k. Fire safety audit carried out as per the requirements of CFO.
- The above documents / plans shall be handed over to the end user / prospective society within a period of 30 days in case of redevelopment of properties and in other cases, the same should be handed over within a period of 90 days after granting Occupation Certificate.
9. That the Revised Drainage Approval shall be submitted.
 10. That the NOC from Dy. Ch. Eng. (S.P.) P&D shall be submitted.
 11. That the valid Janata Insurance Policy shall be submitted.

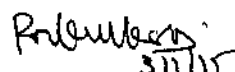
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PRAMOD R. DOSHI
ARCHITECT VALUER**

12. That the Civil Aviation NOC from Airport Authority of India shall be submitted,
13. That the Registered undertaking shall be submitted that any additional charges which may be decided in due course at the time of obtaining the Final NOC from Collector shall be paid by the owner / developer and in the event of non-obtaining of the Final NOC from the Collector, the Municipal Corporation of Greater Mumbai shall be kept indemnified against any losses, damages, claims, etc that may arise on account of granting the approval considering the NOC given by Govt. Revenue Dep't u/no. Land/2613/Case No.67 / J3 dated 28/08/2014.
14. That the Final NOC from Collector shall be obtained to utilise the TDR and Fungible FSI on the aforesaid subject plot before obtaining C.C.

One set of Amended plans duly signed and stamped is hereby returned in the token of Municipal Approval.

Acc: One Set of Plan

Yours faithfully,


Executive Engineer
(Building Proposal) E.S.-I

Copy forwarded to the Owner:
Shri. Mohan T. Kukreja
C.A. to Baliram Govind Gaikar & Other's

For Information Please.


CERTIFIED TRUE COPY
PRAMOD R. DOSHI
ARCHITECT VALUER