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Asst. Eng. Bidd. Proposals (City)

EC-48

BMP-424-2001-10,000 Forms

346

Form 88

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

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

No. EMPRC/9992/E/A of 2003 - 2004
No. E.B./CE/ BS/A

of 2003 - 2004

MEMORANDUM

Municipal Office,

Mumbai 2. 4/19/02. 200

To, Shri Bharan Manin,
93, Barrow Mansli,
Morland Road,
Mumbai - 400 08.

With reference to your Notice, letter No. 1090 dated 26.6.02 and delivered on 26.6.02 and the plans, Sections Specifications and Description and further particulars in detail of your building at Proposed redevelopment of property bearing C.S. No. 1771 Byulla Di, 3rd Sankli St., Cross Lane, Mumbai to me under your letter, dated 26.6.02. 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 upto-date; my disapproval by thereof reasons :-

A) THAT THE FOLLOWING CONDITIONS TO BE COMPLIED WITH BEFORE COMMENCEMENT OF THE WORK UPTO PLINTH LEVEL.

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 before starting the work as per D.C. Regulation No.38(27).
3. That the low lying plot will not be filled up to a reduced level at least 92 T.H.D. or 6" above adjoining road level whichever is higher with murrum, earth, boulders, etc. and will not be leveled, 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) (x)] will not be submitted by him.
5. 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 will not submitted before C.C.

Contd..- 2(a) -

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Mumbai Municipal Corporation (M.M.C.)
Proposals (1971)

ASSR
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() 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 day of 2009, 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.

24/11/03
S. B. PATIL
Executive Engineer, Building Proposals,
Zone, II
Words.

SPECIAL INSTRUCTIONS

(1) THIS INTIMATION GIVES NO RIGHT TO BUILD UPON GROUND WHICH IS NOT YOUR PROPERTY.

(2) Under Section 68 of the Mumbai Municipal Corporation Act, as amended, the Municipal Commissioner or 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 Section 346 of the Corporation Act, it is provided that the following matters shall be taken into consideration by the Commissioner in exercising his powers, duties and functions under the said Act:

- (a) The nature and extent of the proposed building or other structure and the use to which it is to be put.
- (b) The nature and extent of the proposed building or other structure and the use to which it is to be put.
- (c) The nature and extent of the proposed building or other structure and the use to which it is to be put.
- (d) The nature and extent of the proposed building or other structure and the use to which it is to be put.

(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 47 (1) (aa) of the Mumbai Municipal 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 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.

(2)

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- 2(a) -

NO. EB/ 9992 / E/IA

24/1/2003

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Asst. Eng. In-charge, Reposals / Ctr
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Contd... (A)

6. That the amended plan incorporating sub station shall not be submitted in case the sub station is insisted by B.E.S.T.
7. That the Regd. Undertaking for agreeing to take necessary care to make the toilet unit water tight shall not be submitted regarding contravening toilets before starting the work.
8. That the compliance of conditions of MHADA N.O.C. No. ___ shall not be submitted before starting the work.
9. That the Regd. Undertaking for forming registered Co-op. Hsg. Soc. will not be submitted before C.C.
10. That the sanitary arrangements shall not be carried out as per Municipal Specifications, and drainage layout will not be submitted before C.C.
11. 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.
12. 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.
13. That the requirements of N.O.C. of Chief Fire Officer / B.E.S.T. Ltd. will not be obtained & the requisitions, if any, will not be compiled with before occupation certificate/ B.C.C.
14. That the revised list of tenants certified by MHADA as per N.O.C. No. R/NOC/F-1075/2153/MBRRB of 2003 dated 19.6.2003 shall not be submitted before C.C.
15. That the qualified/Registered Site supervisor through Architect/Structural Engineer will not be appointed before applying for C.C.
16. That extra water and sewerage charges will not be paid to A.E.W.V. E-Ward before C.C.
17. That the premium/deposits as follows will not be paid -
 - a. Condonation of deficient open spaces.
 - b. Development charges as per M.R. & T.P. (Amendment) Act, 1992.
 - c. Balcony enclosure fees.
 - d. Insecticide charges
18. 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.
19. That the registered undertaking for compliance of terms and conditions for the M.B.R. & R. Board revised final N.O.C. on Rs.20/- stamp paper shall not be submitted.
20. That the Regd. UT and affidavit regarding U.L.C. shall not be submitted before starting the work.
21. That the work will not be carried out strictly as per approved plan and in conformity with the D.C.Regulation, in force.

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[Signature]
Asst. Eng. Bldg. Proposals (City)

22. That the N.O.C. from Tree authority shall not be submitted before asking for plinth C.C.
23. That the Registered Undertaking shall not be submitted for agreeing to pay the difference in premium paid and calculated as per revised land rates.
24. 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 copy of same will not be submitted before asking C.C. and renewed during the construction of work.
25. That the Tax Clearance Certificate from A.A. & C. 'E' Ward will not be submitted.
26. 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.

(B) THE FOLLOWING CONDITIONS TO BE COMPLIED WITH BEFORE FURTHER C.C. OF SUPER STRUCTURE:

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 F.P. portion in front of plot shall not be repaired once in a year or before occupation whichever is earlier.

(C) THE FOLLOWING GENERAL CONDITIONS TO BE COMPLIED WITH BEFORE GRANTING O.C.C. TO ANY PART OF THE PROPOSED BUILDING:

1. That the 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/9297/11 of 28-6-1978.
3. That the surface drainage arrangement will not be made in consultation with E.E.(SMD) 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 allotment of tenements etc. shall be completed in consultation with M.B.R.& R.Board authority and their clearance obtained before demanding occupation permission.
6. 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.

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MUNICIPAL CORPORATION OF GREATER MUMBAI

FORM 'A'

MAHARASHTRA REGIONAL AND TOWN PLANNING ACT, 1966.

NO. EEBPC/9992/1E/1A of 512103

COMMENCEMENT CERTIFICATE

To,

Shri Ibrahim Momin

93 Street Pater Nani

Mowland Road

Mumbai 400001

CERTIFIED TRUE COPY.

Asst. Eng. Bldg. Proposals (City.)

Sir,

With reference to your application No. 5663 dated

for Development Permission and grant of Commencement Certificate under Section 44 and 69 of the Maharashtra Regional and Town planning Act, 1966, to carry out development for proposed residential development. Of property CS. No. 1771

and building permission under section 346 of the Bombay Municipal Corporation Act, 1888, to erect a building in Building No. _____ on Plot No./C.S.No./C.T.S. No. 1771 Byculla Division/ Village/Town Planning Scheme No. _____, Ward E the Commencement Certificate/ Building permit is granted on the following conditions:-

- 1) The land vacated in consequence of the endorsement of the setback line/road widening line shall form part of the public street.
- 2) That no new building or part thereof shall be occupied or allowed to be occupied or used or permitted to be used by any person until occupancy permission has been granted.
- 3) The Commencement Certificate/Development permission shall remain valid for one year commencing from the date of its issue.
- 4) This permission does not entitle you to develop land which does not vest in you.
- 5) This Commencement Certificate is renewable every year but such extended period shall be in no case exceed three years; provided further that such lapse shall not bar any subsequent application for fresh permission under section 44 of the Maharashtra Regional & Town Planning Act, 1966.
- 6) This certificate is liable to be revoked by the Municipal commissioner for Greater Mumbai, if :-
 - a) The development work in respect of which permission is granted under this certificate is not carried out or the use thereof is not in accordance with the sanction plans.
 - b) Any of the conditions subject to which the same is granted or any of the restrictions imposed by the Municipal Commissioner for Greater Mumbai is contravened or not complied with.
 - c) The Municipal commissioner for Greater Mumbai is satisfied that the same is obtained by the applicant through fraud or misrepresenting and the applicant and every person deriving title through or under him in such an event shall be deemed to have carried out the development work in contravention of Sec 43 & 45 of the Maharashtra Regional and Town Planning Act, 1966.

MUNICIPAL CORPORATION OF GREATER MUMBAI

EB/9992/E/1A

24/11/05

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Asst. Eng. Bldg. Proposals (City)

To
Owner,
Shri Ibrahim Morin,
M/s. Millennium Enterprises,
93, Satar Manzil,
Morand Road,
Mumbai 400 008.

Sub: Proposed redevelopment of property
bearing C.S.No. 1771 of Byculla Divn
3rd Sankli Street Cross Lane, Mumbai.

Ref: Your Architect's letter dated 28.6.2005.

WITHOUT PREJUDICE

Sir,

With reference to above letter, this is to inform you that there is no objection to occupy the Bldg. under reference for Ground + 11 upper floors, which is constructed under supervision of Architect M/s. Aparna Consultants (Regn. No. CA/86/9600) and Regd. Structural Engineer Shri M.M. Khalid (Regn.No. STR/M/53) subject to following conditions :-

- 1) That the certificate under section 270-A from H.E.'s dept. regarding adequate water supply shall be submitted before asking for B.C.C.
- 2) That the P.R. Card in the name of Owner shall be submitted within three months.

This occupation permission is granted without prejudice to rights of M.C.G.M. to take action under Section 353-A of M.M.C.Act, if found necessary.

A set of plans (3 Nos.) duly stamped/signed showing occupation permission granted to portion marked red is returned herewith as token of approval.

Yours faithfully,

Shree Mehta

Dy. Chief Engineer
Building Proposals (City) Wc.

Copy to : 1. Aparna Consultants Architects,
102/A, Hafiz House,
S.V. Road, Jogeshwari (West)
Mumbai - 400 102

Assit. Commissioner E Ward.
A.E.W.W. E Ward.
DY A.&C. (City).

E-AMG, X(City)
O.S.(B.P.) City

Chief Officer, M.B.R. & R. Board
With copy of Registered Undertaking

Shree Mehta
24/11/05

REGISTRATION NO. 35793	24/11/05
REGD. ARCHT. OFFICE	24/11/05
REGD. STRUCTURAL ENGINEER OFFICE	24/11/05
REGD. CIVIL ENGINEER OFFICE	24/11/05
REGD. ELECTRICAL ENGINEER OFFICE	24/11/05
REGD. MECHANICAL ENGINEER OFFICE	24/11/05
REGD. SANITARY ENGINEER OFFICE	24/11/05
REGD. WATER SUPPLY ENGINEER OFFICE	24/11/05
REGD. TOWN PLANNING OFFICE	24/11/05
REGD. LAND USE OFFICE	24/11/05
REGD. PUBLIC WORKS OFFICE	24/11/05
REGD. FIRE OFFICE	24/11/05
REGD. HEALTH OFFICE	24/11/05
REGD. EDUCATION OFFICE	24/11/05
REGD. SOCIAL WELFARE OFFICE	24/11/05
REGD. CULTURE OFFICE	24/11/05
REGD. TOURISM OFFICE	24/11/05
REGD. INFORMATION OFFICE	24/11/05
REGD. RECORDS OFFICE	24/11/05
REGD. GENERAL OFFICE	24/11/05
REGD. OFFICE OF THE MUNICIPAL ENGINEER	24/11/05
REGD. OFFICE OF THE MUNICIPAL COMMISSIONER	24/11/05
REGD. OFFICE OF THE MUNICIPAL CHIEF ENGINEER	24/11/05
REGD. OFFICE OF THE MUNICIPAL ASST. ENGINEER	24/11/05
REGD. OFFICE OF THE MUNICIPAL SUPERVISOR	24/11/05
REGD. OFFICE OF THE MUNICIPAL INSPECTOR	24/11/05
REGD. OFFICE OF THE MUNICIPAL CLERK	24/11/05
REGD. OFFICE OF THE MUNICIPAL PEON	24/11/05
REGD. OFFICE OF THE MUNICIPAL WATCHMAN	24/11/05
REGD. OFFICE OF THE MUNICIPAL PORTER	24/11/05
REGD. OFFICE OF THE MUNICIPAL JANITOR	24/11/05
REGD. OFFICE OF THE MUNICIPAL CLEANER	24/11/05
REGD. OFFICE OF THE MUNICIPAL GARDENER	24/11/05
REGD. OFFICE OF THE MUNICIPAL PAINTER	24/11/05
REGD. OFFICE OF THE MUNICIPAL CARPENTER	24/11/05
REGD. OFFICE OF THE MUNICIPAL BLACKSMITH	24/11/05
REGD. OFFICE OF THE MUNICIPAL COOPER	24/11/05
REGD. OFFICE OF THE MUNICIPAL MILLER	24/11/05
REGD. OFFICE OF THE MUNICIPAL BAKER	24/11/05
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REGD. OFFICE OF THE MUNICIPAL WEAVER	24/11/05
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