

BRIHANMUMBAI MUNICIPAL CORPORATION

4C. REPORT ON VARIOUS CONCESSION SOUGHT

Sub:- Proposed redevelopment of existing society building known as [REDACTED]
[REDACTED]
[REDACTED]

Licensed Surveyor:- [REDACTED]

Owner: [REDACTED]

File No :- **P-10776/2022/(620)/R/C Ward/FP**

Ref:- Plans for consideration attached in console

L.S. has submitted proposal for the construction of high-rise residential building having ground floor on Stilt + Amenity floor + 1st to 17th upper residential floors with a total height of 61.45 Mtrs. measured from general ground level to terrace level.

The floor wise user is as follows:

Floor level	Users
Ground floor on stilt	Double height entrance lobby + Pump Room + Service Utility area + Servant toilet + Two Wheeler Parking + Surface car parking & 02 tier stack car parking
Amenity floor	Part void for double height entrance lobby + Fitness center + Society office + space for letter box + space for meter panel + space for sub-station + L.O.S.
1 st , 2 nd , 9 th to 12 th & 14 th to 17 th floor	05 Nos. of Residential flats on each floor.
3 rd to 5 th , 7 th & 8 th floor	06 Nos. of Residential flats on each floor.
6 th floor	05 Nos. of Residential flats + Refuge area
13 th floor	04 Nos. of Residential flat + Refuge area.
Terrace	Terrace Open to sky (Treated as refuge area)

The salient features of the proposal are as under:-

D.P. remarks as per 2034:-

As per D.P. 2034 Remarks dated 19.10.2022, the plot under reference is situated in Residential Zone & is not reserved for any public purpose.

The plot abuts to 9.15 Mtrs wide Kastur Park Layout Road on North, South & East side.

Survey Remark/ Access:-

As per uploaded remarks of A.E. Survey, the plot u/r is situated in Residential Zone. The plot abuts to 9.15 Mtrs wide, Kastur Park Layout roads on North, South & East side.

T.P.Remarks :-

As per T.P. Remarks issued u/No. ChE/DP/TPRF202210111422721/TPS/ of 19.10.2022, the user of the plot is residential.

Layout:-

As per copy of approved Layout issued under No. CE/229/LOR dated 08.10.1975, the plot u/r. is one of the subdivided plots bearing No. 34,35,49 & 50.

As per copy of P.R. card the entire F.P. No. 620 of TPS III, admeasures 34,823.50 Sq. Mtrs. As per the mutation entry dated 16.11.2018 in P.R. Card, the holder of the plot u/r is [REDACTED] and it admeasures 2088.00 Sq.Mtrs.

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 BMC, as per circular issued by Hon’ ble M.C. u/No. MDG/7934 dtd. 21.08.2019.

As per copy of P.R. card, the entire F.P. No. 620 of TPS III, admeasures 34,823.50 Sq. Mtrs. As per the mutation entry dated 16.11.2018, in P.R. Card the holder of the plot u/r is [REDACTED] and it admeasures 2088.00 Sq.Mtrs.

As per T.P. Remarks for F.P. No. 620 of TPS Borivali No III (Final), the owner's are (1) Shri. B.V. Almaulla (2) Shri.K.L. Sheth (3) Shri.A.B.Almaulla, (4) Shri.N.C. Sheth (5) Shri.S.C. Shah (6) Shri. A.S.Doshi (7)Shri. A.R. Doshi, All Partners of L.K. Builders

As per the Registered Deed of Conveyance made and executed at Mumbai dated 09 April 2012, between M/s. L.K. Builders Partnership firm, The Owners ONE

AND

[REDACTED], a Co-operative Housing Society, registered under the provision of the Maharashtra Co-operative Societies Act,1960, bearing registration No. BOM/HSR/6194 of 1980 and Registered 24.11.1980, [REDACTED] is the owner of the plot

Legal Title report from Advocate [REDACTED] dated 06.10.2022 issued in Form-A, as per which title of [REDACTED] is clear, marketable and without any encumbrances.

As per resolution passed in S.G.B. meeting of the Society held on 25.09.2022,

- 1) Mrs. Kala Venkatraman (Chairman),
- 2) Mr. Mittul R. Meghani (Secretary),
- 3) Mr. Swapnil S. Sawant (Treasurer),

any two of the above three can sign and execute All the documents/Papers/Agreement/Redevelopment agreement / POA/ Undertakings Indemnity Bonds /Affidavit and such other related Matters.

Accordingly, notice under section 337 of M.M.C Act & 44/69 of M.R.T.P. Act is signed by 1) [REDACTED] (Secretary), 2) [REDACTED] (Chairman).

Plot Area:

As per PR Card	2088.00 Sq.Mtrs.
CTS No. 511/60 - 512.00 Sq. Mtrs.	
CTS No. 511/66 - 544.00 Sq. Mtrs.	

CTS No. 511/67 - 504.00 Sq. Mtrs.	
CTS No. 511/61 - 528.00 Sq. Mtrs.	
As per approved plan / layout Plot No. 34 - 511.75 Sq. Mtrs. Plot No. 35 - 528.00Sq. Mtrs. Plot No. 49 - 503.75 Sq. Mtrs. Plot No. 50 - 544.50 Sq. Mtrs.	2088.00 Sq. Mtrs.
As per owner's plot area affidavit	2099.00 Sq. Mtrs.
As per L.S. plot area Certificate	2099.00 Sq. Mtrs.
As per triangulation	2088.00 Sq. Mtrs.
Hence, the area of the plot under reference accepted is 2088.00 Sq. Mtrs. being same in all documents & least of above.	

Applicability of Reg. No. 14(A) and 15 of DCPR 2034:

The proposal under reference is for the redevelopment of existing building of registered Co-operative Housing Society on plot under reference. The plot under reference is a sub-divided plot of a Kastur Park layout of larger plot approved by M.C.G.M. u/No. CE/229/LOR dated 08.10.1975, i.e. prior to D.C.P.R. 2034 and also prior to D.C.R. 1991 coming into force. Also, the plot u/ref. falls under T.P. Scheme Borivali No. III.

The R.G. of the entire layout and the internal layout road are existing and intact on site as per the approved layout plan dated 08.10.1975.

Also, the society is the exclusive Owner of the sub-divided plot under reference only and as such Society has no rights to amend the layout approved by M.C.G.M. u/No. CE/229/LOR dated 08.10.1975. Further, as the layout is approved by M.C.G.M. prior to D.C.P.R. 2034 coming into force and the layout plan is not proposed to be amended by society. For the said case, requirement of amenity (POS) as per Reg. No. 14(A)(ii) of DCPR 2034 is computed as below:

Sr.No.		DP & TP Road	Reservation (As per DP 2034)
1	Total plot area as per approved layout u/No. CE/229/LOR dated 08.10.1975 1,79,359 Sq.Mtrs.	24,363.00 Sq.Mtrs.	RG: 13859.50 Sq. Mtrs. School and PG: 13,242 College: 12,950 Cemetery: 5,456// Total Reservations: 45,507.50 Sq. Mtrs.
2	Balance plot area: 1,79,359 - 24,363 (DP and TP Road) = 1,54,996 Sq.Mtrs.		
3	Amenity required as per 14(A)(ii) of DCPR 2034 = 500 Sq.Mtrs. for 10,000 Sq.Mtrs.+ (10% of 1,44,996) = 14,499.60 Sq.Mtrs.=500 + 14499.60 = 14999.60 Sq.Mtrs. Say 15,000 Sq.Mtrs.		

In view of above, amenity area required as per Reg. No. 14(A)(ii) of DCPR 2034 for entire Kastur park layout is 15,000 Sq.Mtrs., However, amenity of 45,507.50 Sq.Mtrs. in the layout is in the name of MCGM as per PRC attached in additional documents, therefore, no additional amenity is required as per Reg. No. 14(A)(ii) of DCPR 2034 and the same is adequate. Also, 15% layout physical RG is provided on site and the same is intact as per approved layout plan.

It is stated that as per the above table Sr. No. 1, 2 and 3, all the reservation mentioned there in admeasuring 45507.50 Sq.Mtrs. vest with MCGM as per PRC.

Further also, as per Sr.No.1 (ii) of Transitional Policy (T-4) u/No. CHE/DP/08432/GEN dt. 10/07/2019, in case of FP plot in TP schemes, the provision of amenity space as per Reg. 14(A) & Inclusive Housing as per Reg. 15 shall not be insisted if area of the individual FP plot is less than 4000 Sq.Mtrs. subject to layout amenities having the same status as per past approvals.

The common R.G., access and reservations are maintained and are not subjected to acquisition. Moreover no FSI benefit is claimed of this common R.G., reservations and access in proposed redevelopment.

Thus, the provision of amenity space as per Reg. 14(A) & Inclusive Housing as per Reg. 15 shall not be applicable to the plot u/ref.

Cognizance of Supreme Court Order:-

As per Hon. Supreme Court's order in Kohinoor case in Civil Appeal No.11150 of 2013 arising out of Special Leave Petition (Civil) No.33402/2012) para 60(2) issue No (iv) regarding DCR 43(1) (A), concerning fire protection requirement, open space of 6 meters at least on one side at ground level within the plot, accessible from the road side will have to be maintained for the manoeuvrability of the fire engine, unless the building abuts two roads of 6 meters or more on two sides, further Sr. No.60(2) issue No.1 of the said order states that R.G. shall be provided at ground level open to sky.

In this case, the proposed bldg. is having height of 61.45 Mt., which is more than 24.00 Mt. and net plot area is 2088.00 Sq. Mtrs. Hence, as per Supreme Court order & as the plot is abutting to 9.15 Mt. wide Kastur Park Layout Road on North, South & East side, 6.00 Mt. open space on one side is not required.

In this case against required L.O.S. admeasuring 313.20 Sq. Mtrs. (2088.00 x 15%) L.S. has proposed, L.O.S. admeasuring 901.71 Sq. Mtrs. at (+) 4.80 Mt. level i.e. on Amenity floor and open to sky. In addition to this 1.50 Mt. wide unpaved area admeasuring 134.73 Sq. Mtrs. is kept for plantation of trees. The same is permissible as per Reg. No. 27 (2) (ii) (2).

As such cognizance of Hon'ble Supreme Court Order has been taken. C.F.O. NOC is uploaded.

Concurrence of Hon'ble High Court Order in PIL - 217 dt.17.12.2013 & Hon'ble Supreme Court order dtd. 15.03.2018.

As per High Court Order in PIL 217 dt.17.12.2013 & Hon'ble Supreme Court order dtd. 15.03.2018. I will obtain NOC from SWM before demolition of existing building will be insisted. The further NOC from SWM Department, Bank Guarantee and additional compliance as per Supreme Court order will be uploaded at the time of obtaining further approval.

F.S.I permissible as per DCPR 2034

The plot under reference is situated in extended suburb (R/Central ward). The permissible F.S.I. as per Reg. 30, Table 12, for plot abutting road 9.00 Mt. and above but less than 12.00 Mt. is 2.00 {Zonal (Basic) 1.00 + Protected Built up area + 50 % additional FSI by paying premium + admissible TDR as per Reg. No 30(A), Table 12, Sr. No. II (iii) of DCPR 2034 including claiming incentive FSI permissible as per Reg. 33(7) (B) + Permissible FCA as per Reg. 31(3)+ claiming area of staircase lift wells including lobbies free of FSI by charging the premium as per Reg. 31(1)(iv).

It is proposed to claim FSI as detailed below: -

Sr. No.	Details	Area in Sq. Mtrs.
I	Table 'A'	
1	Plot area	2088.00
2	Road width	9.15 Meter
3	Permissible BUA as per Reg.30 table 12	4176.00
II	Table 'B' (Proposed planning)	
4	Plot potential	2088.00
5	Protected Built up area As per Reg.30 (C)	587.90
6	Permissible area as per Reg. 33(7) (B)(56 x 10)	560.00
7	Additional FSI by Payment of premium	940.10
	Total (4 + 5 + 6 + 7)	4176.00

Hence due to full consumption of permissible FSI, it is not required to purchase Road/Reservation & Slum TDR.

Protected Development: -

As per Reg.30 (C) (a), "The FSI permitted as per Table 12 will be allowed to be exceeded for redevelopment of existing authorized building to the extent of existing authorized development rights/BUA and shall also be entitled for the additional FSI as per relevant regulations.

In the instant case the protected development admeasures 587.90 Sq. Mtrs. (2675.90 -2088.0) as per scanned copy of canvas mounted plan submitted at the time of OCC/BCC issued under No. CE/2256/BS II/AR dt. 20/11/1979.

Additional FSI available as per DCPR 2034

As per Reg. No. 33 (7) (B) of DCPR 2034:

Compliance of Reg. 33 (7) (B) of DCPR 2034 as per Govt. Notification issued u/no TPB-4319/260/C.R./146/2019/UD- 11 dated 06.08.2020.

As per the Govt. Notification issued u/No. TPB-4319/260/C. R./146/2019/UD-11 dated 06.08.2020, if the building was in existence & demolished after 27.05.2016, the proposal shall be eligible for incentive FSI as per Reg.33(7)(B) of DCPR 2034.

In instant case, the redevelopment proposal is submitted on 22.10.2022 i.e. after 27.05.2016. The existing building comprising of Wing A, B, C & D of Gr + 3 upper floor having 56 Nos. of tenements, is existing on site and hence eligible for Incentive FSI as per Reg. 33 (7) (B).

Compliance of age of existing Society building

As per reg. 33(7)(B) (4), "This Regulation will be applicable for redevelopment of existing authorized building which are of thirty years (30) of age or more"

As per reg. 33(7)(B) (5), Explanation - Age of a building shall be as on the 1st 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 FSI has been

consumed by way of vertical extension as per the prevailing Regulation available with the BMC.

For the plot u/r, the redevelopment proposal is submitted on 22.10.2022, the Occupation certificate is granted on 20.11.1979 & hence the age of building is more than 30 years i.e nearly 43 years & hence proposal is eligible to avail benefit.

As per circular No. T-4 issued u/No. CHE/DP/79/Gen/2019-20 & Ch.E/DP/08432/Gen dated 10.07.2019 Sr. No **5(a)** : As regards the utilization of incentive BUA as per reg. 33(7)(B), the General Body Resolution of society shall be necessary.

Compliance: -The resolution is submitted in additional document tab

5(b) : For the purpose of considering area & authenticity of the existing built up area following guidelines shall be followed.

Compliance: - In this case, building under reference is having approved plan with Full C.C. for Gr + 1st to 3rd floor. further BCC was issued on 20.11.1979, however BCC plans are not readable so redrafted plans are prepared, hence proposal under reference is eligible for additional incentive BUA.

5(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.

Compliance : As per Reg. 33 (7) (B) (1), In case of redevelopment of existing residential housing societies excluding buildings covered under regulation 33(7) and 33(7)(A) proposed by Housing societies/land lords or through their proponents where existing members are proposed to be reaccommodated on the same plot, incentive additional BUA to the extent of 15% of existing BUA or 10 Sq. Mtrs. per tenement whichever is more shall be permissible without premium.

Hence for the case u/r. it is proposed to claim Incentive FSI admeasuring 560.00 Sq. Mtrs. (56 x 10%) being more than 401.385 Sq. Mtrs. (2675.90 x 15%) of existing BUA. The same shall be permissible without premium.

As per circular u/No. Dy. Ch. E. (B.P)/2803/WS/P & R dated 18/07/2021, for arriving at the incentive BUA on basis of no. of tenements, the stringent of following should be adopted

Sr. No.	Description	No. of Tenements for incentive BUA as per Reg. 33(7)(B)
1.	As per approved plan	56 Nos.
2.	As per Assessment Record	56 Nos.
3.	As per record of Registrar of society	Same will be submitted before approval of plans.
4.	As per Site survey	56 Nos.
5.	Accepted least of the above	56 Nos. (i.e. 56 x 10 = 560 Sq. Mtrs)

Civil Aviation NOC

As per the amended regulation GSR 770(E) dated 17/12/2020, the civil aviation NOC for Height clearance through NOCAS will be submitted before asking CC beyond plinth level.

Auto DCR scrutiny:

Reference is requested to Auto scrutiny report of plans generated in S.E.B.P.’s console. There are some deviations in Auto scrutiny and PDF drawing submitted for consideration of approval to concessions in proposal. Also there are deviations with respect to approvability from DCPR 2034 point of view which are highlighted in Auto scrutiny report. With reference to this, following are the point wise representation;

<u>Sr. No.</u>	<u>Deviations Point</u>	<u>Deviation Description</u>	<u>Remarks</u>
1	Plot details	TDR area – Permissible 0.00 & Proposed 951.30 M.	The plot u/r is abutting 9.15 Mt. wide layout road on North, South & East side, hence as per Table 12 of Reg. 30 of DCPR 2034, FSI permissible is 2.00 Including protected development and additional FSI by payment of premium within the cap of 2.00. However the same is shown as error in Auto DCR scrutiny.
2	COP	R.G - Area Reqd - <u>125.00</u> m. proposed- <u>101.45</u> m Reqd - <u>125.00</u> m. proposed- <u>27.99</u> m Reqd - <u>125.00</u> m. proposed- <u>10.39</u> m Width Reqd.- <u>8.18</u> m. Proposed - <u>1.62</u>	In this case against required L.O.S. admeasuring 313.20 Sq.Mtrs. (2088.00 x 15%) L.S. has proposed L.O.S. admeasuring 901.71 Sq.Mtrs. at (+) 4.80 Meter level i.e. on Amenity floor and open to sky. In addition to this 1.50 Mt. wide unpaved area admeasuring 134.73 Sq.Mtrs. is kept for plantation of trees. The same is permissible as per Reg. No. 27 (2) (ii) (2). However the same is shown as error in Auto DCR Scrutiny.
3	Plot margin & Dead wall margin	Deficiency in open space	As regards the deficiency in open spaces, the proposal is submitted under Reg. 6(b) of DCPR 2034 and concession for same is requested. Detail is elaborated in Point No. 01 of Concession report
4	Electric Substation	Reqd -13.00 x 5.00 Prop- 4.93 x 5.65	As regards, the same required approval of Hon’ ble M.C. as per Reg. 6(b) of DCPR 2034 is sought. Detail is elaborated in Point No. 06 of Concession report.
5	Room Details	Reqd - 2.40 Prop2.15	As regards, the same required approval of Hon’ ble M.C. as per Reg. 6(b) of DCPR 2034 is sought. Detail is elaborated in Point No. 07 of Concession report

The following points needs consideration/ approval of Ch E. (DP)/Hon 'ble M.C.;

Sr. No.	Concession Required	Provisions of DCPR 2034	Approval required by CH.E.(DP)/ Hon. M.C.
1	<p>To condone deficiency in open spaces</p> <p>For F.S.I. ONE:-</p> <p>i. To the tune of 19.78 % in F.O.S. as per Reg. 41 Table 18 by charging the premium.</p> <p>For F.S.I. 2.00:-</p> <p>i. To the tune of maximum 2.08% for L/V as Reg. No.41 (Table A), Sr. No.2 of DCPR 2034 by charging the premium</p> <p>ii. To the tune of maximum 19.78 % is created in F.O.S. as per Reg. 41, Table 18 by charging the premium.</p>	Reg. 6 (b)	Ch. Eng. (D.P.)/ Hon. M.C.
	Justification by L.S.		
	<p>As per L.S. representation in Form No 3</p> <p>Demonstrable hardships are as follows:-</p> <ul style="list-style-type: none">➤ This is the proposal for redevelopment of existing building. The requirement/ choice of individual members in respect of area/size, floor, direction and even neighbourhood are specific. Looking to this position the grid of columns & beams, portal frames is finalised by appointed Structural Engineer. Considering this hardship the request for sanction of relaxations in requirements of DCPR 2034, may please be considered➤ All the existing 56 Nos. of tenants are to be re accommodated with specific area. Therefore, full quantum of admissible TDR is required to be consumed in order to make the proposal financially viable, which is resulted into increase in the height of bldg. and subsequently deficiency in open space.➤ In order to make the proposal viable, it is necessary to consume the permissible FSI including the admissible TDR on the plot.➤ In order to provide parking spaces more height of stilt is provided and also to provide fitness center, Society office, space for Elec. Substation, L.O.S. etc. amenity floor is proposed resulting into increasing height of the building and ultimately O.S.D. <p>In view of above facts, it can be seen that the building cannot be constructed without creating open space deficiency. However, condoning the deficiency in open space will not affect the health safety, structural safety, fire safety as well as public/neighborhood safety as demonstrated below.</p> <p>Health Safety:-</p> <p>As regards to health safety, the developer will appoint Licensed plumber for carrying out the drainage work as per bye law 4 (c). The internal drainage work will be connected to the municipal sewer on 18.30 Meter wide D.P.Road. The surrounding open spaces of the building will be paved with proper & adequate slope towards storm water drains. Approval of drainage layout will be done by licensed plumber before requesting C.C. & D.C.C will be obtained before granting the occupation</p>		

	<p>certificate of the building under reference. Thus, the health safety of the occupants of the building as well as neighborhood will be ensured.</p> <p><u>Fire safety :-</u></p> <p>CFO NOC dated 12.11.2022 issued is uploaded so as to ensure the fire safety of the inhabitants and also neighbourhood. Final CFO NOC will be submitted before availing occupation permission to the building. Thus the safety of inhabitants, prospective buyers and also neighbourhood will be ensured. As per the said NOC terrace of the building shall be treated as refuge floor in case of emergency.</p> <p><u>Structural safety :-</u></p> <p>The owner / developer will appoint a Registered Structural Engineer to supervise the work of the building under reference. The building will be designed considering seismic forces & as per prevailing relevant I.S. codes as per stability certificate and structural design & calculation will be submitted before grant of C.C. The necessary completion certificate from Registered Structural Engineer will be submitted before grant of occupation permission. Also certificate of work completion will be submitted from Registered Site Supervisor.</p> <p>In view of above, the structural safety of the proposed building will be ensured.</p> <p><u>Public Safety :-</u></p> <p>The aspect of public safety is taken care along with the health, structural & fire safety as mentioned above. However undertaking from owner stating that no nuisance to the public and inhabitants of the neighborhood building shall be caused during the proposed construction of the building under reference will be submitted before grant of C.C. Thus, the public safety will be ensured.</p> <p><u>Neighborhood Safety:-</u></p> <p>The existing building on West side are old building, which may come forward for redevelopment by utilizing full potential including fungible compensatory F.S.I. Developer will be informed to make aware to all the occupants/ prospective buyer with a suitable clause in the sale agreement between developer & flat owner of the fact about deficiency in open spaces in the proposed building & they will not object the development of adjoining plots in future, as such a condition to that effect will be incorporated as I.O.D. condition while approving the plans & copy of sale agreement will be submitted before asking occupation certificate. Therefore, NOC from neighborhood Society may not be insisted.</p> <p>In view of above, Ch. Eng. (D.P.)/Hon'ble M.C.'s approval is requested to condone deficiency in open spaces as per the Reg. 6 (b) of D.C.P.R. 2034 by charging premium as per policy.</p>		
	Comments by A.E.B.P. (R/C)		
	As per planning constraint, hardship as mentioned by L.S. submitted for approval of Ch. Eng. (DP)/ Hon.ble M.C.		
	Comments by E.E.(B.P) 'R-1' Ward		
	As per planning constraint/hardship as explained by L.S. & comments by A.E. (B.P.) 'R/C', submitted for approval of Ch. Eng. (DP)/ Hon'ble M.C.		
2	To allow staircase, lift and lift lobby of free of FSI by charging premium as per the policy on all habitable floors & without charging premium for	Reg. 31 (1)(iv)	Ch. Eng. (D.P.)/ Hon. M.C.

	staircase area allowed free of FSI in the existing building as per Reg.31 (1)(iv).		
	Justification by L.S.		
	<p>In this case, L.S. has submitted proposal for the construction of high-rise residential building having ground floor on Stilt + Amenity floor + 1stto 17thupper residential floors with a total height of 61.45 Mt. measured from general ground level to terrace level.</p> <p>L.S. has proposed to provide staircase and lift as detailed below</p> <p><u>Staircase -</u></p> <p>i. 01 Nos. of enclosed type staircase having flight width of 1.50 M leading from Ground floor to terrace level.</p> <p><u>Lift'-</u></p> <p>i. 04 Nos. of Passenger lifts each leading from Ground floor to terrace floor level</p> <p>Areas covered by staircase/lift wells including lobbies, as shown in uploaded plans for habitable floors is claimed free of FSI by charging the premium.</p> <p>Areas covered by staircase/lift wells includes lobbies, as shown in uploaded plan for non-habitable floors is claimed free of FSI without charging the premium & to allow without charging premium for staircase area allowed free of FSI in the existing building admeasuring 105.36 Sq.Mtrs. which can be verified from the IOD Plans issued under No. CE/2256/BS II/AR dt. 16/11/1976 as per Reg. 31(1) (iv) of DCPR 2034.</p> <p>The same is permissible in redevelopment scheme which are to be redeveloped as per Reg. 33(7)(B).</p> <p>Therefore Ch. Eng. (D.P.)/Hon'ble M.C.'s approval is requested to allow staircase, lift and lift lobby of free of FSI by charging premium as per the policy on all habitable floors & without charging premium for staircase area allowed free of FSI in the existing building as per Reg.31 (1)(iv).</p>		
	Comments by A.E.B.P. (R/C)		
	As per planning constraint, hardship as mentioned by L.S. submitted for approval of Ch. Eng. (DP)/ Hon'ble M.C.		
	Comments by E.E.(B.P) 'R-1' Ward		
	As per justification/request by L.S. & comments by A.E. (B.P.) R/C, submitted for approval of Ch. Eng. (DP)/ Hon'ble M.C.		
3	To allow FCA not exceeding 35% of BUA, for residential component without charging the premium for existing BUA and by charging the premium for sale component as per the policy.	Reg. 31 (3)	Ch. Eng. (D.P.)/ Hon. M.C.
	Justification by L.S.		
	<p>L.S. has proposed to claim fungible compensatory area not exceeding 35%, for Residential user. As per regulation 31(3) of DCPR 2034, the fungible compensatory area is permissible with special permission of Commissioner.</p> <p>L.S. has proposed total Built up area of 4176.00 Sq. Mtrs. for residential user and the permissible fungible compensatory area admeasures (4176.00 x 35%) 1461.60 Sq. Mtrs. However it is proposed to claim FCA admeasuring 1418.51 Sq. Mtrs.</p>		

	<p>The proposal u/r. is for redevelopment of existing society building comprising of Wing A,B,C & D - Ground + 3rd upper floor. Having 56 Nos. of residential user. All the existing 56 flats owners are proposed to be re-accommodated in redevelopment scheme.</p> <p>Occupation certificate to the existing building has been granted under file No. CE/2256/BS II/AR dt. 20/11/1979. Copy of OCC is uploaded. However as per the policy prevailing at that time completion plan duly signed were not issued.</p> <p>From the certified copy of approved IOD/amended plans, redrafted plans are uploaded. As per FCA distribution statement, exist. BUA works out to 2578.16 Sq. Mtrs without staircase and balcony area. Hence it is proposed to claim FCA admeasuring 860.26 Sq. Mtrs. [(2578.16 x 35%)-42.10] without charging the premium, keeping 42.10 Sq. Mtrs in abeyance.</p> <p>Flat wise FCA distribution statement is duly signed by L.S. & Secretary of the society is uploaded.</p> <p>FCA of rehab component without charging the premium is permissible as per circular issued u/No. CHE/DP/27524/Gen. dated 04.01.2019 and as per Para Sr.No.5 (2) & (4) of the policy guide line issued u/No. MGC/A/876 dated 19.12.2017.</p> <p>Therefore Ch. Eng. (D.P.)/Hon'ble M.C.'s approval is requested to allow FCA not exceeding 35% of BUA, for residential component without charging the premium for existing BUA and by charging the premium for sale component as per the policy.</p>		
	Comments by A.E.B.P. (R/C)		
	As per Reg. 31(3) of DCPR 2034 fungible Component area is permissible, hence submitted for approval of Ch. Eng. (DP)/ Hon'ble M.C.		
	Comments by E.E. (B.P) 'R-1' Ward		
	As per the justification/requested of L.S. submitted for approval of Ch. Eng. (DP)/ Hon'ble M.C.		
4	To allow layout open space at (+) 4.95 Mt. level open to sky by charging premium as paved & also odd shape LOS on ground floor projecting in FOS.	Reg. 27 of DCPR 2034 & As per provision of clause 6(b) of D.C.P.R. 2034.	Ch. Eng. (D.P.)/ Hon. M.C.
	Justification by L.S.		
	<p>In this case, the plot under reference is admeasuring 2088.00 Sq.Mtrs. hence 15% LOS is required as per Reg. 27 of DCPR 2034.</p> <p>Against required L.O.S. admeasuring 313.20 Sq. Mtrs. (2088.00 x 15%), L.S. has proposed L.O.S. admeasuring 901.71 Sq. Mtrs. at (+) 4.95 Meter level i.e. on Amenity floor and open to sky. In addition to this 1.50 meter wide unpaved area admeasuring 134.73 Sq. Mtrs. is kept for plantation of trees. The same is permissible as per Reg. No. 27 (2) (ii) (2).</p> <p>At ground floor Stilt with more height and amenity floor at 4.95 M level is proposed at distance of 3.13 Mt. on North side, 1.50 Mt. on West side, at a distance of Min 4.50 M on South side, & 3.00 M on East side proposed to accommodate parking of entire building in the form of stack parking & amenity floor is proposed to provide fitness center, Society office, space for Elec. Substation, L.O.S etc. hence, there is planning constraint to provide L.O.S, at ground Floor.</p>		

	Therefore, Ch. Eng. (D.P.)/Hon'ble M.C.'s approval is requested to allow layout open space at (+) 4.95 Mt. level open to sky by charging premium for paving & also odd shape LOS on ground floor projecting in FOS as explained above due to hardship and as per provision of clause 6(b) of D.C.P.R. 2034.																	
	Comments by A.E.B.P. (R/C)																	
	As per planning constraint, hardship as mentioned by L.S. submitted for approval of Ch. Eng. (DP)/ Hon'ble M.C																	
	Comments by E. E. (B.P) 'R-1' Ward																	
	As per Justification/ planning constraint by L.S. & comments by A.E. (B.P.), submitted for approval of Ch. Eng. (DP)/ Hon'ble M.C																	
5	To allow a) Stilt, with more height of 4.80 M to 5.40 M b) Two-way aisle space of 5.50 Meter instead of required 6.00 M in straight portion. c) Stack Parking projecting in F.O.S. i.e. North & East side by charging premium d) Podium for LOS projecting more than 6 M. from building line.	As per Reg. 44 & 6 (b) of DCPR 2034	Ch. Eng. (D.P.)/ Hon. M.C.															
	Justification by L.S.																	
	<p>The parking requirement as per Reg. 44 of DCPR 2034, considering 10% visitors parking works out to 98 Nos. against which L.S. has proposed 98 Nos. of Parking spaces (53 Big + 45 small).</p> <p>The parking layout plans comprising of parking arrangement as detailed below:</p> <table><tr><td>Sr. No.</td><td>Floor</td><td>Big</td><td>Small</td><td>Total</td></tr><tr><td>1</td><td>Stilt floor having a height of + 4.80 to + 5.40 M from ground level.</td><td>53</td><td>45</td><td>98</td></tr><tr><td></td><td>Total =</td><td>53</td><td>45</td><td>98</td></tr></table> <p>A)As per Reg.37 (7) (ii) & 37(30), " In case of mechanical parking more height as per the requirement may be allowed"</p> <p>L.S. has proposed stilt floor with height of 4.80 to 5.40 Meter to accommodated mechanical stack parking & further to accommodate 1.20 depth RCC beam for transferring super structure load of upper floors.</p> <p>B) As per parking consultant remarks there is deficiency in two way drive way at Stilt floor. The minimum two way drive way available is 5.50 Meter instead of required 6.00 meter in straight portion.</p> <p>C) Out of the total 98 Nos. of parking spaces on North side 19 Nos. Stack & surface parking are projecting in F.O.S. by 1.37 Mt. and On East side 04 Nos. Stack parking are projecting in F.O.S. by 1.27 Mt., Hence, on North side F.O.S. is reduce to 3.13 Mt. & on East side F.O.S. reduce to 3.23 Mt. against required 4.50 Mt. Further Indemnity bond indemnifying BMC & its officer against mishap, mal-functioning, etc will be insisted before C.C.</p> <p>It is to mention here that, the proposal u/r. is for redevelopment of existing building by re-accommodating all the existing members with specific area and structural grid of columns for sale component is governed by the same grid, as</p>			Sr. No.	Floor	Big	Small	Total	1	Stilt floor having a height of + 4.80 to + 5.40 M from ground level.	53	45	98		Total =	53	45	98
Sr. No.	Floor	Big	Small	Total														
1	Stilt floor having a height of + 4.80 to + 5.40 M from ground level.	53	45	98														
	Total =	53	45	98														

	<p>proposed for existing members due to which there is planning constraint for arranging the structural grid of the proposed building.</p> <p>Further CFO NOC and remarks from parking consultants are also uploaded</p> <p>Therefore, Ch. Eng. (D.P.)/Hon'ble M.C.'s approval is requested to allow:</p> <p>a) Stilt, with more height of 4.80 M to 5.40 M.</p> <p>b) Two way aisle space of 5.50 Meter instead of required 6.00 M in straight portion.</p> <p>c) Parking projecting in F.O.S. i.e. North & East side by charging premium.</p> <p>d) Podium for LOS projecting more than 6 M. from building line</p>		
	Comments by A.E.B.P. (R/C)		
	As per planning constraint, hardship as mentioned by L.S. submitted for approval of Ch. Eng. (DP)/ Hon'ble M.C.		
	Comments by E. E. (B.P) 'R-1' Ward		
	As per Justification/hardship by L.S. & comments by A.E. (B.P.), submitted for approval of Ch. Eng. (DP)/ Hon'ble M.C		
6	To allow substation of inadequate size & area of 26.26 Sq. Mtrs. instead of 40.00 Sq. Mtrs. subject to NOC from electric supply company @ Podium level i.e. 5.55 M above ground level.	Reg. 6 (b) of DCPR 2034	Ch. Eng. (D.P.)/ Hon. M.C.
	Justification by L.S.		
	<p>As per Reg.28 for plot area above 1000 Sq. Mtrs. and up to 2000 Sq. Mtrs. consumer substation admeasuring 40.00 Sq. Mtrs. (8.00 x 5.00) is required, however L.S. has proposed substation of size (4.35 m X 4.55 m) 26.26 Sq. Mtrs. built up area at amenity floor.</p> <p>It is requested to allow the same, due to planning constraints and hardship to provide larger size of sub-station. CFO dept. has also given NOC for proposed electric substation. NOC from electric supply company for inadequate size area & location will be insisted before CC.</p> <p>This is the proposal for redevelopment of existing society members. The requirement/ choice of individual members in respect of area/size, floor, direction and even neighbourhood are specific. Looking to this position the grid of columns & beams, portal frames is finalized by appointed Structural Engineer. Considering this hardship, the request for sanction of relaxations in requirements of DCPR 2034, may please be considered.</p> <p>Therefore, Ch. Eng. (D.P.)/Hon'ble M.C.'s approval is requested to allow substation of size (4.35 m X 4.55 m) 26.26 Sq. Mtrs. instead of required (8.00 m x 5.00 m) 40.00 Sq. Mtrs. subject to NOC from electric supply company at Podium level i.e. 5.55 m above ground level</p>		
	Comments by A.E.B.P. (R/C)		
	As per planning constraint, hardship as mentioned by L.S. submitted for approval of Ch. Eng. (DP)/ Hon'ble M.C.		
	Comments by E.E.(B.P) 'R-1' Ward		
	As per justification /hardship by L.S. & comments by A.E. (B.P.), submitted for approval of Ch. Eng. (DP)/ Hon'ble M.C.		
7	To allow inadequate width of bedroom subject to indemnity bond indemnifying BMC & its office	As per Reg.6 (b)	Ch. Eng. (D.P.)/Hon.

	against the same.		M.C.
	Justification by L.S.		
	<p>L.S. has proposed inadequate width of bedroom of 2.15 M instead of required 2.40 M. This is the proposal for redevelopment of existing society members. The requirement/ choice of individual members in respect of area/size, floor, direction and even neighbourhood are specific. Looking to this position the grid of columns & beams, portal frames is finalised by appointed Structural Engineer. Considering this hardship the request for sanction of relaxations in requirements of DCPR 2034, may please be considered.</p> <p>Therefore Ch. Eng. (D.P.)/Hon’ble M.C.’s approval is requested to allow inadequate width of bedroom subject to indemnity bond indemnifying MCGM & its offices against the same.</p>		
	Comments by A.E.(B.P.) (R/C)		
	As per planning constraint, hardship as mentioned by L.S. submitted for approval of Ch. Eng. (DP)/ Hon’ble M.C.		
	Comments by E. E. (B.P) ‘R-1’ Ward		
	As per justification/ planning constraint by L.S. & comments by A.E. (B.P.), submitted for approval of Ch. Eng. (DP)/ Hon’ble M.C.		
8	To allow cantilever and unenclosed glass canopy over entrance lobby of 12.00 Mt. (avg.) long free of FSI.	As per Reg. 31 (1) (x)	Ch. Eng. (D.P.)/ Hon. M.C.
	Justification by L.S.		
	<p>L.S. has proposed glass canopy of 12.00 Mt. (avg.) length over double height entrance lobby on South, East corner with level difference of 1.00 Mt. in relation to the floor level with more than 1.50 Mt. distance between the plot boundary and the outer edge of the canopy.</p> <p>The same is permissible free of FSI as per Reg. 31 (1) (x) & as per sub Regulation (19) of Regulation 37.</p> <p>However as per Reg. 42 (b), ‘A cantilevered and unenclosed canopy over each entrance and staircase not more than 5.50 M long may be permitted as specified in Regulation No 37(19’ for better aesthetic view of high rise building more length of glass canopy is proposed.</p> <p>Required CFO NOC is also uploaded.</p> <p>Therefore, Ch. Eng. (D.P.)/Hon’ble M.C.’s approval is requested to allow cantilever and unenclosed glass canopy over entrance lobby of 12.00 Mt. (avg.) long free of FSI.</p>		
	Comments by A.E.B.P. (R/C)		
	As per planning constraint, hardship as mentioned by L.S. submitted for approval of Ch. Eng. (DP)/ Hon’ble M.C.		
	Comments by E.E.B.P ‘R-1’ Ward		
	As per justification/ planning constraint by L.S. & comments by A.E. (B.P.), submitted for approval of Ch. Eng. (DP)/ Hon’ble M.C.		
9	To allow pergola at terrace slab level upto 2.00 Mt. beyond building line free of FSI.	Circular C-10 issued under No.	Ch. Eng. (D.P.)/ Hon.

		CHE/DP/ 110/ Gen dated 30.01.2020 & Reg. 6 (b) of DCPR 2034.	M.C.
	Justification by L.S.		
	<p>L.S. has proposed pergola at terrace slab level projecting 2.00 Mt. beyond building line as shown in section A-A of uploaded plan.</p> <p>The same is permissible as per circular CHE/DP/ 110/Gen (C-10). Pergola is proposed for better aesthetic view being high rise building and located at the junction of roads.</p> <p>Therefore, Ch. Eng. (D.P.)/Hon'ble M.C.'s approval is requested to allow pergola at terrace slab level upto 2.00 Mt. beyond building line free of FSI.</p>		
	Comments by A.E.B.P. (R/C)		
	As per planning constraint, hardship as mentioned by L.S. submitted for approval of Ch. Eng. (DP)/ Hon'ble M.C		
	Comments by E.E.B.P 'R-1' Ward		
	As per justification/ planning constraint by L.S. & comments by A.E. (B.P.), submitted for approval of Ch. Eng. (DP)/ Hon'ble M.C.		
10	To allow R.C.C. tie beam 1.5 M. above floor level free of F.S.I.	Reg. 6 (b).	Ch. Eng. (D.P.)/ Hon. M.C.
	Justification by L.S.		
	<p>L.S. has proposed tie beams at 1.50 M. above on each floor as shown in proposed plan (section D-D) for structural requirements as per certificate dated 08/12/2022 issued by Shri. Hiren M. Tanna R.C.C & Structural Design Engineers. The Certificate is attached in additional document. The same is claimed free of F.S.I.</p> <p>Therefore, Ch. Eng. (D.P.)/Hon'ble M.C.'s approval is requested to allow R.C.C. tie beam 1.5 M. above floor level free of F.S.I.</p>		
	Comments by A.E.B.P. (R/C)		
	As per planning constraint, hardship as mentioned by L.S. submitted for approval of Ch. Eng. (DP)/ Hon'ble M.C		
	Comments by E.E.B.P 'R-1' Ward		
	As per justification/ planning constraint by L.S. & comments by A.E. (B.P.), submitted for approval of Ch. Eng. (DP)/ Hon'ble M.C.		
11	To allow refuge area projecting beyond building line upto chajjas	Reg. 6 (b).	Ch. Eng. (D.P.)/ Hon. M.C.
	Justification by L.S.		
	<p>L.S. has proposed refuge area projecting beyond building line upto chajjas due to planning constraints. Further CFO has also granted NOC dated 12.11.2022 as per the said planning i.e. refuge area projecting beyond building line upto chajjas.</p> <p>This is the proposal for redevelopment of existing society members. The requirement/ choice of individual members in respect of area/size, floor, direction and even neighbourhood are specific. Looking to this position, the grid of columns &</p>		

	beams, portal frames is finalized by appointed Structural Engineer. Considering this hardship, the request for sanction of relaxations in requirements of DCPR 2034, may please be considered. Therefore, Ch. Eng. (D.P.)/Hon’ble M.C.’s approval is requested to allow refuge area projecting beyond building line upto chajjas.
	Comments by A.E.B.P. (R/C)
	As per planning constraint, hardship as mentioned by L.S. submitted for approval of Ch. Eng. (DP)/ Hon’ble M.C
	Comments by E.E.B.P ‘R-1’ Ward
	As per justification/ planning constraint by L.S. & comments by A.E. (B.P.), submitted for approval of Ch. Eng. (DP)/ Hon’ble M.C.

Submitted please.

A.E.B.P. (‘R/C’ ward)

E.E.(B.P.) WS- II ‘R/1’

Dy.Ch. Eng. (B.P.) WS -II

Ch. Eng. (D.P.)

Hon’ble M. C.
Sir,