



BRIHANMUMBAI MAHANAGARPALIKA

Section 4 Manuals as per provision of RTI Act 2005 of G/North Ward

BUILDING AND FACTORY DEPARTMENT G/NORTH WARD

Address - O/o Designated Officer,
Building & Factory Deptt.
G/North Ward Office Building,
Room no.37-39, 1st floor,
Harishchandra Yelve Marg,
Dadar (W), Mumbai – 400 028.

INDEX

Sr, No.	Section 4 (1) B Sub Clauses	Description of the Chapter's Contents	Page No.
		Introduction	3
1	4 (1) (b) (i)	Particulars of Organization, Function and Duties	5
2	4 (1) (b) (ii)	Powers and Duties of Officers and Employees	7
3	4 (1) (b) (iii)	Procedure followed in Decision Making Process including Channels of supervision and accountability	26
4	4 (1) (b) (iv)	Norms set for discharge of its functions	57
5	4 (1) (b) (v)	The rules, regulation, instruction, manuals and records, held by it or under its control or used by the employees for discharging department functions	58
6	4 (1) (b) (vi)	Statement of categories of documents that are held and under the control of the office of Asstt. Engineer (B&F)	66
7	4 (1) (b) (vii)	Particulars of any arrangement that exists for consultation with the members of the public in relation to the formulation of the department's policy and implementation thereof.	71
8	4 (1) (b) (viii)	A Statement of the boards, councils, committees and other bodies consisting of two or more persons constituted as its part or for the purpose of its advice, and as to whether meetings of those boards, councils, committees and other bodies are open to the public or the minutes of such meetings are accessible for public.	72
9	4 (1) (b) (ix)	Directory of the officers and employees	73
10	4 (1) (b) (x)	The monthly remuneration received by each of its officers and employees including the system of compensation as provided in its regulations.	75
11	4 (1) (b) (xi)	The Budget allocated to each of its agency, indicating the particulars of all plans, proposed expenditures and reports on disbursement made.	77
12	4 (1) (b) (xii)	The manner of execution of subsidy programs, including the amounts allocated and the details of beneficiaries of such programs.	79
13	4 (1) (b) (xiii)	The particulars of recipients of concession, permits or authorizations granted by department.	81
14	4 (1) (b) (xiv)	Details in respect of the information available to or held by it, reduced in an electronic form.	82
15	4 (1) (b) (xv)	The particulars of facilities available to citizens for obtaining information including the working hours of a library or reading room	83
16	4 (1) (b) (xvi)	The names, designations and other particulars of the Public Information Officers	84
17	4 (1) (b) (xvii)	Such other information as may be prescribed.	87

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, G/North 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, and 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 Engineer (Building & Factory), G/North ward whose office is situated at G/North ward office, Room No. 39, 1st floor, Harishchandra Yelve Marg, Dadar (W), Mumbai-400028. 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. Designated Officer/Executive Engineer & Assistant Engineer (B & F) is under administrative control of Assistant Commissioner. Executive 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.

Designated Officer/ Executive 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 Notification u/no AC/RE/City/5443 dated 11.03.2019, Executive Engineer 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 wards of 2012. In G/North ward Designated Officer, Executive Engineer (B & F) has jurisdiction of area covered under electoral ward no.182,183,184,185,186,187,188,189,190,191 & 192. In G/North ward Assistant Engineer (B & F)-1 has jurisdiction of area covered under ward no.183,184,185 & 186 and Assistant Engineer (B

& F)-2 has jurisdiction of area covered under ward no.182,187,188 & 190 and Assistant Engineer (B & F)-3 has jurisdiction of area covered under ward no.189,191 & 192.

Designated officer is assisted by Assistant Engineers (Building & factory), 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 H/West ward.

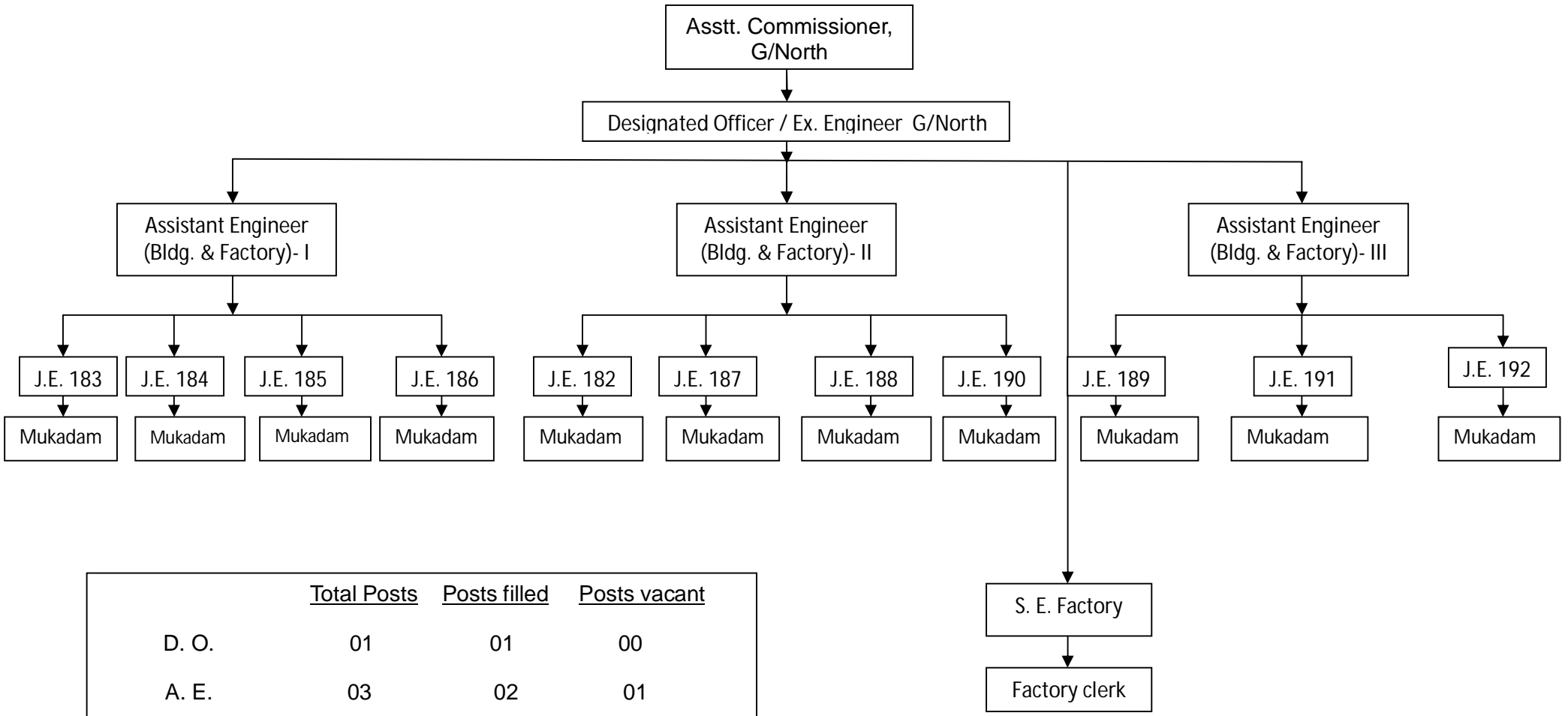
As per Central Right to Information Act 2005, Assistant Engineer (Building & Factory) is appointed as Public Information Officer (Building and factories) for Building and Factory department and as per Maharashtra Public Records Act-2005 and Maharashtra Public Records Act Rules -2007, he is designated as Record Officer for Building and Factory Dept. As per Central Right to Information Act 2005, the first appellate authority for building & factory department is Designated Officer/ Executive Engineer (Building and Factories).

SECTION 4 (1) (b) (i)

The particulars of functions & duties of the office of Designated officer/ Executive Engineer (Building & Factory G/North Ward

1	Name of the Department	Designated officer & Ex. Engineer (Building & Factory)
2	Address	Room No. 37-39, 1 st floor, G/North ward office Building, Harishchandra Yelve Marg, Dadar(W), Mumbai- 400 012
3	Head of the Office	Ex. Engineer, Building & Factory
4	Parent Department	1. City Engineer 2. Removal of Encroachment
5	Reporting to which office	Assistant Commissioner, G/North Ward
6	Jurisdiction - Geographical	G/North ward is bounded by the Arabian Sea on the West, Western Railway on East, Mithi River / Mahim Creek on North and Sayani Road / Kashinath Dhuru Road on South side.
7	Mission	1. To prevent unauthorized building activities. 2. To regulate & control factories. 3. To declare dilapidated building and action thereof.
8	Vision	Development of city in planned manner as per sanctioned Development Plan
9	Objectives	1. No unauthorized building activities. 2. No unauthorized factories. 3. No dilapidated and dangerous buildings .
10	Functions	(1) To take action against ongoing and existing unauthorized construction activities in private buildings, (2) To issue permission for temporary monsoon shed & mandaps in private premises. (3) To take action on dilapidated buildings. (4) To grant factory permits under section 390 of the MMC Act. (5) To renew factory permits. (6) To take action against unauthorized factories. (7) To take action against factories which commit breach of conditions of factory permits. (8) To detect dilapidated buildings and to take further action

11	Details of Services provided (In Brief)	<ol style="list-style-type: none"> 1. Issuance and renewal of factory permits. 2. Issuance of permission for erection of temporary structures such as pandals for making Ganapati Idols, party offices during election , monsoon sheds, etc. in private premises. 3. Addition / Deletion/ change in activity /constitution in existing factory permit. <p>Note : All above mentioned services are described in details in Section 4(1)(b)(iii)</p>
12	Physical Assets (Statement of lands & Buildings and other Assets)	NIL
13	Organization's structural Chart	As per separate sheet attached herein below
14	Tel. No.s & Office Timings	<p>Telephone no : 24397800/24397818</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 Visiting Hours : 03.00 p.m. to 05.00 p.m. .(Monday & Friday) :</p>
15	Weekly Holidays	Sunday and on Public Holidays.



	<u>Total Posts</u>	<u>Posts filled</u>	<u>Posts vacant</u>
D. O.	01	01	00
A. E.	03	02	01
S.E.	05	05	Nil
J.E.	11	09	02
Mukadam	11	02	09
Factory Clerk	02	00	02

SECTION 4 (1) (b) (ii)

**The powers of officers and employees in the office of Designated Officer /Executive Engineer
(Building & Factory)**

A – Financial Powers

Sr. No	Designation	Powers-Financial	Under which legislation / rules / orders / GRs	Remarks
1	Designated Officer /Executive Engineer(Building & Factory)	Rs.5000/-	As per the circular no: CA/FRD/I/48, dated : 31/01/2013	
2	Assistant Engineer (Building & Factory)	Rs.3000/-	As per the circular no: CA/FRD/I/48, dated : 31/01/2013	
3	Sub Engineer / Junior Engineer (Building)	NIL	N.A	
4	Sub engineer (Factory)	NIL	N.A.	
5	Junior engineer (Factory)	NIL	N.A.	

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

**The powers of officers and employees in the office of Designated Officer /Executive Engineer
(Building & Factory)**

B - Administrative Powers

Sr. No.	Designation	Powers - Administrative	Under which legislation / rules / orders / GRs	Remarks
1	Designated Officer /Executive Engineer (Building & Factory)	Please refer to Delegation of powers to Designated Officer	1. MMC Act 1888 2. MRTP Act 1966 3.AC/RE/City/5443 dt 11.03.2019	
2	Assistant Engineer (Building & Factory)	Please refer to Delegation of powers to Assistant Engineer	1. MMC Act 1888 2. MRTP Act 1966	
3	Sub Engineer / Junior Engineer (Building)	Please refer to Delegation of powers to Sub Engineer / Junior Engineer	1. MMC Act 1888 2. MRTP Act 1966 As per section 68 of MMC Act and as per section 152 (1) of MRTP Act.	
4	Sub engineer (Factory)	Please refer to Delegation of powers to Sub engineer (factory)	1. MMC Act 1888 2. MRTP Act 1966 As per section 68 of MMC Act and as per section 152 (1) of MRTP Act.	
5	Junior engineer (Factory)	Please refer to Delegation of powers to Junior engineer (factory)	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 Designated Officer /Executive Engineer
(Building & Factory)**

C – Magisterial Powers

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

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

**The powers of officers and employees in the office of Designated Officer /Executive Engineer
(Building & Factory)**

D - Quasi Judicial Powers

Sr. No.	Designation	Powers- Quasi Judicial	Under which legislation / rules / orders / GRs	Remarks
1	Designated Officer & Executive Engineer (Building & Factory)	1. Appointed as First Appellate Authority under RTI Act, 2005 2. Appointed as Designated officer as per section 351(1) of MMC act	Notification no. AC/RE/City/5443 dated : 11/03/2019	
2	Assistant Engineer I/II/III (Building & Factory)	Appointed as Public Information Officer under RTI Act, 2005	Right to Information Act 2005	
3	Sub Engineer / Junior Engineer (Building)	NIL	N.A	
4	Sub engineer (Factory)	NIL	N.A	
5	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 /Executive Engineer (Building & Factory)	NIL	N.A	
2	Assistant Engineer (Building & Factory)	NIL	N.A	
3	Sub Engineer / Junior Engineer (Building)	NIL	N.A	
4	Sub engineer (Factory)	NIL	N.A	
5	Junior engineer (Factory)	NIL	N.A	

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

The duties of officers and employees in the office of Executive Engineer (Building & Factory) EXECUTIVE ENGINEER (BLDG. & FACTORIES)

Executive 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 to identify dilapidated buildings and take legal actions, provide help in case of building collapses or landslides and keep check on unauthorized constructions. Powers are delegated to Executive Engineer (Bldg. & Factory) of the ward to do his duties as per section 68 of Mumbai Municipal Corporation Act, 1888 and section 152 of MRTTP Act 1966.

Executive 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.

Executive Engineer (Bldg. & Factory) of the ward is assisted by Assistant Engineer/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.

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

1. Issuance of Tenantable Repair permissions to structures in private premises.
2. Issuance and renewal of factory permits.
3. Issuance of permissions to erection of temporary structures (e.g. Pendols, Monsoon sheds, etc.) in private premises
4. Inspection of private dilapidated buildings and taking legal actions for repairs or demolition of dilapidated buildings.
5. 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.
6. Taking legal action on unauthorized construction works and unauthorized change of user in private premises.
7. Taking legal action on nuisance (e.g. leakage of water in buildings) in private premises against occupier or owner/society depending on the case.
8. 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 / Assistant Engineers inspect their respective sub-sections and report to the Executive Engineer (Bldg. & Factory) of the ward. Based on these reports, further necessary actions are taken by the Executive Engineer as per directions of Assistant Commissioner of the ward in case of administrative matters.

In case of High court cases, Assistant Engineer of the ward & in case of City Civil Court cases, Junior Engineer/Sub Engineer 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 Executive Engineer (Bldg. & Factory) of the ward :-

1. Dispatch Register.
2. RTI Application Register and 1st Appeal Register.

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, etc.

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

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

Executive 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)

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 repairs works of minor nature, permit to new factory unit and its 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 helps 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 unauthorized 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 1st Appeal Register.

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. 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 Private/Public land where plans are approved by the office of Building Proposal department of MCGM 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 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.
- 13) 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) Monsoon Shed permissions
 - vii) Catalogues of files pertaining to his section.

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

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

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

- viii) Regular inspection of factories and issue of I.R. to unauthorized factories.
- ix) Scrutiny, inspection of sites and preparation of new proposals for establishing factory.
- x) Issue of new factory permits.
- xi) Renewal of Factory Permit for every block period.
- xii) Inspection of factory for proposal of transfer, addition and alterations.
- xiii) Launching prosecution for various irregularities in factory and attending corresponding Court
- xiv) Cases in various courts.
- xv) Replies and suitable action on points raised by M.C.AUDIT Dept.
- xvi) Attending complaints received.
- xvii) To maintain various records and registers up-to-date in connection with factories.
- xviii) 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.
- xix) Disbursement of complaints received from various departments offices e.g. MCL, MGR, MGC.
- xx) He shall maintain various registers pertaining to factory section such as :-
- xxi) Catalogues of files pertaining to his section.
- xxii) Factory Permit Register u/s 390 of MMC Act
- xxiii) Factory Permit Renewal.

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. or E.E. etc.
8. He shall maintain Field diary for noting details of daily site visits/inspections.

DELEGATION OF POWERS TO EXECUTIVE ENGINEER

Under Section 68 of the **Mumbai Municipal Corporation Act 1888** Executive Engineer, (B &F) H/West 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 de- legated
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.
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) 246-A	To erect shafts or pipes for ventilating drains and cesspools. 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)(a) (b)(c)	Requisition to enforce provision of water closet or privy or urinal or bathing or washing place etc.
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	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.
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.

317	To permit booths on festivals in certain streets.
319	To temporarily close streets while works are in progress
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(2)	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) 347(A)(B) & (C)	To intimate disapproved of such work. 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.
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.
54	To require removal etc. of ruinous or dangerous structures and to temporarily secure etc. repair etc.
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-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 rain-water 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	Factory workshop not to be newly established without permission of the Commissioner
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.

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 unauthorized 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.

DELEGATION OF POWERS TO ASSISTANT ENGINEER

Under Section 68 of the **Mumbai Municipal Corporation Act 1888** Assistant Engineer, (B &F) H/West 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)	(g) Grant Casual Leave to the inferior staff working under him upto the limit allowed by any rules for the time being in force. (h) 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)	(c) To incur expenditure on office contingencies (except furniture) upto Rs.25/- per item. (d) To make cash purchase and payment of bills out of imprest upto Rs.100/- and payment of telephone call bills for any amount.
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) 246-A	To erect shafts or pipes for ventilating drains and cesspools. 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)(a) (b)(c)	Requisition to enforce provision of water closet or privy or urinal or bathing or washing place etc.
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	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.
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(2)	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) 347(A)(B) & (C)	To intimate disapproved of such work. 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.
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.
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-A	To require the owners to remove buildings, materials or debris, etc. accumulated due to house collapse etc.
377-A	To require the owners of the buildings to abate the nuisance arising from rain-water leaking from the roofs of the building or to prevent its recurrence.
377 (1) (A)	To require cleansing, clearing or enclosing any premises overgrown with rank vegetation
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	Factory workshop not to be newly established without permission of the Commissioner
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.

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
90(1)(a)	To issue notice to remove or to pull down or alter any building or work contravening the scheme in the area included in the scheme.
90(1)(b)	To execute any work which a person liable to execute under the scheme, delays its execution.
90(2)	To recover the expenses incurred under the scheme
107	To recover amounts from the owners of the final plot under the scheme.
112	To levy penalty for removal of boundary stones.
135	To enter with or without assistant into or upon any land for the purpose enumerated to section 135.

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, G/North ward under Asstt. Commissioner, G/North 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
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.
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.
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).
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.
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-A	To require the owners to remove buildings, materials or debris, etc. accumulated due to house collapse 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.
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

SECTION	BRIEF DESCRIPTION OF THE POWERS AND FUNCTIONS TO BE EXERCISED AND PERFORMED
135	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.
136	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 Ex. 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 - NA

Govt. Resolutions -NA

Circulars - 1. DMC(RE)/6618, dt : 15/03/2012
2. D.M.C./R.E./141 dt: 12/4/2013

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 U/Sec. 354 (A) of the MMC Act.	Within 24 Hours	Designation : Junior Engineer / Sub Engineer	
		5.Approving and Signing the notice prepared by JE/SE.	Within 24 Hours	Designated officer / E.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 & E.E. (B & F)	
		9. Demolition of unauthorized construction on expiry of notice period.	After expiry 24 Hours from order	Junior Engineer / Sub Engineer/Asst Engineer/Ex. 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 – City Civil Court, Asst Engineer & Ex Engineer- High Court	
		12. Further action as per final judgment of Hon'ble Court.	As directed by legal dept.	Junior Engineer / Sub Engineer/Asst Engineer/Ex. 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
2. D.M.C./R.E./141 dt: 12/4/2013

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 & E.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 E.E.(B&F)	7 days	Junior Engineer / Sub Engineer	
		7. Passing an appropriate order for 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 cannot prove the authenticity of the structure. (if the reply along with valid documents proving the authorization of subject const. is produced	After 7days From notice	Designated officer & E.E. (B & F)	

		then the notice is withdrawn/ not pursued.)			
		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/Asst Engineer/Ex. 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 – City Civil Court, Asst Engineer & Ex Engineer- High Court	
		11. Further action as per final judgment of Hon'ble Court.	As directed by legal dept.	Junior Engineer / Sub Engineer/Asst Engineer/Ex. 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
2. D.M.C./R.E./141 dt: 12/4/2013
- 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 & E.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 station against owner / occupier of the	After expiry of notice	Junior Engineer / Sub Engineer	

		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.)	period (1 Month)		
		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/Asst Engineer/Ex. 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
2. D.M.C./R.E./141 dt: 12/4/2013

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 & E.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/Asst	

				Engineer/Ex. 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 - MCGM Guidelines dated 25.05.2018 &

Govt. Resolutions -

Circulars - 1. MDF/OD/8280/Gen dt: 04.06.2013.
2. D.M.C./R.E./141 dt: 12/4/2013
3. AC/RE/214/City dt 18.04.2019

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 E.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.	A.E. (B & F)	
		4. Forwarding the list of buildings to Ex.Engineer/Asst Commissioner 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 for Pulling down of structure as per the remarks received from Designated officer/ Executive Engineer/ Dy. Ch. Eng. (B.P.) City.(TAC)	Within 7 days.	Junior Engineer / Sub Engineer	
		4. Signing the notice prepared by JE/SE.	Within 3 days.	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 07 days & submitting inspection report to A.E. (B&F) & EE/DO.	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	Within 7 days	Junior Engineer / Sub Engineer	

		/owner/occupier under section 475A of MMC Act failing to comply with the requisition of notice.	and not later than 3 months from order		
		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.	Junior Engineer / Sub Engineer	
		10 Disconnection of water /electricity/gas connection of defaulter society/owner/occupier	Within 3 days.	Junior Engineer / Sub Engineer	
		11. Eviction of occupants of the building as per the provision of Sec. 488A of MMC Act.	Within 7 days.	Junior Engineer / Sub Engineer	
		12. 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.	Designated officer & A.E. (B & F)	

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- Approving & A.E. (B & F)-Signing	
		5. Serving of notice on the person / owner/ occupier of the premises.	Within 3 days.	Building Mukadam	
		6. Second inspection of the	After	Junior Engineer / Sub	

		premises & submitting inspection report to A.E. (B&F) & EE/DO	expiry of 15 days	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-Approving & A.E. (B & F)- Signing	
		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) & EE/DO.	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

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	
		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 remedial measures suggested by structural consultant after structural audit of the building.	After expiry of 6 months from date of audit report.	Designated officer & A.E. (B & F)	
		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	After expiry of 30 days from the date of issue of demand	Designated officer & A.E. (B & F)	

	pay the same within 30 days from the issue of demand letter.	letter.		
--	--	---------	--	--

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.

3. If the decision is given in favor 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 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) & EE/DO	
		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)/EE/DO	
		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) G/North ward.

Section 4 (1) (b) (iv)

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

Organizational Targets (Annual)

Sr. No.	Designation	Activity	Financial Targets in Rs.	Time Limit	Remarks
1	Ex.Engineer/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 Ex. 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.
1	Circular regarding unauthorized constructions and demolitions	<ol style="list-style-type: none">1. MDR/9168 of 19/9/68 : Unauthorized structure- policy of the Municipal Corporation of Greater Bombay.2. No. 5 of 7/10/94 : Withdrawal of the notice issued under the BMC Act and liberty to issue fresh notices thereof.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.4. No 2 of 5/7/96 : Procedure to be adopted for demolition of structures under construction and reconstructed within a year.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.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.7. CHE/3505/DPWS/H & 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.8. No. 7 of 25/11/049. शासन परिपत्रक क्र. आस्था/9005/703/प्र.क्र.105/2005 नवि 30, दि. 31 मे 2005 : पावसाळ्यात अनधिकृत बांधकामे न पाडण्याबाबत.10. अतिक्र/2003/प्र.क्र180/झोपनि 2 , दि. 19 सप्टेंबर 2003 : शासकिय निमशासकिय किंवा खाजगी जमिनीवरील अनधिकृत झोपडपट्ट्या व अनधिकृत बांधकामे विरुद्ध कारवाई करण्याबाबत.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.12. WO/RE/1707 of 9/10/97 : Division of work of detection and taking further action against unauthorized constructions and enchoachments.13. Estates/AC/60 of 6/9/98 : Division of work of detection and taking further action against unauthorized construction.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.15. MGC/G/6929 of 27/7/0916. DMC/RE/6618 dt: 15/3/201217. DMC/RE/141 dt: 12/04/2013
2.	Action under section 354 A of MMC Act	<ol style="list-style-type: none">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.2. WO/RE/OD-573 of 22/12/1998: Procedure to be followed while drawing Panchanama.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. 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.
3.	Action under section 351 of MMC Act	1. MGC/B/8163 of 27/12/83 : Guidelines in respect of action against unauthorized constructions under section 351 of the BMC Act. 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. 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. 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.
2	Circular regarding MRTP Acts	1. MGC/B/4030 of 6/7/83 : Maharashtra regional and town planning (Amendment) Ordinance 1983 (Maharashtra Ordinance No XII of 1983) implementation. 2. 1. MGC/B/6691 of 28/10/83 : Maharashtra regional and town planning (Amendment) Ordinance 1983 (Maharashtra Ordinance No XII of 1983) implementation. 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. 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.
4.	Circular regarding slum Acts and MPDA	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. 2. पोआ/99(5)/मपाशि/609/04, महाराष्ट्र झोपडपट्टी (सुधारणा निर्मुलन व पुर्नविकास) अधिनियम 2001 मधील तरतूदीची कडक अंमलबजावणी करण्याबाबत.
5.	Circular regarding temporary monsoon shed permission	1. CHE/1246/Acq-C of 9/10/1989 :Permission for erecting temporary monsoon sheds for protecting the stored goods from Rain. 2. CHE/353/Acq-C of 3/06/1991 :Permission for temporary monsoon sheds for storage and protection from rains etc. during monsoon. 3. CHE/ENG/2297/DPC/Gen. of 13.9.2000 : Removal of temporary monsoon sheds & unauthorized awnings. 4. CHE/303/DPC/Gen of 19.5.2001 :Permission for temporary monsoon sheds for storage and protection from rains etc. during monsoon. 5. CHE/GEN-211/DPC of 1.10.2001 :Permission for temporary monsoon sheds for storage and protection from rains etc. during monsoon. 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. 7. CHE/3327/DPW/H & K of 30/5/2003 : Monsoon shed permission at National stock exchange and block IFB centre, Bandra Kurla complex, Bandra (W).

6	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 & Private.</p> <p>2. CE/410/DP of 5/4/2007 : Survey of extremely dilapidated bldgs. In city E/S & W/S for the year 2007 (Munl. & 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. वीएनएम-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>
7	Permission for temporary mandap during Ganapati & Navaratri festival	1. MDF/OD/8358/Gen dt: 11.6.2013
8	General Circulars	<p>1. HOE/OSD/G/MC/996 of 10/2/67 : Issue of "No action pending certificate" by the AE (B & 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/I/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>

Section 4 (1) (b) (vi)

Statement of Categories of documents held in the office of Assistant Engineer (Building & Factory) G/North 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 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)
'A' Class Record					
1	Factory permits	Nasti		Details of factory permits issued/renewed u/sec. 390 of MMC Act.	Permanent
'C2' Class Record					
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.
'C1' Class Record					
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 of MMC/MRTP Act	10 Years
6	Detection of Dilapidated Bldgs	Register		Details of dilapidated buildings falling under C1,C2A,C2B & C3 category	10 Years
'C' Class Record					
11	Monsoon Shed	Documents		Details of permissions	05 Years

	permissions	& Register		issued for Monsoon sheds.	
12	Permissions for Ganapati / Navratri Mandap	Documents		Details of permissions issued for Ganapati /Navratri Mandap.	05 Years
13	Mobile Antenna Register	Register & Documents		Details of Mobile Antennas erected on terrace of private buildings in G/Northward.	05 Years
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
'D' Class Record					
21	Outward Register (Internal departments)	Document		Details of Applications/ complaints/ other documents forwarded to Internal departments of G/Northward.	1 Year
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	01 year

				reply of Public Information Officer and/or order passed by First Appellate Authority	
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 prosecuted by BMC)	Nasti		Nasti files containing papers pertaining to the pending court cases under various section of MMC/MRTP Act.	01 year after the disposal of suit.

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.

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 G/North ward	Contact Details Ph/ fax/ email
1	Designated officer/Executive Engr.	Shri. Deepak Dhumal	A			
2	Assistant Engineer (Building & Factory) I	Shri Amit Jagtap (I/c)	B			Tel:022-24397800/18 Fax: 022-24331751
3	Assistant Engineer (Building & Factory) -II	Shri. Praveen Vasave	B			
4	Assistant Engineer (Building & Factory)III	Shri. Laxmikant Kolekar	B	03.04.2017	12.02.2021	
5	Sub Engineer (Building)	1. Shri. Nitin More (S.E.) 2. Shri. Ritesh Bhadane (S.E.) 3. Shri. Satish Shinde (S.E.) 4. Shri. Abhishekh Virkud(S.E.)	B			Tel:022-24397800/18 Fax: 022-24331751
	Sub engineer (Factory)	5. Shri. Hemant Bhalerao	B			
6	Junior Engineer (Building)	1. Shri. Pramodkumar Surve (J.E.) 2. Shri. Anil Rathod (J.E.) 3. Shri. Suhas Mali (J.E.) 4. Shri. Dnyaneshwar Mhaske (J.E.) 5. Shri. Vishal Pawar (J.E.) 6. Shri. Sagar More (J.E.) 7. Shri. Anil Vijapure (J.E.) 8. Shri. Kishor Dhangar (J.E.) 9. Shri. Nitin Sable (J.E.)	C			
7	Clerk	Smt. Prasad Khanvilkar	C			
8	Clerk	Shri. Sandesh A. Pharde	C			
9	Mukadam	1. Shri. Sudhir Kajari 2. Shri. Umesh Nakhate Vacant posts— 9 nos	C			
10	Peon	Shri. Ramchandra Dhuri	D			

Section 4 (1) (b) (x)

Sr. No	Name	Designation Cadre	Basic Pay	DA	HRA	Special Allowance, Transport Allowance, Project Allowance	Total
1	Shri. Dipak Dhumal	Designated officer/Executive Engineer					
2	Shri Amit Jagtap (l/c)	Assistant Engineer- 1					
3	Shri. Praveen Vasave	Assistant Engineer- 2					
4	Shri. Laxmikant Kolekar	Assistant Engineer- 3					
5	Shri. Nitin More (S.E.)	Sub Engineer (Bldg)					
6	Shri. Ritesh Bhadane	Sub Engineer (Bldg)					
7	Shri. Satish Shinde	Sub Engineer (Bldg)					
8	Shri. Abhishekh Virkud	Sub Engineer (Bldg)					
9	Shri. Pramodkumar Surve	Junior Engineer (Bldg)					
10	Shri. Anil Rathod	Junior Engineer (Bldg)					
11	Shri. Suhas Mali	Junior Engineer (Bldg)					
12	Shri. Dnyaneshwar Mhaske	Junior Engineer (Bldg)					
13	Shri. Vishal Pawar	Junior Engineer (Bldg)					
14	Shri. Sagar More	Junior Engineer (Bldg)					
15	Shri. Anil Vijapure	Junior Engineer (Bldg)					
16	Shri. Kishor Dhangar	Junior Engineer (Bldg)					
17	Shri. Nitin Sable	Junior Engineer (Bldg)					
18	Shri. Hemant Bhalerao	Sub Engineer (Factory)					
19	Shri Prasad Pratap Khanvilkar	Clerk					
20	Shri. Sandesh Ashok Pharde	Clerk					
21	Shri. Ramchandra Dhuri	Peon					
22	Shri. Sudhir Kajari	Mukadam					
23	Shri. Umesh Nakhate	Mukadam					

Section 4 (1) (b) (xi)

**Details of allocation of budget and disbursement made in the office of Assistant Engineer
(Building & Factory) G/North ward for the year 2020-2021**

Sr. No	Budget Head description	Grants received	Planned use (give details area wise or work wise in a separate form)	Remarks
1	Demolition of unauthorized structures and unsafe buildings	Rs. 20 Lakh	Unplanned	Not utilized

Form B for previous year (2020-21)

Sr. No	Budget Head description	Grants received	Grant utilized	Grant Surrendered	Result
1	Demolition and propping of dangerous/dilapidated buildings	Rs. 20 Lakh	NIL	Rs. 20 Lakh	

Section 4 (1) (b) (xii)

Manner of execution of subsidy program in the office of

Ex. Engineer, Building & Factory, G/North 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

Ex. Engineer, Building & Factory, G/North ward

Sr. No	Name and Address of Beneficiary	Amount of Subsidy / Concession Sanctioned
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) G/North ward.

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

Section 4 (1) (b) (xiv)

Details of information available in electronic form in the office of Assistant Engineer, Building & Factory, G/North 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) G/North ward

Sr. No.	Type of Facility	Timings	Procedure	Location	Person In Charge
1	Inspection of Record under RTI Act, 2005	11.00 a.m. to 1.0 p. m on every 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, Room no 39, 1 st floor, G/North ward office, Dadar (W), Mumbai-28.	1) Shri Amit Jagtap (I/c) A.E.(B&F) I G/North ward 2) Shri. Praveen Vasave A.E.(B&F) II G/North ward 3) Shri. Laxmikant Kolekar A.E.(B&F) III G/North ward

- Interactive website – <http://portal.mcgm.gov.in> & <http://removalofencroachment.mcgm.gov.in/>
- Facilitation center - Facilitation center is available at the ground floor of ward office Building. Working Hours – 9.00 a.m. to 6:00 p.m
- Notice board - Displayed in the office of Asstt. Engineer (B&F) G/N ward
- 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 Amit Jagtap (I/c)	Assistant Engineer- 1	Information related to the action taken against unauthorized construction/ factories and various permissions / factory permits issued. Assistant Engineer (B & F)-1 has jurisdiction of area covered under ward no.183,184,185 & 186	Room No.39, 1 st floor, G/North ward office, Harishchandra Yelve Marg, Dadar(W), Mumbai-28. Ph. 24397800/18		Shri Dipak Dhumal, Designated Officer/ Executive Engineer Room No.37, 1 st floor, G/North ward office, Harishchandra Yelve Marg, Dadar(W), Mumbai-28.
2	Shri. Praveen Vasave	Assistant Engineer- 2	Information related to the action taken against unauthorized construction/ factories and various permissions / factory permits issued. Assistant Engineer (B & F)-2 has jurisdiction of area covered under ward	Room No.39, 1 st floor, G/North ward office, Harishchandra Yelve Marg, Dadar(W), Mumbai-28. Ph. 24397800/18		

			no.182,187,188 & 190		
3	Shri. Laxmikant Kolekar	Assistant Engineer- 3	Information related to the action taken against unauthorized construction/ factories and various permissions / factory permits issued. Assistant Engineer (B & F)-3 has jurisdiction of area covered under ward no.189,191 & 192.	Room No.39, 1 st floor, G/North ward office, Harishchandra Yelve Marg, Dadar(W), Mumbai-28. Ph. 24397800/18	Do02bf.g n@mcgm .gov.in

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) G/North ward.

Sr. No.	Name of Appellate Authority	Designation	Jurisdiction as Appellate authority	PIO Reporting	E mail id for purpose of RTI
1	Shri. Dipak Dhumal	Executive Engineer /Designated Officer G/North ward	Building & Factory Department, G/N Information related to the action taken against unauthorized construction/ factories and various permissions / factory permits issued.	A.E. I,II & III (B/& F), G/N	NA

Section 4 (1) (b) (xvii)

ANNEXURE- A

Ward-wise Chart of Notice issued under Section 354 A, 351, 475 A of MMC Act and 3-Z-1 of Slum Act and Cases registered under MPDA Act, Slum Act & MRTP Act for the month of May 21.

G/North Ward	Notices issued under Section				Cases registered under		
	354 A	351	475 A	3-Z-1 (Slum Act)	MPDA Act	Slum	MRTP Act
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
May 21	03	02	Nil	19	Nil	Nil	04

ANNEXURE- B

Demolition Report for the month of May 21

G/North Ward	Unauthorised Works			
	Shanties	Residential	Commercial	Total
(1)	(2)	(3)	(4)	(5)
May 21	00	00	00	00

ANNEXURE- C (परिशिष्ट "क")

माहे मे २०२१या कालावधीत कलम ३५१ अन्वये दिलेल्या (Speaking order) आदेशाप्रमाणे कारवाई (prosecution) करण्याबाबत माहिती

जी/उत्तर विभाग	म.न.पा. कायदा कलम सहा. अभियंता (इ. व का.) १ अन्वये दिलेल्या नोटीसांची संख्या	नोटीस दिल्यानंतर उत्तरासोबत आलेल्या कागदपत्रांची संख्या असलेल्या नोटीसांची संख्या	कागदपत्रांच्या तपासणीनंतर Speaking orders/ Ap- pendix F दिलेल्या नोटीसांची संख्या	Speaking orders/ Ap- pendix F दिल्यानंतर विहित मुदतीपूर्वी संबंधितानी अनधिकृत बांधकाम काढून/ तोडून टाकलेल्या नोटीसांची संख्या	Speaking or- ders/ Appen- dix F दिल्यानंतर विहित मुदतीपूर्वी मुंबई शहर दिवाणी न्यायालय/ मुंबई उच्च न्यायालयाकडून स्थगिती/ मनाई हुकूम प्राप्त झालेल्या नोटीसांची संख्या	म.न.पा. कायदा ४७५ अ (१) बी अन्वये कारवाई सहा. अभियंता (इ. व का.) ३ करण्यासाठी विधी सहाय्यकाकडे कागदपत्रांसह पाठविलेल्या नोटीसांची संख्या	न्यायालयाने शिक्षा/ दंड केलेल्या संख्या जी/उत्तर विभाग	निष्कासन कारवाईचे विवरण			शेरा
								पक्षकाराने	म.न.पा.	एकूण	
१	२	३	४	५	६	७	८	९	१०	११	१२
मे २०२१	०२	निरंक	निरंक	निरंक	निरंक	निरंक	निरंक	निरंक	निरंक	निरंक	निरंक

ANNEXURE- D

Monthly Report Regarding Detection/ Demolition of Unauthorized Works for the Month of **May 21**

G/North Ward	Complaint Received	Detected by Dept.	Total Complaint	No. of cases recorded under section				No. of cases registered under section		
				354-A of MMC Act	351 of MMC Act	475-A of MMC Act	3-Z-1 (Slum Act)	MPDA Act	Slum Act	MRTP Act
1.	2.	3.	4.	5.	6.	7.	8.	9.	10.	11.
May 21	27	Nil	27	03	02	Nil	19	Nil	Nil	04

ANNEXURE - E

Mo nth	Previous Balance				Detection during the month				Total (2+3)				Demolition during the month				Bifurcation of balance cases						Total balance			
	R	C	S	T	R	C	S	T	R	C	S	T	R	C	S	T	Ripe Cas- es	Court Cases	Submis- sion for the pro- posal to E.E.B.P.	Verifi- cation of doc- uments	Awaited for or- ders from higher authori- ties	Oth er	R	C	S	T
1	2				3				4				5				6						7			
May 21	108	41	00	149	20	7	00	27	128	48	00	176	00	00	00	00	98	72	06	00	00	00	128	48	00	176

ANNEXURE- F

(परिशिष्ट "फ")

अनधिकृत बांधकामे/ अतिक्रमणाबाबतची महापालिका अधिकारी/ कर्मचारी यांच्याविरुद्धची खात्यांतर्गत चौकशी प्रकरणी दर्शविणारा तक्ता
माहे-मे २०२१

जी/उत्तर विभाग	चौकशी सुरु करण्यासाठी अधिका-यांचे आदेश व दिनांक	चौकशी अधिकारी नियुक्त केल्याचा दिनांक	आरोपपत्र क्र. व दिनांक	विषय	कर्मचा-यांची नावे	हुद्दा	कर्मचारी संकेतांक	सद्यस्थितीत
१	२	३	४	५	६	७	८	९
मे २०२१	निरंक	निरंक	निरंक	निरंक	निरंक	निरंक	निरंक	निरंक

ANNEXURE- G

(परिशिष्ट "ग")

Reports Regarding F.I.R. Lodged against the encroachers for the Month of **May 21**

G/North Ward	F.I.R. Lodged in 2021-22	F.I.R. Lodged in 2020-21	Total
May 21	00	01	01

Note:- Total No.s of F.I.R. Lodged till 31st March 2021 are 47.

REMOVAL OF ENCROACHMENT DEPARTMENT

JE Beat Wise Complaint Total Summary Report

Period – April 2016 to June 2021

Sr. No.	Beat Name	Total Complaints	Duplicate Complaints	IR done	Other Department Complaint	Complaints Closed without Notice	Notice issued	Speaking order passed	Demolition arranged	Demolition Done	Pending for Cost Recovery	Closed Complaint
1	182	196	58	137	10	57	56	22	9	9	4	72
2	183	345	229	80	29	18	31	15	9	7	1	56
3	184	206	154	34	26	4	4	3	2	2	2	31
4	185	205	65	113	17	67	15	6	2	1	1	85
5	186	169	34	108	10	64	7	4	2	2	2	74
6	187	451	199	253	79	110	52	12	8	7	3	189
7	188	196	78	104	17	60	23	12	10	9	4	81
8	189	109	39	55	1	12	20	17	8	7	2	19
9	190	500	184	291	0	120	168	65	12	10	10	123
10	191	240	3	227	2	137	52	8	2	1	0	147
11	192	721	8	732	6	588	91	12	7	4	1	601
Total		3338	1051	2134	197	1237	519	176	71	59	30	1478

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

List of C-1 Category Building in G/North ward dated 01.07.2021

Sr. No.	Name & Address of Building	Building Owned by Mun/private/Govt.	Type of Building Res/Comm/Ind/Res & Comm	Details of No. of Tenants		Remarks
				Shops/Galley/ Office	Residential	
1	Khandke Bldg No. 07 & 08, R.K. Vaidya Marg, Dadar (W), Mumbai-400028. (Gr. + 3)	Cessed	Residential	----	84	<p>Pull Down notice was issued on 29.05.2014 to owner/occupier & Ex. Engineer G/N, M.B.R.&R board. Reply received from M/s Jhangiani , Narula & Associates, Advocates on behalf of Mr. Rabindra Kishen Hazari, Jr. executor for the estate of the Late Smt Jankibai Dattatreya Khandke. Possession is with Railway Police & property is cessed one. As per order dated 23.06.1995 in WP 1735/1986 and order dt 17.02.2004 in Review Petition no 27 of 1995 , Govt was directed to derequisition of the premises and hand over vacant possession of the said premises. However as per letter from Hon CP (Railways), NMW 216/2004 filed by railway police against orders of High Court in W.P. 1735/ 1986 & 1734/1986 & matter was pending in the Hon High court.</p> <p>Commissioner of Police (Railway) were informed several times since 2015 to appraise the court & process further towards pulling down of building. Also as it is cessed building, M.B.R. & R. Board was also informed several times to pull down the building being its MHADA's Responsibility. Also a D.O. Letter of AMC(City) was sent to Chief Officer, M.B.R. & R. BOARD of MHADA & Commissioner of Police (Railways) vide No.AMC/City/D/6896 Dt.16.08.2018 for taking early action by demolishing the building. In response to the same this office had received a reply from Exe. Engineer, M.B.R. & R. Board that procedure for demolition of building is under progress. On 28.01.2020,Hon. High Court in Ch summon (L) no.712 of 2019 In Execution application (L) No526 of 2016 In writ petition no.1735 of 1986 ordered to allow applicant i.e. Mr. Rabindra Kishen Hazari, Jr. executor for the estate of the Late Smt Jankibai Dattatreya Khandke to demolish the suit building but through a contractor designated by Mhada. Further Hon High Court directed that Mhada & its contractor before demolition make a proper survey & prepare the plan of the buildings by indicating the area of the plot and the footprint of the buildings as well as the floors of the suit buildings together with a calculation of their respective areas. This office had requested</p>

						Executive Engineer Mhada, advocate of owner and Commissioner of Police (Railway) vide letters dated 14.05.2020, 07.01.2021 & 11.06.2021 for proceeding as per Hon High Court orders dated 28.01.2020 as soon as possible. Presently building is vacated .
2	Mangesh Bhuvan C.H.S. Ltd., 9, D.L. Vaidya Road, Dadar (W), Mumbai-400 028 (Gr. + 3)	Cessed	Residential & Commercial	03	08	The chairman of Mangesh Bhuvan C.H.S. Ltd. submitted audit report on dt 23.09.2014 carried out by M/s. H.M. Raje structural consultant. Report recommended to evacuate and demolish the entire building structure. The notice issued u/sec.354 of MMC Act notice no. ACGN/DOIII/354/180/2014-15 on dt 19.11.2014 for pulling down Gr+3 structure. Now the Society Member submitted structural audit report on 05.04.2021 carried out by VJTI. In this Report building is categorized in C2-B category. As the reports received are conflicting/contrary to each other, both structural audit reports are submitted to Deputy Chief Engineer (Building Proposal) City on 28.04.2021 for reviewing of both the reports and giving opinion/decision in the matter. TAC site visit was done on 07.06.2021 & meeting was held on 14.06.2021. TAC order/decision in the matter is awaited.
3	Girikunj Building, L.J. Road, Mahim, Mumbai-400016. (Gr. + 3)	Private	Residential			Notice issued on 20.01.2014 for pulling down the said building within period of 1 month, which is already expired on 19.02.2014. and concerned file papers are sent to the Sr. Legal Assistant G/North ward for prosecution, but it is learnt from Sr. Legal Assistant, G/North ward that the S.L.P. is pending in Supreme court due to which no prosecution is possible and concerned owner is also carrying out repairs of building. Letter is issued to owner to submit fresh structural stability report on 08.09.2017. As the party has failed to produce fresh Structural Stability report this office has disconnected water of the said building. But as per order of High Court water connection is restored again. Presently matter is in High Court under Suit No. WP/1511/2018
4	30, Rail View Building, Senapati Bapat Road, Opp. Mahim Station, Mahim, Mumbai-16	Private (Gr. + 1 Cess & Gr. + 3 Private)	Residential			Notice u/sec.354 is issued to pull down Gr. + 1 bungalow & Gr. + 3 vacant building on 04.03.2014 & notice 354 R/w 489 issued for eviction on 09.06.2014. The report for quotation of demolition of building was put up to D.M.C. & A.M.C (City) & same was approved by A.M.C. (City) on 08.05.2014. However, the owner/ occupier approached Court vide B.C.C.C. Suit No. 1507 of 2014 & High Court in appeal form order no. 846 of 2014, the owner / occupier submitted the affidavit for responsibility of mishap. Appeal was heard in High Court on 21.06.2014, appeal dismissed with no action by corporation except afresh notice. Hence, Legal Dept. is asked to expedite the matter speedily which is pending in city civil court.

5	Burhani Manzil situated at F.P. No. 666, Bori Chawl, Wanjewadi, Mahim, Mumbai – 400 016.	Private	Residential		<p>As the concerned have not submitted structural audit report even after lapse of notice period issued u/sec. 353-B. Hence looking to the precarious condition of building this office issued notice u/s. 354 of MMC Act to pull down the building under reference. Further notice u/s 354 R/s 489 is issued for eviction.</p> <p>As per remarks received to this office from Dy. Law Officer fresh notice u/s. 353(B) issued to owner / occupier of Burhani Building & asked for fresh Structural stability Report on 08.09.2017. As the party has failed to produce fresh Structural Stability report this office has written a letter for disconnection of water & Electricity A.E.W.W. G/N has given letter that they have not provided the water connection to that building.</p> <p>BEST has informed this office to vacate the said building first & then they will cut the Electricity supply. In reply to that, this office has written a letter to Asst. Engr. BEST BHAVAN to cut down the electric connection as per the present policy of Hon'ble High Court regarding dilapidated buildings, which is awaited.</p>
6	Calcutta Confectionery & Shitladevi Industrial Estate , 140, Sitladevi Temple Road, Mahim, Mumbai- 400 016. (Gr. + 1)	Private	Residential		<p>In this matter Hon'ble High Court directed the TAC to submit fresh structural audit report then decide the matter accordingly & then TAC Committee declared the said building as C-1 category and recommended "To evacuate & demolish the said building immediately". Now as per Hon'ble High Court's order dtd. 03.10.2018 this office has vacated the said building and given letter to Chairman / Secretary to demolish the building.</p> <p>Now, the owner have partly demolished the building and submitted Structural Audit report stating the complete demolition cannot be carried out due to adjoining illegal structures. Accordingly this office has issued notice u/s 351 to 7 no. structures. Now noticees have submitted the documents to this office further action will be taken after scrutiny of documents. This office has instructed owner to demolish balance dilapidated structure vide letter dt 06.05.2021.</p>