

MUNICIPAL CORPORATION OF GREATER MUMBAI

(Chief Engineer (Development Plan) Department)

Ch.E. / D.P. / 36 / Gen / 2016-17 dated: 11.08.2016

Ch.E. / D.P. / 12530 / Gen dated: 11.08.2016

CIRCULAR

Sub: -Ease of Doing Business

Online fast tracked-risk based approval / Regularization for Miscellaneous proposals, u/s 342 of MMC Act, amended up to date.

The series of meetings are conducted with the stakeholders, MCHI- CREDAI, PEATA, NAREDCO in respect of Ease of Doing Business- granting construction permit in MCGM. During meetings, it is revealed that approvals to the certain activities viz, amalgamation of flats/ removal and repositioning of wall within the flats, internal partition of walls within the premises, etc., needs to be simplified & granted on fast track-risk based approval approach, which will help to minimize the number of processes as well it will help to create ease to the occupants for obtaining permission.

The permission is not required for carrying out the tenantable repairs as per the provisions of 342 of MMC act, amended up to date.

The addition and alterations in the building or any premises in the building are expected to be carried out after granting OC/BCC to the buildings and for which the regular permission of MCGM is required to be obtained other than tenantable repairs.

Therefore, in order to create easiness, convenience to end user & grant approval to such miscellaneous proposals expeditiously, the following miscellaneous proposals shall be processed on Automated fast tracked – risk based online approval system based on the self - certification from the registered Architect / License Surveyor & Indemnity cum undertaking from the applicant.

A) Alteration & Amalgamation of House / flats, shops, offices, Industrial units / premises by removing internal walls, providing doors, erection of loft, providing rooms, increasing the size of window in R.C.C. structure building, etc., without making any changes or modification or damage to the structural members / walls of the building except in the building notified as heritage structure and also not affected by provisions of prevailing Development Control Regulation.

- B) Providing cabin/s as per prevailing provisions of Development Control Regulation.
- C) Raising / lowering, extension & or relocation of kitchen platform within the kitchen room, without making any changes of whatever type in plumbing outlets & creating any plumbing outlets.
- D) Change in size of bathroom, toilet block & kitchen room without making any changes of whatever type in plumbing outlets & creating any plumbing outlets.
- E) Loft over the kitchen / habitable room, bathroom / water closet block, corridors within the tenement in residential premises, in shops under consideration with height less than 1.50 mts. from the floor level, as per provision 38(5) of DCR-1991 & without making any changes or damaging the structural members of the building.
- F) Loft within the industrial unit / building premises at height less than 1.50 mts. from the floor level & at more than 2.00 mts. away from the entrance of the said unit, building premise, as per provision 38(5) of DCR-1991 & without making any changes or damaging the structural members of the building.

Terms & conditions:-

- i. The proposal shall be submitted online with the notice u/s 342 of MMC act amended up to date.
- ii. The proposals shall be processed online, on receipt of requisite documents listed in annexure– II enclosed, the approval of concern E.E. (B.P) will generate automatically & approval to the proposal will be available to the Architect online.
- iii. The No objection certificate from Society / Landowner / Condominium / association shall be insisted along with the proposal.
- iv. The proposal shall be considered in the structure / building for which the Occupation Certificate is granted or the Building Completion Certificate is accepted by the MCGM or structures falling in tolerated category.
- v. The concerns EE (BP) shall scrutinize the proposal within 7 days. In case the proposal is not in consonance with the provisions of prevailing regulation, then the same with the specific reason/s shall be intimated to the concerned Architect / L.S. within 7 days, copy of the same to be sent to concern Designated Officer.
- vi. The, alteration and amalgamation shall not be permitted in heritage structure.
- vii. The requirement of parking spaces of the Building / premises shall not change due to proposed work.

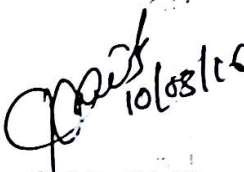
- viii. The use of the premises shall remain for the same purpose as per the Occupation Certificate Plan / Building Completion Certificate Plan issued by the competent authority.
- ix. The partition wall proposed in any of the above modification shall be of light weight material, (e.g. airted blocks, in filled dry walls, prefab light weight walls) having thickness of less than 115 mm; it shall not be brick masonry or R.C.C. wall & shall have to be proposed without affecting the structural changes / or modification or creating any damages to the structural members / walls of the building.
- x. The external wall/s or any load bearing wall/s shall not be allowed to remove or any changes to the same shall not be allowed during carrying out the proposed work. Enlargement of window shall be permitted in external walls which are not load bearing and do not affect structural members.
- xi. The work shall be allowed to start after 7 days from date of receipt of approval
- xii. Completion certificate for the proposed work shall be obtained from the concern Architect / License Surveyor.
- xiii. The validity of the approval shall be one (01) year from the date issue of approval.
- xiv. The approval to the proposed work shall be granted on the basis of documents submitted by Architect / L.S. for the proposal. The approval shall stands revoked / cancelled in case the documents, information provided are found false; the action shall be initiated for the same & for work carried out, as deemed fit by law.
- xv. This approval shall be granted based on the certification submitted by Architect / L.S. & Indemnity cum under taking by applicant for the proposed work.
- xvi. The work shall be strictly executed under the supervision of appointed Architect / L.S.
- xvii. The proposed work shall not involve any modification or alteration of structural work or any structural changes or strengthening of structural adequacy. Architect shall submit the certificate to this effect from the structural Engineer registered with MCGM.
- xviii. The No objection Certificate from Chief Fire Officer Department, MCGM, shall be insisted from Architect / L.S., in case of proposals for cabin/s in non-residential premises / building.
- xix. The proposed work shall not involve utilization of additional Floor Space Index (F.S.I.).
- xx. Such miscellaneous proposal shall be approved / regularized by recovering the regularization charges, if applicable, as per the prevailing regulation & circulars.

- xxi. The requisite scrutiny fee, deposits, etc. shall be recovered for the proposal.
- xxii. The unauthorized work, if any, in the other premises of building except the premises under consideration shall be delinked while approving the proposals i.e. any unauthorized work in any other part of the building, premises shall not be the reason to reject the miscellaneous work proposal submitted by Architect / L.S.
- xxiii. The Certification cum undertaking from Architect / License Surveyor as given in Annexure- II, Indemnity cum Undertaking from applicant as given in Annexure – III, shall be insisted along with the proposal.
- xxiv. The documents as given in annexure – I, i.e. as per checklist shall be insisted along with the proposal.
- xxv. There shall not be any litigation, or any restraining order from court of Law or from any authority in respect of the structure/ building under reference.

Notes:-

- 1) The circular is prepared with the remarks of Law Officer, MCGM for the same u/no. LOP /2630/ dt.08.07.2016.
 - 2) This circular will supersede the earlier circular issued u/no. CHE/028161/ DP / CITY dt.27.03.2012, in respect of granting permission for light weight partition wall or any other circular or clause there in, on the subject of approval of miscellaneous proposal and which are inconsistent to this circular.
 - 3) This policy circular is not applicable to Heritage structures.
 - 4) Regular permission would have to be taken for any changes to the exterior walls, in case building is in Heritage precinct.
 - 5) Permission u/sec 337 or 342 of MMC Act, or under any other provision under MMC Act, shall not be required in general, for providing openable safety grills to window or providing collapsible gate to window.
 - 6) The line of action should be followed for granting approval manually till the online application is made available in "Auto DCR". The circular shall be followed from immediate effect.
- (Encl. Annexure I to IV)


DY.C.H.E. (D.P.)-I


C.H.E. (D.P.)

Sd/-
Hon'ble M.C.

No. Ch.E. / D.P. / 36 / Gen / 2016-17 dated: 11.08.2016
Ch.E. / D.P. / 12530 / Gen dated: 11.08.2016

Copy to: -

Director (ES & P) / D.M.C.(Vig.) / D.M.C.(M.C.'s Office) / D.M.C.(I) / D.M.C. Edn.)
D.M.C.(Garden & Security) / D.M.C.(Spl.) / D.M.C.(Tax Reforms)/
D.M.C.(R.E./H.R.) / D.M.C.(Engg.) / D.M.C.(S.E.) / D.M.C.(Z-I) / D.M.C.(Z-II) /
D.M.C.(Z-III)/ D.M.C.(Z-IV)/ D.M.C.(Z-V)/ D.M.C.(Z-VI)/ D.M.C.(Z-VII)/ H.E./
City Engineer / Chief Engineer (BM) / Chief Engineer (S.P.)/
Chief Engineer (W.S.P.) / Ch.Engineer(C.T.I.R.C.)/ Ch.Engineer (Rds & Traffic)/
Ch. Engineer (Bridges) / Ch.Engineer(M & E) / Ch.Engineer(S.W.D.) /
Ch.Engineer(S.O.) / Ch.Engineer (MSDP) / Ch.Engineer (S.W.M.) / C.F.O./
C.A.(W.S.S.D.)/ C.A.(Finance)/ E.H.O./ S.G./ E.O./ Dy.Ch.Eng.(DP)-I /
Dy.Ch.Eng.(DP) II/ Dy.Ch.Eng.(BP)-City/ Dy.Ch.Eng.(BP)ES/
Dy.Ch.Eng.(BP)WS-I/ Dy.Ch.Eng.(BP)WS-II/ Dy.Ch.Eng.(BP) Spl. Cell/
Dy.Ch.Eng. (M.C.Office) / Dy.Ch.Eng.(H.I.C.)/ Dy.Ch.Eng.(S.I.C.)/
Dy.Ch.Eng.(P.P.P.P.)/ Asstt. Commissioner (A to T ward) /
EE.(P) to Ch. Eng (D.P.) / E.E.D.P.(City)/ E.E.D.P.(E.S.)/ E.E.D.P.(W.S.) H & K/
E.E.D.P.(W.S.) P&R/ E.E.(T.P.)/ E.E.B.P.(W.S.)-H/ E.E.B.P.(WS)K/ E.E.B.P.(WS)P/
E.E.B.P.(WS) R/ E.E.B.P.(City)-I/ E.E.B.P.(City)II/ E.E.B.P.(City) III/
E.E.B.P.(E.S.)-I/ E.E.B.P.(E.S.)-II/ E.E.B.P.(Spl. Cell)/ E.E.(T&C)

mark
10/08/16
CHE. (D.P)

MUNICIPAL CORPORATION OF GREATER MUMBAI

(Chief Engineer (Development Plan) Department)

ANNEXURE - I

CHECK LIST FOR MISCELLANEOUS PROPOSAL

u/s 342 of MMC Act-1888 amended up to date

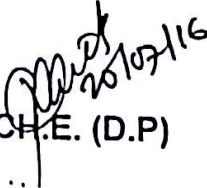
Ref:- Circular No

dt.

Sr.No.	Compliance submitted	Link attached
1	Filled up Notice u/s 342 of MMC act amended up to date.	Connect to Fill up form
2	Attach applicant's Indemnity Cum Undertaking for the proposed work.	Attach
3	Attach Architect / L.S. certification for the proposed work.	Attach
4	Attach Registered Architect / Licensed Surveyor's appointment letter	Attach
5	Attach Ownership documents/ Registered agreement, etc.	Attach
6	Attach copy of Occupation Certificate Plan/Building Completion Plan issued by competent authority/ CTS Plan for tolerated structure / Assessment Extract for tolerated structure	Attach
7	Attach No objection certificate from Society / Landowner / Condominium / association for the proposed work.	Attach
8	Attach Work start notice required u/s 347 of MMC act amended up to date.	Attach
9	Attach Copy of plans showing the proposed work	Attach
10	Attach Certificate from the structural Engineer registered with MCGM stating that proposed work does not involve any modification or alteration of structural work or any structural changes or strengthening of structural adequacy.	Attach
11	Attach the No objection Certificate from Chief Fire Officer Department, MCGM, in case of proposals for cabin/s in non-residential premises / building.	Attach
10	Pay Scrutiny fee, deposits, Regularization charges, etc.as per link provided	Connect Link


DY.C.H.E. (D.P.)-I

Digital Signature
ARCHITECT / L.S.


CH.E. (D.P.)

MUNICIPAL CORPORATION OF GREATER MUMBAI

(Chief Engineer (Development Plan) Department)

ANNEXURE- II

Architect / License Surveyor's Certification

(Note: - 1.Strike out the words, if not applicable &

2. The contents of the Sr.No. 3- i to vi shall be included as per proposal.)

Subject:- Proposed Alteration & Amalgamation of Flat / House /
Shop / Office premises No.-----,at --- Floor, in building
known as -----, on Plot bearing CTS
no.-----of village -----/ C.S.No.----- of
Division -----, in --- ward.

In respect of subject matter, I Shri. / Smt. ----- hereby
certify and undertake that:-

1. The proposal for above said subject work is submitted u/s 342 of MMC act, amended up to date
2. I have verified that the occupation Certificate to the premises wherein the miscellaneous work is proposed is granted / Building Completion for the building wherein the work is proposed, is granted by MCGM on - ----- u/no / CHE / ----- / BPES / AT. As per CTS plan, Assessment record, the structure comes in tolerated category.
3. The proposed work involves :-
 - 3.i) Alteration & Amalgamation of House / flats, shops, offices, Industrial units / premises by removing internal walls, providing doors, erection of loft, providing rooms, increasing the size of window in R.C.C. structure building, etc., without making any changes or modification or damage to the structural members/walls of the building except in the building notified as heritage structure & also not affected by provisions of prevailing Development Control Regulation.
 - 3.ii) Providing cabin/s as per provisions of prevailing Development Control Regulation.
 - 3.iii) Raising / lowering, extension & or relocation of kitchen platform within the kitchen room, without making any changes in plumbing outlets of whatever type.
 - 3.iv) Change in size of bathroom, toilet block & kitchen room without making any changes in plumbing outlets of whatever type & without any new plumbing outlet/s.

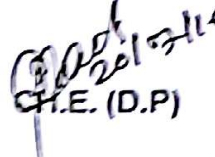
- 3.v) Loft over the kitchen / habitable room, bathroom / water closet block, corridors within the tenement in residential premises, in shops under consideration with height less than 1.50 mts. from the floor level, as per provision 38(5) of DCR-1991 & without making any changes or damaging the structural members of the building.
- 3.vi) Loft within the industrial unit / building premises at height less than 1.50 mts. from the floor level & at more than 2.00 mts. away from the entrance of the said unit, building premise, as per provision 38(5) of DCR-1991 & without making any changes or damaging the structural members of the building.
- 4) The partition wall proposed in any of the above modification shall be of light weight material, (e.g. airted blocks, in filled dry walls, prefab light weight walls) having thickness of less than 115 mm; it shall not be brick masonry or R.C.C. wall & shall have to be proposed without affecting the structural changes, modification or creating any damages to the structural members/walls of the building.
- 5) The alteration & amalgamation is not proposed in heritage structure & also not affected by the provisions of prevailing Development Control Regulation.
- 6) The proposed work does not involve any structural work, not required any structural changes. & not required structural adequacy from the structural Engineer.
- 5) The No objection Certificate from CFO, MCGM is obtained & submitted for proposal u/r for cabin/s in non-residential premises / building.
- 6) The work will be executed under my supervision & all the materials for the proposed work will be used of good & standard quality.
- 7) The proposed work does not have involvement of utilization of any additional Floor Space Index (F.S.I.).
- 8) The requirement of parking spaces of the Building/premises is not changing due to proposed work.
- 9) The use of the premises will remain for the same purpose as per the plans lastly approved by the competent authority & no change of use is proposed in the proposal.
- 10) The work will be started after 7 days from date of receipt of approval & on execution, the completion certificate for the work will be submitted by me, within one (1) year from date of issue of approval.
- 11) The external wall/s or any load bearing wall/s is/are not proposed to be removed or any changes to the same will not be done during carrying out the proposed work.

- 12) I have relied on the representation of - applicant that there is no any litigation, or any restraining order from court of Law in respect of the premises, structure/ building under reference, applicant has filed undertaking for the same with proposal.
- 13) I have relied on the representation of applicant that there is no any Restraining order from any authority in respect of the structure/ building under reference.

Digital Signature
 Architect / License Surveyor



D.P.H. (D.P.H)



C.H.E. (D.P)

MUNICIPAL CORPORATION OF GREATER MUMBAI
(Chief Engineer (Development Plan) Department)

ANNEXURE - III
Applicant's indemnity cum undertaking
for the proposal

(Note: - 1.Strike out the words, if not applicable.)

Subject:- Proposed Alteration & Amalgamation of Flat / House /
Shop / Office premises No.-----,at ---- Floor, in building
known as -----, on Plot bearing CTS
no.----- of village -----/ C.S.No.----- of
Division -----, in ---- ward.

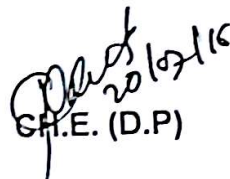
In respect of subject matter, I Shri. / Smt. ----- herby
indemnify & undertake that:-

1. The flat/s, house, Shop, Office premises mentioned above is owned by me or I am tenant of the premises.
2. The proposed Alteration & Amalgamation work will be carried out by me as per approved plan only
3. I will not make any changes in the structural members of the building or damage any structural members of the building.
4. The work of raising / lowering of Kitchen platform, extension& or relocation of kitchen platform proposed will be done without making any changes in plumbing outlets of whatever type.
5. The position of water closet block, bathroom, toilet and kitchen shown in plans lastly approved by the competent authority will not be changed.
6. The work will be executed under the supervision of Architect / License Surveyor (L.S.) appointed by me.
7. All the materials for the proposed work will be used of good & standard quality under the supervision of Architect / L.S.
8. The work will be started after 7 days from date of receipt of approval & on execution, the completion certificate for the work will be submitted by me, within one (1) year from date of issue of approval.
9. The care will be taken that no nuisance is created to the neighbors during the execution.

10. I will not remove any external wall/s or any load bearing wall/s or make any changes to the same while carrying out the proposed work.
11. There is no any litigation, or any restraining order from court of Law in respect of the premises owned by me as well as structure/ building under reference.
12. There is no any Restraining order from any authority in respect of the premises owned by me or structure/ building under reference.
13. I have obtained No objection for the proposed work from co-operative Society / Landlord/ Condominium / association, which is enclosed with the application.
14. I indemnify the MCGM & MCGM officers from any mishap, incidence, accidents, damages, risk claims, disputes any litigation, etc. which may arise in related to the proposed work.
15. The approval granted for the proposal will stand revoked/cancelled, if the documents submitted by me, for the proposal are found false and fabricated and I will be liable for action for the same as well as on the premises, as deemed fit by law.

Signature
APPLICANT


DY.C.H.E. (D.P.)-I


G.H.E. (D.P)

ANNEXURE - IV

**Approval Letter for the proposal u/s 342 of MMC act
amended up to date.**

To	To
Shri.-----	Shri/Smt.-----
Architect /L.S.	Applicant
-----	-----
-----	-----
-----	-----

Subject:- Proposed Alteration & Amalgamation of Flat / House /
Shop / Office premises No.-----,at --- Floor, in building
known as -----, on Plot bearing CTS
no.-----of village -----/ C.S.No.----- of
Division -----, in --- ward.

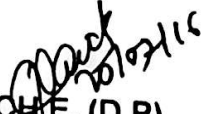
Ref :- Online submission under File No.----- dt.-----

In response to your notice u/s 342 of MMC act, amended up to date, dt.-
-----, & based on the documents submitted by you through Architect / L.S.
Shri / Smt. -----, the approval to the subject
proposal is hereby granted u/s 342 of said act, subject to following terms &
conditions:-

1. The approval to the proposed work is granted on the basis of Certification cum undertaking given by the Architect along with the proposal & plans/s submitted by Architect / L.S. along with the proposal.
2. The proposed Alteration & Amalgamation shall be carried out as shown in the plans approved under even number, without making any changes to the structural members / walls or without damaging the structural members of the building.
3. The, alteration & amalgamation shall not be done in heritage structure & shall not be against the provisions of prevailing Development Control Regulation.
4. The proposed work shall not involve any modification or alteration to structural members of the building or shall not require any structural changes.

5. The work shall be executed under the supervision of appointed Architect only & all the materials for the proposed work shall be used of good & standard quality.
6. The proposal shall not have involvement of any utilization of additional Floor Space Index(F.S.I)
7. The requirement of parking spaces of the building/premises shall not change due to proposed work.
8. On execution, Architect / License Surveyor shall submit the work Completion certificate for the proposed work.
9. The use of the premises shall remain for the same purpose as per the Occupation Certificate plan / Building Completion Certificate Plan issued by the competent authority or as per the user of tolerated category.
10. The external wall/s or any load bearing wall/s shall not be removed or any changes to the same shall not be done during carrying out the proposed work.
11. The work shall be started after 7 days from date of receipt of approval to the proposal.
12. On execution, Architect / License Surveyors shall submit the completion certificate for the work within one (1) year from date of issue of approval.
13. The validity of the approval is one (1) year from the date of issue of approval.
14. The approval to the proposed work is granted on the basis of documents submitted for the proposal .The approval shall stands revoked / cancelled in case the documents, information provided are found false or fabricated. The action will be initiated for the same & for work carried out, as deemed fit by law.
15. This approval is granted based on the certification submitted by Architect / L.S. & Indemnity cum under taking by owner for the proposed work.
16. The work shall be strictly executed under your supervision & you will be responsible for execution of the work as per the plan/s approved by MCGM, as submitted by you.


D.Y. CH.E. (D.P.)-I

Digital signature
Ex.Engr.(B.P.)

CH.E. (D.P)

MUNICIPAL CORPORATION OF GREATER MUMBAI

(Chief Engineer (Development Plan) Department)

CHE/DP/12530/Gen dt 21.7.16

Sub: - Easo of Doing Business

Online fast tracked-risk based approval for miscellaneous proposals, u/s 342 of MMC Act, amended up to date.

Ref: MCP/3642 dated 18.07.2016 (at Pg. N/04)

Reference is requested to the proposal on above subject at pg. N/01 to N/03 and Hon'ble M.C.'s orders at pg. N/03 to N/04 thereon.

As directed by Hon'ble M.C., the instruction to process the proposals offline till the arrangement is made in the system by M/s. Softtech Ltd is included in the circular itself. Along with this, specific note is also mentioned in the circular that this policy circular is not applicable to Heritage structures and regular permissions would have to be taken for any changes to the exterior walls in case the building is in Heritage precinct.

One minor correction is made in Para (A) on pg. C-02 i.e. "providing openable safety grills to window or providing collapsible gate to window" is deleted and the same is exempted from taking the permission and accordingly a line is added in corrected Draft circular at pg. C/18 that, "permission u/sec 337 or 342 of MMC Act, or under any other provision under MMC Act, shall not be required in general, for providing openable safety grills to window or providing collapsible gate to window", as this miscellaneous work of providing openable safety grills / collapsible gate is of very minor nature and the citizens will not require to submit proposal for getting this permission, if agreed by Hon'ble M.C.

In view of above and as per the directions of Hon.M.C. at pg. C/04, the corrected Draft circular and Annexure -I, II, III & IV as at C/15 to C/28 is now submitted for Hon'ble M.C's approval.

On receipt of approval, the same will be circulated to all concerned for implementation.

Submitted please.

[Signature]
20/07/16
DY.CHE. (D.P.)-I

[Signature]
20/07/16
CHE. (D.P)

Hon'ble M.C.
Sir,

[Signature]
8/8/16

D:\D P\Easo of Doing Business -DP,Circular and P... of MMC Act 342 Final_19 07 2016.docx

Municipal Commissioner

ChES(DP)

MCP/3850
9.8.2016