

**MANAGING COMMITTEE
2012 - 2013**

PRESIDENT
Paras Gundecha

IMMEDIATE PAST PRESIDENT
Sunil Mantri

PRESIDENT-ELECT
Vimal Shah

VICE PRESIDENTS
Dharmesh Jain
Mayur Shah
Nayan Shah
Deepak Goradia

HON. SECRETARY
Boman Irani

HON. JOINT SECRETARIES
Rasesh Kanakia
Harish Patel
Nainesh Shah

TREASURER
Ashok Mohanani

JT. TREASURERS
Mukesh Patel
L. P. Bhagiani

CO-ORDINATORS
Sukhraj Nahar
Pujit Aggarwal
Sandeep Runwal

COMMITTEE MEMBERS
Sandeep Raheja
Bandish Ajmera
Sujal Shroff
Parag Munot
Rajan Bandelkar
Vikas Walawalkar
Jayesh Shah
Nayan Bheda
Sanjay Chhabria
Rajendra Chaturvedi

INVITEE MEMBERS
Mukesh Mehta
Rakesh Sanghvi
Jagdish Ahuja

MCHI-CREDAI UNITS
Shailesh Puranik, President,
Thane
Shrikant Shitole, Hon. Secretary
Kalyan-Dombivli
Shailesh Sanghvi, Secretary
Mira Virar City
Rajesh Prajapati, President
Raigad
Arvind Goel, President
Navi Mumbai

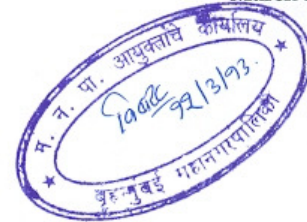
PAST PRESIDENTS
Pravin Doshi
Mohan Deshmukh
Mofatraj Munot
Niranjan Hiranandani
Rajni S. Ajmera
G. L. Raheja
(Late) Lalit Gandhi
(Late) Babubhai Majethia



Ref. No. MCHI/PRES/12-13/119

March 11, 2013

To,
Hon'ble Shri Sitaram Kunte
Municipal Commissioner,
Municipal Corporation of Greater Mumbai,
Municipal Head Office
Mahapalika Marg
Mumbai - 400 001



Sub: Administrative Decision for merging of building proposal and building and factory departments to curb unauthorized work in the city of Mumbai

Respected Sir,

Your kind attention is requested to our letter bearing No. MCHI/PRES/12-13/118 dated 05th March 2013.

The Municipal Commissioner is aware that the amendments to the MMC Act, Sec. 475 -B specifically refers to the execution of any work described in section 342 of the MMC Act.

As per the present practice the actions for such unauthorized works are taken by the building proposals department till the completion of such works and thereafter if any unauthorized work is carried out, the actions are taken by the ward staff. As such both these officers are competent to affect such actions and these officers can be called as "Designated Officers" for such respective unauthorized works.

It was our earnest request to the Municipal Commissioner that while appointing the designated officers, the actions for general unauthorized work and deviations in the works of for buildings under construction (with due process of approval being granted) should not be merged with single designated officer.

In this regard we have to place before you the following for your kind consideration;

We agree that the entire process of development being done u/s. 337 of BMC Act, needs to be made more accountable and the administrative set up for ensuring that the work proceeds only as per approved plans need to be strengthened and accountable.

We also agree that the system for controlling and taking actions for the unauthorized development needs to be strengthened and to be made accountable.

MCHI-CREDAI (ISO 9001:2008)

Maker Bhavan II, 4th Floor, 18, V. Thackersey Marg, New Marine Lines, Mumbai - 400 020.
Tel.: 4212 1421, Fax : 4212 1411/407, Email : secretariat@mchi.net
Website : www.mchi.net

Today, the Building Proposal Section controls the development by grant of development permissions under section 337/342 of the MMC Act and sections 44/45/69 of the MR & TP Act and the process of approval is very complex. This requires detailed understanding and training of the development control regulations. Sir, you are also aware that the DC Regulations are being amended from time to time and various policies are also framed. It was in this context the special 'Building Proposal Manuals' were prepared by the then Municipal Commissioner, particularly for the Building Proposal Department where the procedures, functions, duties and actions to be taken were minutely defined. The Building approvals requires in depth studies of the DC Regulations coupled with the changing policies/circulars/clarification's from time to time and requires quality work for scrutiny of the Building Proposal. Moreover, this work involves lot of coordination which all the departments of the corporation and the outside agencies/authorities as provided under the relevant development control regulations. No doubt this causes a great responsibility on the building proposal staff. (Vide Annexure "1")

Recently circulars are issued for time bound program of approval. There are four zonal offices for this department and there is a system of giving specific building proposal case numbers and the registers and records are maintained and preserved in respective zonal offices. The building proposal staff has also to attend to LAQ/Star Questions related to BP / DP Sections. They have also to attend various meetings with the councilors, MLAs, Chairman of various committees, Municipal and Govt. officers in respect of the approvals. Sir, you are aware that we are struggling for speedy approval of the building proposals and encouraging results have just started under your able guidance to achieve our ideal approach of "One Window Clearance".

It may not be out of place to state that some years back such an initiative was taken by the administration to have single SE/AE for each ward who will deal with all other subjects including building proposals. This experiment was not successful with the result that the original system was restored about 20 years back. With the advent of time the work load due to various other enactments has considerably increased. It is therefore, we feel, not advisable to have a dual control system for BP staff. You will please appreciate that both the duties i.e. the ward duties and the duties of the building proposal staff are qualitatively different and hence the above request.

At the same time we do request the administration to have effective actions to be taken for unauthorized work being carried out in the buildings under construction, which are duly approved by the Building Proposals Department. In such cases, the respective Building Proposal's AEs may be appointed as "Designated Officers" for their respective areas. Thus, if such unauthorized activities are noticed and complaints are made such complaint should be dealt with by them and reported to

the appropriate authority. Thus, they will be fully accountable for their duties and responsibilities. We are also enclosing for your ready reference the necessary chart (Annexure "2") denoting the accountability of the designated officers as elaborately explained.

Hence in our humble submission that the merging of the roles of the Building and factory and the role of the approval of plan and the role of curbing of the unauthorized constructions by a single person may not work out as effective solution.

We therefore request you to kindly give a careful consideration to our representation and give us an opportunity to explain the matter personally.

Thanking you,

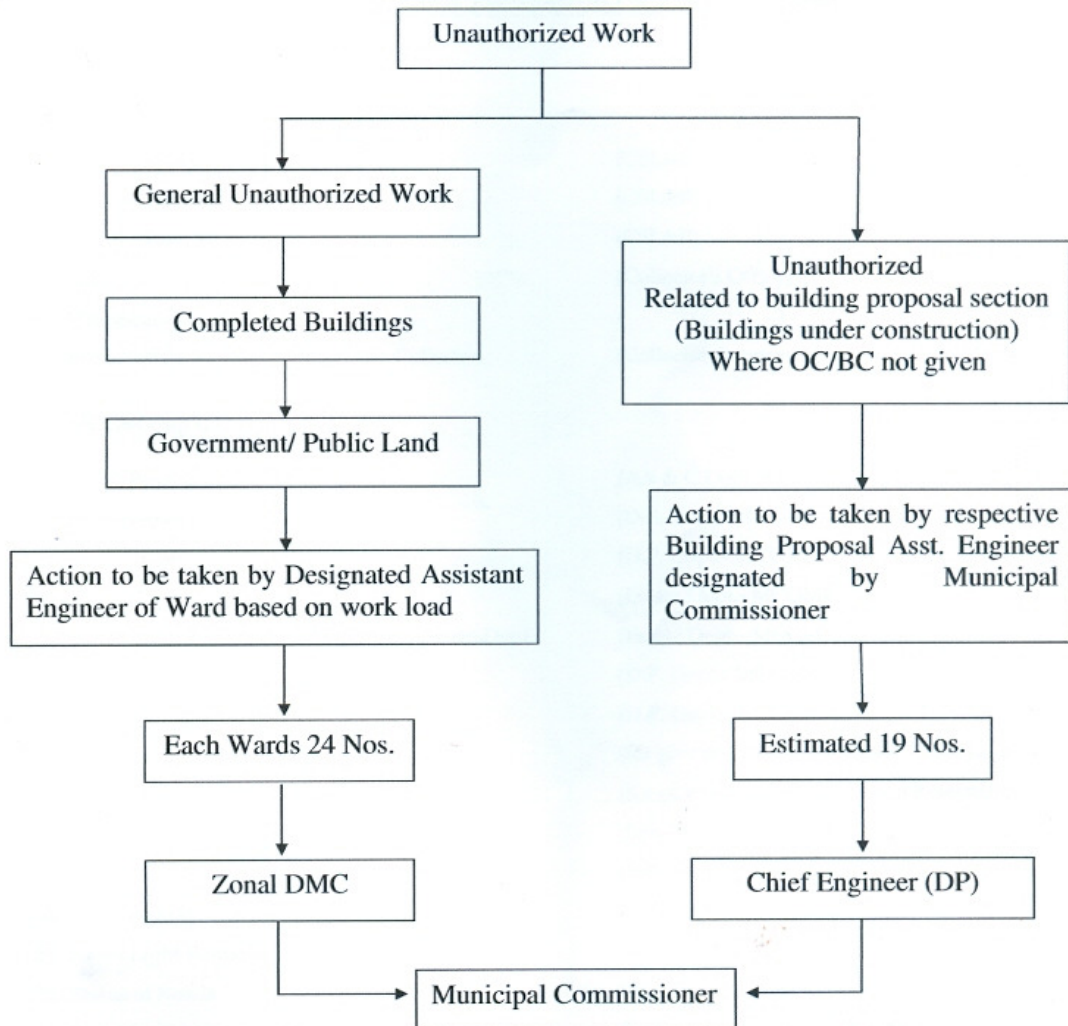
With Best Regards,
For MCHI-CREDAI



Paras Gundecha
President

Mob: 9821092439

Encl: As Above



List of various Permission / N.O.C.s required

A. Basic

- | | |
|--|--|
| 1. P.R. cards in words. | (CSL&R) |
| 2. City Survey True Extract | (CSL&R) |
| 3. City Survey - Demarcation plan | (CSL&R) |
| 4. Non-Agricultural Permission | (Collector's Office) |
| 5. Title clearance certificate. | () |
| 6. In case of Govt. land, N.O.C. from Collector. | (Collector / concerned authority: GoM) |

B. MCGM Dep't.

- | | |
|--|--|
| 7. NOC :Property Tax | (AA & C Dept. MCGM) |
| 8. Development Plan Remark | (D.P. Dept.- MCGM) |
| 9. Town Planning Remark : | (D.P. Dept.- MCGM) |
| 10. Estate Remark & plan | (Estate Dept.- MCGM) |
| 11. In case of MCGM land, N.O.C. from Estate Dept. | (Estate Dept.- MCGM) |
| 12. Change of User. | (D.P. Dept.- MCGM) |
| 13. Development Permission | (D.P. Dept.- MCGM) |
| 14. User Department N.O.C. | (for plot with Accommodation Reservation) |
| 15. Dy. Municipal Architect | (for plot with Accommodation Reservation) |
| 16. Site Elevation | (Survey Dep't -MCGM) |
| 17. Survey Remarks | (B.P. Dep't.- MCGM) |
| 18. R.L. Remarks | (E.E. Traffic. - MCGM) |
| 19. Street Light Remarks | (E.E. Traffic. - MCGM) |
| 20. Status of Roads | (A.E. Maintenance - Ward - MCGM). |
| 21. Tree No Objection Certificate: | (S.G., Tree Authority - MCGM) |
| 22. Debris NOC | (A.E. Environment SWM - Wards MCGM) |
| 23. Formation level | (Dy. C.E. Roads :Roads dept MCGM) |
| 24. Rain Water Harvesting | (MCGM) |
| 25. S. W.D. Remark & Completion | (SWD - Ward wise - MCGM) |
| 26. Nalla Remark & Completion | (SWD - Central agency - MCGM) |
| 27. Mechanical & Ventilation NOC | (M & E Dept - MCGM) |
| 28. NOC For Parking | (Ex. Eng. [T & C] Dep't. MCGM) |

29. Planning & Design Department -NOC
30. Pest Control NOC
31. Dy. S.P (P&D)
32. Sewerage NOC
33. Heritage NOC.
34. High Rise NOC
35. P.I. (P.P.P.P) Cell.
36. Chief Fire Officer's NOC
37. H.E.'s NOC
38. Drainage Completion Certificate
39. Water Connection Certificate U.Sectn 270A
40. TDR Loading

- (P&D - MCGM)
(P.C.O. Dep't -MCGM)
(S.P (P&D -MCGM)
(S.O. Dep't -MCGM)
(Heritage Dep't - MCGM)
(High Rise Committee - MCGM)
(P.P.P.P. Cell - MCGM)
(Fire Department Office - MCGM)
(Hydraulic Department- MCGM)
(Water Department - MCGM)
(H.E.Dep't: MCGM)
(D.P.dep't: MCGM)

C. Other than MCGM.

41. Inspection Extract.
42. Civil Aviation NOC
43. M.O.E.& F - NOC
44. CRZ NOC -
45. MHADA NOC (33-7)
46. Jt. C.P.Traffic for 33(24).
47. G.O.M Approval for 33(24).
48. Railway NOC
49. MTNL NOC
50. NOC for Substation etc
51. Lift Inspection NOC.
52. Special Planning Authority, NOC
53. Urban Land Ceiling - NOC:
54. Highway Authorities NOC
55. Charity Commissioner 's NOC
56. Bombay Housing & Area Development Board NOC
for development of cessed properties in Island City.

- (Airport Authority of India)
(MOE&F : GoM)
(MCZMA : GoM.)
(MHADA)
(Traffic Police :HQ.)
(Parking Committee)(UD Dep't :GoM.)
(Railway Authority)
(MTNL)
(BEST / RELIANCE / MSEB / TATA)
(Inspector of Lifts, PWD- G.o.Mah.)
(MMRDA, MIDC etc. if applicable)
(Competent Authority in Collector's Office)
(Highway Auth.- PWD/ MSRDC /MMRDA)
{properties by Trusts}.
(Charity Commissioner GoM)
(GoM)

57. Police Commissioner's NOC

(In case of Hotel / Lodging / Theatre etc.)

(Commissioner of Police - Mumbai)

58. Environment NOC.