

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
SITTING AT PUNE
MEMORANDUM OF APPEAL
(UNDER SECTION 16 READ WITH SECTION 18 OF THE
NATIONAL GREEN TRIBUNAL ACT, 2010)
APPEAL NO. 21 OF 2023

BETWEEN:

Santosh Daundkar

...Appellant

Versus

The Secretary, MoEF & Ors.

...Respondents

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**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
SITTING AT PUNE**

MEMORANDUM OF APPEAL

**(UNDER SECTION 16 READ WITH SECTION 18 OF THE
NATIONAL GREEN TRIBUNAL ACT, 2010)**

APPEAL NO. 21 OF 2023

BETWEEN:

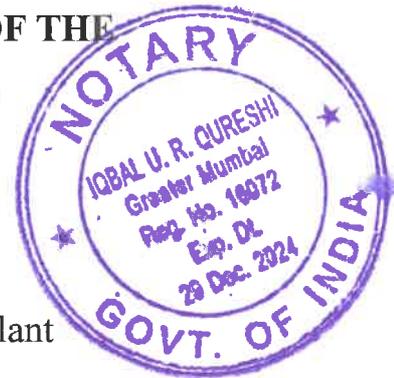
Santosh Daundkar

...Appellant

Versus

The Secretary, MoEF & Ors.

...Respondents



**AFFIDAVIT-IN-REPLY TO THE CAPTIONED APPEAL ON BEHALF
OF SAFAL DEVELOPERS PRIVATE LIMITED/RESPONDENT NO. 9:**

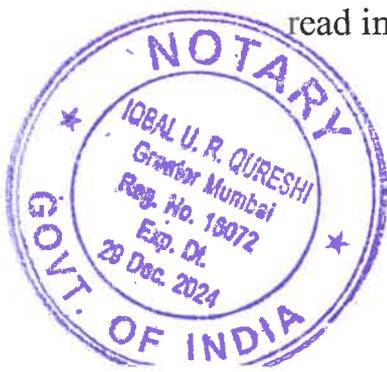
I, Shri Vijay More, aged 42 years, Indian Inhabitant, the Authorised Signatory of Respondent No. 9, having my office address at 402, 54B, Sagar Avenue, Above ICICI Bank, S.V. Road, Andheri (W), Mumbai:- 400058, do solemnly state on oath and affirm as under:-

1. I am the Authorised Signatory of Respondent No. 9 having my address as mentioned above. I have gone through the captioned Appeal and the documents filed along with the captioned Appeal by the Appellant. I am familiar with the facts of the case from

personal knowledge as well as from office records available with Respondent No. 9 and am competent to depose to the facts in this Affidavit-in-Reply (the “**Reply**”).

2. I am filing the Reply for the purpose of opposing the Appeal and also opposing the grant of any relief(s) as prayed for by the Appellant against this Respondent No. 9. I crave leave of this Hon’ble Tribunal to file a further affidavit(s), if circumstances so warrant.

3. At the outset, I deny all allegations, contentions, and submissions made in the Appeal, which are contrary to or inconsistent with what is stated in the Reply. Further, I oppose the reliefs prayed for in the Appeal against the Respondent No. 9. None of the allegations, contentions, or submissions in the Appeal which have not been specifically dealt with or denied by me, should be deemed to be admitted for want of specific traverse. Each ground, contention, averment, and/or pleading which is being taken by this Respondent are without prejudice to each other and are to be read independently of each other.

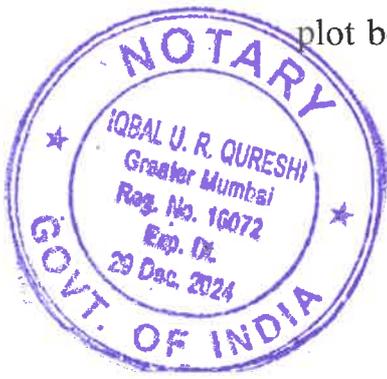


4. Respondent No. 9 has previously filed an Affidavit in Reply dated 10th July 2023, *inter alia*, raising the following preliminary issues regarding the maintainability of the present Appeal:
- a) Allegations qua alleged violations of Development Control Regulations do not come under the purview of the National Green Tribunal (“NGT”);
 - b) Plurality of Remedies;
 - c) No locus standi to file the captioned Appeal; and
 - d) The challenge to the statutory powers of authorities under Section 5 of the Environment Protection Act, 1956.
5. Respondent No. 9 has also filed an Additional Affidavit dated 25th July 2023 bringing on record additional facts germane to the present matter. Respondent No. 9 adopts the stand taken in the Reply without prejudice to the contentions raised in the Affidavit-In-Reply dated 10th July 2023 and Additional Affidavit dated 25th July 2023. However, the issues of maintainability raised in the Affidavit-In-Reply dated 10th July 2023 have not been reproduced for want of repetition, and for the sake of brevity. The Affidavit-In-Reply and Additional Affidavit dated 10th July 2023 and 25th July 2023, respectively, may be read as



part and parcel of the present Reply. In light of the aforesaid, Respondent No. 9 submits that this Hon'ble Tribunal ought to decide the issue of maintainability and dismiss the captioned Appeal at the threshold without going into the merits of the memo of Appeal, as the same is not maintainable as per the extant applicable law.

6. Without prejudice to the aforesaid preliminary objections, Respondent No. 9 prefers the present Reply to address issues that have been raised in the captioned Appeal on merits and to place the correct facts on record.
7. Respondent No. 9 states that on reading the captioned Appeal, in its entirety, it is evident that the Appellant, on wrongful and erroneous grounds, is only challenging the Environment Clearance dated 11th April 2023 ("**Impugned EC**") issued to Respondent No. 9 by Respondent No. 3-SEIAA in respect of the then-upcoming construction of the proposed redevelopment of Municipal Property known as Barracks No. T/57, T/58, T/59 on plot bearing C.S. No. 6 (Part) of F/North Ward, Sion Division,



situated at Vishramwadi, Bhaudaji Road, Sion, Mumbai
 (“**Project Land**”)

Redevelopment of the Project Land

8. Project Land is part of a larger plot owned by the Municipal Corporation of Greater Mumbai (“**MCGM**”) admeasuring about 26,541 sq. mtrs. The existing tenants of MCGM on the Project Land, for the purposes of redevelopment of the Project Land, formed a society in the name of Rahat Plaza Co-operative Housing Society Ltd. (Proposed) (“**the Society**”). The Society accommodated 374 Municipal Estate Tenants/Staff quarters of class-III employees and other quarters, occupants including 85 slum hutment dwellers residing on the Project Land.
9. The Society vide Board Resolution dated 7th November 2011 appointed Safal Developer Private Limited i.e. Respondent No. 9 herein as its Developer to redevelop the Project Land (“**Project**”) under Regulation 33(7) of Development Control Regulations, 1991 (“**DCR**”).

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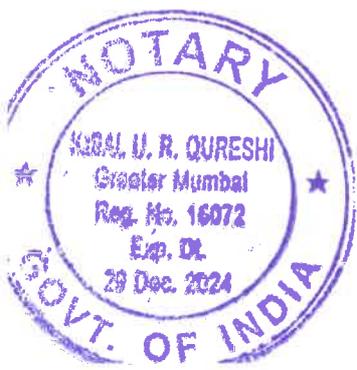
10. Respondent No. 9 is a private limited company involved in the business of Real Estate and has successfully executed several real estate and development projects in the city of Mumbai. As part of its business, Respondent No. 9 took up the redevelopment of Project Land.
11. Thereafter, Society submitted its proposal to the concerned departments and authorities for the redevelopment of Project Land under Regulation 33(7) of DCR (“**said Proposal**”).
12. On 20th August 2014, the said Proposal was placed before the Committee constituted under the Chairmanship of Municipal Commissioner/ Additional Municipal Commissioner which recommended the said Proposal for sanction and thereafter, accorded the approval for the said Project.
13. On 21st August 2015, a Letter of Intent was issued for the said Project by MCGM.
14. On 6th November 2015, MCGM granted development permission to Respondent No.9 subject to handing over 10,531.98 sq. mtrs, of the Project Land as Recreational Ground corresponding to an



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area of 1, 13,398.74 sq. ft., free of cost. The area of 10,531.98 sq. mtrs is 40% of the total area of the Recreational Ground reservation on the Project Land. In pursuance thereof, Respondent No. 9 obtained all permissions for the construction of the said Project as required by law.

15. On 6th March 2017, 8th March 2017, and 10th March 2017, three IODs for the buildings to be constructed on the Project Land, were received by Respondent No.9, thus, confirming the permission for the development of Project Land from MCGM. Hereto annexed and marked as "Exhibit-A-collv" is copies of IODs dated 6th March 2017, 8th March 2017, and 10th March 2017 respectively.
16. On 29th June 2019, a Tripartite Agreement was executed between MCGM, the Society, and Respondent No. 9 to develop the Project Land.
17. Thereafter, Respondent No.9 entered into a joint development agreement with Respondent No. 10 in respect of the said Project. Accordingly, a Joint Development Agreement dated 6th January



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2023 was executed between Respondent Nos. 9 and Respondent No.10.

Grounds for rejection of the Appeal.

A. Environment Clearance obtained in accordance with law

18. Respondent No. 9 submits that in or around the year 2022, it envisaged developing the Project Land. As per the applicable rules and regulations, the Project Land fell under clause 8(b) for Category 'B2' in the Schedule of the Environment Impact Assessment Notification, 2006 ("**EIA Notification**"). which provided for mandatory environment clearance for construction work on the land having a total built-up area of more than 20,000 sq. mtrs.. Thus, Respondent No.9 i.e. the project proponent applied for the grant of an environmental clearance for commencing the redevelopment work on the Project Land ("**EC Application**"). Hereto annexed and marked as "**Exhibit - B**" is a copy of the EC Application.

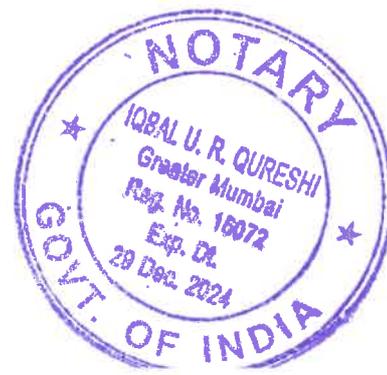
19. The Impugned EC Application was accordingly considered by the State Level Expert Appraisal Committee-II ("**SEAC-II**") i.e., Respondent No. 4 herein, in its 193rd Meeting held on 19th



January 2023. After due deliberation, Respondent No. 4/SEAC-II decided to recommend the said Project to State Level Environment Impact Assessment Authority (“SEIAA”) i.e., Respondent No. 3 herein, for grant of environmental clearance subject to the terms and conditions stated therein. It is pertinent to note that the minutes of the meeting of SEAC-II have categorically noted that no construction was carried out at the Project Land before obtaining the EC. Hereto annexed and marked as “**Exhibit - C**” is a copy of the relevant portion of the 193rd Minutes of Meeting of SEAC-II dated 19th January 2023.

20. On 2nd March 2023, Respondent No. 3 - SEIAA considered the EC Application in its 257th Meeting. After due deliberation, Respondent No. 3 – SEIAA decided to grant the Environment Clearance to Respondent No. 9 for the Project Land subject to terms and conditions stated therein. Hereto annexed and marked as “**Exhibit - D**” is a copy of the relevant portion of the 257th Minutes of Meeting of SEIAA dated 2nd March 2023.

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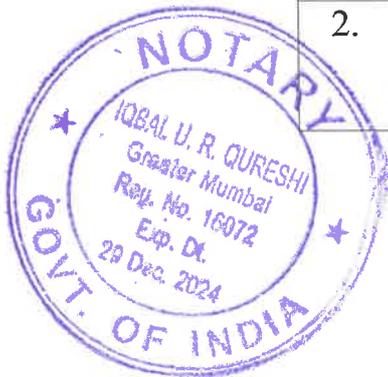


21. Thereafter, on 11th April 2023, Respondent No. 3 – SEIAA issued the impugned EC in favour of the Respondent No. 9 for the said Project (*annexed to the Appeal at Page 64*).
22. Respondent No. 9 submits that it has diligently and scrupulously followed the procedure for grant of the Impugned EC and there have been no infirmities in obtaining the same as alleged by the present Appellant.

B. Other development permissions obtained by Respondent No.9.

23. All permissions have been duly obtained by Respondent No.9 as regards the said Project / Project Land which are reproduced hereinbelow:

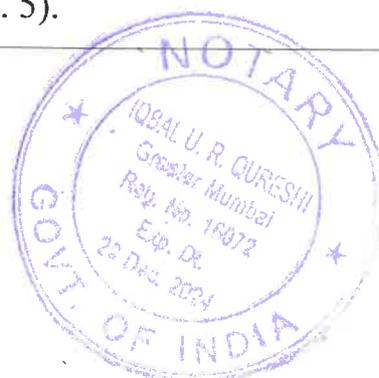
Sr. No.	Date	Particulars
1.	07.09.2011	Rahat Plaza Co-operative Society appointed Safal Developer Private Limited, as its Developer to redevelop the plot being the Project Land.
2.	21.08.2015	LOI issued by MCGM which was later revalidated on 04.01.2023.



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3.	06.11.2015	Development Permission was granted by MCGM with respect to the said Project.
4.	06.03.2017	IOD for Building No. 4 & 5 (Rehab Municipal Building No. 4 & Slum Building No. 5).
5.	08.03.2017	IOD for Building No. 1 (Rehab Doctors Quarters).
6.	10.03.2017	IOD for Sale Building No. 2 & 3.
7.	26.03.2019	Consent to Establish issued by MPCB for said Project valid up to 26.03.2024.
8.	29.06.2019	Tripartite Agreement was executed between MCGM, the Society and Respondent No. 9 to develop Project Land.
9.	26.02.2020	Tree Authority Permission for removing and transplanting trees affected in Project Land. This was re-issued on 26.04.2023.
10.	04.01.2023	Amended LOI issued by MCGM up to 20.08.2023.
11.	12.01.2023	Amended IOD for Building No. 1 (Rehab Doctors Quarters)
12.	12.01.2023	Amended IOD for Building No. 4 & 5 (Rehab Municipal Building No. 4 & Slum Building No. 5).

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13.	13.01.2023	Approval for erecting a temporary site office on the Project Land issued by MCGM to Respondent No. 9.
14.	30.01.2023	Amended IOD for Sale Building No. 2 & 3.
15.	20.03.2023	Royalty Permission for soil issued by Collector and District Magistrate, Mumbai City.
16.	11.04.2023	Impugned EC issued by SEIAA.
17.	26.04.2023	Tree Authority Permission for removing and transplanting trees affected in the said Project.

24. The Appellant has not challenged any development permissions that have been obtained by Respondent No.9 and the Appellant is only attempting to stall the said Project with an ulterior motive of harassing/blackmailing Respondent No. 9 so as to extort monies therefrom.

C. No violation of Development Control Regulations/DCR

25. Respondent No. 9 submits that the present Appeal challenges the EC, however, close scrutiny of the Appeal makes it abundantly clear and evident that the Appellant is attempting to challenge the



development permissions obtained by Respondent No. 9 for the said Project under DCR, and by that extension, is attempting to challenge the vires of the provisions of DCR. At this juncture, it is pertinent to mention that DCR is a delegated legislation issued under the Maharashtra Regional and Town Planning Act, 1966 (“MRTP Act, 1966”). It is submitted that any alleged violation(s) under DCR does not come under the purview of this Hon’ble Tribunal. The entire project on the Project Land is being undertaken under the applicable and valid provisions of DCR. The Appellant has at no point challenged any development permissions obtained/ granted to Respondent No. 9.

26. It is submitted that the said Project is being constructed in accordance with the provisions of the applicable town planning laws which are the DCR read with the MRTP Act. It is well settled that DCR is a delegated piece of legislation issued under the MRTP Act and thus, has the force of law. Regulation 33(7) of DCR deals with the redevelopment of buildings belonging to the Corporation (MCGM) which provides for redevelopment undertaken of the old buildings of the Corporation (MCGM) and Regulation 33(7) of DCR has to be read with Appendix-III of

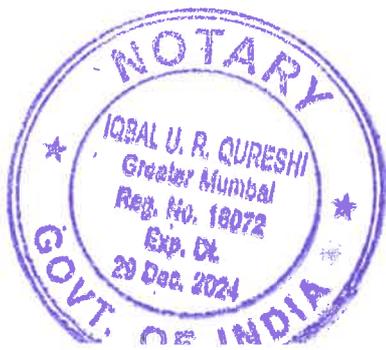


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DCR, 1991. Hereto annexed and marked as “Exhibit-E” is a copy of the relevant portions of the DCR, 1991.

27. It is also a well-settled principle that the Hon’ble Tribunal lacks jurisdiction to decide the validity of DCR as the same is delegated legislation. In the present case, the approval for redevelopment of the Project Land under Regulation 33 (7) of DCR was granted only after due consideration and following due process by MCGM. It is pertinent to note that MCGM has a high degree of expertise in town planning and redevelopment and it is sine qua non to leave all decisions with respect to any redevelopment under DCR to such expert body available.
28. Further, the Impugned EC cannot be challenged and set aside unless the present development carried out in accordance with the DCR is challenged. Respondent No. 9 submits that there has been no infirmity with either the procedure or law while granting the Impugned EC.

D. Importance of redevelopment under DCR



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29. The Project Land on which the development permission has been granted was already *encumbered* and/or occupied by the members of the Society, thus, the Project Land was and could not have been used as a recreational ground. In the present case, Respondent No.9 is providing a recreational ground of 40% for redeveloping the Project Land under Regulation 33 (7) which is not only permissible under the law, and also the need of the hour, but also more than the minimum requirement.
30. It is pertinent that the city of Mumbai faces challenges in terms of its ever-increasing population more particularly the necessity to provide a safe shelter to its population which is a right guaranteed to every citizen of India under Article 21 of the Constitution of India, 1950. Presently, the redevelopment of the Project Land is being undertaken under Regulation 33(7) of DCR, which enables the occupants to be rehabilitated free of cost by private developers whilst ensuring the integration of green spaces in the already encumbered designated recreational grounds.

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31. For the redevelopment of buildings on the recreational grounds, the DCR provides for a minimum percentage of the area to be left as a recreational ground/open space. Pertinently, Respondent No.9 in compliance with the law is not only providing RG area but also developing the same i.e., 40% of the Project Land, for the benefit of the public.

E. Reservation for a Recreation Ground (“RG”) and not Garden

32. Section 2(2) of the MRTP Act, 1966 defines “amenity” as under:

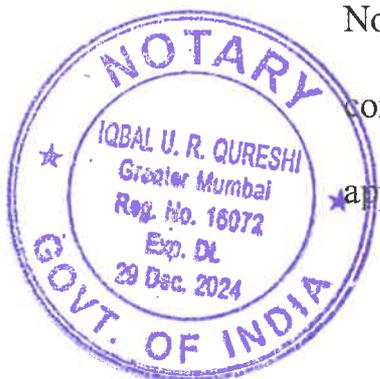
“(2) “amenity” means roads, streets, open spaces, parks, recreational grounds, playgrounds, sports complex, parade grounds, gardens, markets, parking lots, primary and secondary schools and colleges and polytechnics, clinics, dispensaries and hospitals, water supply, electricity supply, street lighting, sewerage, drainage, public works and includes other utilities, services and conveniences”.

33. It is the Appellant’s contention that the said Project is being constructed on land that has been reserved for a garden. The Appellant has not produced a single document to prove the said contention and has throughout the memo of Appeal used the terms “recreation ground” and “garden” interchangeably. In



the MRTP Act, the word “amenity” includes several entries including recreation ground and garden which are separately enumerated. It is submitted that a recreation ground is not the same as a garden, and a reservation for a recreation ground is not same as reservation for a garden only. Reservation for a garden and a recreation ground are two completely different reservations and the Appellant has made this assumption that it has been reserved for a garden without any documentary evidence. It is also pertinent to note that the Appellant has also made averments stating that apparently the reservation was made for the purpose of a central park for the slum area of Dharavi. Respondent No. 9 submits that the same is totally misconceived and contrary to the record. The submissions made by the Appellant are based on conjectures and surmises of the Appellant.

34. As per the approved layout, the total plot area of the Project Land is 26,329.97 sq. mtrs. Out of the total area, 10,531.98 sq. mtrs is the area earmarked for recreation ground (“**RG**”) by Respondent No. 9 and the balance area of 15,797.99 sq. mtrs. is entitled to be constructed by Respondent No. 9 in accordance with DCR and applicable laws. Respondent No. 9 submits that it is carrying on



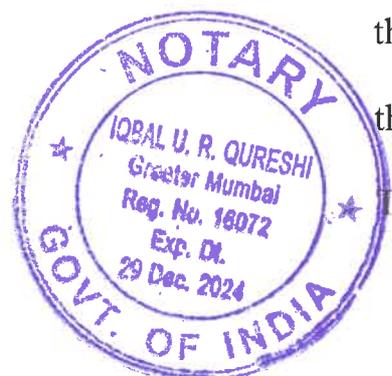
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development on the Project Land strictly in accordance with DCR. Hereto annexed and marked as “**Exhibit-F**” is a copy of the approved layout plan.

35. Respondent No. 9 submits that the contention of the Appellant that the Project Land has been reserved for a garden is completely erroneous and it is in fact, reserved for “recreation ground”. Hence, this contention is without any basis. Hereto annexed and marked as “**Exhibit-G**” is a copy of the Development Plan Remarks for the Project Land.
36. Respondent No. 9, therefore, submits that all permissions as regards the said Project have been obtained in accordance with law and Respondent No. 9 has earmarked the RG area to be provided on the Project Land as per the applicable provisions of DCR and therefore the present Appeal ought to be dismissed.

F. Credentials of the Appellant

37. Without prejudice to the contentions raised herein, it is submitted that this Hon’ble Tribunal ought to look into the credentials of the Appellant filing any appeal proceedings before this Hon’ble Tribunal. Under Section 16 of the NGT Act, 2010, a person who

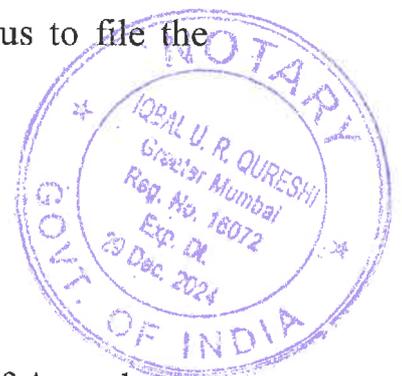


is truly aggrieved only can approach the Tribunal invoking its appellate jurisdiction. And the Hon'ble Tribunal ought to look into and test the credentials and *bonafides* of the Appellant. The Appellant has nowhere in the memo of Appeal specified how the Appellant is specifically aggrieved by the said Project or by the issuance of the EC. In fact, the Appellant is a resident of Mumbai Central as is evident from the cause title of the present proceedings which is about 11 km from the location of the Project Land. And it is settled law that any doubt if raised on the credentials and *bonafides* especially when entertaining the grievance of such litigants is likely to adversely affect the rights of many, the Hon'ble Tribunal must ensure the *bonafides* and credentials of such litigants.

38. Respondent No. 9 submits that the present Appeal ought to be dismissed as the Appellant is devoid of any locus to file the present Appeal.

G. Para-wise response to the Appeal.

39. Respondent No. 9 now will deal with the memo of Appeal para wise:



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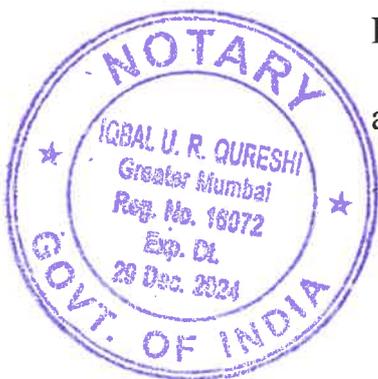
- i) With reference to paragraphs 1.1 to 1.3 of the memo of Appeal, Respondent No. 9 states that the same needs no reply.
- ii) With reference to paragraph 1.4 of the memo of Appeal, Respondent No. 9 states that Respondent No. 9 has obtained the impugned EC in accordance with law and after obtaining all the statutory permissions.
- iii) With reference to Ground No. 1 taken in paragraph 1.5 of the memo of Appeal, Respondent No. 9 states that it is denied that the entire land is reserved for a garden in the statutory development plan. The Appellant has failed to produce any document to show that the entire land has been earmarked as a garden reservation. It is denied that the garden reservation was to be used to create a Central Park-type garden of 6.5 acres for the benefit of 1 million people of Dharavi. The submissions made by the Appellant is based on conjectures and surmises of the Appellant. The Appellant has also wrongfully relied on the judgment of *Sanjay Gupta & Ors. v. Ghaziabad Nagar Nigam* which has no bearing on the present matter as the facts of the judgment relied on are with respect



to the construction of a statue on a park. In the present case, there is a reservation of RG under the Development Plan which was occupied by structures and thus entitled for redevelopment under Regulation 33(7) of DCR. The entire redevelopment project is being undertaken under the provisions of DCR.

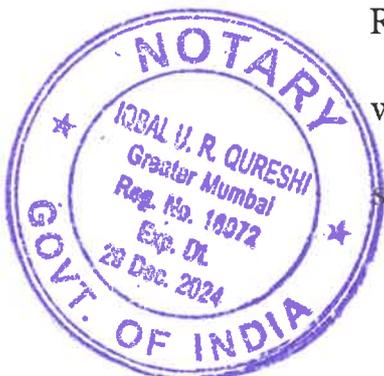
- iv) With reference to Ground No. 2 taken in paragraph 1.5 of the memo of Appeal, Respondent No. 9 states that it is denied that work was started without an environmental clearance. It is further denied that illegal pecuniary favour was provided to Respondent No. 9 by Respondent No. 4 – SEIAA. It is denied that there is overwhelming evidence of the start of work without requisite environmental clearance and that Respondent No. 4 – SEIAA ignored hard facts and granted Impugned EC to Respondent No. 9. Respondent No. 9 submits that the Impugned EC was granted to Respondent No.9 as per due process and procedure enumerated under the EIA Notification. The Appellant has not raised any grievance as regards the procedure duly followed by Respondent No. 9.

The reliance by the Appellant on the Office Memorandum



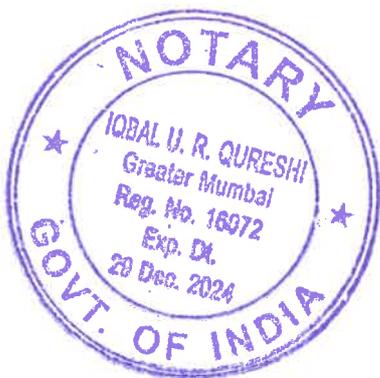
dated 7th July 2021 issued by the Ministry of Environment, Forest and Climate Change (“MoEF&CC”) is wholly misconceived as no work or construction was started before the Impugned EC was granted and therefore, the present matter cannot be treated as a “Violation Case” as contended by the Appellant. The contents of rest of the paragraph are wrong and denied.

- v) With reference to paragraph 1.6 of the memo of Appeal, Respondent No. 9 states that no substantial question relating to the environment has been raised by the Appellant in the present matter.
- vi) With reference to Question No. 1 in paragraph 1.7 of the memo of Appeal, Respondent No. 9 states that it is denied that the EC issued is in relation to land which is reserved in the statutory development for a garden. It is further denied that it has been reserved to enable the Project Proponent-Respondent No. 9 to construct luxury towers and which would substantially nullify the magnitude and intent of this statutory garden reservation. The entire redevelopment



project is being undertaken under the provisions of DCR. It is reiterated that the contention of the Appellant that the subject land has been reserved for a garden is completely erroneous and it is in fact, reserved for “recreation ground”. Reservation for a garden and a recreation ground are two completely different reservations and the Appellant has made this incorrect assumption that it has been reserved for a garden without any documentary evidence.

- vii) With reference to Question No. 2 in paragraph 1.7 of the memo of Appeal, Respondent No. 9 states that it is denied that the subject land is earmarked as a garden and it is further denied that the judgment of Sanjay Gupta squarely applies in the present case as the facts of the judgment are with respect to construction of a statue on a park and has no bearing on the present matter. It is reiterated that there is a reservation of RG area under the Development Plan which was occupied by structures and thus, it is entitled to redevelopment under Regulation 33(7) of DCR. The contention of the Appellant that the area is earmarked for reservation of garden is misconceived and contrary to the records.



- viii) With reference to Question No. 3 in paragraph 1.7 of the memo of Appeal, Respondent No. 9 states that it is denied that construction started without an environmental clearance and it is denied that SEIAA had to invoke the stringent procedure prescribed under Office Memorandum of 7th July 2021. It is further denied that the present case is a violation case. The reliance by the Appellant on the Office Memorandum dated 7th July 2021 is wholly misconceived as no work or construction was started before the Impugned EC was granted and therefore, the present matter cannot be treated as a “Violation Case” as contended by the Appellant.
- ix) With reference to Question No. 4 in paragraph 1.7 of the memo of Appeal, Respondent No. 9 states that it is denied that the Secretary of the Environment Department has suppressed vital facts in the meeting of SEIAA so as to confer gains to the private builder, i.e., the Respondent No. 9. The Respondent No. 9 submits that it has scrupulously followed the procedure for grant of Environment Clearance and there have been no infirmities in obtaining the same as alleged by



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the present Appellant. It is denied that Respondents are liable to pay any costs, whatsoever, for any violation.

- x) With reference to Question No. 5 in paragraph 1.7 of the memo of Appeal, Respondent No. 9 states that it is denied that Secretary of the Environment Department of the Government of Maharashtra should take action against the project proponent under Section 5 of the Environment Protection Act, 1986 and it is denied that it would be a case of conflict of interest if he is allowed to be a part of the deliberations in SEIAA to accord Environment Clearance as there has been no violation of the aforesaid act. The challenge to the statutory powers of authorities under Section 5 of the Environment Protection Act cannot be taken up in an Appeal challenging Impugned EC under Section 16 read with Section 18 of the NGT Act. A challenge to the powers of statutory authorities is outside the purview of this Hon'ble Tribunal.
- xi) With reference to paragraph 1.8 of the memo of Appeal, Respondent No. 9 states that it is denied that any critical question related to environment along with other ancillary



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issues related to environment has been raised by the Appellant.

- xii) With reference to paragraph 2.1 of the memo of Appeal, Respondent No. 9 states that the same needs no reply save that it is denied that the construction had commenced without environmental clearance and that the present case was a violation case. It is further denied that the land under reference was reserved for a garden in the Development Plan. It is further denied that tree-cutting permission was not given on the Project Land which purportedly was reserved for the garden. It is denied that the Appellant is a concerned social worker. It is stated that the Appellant has only filed the present appeal to harass Respondent No. 9 and delay the construction of the Project Land. It is further stated that the Appellant, for the purposes of harassing the Respondents herein, has also on a previous occasion impersonated as a member or authorized personnel of a non-profit named 'Manav Seva Sangh' and filed false and frivolous complaint before the Respondent No. 6- Maharashtra Pollution Control Board. The Appellant have also relied on the same complaint



before this Hon'ble Tribunal, without any authority. Hereto annexed and marked as "Exhibit-H" is a copy of letter marked to the Respondent No.9 addressed to the Respondent No. 6 by Manav Seva Sangh.

- xiii) With reference to paragraph 2.2 of the memo of Appeal, Respondent No. 9 states that the present Appeal is devoid of locus standi necessary to invoke the jurisdiction of this Hon'ble Tribunal. Under Section 16 of the NGT Act, 2010, only a person aggrieved or an affected party can invoke the appellate jurisdiction of this Hon'ble Tribunal. Respondent No. 9 states that the appellant has failed to make any averment in the memo of appeal to substantiate that the appellant is an aggrieved person.
- xiv) With reference to paragraph 2.3 of the memo of Appeal, Respondent No. 9 states that the same is denied for want of knowledge. The information provided and received by the Appellant has not been elaborated and Respondent No. 9 is not aware of the particulars of the same and thus, puts the Appellant to the strict proof thereof.



- xv) With reference to paragraph 2.4 of the memo of Appeal, Respondent No. 9 submits that Respondent No. 10 is a joint developer along with Respondent No. 9 for the purpose of the development of the said Project in accordance with the Joint Development Agreement dated 6th January 2023 executed between them. Further, any implication or assumption with respect to the invalidity of the Impugned EC is wrong and denied.
- xvi) With reference to paragraphs 2.5 and 2.6, Respondent No. 9 states that it is denied that the subject land is reserved for a garden or for a Central Park for the use of people living in Dharavi. Respondent No. 9 submits that the same is totally misconceived and contrary to the record. The submissions made by the Appellant is based on conjectures and surmises of the Appellant.
- xvii) With reference to paragraph 2.7, Respondent No. 9 states that it is denied that in the Statutory Development Plan, this land is reserved for a recreation ground (RG) that is a garden. It is reiterated that there is no reservation of a garden in the



present case and the Appellant is erroneously making the aforesaid contention without any basis.

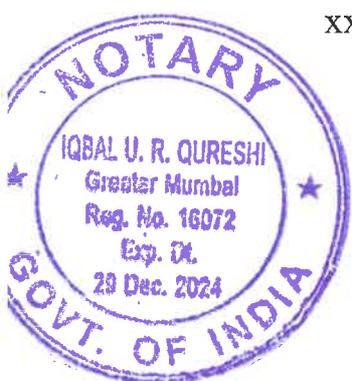
xviii) With reference to paragraphs 2.8 to 2.10, the Appellant's contention is solely based on conjectures and surmises. It is reiterated that the subject land is not reserved for a garden as is evident from the approved layout plan as well as the DP Remarks annexed herewith. The Appellant has also incorrectly placed reliance on Regulations 33(13) and 33(14) of Development Control Regulations as they are provisions related to the slum rehabilitation scheme which is not relevant in the present matter as the subject project is governed by Regulation 33(7) of DCR. The contents of rest of the paragraphs are wrong and denied.

xix) With reference to paragraph 2.11, Respondent No. 9 submits that it is denied that the development work has started for the Project Land without the Environment Clearance and it is denied that there was a large-scale uprooting of the trees. It is submitted that on 6th July 2018, Respondent No. 9's Architect made an application to Respondent No. 7 seeking permission



for the removal of trees affected on the Project Land. On 26th February 2020, after due consideration, Respondent No. 7- Tree Officer issued permission for shifting/ transplanting and cutting of trees on the Project Land (*annexed as Annexure-14 to the Appeal*) subject to terms and conditions therein. Further, on 26th April 2023, the Tree Authority, BMC issued further permission for cutting and transplanting of trees which was issued after the issuance of Impugned EC dated 11th April 2023. The permission to remove the trees was issued by Respondent No. 7 as per due process and subject to terms and conditions stipulated in the permission dated 26th February 2020 and Respondent No. 9 has obtained a further NOC after the issuance of EC. It is stated that no activity for which an environmental clearance is required had commenced on the Project Land prior to the grant of EC. Hereto annexed and marked as "Exhibit-I" is a copy of Tree Authority NOC dated 26th February 2020 and 26th April 2023.

- xx) With reference to paragraphs 2.12 to 2.14, Respondent No. 9 submits that it is denied that there was any construction carried out without Impugned EC. That, merely making



representations to the Secretary, Environment Department, does not evidence that there have been any statutory violations by Respondent No. 9. It is stated that no action has been or can be taken against Respondent No.9 as regards the representations as there have been no infirmities with the procedure followed by Respondent No. 9 for the grant of the EC.

- xxi) With reference to paragraphs 2.15 to 2.19, Respondent No. 9 submits that no violations have occurred as regards the subject project, and it is denied that the Secretary, of the Environment Department has ignored the alleged violations in order to confer pecuniary benefit to the private builder. It is further denied that there is any garden reservation on the Project Land. Respondent No. 9 submits that the Google Earth Satellite photograph annexed by the Appellant at Annexure-8 erroneously mentions the Project Land as a garden reservation and Respondent No. 9 puts the Appellant to the strict proof thereof. The contents of the rest of the paragraphs are wrong and denied in entirety.



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- xxii) With reference to paragraph 2.20, Respondent No. 9 submits that the Appellant contends that the main cause of action for filing the Appeal is so that the people of Dharavi could get the facility of a Central Park. This is a separate cause of action that does not fall under the ambit of Section 16 read with Section 18 of the NGT Act. It is further denied that the Impugned EC is replete with overwhelming violations of the law as the Impugned EC has been issued after due procedure and no infirmities have been pointed out as regards the same in the present Appeal.
- xxiii) With reference to Ground No. 1 in paragraph 3.1 of the memo of Appeal, it is reiterated that the land in question is not reserved as a garden and the Appellant has not produced any proof to substantiate the said claims. The Appellant places reliance on a letter dated 9th November 2011 to further his contention. However, on close scrutiny of the letter dated 9th November 2011, nowhere in the letter is there any mention of reservation of a garden. In fact, the portion of the letter culled out by the Appellant in the memo of Appeal mentions that the land is partly reserved for recreation ground which is



different from reservation for a garden. Reliance is also placed on an extract from the Development Plan sheet which has been marked as “Plot bearing RG, i.e., ‘Garden’ reservation in the Development Plan which is incorrect. The DP Remarks of the Project Land clearly indicates that some portion is earmarked for recreation ground and not a garden. The submissions made by the Appellant is based on conjectures and surmises of the Appellant. The Appellant has also relied on the judgment of *Sanjay Gupta & Ors. v. Ghaziabad Nagar Nigam* which has no bearing on the present matter as the facts of the judgement relied on are with respect to the construction of a statue on a park. In the present case, there is a reservation of RG under the Development Plan which was occupied by structures and thus entitled to redevelopment under Regulation 33(7) of DCR. The entire redevelopment project is being undertaken under the provisions of DCR. It is denied that SEIAA ignored mandatory directives of the Hon'ble Supreme Court and the Hon'ble Tribunal, and accorded permission through the Impugned EC to erect super luxury residential towers on this



land reserved for a Recreation Ground i.e. a Garden. It is stated that the EC was issued in due compliance with law.

- xxiv) With reference to Ground No. 2 in paragraph 3.2 of the memo of Appeal, it is denied that work on the project started without environment clearance. It is further denied that illegal pecuniary favour was provided to Respondent No. 9 by Respondent No. 4 – SEIAA. It is denied that there is overwhelming evidence of start of work without Environment Clearance and that Respondent No. 4 – SEIAA ignored hard facts and granted Environment Clearance to Respondent No. 9. Respondent No. 9 submits that the Impugned EC was granted to the project proponent after scrupulously following the procedure enumerated under the EIA Notification. The Appellant has not raised any grievance as regards the procedure duly followed by Respondent No. 9. The reliance by the Appellant on the Office Memorandum dated 7th July 2021 is wholly misconceived as no work or construction was started before the Impugned EC was granted and therefore, the present matter cannot be treated as a “Violation Case” as contended by the Appellant.



xxv) With reference to clause (A) at Ground No. 2 at paragraph 3.2 of the memo of the Appeal, it is submitted that on 6th July 2018, Respondent No. 9's Architect made an application to Respondent No. 7 for permission for removal of trees affected in the Project Land. On 26th February 2020, after due consideration, Respondent No. 7 – Tree Officer issued permission for shifting/ transplanting and cutting of trees on the Project Land (*annexed as Annexure-14 to the Appeal*) subject to certain terms and conditions. In any event, on 26th April 2023, the Tree Authority, BMC issued a further permission for cutting and transplanting of trees after being duly considered by the authorities which was issued after the issuance of Environment Clearance dated 11th April 2023. Respondent No. 9 submits that the permission to remove the trees was issued by Respondent No. 7 as per due process and subject to the terms and conditions stipulated in the permission dated 26th February 2020 and Respondent No. 9 has obtained a further Tree NOC after the issuance of EC.

xxvi) With reference to clauses (B), (C), and (D) at Ground No. 2 in paragraph 3.2 of the memo of the Appeal, Respondent No.

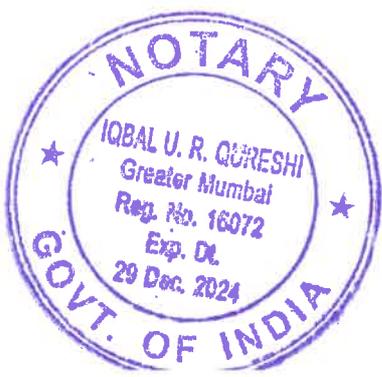


9 submits that it is denied that demolition of old barracks has been done without Environment Clearance. The Appellant has produced certain photographs to suggest that construction was carried out on the site before the issuance of the EC. At the outset, it is submitted that the photographs relied on by the Appellant do not show the factual position of the site. There was no use of heavy machinery or excavation work done on the project site. The construction of a large sales office as alleged is a temporary site office for which no environmental clearance is required. As per the Office Memorandum dated 29th March 2022 issued by MoEF, the construction of a temporary site office is one of the activities permitted to be undertaken by the project proponent and is not contrary to the provisions of the EIA Notification. On 13th January 2023, Respondent No. 9 obtained the approval for the temporary structure by paying the requisite scrutiny fees. Hereto annexed and marked as “Exhibit-J” is a copy of the Office Memorandum dated 29th March 2022 and “Exhibit-K” is a copy of the Approval of Temporary Structure dated 13th January 2023 issued by MCGM. In any event, without



prejudice to aforesaid submissions, this Hon'ble Tribunal has categorically held in recent Judgments of *Ajay Jayvantrao Bhosale v. Union of India & Ors.* (Appeal No. 26 of 2020), and *Shri Ramdas Vasantrao Aanerao Vs. State of Maharashtra and Ors.* (O.A. 71 of 2016), that as long as the actual construction carried out by the Project Proponent does not exceed the threshold limit of 20,000 sq. mtrs. there is no violation in terms of environmental clearance. The Respondent No. 9 craves leave to rely on the aforesaid judgments at the time of the hearing.

- xxvii) With reference to clause (E) at Ground No. 2 in paragraph 3.2 of the memo of the Appeal, Respondent No. 9 submits that on 20th March 2023, the Appellant filed a complaint with Respondent No. 6-MPCB about the construction at the Project Land *inter alia* on the ground that there is noise and sound pollution due to the construction at the project site. Based on the said complaint, a site visit was conducted by MPCB Official on 24th March 2023 and thereafter, on 13th April 2023, a Show Cause Notice was issued to Respondent No. 9 to reply to the non-compliances observed by the



officials (*annexed as Annexure-20 to the Appeal*). The Show Cause Notice only states that adequate barricading was not done and certain documents were not produced. Accordingly, on 28th April 2023, the Respondent No. 9 replied to the Show Cause Notice replying to all the points raised by Respondent No. 6-MPCB and produced the requisite documents as per the Show Cause Notice. It is submitted that Respondent No. 9 has complied with all the points raised in the Show Cause Notice to control noise pollution. Hereto annexed and marked as “**Exhibit-L**” is a copy of the Reply to Show Cause Notice dated 28th April 2023.

xxviii) With reference to Ground No. 3 in paragraph 3.3 of the memo of Appeal, it is reiterated that the land in question is not reserved as a garden and the Appellant has not produced any proof to substantiate the said claims. The submissions made by the Appellant are based on conjectures and surmises of the Appellant.

With reference to Ground No. 4 in paragraph 3.4 of the memo of Appeal, Respondent No. 9 reiterates that there has been no



violation under the Environment (Protection) Act, 1986 as regards the said Project. The challenge to the statutory powers of authorities under Section 5 of the Environment Protection Act cannot be taken up in an Appeal challenging Impugned EC under Section 16 read with Section 18 of the NGT Act. A challenge to the powers of statutory authorities is outside the purview of this Hon'ble Tribunal.

- xxx) With reference to Ground No. 5 in paragraph 3.5 of the memo of Appeal, Respondent No. 9 states that Respondent No. 10 is a joint developer along with Respondent No. 9 for the purpose of development of the project. It is denied that the project is not being executed by the entity in whose name the Impugned EC has been granted. The amendment dated 21st April 2023 is not mandatory and does not bind any project proponent from applying for splitting the project between two or more persons. And it is pertinent to note that the said amendment was notified on 21st April 2023 and the Impugned EC was issued on 11th April 2023 hence, the amendment cannot be applied retrospectively.



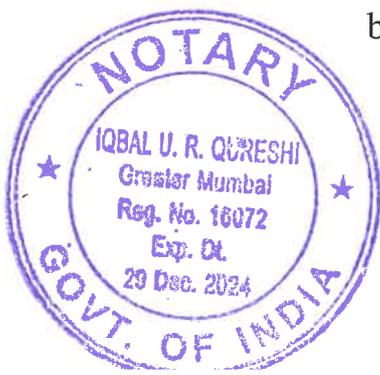
xxxi) With reference to Ground No. 6 in paragraph 3.6 of the memo of Appeal, Respondent No. 9 states that the order dated 31st July 2002 in Writ Petition No. 1152 of 2002 relied on by the Appellant is not applicable in the present matter as it is only with regards to slum rehabilitation scheme while the present matter is in relation to redevelopment scheme under Regulation 33(7) of the DCR wherein no benefit of the slum rehabilitation scheme has been availed.

xxxii) With reference to Ground No. 7 in paragraph 3.7 of the memo of Appeal, Respondent No. 9 denies that the Secretary of Environment Department of the Government of Maharashtra conferred a pecuniary advantage to the project proponent, i.e., Respondent No. 9 and it is denied that any cost ought to be imposed on Respondent No. 9. The issuance of the Impugned EC is in accordance with law and due process has been followed. The Appellant has failed to demonstrate any infirmities with the procedure followed by Respondent No. 9.



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- xxxiii) With reference to Ground No. 8 in paragraph 3.8 of the memo of Appeal, Respondent No. 9 denies that it is liable to pay a fine of 10% of the project cost under the 'Polluter Pays Principle' to be used to develop the land as a Central Park for the largest slum in Asia-Dharavi. The Appellant has failed to produce any evidence proving that the Project Land was to be developed as a Central Park. The submissions made by the Appellant is based on conjectures and surmises of the Appellant. It is further denied that Respondent No. 9 has done any violations while executing the said Project. The Respondent No. 9 has followed all the necessary procedure in accordance with law and obtained the development permissions, including the impugned EC.
- xxxiv) With reference to paragraph 4 of the memo of Appeal, the Respondent No. 9 states that the same needs no reply.
- xxxv) With reference to the prayers, in the memo of Appeal the Respondent No. 9 denies that any prayers as sought ought to be granted to the Appellant and as against Respondent No. 9.



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40. In these premises, the Respondent No. 9 states that the captioned Appeal deserves to be dismissed *in-toto*.

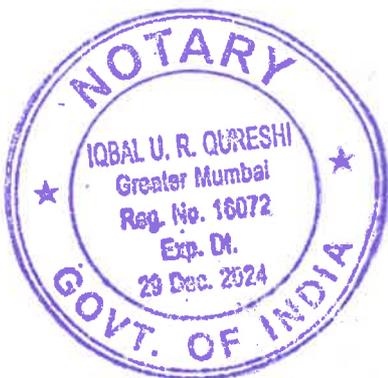
Date:

Place:



Deponent

Respondent No. 9

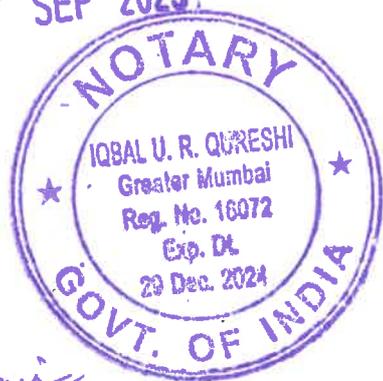


VERIFICATION

I, Vijay More, aged 42 years, Indian Inhabitant, the Authorised Signatory of Respondent No. 9, having my office address at 402, 54B, Sagar Avenue, Above ICICI Bank, S.V. Road, Andheri (W), Mumbai:- 400058,, do hereby state that I have submitted this Affidavit on solemn affirmation and oath. I have verified that the facts are true to my personal knowledge. I have not suppressed any material fact known to me and relevant to this matter.

Date: 27 SEP 2023

Place:



Deponent

Respondent No. 9

Dasi

Advocates for Respondent No. 9

BEFORE ME
IQBAL U. R. QURESHI
NOTARY

Government of India
Greater Mumbai Maharashtra

27 SEP 2023

NOTED & REGISTERED
Sr. No. 214 Page No. 05
Book No. V-28 Date 27 SEP 2023





MUNICIPAL CORPORATION OF GREATER MUMBAI

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

No. CHE/CTY/1287/F/N/337(NEW)

MEMORANDUM

Municipal Office,
Mumbai

To,

Safal Developers Pvt. Ltd.

Sagar Avenue, 4th floor, 54-B, S. V. Road, Andheri (W), Mumbai – 400058

With reference to your Notice 337 (New) , letter No. _____ dated. 10/12/2015 and the plans, Sections Specifications and description and further particulars and details of your buildings at Proposed Redevelopment of Building No.1 (Rehab Doctors Quarters) Under DCR 33(7) of Municipal property on plot bearing C.S.No. 6(pt.) Sion Division, of Bhaudaji Road extension, Sion, Mumbai, CTS NO.6(pt) furnished to me under your letter, dated 10/12/2015. 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 COMPILED 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 D.C. Regulation No. 38(27).
- 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 specifications for layout/ D.O./or access roads/ development of setback land will not be obtained from E.E. Road (Construction) (City) before starting construction work and the access and setback land will not be developed accordingly including providing street lights and S.W.D., the completion certificate will not be obtained from E.E.(R.C.)/ E.E.(S.W.D.) of City before submitting building completion certificate.
- 6 That the structural engineer will not be appointed. Supervision memo as per Appendix-XI [Regulation 5(3)(ix)] will not be submitted by him.
- 7 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 alongwith bearing capacity of the soil strata will not be submitted before C.C.
- 8 That the regular/sanctioned/proposed lines and reservation will not be got demarcated at site through A.E.(Survey)/ E.E.(T&C)/ E.E.(D.P.)/ D.I.L.R. before applying for C.C.
- 9 That the sanitary arrangements shall not be carried out as per Municipal Specifications, and drainage

layout will not be submitted before C.C.

- 10 That the Registered Undertaking and additional copy of plan shall not be submitted for agreeing to hand over the setback land free of compensation and that the setback handing over certificate will not be obtained from Ward officer before demanding C.C. and that the ownership of the setback land will not be transferred in the name of M.C.G.M. before C.C.
- 11 That the Indemnity Bond, indemnifying the Corporation for damages, risks, accidents, to the occupiers and an Undertaking regarding no nuisance will not be submitted before C.C./starting the work.
- 12 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.
- 13 That the requirements of N.O.C. of CFO/ Estate/ E.E.(T&C) will not be obtained & the requisitions, if any, will not be complied with before occupation certificate / B.C.C.
- 14 That the conditions mentioned in the release letter of E.E.D.P. under No. CHE/031504/DP City dated 06/11/2015 will not be complied with.
- 15 That the qualified/Registered Site supervisor through Architect/Structural Engineer will not be appointed before applying for C.C.
- 16 That All Dues Clearance Certificate from A.E.W.W. 'F/N' Ward shall not be submitted before issue of C.C.
- 17 That the true copy of the sanctioned layout / sub-division / amalgamation approved under No.CHE/CITY/1200/F/N/302 dated 07/12/15 along with the T.&C. thereof will not be submitted before B.C.C.
- 18 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) Insecticide charges. d) Payment of advance for providing treatment of construction site to prevent epidemic like dengue, malaria etc. to insecticide charges 'F/N ' Ward. e) Labour Welfare Cess. f) Additional Development Cess.
- 19 That the extra ground rent / penalty, premium for breaches in lease, if any will not be paid to Asstt. Commissioner (Estates) office and N.O.C. from Asst. Commissioner (Estates) thereof will not be submitted to this office before C.C.
- 20 That the registered undertaking in prescribed Proforma agreeing to demolish the excess area if constructed beyond permissible F.S.I. shall not be submitted before asking for C.C.
- 21 That the work will not be carried out strictly as per approved plan and in conformity with the D.C.Regulations in force.
- 22 That the N.O.C. from Tree authority shall not be submitted before asking for plinth C.C.
- 23 That the Registered Undertaking shall not be submitted for agreeing to pay the difference in premium paid and calculated as per revised land rates.
- 24 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.
- 25 That the N.O.C. from Asstt. Commissioner (Estates) shall not be submitted.
- 26 That the N.O.C. from B.E.S.T. for sub-station shall not be submitted.
- 27 That the Regd. U/T against misuse of pocket terrace / part terrace / stilt shall not be submitted.
- 28 That the footpath in front of plot shall not be repaired / restored once in a year or before occupation whichever is earlier.
- 29 That the Indemnity bond against no nuisance due to contravening toilets shall not be submitted.
- 30 That the Indemnity Bond indemnifying M.C.G.M. against disputes, litigations, claims, arising out of ownership of plot shall not be submitted.
- 31 That the registered Power of Attorney shall not be submitted.
- 32 That the remarks from H.E. Department shall not be submitted.
- 33 That the debris shall not be dumped on the Municipal ground only.
- 34 That the board displaying the details of development of the work shall not be displayed at site.
- 35 That the necessary remarks for training of nalla / construction of SWD will not be obtained from Dy.Ch.Eng.(S.W.D.) City and Central Cell before asking for plinth C.C.

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- 36 That the N.O.C. from Dy.Ch.Eng.(S.P.) P&D for proposed sewer line shall not be submitted before C.C.
- 37 That the Regd. U/T for apprising the prospective buyers regarding contravening toilets shall not be submitted before C.C.
- 38 That the plot boundary shall not be got demarcated from C.S.L.R. and demarcation certificate shall not be submitted to this office.
- 39 That the copy of PAN card of the applicant shall not be submitted before C.C.
- 40 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.
- 41 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.
- 42 That the plans of proposed Occupation Therapy approved by Dy.M.A. shall not be submitted before C.C.
- 43 That the N.O.C. from E.E.T.& C. shall not be obtained for the parking before C.C.
- 44 That Regd. U/T for minimum Nuisance during construction activity shall not be submitted before C.C.
- 45 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 the noise pollution (Reg. & control) Rules 2000 & the provision of notification issued by the ministry of envirement & forest Deptt. from time shall not be duly observed.
- 46 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.
- 47 That the precautionary measures to avoid nuisance due to dust, such as providing G.I. Sheets at plot boundaries up to reasonable height shall not be taken.
- 48 That remarks from E.E.(M.& E.) for ventilation shall not be submitted.
- 49 That the C.C. shall not be asked unless payment of advance for providing treatment at construction site to prevent epidemics like Dengue, Malaria, etc. is made to the Insecticide Officer of the concerned Ward Office and provision shall be made as and when required by Insecticide Officer for Inspection of water tanks by providing safe and stable ladder, etc. and requirements as communicated by the Insecticide Officer shall be complied with.
- 50 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.
- 51 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.
- 52 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.
- 53 That the facilities for physically handicapped persons shall not be provided as per the accompaniment in Govt. in U.D. Department notification No.TPB 432001/1829/CR-216/2001/UD-11 dated 2nd December 2003.
- 54 That the remarks regarding formation level from Road Department shall not be submitted.
- 55 That Regd. U/T for handing over setback area for the balance portion of the plot not covered under this proposal as & when required by M.C.G.M. shall not be submitted.
- 56 That the specification & design of Rain Water Harvesting scheme as per the State Govt.'s directives u/No.TPB-4307/396/CR-124/2007/UD-11 dated 6th June 2007 shall not be submitted.
- 57 That the requisition of clause No. 45 and 46 of D.C. Regn. 91 shall not be complied with and records of quality of work, verification of report shall not be kept on site till completion of work.
- 58 That the registered Private Pest Control Agency for providing anti larval treatment at the construction site shall be appointed.
- 59 That all the conditions of E.E.(T.&C.) N.O.C. shall not be complied before plinth C.C.
- 60 That all the conditions of C.F.O. N.O.C. shall not be complied before plinth C.C.
- 61 That the services of Safety Officer to take care of all safeties during construction on construction site

and around shall not be hired.

- 62 That the Third party insurance shall not be submitted.
- 63 That the Extra Water Charges & Extra Sewerage Charges shall not be paid.
- 64 That the registered U/T shall be submitted that the owner shall not have any objection if the neighboring plot owner come for development with deficiency in open spaces.
- 65 That the structural stability of pit type parking tower & registered undertaking in this regard indemnifying M.C.G.M. & its officer against the litigation arising out of hardship to occupants due to mechanized failure shall not be submitted.
- 66 That the Regd. U/T for corpus for maintenance of stack parking for staff quarters as decided by Ch.E. (M&E) shall not be submitted.
- 67 That the Regd. U/T for contravening toilets shall not be submitted
- 68 That the condonation of LOI Dt. 21.08.2015 shall not be complied with
- 69 That the NOC from water pollution prevention Board shall not be submitted.
- 70 That the NOC from W.O./ A.E.(Ment.) for no compensation paid & set back handing over shall not be submitted.
- 71 That the remarks for the construction of internal road set-back of road shall not be submitted before issue of C.C.

B: FOR LABOUR CAMP / TEMPORARY SHED

- 1 Not Applicable

C: CONDITIONS TO BE COMPILED BEFORE FURTHER C.C

- 1 That the plinth/stilt height shall not be got checked by this office staff.
- 2 All the payments as intimated by various departments of MCGM shall not be paid.
- 3 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) Roads d) Sewerage e) Water Works f) Fire Fighting Provisions g) Mechanical Ventilation h) Tree authority i) Hydraulic Engineer j) PCO k) NOC from Electric Supply Company
- 4 That set back land free of compensation and free of any encumbrance shall not be
- 5 The reservations affecting land u/r shall not be handed over to MCGM.
- 6 That in the event setback and /or reservation is not handed over then at F.C.C, area equivalent to the area of Setback and /or reservation shall not be restricted till such area is handed over or as per circular issued from time to time.
- 7 That the Material testing report shall not be submitted.
- 8 That the yearly progress report of the work will not be submitted by the Architect.
- 9 That the application for separate P.R.C. in the name of M.C.G.M. for road set back / D.P. Road/reservation in the layout shall not be submitted.
- 10 That the plinth dimensions shall not be got checked from this office before asking for further C.C. beyond plinth.
- 11 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.
- 12 That the design of road crust and construction of roads upto sub base level shall not be submitted.
- 13 That the construction of road including storm water drain and footpath shall not be constructed.
- 14 That the compliance of necessary remarks for training of nalla / construction of SWD will not be submitted before granting full C.C. for the said building.
- 15 That the additional development cess shall not be paid before further C.C.
- 16 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.
- 17 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.

D: GENERAL CONDITIONS TO BE COMPILED BEFORE O.C

- 1 That the low lying plot will not be filled up to a reduced level of at least 27.55 M Town Hall Datum or 0.15 m above adjoining road level whichever is higher with murum, earth, boulders etc. and will not be leveled, rolled, consolidated and sloped towards road side
- 2 That 3.00 mt. wide paved pathway upto staircase will not be provided.
- 3 That the open spaces as per approval, parking spaces and terrace will not be kept open.
- 4 That the construction of layout road or access roads/ development of setback land will not be done and the access and setback land will not be developed accordingly including providing street lights and S.W.D. only if additional FSI is being claimed.
- 5 That the name plate/board showing Plot No., Name of the Bldg. 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.
- 7 That terraces, sanitary blocks, nahanis in kitchen will not be made Water proof and same will not be provided by method of pounding and all sanitary connections will not be leak proof and smoke test will not be done in presence of licensed plumber.
- 8 That final N.O.C. from concerned authorities / empanelled consultants for :- a) S.W.D. b) Parking c) Roads d) Sewerage e) Water Works f) CFO / Fire Fighting Provisions g) Mechanical Ventilation h) Tree authority i) Hydraulic Engineer shall not be submitted before occupation.
- 9 That Structural Engineer's laminated final Stability Certificate along with upto date License copy and R.C.C. design canvas plan shall not be submitted.
- 10 That the construction of D.P. road and development of setback land will not be done including providing street lights and S.W.D.
- 11 That canvas mounted plans shall not be submitted along with Notice of Completion of work u/sec. 353A of M.M.C. Act for work completed on site.
- 12 That Site Supervisor certificate for quality of work and completion of the work shall not be submitted in prescribed format.
- 13 That the separate vertical drain pipe, soil pipe with a separate gully trap, water main, O.H. Tank, etc. for user will not be provided and the drainage system or the residential part of the building will not be affected.
- 14 That some of the drains will not be laid internally with C.I. Pipes.
- 15 That the dust-bin will not be provided as per C.E.'s circular No.CE/9297/II of 26-6-1978.
- 16 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.
- 17 That 10'-0" wide paved pathway upto staircase will not be provided.
- 18 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.
- 19 That the name plate/Board showing Plot No., name of the building etc. will not be displayed at a prominent place.
- 20 That the parking spaces shall not be provided as per D.C. Regulation No.36.
- 21 That B.C.C. will not be obtained and 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.
- 22 That the N.O.C. from Inspector of Lifts, P.W.D., Maharashtra, will not be obtained and submitted to this office.
- 23 That the Drainage completion certificate from (S.P.)(P&D)City for provision of will not be submitted.
- 24 That the Drainage Completion Certificate from A.E.(B.P.) City for House drain will not be submitted & got accepted.
- 25 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.

- 26 That final N.O.C. from Asstt.Commissioner(Estates)/ C.F.O./ Tree Authority shall not be submitted before asking for occupation permission.
- 27 That the compliance of N.O.C. from H.E will not be made and certificate to that effect will not be submitted.
- 28 That the Fresh property card in the name of the owner shall not be submitted.
- 29 That 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.
- 30 That the installation of Rain Water Harvesting scheme as per the State Govt.'s directives U/No.→ TPB-4307/396/CR-124/2007/UD-11 dated 6th June 2007 shall not be provided before applying for occupation permission.
- 31 That the additional development cess shall not be paid before O.C.
- 32 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.
- 33 The registered undertaking and indemnity bond shall not be submitted stating that the conditions mentioned at Sr.No.32 will be incorporated in the sale agreement and the same will be informed to the prospective society/ end user.
- 34 That the supervision certificate shall be submitted periodically i.e. every 3 months from the L.S. / Engineer / Structural Engineer / Supervisor or Architect as the case may be as per D.C.Reg.5(3)(ix) regarding satisfactory construction on site.
- 35 That certificate under Section 270-A of M.M.C. Act will not be obtained from H.E.'s Department regarding adequacy of water supply.

- () 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 _____ day of _____ 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 if 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 leavy 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.
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. 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 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 proceed 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 of 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 withdrawn.
- 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 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 must 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 rabbit 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. **393**
The cistern shall be made easily, safely and permanently accessible by 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.

**Executive Engineer, Building Proposals
Zones wards.**

CHE/CTY/1287/F/N/337(NEW)

Copy To :- 1. Milind Devendra Changani
316, Wadala udyog Bhavan, Dadar naigoan Road, Wadala.

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

Name : Chandrakant Pundlik
Metkar
Designation : Executive
Engineer
Organization : Municipal
Corporation Of Greater
Mumbai
Date : 08-Mar-2017 15: 57:25



MUNICIPAL CORPORATION OF GREATER MUMBAI

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

No. CHE/CTY/1323/F/N/337(NEW)

MEMORANDUM

Municipal Office,
Mumbai

To,

Safal Developers Pvt. Ltd.

Sagar Avenue, 4th floor, 54-B, S. V. Road, Andheri (W), Mumbai – 400058

With reference to your Notice 337 (New) , letter No. _____ dated. 29/1/2016 and the plans, Sections Specifications and description and further particulars and details of your buildings at Proposed Redevelopment of sale Building No.2 & 3 Under DCR 33(7) of Municipal property on plot bearing C.S.No. 6(Pt.) Sion Division, F-North Ward of Bhaudaji Road extension, Sion, Mumbai, CTS NO.6 (pt) furnished to me under your letter, dated 29/1/2016. 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 COMPILED 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 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 D.C. Regulation No. 38(27).
- 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 specifications for layout/ D.O./or access roads/ development of setback land will not be obtained from E.E. Road (Construction) (City) before starting construction work and the access and setback land will not be developed accordingly including providing street lights and S.W.D., the completion certificate will not be obtained from E.E.(R.C.)/ E.E.(S.W.D.) of City before submitting building completion certificate.
- 6 That the structural engineer will not be appointed. Supervision memo as per Appendix-XI [Regulation 5(3)(ix)] will not be submitted by him.
- 7 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.
- 8 That the regular/sanctioned/proposed lines and reservation will not be got demarcated at site through A.E.(Survey)/ E.E.(T&C)/ E.E.(D.P.)/ D.I.L.R. before applying for C.C.
- 9 That the sanitary arrangements shall not be carried out as per Municipal Specifications, and drainage

layout will not be submitted before C.C.

- 10 That the Registered Undertaking and additional copy of plan shall not be submitted for agreeing to hand over the setback land free of compensation and that the setback handing over certificate will not be obtained from Ward officer before demanding C.C. and that the ownership of the setback land will not be transferred in the name of M.C.G.M. before C.C.
- 11 That the Indemnity Bond, indemnifying the Corporation for damages, risks, accidents, to the occupiers and an Undertaking regarding no nuisance will not be submitted before C.C./starting the work.
- 12 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.
- 13 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.
- 14 That the conditions mentioned in the release letter of E.E.D.P. under No. CHE/031504/DP City dated 06/11/2015 will not be complied with.
- 15 That the qualified/Registered Site supervisor through Architect/Structural Engineer will not be appointed before applying for C.C.
- 16 That All Dues Clearance Certificate from A.E.W.W. F/N Ward shall not be submitted before issue of C.C.
- 17 That the true copy of the sanctioned layout / sub-division / amalgamation approved under No. CHE/CITY/1200/F/N/302 dated 07/12/15 along with the T.&C. thereof will not be submitted before B.C.C.
- 18 That the premium/deposits as follows will not be paid- a) Condonation of deficient open spaces. b) Staircase / Lift area benefit. c) Deposit for basement. d) Development charges as per M.R.&T.P. (Amendment) Act,1992. e) Insecticide charges. f) Payment of advance for providing treatment of construction site to prevent epidemic like dengue, malaria etc. to insecticide charges 'F/N' Ward. g) Labour Welfare Cess. h) Additional Development Cess. i) Premium for inadequate size of AVS.
- 19 That the extra ground rent / penalty, premium for breaches in lease, if any will not be paid to Asstt. Commissioner (Estates) office and N.O.C. from Asst. Commissioner (Estates) thereof will not be submitted to this office before C.C.
- 20 That the registered undertaking in prescribed proforma agreeing to demolish the excess area if constructed beyond permissible F.S.I. shall not be submitted before asking for C.C.
- 21 That the work will not be carried out strictly as per approved plan and in conformity with the D.C. Regulations in force.
- 22 That the N.O.C. from Tree authority shall not be submitted before asking for plinth C.C.
- 23 That the Registered Undertaking shall not be submitted for agreeing to pay the difference in premium paid and calculated as per revised land rates.
- 24 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.
- 25 That the N.O.C. from Asstt. Commissioner (Estates) shall not be submitted.
- 26 That the N.O.C. from B.E.S.T. for sub-station shall not be submitted.
- 27 That the fresh Tax Clearance Certificate from A.A. & C 'F/N ' Ward shall not be submitted.
- 28 That the Regd. U/T against misuse of pocket terrace / part terrace / stilt shall not be submitted.
- 29 That the footpath in front of plot shall not be repaired / restored once in a year or before occupation whichever is earlier.
- 30 That the Indemnity Bond indemnifying M.C.G.M. against disputes, litigations, claims, arising out of ownership of plot shall not be submitted.
- 31 That the remarks from H.E. Department shall not be submitted.
- 32 That the debris shall not be dumped on the Municipal ground only.
- 33 That the board displaying the details of development of the work shall not be displayed at site.
- 34 That the necessary remarks for training of nalla / construction of SWD will not be obtained from Dy.Ch.Eng.(S.W.D.) City and Central Cell before asking for plinth C.C. .

- 396 35 That the N.O.C. from Dy.Ch.Eng.(S.P.) P&D for proposed sewer line shall not be submitted before C.C.
- 36 That the plot boundary shall not be got demarcated from C.S.L.R. and demarcation certificate shall not be submitted to this office.
- 37 That the copy of PAN card of the applicant shall not be submitted before C.C.
- 38 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.
- 39 That the fresh P.R. Card in the name of owner shall not be submitted before C.C.
- 40 That the N.O.C. from Collector of Mumbai shall not be submitted before C.C.
- 41 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.
- 42 That the agreement with M.C.G.M. agreeing so comply the conditions of D.P. permission letter U/No. CHE/2437/DP dated 24.3.2003 shall not be submitted before C.C.
- 43 That the N.O.C. from E.E.T.& C. shall not be obtained for the parking before C.C.
- 44 That Regd. U/T for minimum Nuisance during construction activity shall not be submitted before C.C.
- 45 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 the noise pollution (Reg. & control) Rules 2000 & the provision of notification issued by the ministry of envirement & forest Deptt. from time shall not be duly observed.
- 46 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.
- 47 That the precautionary measures to avoid nuisance due to dust, such as providing G.I. Sheets at plot boundaries up to reasonable height shall not be taken.
- 48 That remarks from E.E.(M.& E.) for ventilation shall not be submitted.
- 49 That the C.C. shall not be asked unless payment of advance for providing treatment at construction site to prevent epidemics like Dengue, Malaria, etc. is made to the Insecticide Officer of the concerned Ward Office and provision shall be made as and when required by Insecticide Officer for Inspection of water tanks by providing safe and stable ladder, etc. and requirements as communicated by the Insecticide Officer shall be complied with.
- 50 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.
- 51 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.
- 52 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.
- 53 That the facilities for physically handicapped persons shall not be provided as per the accompaniment in Govt. in U.D. Department notification No.TPB 432001/1829/CR-216/2001/UD-11 dated 2nd December 2003.
- 54 That the remarks regarding formation level from Road Department shall not be submitted.
- 55 That Regd. U/T for handing over setback area for the balance portion of the plot not covered under this proposal as & when required by M.C.G.M. shall not be submitted.
- 56 That the specification & design of Rain Water Harvesting scheme as per the State Govt.'s directives u/No.TPB-4307/396/CR-124/2007/UD-11 dated 6th June 2007 shall not be submitted.
- 57 That the requisition of clause No. 45 and 46 of D.C. Regn. 91 shall not be complied with and records of quality of work, verification of report shall not be kept on site till completion of work.
- 58 That the feasibility of providing the basement from Geologist on the plot under reference shall not be submitted.
- 59 That the Regd. Undertaking shall not be submitted by the Owner / Developer / Builder 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 will not be submitted.

- 60 That the registered Private Pest Control Agency for providing anti larval treatment at the construction site shall be appointed.
- 61 That all the conditions of E.E.(T.&C.) N.O.C. shall not be complied before plinth C.C.
- 62 That all the conditions of C.F.O. N.O.C. shall not be complied before plinth C.C.
- 63 That the services of Safety Officer to take care of all safeties during construction on construction site and around shall not be hired.
- 64 That the Third party insurance shall not be submitted.
- 65 That the Extra Water Charges & Extra Sewerage Charges shall not be paid.
- 66 That the registered UT shall be submitted that the owner shall not have any objection if the neighboring plot owner come for development with deficiency in open spaces.
- 67 That the registered UT shall be submitted that the condition shall be incorporated in the sale agreement with prospective buyers that the building under reference is constructed with open spaces deficiency.
- 68 That the structural stability of pit type parking tower & registered undertaking in this regard indemnifying M.C.G.M. & its officer against the litigation arising out of hardship to occupants due to mechanized failure shall not be submitted.
- 69 That the registered undertaking stating that clause shall be incorporated in sale agreement / supportive agreement so as to make aware the prospective buyer/ existing member about the deficient maneuvering space / deficient width of drive way shall not be submitted.
- 70 That the N.O.C. holder will have to pay expenditure incurred by board towards structural repairs / propping / demolition etc. & letter to that effect issued by MHADA shall not be submitted.
- 71 That the NOC from Ward Office / A.E.(Ment.) for no competition paid & set back handing over shall not be submitted.
- 72 That the NOC from civil aviation shall not be submitted before issue of C.C.
- 73 That the condition mention of LOI Dt. 21.08.2015 shall not be complied with
- 74 That the layout terms and condition issue under no CHE/CITY/1200/FN/302 dt. 07.12.2015 shall not be complied with.
- 75 That construction area shall exceed 20,000 smt. Without obtaining NOC from MOEF.
- 76 That the remark for STP shall not be submitted.
- 77 That the spacification for construction of internal road and set-back land/ D.P. road shall not be submitted.
- 78 That the RUT shall not be submitted to Hand over excess parking to MCGM.

B: FOR LABOUR CAMP / TEMPORARY SHED

- 1 Not Applicable

C: CONDITIONS TO BE COMPILED BEFORE FURTHER C.C

- 1 That N.O.C. from Civil Aviation Department will not be obtained for the proposed height of the building.
- 2 That the plinth dimensions shall not be got checked from this office before asking for further C.C. beyond plinth.
- 3 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.
- 4 That the elevation treatment plan shall not be submitted & got approved.
- 5 That the design of road crust and construction of roads upto sub base level shall not be submitted.
- 6 That the construction of road including storm water drain and footpath shall not be constructed.
- 7 That the compliance of necessary remarks for training of nalla / construction of SWD will not be submitted before granting full C.C. for the said building.
- 8 That the additional development cess shall not be paid before further C.C.
- 9 That every year before onset of the monsoon / revalidation of C.C., structural stability certificate of the

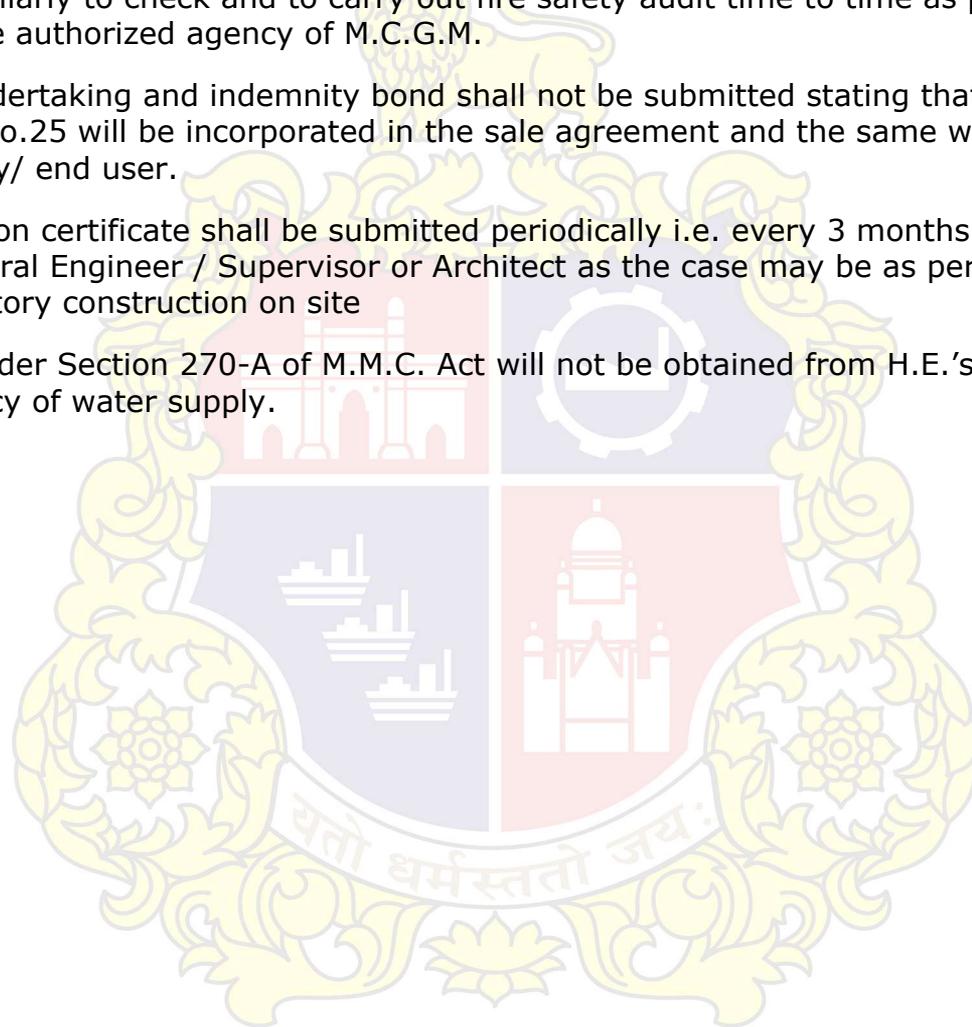
work executed on site shall not be submitted by the appointed Registered Structural Engineer / Consultant, appointed by owner / occupier / society.

- 10 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.
- 11 That NOC from high rise committee / MC shall not be obtained before commencement work beyond plinth.

D: GENERAL CONDITIONS TO BE COMPILED BEFORE O.C

- 1 That the separate vertical drain pipe, soil pipe with a separate gully trap, water main, O.H. Tank, etc. for Maternity Home/Nursing Home, user will not be provided and the drainage system or the residential part of the building will not be affected.
- 2 That some of the drains will not be laid internally with C.I. Pipes.
- 3 That the dry & wet garbage shall not be separated & the wet garbage generated in the bldg. shall not be treated separately on the same plot by the residents / occupants of the bldg. in the jurisdiction of M.C.G.M. The necessary condition in sale agreement to the effect shall not be incorporate by the Developer/ Owner.
- 4 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.
- 5 That the existing well will not be covered with R.C.C. slab.
- 6 That 10'-0" wide paved pathway upto staircase will not be provided.
- 7 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.
- 8 That the name plate/Board showing Plot No., name of the building etc. will not be displayed at a prominent place.
- 9 That carriage entrance shall not be provided.
- 10 That the parking spaces shall not be provided as per D.C. Regulation No.36.
- 11 That B.C.C. will not be obtained and 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.
- 12 That the N.O.C. from Inspector of Lifts, P.W.D., Maharashtra, will not be obtained and submitted to this office.
- 13 That the Drainage completion certificate from (S.P.)(P&D)City for provision of Septic Tank/Soak pit will not be submitted.
- 14 That the Drainage completion Certificate from A.E.(B.P.) City for House drain will not be submitted & got accepted.
- 15 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.
- 16 That final N.O.C. from Asstt. Commissioner (Estates)/ C.F.O./ Tree Authority shall not be submitted before asking for occupation permission.
- 17 That the compliance of N.O.C. from H.E will not be made and certificate to that effect will not be submitted.
- 18 That the Fresh property card in the name of the owner shall not be submitted.
- 19 That 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.
- 20 That the installation of Rain Water Harvesting scheme as per the State Govt.'s directives U/No.→ TPB-4307/396/CR-124/2007/UD-11 dated 6th June 2007 shall not be provided before applying for occupation permission.
- 21 That the recycling plant for waste water shall not be provided.

- 22 That the completion of footpath, providing central dividers, lane marking and providing steel furniture shall not be completed.
- 23 That the additional development cess shall not be paid before O.C.
- 24 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.
- 25 Ownership documents; 1) Copies of I.O.D., C.C., subsequent amendments, O.C.C., B.C.C. and corresponding canvass mounted plans. 2) Copies of soil investigation reports. 3) R.C.C. details and canvass mounted structural drawings. 4) Structural Stability Certificate from Licensed Structural Engineer. 5) Structural Audit Reports. 6) All details of repairs carried out in the buildings. 7) Supervision certificate issued by the Licensed Site Supervisor. 8) Building Completion Certificate issued by Licensed Surveyor/ Architect. 9) NOC and completion certificate issued by the C.F.O. 10) Fire safety audit carried out as per the requirement of C.F.O.
- 26 That the certified copy of sale agreement incorporating the following conditions shall not be submitted to this office. 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.
- 27 The registered undertaking and indemnity bond shall not be submitted stating that the conditions mentioned at Sr.No.25 will be incorporated in the sale agreement and the same will be informed to the prospective society/ end user.
- 28 That the supervision certificate shall be submitted periodically i.e. every 3 months from the L.S. / Engineer / Structural Engineer / Supervisor or Architect as the case may be as per D.C.Reg.5(3)(ix) regarding satisfactory construction on site
- 29 That certificate under Section 270-A of M.M.C. Act will not be obtained from H.E.'s Department regarding adequacy of water supply.



() 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 _____ day of _____ 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 if 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 leavy 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.

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. 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 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

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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 proceed 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 of 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 withdrawn.
- 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 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 must 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 rabbit 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. **403**
The cistern shall be made easily, safely and permanently accessible by 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.

**Executive Engineer, Building Proposals
Zones wards.**

CHE/CTY/1323/F/N/337(NEW)

Copy To :- 1. Milind Devendra Changani
316, Wadala udyog Bhavan, Dadar naigoan Road, Wadala.

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

Name : Chandrakant Pundlik
Metkar
Designation : Executive
Engineer
Organization : Municipal
Corporation Of Greater
Mumbai
Date : 10-Mar-2017 17: 22:16



MUNICIPAL CORPORATION OF GREATER MUMBAI

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

No. CHE/CTY/1288/F/N/337(NEW)

MEMORANDUM

Municipal Office,
Mumbai

To,

Safal Developers Pvt. Ltd.

Sagar Avenue, 4th floor, 54-B, S. V. Road, Andheri (W), Mumbai – 400058

With reference to your Notice 337 (New) , letter No. _____ dated. 10/12/2015 and the plans, Sections Specifications and description and further particulars and details of your buildings at Proposed Redevelopment of Building No.4 & 5 (Rehab Municipal Building No.4 & Slum Building No.5) Under DCR 33(7) of Municipal property on plot bearing C.S.No. 6(pt.) Sion Division, of Bhaudaji Road extension, Sion, Mumbai, CTS NO.6(pt) furnished to me under your letter, dated 10/12/2015. 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 :-

ADDITIONAL CONDITIONS.

- 1 That the NOC from UD & home dept. before demolition and construction of the existing temple shall not be submitted

A: CONDITIONS TO BE COMPILED 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 D.C. Regulation No. 38(27).
- 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 specifications for layout/ D.O./or access roads/ development of setback land will not be obtained from E.E. Road (Construction) (City) before starting construction work and the access and setback land will not be developed accordingly including providing street lights and S.W.D., the completion certificate will not be obtained from E.E.(R.C.)/ E.E.(S.W.D.) of City before submitting building completion certificate.
- 6 That the structural engineer will not be appointed. Supervision memo as per Appendix-XI [Regulation 5(3)(ix)] will not be submitted by him.
- 7 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.

- 8 That the regular/sanctioned/proposed lines and reservation will not be got demarcated at site through A.E.(Survey)/ E.E.(T&C)/ E.E.(D.P.)/ D.I.L.R. before applying for C.C.
- 9 That the sanitary arrangements shall not be carried out as per Municipal Specifications, and drainage layout will not be submitted before C.C.
- 10 That the Registered Undertaking and additional copy of plan shall not be submitted for agreeing to hand over the setback land free of compensation and that the setback handing over certificate will not be obtained from Ward officer before demanding C.C. and that the ownership of the setback land will not be transferred in the name of M.C.G.M. before C.C.
- 11 That the Indemnity Bond, indemnifying the Corporation for damages, risks, accidents, to the occupiers and an Undertaking regarding no nuisance will not be submitted before C.C./starting the work.
- 12 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.
- 13 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.
- 14 That the conditions mentioned in the release letter of E.E.D.P. under No. CHE/031504/DP City dated 06/11/2015 will not be complied with.
- 15 That the qualified/Registered Site supervisor through Architect /Structural Engineer will not be appointed before applying for C.C.
- 16 That All Dues Clearance Certificate from A.E.W.W. F/N- Ward shall not be submitted before issue of C.C.
- 17 That the true copy of the sanctioned layout / sub-division / amalgamation approved under No.CHE/CITY/1200/F/N/302 dated 07/12/15 along with the T.&C. thereof will not be submitted before B.C.C.
- 18 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) Insecticide charges. d) Payment of advance for providing treatment of construction site to prevent epidemic like dengue, malaria etc. to insecticide charges 'F/N ' Ward. e) Labour Welfare Cess. f) Additional Development Cess. g) R.G. Premium.
- 19 That the extra ground rent / penalty, premium for breaches in lease, if any will not be paid to Asstt. Commissioner (Estates) office and N.O.C. from Asst. Commissioner (Estates) thereof will not be submitted to this office before C.C.
- 20 That the registered undertaking in prescribed Proforma agreeing to demolish the excess area if constructed beyond permissible F.S.I. shall not be submitted before asking for C.C.
- 21 That the work will not be carried out strictly as per approved plan and in conformity with the D.C.Regulations in force.
- 22 That the N.O.C. from Tree authority shall not be submitted before asking for plinth C.C.
- 23 That the Registered Undertaking shall not be submitted for agreeing to pay the difference in premium paid and calculated as per revised land rates.
- 24 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.
- 25 That the N.O.C. from Asstt. Commissioner (Estates) shall not be submitted.
- 26 That the N.O.C. from B.E.S.T. for sub-station shall not be submitted.
- 27 That the fresh Tax Clearance Certificate from A.A. & C 'F/N ' Ward shall not be submitted.
- 28 That the Regd. U/T against misuse of terrace / part terrace / stilt shall not be submitted.
- 29 That the footpath in front of plot shall not be repaired / restored once in a year or before occupation whichever is earlier.
- 30 That the Indemnity bond against no nuisance due to contravening toilets shall not be submitted.
- 31 That the Indemnity Bond indemnifying M.C.G.M. against disputes, litigations, claims, arising out of ownership of plot shall not be submitted.
- 32 That the registered Power of Attorney shall not be submitted.

- 406 33 That the remarks from H.E. Department shall not be submitted.
- 34 That the debris shall not be dumped on the Municipal ground only.
- 35 That the board displaying the details of development of the work shall not be displayed at site.
- 36 That the necessary remarks for construction of SWD will not be obtained from Dy.Ch.Eng.(S.W.D.) City and Central Cell before asking for plinth C.C.
- 37 That the N.O.C. from Dy.Ch.Eng.(S.P.) P&D for proposed sewer line shall not be submitted before C.C.
- 38 That the Regd. U/T for apprising the prospective buyers regarding contravening toilets shall not be submitted before C.C.
- 39 That the plot boundary shall not be got demarcated from C.S.L.R. and demarcation certificate shall not be submitted to this office.
- 40 That the copy of PAN card of the applicant shall not be submitted before C.C.
- 41 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.
- 42 That the fresh P.R.Card in the name of owner shall not be submitted before C.C.
- 43 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.
- 44 That the agreement with M.C.G.M. agreeing so comply the conditions of D.P. permission R.G. shall not be submitted before C.C.
- 45 That Regd. U/T for minimum Nuisance during construction activity shall not be submitted before C.C.
- 46 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 the noise pollution (Reg. & control) Rules 2000 & the provision of notification issued by the ministry of envirement & forest Deptt. from time shall not be duly observed.
- 47 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.
- 48 That the precautionary measures to avoid nuisance due to dust, such as providing G.I. Sheets at plot boundaries up to reasonable height shall not be taken.
- 49 That remarks from E.E.(M.& E.) for ventilation shall not be submitted.
- 50 That the C.C. shall not be asked unless payment of advance for providing treatment at construction site to prevent epidemics like Dengue, Malaria, etc. is made to the Insecticide Officer of the concerned Ward Office and provision shall be made as and when required by Insecticide Officer for Inspection of water tanks by providing safe and stable ladder, etc. and requirements as communicated by the Insecticide Officer shall be complied with.
- 51 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.
- 52 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.
- 53 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.
- 54 That the facilities for physically handicapped persons shall not be provided as per the accompaniment in Govt. in U.D. Department notification No.TPB 432001/1829/CR-216/2001/UD-11 dated 2nd December 2003.
- 55 That the remarks regarding formation level from Road Department shall not be submitted.
- 56 That Regd. U/T for handing over setback area for the balance portion of the plot not covered under this proposal as & when required by M.C.G.M. shall not be submitted.
- 57 That the specification & design of Rain Water Harvesting scheme as per the State Govt.'s directives u/No.TPB-4307/396/CR-124/2007/UD-11 dated 6th June 2007 shall not be submitted.
- 58 That the requisition of clause No. 45 and 46 of D.C. Regn. 91 shall not be complied with and records of quality of work, verification of report shall not be kept on site till completion of work.

- 59 That the Regd. Undertaking shall not be submitted by the Owner / Developer / Builder 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 will not be submitted.
- 60 That the registered Private Pest Control Agency for providing anti larval treatment at the construction site shall be appointed.
- 61 That all the conditions of E.E.(T.&C.) N.O.C. shall not be complied before plinth C.C.
- 62 That all the conditions of C.F.O. N.O.C. shall not be complied before plinth C.C.
- 63 That the services of Safety Officer to take care of all safeties during construction on construction site and around shall not be hired.
- 64 That the Third party insurance shall not be submitted.
- 65 That the Extra Water Charges & Extra Sewerage Charges shall not be paid.
- 66 That the registered UT shall be submitted that the owner shall not have any objection if the neighboring plot owner come for development with deficiency in open spaces.
- 67 That the registered UT shall be submitted that the condition shall be incorporated in the sale agreement with prospective buyers that the building under reference is constructed with open spaces deficiency.
- 68 That the structural stability of pit type parking tower & registered undertaking in this regard indemnifying M.C.G.M. & its officer against the litigation arising out of hardship to occupants due to mechanized failure shall not be submitted.
- 69 That the conditions mention in LOI dated- 21/08/15 shall not be complied with.
- 70 That the NOC from W.O./A.E.(Ment.) for no compensation paid and set-back handing over shall not be submitted.
- 71 That the remarks for STP shall not be submitted.
- 72 That the specification for the construction of internal road and set-back land / D.P. Road shall not be submitted.
- 73 That the layout Terms & condition issued under No.CHE/CITY/1200/F/N/302 dated 07/12/15 shall not be complied before C.C.
- 74 That construction area shall exceed 20,000 smt.Without obtaining NOC from MOEF.

B: FOR LABOUR CAMP / TEMPORARY SHED

- 1 Not Applicable

C: CONDITIONS TO BE COMPILED BEFORE FURTHER C.C

- 1 That N.O.C. from Civil Aviation Department will not be obtained for the proposed height of the building.
- 2 That the plinth dimensions shall not be got checked from this office before asking for further C.C. beyond plinth.
- 3 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.
- 4 That the design of road crust and construction of roads upto sub base level shall not be submitted.
- 5 That the construction of road including storm water drain and footpath shall not be constructed.
- 6 That the compliance of necessary remarks for training of nalla / construction of SWD will not be submitted before granting full C.C. for the said building.
- 7 That the additional development cess shall not be paid before further C.C.
- 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 all the structural members below the ground shall be designed considering the effect of chlorinated water, sulphar 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.

- 408 10 All the payments as intimated by various departments of MCGM shall not be paid.
- 11 that the amended Remarks of concerned authority / empanelled 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) Roads d) Sewerage e) Water Works f) Fire Fighting Provisions g) Mechanical Ventilation h) Tree authority i) Hydraulic Engineer j) PCO r) NOC from Electric Supply Company
- 12 That set back land free of compensation and free of any encumbrance shall not be handed over to and possession receipt shall not be submitted from Assistant commissioner of the ward.
- 13 the reservation affecting land u/r shall not be handed over to MCGM.
- 14 That in the event affecting and / or reservation is not handed over then at FCC, area equivalent to the area of setback and / or reservation shall not be restricted till such area is handed over or as per circular issued from time to time.
- 15 That the material testing report shall not be submitted.
- 16 that the yearly progress report of the work will not be submitted by the Architect.
- 17 that the application for separate P.R.C. in the name of MCGM for road setback / D.P. Road / reservation in the layout shall not be submitted.
- 18 That Remarks from HRC shall not be submitted before exceeding height of 70mtr. committee is submitted.
- 19 That C.C. beyond 70.00 mt shall not be issued unless NOC from High-Rise committee is submitted.

D: GENERAL CONDITIONS TO BE COMPILED BEFORE O.C

- 1 That the separate vertical drain pipe, soil pipe with a separate gully trap, water main, O.H. Tank, etc. for Maternity Home/Nursing Home, user will not be provided and the drainage system or the residential part of the building will not be affected.
- 2 That some of the drains will not be laid internally with C.I. Pipes.
- 3 That the dry & wet garbage shall not be separated & the wet garbage generated in the bldg. shall not be treated separately on the same plot by the residents / occupants of the bldg. in the jurisdiction of M.C.G.M. The necessary condition in sale agreement to the effect shall not be incorporate by the Developer/ Owner.
- 4 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.
- 5 That the existing well will not be covered with R.C.C. slab.
- 6 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.
- 7 That the name plate/Board showing Plot No., name of the building etc. will not be displayed at a prominent place.
- 8 That carriage entrance shall not be provided.
- 9 That the parking spaces shall not be provided as per D.C. Regulation No.36.
- 10 That B.C.C. will not be obtained and 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.
- 11 That the N.O.C. from Inspector of Lifts, P.W.D., Maharashtra, will not be obtained and submitted to this office.
- 12 That the Drainage completion certificate from (S.P.)(P&D)City for provision of Septic Tank/Soak pit will not be submitted.
- 13 That the Drainage completion Certificate from A.E.(B.P.) City for House drain will not be submitted & got accepted.
- 14 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.
- 15 That final N.O.C. from Asstt.Commissioner(Estates)/ C.F.O./ Tree Authority/ M.H.C.C./ Parking Roads/water works/Mechanical Ventilation shall not be submitted before asking for occupation permission.

- 16 That the compliance of N.O.C. from H.E will not be made and certificate to that effect will not be submitted.
- 17 That the Fresh property card in the name of the owner shall not be submitted.
- 18 That 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.
- 19 That the installation of Rain Water Harvesting scheme as per the State Govt.'s directives U/No.→ TPB-4307/396/CR-124/2007/UD-11 dated 6th June 2007 shall not be provided before applying for occupation permission.
- 20 That the recycling plant for waste water shall not be provided.
- 21 That the additional development cess shall not be paid before O.C.
- 22 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.
- 23 The registered undertaking and indemnity bond shall not be submitted stating that the conditions mentioned at Sr.No.22 will be incorporated in the sale agreement and the same will be informed to the prospective society/ end user.
- 24 That the supervision certificate shall be submitted periodically i.e. every 3 months from the L.S. / Engineer / Structural Engineer / Supervisor or Architect as the case may be as per D.C.Reg.5(3)(ix) regarding satisfactory construction on site
- 25 That the low laying plot will not be filled up to a reduced level of at least 27.55M Town Hall Datum or 0.15 m above adjoining road level which ever is higher with murum, earth, boulders etc. and will not be leveled, rolled, consolidated and sloped towards road side.
- 26 That 3.00 mt. wide paved pathway upto staircase will not be provided.
- 27 That the Open spaces as per approval, parking spaces and terrace will not be kept open.
- 28 That the Construction of layout road or access road/ development of setback land will not be done and the access and set back land will not be developed accordingly including providing street lights and S.W.D. only if additional FSI is being claimed.
- 29 That terraces, sanitary blocks, nahanis in kitchen will not be made water proof and same will not be provided by method of pounding and all sanitary connections will not be leak proof and smoke test will not be done in presence of licensed plumber.
- 30 That certificate under Section 270-A of M.M.C. Act will not be obtained from H.E.'s Department regarding adequacy of water supply.

- () 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 _____ day of _____ 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 if 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 leavy 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.
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. 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 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

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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 proceed 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 of 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 withdrawn.
- 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 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 must 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 rabbit 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. **413**
The cistern shall be made easily, safely and permanently accessible by 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.

**Executive Engineer, Building Proposals
Zones wards.**

CHE/CTY/1288/F/N/337(NEW)

Copy To :- 1. Milind Devendra Changani
316, Wadala udyog Bhavan, Dadar naigoan Road, Wadala

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

Name : Chandrakant Pundlik
Metkar
Designation : Executive
Engineer
Organization : Municipal
Corporation Of Greater
Mumbai
Date : 06-Mar-2017 18: 23:17

Form-1 (Part-A): Information for Scoping (for Category – A/B1) / Appraisal for Category – B2 (including Building & Construction projects under 8 (a))

Basic Information

1. Category of the Project/Activity

1.1. Whether multiple items (Components) as per the notification involved in the proposal?	No	
1.1.1. Item No. as per schedule to EIA Notification, 2006	8(a) Building / Construction	Residential building(s)
Capacity	135577.8	sqmtr
2. Whether project/activity attracts the General Condition specified in the Schedule of EIA Notification?	No	
3. Category of the Project as per EIA Notification, 2006	B2	
3.1. Whether proposal is required to be appraised at Central level?	No	
4. Whether Proposal has interlinked / interdependent projects or activities?	No	
4.1. Reason thereof	N/A	
5. Whether any Forest Land involved in the project or part thereof	No	
6. Whether NBWL recommendation is required?	No	

Project Details

7. Details of CTE

7.1. Whether consent under Air & Water Act has been obtained from SPCB / UTPCC?	No	
7.1.1. Reason thereof	CTE is in process. will be procured before construction	
8. Whether the project/activity located in Notified Industrial Area?	No	
9. Whether the project/activity located in CRZ or ICRZ area?	No	
10. Whether the project proposed to be located in Territorial waters (Off-shore)	No	
11. Whether project/activity attracts the Specific Condition specified in the Schedule of EIA Notification?	No	
12. Whether project/activity located in the Eco-sensitive Zone notified/proposed to be notified under Environment (Protection) Act, 1986	No	

Product Details

13. Details of Products & By-products

Name of Product	Product / By Product	Quantity / Capacity	Unit	Mode of Transport / Transmission	Remarks
Building Construction	Product	135577.8	Sq. m	Road	FSI Area –79490.98 sq.m Non – FSI Area – 56086.82 sq.m Building Configuration – 1) Amenity Building no. 1 – Ground + 19(pt.) Floors. 2) Sale Building 2 & 3 – 3 Basements + Ground + 5 Podium Levels + 6th to 18th floor + Service floor & fire check floor + 19th to 40th + Service floor & fire check floor + 41st to 50th Residential Floors + Terrace Floor. 3) Municipal Tenant building no. 4 – Ground floor + 20th floor + Service floor & fire check floor + 21st floor to 26th Floors. 4) Slum Building no.
-	Product	0	0	Road	4) Slum Building no. 5 – Ground + 8th (Pt). 5) Parking Tower: Stilt + 21 Floor

14. Whether any other Environmental Sensitive area exists within 10 Km from the project/activity boundary? Yes

14.1. Areas protected under international conventions, national or local legislation for their ecological, landscape, cultural or other related value No

14.2. Areas which are important or sensitive for ecological reasons- Wetlands, watercourses or other water bodies, coastal zone, biospheres, mountains, forests Yes

Name	Shortest distance from the project boundary in Km	Remarks
SGNP, TCFS	11	Outside ESZ area

14.3. Areas used by protected, important or sensitive species of flora or fauna for breeding, nesting, foraging, resting, overwintering, migration Yes

Name	Shortest distance from the project boundary in Km	Remarks
SGNP, TCFS	11	Outside ESZ area

14.4. Inland, coastal, marine or underground waters Yes

Name	Shortest distance from the project boundary in Km	Remarks
Mahim Bay	2.2	NA

14.5. Routes or facilities used by the public for access to recreation or other tourist, pilgrim areas No

14.6. Defence installations Yes

Name	Shortest distance from the project boundary in Km	Remarks
INS Trata	5	NA

14.7. Densely populated or built-up area Yes

Name	Shortest distance from the project boundary in Km	Remarks
Sion	0.1	Residential settlement around

14.8. Areas occupied by sensitive man-made land uses Yes

Name	Shortest distance from the project boundary in Km	Remarks
Sion Hospital	0.5	Nearest Hospital

14.9. Areas containing important, high quality or scarce resources No

14.10. Areas susceptible to natural hazards which could cause the project to present environmental problems similar effects No

15. Status of collection of baseline data Not required as the proposal is under B2 category

Consultant Details

19. Whether QCI/NABET Accredited EIA Consultant engaged? Yes

19.1. Accreditation No. / Organization Id ORG000498

19.2. Name of the EIA Consultant Organization Enviro Analysts & Engineers Pvt. Ltd.

19.3. Address

Address: B-1003, Enviro House Western Edge II, Behind Metro Mall, Western Express Highway, Borivali (E), Mumbai – 400066

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19.4. Mobile No.

9820280155

19.5. E-mail Id

info@eaepl.com

19.6. Category of Accreditation (Eligible for Category A / Eligible for Category B)

A

19.7. Sector(s) of Accreditation

3,4,8,21,22,25,27,33,34,38,39,118,37

19.8. Validity of Accreditation

2023-05-13

Project Details

1. Introduction of Project or Activity

1.1. Need for the project or activity and its importance to the country/region	N/A
1.2. Demand - Supply Gap and Domestic and export markets, if any	N/A

2. Social Infrastructure

2.1. Readily available	N/A
2.2. Proposed to be developed	N/A

3. Connectivity to the project or activity

3.1. Nearest railway station and its distance (in Km)	N/A	N/A
3.2. Nearest Airport and its distance (in Km)	N/A	N/A
3.3. Nearest Town/City/District head quarter and its distance (in Km)	N/A	N/A
4. Soil classification	N/A	
5. Distance from the HFL of the river in m, if any	N/A	

6. Benefits of the project

6.1. Social benefits of project or activity	N/A
6.2. Financial benefits of project or activity	N/A

7. Project Schedule

7.1. Likely date of start of construction activity	
7.2. Likely date of completion of construction activity	

Construction Details

2. Use of resources for construction or operation of the project

2.1. Whether requirement of water involved in the project?	Yes
--	-----

Details of Water requirement during Construction stage

Source	Quantity in KLD Present	Quantity in KLD with Expansion	Method of water withdrawal	Distance from Source in mtr	Mode of Transport	Details of Permission
Tankers	18	0	Tankers	5000	Tankers	

Details of Water requirement during Operational stage

Source	Quantity in KLD Present	Quantity in KLD with Expansion	Method of water withdrawal	Distance from Source in mtr	Mode of Transport	Details of Permission
Other	630	0	Others	20000	Pipeline	

2.2. Other information, if any	Domestic water = 412 KLD, Flushing water= 205 KLD and RG = 13 KLD
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2.3. Whether requirement of Minerals and/or fuels involved in the project?	No
--	----

2.3. Whether requirement of minerals and/or fuels involved in the project?

No

2.4. Construction material

Yes

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Construction material	Quantity in MT	Source	Mode of transport	Distance from source in Km
Sand	116656.22	Authorized Vendor	Road	10
Cement	62605.47	Authorized Vendor	Road	10
Stone	150445.15	Authorized Vendor	Road	10

2.5. Timber

Yes

2.5.1. Quantity of timber required (MT):

182.21

2.5.2. Source of timber:

Local Licensed Vendor

2.5.3. Other information, if any:

N/A

2.6. Electric Power:

Yes

2.6.1. Total Electricity requirement (MW):

4.703

2.6.2. Main Source:

BEST

2.6.3. Renewable energy proposed to install (kW):

179

2.6.4. Percentage contribution of renewable energy:

5

2.6.5. Standby arrangements (details of DG Sets):

2 x 700

2.6.6. Stack height in m (DG set):

178.24

2.6.7. Energy conservation measures:

Use of Solar PV & Solar Water Heater, LED, BEE equipment

2.7. Whether any other natural resources / other raw materials required?:

No

2.8. Whether any use of substances or materials, which are hazardous (as per MSIHC rules) to human health or the environment (flora, fauna, and water supplies) required?

No

2.9. Whether any resource efficiency / optimization / recycling and reuse envisaged in the project?

Yes

2.9.1. Details

The proposed project is having provision of OWC to optimize waste generated at source and recycle it to be used as manure in RG area within project premise. It is proposed that the project will have on site STP, the treated water from this will be utilize

Physical Changes

3. Construction, operation or decommissioning of the Project involving actions, which will cause physical changes in the locality:

3.1. Whether any permanent or temporary change in land use, land cover or topography due to project activity?

N/A

3.2. Whether any clearance of existing vegetation due to project activity?

N/A

3.3. Whether any loss of native species or genetic diversity?

N/A

3.4. Whether any demolition works involved in project activity?

N/A

3.5. Whether any linear structures proposed for diversion or demolition due to project activity? (e.g. roads, transmission lines, rail line, pipeline, conveyor, etc.)

N/A

3.6. Whether any closure or diversion of existing transport routes or infrastructure due to project leading to changes in traffic movements?

N/A

3.7. Whether any closure or diversion of water bodies present in project area or realignment of water courses passing through project area?	N/A
3.8. Whether any dismantling or decommissioning or restoration works or reclamation works (Long-term/ short-term)?	N/A
3.9. Whether any construction works for temporary use for project activity?	N/A
3.10. Whether any cut and fill excavations proposed for the project activity?	N/A
3.11. Whether any underground works including tunnelling?	N/A
3.12. Whether any dredging involved in project?	N/A
3.13. Whether any offshore structures involved in project?	N/A
3.14. Whether any new road, rail, sea, airports, helipad, etc. during construction or operation?	N/A
3.15. Whether any construction of new linear structures? (e.g. transmission lines, pipelines, etc.)	N/A
3.16. Whether any Facilities for storage of goods or raw materials?	N/A
3.17. Whether any Facilities for long term/ permanent housing of operational workers/ staff?	N/A
3.18. Whether any Impoundment, damming, culverting, realignment or other changes to the hydrology of watercourses or aquifers?	N/A
3.19. Whether any Stream crossings, temporary and permanent?	N/A
3.20. Whether any Influx of people to an area in either temporarily or permanently?	N/A
3.21. Whether any other information would like to submit?	N/A

Pollution Details

4. Release of pollutants to Air and Mitigation measures

4.1. Whether any probable air pollutants generated?	N/A
4.2. Other information, if any	N/A

4.3. Generation of Noise & Vibration and mitigation measures

4.3.1. Whether any probable generation of Noise and vibration from the proposed project?	N/A
4.3.2. Whether any probable generation of Light and Heat?	N/A

4.4. Discharge of pollutants to water and mitigation measures

4.4.1. Whether any probable water pollutants generated?	N/A
4.5. Probable sources of water pollutant	N/A

4.6. Quantity of waste water generation per day (KLD)	
4.7. Quantity of treated water proposed to use per day (KLD)	
4.8. Quantity of treated water proposed to discharge outside the premises (KLD)	
4.9. Purpose for which treated water is proposed to use	
4.10. Whether it is proposed to opt/avail common off-site Sewage Treatment Plant (CSTP)/Effluent Treatment Plant (CETP) facility?	N/A
4.11. Whether it is proposed to setup on-site Sewage Treatment Plant (STP)/Effluent Treatment Plant (ETP) facility?	N/A
4.12. Whether the adequacy of the Sewage Treatment Plant (STP) or Effluent Treatment Plant certified by an independent expert?	N/A
4.13. Whether any other mitigation measures proposed?	N/A
4.14. Whether Dual Plumbing System proposed to be implemented?	N/A
4.15. Whether any discharge of treated effluent involved?	N/A

Water Requirements

7. Ground water intersection and water conservation measures:

7.1. Whether ground water table intersection involved in the project activities?	No
7.2. Area category from Groundwater availability perspective?	Safe
7.3. Whether Rainwater harvesting proposed	Yes
7.3.1. Capacity of facilities provided	163
7.3.2. Description of facilities provided	2 days holding capacity tanks are provided for RWH
7.3.3. Description	There will be no groundwater extraction. The rain water collected from RWH tanks as well as the recycled water used for domestic potable use which will help meet the needs
7.3.4. Total Quantity of water requirements met from water harvesting in KLD	163
7.3.5. Storage capacity of rain water harvested in cubic meters	163
7.4. Whether any other water conservation measures proposed?	Yes
7.4.1. Details thereof	Low flow device will be provided along with water recycling.
7.5. Whether the ZLD is proposed?	No

8. Greenbelt

8.1. Area proposed for green belt (in Ha)	N/A
8.2. Width of green belt (in m) along the boundary of the project or activity	N/A
8.3. Percentage of the total area covered under green belt	N/A
8.4. Details of the species proposed for plantation	N/A
8.5. No. of tree saplings to be planted	N/A
8.6. Funds allocated for plantation in Lakhs.	N/A

9. Production of wastes during construction or operation or decommissioning

9.1. Whether any generation of Solid waste (domestic wastes)? Yes

Name of the waste	Source	Qty (TPA)	Mode of disposal	Mode of Transport
Bio-degradable Waste	Domestic	492	To be processed in organic waste convertor (OWC)	Road
STP Sludge	STP	10	To be mixed with biodegradable waste & processed in OWC	Road
Non-biodegradable Waste	Domestic	350	To be managed through authorized recyclers	Road

9.2. Whether any generation of plastic waste? No

9.3. Whether any generation of e-waste? Yes

Name of the waste	Source	Qty (TPA)	Mode of disposal	Mode of Transport
E Waste	Domestic	3	To be handed over to MPCB authorized vendor.	Road

9.4. Whether any generation of batteries waste? No

9.5. Whether any generation of Bio-medical waste? No

9.6. Whether any generation of hazardous wastes (as per Hazardous Waste Management Rules)? No

9.7. Whether any generation of construction or demolition wastes? Yes

Name of the waste	Source	Qty (TPA)	Mode of disposal	Mode of Transport
C&D and Excavation Waste	Construction Activity on site	2.4	Backfilling on site	Road

9.8. Whether any generation of other wastes? No

9.9. Whether any generation of surplus products? No

9.10. Whether measures for waste minimization proposed? Yes

9.10.1. Details thereof

Garbage collection bins are provided in each building. Final screening shall be done with dedicated efforts. It is expected that residents will segregate the waste at source. The philosophy of solid waste management at proposed project will be to encourage

Risk Assessment

10. Whether any risks associated with project activities which could affect human health or the environment, -

10.1. From explosions, spillages, fires etc. from storage, handling, use or production of hazardous substances? No

10.2. From any other causes? Yes

10.2.1. Details thereof

There is a risk of accident during construction however proper safety measures will be taken. Each DG set shall be provided with proper acoustic enclosure. Fire Fighting System will be provided.

10.3. Could the project be affected by natural disasters causing environmental damage (e.g. floods, earthquakes, landslides, cloudburst etc)? Yes

10.3.1. Details thereof

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The project falls under seismic zone-III as per IS1893 (Part- 1):2002. The structural design shall be accordingly performed. Hence, no risk due to natural hazards is envisaged.

10.4. Changes in occurrence of disease or affect disease vectors (e.g. insect or water borne diseases)

Yes

10.4.1. Details thereof

During the entire construction phase adequate precaution will be taken to avoid stagnation of water giving rise to mosquito breeding. Further, storm water network will be well designed to leave no stagnant water pockets, at any point of time. The storm water line will not cross wastewater line. Proper housekeeping practices will be adopted.

10.5. Could project adversely affect the wellbeing of people in project area e.g. by changing living conditions?

Yes

10.5.1. Details thereof

Positive impact due to enhanced and hygienic living conditions. Aesthetic value of area will be improved. It will provide employment opportunities to the local people in terms of skilled and unskilled labour during construction and service personnel during operational phase.

10.6. Vulnerable groups of people who could be adversely affected by the project e.g. hospital patients, children, the elderly etc.

Yes

10.6.1. Details thereof

There are vulnerable areas within 500m from the site. emp will be followed for mitigations

10.7. Risk Management Plan

Yes

10.7.1. Details thereof

DMP will be submitted

10.8. Whether any likely impacts of the proposed activity on the existing facilities adjacent to the proposed site due to generation of dust, smoke, odorous fumes or other hazardous gases?

Yes

Existing adjacent facilities/Resources

Impact

10.8.1. Agriculture

Nil

10.8.2. Natural Resources

Nil

10.8.3. Community facility

Nil

10.8.4. Other

The proposed project is a Residential project. Which is a redevelopment scheme Open spaces and recreation areas as required by DCPR are provided for development of land. Development is in line with the local development plan and there is no disturbance of ecology by disturbing land or flora/fauna is found

11. Factors which should be considered (such as consequential development) which could lead to environmental effects or the potential for cumulative impacts with other existing or planned activities in the locality

11.1. Whether lead to development of supportive facilities, ancillary development or development stimulated by the project which could have impact on the environment e.g.: Supportive infrastructure (roads, power supply, waste or waste water treatment, etc.); housing development; industries in supply chain and downstream; any other?

Yes

11.1.1. Details thereof

Supporting and ancillary development will take place.

11.2. Whether lead to after-use of the site, which could have an impact on the environment? (e.g. mine void, dump sites, etc.)

No

11.3. Whether set a precedent for later developments?

Yes

11.3.1. Details thereof

The project is located in Residential zone. more similar project are going on near the project site. tThis will create job opportunities for support staff like security, maintenance, household workers, etc.

11.4. Have cumulative effects due to proximity to other existing or planned projects with similar effects?

Yes

11.4.1. Details thereof

The proposed project is a SRA project in the area demarcated for residential and allied uses as per DP of MCGM

11.5. Whether lead to growth of alien species, if any? No

11.6. Is there any threat of the project to the biodiversity (including displacement of fauna-both terrestrial and aquatic and avi-fauna or creation of barriers for their movement)? No

11.7. Will the proposed project in any way result in the obstruction of a view, scenic amenity or landscapes? Yes

11.7.1. Details thereof

The design of the project is influenced by the regulation set out by local authority and modern needs of the society.

11.8. Is there any impact on anthropological or archaeological sites or any important site feature in the vicinity of the proposed site have been considered? No

11.9. Will the proposed project result in any changes to the demographic structure of local population? No

11.10. Will the project cause adverse effect on local communities, disturbance to sacred sites or other cultural values? No

12. River Valley Project

12.1. River Valley Project N/A

12.2. Whether project involves construction of Dam/Barrage/Weir? N/A

12.3. Name of the River (source) N/A

12. Airport Proposals

Details of Project Configuration

12.1. Project components N/A

12.2. Passenger capacity N/A

12.3. Aircraft compatibility N/A

12.4. Enter Total built-up area in sqm N/A

12.5. Other information, if any N/A

12.6. Details of nearest airport N/A

12.7. Details of nearby habitation N/A

12.8. Details of connectivity to the proposed project N/A

12.9. Parking provision N/A

12. Mining Proposals

12.1. Details of Letter of Intent (LoI) / Vesting order / Mining Lease

12.1.1. Date of issue of LoI/Vesting order/Mining Lease

12.1.2. Validity of the LoI/Vesting order

12.1.3. Lease Period N/A

12.1.4. Date of expiry of lease

12.1.5. Lease area (in Ha) as per LoI/Vesting order/Mining Lease N/A

12.1.6. Production capacity (in MTPA) as per LoI / Vesting Order / Mining lease, if any prescribed N/A

12.1.7. Details of Lease renewal(s), if any

N/A

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12.1.8. Other information, if any

N/A

13. Status of approval of Mining plan

N/A

14. Minerals to be mined

Name of Mineral	Classification	Production Capacity	Remarks
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15. Details of Total excavation (RoM) including Topsoil, Overburden, Mining waste, Rejects, etc.

15.1. Total excavation in MTPA

N/A

15.2. Total Excavation in M.Cu.m/Annum

N/A

15.3. Enter stripping Ratio

N/A

15.4. Other information, if any

N/A

16. Mineral Reserves

Name of Mineral	Proved Reserves	Indicated Reserves	Inferred Reserves	Mineable Reserves	Remarks
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17. Life of Mine (Years)

17.1. Life of the mine as per approved mining plan

N/A

17.2. Life of the mine as per total estimated reserves, if any

N/A

17.3. Other information, if any

N/A

18. Type and method of Mining Method

18.1. Type of mining

N/A

18.2. Method of mining

N/A

18.3. Other information, if any

N/A

19. Type of blasting, if any, to be adopted

19.1. Type of blasting

N/A

19.2. Mitigation measures for control of blast induced vibrations

N/A

19.3. Other information, if any

N/A

20. Whether it is proposed to install beneficiation plant/Coal washery within the mining lease area?

N/A

21. Whether it is proposed to install crusher within the mining lease area?

N/A

22. Dumping strategy

Description	Area in Ha	Maximum height in m	Remarks
External dump	N/A	N/A	N/A
Internal dump	N/A	N/A	N/A

23. Topsoil management

23.1. Total Topsoil excavated during the entire life of the mine (in Million Cubic Meter) N/A

23.2. Utilization strategy of topsoil N/A

23.3. Other information, if any N/A

24. Details of the Quarry/Mine Pit

24.1. Total Quarry Area (Ha) N/A

24.2. Enter Area of final void (in Hectare) N/A

24.3. Maximum Depth of final void (in meter) N/A

24.4. Other information, if any N/A

25. Details of Transportation

25.1. Mode of transportation upto pit head N/A

25.2. Mode of transportation from pit head to siding/loading N/A

25.3. Mode of transport from loading point to consumers N/A

25.4. Other information, if any N/A

26. Details of reclamation/post mining land use

26.1. Plantation area (ha) N/A

26.2. Water body in Ha N/A

26.3. Public use in Ha N/A

26.4. Enter Other uses in Ha N/A

12. Building or Construction projects or Area Development projects and Townships Proposals**12.1. Major Project Requirement in terms of the land area, built up area, green belt, parking needs etc.**

12.1.1. Total Land/plot area (sq. m) N/A N/A

12.1.2. Build up area (sq. m) N/A N/A

12.1.3. Maximum number of floors N/A N/A

12.1.4. Total number of dwelling units N/A N/A

12.1.5. Proposed FAR N/A N/A

12.1.6. Surface Parking Area (sq. m) N/A N/A

12.1.7. Number of parking Required N/A N/A

12.1.8. Open Area (sq. m) N/A N/A

12.1.9. Paved Area (sq. m) N/A N/A

12.1.10. Unpaved Area (sq. m) N/A N/A

12.1.11. Green belt Area (sq. m) N/A N/A

12.1.12. STP & Solid Waste Area (sq. m) N/A N/A

Project requirement details

Details

12.2. Whether management of drainage in and around site is proposed as per the Central Public Health & Environment Engineering Organization (CPHEEO)

the Central Public Health & Environment Engineering Organization (CPHEEO) Manual on Storm Water Drainage System, 2019 to avoid flooding or water logging? N/A

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12.3. Details regarding measures are taken to prevent the run-off from construction activities polluting land & aquifers? (Give details of quantities and the measures taken to avoid the adverse impacts) N/A

12.4. Impact of the land use changes occurring due to the proposed project on the runoff characteristics of the area in post construction phase on a long term N/A

12.5. Will there be any significant land disturbance resulting in erosion, subsidence and instability? N/A

12.6. Whether soil erosion control measures proposed to conform to best management practices highlighted in the National Building Code (NBC) of India, 2016? N/A

12.7. Breakup of water requirement for various daily uses

Daily Use	Daily quantity (KLD)	
	During Construction	During Operation
Drinking Water	N/A	N/A
Green Belt	N/A	N/A
Flushing	N/A	N/A
Dust Suppression	N/A	N/A

Daily Use	During Construction	During Operation
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12.8. Details of traffic management at the entry & exit to the project site in construction and operation phase with comparison to the present level of traffic N/A

12.9. Whether buildings or building complexes have a connected load of 100 kW or greater or a contract demand of 120 kVA or greater and are intended to be used for commercial purposes. N/A

12.10. What is the Energy Performance Index (EPI) of a building in kilowatt-hours per square meter per year of the building and measures to minimize energy consumption? N/A

12.11. Whether Compliance to the ECBC norms is applicable? N/A

12.12. Details for Energy efficiency level

Building envelop

12.12.1. Fenestration

Parameter	Details	Remarks
U-Factor (W/m2.K)	N/A	N/A
Solar Heat Gain Coefficient	N/A	N/A
Visual Light Transmittance	N/A	N/A

12.12.2. Day lighting

Parameter	Details	Remarks
% Useful daylight illuminance (UDI)	N/A	N/A
Area per floor (sq. m) UDI requirement during 90% of the year	N/A	N/A
Total daylight area (sq. m) in building meeting UDI requirement during 90% of the year	N/A	N/A

Building Envelope Sealing

12.12.3. Roof

Parameter	Details	Remarks
Roof assembly U-factor (W/m2.K)	N/A	N/A
Climate Zone	N/A	N/A

12.12.4. External Wall

Opaque Assembly Maximum U-factor (W/m ² .K)	N/A	N/A
Climate Zone	N/A	N/A
Material	N/A	N/A
R Value	N/A	N/A
12.12.5. Energy efficiency in Thermal comfort systems and controls	N/A	
12.12.6. Energy efficiency in Lighting and Electrical systems and controls	N/A	
12.13. Does the layout of streets & buildings maximize the potential for solar energy devices? Substantiate with details.	N/A	
12.14. What extent the non-conventional energy technologies are utilized in the overall energy consumption? Provide details of the renewable energy technologies used	N/A	
12.15. What are the likely effects of the building activity in altering the microclimates? Provide a self-assessment on the likely impacts of the proposed construction on creation of heat island & inversion effects?	N/A	
12.16. What precautions & safety measures are proposed against fire hazards? Furnish details of emergency plans	N/A	
12.17. Details of NOCs available for the project (if any)	N/A	

12. CBWTF Proposals

Project configuration		
12.1. Project components	N/A	
12.2. Any other details	N/A	
12.3. Nearest operational CBWTF details	N/A	
12.4. Details of wastes to be handled	N/A	
12.5. Details of member units	N/A	
12.6. Mode of transportation of wastes to CBWTF	N/A	
12.7. Land area distribution for proposed activities in Ha	N/A	

12. CETP Proposals

Project configuration		
12.1. Project components	N/A	
12.2. Any other details	N/A	
12.3. Nearest operational CETP details	N/A	
12.4. Details of wastes to be handled	N/A	
12.5. Details of member units	N/A	
12.6. Mode of transportation of wastes to CBWTF	N/A	
12.7. Land area distribution for proposed activities in Ha	N/A	

12. Use of resources for construction or operation of the project

Project configuration		
12.1. Project components	N/A	
12.2. Any other details	N/A	
12.3. Nearest operational TSDF details	N/A	
12.4. Adherence to CPCB site selection criteria	N/A	

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12.5. Details of wastes to be handled	N/A
12.6. Details of member units	N/A
12.7. Mode of transportation of wastes to TSDF	N/A
12.8. Land area distribution for proposed activities in Ha	N/A

12. Industry Proposals

Configuration of the plant / activity

12.1. Plant / Equipment / Facility	N/A
12.2. Existing Configuration	N/A
12.3. Remarks if any	N/A

12. CMSWMF Proposals

Project configuration

12.1. Project components	N/A
12.2. Any other details	N/A
12.3. Nearest operational CMSWMF details	N/A
12.4. Details of existing dumpsite (if any)	N/A
12.5. Adherence to CPCB site selection criteria	N/A
12.6. Details of wastes to be handled	N/A
12.7. Details of member units	N/A
12.8. Mode of transportation of wastes to CMSWMF	N/A
12.9. Land area distribution for proposed activities in Ha	N/A

Enclosures

1. Layout Plan showing the components of the project and green belt proposed; general location and specific location of the project along with coordinates	N/A
2. Schematic representation of the feasibility drawings which give information for EIA purpose	N/A

15. Additional Information

Sr. No.	Document Name	Remark	Document
1	LOI of the project is attached below	same as above	LOI.pdf

Undertaking

16. I hereby give undertaking that the data and information given in the application and enclosures are true to be best of my knowledge and belief and I am aware that if any part of the data and information is found to be false or misleading at any stage, the project will be rejected and clearance given if any to the project will be revoked at our risk and cost. In addition to the above, I hereby give undertaking that no activity/construction/expansion has been taken up

16.1. Name	N/A
16.2. Designation	
16.3. Company	N/A
16.4. Address	N/A
16.5. Date	N/A

Common Application Form

Project Details

1. Details of Project

1.1. Name of the Project	Proposed Redevelopment Of Municipal Property known as Barracks No. T/57, T/58, T/59 On Plot Bearing S.C No.6 (Pt) Of F/North Ward, Sion Division, Situated At Vishramwadi, Bhaudaji Rd. Sion Mumbai 400022, D.C.Regulation 33(7) by M/s. Safal Developers Pvt. Ltd.
1.2. Project Proposal For	New
1.3. Project ID (Single Window Number)	SW/109703/2022
1.4. Description of Project	The Project is a redevelopment project consisting 5 no. of buildings (Amenity Building no. 1, Sale Buildings no. 2 & 3, Municipal Tenant Building no. 4 & Slum Building no. 5)& 1 Parking tower.

2. Details of the Company/Organization/User Agency making application

2.1. Legal Status of the Company/Organization/User Agency	Private Limited
2.2. Name of the Company/ Organization/User agency	SAFAL DEVELOPERS PRIVATE LIMITED

Registered address

2.3. Address	54B, 402, Sagar Avenue, Junction of SV Road, Lallubhai Park, Andheri West, Mumbai - 400058.
2.4. Village /Town / City	Andheri
2.5. State	MAHARASHTRA
2.6. District	MUMBAI
2.7. Pin Code	400058
2.8. E-mail address	compliance@sahanagroup.com
2.9. Mobile number	9969033491

3. Details of the person making application

3.1. Name	Mr Vijay More
3.2. Designation	Assistant Executive

Correspondence address

3.3. Address	54B, 402, Sagar Avenue, Junction of SV Road, Lallubhai Park, Andheri West, Mumbai - 400058.
3.4. State	MAHARASHTRA
3.5. District	MUMBAI
3.6. Pin Code	400058
3.7. E-mail address	compliance@sahanagroup.com
3.8. Mobile number	9969033491

Project Location

4. Location of the Project or Activity

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4.1. Upload KML	Sahana Group.kml
4.2. Whether the project/activity falling in the state/UT sharing international borders	NO
5. Shape of the Project	Non - Linear

Location Details

Toposheet No	State/UT	District	Sub District	Village	Plot/Survey/Khasra No.
E43A16	MAHARASHTRA	Mumbai	Greater Mumbai	Greater Mumbai (M Corp.)	Barracks No. T/57, T/58, T/59 On Plot Bearing S.C No.6 (Pt) Of F/North Ward, Sion Division

Remarks

N/A

6. Land Requirement (in Ha) of the project or activity

6.1. Nature of Land involved

6.2. Non-Forest Land [A]	2.6329
6.3. Forest Land [B]	0
6.4. Total Land [A+B]	2.6329

Project Activity Cost

6. Project/Activity Cost

6.1. Total Cost of the Project at current price level (in Lakhs)	41012 Amount in Words : Forty One Thousand Twelve Lakh(s) Only
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7. Employment likely to be generated

7.1. During construction phase

Permanent employment

7.1.1. No. of permanent employment (No.s) [A]	10
7.1.2. Period of employment (No. of days) [B]	1500
7.1.3. No. of man-days [X]=[A]*[B]	15000

Temporary employment

7.1.4. Temporary / Contractual employment (No. of Man days) [Y]	100
7.1.5. Total [X] + [Y]	15100

7.2. During operational phase

Permanent employment

7.2.1. No. of permanent employment (No.s) [A]	20
7.2.2. Period of employment (No. of days) [B]	8250
7.2.3. No. of man-days [X]=[A]*[B]	165000

Temporary employment

7.2.4. Temporary / Contractual employment (No. of Man days) [Y]	247500
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Others

8. Whether Rehabilitation and Resettlement (R&R) involved?	NO
9. Whether project area involves shifting of watercourse/road/rail/Transmission line/water pipeline, etc. required?	NO
10. Whether any alternative site(s) examined or part thereof for the non-site-specific component?	Not applicable as the project or activity is site specific
11. Whether there is any Government Order or Policy/ Court order relevant or restricting to the site?	NO
12. Whether there is any litigation pending against the project and/or land in which the project is proposed to be set up?	NO
13. Whether the proposal involves violation of Act/Rule/Regulation/Notification of Central/State Government?	NO

EXHIBIT-C

Minutes of the 193rd meeting of the State Level Expert Appraisal Committee-II (MMR & Konkan Region) held on 17th, 18th & 19th January, 2023 through Video Conferencing.

Item No.24: M/s. Safal Developers Pvt. Ltd. (SIA/MH/INFRA2/408565/2022)

Environment Clearance for proposed Redevelopment of Municipal Property known as Barracks No. T/57, T/58, T/59 On Plot Bearing S.C No.6 (Pt) Of F/North Ward, Sion Division, Situated at Vishramwadi, Bhaudaji Rd. Sion Mumbai by M/s. Safal Developers Pvt. Ltd.

Introduction: -

PP submitted the application for environmental clearance to their proposed Redevelopment of Municipal Property project having total plot area of 26329.97 Sq. Mtrs., Total construction area of 135577.8 Sq. Mtrs. and FSI area of 79490.98 Sq. Mtrs. PP proposes to construct 5 Nos. of buildings having maximum height of 172.95 Mtrs. & a Parking Tower as mentioned at Sr.no. 20 of the project details.

Representative of PP was present during the meeting along with Environmental Consultant Enviro Analysts & Engineers Pvt. Ltd. The details of project are as mentioned below:

Sr No	Description	Details	
1	Proposal Number	SIA/MH/INFRA2/408565/2022	
2	Name of Project	Proposed Redevelopment of Municipal Property known as Barracks No. T/57, T/58, T/59 On Plot Bearing S.C No.6 (Pt) Of F/North Ward, Sion Division, Situated at Vishramwadi, Bhaudaji Rd. Sion Mumbai by M/s. Safal Developers Pvt. Ltd.	
3	Project category	8(a), B2	
4	Type of Institution	Private	
5	Project Proponent	Name	Mr. Vijay More
		Regd. Office address	54B, 402, Sagar Avenue, Junction of SV Road, Lallubhai Park, Andheri West, Mumbai - 4000058
		Contact number	9969033491
		e-mail	Compliance@Sahanagroup.com
6	Consultant	Name: Enviro Analysts & Engineers Pvt. Ltd. NABET Accreditation No: NABET/EIA/2023/RA0206 Validity: 13.05.2023	
7	Applied for	Greenfield Project /Fresh	

Member Secretary

Chairman

Minutes of the 193rd meeting of the State Level Expert Appraisal Committee-II (MMR & Konkan Region) held on 17th, 18th & 19th January, 2023 through Video Conferencing.

8	Location of the project		Municipal Property is known as Barracks No. T/57, T/58, T/59 On Plot Bearing S.C No.6 (Pt) Of F/North Ward, Sion Division, Situated at Vishramwadi, Bhaudaji Rd. Sion.			
9	Latitude and Longitude		Latitude - 19°13'24.96"N, Longitude - 72°52'5.15"E			
10	Plot Area (Sq.m.)		26329.97 sq.m			
11	Deductions (Sq.m.)		16497.65 sq.m			
12	Net Plot area (Sq.m.)		9832.32 sq.m			
13	Ground coverage (m ²) & %		4322.79 sq.m (43.97%)			
14	FSI Area (Sq.m.)		79490.98 sq.m			
15	Non-FSI (Sq.m.)		56086.82 sq.m			
16	Proposed built-up area (FSI + Non-FSI) (Sq.m.)		135577.8 sq.m			
17	TBUA (m ²) approved by the Planning Authority till date.		IOD For Building no.1 – 06/03/2017 - Approved FSI area – 8371.33 sq.m IOD for building no.2 & 3 – 09/03/2017 - Approved FSI area – 60961.54 sq.m IOD for building no.4 – 06/03/2017 - Approved FSI area – 7644.7 sq.m IOD for building no.5 – 06/03/2017 - Approved FSI area – 2513.38 sq.m			
18	Earlier EC details with Total Construction area, if any.		NAs			
19	Construction completed as per earlier EC (FSI + Non FSI) (Sq.m.)		No. construction is taken up onsite			
20	Previous EC / Existing Building		Proposed Configuration			Reason for Modification / Change
	Buildi ng Name	Configurati on	Heig ht (m)	Building Name	Configuration	
	NA	NA	NA	Amenity Building no. 1	Ground + 19(pt.) Floors.	64.35 m


Member Secretary


Chairman

Minutes of the 193rd meeting of the State Level Expert Appraisal Committee-II (MMR & Konkan Region) held on 17th, 18th & 19th January, 2023 through Video Conferencing.

	NA	NA	NA	Sale Building 2 & 3	3 Basements + Ground + 5 Podium Levels + 6th to 18th floor + Service floor & fire check floor + 19th to 40th + Service floor & fire check floor + 41st to 50th Residential Floors + Terrace Floor.	172.9 5 m	NA
	NA	NA	NA	Municipal Tenant building no. 4	Ground floor + 20th floor + Service floor & fire check floor + 21st floor to 26th Floors.	88.60 m	NA
	NA	NA	NA	Slum Building no. 5	Ground + 8th (Pt).	27.60 m	NA
	NA	NA	NA	Parking Tower	Stilt + 21 level.	52.90 m	NA
21	No. of Tenements & Shops			Building no. 1 – 174 nos of Flats, BMC Chowky, Atithi gruha, Therapy center Building no. 2 & 3 - Flats - 512 nos. Building no. 4 - Flats - 100 nos. Building no. 5 - 21 nos. of Shops, temple, flats – 61 nos.			
22	Total Population			Residential: 4365 nos. Commercial: 84 nos. Others: 410 nos.			
23	Total Water Requirements CMD			630 KLD (Domestic - 412 KLD, Flushing - 205 KLD, Landscape - 13 KLD)			
24	Under Ground Tank (UGT) location			Service basement for Amenity Building no. 1 Basement level 1 for Sale building 2 & 3 Service Basement for Building no. 4 & 5			
25	Source of water			MCGM			
26	STP Capacity & Technology			3 STPs of a Total Capacity of 610 KLD, MBBR			

Member Secretary

11

Chairman

Minutes of the 193rd meeting of the State Level Expert Appraisal Committee-II (MMR & Konkan Region) held on 17th, 18th & 19th January, 2023 through Video Conferencing.

27	STP Location	110 KLD STP for Amenity Building in service basement & open to the sky at ground level 390 KLD STP for Sale building no. 2 & 3 in Basement level 1 & open to the sky at ground level 110 KLD STP for Buildings no. 4 & 5 below ground & open to the sky at ground level			
28	Sewage Generation CMD & % of sewage discharge in the sewer line	276 KLD &, 35% of excess treated water to sewer line			
29	Solid Waste Management during Construction Phase	Type	Quantity (Kg/d)	Treatment/disposal	
		Dry waste	10 kg/day	Will be handed over to a recycler	
		Wet waste	15 kg/day	Handed over to Municipal waste collector	
		Construction waste	Topsoil	3950 Cum	Being used for landscaping
			Demolition Waste	1929 Cum	Already disposed of as per SWM NOC
			Excavated / Demolition Debris quantity	4100 Cum	We will reuse the 3500 cum quantity in the internal plot & road development and for the remaining quantity as per the SWM NOC 13301 cum quantity will be transported & remaining debris NOC will be obtained subsequently.
			Empty cement bags	81347 nos.	To be handed over to local recyclers
		Steel	14 MT	To be handed over to local recyclers	
Aggregates	54 MT	To be used as a layer for internal roads and building boundary walls.			

 Member Secretary

 Chairman

Minutes of the 193rd meeting of the State Level Expert Appraisal Committee-II (MMR & Konkan Region) held on 17th, 18th & 19th January, 2023 through Video Conferencing.

			Broken Tiles	1987 sq.m	Waste tiles to be used as china mosaic for terraces.				
			Empty Paint Cans (20 litre/can)	2034 nos.	To be handed over to the recycler				
30	Total Solid Waste Quantities with type during Operation Phase & Capacity of OWC to be installed	Type	Quantity (Kg/d)		Treatment/disposal				
		Dry waste	959 kg/day		Will be handed over to a recycler				
		Wet waste	1347 kg/day		Composting by OWC - manure produced will be used at a site for landscaping, 3 OWC of total Capacity – 300, 300 & 900 Kg/day.				
		E-Waste	2577 kg/yr		Will be collected and sent to MPCB-authorized recyclers.				
		STP Sludge (dry)	28 kg/day		Dry sewage sludge will be used as manure for gardening.				
31	R.G. Area in sq.m.	<table border="1"> <tr> <td>RG required – 886.89 sq.m (8%)</td> </tr> <tr> <td>Non - paved RG on mother earth – 1788.34 sq. m. (18%)</td> </tr> <tr> <td>Paved RG on Mother earth – 246.72 sq. m. (2%)</td> </tr> <tr> <td>Total R.G. provided – 2035.059 sq.m (20%)</td> </tr> </table> <p>Existing trees on the plot: 340 nos</p> <p>The number of trees to be planted: 122 + 73 + (600 trees + 200 shrubs) = 995 nos of trees</p> <p>a) In RG area: 195 nos.</p> <p>b) In Miyawaki Plantation (with the area); 800nos. (600 trees + 200 shrubs) of trees in the 200 sq.m</p> <p>Number of trees to cut: 61 nos as per Tree NOC</p> <p>Number of trees to transplant: 73 nos. as per Tree NOC</p>				RG required – 886.89 sq.m (8%)	Non - paved RG on mother earth – 1788.34 sq. m. (18%)	Paved RG on Mother earth – 246.72 sq. m. (2%)	Total R.G. provided – 2035.059 sq.m (20%)
RG required – 886.89 sq.m (8%)									
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Total R.G. provided – 2035.059 sq.m (20%)									


Member Secretary


Chairman

Minutes of the 193rd meeting of the State Level Expert Appraisal Committee-II (MMR & Konkan Region) held on 17th, 18th & 19th January, 2023 through Video Conferencing.

		Number of trees to be retained: 206						
32	Power requirement	During the Operation Phase: <table border="1"> <tr> <td>Details</td> <td>BEST</td> </tr> <tr> <td>Connected load (kW)</td> <td>13519 KW</td> </tr> <tr> <td>Demand load (kW)</td> <td>4703 KW</td> </tr> </table>	Details	BEST	Connected load (kW)	13519 KW	Demand load (kW)	4703 KW
Details	BEST							
Connected load (kW)	13519 KW							
Demand load (kW)	4703 KW							
33	Energy Efficiency	a) Total Energy saving (%): 16 % b) Solar energy (%): 5%						
34	D.G. set capacity	2 x 700 KVA						
35	No. of 4-W & 2-W Parking with 25% EV	4 Wheelers – 943 Nos. 2 Wheeler – 149 nos.						
36	No. & capacity of Rainwater harvesting tanks /Pits	4 RWH tank is proposed which is having a total capacity of 162 cu.m/day.						
37	Project Cost in (Cr.)	Rs. 410 Cr						
38	EMP Cost	Capital Cost- Rs. 1182 Lakhs, O and M cost - Rs. 90 Lakhs						
39	CER Details with justification if any....as per MoEF&CC circular dated 01/05/2018	It will be as per the OM dated 30th September 2020.						
40	Details of Court Cases/litigations w.r.t the project and project location if any.	NA						

Deliberation:

PP informed that the proposed project is the municipal property redevelopment under Regulation 33 (7) of DCPR,2034. PP also informed that the project site was occupied by Municipal barracks which housed Municipal tenants of Sion hospital & part plot was occupied by Slums. PP further informed that the project had earlier received LOI from MCGM on 15.08.2015 & existing structures are demolished at the site as per approval received.

PP submitted that no construction work is taken up at the site. PP also submitted that they have received Water, Sewer, SWD, and Tree NOC as well as CFO NOC for proposed height. PP further submitted that they have provided entire mandatory RG on the ground.

The project proposal was discussed on the basis of presentation made and documents submitted by the proponent along with environmental consultant Enviro Analysts & Engineers Pvt. Ltd. All issues related to environment, including air, water, land, soil, ecology and

Member Secretary

Chairman

Minutes of the 193rd meeting of the State Level Expert Appraisal Committee-II (MMR & Konkan Region) held on 17th, 18th & 19th January, 2023 through Video Conferencing.

biodiversity and social aspects were discussed. Committee noted that the project is under 8(a) B2 category of EIA Notification, 2006. Consolidated Statements, Form- 1/1A, presentation & plans submitted are taken on the record.

During discussion following points emerged:

1.PP to submit IOD/IOA/Concession Document/Plan Approval or any other form of documents as applicable clarifying its conformity with local planning rules and provisions as per the Circular dated 30.01.2014 issued by the Environment Department, Govt. of Maharashtra.

2.PP to obtain following NOCs:

a) Water Supply; b) Storm Water Drain remarks; c) CFO NOC for Parking Tower; d) Civil Aviation NOC.

3.PP to maintain 6 Mtr. distance between 390 KLD STP & domestic tanks.

4.PP to relocate flushing tank adjacent to 410 KLD STP proposed for building no.4 & 5.

5.PP to relocate domestic tanks of building no.2 & 3 in to the 1st basement such that top of the tanks is flush to the ground level.

6.PP to maintain adequate distance between Substation & STP.

7.PP to reduce discharge of treated water up to 35%. PP to submit undertaking from concerned authority/agency/third party regarding use of excess treated water.

Decision: -

In view of above discussion and subject to compliance of above points the proposal is recommended to SEIAA for grant of Environmental Clearance.


Member Secretary


Chairman

Minutes of 257th Day - 1 (Part C) meeting of SEIAA held on 02nd March, 2023.

Item no. 33

Proposal No.:- SIA/MH/INFRA2/408565/2022

Type of Project: EC

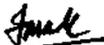
Subject- Environment Clearance for proposed Redevelopment of Municipal Property known as Barracks No. T/57, T/58, T/59 On Plot Bearing S.C No.6 (Pt) Of F/North Ward, Sion Division, Situated at Vishramwadi, Bhaudaji Rd. Sion Mumbai by M/s. Safal Developers Pvt. Ltd.

Project Details-

PP submitted the application for environmental clearance to their proposed Redevelopment of Municipal Property project having total plot area of 26329.97 Sq. Mtrs., Total construction area of 135577.8 Sq. Mtrs. and FSI area of 79490.98 Sq. Mtrs. PP proposes to construct 5 Nos. of buildings having maximum height of 172.95 Mtrs. & a Parking Tower as mentioned at Sr.no. 20 of the project details.

Representative of PP was present during the meeting along with Environmental Consultant Enviro Analysts & Engineers Pvt. Ltd. The details of project are as mentioned below:

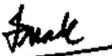
Sr. No.	Description	Details	
1	Proposal Number	SIA/MH/INFRA2/408565/2022	
2	Name of Project	Proposed Redevelopment of Municipal Property known as Barracks No. T/57, T/58, T/59 On Plot Bearing S.C No.6 (Pt) Of F/North Ward, Sion Division, Situated at Vishramwadi, Bhaudaji Rd. Sion Mumbai by M/s. Safal Developers Pvt. Ltd.	
3	Project category	8(a), B2	
4	Type of Institution	Private	
5	Project Proponent	Name	Mr. Vijay More
		Regd. Office address	54B, 402, Sagar Avenue, Junction of SV Road, Lallubhai Park, Andheri West, Mumbai - 4000058
		Contact number	9969033491
		e-mail	Compliance@Sahanagroup.com
6	Consultant	Name: Enviro Analysts & Engineers Pvt. Ltd. NABET Accreditation No: NABET/EIA/2023/RA0206 Validity: 13.05.2023	
7	Applied for	Greenfield Project /Fresh	
8	Location of the project	Municipal Property is known as Barracks No. T/57, T/58, T/59 On Plot Bearing S.C No.6 (Pt) Of F/North Ward, Sion Division, Situated at Vishramwadi, Bhaudaji Rd. Sion.	
9	Latitude and Longitude	Latitude - 19°13'24.96"N, Longitude - 72°52'5.15"E	
10	Plot Area (Sq.m.)	26329.97 sq.m	
11	Deductions (Sq.m.)	16497.65 sq.m	
12	Net Plot area (Sq.m.)	9832.32 sq.m	

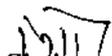

Member Secretary


Chairman

Minutes of 257th Day - 1 (Part C) meeting of SEIAA held on 02nd March, 2023.

13	Ground coverage (m ²) & %	4322.79 sq.m (43.97%)					
14	FSI Area (Sq.m.)	79490.98 sq.m					
15	Non-FSI (Sq.m.)	56086.82 sq.m					
16	Proposed built-up area (FSI + Non-FSI) (Sq.m.)	135577.8 sq.m					
17	TBUA (m ²) approved by the Planning Authority till date.	IOD For Building no.1 – 06/03/2017 - Approved FSI area – 8371.33 sq.m IOD for building no.2 & 3 – 09/03/2017 - Approved FSI area – 60961.54 sq.m IOD for building no.4 – 06/03/2017 - Approved FSI area – 7644.7 sq.m IOD for building no.5 – 06/03/2017 - Approved FSI area – 2513.38 sq.m					
18	Earlier EC details with Total Construction area, if any.	NAs					
19	Construction completed as per earlier EC (FSI + Non FSI) (Sq.m.)	No. construction is taken up onsite					
20	Previous EC / Existing Building			Proposed Configuration			Reason for Modification / Change
	Building Name	Configuration	Height (m)	Building Name	Configuration	Height (m)	
	NA	NA	NA	Amenity Building no. 1	Ground + 19(pt.) Floors.	64.35 m	NA
	NA	NA	NA	Sale Building 2 & 3	3 Basements + Ground + 5 Podium Levels + 6th to 18th floor + Service floor & fire check floor + 19th to 40th + Service floor & fire check floor + 41st to 50th Residential Floors + Terrace Floor.	172.95 m	NA
	NA	NA	NA	Municipal Tenant building no. 4	Ground floor + 20th floor + Service floor & fire check floor + 21st floor to 26th Floors.	88.60 m	NA
	NA	NA	NA	Slum Building no. 5	Ground + 8th (Pt).	27.60 m	NA
	NA	NA	NA	Parking Tower	Stilt + 21 level.	52.90 m	NA


Member Secretary


Chairman

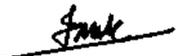
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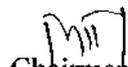
21	No. of Tenements & Shops	Building no. 1 – 174 nos of Flats, BMC Chowky, Atithi gruha, Therapy center Building no. 2 & 3 - Flats - 512 nos. Building no. 4 - Flats - 100 nos. Building no. 5 - 21 nos. of Shops, temple, flats – 61 nos.			
22	Total Population	Residential: 4365 nos. Commercial: 84 nos. Others: 410 nos.			
23	Total Water Requirements CMD	630 KLD (Domestic - 412 KLD, Flushing - 205 KLD, Landscape - 13 KLD)			
24	Under Ground Tank (UGT) location	Service basement for Amenity Building no. 1 Basement level 1 for Sale building 2 & 3 Service Basement for Building no. 4 & 5			
25	Source of water	MCGM			
26	STP Capacity & Technology	3 STPs of a Total Capacity of 610 KLD, MBBR			
27	STP Location	110 KLD STP for Amenity Building in service basement & open to the sky at ground level 390 KLD STP for Sale building no. 2 & 3 in Basement level 1 & open to the sky at ground level 110 KLD STP for Buildings no. 4 & 5 below ground & open to the sky at ground level			
28	Sewage Generation CMD & % of sewage discharge in the sewer line	276 KLD &, 35% of excess treated water to sewer line			
29	Solid Waste Management during Construction Phase	Type	Quantity (Kg/d)	Treatment/disposal	
		Dry waste	10 kg/day	Will be handed over to a recycler	
		Wet waste	15 kg/day	Handed over to Municipal waste collector	
		Construction waste	Topsoil	3950 Cum	Being used for landscaping
			Demolition Waste	1929 Cum	Already disposed of as per SWM NOC
Excavated / Demolition Debris quantity	41000 Cum		We will reuse the 3500 cum quantity in the internal plot & road development and for the remaining quantity as per the SWM NOC 13301 cum quantity will be transported & remaining debris NOC will be obtained subsequently.		


Member Secretary


Chairman

			Empty cement bags	81347 nos.	To be handed over to local recyclers				
			Steel	14 MT	To be handed over to local recyclers				
			Aggregates	54 MT	To be used as a layer for internal roads and building boundary walls.				
			Broken Tiles	1987 sq.m	Waste tiles to be used as china mosaic for terraces.				
			Empty Paint Cans (20 litre/can)	2034 nos.	To be handed over to the recycler				
30	Total Solid Waste Quantities with type during Operation Phase & Capacity of OWC to be installed	Type	Quantity (Kg/d)		Treatment/disposal				
		Dry waste	959 kg/day		Will be handed over to a recycler				
		Wet waste	1347 kg/day		Composting by OWC - manure produced will be used at a site for landscaping, 3 OWC of total Capacity – 300, 300 & 900 Kg/day.				
		E-Waste	2577 kg/yr		Will be collected and sent to MPCB-authorized recyclers.				
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Member Secretary


Chairman

Minutes of 257th Day - 1 (Part C) meeting of SEIAA held on 02nd March, 2023.

32	Power requirement	During the Operation Phase:	
		Details	BEST
		Connected load (kW)	13519 KW
		Demand load (kW)	4703 KW
33	Energy Efficiency	a) Total Energy saving (%): 16 % b) Solar energy (%): 5%	
34	D.G. set capacity	2 x 700 KVA	
35	No. of 4-W & 2-W Parking with 25% EV	4 Wheelers – 943 Nos. 2 Wheeler – 149 nos.	
36	No. & capacity of Rainwater harvesting tanks /Pits	4 RWH tank is proposed which is having a total capacity of 162 cu.m/day.	
37	Project Cost in (Cr.)	Rs. 410 Cr	
38	EMP Cost	Capital Cost- Rs. 1182 Lakhs, O and M cost - Rs. 90 Lakhs	
39	CER Details with justification if any....as per MoEF&CC circular dated 01/05/2018	It will be as per the OM dated 30th September 2020.	
40	Details of Court Cases/litigations w.r.t the project and project location if any.	NA	

SEAC Deliberation –

PP informed that the proposed project is the municipal property redevelopment under Regulation 33 (7) of DCPR,2034. PP also informed that the project site was occupied by Municipal barracks which housed Municipal tenants of Sion hospital & part plot was occupied by Slums. PP further informed that the project had earlier received LOI from MCGM on 15.08.2015 & existing structures are demolished at the site as per approval received.

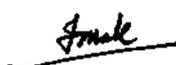
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During discussion following points emerged:

1.PP to submit IOD/IOA/Concession Document/Plan Approval or any other form of documents as applicable clarifying its conformity with local planning rules and provisions as per the Circular dated 30.01.2014 issued by the Environment Department, Govt. of Maharashtra.

2.PP to obtain following NOCs:


Member Secretary


Chairman

Minutes of 257th Day - 1 (Part C) meeting of SEIAA held on 02nd March, 2023.

a) Water Supply; b) Storm Water Drain remarks; c) CFO NOC for Parking Tower; d) Civil Aviation NOC.

3.PP to maintain 6 Mtr. distance between 390 KLD STP & domestic tanks.

4.PP to relocate flushing tank adjacent to 410 KLD STP proposed for building no.4 & 5.

5.PP to relocate domestic tanks of building no.2 & 3 in to the 1st basement such that top of the tanks is flush to the ground level.

6.PP to maintain adequate distance between Substation & STP.

7.PP to reduce discharge of treated water up to 35%. PP to submit undertaking from concerned authority/agency/third party regarding use of excess treated water.

Recommendations of SEAC-

In view of above discussion and subject to compliance of above points the proposal is recommended to SEIAA for grant of Environmental Clearance.

Deliberation in SEIAA-

Proposal is a new construction project. Proposal is recommended by SEAC-2 in its 193rd meeting for grant of Environment Clearance for total plot area of 26329.97 Sq. Mtrs., Total construction area of 135577.8 Sq. Mtrs. and FSI area of 79490.98 Sq. Mtrs.

SEIAA also asked PP to submit undertaking regarding the complying the SEAC conditions. PP submitted the same dated 28.02.2023.

During the meeting, SEIAA observed that, PP has obtained CFO NOC for building no 1 up to 62.75 m height and for building no 5 up to 27.45 m height only. SEIAA decided to restrict the EC as per CFO NOC.

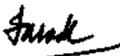
SEIAA further observed that, PP has not obtained HRC NOC. SEIAA decided to restrict the EC up to 120 m height.

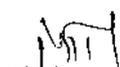
SEIAA also observed that, PP has obtained Civil Aviation NOC up to 122.787 m height only. SEIAA decided to restrict the EC as per Civil Aviation NOC.

SEIAA after deliberation decided to grant EC for – FSI – 79490.98 m2, Non FSI- 56086.82 m2, Total BUA- 135577.8 m2. (Plan approval No. CHE/CITY/1323/FN/337, dated-10.03.2017, CHE/CITY/1288/FN/337, dated-06.03.2017, CHE/CITY/1287/FN/337, dated-08.03.2017)

SEIAA after deliberation decided to grant Environment Clearance subject to compliance of following conditions-

1. This EC is restricted up to 120 m height as PP has not obtained HRC NOC. EC is further restricted up to 122.787 m height as per Civil Aviation NOC.
2. This EC is also restricted building no 1 up to 62.75 m height and for building no 5 up to 27.45 m height only as per CFO NOC.
3. PP to keep open space unpaved so as to ensure permeability of water. However, whenever paving is deemed necessary, PP to provide grass pavers of suitable types & strength to increase the water permeable area as well as to allow effective fire tender movement.
4. PP to achieve at least 5% of total energy requirement from solar/other renewable sources.
5. PP Shall comply with Standard EC conditions mentioned in the Office Memorandum issued by MoEF& CC vide F.No.22-34/2018-IA.III dt.04.01.2019.


Member Secretary


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Minutes of 257th Day - 1 (Part C) meeting of SEIAA held on 02nd March, 2023.

6. SEIAA after deliberation decided to grant EC for – FSI – 79490.98 m², Non FSI- 56086.82 m², Total BUA- 135577.8 m². (Plan approval No. CHE/CITY/1323/FN/337, dated- 10.03.2017, CHE/CITY/1288/FN/337, dated-06.03.2017, CHE/CITY/1287/FN/337, dated- 08.03.2017)

SEIAA Decision-

SEIAA after deliberation decided to grant Environment Clearance.


Member Secretary


Chairman

occupied by warehousing user and also not being a ground floor structure), which existed on or after 10th June, 1977 which has ceased to exist in consequence of an accidental fire, natural collapse or-demolition for the reason of the same having been declared unsafe by or under a lawful order of the Corporation or the Bombay Housing and Area Development Board or is likely to be demolished for the reason of the same having been declared unsafe by or under a lawful order of the said Corporation or the said Board and duly certified by them, shall be allowed with an F.S.I. in the new building not exceeding that of the original building (or the F.S.I. permissible under these Regulations, whichever is more). This F.S.I. will be subject to the Regulations in Appendix II hereto.

¹[33(7) Reconstruction or redevelopment of cessed buildings in the Island City by Co-operative Housing Societies or of old buildings belonging to the Corporation.

For reconstruction / redevelopment to be undertaken by Co-operative Housing Societies of existing tenants or by Co-op. Housing Societies of landlords and/or occupiers of cessed buildings existing prior to 30th September 1969 in Island City which attract the provisions of MHADA Act, 1976 and for reconstruction/redevelopment of the buildings of Corporation, the Floor Space Index shall be 3.00 on the gross plot area or the FSI required for rehabilitation of existing tenants plus incentive FSI as specified in Appendix-III whichever is more.]

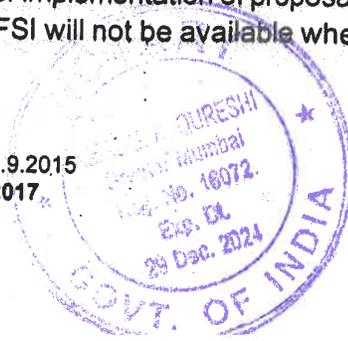
²[33(7)(A) Reconstruction or redevelopment of dilapidated/unsafe existing authorized tenant occupied building in Suburbs and extended Suburbs and existing authorized non-cessed tenant occupied buildings in Mumbai City.

For reconstruction/redevelopment of existing authorized tenant-occupied buildings, which have been declared unsafe for human habitation by or are to be demolished for the same reason under a lawful order by the Municipal Corporation of Greater Mumbai and duly certified as such, undertaken by landlord/ s or Co-operative Housing Societies of existing tenants, the permissible FSI prescribed under these regulations and Appendix-III-B, shall be admissible as under :-

- (a) In case of the plot consisting of only tenant occupied building, the F.S.I, shall be equal to F.S.I, required for rehabilitation of existing lawful tenant plus 50% incentive F.S.I.
- (b) In case of composite development i.e. the plot consisting of tenant occupied building along with non-tenanted building such as owner occupied building/existing Co-op Housing Society buildings etc., the FSI available shall be equal to FSI required for rehabilitation of existing lawful tenant plus 50% incentive FSI plus FSI that has already authorisedly been utilized /consumed by the nontenanted buildings/structures.

³[(8) Construction for housing the dishoused- For the construction of the building by the Corporation in the category of "Housing the Dishoused" in the Island City for the purpose of Housing those who are displaced by the projects undertaken by the Corporation for implementation of proposals of the development plan, the FSI shall be 4.00. Such additional FSI will not be available when owner undertakes development as in Sr. No. I(c) in Table 4.]

1. Substituted by G.N.U.D.D. No. TPB.4313 / 145 / CR-119(2) / 2013/UD-11, dated 2.9.2015
2. 33(7)(A) inserted by G.N. U.D.D.No. TPB. 4315/CR-128/2015/UD-11, dt. 8-9-2017.
3. Substituted by Notification of 25-1-1999.



APPENDIX III

[Regulation 33(7)]

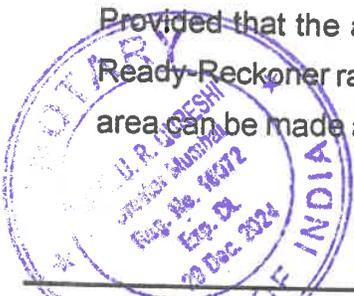
**Regulation for reconstruction of redevelopment of cessed buildings in the
Island City by the landlord and/or co-operative housing societies**

[D. C Regulation No. 33(7)]

1. (a) The new building may be permitted to be constructed in pursuance of an irrevocable written consent by not less than 70 percent of the occupiers of the old building.
- (b) All the occupants of the old building shall be reaccomodated in the redeveloper building.
2. ¹[Each occupant shall be rehabilitated and given the carpet area occupied by him for residential purpose in the old building subject to minimum fixed carpet area of 27.88 sq.mt.(300 sq.ft) as and provided in the MHADA Act, 1976. In case of non-residential occupier the area to be given in the reconstructed building will be equivalent to the area occupied in the old building :
Provided that if carpet area for residential purpose exceeds 70.00 sq.mt.(753 sq.ft.) the cost of construction shall be paid by tenant/occupant to the developer. The cost of construction shall be as per Ready Reckoner rate of that year. However, the carpet area exceeding 70.00 sq.mt. (753 sq.ft.) shall be considered for rehab FSI but shall not be considered for incentive FSI.
3. The list of occupants and area occupied by each of them in the old cessed building shall be certificate by the Mumbai Repairs and Reconstruction Board and the irrevocable written consent as specified in 1(a) above shall be certified by the Board.
4. ²[The tenements in the reconstructed building shall be allotted by the landlord/occupants co-operative housing society to the occupiers as per the list certified by the Mumbai Repairs and Reconstruction Boards.

The prescribed percentage of the surplus built-up area as provided in the Table in the Third Schedule of the MHADA Act, 1976, shall be made available to the MR & RB for accommodating the occupants in transit camps or cessed buildings which cannot be reconstructed on payment of an amount as may be prescribed under MHADA Act, 1976:

Provided that the area equivalent to the market value (The Market Value shall be as per the Ready-Reckoner rate of that year) of area admissible as per the prescribed percentage of built-up area can be made available within the same Municipal ward of MCGM.



- 1[(5) The FSI for rehabilitation of existing tenants/occupiers in a reconstructed building and incentive FSI that will be available shall be as under :-
- (a) In case of redevelopment of ceased building existing prior to 30th September 1969 undertaken by landlord and/or Co-operative Housing Societies of landlord and/or occupiers, the total FSI shall be 3.00 of the gross plot area or the FSI required for rehabilitation of existing occupiers plus 50% incentive FSI, whichever is more.
- (b) Deleted.
- (c) Deleted.
- (d) In case of composite redevelopment undertaken by the different landlord and/or Co-op. Housing Societies of landlord and/or occupiers jointly of 2 or more plots but not more than 5 plots with ceased buildings existing prior to 30th September 1969 the FSI permissible will be 3.00 or FSI required for rehabilitation to existing occupiers plus 60% incentive FSI, whichever is more ;
- Provided, however, that if the number of plots jointly undertaken for redevelopment is six or more the incentive FSI available will be 3.00 or FSI required of rehabilitation for occupiers plus 70% incentive FSI whichever is more.
- 2[(e) In case of redevelopment undertaken by Co-operative Housing Society of Occupiers of building, which was earlier "A" category ceased building but thereafter due to its purchase/acquisition by Co-operative Housing Society of Occupiers it exempt from payment of cess and which have been declared unsafe by BHAD Board/BMC, the total FSI shall be 2.5 of the gross plot area or the FSI required for rehabilitation of existing occupiers plus 50% incentive FSI, whichever is more.
6. The entire FSI available under clause 5 shall be allowed to be utilised on plot/plots under redevelopment scheme. However, if the owner/society so desire can avail the incentive FSI in the same plot or can avail the benefit of transferable development rights to be used in suburbs or extended suburbs in accordance with the regulations as given in appendix VII.
7. Construction or reconstruction of old building falling under reservation/zones contemplated in the development plan shall be permitted in accordance with the provision of notification No. TPB 4392/4080/RDP/UD-11 dated 3 June 1992 issued under Section 31 of the MR & TP Act.
- a) Redevelopment/reconstruction in any zone shall be allowed to be taken on site without going through the process of change of zone. For the Industrial user the existing segregating distance shall be maintained from the existing industrial unit.

1. Substituted by G.N.U.D.D. No. TPB.4312/CR-5/2012UD-11, dated 14.8.2013.
2.(e) added by G.N.U.D.D No.TPB-4303/533/CR-63/03/UD-11, dated 31.10.2011



- b) Any plot under no-buildable reservations admeasuring only upto 500 sqmts. may be cleared by shifting the existing tenants from that site.
- c) The stipulation of 33 percent of area under non-buildable reservation may be reduced by the Government/Commissioner to the extent necessary where there are height and such other restrictions.
- d) For other buildable reservations on lands where guidelines approved by Government under Section 31 of the Maharashtra Regional and Town Planning Act are not available, built-up area equal to not more than 15 percent area of the entire plot or 25 percent of the area under reservation in that plot, whichever is less, shall be made available free of cost for the municipal corporation or for any other appropriate Authority.
- e) Where a Development Plan Road passes through redevelopment scheme area, the entire FSI admissible under this regulation for the area of the road may be given in the same site on the remainder of the plot.
- f) Contravening structures in town planning scheme regulations shall be included in the redevelopment scheme FSI for the same will be as under Development Control Regulation 33(15) or as provided in this regulation whichever is more.
8. ¹Relaxation in building and other requirements for rehabilitation :- Notwithstanding anything contained in these Regulations, the relaxations incorporated in Regulation No. 33(10) of these Regulations shall apply. No further relaxation shall be applicable.
9. 20% of the incentive FSI can be used for non-residential purposes otherwise permissible in the Development Control Regulations.
10. a) ²[In the case of Redevelopment Scheme is in progress and such schemes where LOI has been issued and if ³[***] then Owner/Developer/Co-op. Housing Societies with the prior approval of Govt. may convert [the proposal in accordance with modified regulations only regarding size of tenements and loading of FSI insitu. However, such conversion is optional and shall not be binding.]
- b) In case of redevelopment of buildings undertaken by MHADA, where construction is in progress, whether the area of new tenement should be 20.90 sq.mt or otherwise the question shall be decided by MHADA in each case. However, if area of tenements is not increased to 20.90 sq.mt. then development will have to be carried out as per approved plan and FSI.
11. The FSI as in sub-regulation (7) of Regulation 33, should be allowed by the commissioner only after Mumbai Repairs and Reconstruction Board is satisfied that the said redevelopment proposal fulfils all conditions to be eligible for the benefits under these Regulations.

1. Substituted by G.N.U.D.D. No. TPB.4308/3224/CR-268/08/(B)/UD-11, dated 13.1.2012.

2. Subs by G.N of 21.5.2011

3. Substituted by G.N.U.D.D. No. TPB.4308/3224/CR-268/08/(B)/UD-11, dated 07.10.2012



12. In case of redevelopment of cessed buildings, the concessions regarding exclusion of areas from computation of FSI for general buildings stipulated in Regulation 35(2) of DCR for Greater Mumbai 1991 shall apply.
13. Since the permissible FSI in clause 5 of this Appendix is dependent upon the number of occupiers and the actual area occupied by them no new tenancy created after 13-6-1996 shall be considered. Further unauthorised constructions made in the cessed buildings shall not be considered while computation of existing FSI. However, the occupier may be allowed to declare whether the tenement is residential or non residential.
14. For smooth implementation of the redevelopment scheme undertaken by owners and/or co-operative housing society of the occupiers the temporary transit camps may be permitted on the same land or land situated elsewhere belonging to the same owner/developer with the concessions permissible under SRS project under regulation 33(10) of these Regulations. Such transit camps should be demolished within one month from the date of occupation certificate granted by the corporation for the reconstructed buildings.
15. An amount of Rs.5000/- per sq. mt. shall be paid by the owner / developer/ society as additional development cess for the builtup area over and above the normally permissible FSI, for the rehabilitation and free sale components. This amount shall be paid to the Corporation in accordance with the time schedule for such payment as may be laid down by the Commissioner, MCGM provided the payment of installments shall not go beyond the completion of construction. This amount shall be used for Scheme to be prepared for the improvement of off-site infrastructure in the area around the development. The above development cess shall be enhanced @ 10.00% every three years.
16. As per the provision of clause 2, each residential/non residential occupant shall be rehabilitated only for carpet area mentioned in the said clause No.2 and such areas, shall be clearly shown on the building plan submitted to the Corporation/MHADA.
17. A corpus fund is to be created by the Developer which will take care of the maintenance of the building for a period of 10 years.
18. Restriction on transfer of tenements shall be governed by provision of Rent Control Act till Co-op. Society is formed and after that the same shall be governed by the provision of Maharashtra Co-op. Society's Act.
19. Non Deduction of non-cessed structure area in the scheme of 33(7) for FSI purpose.
In case of mix of the structures that i.e. cessed & noncessed structures and if the area of non-cessed structures existing prior to 30th September 1969 area of land component under non-cessed structure works out upto a limit of 25% of plot area, then FSI shall be considered on total plot area. If this area exceeds 25% of the total area, then area above 25% shall be deducted from plot area. FSI for deducted area shall be as per regulation 32 and the remaining plot area shall be as per 33(7)]

1. Clauses 17,18 and 19 added by G.N. of 21.5.2011



Note: All the regulations/modifications mentioned above shall not be applicable to the areas which are affected by Coastal Regulation Zone notification issued by Ministry of Environment dated 19 February 1991 and orders issued from time to time.

[Appendix-III-A

Regulation for Reconstruction or Redevelopment of Cluster(s) of buildings by implementing Urban Renewal Scheme(s).

1.1 Urban Renewal Scheme" (URS) means any scheme for redevelopment of a cluster of buildings and structures over a minimum area of 4000 sq. mt, in the Island City of Mumbai, bounded by existing distinguishing physical boundaries such as roads, nallas, railway lines etc. and accessible by an existing or proposed D.P. road which is at least 18 mt. wide-whether existing or proposed in the D.P. or URP or a road for which Regular line of street has been notified by the Municipal Corporation under Mumbai Municipal Corporation Act, 1888. Such cluster of buildings (hereinafter referred to as " Urban Renewal Cluster or URC ") shall be a cluster or a group of clusters identified for urban renewal :-

- (1) Under the Development Plan (DP), where the DP contains such well defined Clusters ; or
- (2) Under the Urban Renewal Plan (URP) for the concerned area, prepared and notified by the Commissioner, who may revise the same as and when required ; or
- (3) By the Promoter of the Urban Renewal Scheme, where such clusters are not shown on the DP and the URP is yet to be prepared :

Provided that no cluster or clusters shall be identified for redevelopment or implementation of Urban Renewal Scheme by the Municipal Commissioner without carrying out an Impact Assessment Study regarding the impact on the city and sector level infrastructure and amenities as well as traffic and environment of the implementation of URS on such cluster or clusters.

Explanation.-

1. The land under URS, irrespective of the tenure of the plots comprised therein, shall be treated as one plot for the purpose of FSI and computation of marginal distances.
 2. In specific cases where URS is not bounded by roads, nallas and Railway lines, the boundary of the cluster may be decided by the Municipal Commissioner.
- 1.2. The Urban Renewal Cluster may consist of a mix of structures of different characteristics such as-

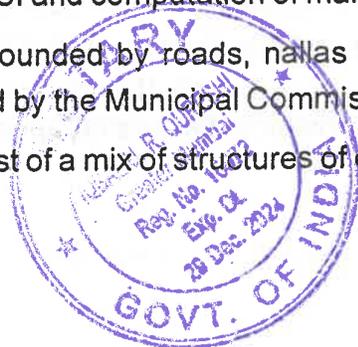


EXHIBIT-F**MUNICIPAL CORPORATION OF GREATER MUMBAI****No. CHE/CITY/1200/FN/302**

To,
SAFAL DEVELOPERS PVT. LTD.
54-B/ 402, Sagar Avenue,
Junction of S.V. Road,
Andheri (W), Mumbai-58.

Ex. Eng. Bldg. Proposal (City) -II
New Municipal Building, C. No.355 B,
Bhagwan: 1200/1200, Wajirankar Marg,
Opp. Hazratnagar,
Salt Pan Field, Wadala (East)
Mumbai - 400 037.

Sub: Proposed layout of Municipal property known as Barracks No. T/57, T/58, T/59, Sion Matunga Estate, Scheme No.6, on plot bearing C.S.No.6(pt) of Sion Division, situated at Vishramwadi, Bhaudaji Road, Sion Mumbai – 400 022 in 'F/N' Ward under DCR 33(7).

Ref: Your letter dated 28.08.2015.

Sir,

With reference to above subject, I have to inform you that layout of the above mentioned property submitted by your Architect is hereby approved subject to terms & conditions registered under no. BBE-4/4283/2015 dated 03.12.2015 as per copy enclosed.

Copy of approved plans is returned as a token of approval.

Yours faithfully,

sdh
Dy.Chief Engineer
(Building Proposal) City

No. CHE/CITY/1200/FN/302 db 07/12/15

- Copy: 1. ✓
Shri Milind Changani (Architect)
Of M/s B. N. Shah & Associates
316, Wadala Udyog Bhavan,
Naigaon cross Road, Wadala,
Mumbai - 400031.
2. The Collector of Mumbai,
Old custom House,
Mumbai - 400001.
3. W.O. 'F/N' Ward.
4. A.A. & C. 'F/N' Ward.
5. E.E.(D.P.).
6. A.C.(Estate)

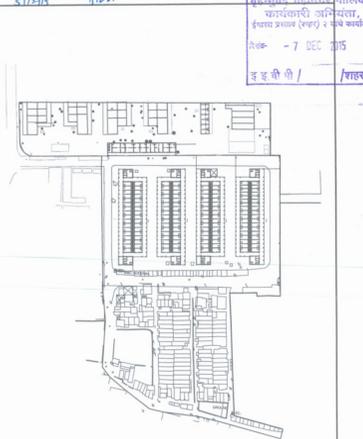
P. Prakash
Dy.Chief Engineer
(Building Proposal) City

STAMP OF APPROVAL OF PLANS

Approved Subject to Condition Mentioned
Office No./CHE/City/15001/PL/1922-01/07/15/15

By Dy. Chief Engineer
(Bldg. Proposal) City

7 DEC 2015



BLOCK PLAN
SCALE : N.T.S

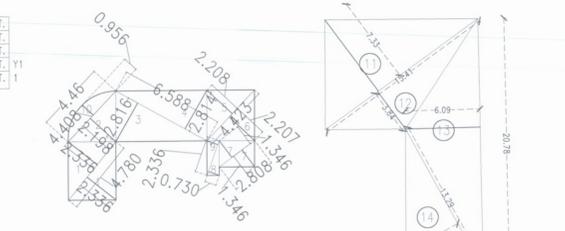
NOTE -

BOUNDARY OF THE PLOT BOUNDED BLACK
PROPOSED WORK SHOWN PINK
'B' DENOTES BALCONY
AREA UNDER SET BACK SHOWN IN YELLOW
STRUCTURES TO BE DEMOLISHED SHOWN IN DOTTED YELLOW
RECREATION SHOWN IN GREEN
AREA UNDER PROPOSED ROAD SHOWN IN BROWN
DIMENSIONS OF BALCONIES ARE OUTSIDE DIMENSIONS
DRAINAGE SHOWN IN YELLOW LINES.

PROFORMA - B

CONTENT OF SHEET
LAYOUT PLAN
PLOT AREA DIAGRAM
PERFORMA
STAMP OF DATE OF RECEIPT OF PLAN

A. Proforma A		Plan as per DCR	
1	Area of Plot	26329.97	SQ.M
Deductions for			
(a) Road set-back area (DP = 4366.61 Sq.mt + set back 12.00 mt= 317.95)		4684.56	SQ.M
(b) Proposed road			
(c) Any reservation (sub-plot) 40% RG		10531.98	SQ.M
(d) % amenity space as per DCR 56/57 (sub-plot)			
other			
3 Balance area of plot (1-2a-2c)		11113.43	SQ.M
4 Total Areas as per LOI		26329.97	SQ.M
5 Floor Space Index permissible as per DCR 33(7) 832		3.00 & 1.33	SQ.M
6 Development Rights (Restricted to % of the balance area vide 3 above)		NIL	
Additions for floor space index			
9(a) 0.33 F.S.I. as per DCR 32			
9(c) % as per DCR 33 (5)			
7 Permissible Floor Area as per DCR 33(7) ((26329.97 - 976.99)X3) + (976.99 X 1.33)		77358.34	SQ.M



PLOT E & F RG AREA DIAGRAM
SCALE : N.T.S

PLOT AREA = 3001.66 SQ.MT.
PERMISSIBLE R.G. AREA = 3001.66 X 8% = 240.13 SQ.MT.
PROPOSED R.G. AREA = 240.13 SQ.MT.

PLOT-E R.G. AREA CALCULATION	
1	1/2 x 4.78 x 2.34 x 2 NOS = 11.19 SQ.MT.
2	1/2 x 4.46 x 2.20 x 1 NO = 4.91 SQ.MT.
3	1/2 x 6.59 x 2.82 x 1 NO = 9.29 SQ.MT.
4	1/2 x 6.59 x 2.81 x 1 NO = 9.26 SQ.MT.
5	1/2 x 4.42 x 2.21 x 1 NO = 4.88 SQ.MT.
6	1/2 x 4.42 x 2.21 x 1 NO = 4.88 SQ.MT.
7	1/2 x 2.81 x 1.35 x 2 NOS = 3.79 SQ.MT.
8	1/2 x 2.34 x 0.73 x 1 NO = 0.85 SQ.MT.
9	1/2 x 2.34 x 0.73 x 1 NO = 0.85 SQ.MT.
10	2/3 x 4.41 x 0.86 x 1 NO = 2.82 SQ.MT.
11	20.39 x 42.56 x 1 NO = 85.84 SQ.MT.
12	1/2 x 4.25 x 3.00 x 1 NO = 6.38 SQ.MT.
13	1/2 x 39.68 x 2.77 x 1 NO = 54.96 SQ.MT.
14	2/3 x 4.25 x 0.88 x 2 NOS = 4.99 SQ.MT.
TOTAL ADDITION = 3009.14 SQ.MT.	

Plot Area Distribution		
Total plot Area	26329.97	SQ.M
Plot A Dp Road + Set Back	4684.56	SQ.M
Plot B R.G	10531.98	SQ.M
Plot C Amenity Building	1950.70	SQ.M
Plot D Sale Building	6161.07	SQ.M
Plot E & F Muncpal Building & Tenant Slum	3001.66	SQ.M

PLOT D. AREA CALCULATION	
1	1/2 x 124.57 x 36.40 x 1 NO = 2267.17 SQ.MT.
2	1/2 x 124.57 x 36.21 x 1 NO = 2255.34 SQ.MT.
3	1/2 x 103.53 x 15.85 x 1 NO = 820.48 SQ.MT.
4	1/2 x 103.53 x 15.89 x 1 NO = 827.25 SQ.MT.
5	1/2 x 101.95 x 2.91 x 1 NO = 148.34 SQ.MT.
6	2/3 x 4.24 x 0.88 x 1 NO = 2.49 SQ.MT.
TOTAL ADDITION = 6161.07 SQ.MT.	

R.G. AREA CALCULATION	
3	1/2 x 103.53 x 15.85 x 1 NO = 820.48 SQ.MT.
4	1/2 x 103.53 x 15.89 x 1 NO = 827.25 SQ.MT.
5	1/2 x 101.95 x 2.91 x 1 NO = 148.34 SQ.MT.
6	2/3 x 4.24 x 0.88 x 1 NO = 2.49 SQ.MT.
TOTAL ADDITION = 1638.56 SQ.MT.	

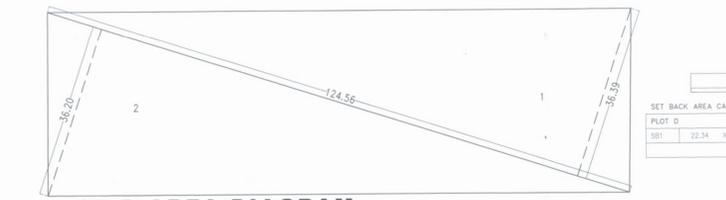
PLOT-A ROAD AREA	
PLOT-A AREA CALCULATION	
1	0.5 x 12.24 x 9.14 x 1 NO = 55.94 SQ.MT.
2	0.5 x 12.20 x 4.07 x 1 NO = 24.83 SQ.MT.
3	12.20 x 142.90 x 1 NO = 1743.38 SQ.MT.
4	0.5 x 12.20 x 8.40 x 1 NO = 51.24 SQ.MT.
5	0.5 x 8.70 x 2.78 x 1 NO = 12.09 SQ.MT.
6	0.5 x 9.21 x 4.54 x 1 NO = 20.91 SQ.MT.
7	0.5 x 19.59 x 4.30 x 1 NO = 42.17 SQ.MT.
8	0.5 x 20.28 x 8.08 x 1 NO = 81.93 SQ.MT.
9	100.27 x 9.15 x 1 NO = 917.47 SQ.MT.
10	0.5 x 9.15 x 2.38 x 1 NO = 10.89 SQ.MT.
11	0.5 x 2.45 x 0.47 x 1 NO = 0.59 SQ.MT.
12	0.5 x 11.02 x 7.19 x 1 NO = 39.62 SQ.MT.
13	0.5 x 11.02 x 5.32 x 1 NO = 29.31 SQ.MT.
14	0.5 x 79.09 x 9.05 x 1 NO = 357.88 SQ.MT.
15	0.5 x 79.09 x 8.75 x 1 NO = 345.02 SQ.MT.
16	0.5 x 13.84 x 6.76 x 1 NO = 46.78 SQ.MT.
17	0.5 x 13.61 x 3.06 x 1 NO = 20.82 SQ.MT.
18	0.5 x 13.61 x 4.03 x 1 NO = 27.42 SQ.MT.
19	0.5 x 12.93 x 6.47 x 1 NO = 41.83 SQ.MT.
20	31.02 x 9.15 x 1 NO = 283.83 SQ.MT.
21	16.86 x 9.15 x 1 NO = 154.27 SQ.MT.
22	6.95 x 9.15 x 1 NO = 63.59 SQ.MT.
TOTAL ADDITION = 4372.75 SQ.MT.	

DEDUCTIONS	
A	2/3 x 3.57 x 0.53 x 1 NO = 1.26 SQ.MT.
B	2/3 x 3.97 x 0.91 x 1 NO = 2.42 SQ.MT.
C	2/3 x 4.24 x 0.88 x 1 NOS = 2.48 SQ.MT.
TOTAL DEDUCTION = 6.16 SQ.MT.	
TOTAL BUILT UP AREA [X - Y1] = 4366.61 SQ.MT.	

PLOT-E & F BUILDING AREA CALCULATION	
1	1/2 x 15.17 x 3.00 x 1 NO = 22.76 SQ.MT.
2	1/2 x 25.63 x 10.72 x 1 NO = 137.38 SQ.MT.
3	1/2 x 26.39 x 1.71 x 1 NO = 22.56 SQ.MT.
4	1/2 x 77.28 x 19.05 x 1 NO = 736.09 SQ.MT.
5	2/3 x 1.90 x 0.15 x 1 NO = 0.19 SQ.MT.
6	1/2 x 62.01 x 3.84 x 1 NO = 119.06 SQ.MT.
7	1/2 x 60.32 x 22.71 x 1 NO = 684.93 SQ.MT.
8	1/2 x 43.05 x 6.34 x 1 NO = 136.47 SQ.MT.
9	1/2 x 32.87 x 1.59 x 1 NO = 26.13 SQ.MT.
10	1/2 x 28.97 x 8.23 x 1 NO = 119.21 SQ.MT.
11	1/2 x 10.38 x 2.00 x 1 NO = 10.38 SQ.MT.
12	2/3 x 4.25 x 0.88 x 1 NO = 2.49 SQ.MT.
13	20.39 x 42.56 x 1 NO = 867.80 SQ.MT.
14	1/2 x 42.56 x 3.00 x 1 NO = 63.84 SQ.MT.
15	1/2 x 39.68 x 2.77 x 1 NO = 54.96 SQ.MT.
16	2/3 x 4.25 x 0.88 x 2 NOS = 4.99 SQ.MT.
TOTAL ADDITION = 3009.14 SQ.MT.	

DEDUCTIONS	
A	2/3 x 4.25 x 0.88 x 2 NOS = 4.99 SQ.MT.
B	2/3 x 4.24 x 0.88 x 1 NO = 2.49 SQ.MT.
TOTAL DEDUCTION = 7.48 SQ.MT.	
TOTAL BUILT UP AREA [X - Y1] = 3001.66 SQ.MT.	

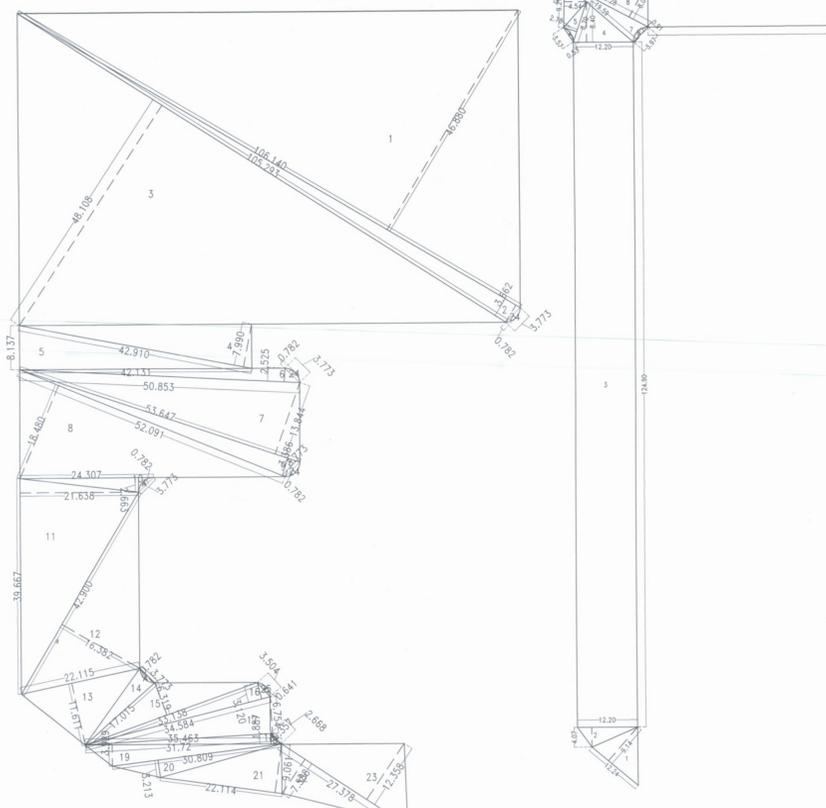
PLOT E & F AREA DIAGRAM
SCALE : 1:500



PLOT D AREA DIAGRAM
SCALE : 1:500

RG FOR PLOT D
PERMISSIBLE = 6161.07 X 8% = 492.89 SQ.M
PROPOSED = 1638.56 SQ.M (26.80%)
CLUBHOUSE ABOVE RG FOR SALE PLOT
PERMISSIBLE = 1639.19 X 10% = 163.92 SQ.M

PLOT D RG AREA DIAGRAM
SCALE : 1:500



PLOT A ROAD AREA DIAGRAM
SCALE : 1:500

PLOT-B R.G. AREA CALCULATION	
PLOT B (40% R.G. AREA)	
1	2/3 x 106.14 x 46.88 x 1 NO = 3317.23 SQ.MT.
2	2/3 x 106.14 x 3.66 x 1 NO = 258.98 SQ.MT.
3	2/3 x 105.29 x 48.11 x 1 NO = 3377.00 SQ.MT.
4	2/3 x 42.91 x 7.99 x 1 NO = 228.57 SQ.MT.
5	2/3 x 42.13 x 8.14 x 1 NO = 228.63 SQ.MT.
6	2/3 x 50.85 x 2.52 x 1 NO = 85.43 SQ.MT.
7	2/3 x 53.65 x 13.84 x 1 NO = 495.01 SQ.MT.
8	2/3 x 52.09 x 18.48 x 1 NO = 641.75 SQ.MT.
9	2/3 x 53.65 x 3.39 x 1 NO = 121.25 SQ.MT.
10	2/3 x 24.31 x 2.66 x 1 NO = 43.11 SQ.MT.
11	1/2 x 39.67 x 21.64 x 1 NO = 429.23 SQ.MT.
12	1/2 x 42.90 x 16.38 x 1 NO = 351.35 SQ.MT.
13	1/2 x 22.11 x 11.61 x 1 NO = 128.36 SQ.MT.
14	1/2 x 17.01 x 3.77 x 1 NO = 32.06 SQ.MT.
15	1/2 x 33.14 x 6.32 x 1 NO = 104.72 SQ.MT.
16	1/2 x 34.58 x 3.12 x 1 NO = 53.94 SQ.MT.
17	1/2 x 31.72 x 6.75 x 1 NO = 107.07 SQ.MT.
18	1/2 x 35.46 x 1.89 x 1 NO = 33.51 SQ.MT.
19	1/2 x 35.46 x 3.93 x 1 NO = 69.68 SQ.MT.
20	1/2 x 30.81 x 3.21 x 1 NO = 49.45 SQ.MT.
21	1/2 x 22.28 x 9.06 x 1 NO = 100.93 SQ.MT.
22	1/2 x 27.38 x 7.59 x 1 NO = 103.91 SQ.MT.
23	1/2 x 27.38 x 12.36 x 1 NO = 169.21 SQ.MT.
24	2/3 x 3.77 x 0.78 x 3 NOS = 5.88 SQ.MT.
25	2/3 x 3.50 x 0.64 x 1 NO = 1.49 SQ.MT.
TOTAL ADDITION = 10537.75 SQ.MT.	

DEDUCTIONS	
A	2/3 x 4.24 x 0.88 x 2 NOS = 4.97 SQ.MT.
B	2/3 x 3.00 x 0.40 x 1 NO = 0.80 SQ.MT.
TOTAL DEDUCTION = 5.77 SQ.MT.	
TOTAL BUILT UP AREA [X - Y1] = 10531.98 SQ.MT.	

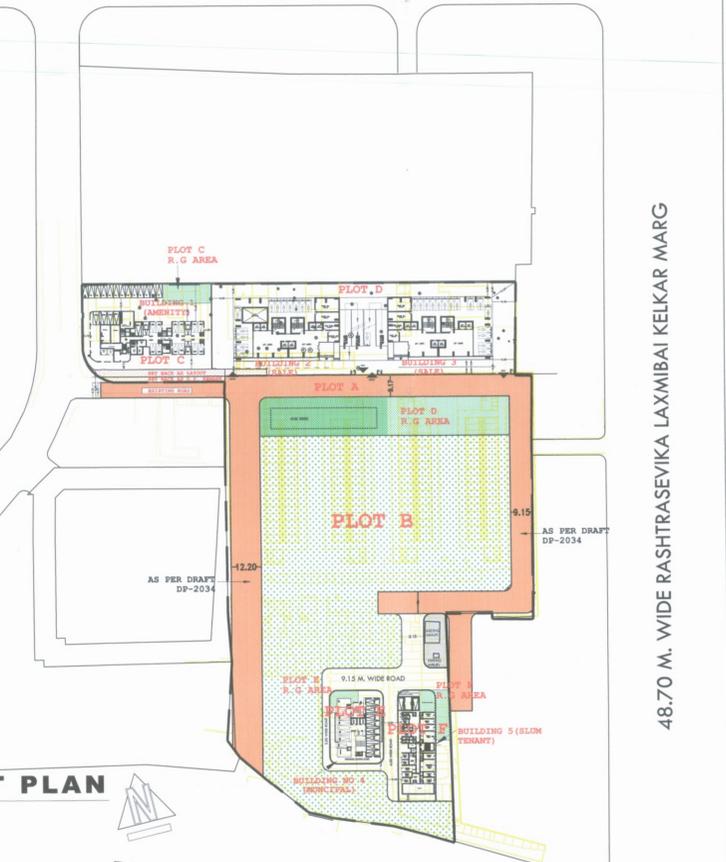
BUILT UP AREA CALCULATION	
SET BACK AS LAYOUT 1	
(SB1) 1/2 x 71.46 x 2.99 x 1 NO = 106.83 SQ.MT.	
(SB1) 1/2 x 71.46 x 2.84 x 1 NO = 101.47 SQ.MT.	
(SB1) 2/3 x 4.74 x 0.15 x 1 NO = 0.47 SQ.MT.	
TOTAL ADDITION = 208.77 SQ.MT.	

BUILT UP AREA CALCULATION	
SET BACK AS D.P. REMARK 2	
(SB2) 1/2 x 50.77 x 2.25 x 1 NO = 57.12 SQ.MT.	
(SB2) 1/2 x 45.49 x 2.25 x 1 NO = 51.18 SQ.MT.	
(SB2) 2/3 x 5.77 x 0.23 x 1 NO = 0.88 SQ.MT.	
TOTAL ADDITION = 109.18 SQ.MT.	

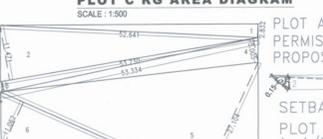
TOTAL ROAD AREA	
PLOT-A AREA ROAD (1)	4366.61 SQ.MT.
SET BACK AS LAYOUT 1 (2)	208.77 SQ.MT.
SET BACK AS D.P. REMARK 2 (3)	109.18 SQ.MT.
TOTAL ROAD AREA (1+2+3) 4684.56 SQ.MT.	

42.70 M. WIDE SULOCHANA SHETTY MARG

48.70 M. WIDE RASHTRASEVKA LAXMIBAI KELKAR MARG



PLOT C RG AREA DIAGRAM
SCALE : 1:500



PLOT C AREA DIAGRAM
SCALE : 1:500

PLOT-C AREA CALCULATION	
PLOT C	
1	1/2 x 52.64 x 2.83 x 1 NO = 74.49 SQ.MT.
2	1/2 x 53.23 x 11.47 x 1 NO = 305.27 SQ.MT.
3	1/2 x 53.33 x 2.12 x 1 NO = 56.53 SQ.MT.
4	1/2 x 53.33 x 5.00 x 1 NO = 133.33 SQ.MT.
5	1/2 x 57.71 x 27.10 x 1 NO = 781.97 SQ.MT.
6	1/2 x 57.71 x 11.06 x 1 NO = 319.14 SQ.MT.
7	1/2 x 53.76 x 9.69 x 1 NO = 260.29 SQ.MT.
8	2/3 x 13.54 x 2.16 x 1 NO = 19.50 SQ.MT.
TOTAL ADDITION = 1950.70 SQ.MT.	

R.G. AREA CALCULATION	
PLOT C R.G.	
A	19.697 x 7.923 x 1 NO = 156.06 SQ.MT.
TOTAL ADDITION = 156.06 SQ.MT.	

PLOT-A AREA CALCULATION	
(a) Road set-back area (DP = 4366.61 Sq.mt + set back 12.00 mt= 317.95)	
(b) Proposed road	
(c) Any reservation (sub-plot) 40% RG	
(d) % amenity space as per DCR 56/57 (sub-plot)	
other	
3 Balance area of plot (1-2a-2c)	
4 Total Areas as per LOI	
5 Floor Space Index permissible as per DCR 33(7) 832	
6 Development Rights (Restricted to % of the balance area vide 3 above)	
Additions for floor space index	
9(a) 0.33 F.S.I. as per DCR 32	
9(c) % as per DCR 33 (5)	
7 Permissible Floor Area as per DCR 33(7) ((26329.97 - 976.99)X3) + (976.99 X 1.33)	

SETBACK AREA CALCULATION	
PLOT C	
1	1/2 X54.53X2.99 X1NO= 81.52 SQ.MT.
2	1/2X54.53X2.79 X1NO= 76.07 SQ.MT.
3	2/3 X 4.74X0.15 X1NO= 0.47 SQ.MT.
TOTAL ADDITION =158.06 SQ.MT.	

PLOT-A AREA CALCULATION	
PLOT-A AREA ROAD (1)	
SET BACK AS LAYOUT 1 (2)	
SET BACK AS D.P. REMARK 2 (3)	
TOTAL ROAD AREA (1+2+3) 4684.56 SQ.MT.	

TOTAL ROAD AREA	
PLOT-A AREA ROAD (1)	4366.61 SQ.MT.
SET BACK AS LAYOUT 1 (2)	208.77 SQ.MT.
SET BACK AS D.P. REMARK 2 (3)	109.18 SQ.MT.
TOTAL ROAD AREA (1+2+3) 4684.56 SQ.MT.	


MUNICIPAL CORPORATION OF GREATER MUMBAI

Office of the
Chief Engineer (Development Plan)
Municipal Head Office
4th Floor, Extn. Building
Mahapalika Marg, Fort
Mumbai - 400 001

To
 B. N. SHAH & ASSOCIATES,
 ARCHITECTURAL DESIGN & LIASON
 CONSULTANTS, 315-WADALA UDYOG BHAVAN,
 PLOT NO 8, NAIGAON CROSS ROAD,
 WADALA (E), MUMBAI-400 031.

No: CHE/953/DPCity/F/N

Date: 107 APR 2015

Sub: Sanctioned Revised Development Plan Remarks for the land bearing C. S. No 6PT, 1/6 and 1A/6 of SION Division

Ref: 1) Your Application u/no. 0001396 and payment of certifying charges made under Receipt no. 1001974637 dated 03/01/15.
 2) Dir. (E.S.&P.)'S approval under no. Dir./E.S.&P./3900/I dtd. 31/01/2009.
 3) Additional payment of certifying charges made under Receipt no. 1002039417 dated 25/02/15.

Sir/Madam,

Sanctioned Revised Development Plan Remarks for the land shown bounded blue on the accompanying plan are as under:-

Description of the Land	:	C. S. 6PT, 1/6 and 1A/6 of SION Division
Sanctioned Revised Development Plan referred to Ward	:	F/N
Reservations affecting the land [as shown on plan]	:	RECREATION GROUND (part of larger reservation) HOUSING FOR DISHOUSED (2nos) EXT. TO L.T.M.G. HOSPITAL and PRIVATE PRIMARY SCHOOL.
Reservations Abutting the land [as shown on plan]	:	PUBLIC HOUSING (2Nos)
Designations affecting the land [as shown on plan]	:	CEMETERY/CREMATION GROUND (part of larger reservation),
Designations Abutting the land [as shown on plan]	:	SECONDARY SCHOOL and WELFARE CENTRE
D.P. Roads affecting the land [as shown on plan]	:	NIL
Existing Roads [as shown on plan]	:	Present
Status of the existing road, if any and its widening shall be got confirmed from the Assistant Commissioner F/N Ward/Assistant Engineer (Survey City)/Executive Engineer (Traffic & Planning).		
Zone [as shown on plan]	:	RESIDENTIAL ZONE (R)

Remarks from other Departments/Offices:

The Separate remarks as per Draft Development Plan (2034) shall be obtained from the office of Town Planning Officer, Greater Mumbai whose office is situated at Kalpataru Residency, opp.Rupam Cinema,F/North Municipal Ward Chowky, 1st Floor, Sion (E), Mumbai - 400 022.

Railway 30m buffer

: CENTRAL RAILWAY HARBOUR BRANCH
LINE and CENTRAL RAILWAY HARBOUR
BRANCH LINE - BUFFER

As per Govt. directive u/S.37 (2) of M.R. & T.P. Act, 1966 issued u/no.TPB/4302/1318/CR-23/03/UD-11 dtd.05.07.2005. Railway NOC shall be obtained for the plots falling within in 30 mt. from Railway Boundary. Therefore, Railway NOC shall be obtained before initiating any development on the land under reference.

The land under reference affected by the East Island free Way and Central Island free Way hence, specific remarks from the Mumbai Road Development Design Authority should be obtained separately before taking up any development on the land

The alignment of proposed East Island free Way and Central Island free Way is subject to the actual demarcation on site by this office staff along with the representative of A. E. Survey (City) F/North Ward, E.E. (Tr. Pl.) S.L.R., Mumbai Road Development Design Authority & A.C. (Estate).

The land under reference falls under SION MATUNGA ESTATE LAYOUT scheme No. 6, hence specific remarks should be obtained separately from the concerned authority i.e. A.C. (Estates) before taking up any development on the land.

Demarcation: The boundaries of the reservations/designations are subject to the actual demarcation on site by this office staff along with the representative of A. E. Survey.

Reservation if Relocated : PRIVATE PRIMARY SCHOOL, HOUSING
FOR DISHOUSED (2nos) and
RECREATION GROUND (3Nos)

Consequent upon the representation made in the past by the owner/developer of the land under reference and in consonance with the existing site conditions and by direction, the reservation/designation as stated above has been shifted from its position shown washed colour to that shown dotted colour lines on the plan as per sanctioned u/no CHE/633/F/DPC 23/06/1998.

If, the land under reference is affected by Nalla, Well, Pipe Line & Transmission lines specific remarks shall be obtained from the concerned Authority.

Note:

If the land under reference is a part of amalgamation/sub-division/layout, then specific remarks shall be obtained from the concerned Building Proposal office and development thereof shall be as per the terms and conditions of the approved amalgamation/sub-division/layout.

Remarks are offered only from the zoning point of view without reference to ownership and without carrying out actual site inspection and without verification of the status of the structures if any on the land under reference. Status of the existing road, if any, shall be confirmed from the concerned Ward Office.

The boundaries shown in the accompanying plan are as per the available records with this office. However the boundaries shown in the records of City Survey Office shall supercede those shown in the D. P. Remarks Plan.

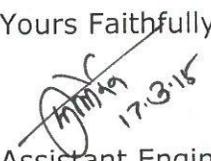
Since true Extract is not submitted of the property, the boundaries of the plot under reference shall be got verified separately from S.L.R. / & approval to amalgamation /subdivision, shall be obtained from concerned authority, if necessary.

This remarks is valid for one year from the date of issue.

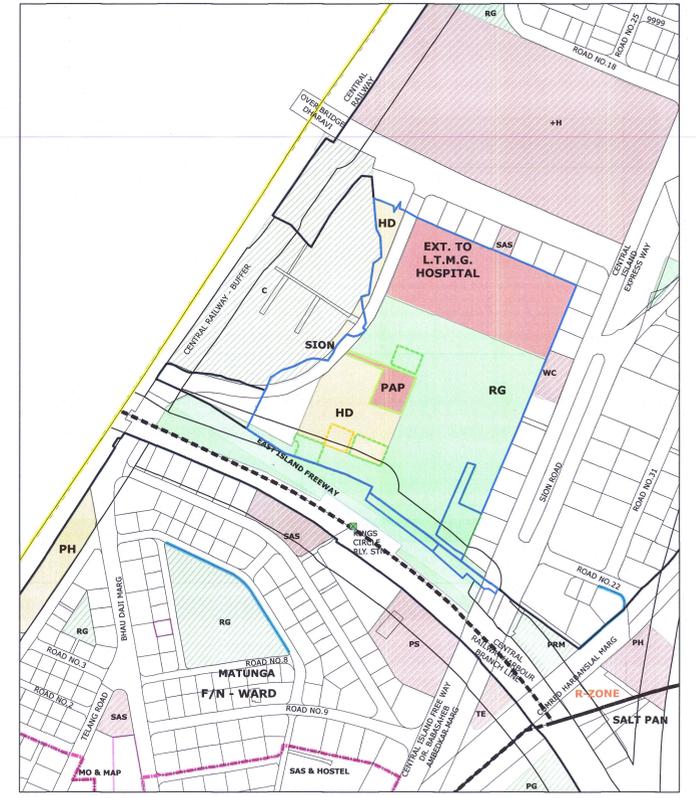
Yours Faithfully

Acc~1 plan

C. S. No 6PT, 1/6 and 1A/6 of SION
Division


Assistant Engineer,
Development Plan

(F/N Ward)



LOCATION PLAN
Scale 1:2500

NOTE:
D.P. Remarks have been offered only from the zoning point of view without any reference to the existing and status of the structures on the land under reference etc. This plan is to be read with letter under No.CHE/953/DPCity/F/N Dated: 07 APR 2015

BLOCK PLAN
Scale 1:1000
Land Bearing C.S.No(s) 6(PT), 1/6 and 1A/6 of SION Division in F/N Ward

[Signature]
17.3.15
Assistant Engineer (DP) F/N Ward



ESTD. : 1924

SHREE MANAV SEVA SANGH

Children's Home

श्री मानव सेवा संघ

बालगृह

255-257, SION MAIN ROAD, SION (W), MUMBAI - 400 022. Tel.: 62 63 64 65 / 2409 2266 / 2407 1553
Website : shreemanavsevasangh.org ♦ E-Mail : accounts@shreemanavsevasangh.org

SERVICE BEFORE SELF

Date: 06.07.2023

To,

Assistant Engineer (City I)

FN ward, building proposal

Wadala, Mumbai

Sub: False complaint on behalf of Shree Manav Seva Sangh on Proposed Redevelopment of Municipal property known as Barracks No. T/57, T/58, T/59, Sion Matunga Estate, Scheme No.6, on plot bearing C.S.No.6(pt) of Sion Division, situated at Vishramwadi, Bhaudaji road, Sion Mumbai – 400 022.

Sir,

It has come to our notice, that a complaint has been filed to the BMC ward -EE (B&F) by Shri Santosh Daundkarji on behalf of Shree Manav Seva Sangh in regards to the proposed redevelopment of Municipal Property known as Barracks No. T/57, T/58, T/59, Sion Matunga Estate, Scheme No.6

We would like bring to your kind notice that we have neither made any such complaint till date nor we have authorized anyone to do so.

Thanks and Regards

Smt. Bharati Thakkar

Hon. Secretary

Office of the Supdt .of Gardens
Veermata Jijabai Bhosale Udyan,
Penguin Building , 2nd Floor
Dr.Ambedkar Road, Byculla (East),
Mumbai-400 027.

To,
M/s Safal Developers Pvt Ltd
Sagar Avenue, 402 , 54-B,
junction of S.V. Road & Lalubhai Park Road,
Andheri (W) , Mumbai- 400 0058

Dy.S.G./C/ 45 /CC-CC/Prop/DD/II /MDG/ CR-65
Date: 26.4.2023

Sub : Permission for Cutting & Transplanting of trees are coming in the proposed development of Municipal property as Barracks no. T/57, T/59 , Sion Matunga Estate , Scheme no. 6 , Plot bearing C.S. no. 6 (pt) , of Sion Div , situated at Vishramvadi, Bhaudaji road, Sion, Mumbai- 22 in 'F/North' ward.

Sir/ Madam,

Please refer to your letter no. Nil dt. 29.09.2022 for granting permission for Cutting & Transplanting of trees to development of Municipal property as Barracks no. T/57, T/59 , Sion Matunga Estate , Scheme no. 6 , Plot bearing C.S. no. 6 (pt) , of Sion Div , situated at Vishramvadi, Bhaudaji road, Sion, Mumbai- 22 in 'F/North' ward has been considered by the **Maharashtra State Tree Authority, Government of Maharashtra Environment & Climate Change Department** Sanctioned No. **Tree -2023 /CR- 65 /T.C. 2 dt. 25.04.2023.** (Copy attached at page...03.....)

Hence, You are hereby directed to plant **3,639** (Three thousand Six hundred Thirty nine) in lieu of (As per section 8(5)(a) &7(i) of MPPT (Amendment Act 2021) **Cutting 78** (Seventy Eight) nos. of trees (Tree no. 60,107, 109, 158, 160, 161, 162, 166, 213, 215, 217, 218, 219, 223, 224, 229, 230, 234, 235, 236, 237, 238, 239, 240, 242, 246, 247, 249, 256, 257, 258, 259, 260, 261, 262, 263, 264, 285, 286, 287, 289, 290, 291, 292, 297, 298, 299, 300, 301, 303, 304, 307, 310, 311, 312, 313, 314, 315, 316, 317, 319, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338) & **Transplanting 36** (Thirty Six) nos. of trees (Tree no -63,108,163,168,214, 222, 225, 226, 227, 228, 231, 232, 233, 241, 243,244, 245, 248, 250, 251, 252, 253, 254, 255, 263A, 265, 269, 288, 302, 305, 306, 308, 309, 318, 320, 321) within 15 days from the execution of trees Cutting & Transplanting.

You are requested to inform the Jr.Tree officer / Hort .Asstt. of concern ward about the date and time of cutting of trees as per permission, so that the representative of this office will remain present to ensure the work carried out properly Jr.Tree office/ Hort. Asstt 'F/North' ward whose contact no is - 8692030699.

The remaining **157** (One hundred Fifty Seven) nos. of trees (Tree no. - 05,31,36,57,61, 62, 62A, 70,84,86,87,88,89,91,92,97,125,126,127,128,129,130,131,132,133,134,135,136,137,138,139,140,1 41,142,143,144,145,146,147,148,149,150,151,152,153,154,155,156, 157, 159(dead),164,165(dead), 167, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 216, 220, 221, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282,293,294,295,296, N-1,N-2, N-3,N-4,N-5,N-6,N-7,N-8,N-9,N-10,N-11,N-12,N-13,N-14,N-15 , N-16,N-17,N-18,N-19,N-20,N-21,N-22,N-23,N-24,N-25,N-26,N-27,N-28,N-29,N-30,N-31, N-32, N-33,N-34, N-35, N-36, N-37,N-38,N-39,N-40) shall be **Retained** as it is as per plan attached.

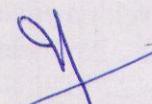
Whoever fells any tree or causes any tree to be felled in contraventions of the provisions of the Act or without reasonable excuse fails to comply with any order issued or condition imposed by the Tree Officer or the Tree Authority or voluntarily obstructs any member of the Tree Authority or the Tree Officer or any Officers and Servants subordinate to him in the discharge of their functions under this Act, shall, on conviction, be punished with the fine of not less than one thousand rupees which may extend upto five thousand rupees for every offense and also with imprisonment for a term of not less than one week. which may extent up to one year. The felling or causing of felling of each tree without the permission of the Tree Authority shall constitute a separate offense.

As per provision under section 19 (b) you are directed to plant trees in open spaces as well as R.G. area as per the norms of Tree Authority before getting occupation /completion certificate of the propose work.

As per direction of the Tree Authority, you are hereby directed to submit the photographs taken while transplanting of tree and the C.D. of the transplantation of the tree you are also requested to plant indigenous variety of tree having height of 6' & above. The list of indigenous variety of trees is enclosed herewith for your ready reference and compliance.

Thanking you.

Yours faithfully,


**Supdt. of Gardens
& Tree Officer**



**Government of Maharashtra
Environment & Climate Change Department
15th Floor, New Administrative Building,
HutatmaRajguru Chowk, Mantralaya,
Mumbai – 400 032.**

Ph : 022-22855082 Email : : dir1.mev-mh@nic.in

No. Tree-2023/CR-~~6~~ST.C.-2

Date 25/4/2023

To,
Superintendent of Gardens and Tree Officer,
Brihanmumbai Municipal Corporation,
Byculla, Mumbai- 400 027

Subject: Regarding permission for cutting of trees for Development on Municipal property as Barracks no. T/57, T/57, T/59, Sion Matunga Estate Scheme no.6, on plot Bering CS no. 6 (pt.) of Sion division situated at Vishramwadi Bhau-Daji Road, Sion Mumbai-400022, in F/N ward.

The proposal for cutting/ transplanting trees which are coming in the work of Development on Municipal property as Barracks no. T/57, T/57, T/59, Sion Matunga Estate Scheme no.6, on plot Bering CS no. 6 (pt.) of Sion division situated at Vishramwadi Bhau-Daji Road, Sion Mumbai-400022, in F/N ward was deliberated in 6th meeting of the Maharashtra State Tree Authority which was held on 13.04.2023.

2. The State Tree Authority during the 6th meeting decided to grant approval to cut 125 trees and transplant 98 trees. The cumulative age of the trees proposed to be cut is 3,639 years.
3. Based on the proposal it is decided to grant approval to the tree cutting and transplantation under this project subject to compliance with the following conditions:
 - a. PP should submit the detailed layout plan for compensatory plantation which will include superimposed location of trees/plants and provide the details of spacing between two trees/plants which would be planted as a part of compensatory plantation.
 - b. PP should plant new trees of native/indigenous species as part of compensatory tree plantation equivalent to the cumulative age of the trees which are proposed to be cut/transplanted under this project.
 - c. PP should start the plantation of Native/Indigenous tree species which are not less than 6 feet in height as a part of compensatory plantation under this project within fifteen days from the date of the trees being cut/transplanted.
 - d. PP should ensure that the new trees planted as a part of the compensatory plantation should be geo-tagged and monitored using the latest technologies available and ensure that the trees survive for a minimum period of seven years, tree mortality during this period shall be compensated by planting an equal number of new trees.

The concern local body/planning authority and the local tree authority shall monitor that all the above-mentioned conditions are strictly compiled by PP.

(Signature)

Director (Environment) &
Member Secretary, Maharashtra State Tree Authority

बृहन्मुंबई महानगरपालिका,
उद्यान अधीक्षक यांचे कार्यालय
वृक्ष प्राधिकरण

25 APR 2023

क्रमांक ३५३

उ.अ.उ. (2-I/II, III, IV, V, VI, VII, TA)

प्रशा. अ. VJSU

योग्य त्या कार्यवाही करिता

(M)

Copy for information:

1. Principal Secretary, Environment & Climate Change, 2nd floor, Room no. 217, Annexed Building, Mantralaya, Mumbai
2. Tree Authority, 2nd Floor, Penguin Building, Sant Savata Mali Road, Byculla, Mumbai-400 027
3. Select File – TC 2.

उप उद्यान अधीक्षक (शहरे)
 'ई' विभाग
 26 APR 2023
 क्रमांक : 451P/II

सहा. उ.अ./एफ दक्षिण, एफ/उत्तर, जी/दक्षिण, जी/उत्तर विभाग
 मुख्य लिपिक (आस्था)/(सर्व. सा.)/(वृ. प्रो.)/(धो. वृ.)
 पुढील आवश्यक त्या कार्यवाहीकरिता.

[Handwritten Signature]
 26/4/23
 उप उद्यान अधीक्षक (परि. 3)

Sr No.	Common Name	Botanical Name
1	Wad	Ficus bengalensis
2	Pimpal	Ficus religiosa
3	Umber	Ficus glomerata
4	Kanchan	Bauhinia purpurea
5	Kadamb	Anthocephalus indicus
6	Gunj	Adenantha pavonia
7	Palas	Butea monosperma
8	Neem	Azadirachta indica
9	Mahogani	Swietenia mahigani
10	Mahua	Madhuca indica
11	Bahava	Cassia fistula
12	Sag	Tectona grandis
13	Arjun	Terminalia arjuna
14	Ain	Terminalia crenulata
15	Kinjal	Terminalia paniculata
16	Sita Ashok	Saraca indica
17	Undal	Calophyllum inophyllum
18	Nagkesar	Mesuaferrea
19	Champaka	Magnolia Sps.
20	Shivan	Gmelina arborea
21	Shirish	Albigia lebek
22	Bakul	Mimusops elengi
23	Beal	Aegle marmelos
24	Taman	Lagerstroemia speciosa
25	Hirda	Terminalia chebula
26	Beheda	Terminalia belerica
27	Coconut	Cocos nucifera
28	Awla	Emblica officinallis
29	Khair	Acacia catechu
30	Tetu	Oroxylum indicum
31	Chinch	Tamarandus indicum
32	Putranjva	Putranjiva roxburghi
33	Jangli Badam	Sterculia foetida
34	Bibba	Semecarpus anacardium
35	Thevetia	Thevetia peruvians
36	Ritha	Sapindus laurifollius
37	Chandan	Santalum album
38	Kumbha	Careya arborea
39	Fishtail palm	Caryota urens
40	Khajur	Phoenix sylvestre
41	Chafa	Plumeria rubra

**Having circumference of 1' above and height of 15' above, as per Tree Authority's resolution no.500, dt.18.03.2011

**MUNICIPAL CORPORATION OF GREATER MUMBAI
TREE AUTHORITY**

Office of the Supdt .of Gardens
Veermata Jijabai Bhosale Udyan,
Dr.Ambedkar Road, Byculla (East),
Mumbai-400 027.

To,
M/s. Safal Developers Pvt. Ltd,
402, 54 -B , Sagar Avenue ,
4th floor , Andheri (W)
Mumbai- 400058

Dy.S.G./C/ 23 /CC-OC/Prop/DD/ /MDG/
Date:- 26/02/2020

Sub : Permission for Shifting / transplanting & Cutting of trees coming in the construction of proposed redevelopment of building no. 1 (Rehab Quaters) building no. 2 & 3 (Sale Building) building no. 4 & 5 (Rehab Municipal tenants & Slum Tenants) under DCR 33 (7) of Municipal property C.S.no. 6 (pt) , Sion Div , in 'F/North' ward.

Sir/ Madam,

Please refer to your Architect **M/s. B.N.Shah & Associates** letter No Nil dt.**06.07.2018** for permission for removal of tree affected in proposed redevelopment of building no. 1 (Rehab Quaters) building no. 2 & 3 (Sale Building) building no. 4 & 5 (Rehab Municipal tenants & Slum Tenants) under DCR 33 (7) of Municipal property C.S.no. 6 (pt) , Sion Div , in 'F/North' ward has been considered by the Tree Authority under Section 8(3) of The Maharashtra (Urban Areas) Protection & Preservation of Trees Act 1975,as modified up to January 2018.

Hence , You are hereby directed to plant **122** nos trees in lieu of **Cutting 61** (Sixty one) trees (Tree no.01, 02, 03, 05 , 06, 09 , 13, 14, 20, 25, 26, 30, 31, 33, 35, 36, 37, 43, 47, 52, 54, 56, 59, 66, 68, 71, 72, 74, 76, 77, 79, 82, 83, 84, 85, 86, 87, 88, 89, 93, 95, 96, 97, 98, 99, 103, 104 , 105, 106, 112, 113, 116, 124, 268 (dead) , 272, 279, 280, 281, 282, 283, 284) within 15 days from the execution of tree cutting, **Transplant 73** (Seventy Three) trees (Tree no.04, 07, 08, 10, 11, 12, 15, 16, 17, 18, 19, 21, 22, 23, 24, 27, 28, 29, 32, 34, 38, 39, 40, 41, 42, 44, 45, 46, 48, 49, 50, 51, 53, 55, 57, 58, 64, 65, 67, 69, 70, 73, 75, 78, 80, 81, 90, 91, 92, 94, 100, 101, 102, 110, 111, 114, 115, 117, 118, 119, 120, 121, 122, 123, 266, 267, 271, 273, 274, 275, 276, 277 , 278) is sanctioned by the Tree Authority's vide its **Resolution no.58** dt. **30.12.2019**.

As per the provision under Section 8 (3) (a) of the said Act, you are hereby directed that no tree shall be cut/ transplant until fifteen days (15) after the permission is given by the Tree Authority. And also you are requested to inform the Jr.Tree officer of concern ward about the date and time of cutting & transplanting of trees as per permission , so that the representative of this office will remain present to ensure the work carried out properly. Jr. Tree officer 'F/North' ward whose contact no is 9699733828 & Hort Asstt. 'F/North ' ward 8097913378

The remaining **206** (Two hundred Six) trees (Tree no.60, 61, 62, 62A , 63 , 108, 109, 110, 125 to 265 , 269, 270, 285 to 338) shall be **Retained** as it is , as per plan attached.

Whoever fells any tree or causes any tree to be felled in contraventions of the provisions of the Act or without reasonable excuse fails to comply with any order issued or condition imposed by the Tree Officer or the Tree Authority or voluntarily obstructs any member of the Tree Authority or the Tree Officer or any Officers and Servants subordinate to him in the discharge of their functions under this Act, shall, on convection, be punished with the fine of not less than one thousand rupees which may extend upto five thousand rupees for every offense and also with

imprisonment for a term of not less than one week. Which may extent upto one year . The felling or causing of felling of each tree without the permission of the Tree Authority shall constitute a separate offense.

As per provision under section 19 (b) you are directed to plant trees in open spaces as well as R.G. Area as per the norms of Tree Authority before getting occupation /completion certificate of the constructed propose work.

As per direction of the Tree Authority, you are hereby directed to submit the photographs taken while transplanting of trees and the C.D. of the transplantation of the trees, you are also requested to plant indigenous variety of trees having circumference of 6" above and height of 10'-12' above. The list of indigenous variety of trees is enclosed herewith for your ready reference and compliance.

Thanking you.

Yours faithfully,



**Supdt. of Gardens
& Tree Officer**

**MUNICIPAL CORPORATION OF GREATER MUMBAI
TREE AUTHORITY**

Office of the Supdt .of Gardens
Veermata Jijabai Bhosale Udyan,
Dr.Ambedkar Road, Byculla (East),
Mumbai-400 027.

To,
M/s. Safal Developers Pvt. Ltd,
402, 54 -B , Sagar Avenue ,
4th floor , Andheri (W)
Mumbai- 400058

Dy.S.G./C/ 23 /CC-OC/Prop/DD/ MDC/
Date:- 26/02/2020

Sub : Permission for Shifting / transplanting & Cutting of trees coming in the construction of proposed redevelopment of building no. 1 (Rehab Quaters) building no. 2 & 3 (Sale Building) building no. 4 & 5 (Rehab Municipal tenants & Slum Tenants) under DCR 33 (7) of Municipal property C.S.no. 6 (pt) , Sion Div , in 'F/North' ward.

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Hence , You are hereby directed to plant **122** nos trees in lieu of **Cutting 61** (Sixty one) trees (Tree no.01, 02, 03, 05 , 06, 09 , 13, 14, 20, 25, 26, 30, 31, 33, 35, 36, 37, 43, 47, 52, 54, 56, 59, 66, 68, 71, 72, 74, 76, 77, 79, 82, 83, 84, 85, 86, 87, 88, 89, 93, 95, 96, 97, 98, 99, 103, 104 , 105, 106, 112, 113, 116, 124, 268 (dead) , 272, 279, 280, 281, 282, 283, 284) within 15 days from the execution of tree cutting, **Transplant 73** (Seventy Three) trees (Tree no.04, 07, 08, 10, 11, 12, 15, 16, 17, 18, 19, 21, 22, 23, 24, 27, 28, 29, 32, 34, 38, 39, 40, 41, 42, 44, 45, 46, 48, 49, 50, 51, 53, 55, 57, 58, 64, 65, 67, 69, 70, 73, 75, 78, 80, 81, 90, 91, 92, 94, 100, 101, 102, 110, 111, 114, 115, 117, 118, 119, 120, 121, 122, 123, 266, 267, 271, 273, 274, 275, 276, 277 , 278) is sanctioned by the Tree Authority's vide its **Resolution no.58** dt. **30.12.2019**.

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466

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Thanking you.

Yours faithfully,



**Supdt. of Gardens
& Tree Officer**

Copy to :

Asstt. Comm. 'F/North' Ward with a copy of the plan

For Information please.



**Supdt. of Gardens
& Tree Officer**

Asstt. Supdt. of Gardens 'F/South' ward.

To Monitor the work of transplantation & plantation in lieu of cutting of trees for technical aspects.



**Supdt. of Gardens
& Tree Officer**

✓ M/s. B.N. Shah & Associates,

3161 Wadala Udyog Bhavan , Plot no. 8 ,
Naigaon Cross Road,
Wadala (E) , Mumbai- 400031



**Supdt. of Gardens
& Tree Officer**

List of Indigenous variety of trees

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Sr No.	Common Name	Botanical Name
1	Wad	Ficus bengalensis
2	Pimpal	Ficus religiosa
3	Umber	Ficus glomerata
4	Kanchan	Bauhinia purpurea
5	Kadamb	Anthocephalus indicus
6	Gunj	Adenantha pavonia
7	Palas	Butea monosperma
8	Neem	Azardirachta indica
9	Mahogani	Swietenia mahigani
10	Mahua	Madhuca indica
11	Bahava	Cassia fistula
12	Sag	Tectona grandis
13	Arjun	Terminalia arjuna
14	Ain	Terminalia crenulata
15	Kinjal	Terminalia paniculata
16	Sita Ashok	Saraca indica
17	Undal	Calophyllum inophyllum
18	Nagkesar	Mesuaferrea
19	Champaka	Magnolia Sps.
20	Shivan	Gmelina arborea
21	Shirish	Albigia lebek
22	Bakul	Mimusops elengi
23	Beal	Aegle marmelos
24	Taman	Lagerstroemia speciosa
25	Hirda	Terminalia chebula
26	Beheda	Terminalia belerica
27	Coconut	Cocos nucifera
28	Awla	Emblica officinallis
29	Khair	Acacia catechu
30	Tetu	Oroxylum indicum
31	Chinch	Tamarandus indicum
32	Putranjva	Putranjiva roxburghi
33	Jangli Badam	Sterculia foetida
34	Bibba	Semecarpus anacardium
35	Thevetia	Thevetia peruvians
36	Ritha	Sapindus laurifollius
37	Chandan	Santalum album
38	Kumbha	Careya arborea
39	Fishtail palm	Caryota urens
40	Khajur	Phoenix sylvestre
41	Chafa	Plumeria rubra

**Having circumference of 1' above and height of 15' above, as per Tree Authority's resolution no.500, dt.18.03.2011

EXHIBIT-J**F. No. IA3-22/10/2022-IA.III [E 177258]**

Government of India
Ministry of Environment, Forest and Climate Change
(Impact Assessment Division)

Indira Paryavaran Bhawan
Aliganj, Jorbagh Road
New Delhi-110 003

Dated: 29th March, 2022**OFFICE MEMORANDUM**

Subject: Clarification regarding activities which can be undertaken for securing the land prior to grant of Environmental Clearance-regarding.

As per the provisions of Environment Impact Assessment (EIA) Notification 2006, the project or activities [New/Expansion/ Modernization/ change of product-mix or raw material mix] listed in the Schedule to the said Notification would require prior Environment Clearance (EC) from the concerned Competent Authority before undertaking any construction work or preparation of land by the project proponent, except for securing the land.

2. In this regard, Office Memorandum No. J-11011/41/2006-IA.II(I) dated 19/08/2010 clarified that while securing the land, no activity relating to any project covered under EIA Notification, 2006 including civil construction can be undertaken at the site without prior EC except fencing of the site to protect it from getting encroached and construction of temporary shed(s) for the guard(s).

3. Over a period of time, various options other than conventional barbed wire and wall fencing, have come into existence, viz., use of pre-fabricated structures, pre-cast compound wall etc. Further, in order to secure the land, the project proponent may need to have water and electricity connection. In view of the same, it has been decided by the Competent Authority in the Ministry to explicitly clarify that following activities can be undertaken by the project proponent for securing the land.

- i. Fencing of the project site by boundary wall using civil construction, barbed wire or precast/ prefabricated components.
 - ii. Construction of temporary sheds using pre-fabricated / modular structure, for site office/guards and storing material and machinery.
 - iii. Provision of temporary electricity and water supply for site office/guards only.
4. The above activities shall be undertaken subject to the following:

- i. The land should be in the legal possession of the project proponent and all statutory approvals in respect of the project site should have been obtained.
 - ii. In case of involvement of any forest land, no activity shall be initiated at the site till the Stage II Forest Clearance is obtained under the relevant provisions of Forest (Conservation) Act, 1980. In case of applicability of Wildlife Clearance, necessary permission from Standing Committee for National Board for Wildlife (SCNBWL) shall be obtained under the provisions of Wildlife Protection Act, 1972.
 - iii. In case of felling of trees if any, requisite permission from the Forest Department/Statutory Authorities of the concerned State Government shall be obtained.
 - iv. The investment made by the Project Proponent on the above, in anticipation of the applicable clearances under the relevant provisions of the Acts/Rules, shall be entirely at the cost and risk of the proponent.
5. However, the above dispensation would not entitle the project proponent to claim ***fait accompli*** with regard to grant of EC or any other applicable permission from any concerned statutory authority and further, the works of the aforesaid nature shall have no bearing on appraisal of the project for grant of EC which shall follow the due process and procedure as laid down in EIA Notification 2006, as amended.
6. This O.M. is being issued in supersession of the earlier O.M. dated 19/08/2010 and with the approval of the Competent Authority.

(A.K. Agrawal)
Director

To

1. Chairman, Central Pollution Control Board (CPCB)
2. Chairman of all the Expert Appraisal Committees
3. Chairperson/Member Secretaries of all the SEIAAs/SEACs
4. Chairpersons/Member Secretaries of all SPCBs/UTPCCs
5. All the Officers of I.A. Division

Copy for information to:

1. PS to Hon'ble Minister for Environment, Forest and Climate Change
2. PS to Hon'ble MoS (EF&CC)
3. PPS to Secretary (EF&CC)
4. PPS to DG (FC) & SS
5. PPS to AS(TK) / AS (NPG)/ AS(RS)
6. PPS to JS (SKB)
7. Website, MoEF&CC/Guard file.

EXHIBIT-K**MUNICIPAL CORPORATION OF GREATER MUMBAI****No: CHE/CTY/1287/F/N/337(NEW)**

Dy.Ch.Eng.(B.P.)City Office. Building, C.S.No.355B, Bhagwan Valmiki Chowk, Vidyalankar Marg, Antop Hill, Wadala, Mumbai- 400 037.

To,
Architect,
Shri. Milind D. Changani
M/s B. N. Shah & Associates,
316, Wadala Udyog Bhavan,
Naigaon cross road,
Wadala (E),Mumbai – 400 031.

Sub: Proposed for temporary structures for Sales office, storage room and sample Flat on proposed development on Municipal property as Barracks no. T/57, T/58, T/59, Sion Matunga Estate, scheme no 6, on Plot Bearing C. S. no 6(pt), of Sion division situated at Vishramvadi , Bhaudaji Road, Sion Mumbai 400022 in F/ N ward.

Ref : Your letter dated 01.06.2022.

Sir,

With reference to above, your proposal for temporary structure for Sales office, storage room and sample Flat is hereby approved for temporary const. for a period not exceeding 6 months at a time & in the aggregate not exceeding 3 years. subject to the following condition.

1. The structure shall be strong and of non-inflammable materials and will be maintained in good condition.
2. That no work of any permanent nature shall be carried out.
3. That no additions and alterations or increase in area cubical content shall be permitted.
4. That any other changes, taxes, assessment of charges in respect of the structure shall be paid by the owner.
5. That the permission is purely temporary for the period of 6 months from the date hereof.
6. That the structure or part thereof shall not be used or occupied for any other purposes.
7. That the owner shall keep the Corporation indemnified against all risks, damages etc., at all times.
8. That the structure shall be demolished and or before the date of expiry of this permission more than earlier if so, required by Corporation without any claim or compensation.
9. That the permission shall be revalidated from time to time for an aggregate period for 3 years or till completion of building whichever is earlier. In case of late revalidation the security deposit will be forfeited and structure will be liable to be demolished.
10. In default of any of the above conditions, this permission shall be treated Cancelled and further action for removal of the structure and for such actions may be deemed fit shall be taken entirely at your risk and cost and the security deposit of Rs. 18,500/- paid by you is liable to be forfeited either partly or wholly.
11. That no nuisance shall be caused to the adjoining habitation /residents.

12. That the condition of revised bye-law 4 (c) shall be complied with.
13. That the temporary structures will be constructed after demolition of the existing buildings/phase wise by taking all the safety measures/precautions.
14. The material used for erection of Temporary structure shall be fire resistant/ Fire proof / Non inflammable as per requirement of CFO. Safety and security of the occupants shall be ensured by the Applicant.
15. That the temporary structures shall be structurally safe & sound and should be constructed under supervision of Reg. Structural Engineer.
16. That the necessary drainage arrangements shall be provided for the temporary W.C. block in temporary shed with due approval from Competent Authority.
17. That the owner shall intimate the Municipal authorities in writing immediately after the Shed is removed by you on or before the date of expiry.
18. Any other charges, taxes, assessment in respect of the structures shall be paid by owner.
19. That in the event of breach of any of the above stated conditions, the approval given shall be treated as cancelled and further action as deem fit will be initiated without any further reference.
20. That the CC for area admeasuring 1126.24 sq. mt. in proposed residential building will be restricted against the area admeasuring 1126.24 sq.mt. of temporary structure till the same is demolished.
21. This approval is without Prejudice to Legal matters / any matters pending in Court of Law, if any& also as per the documents uploaded by L.S./Architect in Auto DCR system.

This approval is without Prejudice to right of MCGM to take action if any unauthorized work noticed & without Prejudice to Legal matters pending in court of law if any.

One set of plans is digitally signed and attached herewith as a token of approval.

Yours faithfully,

PANKAJ
SHANKAR
WAGH

SURAJ
PRADEEP
AMBRE

Pankaj
Shridhar Bhoir

Sub. Eng.(B.P.) City-IX

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

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

Copy to: 1. The Owner,
Safal Developers Pvt. Ltd.
Sagar Avenue, 4th floor, 54-B,
S. V. Road, Andheri (W),
Mumbai – 400058

2. D.O./A.E.(B&F) F/N ward.

To,
The Regional Officer,
MPCB
Kalpataru Point 3rd – 4th Floor,
Sion , Mumbai – 400 022.

Date: 28.04.2023

Subject: Reply to Show cause Notice for CS No. 6 (Pt) of F-North Ward, Sion Div, Bhau Daji Road, Sion, Mumbai - 22 of M/S. Safal Developers Pvt. Ltd.

Reference: MPCB/SCN/2304130005 dt. 13.04.2023

Sir,

This is in reference to the above mentioned SCN, wherein it is mentioned as follows:

1. Complaint is received regarding Noise pollution against your construction project, i.e. from hammering activity, shore piling work. It seems that you have not provided adequate barricading the construction site. :

We will provide additionaladequate barricades. Also, will conduct noise monitoring at site. Analysis report of the same shall be submitted to you shortly.

2. You couldn't produce documents like Environmental clearance, IOD, CC, six monthly EC compliance report, post monitoring EC report.:

Copy of CC, IOD, EC are enclosed herewith. Half yearly post monitoring report submission is in process.

3. You have not submitted details of Bank Guarantee as per consent condition.:

Copy of Bank Guarantee of Rs. 25 lakhs is enclosed herewith.

The work on site has been carried out in majority towards Site Office, Labour camp and Safety systems. In the view of above, we request you to not take any action against us, with further assurance from our side for performing better in future.

Expecting your kind co-operation in this matter.

Thanking you,
Yours faithfully,

M/S. Safal Developers Pvt. Ltd.



Authorize Signatory



D. Shinde
02/05/2023
Maharashtra Pollution Control Board
Regional Office, Mumbai
Kalpataru Point, 1st Floor,
Sion Circle, In Front of Cine Planet Theater,
Shiv (East), Mumbai - 400 022.