

मुंबई नगरपालिका, स.प.स. मालाद (पूर्व), मुंबई-४००१०१
 मालाद (पूर्व), मुंबई-४००१०१

THIS I.O.D. IS ISSUED SUBJECT
 TO THE PROVISIONS OF URBAN LAND
 CEILING AND REGULATIONS ACT 1974

BMPP-8028-2010-11-2,000 Forms (4 Pages F/B)
 EC-48

Form 346

 88

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

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

ISSUED

21 FEB 2013

No. CHE/A-0384/BP(WS)/AP of 2013-2014

MEMORANDUM

M/s. Landmark Corporation Pvt. Ltd.

With reference to your Notice **337**, letter No. **11086** dated **05.12.2012** and delivered on _____ 20 _____ and the plans, Sections Specifications and Description and further particulars and details of your buildings at **Proposed redevelopment of residential building on plot bearing C.T.S. No.373, 373/1 to 3 of village Malad (East), F.P. No.29E, T.P.S. Malad No.1, Malad (East), Mumbai**, furnished to me under your letter, dated _____ 20 _____. 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 you 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 20 FEB 2014 day of 200, but not so as to contrivance 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 Intimation of Disapproval.

21 FEB 2013

Executive Engineer, Building Proposals,
Zone, P Wards

SPECIAL INSTRUCTIONS.

(1) THIS INTIMATION GIVEN 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 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 of 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.

filed

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 Munl. Specifications and drainage layout will not be submitted before C.C.
7. That the list of tenant and agreement with the existing tenant alongwith the plans will not be submitted before demolition of the existing structure.
8. That the agreement with the existing tenant alongwith the plans will not be submitted before demolition of existing structure.
9. That the consent letter from the existing tenants for the proposed additions/alterations in their tenement will not be submitted before C.C.
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 requirements of N.O.C. of E.E. (S.W.D.)/E.E. (T&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.
12. That the qualified/registered site supervisor through Architects /Structural Engineer will not be appointed before applying for C.C.
13. That extra water and sewerage charges will not be paid to A.E.W.W.P/North Ward before C.C.
14. That the N.O.C. from A.A. & C. (P/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.
15. That the N.O.C. from H.E. shall not be submitted before requesting for C.C.
16. That the regd. u/t. from the developer to the effect that meter cabin, Stilt Portion, society office, servants toilet, part/pocket

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terrace shall not be misused in future shall not be subm
before requesting for C.C.

17. That the development charges as per M.R.T.P. Act (Amendment) Act 1992 will not be paid before C.C.
18. 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.
19. That the provision from Reliance Energy Ltd./M.T.N.L. shall not be made.
20. That the P.C.O. Charges shall not be paid to Insecticide Officer before requesting for C.C. 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 not 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 not be complied with.
21. That the proportionate sewerage line charges as worked out by Dy.Ch.Eng. (Sew. Planning) shall not be paid in this office before requesting for C.C.
22. That the Janata Insurance Policy shall not be submitted before C.C.
23. 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.
24. 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.
25. That the building will not be designed complying requirements of all the relevant I.S. codes including I.S. Code 1893 for earthquake design, the certificate to that effect shall not be submitted from Structural Engineer.
26. That the soil investigation will not be done and report thereof will not be submitted with structural design before requesting for C.C.
27. 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.

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DR. ANJALI N. L. O. D. A-0384 AP dec
TO THE PROVISIONS OF URBAN LAND
CEILING AND REGULATIONS ACT 1979

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C.E.P. (P.N.) A.E.P. OP

Executive Engineer
Bldg. Proposal (W.S.) P Ward

28. That the alternate arrangement for drinking water shall not be made for the existing tenants before demolishing the existing overhead water storage tank before C.C.
29. That the Regd. U/T. cum Indemnity bond shall not be submitted before approval of plan stating that the Owner/Developer is aware of the existing municipal dumping ground in close vicinity of their plot or the developer or his agent etc. shall not complain about the nuisance from the dumping ground by virtue or subsequent development on the plot and the developer shall declare this fact by way of a clause in agreement to the intended purchaser of the Residential/Commercial/Industrial units in their property.
30. That the requirement of clause 40 & 41 of D.C.R. 1991 shall not be incorporated in proposed plan and requirements shall not be complied with before submitting B.C.C.
31. 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.
32. That the details of quantity of debris created due to the development of proposed bldgs/additions/alterations and that the phase programme for removal of the said debris shall not be submitted & shall not followed scrupulously and u/t. to that effect shall not be submitted.
33. That the PAN Card with the photo of the applicant as per prescribed proforma shall not be submitted.
34. That the Indemnity Bond indemnifying M.C.G.M. from nuisance due to leakage from toilets above shops shall not be submitted.
35. That the condition shall be laid in agreement of prospective buyers of shop that the toilet is existing above shop and copy of the agreement shall be submitted to this office.
36. That the use of fly ash bricks and fly ash based building material shall not be used in construction work and test report to that effect will not be submitted to this office.
37. That the requisitions from fire safety point of view as per D.C.R. 1991 shall not be complied with.
38. That Regd. U/T from the developer to the effect that the Workers employed on site shall be covered under workmen compensation policy till completion of the work shall not be submitted before C.C.

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39. That the necessary arrangement for bore well water shall not made and necessary certificate from Ground Water Survey Department Authority (GSDA) before requesting for C.C.
40. That the No Dues Pending Certificate from A.E. (W.W.) P/South shall not be submitted before C.C.
41. That the N.O.C. from A.E.(Environment) debris shall not be submitted before C.C.
42. That the bore well shall not be constructed in consultation with H.E. before requesting for C.C.
43. That all exterior wall shall not be constructed as per circular No.C/PD/12387 dtd. 17.03.2005.
44. That the R.C.C. framed structures, the external walls shall be less than 230 mm, if in brick masonry or 150 mm autoclaved cellular concrete block excluding plaster thickness as circulated under No.CE/5591 of 15.4.1974.
45. That no main beam in R.C.C. framed structure shall not be less than 230 mm wide. The size of the columns shall also not be governed as per the applicable I.S. Codes.
46. That all the cantilevers (projections) shall not be designed for five times the load as per I.S. code 1993-2002. This also includes the columns projecting beyond the terrace and carrying the overhead water storage tank, etc.
47. 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 the Insecticide Officer for inspection of water tanks by providing safe but stable ladder, etc. and requirements as communicated by the Insecticide Office shall not be complied with.
48. That the N.O.C. from Additional Collector for royalty of excavated earth will not be submitted.
49. That for proposal in lieu of T.D.R. the layout should be got approved.
50. That the Registered Undertaking for not utilizing more than one F.S.I. shall not be submitted before C.C.

21 FEB 2013

THIS I.O.D. IS ISSUED SUBJECT
TO THE PROVISIONS OF URBAN LAND
CEILING AND REGULATIONS ACT 1973

ANJALI N. I.O. DAA-9384 AP doc
21/02/13 5
G.H.P. (PIN) A.H.B.P. ID

Executed by Engineer
Bldg. Proposal (W.S.) P Ward