

Ex. Eng. Bldg. Proposal (City) -II
New Municipal Building, C. S. No. 355 B,
Bhag. - - - - - Jalandhar Marg,
Opp. Hanuman Mandir,
Salt Pan Road, Antophill, Wadala (East)
Mumbai - 400 037.

346
Form -----
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in replying please quote No.
and date of this letter.



MUNICIPAL CORPORATION OF GREATER MUMBAI

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

No. CHE/CTY/1239/E/337(NEW) **27/9/16**

MEMORANDUM

Municipal Office,
Mumbai

To,

✓ M/s. KSA Developers

Kapur Mansion, 2-B Gr. Flr., 10, Moreland Road, Agripada (W), Mumbai-400011

With reference to your Notice 337 (New) , letter No. 3110 dated. 26/10/2015 and the plans, Sections Specifications and description and further particulars and details of your buildings at Proposed redevelopment of property bearing C.S. No. 1787 & 2/1787 of Byculla Division, E-ward, Situated at 1st & 2nd Cross Lane, Sankli street, Byculla, Mumbai: 400 008, CTS NO.1787 & 2/1787 furnished to me under your letter, dated 26/10/2015. I have to inform you that, I cannot approve of the building or work proposed to be erected or executed, and I therefore hereby formally intimate to you, under Section 346 of the Mumbai Municipal Corporation Act as amended up to-date, my disapproval by reasons thereof :-

A: CONDITIONS TO BE COMPILED WITH BEFORE STARTING THE WORK.

- 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 builder / developer / owner shall not prepare a "debris management plan" showing the prospective quantum of debris likely to be generated, arrangements for its proper storage at the site, transportation plan of the agency appointed for the same, with numbers and registration numbers of vehicles to be deployed and the final destination where the debris would be unloaded by them and submit the same to the Zonal Executive Engineer of S.W.M. Department and the same shall not be got approved before demolition of existing building or commencing any construction activity.
- 3 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. Regulation No. 38(27).
- 4 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 leveled, rolled, consolidated and sloped towards road side, before starting the work.
- 5 That the 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 accounting for seismic analysis as per relevant I.S. Code and for existing building showing adequacy thereof to take up additional load alongwith bearing capacity of the soil strata will not be submitted before C.C.
- 7 That the sanitary arrangements shall not be carried out as per Municipal Specifications, and drainage layout will not be submitted before C.C.
- 8 That the Indemnity Bond, indemnifying the Corporation for damages, risks, accidents, to the occupiers and an Undertaking regarding no nuisance will not be submitted before C.C./starting the work.
- 9 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.
- 10 That the requirements of N.O.C. of M.B.R & R Board will not be obtained & the requisitions, if any, will not be complied with before occupation certificate / B.C.C.

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- 11 That the qualified/Registered Site supervisor through Architect/Structural Engineer will not be appointed before applying for C.C.
- 12 That All Dues Clearance Certificate from A.E.W.W." E " Ward shall not be submitted before issue of C.C
- 13 That the premium/deposits as follows will not be paid - 1) Condonation of deficient open spaces. 2) Development charges as per M.R. & T.P.(Amendment) Act,1992.3)Insecticide charges. 4) Payment of advance for providing treatment of construction site to prevent epidemic like dengue, malaria etc. to insecticide charges 'E' Ward.5) Labour Welfare Cess.5)Additional Development Cess.
- 14 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.
- 15 That the work will not be carried out strictly as per approved plan and in conformity with the D.C.Regulations in force.
- 16 That the N.O.C. from Tree authority shall not be submitted before asking for plinth C.C.
- 17 That the Registered Undertaking shall not be submitted for agreeing to pay the difference in premium paid and calculated as per revised land rates.
- 18 That the Janata Insurance policy or policy to cover the compensation claims arising out of Workmen's Compensation Act,1923 will not be taken out and a copy of the same will not be submitted before asking C.C. and renewed during the construction of work and owner / developer should submit revalidated Janata Insurance Policy from time to time.
- 19 That the N.O.C. from Electric supply company shall not be submitted.
- 20 That the fresh Tax Clearance Certificate from A.A. & C ' E ' Ward shall not be submitted.
- 21 That the letter from MHADA stating all tenants have given their irrevocable consent shall not be submitted.
- 22 That letter from M.B.R. & R. Board confirming the exact surplus area to be surrendered to M.B.R. & R. Board shall not be submitted and amended plans shall not be submitted and got approved accordingly.
- 23 That the Regd. U/T against misuse of pocket terrace / part terrace / stilt shall not be submitted.
- 24 That the footpath in front of plot shall not be repaired / restored once in a year or before occupation whichever is earlier.
- 25 That the Indemnity Bond indemnifying M.C.G.M. against disputes, litigations, claims, arising out of ownership of plot shall not be submitted.
- 26 That the remarks from H.E. Department shall not be submitted.
- 27 That the debris shall not be dumped on the Municipal ground only.
- 28 That the board displaying the details of development of the work shall not be displayed at site.
- 29 That the necessary remarks for construction of SWD will not be obtained from Dy.Ch.Eng.(S.W.D.) City and Central Cell before asking for plinth C.C. .
- 30 That the N.O.C. from Dy.Ch.E.(S.P.) P&D for proposed sewer line shall not be submitted before C.C.
- 31 That the copy of PAN card of the applicant shall not be submitted before C.C.
- 32 That the precautionary measures to avoid dust nuisance such as erection of G.I. sheet screens at plot boundaries upto reasonable height shall not be provided before demolition of existing structures at site.
- 33 That the fresh P.R.Card in the name of owner shall not be submitted before O.C.
- 34 That the construction activity for work of necessary piling shall not be carried out by employing modern techniques such as rotary drilling, micropiling etc. instead of conventional jack and hammer to avoid nuisance damage to adjoining buildings.
- 35 That the N.O.C. from MHADA shall not be submitted before C.C.
- 36 That the existing tenants with their user as approved by M.B.R.&R. Board will not be submitted before asking for C.C.
- 37 That the N.O.C. from E.E.T. & C. shall not be obtained for the parking before C.C.
- 38 That Regd. U/T for minimum Nuisance during construction activity shall not be submitted before C.C.
- 39 That the work shall not be carried out between 7.00 A.M. to 10.00 P.M. only.
- 40 That the G.I. Sheet screens at plot boundaries upto adequate height to avoid dust nuisance shall not be provided before demolition of existing building.

- 41 That the precautionary measures to avoid nuisance due to dust, such as providing G.I. Sheets at plot boundaries up to reasonable height shall not be taken.
- 42 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.
- 43 No main beam in a 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.
- 44 All the cantilevers (Projections) shall not be designed for five times the load as per IS Code 1993-2002 including the columns projecting beyond the terrace and carrying the overhead water storage tank, etc.
- 45 In 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/PD/11945/I of 2.2.2006.
- 46 That the facilities for physically handicapped persons shall not be provided as per the accompaniment in Govt. in U.D. Department notification No.TPB 432001/1829/CR-216/2001/UD-11 dated 2nd December 2003.
- 47 That the remarks from Commissioner of Police regarding possibility of Involvement of Criminal / Anti-National elements in the Ownership / Development of plot under reference shall not be submitted.
- 48 That the specification & design of Rain Water Harvesting scheme as per the State Govt.'s directives u/No.TPB-4307/396/CR-124/2007/UD-11 dated 6th June 2007 shall not be submitted.
- 49 That the requisition of clause No. 45 and 46 of D.C. Regn. 91 shall not be complied with and records of quality of work, verification of report shall not be kept on site till completion of work.
- 50 That the Regd. Undertaking shall not be submitted by the Owner / Developer / Builder to sell the tenements / flats on carpet area basis only and to abide by the provisions of Maharashtra Ownership Flats (Regulation of the promotion of construction, sale management and transfer) Act (MOFA), amended up to date and the Indemnity Bond indemnifying the M.C.G.M. and its Officers from any legal complications arising due to MOFA will not be submitted.
- 51 That the registered Private Pest Control Agency for providing anti larval treatment at the construction site shall be appointed.
- 52 That all the conditions of M.H.A.D.A. N.O.C. shall not be submitted further C.C.
- 53 That all the conditions of E.E.(T.&C.) N.O.C. shall not be complied before plinth C.C.
- 54 That all the conditions of C.F.O. N.O.C. shall not be complied before plinth C.C.
- 55 That the services of Safety Officer to take care of all safeties during construction on construction site and around shall not be hired.
- 56 That the Extra Water Charges & Extra Sewerage Charges shall not be paid.
- 57 That the registered UT shall be submitted that the owner shall not have any objection if the neighboring plot owner come for development with deficiency in open spaces.
- 58 That the registered UT shall be submitted that the condition shall be incorporated in the sale agreement with prospective buyers that the building under reference is constructed with open spaces deficiency.
- 59 That the N.O.C. holder will have to pay expenditure incurred by board towards structural repairs / propping / demolition etc. & letter to that effect issued by MHADA shall not be submitted.

B: FOR LABOUR CAMP / TEMPORARY SHED

- 1 N.A.

C: CONDITIONS TO BE COMPILED BEFORE FURTHER C.C

- 1 That the plinth dimensions shall not be got checked from this office before asking for further C.C. beyond plinth.
- 2 That the Structural stability certificate through Regd. Structural Engineer regarding stability of constructed plinth shall not be submitted before asking for C.C. beyond plinth.
- 3 That the compliance of necessary remarks for construction of SWD will not be submitted before

granting full C.C. for the said building.

- 4 That the additional development cess shall not be paid before further C.C.
- 5 That every year before onset of the monsoon / revalidation of C.C., structural stability certificate of the work executed on site shall not be submitted by the appointed Registered Structural Engineer / Consultant, appointed by owner / occupier / society.
- 6 That all the structural members below the ground shall 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 will be taken and completion certificate to that effect shall not be submitted before granting further C.C. beyond plinth.

D: GENERAL CONDITIONS TO BE COMPILED BEFORE O.C

- 1 That some of the 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 of 26-6-1978.
- 3 That the surface drainage arrangement will not be made in consultation with E.E.(SWD) 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 10'-0" wide paved pathway upto staircase will not be provided.
- 5 That the surrounding open spaces, parking spaces and terrace will not be kept open and un-built 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.
- 6 That the name plate/Board showing Plot No., name of the building etc. will not be displayed at a prominent place.
- 7 That carriage entrance shall not be provided.
- 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 N.O.C. from Inspector of Lifts, P.W.D., Maharashtra, will not be obtained and submitted to this office.
- 11 That the dry & wet garbage shall not be separated & the wet garbage generated in the bldg. shall not be treated separately on the same plot by the residents / occupants of the bldg. in the jurisdiction of M.C.G.M.
- 12 That the Drainage completion Certificate from A.E.(B.P.) City for House drain will not be submitted & got accepted.
- 13 That every part of the building construction and more particularly overhead tank will not be provided as with the proper access for the staff of Insecticide Officer with a provision of temporary but safe and stable ladder etc.
- 14 That the compliance of N.O.C. from H.E will not be made and certificate to that effect will not be submitted.
- 15 That the Fresh property card in the name of the owner shall not be submitted.
- 16 That the vermiculture bins for the disposal of wet waste as per design and specifications of organization or companies specialized in this field as per list furnished by Solid waste Management of M.C.G.M. shall not be provided.
- 17 That the installation of Rain Water Harvesting scheme as per the State Govt.'s directives U/No.-TPB-4307/396/CR-124/2007/UD-11 dated 6th June 2007 shall not be provided before applying for occupation permission.
- 18 That the additional development cess shall not be paid before O.C.
- 19 That the following documents shall not be compiled, preserved and 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 by M.C.G.M.a) Ownership documents; (b) Copies of I.O.D., C.C., subsequent amendments, O.C.C., B.C.C. and corresponding canvass mounted plans.(c) Copies of soil investigation reports.(d) R.C.C.details and canvass 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 Licensed Surveyor/ Architect. (j) NOC and completion certificate issued by the