

**BEFORE HON'BLE THE NATIONAL GREEN TRIBUNAL WESTERN
ZONE, BENCH AT PUNE**

ORIGINAL APPLICATION NO.206 OF 2023 (WZ)

Yogesh Pratap Singh

.... Applicant

Versus

Secretary, MoEF & CC & Ors.

.... Respondents

AFFIDAVIT IN REPLY BEHALF OF RESPONDENT NO.3

I, Rajesh Dholay, Age: 53 years, Occupation – Service; working as Executive Engineer (Building Proposal) City of Brihanmumbai Municipal Corporation (BMC), the authorized signatory for BMC having office at Deputy Chief Engineer (Building Proposal) City, Bhagwan Walmiki Chowk, Vidyalankar College Marg, Antop Hill, Mumbai 400037; do hereby state on solemn affirmation on behalf of Respondent No. 3 - Brihanmumbai Municipal Corporation (BMC) is as under:-

1. I say that, I have perused the copy of the application and compilation filed by the applicant and I have also perused the office



records. I have made myself conversant with the facts of the case and am able to depose on behalf of the Respondent No.3. I am filing this affidavit in reply thereto.

2. By this present application the applicant is trying to indicate the examples of violations of CRZ Notification 2019, which he has quoted in his application pertaining to CRZ area. It is further alleged that the construction in the CRZ areas is permitted subject to the local town and country planning regulations as applicable from time to time, and the norms for the Floor Space Index or Floor Area Ratio, prevailing as on the date of publication of notification. However the construction which are actually happening is not in accordance with local town and country planning regulations
3. It is further alleged by the applicant that DCPR-2034 norms which are required to be followed for which the concessions have been given by the MCGM with respect to open space, which would lead to environmental degradation in the said area.
4. It is also prayed by the applicant to stop all constructions of which are going on within CRZ area which are not as per the open space stipulations set in the relevant provision of DCPR-2034
5. At the outset, I deny each and every contention, averment, submission which is contrary to what is stated herein below and the averments, contentions, submissions which are not specifically



denied shall not be deemed to be admitted by reason of non-traverse.

6. The applicant has submitted CRZ clearance letter in relation to ten examples cited in the Original Application wherewith the recommendation made by the MCZMA to the Planning Authority are also annexed which is a recommendation made in respect of the proposed redevelopment of the property known as "Sea View" on plot bearing C.S. No.740 of Worli Division, situated at Khan Abdul Gaffar Khan Road, Worli, Mumbai by Yogesh Mathradas Kothari, wherein it is noted that concessions required for proposed redevelopment are approved by the Municipal Commissioner, MCGM on 25.04.2023.
 - a. In above example Architect had submitted the proposal for redevelopment of property bearing C.S.No.740 of Worli Division, situated at Khan Abdul Gaffar Khan Road, Worli, Mumbai - 400 030, known as "Sea View". An Architect had submitted the proposal for required concessions and same were approved by Municipal Commissioner vide online note sheet dated 25.04.2023. Accordingly, IOD was granted on 23.08.2023 and Commencement Certificate upto plinth level is granted on 16.04.2024. Hereto annexed and marked as Exhibit "A" (Colly) is the copy of required concessions, approval by Municipal



Commissioner, IOD and Commencement Certificate upto plinth level.

b. Further, it is to mention here that, Architect has submitted the proposal under regulation 33(7) of DCPR 2034 and NOC from MBRRB Board is submitted for proposed redevelopment with permissible FSI of FSI 3 or FSI required for rehabilitation of existing tenants plus 50% incentive whichever is higher. Accordingly, plans are issued on 23.08.2023 with FSI which is permissible as per DCPR 2034 and policies in force prevailing as on the date of CRZ Notification 2019 and as per MCZMA NOC. Hence, there is no FSI violation. Hereto annexed and marked as Exhibit "B" is the copy of MCZMA NOC.

c. Further, as per regulation 6(b) as mentioned above, Municipal Commissioner may for reasons to be recorded in writing, by special permission permit any of the dimensions prescribed by these Regulations to be modified, except those relating to floor space indices unless otherwise permitted under these Regulations. Accordingly, report was submitted to Chief Eng.(D.P.)/Municipal Commissioner for approval of various concessions and same is approved by the Municipal Commissioner vide online note sheet dated 25.04.2023.



d. Considering facts mentioned above, the approval granted by Municipal Corporation is as per DCPR 2034 and policies in force prevailing as on the date of CRZ Notification 2019. Also, MCZMA has granted the NOC for the proposed redevelopment. Hence, there is not violation with respect to CRZ Norms.

7. It further to submit that Para no 5.2 of CRZ notification, 2019 which lays down as follows;

"5.2 CRZ-II :

(i) *Activities as permitted in CRZ-I B, shall also be permissible in CRZ-II, in so far as applicable.*

(ii) *Construction of buildings for residential purposes, schools, hospitals, institutions, offices, public places, etc. shall be permitted only on the landward side of the existing road, or on the landward side of existing authorized fixed structures. Provided that no permission for construction of buildings shall be given on landward side of any new roads which are constructed on the seaward side of an existing road.*

(iii) *Buildings permitted as in (ii) above, shall be subject to the local town and country planning regulations as applicable from time to time, and the norms for the Floor Space Index (FSI) or Floor Area Ratio (FAR) prevailing as on the date of this Notification, and in the event that there is a need for amendment of the FSI after the date of publication of this notification in the official Gazette, the Urban Local Body or State*

Government or Union territory Administration shall approach the



Ministry of Environment, Forest and Climate Change through the concerned State Coastal Zone Management Authority (SCZMA) or Union Territory Coastal Zone Management Authority, as the case may be and the SCZMA shall forward the proposal to the National Coastal Zone Management Authority (NCZMA) with its views in the matter, and the NCZMA shall thereafter examine various aspects like availability of public amenities, environmental protection measures, etc., and take a suitable decision on the proposal and it shall be the responsibility of the concerned Town Planning Authority to ensure that the Solid Wastes are handled as per respective Solid Waste Management Rules and no untreated sewage is discharged on to the coast or coastal waters."

8. As per regulation 6(b) of DCPR 2034 as mentioned quoted below-

6 Discretionary powers:

(b) In specific cases where a clearly demonstrable hardship is caused, the Commissioner may for reasons to be recorded in writing, by special permission permit any of the dimensions prescribed by these Regulations to be modified, except those relating to floor space indices unless otherwise permitted under these Regulations, provided that the relaxation will not affect the health, safety, fire safety, structural safety and public safety of the inhabitants of the building and the neighbourhood.

(c) Any discrepancy/error in regard to location/size/use of designations and any relocation of reservation approved by the competent authority along with its development at its relocated position if not reflected in this



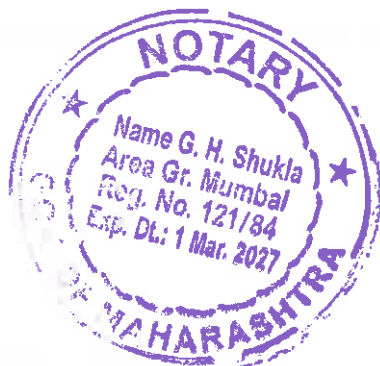
Development Plan and that are brought to the notice of MCGM may, after due enquiry, be corrected with the special permission of the Commissioner. Provided that the Municipal Commissioner shall issue a well-reasoned order of such correction, along with the authenticated part plan showing the location under his seal and signature, with a copy to the Govt., Director of Town planning, Maharashtra State, Deputy Director of Town Planning, Greater Mumbai for information and record purpose. The proposal of Development Plan shall stand modified to that effect.

Hence the Municipal Commissioner may for reasons to be recorded in writing, by special permission permit any of the dimensions prescribed by these Regulations to be modified, except those relating to floor space indices unless otherwise permitted under these Regulations of DCPR 2034 and policies in force prevailing as on the date of CRZ Notification 2019.

9. The Respondent submits that the present respondent will abide by any directions of this Hon'ble Tribunal.
10. This Respondent craves leave to add, alter or amend the aforesaid averments as and when necessary.

08.11.2024

Mumbai




Respondent No. 3

VERIFICATION

I, Rajesh Dholay, Age: 53 years, Occupation - Service; working as Executive Engineer (Building Proposal) City of Brihanmumbai Municipal Corporation (BMC), the authorized signatory for BMC having office at Deputy Chief Engineer (Building Proposal) City, Bhagwan Walmiki Chowk, Vidyalankar College Marg, Antop Hill, Mumbai 400037; do hereby state on oath on behalf of Respondent No. 3 that, the contents of this Affidavit in Reply are true and correct and explained it to me in vernacular language and same is true and correct to the best of my own knowledge and belief.

Solemnly affirmed at Mumbai)


This 8th day of November 2024)


Deponent

Identified & Explained By


Advocate

BEFORE ME


G. H. SHUKLA
NOTARY GREATER MUMBAI
Jagdamba Bhavan, Ground Floor,
Ganpatrao Kadam Marg, Lower Parel,
MUMBAI - 400 013.

- 8 NOV 2024

NOTED & REGISTERED

Sr. No. 71207 Page No. 03

Book No. 27 Date. **- 8 NOV 2024**



BRIHANMUMBAI MUNICIPAL CORPORATION
P-9326/2021/(740)/G/South/WORLI/337/1/New

Subject: Proposed redevelopment of property bearing C.S.No.740 of Worli Division, situated at Khan Abdui Gaffar Khan Road, Worli, Mumbai – 400 030, known as "Sea View".

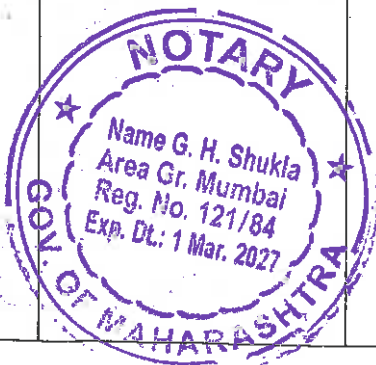
Architect: Shri Sunil G. Ambre of M/s. Sunil Ambre & Associates.

Owner / Developer: Mr. Yogesh Mathradas Kothari H.U.F.

Draft Plans attached in additional document.

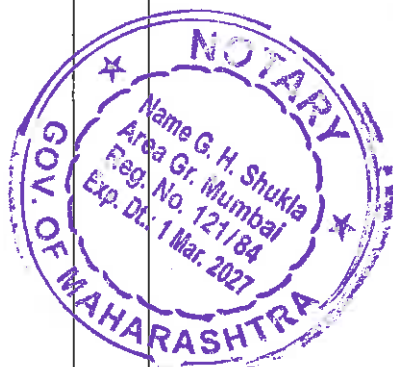
4B-SCRUTINY SHEET FOR PLANS APPROVAL

Sr. No.	ITEM	REQD.AS PER D.C.P.R. 2034	PROPOSED	DEFICIENCY	REMARK TO BE FILLED UP BY S.E.
	Type of building				
	A. Only Residential	Regulation 33(7) of DCPR 2034.	Proposed residential building comprising of single level basement + part Ground floor for double height entrance lobby and part stilt + G-1 level + 1 st to 6 th podium floor for parking spaces + 6A Service floor + 7 th floor for fitness center & refuge area + 8 th floor residential user + 8A service floor + 9 th to 10 th duplex flat	-	The proposal under reference is scrutinized as per Regulation 33(7) of DCPR 2034 & under EODB.



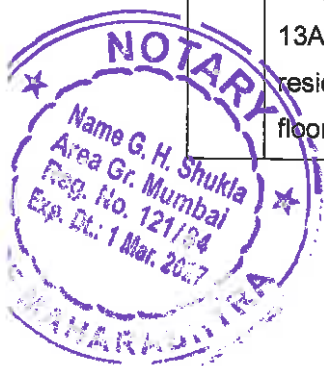
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			+ 10A service floor + 11 th to 13 th triplex flat + 13A service floor + 14 th floor residential use + 14A service floor + 15 th to 16 th floor for residential duplex flat + 16A service floor + 17 th to 19 th residential triplex flat + 19A service floor + 20 th to 22 nd residential triplex flat + 22A service floor / swimming pool open to sky with total height of 114.45 mt. upto terrace level slab.		
	B. Only Commercial	-	-	-	
	C. Residential Cum Commercial	-	-	-	
	D. IT	-	-	-	
	E. Any other	-	-	-	
1.	STAIRCASE REQUIRMENTS				
	a. Height up to 32.00 mt.		-	-	
	b. Height bet. 32. to				



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	70 mt.				
	c. Height above 70 mtr.	As per Regn. 48(5)(b), 2 nos. of 2.00 mt. wide staircase is required.	Proposed 2 nos. of 2.00 mt. wide staircases		Architect has proposed 2 nos. of 2.00 mt. wide staircases.
	d. Width of staircase	As per Regn. 37(15), Table 16, 2.00 mt. wide staircase is required.	Proposed 2.00 mt. wide staircase.		Proposed 2.00 mt. width is adequate.
	i. Fire staircase	N.A.	N.A.	N.A.	
	e. No. of staircase required	As per Regn. 48(5)(A), 2 nos. of 2.00 mt. wide staircase is required.	Proposed 2 nos. of 2.00 mt. wide staircase.	Nil	Architect has proposed 2 nos. of 2.00 mt. wide staircase.
	i. Travel distance	As per Regn. 47 (3) (ii)(i)(i), That the travel distance on the floor for residential does not exceed 22.50 mt.	Proposed travel distance is 2.40 mt.	Nil	Proposed travel distance is within limit.
	f. Separate staircase for tower parking	-	-	-	-
2.	HEIGHT PERMISSIBLE	N.A. being the proposal under Regn 33(7)			
3A	Rehab Ratio	Rehab Ratio built up area 1328.41 / 5031.81 x 100 = 26.40%,	27.61%	Rehab Ratio is 26.40% less than 50% hence proposed building is non-composite building.	
3B	Distance from center line of street as per.	N.A. being the proposal under Regn. 33(7).			
4.	OPEN SPACE	Proposed residential building comprising of single level basement + part Ground floor for double height entrance lobby and part stilt + G-1 level + 1 st to 6 th podium floor for parking spaces + 6A Service floor + 7 th floor for fitness center & refuge area + 8 th floor residential user + 8A service floor + 9 th to 10 th duplex flat + 10A service floor + 11 th to 13 th triplex flat + 13A service floor + 14 th floor residential use + 14A service floor + 15 th to 16 th floor for residential duplex flat + 16A service floor + 17 th to 19 th residential triplex flat + 19A service floor + 20 th to 22 nd residential triplex flat + 22A service floor / swimming pool open to sky with			



total height of 114.45 mt. upto terrace level slab. Since the proposed Building is non-Composite, required open spaces are considered under the provision of Regulation 41(2) Table A of DCPR 2034.

Architect has proposed one non - composite building under regulation 33(7) of DCPR 2034. Hence, open spaces requirements will be considered as per Regn. 41(2) Table A and 47(1)(B)(b) of DCPR 2034.

i. Basements floor: -

As per Regn.37(7), 'Provided further that if total depth of basements exceeds beyond 8.4 m then the open spaces from the boundaries of the plot shall be increased by 1.5 m for every 8.4 m or fraction thereof beyond the open spaces as described above'.

Height of basements :- 5.90 mt.
F.O.S :- 3.00 mt.
S.O.S :- 1.50 mt

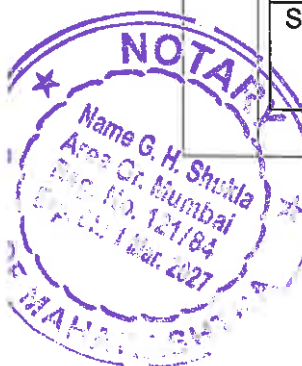
BASEMENTS FLOOR					
Side	Open Space required	Open space proposed	Deficiency	% Deficiency	Remarks
West	3.00 MT.	9.21 mt.	NIL	NIL	F.O.S
NORTH	1.50 MT.	4.20 MT.	NIL	NIL	S.O.S
EAST	1.50 MT.	4.61 MT.	NIL	NIL	R.O.S
SOUTH	1.50 MT.	4.72 MT.	NIL	NIL	S.O.S

Ground and G-1 floor: -

Height of proposed building : 114.45 mt
Front open space required : 3.00 mt.
LV:- H/4 = 114.45 MT/ 4 : 28.61 mt. Max.16.00 MT.
D/W : 9.00 MT.

Ground floor and G-1 level:					
Side	Open Space required	Open space proposed	Deficiency	% Deficiency	Remarks
West	3.00 MT.	7.12 mt.	NIL	NIL	F.O.S
NORTH	9.00 MT.	4.20 MT.	4.80	53.33%	S.O.S. & 47(1)(B)(b) for D/W
EAST	9.00 MT. for car lift	10.27 MT.	NIL	NIL	R.O.S. D/W
	9.00 mt. for between plinth line and Substation	2.76 mt.	6.24	69.33%	R.O.S. D/W
SOUTH	9.00 MT.	9.19 MT.	NIL	NIL	S.O.S. & 47(1)(B)(b) for D/W

ii) Parking floor 1st to 6th podium level:-



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Height of parking floor : 29.25 MT.

F.O.S : 3.00 MT.

S.O.S. : 6.00 MT.

Parking floor 1st to 6th parking floors (Plans for reference attached in additional documents)

Side	O.S. Required	Open Space Proposed	Deficiency	% Deficiency	Remarks
WEST	3.0 MT.	13.04 MT.	NIL	NIL	F.O.S
NORTH	6.00 MT.	4.20 MT.	1.80	30.00%	S.O.S
EAST	6.00 MT.	10.275 MT.	NIL	NIL	R.O.S
SOUTH	6.00 MT.	7.59 MT.	NIL	NIL	S.O.S

iii) Proposed open space at 7th floor level:-

Height of proposed building : 114.45 mt

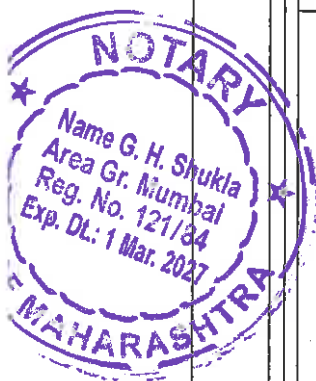
Front open space required : 3.00 mt.

L/V:- $H/4 = 114.45 \text{ MT} / 4$: 28.61 mt. (Max.16.00 MT.)

Dead Wall : 9.00 MT.

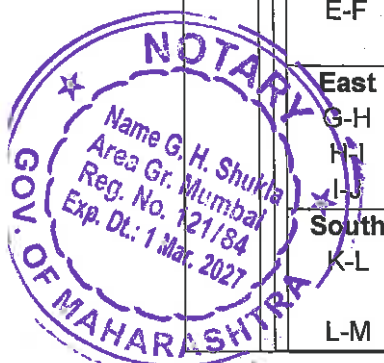
Required and Proposed Open Space @ 7th floor floor...

Side	Open Space Required	Open Space Proposed	Deficiency	% Deficiency	Remarks
West A-B	3.00 mt.	6.42 mt.	Nil	Nil	F.O.S.,
North C-D	9.00 mt.	4.20 mt.	4.80	53.33%	S.O.S. & 47(1)(B)(b) for D/W
D-E	9.00 mt.	4.20 mt.	4.80	53.33%	S.O.S. & 47(1)(B)(b) for D/W
E-F	16.00 mt.	4.20 mt.	11.80	73.75%	S.O.S. & 47(1)(B)(b) for L/V
East G-H	16.00 mt.	14.57 mt.	1.43	8.94%	R.O.S. (L/V)
H-I	9.00 mt.	14.57 mt.	Nil	Nil	R.O.S. (D/W)
I-J	16.00 mt.	14.56 mt.	1.44	9.00%	R.O.S. (L/V)
South K-L	16.00 mt.	8.04 mt.	7.96	49.75%	S.O.S. & 47(1)(B)(b) for L/V
L-M	9.00 mt.	8.04 mt.	0.96	10.67%	S.O.S. & 47(1)(B)(b) for D/W
M-N	16.00 mt.	8.04 mt.	7.96	49.75%	S.O.S. & 47(1)(B)(b) for L/V
N-O	9.00 mt.	8.08 mt.	0.92	10.22%	S.O.S. & 47(1)(B)(b) for D/W
O-P	16.00 mt.	8.08 mt.	7.92	49.50%	S.O.S. & 47(1)(B)(b) for L/V



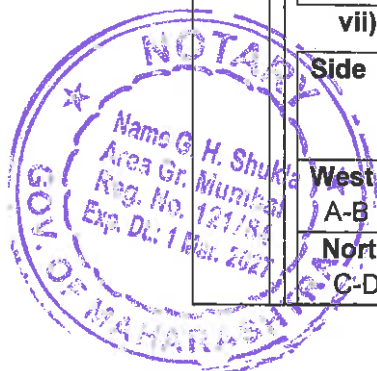
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iv) Required and Proposed Open Space @ 8 th floor...					
Side	Open Space Required	Open Space Proposed	Deficiency	% Deficiency	Remarks
West					
A-B	3.00 mt.	6.42 mt.	Nil	Nil	F.O.S.,
North					
C-D	16.00 mt.	4.20 mt.	11.80	73.75%	S.O.S. & 47(1)(B)(b) for L/V
D-E	9.00 mt.	4.20 mt.	4.80	53.33%	S.O.S. & 47(1)(B)(b) for D/W
E-F	9.00 mt.	4.20 mt.	4.80	53.33%	S.O.S. & 47(1)(B)(b) for D/W
East					
G-H	16.00 mt.	14.57 mt.	1.43	8.94%	R.O.S. (L/V)
H-I	9.00 mt.	14.57 mt.	Nil	Nil	R.O.S. (D/W)
I-J	16.00 mt.	14.56 mt.	1.44	9.00%	R.O.S. (L/V)
South					
K-L	16.00 mt.	8.04 mt.	7.96	49.75%	S.O.S. & 47(1)(B)(b) for L/V
L-M	9.00 mt.	8.04 mt.	0.96	10.67%	S.O.S. & 47(1)(B)(b) for D/W
M-N	16.00 mt.	8.04 mt.	7.96	49.75%	S.O.S. & 47(1)(B)(b) for L/V
N-O	9.00 mt.	8.08 mt.	0.92	10.22%	S.O.S. & 47(1)(B)(b) for D/W
O-P	16.00 mt.	8.08 mt.	7.92	49.50%	S.O.S. & 47(1)(B)(b) for L/V
v) Required and Proposed Open Space @ 9 th & 15 th floor level....					
Side	Open Space Required	Open Space Proposed	Deficiency	% Deficiency	Remarks
West					
A-B	3.00 mt.	6.42 mt.	Nil	Nil	F.O.S.
North					
C-D	16.00 mt.	4.20 mt.	11.80	73.75%	S.O.S. & 47(1)(B)(b) for L/V
D-E	9.00 mt.	4.20 mt.	4.80	53.33%	S.O.S. & 47(1)(B)(b) for D/W
E-F	16.00 mt.	4.20 mt.	11.80	73.75%	S.O.S. & 47(1)(B)(b) for L/V
East					
G-H	16.00 mt.	14.57 mt.	1.43	8.94%	R.O.S. (L/V)
H-I	9.00 mt.	14.57 mt.	Nil	Nil	R.O.S. (D/W)
I-J	16.00 mt.	14.56 mt.	1.44	9.00%	R.O.S. (L/V)
South					
K-L	16.00 mt.	8.04 mt.	7.96	49.75%	S.O.S. & 47(1)(B)(b) for L/V
L-M	9.00 mt.	8.04 mt.	0.96	10.67%	S.O.S. & 47(1)(B)(b)



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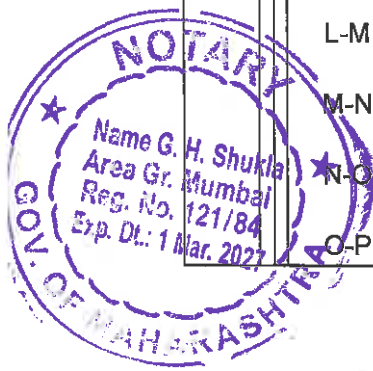
M-N	9.00 mt.	8.04 mt.	0.96	10.67%	for D/W S.O.S. & 47(1)(B)(b)
N-O	16.00 mt.	8.08 mt.	7.92	49.50%	for D/W S.O.S. & 47(1)(B)(b)
O-P	9.00 mt.	8.08 mt.	0.92	10.22%	for L/V S.O.S. & 47(1)(B)(b)
P-Q	16.00 mt.	8.08 mt.	7.92	49.50%	for L/V S.O.S. & 47(1)(B)(b)
vi) Required and Proposed Open Space @ 10th & 16th floor level....					
Side	Open Space Required	Open Space Proposed	Deficiency	% Deficiency	Remarks
West					
A-B	3.00 mt.	6.42 mt.	Nil	Nil	F.O.S.
North					
C-D	16.00 mt.	4.20 mt.	11.80	73.75%	S.O.S. & 47(1)(B)(b) for L/V
D-E	9.00 mt.	4.20 mt.	4.80	53.33%	S.O.S. & 47(1)(B)(b) for D/W
E-F	9.00 mt.	4.20 mt.	4.80	53.33%	S.O.S. & 47(1)(B)(b) for D/W
East					
G-H	16.00 mt.	14.57 mt.	1.43	8.94%	R.O.S. (L/V)
H-I	9.00 mt.	14.57 mt.	Nil	Nil	R.O.S. (D/W)
I-J	16.00 mt.	14.56 mt.	1.44	9.00%	R.O.S. (L/V)
South					
K-L	16.00 mt.	8.04 mt.	7.96	49.75%	S.O.S. & 47(1)(B)(b) for L/V
L-M	9.00 mt.	8.04 mt.	0.96	10.67%	S.O.S. & 47(1)(B)(b) for D/W
M-N	9.00 mt.	8.04 mt.	0.96	10.67%	S.O.S. & 47(1)(B)(b) for D/W
N-O	16.00 mt.	8.08 mt.	7.92	49.50%	S.O.S. & 47(1)(B)(b) for L/V
O-P	9.00 mt.	8.08 mt.	0.92	10.22%	S.O.S. & 47(1)(B)(b) for D/W
P-Q	9.00 mt.	8.08 mt.	0.92	10.22%	S.O.S. & 47(1)(B)(b) for D/W
Q-R	16.00 mt.	8.08 mt.	7.92	49.50%	S.O.S. & 47(1)(B)(b) for L/V
vii) Required and Proposed Open Space @ 11th to 13th floor level....					
Side	Open Space Required	Open Space Proposed	Deficiency	% Deficiency	Remarks
West					
A-B	3.00 mt.	6.42 mt.	Nil	Nil	F.O.S.
North					
C-D	16.00 mt.	4.20 mt.	11.80	73.75%	S.O.S. & 47(1)(B)(b)



D-E	9.00 mt.	4.20 mt.	4.80	53.33%	for LV
E-F	16.00 mt.	4.20 mt.	11.80	73.75%	S.O.S. & 47(1)(B)(b) for D/W
F-G	9.00 mt.	4.20 mt.	4.80	53.33%	S.O.S. & 47(1)(B)(b) for LV
East					
H-I	16.00 mt.	14.57 mt.	1.43	8.94%	R.O.S. (LV)
I-J	9.00 mt.	14.57 mt.	Nil	Nil	R.O.S. (D/W)
J-K	16.00 mt.	14.56 mt.	1.44	9.00%	R.O.S. (LV)
South					
L-M	16.00 mt.	8.04 mt.	7.96	49.75%	S.O.S. & 47(1)(B)(b) for LV
M-N	9.00 mt.	8.04 mt.	0.96	10.67%	S.O.S. & 47(1)(B)(b) for D/W
N-O	9.00 mt.	8.04 mt.	0.96	10.67%	S.O.S. & 47(1)(B)(b) for D/W
O-P	9.00 mt.	8.08 mt.	0.92	10.22%	S.O.S. & 47(1)(B)(b) for D/W
P-Q	16.00 mt.	8.08 mt.	7.92	49.50%	S.O.S. & 47(1)(B)(b) for LV

viii) Required and Proposed Open Space @ 14th floor level....

Side	Open Space Required	Open Space Proposed	Deficiency	% Deficiency	Remarks
West					
A-B	3.00 mt.	6.42 mt.	Nil	Nil	F.O.S.
North					
C-D	9.00 mt.	4.20 mt.	4.80	53.33%	S.O.S. & 47(1)(B)(b) for D/W
D-E	9.00 mt.	4.20 mt.	4.80	53.33%	S.O.S. & 47(1)(B)(b) for D/W
E-F	9.00 mt.	4.20 mt.	4.80	53.33%	S.O.S. & 47(1)(B)(b) for D/W
East					
G-H	16.00 mt.	14.57 mt.	1.43	8.94%	R.O.S. (LV)
H-I	9.00 mt.	14.57 mt.	Nil	Nil	R.O.S. (D/W)
I-J	16.00 mt.	14.56 mt.	1.44	9.00%	R.O.S. (LV)
South					
K-L	16.00 mt.	8.04 mt.	7.96	49.75%	S.O.S. & 47(1)(B)(b) for LV
L-M	9.00 mt.	8.04 mt.	0.96	10.67%	S.O.S. & 47(1)(B)(b) for D/W
M-N	16.00 mt.	8.04 mt.	7.96	49.75%	S.O.S. & 47(1)(B)(b) for LV
N-O	9.00 mt.	8.08 mt.	0.92	10.22%	S.O.S. & 47(1)(B)(b) for D/W
O-P	16.00 mt.	8.08 mt.	7.92	49.50%	S.O.S. & 47(1)(B)(b)



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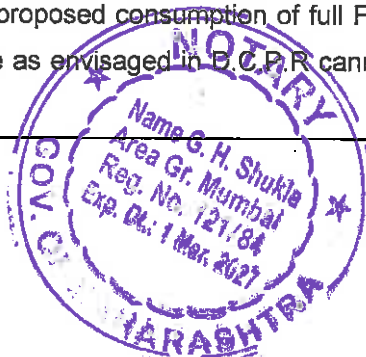
Side	Open Space Required	Open Space Proposed	Deficiency	% Deficiency	Remarks
for L/V					
ix) Required and Proposed Open Space @ 17th to 22nd floor level....					
West					
A-B	3.00 mt.	6.42 mt.	Nil	Nil	F.O.S.
North					
C-D	16.00 mt.	4.20 mt.	11.80	73.75%	S.O.S. & 47(1)(B)(b) for L/V
D-E	9.00 mt.	4.20 mt.	4.80	53.33%	S.O.S. & 47(1)(B)(b) for D/W
E-F	16.00 mt.	4.20 mt.	4.80	53.33%	S.O.S. & 47(1)(B)(b) for L/V
East					
G-H	16.00 mt.	14.57 mt.	1.43	8.94%	R.O.S. (L/V)
H-I	9.00 mt.	14.57 mt.	Nil	Nil	R.O.S. (D/W)
I-J	16.00 mt.	14.56 mt.	1.44	9.00%	R.O.S. (L/V)
South					
K-L	16.00 mt.	8.04 mt.	7.96	49.75%	S.O.S. & 47(1)(B)(b) for L/V
L-M	9.00 mt.	8.04 mt.	0.96	10.67%	S.O.S. & 47(1)(B)(b) for D/W
M-N	16.00 mt.	8.04 mt.	7.96	49.75%	S.O.S. & 47(1)(B)(b) for L/V
N-O	9.00 mt.	8.08 mt.	0.92	10.22%	S.O.S. & 47(1)(B)(b) for D/W
O-P	16.00 mt.	8.08 mt.	7.92	49.50%	S.O.S. & 47(1)(B)(b) for L/V

From the above table, it can be seen that, the deficiency of the open space is Nil for basement floors, Nil to 30.00% for parking floor i.e. non habitable floor without charging premium and open space deficiency is ranging from Nil to 73.75% for residential floor by charging premium. We have not provided required open space as per Regn.33(7) and as building is non - composite, open space as per as per Regn.41(2) Table A of DCPR 2034 are considered for calculations.

In view of above, the proposed open space deficiency is required to be condoned under the provisions of Regn.6(b) of DCPR 2034 as the building being redevelopment under Regn. 33(7) of D.C.P.R. 2034.

a) Hardship:

In this case, the proposal under reference is for the redevelopment of captioned property with F.S.I. 3.00 as per Regn. 33(7) & availing the benefit of fungible FSI as per Regn. 31(3) D.C.P.R. 2034. We have proposed consumption of full F.S.I. with rehabilitation of existing tenants. Hence, open space as envisaged in D.C.P.R cannot be provided, which is major hardship.



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b) Health:

The new building will be constructed with proper sanitary arrangement and paved open space in place of earlier building with common sanitary arrangement. Thus, there will be overall improvement of the environment and health & safety of the inhabitants as well as neighborhood will not be affected.

c) Fire and Safety:

Since, the proposed building height having more than 70.00 mt. We have submitted the revised N.O.C. from C.F.O. u/No. P-9326/2021/(740)/G/S/WORLI CFO/1/NEW dated 27.11.2022(attached in additional documents). As per the N.O.C. from C.F.O., Developer has to full fill the requirement of C.F.O. N.O.C. from fire safety point of view and completion certificate from C.F.O. will be insisted before Occupation permission. Thus, safety of the inhabitable and neighborhood from fire point of view is taken care.

d) Structural safety:

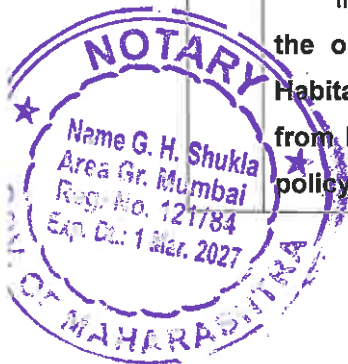
The building will be structurally designed and executed under the supervision of registered Structural Engineer by following the relevant I.S. Code from earth quake resistance structure by considering seismic forces etc. The stability Certificate from registered structural Engineer will be taken at the time of Plinth completion and O.C.C. stage. This the structural stability of the building and safety of the inhabitants and its neighborhood as well as its surrounding is taken care.

e) Joint Open Space of Neighborhood: -

Side	Adjoining property	Existing open space	Proposed open space	Remarks
West	24.40 mt. wide Khan Abdul Gaffar Khan Marg.	15.27 mt. + 24.40 mt. wide Khan Abdul Gaffar Khan Marg.	6.42 mt.	No Improved
North	C.S.No. 1/739	4.43 mt.	4.20 MT.	No Improved
East		3.03 mt. for garage 15.23 mt. for Building line	14.56 MT. for upper residential floors	No Improved
South	C. S.No. 740A	4.50 mt.	7.59 MT.	Improved

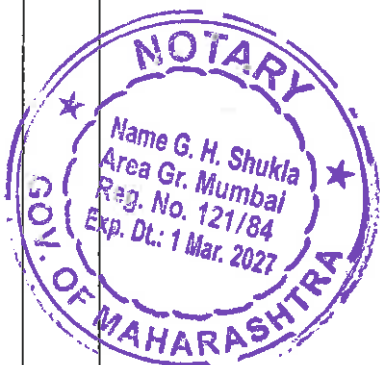
From the above table of the joint open space with adjoining properties, it can be seen that only 3 side joint open space is reduced also we have proposed sufficient light and ventilation within well planning and joint open space on 1 side have improved. However, being a proposal under Regn.33(7) of DCPR 2034, the required front open space abutting road is 3.00 mt open space and same has been provided.

In view of above, Ch.Eng.(D.P.)/Hon'ble M.C.'s approval is requested to condone the open space deficiency in open spaces ranging from Nil to 30.00% for Non-Habitable portion i.e parking floors without charging premium and deficiency ranging from Nil to 73.75% for habitable floor under Regn.33(7) by charging premium as per policy and as per Regn.6(b) of DCPR 2034 as explained above.



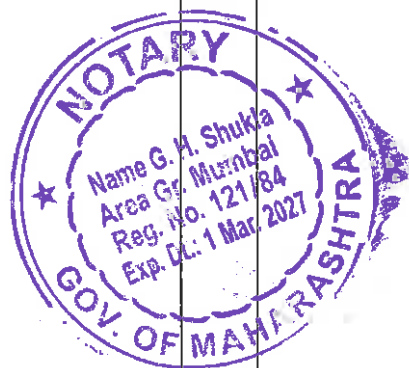
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5.	R.G.AMENITY/ OPEN SPACE (Reg.No.27)	
	i. 10%	
	ii. 15%	
	iii. 20%	
	iv. 25%	
		<p>In this case, Net area of the plot is 1677.27 sq.mt. i.e. more than 1000 sq.mt. as per the provision of regulation 27 of DCPR 2034, for the area of Plot from 1001.00 sq. mtrs to 2500.00 sq. mtrs required R.G. Area is 15% on Net Plot area. However, if the development is under the provisions of Regulation 33(7), the LOS shall be as stipulated in the relevant regulations if specified separately, or else the LOS as specified above shall be provided.</p> <p><i>“Provided further that the provisions of LOS in case of the redevelopment schemes under the regulation no 33(5), 33(7), 33(8), 33(15) and 33(20)(A) may be reduced due to planning constraints, minimum of at least 10% shall be maintained.”</i> Hence. In this case required RG Area is 1677.27 sq. mtrs x 10% = 167.73 sq. mtrs. Considering the planning constraints required RG Area, as stipulated above is proposed in 2 places. i.e., Place No. 1 towards east side of plot, admeasuring 126.77 sq. mtrs, Place No. 2 towards west side of plot, admeasuring 134.98 sq. mtrs, out of which 40.14 sq. mtrs RG area is Paved RG, thus, total proposed RG area is 261.65 sq. mtrs as against required RG Area admeasuring 167.73 sq. mtrs. Further clause No. (b) and (c) of Regulation 27 state that, <i>“No such LOS shall measure less than 125 sq. mtrs. The minimum dimension of such LOS shall not be less than 7.5 m, and if the average width of such LOS is less than 16.6 m, the length there of shall not exceed 2 1/2 times the average width.”</i> The proposed RG 1 and 2 is completely on mother earth, however the dimensions of RG 1 & 2 is not as per the provision of regulation 27, due to planning constraints, space for required Sub-station and DG Set is proposed touching to proposed RG1, having area admeasuring 100.51 sq. mtrs and this 100.51 sq. mtrs pocket is not included in RG area Calculation. Hence approval of Hon’ble M.C sir is requested to allow required RG area proposed in two places with shape of RG 1 in odd shape, under the provision of regulation 6 (b) of DCPR 2034.</p> <p>In view of above, Ch. Eng. (D.P.) / Hon’ble M.C.’ approval is requested to allow splitting of RG area proposed in two places with shape of RG 1 in odd shape and to allow ancillary structure touching to RG1, due to space / planning</p>



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		constraints as the proposed redevelopment is under the provision of regulation 33(7), under the provision of regulation 6 (b) of DCPR 2034 as explained above.			
6.	CHOWKS				
	a. Inner Chowk.	N.A.	N.A.	N.A.	
	b. Other Chowk.	N.A.	N.A.	N.A.	
7.	SERVICE DUCTS				
	a. For building upto 70.00 mtr height			-	-
	b. For building beyond 70 mtrs height	in this case, we have proposed service duct with service slab 0.60 mt. below floor level abutting to toilet block having depth 1.80 mt. & claimed the area of the said service duct free of FSI as per Regn. 31(xxiii) of DCPR 2034.		-	Ex.Eng.(B.P.)City-I's approval is requested to allow service duct with service slab 0.60 mt. below floor level abutting to toilet block having depth 1.80 mt. free of FSI as per Regn. 31 (xxiii).
8.	PROJECTIONS				
	a. Balcony/Deck	N.A	-	-	-
	b. Revas Projection	N.A	-	-	-
	c. Porches	N.A	-	-	-
	d. Canopy	N.A	-	-	-
	e. Chajja	As per Regn. 31(1)(xii) read with regn. 42(ii)(e)(i) of DCPR 2034 Chajja is permissible upto 1.20 mt. free of FSI. We have proposed continuous chajja projecting maximum 1.20 mt. from building line with 0.60 mt. level difference from floor level. Proposed drop chajja having 1.20 mts projection from building line and is proposed with a drop of 0.60 mts from floor level. The said chajja is proposed along the periphery of the proposed habitable floor plate as it is proposed to hold and for resting and fixing			Ch.Eng.(D.P.)/ M. C's approval is requested to allow the 1.20 mt. widecontinuous chajja with level difference 0.60 mt. from floor level and proposed glass cladding with aluminum frame work under the provision of regulation 31(1)(xii) read with regn. 42(ii)(e)(i) of DCPR 2034and policy under No. CHE/DP/110/Gen dated 2019-20 with area free of F.S.I. as shown in plan.



G.H.

	<p>the elevation cladding with openable panels @ 300 mm from proposed building line. Slant chajja is proposed @ top and inverted slant chajja is proposed @ bottom of service floor. The slant chajja is proposed with a drop of 300mm from proposed building line with projection not exceeding 750mm as mentioned in the circular. The proposed slat chajja are provided @ top and bottom of service floor and is proposed to act as elevation bands. Also proposed glass cladding with aluminum frame work which will be rested on the bottom over the chajja proposed with a drop and on top @ the bottom of the beam to support the aluminum framework required to fix, fixed as well as sliding glass. From safety purpose viewpoint the Architect has proposed glass railing resting on curb 150mm wide & 125mm high to support the railing proposed on the edge of the floor plate. The said continuous chajja proposed only for elevation features. Further, we have proposed slant chajja for service floor as per policy under No.CHE/DP/110/Gen dated 2019-20. Registered undertaking not to misuse the chajja will be insisted before asking C.C. & same</p>	
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condition will be incorporated as an IOD condition.

f. Refuge area:

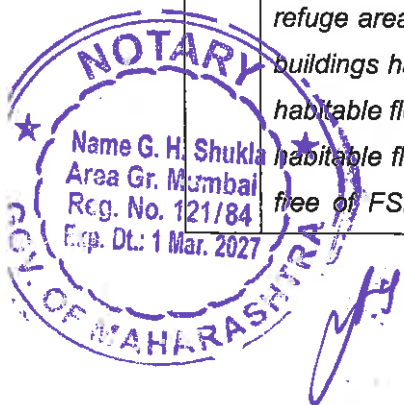
The proposed residential building comprising of single level basement + part Ground floor for double height entrance lobby and part stilt + G-1 level + 1st to 6th podium floor for parking spaces + 6A Service floor + 7th floor for fitness center & refuge area + 8th floor residential user + 8A service floor + 9th to 10th duplex flat + 10A service floor + 11th to 13th triplex flat + 13A service floor + 14th floor residential use + 14A service floor + 15th to 16th floor for residential duplex flat + 16A service floor + 17th to 19th residential triplex flat + 19A service floor + 20th to 22nd residential triplex flat + 22A service floor + part terrace as RG fill and part swimming pool open to sky with total height of 114.45 mt. upto terrace level slab and 123.45 mt. upto crown feature portal / pergola level.

The permissible 4% to 4.25% refuge area is claimed free of FSI as per Regn.31(1)(xix) read with 48(8) of DCPR 2034 and excess area over and above the permissible 4% to 4.25% counted into FSI. Proposed refuge area is as per plan and CFO NOC as under.

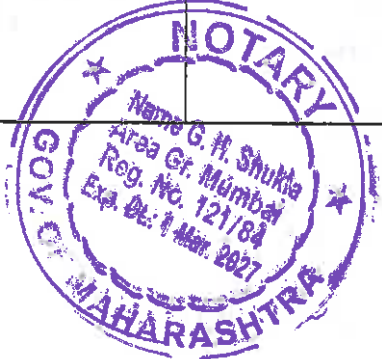
Sr. No.	Floor and level	As per plans submitted for approval			
		Refuge area 4% required	Refuge area 4.25 % required	Proposed refuge area	Excess area Counted in FSI
1	7 th floor, at + 31.25 mt. level	112.54 sq.mt.	119.57 sq.mt.	117.81 Sq. mt.	Nil
2	14 th floor, at 66.65 mt. level	152.84 sq.mt.	162.39 Sq. mt.	153.43 Sq. mt.	Nil

We have obtained revised CFO NOC under No. P-9326/2021/(740)/G/South/WORLI CFO/1/New dated 27.11.2022, wherein stated that, "you have provided refuge areas on 7th floor & on the 14th floor. The next refuge area shall be provided on 21st floor as per provisions of DCPR-2034. However, you have expressed hardship in planning that you have proposed triplex flat on 20th, 21st & 22nd floor. Hence the 21st floor is middle triplex. Instead of that you have provided refuge area on 14th floor considering the habitable area on 21st & 22nd floor & as terrace above 22nd floor can be considered as refuge area. Hence requested to accept the same. However, approval of EEBP & Hon'ble M.C.sir shall be obtained for the same.

As per the provision of regulation 48(8) Refuge area(a) (i) and (ii) which state that, "The refuge area shall be preferably provided within building line at floor level. In case of high-rise buildings having height more than 32 m, first refuge area shall be provided at 24 m or at 1st habitable floor, whichever is higher. Thereafter, the refuge area shall be provided at every 7th habitable floor. The refuge area shall be 4% of the habitable floor area it serves, and will be free of FSI. With the permission of Commissioner due to planning constraints it may be

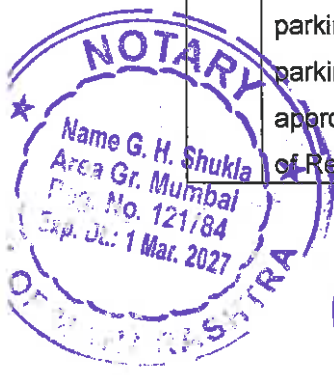


<p>allowed to be exceeded up to maximum limit of 4.25%. If it exceeds 4.25%, the excess area shall be counted in FSI".As stated in the CFO NOC, 1st refuge is proposed at 31.25 mt level i.e. 7th habitable floor instead of 24.00 mt level, thereafter, 2nd refuge is proposed at 66.65 mt level i.e. 14th habitable floor and 3rd refuge would be a part terrace at 22nd floor top. due to planning constraints i.e.,the building is proposed with duplex and triplex flats, parking levels are proposed up to 6th floor level and thereafter 6A is a service floor, after the parking levels 1st habitable floor is 7th floor hence as stated in regulation 48, 1st refuge is proposed at 1st habitable floor i.e. is at 31.25 mt level and since the triplex plat is stated from 20th floor level, last refuge would be a part terrace at 22 top. since all the fire safety points have taken in to consideration and since the required NOC from CFO is granted, Ch. Eng. (D.P.) / Hon'ble M.C.'s approval is requested to allow 1st refuge area at 31.25 mt level i.e. 1st habitable floor and required 3rd refuge area at terrace level of 22nd floor top due to planning constraints, as explained above.</p> <p>In view of above, Ex.Eng.(B.P.) City-I's approval is requested to allow the required refuge area free of FSI and excess area counted into FSI as per regulation 31(1)(xix) read with 48(8) of DCPR 2034 as explained above.</p> <p>In view of above Ch.Eng.(D.P.)/Hon'ble M.C.'s approval is requested to allow 1st refuge area at 31.25 mt level i.e. 1st habitable floor (instead of 24.00 mt level) and required 3rd refuge area at terrace level of 22nd floor top due to planning constraints, as explained above.</p>											
9.	TENEMENTS DENSITY As per D.C.P.R. 2034 of Regn.48(8).	$1677.27 / 10000 \times 450 \times \text{FSI } 3.00 = 226.43 \text{ Say } = 226 \text{ nos.}$ The permissible tenement density for FSI 3.00 is 226 numbers and proposed tenements are 8 nos. including existing R tenants / occupants, since the proposed tenements are well within permissible limit.									
10.	MECHANICAL VENTILATION SHAFT a. Size b. Cross sectional	Not Provided	Not provided								
11.	PARKING SPACES										
	As per Regn. 44 of Table 21										
	a. Type of Parking										
<p>For Residential and sale Component as per Regn. 31(1)(vi) read with 44 table 21 without relaxation of 33(7)</p> <table border="1"> <thead> <tr> <th>Carpet area in sq.mt.</th> <th>Number of Flats</th> <th>Parking Required</th> <th>Parking provided</th> </tr> </thead> <tbody> <tr> <td>i) up to 45 sq.mt As per Regn. 31(1)(vi) read with 44 table 21 without relaxation of 33(7) considering normal</td> <td>Nil</td> <td>1 Parking for 4 flats</td> <td>Nil</td> </tr> </tbody> </table>				Carpet area in sq.mt.	Number of Flats	Parking Required	Parking provided	i) up to 45 sq.mt As per Regn. 31(1)(vi) read with 44 table 21 without relaxation of 33(7) considering normal	Nil	1 Parking for 4 flats	Nil
Carpet area in sq.mt.	Number of Flats	Parking Required	Parking provided								
i) up to 45 sq.mt As per Regn. 31(1)(vi) read with 44 table 21 without relaxation of 33(7) considering normal	Nil	1 Parking for 4 flats	Nil								

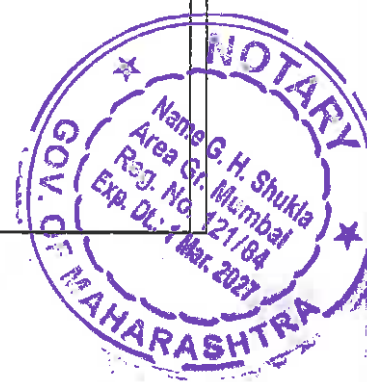


parking for rehab and sale flat.			
ii) 45 to 60 sq.mt As per Regn. 31(1)(vi) read with 44 table 21 without relaxation of 33(7) considering normal parking for rehab and sale flat option of owner/ developer may provide that one parking for each tenement	Nil	1 parking for 2 flats	Nil
iii) 60.00 sq.mt. to 90.00 sq.mt.	Nil	1 parking for 1 flat	Nil
iv) Above 90 sq.mt. As per Regn. 31(1)(vi) read with 44 table 21 without relaxation of 33(7) considering normal parking for rehab and sale flat option of owner/ developer may provide that one parking for each tenement	08 nos.	2 parking for 1 flat	16 nos.
Total Parking required =		16.00 nos.	
10% Visitors Parking =		1.60 nos.	
Total Parking Required =		17.60 nos.	
		Say = 18.00 Nos.(A)	
Total parking required (A)			18.00 nos.
50% additional parking as per Regn.31(1)(v)			9.00Nos.
Total required parking including additional 50%			27.00 Nos.
Total parking proposed			27 Nos.

From the above table, it can be seen that, the required car parking spaces under regular norms are 27 nos. and proposed parking spaces are 27 nos. which includes 50% additional car parking spaces. Considering the location and requirement, car parking spaces are provided under regular norms i.e. 18 numbers of car parking spaces (including R) mentioned in above table and the area of car parking spaces taken free of FSI. Further, additional 50% car parking's i.e. 9.00 numbers over and above basic required car parking's are proposed and area of said car parking's taken free of FSI under the provision of Regulation 31(1)(vi) of DCPR 2034. In this case, parking remarks through parking consultant for proposed car parking Layout is attached in additional document. As per the said remarks, 27 nos. of car parking space are provided and same car parking spaces are required to be considered / approved under regular norms of Regulation 44 of DCPR 2034 i.e. without taking relaxations of Regulation 33(7) for Rehab and Sale Component.



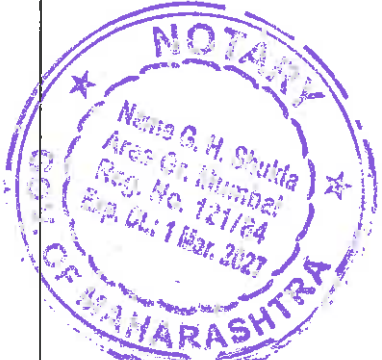
<p>In view of above, Ch. Eng. (D.P.) / Hon'ble M. C's approval is requested, to allow car parking spaces as per the regular norms without taking benefit / relaxation of Regn 33(7) for Rehab and Sale component, with car parking podium floors 1st to 6th level with total height of 29.25 mt. above ground level with area free of FSI, as per Regn. 31(1)(vi) as explained above.</p>			
12.	Means of access for parking		
	a) Car lifts	2 nos. of car lifts are proposed for maneuvering of cars.	Proposed parking spaces from 1 st to 6 th podium floor by accessible through two nos. of car lifts.
12A	<p>E.E.T & C NOC / Parking consultant NOC Condition: -</p> <p>Architect has proposed 27 nos. of parking spaces including 50% permissible additional parking spaces as against required 27 nos. of parking spaces as per Regn.44, Table 21, by taking benefit/ relaxations of 33(7) as shown in plan. Architect has proposed parking spaces as per Regn.44 Table No.21 of DCPR 2034 without taking relaxation / benefit of Regn.33(7) considering normal or regular proposal. Architect has proposed parking spaces at 1st to 6th podium floor accessible through two nos. car lift with total height of 29.25 mt. above ground level as shown on plan. Architect has claimed parking spaces free of F.S.I. as per Regn.31(1)(vi) of DCPR 2034. Architect has submitted remarks from Parking Consultant attached in additional document and the following conditions are mentioned in the said NOC:</p>		
	1	The area reserved for the parking shall be used / utilized for the purpose of parking only and a registered undertaking to this effect shall be submitted to MCGM(B.P.)	That the Registered Undertaking to that effect will be insisted before asking plinth C.C. Condition will be incorporated as an IOD condition.
	2	The slab of the underground tank, slab to cover existing well grating / slab over sump for rainwater or any other underground services if any shall be designed to bear the required vehicular load & stability certificate to that effect shall be obtained from Structural Engineer.	Structural Stability certificate regarding the slab of the underground tank, slab to cover existing well grating / slab over sump for rainwater or any other underground services if ay shall be designed to bear the required vehicular load will be insisted before asking Condition will be incorporated as an IOD condition.



			plinth C.C.	
3	The registered undertaking indemnifying MCGM against any litigation arising out of hardship to user in case of the failure of Mechanized system / car lifts / nuisance due to mechanical system / car lift, to the building under reference & to the adjoining wing / building shall be submitted to Ex. Eng. (B.P.).		That the Registered Undertaking to that effect will be insisted before asking plinth C.C.	Condition will be incorporated as an IOD condition.
13.	SUBSTATION			
	As per Regn. no.28 DCPR 2034.	As per Reg.28, 40.00 sq.mt. (i.e. 8.00 mt. x 5.00 mt.) Substation is required for plot area between 1000 sq.mt. to 2000 sq.mt. In this case, we have proposed space for substation by size 12.30 mt. x 5.40 mt. at ground level in open space in R.G. places towards east side and space for D.G. Setproposed on above substation as shown on plan. However, the actual requirement of size and specification for the same will be insisted from B.E.S.T. authority and condition to that effect will be incorporated in IOD condition.		Ch.Eng.(D.P.)/Hon'ble M.C.'s approval is requested to allow B.E.S.T. substation at ground floor in open space towards East side with area free of FSI.
14.	OCCUPANCY STATEMENT AS PER DCPR	R User	R User	Nil
15.	SANITATION REQUIRMENT For shops, market, Industries etc.			
16.	FREE OF FSI			
	a. Basement	In this case, we have proposed single level		Ch.Eng.(D.P.)/Hon'ble M.C.'s approval is requested to allow



J.S.

	<p>basement for High Rise building for services i.e. underground water tank, Pump room, space for STP, vent shaft basement to Ground level etc. which are permissible only at basement level with height 5.90 mt. We have proposed greater height of basement as per requirement of MEP consultant. We have proposed basement by providing front open space more than 6.00 mt. and side open space more than 4.20 mt. as shown in plan. The proposed basement level is accessible through one number of staircases. We have claimed basement area free of FSI as per Regn.37(7) of DCPR 2034. The feasibility report for providing basement from Geologist consultant will be insisted before asking plinth C.C. and condition to that effect will be incorporated in</p>	<p>single level basement with height 5.90 mt. for services free of FSI as per Regn.37(7) of DCPR 2034 as explained above.</p> 
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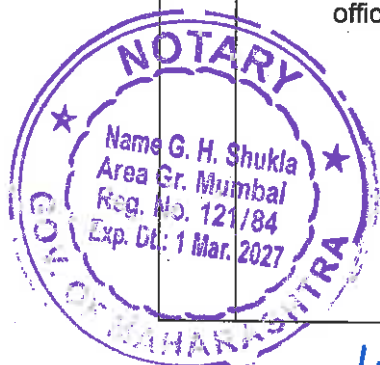


		IOD condition.		
	b. Stilt	We have proposed stilt for entrance lobby.		
	c. Entrance Lobby	In this case, we have proposed double height entrance lobby with height 7.20 mt. free of FSI as per Regn. 31(1)(xxi) of DCPR 2034.	Nil	Ex.Eng.(B.P.)City-I's approval is requested to allow area of double height entrance lobby with height 7.20 mt. free of FSI as per Regn. 31(1)(xxi) of DCPR 2034.
	d. Staircase lobby	We have proposed 2 nos. of 2.00 mt. wide staircase, 3 nos. of passenger lifts & 1 no of fire man lifts. Also, proposed lobby in front of lifts & staircase, equivalent to 2.00 times the depth and 2.00 times the width of the lift & we have proposed smoke vent lobby free of FSI. We have claimed the area of staircase, lift, lift lobby & smoke vent lobby without charging premium for rehab component & by charging premium for sale component as per Regn.31(1)(iv) of DCPR 2034 & as per circular u/No. CHE/DP/ 110/ GEN (C-5) Dt: 30.01.2020.	Nil	Ch.Eng.(D.P.)/M.C's approval is requested to allow area covered under staircase, lift, lift lobby & vent lobby free of F.S.I. without charging premium for rehab component & by charging premium for sale component as per Regn. 31(1) (iv) of DCPR 2034 & as per circular u/No. CHE/DP/ 110/ GEN (C-5) Dt: 30.01.2020.
	e. Lift Lobby		Nil	
	f. Servant toilet	Servant toilets at mid landing level at 1 st to		Ex.Eng.(B.P.)City-I's approval is requested to allow servant



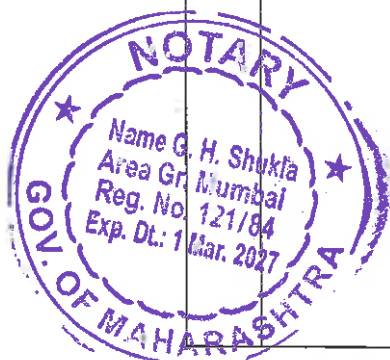
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		6 th podium parking level with area admeasuring 2.19 mt. is proposed and claimed free of FSI. The same is permissible with area free of FSI as per Regn.31(1)(xxvi) of DCPR 2034.			toilet area free of FSI as per Regn.31(1)(xxvi) of DCPR 2034.
	g. Podium for parking.	Proposed 27 nos. of car parking spaces on 1 st to 6 th podium floors accessible through two nos. of car lift with height of 29.25 mt. above ground level with area free of FSI as per DCPR 2034.			We have proposed 27 nos. of car parking spaces on 1 st to 6 th podium floors accessible through two nos. of car lift with height of 29.25 mt. above ground level with area free of FSI as per DCPR 2034.
	h. Fire check floor	Not provided	Not provided	Not provided.	Not provided
	i. Service floor	We have proposed service area above 6 th , 8 th , 10 th , 13 th , 14 th , 16 th , 19 th and 22 st floor with 1.50 mt. height as shown on plan with area free of FSI as per Regn. 31(1)(xx) of DCPR 2034.			Ex.Eng.(B.P.)City-I's approval is requested to allow service area above 6 th , 8 th , 10 th , 13 th , 14 th , 16 th , 19 th and 22 st floor with 1.50 mt. height as shown on plan with area free of FSI as per Regn. 31(1)(xx) of DCPR 2034.
	j. Society office	In this case, we have proposed society office at Ground floor level admeasuring 20.00 sq. mt. free of FSI. We have requested to allow society office at			Ex.Eng.(B.P.)City-I's approval is requested to allow society office at Ground floor level admeasuring 20.00 sq. mt. free of FSI as per Regn. 31(1)(vii) read with 37(9) of DCPR 2034.



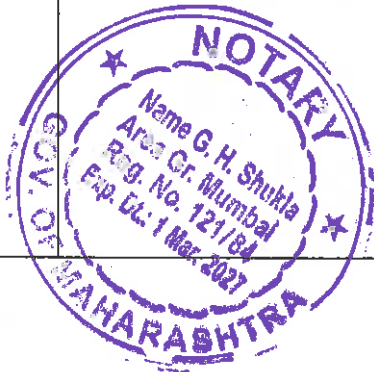
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		ground floor level upto 20.00 sq. mt. area free of FSI. The Registered Undertaking from developer / owner for handing over the society office premises to the society / association will be insisted before issue of C.C. and same condition will be incorporated as an IOD condition.	
	k. Fitness center	The proposed fitness center is provided at two locations i.e. one is 97.02 sq.mt. at 7 th floor level and second is 28.61 sq.mt. at terrace level. Thus, the total fitness center area is 125.63 sq.mt. against ed to allow fitness center area at two locations i.e. one is 7 th floor level having area admeasuring 97.02 sq. mtrs and second is on terrace level having area admeasuring 28.61 sq. mtrs as against permissible fitness center area admeasuring 134.72 sq. mtrs, free of FSI as per Regn.31(1)(xvii)	Ch. Eng. (D.P.) / Hon'ble M. C's approval is request to allow fitness center area two locations on 7 th and terrace level with area 125.63 sq.mt. against permissible area 134.72 sq.mt. free of FSI as per Regn.31(1)(xvii) read with 37(28) of DCPR 2034.



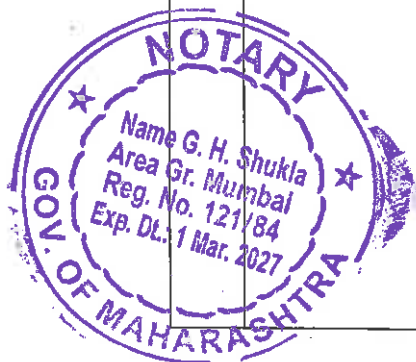
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		read with 37(28) of DCPR 2034 permissible fitness center area admeasuring 134.72 sq.mt. (i.e. 6736.02 x 2%). Also, condition to be incorporated in IOD wherein Registered Undertaking to be submitted for not misusing Fitness Centre will be insisted before asking C.C.		
	i. Staircase room at terrace level.	We have requested to allow area of staircaseroom and OHT, lift machine room free of FSI without charging premium as per Regn. 31(1)(iii) of D.C.P.R 2034.	Nil	Ex.Eng.(B.P.)City-I's approval is requested to allow area of staircase room and OHT& lift machine room free of FSI without charging premium as per Regn. 31(1) (iii) of D.C.P.R 2034.
	m. Lift machine room			
	n. Substation	Please see point No.13 in fact sheet 4B.		
	o. Part terrace			
	p. Watchmen Booth	As per Regn. 31(1)(ii) with Regn.42(ii)(g), "Watchman's booth not over 3 sq. m in area. In case of larger layouts having plot area more than 4000 sq. m. and accessible from more than one public road, than watchman's booth of 3 sq.m on each access road may be allowed,		Ex.Eng.(B.P.)City-I's approval is requested to allow security cabin / watchman cabin 2.45 sq.mt. free of F.S.I. as per Regn.31(1)(ii) read with Regn.42(ii)(g) of DCPR 2034.



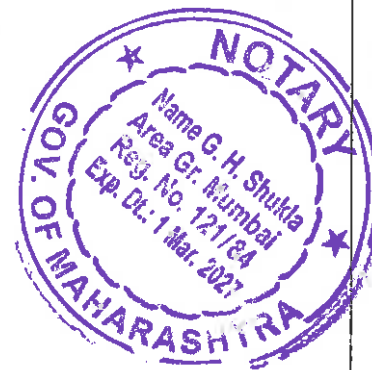
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		<p>provided it is not highway. Watchman booth should be located in such way that it should not affect maneuvering of Fire Tender." is permissible free of FSI.</p> <p>In this case, we have proposed security cabin/ watchman cabin abutting to 24.40 mt. wide Khan Abdul Gaffarkhan Marg. The proposed security cabin area adm. 2.45 sq.mt. free of F.S.I. as per Regn.31(1)(ii) read with Regn.42(ii)(g) of DCPR 2034.</p>	
	q. Electric duct	<p>We have proposed Electric duct & Fire duct free of FSI of 0.60 mt wide width. The same is permissible as per DCPR 31(1)(xxxi) if it is not abutting any habitable room. We have proposed electric duct abutting to non-habitable room with area 0.45 mt. free of FSI and also proposed duct abutting to habitable area same is counted into FSI as</p>	<p>Ex.Eng.(B.P.)City-I's approval is requested to allow electric duct 0.45 mt. depth free of FSI at every floor level abutting to staircase and over & above 0.45 area counted into FSI as per Regn. 31(1)(xxxi) of DCPR 2034.</p>



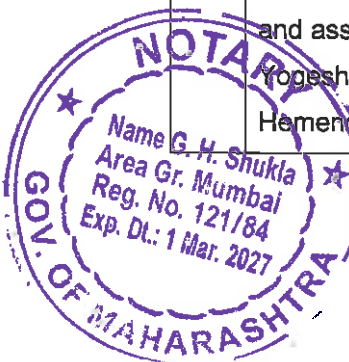
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		shown on plan.			
	r. Pump room	As per Regn. 31(1)(xiv), "Area covered by elevated/ underground water reservoirs/ tanks, electric substation, Distribution Sub Station, pump houses, facility for treatment of wet waste in situ." In this case, we have proposed pump room at basement floor level as shown in plan. We have claimed the area of pump room free of FSI as per as per Regn. 31(1)(xiv) of DCPR 2034.	Nil		Ex.Eng.(B.P)City-I's approval is requested to allow pump room at basement floor level free of FSI as per Regn. 31(1)(xiv) of DCPR 2034.
	s. Swimming pool	As per Regn. 31(1)(xii) of DCPR 2034, "Open to sky swimming pool at the terrace above top most storey or on the top most podium only." In this case, we have proposed swimming pool top most story and service area below swimming pool with height 1.80 mt. above 22 nd floor level as shown on plan. Hence, the area of swimming pool taken in free of FSI as per Regn. 31(1)(xii) of DCPR 2034.			Ex.Eng.(B.P.)City-I's approval is requested to allow open to sky swimming pool at top most level free of FSI as per Regn.31(1)(xii) of DCPR 2034.
17.	Details of contravening structure	N.A.	N.A.	N.A.	N.A.
18.	Details of buildable reservation	N.A.	N.A.	N.A.	N.A.
	A. Built up area to be handed over.				
19.	Details of EWS	N.A.	N.A.	N.A.	N.A.



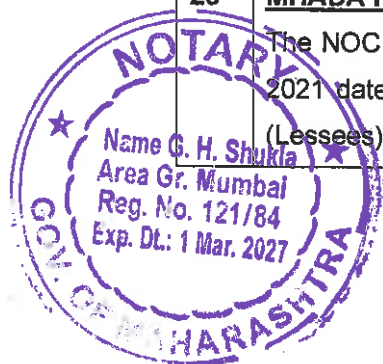
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	A. Built up area to handed over				
20.	Any other details	N.A.	N.A.	N.A.	N.A.
21.	<p><u>Authenticity of existing structures:</u></p> <p>As per True Extract, the existing structures on plot and the storied of existing structures are Ground to 1st upper floors. The said remarks issued and duly signed by Superintendent of Mumbai City Survey & Land Records; cadastral Survey Sheet No. 498 (3rd Edition of 1954) copy is attached in additional document. Further, as per Inspection Extract issued by Asst. Assessor & Collector / G/South ward u/no. AA&C/GS/Dak-1420/2017-18 dated 21.07.2017 for, ward no. -GS-1100040040000, as per annexure 'A' it is seen that the existing floor is Ground + 1st + 2nd floor with first date of assessment is prior to 1961-62. As per category certificate submitted, the building under reference A-'R, C-NR' category. Further, as per existing approved plan under file No.EB/7620/A dated 22.04.75 copy is attached in additional document. As per approved plan the proposed existing building comprising of Ground to 2nd upper residential floors. Since certification of all existing tenants / occupants along with existing areas and required documents is done, existing tenant list certified by M.B.R. & R. Board (copy is attached in additional document). As per certified tenant list by M.B.R. & R. Board the 4 nos. tenements are certified & accepted as shown in certified tenant list attached in additional document. We have considered 4 nos. of tenements.</p> <p>In view of above, Ex. Eng. (B.P.) City-I's accept the authenticity of the existing building as explained above.</p>				
22	<p><u>Ownership/ Provisional Estate NOC:</u></p> <p>As per P.R. Card it is mentioned here that the Lessor of the land is The Municipal Corporation of the City Bombay. Further, the names of Mathradas Samaldas Kothari, Jayant Vithaldas Desai, Hemendra Mathradas Kothari and Yogesh Mathradas Kothari (Executors) have been reflected pursuant to the probate granted by Hon'ble Bombay High court in petition No.421 of 1983. However, as per title clearance certificate from advocate copy is attached in additional document and it is mentioned that two executors namely Mathradas Samaldas Kothari died on 21st June 2002 and Jayant Vithaldas Desai died on 25th September 2003 leaving Hemendra Mathradas Kothari and Yogesh Mathradas Kothari as the surviving executors and trustees of the said will dated 13th October, 1979 of the deceased Kamlavati Dharamdas Kothari. Also, as mentioned above, the said Hemendra Mathradas Kothari and Yogesh Mathradas Kothari in their capacity as the executors have by and under the deed of transfer dated 1st March, 2005 registered in the office of Sub-Registrar of Assurance at Bombay bearing Serial No.BBI-2-1851-2005 formally transferred, released and assured, the rights in respect of the said property in favor of Hemendra Kothari HUF and Yogesh Kothari HUF. Therefore, it is recommended that the same be updated in the name of Hemendra Kothari HUF and Yogesh Kothari HUF as the lessees. Further, Power of Attorney</p>				



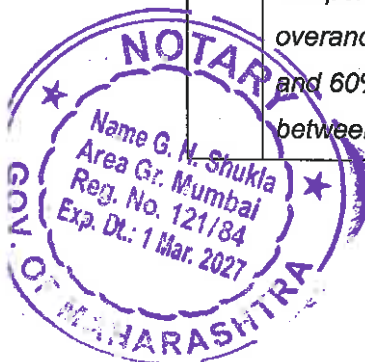
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	<p>attached in additional document and stated that the Mr. Hemendra Kothari, in my capacity as the Karta of the Hemendra Kothari HUF, doth hereby constitute and appoint my brother Mr. Yogesh Kothari to be my true and lawful attorney, to act with full right, power and authority in my name as the Karta HMK HUF and for and on behalf of the HMK. Further, the form under section 337 of M.M.C. Act and 44/69 of M.R.T.P. Act has signed by Shri. Yogesh Mathradas Kothari. Further, we have submitted provisional NOC for A.C. (Estate) department under No.AC/Estates/ 20280/A.E.(I)-II dated 10.05.2022 (Copy is attached in additional document. As per Estate NOC the name of lessees Shri. Hemendra M. Kothari (HUF) & Shri. Yogesh Mathradas Kothari (HUF).</p>
23	<p><u>Access: -</u> The plot under reference is abutting to 24.40 mt. wide Khan Abdul Gaffarkhan Marg. Hence, the access for the proposal under reference is adequate.</p>
24	<p><u>D.P. Remarks of 2034:</u> As per the D.P. remarks 2034 (Copy is attached in additional document), the plot under reference is falls under R-zone. Further, the plot under reference is not reserved for any public purpose. Further, "The land under reference falls within the Coastal Regulation Zone (CRZ) as shown inthe location plan and development thereof shall be governed as per the Governmentof India notification under No: SO 114(E) of 19.2.1991 as amended upto date, theHTL (High Tide Line) indicated in DP remark is subjected to confirmation of the sameby MCZMA or the appropriate authority.As per sanctioned CZMP, HTL/setback lines with map scale(as shown in accompanying document for block and location plan overview) with respect to plot(s) under reference i.e. CTS/CS/FP No(s) 740, of village, WORLI, the land under reference falls under CRZ II Category. Therefore, the development shall be governed as per the Ministry of Environment and Forest, Govt. of India, Notification No. 114(E) of 19.02.1991 as amended up to date". Hence the NOC from CRZ is required, and the same will be obtained and submitted before asking C.C up to plinth and condition to that effect will be incorporated in IOD condition. Further, the plot under reference there is no proposed or sanctioned R.L.</p>
25	<p><u>Survey Remarks:</u> Survey remarks is submitted and copy is attached in additional document. As per the survey remarks the plot under reference falls in R zone and it's not reserved for any public purpose. Further, the plot under reference is in CRZ-II, hence the NOC from CRZ is required, and the same will be obtained and submitted before asking C.C up to Plinth level and condition to that effect will be incorporated as an IOD condition.</p>
26	<p><u>MHADA NOC:</u> The NOC from M.B.R. & R Board is issued u/No. R/NOC/F-2762/9024/M.B.R. & R. Board – 2021 dated 26.10.2021 in the name of Shri. Hemendra M. Kothari and Yogesh M. Kothari (Lessees) for redevelopment under Regn.33(7)(5)(a & b) for FSI 3.00 of FSI required for</p>



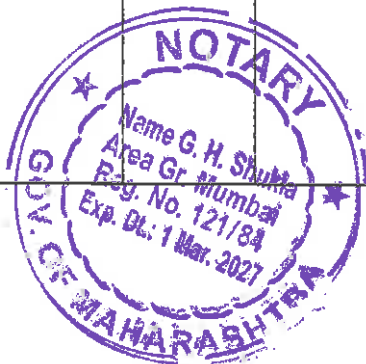
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	rehabilitation of existing tenants + 50% incentive FSI whichever is more & the percentage of incentive FSI is worked out on the basic of ratio of LR/RC as per prevailing ASR rates as per clause 5(a) of Notification dated 08.07.2021 (copy is attached in additional document).As per Notification No.TPB-4320/107/CR-72/2020 (part-I) / UD-11, dated 08/07/2021 permissible incentive is 75% (i.e. LR/RC(2,86,660.00/30250) = 9.48 ratio, i.e. above 6 single plot area 75% Incentive area). However, we have submitted certified existing tenant list certified by M.B.R. & R. Board copy is attached in additional document.																																	
27	<p>Permissible FSI :</p> <p>As per the plans, the permissible BUA as per Regn.33(7) of DCPR 2034 are calculated as under</p> <p>A) Permissible built up area on plot area basis:</p> <table border="1"> <thead> <tr> <th>Sr. No.</th> <th>Description</th> <th>Area in sq. mt.</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>Total gross plot area</td> <td>1677.27</td> </tr> <tr> <td>2</td> <td>Permissible FSI</td> <td>3.00</td> </tr> <tr> <td>3</td> <td>Total Permissible BUA (1677.27 x 3.00)</td> <td>5031.81 sq.mt (A)</td> </tr> </tbody> </table> <p>B) Permissible built up with 75% Incentive basis: -</p> <table border="1"> <thead> <tr> <th>Sr. No.</th> <th>Description</th> <th>Area in sq. mt.</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>Carpet area of existing tenants / occupants as per certified by MHADA</td> <td>1107.01</td> </tr> <tr> <td>2</td> <td>B.U.Area required for Existing Tenants (1107.01 x 1.20)</td> <td>1328.41</td> </tr> <tr> <td>3</td> <td>Carpet area of existing tenants / occupants as certified by MHADA for Incentive FSI</td> <td>480.00</td> </tr> <tr> <td>4</td> <td>B.U.A. required for rehabilitation of existing tenants / occupants for incentive (480.00 x 1.20)</td> <td>576.00</td> </tr> <tr> <td>5</td> <td>As per Notification No.TPB-4320/107/CR-72/2020 (part-I) / UD-11, dated 08/07/2021 permissible incentive is 75% LR/RC(2,86,660.00/30250)=9.48ratio, i.e. above 6 single plot area 75% Incentive area (576.00 x 75%)</td> <td>432.00</td> </tr> <tr> <td>6</td> <td>Permissible BUA with 75% Incentive FSI (1328.41 + 432.00)</td> <td>1760.41sq.mt. (B)</td> </tr> </tbody> </table> <p>Since "A" is greater than "B", therefore net permissible B.U. Area of 5031.81 sq.mt. will be accepted.</p> <p>In view of above, Ex.Eng.(B.P.) City-I's approval is requested to allow the permissible built-up area of 5031.81 sq. mt. as per Regn.33(7) as explained above.</p>	Sr. No.	Description	Area in sq. mt.	1	Total gross plot area	1677.27	2	Permissible FSI	3.00	3	Total Permissible BUA (1677.27 x 3.00)	5031.81 sq.mt (A)	Sr. No.	Description	Area in sq. mt.	1	Carpet area of existing tenants / occupants as per certified by MHADA	1107.01	2	B.U.Area required for Existing Tenants (1107.01 x 1.20)	1328.41	3	Carpet area of existing tenants / occupants as certified by MHADA for Incentive FSI	480.00	4	B.U.A. required for rehabilitation of existing tenants / occupants for incentive (480.00 x 1.20)	576.00	5	As per Notification No.TPB-4320/107/CR-72/2020 (part-I) / UD-11, dated 08/07/2021 permissible incentive is 75% LR/RC(2,86,660.00/30250)=9.48ratio, i.e. above 6 single plot area 75% Incentive area (576.00 x 75%)	432.00	6	Permissible BUA with 75% Incentive FSI (1328.41 + 432.00)	1760.41sq.mt. (B)
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28	<p>Fungible Compensatory FSI:-</p> <p>As per Regn. 31(3) of DCPR 2034, "Notwithstanding anything contained in the D.C. Regulations 30, 32 & 33, the Commissioner may, by special permission, permit fungible compensatory area, not exceeding 35% for residential/Industrial/Commercial development, over and above admissible FSI/BUA, by charging a premium at the rate of 50% for Residential and 60% for Industrial and Commercial development of ASR (for FS11), which is to be shared between MCGM, State Govt. and MSRDC (for Sea Link) in 50% 30% and 20% respectively.</p>																																	



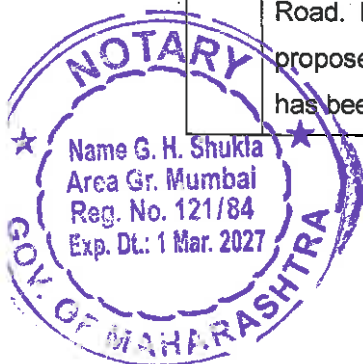
In this case, fungible compensatory FSI on rehabilitation area of existing tenants / occupants is claimed without charging premium and for sale component it's claimed on payment of premium, as per policy in force. The fungible built up area calculation is tabulated as below: -

Sr. No.	Description	Perm. BUA in Sq. Mt.	35% Perm. Fungible BUA in Sq. Mt.	Total perm. BUA in Sq. Mt.	Total proposed area in Sq. Mt.	Proposed fungible BUA in Sq. Mt.	Deficit	Remark
1.	Rehab 'R' user	1328.41	464.94	1793.35	1328.41	464.94	00	35% rehab fungible BUA without charging premium.
2.	Excess area given for existing Rehab Residential from sale component	1903.62	666.26	2569.88	1903.62	666.26	00	35% rehab fungible excess area given for existing rehab from sale component by charging premium of 50% of SDRR Rate
3	Surplus area surrendered to MHADA	740.68	259.24	999.92	740.68	215.28	43.96	35% MHADA Surplus fungible BUA without charging premium.
4	Sale 'R' User	1059.10	370.68	1429.78	1059.10	357.73	12.95	35% sale fungible BUA by charging premium @ 50% of SDRR Rate.

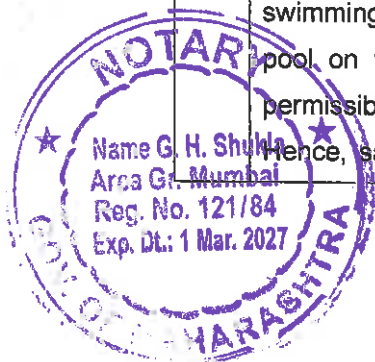


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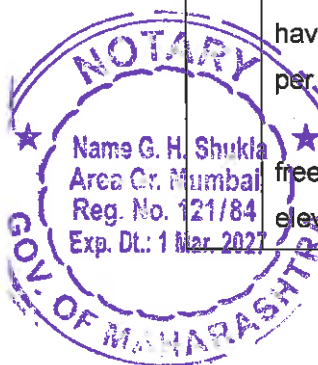
	TOTAL	5031.81	1761.13	6792.94	5031.81	1704.21	56.92	
	In view of above, Ch. Eng.(D.P.)/M.C.'s approval is requested to allow fungible F.S.I. upto 35% i.e. area admeasuring 464.94 sq. mtrs permissible on Rehab Residential component, area admeasuring 259.24 sq. mtrs. permissible on surplus area surrendered to MHADA without charging premium and for area admeasuring 666.26 sq.mt. excess area given for rehab existing residential from Sale component and sale residential component area admeasuring 370.68 sq.mt. by charging premium @ 50% of SDRR Rate under the provision of regulation 31(3) of DCPR 2034, as explained above.							
29	<u>Composite / Non-Composite: -</u> As per tenant list, 4 nos. of existing tenants are certified by M.B.R. & R. Board. Area required for rehabilitation of existing tenants / occupants is 1328.41 sq. mtrs. and the permissible BUA with FSI 3.00 is 5031.81 sq. mtrs, hence rehab ratio as under.... $= 1328.41 / 5031.81 \times 100 = 26.40\%$, since the rehab ratio is less than 50% hence, the proposed building is non - composite building.							
30	<u>Proposed Building: -</u> The proposed residential building comprising of single level basement + part Ground floor for double height entrance lobby and part stilt + G-1 level + 1 st to 6 th podium floor for parking spaces + 6A Service floor + 7 th floor for fitness center & refuge area + 8 th floor residential user + 8A service floor + 9 th to 10 th duplex flat + 10A service floor + 11 th to 13 th triplex flat + 13A service floor + 14 th floor residential use + 14A service floor + 15 th to 16 th floor for residential duplex flat + 16A service floor + 17 th to 19 th residential triplex flat + 19A service floor + 20 th to 22 nd residential triplex flat + 22A service floor + part terrace lawn fill and part swimming pool open to sky with total height of 114.45 mt. upto terrace level slab and 123.45 mt. upto crown feature portal / pergola level.							
31	<u>Tenement Density:</u> The proposal under reference is under the provision of regulation 33(7) of DCPR 2034, with permissible FSI of 3.00 for rehabilitation of existing tenants / occupants. The area of plot is 1677.27 sq. mt. Further, tenement density as per Regn. 30(B) of DCPR 2034 is as under. The area of Plot is 1677.27 sq. mt. ($1677.27 \times 450 / 10000 \times 3.00 = 226.43$ Say 226 Nos). The permissible tenement density for FSI 3.00 is 226 numbers and the proposed tenements are 8 nos. Since the proposed tenements are well within permissible limit, there is no deficiency.							
32	<u>Cognizance of Decision of Hon'ble Supreme Court: -</u> The proposed building is having access through 24.40 mt wide Khan Abdul Gaffar Khan Road. Further, the area of plot is more than 1000.00 sq. mt. the required R.G. area is proposed on ground level as shown on plan. Hence, the cognizance of supreme court order has been taken in this case.							



33	<p><u>C.R.Z NOC / Clarence:</u></p> <p>As per the Premark's, the plot under reference falls under CRZ-II hence, As such NOC from MCZMA as per Notification dated 18.01.2019 is required. NOC from the CRZ shall be submitted before issue of plinth C.C. and condition to that effect will be incorporated as an IOD condition.</p> <p>In view of above, Dy.Ch.Eng.(B.P.) City approval is requested to insist MCZMA NOC before asking plinth C.C.</p>
34	<p><u>Staircase, lift, lift lobby area:</u></p> <p>The proposed residential building comprising of single level basement + part Ground floor for double height entrance lobby and part still + G-1 level + 1st to 6th podium floor for parking spaces + 6A Service floor + 7th floor for fitness center & refuge area + 8th floor residential user + 8A service floor + 9th to 10th duplex flat + 10A service floor + 11th to 13th triplex flat + 13A service floor + 14th floor residential use + 14A service floor + 15th to 16th floor for residential duplex flat + 16A service floor + 17th to 19th residential triplex flat + 19A service floor + 20th to 22nd residential triplex flat + 22A service floor + part terrace lawn fill and part swimming pool open to sky with total height of 114.45 mt. upto terrace level slab and 123.45 mt. upto crown feature portal / pergola level. Further, we have proposed 2 nos. of staircase with 2.00 mt. width and 3 nos. of passenger lifts & 1 nos. fireman lift from ground to top floor. One no staircase is accessible in Basement. The area of staircase, lifts, lifts lobbies are taken free of FSI as per the provision of Regulation 31(1)(iv) of DCPR 2034. The proposed area of staircase, lift, lift lobby on all habitable floors free of FSI without charging premium for rehab component and by charging premium on sale component. Also, the area of staircase, lift, lift lobby for non-habitable floors free of FSI without charging premium as per policy. Further, as per circular under No. ChE/DP/22099/Gen dtd.10.11.2017, four nos. lifts opening at terrace level are permissible for convenience in accessing the terrace. Since the said building is a high-rise development and from the perspective of future prospective buyers' convenience, the lift opening at terrace level may be allowed.</p> <p>In view of above, Ch.Eng.(D.P.)/M.C.'s approval is requested to allow staircase, lifts, lift lobbies & smoke vent free of FSI without charging premium for rehab component and by charging premium on sale component as per Regn.31(1)(iv) of DCPR 2034 & Circular DCPR 2034 C-5 u/No. CHE/DP/110/Gen dated 2019-20 as explained above.</p>
35	<p><u>Swimming pool / service area:</u></p> <p>We have proposed swimming pool at top most story level above 22A service floor level open to sky with area free of FSI. The swimming pool is proposed with service area below swimming pool as shown on plan. As per Regulation 31(1)(xxii) of DCPR 2034, swimming pool on the terrace above the top most story or on top most podium open to sky is permissible free of FSI. The proposed swimming pool is at top most story's and open to sky. Hence, same can be allowed free of FSI. Further, we have proposed 1.50 mt. ht. service</p>



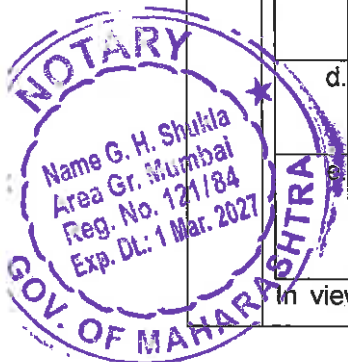
	<p>area below swimming pool above 22nd floor level with area free of FSI as per Regn. 31(1)(xx). In view of above, Ex. Eng. (B.P.) City-I's approval is requested to allow open to sky swimming pool with area free of FSI under the provision of 31(1)(xxii) of DCPR 2034 and Service area below swimming pool with ht. 2.00 mt. as per regn.31(1)(xx) of DCPR 2034 as explained above.</p>
36	<p><u>Slenderness Ratio / High rise NOC: -</u></p> <p>As per Govt. Notification u/No. TPB/4308/3224/CR-268/08/C/UD-11 dt.21.05.2011, all the proposals under DCR 33(7) in which slenderness ratio is more than 9 shall invariably be submitted to the technical committee constituted for scrutiny of development proposals of High-Rise Building.</p> <p>a) Height of Building: = 114.45 mt b) Min width of the building = 15.15 mt. c) Slenderness Ratio (a / b) = 114.45/15.15 = 7.55 < 9.00</p> <p>In this case slenderness ratio is less than 9.00 and height of proposed building is 114.45 mt. As per Regn.19(3) of DCPR 2034 height of proposed building upto 120.00 mt. does not required the NOC from High Rise Committee.</p>
37	<p><u>Rain Water Harvesting: -</u></p> <p>As per DCPR 2034, Regn. No.62, for the plot area is more than 500.00 sq. mt. the provision of rain water harvesting is required to be made. In this case, area of plot is 1677.27 sq. mt. Hence, the Rain water Harvesting is required. We have proposed rain water harvesting by size 3.70 mt.x 2.71 mt. at south side in basement level as shown on plan. However, condition to submit Rain water harvesting design and specification will be insisted before issue of plinth C.C. and condition to that effect will be incorporated as an IOD condition.</p>
38	<p><u>Dumping ground / SWM NOC / Bank Guarantee: -</u></p> <p>As per prevailing norms & policies, the concession can be process without insisting NOC from SWM department, hence concession can be process. However, before issue of IOD, Remark's form SWM will be submitted. Also, we have submitted Bank Guarantee attached in additional document.</p>
39	<p><u>Service ducts with vertical fins:</u></p> <p>Service duct of size 1.80 mt. beyond the sanitary blocks are proposed. Further, the said ducts are proposed with vertical fins to hide the service pipes and for aesthetic view and have claimed the area of service ducts free of FSI. The same is permissible free of FSI as per Regn.31(1)(xxiii) of DCPR 2034 and as per the elevation circular issued by MCGM.</p> <p>In view of above, Ex.Eng.(B.P.) City-I's approval is requested to allow service duct free of FSI as per Regn. 31(1)(xxiii) of DCPR 2034 and vertical fins for aesthetic view as per elevation policy C-10 issued by MCGM, as explained above</p>



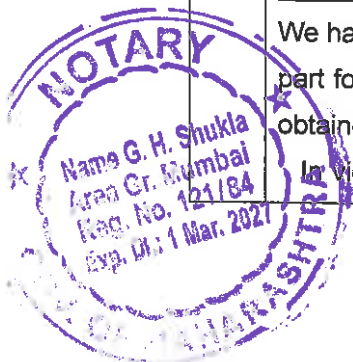
40	<p><u>Lift opening at terrace floor level: -</u></p> <p>In this case, we have proposed 4 nos. of lift opening at terrace floor level for better accessibility for all section of age group of occupants. Architect has claimed the area of these 4 nos. of lifts free of FSI without charging premium as per Regn.37(17) & as per circular u/No. CHE/DP/22099/GEN Dt: 10.11.2017 & as per transitional policy u/No. CHE/DP/24394/GEN dated 04.12.2018 point no.09.</p> <p>In view of above, Ex.Eng.(B.P.)City-I's approval is requested to allow lift opening at terrace level free of FSI by without charging premium being residential building as per Regn.37(17) & as per circular u/No. CHE/DP/22099/GEN Dated 10.11.2017 & as per transitional policy u/No. CHE/DP/24394/GEN dated 04.12.2018 as explained above.</p>
41	<p><u>Duplex flat and Triplex flat by accessible through Internal staircase/ Internal lift: -</u></p> <p>In this case, there are total 4 Nos. of R-Rehab tenants. We have proposed duplex flat of existing tenants i.e. 1) Suneet Y. Kothari has been allotted on flat no. 901 at 9th& 10th floor level, 2) Aditi Hemendra Kothari has been allotted on flat no. 1501 at 15th& 16th floor level, 3) Yogesh Mathradas Kothari has been allotted on triplex flat no. 1101 at 11th to 13th floor level & 4) Hemendra Mathradas Kothari has been allotted on triplex flat no. 1701 at 17th to 19th floor level. We have proposed 9th to 10th duplex flat, 11th to 13th triplex flat, 15th to 16th floor for residential duplex flat, 17th to 19th residential triplex flat, 20th to 22nd residential floor level triplex flat with 1.20 mt. wide internal staircase and same is 1.80 mt. level counted into FSI and other area free of FSI by charging premium. Further, we have proposed internal lift by size 2.125 x 1.90 mt. and claimed the area 1.25 mt. x 1.25 mt. free of FSI by charging premium as per policy & counted the area over and above 1.25 x 1.25 mt. size of lift as shown on plan. We have claimed area of Internal Staircase & Internal lift free of FSI by charging premium as per policy.</p> <p>In view of above, Ch.Eng.(D.P.)/ Hon'ble M.C. approval is requested to allow internal Staircase & internal lift free of FSI by 100% charging premium as per recent policy as explained above.</p>
42	<p><u>MHADA Surplus Area / Splitting MHADA surplus unit:</u></p> <p>As per the N.O.C. from M.B.R. & R Board is issued u/No. R/NOC/F-2762/9024/M.B.R. & R. Board – 2021 dated 26.10.2021, condition No.11 stated that, "as per the prescribed percentage of the tentative surplus Built up area as provided in the table 3 & 4 of Schedule-III of the MHAD Act 1976, an area admeasuring 740.68 sq.mt., if the new building for sale is reconstructed for residential use only or 1111.02 sq.mt. if the new building for sale is reconstructed for mixed use i.e. residential and commercial."</p> <p>In this case, we have proposed new building only for residential building. We have proposed 955.96 sq.mt. MHADA Surplus including fungible FSI at 7, 8th and 14th floor level. NOC from M.B.R & R. Board for exact surplus area before issue of C.C. & condition to that effect will be incorporated as an IOD condition. Also, we have split the unit of MHADA surplus area due to</p>



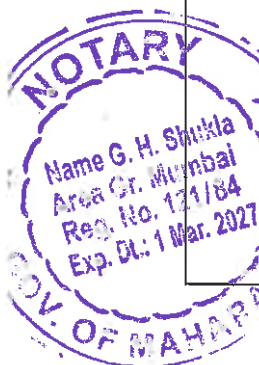
	<p>the huge certified area of MHADA & planning constraints. However, NOC / Clearance from M.B.R. & R. Board for splitting of surplus area surrendered to MHADA is required. Same will be insisted before issue of further C.C. and same condition will be incorporated as an I.O.D condition.</p> <p>In view of above Dy.Ch.Eng.(B.P.)City's approval is requested to allow splitting of surplus area surrendered to MHADA subject to NOC / clearance from M.B.R.& R. Board before issue of further C.C. as explained above.</p>																		
43	<p>Pressurize Shaft:</p> <p>In this case, we have proposed High Rise Residential building having total height of 114.45 mt. upto terrace level slab and 123.45 mt. upto crown feature portal / pergola level. Hence, we have proposed pressurize shaft behind staircase as per requirement of CFO department. There is no chance to misuse the said shaft/ duct. The NOC from CFO department is attached in additional document. Registered undertaking from developer for not to misuse pressurize duct will be insisted before plinth C.C. as an IOD condition. We have requested to allow pressurize duct free of F.S.I. for High Rise residential building under regulation 6(b) of DCPR 2034.</p> <p>In view of above, Ch.Eng.(D.P.)/Hon'ble M.C.'s approval is requested to allow pressurize duct free of F.S.I. for High Rise residential building under regn.6(b) of DCPR 2034 as explained above.</p>																		
44	<p>Pergola: -</p> <p>We have proposed 0.30 mt. wide pergola above common terrace of the proposed building at top most level (i.e., 123.45 mts.) of Lift Machine Room / OHT which is 9.00 mts from Terrace Slab and within the proposed building line.As per circular u/no. CHE/DP/110/Gen dated 30.01.2020 the pergola at terrace slab level maybe allowed subject to: -</p> <table border="1"> <thead> <tr> <th>Sr. No.</th> <th></th> <th>Remarks</th> </tr> </thead> <tbody> <tr> <td>a.</td> <td>The pergola projection beyond building line shall not be more than 2.00 mt.</td> <td>Architect has proposed pergola above Terrace Level, within proposed Building Line</td> </tr> <tr> <td>b.</td> <td>The pergola shall not affect side marginal open space of 3.00 and front marginal open space of 1.50 mt.</td> <td>Architect has proposed pergola above Terrace level, within proposed Building line, thus side and front marginal open spaces are not affected.</td> </tr> <tr> <td>c.</td> <td>Such pergolas shall be allowed only on top most common terrace of building/ wing/ wings.</td> <td>Architect has proposed pergola above terrace level (common terrace of proposed building)</td> </tr> <tr> <td>d.</td> <td>The pergolas shall not be allowed on part terraces/ pocket terrace/ sloping terraces.</td> <td>No pergolas are proposed on part terraces / pocket terrace / sloping terrace</td> </tr> <tr> <td>e.</td> <td>The pergola shall not be allowed in 6 m side open access required for fire fighting vehicle as per Supreme Court order.</td> <td>Proposed Pergola does not affect 6.00 m side open access required for Fire Fighting vehicle</td> </tr> </tbody> </table> <p>In view of above, Ch.Eng.(D.P.)/Hon'ble M.C.'s approval is requested to allow 0.30 mts.</p>	Sr. No.		Remarks	a.	The pergola projection beyond building line shall not be more than 2.00 mt.	Architect has proposed pergola above Terrace Level, within proposed Building Line	b.	The pergola shall not affect side marginal open space of 3.00 and front marginal open space of 1.50 mt.	Architect has proposed pergola above Terrace level, within proposed Building line, thus side and front marginal open spaces are not affected.	c.	Such pergolas shall be allowed only on top most common terrace of building/ wing/ wings.	Architect has proposed pergola above terrace level (common terrace of proposed building)	d.	The pergolas shall not be allowed on part terraces/ pocket terrace/ sloping terraces.	No pergolas are proposed on part terraces / pocket terrace / sloping terrace	e.	The pergola shall not be allowed in 6 m side open access required for fire fighting vehicle as per Supreme Court order.	Proposed Pergola does not affect 6.00 m side open access required for Fire Fighting vehicle
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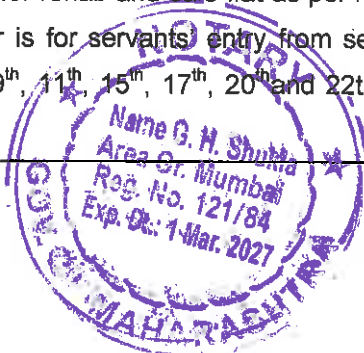
	Wide pergola above common terrace of the proposed building at top most level (i.e., 123.15 mts.) of Lift Machine Room / OHT which is 9.00 mts. from Terrace Slab and within the proposed building line as explained above.
45	<p><u>Fire Rated Fixed Glass at Refuge Area:</u></p> <p>We have proposed Refuge Area @ 7th& 14th floor of the proposed building i.e., @+31.25 mt.&@+66.65 mt. level respectively. The said Refuge Area is proposed fronting 24.40 mts. wide Maulana Abdul Gaffar Khan Road as per CFO's requirement and can be accessed through common lobby. The said Refuge Area shares a common wall with Fitness Center / Club House @ 7th floor level & Residential Unit @ 14th floor level, the sea-view of which is obstructed if the said common wall is constructed as solid brick wall. Thus, to get an unobstructed sea-view and address the Fire Safety requirement, we are proposing a fire rated glass wall which is approved by CFO u/no. P-9326/2021/(740)/G/S/WORLI/CFO/1/NEW-0 dated 11-12-2021 and the same may please be considered and accepted.</p> <p>In view of above, Ch.Eng.(D.P.)/Hon'ble M. C's approval is requested to allow fire rated (toughened) full height glass in refuge area instead of common wall between habitable area and refuge area, due to planning constraints as the sea-view is obstructed if the said common wall is constructed as solid brick wall, as explained above.</p>
46	<p><u>To allow parapet wall at terrace level of greater height: -</u></p> <p>We have proposed elevation feature in form of parapet wall with solid wall not more than 1.50 mts from terrace slab level and feature beyond 1.50 mts. solid parapet wall and upto top of LMR/OHT parapet top with 60% open surface area along the periphery of the common terrace within the proposed building line.</p> <p>As per circular u/no. CHE/DP/110/Gen dt: - 30.01.2020 the parapet wall at terrace slab level with greater height maybe allowed subject to: -</p> <ol style="list-style-type: none"> Parapet wall beyond 1.50 mts shall be provided with 60% Open Surface. The Total height is parapet wall beyond terrace slab shall be 5.50 mt. or top of LMR/OHT parapet top whichever is higher. <p>In view of above, Ch.Eng.(D.P.)/M. C's approval is requested to allow parapet wall with greater height above common terrace of the proposed building at top most level (i.e., 123.15 mts.) of Lift Machine Room / OHT which is 9.00 mts. from Terrace Slab and within the proposed building line as explained above.</p>
47	<p><u>Mix user:</u></p> <p>We have proposed mix user on 7th floor i.e. part for Surplus area surrendered to MHADA and part for Fitness center, respectively. However, the registered undertaking to that effect will be obtained from Architect / Developer for not misusing it, before Plinth C.C.</p> <p>In view of above, Ch.Eng.(DP)/Hon'ble M.C.'s approval is requested to allow mix user on</p>



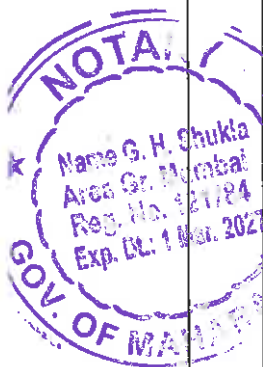
	7 th floor i.e. part for surplus area surrendered to MHADA and part for Fitness center, subject to submission of RUT from Architect/ Developer.
48	<p><u>Double height Air – Conditioned Lobby / Stilt, passage double height: -</u></p> <p>We have proposed entrance lobby and part stilt area for driveway with height of 7.20 MT and the area of the same is claimed free of FSI. As per the provision of regulation 41(5), for the building height more than 70.00 mt, at least one side other than road shall have clear open space of 9.00 mt at ground floor. Hence, we have proposed double height driveway at ground floor to have access to fire engine and part portion of the stilt is proposed for double height entrance lobby area. As per DCPR 31(xxi) "Entrance lobbies in stilted portion, height not exceeding 7.2 m. or height equivalent to two floor or height of stilt whichever is more". Further, we have proposed cross beams at 7.20 mt in car lift stilted portion.</p> <p>In view of above, Ch. Eng. (D.P.)/Hon'ble M.C.'s approval is requested to allow double height entrance lobby and part portion of stilt for proper access to fire engine with height of 7.20 mt free of FSI as explained above.</p>
49	<p><u>LOS:</u></p> <p>In this case, Net area of the plot is 1677.27 sq.mt. i.e. more than 1000 sq.mt. as per the provision of regulation 27 of DCPR 2034, for the area of Plot from 1001.00 sq. mtrs to 2500.00 sq. mtrs required R.G. Area is 15% on Net Plot area. However, if the development is under the provisions of Regulation 33(7), the LOS shall be as stipulated in the relevant regulations if specified separately, or else the LOS as specified above shall be provided.</p> <p><i>"Provided further that the provisions of LOS in case of the redevelopment schemes under the regulation no 33(5), 33(7), 33(8), 33(15) and 33(20)(A) may be reduced due to planning constraints, minimum of at least 10% shall be maintained."</i> Hence. In this case required RG Area is 1677.27 sq. mtrs x 10% = 167.73 sq. mtrs. Considering the planning constraints required RG Area, as stipulated above is proposed in 2 places. i.e., Place No. 1 towards east side of plot, admeasuring 126.77 sq. mtrs, Place No. 2 towards west side of plot, admeasuring 134.98 sq. mtrs, out of which 40.14 sq. mtrs RG area is Paved RG, thus, total proposed RG area is 261.65 sq. mtrs as against required RG Area admeasuring 167.73 sq. mtrs.</p> <p>Further clause No. (b) and (c) of Regulation 27 state that, "No such LOS shall measure less than 125 sq. mtrs. The minimum dimension of such LOS shall not be less than 7.5 m, and if the average width of such LOS is less than 16.6 m, the length there of shall not exceed 2 1/2 times the average width."</p> <p>The proposed RG 1 and 2 is completely on mother earth, however the dimensions of RG 1 & 2 is not as per the provision of regulation 27, due to planning constraints, space for required Sub-station and DG Set is proposed touching to proposed RG1, having area</p>



	<p>admeasuring 100.51 sq. mtrs and this 100.51 sq. mtrs pocket is not included in RG area Calculation. Hence approval of Hon'ble M.C sir is requested to allow required RG area proposed in two places with shape of RG 1 in odd shape, under the provision of regulation 6 (b) of DCPR 2034.</p> <p>In view of above, Ch. Eng. (D.P.) / Hon'ble M.C.' approval is requested to allow splitting of RG area proposed in two places with shape of RG 1 in odd shape and to allow ancillary structure touching to RG1, due to space / planning constraints as the proposed redevelopment is under the provision of regulation 33(7), under the provision of regulation 6 (b) of DCPR 2034 as explained above.</p>
50	<p><u>M.O.E.F. NOC:</u></p> <p>We have stated that the construction area is 19193.23 sq.mt. Since, not to insist M.O.E.F. NOC in the said building.</p>
51	<p><u>To allow the habitable room with length more than 7.50 mt.:</u></p> <p>As per Regulation 40(1)(a), no part of any habitable room being more than 7.50 mt. away from the source of light & ventilation. As per Regn. 40(1)(c), for non-residential user shall be considered as adequately lighted and ventilated if its depth from the side abutting the required open space does not exceed 12 m. As per proposed plans, the length of the living room is more than 7.50 mt. In this regard, we have stated that he has provided artificial ventilation in the form of A.C. & artificial light to the living room units. Further NOC from E.E.(M&E)/consultant will be submitted for the same before C.C. upto plinth and condition to that effect will be incorporated as an IOD condition.</p> <p>In view of above, Ch.Eng.(D.P.) / Hon'ble M.C.'s approval is requested to allow the habitable room with length more than 7.50 mt. due to the planning constraints as explained above.</p>
52	<p><u>Electric duct and fire duct:</u></p> <p>We have proposed Electric duct & Fire duct free of FSI of 0.60 mt wide width. The same is permissible as per DCPR 31(1)(xxxi) if it is not abutting any habitable room. We have proposed electric duct abutting to non-habitable room with area 0.45 mt. free of FSI & beyond 0.45 mt. excess area counted in FSI. Also proposed duct abutting to habitable area same is counted into FSI as shown on plan.</p> <p>In view of above, Ex.Eng.(B.P.) City-I's approval is requested to allow the electric duct & fire duct free of F.S.I. as explained above.</p>
53	<p><u>Multiple Entry:</u></p> <p>In this case, we have proposed multiple entries at 9th, 11th, 15th, 17th, 20th, 22th floor. We have submitted the NOC from CFO deptt. Copy is attached in additional document. We have proposed multiple entries for rehab and sale flat as per requirement of Rehab tenant i.e. one is regular entry and other is for servants' entry from servant room. We have requested to allow multiple entries at 9th, 11th, 15th, 17th, 20th and 22th floor as per requirement of rehab tenant.</p>



	<p>In view of above, Ch.Eng.(D.P.)/Hon'ble M.C.'s approval is requested to allow two numbers of entries at 9th, 11th, 15th, 17th, 20th, 22th floor as per requirement of rehab tenant as explained above.</p>
54	<p><u>Double height void in habitable duplex or triplex flat:</u></p> <p>The existing building known as Kothari House was belongs to two brothers namely Yogesh Mathurada Kothari and Hemendra Mathuradas Kothari (owner) having 1st and 2nd existing floor and Suneet Y. Kothari and Aditi Hemendra Kothari having premises at Ground floor.</p> <p>In the proposed building, we have proposed duplex and triplex flats, accessible through internal staircase and internal lift, the area of internal lift and internal staircase claimed free of FSI, as per the policy of Internal staircase and internal lift, and the rest area of internal lift is counted in FSI. Further, the duplex flat and triplex flat are designed in stepped manner & double height refuge area / double height living / deck as well as voids are created fronting to Khan Abdul Gaffarkhan Road and the same is counted at 1.50 times at each duplex / triple level, as shown on plan.</p> <p>In view of above, Ch.Eng.(D.P.)/Hon'ble M.C.'s approval is requested to allow duplex and triplex flats accessible through internal staircase and proposed with voids i.e. double height living room, deck area by counting 1.50 times in FSI, as explained above.</p>
55	<p><u>Basement:</u></p> <p>In this case, we have proposed single level basement for High Rise building for services i.e. Firefighting water tank, domestic tank, Rain water harvesting, Pump room, space for STP, car lift pit and machine room, vent shaft basement to Ground level etc. which are permissible only at basement level with height 5.90 mt. We have proposed greater height of basement as per requirement of MEP consultant. We have proposed basement by providing front open space more than 6.00 mt. and side open space more than 4.20 mt. as shown in plan. The proposed basement level is accessible through one number of staircases. We have claimed basement area free of FSI as per Regn.37(7) of DCPR 2034. The feasibility report for providing basement from Geologist consultant will be insisted before asking plinth C.C. and condition to that effect will be incorporated in IOD condition.</p> <p>In view of above, Ch.Eng.(D.P.)/Hon'ble M.C.'s approval is requested to allow single level basement with height 5.90 mt. for services with area free of FSI as per Regn.37(7) of DCPR 2034 as explained above.</p>
56	<p><u>Slopping Terrace above meter room at Ground floor and above parking floor:</u></p> <p>As per Regn.31(2)(iv) of DCPR 2034, 'Part / Pocket / Covered terraces, for whatever purpose, except open terrace above the top most storey and the part terrace at top most storey due to planning constraints but accessible from common staircase, terraces created</p>



due to restriction imposed by the Railway Authority and above shopping/Non-residential/Industrial area at one level only with a slope of 1:5, in case of residential / Non-residential/Industrial development on upper floors. In this case, due to planning constraints, we have proposed slopping terrace with R.C.C. slab above (fire control room, electric room) ground floor level with 1:5 slope free of F.S.I. Further, due to planning constraints pocket terrace is created above 6A podium level with 1.5 slope free of FSI. There is no chance to misuse the same as shown in plan. Registered Undertaking for not to misuse the slopping terrace above Ground level and 6A podium level with 1:5 slope with RCC slab shall be submitted before plinth C.C. as an IOD condition.

In view of above, **Ch.Eng.(D.P.)/Hon'ble M. C's** approval is requested to allow slopping terrace above meter room / fire control room and podium level with RCC slab and 1:5 slope for not misuse free of F.S.I. as per Regn.6(b) of DCPR 2034 as explained above.

57 **Elevation Fins at podium parking floors and staircase room & OHT + LMR:**

As per elevation features policy u/No.Ch.Eng./D.P./110/Gen dated 2019 - 20 as Point No.4 states that, "The peripheral fins may be allowed at podium level above parapet subject to:

- (a) Min. 75% see - through opening area of proposed peripheral area shall be provided
- (b) The fins shall be provided with material such as Alco bond/ fibre/ aluminium sheets/ FRP plastic / wooden panels.
- (c) The fins with RCC, brick work, hollow blocks or any such construction material shall not be permitted".

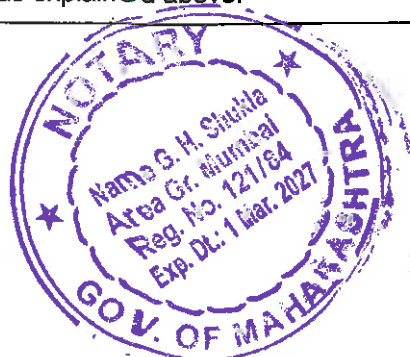
In this case, we have proposed podium floors from 1st to 6th floors for parking spaces. We have proposed fins at podium at 1st to 6th floors with 75% see through opening of peripheral area with material aluminium sheets and wooden panel free of F.S.I. as shown in plan. We have requested to allow fins at 1st to 6th podium floors with 75% see through opening as shown in plan free of F.S.I. as per elevation features policy. Also, we have proposed elevation metal louvers around staircase room and lift machine room. The elevation fins are proposed for aesthetic look of the building. We have requested to allow elevation fins with 75% see through opening at 1st to 6th podium floors with material aluminium sheets and wooden panel free of F.S.I. and elevation fins / Metal Louvers around staircase room and over- head water tank + lift machine room at one side free of F.S.I. The proposed elevation fins are shown in plan (attached in additional document).

In view of above, **Ex.Eng.(B.P.) City-I** approval is requested:

1. To allow elevation fins with 75% see through opening at 1st to 6th podium floors with material aluminium sheets and wooden panel free of F.S.I. as per elevation features policy.
2. To allow elevation fins / Metal Louvers around staircase room and over- head water tank + lift machine room at one side free of F.S.I. as explained above.



58	<p><u>Terrace floor Lawn:</u></p> <p>We have proposed part area of the terrace for LAWN i.e. green area, with a soiling filling of 2.00 mts and a Service floor of 2.00 mts to avoid leakage, under the provision of regulation 37(22) of DCPR 2034.</p> <p>The provision of regulation 37(22) state that, <i>"Common Terraces shall not be sub-divided and shall be accessible by a common staircases/lift. The terraces may be used for additional recreational green area over and above the mandatory LOS requirement under these Regulations, provided that the terrace shall be designed and made impervious considering recreational green area. The terraces will also serve as community open spaces for the occupants of the building. The terraces may be allowed for roof top farming/ gardening Overhang of terrace to the extent of 1.20 m beyond building line subject to requirement of open spaces as per Regulation no 42(e) & 42(f) may be allowed from elevation point of view."</i></p> <p>In view of the above, Ch.Eng.(D.P.)/M. C's approval is requested to allow landscape lawn at terrace level as per Regn. No. 37(22) of DCPR 2034.as explained above.</p>
59	<p><u>Servant toilet:</u></p> <p>Servant toilets at mid landing level at 1st to 6th podium parking level with area admeasuring 2.19 mt. is proposed and claimed free of FSI. The same is permissible with area free of FSI as per Regn.31(1)(xxvi) of DCPR 2034.</p> <p>In view of above, Ex. Eng. (B.P.) City-I's approval is requested to allow servant toilet area free of FSI as per Regn.31(1)(xxvi) of DCPR 2034, as explained above.</p>
60	<p><u>Fire Men Lift:</u></p> <p>We have proposed fire men lift from Ground to terrace level and has claimed the area of fireman lift free of FSI. We have proposed fireman lift as per the guidelines and circular issued U/No. CHE/HRB/6159/DPWS dated 15-07-2019 and as per DCPR 2034.</p> <p>As per Regn. No 48(9)(B) states that <i>"For high rise building having height more than 70 m, shall be provided with fire tower at landing / midlanding level with smoke check lobby with fireman lift being integral part of fire evacuation lift (Hydro pneumatic/electrically operated) on the external face of the building having opening within the fire escape staircase at landing / midlanding level with smoke check lobby as approved by CFO shall be provided."</i> We have requested to allow fireman lift and its lobby opening at staircase midlanding free of FSI as per Regn. No 31(1)(iv) and to allow without charging premium.</p> <p>In view of above, Ch.Eng.(D.P.)/M.C.'s approval is requested to allow fireman lift & lifts lobby opening at staircase mid-landing level free of FSI asinsisted by CFO without charging premium as explained above.</p>



61	<p><u>Security Cabin / Watchman Cabin:</u></p> <p>As per Regn. 31(1)(ii) with Regn.42(ii)(g), "Watchman's booth not over 3 sq. m in area. In case of larger layouts having plot area more than 4000 sq. m. and accessible from more than one public road, than watchman's booth of 3 sq.m on each access road may be allowed, provided it is not highway. Watchman booth should be located in such way that it should not affect maneuvering of Fire Tender." is permissible free of FSI. In this case, we have proposed security cabin/ watchman cabin abutting to 24.40 mt. wide Khan Abdul Gaffarkhan Marg. The proposed security cabin area adm. 2.45 sq.mt. free of F.S.I. as per Regn.31(1)(ii) read with Regn.42(ii)(g) of DCPR 2034.</p> <p>In view of above, Ex.Eng.(B.P.) City-I's approval is requested to allow security cabin / watchman cabin 2.45 sq.mt. free of F.S.I. as per Regn.31(1)(ii) read with Regn.42(ii)(g) of DCPR 2034 as explained above.</p>														
62	<p><u>Full height Glass Façade / Cladding / Glazing:</u></p> <p>As per Regn.31(1)(xxiv) of DCPR 2034, "Ornamental projection of cladding/glass facade/glazing not exceeding 0.30 m from building line for residential / non-residential building". In this case, we have proposed full height glass façade/cladding/glazing upto 0.30 MT ornamental projections from building line for residential building for aesthetic point of view. The proposed glass façade/cladding/glazing upto 0.30 MT ornamental projection free of F.S.I. as per Regn.31(1)(xxiv) of DCPR 2034.</p> <p>In view of above, Ex.Eng.(B.P.) City-I's approval is requested to allow full height glass façade/cladding/ glazing upto 0.30 MT ornamental projection from building line free of F.S.I. as per Regn.31(1)(xxiv) of DCPR 2034 as explained above.</p>														
63	<p><u>Auto Scrutiny Report: -</u></p> <p>The proposal under reference is scrutinized through Auto DCR systems were in the following deviations are found which needs approval of component Authority.</p> <table border="1" data-bbox="284 1406 1369 1980"> <thead> <tr> <th data-bbox="284 1406 352 1541">Sr. No.</th> <th data-bbox="352 1406 608 1541">Deviation table no. as per Auto scrutiny report</th> <th data-bbox="608 1406 826 1541">Deviation</th> <th data-bbox="826 1406 1369 1541">Remarks</th> </tr> </thead> <tbody> <tr> <td data-bbox="284 1541 352 1704">1</td> <td data-bbox="352 1541 608 1704">Table 5a</td> <td data-bbox="608 1541 826 1704">Open space deficiency</td> <td data-bbox="826 1541 1369 1704">The deficiency in open spaces is incorporated in the report under reference and approval of competent authority under 6(b) is put for approval.</td> </tr> <tr> <td data-bbox="284 1704 352 1980">2</td> <td data-bbox="352 1704 608 1980">Table 8e</td> <td data-bbox="608 1704 826 1980">21st floor refuge area</td> <td data-bbox="826 1704 1369 1980">As per Auto DCR scrutiny report it is seen that the required refuge area on 7th floor is 101.27 sq.mt. against proposed area is 117.81 sq.mt. second refuge area at 14th floor is 108.56 sq.mt. required against proposed area 151.81 sq.mt. and third refuge area at 21st floor is 36.15 sq.mt. required and proposed area is 0.00 sq.mt.</td> </tr> </tbody> </table>			Sr. No.	Deviation table no. as per Auto scrutiny report	Deviation	Remarks	1	Table 5a	Open space deficiency	The deficiency in open spaces is incorporated in the report under reference and approval of competent authority under 6(b) is put for approval.	2	Table 8e	21 st floor refuge area	As per Auto DCR scrutiny report it is seen that the required refuge area on 7 th floor is 101.27 sq.mt. against proposed area is 117.81 sq.mt. second refuge area at 14 th floor is 108.56 sq.mt. required against proposed area 151.81 sq.mt. and third refuge area at 21 st floor is 36.15 sq.mt. required and proposed area is 0.00 sq.mt.
Sr. No.	Deviation table no. as per Auto scrutiny report	Deviation	Remarks												
1	Table 5a	Open space deficiency	The deficiency in open spaces is incorporated in the report under reference and approval of competent authority under 6(b) is put for approval.												
2	Table 8e	21 st floor refuge area	As per Auto DCR scrutiny report it is seen that the required refuge area on 7 th floor is 101.27 sq.mt. against proposed area is 117.81 sq.mt. second refuge area at 14 th floor is 108.56 sq.mt. required against proposed area 151.81 sq.mt. and third refuge area at 21 st floor is 36.15 sq.mt. required and proposed area is 0.00 sq.mt.												



			<p>Hence, we have submitted revised CFO NOC under No.P-9326/2021/(740)/G/South/WORLI/CFO/1/N ew dated 27.11.2022 stated that you have provided refuge areas on 7th floor & on the 14th floor. The next refuge area shall be provided on 21st floor as per provisions of DCPR-2034. However you have expressed hardship in planning that you have proposed triplex flat on 20th 21st & 22nd floor. Hence the 21st floor is middle triplex. Instead of that you have provided refuge area on 14th floor considering the habitable area on 21st & 22nd floor & as terrace above 22nd floor can be considered as refuge area. Hence requested to accept the same. However approval of EEBP & Hon'ble M.C.sir shall be obtained for the same. In view of above Ch. Eng. (D.P.)/Hon'ble M.C.'s approval is requested to allow 1st refuge area at 31.25 mt level i.e. 1st habitable floor (instead of 24.00 mt level) and required 3rd refuge area at terrace level of 22nd floor top due to planning constraints, as explained above.</p>
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Approval of the concessions does not imply approval to the layout or to any building propose. This is to certify that the information filled is true and correct to the best of my knowledge.

Architect
Name: Shri. Sunil G. Ambre of
M/s. Sunil Ambre & Associates

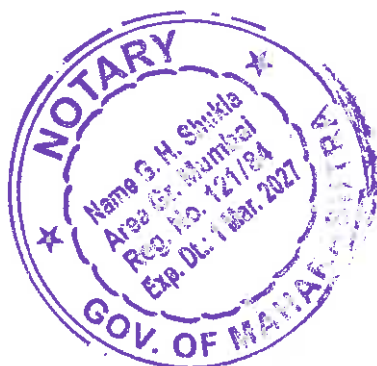
SUNIL GAJANAN
 AMBRE
Signature

A.E.(B.P.) CITY-VI

- a. Site visited on 15.02.2023 with Architect for verification of existing site conditions and found existing as declared.
- b. Existing structures are found existing at site and occupied by tenants / occupants.
- c. Encroachment observed on the plot from NIL side.
- d. Plot under reference is having access 24.40 mt. wide Khan Abdul Gaffar Khan Road.

The information above, plans and FSI calculations are checked through auto DCR.

E.E.(BP)CITY-I



SATISH
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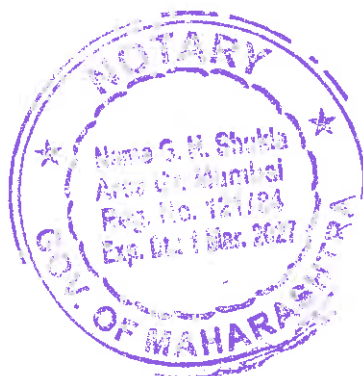
S.E.(B.P.)CITY-IV

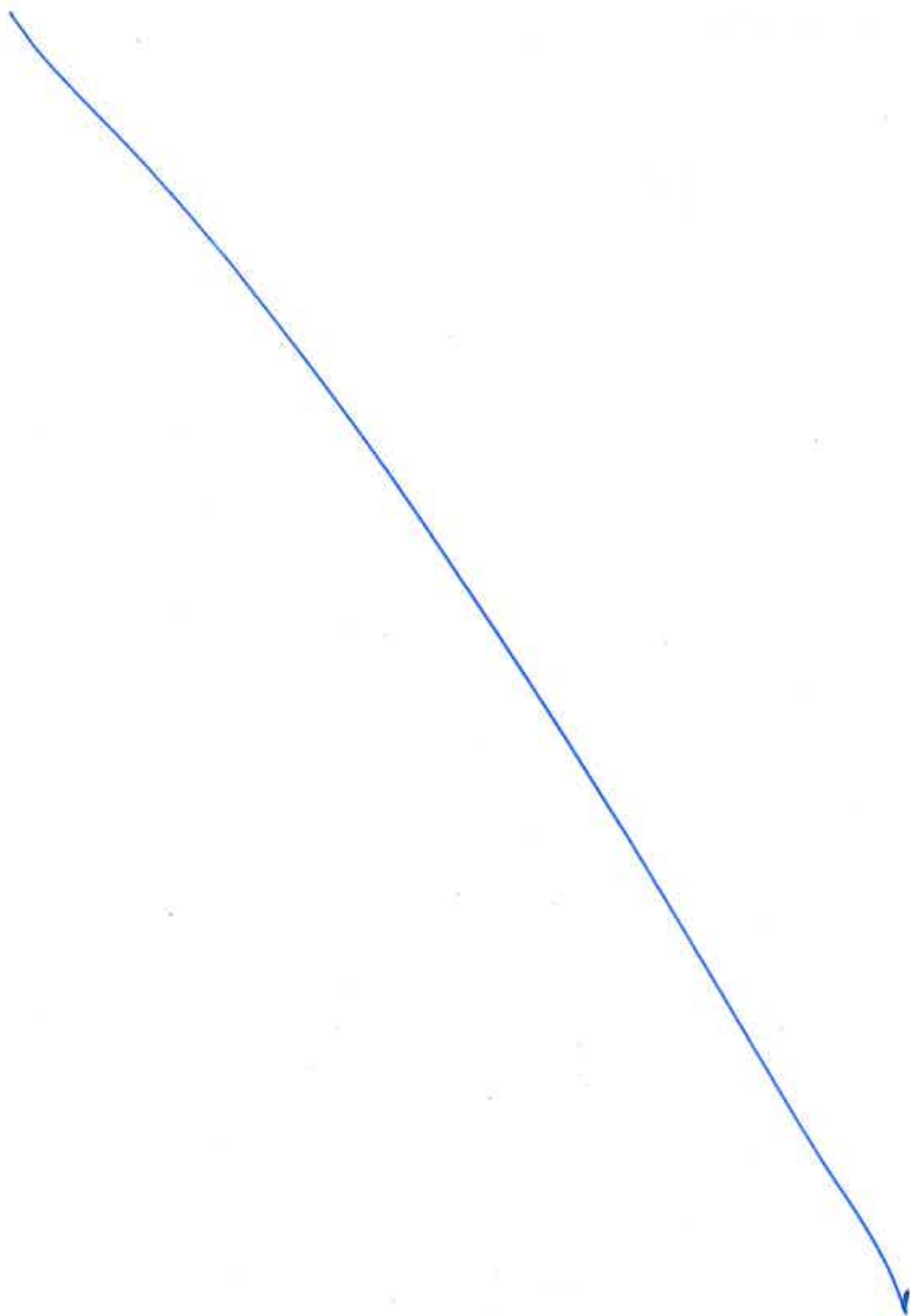
The online proposal under randomization is scrutinized by the SEBP (City) - IV along with the plans and FSI calculations are verified through auto DCR. The detailed report in the form of 4A, 4B & 4C along with the draft plans are attached herewith for the approval of EE (B.P.) City-I / Dy. CH. Eng. (B.P.) City / Ch. Eng. (D.P.) /Hon'ble M.C.

Submitted please.

ROSHAN
BHALCHAN
DRA BHOIR

A.E.(B.P.)CITY- VI





BRIHANMUMBAI MUNICIPAL CORPORATION
P-9326/2021/(740)/G/South/WORLI/337/1/New

Subject: Proposed redevelopment of property bearing C.S.No.740 of Worli Division, situated at Khan Abdul Gaffar Khan Road, Worli, Mumbai – 400 030, known as "Sea View".

Architect: Shri Sunil G. Ambre of M/s. Sunil Ambre & Associates.

Owner / Developer: Mr. Yogesh Mathradas Kothari H.U.F.

Draft Plans attached in additional document.

Preamble:

In this case, Architect Shri. Sunil G. Ambre of M/s. Sunil Ambre & Associates on behalf of their client Mr. Yogesh Mathradas Kothari H.U.F. has submitted the proposal for proposed redevelopment of property bearing C.S.No.740 of Worli Division, situated at Khan Abdul Gaffar Khan Road, Worli, Mumbai – 400 030, known as "Sea View". Architect has submitted N.O.C. from MHADA (attached in additional document) issued by Chief Officer, M.B.R. & R. Board u/No. R/NOC/F-2762/9024/M.B.R. & R. Board – 2021 dated 26.10.2021 in the name of Shri. Hemendra M. Kothari and Yogesh M. Kothari (Lessees) for redevelopment under Regn.33(7)(5)(a & b) for FSI 3.00 of FSI required for rehabilitation of existing tenants + 50% incentive FSI whichever is more & the percentage of incentive FSI is worked out on the basic of ratio of LR/RC as per prevailing ASR rates as per clause 5(a) of Notification dated 08.07.2021. As per Notification No.TPB-4320/107/CR-72/2020 (part-I) / UD-11, dated 08/07/2021 permissible incentive is 75% (i.e. $LR/RC(2,86,660.00/30250) = 9.48$ ratio, i.e. above 6 single plot area 75% Incentive area).

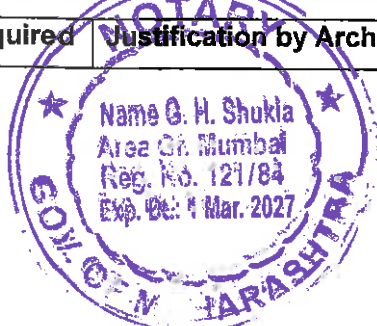
Architect has proposed building with F.S.I. 3.00 or 75% incentive FSI whichever is more as per Regn. 33(7) & fungible F.S.I. admissible as per Regn. 31(3) of DCPR 2034. Architect has obtained online N.O.C. from C.F.O. and NOC from traffic consultant for proposed parking layout which is attached in additional document.

The proposed residential building comprising of single level basement + part Ground floor for double height entrance lobby and part stilt + G-1 level + 1st to 6th podium floor for parking spaces + 6A Service floor + 7th floor for fitness centre & refuge area + 8th floor residential user + 8A service floor + 9th to 10th duplex flat + 10A service floor + 11th to 13th triplex flat + 13A service floor + 14th floor residential use + 14A service floor + 15th to 16th floor for residential duplex flat + 16A service floor + 17th to 19th residential triplex flat + 19A service floor + 20th to 22nd residential triplex flat + 22A service floor + part terrace lawn fill and part swimming pool open to sky with total height of 114.45 mt. upto terrace level slab and 123.45 mt. upto crown feature portal / pergola level.

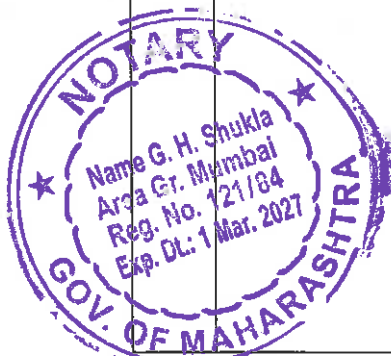
Reference is requested to the fact sheet 4A & 4B report and submitted proposed plans may please be seen. The following points needs consideration and approvals.

4 C. REPORT ON VARIOUS CONCESSION SOUGHT

Sr.	Concession Required	Justification by Architect	Provision of	Approval
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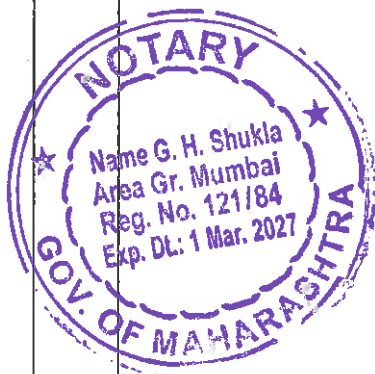


No.			DCPR 2034	required from Dy.Ch.Eng.(B.P.) City / Ch.Eng. (D.P.) / M.C.
1	To insist MCZMA NOC before asking plinth C.C.	As per the D.P.Remarks, the plot under reference falls under CRZ-II hence, as such NOC from MCZMA as per Notification dated 18.01.2019 is required. NOC from the CRZ shall be submitted before issue of plinth C.C. and condition to that effect will be incorporated as an IOD condition.	Under 6(b)	Dy.Ch.Eng.(B.P.)City
<p><u>Comments by A.E.(B.P.) City-VI</u> NOC from MCZMA as per MOEF Notification dated 18.01.2019 is required as the plot under reference falls under CRZ-II, as per the D. P. Remarks. Submitted for approval please.</p>				
<p><u>Comments by E.E.(B.P.) City-I</u> Submitted for approval please.</p>				
2	To allow splitting of surplus area surrendered to MHADA subject to NOC / clearance from M.B.R. & R. Board before issue of further C.C.	As per the N.O.C. from M.B.R. & R Board is issued u/No. R/NOC/F-2762/9024/M.B.R. & R. Board – 2021 dated 26.10.2021, condition No.11 stated that, "as per the prescribed percentage of the tentative surplus Built up area as provided in the table 3 & 4 of Schedule-III of the MHAD Act 1976, an area adm. 740.68 sq.mt., if the new building for sale is reconstructed for residential use only or 1111.02 sq.mt. if the new building for sale is reconstructed for mixed use i.e. residential and	Under 6(b)	Dy.Ch.Eng.(B.P.)City



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		commercial.”		
	<p>Comments by A.E.(B.P.) City-VI</p> <p>In this case, we have proposed new building only for residential building. We have proposed 955.96 sq.mt. MHADA Surplus including fungible FSI at 7, 8th and 14th floor level. NOC from M.B.R & R. Board for exact surplus area before issue of C.C. & condition to that effect will be incorporated as an IOD condition.</p> <p>Also, we have split the unit of MHADA surplus area due to the huge certified area of MHADA & planning constraints. However, NOC / Clearance from M.B.R. & R. Board for splitting of surplus area surrendered to MHADA is required. Same will be insisted before issue of further C.C. and same condition will be incorporated as an I.O.D condition.</p> <p>Submitted for approval please.</p>			
	<p>Comments by E.E.(B.P.) City-I</p> <p>Submitted for approval please.</p>			
3	<p>To allow fitness center area at two locations on 7th and terrace level with area 125.63 sq.mt. against permissible area 134.72 sq.mt. free of FSI as per Regn.31(1)(xvii) read with 37(28) of DCPR 2034.</p>	<p>The proposed fitness center is provided at two locations i.e. one is 97.02 sq.mt. at 7th floor level and second is 28.61 sq.mt. at terrace level. Thus, the total fitness center area is 125.63 sq.mt. against permissible fitness center area at two locations i.e. one is 7th floor level having area admeasuring 97.02 sq. mtrs and second is on terrace level having area admeasuring 28.61 sq. mtrs as against permissible fitness center area admeasuring 134.72 sq. mtrs, free of FSI as per Regn.31(1)(xvii) read with 37(28) of DCPR 2034. permissible fitness center area admeasuring 134.72 sq.mt. (i.e. 6736.02 x 2%). Also, condition to be incorporated in IOD wherein Registered Undertaking to be submitted for not misusing Fitness Centre will be insisted before asking C.C.</p>	<p>As per Regn.31(1)(xvii) read with 37(28) of DCPR 2034.</p>	<p>Ch. Eng. (D.P.) / Hon'ble M. C's</p>



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Comments by A.E.(B.P.) City-VI
 In this case, the total fitness centre area is 125.63 sq.mt. against permissible fitness centre area measuring 134.72 sq.mt. (i.e. 6736.02 x 2%). Also, condition to be incorporated in IOD wherein Registered Undertaking to be submitted for not misusing Fitness Centre will be insisted before asking C.C.
 Submitted for approval please.

Comments by E.E.(B.P.) City-I
 Submitted for approval please.

4	To condone the open space deficiency in open spaces ranging from Nil to 30.00% for Non-Habitable portion i.e parking floors without charging premium and deficiency ranging from Nil to 73.75% for habitable floor under Regn. 33(7) by charging premium as per policy and as per Regn. 6(b) of DCPR 2034 as explained above.	In this case, the proposal under reference is for the redevelopment of captioned property with F.S.I. 3.00 as per Regn. 33(7) & availing the benefit of fungible FSI as per Regn. 31(3) D.C.P.R. 2034. We have proposed consumption of full F.S.I. with rehabilitation of existing tenants. Hence, open space as envisaged in D.C.P.R cannot be provided, which is major hardship.	Under Regn.6(b) of DCPR 2034.	Ch. Eng. (D.P.) / M.C.
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Comments by A.E.(B.P.) City-VI
 Architect has proposed one non - composite building under regulation 33(7) of DCPR 2034. Hence, open spaces requirements will be considered as per Regn.41(2) Table A and Regn.47(1)(B)(b) of DCPR 2034.

i. Basements floor:-
 As per Regn.37(7), 'Provided further that if total depth of basements exceed beyond 8.4 m then the open spaces from the boundaries of the plot shall be increased by 1.5 m for every 8.4 m or fraction thereof beyond the open spaces as described above'

Height of basements :- 5.90 mt.
 F.O.S :- 3.00 mt.
 S.O.S :- 1.50 mt



BASEMENTS FLOOR

Side	Open Space required	Open space proposed	Deficiency	% Deficiency	Remarks
West	3.00 MT.	9.21 mt.	NIL	NIL	F.O.S
NORTH	1.50 MT.	4.20 MT.	NIL	NIL	S.O.S
EAST	1.50 MT.	4.61 MT.	NIL	NIL	R.O.S
SOUTH	1.50 MT.	4.72 MT.	NIL	NIL	S.O.S

Ground and G-1 floor:-

Height of proposed building : 114.45 mt.

Front open space required : 3.00 mt.

L/V:- $H/4 = 114.45 \text{ MT} / 4 = 28.61 \text{ mt. Max.} 16.00 \text{ MT.}$

DW : 9.00 MT.

Ground floor and G-1 level:

Side	Open Space required	Open space proposed	Deficiency	% Deficiency	Remarks
West	3.00 MT.	7.12 mt.	NIL	NIL	F.O.S
NORTH	9.00 MT.	4.20 MT.	4.80	53.33%	S.O.S.& 47(1)(B)(b)for DW
EAST	9.00 MT. for car lift 9.00 mt. for between plinth line and Substation	10.27 MT. 3.239 mt.	NIL 5.77	NIL 64.11%	R.O.S. DW R.O.S. DW
SOUTH	9.00 MT.	9.19 MT.	NIL	NIL	S.O.S. 8 47(1)(B)(b) fo DW

ii) Parking floor 1st to 6th podium level:-

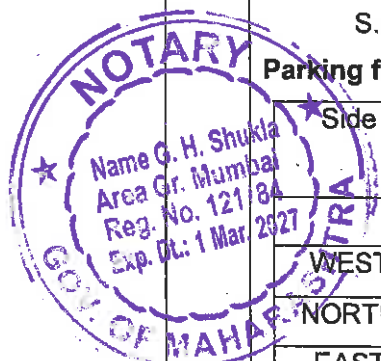
Height of parking floor : 29.25 MT.

F.O.S : 3.00 MT.

S.O.S. : 6.00 MT.

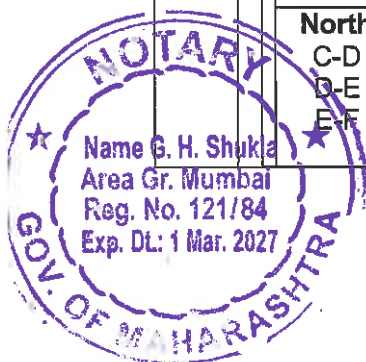
Parking floor 1st to 6th parking floors (Plans for reference attached in additional documents)

Side	O.S. Required	Open Space Proposed	Deficiency	% Deficiency	Remarks
WEST	3.0 MT.	13.04 MT.	NIL	NIL	F.O.S
NORTH	6.00 MT.	4.20 MT.	1.80	30.00%	S.O.S
EAST	6.00 MT.	10.275 MT.	NIL	NIL	R.O.S

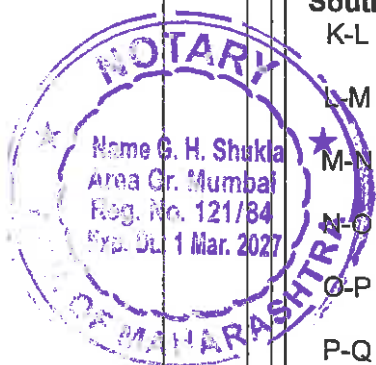


J.H.

SOUTH	6.00 MT.	7.59 MT.	NIL	NIL	S.O.S
iii) Proposed open space at 7th floor level:-					
Height of proposed building		:	114.45 mt		
Front open space required		:	3.00 mt.		
LV:- H/4 = 114.45 MT/ 4		:	28.61 mt. (Max.16.00 MT.)		
Dead Wall		:	9.00 MT.		
Required and Proposed Open Space @ 7th floor floor...					
Side	Open Space Required	Open Space Proposed	Deficiency	% Deficiency	Remarks
West A-B	3.00 mt.	6.42 mt.	Nil	Nil	F.O.S.,
North C-D	9.00 mt.	4.20 mt.	4.80	53.33%	S.O.S. & 47(1)(B)(b) for DW
D-E	9.00 mt.	4.20 mt.	4.80	53.33%	S.O.S. & 47(1)(B)(b) for DW
E-F	16.00 mt.	4.20 mt.	11.80	73.75%	S.O.S. & 47(1)(B)(b) for LV
East G-H	16.00 mt.	14.57 mt.	1.43	8.94%	R.O.S. (LV)
H-I	9.00 mt.	14.57 mt.	Nil	Nil	R.O.S. (DW)
I-J	16.00 mt.	14.56 mt.	1.44	9.00%	R.O.S. (LV)
South K-L	16.00 mt.	8.04 mt.	7.96	49.75%	S.O.S. & 47(1)(B)(b) for LV
L-M	9.00 mt.	8.04 mt.	0.96	10.67%	S.O.S. & 47(1)(B)(b) for DW
M-N	16.00 mt.	8.04 mt.	7.96	49.75%	S.O.S. & 47(1)(B)(b) for LV
N-O	9.00 mt.	8.08 mt.	0.92	10.22%	S.O.S. & 47(1)(B)(b) for DW
O-P	16.00 mt.	8.08 mt.	7.92	49.50%	S.O.S. & 47(1)(B)(b) for LV
iv) Required and Proposed Open Space @ 8th floor...					
Side	Open Space Required	Open Space Proposed	Deficiency	% Deficiency	Remarks
West A-B	3.00 mt.	6.42 mt.	Nil	Nil	F.O.S.,
North C-D	16.00 mt.	4.20 mt.	11.80	73.75%	S.O.S. & 47(1)(B)(b) for LV
D-E	9.00 mt.	4.20 mt.	4.80	53.33%	S.O.S. & 47(1)(B)(b) for DW



	9.00 mt.	4.20 mt.	4.80	53.33%	S.O.S. & 47(1)(B)(b) for DW
East					
G-H	16.00 mt.	14.57 mt.	1.43	8.94%	R.O.S. (L/V)
H-I	9.00 mt.	14.57 mt.	Nil	Nil	R.O.S. (DW)
I-J	16.00 mt.	14.56 mt.	1.44	9.00%	R.O.S. (L/V)
South					
K-L	16.00 mt.	8.04 mt.	7.96	49.75%	S.O.S. & 47(1)(B)(b) for L/V
L-M	9.00 mt.	8.04 mt.	0.96	10.67%	S.O.S. & 47(1)(B)(b) for DW
M-N	16.00 mt.	8.04 mt.	7.96	49.75%	S.O.S. & 47(1)(B)(b) for L/V
N-O	9.00 mt.	8.08 mt.	0.92	10.22%	S.O.S. & 47(1)(B)(b) for DW
O-P	16.00 mt.	8.08 mt.	7.92	49.50%	S.O.S. & 47(1)(B)(b) for L/V
v) Required and Proposed Open Space @ 9th & 15th floor level....					
Side	Open Space Required	Open Space Proposed	Deficiency	% Deficiency	Remarks
West					
A-B	3.00 mt.	6.42 mt.	Nil	Nil	F.O.S.
North					
C-D	16.00 mt.	4.20 mt.	11.80	73.75%	S.O.S. & 47(1)(B)(b) for L/V
D-E	9.00 mt.	4.20 mt.	4.80	53.33%	S.O.S. & 47(1)(B)(b) for DW
E-F	16.00 mt.	4.20 mt.	11.80	73.75%	S.O.S. & 47(1)(B)(b) for L/V
East					
G-H	16.00 mt.	14.57 mt.	1.43	8.94%	R.O.S. (L/V)
H-I	9.00 mt.	14.57 mt.	Nil	Nil	R.O.S. (DW)
I-J	16.00 mt.	14.56 mt.	1.44	9.00%	R.O.S. (L/V)
South					
K-L	16.00 mt.	8.04 mt.	7.96	49.75%	S.O.S. & 47(1)(B)(b) for L/V
L-M	9.00 mt.	8.04 mt.	0.96	10.67%	S.O.S. & 47(1)(B)(b) for DW
M-N	9.00 mt.	8.04 mt.	0.96	10.67%	S.O.S. & 47(1)(B)(b) for DW
N-O	16.00 mt.	8.08 mt.	7.92	49.50%	S.O.S. & 47(1)(B)(b) for L/V
O-P	9.00 mt.	8.08 mt.	0.92	10.22%	S.O.S. & 47(1)(B)(b) for L/V
P-Q	16.00 mt.	8.08 mt.	7.92	49.50%	S.O.S. & 47(1)(B)(b) for L/V



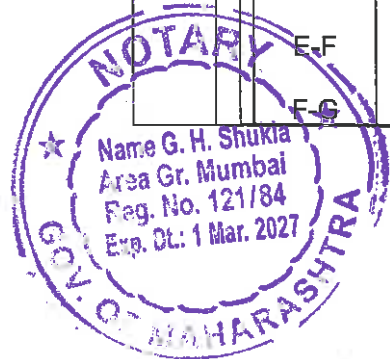
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vi) Required and Proposed Open Space @ 10th & 16th floor level....

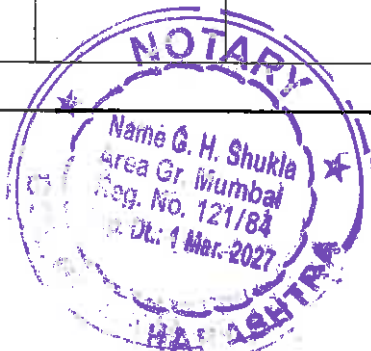
Side	Open Space Required	Open Space Proposed	Deficiency	% Deficiency	Remarks
West A-B	3.00 mt.	6.42 mt.	Nil	Nil	F.O.S.
North C-D	16.00 mt.	4.20 mt.	11.80	73.75%	S.O.S. & 47(1)(B)(b) for L/V
D-E	9.00 mt.	4.20 mt.	4.80	53.33%	S.O.S. & 47(1)(B)(b) for DW
E-F	9.00 mt.	4.20 mt.	4.80	53.33%	S.O.S. & 47(1)(B)(b) for DW
East G-H	16.00 mt.	14.57 mt.	1.43	8.94%	R.O.S. (L/V)
H-I	9.00 mt.	14.57 mt.	Nil	Nil	R.O.S. (DW)
I-J	16.00 mt.	14.56 mt.	1.44	9.00%	R.O.S. (L/V)
South K-L	16.00 mt.	8.04 mt.	7.96	49.75%	S.O.S. & 47(1)(B)(b) for L/V
L-M	9.00 mt.	8.04 mt.	0.96	10.67%	S.O.S. & 47(1)(B)(b) for DW
M-N	9.00 mt.	8.04 mt.	0.96	10.67%	S.O.S. & 47(1)(B)(b) for DW
N-O	16.00 mt.	8.08 mt.	7.92	49.50%	S.O.S. & 47(1)(B)(b) for L/V
O-P	9.00 mt.	8.08 mt.	0.92	10.22%	S.O.S. & 47(1)(B)(b) for DW
P-Q	9.00 mt.	8.08 mt.	0.92	10.22%	S.O.S. & 47(1)(B)(b) for DW
Q-R	16.00 mt.	8.08 mt.	7.92	49.50%	S.O.S. & 47(1)(B)(b) for L/V

vii) Required and Proposed Open Space @ 11th to 13th floor level....

Side	Open Space Required	Open Space Proposed	Deficiency	% Deficiency	Remarks
West A-B	3.00 mt.	6.42 mt.	Nil	Nil	F.O.S.
North C-D	16.00 mt.	4.20 mt.	11.80	73.75%	S.O.S. & 47(1)(B)(b) for L/V
D-E	9.00 mt.	4.20 mt.	4.80	53.33%	S.O.S. & 47(1)(B)(b) for DW
E-F	16.00 mt.	4.20 mt.	11.80	73.75%	S.O.S. & 47(1)(B)(b) for L/V
F-G	9.00 mt.	4.20 mt.	4.80	53.33%	S.O.S. &



					47(1)(B)(b) for DW
East					
H-I	16.00 mt.	14.57 mt.	1.43	8.94%	R.O.S. (LV)
I-J	9.00 mt.	14.57 mt.	Nil	Nil	R.O.S. (DW)
J-K	16.00 mt.	14.56 mt.	1.44	9.00%	R.O.S. (LV)
South					
L-M	16.00 mt.	8.04 mt.	7.96	49.75%	S.O.S. & 47(1)(B)(b) for LV
M-N	9.00 mt.	8.04 mt.	0.96	10.67%	S.O.S. & 47(1)(B)(b) for DW
N-O	9.00 mt.	8.04 mt.	0.96	10.67%	S.O.S. & 47(1)(B)(b) for DW
O-P	9.00 mt.	8.08 mt.	0.92	10.22%	S.O.S. & 47(1)(B)(b) for DW
P-Q	16.00 mt.	8.08 mt.	7.92	49.50%	S.O.S. & 47(1)(B)(b) for LV
viii) Required and Proposed Open Space @ 14th floor level....					
Side	Open Space Required	Open Space Proposed	Deficiency	% Deficiency	Remarks
West					
A-B	3.00 mt.	6.42 mt.	Nil	Nil	F.O.S.
North					
C-D	9.00 mt.	4.20 mt.	4.80	53.33%	S.O.S. & 47(1)(B)(b) for DW
D-E	9.00 mt.	4.20 mt.	4.80	53.33%	S.O.S. & 47(1)(B)(b) for DW
E-F	9.00 mt.	4.20 mt.	4.80	53.33%	S.O.S. & 47(1)(B)(b) for DW
East					
G-H	16.00 mt.	14.57 mt.	1.43	8.94%	R.O.S. (LV)
H-I	9.00 mt.	14.57 mt.	Nil	Nil	R.O.S. (DW)
I-J	16.00 mt.	14.56 mt.	1.44	9.00%	R.O.S. (LV)
South					
K-L	16.00 mt.	8.04 mt.	7.96	49.75%	S.O.S. & 47(1)(B)(b) for LV
L-M	9.00 mt.	8.04 mt.	0.96	10.67%	S.O.S. & 47(1)(B)(b) for DW
M-N	16.00 mt.	8.04 mt.	7.96	49.75%	S.O.S. & 47(1)(B)(b) for LV
N-O	9.00 mt.	8.08 mt.	0.92	10.22%	S.O.S. & 47(1)(B)(b) for DW
O-P	16.00 mt.	8.08 mt.	7.92	49.50%	S.O.S. & 47(1)(B)(b) for LV



ix) Required and Proposed Open Space @ 17 th to 22 nd floor level....					
Side	Open Space Required	Open Space Proposed	Deficiency	% Deficiency	Remarks
West					
A-B	3.00 mt.	6.42 mt.	Nil	Nil	F.O.S.
North					
C-D	16.00 mt.	4.20 mt.	11.80	73.75%	S.O.S. & 47(1)(B)(b) for L/V
D-E	9.00 mt.	4.20 mt.	4.80	53.33%	S.O.S. & 47(1)(B)(b) for DW
E-F	16.00 mt.	4.20 mt.	4.80	53.33%	S.O.S. & 47(1)(B)(b) for L/V
East					
G-H	16.00 mt.	14.57 mt.	1.43	8.94%	R.O.S. (L/V)
H-I	9.00 mt.	14.57 mt.	Nil	Nil	R.O.S. (DW)
I-J	16.00 mt.	14.56 mt.	1.44	9.00%	R.O.S. (L/V)
South					
K-L	16.00 mt.	8.04 mt.	7.96	49.75%	S.O.S. & 47(1)(B)(b) for L/V
L-M	9.00 mt.	8.04 mt.	0.96	10.67%	S.O.S. & 47(1)(B)(b) for DW
M-N	16.00 mt.	8.04 mt.	7.96	49.75%	S.O.S. & 47(1)(B)(b) for L/V
N-O	9.00 mt.	8.08 mt.	0.92	10.22%	S.O.S. & 47(1)(B)(b) for DW
O-P	16.00 mt.	8.08 mt.	7.92	49.50%	S.O.S. & 47(1)(B)(b) for L/V

From the above table, it can be seen that, the deficiency of the open space is Nil for basement floors, Nil to 30.00% for parking floor i.e. non habitable floor without charging premium and open space deficiency is ranging from Nil to 73.75% for residential floor by charging premium. We have not providing required open space as per Regn.33(7) and as building is non - composite, open space as per as per Regn.41(2) Table A of DCPR 2034 are considered for calculations.

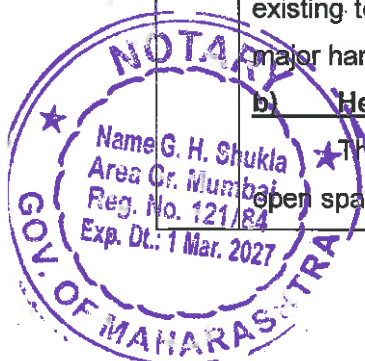
In view of above, the proposed open space deficiency is required to be condoned under the provisions of Regn.6(b) of DCPR 2034 as the building being redevelopment under Regn. 33(7) of D.C.P.R. 2034.

a) Hardship:

In this case, the proposal under reference is for the redevelopment of captioned property with F.S.I. 3.00 as per Regn. 33(7) & availing the benefit of fungible FSI as per Regn. 31(3) D.C.P.R. 2034. We have proposed consumption of full F.S.I. with rehabilitation of existing tenants. Hence, open space as envisaged in D.C.P.R cannot be provided, which is major hardship.

b) Health:

The new building will be constructed with proper sanitary arrangement and paved open space in place of earlier building with common sanitary arrangement. Thus, there will be



overall improvement of the environment and health & safety of the inhabitants as well as neighborhood will not be affected.

c) Fire and Safety:

Since, the proposed building height having more than 70.00 mt. We have submitted the revised N.O.C. from C.F.O. u/No.P-9326/2021/(740)/G/S/WORLI CFO/1/NEW dated 27.11.2022 (attached in additional documents). As per the N.O.C. from C.F.O., Developer has to full fill the requirement of C.F.O. N.O.C. from fire safety point of view and completion certificate from C.F.O. will be insisted before Occupation permission. Thus, safety of the inhabitable and neighborhood from fire point of view is taken care.

d) Structural safety:

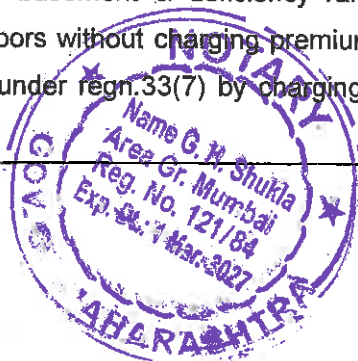
The building will be structurally designed and executed under the supervision of registered Structural Engineer by following the relevant. I.S. Code from earth quake resistance structure by considering seismic forces etc. The stability Certificate from registered structural Engineer will be taken at the time of Plinth completion and O.C.C. stage. This the structural stability of the building and safety of the inhabitants and its neighborhood as well as its surrounding is taken care.

e) Joint Open Space of Neighborhood: -

Side	Adjoining property	Existing open space	Proposed open space	Remarks
WEST	24.40 mt. wide Khan Abdul Gaffar Khan Marg.	15.27 mt. + 24.40 mt. wide Khan Abdul Gaffar Khan Marg.	6.42 mt.	No Improved
NORTH	C.S.No. 1/739	4.43 mt.	4.20 MT.	No Improved
EAST		3.03 mt. for garage 15.23 mt. for Building line	14.56 MT. for upper residential floors	No Improved
SOUTH	C.S.No. 740A	4.50 mt.	7.59 MT.	Improved

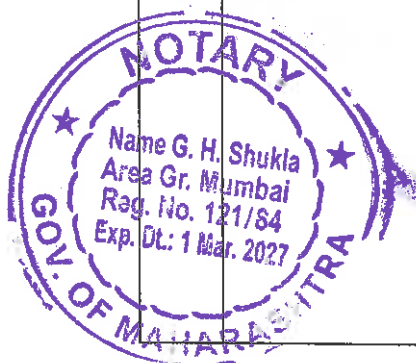
From the above table of the joint open space with adjoining properties, it can be seen that only 3 side joint open space is reduced also we have proposed sufficient light and ventilation within well planning and joint open space on 1 side have improved. However, being a proposal under Regn.33(7) of DCPR 2034, the required front open space abutting road is 3.00 mt open space and same has been provided.

In view of above, **Ch.Eng.(D.P.)/Hon'ble M.C.'s** approval is requested to condone the open space deficiency is Nil for basement & deficiency ranging from Nil to 30.00% for Non-Habitable portion parking floors without charging premium and deficiency ranging from Nil to 73.75% for habitable floor under regn.33(7) by charging premium as per policy and as per Regn.6(b) of DCPR 2034.

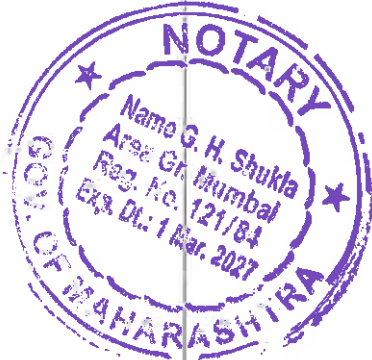


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<u>Comments by E.E.(B.P.) City-I</u>			
Submitted for approval please.			
5	To allow splitting of RG area proposed in two places with shape of RG 1 in odd shape and to allow ancillary structure touching to RG1, due to space / planning constraints as the proposed redevelopment is under the provision of regulation 33(7), under the provision of regulation 6 (b) of DCPR 2034.	In this case, Net area of the plot is 1677.27 sq.mt. i.e. more than 1000 sq.mt. as per the provision of regulation 27 of DCPR 2034, for the area of Plot from 1001.00 sq. mtrs to 2500.00 sq. mtrs required R.G. Area is 15% on Net Plot area. However, if the development is under the provisions of Regulation 33(7), the LOS shall be as stipulated in the relevant regulations if specified separately, or else the LOS as specified above shall be provided. <i>"Provided further that the provisions of LOS in case of the redevelopment schemes under the regulation no 33(5), 33(7), 33(8), 33(15) and 33(20)(A) may be reduced due to planning constraints, minimum of at least 10% shall be maintained."</i> Hence. In this case required RG Area is 1677.27 sq. mtrs x 10% = 167.73 sq. mtrs. Considering the planning constraints required RG Area, as stipulated above is proposed in 2 places. i.e., Place No. 1 towards east side of plot, admeasuring 126.77 sq. mtrs, Place No. 2 towards west side of plot, admeasuring 134.98 sq. mtrs, out of which 40.14 sq. mtrs RG	Under the provision of regulation 33(7), under the provision of regulation 6 (b) of DCPR 2034.
			Ch. Eng. (D.P.) / M.C.



Y.H.

	<p>area is Paved RG, thus, total proposed RG area is 261.65 sq. mtrs as against required RG Area admeasuring 167.73 sq. mtrs.</p> <p>Further clause No. (b) and (c) of Regulation 27 state that, "No such LOS shall measure less than 125 sq. mtrs. The minimum dimension of such LOS shall not be less than 7.5 m, and if the average width of such LOS is less than 16.6 m, the length there of shall not exceed 2 1/2 times the average width."</p> <p>The proposed RG 1 and 2 is completely on mother earth, however the dimensions of RG 1 & 2 is not as per the provision of regulation 27, due to planning constraints, space for required Sub-station and DG Set is proposed touching to proposed RG1, having area admeasuring 100.51 sq. mtrs and this 100.51 sq. mtrs pocket is not included in RG area Calculation. Hence approval of Hon'ble M.C sir is requested to allow required RG area proposed in two places with shape of RG 1 in odd shape, under the provision of regulation 6 (b) of DCPR 2034.</p>	
<p>Comments by A.E.(B.P.) City-VI</p> <p>As per clause No. (b) and (c) of Regulation 27 state that, "No such LOS shall measure less than 125 sq. mtrs. The minimum dimension of such LOS shall not be less than 7.5 m, and if the average width of such LOS is less than 16.6 m, the length there of shall not exceed</p>		



2 1/2 times the average width.”

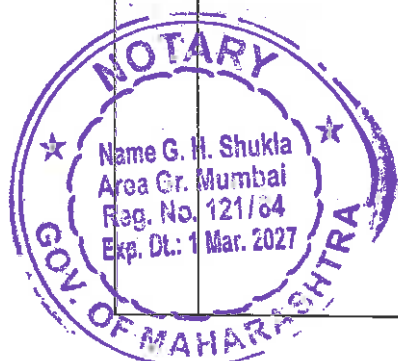
The proposed RG 1 and 2 is completely on mother earth, however the dimensions of RG 1 & 2 is not as per the provision of regulation 27, due to planning constraints, space for required Sub-station and DG Set is proposed touching to proposed RG1, having area admeasuring 100.51 sq. mtrs and this 100.51 sq. mtrs pocket is not included in RG area Calculation. Hence approval of Hon'ble M.C sir is requested to allow required RG area proposed in two places with shape of RG 1 in odd shape, under the provision of regulation 6 (b) of DCPR 2034.

Submitted for approval please.

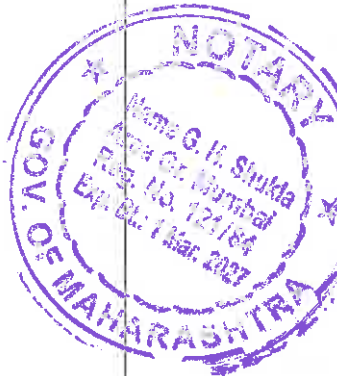
Comments by E.E.(B.P.) City-I

Submitted for approval please.

<p>6</p>	<p>To allow 1.20 mt. wide continuous chajja with level difference 0.60 mt. from floor level and proposed glass ciadding with aluminum frame work under the provision of regulation 31(1)(xii) read with regn. 42(ii)(e)(i) of DCPR 2034 and policy under No. CHE/DP/110/Gen dated 2019-20 with area free of F.S.I. as shown in plan.</p>	<p>As per Regn. 31(1)(xii) read with regn. 42(ii)(e)(i) of DCPR 2034 Chajja is permissible upto 1.20 mt. free of FSI. We have proposed continuous chajja projecting maximum 1.20 mt. from building line with 0.60 mt. level difference from floor level. Proposed drop chajja having 1.20 mts projection from building line and is proposed with a drop of 0.60 mts from floor level. The said chajja is proposed along the periphery of the proposed habitable floor plate as it is proposed to hold and for resting and fixing the elevation cladding with openable panels @ 300 mm from proposed building line. Slant chajja is proposed @ top and inverted slant chajja is proposed @ bottom of service floor. The slant chajja is proposed with a drop of 300mm from proposed building line with projection not exceeding 750mm as mentioned in the circular. The proposed</p>	<p>As per Regn. 31(1)(xii) read with regn. 42(ii)(e)(i) of DCPR 2034 and 6(b) of DCPR 2034.</p>	<p>Ch. Eng. (D.P.) / M.C.</p>
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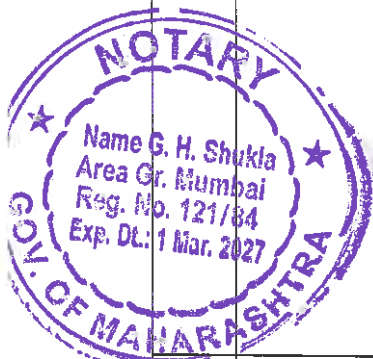
	<p>slat chajja are provided @ top and bottom of service floor and is proposed to act as elevation bands. Also proposed glass cladding with aluminum frame work which will be rested on the bottom over the chajja proposed with a drop and on top @ the bottom of the beam to support the aluminum framework required to fix, fixed as well as sliding glass. From safety purpose viewpoint the Architect has proposed glass railing resting on curb 150mm wide & 125mm high to support the railing proposed on the edge of the floor plate. The said continuous chajja proposed only for elevation features. We have also obtained required NOC from the CFO, with proposed elevation in form of glass cladding and the same glass cladding is openable. Further, we have proposed slant chajja for service floor as per policy under No. CHE/DP/110/Gen dated 2019-20. Registered undertaking not to misuse the chajja will be insisted before asking C.C. & same condition will be incorporated as an IOD condition.</p>		
<p><u>Comments by A.E.(B.P.) City-VI</u> As per Regn. 31(1)(xii) read with regn. 42(ii)(e)(i) of DCPR 2034 Chajja is permissible upto 1.20mt. free of FSI. Further, Architect has proposed slant chajja proposed on service floor, as per policy under No. CHE/DP/110/Gen dated 2019 -20 and also proposed glass cladding with</p>			



aluminum frame work to have astatic view to proposed building and has required to allow. The Registered undertaking not to misuse the chajja will be insisted before asking C.C. & same condition will be incorporated as an IOD condition. Submitted for approval please.

Comments by E.E.(B.P.) City-I
Submitted for approval please.

7	<p>To allow 1st refuge area at 31.25 mt level i.e. 1st habitable floor (instead of 24.00 mt level) and required 3rd refuge area at terrace level of 22nd floor top due to planning constraints.</p>	<p>The proposed residential building comprising of single level basement + part Ground floor for double height entrance lobby and part stilt + G-1 level + 1st to 6th podium floor for parking spaces + 6A Service floor + 7th floor for fitness centre& refuge area + 8th floor residential user + 8A service floor + 9th to 10th duplex flat + 10A service floor + 11th to 13th triplex flat + 13A service floor + 14th floor residential use + 14A service floor + 15th to 16th floor for residential duplex flat + 16A service floor + 17th to 19th residential triplex flat + 19A service floor + 20th to 22nd residential triplex flat + 22A service floor + part terrace lawn fill and part swimming pool open to sky with total height of 114.45 mt. upto terrace level slab and 123.45 mt. upto crown feature portal / pergola level.</p>	<p>As per Regn.31(1)(xix) read with 48(8) of DCPR 2034 and as per CFO NOC</p>	<p>Ch. Eng. (D.P.) / M.C.</p>
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Comments by A.E.(B.P.) City-VI
The permissible 4% to 4.25% refuge area is claimed free of FSI as per Regn.31(1)(xix) read with 48(8) of DCPR 2034 and excess area over and above the permissible 4% to 4.25% counted into FSI. Proposed refuge area is as per plan and CFO NOC as under.

Sr. No.	Floor level and	As per plans submitted for approval
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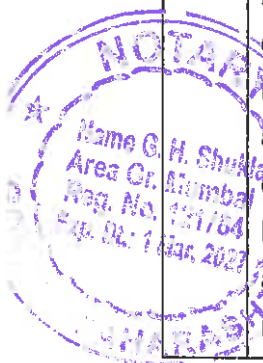
		Refuge area 4% required	Refuge area 4.25 % required	Proposed refuge area	Excess area Counted in FSI
1	7 th floor, at + 31.25 mt. level	112.54 sq.mt.	119.57 sq.mt.	117.81 Sq. mt.	Nil
2	14 th floor, at 66.65 mt. level	152.84 sq.mt.	162.39 Sq. mt.	153.43 Sq. mt.	Nil

Architect has obtained revised CFO NOC under No. P-9326/2021/(740)/G/South/WORLI CFO/1/New dated 27.11.2022, wherein stated that, "you have provided refuge areas on 7th floor & on the 14th floor. The next refuge area shall be provided on 21st floor as per provisions of DCPR-2034. However, you have expressed hardship in planning that you have proposed triplex flat on 20th, 21st & 22nd floor. Hence the 21st floor is middle triplex. Instead of that you have provided refuge area on 14th floor considering the habitable area on 21st & 22nd floor & as terrace above 22nd floor can be considered as refuge area. Hence requested to accept the same. However, approval of EEBP & Hon'ble M.C. sir shall be obtained for the same.

As per the provision of regulation 48(8) Refuge area (a) (i) and (ii) which state that, "The refuge area shall be preferably provided within building line at floor level. In case of high-rise buildings having height more than 32 m, first refuge area shall be provided at 24 m or at 1st habitable floor, whichever is higher. Thereafter, the refuge area shall be provided at every 7th habitable floor. The refuge area shall be 4% of the habitable floor area it serves, and will be free of FSI. With the permission of Commissioner due to planning constraints it may be allowed to be exceeded up to maximum limit of 4.25%. If it exceeds 4.25%, the excess area shall be counted in FSI".

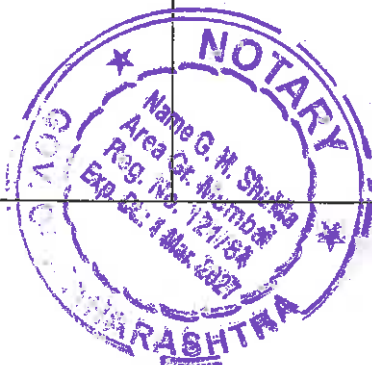
As stated in the CFO NOC, 1st refuge is proposed at 31.25 mt level i.e. 7th habitable floor instead of 24.00 mt level, thereafter, 2nd refuge is proposed at 66.65 mt level i.e. 14th habitable floor and 3rd refuge would be a part terrace at 22nd floor top. due to planning constraints i.e., the building is proposed with duplex and triplex flats, parking levels are proposed up to 6th floor level and thereafter 6A is a service floor, after the parking levels 1st habitable floor is 7th floor hence as stated in regulation 48, 1st refuge is proposed at 1st habitable floor i.e. is at 31.25 mt level and since, the triplex plat is stated from 20th floor level, last refuge would be a part terrace at 22 top. since all the fire safety points have taken in to consideration and since the required NOC from CFO is granted, Ch. Eng. (D.P.) / Hon'ble M.C.'s approval is requested to allow 1st refuge area at 31.25 mt level i.e. 1st habitable floor and required 3rd refuge area at terrace level of 22nd floor top due to planning constraints, as explained above.

In view of above Ch. Eng. (D.P.)/Hon'ble M.C.'s approval is requested to allow 1st refuge area at 31.25 mt level i.e. 1st habitable floor (instead of 24.00 mt level) and required 3rd refuge area at terrace level of 22nd floor top due to planning constraints, as explained

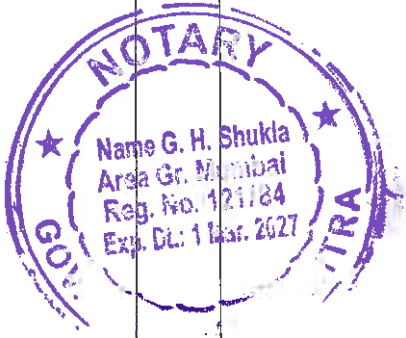


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	<p>In this case, parking remarks through parking consultant for proposed car parking Layout is attached in additional document. As per the said remarks, 27 nos. of car parking space are provided and same car parking spaces are required to be considered / approved under regular norms of Regulation 44 of DCPR 2034 i.e. without taking relaxations of Regulation 33(7) for Rehab and Sale Component.</p> <p>Submitted for approval please.</p>		
	<p><u>Comments by E.E.(B.P.) City-I</u></p> <p>Submitted for approval please.</p>		
9	<p>To allow B.E.S.T. substation at ground floor in open space towards East side with area free of FSI.</p>	<p>In this case, we have proposed space for substation by size 12.30 mt. x 5.40 mt. at ground level in open space in R.G. places towards east side and space for D.G. Set proposed on above substation as shown on plan. However, the actual requirement of size and specification for the same will be insisted from B.E.S.T. authority and condition to that effect will be incorporated in IOD condition.</p>	<p>As per Regn.28 of DCPR 2034</p> <p>Ch. Eng. (D.P.) / M.C.</p>
	<p><u>Comments by A.E.(B.P.) City-VI</u></p> <p>As per Reg.28, 40.00 sq.mt. (i.e. 8.00 mt. x 5.00 mt.) Substation is required for plot areabetween 1000 sq.mt. to 2000 sq.mt.</p> <p>The actual requirement of size and specification for the substation will be insisted from B.E.S.T.authority and condition to that effect will be incorporated in IOD condition.</p> <p>Submitted for approval please.</p>		
	<p><u>Comments by E.E.(B.P.) City-I</u></p> <p>Submitted for approval please.</p>		
10	<p>To allow single level basement with height 5.90 mt. for services free of FSI as per Regn.37(7) of DCPR 2034.</p>	<p>In this case, we have proposed single level basement for High Rise building for services i.e. underground water tank, Pump room, space for STP, vent shaft basement to Ground level etc. which are permissible only at</p>	<p>As per Regn.37(7) of DCPR 2034.</p> <p>Ch. Eng. (D.P.) / M.C.</p>



		<p>basement level with height 5.90 mt. We have proposed greater height of basement as per requirement of MEP consultant. We have proposed basement by providing front open space more than 6.00 mt. and side open space more than 4.20 mt. as shown in plan. The proposed basement level is accessible through one number of staircases. We have claimed basement area free of FSI as per Regn.37(7) of DCPR 2034. The feasibility report for providing basement from Geologist consultant will be insisted before asking plinth C.C. and condition to that effect will be incorporated in IOD condition.</p>		
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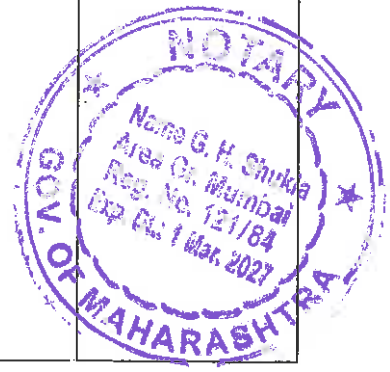


<p>Comments by A.E.(B.P.) City-VI Architect has claimed basement area free of FSI as per Regn.37(7) of DCPR 2034. The feasibility report for providing basement from Geologist consultant will be insisted before asking plinth C.C. and condition to that effect will be incorporated in IOD condition. Submitted for approval please.</p>				
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<p>Comments by E.E.(B.P.) City-I Submitted for approval please.</p>				
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11	<p>To allow area covered under staircase, lift, lift lobby & vent lobby free of F.S.I. without charging premium for rehab component & by charging premium for sale component as per</p>	<p>We have proposed 2 nos. of staircase with 2.00 mt. width and 3 nos. of passenger lifts & 1 nos. fireman lift from ground to top floor. One no staircase is accessible in Basement. The area of staircase, lifts, lifts lobbies are taken free of FSI as per the provision of Regulation 31(1)(iv) of DCPR 2034.</p>	<p>As per Regn.31(1)(iv) of DCPR 2034 & Circular DCPR 2034 C-5 u/No. CHE/DP/110/G en dated 2019-20.</p>	<p>Ch. Eng. (D.P.) / M.C.</p>
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	<p>Regn. 31(1) (iv) of DCPR 2034 & as per circular u/No. CHE/DP/ 110/ GEN (C-5) Dt: 30.01.2020.</p>	<p>The proposed area of staircase, lift, lift lobby on all habitable floors free of FSI without charging premium for rehab component and by charging premium on sale component. Also, the area of staircase, lift, lift lobby for non-habitable floors free of FSI without charging premium as per policy.</p>		
<p>Comments by A.E.(B.P.) City-VI</p> <p>Architect has proposed 2 nos. of staircase with 2.00 mt. wide width and 3 nos. of passenger lifts & 1 nos. fireman lift from ground to top floor. One no staircase is accessible in Basement. The area of staircase, lifts, lifts lobbies are taken free of FSI as per the provision of Regulation 31(1)(iv) of DCPR 2034.</p> <p>The proposed area of staircase, lift, lift lobby on all habitable floors free of FSI without charging premium on rehab component and by charging premium on sale component. Also, the area of staircase, lift, lift lobby for non-habitable floors free of FSI without charging premium as per policy.</p> <p>Submitted for approval please.</p>				
<p>Comments by E.E.(B.P.) City-I</p> <p>Submitted for approval please.</p>				
<p>12</p>	<p>To allow fungible F.S.I. upto 35% i.e. area admeasuring 464.94 sq. mtrs permissible on Rehab Residential component, area admeasuring 259.24 sq. mtrs. permissible on surplus area surrendered to MHADA without charging premium and for area admeasuring 666.26</p>	<p>As per Regn. 31(3) of DCPR 2034, "Notwithstanding anything contained in the D.C. Regulations 30, 32 & 33, the Commissioner may, by special permission, permit fungible compensatory area, not exceeding 35% for residential/Industrial/Commercial development, over and above admissible FSI/BUA, by charging a premium at the rate of 50% for Residential and 60% for Industrial and Commercial development of ASR (for</p>	<p>Under the provision of regulation 31(3) of DCPR 2034.</p>	<p>Ch. Eng. (D.P.) / M.C.</p>

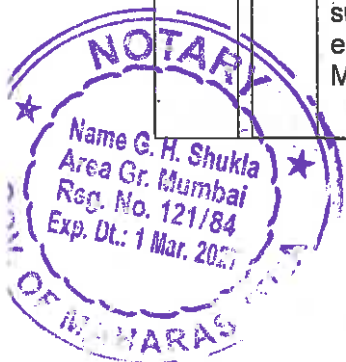


<p>sq.mt. excess area given for rehab existing residential from Sale component and sale residential component area admeasuring 370.68 sq.mt. by charging premium @ 50% of SDRR Rate under the provision of regulation 31(3) of DCPR 2034, as explained above.</p>	<p>FSI), which is to be shared between MCGM, State Govt. and MSRDC (for Sea Link) in 50% 30% and 20% respectively. In this case, fungible compensatory FSI on rehabilitation area of existing tenants / occupants is claimed without charging premium and for sale component it's claimed on payment of premium, as per policy in force.</p>		
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Comments by A.E.(B.P.) City-VI

The fungible built up area calculation is tabulated as below: -

Sr. No.	Description	Perm. BUA in Sq. Mt.	35% Perm. Fungible BUA in Sq. Mt.	Total perm. BUA in Sq. Mt.	Total proposed area in Sq. Mt.	Proposed fungible BUA in Sq. Mt.	Deficit	Remark
1.	Rehab 'R' user	1328.41	464.94	1793.35	1328.41	464.94	00	35% rehab fungible BUA without charging premium.
2.	Excess area given for existing Rehab Residential from sale component	1903.62	666.26	2569.88	1903.62	666.26	00	35% rehab fungible excess area given for existing rehab from sale component by charging premium of 50% of SDRR Rate
3	Surplus area surrendered to MHADA	740.68	259.24	999.92	740.68	215.28	43.96	35% MHADA Surplus fungible BUA without charging premium.



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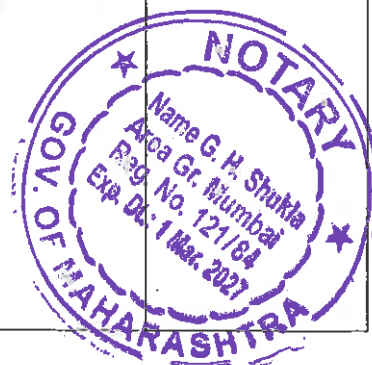
4	Sale 'R' User	1059.10	370.68	1429.78	1059.10	357.73	12.95	35% sale fungible BUA by charging premium @ 50% of SDRR Rate.
	TOTAL	5031.81	1761.13	6792.94	5031.81	1704.21	56.92	

Submitted for approval please.

Comments by E.E.(B.P.) City-I

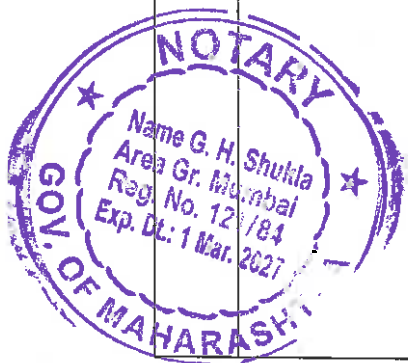
Submitted for approval please.

13	To allow internal Staircase & internal lift free of FSI by 100% charging premium as per recent policy.	<p>In this case, there are total 4 Nos. of R-Rehab tenants. We have proposed duplex flat of existing tenants i.e. 1) Sunee Y. Kothari has been allotted on flat no. 901 at 9th & 10th floor level, 2) Aditi Hemendra Kothari has been allotted on flat no. 1501 at 15th & 16th floor level, 3) Yogesh Mathradas Kothari has been allotted on triplex flat no. 1101 at 11th to 13th floor level & 4) Hemendra Mathradas Kothari has been allotted on triplex flat no. 1701 at 17th to 19th floor level.</p> <p>We have proposed 9th to 10th duplex flat, 11th to 13th triplex flat, 15th to 16th floor for residential duplex flat, 17th to 19th residential triplex flat, 20th to 22nd residential floor level triplex flat with 1.20 mt. wide internal staircase and same is 1.80 mt. level counted into FSI and other area free of FSI by charging premium. Further, we have proposed internal lift by</p>	As per circular u/No.CHE/DP/00016/ GEN dt: 01.04.2017.	Ch. Eng. (D.P.) / M.C.
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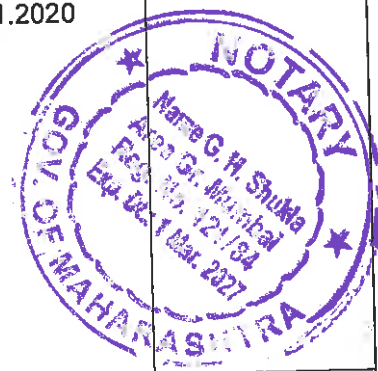
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		size 2.125 x 1.90 mt. and claimed the area 1.25 mt. x 1.25 mt. free of FSI by charging premium as per policy & counted the area over and above 1.25 x 1.25 mt. size of lift as shown on plan. We have claimed area of Internal Staircase & Internal lift free of FSI by charging premium as per policy.		
<u>Comments by A.E.(B.P.) City-VI</u>				
Architect has proposed 9 th to 10 th duplex flat, 11 th to 13 th triplex flat, 15 th to 16 th floor for residential duplex flat, 17 th to 19 th residential triplex flat, 20 th to 22 nd residential floor level triplex flat with 1.20 mt. wide internal staircase and same is 1.80 mt. level counted into FSI and other area free of FSI by charging premium. Further, Architect has proposed internal lift by size 2.125 x 1.90 mt. and claimed the area 1.25 mt. x 1.25 mt. free of FSI by charging premium as per policy & counted the area over and above 1.25 x 1.25 mt. size of lift as shown on plan. Submitted for approval please.				
<u>Comments by E.E.(B.P.) City-I</u>				
Submitted for approval please.				
14	To allow pressurize duct free of F.S.I. for High Rise residential building under regn.6(b) of DCPR 2034	In this case, we have proposed High Rise Residential building having total height of 114.45 mt. upto terrace level slab and 123.45 mt. upto crown feature portal / pergola level. Hence, we have proposed pressurize shaft behind staircase as per requirement of CFO department. There is no chance to misuse the said shaft/ duct. The NOC from CFO department is attached in additional document. Registered undertaking from developer for not to misuse pressurize duct	under regn.6(b) of DCPR 2034	Ch. Eng. (D.P.) / M.C.



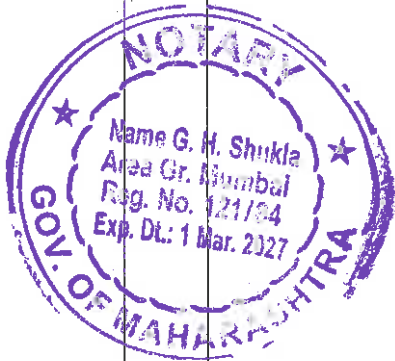
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		will be insisted before plinth C.C. as an IOD condition. We have requested to allow pressurize duct free of F.S.I. for High Rise residential building under regulation 6(b) of DCPR 2034.		
Comments by A.E.(B.P.) City-VI				
Registered undertaking from developer for not to misuse pressurize duct will be insisted before plinth C.C. as an IOD condition. Submitted for approval please.				
Comments by E.E.(B.P.) City-I				
Submitted for approval please.				
15	To allow 0.30 mts. Wide pergola above common terrace of the proposed building at top most level (i.e., 123.15 mts.) of Lift Machine Room / OHT which is 9.00 mts. from Terrace Slab and within the proposed building line.	We have proposed 0.30 mt. wide pergola above common terrace of the proposed building at top most level (i.e., 123.45 mts.) of Lift Machine Room / OHT which is 9.00 mts from Terrace Slab and within the proposed building line.	As per circular u/no. CHE/DP/110/Gen dated 30.01.2020	Ch. Eng. (D.P.) / M.C.
Comments by A.E.(B.P.) City-VI				
As per circular u/no. CHE/DP/110/Gen dated 30.01.2020 the pergola at terrace slab level maybe allowed subject to:-				
	Sr. No.		Remarks	
	a.	The pergola projection beyond building line shall not be more than 2.00 mt.	Architect has proposed pergola above Terrace Level, within proposed Building Line.	
	b.	The pergola shall not affect side marginal open space of 3.00 and front marginal open space of 1.50 mt.	Architect has proposed pergola above Terrace level, within proposed Building line. thus side and front marginal open spaces are not affected.	
	c.	Such pergolas shall be allowed only on top most common terrace of building/ wing/ wings.	Architect has proposed pergola above terrace level (common terrace of proposed building)	
	d.	The pergolas shall not be allowed on part terraces/ pocket terrace/ slopping	No pergolas are proposed on part terraces/ pocket terrace / sloping terrace	



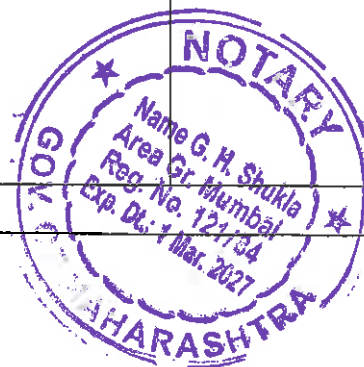
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	terraces.		
	e. The pergola shall not be allowed in 6 m side open access required for fire fighting vehicle as per Supreme Court order.	Proposed Pergola does not affect 6.00 m side open access required for Fire Fighting vehicle	
Submitted for approval please.			
<u>Comments by E.E.(B.P.) City-I</u>			
Submitted for approval please.			
16	To allow fire rated (toughened) full height glass in refuge area instead of common wall between habitable area and refuge area, due to planning constraints as the sea-view is obstructed if the said common wall is constructed as solid brick wall.	We have proposed Refuge Area @ 7 th & 14 th floor of the proposed building i.e., @+31.25 mt. & @+66.65 mt. level respectively. The said Refuge Area is proposed fronting 24.40 mts. wide Maulana Abdul Gaffar Khan Road as per CFO's requirement and can be accessed through common lobby. The said Refuge Area shares a common wall with Fitness Center / Club House @ 7 th floor level & Residential Unit @ 14 th floor level, the sea-view of which is obstructed if the said common wall is constructed as solid brick wall. Thus, to get an unobstructed sea-view and address the Fire Safety requirement, we are proposing a fire rated glass wall which is approved by CFO u/no. P-9326/2021/(740)/G/S/WORLI/CFO/1/NEW-0 dated 11-12-2021 and the same may please be considered and accepted.	under regn.6(b) of DCPR 2034 Ch. Eng. (D.P.) / M.C.
<u>Comments by A.E.(B.P.) City-VI</u>			
Submitted for approval please.			
<u>Comments by E.E.(B.P.) City-I</u>			
Submitted for approval please.			

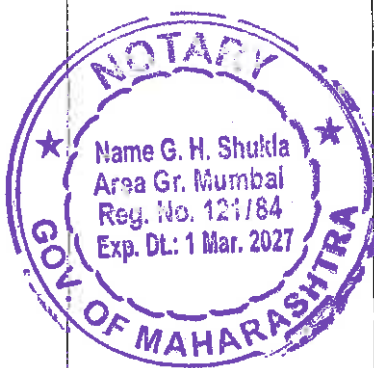


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17	To allow parapet wall with greater height above common terrace of the proposed building at top most level (i.e., 123.15 mts.) of Lift Machine Room / OHT which is 9.00 mts. from Terrace Slab and within the proposed building line.	We have proposed elevation feature in form of parapet wall with solid wall not more than 1.50 mts from terrace slab level and feature beyond 1.50 mts. solid parapet wall and upto top of LMR/OHT parapet top with 60% open surface area along the periphery of the common terrace within the proposed building line.	As per circular u/no. CHE/DP/110/Gen dt:- 30.01.2020 and Circular DCPR 2034:C-10	Ch. Eng. (D.P.) / M.C.
<p>Comments by A.E.(B.P.) City-VI</p> <p>As per circular u/no. CHE/DP/110/Gen dt:- 2019 20 Circular DCPR 2034: C-10, the parapet wall at terrace slab level with greater height maybe allowed subject to:-</p> <ol style="list-style-type: none"> 1. Parapet wall beyond 1.50 mts shall be provided with 60% Open Surface. 2. The Total height is parapet wall beyond terrace slab shall be 5.00 mt. or top of LMR/OHT parapet top whichever is higher. <p>Architect has proposed elevation feature in form of parapet wall with solid wall not more than 1.50 mts from terrace slab level and feature beyond 1.50 mts. solid parapet wall and upto top of LMR/OHT parapet top with 60% open surface area along the periphery of the common terrace within the proposed building line.</p> <p>Submitted for approval please.</p>				
<p>Comments by E.E.(B.P.) City-I</p> <p>Submitted for approval please.</p>				
18	To allow mix user on 7th floor i.e. part for surplus area surrendered to MHADA and part for Fitness center, subject to submission of RUT from Architect/ Developer.	We have proposed mix user on 7th floor i.e. part for Surplus area surrendered to MHADA and part for Fitness center, respectively. However, the registered undertaking to that effect will be obtained from Architect / Developer for not misusing it, before Plinth C.C.	Under 6(b) of DCPR 2034	Ch. Eng. (D.P.) / M.C.
<p>Comments by A.E.(B.P.) City-VI</p>				

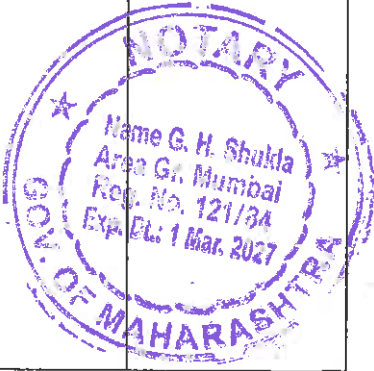


	Submitted for approval please.			
	Comments by E.E.(B.P.) City-I			
	Submitted for approval please.			
19	To allow double height entrance lobby and part portion of stilt for proper access to fire engine with height of 7.20 mt free of FSI as explained above.	We have proposed entrance lobby and part stilt area for driveway with height of 7.20 MT and the area of the same is claimed free of FSI.As per the provision of regulation 41(5), for the building height more than 70.00 mt, at least one side other than road shall have clear open space of 9.00 mt at ground floor. Hence, we have proposed double height driveway at ground floor to have access to fire engine and part portion of the stilt is proposed for double height entrance lobby area. Further we have provided cross beams at 7.20 Mt in car lift stilted area as shown in plan	As per Regn.31(xxi) of DCPR 2034	Ch. Eng. (D.P.) / M.C.
	Comments by A.E.(B.P.) City-VI			
	As per DCPR 31(xxii) "Entrance lobbies in stilted portion, height not exceeding 7.2 m. or height equivalent to two floor or height of stilt whichever is more".			
	In view of above, Ch.Eng. (D.P.)/Hon'ble M.C.'s approval is requested to allow double height entrance lobby and part portion of stilt for proper access to fire engine with height of 7.20 Mt, provided with cross beams at car lift stilted area, with free of FSI as explained above.			
	Comments by E.E.(B.P.) City-I			
	Submitted for approval please.			
20	To allow the habitable room with length more than 7.50 mt. due to the planning constraints subject to N.O.C. from	As per Regulation 40(1)(a), no part of any habitable room being more than 7.50 mt. away from the source of light & ventilation. As per Regn. 40(1)(c), for non-residential user shall be considered as adequately	As per Regulation 40(1)(a) of DCPR 2034	Ch. Eng. (D.P.) / M.C.



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	<p>Ch.Eng.(M.&E.)/Consultant.</p>	<p>lighted and ventilated if its depth from the side abutting the required open space does not exceed 12 m. As per proposed plans, the length of the living room is more than 7.50 mt. In this regard, we have stated that he has provided artificial ventilation in the form of A.C. & artificial light to the living room units. Further NOC from E.E.(M&E)/consultant will be submitted for the same before C.C. upto plinth and condition to that effect will be incorporated as an IOD condition.</p>		
<p><u>Comments by A.E.(B.P.) City-VI</u> As per Regulation 40(1)(a), no part of any habitable room being more than 7.50 mt. away from the source of light & ventilation. NOC from E.E.(M&E)/consultant will be insisted for the artificial light and ventilation before C.C. upto plinth and condition to that effect will be incorporated as an IOD condition . Submitted for approval please.</p>				
<p><u>Comments by E.E.(B.P.) City-I</u> Submitted for approval please.</p>				
<p>21</p>	<p>To allow two numbers of entries at 9th , 11th , 15th , 17th , 20th , 22th floor as per requirement of rehab tenant and sale portion.</p>	<p>In this case, we have proposed multiple entries at 9th, 11th, 15th, 17th, 20th, 22th floor. We have submitted the NOC from CFO deptt. Copy is attached in additional document. We have proposed multiple entries for rehab and sale flat as per requirement of Rehab tenant i.e. one is regular entry and other is for servants' entry from servant room. We have requested to allow multiple entries at 9th, 11th, 15th, 17th, 20th</p>	<p>Under regn.6(b) of DCPR 2034</p>	<p>Ch. Eng. (D.P.) / M.C.</p>



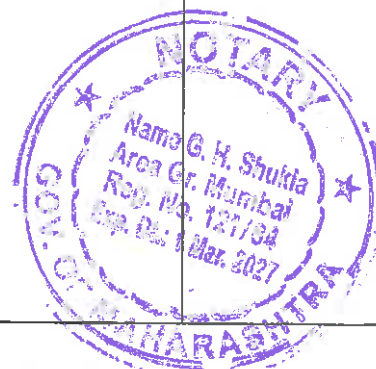
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		and 22th floor as per requirement of rehab tenant.	
<p>Comments by A.E.(B.P.) City-VI Submitted for approval please.</p>			
<p>Comments by E.E.(B.P.) City-I Submitted for approval please.</p>			
22	<p>To allow duplex and triplex flats accessible through internal staircase and proposed with voids i.e. double height living room, deck area by counting 1.50 times in FSI.</p>	<p>The existing building known as Kothari House was belongs to two brothers namely Yogesh Mathurada Kothari and Hemendra Mathuradas Kothari (owner) having 1st and 2nd existing floor and Suneet Y. Kothari and Aditi Hemendra Kothari having premises at Ground floor.</p> <p>In the proposed building, we have proposed duplex and triplex flats, accessible through internal staircase. and internal lift, the area of internal lift and internal staircase claimed free of FSI, as per the policy of Internal staircase and internal lift, and the rest area of internal lift is counted in FSI. Further, the duplex flat and triplex flat are designed in stepped manner & double height refuge area / double height living / deck as well as voids are created fronting to Khan Abdul Gaffarkhan Road and the same is counted at 1.50 times at each duplex / triple level, as shown on plan.</p>	<p>Ch. Eng. (D.P.) / M.C.</p>
<p>Comments by A.E.(B.P.) City-VI Submitted for approval please.</p>			



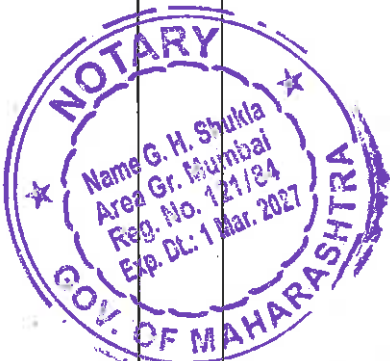
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<u>Comments by E.E.(B.P.) City-I</u>				
Submitted for approval please.				
23	To allow slopping terrace above meter room / fire control room and podium level with RCC slab and 1:5 slope for not misuse free of F.S.I. as per Regn.6(b) of DCPR 2034.	As per Regn.31(2)(iv) of DCPR 2034, 'Part / Pocket / Covered terraces, for whatever purpose, except open terrace above the top most storey and the part terrace at top most storey due to planning constraints but accessible from common staircase, terraces created due to restriction imposed by the Railway Authority and above shopping/Non-residential/Industrial area at one level only with a slope of 1:5, in case of residential / Non-residential/Industrial development on upper floors. In this case, due to planning constraints, we have proposed slopping terrace with R.C.C. slab above (fire control room, electric room) ground floor level with 1:5 slope free of F.S.I. Further, due to planning constraints pocket terrace is created above 6A podium level with 1.5 slope free of FSI. There is no chance to misuse the same as shown in plan. Registered Undertaking for not to misuse the slopping terrace above Ground level and 6A podium level with 1:5 slope with RCC slab shall be submitted before plinth C.C. as an IOD	As per Regn.31(2)(iv) and as per Regn.6(b) of DCPR 2034	Ch. Eng. (D.P.) / M.C.



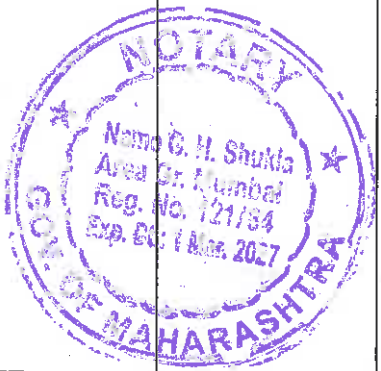
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		condition.		
<p>Comments by A.E.(B.P.) City-VI</p> <p>Registered Undertaking for not to misuse the slopping terrace above Ground level and 6A podium level with 1:5 slope with RCC slab shall be insisted before plinth C.C. as an IOD condition.</p> <p>Submitted for approval please.</p>				
<p>Comments by E.E.(B.P.) City-I</p> <p>Submitted for approval please.</p>				
24	To allow landscape lawn at terrace level as per Regn. No. 37(22) of DCPR 2034.	<p>We have proposed part area of the terrace for LAWN i.e. green area, with a soiling filling of 2.00 mts and a Service floor of 2.00 mts to avoid leakage, under the provision of regulation 37(22) of DCPR 2034.</p> <p>The provision of regulation 37(22) state that, <i>“Common Terraces shall not be subdivided and shall be accessible by a common staircases/lift. The terraces may be used for additional recreational green area over and above the mandatory LOS requirement under these Regulations, provided that the terrace shall be designed and made impervious considering recreational green area. The terraces will also serve as community open spaces for the occupants of the building. The terraces may be allowed for roof top farming/ gardening Overhang of terrace to the extent of 1.20 m beyond building line subject to requirement of open spaces as per Regulation</i></p>	As per Regn. No. 37(22) of DCPR 2034	Ch. Eng. (D.P.) / M.C.



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		no 42(e) & 42(f) may be allowed from elevation point of view."		
<p>Comments by A.E.(B.P.) City-VI</p> <p>The provision of regulation 37(22) state that, "Common Terraces shall not be sub-divided and shall be accessible by a common staircases/lift. The terraces may be used for additional recreational green area over and above the mandatory LOS requirement under these Regulations, provided that the terrace shall be designed and made impervious considering recreational green area. The terraces will also serve as community open spaces for the occupants of the building. The terraces may be allowed for roof top farming/ gardening Overhang of terrace to the extent of 1.20 m beyond building line subject to requirement of open spaces as per Regulation no 42(e) & 42(f) may be allowed from elevation point of view."</p> <p>Further it also stipulates that the terraces may be allowed for roof farming / gardening. Submitted for approval please.</p>				
<p>Comments by E.E.(B.P.) City-I</p> <p>Submitted for approval please.</p>				
25	To allow fire man lift & lifts lobby opening at staircase mid-landing level free of FSI as insisted by CFO without charging premium.	<p>We have proposed fire men lift from Ground to terrace level and has claimed the area of fireman lift free of FSI. We have proposed fireman lift as per the guidelines and circular issued U/No. CHE/HRB/6159/DPWS dated 15-07-2019 and as per DCPR 2034.</p> <p>As per Regn. No 48(9)(B) states that "For high rise building having height more than 70 m, shall be provided with fire tower at landing / midlanding level with smoke check lobby with fireman lift being integral part of fire evacuation lift (Hydro pneumatic/electrically operated) on the external face of the building having opening within the fire escape staircase at landing / midlanding level with</p>	As per Regn. No 31(1)(iv) as per DCPR 2034	Ch. Eng. (D.P.) / M.C.



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		<p>smoke check lobby as approved by CFO shall be provided." We have requested to allow fireman lift and its lobby opening at staircase midlanding free of FSI as per Regn. No 31(1)(iv) and to allow without charging premium.</p>		
<p><u>Comments by A.E.(B.P.) City-VI</u></p> <p>As per Regn. No 48(9)(B) states that "For high rise building having height more than 70 m, shall be provided with fire tower at landing / midlanding level with smoke check lobby with fireman lift being integral part of fire evacuation lift (Hydro pneumatic/electrically operated) on the external face of the building having opening within the fire escape staircase at landing / midlanding level with smoke check lobby as approved by CFO shall be provided." We have requested to allow fireman lift and its lobby opening at staircase midlanding free of FSI as per Regn. No 31(1)(iv) and to allow without charging premium.</p> <p>Submitted for approval please.</p>				
<p><u>Comments by E.E.(B.P.) City-I</u></p> <p>Submitted for approval please.</p>				

ROSHAN
BHALCHAN
DRA BHOIR

GANES
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HAJINE

Asstt.Eng.(B.P.) City-VI

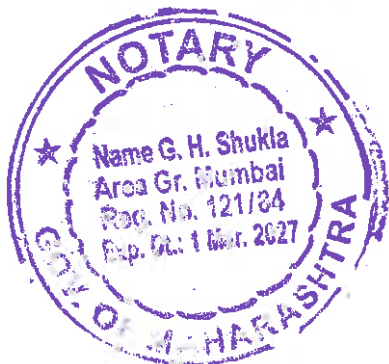
Ex.Eng.(B.P.) City-I

Dy.Ch.Eng.(B.P.)City

Chief Engineer (DP):

Hon'ble M.C.

Sir,





MUNICIPAL CORPORATION OF GREATER MUMBAI

Notesheet

Application Number :	P-9326/2021/ (740)/G/South/WORLI/337/1/Ne w	Ward Name :	G/South
Zone Name :	City	Inward Date :	10 Nov 2021
Architect/LE/SE Name :	SUNIL GAJANAN AMBRE	Issued On :	19 Apr 2023

Authority Remark:

Sir,

Architect has submitted the plans u/reg. 33(7) as per MHADA NOC dt. 26.10.2021 for the proposed building with Duplex & Triplex flats only upto 22 floors (Ht. 115.95 mt.) for FSI 3.00 or FSI required for rehabilitation of existing occupants + 50% Incentive FSI whichever is more based on provisional NOC issued by A.C (Estates) dt. 10.5.2022 + FCA as per Reg. 31(3) + by claiming staircase, lift, lift lobby areas free of FSI and has requested to grant the approval for the concessions involved in the proposal.

As regards Sr. No. 3 of 4C, the fitness centre may be permitted to be distributed as per the requirement of owner/society as per Reg. 37(28)(ii) of DCPR-2034. However, the height of Fitness centre at terrace level needs to be accounted in total height of building.

As regards Sr. No. 4 of 4C, considering the proposed redevelopment u/reg. 33(7), the deficiency in open spaces may be condoned by charging premium as per policy by accounting the height of fitness centre, changing room & toilet at terrace level.

As regards Sr. No. 5 of 4C, the LOS in FOS with odd size/shape may be permitted by charging premium as per policy.

As regards Sr. No. 6, 15 & 17 of 4C, the elevation features to be permitted strictly as per regulation & policy circular C-10 only. The pergolas to be permitted at terrace slab level only & pergolas within building line above terrace level needs to be counted in FSI.

As regards Sr. No. 9, 18, 19, 22 & 24 of 4C, the same may be dealt with at zonal level strictly as per regulation & prevailing policy.

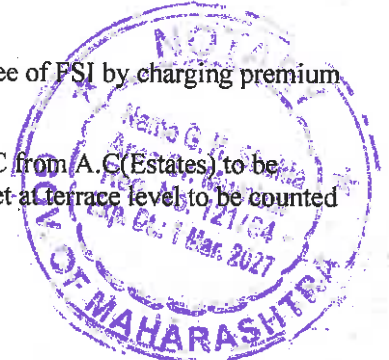
As regards Sr. No. 10 of 4C, the height of Basement to be restricted to 4.20 mt. only as per regulation. The requirement of STP area at basement to be got certified from concerned user department of BMC.

As regards Sr. No. 14 of 4C, the pressurize ducts to be counted 1.50 times, at one level only & accordingly the same may be permitted free of FSI at all the other floors.

As regards Sr. No. 16 of 4C, as all the other habitable floors except 7th & 14th refuge areas are directly facing the sea, the common wall between habitable area & refuge area needs to be insisted in RCC, as per prevailing policy.

As regards Sr. No. 25 of 4C, the fire evacuation lift & its lobby to be allowed free of FSI by charging premium at all the floors.

The NOC from MCZMA from CRZ viewpoint to be insisted before C.C & NOC from A.C (Estates) to be insisted as per prevailing policy. The Fire Control Room, changing room & toilet at terrace level to be counted



in FSI. The height of lobby in front of Car Lifts to be restricted to regular habitable floor height only or else the same may be permitted with diagonal cross beams at floor level. The podium above 6A level to be permitted with a level difference of 0.60 mt. No lift opening be permitted at any of the service floors & separate service room is not shall not be permitted on serviced floors. E.D/F.D abutting habitable areas to be counted in FSI. All the columns supporting upper habitable floors needs to be counted in FSI on all the floors. The NOC from MOEF required, if any to be insisted at zonal level.

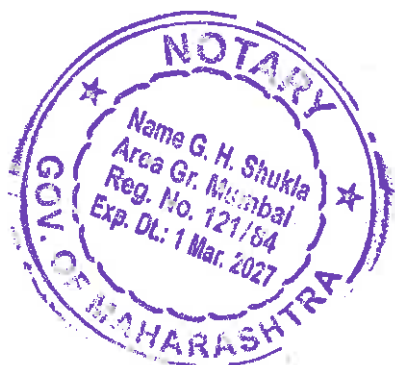
Hon. M.C.'s consideration & approval is requested on the concessions listed vide Sr. No. 3 to 8, 10 to 17, 20, 21, 23 & 25 of 4C as recommended by Ex.Eng (BP)City / Dy.Ch.Eng.(BP)City subject to compliance of above observations & subject to verification of plot area, FSI, auto DCR scrutiny report before approval of plans.

Submitted please.



Digitally signed by Sunil Harsing Rathod
Date: 19 Apr 2023 22:24:33
Organization: Erhanmumbel Municipal Corporation
Designation :Chief Engr. (DP)

Shri.Sunil Rathod Ch.E(DP)/lc





MUNICIPAL CORPORATION OF GREATER MUMBAI

Notesheet

Application Number :	P-9326/2021/ (740)/G/South/WORLI/337/1/Ne w	Ward Name :	G/South
Zone Name :	City	Inward Date :	10 Nov 2021
Architect/LE/SE Name :	SUNIL GAJANAN AMBRE	Issued On :	25 Apr 2023

Authority Remark:

Approved as prop osed by CE(DP).



Digitally signed by IOBAL SINGH CHAHL
Date: 25 Apr 2023 10:06:07
Organization: Brihanmumbai Municipal Corporation
Designation: Municipal Commissioner

**Shri. I. S. Chahal (Municipal
Commissioner)**



346

Form -----
88in replying please quote No.
and date of this letter.

MUNICIPAL CORPORATION OF GREATER MUMBAI

Intimation of Disapproval under Section 346 of the Mumbai Municipal Corporation Act, as amended up to date.

No. P-9326/2021/(740)/G/South/WORLI/IOD/1/New Dated- 23 August 2023

MEMORANDUM

Municipal Office,
Mumbai

To,

Yogesh Mathradas Kothari

57, Sea View, Worli Sea Face, Mumbai 400030

With reference to your Notice 337 (New) , letter No. 4848 dated. 10/11/2021 and the plans, Sections Specifications and description and further particulars and details of your buildings at Proposed redevelopment of property bearing C.S. No. 740, of Worli Division, & plot No. 15, of 52 Worli Estate, Maulana Abdul Gaffar Road in 'G' South Ward, Mumbai. CTS/CS/FP No. 740 furnished to me under your letter, dated 10/11/2021. I have to inform you that, I cannot approve of the building or work proposed to be erected or executed, and I therefore hereby formally intimate to you, under Section 346 of the Mumbai Municipal Corporation Act as amended up to-date, my disapproval by reasons thereof :-

A: CONDITIONS TO BE COMPLIED WITH BEFORE STARTING THE WORK.

- 1 That the commencement certificate under Section 44/69(1)(a) of the M.R.T.P. Act will not be obtained before starting the proposed work.
- 2 That the builder / developer / owner shall not prepare a "debris management plan" showing the prospective quantum of debris likely to be generated, arrangements for its proper storage at the site, transportation plan of the agency appointed for the same, with numbers and registration numbers of vehicles to be deployed and the final destination where the debris would be unloaded by them and submit the same to the Zonal Executive Engineer of S.W.M. Department and the same shall not be got approved before demolition of existing building or commencing any construction activity.
- 3 That the compound wall is not constructed on all sides of the plot clear of the road widening line with foundation below level of bottom of road side drain without obstructing the flow of rain water from the adjoining holding to prove possession of holding before starting the work as per DCPR 2034.
- 4 That the low-lying plot will not be filled up to a reduced level of at least 92 T.H.D. or 6" above adjoining road level whichever is higher with murum, earth, boulders, etc. and will not be leveled, rolled, consolidated and sloped towards road side, before starting the work.
- 5 That the structural engineer will not be appointed. Supervision memo as per DCPR 2034 will not be

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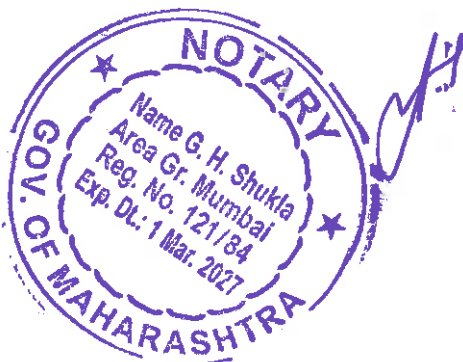


No. P-9326/2021/(740)/G/South/WORLI/IOD/1/New Dated- 23 August 2023

submitted by him.

- 6 That the structural design and calculations for the proposed work accounting for seismic analysis as per relevant I.S. Code and for existing building showing adequacy thereof to take up additional load along with bearing capacity of the soil strata will not be submitted before C.C.
- 7 That the sanitary arrangements shall not be carried out as per Municipal Specifications, and drainage layout will not be submitted before C.C.
- 8 That the existing structure proposed to be demolished will not be demolished or necessary Phase Programme with agreement will not be submitted and got approved before C.C.
- 9 That the requirements of N.O.C. of MHADA, CFO and Tree authority will not be obtained & the requisitions, if any, will not be complied with before occupation certificate / B.C.C.
- 10 That the qualified / Registered Site supervisor through Architect / Structural Engineer will not be appointed before applying for C.C.
- 11 That All Dues Clearance Certificate from A.E.W.W. 'GS' Ward shall not be submitted before issue of C.C.
- 12 That the premium/deposits as follows will not be paid – a) Condonation of deficient open spaces. b) Development charges as per M.R. & T.P. (Amendment) Act, 1992. c) Payment of advance for providing treatment of construction site to prevent epidemic like dengue, malaria etc. to insecticide charges 'GS' Ward. d) Labour Welfare Cess. e) Additional Development Cess. f) Premium towards LOS.
- 13 That the work will not be carried out strictly as per approved plan and in conformity with the DCPR 2034 in force.
- 14 That the N.O.C. from Tree authority shall not be submitted before asking for plinth C.C.
- 15 That the Registered Undertaking from developer shall not be submitted for following: (a) The area reserved for the parking shall be used/ utilized for the purpose of parking only (b) Indemnity bond indemnifying the BMC against any litigation, arising out of hardship to user in case of the failure of mechanized system / car lifts/ nuisance due to mechanical system / car lift, to the building under reference & to the adjoining wing/building.
- 16 That the Registered Undertaking from developer shall not be submitted for following: (a) Indemnity Bond, indemnifying the Corporation for damages, risks, accidents, to the occupiers (b) agreeing to demolish the excess area if constructed beyond permissible F.S.I (c) agreeing to pay the difference in premium paid and calculated as per revised land rates (d) minimum Nuisance during construction activity (e) condition shall be incorporated in the sale agreement with prospective buyers that the building under reference is constructed with open spaces deficiency. (f) To sell the tenements / flats on carpet area basis only and to abide by the provisions of Maharashtra Ownership Flats (Regulation of the promotion of construction, sale management and transfer) Act (MOFA), amended up to date and the Indemnity Bond indemnifying the M.C.G.M. and its Officers from any legal complications arising due to MOFA. g) That the mix user at 7th floor i.e. part for surplus area surrendered to MHADA and part for fitness center. h) RUT for Duplex and Triplex flats as per policy
- 17 That the Registered Undertaking from developer shall not be submitted for following (g) No objection if the neighbouring plot owner come for development with deficiency in open spaces. (h) Society office and fitness centre shall be handed over to society/association/apartment. (i) Not to misuse of pocket terrace / part terrace / Fitness center /stilt / Pressurize duct shall not be submitted.
- 18 That the Indemnity Bond from the developer to indemnifying BMC for following: (a) Indemnity Bond, indemnifying the BMC for damages, risks, accidents, to the occupiers (b) indemnifying BMC against

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disputes, litigations, claims, arising out of ownership of plot and plot boundary.

- 19 That the Janata Insurance policy or policy to cover the compensation claims arising out of Workmen's Compensation Act, 1923 will not be taken out and a copy of the same will not be submitted before asking C.C. and renewed during the construction of work and owner / developer should submit revalidated Janata Insurance Policy from time to time.
- 20 That the fresh Tax Clearance Certificate from A.A. & C. 'GS' Ward shall not be submitted.
- 21 That the consent from tenants & NOC from MHADA for NR proposed as R shall not be submitted.
- 22 That the rain water harvesting design and specification shall not be submitted.
- 23 That the NOC from BEST substation shall not be submitted.
- 24 That the remarks from H.E. Department shall not be submitted.
- 25 That the board displaying the details of development of the work, name of owner, developer, Architect, Structural Engineer etc. shall not be displayed at site.
- 26 That the necessary remarks for construction of SWD will not be obtained from Dy.Ch.Eng.(S.W.D.) City before asking for plinth C.C.
- 27 That the N.O.C. from Dy.Ch.E.(S.P.) P&D for proposed sewer line shall not be submitted before C.C.
- 28 That the plot boundary shall not be got demarcated from C.S.L.R. and demarcation certificate shall not be submitted to this office.
- 29 That the copy of PAN card of the applicant shall not be submitted before C.C.
- 30 That the precautionary measures to avoid dust nuisance such as erection of G.I. sheet screens at plot boundaries upto reasonable height shall not be provided before demolition of existing structures at site.
- 31 That the N.O.C. from Collector of Mumbai for excavation shall not be submitted before C.C.
- 32 That the construction activity for work of necessary piling shall not be carried out by employing modern techniques such as rotary drilling, micropiling etc. instead of conventional jack and hammer to avoid nuisance damage to adjoining buildings.
- 33 That the Structural stability certificate regarding the slab underground tank, slab to cover existing well grating / slab over sump for rainwater or any other underground services if any shall be designed to bear the required vehicular load will be insisted before asking plinth C.C.
- 34 That the work shall not be carried out between 6.00 A.M. to 10.00 P.M. only in accordance with Rule 5A (3) of Noise pollution (R & C) Rules 2000 and provision of notification issued by Ministry of Environment & Forest Dept.
- 35 That the G.I. Sheet screens at plot boundaries upto adequate height to avoid dust nuisance shall not be provided before demolition of existing building.
- 36 No main beam in a R.C.C. framed structure shall not be less than 230 mm wide. The size of the columns shall also not be governed as per the applicable I.S. codes.
- 37 All the cantilevers (Projections) shall not be designed for five times the load as per IS Code 1993-2002 including the columns projecting beyond the terrace and carrying the overhead water storage tank, etc.

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- 38 In R.C.C. framed structures, the external walls shall not be less than 230 mm if in brick masonry or 150 mm. autoclaved cellular concrete block excluding plaster thickness as circulated under No. CE/PD/11945/I of 2.2.2006.
- 39 That the registered Private Pest Control Agency for providing anti larval treatment at the construction site shall not be appointed.
- 40 That all the conditions of E.E.(T.& C.) N.O.C. or Parking consultant shall not be complied before plinth C.C.
- 41 That the services of Safety Officer to take care of all safeties during construction on site and around shall not be hired.
- 42 That the Third party insurance shall not be submitted.
- 43 That the NOC form CRZ shall not be submitted before plinth C.C.
- 44 That all the conditions & directions specified in the order of Hon. Supreme Court dated 15.03.2018 in Dumping Ground case will not be complied with before starting of demolition of existing structures and /or starting any construction work.
- 45 That adequate safeguards are not employed in consultation with S.W.M. Dept. of MCGM for preventing dispersal of particles through air and the construction debris generated shall not be deposited in specific sites inspected and approved by MCGM.
- 46 That the debris shall not be managed in accordance with the provisions of Construction & Demolition Waste Management Rules 2016.
- 47 That the basement will not comply with the Basement Rules and Regulation and Registered Undertaking for not misusing the basement will not be submitted before C.C.
- 48 That the feasibility of providing the basement from Geologist on the plot under reference shall not be submitted.
- 49 That the NOC /remarks from M&E consultant regarding living room depth more than 7.50 mt. shall not be submitted.
- 50 That the Private Doctor shall not appointed for treatment of labour/ staff.
- 51 That the NOC to CC from MHADA Department shall not be submitted.
- 52 That the NOC / clearance from M.B.R.& R. Board for splitting of surplus area surrendered to MHADA will be submitted before asking further C.C.
- 53 That the requirement of STP area at basement shall not be certified from concerned user department of BMC
- 54 That the revised CFO NOC shall not be submitted before asking Plinth CC

C: CONDITIONS TO BE COMPLIED BEFORE FURTHER C.C

- 1 That the plinth dimensions shall not be got checked from this office before asking for further C.C. beyond plinth.
- 2 That the Structural stability certificate through Regd. Structural Engineer regarding stability of constructed plinth shall not be submitted before asking for C.C. beyond plinth.

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No. P-9326/2021/(740)/G/South/WORLI/IOD/1/New Dated- 23 August 2023

- 3 That the material testing report shall not be submitted.
- 4 That the additional development cess shall not be paid before further C.C.
- 5 That all the structural members below the ground shall be designed considering the effect of chlorinated water, sulphur water, seepage water, etc. and any other possible chemical effect and due care while constructing the same will be taken and completion certificate to that effect shall not be submitted before granting further C.C. beyond plinth.
- 6 That the amended Remarks of concerned authorities / empaneled consultants for the approved plan, if differing from the plans submitted for remarks, shall not be submitted for: (a) S.W.D. (b) Parking (c) Sewerage (d) Water Works (e) CFO (f) Hydraulic Engineer (h) PCO.
- 7 That the yearly progress report of the work will not be submitted by the Architect.
- 8 That every year before onset of the monsoon / revalidation of C.C., structural stability certificate of the work executed on site shall not be submitted by the appointed Registered Structural Engineer / Consultant, appointed by owner / occupier / society.
- 9 That the NOC to further C.C. from MHADA Department shall not be submitted.
- 10 That the NOC to further C.C. from A.C. Estates Department shall not be submitted.

D: GENERAL CONDITIONS TO BE COMPLIED BEFORE O.C

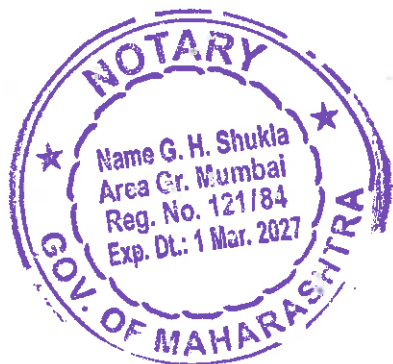
- 1 That some of the drains will not be laid internally with C.I. Pipes.
- 2 That the dust-bin will not be provided and the vermiculture bins for the disposal of wet waste as per design and specifications of organization or companies specialized in this field as per list furnished by Solid waste Management of M.C.G.M. shall not be provided. The necessary condition in the Sale Agreement to the effect shall not be incorporated by the Owner / Developer.
- 3 That the surface drainage arrangement will not be made in consultation with E.E.(SWD) or as per his remarks and a completion certificate will not be obtained and submitted before applying for occupation certificate/B.C.C.
- 4 That the surrounding open spaces, parking spaces and terrace will not be kept open and un-built upon and will not be leveled and developed before requesting to grant permission to occupy the building or submitting the B.C.C. whichever is earlier.
- 5 That the name plate/Board showing Plot No., name of the building etc. will not be displayed at a prominent place.
- 6 That carriage entrance shall not be provided as per design of registered structural engineer and carriage entrance fee shall not be paid and completion certificate shall not be obtained.
- 7 That the parking spaces shall not be provided as per DCPR 2034.
- 8 That I.O.D. and debris deposit etc. will not be claimed for refund within a period of 6 years from the date of its payment.
- 9 That the N.O.C. from Inspector of Lifts, P.W.D., Maharashtra, will not be obtained and submitted to this office.
- 10 That the Drainage completion certificate from (S.P.)(P&D)City will not be submitted.
- 11 That the Drainage completion Certificate from Licensed Plumber for House drain will not be submitted.



No. P-9326/2021/(740)/G/South/WORLI/IOD/1/New Dated- 23 August 2023

- 12 That every part of the building construction and more particularly overhead tank will not be provided as with the proper access for the staff of Insecticide Officer with a provision of temporary but safe and stable ladder etc.
- 13 That final N.O.C. to O.C. from MHADA / C.F.O. / Estate / Tree Authority shall not be submitted before asking for occupation permission.
- 14 That the compliance of N.O.C. from H.E will not be made and certificate to that effect will not be submitted.
- 15 That the additional development cess shall not be paid before O.C.
- 16 That the following documents shall not be compiled, preserved and handed over to the end user / prospective society within a period of 30 days in case of redevelopment of properties and in other cases, the same should be handed over within a period of 90 days after granting occupation certificate by M.C.G.M. a) Ownership documents; b) Copies of I.O.D., C.C., subsequent amendments, O.C.C., B.C.C. and corresponding canvass mounted plans. C) Copies of soil investigation reports. D) R.C.C. details and canvass mounted structural drawings. E) Structural Stability Certificate from Licensed Structural Engineer. F) Structural Audit Reports. G) All details of repairs carried out in the buildings. H) Supervision certificate issued by the Licensed Site Supervisor. I) Building Completion Certificate issued by Licensed Surveyor/ Architect. J) NOC and completion certificate issued by the C.F.O. k) Fire safety audit carried out as per the requirement of C.F.O.
- 17 That the certified copy of sale agreement incorporating the following conditions shall not be submitted to this office. 1) That the prospective society / end user shall not preserve and maintain the documents / plans received from Owner / Developer / Architect and subsequently carry out necessary repairs / structural audit/ fire audit at regular interval and also present periodical structural audit reports and repair history, similarly to check and to carry out fire safety audit time to time as per requirement of C.F.O. through the authorized agency of M.C.G.M.
- 18 The registered undertaking and indemnity bond shall not be submitted stating that the conditions mentioned at Sr.No.17 will be incorporated in the sale agreement and the same will be informed to the prospective society/ end user.
- 19 That 3.00 mt. wide paved pathway upto staircase will not be provided.
- 20 That final N.O.C. from concerned authorities / empanelled consultants for:- a) S.W.D. b) Parking c) Sewerage d) Water Works e) CFO / Fire Fighting Provisions f) Tree authority g) Hydraulic Engineer h) MHADA shall not be submitted before occupation.
- 21 That Structural Engineer's final Stability Certificate, including U.G tank along with upto date License copy and R.C.C. design plan shall not be submitted.
- 22 That Notice of Completion of work u/sec. 353 A of M.M.C. Act for work completed on site shall not be submitted.
- 23 That the Tax Clearance certificate from 'A.A & C "GS" Ward shall not be submitted.
- 24 That the work completion certificate from site supervisor / Architect / Structural Engineer / Licensed Plumber shall not be submitted.
- 25 That certificate under Sec. 270A of B.M.C. Act will not be obtained from H.E.'s Department regarding adequacy of water supply.

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A handwritten signature in blue ink, appearing to be 'G. H. Shukla'.

No. P-9326/2021/(740)/G/South/WORLI/IOD/1/New Dated- 23 August 2023

- () That proper gutters and down pipes are not intended to be put to prevent water dropping from the leaves of the roof on the public street.
 () That the drainage work generally is not intended to be executed in accordance with the Municipal requirements.

Subject to your so modifying your intention as to obviate the before mentioned objections and meet by requirements, but not otherwise you will be at liberty to proceed with the said building or work at anytime before the 22 August day of 2024 but not so as to contrivance any of the provision of the said Act, as amended as aforesaid or any rule, regulations or bye-law made under that Act at the time in force.

Your attention is drawn to the Special Instructions and Note accompanying this Intimation of Disapproval.

**Executive Engineer, Building Proposals,
Zone, Wards.**

SPECIAL INSTRUCTIONS

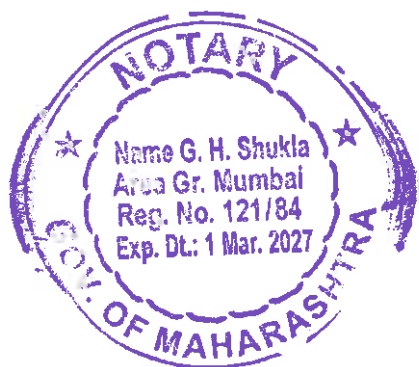
1. **THIS INTIMATION GIVES NO RIGHT TO BUILD UPON GROUND WHICH IS NOT YOUR PROPERTY.**
2. Under Section 68 of the Bombay Municipal Corporation Act, as amended, the Municipal Commissioner for Greater Mumbai has empowered the City Engineer to exercise, perform and discharge the powers, duties and functions conferred and imposed upon and vested in the Commissioner by Section 346 of the said Act.
3. Under Byelaw, No. 8 of the Commissioner has fixed the following levels :-
 "Every person who shall erect as new domestic building shall cause the same to be built so that every part of the plinth shall be-
 a) Not less than, 2 feet (60 cms.) above the center of the adjoining street at the nearest point at which the drain from such building can be connected with the sewer than existing or thereafter to be- laid in such street
 b) Not less than 2 feet (60 cms.) Above every portion of the ground within 5 feet (160 cms.)-of such building.
 c) Not less than 92 ft. ([TownHall]) above Town Hall Datum.
4. Your attention is invited to the provision of Section 152 of the Act whereby the person liable to pay property taxes is required to give notice of erection of a new building or occupation of building which has been vacant, to the Commissioner, within fifteen days of the completion or of the occupation whichever first occurs. Thus compliance with this provision is punishable under Section 471 of the Act irrespective of the fact that the valuation of the premises will be liable to be revised under Section 167 of the Act, from the earliest possible date in the current year in which the completion on occupation is detected by the Assessor and Collector's Department.
5. Your attention is further drawn to the provision of Section 353-A about the necessary of submitting occupation certificate with a view to enable the Municipal Commissioner for Greater Mumbai to inspect your premises and to grant a permission before occupation and to levy penalty for non-compliance under Section 471 if necessary.
6. Proposed date of commencement of work should be communicated as per requirements of Section 347 (1) (aa) of the Bombay Municipal Corporation Act.
7. One more copy of the block plan should be submitted for the Collector, Mumbai Suburbs District.



No. P-9326/2021/(740)/G/South/WORLI/IOD/1/New Dated- 23 August
2023

8. Necessary permission for Non-agricultural use of the land shall be obtained from the Collector Mumbai Suburban District before the work is started. The Non-agricultural assessment shall be paid at the site that may be fixed by the Collector, under the Land Revenue Code and Rules there under.

Attention is drawn to the notes Accompanying this Intimation of Disapproval.



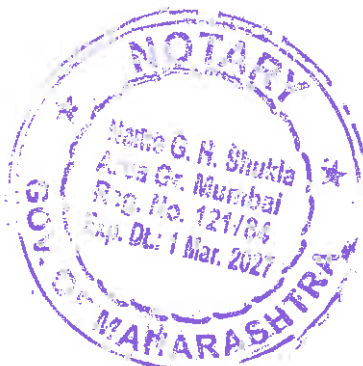
No. P-9326/2021/(740)/G/South/WORLI/IOD/1/New Dated- 23 August 2023

No. EB/CE/ /BS /A/

NOTES

- 1) The work should not be started unless objections are complied with
- 2) A certified set of latest approved plans shall be displayed on site at the time of commencement the work and during the progress of the construction work.
- 3) Temporary permission on payment of deposit should be obtained any shed to house and store for construction purpose, Residence of workmen shall not be allowed on site. The temporary structures for storing constructional material shall be demolished before submission of building completion certificate and certificate signed by Architect submitted along with the building completion certificate.
- 4) Temporary sanitary accommodation on full flushing system with necessary drainage arrangement should be provided on site workers, before starting the work.
- 5) Water connection for constructional purpose will not be given until the hoarding is constructed and application made to the Ward Officer with the required deposit for the construction of carriage entrance, over the road side drain.
- 6) The owners shall intimate the Hydraulic Engineer or his representative in Wards atleast 15 days prior to the date of which the proposed construction work is taken in hand that the water existing in the compound will be utilised for their construction works and they will not use any Municipal Water for construction purposes. Failing this, it will be presume that Municipal tap water has been consumed on the construction works and bills preferred against them accordingly.
- 7) The hoarding or screen wall for supporting the depots of building materials shall be constructed before starting any work even though no materials may be expected to be stabled in front of the property. The scaffoldings, bricks metal, sand preps debris, etc. should not be deposited over footpaths or public street by the owner/ architect /their contractors, etc without obtaining prior permission from the Ward Officer of the area.
- 8) The work should not be started unless the manner in obviating all the objection is approved by this department.
- 9) No work should be started unless the structural design is approved.
- 10) The work above plinth should not be started before the same is shown to this office Sub-Engineer concerned and acknowledgement obtained from him regarding correctness of the open spaces & dimension.
- 11) The application for sewer street connections, if necessary, should be made simultaneously with commencement of the work as the Municipal Corporation will require time to consider alternative site to

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avoid the excavation of the road an footpath.

- 12) All the terms and condition of the approved layout /sub-division under No. of should be adhered to and complied with.
- 13) No Building /Drainage Completion Certificate will be accepted non water connection granted (except for the construction purpose) unless road is constructed to the satisfaction of the Municipal Commissioner as per the provision of Section 345 of the Bombay Municipal Corporation Act and as per the terms and conditions for sanction to the layout.
- 14) Recreation ground or amenity open space should be developed before submission of Building Completion Certificate.
- 15) The access road to the full width shall be constructed in water bound macadam before commencing work and should be complete to the satisfaction of Municipal Commissioner including asphaltting lighting and drainage before submission of the Building Completion Certificate.
- 16) Flow of water through adjoining holding or culvert, if any should be maintained unobstructed.
- 17) The surrounding open spaces around the building should be consolidated in Concrete having broke glass pieces at the rate of 12.5 cubic meters per 10 sq. meters below payment.
- 18) The compound wall or fencing should be constructed clear of the road widening line with foundation below level of bottom of road side drain without obstructing flow of rain water from adjoining holding before starting the work to prove the owner's holding.
- 19) No work should be started unless the existing structures proposed to be demolished are demolished.
- 20) The Intimation of Disapproval is given exclusively for the purpose of enabling you to proceeds further with the arrangements of obtaining No Objection Certificate from the Housing Commissioner under Section 13 (h) (H) of the Rent Act and in the event f your proceeding with the work either without an intimation about commencing the work under Section 347(1) (aa) or your starting the work without removing the structures proposed to be removed the act shall be taken as a severe breach of the conditions under which this Intimation of Disapproval is issued and the sanctioned will be revoked and the commencement certificate granted under Section 45 of the Maharashtra Regional and Town Planning Act 1966, (12 of the Town Planning Act), will be with drawn.
- 21) If it is proposed to demolish the existing structures be negotiations with the tenant, under the circumstances, the work as per approved plans should not be taken up in hand unless the City Engineer is satisfied with the following:-
 - i. Specific plans in respect of evicting or rehousing the existing tenants on hour stating their number and the areas in occupation of each.
 - ii. Specifically signed agreement between you and the existing tenants that they are willing to avail or the alternative accommodation in the proposed structure at standard rent.
 - iii. Plans showing the phased programme of constructions has to be duly approved by this office before

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starting the work so as not to contravene at any stage of construction, the Development control Rules regarding open spaces, light and ventilation of existing structure.

- 22) In case of extension to existing building, blocking of existing windows of rooms deriving light and its from other sides should be done first starting the work.
- 23) In case of additional floor no work should be start or during monsoon which will same arise water leakage and consequent nuisance to the tenants staying on the floor below.
- 24) The bottom of the over head storage work above the finished level of the terrace shall not be less than 1.20 Mt. and not more than 1.80 mt.
- 25) The work should not be started above first floor level unless the No Objection Certificate from the Civil Aviation Authorities, where necessary is obtained.
- 26) It is to be understood that the foundations must be excavated down to hard soil.
- 27) The positions of the nahanis and other appurtenances in the building should be so arranged as not to necessitate the laying of drains inside the building.
- 28) The water arrangement nut be carried out in strict accordance with the Municipal requirements.
- 29) No new well, tank, pond, cistern or fountain shall be dug or constructed without the previous permission in writing of the Municipal Commissioner for Greater Mumbai, as required in Section 381-A of the Municipal Corporation Act.
- 30) All gully traps and open channel drains shall be provided with right fitting mosquito proof made of wrought iron plates or hinges. The manholes of all cisterns shall be covered with a properly fitting mosquito proof hinged cast iron cap over in one piece, with locking arrangement provided with a bolt and huge screwed on highly serving the purpose of lock and the warning pipes of the rabbet pretested with screw or dome shape pieces (like a garden mari rose) with copper pipes with perfections each not exceeding 1.5 mm in diameter. The cistern shall be made easily, safely and permanently accessible be providing a firmly fixed iron ladder, the upper ends of the ladder should be earmarked and extended 40 cms above the top where they are to be fixed as its lower ends in cement concrete blocks.
- 31) No broken bottles should be fixed over boundary walls. This prohibition refers only to broken bottles to not to the use of plane glass for coping over compound wall.
- 32) a Louvres should be provided as required by Bye0law No. 5 (b)
b Lintels or Arches should be provided over Door and Windows opening
c The drains should be laid as require under Section 234-1(a)
d The inspection chamber should be plastered inside and outside.
- 33) If the proposed additional is intended to be carried out on old foundations and structures, you will do so as your own risk.



No. P-9326/2021/(740)/G/South/WORLI/IOD/1/New Dated- 23 August 2023

Executive Engineer, Building Proposals
Zones wards.

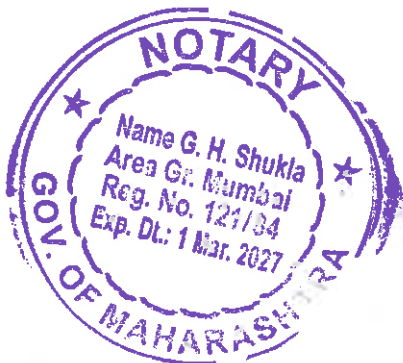
P-9326/2021/(740)/G/South/WORLI/IOD/1/New

Copy To :- 1. SUNIL GAJANAN AMBRE
303, MITTAL AVENUE, 110, N.M.ROAD, FORT, MUMBAI - 400 001.

2. Asst. Commissioner G/South.
3. A.E.W.W. G/South,
4. Dy.A & C. City
5. Chief Officer, M.B.R. & R. Board G/South .
6. Designated Officer, Asstt. Engg. (B. & F.) G/South ,
7. The Collector of Mumbai



Digitally signed by GAJESH A W/RNE
Date: 23 Aug 2023 18:23:24
Organization: Brihanmumbai Municipal Corporation
Designation: Executive Engineer



C - 3



BRIHANMUMBAI MUNICIPAL CORPORATION

FORM 'A'

MAHARASHTRA REGIONAL AND TOWN PLANNING ACT, 1966

No P-9326/2021/(740)/G/South/WORLI/CC/1/New

COMMENCEMENT CERTIFICATE



To,
Yogesh Mathradas Kothari
57, Sea View, Worli Sea Face, Mumbai 400030

Sir,
With reference to your application No. **P-9326/2021/(740)/G/South/WORLI/CC/1/New** Dated. **10 Nov 2021** for Development Permission and grant of Commencement Certificate under Section 44 & 69 of the Maharashtra Regional and Town Planning Act, 1966, to carry out development and building permission under Section 346 no 337 (New) dated **10 Nov 2021** of the Mumbai Municipal Corporation Act 1888 to erect a building in Building development work of on plot No. **740** C.T.S.No. **740** Division / Village / Town Planning Scheme No. **2045** situated at **Khan Abdul Gaffar Khan Road Road / Street in G/South Ward** .

The Commencement Certificate / Building Permit is granted on the following conditions:--

1. The land vacated on consequence of the endorsement of the setback line/ road widening line shall form part of the public street.
2. That no new building or part thereof shall be occupied or allowed to be occupied or used or permitted to be used by any person until occupancy permission has been granted.
3. The Commencement Certificate/Development permission shall remain valid for one year commencing from the date of its issue.
4. This permission does not entitle you to develop land which does not vest in you.
5. This Commencement Certificate is renewable every year but such extended period shall be in no case exceed three years provided further that such lapse shall not bar any subsequent application for fresh permission under section 44 of the Maharashtra Regional and Town Planning Act, 1966.
6. This Certificate is liable to be revoked by the Municipal Commissioner for Greater Mumbai if :-
 - a. The Development work in respect of which permission is granted under this certificate is not carried out or the use thereof is not in accordance with the sanctioned plans.
 - b. Any of the conditions subject to which the same is granted or any of the restrictions imposed by the Municipal Commissioner for Greater Mumbai is contravened or not complied with.
 - c. The Municipal Commissioner of Greater Mumbai is satisfied that the same is obtained by the applicant through fraud or misrepresentation and the applicant and every person deriving title through or under him in such an event shall be deemed to have carried out the development work in contravention of Section 43 or 45 of the Maharashtra Regional and Town Planning Act, 1966.
7. The conditions of this certificate shall be binding not only on the applicant but on his heirs, executors, assignees, administrators and successors and every person deriving title through or under him.

The Municipal Commissioner has appointed Shri. **Exe.Eng.(BP)City-I** Executive Engineer to exercise his powers and functions of the Planning Authority under Section 45 of the said Act.

This CC is valid upto 15/4/2025



Issue On : 16 Apr 2024

Valid Upto : 15 Apr 2025

Application Number : P-9326/2021/(740)/G/South/WORLI/CC/1/New

Remark :

This CC is issued up to plinth level including single level basement as per IOD dated 23.08.2023.

 Digitally signed by GANESH A H/RNE
Date: 16 Apr 2024 21:18:31
Organization : Brihanmumbai Municipal Corporation
Esignation : Executive Engineer

For and on behalf of Local Authority
Brihanmumbai Municipal Corporation

Executive Engineer . Building Proposal

City G/South Ward

- Cc to :
- 1. Architect.
 - 2. Collector Mumbai Suburban /Mumbai District



EXHIBIT - B

MAHARASHTRA COASTAL ZONE MANAGEMENT AUTHORITY

Tel. No. : 2202 9388
 E-mail : dir1.mev-mh@nic.in
 Website: <https://mczma.gov.in/>

No. CRZ2023/CR215/TC4
 Office of the -
 Maharashtra Coastal Zone Management
 Authority, Environment & Climate Change
 Department, 15th Floor, New Administrative
 Building, Mantralaya, Mumbai- 400 032
 Date: 20th November, 2023

To,
 Mr. Yogesh Mathradas Kothari,
 Alkyl Amines Chemicals Ltd.,
 207 A, Kakad Chambers, 132,
 Dr. Annie Besant Road, Worli,
 Mumbai - 18

Subject: Proposed redevelopment of property known as 'Sea View' on plot bearing CS no. 740 of Worli Division, situated at Khan Abdul Gaffar Khan Road, Worli, Mumbai by Mr. Yogesh Mathradas Kothari

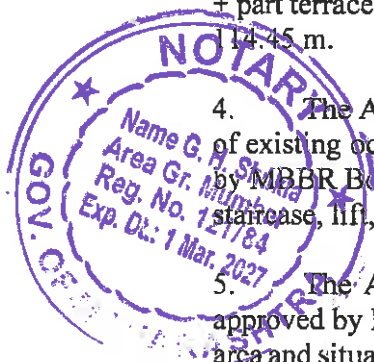
The Maharashtra Coastal Zone Management Authority in its 170th meeting held on 02nd November, 2023 deliberated the proposal of redevelopment of property known as 'Sea View' on plot bearing CS no. 740 of Worli Division, situated at Khan Abdul Gaffar Khan Road, Worli, Mumbai.

2. The Authority noted that the proposal is for redevelopment of property known as "Sea view" on plot bearing CS No. 740 of Worli Division, situated at Khan Abdul Gaffar Khan Road, Worli, Mumbai. As per remarks dated 10.7.2023 of the MCGM, existing building is cessed building and has received MHADA NoC issued by MBBR board. As per the existing plans, building comprising of Ground + 1st to 2nd (pt) upper residential floors. Redevelopment is proposed by demolishing existing building and proposing a new non composite building with rehabilitation of existing tenements, sale tenements and MHADA surplus area in the same building.

3. The Authority noted that the proposed residential building comprising of single level basement + Part ground floor for double height entrance lobby and part stilt + G-1 level + 1st to 6th podium floor for parking spaces + 6A service floor + 7th floor for fitness centre & refuge area and MHADA surplus area + 8th floor residential area + 8A service floor + 9th to 10th duplex flat + 10A service floor + 11th to 13th triplex flat + 13A service floor + 14th residential use + 14A service floor + 15th to 16th floor for residential duplex flat + 16A service floor + 17th to 19th Triplex flat + 19A service floor + 20th to 22nd Residential triplex flat + 22A service floor + part terrace lawn fill and part swimming pool open to sky + Fitness centre (pt) with height of 14.45 m.

4. The Authority noted that the proposal is for FSI 3.00 or FSI required for rehabilitation of existing occupants + 75% incentive FSI whichever is more based on MHADA NoC issued by MBBR Board dated 26.10.2021 + Fungible compensatory FSI as per reg 31 (3) by claiming staircase, lift, lift lobby area free of FSI as per DCPR 2034.

5. The Authority noted that the concessions required for proposed redevelopment are approved by Hon. MC, MCGM on 25.4.2023. As per MCGM remarks, the plot falls in CRZ II area and situated on landward side of existing Khan Abdul Gaffar Khan road. The plot is situated in Residential Zone and not reserved for public purpose as per DP remarks of 2034. As per MCGM remarks, proposal is for FSI 3.00 or FSI required for rehabilitation of existing



occupants + 75% incentive FSI whichever is more based on MHADA NoC issued by MBBR Board dated 26.10.2021 + Fungible compensatory FSI as per reg 31 (3) by claiming staircase, lift, lift lobby area free of FSI as per DCPR 2034. Plot area is 1677.27 Sqm (As per PR card), BUA proposed (FSI) is 6736.02 Sqm, Non FSI area is 13056.87 Sqm and Total Construction area is 19792.89 Sqm

6. The Authority noted that as per para 5.2 (ii) and (iii) of the CRZ Notification, 2019, *"Reconstruction of authorized buildings shall be permitted, without change in present land use, subject to the local town and country planning regulations as applicable from time to time, and the norms for the Floor Space Index or Floor Area Ratio, prevailing as on the date of publication of this notification...."*

7. The Authority noted that proposed reconstruction of building in CRZ II area is permissible subject to FSI as per Town and Country planning regulations existed as on date of the CRZ Notification, 2019 i.e. 18th January, 2019. MCGM should strictly ensure that the proposed construction is within the limit of permissible FSI as per DCR existed as on 18th January, 2019.

8. After deliberation, the Authority decided to recommend the proposal from CRZ point of view under CRZ Notification, 2019 to concerned planning Authority subject to compliance of following conditions:

Specific Conditions:

- i. Proposed reconstruction should be in accordance with provision of the CRZ Notification, 2019.
- ii. MCGM should strictly ensure that the proposed redevelopment is within the limit of permissible FSI as per Town and Country planning regulations existed as on 18th January, 2019 before issuing commencement certificate to the project.
- iii. Debris generated during the project activity should not be dumped in CRZ area. It should be processed scientifically at a designated place as per MSW Rules, 2016.
- iv. Solid waste generated should be properly collected and segregated. Dry/ inert solid waste should be disposed of to the approved site for land filling after recovering recyclable materials.
- v. Safe disposal of the wastewater should be ensured.
- vi. All other required permission from different statutory authorities including Fire NOC, Civil Aviation NOC or CCZM Certificate should be obtained before starting construction at the site shall be ensured by Urban Local Body.

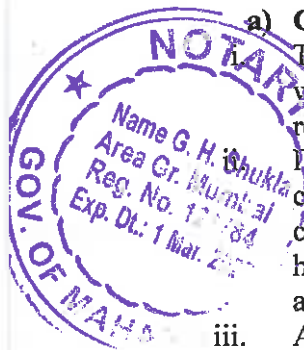
General Conditions:

a) Construction Phase:

The solid waste generated should be properly collected and segregated. Dry/inert solid waste should be disposed of to the approved sites for land filling after recovering recyclable material.

Disposal of muck, Construction spoils, including bituminous material during construction phase should not create any adverse effect on the neighbouring communities and be disposed taking the necessary precautions for general safety and health aspects of people, only in the approved sites with the approval of competent authority.

- iii. Any hazardous waste generated during construction phase should be disposed of as per applicable rules and norms with necessary approvals of the Maharashtra Pollution Control Board.
- iv. Adequate drinking water and sanitary facilities should be provided for construction workers at the site. Provision should be made for mobile toilets. The safe disposal of wastewater and solid wastes generated during the construction phase should be



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ensured.

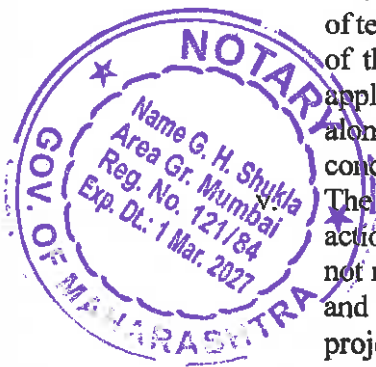
- v. Arrangement shall be made that waste water and storm water do not get mixed.
- vi. Water demand during construction should be reduced by use of pre-mixed concrete, curing agents and other best practices.
- vii. Fixtures for showers, toilet flushing and drinking should be of low flow either by use of aerators or pressure reducing devices or sensor-based control.
- viii. The Energy Conservation Building code shall be strictly adhered to.
- ix. PP to strictly adhere to all the conditions mentioned in Maharashtra (Urban Areas) Protection and Preservation of Trees Act, 1975 as amended during the validity of Environment Clearance.
- x. The diesel generator sets to be used during construction phase should be low sulphur diesel type and should conform to Environments (Protection) Rules prescribed for air and noise emission standards.
- xi. Ambient noise levels should conform to residential standards both during day and night. Incremental pollution loads on the ambient air and noise quality should be closely monitored during construction phase. Adequate measures should be made to reduce ambient air and noise level during construction phase, so as to conform to the stipulated standards by CPCB/MPCB.
- xii. Diesel power generating sets proposed as source of backup power for elevators and common area illumination during construction phase should be of enclosed type and conform to rules made under the Environment (Protection) Act, 1986. The height of stack of DG sets should be equal to the height needed for the combined capacity of all proposed DG sets. Use low sulphur diesel is preferred. The location of the DG sets may be decided with in consultation with Maharashtra Pollution Control Board.
- xiii. Regular supervision of the above and other measures for monitoring should be in place all through the construction phase, so as to avoid disturbance to the surroundings by a separate environment cell /designated person.

b) Operation Phase:

- i. Traffic congestion near the entry and exit points from the roads adjoining the proposed project site must be avoided. Parking should be fully internalized and no public space should be utilized.

c) General MCZMA Conditions:

- i. In case of any change in project profile, the project would require fresh appraisal by the MCZMA.
 - ii. The MCZMA or any other competent authority, concerned planning authority may stipulate any additional conditions subsequently, if deemed necessary.
 - iii. PP to submit an indemnity bond indemnifying the MCZMA from any legal consequences.
 - iv. The clearance accorded to the project under CRZ notification shall be valid for a period of ten years from the date of issue of such clearance: Provided that the period of validity of the CRZ clearance may be extended by a maximum period of one year, if an applicable is made by the applicant within the period of validity of the CRZ Clearance along with the recommendations of the Coastal Zone Management Authority concerned.
- The recommendation from CRZ point of view is being issued without prejudice to the action initiated under EP Act or any court case pending in the court of law and it does not mean that project proponent has not violated any environmental laws in the past and whatever decision under EP Act or of the Hon'ble court will be binding on the project proponent. Hence this recommendation does not give immunity to the project proponent in the case filed against him, if any or action initiated under EP Act.
- vi. PP has to strictly abide by the conditions stipulated by the MCZMA.
 - vii. Under the provisions of Environment (Protection) Act, 1986, legal action shall be initiated against the project proponent if it was found that construction of the project has been started without obtaining MCZMA clearance.



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- viii. No further Expansion or modifications, other than mentioned in the CRZ Notification, 2011 / 2019 and its amendments, shall be carried out without prior approval of the MCZMA. In case of deviations or alterations in the project proposal from those submitted to MCZMA for clearance, a fresh reference shall be made to the MCZMA as applicable to assess the adequacy of conditions imposed and to add additional environmental protection measures required, if any.
- ix. This MCZMA clearance is issued subject to obtaining NOC from Forestry & Wild life angle including clearance from the standing committee of the National Board for Wild life as if applicable & this MCZMA clearance does not necessarily implies that Forestry & Wild life clearance granted to the project which will be considered separately on merit.
- x. MCZMA reserves the right to cancel / revoke CRZ permission in case of any violation of CRZ Notification, 2011 /2019 issued by the MoEF&CC, New Delhi amended from time to time without prejudice to any liability on MCZMA.
- xi. The MCZMA clearance is being issued without prejudice to the action initiated under EP Act or any court case pending in the court of law and it does not mean that project proponent has not violated any environmental laws in the past and whatever decision under EP Act or of the Hon'ble court will be binding on the project proponent in the case filed against him, if any or action initiated under EP Act.
- xii. This MCZMA Clearance is issued purely from an CRZ point of view without prejudice to any court cases and all other applicable permissions / NoCs.
- xiii. In case of submission of false document and non-compliance of stipulated conditions, MCZMA will revoke or suspend the MCZMA Clearance without any intimation and initiate appropriate legal action under Environment Protection Act, 1986.
- xiv. The above stipulations would be enforced among others under the Water (Prevention and Control of Pollution) Act, 1974, the Air (Prevention & Control of Pollution) Act, 1981, the Environment (protection) Act, 1986 and rules there under, hazardous Wastes (Management and Handling) Rules, 1989 and its amendments, the public liability Insurance Act, 1991 and its amendments.
- xv. Any appeal against this MCZMA clearance shall lie with the National Green Tribunal (Western Zone Bench, Pune) New Administrative building, 1st floor, D wind, Opposite Council Hall, Pune, if prepared, within 30 days as prescribed under section 16 of the National Green Tribunal Act, 2010.
9. Agenda item & minutes of the meeting is available on the website of MCZMA i.e. <http://mczma.gov.in>.


(Abhay Pimparkar)

Director, Environment & MS, MCZMA

Copy for information to:

1. **PS (Environment) & Chairperson, (MCZMA), Environment & CC Department, Room No. 217 (Annex), Mantralaya, Mumbai - 32.**
2. **Director (IA-III), Coastal Zone Regulation, Government of India, Ministry of Environment, Forests & Climate Change, Indira Paryavaran bhavan, Jor Bagh Road, New Delhi - 110 003**
3. **Municipal Commissioner, Municipal Corporation of Greater Mumbai (MCGM), Mahapalika Marg, Fort, Mumbai - 01**
4. **Member Secretary, Maharashtra Pollution Control Board, Kalpataru Point, 3rd and 4th floor, Road No. 8, Sion Cir, opp. PVR Theater, Mumbai - 22**
5. **District Collector, Mumbai City, Old Custom House, Shahid Bhagat Singh Marg, Fort, Mumbai - 01**
6. **Select File-TC 4**

