

Form 346
28in replying please quote No.
and date of this letter.Intimation of Disapproval under Section 346 of the Bombay
Municipal Corporation Act, as amended up to date.

No. E. B./CE/ BS/A of 199 -199.

MEMORANDUM

To:

Municipal Office,
Bombay.....199

22 OCT 1996

With reference to your Notice, letter No.....dated.....199 and delivered on
.....199....and the plans, Sections, Specifications and Description and further particulars
and details of your building at

furnished to me under your letter, dated.....199.... 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 Bombay Municipal Corporation Act, as amended up-to-date, my disapproval
by thereof reasons :-

CE/4296/BPES/AT

Sub: Proposed residential building B-3 on plot bearing

CTS Nos. 795/795/2, 795/3A, 795/4, 795/5A, 795/5C,

795/8, 795/9A, 795/11, 795/12, 795/13, 795/14

795/16 of village Nalpur, Mulund (East)

Name of the owner : Champalal Vardhan, C.A. to owner

Name of the Architect: Bhatnagar-Ambre-Kothari

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 of the plot clear of the 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 upto a reduced level of atleast 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 specifications 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.
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 considering seismic forces as per I.S. Code Nos. 1893 & 4326 and for existing building showing adequacy thereof to take up additional load will not be submitted before C.C.
7. That the regular/sanctioned/proposed lines/plot boundaries and reservations will not be got demarcated at site through Assistant Engineer (Survey)/Executive Engineer (T&C)/Executive Engineer (D.P.)/D.I.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 will not be obtained and the requisitions, if any, will not be complied with before occupation certificate/B.C.C.

() 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.....²⁸.....day of.....^{Oct}.....1992 but not so as to contravene any of the provisions 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 Notes accompanying this Intimation of Disapproval.

Executive Engineer, Building Proposals, (B. P.) E. S.
Zone, Wards.

SPECIAL INSTRUCTIONS.

(1) THIS INTIMATION GIVES 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 Bombay 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 then 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. () metres above Town Hall Datum.”

(4) Your attention is invited to the provisions 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 a 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 or 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 necessity of submitting occupation certificate with a view to enable the Municipal Commissioner for Greater Bombay 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, Bombay Suburbs District.

(8) Necessary permission for Non-agricultural use of the land shall be obtained from the Collector Bombay 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.

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10. That the conditions mentioned in release letter of Executive Engineer (D.P.) under No.ChE/1507/DPES dated 6.7.1996 will not be complied with.
11. That the qualified/registered site supervisor through architect/structural engineer will not be appointed before applying for C.C.
12. That the true copy of sanctioned layout/sub-division/amalgamation approved under No.CE/524/BPES/LOT dated 25.9.1996 alongwith Terms & Conditions will not be submitted before C.C. and compliance thereof will not be done before submission of B.C.C.
13. 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.
14. That adequate care will not be taken to safeguard the trees existing on the plot while carrying out construction work.
15. 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 & intimation will not be sent to this office for checking the open spaces & building dimensions as soon as the plinth is completed.
16. That the clearance certificate from Assessment Department regarding upto date payment of Municipal taxes etc. will not be submitted.
17. That the requirement of bye law 4(c) will not be complied with before starting the drainage work & in case Municipal sewer is not laid, the drainage work will not be carried out as per the requirement of Executive Engineer (Sewerage Project). Planning & completion certificate from him will not be submitted.
18. That the copy of Intimation of Disapproval conditions & other layout or sub-division conditions imposed by the Corporation in connection with the development at site shall not be given to the would be purchaser and also displayed at site.
19. That the N.A. permission from the Collector of Bombay shall not be submitted.
20. 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 of work.
21. That the development charges as per M.R.T.P. (Amendment) Act 1992 will not be paid.
22. That the carriage entrance shall not be provided before starting the work.
23. 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.
24. That the commencement certificate under Sec.45 of Maharashtra Regional & Town Planning Act, 1966 will not be obtained before starting the work.
25. That the adequate & decent temporary sanitary accommodation will not be provided for construction workers on site before starting the work.
26. That the documentary evidence regarding ownership, area & boundaries of holding is not produced by way of extracts from the District Inspector of Land Records, extract from City Survey Record and conveyance deed etc.
27. That the debris will not be removed before submitting the building completion certificate and deposit of Rs.10,000/- will not be paid before starting the work towards faithful compliance thereof.
28. That the No Objection Certificate from Hydraulic Engineer for the proposed development will not be obtained and his requirements will not be complied with.
29. That the registered undertaking agreeing to form Co-op. Housing Society will not be submitted before starting the work.
30. That the society will not be formed & got registered and true copy of the registration of society will not be submitted.

31. That the proposal will contravene the section 251(A)(A) of the Mumbai Municipal Corporation.
32. 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.
33. That the capacity of overhead tank will not be provided as per 'P' form issued by department of Hydraulic Engineer and structural desitn to that effect admitted before requesting to grant commencement certificate.
34. That the phase programme for infrastructure development will not be submitted and got approved and will not be developed as per phase programme.
35. That 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.
36. That the undertaking for paying additional premium due to increase in land rate as and when demanded shall be submitted.
37. That the corrigendum to the U.L.C. amalgamation under No.C/ULC/DEsk-III/Sec.20/NGL/SRXV-2314 will not be submitted.
38. That the corrigendum to the ULC order under Sec.20 issued under No.C/ULC/D-III/Sec.20/(NGL)/SR-XV/2314 of 29.7.1995 for tenament density will 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.
2. That the requirement of N.O.C. from C.A., U.L.C. & R. Act will not be complied with before starting the work above plinth level.

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

1. That the conditions mentioned in the clearance under No.C/ULC/DIII/Sec.20/NGL/SRXV/2314/C-149 dt.26.12.1995 obtained from the competent authority under U.L.(C&R) Act 1976 will not be complied with and fresh ULC order showing revised area under road setback will not be submitted.
2. That 10% flats/25% galas as per release letter from Executive Engineer (D.P.) under No.CHE/1507/DPES dated 6.7.1995 shall not be handed over before asking for occupation/B.C.C.
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/B.C.C.
5. That 10'0" 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 levelled 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.

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10. That the provision will not be made for making available water for flushing and other non-potable purposes through a system of borewells 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.
11. That the certificate to the effect that the licensed surveyor has effectively supervised the work & has carried out tests for checking leakages through sanitary blocks, terraces, fixtures, joints in drainage pipes etc. & that the workmanship is found very satisfactory shall not be submitted.
12. That three sets of plans mounted on canvas will not be submitted.
13. That the certificate from Lift Inspector regarding satisfactory installation & operation of lift will not be submitted.
14. That the federation of flat owners of the sub-division/layout for construction & maintainance of the infrastructure will not be formed.
15. That the conditions mentioned in letter under No.DyChE/979/SWD(P&D) cons.city dt.13.8.1996 will not be complied with.

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.

29/10/96
Dy.Chief Engineer
(Bldg. Proposals)(Eastern Suburbs)

ac/

1. The purpose of this study was to determine the effect of the treatment on the growth of the fish. The fish were divided into two groups, one receiving the treatment and the other serving as a control. The fish were kept in tanks of equal size and fed the same amount of food. The water temperature was kept constant at 25°C. The fish were observed daily and their growth was measured at the end of the experiment. The results showed that the fish receiving the treatment grew significantly faster than the control group.

2. The fish were kept in tanks of equal size and fed the same amount of food. The water temperature was kept constant at 25°C. The fish were observed daily and their growth was measured at the end of the experiment. The results showed that the fish receiving the treatment grew significantly faster than the control group.

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CONCLUSIONS AND RECOMMENDATIONS

1. The results of this study indicate that the treatment significantly increased the growth of the fish. This suggests that the treatment is effective in promoting fish growth.

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NOTES

are complied with,

- (1) The work should not be started unless objections are complied with.
- (2) A certified set of latest approved plans shall be displayed on site at the time of commencement of the work and during the progress of the construction work.
- (3) Temporary permission on payment of deposit should be obtained for any shed to house and store for constructional purposes. Residence of workmen shall not be allowed on site. The temporary structures for storing constructional materials shall be demolished before submission of building completion certificate and a certificate signed by Architect submitted along with the building completion certificate.
- (4) Temporary sanitary accommodation on full flushing system with necessary drainage arrangement should be provided on site for workers, before starting the work.
- (5) Water connection for constructional purposes will not be given until the hoarding is constructed and application is made to the Ward Officer with the required deposit for the construction of carriage entrance, over the road side drain.
- (6) The owners shall intimate the Hydraulic Engineer or his representative in Wards atleast 13 days prior to the date of which the proposed construction work is taken in hand that the water existing in the compound will be utilised for their construction works and they will not use any Municipal Water for construction purposes. Failing this, it will be presumed that Municipal tap water has been consumed on the construction works and bills preferred against them accordingly.
- (7) The hoarding or screen wall for supporting the depots of building materials shall be constructed before starting any work even though no materials may be expected to be stabled in front of the property. The scaffoldings, bricks metal, sand, preps debris, etc., should not be deposited over footpaths or public street by the owner/architect/their contractors, etc., without obtaining prior permission from the Ward Officer of the area.
- (8) The work should not be started unless the manner in obviating all the objections is approved by this department.
- (9) No work should be started unless the structural design is approved.
- (10) The work above plinth should not be started before the same is shown to this office Sub-Engineer concerned and acknowledgement obtained from him regarding correctness of the open spaces and dimension.
- (11) The application for sewer street connections, if necessary, should be made simultaneously with commencement of the work as the Municipal Corporation will require time to consider alternative site to avoid the excavation of the road and footpath.
- (12) All the terms and conditions of the approved layout/sub-division under No. of should be adhered to and complied with.
- (13) No Building/Drainage Completion Certificate will be accepted non water connection granted (except for the construction purposes) unless road is constructed to the satisfaction of the Municipal Commissioner as per the provision of Section 345 of the Bombay Municipal Corporation Act and as per the terms and conditions for sanction to the layout.
- (14) Recreation ground or amenity open space should be developed before submission of Building Completion Certificate.
- (15) The access road to the full width shall be constructed in water bound macadam before commencing work and should be complete to the satisfaction of Municipal Commissioner including asphaltting lighting and drainage before submission of the Building Completion Certificate.
- (16) Flow of water through adjoining holding or culvert, if any should be maintained unobstructed.
- (17) The surrounding open spaces around the building should be consolidated in concrete having broken glass pieces at the rate of 125 cubic metres per 10 Sq. metres below payment.
- (18) The compound wall or fencing should be constructed clear of the road widening line with foundation below, level of bottom of road side drain without obstructing flow of rain water from adjoining holding before starting the work to prove the owner's holding.
- (19) No work should be started unless the existing structures proposed to be demolished are demolished.
- (20) This Intimation of Disapproval is given exclusively for the purposes of enabling you to proceed further with the arrangements of obtaining No Objection Certificate from the Housing Commissioner under Section 13(h) (H) of the Rent Act and in the event of your proceeding with the work either without an intimation about commencing the work under Section 347(1) (aa) or your starting the work without removing the structures proposed to be removed the act shall be taken as a severe breach of the conditions under which this Intimation of Disapproval is issued and the sanction will be revoked and the commencement certificate granted under Section 45 of the Maharashtra Regional and Town Planning Act, 1966, (12 of the Town Planning Act), will be withdrawn.

- (21) If it is proposed to demolish the existing structures by negotiations with the tenants, under the circumstances, the work as per approved plans should not be taken up in hand unless the City Engineer is satisfied with the following :—
- (i) Specific plans in respect of evicting or rehousing the existing tenants on your stating their number and the area in occupation of each.
 - (ii) Specifically signed agreement between you and the existing tenants that they are willing to avail of the alternative accommodation in the proposed structure at standard rent.
 - (iii) Plans showing the phased programme of construction has to be duly approved by this office before starting the work so as not to contravene at any stage of construction, the Development Control Rules regarding open spaces, light and ventilation of existing structure.
- (22) In case of extension to existing building, blocking of existing windows of rooms deriving light and its from other sides should be done first before starting the work.
- (23) In case of additional floor no work should be start or during monsoon which will same arise water leakage and consequent nuisance to the tenants staying on the floor below.
- (24) The bottom of the over head storage work above the finished level of the terrace shall not be more than 1 metre.
- (25) The work should not be started above first floor level unless the No Objection Certificate from the Civil Aviation Authorities, where necessary, is obtained.
- (26) It is to be understood that the foundations must be excavated down to hard soil.
- (27) The positions of the nahanis and other appurtenances in the building should be so arranged as not to necessitate the laying of drains inside the building.
- (28) The water arrangement must be carried out in strict accordance with the Municipal requirements.
- (29) No new well, tank, pond, cistern or fountain shall be dug or constructed without the previous permission in writing of the Municipal Commissioner for Greater Bombay, as required in Section 381-A of the Municipal Corporation Act.
- (30) All gully traps and open channel drains shall be provided with right fitting mosquito proof covers made of wrought iron plates or hinges. The manholes of all jisterns shall be covered with a properly fitting mosquito proof hinged cast iron cap over in one piece, with locking arrangement provided with a bolt and huge screwed on tightly serving the purpose of a lock and the warning pipes of the ribbet pretessed with screw or dome shape pieces (like a garden mari rose) with copper pipes with perfections each not exceedi g 1.5 mm. in diameter. The cistern shall be made easily, safely and permanently a ceasible by providing a firmly fixed iron ladder, the upper ends of the ladder should be earmarked and extended 60 cms. above the top where they are to be fixed and its lower ends in cement concrete blocks.
- (31) No broken bottles should be fixed over boundary walls. This prohibition refers only to broken bottles to not to the use of plane glass for coping over compound wall.
- (32) (a) Louvres should be provided as required by Bye-law No. 5(b).
 (b) Lintels or Arches should be provided over Door and Window openings.
 (c) The drains should be laid as require under Section 234-1(a).
 (d) The inspection chamber should be plastered inside and outside.
- (33) If the proposed addition is intended to be carried out on old foundations and structures, you will do so at your own risk.

24/12/98
 Executive Engineer, Building Proposals (B. P.) E. S.
 Zone..... Wards