

Office of the
Ex. Eng. Bldg. Prof. (W.S.) P. & E. Ward
Ch. Mussaheb Ambedkar Market, Bldg.
Central (West), Bombay-400 047.

When I.O.D./E.E. is issued Subject
to the provisions of urban Land
(Building and Construction Act 1978)

PP-939-97-15,000 Forms.

EC/40

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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.

No. E. B./CE/ A-0893/AR BS/A

of 1999 20 JUL 1999

MORANDUM

Municipal Office,

Mumbai 199.

Shri Jaywant R. Keni.
W. to Smt. Yesubai M. Koli & Others.

With reference to your Notice, letter No. 337 dated 22.09.1997 and delivered on 22.09.1997 and the plans, Sections Specifications and Description and further particulars details of your building, app. Final. Plot No. 199 of TRS. NO. INT. Borivali at Borivali-West. I have to inform you that I cannot approve building or work proposed to be erected or executed, and I therefore hereby formally intimate to you, Section 346 of the Bombay Municipal Corporation Act as amended upto-date, my disapproval. Hereof reasons :-

CONDITIONS TO BE COMPLIED WITH BEFORE STARTING THE WORK/BEFORE
GRANTING C.C.

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.

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 on the adjoining holding to prove possession of holding to prove possession of holding before starting the work as per D.C. Reg. No. 38(27)

That the low lying plot will not be filled up to a reduced level at least 7.H.D. or 6" above adjoining road level whichever is higher with murrum, earth, boulders and sloped towards road side, before starting the work.

That the Structural Engineer will not be appointed under supervision as per Appendix XI (Reg. 5(3)(ix) will not be submitted by him

That the structural design and calculations for the proposed work will not be submitted before C.C.

That the regular/sanctioned/proposed plans and specifications will be got demarcated at site through A.L. (Survey)/E.E. (C)/D.I.L.R. before applying for C.C.

That the sanitary arrangement shall be as per specifications, drainage layout will not be submitted before C.C.

That the Indemnity bond indemnifying the Corporation for damages, risks accidents etc. and to the occupiers and an u/t regarding nuisance will not be submitted before C.C./starting the work.

That the requirement of NOC of E.E. (SWD)/ Supdt. of Garcan/ Inspector of Lifts will not be obtained and the regulations, if any, will not be complied with before occupation certificate is issued.

That the qualified/registered site supervisor through Architects Structural Engineer will not be appointed before applying for C.C.

That extra water and sewerage charges will not be paid to W.W. (R/N) Ward before C.C.

That the development charges as per M.R.T.P. (Amendment) Act shall be paid.

That the advance payment to P.C. 'R/N' shall not be made.

That the NOC from A.A. & C 'R/N' shall not be obtained

() That proper gutters and down pipes are not intended to be put to prevent water dropping from eaves 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 amendments, but not otherwise you will be at liberty to proceed with the said building or work at any time on the day of 199 , 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 of the.

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

Executive Engineer, Building Proposals.
Zone, Wards.

SPECIAL INSTRUCTIONS.

(1) THIS INTIMATION GIVES NO RIGHT TO BUILD UPON GROUND WHICH IS NOT OUR 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 a 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 made 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 is then vacant, to the Commissioner, within fifteen days of the completion of the occupation whichever first occurs. Thus compliance with this provision is punishable under Section 152 of the Act irrespective of the fact that the valuation of the premises will be liable to be revised under Section 152 of the Act, from the earliest possible date in the current year in which the completion of an occupation is detected by the Assessor and Collector's Department.

(5) Your attention is further drawn to the provision of Section 353-A of the Act whereby the person liable to pay property taxes is required to submit an occupation certificate with a view to enable the Municipal Commissioner of Greater Mumbai to inspect the premises and to grant a permission before occupation and to levy a penalty for non-compliance under Section 471 if necessary.

(6) Proposed date of commencement of work should be communicated in accordance with the requirements of Section 471 (a) 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 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

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