**Circular no. CE/Conf./1332/Eng. of 20/11/’03 lists out punishments**

 (including censures, fines, withholding of increments, dismissal and removal from service) to be awarded in case of departmental enquiries pertaining to offences committed while taking action against unauthorized works or unauthorized change of user under provisions of BMC Act and/or MRTP (Maharashtra Regional Town Planning) Act. This circular refers to an earlier circular no. AO/SV/780 dated 7/6/1987, which broadly standardized the departmental enquiries and punishment awarded for offences committed by municipal employees. “In this circular, punishment to be awarded against unauthorized works/unauthorized change of user are not explicitly mentioned. Hence, in continuation of the above circular, THE FOLLOWING GUIDELINES ARE ISSUED:

1.      Failure to detect unauthorized work/unauthorized change of user

(a)   Unauthorised work of minor nature not involving addition to F.S.I. as well as those not detrimental to the structure. Maximum Punishment -- Fine upto Rs. 1,000/- ; Minimum
Punishment – Censure.

(b)   Unauthorised work not involving addition to F.S.I. but detrimental to the structure. Max -- Removal from service; Min -- Withholding of next increment for 1 year with permanent effect on future increment.

(c)    Addition to F.S.I.

(i)                 Residential. Max -- Removal from service. Min -- Withholding of next increment for 1 year with permanent effect on future increment.

(ii)               Commercial. Same as above.

(d)   Change of user from Residential to Commercial and/or Industrial. Max -- Withholding of next increment for 1 year with permanent effect on future increment. Min -- Censure / Fine upto Rs. 1,000/-

(e)   Change of user from Commercial / Industrial to Residential. Punishments -- Same as (d).

(f)     Change of User from Industrial to Commercial and vice-versa. Punishments -- Same as (d).

2.    Work detected but action not taken. Max -- Removal from service. Min -- Withholding of next increment for 2 years with permanent effect on future increment.

3.   Action under relevant provisions of Act taken but not pursued vigorously.  Max -- Removal from service. Min -- Withholding of next increment for 1 year with permanent effect on future increment.

**4.    Action pursued in a defective way so as to ensure that action fails. Max – Dismissal from service. Min – Removal from service.**

**5.      Action withdrawn/dropped unauthorized without competent sanction. This includes tampering of records. Max – Dismissal from service. Min – Removal from service.**