



## **BRIHANMUMBAI MAHANAGARPALIKA**

Section 4 Manuals as per provision of RTI Act

2005 of L Ward

Assistant Engineer (Building and Factories)

'L' Ward

Address - Office of Assistant Engineer (Building and Factories) 'L' Ward,  
Laxman Yadav Market Bldg, 1<sup>st</sup> floor,  
S.G. Barve marg,  
Kurla (west),  
Mumbai – 400 070.

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## Introduction

### Assistant Engineer (Building and Factories)

The right to information is implicitly guaranteed by the Constitution. However, with a view to set out a practical regime for securing information, the Indian Parliament enacted the Right to Information Act, 2005 and thus provided a powerful tool to the citizens to get information from the Government as a matter of right. This law is very comprehensive and covers almost all matters of governance and has the widest possible reach, being applicable to Government at all levels- Union, State and Local as well as recipients of government grants.

The basic object of the Right to Information Act is to empower the citizens, promote transparency and accountability in the working of the Government and make our democracy work for the people in real sense. The Act is a big step towards making the citizens informed about the activities of the Government.

The Act requires the Government authority to compile a handbook in easily comprehensible form and to update it from time to time under **Section 4(1) b** sub clauses i to xvii (17 Manuals). The objective of publishing 17 Manuals is the proactive disclosure of the information/records held by Govt. Authority for the information seekers. The office of Assistant Engineer, Building & Factory, L WARD ( D.O.:- L-1,L-2,L-3,L-4 ) ward is hereby publishing the Handbook for 17 Manuals as required under RTI Act 2005 to promote transparency and accountability in the working of the department & to give easy access to the information seekers to the information & records held by this office.

This handbook contains introduction about the department along with particulars of its functions, duties, objectives & vision. It further elaborates about the duties, powers delegated to its officers & employees. The procedure followed in decision-making process, accountability of concerned officers, norms set for discharge of its function along with Acts, related rules/regulations are further described in detail. It also contains the Statement of Categories of documents held by this office, directory & remuneration of its officers and employees. The details of budget allocation & its disbursement, particulars of permits issued, facilities available for citizens & details of PIO/Appellate authority is also published for information.

This consolidated updated handbook on 17 Manuals of the Act would help all the information seekers in getting information. However, in case any information seeker wants to get more information on topics covered in the handbook as well as other information may contact Assistant (Building & Factory), OR Designated Officer ( L-1,L-2,L-3,L-4 ) Laxman Yadav Market Bldg, 1<sup>st</sup> floor, S.G. Barve marg, Kurla (west), Mumbai – 400 070.

. The procedure and fee structure for getting information is as per the provisions of RTI Act, 2005.

The Municipal Corporation of Greater Mumbai has decentralized most of the main departments and placed the relevant sections of these Departments under the Assistant Commissioner at ward level. Assistant Engineer (B & F) is under administrative control of Assistant Commissioner.

Assistant Engineer (B & F) is separately delegated powers u/s 68 of MMC Act 1888 and u/s 152 (1) of MRTP Act 1966 to function effectively.

The Assistant Engineer (Building and Factories) is the sectional Head of Building and Factories department who exercises supervisory control over private buildings and factories. He has to take action under appropriate provisions of MMC Act/MRTP Act against owners of private buildings if their buildings are not kept in habitable condition. He has to prevent unauthorized constructions /activity and also to regulate and control factories.

As per Amendments of section 351(1) of MMC Act dated 4.4.2013, he is appointed as 'Designated officer' by Hon. Municipal Commissioner and is empowered U/S 351,352,352A and 354 A of MMC Act 1888 and as per section 152 (1) r.w. 53(8) of MRTP Act 1966 is empowered u/s 53,54,55 and 56 of MRTP Act 1966. Designated officers are given the area as per Municipal Electoral ward of 2012. In L ward Assistant Engineer ( B & F)-1 has jurisdiction of area covered under ward no.150,151,152,153, and 123 (PART) and Assistant Engineer ( B & F)-2 has jurisdiction of area covered under ward no.154,155,156,157 and , Assistant Engineer ( B & F)-3 has jurisdiction of area covered under ward no.158,159,160,161 and Assistant Engineer ( B & F)-4 has jurisdiction of area covered under ward no.162,163,164. .

Designated officer is assisted by Junior Engineer (Building)/ Sub Engineer (Building) and Junior Engineer (Fact)/ Sub Engineer (Fact) .Each Junior Engineer (Building)/ Sub Engineer (Building) is given one Electoral ward (one beat) to perform the duties pertaining to Building Section and one Junior Engineer / Sub Engineer to perform the duties pertaining to Factory Section in L ward.

As per Central Right to Information Act 2005, Designated officer and Field officer/ junior/sub engineers are appointed as Public Information Officer (Building and factories) for Building and Factory department and as per Maharashtra Public Records Act-2005 and Maharashtra Public Records Act Rules -2007, all are designated as Record Officer for Building and Factory Dept.

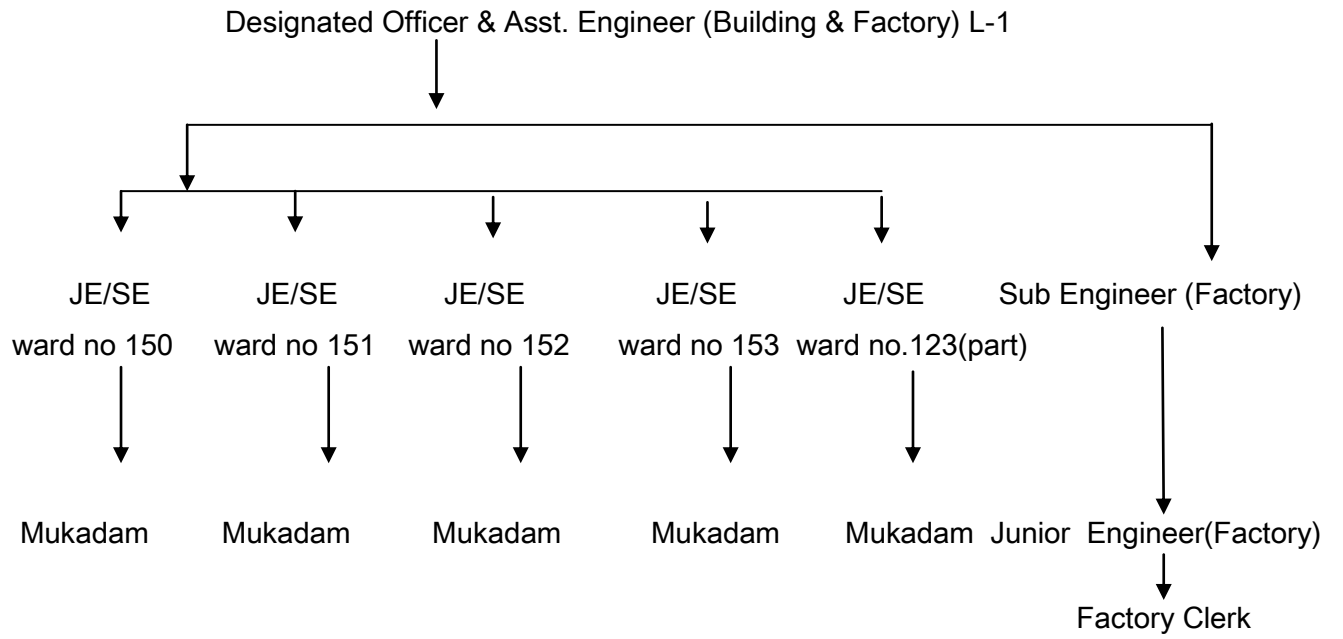
**SECTION 4 (1) (b) (i)**

**The particulars of functions & duties of the office of  
Assistant Engineer (Building & Factory) L Ward**

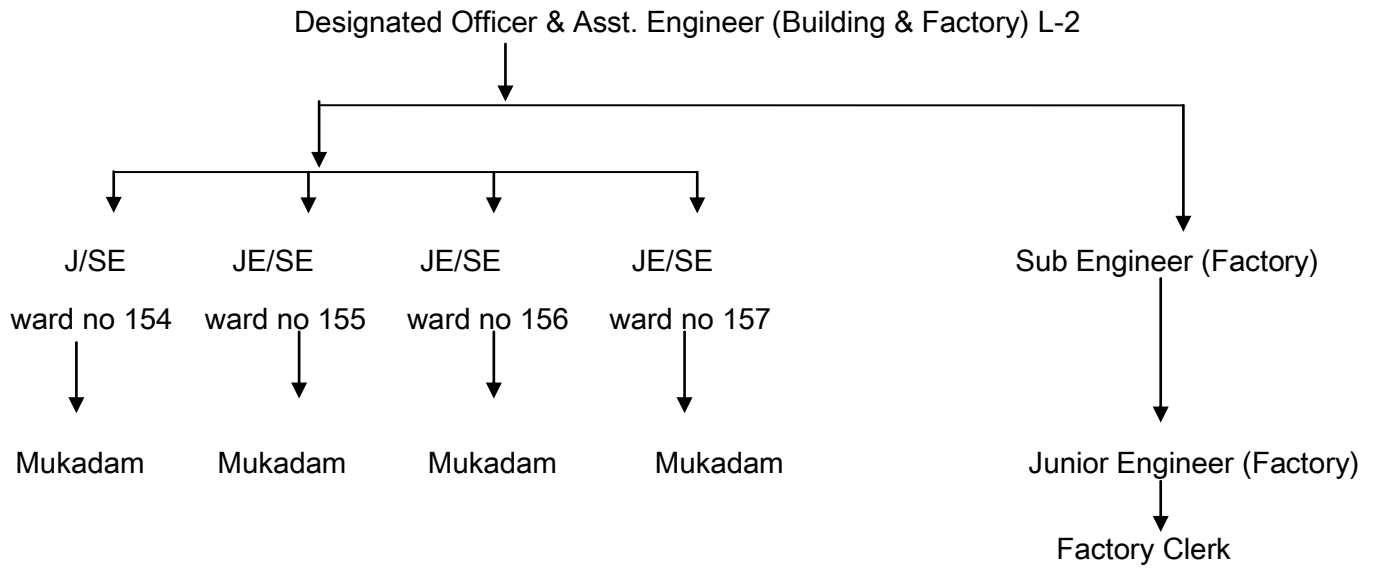
1	Name of the Department	Designated officer & Assistant Engineer (Building & Factory)
2	Address	Laxman Yadav Market Bldg, 1 <sup>st</sup> floor, S.G. Barve marg, Kurla (station road), Mumbai – 400 070.
3	Head of the Office	Assistant Engineer, Building & Factory
4	Parent Department	1.City Engineer 2. Ward Executive Engineer (for Technical matters at Ward level)
5	Reporting to which office	Assistant Commissioner, L Ward
6	Jurisdiction - Geographical	L ward is bounded by the S ward, H/E Ward, F/N Ward And K/E Ward.
7	Mission	1. To prevent unauthorized building activities. 2. To regulate & control factories.
8	Vision	Development of city in planned manner as per sanctioned Development Plan.
9	Objectives	1. No unauthorized building activities. 2. No unauthorized factories.
10	Functions	(1) To supervise on going building construction works as per approved plans. (2)To take action against unauthorized building activities in private buildings, (3)To grant repair permission in private buildings and in private slum colonies. (4)To issue permission for temporary monsoon shed & mandaps in private premises. (5) To issue miscellaneous permissions such as enclosure of balcony,loft, cabins, European W.C. (6) To take action on dilapidated buildings. (7) To grant factory permits under section 390 of the MMC Act. (8) To renew factory permits. (9) To take action against unauthorized factories. (10) To take action against factories which commit breach of conditions of factory permits. (11) To act as Public Information Officer under Right to Information Act, 2005 (12) To submit cases of Dilapidated buildings before Technical Advisory Committee. (13) Notice action and follow up of Dilapidated buildings under section 353-B of MMC Act.

11	Details of Services provided ( In Brief)	<p>1. Issuance of regular repair permissions / tenantable repair permissions to authorized and tolerated structure (Datum line 01/04/62 for commercial structure and 17/04/64 for residential structure) in private premises and to protected hutments (Prior to 01/01/1995) in notified slums.</p> <p>2. Issuance and renewal of factory permits.</p> <p>3. Issuance of permission for construction of loft / cabins, balcony enclosures, Erection of light weight partitions for commercial structure , erection of temporary structures such as pendols for making Ganapati Idols on private plots, party offices during election on private premises, film studio sets, monsoon sheds, etc. in private premises.</p> <p>4. Issuance of permission for fixing European Water Closet in place of Indian Water Closet on medical ground.</p> <p>5. Addition / Deletion/ change in activity /constitution in existing factory permit.</p> <p><b>Note : All above mentioned services are described in details in Section 4(1)(b)(iii)</b></p>
12	Physical Assets (Statement of lands & Buildings and other Assets)	NIL
13	Organization's structural Chart	As per separate sheet attached at Pg. 6
14	Tel. No.s & Office Timings	<p>Telephone no : 26505105,26505106,26505103,26503104</p> <p>Extn : 305,300,134116,119</p> <p>Office timing : 8.00 a.m. to 12.00 noon and 2.30 P.M. to 5.30 p.m.(Monday to Friday) :08.00am to 11.30 a.m on Saturdays</p> <p>Visiting Hours : 03.00 p.m. to 05.00 p.m. .(Monday to Friday) :</p>
15	Weekly Holidays	Sunday and Public Hodidays.

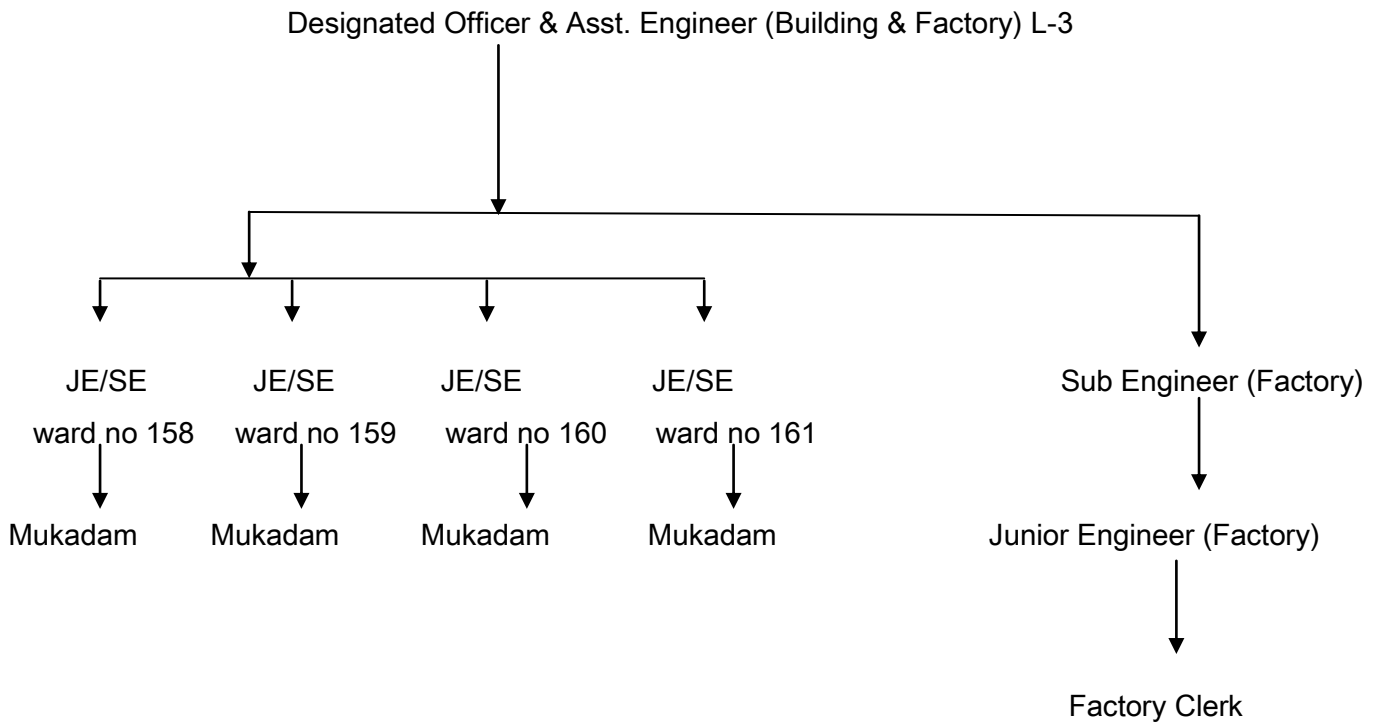
**Building & Factory Department, L Ward**



**Building & Factory Department, L Ward**

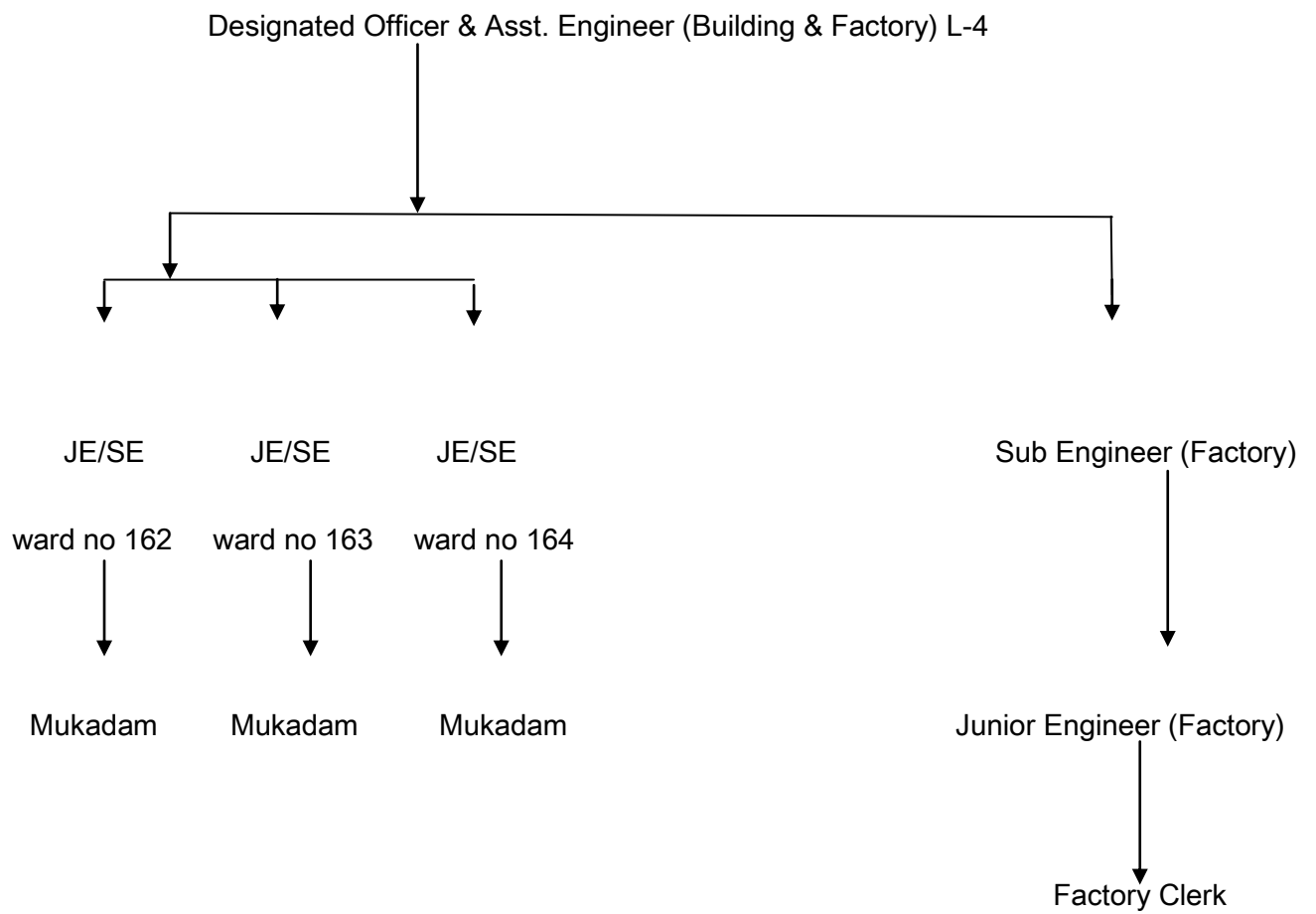


**Building & Factory Department, L Ward**





Building & Factory Department, L Ward



**SECTION 4 (1) (b) (ii)**

**The powers of officers and employees in the office of Assistant Engineer (Building & Factory)**

**A – Financial Powers**

Sr. No	Designation	Powers- Financial	Under which legislation / rules / orders / GRs	Remarks
1	Designated Officer & Assistant Engineer (Building & Factory)	Rs.3000/-	As per the circular no: CA/FRD/II/48, dated : 31/01/2013	Refer Pg- 359 of Annexure
2	Sub Engineer / Junior Engineer (Building)	NIL	N.A	
3	Sub engineer ( Factory)	NIL	N.A.	
4	Junior engineer ( Factory)	NIL	N.A.	

**SECTION 4 (1) (b) (ii) ...continued**

**The powers of officers and employees in the office of Assistant Engineer (Building & Factory)**

**B - Administrative Powers**

Sr. No.	Designation	Powers - Administrative	Under which legislation / rules / orders / GRs	Remarks
1	Designated Officer & Assistant Engineer (Building & Factory)	Please refer to Delegation of powers to Assistant Engineer at Pg. 18 to 22.	1. MMC Act 1888 2. MRTP Act 1966 3. Government Notification no: उपआयुक्त/अ.नि./010 दि. 4/4/2013	Please refer Pg. 353 of annexure for Govt. Notification
2	Sub Engineer / Junior Engineer (Building)	Please refer to Delegation of powers to Sub Engineer / Junior Engineer at Pg. 23 to 25.	1. MMC Act 1888 2. MRTP Act 1966 As per section 68 of MMC Act and as per section 152 (1) of MRTP Act.	
3	Sub engineer	Please refer to	1. MMC Act 1888	

	( Factory)	Delegation of powers to Sub engineer (factory) at Pg. 23 to 25.	2. MRTP Act 1966 As per section 68 of MMC Act and as per section 152 (1) of MRTP Act.	
4	Junior engineer ( Factory)	Please refer to Delegation of powers to Junior engineer (factory) at Pg. 23 to 25.	1.M.M.C Act 1888 2.MRTP Act 1966 As per section 68 of MMC Act and as per section 152 (1) of MRTP Act.	

**SECTION 4 (1) (b) (ii)...continued**

**The powers of officers and employees in the office of Assistant Engineer (Building & Factory)**

**C – Magisterial Powers**

<b>Sr. No.</b>	<b>Designation</b>	<b>Powers - Magisterial</b>	<b>Under which legislation / rules / orders / GRs</b>	<b>Remarks</b>
1	Designated Officer & Assistant Engineer (Building & Factory)	NIL	N.A	
2	Sub Engineer / Junior Engineer (Building)	NIL	N.A	
3	Sub engineer ( Factory)	NIL	N.A	
4	Junior engineer ( Factory)	NIL	N.A	

**SECTION 4 (1) (b) (ii)...continued**

**The powers of officers and employees in the office of Assistant Engineer (Building & Factory)**

**D - Quasi Judicial Powers**

Sr. No.	Designation	Powers- Quasi Judicial	Under which legislation / rules / orders / GRs	Remarks
1	Designated Officer & Assistant Engineer (Building & Factory)	1.Appointed as Public Information Officer under RTI Act,2005 2. Appointed as Designated officer as per section 351(1) of MMC act	Circular No. MOM/8957 dtd: 02.01.2006  Government Notification no. DMC/RE/010, dated : 04/04/2013	Refer Pg- 367 of Annexure  Refer Pg- 353 of Annexure
2	Sub Engineer / Junior Engineer (Building)	NIL	N.A	
3	Sub engineer ( Factory)	NIL	N.A	
4	Junior engineer ( Factory)	NIL	N.A	

## SECTION 4 (1) (b) (ii)...continued

### The powers of officers and employees in the office of Assistant Engineer (Building & Factory)

#### E – Judicial Powers

Sr. No.	Designation	Powers - Judicial	Under which legislation / rules / orders / GRs	Remarks
1	Designated Officer & Assistant Engineer (Building & Factory)	NIL	N.A	
2	Sub Engineer / Junior Engineer (Building)	NIL	N.A	
3	Sub engineer ( Factory)	NIL	N.A	
4	Junior engineer ( Factory)	NIL	N.A	

### The duties of officers and employees in the office of Assistant Engineer (Building & Factory)

#### ASSISTANT ENGINEER (BLDG. & FACTORIES)

Assistant Engineer (Bldg. & Factory) of the ward works as per Mumbai Municipal Corporation Act, 1888, Maharashtra Regional & Town Planning Act, 1966 and Development Control Rules. His work includes issuing permissions to construction/repairs works of minor nature, permit to new factory unit and it's renewal, identify dilapidated buildings and take legal actions, provide help in case of building collapses or landslides and keep check on unauthorized constructions and unauthorized factory activities. Powers are delegated to Asstt.Engineer (Bldg. & Factory) of the ward to do his duties as per section 68 of Mumbai Municipal Corporation Act, 1888 and section 152 of MRTP Act 1966.

Assistant Engineer (Bldg. & Factory) of the ward is responsible to Assistant Commissioner of the Ward and Zonal Dy.Municipal Commissioner for day-to-day work of the department in respect of administrative and policy work. He is also responsible to Ward Executive Engineer in respect of technical matters.

Assistant.Engineer (Bldg. & Factory) of the ward is assisted by Junior Engineer/Sub-Engineers (Building Section) and Sub-Engineer (Factory Section) to execute daily work. Respective building Mukadams help Junior Engineers/ Sub-Engineers of the department.

Factory clerk helps Sub-Engineer (Factory Section) for clerical work and keeping factory section's records.

Assistant Engineer (Bldg. & Factory) of the ward executes following duties/works with the help of the staff working under his control :-

1. Issuance of Repair permissions to structures in private premises.
2. Issuance of repair permission to hutments existing prior to 01.01.1995 in notified /declared/census slums.
3. Issuance and renewal of factory permits.
4. Issuance of permissions to loft, cabins, balcony enclosures, erection of temporary structures (e.g. Pendols, Monsoon sheds, etc.) in private premises
5. Inspection of private dilapidated buildings and taking legal actions for repairs or demolition of dilapidated buildings.
6. Providing assistance to Maintenance department/ Disaster Control Room in case of natural calamities, landslides etc. Providing assistance to various Government agencies in case of collapse of private buildings.
7. Taking legal action on unauthorized construction works and unauthorised change of user in private premises.
8. Taking legal action on nuisance (e.g. leakage of water in buildings) in private premises against occupier or owner/society depending on the case.
9. Co-ordination & correspondence with various central agencies of M.C.G.M & other govt. agencies regarding day to day work.

To execute above mentioned works Mukadams, Junior Engineers / Sub-Engineers inspect their respective sub-sections and report to the Assistant Engineer (Bldg. & Factory) of the ward. Based on these reports, further necessary actions are taken by the Assistant Engineer under guidance of the Ward Executive Engineer in case of technical matters and as per directions of Assistant Commissioner of the ward in case of administrative matters.

In case of court cases, Assistant Engineer (Bldg. & Factory) of the ward co-ordinates with the Legal department to vacate stay and make correspondence to that effect.

Following registers are maintained by the office of the Assistant Engineer (Bldg. & Factory) of the ward :-

1. Dispatch Register.
2. RTI Application Register and 1<sup>st</sup> Appeal Register.
3. Catalogue of records.

Above mentioned registers are the main registers of the department. Besides these registers, other registers are maintained separately for monsoon shed permissions, Pendol for election/festival, Audit,Regularisation of loft/mezzanine prior to 15/08/1997 etc.

Besides above following Registers are maintained by Assistant Engineer (Bldg & Fact)

- 1.Detection Register
- 2.Notice Register
- 3.Court Injunction Register
- 4.Demolition Register

Assistant Engineer (Bldg. & Factory) of the ward executes his works as per provisions of Mumbai Municipal Corporation Act, 1888, MRTP Act, 1966 and Development Control Rules. Although there is no specific target outstanding for the department, as the work of the department is based on the applications received for various permissions and complaints received about unauthorized works. Review of the departmental work is carried out by Higher Officers time-to-time and in review meetings.

## Section 4 (1) (b) (ii)...continued

### The duties of officers and employees in the office of Assistant Engineer (Building & Factory)

#### DUTIES OF JUNIOR ENGINEER (BLDGS.)/SUB-ENGINEER (BLDGS.)

- 1) He shall be subordinate to the Assistant Engineer and shall carry out their orders in general.
- 2) He shall detect and attend to complaints received. He shall also inspect the buildings for any unauthorized construction/development in the area allotted to him and issue notices under different Sections.
- 3) He shall bring every case requiring major repairs to the notice of Asstt.Engineer.
- 4) He shall draft notices after inspections for unauthorized works for which the Mukadam has brought to him information or which he finds on his inspection rounds and also for works falling within the purview of the division.
- 5) He shall pursue actions under Sections for which he issues notices till the notices are complied with.
- 6) He shall take action against unauthorized structures / unauthorized developments on Govt. lands / Private lands etc. as per M.M.C.Act and M.R.T.P.Act and as per the policy guidelines issued by time to times by the administration.
- 7) He shall also serve notices personally for pulling down dangerous parts of the Bldg. and for propping them.
- 8) He shall attend collapses in case of emergency and get the dangerous part of the building vacated with the help of the police.
- 9) He shall draft complaints to be lodged in Courts and arrange to file the same in the Courts in consultation with Legal Asstt. Or with Legal Deptt. as the case may be.
- 10) He shall attend the Courts as and when required for giving evidence helping the Assistant.Engineer in conduction cases etc.
- 11) He shall draft replies to the complaints or references received in his section.
- 12) He shall maintain in proper order Registers of Notices, Complaints, Bldg. completion certificates, plans, drainage certificates etc.



13) He shall put up periodical reports or statements required to be submitted by the Bldg. Section as and when required such as regarding (i) house collapses, (2) unauthorized works, (3) new buildings constructed, (4) monthly reports pertaining to building etc.

14) He shall maintain various registers pertaining to building section such as :-

- i) Detection Register
- ii) Notice Register(U/s 354A,351,352,of MMC Act and 53,54,55,56 of MRTP Act)
- iii) Court Injunction Register
- iv) Demolition Register
- v) Detection of Dilapidated Bldgs.(U/s 354 of MMC Act)
- vi) Repair permissions
- vii) Balcony enclosures
- viii) Monsoon Shed permissions
- ix) IOD/C.C. Register
- x) Mobile Antenna Register
- xi) Notice U/s 381 Register
- xii) Catalogues of files pertaining to his section.
- xiii) Field diary for noting details of daily site visits/inspections.

## Section 4 (1) (b) (ii)... continued

### The duties of officers and employees in the office of Assistant Engineer (Building & Factory) L - Ward

#### DUTIES OF JR.ENGINEER (FACTORY. )/ SUB.ENGINEER (FACTORY.)

- 1) Regular inspection of factories and issue of I.R. to unauthorized factories.
- 2) Scrutiny ,inspection of sites and preparation of new proposals for establishing factory.
- 3) Issue of new factory permits.
- 4) Renewal of Factory Permit for every block period.
- 5) Inspection of factory for proposal of transfer, addition and alterations.
- 6) Launching prosecution for various irregularities in factory and attending corresponding Court Cases in various courts.
- 7) Replies and suitable action on points raised by M.C.AUDIT Deptt.
- 8) Attending complaints received.
- 9) To maintain various records and registers up-to-date in connection with factories.
- 10) To prepare various reports of the correspondence received from Zonal D.M.C. Office, from Addl.M.C.'s Office and M.C.'s Office, E.E.(Environmental), E.E.(Vigilance), Accounts Office in Ward, A.O. (Enquiry) etc.
- 11) Disbursement of complaints received from various departments offices e.g.MCL, MGR, MGC.
- 12) He shall maintain various registers pertaining to factory section such as :-
  - a. Detection Register
  - b. Notice Register(U/s 354A,351,352,of MMC Act and 53,54,55,56 of MRTP Act)
  - c. Court Injunction Register
  - d. Demolition Register
  - e. Detection of Dilapidated Bldgs.(U/s 354 of MMC Act)
  - f. Repair permissions
  - g. Balcony enclosures
  - h. Monsoon Shed permissions
  - i. IOD/C.C. Register
  - j. Mobile Antenna Register
  - k. Notice U/s 381 Register
  - l. Catalogues of files pertaining to his section.
  - m. Factory Permit Register u/s 390 of MMC Act
  - n. Factory Permit Renewal.

- o. Field diary for noting details of daily site visits/inspections.

Section 4 (1) (b) (ii).....continued

**The duties of officers and employees in the office of Assistant Engineer (Building & Factory)**

**DUTIES OF BUILDING MUKADAM**

1. He shall acquaint himself with the boundaries of the section, in which he has to work and also the Municipal properties.
2. He shall be responsible for reporting to the Junior Engineer and Sub Engineer, every unauthorized work started or removed in his section over which he shall move regularly, observing and noting every such work, in this dairy spot.
3. He shall also report to the overseer or the Sub Engineer any building in a ruinous condition or unsafe condition requiring action, under section 354 of the Bombay Municipal Corporation Act.
4. He shall report to the Junior Engineer and Sub Engineer, the commencement of any work for which plans have been sanctioned or notices have been issued or which the owners have started voluntarily.
5. He shall also report to the Junior Engineer and the Sub Engineer the completion of any such works as aforesaid.
6. He shall help the Junior Engineer in the service of notices, summons or warrants.
7. He shall carry out any work that may be assigned to him by this superiors, viz : Junior Engineer or the Sub Engineer or the A.E. etc.
8. He shall maintain Field diary for noting details of daily site visits/inspections.

## Section 4 (1) (b) (ii)....continued

### DELEGATION OF POWERS TO ASSISTANT ENGINEER

Under Section 68 of the **Mumbai Municipal Corporation Act 1888** Assistant Engineer, (B &F) Lward is hereby empowered to exercise, perform and discharge under the control and subject to the revision of the Commissioner, the several powers, duties and functions conferred or imposed upon or vested in the Commissioner by the several Sections, Sub-Sections and Clauses of the said Act herein below mentioned:-

EXPLANATION :- The entries in the second column of the below table headed 'Nature of powers' etc. are not intended as definitely described in Sections, Sub-Sections and Clauses mentioned in the first column or even as abstracts of those sections, sub-sections and clauses, the numbers of which are given in the first column.

Sections	Nature of Powers, Duties and Functions delegated
84 & 85(1)	(e) Grant Casual Leave to the inferior staff working under him upto the limit allowed by any rules for the time being in force. (f) Grant leave without pay admissible under the Rules to the Labour staff. To appoint when necessary, persons to act in place of employees who are absent on leave.
112	To receive money in respect of any matter pertaining to the City Engineer's Department.
113(3)	(a) To incur expenditure on office contingencies (except furniture) upto Rs.25/- per item. (b) To make cash purchase and payment of bills out of imprest upto Rs.100/- and payment of telephone call bills for any amount.
222(1) & (2)	To construct, repair or alter Municipal drains and to enter upon land for the purpose.
228	To grant permission and prescribed conditions as to communications with Municipal drains.
234	Determining details of drains and drainage fittings or cesspools for new buildings.
240	Granting permission for the construction of the drain so as to pass beneath building.
243(2)	Making requisition in respect of taps, covering and means of ventilation for drain and cesspools.
244(1)(4)	To erect shafts or pipes for ventilating drains and cesspools.
246-A	To permit the construction of water closets and privies.
247	Prescribing water closet and other accommodation in building newly created or re-erected.
248(1)(c)	Requisition to enforce provision of water closet or privy or urinal or bathing or washing place etc.
251	Determining details regarding water closets under Clauses (a)(d) and (e).
251(B)	To determine use of places of bathing or washing clothes or domestic utensils.
253	Inspection and examining drains, etc. not belonging to the Corporation.

254	Opening ground etc. for inspection and examination under Section 253.
255	Reinserting the ground etc. opened for purposes of inspection.
257	Making requisition on owners of premises as provided in Sub-Section (1) for doing the work mentioned in Sub-Section (2).
258(a)(b) (c)	Prohibition of acts, contravening the provisions under Chapter IX of the M.M.C.Act.
259-A	Requiring any person to employ a Licensed Plumber to execute a work to furnish the name of a Plumber and to put up completion certificate by the Licensed Plumber.
298(2)	To take possession or and clear the lands under this section.
311	To require owners to alter ground floor doors, etc. opening outward.
313(1)	To grant permission for placing stalls, chairs and benches, boxes, ladder, bales etc. on footpath and streets.
314	To remove obstructions etc. on streets made contrary to section 312 or 313.
317	To permit booths on festivals in certain streets.
321(2)	To prevent removal, etc. without permission of fences etc. erected in the streets, while works are in progress.
322	To prevent opening, etc. of streets unless done with permission and to give such permission.
324	To restore streets opened or broken up when the person responsible fails to do so.
325	To require person permitted to open streets to provide for diversion of traffic etc.
326(2)&(3)	To regulate hoarding etc. in streets.
329	To require and secure adoption of measures to protect and enclose dangerous places.
333(4)	Manner of laying gas pipes.
338	To require certain documents on receipt of Notice under Section 337.
339	To refuse to accept plans, etc. not signed by the Licensed Surveyor.
340	To require, further, particulars and details.
342	To receive notices of intentions to make additions etc. to building.
343	To require certain documents and particulars on receipt of Notice under Section 342 and to refuse to accept plans, etc. not signed by Licensed Surveyor.
344-A	Supervision of buildings and work.
345	To intimate approval of work of which notice is received.
346(1)	To intimate disapproved of such work.
347(A)(B)& (C)	Prohibiting user of a non-residential buildings or chawl to a residential one and of a residential building or chawl to that of a godown, warehouse, workshop, workplace, factory, stable or a motor garage and prohibiting making or causing any alterations in an existing building originally constructed or authorized to be used for human habitation for the purpose of using it or causing it to be used as a godown, warehouse workshop, workplace, factory, stable or motor garage.
348(1)(a )(b) & (c)	Provision as to buildings, which are to be newly erected.

349	To refuse permission for walls, coverings, etc. of inflammable materials and to require removal of such wall or covering.
350	To inspect buildings in course of erection, alterations, etc
353	To specify any matter in contravention of Act of Bye Law within three months after completion.
353(A)	To grant completion certificate and permission to occupy or use.
354	To require removal etc. of ruinous or dangerous structures and to temporarily secure etc. repair etc.
354A(1)	To issue a written notice to stop within the specified period the erection of the work unlawfully carried on or commenced upon any premises.
354A(2)	To direct removal of person unlawfully carrying on the erection of buildings or the execution of any such works described in Section 342.
368	To require owners to provide receptacles of a size for collection of dust, ashes, refuse, rubbish and trade refuse, etc.
374	To inspect building or premises for the purpose of ascertain sanitary conditions thereof.
375	To require cleansing and lime washing of any building etc.
375-A	To require the owners to remove buildings, materials or debris, etc. accumulated due to house collapse etc.
377(1-A)	To require cleansing, clearing or enclosing any premises over grown with rank vegetation, etc.
377-A	To require the owners of the buildings to abate the nuisance arising from rainwater leaking from the roofs of the building or to prevent its recurrence.
380	To require removal, alteration etc., of unsanitary huts and sheds.
381	To require the owners of the building to abate the nuisance arising out of the defects.
383	To require cutting and looping of hedges, trees, etc. in certain cases and to take measures for protection of public.
394	To prohibit certain articles to be kept and certain trades processes and operation to be carried out without a license to exercise all other powers in respect of the things liable to be seized, destroyed etc, to prevent danger or nuisance.
<u>390 (1) (2)</u> <u>(3)</u>	Regulations of factories, trades, etc.
396 Sub-section (1)	To inspect at any time, by day or by night without notice any premises used for manufacture as mentioned in Section 394 and any premises in which a furnaces employed for the purpose of manufacture and into any bake house to see whether any provision or this Act or any condition of any license is being contravened and as to whether any nuisance is created.
479(5)	To require production of licenses or written permission.
488	To enter into or upon buildings or and with or without Assistant or workment (1) for the purpose of exercising performing or discharging, the powers, duties or functions

	hereinabove delegated with reference to the sections above specified. The delegation of powers of entry under Section 488 is to be subject in each case to strict observance of and compliance with the provisions and conditions prescribed by Clauses (a), (b), (c) and (d) so far as applicable.
489	To take measures and execute work, etc, failure of compliance with requisitions or orders under provisions of the Act.
492(2)(a)	To call on occupiers to disclose rents for purpose of determining question of liabilities to pay expenses in certain cases.
517(1)(a)	To take or withdraw from proceedings against persons charged with offences against the Act etc. as described in Sub-Clauses (i),(ii) and (iii) of Clause (a).
351	To issue show cause notice to the person who has erected or executed unauthorized work and require him to show sufficient cause why such work shall not be removed.
352	To require the person who has erected or executed any work contrary to section 347 of MMC Act and is completed far advanced to permit any such facts being ascertained, to be cut into, laid open or pulled down to a sufficient extent to permit the same being ascertain with the approval of standing committee.
352A	To require the person who has erected or executed any work contrary to section 347 of MMC Act and is completed far advanced to permit any such facts being ascertained, to be cut into, laid open or pulled down to a sufficient extent to permit the same being ascertain without the approval of standing committee.

## Section 4 (1) (b) (ii)...continued

Powers vested under Section 152(1) of the **Maharashtra Regional & Town Planning Act, 1966**, to exercise and perform the powers and functions of the Planning Authority throughout Brihanmumbai under the following sections of the aforesaid Act.

Section	Brief Description of the powers and functions to be exercised and performed
53	To issue notice for unauthorized developments and to demolish unauthorized building or work and to recover expenses incurred for the same from the owners as arrears of land revenue and to take all actions mentioned in the said provisions of Section 53.
54	To issue notice on the owner/person carrying out the development where any development of land as indicated in sub-section (1) of section 52 is being carried out but has not been completed.
55	To issue notices to remove unauthorised development of temporary nature and to remove the same on failure to comply with the said notice.
56	To issue notice on the owner/person require to discontinue or remove unauthorized development that is expedient in the interest of proper planning of the area including the interest of amenities having regard to the Development plan prepared.



## Section 4 (1) (b) (ii)....continued

### DELEGATION OF POWERS TO JUNIOR ENGINEER / SUB ENGINEER

Under the power vested to Municipal Commissioner under Section 68 of the Mumbai Municipal Corporation Act 1888, Sub-Engineer, F/South under Asstt.Commissioner, L Ward is hereby empowered to exercise, perform and discharge under the control and subject to the revision of the Commissioner, the under mentioned powers, duties and functions conferred or imposed upon or vested in the Commissioner by the several Sections, Sub-Sections and Clauses of the said Act herein below mentioned :-

EXPLANATION :- The entries in the second column of the below table headed 'Brief Description of Powers to be exercised and performed' are not intended as definitions described in Sections, Sub-Sections of these sections, but are inserted merely as reference to the subjects of the sections, sub-sections and the numbers of which are given in the first column.

Sections	Nature of Powers, Duties and Functions delegated
84 & 85(1)	a) Grant Casual Leave to the inferior staff working under him upto the limit allowed by any rules for the time being in force. b) Grant leave without pay admissible under the Rules to the Labour staff. To appoint when necessary, persons to act in place of employees who are absent on leave.
112	To receive money payments on account of the Municipal Fund and to lodge them in a bank.
222(1) & (2)	To cause to be served a notice of demand.
228	To grant permission and prescribed conditions as to communications with Municipal drains.
231	To enforce drainage of un-drained premises situate within a hundred feet of a Municipal drains.
234	Determining details of drains and drainage fittings or cesspools for new buildings.
243(2)	Making requisition in respect of taps, covering and means of ventilation for drain and cesspools.
244(1)	To power affix pipes for ventilation of drains.
244(4)	To erect shafts or pipes for ventilating drains and cesspools
246-A	To permit the construction of water closets and privies.
247	Prescribing water closet and other accommodation in buildings newly created or re-erected.
248(1)(a), (b),(c)	Requisition to enforce provision of water closet or privy or urinal or bathing or washing place etc.
251	Determining details regarding water closets under Clauses (a)(d) and (e).

251(B)	To determine use of places of bathing or washing clothes or domestic utensils.
253	Inspecting and examining drains, etc. not belonging to the Corporation.
254	Opening ground etc. for inspection and examination under Section 253.
255	Reinstating the ground etc. opened for purposes of inspection.
257	Making requisition on owners of premises as provided in Sub-Section (1) for doing the work mentioned in Sub-Section (2).
258(a)(b)(c)	Prohibition of acts, contravening the provisions under Chapter IX of the M.M.C.Act.
259-A	Requiring any person to employ a Licensed Plumber to execute a work to furnish the name of a Plumber and to put up completion certificate by the Licensed Plumber.
314 (a), (b), (c)	To remove without notice things placed or deposited upon any place or attached or suspended in contravention of Clause (a) or Clause (c) or Sub-section (1) or Section 313.
317	To permit booths on festivals in certain streets.
322	To prevent opening, etc. of streets unless done with permission and to give such permission. (Except for newly constructed roads or capital roads)
322(3)	To remove without notice any building materials or any scaffolding or any temporary erecting or any posts, bars, rails, boards or other things by way of enclosure which have been deposited or set up in any street without the permission or authority specified in Sub-section (1) or which having been deposited or set up with such permission or authority, have not been removed within the period specified in the notice issued under Section (2).
350	To inspect buildings in course of erection, alterations, etc.
354	To require removal etc. of ruinous or dangerous structures and to temporarily secure etc. repair etc.
368	To require owners and occupiers to collect and deposit dust etc.
374	To inspect building or premises to ascertain sanitary conditions thereof.
375	To require cleansing and lime washing of any building etc.
375-A	To require the owners to remove buildings, materials or debris, etc. accumulated due to house collapse etc.
377	To make requisition against the owner or occupier for removal of rank vegetation.
377-A	To require the owners of the buildings to abate the nuisance arising from rainwater leaking from the roofs of the building or to prevent its recurrence.
380	To require removal, alteration etc., of unsanitary huts and sheds.
381	To require the owners of the building to abate the nuisance arising out of the defects.
383	To require cutting and looping of hedges, trees, etc. in certain cases and to take measures for protection of public.
390 (1) (2) (3)	Regulations of factories, trades, etc.
479(5)	To require production of licenses or written permission.
488	To enter premises with assistants etc. to inspect survey and execute works.

**Power vested under Section 152 of the MRTP 1966**

**DELEGATION OF POWERS TO JUNIOR ENGINEER/SUB ENGINEER**

<b>SECTION</b>	<b>BRIEF DESCRIPTION OF THE POWERS AND FUNCTIONS TO BE EXERCISED AND PERFORMED</b>
<b>135</b>	To enter with or without assistant into/or/upon any land or Bldg. for the purpose enumerated to Section 135(1)(a) to (c) of this Act.
<b>136</b>	To serve notices and orders.

## Section 4 (1) (b) (iii)

### The Procedure followed in the decision- making process, including channels of supervision and accountability in the office of Assistant Engineer (Building & Factory)

NAME OF ACTIVITY	- Action against ongoing unauthorized construction by self Detection or on receipt of complaint.
Related Provisions	- Under section 354 (A) of MMC Act.
Name of the Acts/Acts	- MMC Act 1888
Rules	-
Govt. Resolutions	-
Circulars	- 1.DMC(RE)/6618, dt : 15/03/2012 (Refer pg- 63-67 of Annexure ) 2. D.M.C./R.E./141 dt: 12/4/2013(Refer pg- 71-76A of Annexure )
Office Orders	-

Sr. No.	Activity	Steps involved	Time limit	Authority role and responsibility of the employee/officer in connection with each activity.	Remark
1	Action against ongoing unauthorized construction.	1. Detection of ongoing unauthorized work during usual round of inspection or on receipt of complaint from citizen. 2. Taking photographs of ongoing unauthorized work showing the date and set up of the work. 3.Preparation of inspection report and panchanama of ongoing work. 4.Taking entry in detection register and preparing notice	Within 24 Hours	Designation : Junior Engineer / Sub Engineer	

		U/Sec. 354 (A) of the MMC Act.			
		5.Approving and Signing the notice prepared by JE/SE.	Within 24 Hours	Designated officer & A.E. (B & F)	
		6.Serving of notice on the person / owner carrying out unauthorized construction	Within 24 Hours	Building Mukadam	
		7. Sending notice to the local police station for registering the complaint.	Within 24 Hours	Building Mukadam	
		8.Passing an appropriate speaking order for demolition if the unauthorized construction is not stopped or documents proving authorization of structures are not produced within 24 hours.(if the reply along with permission obtained for subject construction is produced then the notice is withdrawn/ not pursued.)	After expiry of 24 Hours from notice	Designated officer & A.E. (B & F)	
		9.Demolition of unauthorized construction on expiry of notice period.	After expiry 24 Hours from order	Junior Engineer / Sub Engineer	
		10. Taking entry of demolition in demolition/detection/notice register.	After demolition.	Junior Engineer / Sub Engineer	
		11. Filing of W.S/A.I.R. in court, in case of stay granted by court restraining MCGM to take further action & noting the same in court injunction register.	As directed by legal dept.	Junior Engineer / Sub Engineer	
		12. Further action as per final judgment of Hon'ble Court.	As directed by legal dept.	Junior Engineer / Sub Engineer	

NAME OF ACTIVITY - Action against existing unauthorized construction.

Related Provisions - Under section 351 of MMC Act.

Name of the Acts/Acts - MMC Act 1888

Rules -

Govt. Resolutions -

Circulars - 1.DMC(RE)/6618, dt : 15/03/2012 (Refer pg- 63-67 of Annexure )  
2. D.M.C./R.E./141 dt: 12/4/2013(Refer pg- 71-76A of Annexure )

Office Orders -

Sr. No.	Activity	Steps involved	Time limit	Authority role and responsibility of the employee/officer in connection with each activity.	Remark
1	Action against existing unauthorized construction	1. Detection of existing unauthorized work during usual round of inspection or on receipt of complaint from citizen. 2.Preparation of inspection report. 3.Taking entry in detection register and preparing notice U/Sec. 351 of the MMC Act..	Within 7 days.	Junior Engineer / Sub Engineer	
		4.Approving and Signing the notice prepared by JE/SE.	2 days	Designated officer & A.E. (B & F)	
		5.Serving of notice on the person / owner carrying out unauthorized construction.	3 days	Building Mukadam	
		6. Scrutiny of documents submitted by the owner/occupier to prove the authenticity of the structure & submitting report to A.E.(B&F)	7 days	Junior Engineer / Sub Engineer	
		7. Passing an appropriate order for	After 7days	Designated officer	

		demolition if documents proving authorization / tolerance of structure are not produced by owner/occupier within 7 days from date of issue of notice or the documents produced can not prove the authenticity of the structure. (if the reply along with valid documents proving the authorization of subject const. is produced then the notice is withdrawn/ not pursued.)	From notice.	& A.E. (B & F)	
		8. Demolition of unauthorized construction on expiry of period of 7 days from date of issue of appendix 'F' (Reasoned order)	After expiry of 7 days from order	Junior Engineer / Sub Engineer	
		9. Taking entry of demolition in demolition/detection/notice register.	After demolition	Junior Engineer / Sub Engineer	
		10. Filing of W.S/A.I.R. in court, in case of stay granted by court restraining MCGM to take further action & noting the same in court injunction register.	As directed by legal dept.	Junior Engineer / Sub Engineer	
		11. Further action as per final judgment of Hon'ble Court.	As directed by legal dept.	Junior Engineer / Sub Engineer	

NAME OF ACTIVITY - Action against unauthorized development, addition/ alterations in existing structure, change of use of land.

Related Provisions - Under section 53 (1) of MRTP Act.

Name of the Acts/Acts - MRTP Act 1966

Rules -

Govt. Resolutions - 1. Mah. Act no. XXXVII of 1966  
2. The MRTP (Amendment) ordinance, 1983  
(Maharashtra Ordinance no. XII of 1983)

Circulars - 1.MGC/B/4030 of 06/07/1983 (Refer pg-145-163 of Annexure)  
2. D.M.C./R.E./141 dt: 12/4/2013 (Refer pg- 71-76A of Annexure )

Office Orders -

Sr. No	Activity	Steps involved	Time limit	Authority role and responsibility of the employee/officer in connection with each activity.	Remark
1	Action against unauthorized development, addition/ alterations, change of use of land	1.Detection of unauthorized development, addition/ alterations, change of use of land during usual round of inspection or on receipt of complaint from citizen. 2.Preparation of inspection report of unauthorized work. 3.Taking entry in detection register and preparing notice U/Sec. 53(1) of the MRTP Act.	Within 7 days.	Junior Engineer / Sub Engineer	
		4.Approving & Signing the notice prepared by JE/SE.	Within 2 days	Designated officer & A.E. (B & F)	
		5.Serving of notice on the person / owner carrying out unauthorized work	Within 3 days.	Building Mukadam	
		6. Lodging complaint with local police	After expiry	Junior Engineer /	



		station against owner / occupier of the structure if the unauthorized work is not restored within notice period of 1 month.  (if unauthorized work is restored by owner / occupier within stipulated notice period the notice is withdrawn/ not pursued.)	of notice period (1 Month)	Sub Engineer	
		7. To accord sanction u/s 144 of MRTP Act to local police station for filing charge sheet against offenders.	Within 7 days	Assistant Commissioner	
		8. Demolition where required as per sec 53(6) of MRTP Act	After expiry of notice period (1 Month)	Junior Engineer / Sub Engineer	
		9. Taking entry of demolition in demolition/detection/notice register.	After demolition	Junior Engineer / Sub Engineer	

NAME OF ACTIVITY	- Action against unauthorized temporary development
Related Provisions	- Under section 55 (1) of MRTP Act.
Name of the Acts/Acts	- MRTP Act 1966
Rules	-
Govt. Resolutions	- 1. Mah. Act no. XXXVII of 1966 2. The MRTP (Amendment) ordinance, 1983 (Maharashtra Ordinance no. XII of 1983)
Circulars	- 1.MGC/B/4030 of 06/07/1983 (Refer pg-145-163 of Annexure) 2. D.M.C./R.E./141 dt: 12/4/2013 (Refer pg- 71-76A of Annexure )
Office Orders	-

Sr. No.	Activity	Steps involved	Time limit	Authority role and responsibility of the employee/office in connection with each activity.	Remark
1	Action against unauthorized temporary development	1.Detection of unauthorized temporary development during usual round of inspection or on receipt of complaint from citizens. 2.Preparation of inspection report of unauthorised work. 3.Taking entry in detection register and preparing notice U/Sec. 55(1) of the MRTP Act.	Within 7 days.	Designation : Junior Engineer / Sub Engineer	
		4.Signing the notice prepared by JE/SE.	Within 24 Hours	Designated officer & A.E. (B & F)	
		5.Serving of notice on the person / owner carrying out unauthorized work.	Within 3 days.	Building Mukadam	
		6.Demolition of unauthorized construction on expiry of period of 15 days from date of issue of notice.	After expiry of 15 days.	Junior Engineer / Sub Engineer	
		7. Taking entry of demolition in demolition/detection/notice register.	After demolition	Junior Engineer / Sub Engineer	

NAME OF ACTIVITY - Action against structures which are in ruinous condition or likely to fall.

Related Provisions - Under section 354 of MMC Act.

Name of the Acts/Acts - MMC Act 1888

Rules -

Govt. Resolutions -

Circulars - 1. MDF/OD/8280/Gen dt: 04.06.2013.  
2. D.M.C./R.E./141 dt: 12/4/2013  
(Refer pg- 71-76A of Annexure )

Sr. No.	Activity	Steps involved	Time limit	Authority role and responsibility of the employee/officer in connection with each activity.	Remark
1	Action against ruinous structures	1. Detection of ruinous structures during usual round of inspection or on receipt of complaint from citizen. 2. Preparation of inspection report & submitting the same to A.E. (B & F)	Within 7 days.	Junior Engineer / Sub Engineer	
		3. Short listing the list of buildings submitted by Junior Engineer / Sub Engineer after site inspection.	Within 7 days.	Asstt. Commissioner/ Ward Executive Engineer/A.E.(B & F)	
		4. Forwarding the list of buildings to Dy. Ch. Eng. (B.P.) City for declaration in C-1, C-2, C-3 category.	Within 7 days.	A.E. (B & F)	
		4. Preparation of notice under section 354 of MMC Act either for Repairs or Pulling down structure as per the remarks received from Executive Engineer/ Dy. Ch. Eng. (B.P.) City	Within 7 days.	Junior Engineer / Sub Engineer	
		4. Signing the notice prepared by JE/SE.	Within 3 days.	Designated officer & A.E. (B & F)	
		5. Serving of notice on the person / owner/society of the building.	Within 3 days.	Building Mukadam	

	6. Second inspection of the structure on expiry of notice period of 30 days & submitting inspection report to A.E. (B&F).	After expiry of 30 days	Junior Engineer / Sub Engineer	
	7. Informing C.F.O to initiate action against the defaulter society/ owner to cut off water & electricity connection or eviction action.	Within 7 days.	Designated officer & A.E. (B & F)	
	8. Sending offence sheet to Legal department to prosecute the society /owner/occupier under section 475A of MMC Act failing to comply with the requisition of notice.	Within 7 days and not later than 3 months from order	Assistant Commissioner	
	9. Issuing Notice u/s 488 of MMC Act to society /owner/occupier to intimate about the proposed disconnection of water/electricity/gas connection.	Within 3 days.		
	10. Disconnection of water /electricity/gas connection of defaulter society/owner/occupier	Within 3 days.		
	11. To take further actions as per Hon. High Courts' guidelines passed in writ petition no. 1135 of 2014 dated 23.06.2014.			
	12. Eviction of occupants of the building as per the provision of Sec. 488A of MMC Act.	Within 7 days.		
	13. In case of building repaired by owner/society, sending the matter to Dy. Ch.Eng. (B.P.) City for verification, if the building is repaired & certified safe by Registered structural consultant.	Within 7 days.		

NAME OF ACTIVITY - Action against nuisance

Related Provisions - Under section 381 of MMC Act.

Name of the Acts/Acts - MMC Act 1888

Rules -

Govt. Resolutions -

Circulars -

Office Orders -

Sr. No.	Activity	Steps involved	Time limit	Authority role and responsibility of the employee/officer in connection with each activity.	Remark
1	Action against nuisance	1. Inspection of premises on receipt of complaint from citizen. 2. Preparation of inspection report.	Within 7 days.	Junior Engineer / Sub Engineer	
		3. Preparation of notice under section 381 of MMC Act to be served on the person / owner/occupier by whose act, default or sufferance, a nuisance arises exists or continues.	Within 7 days.	Junior Engineer / Sub Engineer	
		4. Approving & Signing the notice prepared by JE/SE.	Within 3 days.	Designated officer & A.E. (B & F)	
		5. Serving of notice on the person / owner/ occupier of the premises.	Within 3 days.	Building Mukadam	
		6. Second inspection of the premises & submitting inspection report to A.E. (B&F).	After expiry of 15 days	Junior Engineer / Sub Engineer	
		7. Sending offence sheet to Legal department to prosecute the owner/occupier under section 471 of MMC Act failing to comply with the requisition of notice. (if nuisance is abated by the party, then the notice is withdrawn/ not pursued)	Within 7 days	Designated officer & A.E. (B & F)	

- NAME OF ACTIVITY - Action against change of user of building or part of building from Residential to godown, workshop,workplace,factory,stable or motor garage.
- Related Provisions - Under section 347B of MMC Act.
- Name of the Acts/Acts - MMC Act 1888
- Rules -
- Govt. Resolutions -
- Circulars -
- Office Orders -

Sr. No.	Activity	Steps involved	Time limit	Authority role and responsibility of the employee/officer in connection with each activity.	Remark
1	Action against change of user of building or part of building	1. Detection of premises during usual round of inspection or Inspection of premises on receipt of complaint from citizen. 2. Preparation of inspection report.	Within 7 days.	Junior Engineer / Sub Engineer	
		3. Preparation of notice under section 347B of MMC Act to be served on the person / owner/occupier of the premises.	Within 7 days.	Junior Engineer / Sub Engineer	
		4.Approving & Signing the notice prepared by JE/SE.	Within 3 days.	Designated officer & A.E. (B & F)	
		5. Serving of notice on the person / owner/ occupier of the premises.	Within 3 days.	Building Mukadam	
		6. Second inspection of the premises & submitting inspection report to A.E.(B&F).	After expiry of 7days	Junior Engineer / Sub Engineer	
		7. Sending offence sheet to Legal department to prosecute the owner/occupier under section 471 of MMC Act failing to comply with the requisition of notice.	Within 7 days	Designated officer & A.E. (B & F)	

NAME OF ACTIVITY - Action against owner/occupier for not carrying out structural audit of the building .

Related Provisions - Under section 353B of MMC Act.

Name of the Acts/Acts - MMC Act 1888

Rules -

Govt. Resolutions -

Circulars - CHE/Gen-341/DP/Gen dt: 09.06.2009  
(Refer pg-337-342 of Annexure)

Office Orders -

Sr. No.	Activity	Steps involved	Time limit	Authority role and responsibility of the employee/officer in connection with each activity. (mention designation)	Remark
1	Action against owner / occupier for not carrying out structural audit of the building	1.Detection of premises during usual round of inspection 2. Preparation of inspection report.	Within 7 days.	Junior Engineer / Sub Engineer	
		3. Preparation of notice under section 353B of MMC Act to be served on the person / owner/occupier of the building.	Within 7 days.	Junior Engineer / Sub Engineer	
		4.Approving & Signing the notice prepared by JE/SE.	Within 3 days.	Designated officer & A.E. (B & F)	
		5. Serving of notice on the person / owner/ occupier of the premises.	Within 3 days.	Building Mukadam	
		6. Sending offence sheet to Legal department to prosecute the owner/occupier under section 471 of MMC Act failing to carry out the	After expiry of 6 months from date of audit report.	Designated officer & A.E. (B & F)	

		remedial measures suggested by structural consultant after structural audit of the building.			
		7. To carry out the remedial measures/repairs suggested by structural consultant in his structural audit report, if owner/society of the building fails to do so.	After expiry of 6 months from date of audit report.	Designated officer & A.E. (B & F)	
		8. Sending demand letter to owner/society of the building for the expenditure incurred to carry out the remedial measures/repairs of the building.	After completion of repair work	Designated officer & A.E. (B & F)	
		9. Informing the Assessment department to recover the cost of repair from the owner/occupants in the form of pending Assessment bill, if the owner/occupants/society fails to pay the same within 30 days from the issue of demand letter.	After expiry of 30 days from the date of issue of demand letter.	Designated officer & A.E. (B & F)	

**Note:**1.If a dispute regarding the amount of expenditure arises, the owner/occupants/society can appeal in the Small Causes Court within 21 days from receipt of such notice along with the receipt of requisite amount deposited with M.C.G.M.

2. If the decision is given in favour of the Appellant, the additional amount deposited, if any, will be refunded to the Appellant with the interest of 6.25% p.a. from the date of deposit of the amount.



- NAME OF ACTIVITY - Permission for enclosure of balcony
- Related Provisions -
- Name of the Acts/Acts - Reg. 38(22) of D.C.Regulations for Greater Mumbai,1991.
- Rules -
- Govt. Resolutions -
- Circulars - 1. MCP/6054 of 3.12.1985  
2. CHE/DP/6 of 30.4.2002  
(Refer pg 261-268 of Annexure)

Sr. No.	Activity	Steps involved	Time limit	Authority role and responsibility of the employee/officer in connection with each activity.	Remark
1	Permission for enclosure of balcony	1.Scrutiny of documents on receipt of application. 2.Site inspection	7 days. 7 days.	Junior Engineer / Sub Engineer	
		3.To demand additional documents required from applicant , if any.	Within 15 days.	Junior Engineer / Sub Engineer	
		4. To issue demand letter for scrutiny fee & permission charges after receipt of all required documents.	Within 15 days.	Junior Engineer / Sub Engineer	
		5. To issue permission through SAP System on obtaining approval from competent authority. (Permission is refused if applicant has not submitted all required documents, N.O.C.)	Within 15 days.	A.E. (B & F)	
		6. Taking entry of permission issued in respective register.	After issue of permission	Junior Engineer / Sub Engineer	

NAME OF ACTIVITY - Permission for construction of Loft  
 Related Provisions -  
 Name of the Acts/Acts - Reg. 38(5) of D.C.Regulations for Greater Mumbai,1991.  
 Rules -  
 Govt. Resolutions -  
 Circulars - 1.CE/38261/I of 26.03.1974  
 2.CE/15892/I of 08.09.1984  
 (Refer pg 269-287 of Annexure)  
 Office Orders -

Sr. No.	Activity	Steps involved	Time limit	Authority role and responsibility of the employee/officer in connection with each activity. (mention designation)	Remark
1	Permission for construction of Loft	1.Scrutiny of documents on receipt of application. 2.Site inspection.	7 days. 7 days.	Junior Engineer / Sub Engineer	
		3.To demand additional documents required from applicant, if any.	Within 15 days.	Junior Engineer / Sub Engineer	
		4. To forward proposal to C.F.O. for N.O.C.	Within 7 days	Junior Engineer / Sub Engineer	
		5. To issue demand letter for scrutiny fee & permission charges on receipt of all required documents.	Within 15 days.	Junior Engineer / Sub Engineer	
		6. To issue permission for loft on obtaining N.O.C from C.F.O & approval from competent authority (Permission is refused if applicant has not submitted all required documents, N.O.C.	Within 15 days.	A.E. (B & F)	
		7.Taking entry of permission issued in respective register.	After issue of permission	Junior Engineer / Sub Engineer	

NAME OF ACTIVITY - Regularization of loft in authorized building.

Related Provisions -

Name of the Acts/Acts - Reg. 38(5) of D.C.Regulations for Greater Mumbai,1991.

Rules -

Govt. Resolutions -

Circulars - 1.CHE/Gen-283/III/DPC/Gen of 8.8.2005  
(Refer pg 293-299 of Annexure)

Office Orders -

Sr. No.	Activity	Steps involved	Time limit	Authority role and responsibility of the employee/officer in connection with each activity.	Remark
1	Regularization of loft	1. Scrutiny of documents on receipt of application. 2. Site inspection	7 days. 7 days.	Junior Engineer / Sub Engineer	
		3.To demand additional documents required from applicant , if any.	Within 15 days.	Junior Engineer / Sub Engineer	
		4. To forward proposal to C.F.O. for N.O.C.	Within 7 days.	Junior Engineer / Sub Engineer	
		5. To issue demand letter for scrutiny fee.	Within 15 days.	A.E. (B & F)	
		6. To forward proposal to Asstt. Commissioner for approval on obtaining N.O.C from C.F.O (Permission is refused if applicant has not submitted all required documents, N.O.C.)	Within 15 days.	A.E. (B & F)	

		7. To forward proposal to Zonal D.M.C for approval	Within 15 days.	Assistant Commissioner	
		8. To issue demand letter for composition charges on receiving approval from Zonal D.M.C..	Within 15 days.	A.E. (B & F)	
		9. To issue approval letter for regularization of loft on receiving composition charges & approval from Zonal D.M.C. (Permission is refused if applicant has not submitted all required documents, N.O.C.)	Within 7 days	Assistant Commissioner	
		10. Taking entry of permission issued in respective register.	After issue of permission	Junior Engineer / Sub Engineer	

NAME OF ACTIVITY - Permission for converting existing Indian Water Closet to European Water Closet.

Related Provisions -

Name of the Acts/Acts -

Rules -

Govt. Resolutions -

Circulars -

Office Orders -

Sr. No.	Activity	Steps involved	Time limit	Authority role and responsibility of the employee/officer in connection with each activity. (mention designation)	Remark
1	Permission for converting existing Indian W.C. to E.W.C	1.Scrutiny of documents on receipt of application. 2.Site inspection	7 days. 7 days.	Junior Engineer / Sub Engineer	
		3. To demand additional documents required from applicant, if any.	Within 15 days.	Junior Engineer / Sub Engineer	
		4. To issue demand letter for scrutiny fee.	Within 15 days.	A.E. (B & F)	
		5. To forward proposal to Asstt. Commissioner for approval.	Within 15 days.	A.E. (B & F)	
		6. To issue demand letter for permission charges.	Within 7days.	A.E. (B & F)	
		7. To issue permission for EWC on obtaining approval from Asstt. Commissioner. (Permission is refused if applicant has not submitted all required documents, N.O.C.)	Within 7days.	A.E. (B & F)	
		8.Taking entry of permission issued in respective register.	After issue of permission	Junior Engineer / Sub Engineer	

**NAME OF ACTIVITY** - Repair permission for existing tolerated structure existing prior to datum line. (Datum line 01/04/62 for commercial structure and 17/04/64 for residential structure)

**Related Provisions** -

**Name of the Acts/Acts** -

**Rules** -

**Govt. Resolutions** -

**Circulars** - 1.CHE/3295/DOC of 1.3.1997  
 2.CHE/3106/DPC/GEN dt:20.12.1997  
 3.CHE/DP/37 dt: 22.10.2002  
 4.WEE/8504/K/E dt: 20.3.2012  
 (Refer Pg 191 to Pg 235 of Annexure for above mentioned circulars)

**Office Orders** -

Sr. No.	Activity	Steps involved	Time limit	Authority role and responsibility of the employee/officer in connection with each activity.	Remark
1	Repair permission for existing tolerated structure	1.Scrutiny of documents on receipt of application. 2.Site inspection	7 days. 7 days.	Junior Engineer / Sub Engineer	
		3. To demand additional documents required from applicant, if any.	Within 15 days.	Junior Engineer / Sub Engineer	
		4. To forward proposal to Asstt. Commissioner for approval.	Within 15 days.	A.E. (B & F)	
		5. To issue demand letter for permission charges on receipt	Within 15 days.	A.E. (B & F)	

		of approval from Asstt. Commissioner			
		6. To issue repair permission on obtaining approval from Asstt. Commissioner. (Permission is refused if applicant has not submitted all required documents, N.O.C.)	Within 7days.	A.E. (B & F)	
		7. Taking entry of permission issued in respective register.	After issue of permission	Junior Engineer / Sub Engineer	

NAME OF ACTIVITY - Repair permission for existing tolerated structure on reserved plots and those affected by proposed/sanctioned Regular Line.

Related Provisions -

Name of the Acts/Acts -

Rules -

Govt. Resolutions -

Circulars - 1.CHE/3295/DOC of 1.3.1997  
2.CHE/3106/DPC/GEN dt:20.12.1997  
3.CHE/DP/37 dt: 22.10.2002  
4.WEE/8504/K/E dt: 20.3.2012  
(Refer Pg 191 to Pg 235 of Annexure for above mentioned circulars)

Office Orders -

Sr. No.	Activity	Steps involved	Time limit	Authority role and responsibility of the employee/officer in connection with each activity.	Remark
1	Repair permission for existing tolerated structure	1.Scrutiny of documents on receipt of application. 2.Site inspection	7 days. 7 days.	Junior Engineer / Sub Engineer	
		3. To demand additional documents required from applicant, if any.	Within 15 days.	Junior Engineer / Sub Engineer	
		4To forward proposal to the office of E.E.(T&C)/A.E.(Improvements)/A.E.(Survey)/E.E.(D.P)for remarks	Within 15 days.	A.E. (B & F)	



		4. To forward proposal to Asstt. Commissioner / Zonal D.M.C. for approval on receipt of remarks from all respective departments.	Within 15 days.	A.E. (B & F)	
		5. To issue demand letter for permission charges on receipt of approval from Asstt. Commissioner/ Zonal D.M.C.	Within 15 days.	A.E. (B & F)	
		6. To issue repair permission on obtaining approval from Asstt. Commissioner/Zonal D.M.C. (Permission is refused if applicant has not submitted all required documents, N.O.C.)	Within 7days	A.E. (B & F)	
		7. Taking entry of permission issued in respective register.	After issue of permission	Junior Engineer / Sub Engineer	

**NAME OF ACTIVITY** - Repair permission to existing protected structures (i.e. structures existing prior to 1.1.1995 ) in slum Colonies.

**Related Provisions** -

**Name of the Acts/Acts** -

**Rules** -

**Govt. Resolutions** - 1. गवसु/1020/87(भाग-2) (Refer Pg- 237 to 239 of Annexure)

**Circulars** - 1.CHE/DP/1 of 23.4.2003  
2.CHE/DP/27 dt: 14.8.2002  
3.ACM/W/OD/432/B&F of 29.8.2002  
4.CHE/936/DPC/Gen of 21.10.2002  
(Refer Pg 237 to 251of Annexure for above mentioned circulars)

Sr. No.	Activity	Steps involved	Time limit	Authority role and responsibility of the employee/officer in connection with each activity.	Remark
1	Repair permission for existing tolerated structure	1.Scrutiny of documents on receipt of application. 2.Site inspection	7 days. 7 days.	Junior Engineer / Sub Engineer	
		3. To demand additional documents required from applicant, if any.	Within 15 days.	Junior Engineer / Sub Engineer	
		4. To forward proposal to the office of E.E.(T&C)/A.E.(Improvements)/ A.E.(Survey)/E.E.(D.P)for remarks.	Within 15 days.	A.E. (B & F)	

		5. To forward proposal to Asstt. Commissioner / Zonal D.M.C. for approval on receipt of remarks from all respective departments.	Within 15 days.	A.E. (B & F)	
		6. To issue demand letter for permission charges on receipt of approval from Asstt. Commissioner/ Zonal D.M.C.	Within 15 days.	A.E. (B & F)	
		7. To issue repair permission on obtaining approval from Asstt. Commissioner/Zonal D.M.C. (Permission is refused if applicant has not submitted all required documents, N.O.C.)	Within 7days	A.E. (B & F)	
		8. Taking entry of permission issued in respective register.	After issue of permission	Junior Engineer / Sub Engineer	

NAME OF ACTIVITY - Permission to establish new factory / Additions& Alterations to existing factory permits / Changes in ownership of factories / Renewal of factory permissions / Regularization of existing factories/ Suspension & Revocation of factory permission / Restoration of factory permission / Restarting of a factory / Shifting of factories / Action taken against factories working without municipal permissions/ Establishment of new flour mill / Regularization of existing flour mill / Change in ownership of flour mill

Related Provisions - Section 390 of MMC Act.

Name of the Acts/Acts - MMC Act 1888.

Rules -

Govt. Resolutions -

Circulars -

Office Orders -

The above mentioned permissions are issued as per Factories Policies & Procedures. The handbook of the same is available in the office of Assistant Engineer (Building & Factory ) F/South ward.

## Section 4 (1) (b) (iv)

### Norms set for discharge of its functions in the office of Assistant Engineer (Building & Factory)

#### Organizational Targets (Annual)

Sr. No.	Designation	Activity	Financial Targets in Rs.	Time Limit	Remarks
1	Assistant Engineer(B&F)	As mentioned in Section 4 (1) (b) (ii) at Pg 12 to 13.	There are no financial targets set for this department. As mentioned earlier the work is carried out on day to day basis.	Time limit for each activity is as mentioned in Section 4 (1) (b) (iii) at Pg 26 to 56.	
2.	Sub Engineer/ Junior Engineer	As mentioned in Section 4 (1) (b) (ii) at Pg 14 to 25.	There are no financial targets set for this department. As mentioned earlier the work is carried out on day to day basis.	Time limit for each activity is as mentioned in Section 4 (1) (b) (iii) at Pg 26 to 56.	

**Section 4 (1) (b) (v)**

**The rules / regulation related with the functions of Assistant Engineer (Building & Factory)**

Note: Please refer *Annexure* for G.R. /Circular / Office order Rule no/. Notification etc. mentioned below.

Sr. No.	Subject	G.R. /Circular / Office order. Rule no. Notification etc. date.	Page No.
1	Circular regarding unauthorized constructions and demolitions	<p>1. MDR/9168 of 19/9/68 : Unauthorized structure- policy of the Municipal Corporation of Greater Bombay.</p> <p>2. No. 5 of 7/10/94 : Withdrawal of the notice issued under the BMC Act and liberty to issue fresh notices thereof.</p> <p>3. No 2 of 18/3/96 : Issuing notices promptly in the cases when the injunction is obtained restraining corporation from demolishing the structure without following due process of law.</p> <p>4. No 2 of 5/7/96 : Procedure to be adopted for demolition of structures under construction and reconstructed within a year.</p> <p>5.AMC/ES/D/78 of 3/3/1997 : Procedure in respect of action to be taken under relevant provisions of the BMC Act for demolition of unauthorized structures.</p> <p>6. WO/RE/1701 of 9/10/97: Procedure in respect of action to be taken under relevant provisions of the BMC Act for demolition of unauthorized structures.</p> <p>7. CHE/3505/DPWS/H &amp; K, dt : 04/03/02 : Action against unauthorized work, unauthorized change of user etc, in buildings where Occupation certificate is not issued by the B.P. Department.</p> <p>8. No. 7 of 25/11/04</p>	<p>1-5</p> <p>7-9</p> <p>11-13</p> <p>15-18</p> <p>19-26</p> <p>27-31</p> <p>33-34</p> <p>35-38</p>

		<p>9. शासन परिपत्रक क्र. आस्था/9005/703/प्र.क्र.105/2005 नवि 30, दि. 31 मे 2005 : पावसाळ्यात अनधिकृत बांधकामे न पाडण्याबाबत.</p> <p>10. अतिक्र/2003/प्र.क्र180/झोपनि 2 , दि. 19 सप्टेंबर 2003 : शासकिय निमशासकिय किंवा खाजगी जमिनीवरील अनधिकृत झोपडपट्ट्या व अनधिकृत बांधकामे विरुध्द कारवाई करण्याबाबत.</p> <p>11. WO/RE/OD 2006 : Procedure in respect of action to be taken under relevant provisions of the BMC Act for demolition of unauthorized structures.</p> <p>12. WO/RE/1707 of 9/10/97 : Division of work of detection and taking further action against unauthorized constructions and encroachments.</p> <p>13. Estates/AC/60 of 6/9/98 : Division of work of detection and taking further action against unauthorized construction.</p> <p>14. AC/ME/OD/280/AC of 17/6/06 : Guidelines for action to be taken under relevant provisions of MMC Act for demolition of u/a construction.</p> <p>15. MGC/G/6929 of 27/7/09</p> <p>16. DMC/RE/6618 dt: 15/3/2012</p> <p>17. DMC/RE/141 dt: 12/04/2013</p>	<p>39</p> <p>41-42</p> <p>43-49</p> <p>51-53</p> <p>55-56</p> <p>57-59</p> <p>61-62</p> <p>63-69</p> <p>71-76A</p>
2.	Action under section 354 A of MMC Act	<p>1. WO/RE/OD-430 of 6/10/1998: Procedure in respect of action to be taken under relevant provisions of the BMC Act for demolition of unauthorized structures.</p> <p>2. WO/RE/OD-573 of 22/12/1998: Procedure to be followed while drawing Panchanama.</p> <p>3. WO/RE/OD/303 of 11/8/2000 : : Procedure in respect of action to be taken under relevant provisions of the BMC Act for demolition of unauthorized structures.</p>	<p>77-83</p> <p>85-86</p> <p>87-90</p>

		4. LEA/1866 of 29/4/06 : Guidelines for action to be taken under relevant provisions of MMC Act for demolition of u/a construction.	91-97
3.	Action under section 351 of MMC Act	<p>1. MGC/B/8163 of 27/12/83 : Guidelines in respect of action against unauthorized constructions under section 351 of the BMC Act.</p> <p>2. MGC/B/595 of 6/2/87 : Procedure in respect of action to be taken under relevant provisions of the BMC Act for demolition of unauthorized structures.</p> <p>3. LCT/3995/MC of 29/11/06 : Procedure in respect of action to be taken under section 351 r/w section 475 A of MMC Act for demolition of unauthorized structure.</p> <p>4. AMC/City/6320 : Procedure in respect of action to be taken under section 351 r/w section 475 A of MMC Act for demolition of unauthorized structure.</p>	<p>99-132</p> <p>133-135</p> <p>137-141</p> <p>143</p>
4	Circular regarding MRTP Acts	<p>1. MGC/B/4030 of 6/7/83 : Maharashtra regional and town planning (Amendment) Ordinance 1983 (Maharashtra Ordinance No XII of 1983) implementation.</p> <p>2. 1. MGC/B/6691 of 28/10/83 : Maharashtra regional and town planning (Amendment) Ordinance 1983 (Maharashtra Ordinance No XII of 1983) implementation.</p> <p>3. AMC/ES/D/78 of 3/3/97 : Procedure in respect of action to be taken under relevant provisions of the BMC Act and the MRTP Act for demolition of unauthorized structures.</p> <p>4. A.C./R.E./City/OD/349 dt: 14.12.2012 : Guidelines for proper implementation of MRTP Provisions with reference to formation of separate MRTP Cell at MMC Head Quarters.</p>	<p>145-149</p> <p>150-163</p> <p>165-168</p>



5.	Circular regarding slum Acts and MPDA	<p>1. DMC/Z-III/OD/LK/222 of 24/44/98 : Use of MPUA Act to present unauthorized constructions and encroachment activities by effective preventive detection.</p> <p>2. पोआ/99(5)/मपाशि/609/04, महाराष्ट्र झोपडपट्टी ( सुधारणा निर्मुलन व पुर्नविकास ) अधिनियम 2001 मधील तरतूदींची कडक अंमलबजावणी करण्याबाबत.</p>	<p>169-178</p> <p>179-187</p>
6.	Circular regarding repair permission of tolerated structures	<p>1. CHE/3295/DPC of 01/3/97 : Policy for grant of repair permission for the existing unauthorized structure of tolerated category by ward offices.- Guidelines in respect of repair permission issued by ward office for the unauthorized structures prior to 1.4.1962 and residential structures prior to 17.4.1964</p> <p>2. CHE/3106/DPC/GEN of 20/12/97 : Policy for grant of repair permission for the existing unauthorized structures tolerated category by ward offices.</p> <p>3. CHE/2416/DP City of 31/8/88 : Request to relax the D.C. Rules for major repairs, etc. for building Gaonthan areas.</p> <p>4. CHE/DP/37 of 22/10/02 : for grant of repair permission for the existing unauthorized structure of tolerated category by ward offices.</p> <p>5. CHE/3060/DPC of 05/1/98 : Granting repair permission for existing unauthorized structures of tolerated category in accordance with circular issued under no. CHE/3295/DPC of 1.3.97</p> <p>6. CHE/25587/DPC of 6/1/87: Request to relax the D.C. rules, etc while allowing renovation of the existing structures in Gaonthan and koliwada area.</p> <p>7. CHE/2416/DPC of 31/8/88 : Request to relax the D.C. Rules so as to allow major repairs, etc. for building in the old gaonthan</p>	<p>191-212</p> <p>213</p> <p>214-216</p> <p>217</p> <p>218</p> <p>221-224</p>

		<p>areas.</p> <p>8. CHE/3341/DPC of 16.12.88 : Request to relax the D.C. Rules so as to allow major repairs, etc. for building in the old gaonthan and koliwada areas.</p> <p>9. WEE/8504/K/E dt: 20/3/2012 : Modification/Alteration/reexamining/scraping of existing repair permission policy.</p>	<p>225-226</p> <p>227-232</p> <p>233-235</p>
7.	Circular regarding repair permission on slums	<p>1. शासन निर्णय क्र. गवसु/1020/87/ भाग (2)/ झोपसु-1, दि. 5 जून 2002 : गलिच्छवस्ती सुधार बांधकाम नियमाबाबत.</p> <p>2. CHE/DP/1 of 23/4/2003 : Policy for granting repair permissions in the protected structures in slum colonies within the limits of Mumbai</p> <p>3.CHE/DP/27 of 14/8/02 : Policy for granting repair permissions in the protected structures in slum colonies within the limits of Mumbai</p> <p>4. ACM/W/OD/432/B&amp;F of 29/8/02 : Policy for granting repair permissions in the protected structures in slum colonies within the limits of Mumbai</p> <p>5.CHE/936/DPC/Gen of 21/10/02 : Policy for granting repair permissions in the protected structures in slum colonies within the limits of Mumbai</p> <p>6. अतिक्र.2003/प्रक्र.180/झोपनि-2, दि.19 सप्टेंबर शासकिय, निमशासकिय किंवा /खाजगी जमिनीवरील अनधिकृत झोपडपट्ट्या व अनधिकृत बांधकामे विरुद्ध कारवाई करण्याबाबत.</p> <p>7. एमडीए/4734, दि.6/2/97 : झोपडीला दुरुस्ती परवाना देण्याबाबत.</p> <p>8. MCG/A/1358( CE/7538/GEN) of 22/5/96 : Policy for the repairs permission to the hutment colonies.</p>	<p>237-239</p> <p>241-244</p> <p>245-248</p> <p>249</p> <p>251</p> <p>253-254</p> <p>255-257</p> <p>259</p>

8.	Circular regarding Balcony Enclosures	<p>1. MCP/6054 of 3.12.85</p> <p>2. CE/3469/DPC of 2/10/78 : Ota enclosures.</p> <p>3. CHE/DP/6 of 30/4/2002 : Fees for enclosure of balconies.</p>	<p>261-263</p> <p>265-266</p> <p>267-268</p>
9.	Circular regarding loft permission / Mezzanine floor	<p>1. CE/38261/1 dated : 26/3/74 : Rules for Lofts and mezzanines.</p> <p>2. CE/15892/1 of 8/9/84 : Policy in respect of allowing mezzanine floors &amp; lofts in buildings.</p> <p>3. CHE/GEN-283/DPC of 28/6/2005 : Proposed modification to Regulation No. 38 (6)(i) of D.C. Regulation, 1991 for Greater Mumbai for regularization of mezzanine floors constructed in the existing building prior to 15/8/1997.</p> <p>4. CHE/GEN-283/III/DPC/Gen of 8/8/2005 : Policy for grant of permission for regularization of loft/mezzanine floors constructed prior to 15.8.1997 in existing authorized buildings by Ward Offices.</p>	<p>269-271</p> <p>273-287</p> <p>289-291</p> <p>293-299</p>
10	Circular regarding temporary monsoon shed permission	<p>1. CHE/1246/Acq-C of 9/10/1989 :Permission for erecting temporary monsoon sheds for protecting the stored goods from Rain.</p> <p>2. CHE/353/Acq-C of 3/06/1991 :Permission for temporary monsoon sheds for storage and protection from rains etc. during monsoon.</p> <p>3. CHE/ENG/2297/DPC/Gen. of 13.9.2000 : Removal of temporary monsoon sheds &amp; unauthorized awnings.</p> <p>4. CHE/303/DPC/Gen of 19.5.2001 :Permission for temporary monsoon sheds for storage and protection from rains etc. during monsoon.</p> <p>5. CHE/GEN-211/DPC of 1.10.2001 :Permission for temporary monsoon sheds for storage and protection from rains etc. during monsoon.</p>	<p>301</p> <p>303-307</p> <p>309</p> <p>311-314</p> <p>315</p>

		<p>6. CHE/GEN-211/DPC of 22.5.2002 :Permission for temporary monsoon sheds for storage and protection from rains etc. during monsoon-discontinuation of recovery of security deposit.</p> <p>7. CHE/3327/DPW/H &amp; K of 30/5/2003 : Monsoon shed permission at National stock exchange and block IFB centre, Bandra Kurla complex, Bandra (W).</p>	<p>317-318</p> <p>319</p>
11	Circular regarding dilapidated building	<p>1. CHE/2246/DPC/Gen of 1.4.2006 : Structural stability condition survey of dilapidated buildings in E/S Municipal &amp; Private.</p> <p>2. CE/410/DP of 5/4/2007 : Survey of extremely dilapidated bldgs. In city E/S &amp; W/S for the year 2007 (Munl. &amp; Pvt.)</p> <p>3. CE/17747/I of 07/11/2007 : Dilapidated private bldgs. In City of Mumbai.</p> <p>4. CE/05479/I of 5/6/08 : Dilapidated buildings in Mumbai.</p> <p>5. CE/5386/I of 6/6/08 : Dilapidated buildings in city area.</p> <p>6. बीएनएम-5007/344/प्र.क्र.89/नवि-32, दि. 7/2/09 : इमारतींचे संरचनात्मक निरीक्षण अनिवार्य करणेबाबत अधिनियमात सुधारणा.</p> <p>7. CHE/003427/I of 19/5/09 : Dangerous, dilapidated non cessed private / Municipal Buildings in Greater Mumbai for the year 2009.</p> <p>8. CHE/Gen-341/DP/Gen of 9/6/2009 : Structural Audit of private buildings as per the new section 353 B incorporated in the MMC Act 1888.</p> <p>9. Guidelines passed by Hon. High Court in Writ Petition No. 1135 of 2014 dated 23.06.2014 while taking actions on</p>	<p>321</p> <p>323</p> <p>325-328</p> <p>329</p> <p>331-332</p> <p>333-334</p> <p>335</p> <p>337-342</p>

		Dilapidated buildings.	
12	Permission for temporary mandap during Ganapati & Navaratri festival	1. MDF/OD/8358/Gen dt: 11.6.2013	343-345
13	General Circulars	<p>1. HOE/OSD/G/MC/996 of 10/2/67 : Issue of "No action pending certificate" by the AE ( B &amp; F) and ward officer.</p> <p>2. MDB/8609 of 11.3.94 : issuing NOC on application for the purpose of permit room and beer bar licenses.</p> <p>3. Government Notification no: उपआयुक्त/अ.नि./010 दि. 4/4/2013 : म.पा. नि. व न. अधिनियम, 1966 अन्वये पदनिर्देशित अधिकारी यांची नियुक्ती करण्याबाबत.</p> <p>4. AMC/WS/D/4043 dt: 05/09/2008 : Duties of Building Mukadam.</p> <p>5. CA/FRD//48 OF 31/01/2013 : Various minor civil works carried out at ward/ hospital level.</p> <p>6. MOM/9805 dt: 02/02/2009 : माहितीचा अधिकार अधिनियम, 2005 अंतर्गत विभाग कार्यालयाकरिता अपिलिय अधिकारी नियुक्त करणे.</p> <p>7. MOM/4107 dt: 27/11/2000 : अभिलेखाचे वर्गीकरण करणे व मुदत संपल्यावर त्याची विल्हेवाट लावणे.</p>	<p>347</p> <p>349-351</p> <p>353-356</p> <p>357-358</p> <p>359-360</p> <p>361</p> <p>363</p>

**Section 4 (1) (b) (vi)**

**Statement of Categories of documents held in the office of Assistant Engineer (Building & Factory) F/South ward.**

Note : Classification of record and periodicity of preservation is as proposed by this office vide letter under no. FS/26601/BF/OS, Dated : 08/11/2012 (at Pg 365 of Annexure ) and As per the Record Classification Mannual 2015 and subject to approval from the office of City Engineer.

Sr No	Subject	Type of Document/ file or register	File No. or Register No.	Particulars	Periodicity of Preservation (Proposed)
<b>'A' Class Record</b>					
1	Factory permits	Nasti		Details of factory permits issued/renewed u/sec. 390 of MMC Act.	Permanent
<b>'C2' Class Record</b>					
2	Court Injunction Register	Register		Details of Ad-interim injunctions/Stay orders granted by court against notice action initiated against unauthorized work under various sections of MMC/MRTP Act	15 Years or till the final result of the case.
<b>'C1' Class Record</b>					
3	Detection Register	Register		Details of ongoing/ existing unauthorized work detected by Mukadam/Junior Engineer	10 Years
4	Notice Register	Register		Details of Notices issued under various sections of MMC/MRTP Act against unauthorized work	10 Years
5	Demolition Register	Register		Details of demolitions of unauthorized work carried out under various sections	10 Years

				of MMC/MRTP Act	
6	Detection of Dilapidated Bldgs	Register		Details of dilapidated buildings falling under C1,C2A,C2B & C3 category	10 Years
7	I.O.D./C.C./O.C. Registers and copies of plan.	Register / plans		Details of I.O.D/C.C./O.C./B.C.C. issued by Building Proposal department to newly constructed buildings in L ward.	10 Years
8	Regularization of tolerated Lofts	Document		Details regularization of lofts existing prior to 15.8.1997.	10 Years
<b>'C' Class Record</b>					
9	Repair permissions	Nasti		Details of repair permissions such as Tenantable repairs, Regular Civil repairs, Repairs of structures in Slum etc.	05 Years
10	Permissions for Balcony enclosures	Nasti		Details of permissions issued for balcony enclosure.	05 Years
11	Monsoon Shed permissions	Documents & Register		Details of permissions issued for Monsoon sheds.	05 Years
12	Permissions for Ganapati / Navratri Mandap	Documents		Details of permissions issued for Ganapati /Navratri Mandap.	05 Years
13	Mobile Antenna	Register		Details of Mobile Antennas	05 Years

	Register	& Documents		erected on terrace of private buildings in F/South ward.	
14	Notices u/s 377, 347 A, B, 381 of MMC & other Misc. Act	Documents		Details of notices issued u/s 377, 347 A, B, 381 of MMC & other Misc. Act	05 years
15	European Water Closet permissions	Nasti		Details of permissions issued for converting existing Indian W.C. to E.W.C.	05 Years
16	लक्षवेधी सुचना, तारांकित, अतारांकित प्रश्न	Document		Files containing लक्षवेधी सुचना, तारांकित, अतारांकित प्रश्न and reply to the same.	05 years
17	R.T.I Register / Appeal Register	Register		Details of applications received under R.T.I.Act	05 Years
18	Prosecution u/sec. 354, 381 & 390 after judgment.	Document		Details of prosecution launched against the offenders after judgment passed by court in cases u/sec. 354, 381 & 390	05 years
19	Factory permits cancelled permanently on account of closure or any other reason.	Nasti		Files of factory permit cancelled permanently After closure or shifting to new location or any other reason.	05 years
<b>'D' Class Record</b>					
20	Log sheets	Document		Details of Applications/ complaints/ other documents received by department	1 Year
21	Outward Register	Document		Details of Applications/	1 Year



	(Internal departments)			complaints/ other documents forwarded to Internal departments of F/South ward.	
22	Outward Register (External correspondence)	Document		Details of Applications/ complaints/ other documents forwarded to external departments of MCGM/ Other Govt. authorities and correspondence with applicants/ complainants /citizens etc.	1 Year
23	RTI applications & their reply (Except appeal cases)	Document		Details of application received under RTI Act & reply given to the same.	01 year
24	First & second appeal made under RTI Act	Document		Details of First & second appeal made by applicant under RTI Act by the applicant against reply of Public Information Officer and/or order passed by First Appellate Authority	01 year
25	Monthly reports sent to various departments	Document		File papers containing monthly reports sent to various departments	01 years
26	Demolition of structures under MMC Act, MRTP Act & other action completed	Nasti		Nasti files containing papers pertaining to the notice action against structures demolished under MMC Act, MRTP Act & other actions.	01 year (after demolition)
27	Pending court cases (Other than	Nasti		Nasti files containing papers pertaining to the	01 year after the disposal of

	prosecuted by BMC)			pending court cases under various section of MMC/MRTP Act.	suit.
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Note : Destruction of record shall be done as per guidelines issued by the office of General Administration vide circular under no. MOM/4107, dated : 27/11/2000. (please refer Pg 363 of Annexure)

#### Section 4 (1) (b) (vii)

Particulars of any arrangement that exists for consultation with the members of public in relation to the formulation of policy and implementation in the office of Assistant Engineer  
(Building & Factory)

Sr. No.	Consultation for	Details of Mechanism	Under which legislation / rules / orders / GRs	Periodicity
	NIL	NIL	NIL	NIL

#### Section 4 (1) (b) (viii)

##### Statement of Boards, Councils, Committees or Other bodies

Sr. No.	Name of the committee board / council / other bodies	Composition of committee Board council other bodies	Purpose of the committee Board/ Council/ other bodies	Frequency of meetings	Whether meeting open to public or not	Whether Minutes are available to public or not	Minutes available at.
	NIL	NIL	NIL	N.A.	N.A.	N.A.	N.A.

**Section 4 (1) (b) (ix)**

Sr. No	Designation	Name of the Officers/ Employees	Cadre	Date of joining the post	Date of joining in L ward	Contact Details Ph/ fax/ email
1	Designated officer & Assistant Engineer (Building & Factory)- L-1	1. Shri S.B.Baviskar	B	25.07.2013	25.07.2013	Tel:022- Fax: 022-
2	Designated officer & Assistant Engineer (Building & Factory)- L-2	2. Vacant	B	-----		
3	Sub Engineer / Junior Engineer (Building)	1. Shri Aditya Patil 2. Shri Jitesh Jadhav 3. Shri Samir Gurav 4. Shri Abhijeet Pawar 5. Shri Santosh Zinjorde 6. Shri Ankit Nandanwar	C C C C C C	25.11.2011 04.04.2008 18.11.2008 03.07.2009 01.07.2009 04.05.2013	25.11.2011 04.01.2013 18.10.2013 03.07.2009 03.07.2009 04.05.2013	Tel:022- Fax: 022-
4	Sub engineer ( Factory)	Shri Rahul H.Bate	B	07.07.2005	23.05.2011	Tel:022-24134560 Fax: 022-24186246
4	Junior engineer	Shri. Parag P. Kale	C	16.02.2009	16.02.2009	

	( Factory)					
5	Clerk	Shri. Ravindra Gode	C	11.07.2008	11.07.2008	
6	Peon	Shri. Vijay Mayatra	C	12.12.1996	03.10.2012	
7	Mukadam	1. Shri. Nijapkar Suresh 2. Shri. Gautam Pawar 3. Shri. Suryakant Teli 4. Vacant	C C C C	12.12.1996 02.02.1981 23.09.1998 -----	09.07.2012 28.01.2011 13.09.2011 -----	

## Section 4 (1) (b) (x)

Sr. No	Name	Designation Cadre	Basic Pay	DA	HRA	Special Allowance, Transport Allowance, Project Allowance	Total
1	Shri S.B.Baviskar	Designated officer & Assistant Engineer- L-1	19550+5400	22455	7485	463+1600+200	57153
2	Vacant	Designated officer & Assistant Engineer-L-2	---	---	---	---	---
3	Vacant	Sub Engineer (Bldg)	---	---	---	---	---
4	Shri Aditya Patil	Junior Engineer (Bldg)	9300+4300	10880	---	200	25143
5	Shri Jitesh Jadhav	Junior Engineer (Bldg)	10575+4300	11900	4463	600+200	32501
6	Shri Samir Gurav	Junior Engineer (Bldg)	10570+4300	11896	4461	600+200	32490
7	Shri Abhijeet Pawar	Junior Engineer (Bldg)	10570+4300	11896	4461	600+200	32397
8	Shri Santosh Zinjorde	Junior Engineer (Bldg)	10570+4300	11896	4461	600+200	32277
9	Shri Ankit	Junior Engineer	9300+4300	10880	4080	600+200	29823

	Nandanwar	(Bldg)					
10	Shri Rahul H.Bate	Sub Engineer (Factory)	14140+4600	14992	5625	1200+200	42217
11	Shri. Parag P. Kale	Junior Engineer (Factory)	10570+4300	11896	4461	600+200	32490
12	Shri. Ravindra Gode	Factory Clerk	7470+2000	7576	2841	600+200	20687
13	Shri. Vijay Mayatra	Peon	9920+1850	9416	3531	600+200	25623
14	Shri. Nijapkar Suresh	Mukadam	11830+1850	10144	3804	600+200	28006
15	Shri. Gautam Pawar	Mukadam	8580+1850	8344	3129	600+200	23166
16	Shri. Suryakant Teli	Mukadam	8800+1300	8080	280	1080+200	20781
17	Vacant	Mukadam	-----	-----	-----	-----	-----

**Section 4 (1) (b) (xi)**

**Details of allocation of budget and disbursement made in the office of Assistant Engineer  
(Building & Factory) L ward for the year 2014-15.**

<b>Sr. No</b>	<b>Budget Head description</b>	<b>Grants received</b>	<b>Planned use ( give details area wise or work wise in a separate form)</b>	<b>Remarks</b>
1	Demolition of unauthorized structures and unsafe buildings	Rs. 25 Lakh	Unplanned	

**Form B for previous year (2013-14)**

<b>Sr. No</b>	<b>Budget Head description</b>	<b>Grants received</b>	<b>Grant utilized</b>	<b>Grant Surrendered</b>	<b>Result</b>
1	Demolition and propping of dangerous/dilapidated buildings	Rs. 25 Lakh	NIL	Rs. 25 Lakh	

**Section 4 (1) (b) (xii)**

**Manner of execution of subsidy program in the office of**

**Assistant Engineer, Building & Factory, L Ward**

- No subsidy programs are executed by this office.

**Section 4 (1) (b) (xii)....continued**

**Details of Beneficiaries of subsidy program in the office of**

**Assistant Engineer, Building & Factory, L Ward**

<b>Sr. No</b>	<b>Name and Address of Beneficiary</b>	<b>Amount of Subsidy / Concession Sanctioned</b>
1	NIL	NIL

**Section 4 (1) (b) (xiii)**

**Particulars of recipients of concessions, permits or authorizations granted in the office of**

**Assistant Engineer (Building & Factory) L ward.**

<b>Sr. No</b>	<b>Name of the license</b>	<b>License no.</b>	<b>Issued on</b>	<b>Valid up to</b>	<b>General Conditions</b>	<b>Details of the license</b>
	This information is available in factory permit registers maintained in the office of A.E.(B&F) L Ward .					



Section 4 (1) (b) (xiv)

Details of information available in electronic form in the office of

Assistant Engineer , Building & Factory, L Ward

Sr. No.	Type of Documents File/ Register	Sub Topic	In which Electronic Format it is kept	Person In Charge
	NIL	NIL	NIL	

**Section 4 (1) (b) (xv)**

**Particulars of facilities available for citizen for obtaining information in the office of Assistant Engineer (Building & Factory) L-Ward**

Sr. No.	Type of Facility	Timings	Procedure	Location	Person In Charge
1	Inspection of Record under RTI Act, 2005	3.00 p.m. to 5.0 p.m on Wednesday (except holidays) with prior appointment only or on any other optional day provided by this office.	For inspection of records no fee for first hour will be charged, however fee of Rs. 5/- for each 15 minutes or fraction thereof will be charged thereafter.	Office of Asstt. Engineer , Building & Factory department, Laxman Yadav Market Bldg, 1 <sup>st</sup> floor, S.G. Barve marg, Kurla (west) station road), Mumbai – 400 070.	Asstt. Engineer , Building & Factory, L-ward.

- Interactive website – [mcgm.gov.in](http://mcgm.gov.in)
- Facilitation center - Facilitation center is available at the ground floor of ward office Building. Working Hours – 10.00 a.m. to 4:30 p.m
- Notice board - Displayed in the office of Asstt. Engineer (B&F)
- Inspection of work & inspection of samples – N.A
- Facilities for library, Inquiry window & reception – Not available

**Section 4 (1) (b) (xvi)**

**Details of public information officers / APIO's / appellate authority in the jurisdiction of (Public authority) in the office of**

**Assistant Engineer (Building & Factory)**

Sr. No.	Name of PIO	Designation	Jurisdiction as PIO under RTI	Address / Ph. No.	E mail id for purpose of RTI	Appellate authority
1	Shri S.B.Baviskar	D.O.& A.E.(B&F) L-1	Information related to the action taken against unauthorized construction/ factories and various permissions / factory permits issued.	Laxman Yadav Market Bldg, 1 <sup>st</sup> floor, S.G. Barve marg, Kurla (west) station road), Mumbai – 400 070.Ph. 02226505 105 Ext. 116,119		Shri V.B.Rahi, Ward Executive Engineer

**Assistant Engineer (Building & Factory)**

Sr. No.	Name of PIO	Designation	Jurisdiction as PIO under RTI	Address / Ph. No.	E mail id for purpose of RTI	Appellate authority
2	Shri. D.Y. Mahale	D.O.& A.E.(B&F) L-2 (I/c)	Information related to the action taken against unauthorized construction/ factories and various permissions / factory permits issued.	Laxman Yadav Market Bldg, 1 <sup>st</sup> floor, S.G. Barve marg, Kurla (west) station road), Mumbai – 400 070.Ph. 02226505 105 Ext. 116,119		Shri V.B.Rahi, Ward Executive Engineer

### Assistant Engineer (Building & Factory)

Sr. No.	Name of PIO	Designation	Jurisdiction as PIO under RTI	Address / Ph. No.	E mail id for purpose of RTI	Appellate authority
3	Shri C.D.Chaudhari	D.O.& A.E.(B&F) L-3	Information related to the action taken against unauthorized construction/ factories and various permissions / factory permits issued.	Laxman Yadav Market Bldg, 1 <sup>st</sup> floor, S.G. Barve marg, Kurla (west) station road), Mumbai – 400 070.Ph. 02226505 105 Ext. 116,119		Shri V.B.Rahi, Ward Executive Engineer

### Assistant Engineer (Building & Factory)

Sr. No.	Name of PIO	Designation	Jurisdiction as PIO under RTI	Address / Ph. No.	E mail id for purpose of RTI	Appellate authority
4	Shri A.M.Shinde	D.O.& A.E.(B&F) L-4	Information related to the action taken against unauthorized construction/ factories and various permissions / factory permits issued.	Laxman Yadav Market Bldg, 1 <sup>st</sup> floor, S.G. Barve marg, Kurla (west) station road), Mumbai – 400 070.Ph. 02226505 105 Ext. 116,119		Shri V.B.Rahi, Ward Executive Engineer

Section 4 (1) (b) (xvi)...continued

Details of public information officers / APIO's / appellate authority in the jurisdiction of the office  
of Assistant Engineer (Building & Factory)

Sr. No.	Name of APIO	Name of APIO	Designation	Jurisdiction as APIO under RTI	Address / Ph no.
1	NIL	NIL	NIL	NIL	NIL

**Section 4 (1) (b) (xvi)...continued**

**Details of public information officers / APIO's / appellate authority in the jurisdiction of the  
office of Assistant Engineer (Building & Factory ) L-Ward**

Sr. No.	Name of Appellate Authority	Designation	Jurisdiction as Appellate authority	PIO Reporting	E mail id for purpose of RTI
1	Shri Vivek B. Rahi	Ward Executive Engineer	Information related to the action taken against unauthorized construction/ factories and various permissions / factory permits issued.	D.O.& A.E.(B&F) L Ward	



Section 4 (1) (b) (xvii)

परिशिष्ट "क"

विषय : कलम 351 अन्वये दिलेल्या ( Speaking Order) आदेशान्वये कारवाई (Prosceution) करण्याबाबत माहिती.

L विभाग.

अ. क्र.	विभाग	म.न.पा. कायदा कलम 351 अन्वये दिलेल्या नोटीसांची संख्या	नोटीस दिल्यानंतर उत्तरासोबत आलेल्या कागदपत्रांची तपासणी चालु असलेल्या नोटीसांची संख्या	कागदपत्रांच्या तपासणीनंतर Speaking Orders / Appendix F दिलेल्या नोटीसांची संख्या	Speaking orders / Appendix F दिल्यानंतर विहित मुदतीपूर्वी संबंधिताने अनधिकृत बांधकाम काढून / तोडून टाकलेल्या नोटीसांची संख्या	Speaking orders / Appendix F दिल्यानंतर विहित मुदतीपूर्वी मुंबई शहर दिवाणी न्यायालय/ मुंबई उच्च न्यायालयाकडून स्थगिती . मनाई हुकुम प्राप्त झालेल्या नोटीसांची संख्या	म.न.पा. कायदा 475 अ (1) बी न्वये कारवाई करण्यासाठी विधी सहाय्यका कडे कागदपत्रांसह पाठविलेल्या नोटीसांची संख्या	न्यायालयाने शिक्षा / दंड केलेल्या नोटीसांची संख्या	निष्कासन कारवाईचे विवरण			शेरा
									पक्षकाराचे	महापालिकेने	एकुण	
1	2	3	4	5	6	7	8					

**Section 4 (1) (b) (xvii)....continued**

**Sub:** List of C-1 Category buildings and water-electricity disconnected buildings

**Ref:** D.M.C./R.E./1490 dtd. 27.07.2013.

**Section 4 (1) (b) (xvii) ...continued**

**Annexure "D"**

Monthly report regarding the detection /demolition of unauthorized works for the Month of \_\_\_\_\_ ( Building & Factory, L Ward)

Sr. No.	Ward	Complaint Received	Detected by Dept.	Total complaint	No. of cases recorded under section			No. of cases registered under section		
1	2	3	4	5	6			7		

**Assistant Commissioner,  
L ward**

**Assistant Commissioner, (R.E.)**