

346

Form

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

This notice is issued subject to compliance of
the provision of U.L. (C & R) Act, 1976.
**Intimation of Disapproval under Section 346 of the Mumbai
Municipal Corporation Act, as amended up to date.**

26 MAY 2010

No. E.B./CE/ 4485 /BPES/A

of 200 - 200

MEMORANDUM

Municipal Office,

Mumbai200

Shri Dharmesh Jain C.A. to Owner M/s. Everest Industries Ltd.

With reference to your Notice, letter No. 3402 dated 13/04/2009 200 and delivered on
200 and the plans, Sections Specifications and Description and further particulars and
details of your buildings at Proposed bldg. No.9 on plot bearing C.T.S.No.661/1/7, 661/1/4,
to me under your letter, dated 5/5/1/5, 661/8, 661/10 of village Mulund (W).
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.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 atleast 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. for 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.
5. 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.

Executive Engineer (R.C.)
(Eastern Suburbs)

26/05/10

BRIHANMUMBAI MAHANAGARPALIKA

No.CE/ 4485ES/AT

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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.

7. 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.
8. 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.
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 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.
11. That the requirements of N.O.C. of M.E.C.B.D.Co.Ltd. / Chief Fire Officer will not be obtained and the requisitions, if any, will not be complied with before occupation certificate/B.C.C.
12. That the basement will not comply with the Basement Rules and regulation regarding height, ventilation users, etc. and registered undertaking for not misusing the basement will not be submitted before C.C.
13. That the registered agreement with the prospective doctors agreeing to occupy the dispensary portion / nursing home will not be submitted before C.C.
14. That the conditions mentioned in release letter of Executive Engineer (D.P.) under no.CHE/I to R-18/DPES dt. 17/12/1999 will not be complied with.
15. That the qualified registered site supervisor through architect/structural engineer will not be appointed before applying for C.C.& his name and licence No. duly revalidated will not be submitted.
16. That the extra water and sewerage charges will not be paid to Asst.Engineer, Water Works, ' T ' Ward before C.C.
17. That the true copy of sanctioned layout sub-division /amaigamation approved under No. CE/573/BPES/LOT dtd. 21/04/2006 alongwith the terms and conditions will not be submitted before C.C. and compliance thereof will not be done before submission of B.C.C.


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BRIHANMUMBAI MAHANAGARPALIKA

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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.

19. 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.
20. 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.
21. 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.
22. That the clearance certificate from assessment Department regarding upto date payment of Municipal taxes etc. will not be submitted.
23. That the requirement of bye law 4© 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.
24. That the copy of Intimation of Disapproval conditions & other layout or sub division conditions imposed by the Corporation in connection with the developmental site shall not be given to the would be purchaser and also displayed at site.
25. That the N.A. permission from the Collector of Bombay shall not be submitted.
26. 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 and will not be renewed during the construction.
27. That the development charges as per M.R.T.P.(amendment) Act 1992 will not be paid.
28. That the carriage entrance shall not be provided before starting the work.
29. That the registered undertaking in prescribed proforma agreeing to demolish the excess area if constructed beyond permissible F.S.I. shall not be submitted before asking for C.C.
30. That the adequate & decent temporary sanitary accommodation will not be provided for construction workers on before starting the work.
31. That the documentary evidence regarding ownership, area and boundaries of holding is not produced by way of abstracts form the District Inspector of Land Records, extracts from City Survey Record and conveyance deed etc.


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That separate P.R.Cards for each sub-divided plots, road etc. will not be submitted.

33. 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.
34. No action pending from Hydraulic Engineer for the proposed development will not be obtained and his requirements will not be complied with.
35. That the registered undertaking agreeing to form Co-op. Housing society will not be submitted before starting the work.
36. That the society will not be formed & got registered and true copy of the registration of society will not be submitted.
37. That the proposal for amended layout / sub-station shall not be submitted and get approved before starting the work and terms and conditions thereof will not complied with
38. That the proposal will contravene the section 251 (A)(A) of the Mumbai Municipal Corporation Act.
39. That the remarks from Asstt. Engineer, Water Works regarding location, size capacity of the suction tank, overhead storage tank for proposed and existing work will not be submitted before starting the work and his requirements will not be complied with.
40. That the capacity of overhead tank will not be provided as per 'P' form issued by department of Hydraulic Engineer and structural design to that effect admitted before requesting to grant commencement certificate
41. That the undertaking for paying additional premium due to increase in land rate as and when demanded shall not be submitted.
42. That the N.O.C. from Insecticide Officer shall not be obtained.
43. That the board mentioning the name of Architect/Owner shall not be displayed on site.
44. That the C.C. shall not be asked unless payment of advance for providing treatment at construction site to prevent epidemics like Dengue, Malaria etc. is made to the Insecticide Officer of the concerned ward office and provision shall be made as and when required by Insecticide Officer for inspection of water tanks by providing safe and stable ladder, etc. and requirements as communicated by the Insecticide Officer shall be complied with.
45. That the authorized Pest Control agency shall not be appointed to give Anti Larval treatment to the proposed building.
46. That the amended layout shall not be got approved.


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No.CE/ 4485ES/AT

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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.

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.
2. That the requirement of N.O.C. from C.A.U.L.C. & R. Act will not be complied with before starting the work above plinth level.

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 the existing well will not be covered with R.C.C. slab.
5. That 10 ft. wide paved pathway upto staircase will not be provided.
6. That the surrounding open spaces, parking spaces and terrace will not be kept open and unbuilt upon and will not be levelled and developed before requesting to grant permission to occupy the building or submitting the B.C.C. whichever is earlier.
7. 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.
8. That the parking spaces shall not be provided as per D.C. Regulation No.36.
9. 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.
10. That the provision will not be made for making available water for flushing and other non-potable purposes through a system of borewell 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.
11. 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, termite, fixtures, joints in drainage pipes etc. and that the workmanship is found very satisfactory shall not be submitted.

Executive Engineer Building Proposa
(Eastern Suburbs.) - 2

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BRIHANMUMBAI MAHANAGARPALIKA

No.CE/ 4485ES/AT

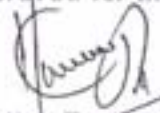
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That three sets of plans mounted on canvas will not be submitted.

13. That the certificate from Lift Inspector regarding satisfactory installation and operation of lift will not be submitted.
14. That the federation of flat owners of the sub-division/layout for construction and maintenance of the infrastructure will not be formed
15. That the adequate provision for post-mail boxes shall not be made at suitable location on ground floor /stilt.
16. 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.
17. That the garages will not be constructed and kept open type as approved and they will be enclosed without obtaining prior permission to that effect.
18. That the final NOC from S.G. shall not be submitted.
19. That the infrastructural works such as; construction of handholes/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.
20. That the requisitions of clause No.45 & 46 of D.C.R.91 shall not be complied with.
21. That the provision for rain water harvesting as per design prepared by approved consultant in the field shall not be made to the satisfaction of Municipal Commissioner.
22. That the Vermiculture bins for disposal of wet waste as per the design and specification of Organisations / 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 Mumbai Municipal Corporation Act will not be obtained from H.E.'s department regarding adequacy of water supply.
2. That the ownership of the recreation space/swimming pool /Club House shall not vest by provision in a deed of conveyance in all the property owners on account of whose holding the R.G./Swimming Pool Club House is assigned.
3. That the structure constructed in recreation space for the user of shall not be used only for recreational activity for which it is approved for the bonafide society members.


Executive Engineer
(Building Proposals)(Eastern Suburbs) -II