

MUNICIPAL CORPORATION OF GREATER MUMBAI
No.CHE/WS/1522/H/337(NEW)

Ex. Engineer Bldg. Proposal (W.S.)
H and K - Wards
Municipal Office, R. K. Patkar Marg.
Bandra (West), Mumbai - 400 050

To,
M/s. A.R.Mehta & Associates
Architects,
Krishna, 1st floor ,
Daulat Nagar Road No.5& 8,
Borivali [E],Mumbai- 400 066

= 2 DEC 2015 .

Sub:- Proposed redevelopment of existing building on
plot bearing C.T.S. No.E/49 of village Bandra,
F.P. No.1B, F.P. No.VI a 16th Road, Khar (West)

Ref : Your letter dated 21.10.2015

Gentleman,

There is no objection to your carrying out the work as per amended plans submitted by you vide your letter under reference for which competent authority has accorded sanction, subject to the following conditions :-

- 1) All the objections of this office I.O.D. under even no. dated 14.07.2015 shall be applicable and should be complied with.
- 2) The changes proposed shall be shown on the canvas mounted plans to be submitted at the time of B.C.C.
- 3) That every part of the building constructed and more particularly overhead water tank will be provided with proper access for the staff of Insecticide Officer with a provision of temporary but safe and stable ladder.
- 4) That the infrastructural works, such as; construction of hand holes / panholes, ducts for underground cables, concealed wiring inside the flats/rooms, rooms/space for telecom installations etc. required for providing telecom services shall be provided.
- 5) That the regulation No.45 and 46 of D.C.Reg.1991 shall be complied with.
- 6) That the letter box shall be provided at the ground floor for all the tenements.
- 7) That the owner/developer shall not hand over the possession to the prospective buyers before obtaining occupation permission.
- 8) That no main beam in R.C.C. framed structure shall be less than 230 mm. wide. The size of the columns shall also be governed as per the applicable I.S. Codes.
- 9) That all the cantilevers [projections] shall be designed for five times the load as per I.S. code 1893-2002. This also includes the columns projecting beyond the terrace and carrying the overhead water storage tank, etc.
- 10) That the R.C.C. framed structures, the external walls shall not 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.
- 11) That the revised R.C.C. drawing/designs, calculations shall be submitted through Licensed Structural Engineer.

- 14) That the Labour Welfare Tax of 1% of construction cost as per ready reckoner shall be paid.
- 15) That all the payments shall be made.
- 16) That the quality control for building work / for structural work / supervision of the work shall be done and certificate to that effect shall be submitted periodically in proforma.
- 17) That the testing of building material to be used on the subject work shall be done and results of the same shall be submitted periodically.
- 18) That the revised remarks as per Revised Draft Plan 2034 shall be submitted.

One set of plans in token of approval is enclosed herewith.

Yours faithfully,

sd/-
Executive Engineer
Building Proposals
(Western Suburbs) "H" Ward

- Copy to ✓ 1] Shri Vivek A. Mohanani, Director of M/s Ekta Shelters Pvt. Ltd..
C.A. o Owner, Khar Ram Laxmi C.H.S. Ltd.
2] Assistant Commissioner, H/West Ward
3] A.E.W.W.H/West Ward
4] D.O.H/West Ward

Forwarded for information please.

J *Ph...*
E.E.B.P.(W.S.) "H" Ward

346
Form 88

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

23

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

No. CHE/WS/1522/H/337 (NEW)

19.5 JUL 2015

MEMORANDUM

Municipal Office,
Mumbai 20

Shri Vivek A. Mohanani, Director of M/s Ekta Shelters Pvt. Ltd.
C.A. to Owner, Khar Ram Laxmi Co-op. Hsg. Society Ltd.

With reference to your Notice, letter No. 5744 dated 20/1/2015 and delivered on
2000 and the plans, Sections, Specifications and Description and further particulars
and details of your residential building on plot bearing CTS No.E/49 of village Bandra, F.P. No.IB, F.P.
No.VI at 16th Road, Khar (West), Mumbai, furnished to me under your letter, dated.....20.....
I have to inform you that I cannot approve 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 commencement certificate under section 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 as per D.C. Regulation No.38(27) before starting the work.
- 3) That the low lying plot will not be filled upto a reduced level of atleast 28.04 mtr. T.H.D. or 0.15 mtr. above adjoining road level whichever is higher with murum, earth, boulders etc. and will not be levelled, rolled and consolidated and sloped towards road side, before starting the work.
- 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 and calculations for the proposed work and for existing building showing adequacy thereof to take up the additional load will not be submitted before C.C.

CERTIFIED TRUE COPY
For. A. R. Mehta & Assoc.

Architect

17.5 JUL 2014

CHE/WS/1522/H/337 (NEW)

Ex-Engineer (B) ...
at ...
...

- 6) That the sanitary arrangement shall not be carried out as per Municipal specifications and drainage layout will not be submitted before C.C.
- 7) That the Registered Agreement with the existing tenant alongwith the list will not be submitted before C.C.
- 8) That the consent letter from the existing tenants for the proposed development will not be submitted before C.C.
- 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 (i) Reliance Energy /Tata Power, [ii] S.G. [iii] P.C.O., [iv] A.A. & C.[H/West Ward], [v] S.P. [vi] S.W.D., [vii]M.T.N.L., [viii] H.E. will not be obtained and the requisitions if any will not be complied with before occupation certificate / B.C.C.
- 12) That the Registered Agreement with the prospective Doctors agreeing to occupy the Dispensary portion 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.
- 14) That "All Dues Clearance Certificate" related to H.E.'s dept. from the concerned A.E.W.W. [H/West Ward] shall not be submitted before applying for C.C.
- 15) That the NOC from Society alongwith certified extract of General Body Resolution for proposed development will not be submitted before C.C.
- 16) That Betterment charges or lucrative premium will not be paid in respective Ward Office and certificate /receipt will not be submitted before asking for C.C.
- 17) That the development charges as per M.R.T.P. (amendment) Act 1992 will not be paid.
- 18) That the registered undertaking in prescribed proforma agreeing to demolish the excess area if constructed beyond permissible FSI shall not be submitted before asking for C.C.
- 19) That the requisite premium as intimated will not be paid before applying for C.C.
- 20) That the registered undertaking shall not be submitted for payment of difference in premium paid and calculated as per revised land rates.

- 21) 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.
- 22) That the Phase programme will not be got approved before asking for C.C.
- 23) That the Janata Insurance Policy in the name of site or policy to cover the compensation claims arising out of workman's compensation Act 1923 will not be taken out before starting the work and also will not be renewed during the construction work.
- 24) That the N.O.C. from Superintendent of Garden for tree authority shall not be submitted.
- 25) That the soil investigation will not be done and report thereof will not be submitted with structural design.
- 26) That the building will not be designed with the requirements of all relevant IS codes including IS code 1893 for earthquake design while granting occupation certificate from Structural Engineer to that effect will be insisted.
- 27) 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.
- 28) That all the cantilevers [projections] shall not be designed for five times the load as per I.S. code 1893-2002. This also includes the column projecting beyond the terrace and carrying the overhead water storage tank, etc.
- 29) 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.
- 30) 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 M.C.G.M. shall not be provided to the satisfaction of Municipal Commissioner.
- 31) That the phasewise programme for removal of the debris shall not be submitted and got approved.
- 32) That the registered undertaking for not misusing the part / pocket terraces area claimed free of F.S.I. will not be submitted.
- 33) That the registered undertaking for water proofing of terrace and Nahani traps shall not be submitted.
- 34) That the N.O.C. from E.E.[T&C] for parking layout in the stilt / podium shall not be submitted.

- 35) That the Indemnity Bond for compliance of I.O.D. conditions shall not be submitted.
- 36) That the owner/developer shall not display a board at site before starting the work giving the details such as name and address of the owner/developer, architect and structural engineer, approval no. and date of the layout and building proposal, date of issue of C.C., area of the plot, permissible built up area, built up area approved, number of floors etc.
- 37) That the design for Rain Water Harvesting System from Consultant as per Govt. notification under Sec.37[2] of MR&T.P. Act, 1966 under No.TPB-4307/396/CR-24/2007/UD-11 dt.6/6/2007 shall not be submitted.
- 38) That the authorized Pvt .Pest Control Agency to give anti malaria treatment shall not be appointed in consultation with P.C.O.[H/West Ward].
- 39) That the RUT shall not be submitted by the developer to sell the tenements/flats on carpet area basis only and to abide by the provision of MOFA (Act) amended upto date and the I.B. indemnifying the MCGM and its employees from any legal complications arising due to MOFA, will be submitted.
- 40) That the necessary remarks for training of nalla/construction of SWD will not be obtained from Dy. Ch.Eng. (SWD) City and Central Cell before plinth C.C. and compliance of said remarks will not be insisted before granting full C.C. for the building.
- 41) That the debris removal deposit of Rs. 45,000/- or Rs. 22/- per sq.mtr. of the built up area, whichever is less will not be paid before further C.C.
- 42) That the "Debris Management Plan" shall not be got approved from Executive Engineer [Env.] and the conditions therein shall not be complied with.
- 43) That the N.O.C. from Collector – M.S.D. for excavation of land shall not be submitted.
- 44) That the labour welfare tax as per circular No. Dy.Ch.Eng/3663/BP (City) Dt. 30.9.2011 shall not be paid before asking for C.C.
- 45) The developer shall not submit the registered undertaking agreeing to comply with & follow all the rules, regulations, circulars, directives related to the safety of construction labors/workers, issued time to time by the department of building & other construction labours, Government of Maharashtra.
- 46) That the developer will not intimate the prospective buyer and existing tenants regarding concessions availed for deficiency in open space, deficient parking space, etc. as well as not objecting neighbourhood development with deficient open spaces etc. and the clause shall not be incorporated in sale agreement so as to make aware prospective buyer/ members about deficient open space/maneuvering spaces.
- 47) That the R.U.T. shall not be submitted by the developer stating that they will not take any objection in future for the development on adjoining plot with deficient open spaces and also

condition will be incorporated about deficient open spaces of proposed bldg. in the sale agreement of flats.

- 48) That the Registered Undertaking stating that the conditions of E.E. (T & C) NOC shall not be complied with and to that effect the mechanized parking equipped with safety measures will be maintained permanently in safe condition to avoid any mishap and an indemnity bond indemnifying MCGM and its officers against any litigation, costs, damages, etc. arising out of failure of mechanized system /nuisance due to mechanized system to any person shall not be submitted.
- 49) That the R.U.T. shall not be submitted by the developer stating that fungible compensatory FSI for rehabilitation component shall not be used for sale component.
- 50) That the NOC from the Registrar of Societies under Section 79A shall not be submitted.
- 51) That the registered undertaking shall not be submitted for payment of difference for fungible, open space deficiency or any type of premium retrospectively as & when demanded by M.C.G.M.
- 52) That the RUT shall not be submitted stating that the difference of payment for additional 33% FSI shall be paid and calculated as per the revision of rates by the Government from time to time as per the condition No.5 mentioned in Notification and circular before requesting for C.C.
- 53) That the RUT shall not be submitted regarding any adverse clarification received from Government of Maharashtra in respect of condition No.7 of Govt. notification No.TPB-4308 /776/CR-127/2008/UD-11 dtd. 10.4.2008 and new Govt. notification dtd. 24.10.2011 i.e. regarding consent of society / occupants regarding utilization of 0.33 FSI on prorata basis.
- 54) That the letter from owner stating that they will accept the refund of additional 33% FSI premium paid, without claiming any interest thereon, if the development proposal is not approved / rejected by M.C.G.M. shall not be submitted.
- 55) That the demarcation of plot boundary carried out by C.S.L.R. and M.R. Plan to that effect shall not be submitted.
- 56) That the work shall not be carried out between sunrise and sunset.
- 57) That the R.U.T. & Indemnity Bond shall not be submitted stating that owner/developer and concerned Architect/Lic. Surveyor shall compile and preserve the following documents
 - a) Ownership documents.
 - b) Copies of IOD, CC subsequent amendments, OCC, BCC and corresponding canvas mounted plans.
 - c) Copies of Soil Investigation Report.
 - d) RCC details and canvas mounted structural drawings.
 - e) Structural Stability Certificate from Lic. Structural Engineer.
 - f) Structural audit reports.
 - g) All details of repairs carried out in the buildings.
 - h) Supervision certificate issued by Lic. Site Supervisor.
 - i) Building Completion Certificate issued by Lic. Surveyor / Architect.

- j) N.O.C and Completion Certificate issued by C.F.O.
 k) Fire safety audit carried out as per the requirement of C.F.O.

The above documents 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, within 90 days after granting occupation certificate by the developer. The end user/prospective society shall preserve and maintain the abovesaid documents/plans and subsequent periodical structural audit reports and repair history. Further, the end user/prospective society shall carry out necessary repairs/structural audit/fire safety audit, etc. at regular intervals as per requirement of C.F.O. A copy of the sample agreement to be executed with the prospective buyers incorporating the above conditions shall not be submitted to this office.

- 58) That all the structural members below the ground shall not be designed considering the effect of chlorinated water, sulphur water, seepage water, etc. and any other possible chemical effect and due care while constructing the same shall not be taken and completion certificate to that effect shall not be submitted from the Licensed Structural Engineer.
- 59) That the R.U.T. shall not be submitted by the owner/developer for maintaining the noise levels as per the norms of Pollution Control Board.
- 60) That the R.U.T. shall not be submitted for not misusing the additional parking proposed for full potential of F.S.I. and will count the same in FSI or will be handed over to M.C.C.M. free of cost, if the building is not constructed for full potential.
- 61) That the R.U.T. from the developer stating that they will incorporate a condition in the sale agreement of prospective buyers as well as existing tenants about deficiency in provision of aisle space of 3.70 mt. at ground floor and 4.92m. at podium level for two way manoeuvring of vehicles instead of 6.00 mt. shall not be submitted.
- 62) That R.U.T. & Indemnity Bond for contravening toilets shall not be submitted.
- 63) That the Revised C.F.O. N.O.C. shall not be submitted.

B. CONDITIONS TO BE COMPLIED BEFORE FURTHER C.C.

- 1) That the notice in the form of appendix XVI of D.C.R. shall not be submitted on completion of plinth.
- 2) That N.O.C. from Civil Aviation department will not be obtained for the proposed height of the building.
- 3) That the debris shall not be transported to the respective Municipal dumping site and challan to that effect shall not be submitted to this office for record.
- 4) That the N.O.C. from A.A. & C. [II/West] shall not be submitted.
- 5) That the plinth stability certificate from R.C.C. consultant shall not be submitted.
- 6) That the work-start notice shall not be submitted.

- 7) That C.C. shall not be granted beyond plinth level unless the concerned owner / builder satisfies the competent authority that he has moved the concerned authorities / utilities for providing connection in this regard & advance connection [not commissioned] is taken as per the specifications.
- 8) That the testing of building material to be used on the subject work shall not be done and results of the same will not be submitted periodically.
- 9) That the quality control for building work / for structural work / supervision of the work shall not be done and certificate to that effect shall not be submitted periodically in proforma.
- 10) That the monthly status report shall not be submitted regularly.
- 11) That the A.M.S.L. of the completed work upto plinth/stilt/podium level, as applicable, shall not be verified and submitted.

C. GENERAL CONDITIONS TO BE COMPLIED WITH BEFORE O.C. :-

- 1) That some of drains will not be laid internally with C.I. pipes.
- 2) That the dust bin will not be provided as per C.E.'s circular No. CE/9297/II dated 26.6.1978.
- 3) That the surface drainage arrangement will not be made in consultation with E.E.(S.W.D.) or as per his remarks and a completion certificate will not be obtained and submitted before applying for occupation certificate/B.C.C.
- 4) That the existing well will not be covered with R.C.C. slab.
- 5) That the 10' 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 imbuilt upon; and will not be levelled and developed before requesting to grant permission to occupy the bldg. or submitting the B.C.C. whichever is earlier.
- 7) That the name plate/board showing plot no., name of the bldg. etc. shall not be displayed at a prominent place before O.C.C./B.C.C.
- 8) That the carriage entrance will not be provided before starting the work.
- 9) That the parking spaces will not be provided as per D.C.R. No.36.
- 10) That B.C.C. will not be obtained and IOD and debris deposit etc. will not be claimed for refund within a period of six years from the date of occupation.
- 11) That every part of the building constructed and more particularly overhead water tank will not be provided with the proper access for the staff of Insecticide Officer with a provision of temporary but safe and stable ladder.

- 12) That the owner/developer will not hand over the possession to the prospective buyer before obtaining occupation permission.
- 13) That the letter box of appropriate size shall not be provided for all the tenements at the ground floor.
- 14) That the infrastructural works such as construction of hand-holes/manholes, ducts for underground cables, concealed wiring inside the flats/rooms, room/space for telecom installations etc. required for providing telecom services shall not be provided.
- 15) That the regulation No.45 and 46 of D.C. Reg. 1991 shall not be complied with.
- 16) That the necessary arrangement of borewell shall not be made/provided and necessary certificate to that effect from the competent authority shall not be obtained before C.C.
- 17) 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 300 Sq.Mts. as per Govt. notification under Sec.37[2] of M.R.T.P. Act, 1966.
- 18) That the requisition from fire safety point of view as per D.C.R.91 shall not be complied with.
- 19) 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 M.C.G.M. shall not be provided to the satisfaction of Municipal Commissioner.
- 20) That the Drainage Completion Certificate shall not be submitted.
- 21) That the Lift Inspector's completion certificate shall not be submitted.
- 22) That the structural stability certificate shall not be submitted.
- 23) That the Site Supervisor's completion certificate shall not be submitted.
- 24) That the smoke test certificate shall not be submitted.
- 25) That the water proofing certificate shall not be submitted.
- 26) That the N.O.C. from A.A. & C. [H/West Ward] shall not be submitted.
- 27) That the N.A. order shall not be submitted.
- 28) That the final completion certificate from C.F.O. shall not be submitted.
- 29) That the completion certificate for Rain Water Harvesting System from Consultant shall not be submitted.

- 30) That the Energy Conservation Systems as stipulated vide circular under No.CHE/M&E/1063 dt.16/06/2008 shall not be complied with.
- 31) That the list of documents required to be scanned and legible scanned image shall not be submitted.
- 32) That the A.M.S.L. of completed work (top of building) shall not be verified and submitted.

D) CONDITIONS TO BE COMPLIED WITH BEFORE B.C.C. :-

1. That the certificate under Sec.270-A of the B.M.C. Act will not be obtained from H.E.'s department regarding adequacy of water supply.

B. R. B. P. (W.S.) H.E. of Ward

**CERTIFIED TRUE COPY
For. A. R. Mehta & Assoc.**

A. R. Mehta
Architect