

**MUNICIPAL CORPORATION OF GREATER MUMBAI**

No. Dy. Ch. E. /BP/5635/ES dated 20.09.2017

- Subject :- Revalidation of IOD in cases where CC is not granted within a period of one year.
- Ref :-
- 1) Dy.Ch.E./BP/2094/ES dated 25.05.2017
  - 2) Ch.E./DP/6214/City dated 03.06.2017
  - 3) MCP/9204 dated 03.06.2017
  - 4) LOP/2286 dated 04.09.2017

In this case, this office has submitted a detailed note to Ch.E. (D.P.)/ Hon'ble M.C. at page N/1 to N/2 regarding the issue pertaining to revalidation of IOD, where Commencement Certificate is not granted within a period of one year. A detailed note by Ch. Eng. (D.P.)'s para A at page N-5 is reproduced as "As such proposals wherein I.O.D. was granted prior to 1<sup>st</sup> March 2016 remains submitted before 1<sup>st</sup> March 2016, in such cases, the revalidation of I.O.D. may be done for one year as per policy already approved in year 2007, at the level of Dy.Chief Engineer by ensuring that there shall be no material change in original approval, not involving additional concessions and where there is no change in the provisions of the D.P./DCR, applicable to proposal." Was submitted to Hon'ble M.C. and Hon'ble M.C. directed on date 15.06.2017 at page N/5 as "we may take opinion of Sr. Counsel in the matter". Accordingly the complete file papers were forwarded to Law officer for taking opinion of Sr. Counsel in the matter Please.

Shri. Anil Sakhre (Senior Advocate) has submitted his opinion in the matter to legal department (copy attached at pate C/53 to C/77) and on this legal opinion Jt. Law Officer (I/C) City Civil Court & Con-I has given his opinion and forwarded the complete file papers to this office for perusal and further necessary action. The copies of complete file papers are already forwarded to zonal building proposal offices for their information.

The cases where there is no material change in the original approval and not involving additional concessions, in these cases IOD can be revalidated at the level of Zonal Dy Ch Eng (B.P) as per the policy already approved in the year 2007 as opined by legal department. However, the cases where there is material change such as New I to R, TDR policy then such case may be dealt separately case to case as per the merits and in such cases revised IOD will be issued. In cases where revised IOD is to be issued the first initial date on which the proposal accepted by this office will be considered as a date of submission of the proposal and same will be processed as per D.C. rules. The feedback of other zonal Building Proposal Offices in above subject may please be requested, if required.

In view of above Ch.Eng (D.P)'s Orders\directions are requested for further guidelines and instructions to be followed in regarding revalidation of IOD in view of Jt Law Officer (I/C) City Civil Court & Con-I { Legal Department}'s vide LOP/2286 dt 04.09.2017 and opinion from Advocate Shri Anil Sakhare dated 10.08.2017.

Submitted Please

Ch.Eng. (D.P.)  
Sir,

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20/09/2017

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Dy. Ch. Eng. (B.P.) E.S.