

# **BRIHANMUMBAI MUNICIPAL CORPORATION**

File No. P-8179/2021/(1298)/R/S Ward/KANDIVALI R/S

## **4C. REPORT ON VARIOUS CONCESSIONS SOUGHT**

**Subject:** Proposed redevelopment on plot bearing [REDACTED]  
[REDACTED]  
[REDACTED]  
**Owner:** [REDACTED]  
**Architect:** [REDACTED]  
**Reference:** Plans for consideration uploaded online in console.

### **Preamble:**

Earlier, the proposal was submitted for approval of Ch.E.(D.P.)/ Hon'ble M.C. for the various Indicative Concessions submitted by Architect for proposed residential building (Ht. 54.10 M.) comprising of Ground (Pt.) + Mechanical Parking (Pt.) + 1st (Pt.) floor for Fitness Center and Society Office + Typical 2nd (Pt.) to 4th (Pt.) floors + 5<sup>th</sup> floor + Typical 6th to 17th upper floors for residential use in lieu of plot potential + incentive F.S.I. as per Reg. 33(7)(B) of DCPR 2034 + 0.50 additional F.S.I. by payment of premium as per Reg. 30(A), Table 12 + Admissible T.D.R. (Slum and Reservation) as per Reg. 30(A), Table 12 Sr. No. (ii) of DCPR 2034 + protected development as per Reg. 30(C) of DCPR 2034 + Incentive F.S.I. as per Reg. 33(7)(B) for eligible 12 Nos. of tenements as per DCPR 2034 + by claiming Staircase, staircase lobby, lift, lift lobby area free of F.S.I. as per Reg. 31(1)(iv) of DCPR 2034 + fungible compensatory area as per Reg. 31(3) of DCPR 2034.

Reference is requested to the remarks of Ch.Eng.(D.P.) vide Notesheet dtd. 07.11.2022, which are reproduced as below:

*"Please reconcile about the following : -*

- 1) The aspect of provision of FOS of 1.50 Mt. for shop & for upper floors of building.*
- 2) Pocket terrace at 2nd floor free of FSI."*

Accordingly, Architect has submitted the representation dtd. 26.11.2022 attached in additional documents, wherein it is stated that, the proposal is reconciled as follows:

1) Architect has provided min. 3.0 Mt. FOS for shop & for upper floors of building and thereby, reducing the rear open space due to planning constraints as enumerated in Indicative Report submitted in Online Building Plan Approval System.

2) Further, the sloping slab provided at 2nd floor level has been removed by reducing the area of fitness center & society office at 1st floor.

Now, Architect has submitted revised list of Indicative Concessions and plans for proposed residential building (Ht. 54.10 M.) comprising of Ground (Pt.) + Mechanical Parking (Pt.) + 1st (Pt.) floor for Fitness Center and Society Office + Typical 2nd (Pt.) to 4th (Pt.) floors + 5<sup>th</sup> floor + Typical 6th to 17th upper floors for residential use in lieu of plot

potential + incentive F.S.I. as per Reg. 33(7)(B) of DCPR 2034 + 0.50 additional F.S.I. by payment of premium as per Reg. 30(A), Table 12 + Admissible T.D.R. (Slum and Reservation) as per Reg. 30(A), Table 12 Sr. No. (ii) of DCPR 2034 + protected development as per Reg. 30(C) of DCPR 2034 + Incentive F.S.I. as per Reg. 33(7)(B) for eligible 12 Nos. of tenements as per DCPR 2034 + by claiming Staircase, staircase lobby, lift, lift lobby area free of F.S.I. as per Reg. 31(1)(iv) of DCPR 2034 + fungible compensatory area as per Reg. 31(3) of DCPR 2034 .

This is a proposal of redevelopment of Registered C.H.S. Ltd., comprising of 17 Nos. of existing Society Members and all are proposed to be re-accommodated in the proposed residential building.

**The salient features of the proposal are as under :**

**D.P. 2034 Remarks :**

As per D.P. 2034 Remarks, the plot under reference is situated in Residential Zone and is not reserved for any public purpose. There is a existing 13.40 Mt. wide [REDACTED] on east side of the plot.

**Survey Remarks & Access :**

As per Survey Remarks, the plot under reference is situated in Residential Zone and is not reserved for any public purpose. The plot under reference is directly accessible from existing 13.40 Mt. wide [REDACTED] on east side of the plot.

**Plot area/layout :**

The area of the plot as per various documents submitted by Architect is as under:

As per P.R. Card	: 432.80 Sq.Mt.
As per Architect Plot Area Certificate	: 432.80 Sq.Mt.
As per Owners Affidavit	: 432.80 Sq.Mt.
As per Triangulation Method	: 432.80 Sq.Mt.
As per last approved plan 1985	: 432.80 Sq.Mt.

Accordingly, the least plot area considered for F.S.I. computation is 432.80 Sq.Mt.

**Ownership :**

As per Reg. 10 (3) of DCPR 2034 Title Clearance Certificate is a pre-requisite during submission of application of proposal. The onus of verification of ownership and corrected plot details is the responsibility of the Project proponent and not of MCGM as per circular issued u/No. CHE/DP/3470/Gen dtd. 08.03.2019. Also as per EODB manual circulated u/No. CHE/DP/49/Gen/2015-16 and CHE/DP/41375/Gen dtd. 29.12.2015 the verification of the title issued by the advocate is treated as compliance of provisions of DCPR for which the responsibility lies with the project proponent. Even, in case of any dispute in ownership, Title and interest etc., the cognizance of the same is not be taken by MCGM, as per circular issued by Hon'ble M.C. u/No. MDG/7934 dtd. 21.08.2019.

As per P.R. Card, the ownership of the plot under reference vests with [REDACTED]. The said society as per its Special General Body Resolution dated 25/07/2021, has authorized [REDACTED], the Secretary of M/s.

Ambrose Co-Op. Housing Society Ltd. to sign, execute and submit the proposal and plans to B.M.C. and other relevant departments for obtaining approvals.

Accordingly, [REDACTED] has signed the notice under sec. 337 of M.M.C. Act, 1888 & 44/69 of M.R. & T.P. Act, 1969.

**Title Certificate :**

As per Title certificate issued by [REDACTED] of [REDACTED] dated 28/07/2022, the title of the said society to the said property is clear, marketable and free from encumbrances.

**Earlier approvals :**

In this case, earlier approval was granted for building comprising of Ground + 4 upper floors and full O.C. u/No. CE/4036/BSII/AR dated 06/11/1985 was issued to the building.

**Present site condition :**

Presently, a building comprising of Ground + 4 upper floors is existing on site on the plot u/ref. Further, 6.0 Mt. right of way is granted to adjacent land-locked plot bearing C.T.S. No. 1297.

**Cognizance of Hon'ble Supreme Court's Orders in Kohinoor Mill case :**

The height of proposed building is 54.10 Mt. & the plot area is 432.80 Sq.Mt. which is less than 1000 Sq.Mt. & hence provision of R.G. is not applicable to the case under reference. Open space of 9.00 Mt. required as per Reg. 47(1)(B)(a) is provided on South side of the proposed building.

**Cognizance of Hon'ble Supreme Court orders in Dumping Ground :**

The necessary conditions of circular u/No. CHE/DP/674/GEN dated 06.04.2018 issued in view of Hon'ble Supreme Court's order dated 15.03.2018 in Special Leave Petition (Civil) No. D23708/2017 shall be insisted by the Developer. The NOC from S.W.M. department and Bank Guarantee of requisite amount as per circular u/No. CHE/DP/2373/GEN dated 25.04.2018 shall be insisted before approval of the plans.

**Applicability of Reg. No. 14 & Reg. 15 :**

In the instant case, the net area of plot is 432.80 Sq.Mt. which is less than 4,000 Sq. Mt. and is neither part of any other layout. As such the amenity open space required as per Reg.14(A) & IH as per Reg. 15 is not applicable.

**Applicability of Reg. 19 (Public Street and Means of Access) :**

In the instant case, the plot is abutting to existing 13.40 Mt. wide road and is connected to 18.30 Mt. wide road on West Side & 18.30 Mt. wide road on East Side.

**Applicability of Reg. No. 27 – Layout/Plot Recreational Ground/Open Spaces (LOS) in Layout/Plot:**

In the instant case, the net area of plot is 432.80 Sq.Mt. which is less than 1,000 Sq. Mt. and is neither part of any other layout. As such the Reg. 27 of DCPR 2034 is not applicable.

**Applicability of Reg. 28 (Substation):**

In the instant case, the net area of plot is 432.80 Sq.Mt. which is less than 1,000 Sq. Mt. and is neither part of any other layout. As such the Reg. 28 of DCPR 2034 is not applicable.

**Reg. 30 – Floor Space Indices & Floor space / Built-Up Area (BUA) computation, Tenement Density and Protected Development:****(A) Floor Space Indices & Floor space/BUA computation:**

The plot under reference is situated in Western Suburb (R/S Ward) and TDR receiving zone. The permissible F.S.I. as per Reg. 30(A)(1) Table 12 Sr. No. II (iii) Admissible 0.70 T.D.R. and Additional F.S.I. of 0.50 on payment of premium is permissible for plot deriving access from road having width more than 12.00 Mt. but less than 18.00 Mt. & permissible 35% fungible compensatory area as per Reg. 31(3) of DCPR 2034.

The total F.S.I. permissible on the plot u/ref. is 2.20 excluding Fungible Compensatory area.

**(B) Tenement Density:**

In the instant proposal, the permissible tenements for 2.20 F.S.I. + F.C.F.S.I. are 58 Nos. of tenements whereas Architect has proposed only 28 Nos. of tenements.

**(C) Protected Development:**

In the instant case, the protected development admeasures 544.45 Sq.Mt. as per copy of OCC approved & issued u/No. CE/4036/BSII/AR, OCC certificate dated 06/11/1985 & the entire documents are uploaded in additional document tab.

**Reg. 31 - Exemption from FSI to be counted in FSI/Fungible Compensatory Area:****(3) Fungible Compensatory Area:**

In the instant case, the proposal is submitted for redevelopment under Reg. 33(7)(B), accordingly, Architect has proposed to utilize fungible compensatory area admissible on existing BUA without charging premium & balance permissible admissible fungible compensatory area by charging premium.

**Reg. 33 - Additional Floor Space Index (FSI) which may be allowed to certain categories:****Reg. 33(7)(B) Additional FSI for Redevelopment of existing residential housing societies excluding buildings covered under Reg. 33(7) and 33(7)(A):**

In case of redevelopment of existing residential housing societies excluding buildings covered under Reg.33(7) and 33(7)(A) proposed by Housing societies/land lords or through their proponents where existing members are proposed to be re-accommodated on the same plot, incentive additional BUA to the extent of 15% of existing BUA or 10 Sq.Mt. per tenement whichever is more shall be permissible without premium. Provided further that if the existing	The plans are submitted in lieu of plot potential + incentive F.S.I. as per Reg. 33(7)(B) + 0.50 Govt. F.S.I. by paying premium + 0.70 admissible TDR (Slum and Reservation) + by claiming Staircase, staircase lobby, lift, lift lobby area free of F.S.I.+ fungible compensatory area as per Reg.
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authorized BUA and incentive thereon as stated above is less than the permissible F.S.I. as per Reg. 30(A)(1), then society may avail 'Additional F.S.I. on payment of premium/TDR' up to limit of permissible FSI.	31(3) of DCPR 2034.
If staircase, lift & lift lobby areas are claimed free of F.S.I. by charging premium as per then prevailing Regulation, then such areas to that extent only will be granted free of F.S.I. without charging premium. If staircase, lift & lift lobby areas are counted in F.S.I. in earlier development, then incentive additional F.S.I. as stated in Sr. No. 1 shall also be given on such area & such areas may be availed free of F.S.I. by charging premium as per these Regulations.	As per the OC Plans u/No. CE/4036/BSII/AR dated 06/11/1985, the staircase area at ground floor is counted in F.S.I. and as such, the incentive additional F.S.I. is claimed as per Sr. No. 1 of Reg. 33(7)(B).
This Regulation shall be applicable only when existing members of the societies are proposed to be re-accommodated.	All the members of the societies are proposed to be re-accommodated.
This regulation will be applicable for redevelopment of existing authorized buildings which are of thirty years of age or more	The OC was granted u/No. CE/4036/BSII/AR dated 06/11/1985. As such it can be ascertained that, the age of the building is more than 30 yrs.
This regulation shall not be applicable in respect of redevelopment proposal to be/ being processed under Regulation No. 33(5), 33(7), 33(8), 33(9), 33(9)(A),33(9)(B),33(10),33(10)(A),33(20)(A), 33(21) Explanation: Age of a building shall be as on the 1 <sup>st</sup> of January of the year in which a complete redevelopment proposal is submitted to the Commissioner and shall be calculated from the date of Occupation Certificate or alternately, from the first date of assessment as per the property tax record in respect of such building or building on which balance/admissible F.S.I. has been consumed by way of vertical extension as per then prevailing Regulation, available with the MCGM.	OC was granted u/No. CE/4036/BSII/AR dated 06/11/1985. As such, the age of building is more than 36 years.
This incentive additional BUA shall be independent of additional BUA as permissible under Regulation No 14(A), 15, 16 and 17, if any.	NA
Fungible compensatory area admissible under	NA

Regulation No. 31(3) on the existing authorized BUA shall be without charging premium and over the incentive additional BUA by charging of premium.	
If tenanted building/s and building/s of co-operative housing society/ non- tenanted building/s coexist on the plot under development, then proportionate land component as per the existing authorized BUA of existing tenanted building on the plot shall be developed as per Regulation No 33(7)(A) and remainder notional plot shall be developed as per this Regulation.	Only co-operative housing society building exists.

**Transitional policy (T-4) u/No. ChE/DP/08432/Gen dated 10/07/2019:**  
**Sr. No. 5. Guidelines for Processing the proposals under Reg. 33(7)(B):**

a) As regards the utilization of incentive additional built-up area as per Regulation 33(7) (B), the General Body Resolution of society shall be necessary specifying the beneficiary of such incentive additional BUA i.e. for members of society/ developer or combination thereof.	The proposal has been submitted by the society as self-redevelopment project.
<p>b) For the purpose of considering area &amp; authenticity of the existing built-up area, following guidelines shall be followed</p> <p>(i) Existing building having occupation certificate, the existing built-up area as per OC plans shall be considered for arriving at incentive additional BUA.</p> <p>(ii) Existing building having only approved copy of plan &amp; full Commencement Certificate but not having occupation certificate the existing built up area as per approved plans shall be considered for arriving at incentive additional BUA.</p> <p>(iii) Existing building having neither approved copy of plan nor having the occupation certificate nor file number is available in records incentive additional BUA is not permissible. (iv) Existing building falling in tolerated category, existing built-up area based on assessment record prior to datum line shall be considered for arriving at incentive additional BUA.</p> <p>Note: While submitting the proposals to Hon. M.C. for approval of concessions, the concerned EE(BP) shall clearly mention the details under which category</p>	<p>OC plan u/No. CE/4036/BSII/AR dated 06/11/1985 is available.</p>

<p>mentioned as above the proposal under reference falls before recommending the proposal. While considering the existing BUA as per the assessment record, the area as per the original assessment extract or area of tolerated structures prior to datum line shall only be considered &amp; no subsequent additions in areas shall be considered for arriving at incentive additional BUA.</p>	
<p>For arriving at number of existing tenements for the purpose of incentive additional BUA, following guidelines shall be adopted i) If the copies of approved plans are available, then the proof of number of tenements shall be taken from the approved plans. However, if the user shown in the approved plan is residential user which is subsequently changed unauthorized, then the benefit of incentive additional BUA shall not be permissible to the said tenement.</p>	<p>As per the OC plan u/No. CE/4036/BSII/AR dated 06/11/1985, 12 Nos. of tenements are seen. As per present site condition &amp; assessment records, 13 Nos. of tenements are seen. Hence, the benefit of incentive additional BUA is claimed on the basis of OC plan.</p>
<p>ii) Where the copies of approved plans are not available, the number of tenements shall be considered on the basis of records of Registrar of society. However, the same shall also be verified from assessment records &amp; the stringent shall be considered.</p>	<p>As per OC plan there are 12 Nos. of residential tenements. As per assessment record 13 Nos. of residential tenements are seen. As per site survey 13 Nos. of residential tenements are seen. Record Registrar of society shall be insisted and stringent of the above shall be considered for Incentive BUA as per circular u/No. Dy.Ch.E.(B.P.)/2803/W.S./ P&amp;R dated 17.08.2021 before CC.</p>
<p>iii) For the purpose of calculating incentive additional BUA tenement wise, only existing residential tenements shall be considered. Further, as regards considering 15% incentive additional BUA, existing BUA shall include residential and non-residential area, if any.</p>	<p>The incentive additional BUA tenement wise works out to 120 Sq.Mt. whereas 15% of BUA as per approved plan works out to 79.82 Sq.Mt.</p>
<p>d) The Regulation 33(7)(B) will be applicable only when existing members of the society are proposed to be re-accommodated in the same project on plot/ layout.</p>	<p>All the existing members of the society are proposed to be re-accommodated in the same project.</p>

**The incentive additional Built Up Area as per Reg. 33 (7) (B) is claimed as follows:**

Total BUA of existing Buildings as per last approved plans	15% Incentive BUA.	Total No. of Residential Tenements as per completion plan.	10 Sq.Mt. per tenement incentive BUA.
532.15 Sq.Mt.	79.82 Sq.Mt	12 Nos.	120 Sq.Mt.

**Civil Aviation NOC :**

The total building height above average ground level including OHT/ LMR and railing is proposed 59.10 Mt.

The approximate top elevation of the plot under reference shown on NOCAS website is 223.56 Mt. and hence, the permissible height above site elevation (15 Mt.) will be 208.56 Mt. (223.56 Mt. – 15.00 Mt. = 208.56 Mt.) and Architect has proposed total building height of 59.10 Mt. The screen shot is attached in additional documents. However, Civil Aviation NOC will be insisted before F.C.C.

**Auto-DCR scrutiny report :**

Proposal under reference is scrutinized as per Auto-DCR. There are deviations observed in the Auto-DCR scrutiny report. The deviations are in Open space deficiency, floor height, sanitation & refuge size for which approval of concession is sought. The report generated by the Auto-DCR system is as follows:

Sr. No.	Deviation Table No.	Deviation	Remarks
1	2c	Built-Up Area Details	The built-up area proposed is as per DCPR and the deviation in Auto-DCR is shown due to error.
2	4a-2	Floor Height Check	The floor height proposed is as per DCPR and the deviation in Auto-DCR is shown due to error.
3	4b-2	Built-up Area	The built-up area proposed is as per DCPR and the deviation in Auto-DCR is shown due to error.
4	5 & 5a-1	Marginal open space	Open space deficiency is submitted to Ch.Eng.(D.P.)/Hon'ble M.C.'s approval for condonation.
5	6	Parkings	The parkings proposed are as per DCPR and the deviation in Auto-DCR is shown due to error.
5	8	Sanitation Details	The U.G. Tank & O.H. Tank will be made in accordance with A.E.(W.W.) in consultation with H.E. Dept.
6	8e	Refuge Area Checks	The refuge floors are proposed at mid-landing levels as per DCPR and CFO NOC obtained for the same and the deviation in Auto-DCR is shown due to error.
7		Number of floors	The building height is proposed as per the DCPR 2034 and the deviation in Auto-DCR is shown due to error.
8		Lift details	The lift & machine room are proposed as per the DCPR 2034 and the deviation in Auto-DCR is shown due to error.
9	13	Summary	The built-up area proposed is as per DCPR and the deviation in Auto-DCR is shown due to error.

The proposal is scrutinized as per DCPR 2034, following points needs consideration/ approval of Ch.Eng.(D.P.)/Hon'ble M.C.:

<b>Sr. No.</b>	<b>Concession Required</b>	<b>Provision of DCPR 2034</b>	<b>Approval required from</b>
<b>1</b>	<b>To allow deficiency created to the tune of 39.67% for F.S.I. 1.00 and further, the tune of 68.30% (max.) for L/V on North-East side for consumption of maximum permissible F.S.I. and joint open space deficiency due to the existing structure on adjoining plots to the tune of 77.45% (max.) without charging premium, considering the hardship and planning constraints.</b>	<b>Reg. 6(b)</b>	<b>Ch.Eng.(D.P.)/ Hon'ble M.C.</b>

#### **Justification of Architect**

The deficiency in open space created to the tune of 68.30% (max.) for L/V for FSI 2.20 + Fungible area as per Reg. 41(2) of DCPR 2034 is proposed to be condoned by charging telescopic premium.

To make the proposal economically & financially viable with accommodation of existing tenants by the way of redevelopment, it is requested to allow the deficiency in open space for FSI 1.00 & FSI 2.20 + utilizing fungible compensatory area as per provision of Reg. 6(b) of DCPR 2034.

Accordingly, the demonstrable hardship regarding the deficiency in open spaces and proposed safety measures is represented below:

#### **Hardships:**

- To re-accommodate existing 17 Nos. of society members having various carpet area along with their fungible area.
- If the required open spaces as per DCPR 2034 are provided, the plot becomes unbuildable.
- The average width of the plot is less than 15 Mt. and is thus, a narrow plot as per DCPR 2034.
- The plot u/ref. is affected by road widening.
- A Right of Way of 6.0 Mt. wide is given to adjacent land-locked plot.
- Clear open space of 9.0 Mt. is proposed as per Reg. 47(B)(a) of DCPR 2034.
- Required parkings as per Reg. 44 of DCPR 2034 are proposed.
- In order to make the proposal viable, additional FSI/TDR is proposed due to which the height of the building is increased.

#### **a. Health Safety of inhabitants:**

- The new drainage system will be provided for the proposed building, as per bye law 4C under the supervision of Licensed Plumber.

- SWD arrangement will be made as per SWD specifications.
- The concrete paving around the building will be insisted to prevent water logging inside the plot.
- New trees will be planted as per the remarks of Superintendent of Garden.

This will help to maintain the hygienic environment surrounding the building and will have positive effect on health of the residents/ inhabitants and the neighborhood.

**b. Fire Safety:**

The revised CFO NOC as per the revised concessions shall be insisted before approval of plans for the proposed building. Also NOC from CFO will be insisted on complying requirements of fire protection and firefighting stipulated therein before asking for occupation certificate to the building.

Thus, the fire safety of inhabitants, prospective buyers and also neighborhood will be ensured.

**c. Structural safety:**

- The building will be designed by appointed licensed Structural Engineer considering seismic forces as per I.S. Code 1893. The certificate to that effect will be insisted from licensed structural Engineer.
- The construction work of the building will be supervised by licensed Site Supervisor registered with M.C.G.M. in order to ensure the quality control during the construction of the proposed building. The certificates to that effect will be insisted from Licensed Supervisor.
- The final Structural Stability Certificate from Registered Structural Engineer will be insisted before asking occupation permission to the building.

Thus, the structural safety of the building will be ensured.

**d. Public safety & Neighbourhood safety:**

- J.O.S. plans are attached in additional documents. As the health and Structural safety of the inhabitants will be ensured as explained above, the aspect of public safety will also be taken care of while redevelopment of the property. The necessary undertaking from Owner will be insisted as per the format mention in ease of doing business manual version 1.1, stating that no nuisance to the public and inhabitants of the neighbourhood shall be caused due to the proposed construction of building under reference. The necessary Janata Insurance Policy will be insisted upon so as to ensure the public safety / labour safety.
- Further the necessary registered undertaking (RUT) will be insisted from Owner / Developer of plot under reference to incorporate a necessary clause in the agreement with prospective buyers of Offices/Commercial units stating that the building is proposed with deficient open spaces and the prospective buyers will not complaint regarding same and will not object to any development on the adjacent/neighbourhood plot in future with deficient open space.

**Comments by A.E.(B.P.) 'R/S' Ward.**

In view of the hardship, planning constraints and as per the justification given by Architect, submitted for approval of Ch.Eng.(D.P.)/Hon'ble M.C. please.

**Comments by E.E. (B.P.) 'R' Ward.**

In view of above justification by Architect and comments by A.E. (B.P.) R/S, submitted for approval of Ch. E. (D.P.) / Hon. M.C.

<b>2</b>	<b>To allow admissible fungible compensatory area to the tune of 167.94 Sq.Mt. for residential rehab component without charging premium and admissible fungible compensatory area to the tune of 165.32 Sq.Mt. for residential sale component by charging premium.</b>	<b>Reg. 31(3)</b>	<b>Ch.Eng.(D.P.)/ Hon'ble M.C.</b>
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**Justification of Architect**

Architect has proposed to claim admissible fungible compensatory area to the tune of 167.94 Sq.Mt. for residential rehab component without charging premium and admissible fungible compensatory area to the tune of 165.32 Sq.Mt. for residential sale component by charging premium as per Reg. 31(3) of DCPR 2034.

The existing tenements are proposed to be re-accommodated along with admissible 35% fungible compensatory area as per Reg. 31(3) of DCPR 2034 in the proposed redevelopment.

The copies of O.C. plan u/No. CE/4036/BSII/AR dated 06/11/1985 are attached in additional document tab.

Accordingly, Architect has claimed the following F.C.A. as per Reg. 31(3) of DCPR 2034.

Net Area of the plot	432.80 Sq.Mt.
Permissible BUA (432.80 x 2.20 F.S.I.)	952.16 Sq.Mt.
Admissible Fungible Compensatory area = 952.16 Sq. M. x 35%	333.26 Sq.Mt.
Fungible Compensatory area proposed for rehabilitation of residential component without charging premium.	167.94 Sq.Mt.
Fungible Compensatory area proposed by charging premium. (333.26 – 167.94)	165.32 Sq.Mt.

**Comments by A. E. (B.P.) 'R/S' Ward.**

As requested by Architect, submitted for approval of Ch.Eng.(D.P.)/Hon'ble M.C. please.

**Comments by E.E. (B.P.) 'R' Ward.**

As requested by Architect and comments by A.E.(B.P.)R/S, submitted for approval of Ch.E.(D.P.)/ Hon'ble M.C.

<b>3</b>	<b>To allow the areas of staircase, lift wells including staircase lobbies, lift lobbies, on all habitable floors of the proposed building free of F.S.I. by charging premium as per policy.</b>	<b>Reg. 31(1)(iv)</b>	<b>Ch.Eng.(D.P.)/ Hon'ble M.C.</b>
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<b>Justification of Architect</b>			
<p>The Reg.31(1)(iv) of DCPR 2034 provides exclusion of areas from FSI covered by staircases/lift wells including lobbies as specified excluding areas those covered under Reg. 31(1)(iii) of DCPR 2034 with the special permission of the Commissioner subject to payment of premium. A circular u/No. CHE/14548/DP/Gen dated 22/08/2017 has specified extent of the exclusion of such areas from F.S.I. computation.</p> <p>Architect has claimed areas of staircase, staircase lobbies, lift, lift lobbies, on all habitable floors of the building free of F.S.I. as per provisions in DCPR 2034 by charging premium as per policy.</p>			
<b>Comments by A. E. (B.P.) 'R/S' Ward.</b>			
As requested by Architect, submitted for approval of Ch.Eng.(D.P.)/Hon'ble M.C. please.			
<b>Comments by E.E. (B.P.) 'R' Ward.</b>			
As requested by Architect and comments by A.E.(B.P.)R/S, submitted for approval of Ch.E.(D.P.)/ Hon'ble M.C.			
<b>4</b>	<b>To allow staircase with flight having more than 12 Nos. of risers at Ground floor of height 4.20 Mt. without charging premium, considering the hardship and planning constraints.</b>	<b>Reg. 6(b)</b>	<b>Ch.Eng.(D.P.)/ Hon'ble M.C.</b>
<b>Justification of Architect</b>			
<p>Architect has proposed staircase with flight having more than 12 Nos. of risers including winders so as to achieve floor level, as Architect has proposed the Ground floor of height 4.20 Mt. above ground level to accommodate shops with height of 3.90 Mt.</p> <p>It is to be reiterated here that the plot under reference is of odd shape and small in size.</p> <p>The existing building is very old and the society has no option but to go for self-redevelopment. Total 4 Nos. of shops and 13 Nos. of existing residential tenements are proposed to be re-accommodated in the new building with their specific carpet areas.</p> <p>Hence, due to rehabilitation component there are planning constraints.</p>			
<b>Comments by A. E. (B.P.) 'R/S' Ward.</b>			
In view of the planning constraints and as per the justification given by Architect, submitted for approval of Ch.Eng.(D.P.)/Hon'ble M.C. please.			
<b>Comments by E.E. (B.P.) 'R' Ward.</b>			
In view of justification by Architect and comments by A.E.(B.P.)R/S, submitted for approval of Ch.E.(D.P.)/ Hon'ble M.C.			
<b>5</b>	<b>To allow parapet wall at terrace level of greater height up to 4.50 Mt. as per policy circular No. CHE/DP/110/Gen dated 2019-20.</b>	<b>Policy circular No. CHE/DP/110/ Gen dated 2019-20.</b>	<b>Ch.Eng.(D.P.)/ Hon'ble M.C.</b>
<b>Justification of Architect</b>			
Architect has proposed parapet wall at terrace level of greater height up to 4.50 Mt. as			

per policy circular No. CHE/DP/110/ Gen dated 2019-20.

**Comments by A. E. (B.P.) 'R/S' Ward.**

As requested by Architect, submitted for approval of Ch.Eng.(D.P.)/Hon'ble M.C. please.

**Comments by E.E. (B.P.) 'R' Ward.**

As requested by Architect and comments by A.E.(B.P.)R/S, submitted for approval of Ch.E.(D.P.)/ Hon'ble M.C.

<b>6.</b>	<b>To allow Fire Pump Room, Servant Toilet &amp; M.S. Staircase (for fire-fighting of mechanical car parking) proposed in side open space but protruding in front open space without charging premium, considering the hardship and planning constraints.</b>	<b>Reg. 6 (b)</b>	<b>Ch. Eng. (D.P.) / Hon'ble M.C.</b>
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**Justification of Architect**

As per the requirement of the CFO, Architect has proposed Fire Pump Room, Servant Toilet & M.S. Staircase (for fire-fighting of mechanical car parkings) proposed in side open spaces but are protruding in front open space since the shape of the plot is narrow and of odd size. The Fire Pump Room & M.S. Staircase for fire-fighting for mechanical car parking's are insisted by CFO and as such the same has been proposed.

In view of above, Ch. Eng. (D.P.) / Hon'ble M.C.'s approval is requested to allow Fire Pump Room, Servant Toilet & M.S. Staircase (for fire-fighting of mechanical car parking's) proposed in side open space but protruding in front open space without charging premium, considering the hardship and planning constraints.

**Comments by A. E. (B.P.) 'R/S' Ward.**

M.S. Staircase (for fire-fighting of mechanical car parkings) is proposed in side open spaces & protruding in front open with less than 1.00 Mt. clear open space. In view of hardship, planning constraints and as per the justification given by Architect, submitted for approval of Ch.Eng.(D.P.)/Hon'ble M.C. please.

**Comments by E.E. (B.P.) 'R' Ward.**

In view of above justification by Architect and comments by A.E. (B.P.) R/S, submitted for approval by Ch.E.(D.P.)/ Hon'ble M.C.

Submitted please.

**A.E.(B.P.) R/S Ward**

**E.E.(B.P.)W.S.-II 'R1'**

**Ch.Eng.(D.P.)**

**Hon'ble M.C.**

Sir,