

346 उपप्रमुख अभियंता इमारत (प्रस्ताव) प. उ. ई. व
 Form 88 माहणलिक इमारत, डी विंग, सहायकी ऑफिस
 १० फुट पी.पी. रोड, सेंट लॉरेंस कॉलेज रोड
 कानिवाडी (पूर्व), मुंबई-४०० १०१
 प्रकृती क्र. 28543407

THIS I.O.D./C.C. IS ISSUED SUBJECT
 TO THE PROVISIONS OF URBAN LAND
 CEILING AND REGULATIONS ACT 1978

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

22 SEP 2014

No. CHE/WSH/0278/P/337(NEW) of 2014-2015

MEMORANDUM**Owner: M/s. Sanghvi Realtech Pvt. Ltd.**

With reference to your Notice 337, letter No.202 dated 09.04.2014 and delivered on _____ 20 and the plans, Sections Specifications and Description and further particulars and details of your buildings at **Proposed residential building on plot bearing C.T.S. No.21/A/2 of Plot No.62 of Village Pahadi Goregaon, Goregaon (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 Mumbai 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.
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.

: 2 :

() 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 21 SEP 2015 day of 200, 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 in force.

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

22 SEP 2014

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.

C.C. and the requisition will not be complied with before occupation certificate / B.C.C.

26. That the qualified/registered site supervisor through Architects /Structural Engineer will not be appointed before applying for C.C.
27. That extra water and sewerage charges will not be paid to A.E.W.W. (P/South) Ward before C.C.
28. That the No dues Pending Certificate from A.E.(W.W.) (P/South) shall be submitted before C.C.
29. That the N.O.C. from A.A. & C. (P/South) 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.
30. That the N.O.C. from H.E. shall not be submitted before requesting for C.C.
31. That the N.O.C. from Ch. Eng. (M & E) for mechanical light & ventilation shall not be submitted before requesting for C.C.
32. That the development charges as per M.R.T.P. Act (Amendment) Act 1992 will not be paid before C.C.
33. That the C.T.S. Plan and P.R. Card area written in words in the name of owner through S.L.R. shall not be submitted before C.C.
34. That the provision from Reliance Energy Ltd. Tata / & M.T.N.L. shall not be made.
35. That to appoint private pest control agency for anti laval treatment monitored by Insecticide Officer before requesting for C.C.
36. 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.
37. That the Registered Undertaking for excess fitness Centre area shall not be submitted.
38. That the Janata Insurance Policy shall not be submitted before C.C.
39. 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.
40. 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.

41. That the soil investigation will not be done and report thereof will not be submitted with structural design before requesting for C.C.
42. 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.
43. 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.
44. 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.mtrs.
45. That the requisitions from fire safety point of view as per D.C.R. 1991 shall not be complied with.
46. That the necessary arrangement for bore well water shall not be made and necessary certificate from Ground Water Survey Department Authority (GSDA) before requesting for C.C.
47. That the N.O.C. from A.E.(Environment) shall not be submitted before starting the work
48. That all exterior wall shall not be constructed as per circular No.C/PD/12387 dtd. 17.03.2005.
49. 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.
50. 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.
51. 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.
52. That the work shall not be carried out between sunrise and sunset.
53. That the N.O.C. from Additional Collector for royalty of excavated earth will not be submitted.
54. That the appointment of private doctor for treatment of Labour/staff on site shall be submitted before C.C.

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55. That the Board shall not be displayed showing details of proposed work name of owner, developer, architect, R.C.C. consultant.
56. 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 will be taken and completion certificate to that effect shall not be insisted before granting further C.C. beyond plinth from the Lic. Structural Engineer.
57. That the Regd. Undertaking as per note no.34 shall not be submitted.

B. CONDITIONS TO BE COMPLIED WITH BEFORE FURTHER C.C.:-

1. That the plinth/stilt height shall not be got checked by this office staff.
2. That the water connection for construction purposes will not be taken before C.C.
3. That the plan for Architectural elevation and projection beyond proposed building line will not be submitted and got approved before C.C.
4. That the permission for constructing temporary structure of any nature shall not be obtained.
5. That the Material testing report periodically shall be submitted before C.C.
6. That the monthly progress report of the work will not be submitted by the Architect.

C. GENERAL CONDITIONS TO BE COMPLIED BEFORE O.C.

1. That the dust bin will not be provided as per C.E.'s Circular No. CE/9297/II of 26.6.1978.
2. That 3.05 mt. wide paved pathway upto staircase will not be provided.
3. That the surrounding open spaces, parking spaces and terrace will not be kept open.
4. That the name plate/board showing Plot No., Name of the Bldg. etc. will not be displayed at a prominent place before O.C.C./B.C.C.
5. That carriage entrance shall not be provided before starting the work.
6. That terraces, sanitary blocks, nahanis in kitchen will not be made Water proof and same will not be provided by method of pounding and all sanitary connections will not be leak proof and smoke test will not be done in presence of municipal staff.
7. That final N.O.C. from E.E. (S.W.D.) / E.E. (R.G.) / Lift Inspector shall not be submitted before occupation.

8. That final N.O.C. from A.A. & C. P/South shall not be submitted before occupation.
9. That the Co. Op. Hsg. Society of the prospective purchaser shall not be formed and regd. certificate to that effect shall not be submitted before B.C.C.
10. That Structural Engineers laminated final Stability Certificate along with upto date Licence copy and R.C.C. design canvas plan shall not be submitted.
11. That the debris shall not be removed before submitting B.C.C.
12. That canvas mounted plans shall not be submitted along with Notice of Completion of work u/sec. 353A of M.M.C. Act for work completed on site.
13. That every part of the building constructed and more particularly O.H. tank will not be provided with proper access for staff of P.C.O. office with a provision of safe and stable ladder.
14. That Site Supervisor certificate for quality of work and completion of the work shall not be submitted in prescribed format.
15. That the Vermiculture bins for disposal of Wet Waste as per the design and specifications of organizations/ 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.
16. That final N.O.C. from C.F.O. authority shall not be submitted before requesting O.C.
17. That as per proposed inadequate room size, copy of agreement with flat purchaser owner will be submitted before O.C.C.
18. That a sample registered agreement with prospective buyers/members shall be submitted before O.C. with clauses stating:-
 - a. That the building under reference is deficient in open space and M.C.G.M. will not be held liable for the same in future.
 - b. That the buyer / member agree for no objection for the neighbourhood development with deficient open space in future.
 - c. That the buyer/ member will not be held M.C.G.M. liable for any failure of mechanical Parking system / car lift in future.
 - d. That the buyer / member will not held be liable M.C.G.M. for the proposed inadequate / sub- standard sizes of rooms in future.
 - e. That the condition for inadequate maneuvering space of car parkings and no complaint to M.C.G.M. in this regard will made in future

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SE 22/09/14
EXECUTIVE ENGINEER;
BUILDING PROPOSAL (W.S.) P-WARD

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 Muni. Specifications and drainage layout will not be submitted before C.C.
7. That the existing structure proposed to be demolished shall not be demolished before completely vacating the existing structure.
8. That the R.U.T. for compliance of all I.O.D. conditions shall be complied with and shall not be submitted.
9. That the Regd. u/t. from the developer to the effect that meter cabin, Stilt Portion, society office, servants toilet, part/pocket terrace shall not be misused in future shall not be submitted before requesting for C.C.
10. 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.
11. 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.
12. That the letter from Owners/developers stating that they will accept the refund of additional 33% F.S.I. premium paid, without claiming any interest thereon, if the development proposal is not approved/rejected by M.C.G.M.
13. That the registered undertaking shall not be submitted for the difference of payment for additional 33% F.S.I. shall be paid and calculated as per the Govt. may revised the rates time to time as per the condition No.5 mentioned in the notification and circular before requesting for C.C.
14. That the Registered Undertaking shall not be submitted regarding any adverse clarification received from Govt. of Maharashtra in respect of condition No.7 of Govt. notification No.TPB-4308/776CR-127/2008/UD-11 dtd. 10.04.2008 and new Govt. Notification dtd. 24.10.2011 i.e. regarding consent of society/occupants regarding utilization of 0.33 F.S.I. on prorata basis.
15. That the R.U.T. from the owner/developer shall be submitted stating that member/prospective buyers shall be made aware about utilization of Fungible F.S.I. and clause to that effect will be incorporated in the flat sale agreement.