

346
Form No. 88

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

Valid upto 16 DEC 2015

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

No. E.B./CE/ BS/A of 20 - 20

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Municipal Office,

Mumbai.....20

MEMORANDUM

Hiren Bharani C.A. to owner,
Partner of M/s.Sabari Enterprises

With reference to your Notice, letter No. 1175 dated 28.02.2014 and delivered on 20 and the plans, Sections Specifications and Description and further particulars and Proposed residential building on plot bearing C.T.S.No. 422A, 422A/1 of village Deonar, Off Deonar Farm Road, 'M' Ward, Chembur, Mumbai details of your buildings at 20 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 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 except on road side of the building 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]
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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.
6. 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 requirements of N.O.C. of Chief Fire Officer / Reliance Energy Ltd. will not be obtained and the requisition, if any, will not be complied with before occupation certificate / B.C.C.
10. That the agreement with existing tenants along with the plans for demolition of their tenements for acceptance of alternate accommodation will not be submitted before C.C.
11. That the consent letter from existing tenants along with the plans for demolition / additions / alterations in their tenements will not be submitted before C.C.
12. That the basement will not comply with the Basement Rules and regulations regarding height, ventilation users etc. and registered undertaking for not misusing the basement will not be submitted before C.C.
13. 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.
14. That the extra water and sewerage charges will not be paid to Asst. Engineer, Water Works, 'M' Ward before C.C.
15. That No dues pending certificate shall not be submitted Asst.Engineer, Water Works, 'M' Ward before 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 floors 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 & remarks from S.G. shall not be submitted.
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 proforma for checking the opens spaces and building dimensions as soon as the work upto plinth is completed.

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20. That the clearance certificate from assessment Department regarding upto date payment of Municipal taxes etc. will not be submitted.
21. 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.
22. 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.
23. That the N.A. permission from the Collector of Mumbai shall not be submitted.
24. 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.
25. That the development charges as per M.R.T.P.(amendment) Act 1992 will not be paid.
26. That the carriage entrance shall not be provided before starting the work.
27. 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.
28. That the adequate & decent temporary sanitary accommodation will not be provided for construction workers on before starting the work.
29. 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.
30. That separate P.R. Cards for each sub-divided plots, road etc. will not be submitted.
31. 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.
32. That the No Objection Certificate from Hydraulic Engineer for the proposed development will not be obtained and his requirements will not be complied with
33. That the registered undertaking agreeing to form Co-op. Housing society will not be submitted before starting the work.
34. That the proposal will contravene the section 251(A)(A) of the Mumbai Municipal Corporation Act.
35. That the remarks from Asst. 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.

R. G. W. S. 17/12/14
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36. 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.
37. That the phase programme for infrastructure development will not be submitted and got approved and will not be developed as per phase programme.
38. That the undertaking for paying additional premium due to increase in land rate as and when demanded shall not be submitted.
39. That the requirements as per circular no. CE/PD/12387 of 17.3.2005 shall not be complied with during the execution of work
40. 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 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.
41. 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.
42. That the N.O.C. from S.G. shall not be submitted.
43. That the board mentioning the name of Architect/Owner shall not be displayed on site.
44. That the debris management plan shall not be submitted to S.W.M. Department & NOC shall not be obtained and submitted to this office.
45. 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.
46. That the authorised private Pest Control agency shall not be appointed to give Anti Larval treatment to the proposed building.
47. That the private pest control agency to give anti-larval treatment on construction site shall not be appointed and conditions of circular u/No.AMC/WS/H/9346/ 29.3.2010 shall not be complied with before asking for C.C.
48. That the work of construction shall not be carried out between 7.00 a.m. to 7.00 p.m.
49. That the soil investigation report from geologist shall not be submitted

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50. That the register U/T shall not be submitted by Owner / Developer / Builder to sell the tenements / flats 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 complications arising due to MOFA shall not be submitted.
51. That the N.O.C. from Ch.E.(M&E) shall not be obtained and submitted to this office.
52. That the debris generated / building material will be dumped within a periphery of 50.00 Mtrs. from mangroves.
53. That the N.O.C. from Dy.Ch.Eng.(S.P.)P&D shall not be submitted.
54. That the Revised NOC from E.E.(T&C) for maneuvering of vehicles shall not be submitted.
55. That the registered U/T stating that the Owner /Society/ Developer shall not oppose the development of neighbouring plot for their development which may involves open space deficiency shall not be submitted.
56. That the separate P.R.Cards for each sub-divided plots, road, etc. exhibiting area in words & figures will not be submitted.
57. That as per Circular No.ChE/27921/DP/Gen dated 06/01/2014, the owner / developer and concerned architect / L.S. shall compile and preserve the following documents :-
 - a)Ownership document, b)Copies of IOD, CC subsequent amendments, O.C.C., B.C.C. and corresponding canvass mounted plans, c) copies of Soil Investigation Reports, d)RCC details and 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 Site Supervisor, i) Building Completion Certificate issued by L.S. / architect, j) NOC and completion certificate issued by the C.F.O., k)Fire Safety Audit carried out as per the requirement of C.F.O.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.
58. That all the structural members below the ground shall be designed (considering the effect of chlorinated water, sulphar 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 insisted before granting further C.C. beyond plinth from the licensed Structural Engineer. *with care taken*
59. That the Quarterly Progress Report shall be submitted by the Architect.
60. That the Registered U/T from owner stating that they will not object to the development of neighbouring plot when they come forward for development shall be submitted.

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61. That the Registered undertaking from the owner to incorporate a clause in sale agreement with prospective buyer that the said building is constructed with deficiency in open space shall be submitted.
62. That the Registered Undertaking shall be submitted by the owner to comply with all the condition of E.E. (T&C)'s NOC and CFO's NOC.
63. That a Registered Doctor shall be appointed at site.
64. That P.R Card in the name of the present owner shall not be submitted.

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 the separate vertical drain pipe, soil pipe with a separate gully trap, water main, overhead tank etc. for maternity home / nursing home user will not be provided and the drainage systems or the residential part of building will not be affected.
2. That some of the drains will not be laid internally with C.I. pipes of adequate size.
3. That the dust bin will not be provided as per C.E.'s circular No.CE/9296/11 of 26.6.1978.
4. 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.
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 leveled 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 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.

P. Jambhale 17/12/14
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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, termites, fixtures, joints in drainage pipes etc. and that the workmanship is found very satisfactory shall not be submitted.
12. That one set 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 final NOC from S.G. shall not be submitted.
18. That the requisitions of clause No.45 & 46 of D.C.R.91 shall not be complied with.
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 N.O.C. from Insecticide Officer shall not be submitted.
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 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
23. That the NOC from CFO shall be submitted before asking occupation.
24. That the single P.R. Card for sub divided plot shall not be submitted.

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.

R. Kulkarni 17/12/14
Executive Engineer
(Building Proposals)E.S.I