

APPENDIX – C**QUALIFICATION, COMPETENCE, DUTIES AND RESPONSIBILITIES ETC. OF LICENSED TECHNICAL PERSONNEL OR ARCHITECT FOR DEVELOPMENT PERMISSION AND SUPERVISION****C-1 GENERAL**

- C-1.1** The qualifications of the technical personnel and their competence to carry out different jobs for development permission and supervision for the purpose of licensing by the Authority shall be as given in Regulation No.C-2 to C-6. The procedure for licensing the technical personnel is given in Regulation No.C-7. In the event, the services of the technical personal is discontinued by the owner / developer or such technical personal resigns from the services, he shall forthwith intimate to the authority and owner / developer shall immediately appoint another technical person on the project.

C-2 ARCHITECT**C-2.1 Qualifications -**

The minimum qualifications for an architect shall be the qualifications as provided in the Architects Act, 1972 and should be registered with the Council of Architecture with valid membership. Such registered Architects shall not be required to again register their names with the Authority. However, he shall submit the registration certificate to the Authority.

C-2.2 Competence of Architect -

To carry out work related to development permission as given below and shall be entitled to submit -

- i) All plans and technical information connected with designs and plans of development permission.
- ii) Structural details and calculations for building on plot up to 500 Sq.m. and up to 3 storeys or 11.0 m. height and
- iii) Certificate of architectural supervision and completion for all buildings.

C-2.3 Duties and Responsibilities

- i) Design as per Client's requirements and site conditions.
- ii) Prepare and submit plans as per the Regulations and shall be responsible for correctness of the calculations and dimensions mentioned on the plan and shall be liable for consequences arising thereof.
- iii) Represent before the Authority for scrutiny of drawings.
- iv) Prepare and issue working drawings details in conformity with approved plans.
- v) Advise client to appoint Site Engineer / Supervisor, in case he himself is not undertaking the supervision work.
- vi) Inform Authority about Commencement of work on site.
- vii) To verify the work at obligatory stages of plinth completion, completion of RCC structure and superstructure completion to ensure work progress in conformity of approved drawings and dimensions.
- viii) Inform Authority about reaching relevant stage of work where stage-wise approval from the authority is required.
- ix) Issue completion / part completion certificate for submission to the authority.

- x) Inform in writing to the Authority in case of violation by Client during the period of appointment
- xi) To assist and co-operate with the Authority and other officers in carrying out and enforcing the provisions of Maharashtra Regional and Town Planning Act, 1966 and of any regulations for the time being in force under the same.
- xii) The above mentioned Architect's scope and responsibilities shall be similarly applicable for Landscape / Heritage & Conservation Consultant, if any.

C-3 ENGINEER

C-3.1 Qualifications -

- i) The qualifications for Licensing Engineer shall be the corporate membership (Civil) of the Institution of Engineers or such Degree or Diploma in Civil or Structural Engineering or equivalent; **or**
- ii) Diploma in Civil Engineering or Diploma in Architectural Assistance ship or equivalent qualification, having experience of 10 years in the field of land and building planning.

C-3.2 Competence -

To carry out work related to development permission as given below and shall be entitled to submit-

- i) All plans and related information connected with development permission.
- ii) Structural details and calculations for building on plot up to 500 Sq.m. and up to 3 storeys or 11.0 m. height, and
- iii) Certificate of supervision and completion for all buildings.

C-3.3 Duties and Responsibilities -

Duties and Responsibilities of the Engineer shall be as mentioned in C-2.3 above within the competency mentioned in Clause - C-3.2.

C-4 STRUCTURAL ENGINEER

C-4.1 Qualifications -

- i) Graduate in Civil Engineering of recognised Indian or Foreign University and Chartered Engineer or Associated Member in Civil Engineering Division of Institution of Engineers (India) or equivalent Overseas Institution with minimum 3 years of experience of structural engineering practice in designing and related field work; **or**
- ii) Post graduate degree in structural engineering with 2 years' experience; **or**
- iii) Doctorate in structural engineering with 1 year experience.

C-4.2 Competence -

The structural engineer shall be competent.

- i) To prepare the structural design, calculations and details of all buildings and carry out verification of reinforcement as per stages of work.
- ii) To carry out structural audit / structural condition survey of the existing / old buildings.

C-4.3 Duties and Responsibilities of Structural Engineer

- i) All structural layouts and structural design related with plan and development on the basis of details received from architect / owner / builder / developer / geo technical consultant.

- ii) Wherever required, structural engineer shall avail the services / advice of Geotechnical Engineer.
- iii) Provide lists of tests to be carried out at each stage of work and allow the further work only after satisfying with the same.
- iv) To verify the structural elements in compliance with structural drawings.
- v) To document the site visit report mentioning therein the deviation / lapses, if any, in respect of structural elements designed by him and inform the same to the site engineer, owner / developer, architect / licensed personnel for rectification required.
- vi) He shall be responsible for the adequacy of the structural design in compliance with BIS code and plans received from architect / owner / builder / developer.
- vii) The structural engineer will advise owner / builder / developer to appoint formwork co-ordinator (FWC) and same shall be employed by the owner / builder / developer for the project.
- viii) Certificate of structural design adequacy at the time of completion ⁽¹⁾ shall be in the following format :-

⁽¹⁾ **PRAPTRA -1**

CERTIFICATE AS PER APPENDIX C-4.3(viii)

Structural Design Adequacy
(to be submitted at the time of completion)

To,

The Authority

(Name of the Authority)

Sir,

I / we have been appointed as Structural Engineer by M/s. ----- for preparing the structural design and drawings for the New structure consisting of ----- floors, construction of ----- additional floors over existing structure with ----- floors, as described in my enclosed Design base report, based on the Architectural drawings and other utilities and services requirements given by the Owner / Developer of the development work of building in Plot No. _____ in Block No. _____ situated at Road / street _____ Revenue S.No. / Gat No. / Khasara No. / City Survey No. / Final Plot No., Tal. -----, District -----.

The following listed firms / persons are associated with the work as appointed by M/s. -----.

Architect : -----

Owner / Developer :-----

Licensing Engineer :-----

Site Engineer :-----

I / we hereby certify and confirm adequacy of the structural design for intended use represented through my structural drawing issued from time to time.

I / we further confirm that the structural design structural drawings and details of the building which has been done by me/us, satisfy the structural safety requirements for all situations including natural disasters, as applicable, as stipulated in National Building Code of India and its Part 6 - Structural Design and other relevant Codes, considering the report of Subsurface investigations, where applicable.

⁽¹⁾ Inserted vide Corrigendum / Addendum No. CR 121/21, dt. 02nd December, 2021.

⁽¹⁾ I / we enclosing herewith undertaking of Site Engineer / licensed Engineer, Owner regarding compliance with structural drawings and adherence to standard construction practices while executing the construction work.

On the basis of this I / we hereby certify that to the best of my Knowledge and belief the said structure is structurally fit for the intended purpose.

As a Structural Engineer for design my responsibilities are limited to providing structural design structural drawings and details in accordance with the provisions of relevant prevailing Indian Standard codes, and visits to site at specified stages called for by the Supervising Structural Engineer / Supervising Engineer / site Engineer for verification of reinforcement laid. All issues related to Supervision, Materials, Workmanship and execution are the sole responsibility of the Supervising Structural Engineer/Supervising Engineer / site Engineer. Visit made by me as Structural Engineer are not for Supervision since, I / we are not responsible for supervision and quality of work. This certificate is issued on the clear understanding that my overall design responsibility for safe and proper performance of structural design ceases, the moment any addition and / or alteration or any damage to the structural frame is caused by accident or by tampering with the geometrical sections of structural members for any purpose whatsoever or due to overloading of the structure or lack of maintenance or any act that is detrimental to the structure as a whole.

This certificate is issued in conjunction with the certificate of the licensed Engineer and owner certifying the quality of work.

Enclosure -

- 1)
- 2)
- 3)

Date : _____ Signature and name of the Licensed Structural Engineer
Registration / License No. _____

C-5 SUPERVISOR

C-5.1 Qualification

(a) For Supervisor - 1 :-

- i) Three years architectural assistantship or intermediate in architecture with two years experience, or
- ii) Diploma in Civil engineering or equivalent qualifications with two years experience, or
- iii) Draftsman in Civil Engineering from ITI or equivalent qualifications with Ten years experience out of which five year shall be under Architect / Engineer.

(b) For Supervisor - 2 :-

- i) Draftsman in Civil Engineering from ITI or equivalent qualifications with five years experience under Architect / Engineer.

C-5.2 Competence

(a) For Supervisor - 1 : He shall be entitled to submit -

- i) All plans and related information connected with development permission on plot up to 500 sq.m.; and
- ii) Certificate of supervision of buildings on plot up to 500 Sq.m. and completion thereof.

⁽¹⁾ Inserted vide Corrigendum / Addendum No. CR 121/21, dt. 02nd December, 2021.

(b) For Supervisor - 2 : He shall be entitled to submit -

- i) All Plans and related information up to 200 sq.m. built up area, and
- ii) Certificate of supervision for limits at (i) above and completion thereof.

C-5.3 Duties and Responsibilities

Duties and Responsibility of the Engineer shall be as mentioned in C-2.3 above within the competency mentioned in Clause C-5.2.

C-6 TOWN PLANNER**C-6.1 Qualification**

Graduate or Post-graduate degree in Town and country planning, urban planning, planning, regional planning or equivalent.

C-6.2 Competence

- i) All plans and related information connected with development permission.
- ii) Issuing certificates of supervision for development of all lands.

C-6.3 Duties and Responsibilities

- i) Design as per Client's requirements and site conditions.
- ii) Prepare and submit plans as per the Regulations and shall be responsible for correctness of the calculations and dimensions mentioned on the plan and shall be liable for consequences arising thereof.
- iii) Represent before the Authority for scrutiny of drawings.
- iv) Advise client to appoint Site Engineer / Supervisor, in case he himself is not undertaking the supervision work.
- v) Inform Authority about Commencement of work on site.
- vi) Inform Authority about reaching relevant stage of work where stage-wise approval from the authority is required.
- vii) Inform in writing to the Authority in case of violation by Client during the period of appointment.
- viii) To assist and co-operate with the Authority and other officers in carrying out and enforcing the provisions of Maharashtra Regional and Town Planning Act, 1966 and of any regulations for the time being in force under the same.

C-7 LICENSING**C-7.1 ⁽⁺⁾ Technical Personnel to be licensed :-**

The Qualified technical personnel or group as given in regulations No.⁽¹⁾ (-) C-3, C-4, C-5, C-6 shall be licensed with the Authority or ⁽¹⁾ Directorate Office of Town Planning Department and the license shall be valid for three calendar years ending 31st December after which it shall be renewed every three years. The technical person registered with the Authority shall be entitled to work within Authority's jurisdiction and those registered with ⁽¹⁾ Directorate Office shall be entitled to work within jurisdiction of all Authorities as well as regional plan area ⁽¹⁾ (-).

^(#)**Fees for Licensing - The annual licensing fees shall be as follows :-****C-7.2**

| | |
|---|------------------------------|
| For Engineer, Structural Engineer and Town Planner. | Rs.3000/- For three years. |
| For Supervisor (1) and For Supervisor (2) | Rs.1500/- For three years. . |

These fees shall be increased by 10% for every three years.

⁽¹⁾ Substituted / deleted vide Corrigendum / Addendum No. CR 121/21, dt. 02nd December, 2021.

⁽⁺⁾ Order issued by Director of Town Planning vide Order No. 5729, dt. 8th December, 2021.

^(#) Clarification issued vide Order No. CR 236/18 (Part 2), dt. 23rd December, 2021.

C-8 DUTIES AND RESPONSIBILITIES OF OTHER TECHNICAL PERSONS / OWNER**C-8.1 SITE ENGINEER****C- Qualifications :**

- 8.1.1** The “Site Engineer” must hold a minimum diploma in Civil / Construction Engineering / Construction Management or any other equivalent qualification in the field of Civil Engineering.

C- Duties and Responsibilities :

- 8.1.2**
- i) To carry out day to day supervision in order to ensure that the work on site is carried out in accordance with the development permissions, approved plans, drawings given by Licensed personnel / Architect of the project, structural drawings given by structural engineer.
 - ii) Enforce construction methodology; Ensure the quality of work as per the specifications and keep site records.
 - iii) To make necessary arrangement for the temporary structures / formwork / shuttering required for the execution of the building as per the design and drawing with the help of owner / developer.
 - iv) To organise the all activities related to construction and development in coordination with Architect / Engineer / Structural Engineer and Owner / Developer.
 - v) To take necessary measures to ensure the safety of workers on site.

C-8.2 GEOTECHNICAL ENGINEER**C- Qualifications :**

- 8.2.1**
- i) Graduate in civil engineering or geotechnical engineering or Member of Civil Engineering Division of Institution of Engineers (India), and with minimum 3 year experience in geotechnical engineering practice in designing and field work, **or**
 - ii) Post graduate in civil engineering or geotechnical engineering with minimum 2 year experience in geotechnical engineering practice in designing and field work **or**
 - iii) Doctorate in civil engineering or geotechnical engineering with minimum 1 year experience in geotechnical engineering practice in designing and field work.

C- Duties and Responsibilities of Geotechnical Engineer :

- 8.2.2**
- i) Geotechnical investigation by exploring necessary field tests and visual inspection, taking samples and testing in certified / authorized Laboratory.
 - ii) Prepare the Geotechnical Report certifying the Geotechnical conditions, advise on safe bearing capacity, required depth for foundation, stability of excavated slopes and safety of the adjoining structures to the Structural Engineer by considering all relevant affecting / governing aspects.
 - iii) Certify the strata and sub soil conditions before laying the foundation.

C-8.3 OWNER / DEVELOPER**C- Duties and Responsibilities.**

- 8.3.1**
- i) The applicant owner / developer shall be responsible for title of the property.
 - ii) The applicant owner / developer shall be responsible for truthfulness and validity of orders, NOCs, certificates obtained by him.
 - iii) Communicate with the consultants on reaching various stages of work in order to facilitate them to get clearances for further action.
 - iv) Appoint professional / consultant / supervisors / site engineer / technical personnel / staff required for carrying out the work.

- v) Provide necessary resources as may be required by the professionals / consultants / supervisors / technical personnel / Staff.
- vi) Commence work at various stages only after obtaining required approval to the plans from the Authority or clearances under the law.
- vii) To comply with any instructions, directions and orders by any Statutory Authority.
- viii) Ensure that no work in violations of the sanctioned plan is carried out at any stage of the work and even after Occupation certificate is obtained.
- ix) To ensure overall safety during construction by engaging various technical persons, site engineer, formwork coordinator etc.

C-8.4 DUTIES AND RESPONSIBILITIES OF THE OFFICERS OF THE AUTHORITY

In addition to the duties and responsibilities assigned to the post of the officers of the Authority dealing with the development permission, following duties shall also be performed.

- i) The application of development permission shall be scrutinised and shall be disposed off within the time limit specified in the Act / DCPR or Right to Services Act.
- ii) The concerned officer shall make site inspection/s as and when required.
- iii) If any complaint is received in respect of any on-going work for which development permission has been granted, he should take the cognizance of the said complaint and do the needful within 15 days.
- iv) On receipt of complaint, the officer of the Authority shall investigate thoroughly and do the needful as per provisions of law and regulations. He shall not act arbitrarily on complaint and issue stop work notice to on-going work.

C-8.5 TECHNICAL FACT FINDING COMMITTEE

In case of any accident at site during construction on account of failure of any component of building / structure, the reason for the same shall be ascertained by the following technical fact finding committee.

| Committee for Planning Authority Area | | |
|--|---|-------------------|
| Sr. No. | Members | Post |
| 1 | Collector of the concerned District | Chairman |
| 2 | Deputy Commissioner of Police or Police Officer of the equivalent rank. | Member |
| 3 | Assistant Director of Town Planning of the District. | Member |
| 4 | Superintending Engineer of P.W.D. (Building Design Division) of the State. | Member |
| 5 | Chief Fire Officer of the concerned Authority. In absence of such officer at the Authority, representative of Director of Fire Services, Maharashtra State. | Member |
| 6 | Representative of Labour Commissioner not below the rank of Class-A officer. | Member |
| 7 | Representative of Indian Society of Structural Engineers of local / nearby centre. | Member |
| 8 | Representative of Indian Institute of Architects of local / nearby centre. | Member. |
| 9 | Representative of CREDAI of the concerned district / city. | Member. |
| 10 | In-charge Officer of the department of the concerned Authority, granting the development permission. | Member Secretary. |

| Committee for Regional Plan Area | | |
|---|--|-------------------|
| Sr. No. | Members | Post |
| 1 | Divisional Commissioner of the Concerned Division. | Chairman |
| 2 | Joint Director of Town Planning of the concerned Division. | Member |
| 3 | Collector of the concerned District | Member |
| 4 | Deputy Superintendent of Police or Police Officer of the equivalent rank. | Member |
| 5 | Superintending Engineer of P.W.D. (Building Design Division) of the State. | Member |
| 6 | Representative of Director of Fire Services, Maharashtra State. | Member |
| 7 | Representative of Labour Commissioner not below the rank of Class-A officer. | Member |
| 8 | Representative of Indian Society of Structural Engineers of local / nearby centre. | Member |
| 9 | Representative of Indian Institute of Architects of local / nearby centre. | Member. |
| 10 | Representative of CREDAI of the concerned district / city. | Member. |
| 11 | Assistant Director of Town Planning / Town Planner of the concerned area. | Member Secretary. |

In case of accident mentioned above, the concerned Authority shall intimate to the concerned committee along with relevant documents. The Committee shall convene the meeting of the committee immediately and shall send the report of its primary findings within 3 working days to the concerned Authority for further necessary action. The committee shall submit final report within 10 working days if detailed investigations are required. The committee shall be at liberty to take the help of experts, if required. It may give hearing to the concerned persons, if required.

**_*_*_*_