

**BRIHANMUMBAI MAHANAGARPALIKA**

NO. DY.CHE./1172 /BPES/SURVEY/DT. 16 AUG 2019

Sub:- Comprehensive Policy Guidelines for prescribing R.L. to Roads within the MCGM limits for all the Roads including Dead End roads shown in the Sanctioned Town Planning Schemes/ Mhada Layouts/ Private Layouts, Improvement Schemes ets.

Ref:- Policy Circular issued U/No. CHE/DP/73/GEN/2019-20. c/1-3

State Government vide its Notification issued U/No. TPS/1813/3067/Case No. 122/MCORP/UD-12/Dt. 16.11.2016, issued directives to widen all the roads having width less than 9.00 Mtrs, to 9.00 Mtrs & above, within MCGM limits.

Accordingly a comprehensive Policy Circular is issued describing the SOP to be adopted for prescribing RL. The circular elaborates procedure for prescribing RL under section 291, 294 & 297 of MMC Act.

DP Department through A.E. (Survey) of Zonal Building Proposal Office are to prescribe RL upto 9.15 Mtr under section 297 (1) (a) & Section 297 (1) (b) of MMC Act. RL above width of 9.15 Mtr are to be prescribed by Traffic & Coordination Deptt, under Ch.E. (Roads & Traffic).

So far as prescribing RL under Section 297 (1)(a) of MMC Act, there are no any constraints, as same are being sanctioned by Hon'ble Municipal Commissioner, without calling suggestions objections. However, in case of subsequent RL, same needs to be prescribed under section 297 (1) (b) of MMC Act, by calling suggestions / objections, giving hearing to the suggestions / objections received & obtaining approval of Works Committee / Corporation.

While prescribing RL under sections 297 (1) (b) of MMC Act, following points are required to be reviewed.

**A) Calling Suggestions / Objections & conducting Hearing**

As per the policy circular, Clause 3 & 6(b) , RL to the Estate Roads & TP Scheme Roads to be prescribed u/s. 297(1)(b) of MMC Act & also as per provisions of MMC Act, the proposed RL roads having earlier RL, are also to be proposed under section 297 (1)(b) of MMC Act.

As per clause 6(a) of the Policy Circular, Notice for suggestions / objections is to be signed by Director (ES&P) & hearing is to be conducted before AMC (ES). This procedure is followed by Traffic & Coordination Department, for prescribing RL (above 9.15 Mtrs).

In one of the report made earlier in one of the RL proposals, it was proposed to conduct the hearing of Suggestions / Objections under the 1c-5/7

chairmanship of ChE (D.P.). Said proposal was approved by the then Hon'ble MC.

It is to be mentioned herewith that, there are number of cases in all 24 wards, wherein the roads having earlier RL of 6 to 9 Meters. Also, there are number of TP Schemes & Estate Layouts in City area having road widths less than 9.00 Mtrs. All these roads are to be widened by prescribing RL under Section 297 (1) (b) of MMC Act, by calling suggestions / objections. Looking into the huge quantum of such proposals, it will not be advisable to issue notices under the signature of Director (ES&P)/ Ch.E. (D.P.) & to conduct hearing before AMC (ES)/ ChE (D.P.).

As the Zonal Building Proposal Staff is well conversant with the site conditions & also having details of Building proposal details of the affected plots, it is felt that, notices can be issued under the signature of Dy. Ch.E. (Building Proposal) & hearing can also be done, under his chairmanship.

**B) Time Period of Notice & Notice receiving Office.**

Clause 297 (1) (b) (i) & (ii) of MMC Act spells as below.

- (i) *Unless a least one month before the meeting of the corporation at which the matter is decided, public notice of the proposal has been given by the Commissioner by advertisement in local newspaper as well as in the Official Gazette, and special notice thereof, signed by Commissioner, has also been put up in the street or part of the street for which such fresh line is proposed to be prescribed and,*
- (ii) *Until the corporation have considered all objections to the said proposal made in writing and delivered at the office of Municipal Secretary not less than three clear days before the day of such meeting.*

As per above provisions, the suggestions / objections are to be submitted in the office of Municipal Secretary & suggestions objections so received upto 3 clear days before the meeting of Corporation, are to be considered.

It is to be mentioned herewith that, it will be difficult to coordinate with the office of Municipal Secretary, for received suggestions / objections received in their office & it will not be convenient for the general public from all over Mumbai, to submit their suggestions / objections in the office of Municipal Secretary, which is situated in MCGM Head Office. Also, it will be difficult, to consider all the suggestions objections received just 3 days before the Corporation meeting. As, after receipt of suggestion objection, hearing is to be conducted. Orders are to be passed & complete proposal with DL to MS to that effect is to be submitted to Works Committee / Corporation.

As such it is felt that, suggestions / objections are to called in the office of Asst. Commissioners of the Concerned Wards & Zonal Building Proposal Office & Notice Time period for inviting suggestions / objections will be one month, from the date of publication of such notice.

In view of above, & in the light of State Governments directives, to speed up the process of widening all the roads upto 9.00 Mtr & above, in MCGM limit, it is proposed to,

- 1) In case of prescribing RL upto 9.15 Mtrs by Zonal Building proposal Deptt, under section 297 (1) (b) of MMC Act, notice under the signature of Dy. Ch.E. (Building proposal) will be issued & hearing will be conducted before Dy.Ch.E. (Building Proposal)
- 2) All the suggestions objections will be invited in the office of concerned Asst. Commissioner of Ward & in the office of Dy.Ch.E.(Building Proposal) & Notice time period for inviting suggestions objections will be one month form the date of publication of such notice

Dy.Ch.E. (D.P.) is requested to scrutinise the proposal & submit the same for approval of Ch.E.(D.P.) / Hon'ble M.C.

After receipt of approval, necessary directives will be circulated by the office of Ch.E. (D.P.), among the concerned.

Submitted please.

*[Signature]*  
A.E. (Survey) ES

*[Signature]*  
Dy. Ch.E. (B.P.) E.S.

Dy. Ch.E. (D.P.)  
Ch.E. (D.P.)  
Hon'ble M.C.

Sir

Chief Engineer / E&DP (Dev)

*[Signature]*  
19/08/2019  
Dy. Chief Eng. DP 22

- Above circular is put up to speedup the process.

- of prescribing R-L up to 9.15m wide. v/c 297 (1)(b) of MMC Act for per to provisions of DPR-2034 to streamline the procedure to be followed by B.P. deptt-staff.

- submitted for approval of 'A' and 'B' above plan. Ch.E. (DP).

*[Signature]*  
23/8/19  
Dy. Ch.E. (DP) - I

Submitted for approval please

*[Signature]*  
Hon'ble A.C. *[Signature]*

*[Signature]*  
23/8/19  
Chief Engineer  
(Development Plan)

Sir, Ch.Eng. DP *[Signature]*

बृहन्मुंबई महानगर पालिका			
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