

MUNICIPAL CORPORATION OF GRATER MUMBAI

No. CHE/54/BP/(Spl.Cell)/AN/337-8 JIII 7016

Sub: Proposed reconstruction of Rajawadi Municipal School on plot bearing CTS no 1068/3 (Part) of Ghatkopar Kirol Village at Ghatkopar (East) in 'N' Ward.

Owner & User dept.: Dy. M. A.(S.I.C) for M.C.G.M.

Consultants: M/s. Kalayojan Architects.

Plans for ref: At pg. C/77 to C/95.

Dy. Municipal Architect, vide letter u/no. Dy. C.E.(SIC) /Dy. MA/7780 dtd 03.02.2015 vide pg C-1 had submitted the proposal for reconstruction of Rajawadi Municipal School with permissible FSI of 2.00 through the appointed Consultants M/s. Kalayojan Architect. The proposal could not be processed due to non- provision of 40% PG as per Govt. notification. Accordingly, Municipal Architect was informed to submit the proposal showing 40% PG for school on C -97, 99 & 101. Accordingly, Dy. M. A. vide letter dtd 18.06.2016 at pg C- 103, submitted the revised plans.

PREAMBLE:

The proposal under reference is for reconstruction of Rajawadi Municipal School. The proposed building comprises of Ground + 6 upper floors. After preliminary scrutiny of documents and plans, following requisitions were informed vide note dtd. 12.11.2014 (pg. C-97).

- Documents with respect to ownership of plot
- Remarks / NOC of CFO for fire safety provisions
- Demarcation of plot
- Planning difficulties (major constraint of 40% PG)

Dy. Municipal Architect vide note dtd. 03.02.2015 at pg. C-1 has informed that, compliances are under process. The corrected plans incorporating the provision of 40% PG are submitted by Dy. M.A. (SIC) vide letter dtd 18.06.2016 and requested to obtain approval of authority.

In this regards, a meeting was conveyed in Chamber of AMC (WS) on 21.06.2016 wherein above points were discussed and it was instructed to submit the report for approval of Hon'ble M.C with available documents /plans.

SALIENT FEATURES OF THE PROPOSAL:

1)	Name of the Proposal	Reconstruction of Rajawadi Municipal School
2)	C.T.S No.	CTS no 1068/3 (Part) of Ghatkopar Kirol Village at Ghatkopar (East) in 'N' Ward.
3)	Name of Owner/ Holder & User dept.	Municipal Corporation Of Greater Mumbai.
4)	Area of the Plot	(Consultants' plot area calculation at Pg. C/77= 2203.87.00 Sq.Mt. As per P.R.C. for CTS 1068 = 68.60 Sq.M.

5)	Access	As per D.P. remarks at pg. C/65, the plot u/ref. be CTS no. 1068/B/3(part) of village Ghatkopar- Kirol affected by 12.20 m wide proposed road widening. As per site inspection, the plot is accessible through 11.50 m wide existing road. As per status of road given by AE (Maint.) 'N' ward at pg C- 67, the avg road width is 11.50 m (incl. both side SWD) and is maintained by MCGM. Sewer line exists & road is having street light poles.
6)	Reservations	As per D. P. Remarks at pg. C/65, the land u/ref is affected by the designation of Municipal Primary School and is abutting designations of Primary & secondary School.
7)	Zone	Residential (R)
8)	Proposed built up area of School	4473.69 Sq. m at pg. C/77 (Incl. Fungible FSI)
11)	F.S.I Consumed	2.00

→ 2) **OWNERSHIP:**

Dy. M.A. has submitted copy of PRC for CTS nos. 1267 & 1068 of Ghatkopar- Kirol village. As per DP sheet, the plot reserved for Mun. Primary school is located at CTS no. 1068/3 (part). The PRC for the said CTS is not submitted by M.A. / Consultants till date.

As per property register cards submitted by Dy. M. A. vide pg. C/15 to C/17, the holder for the plot bearing CTS no 1068 of Village Ghatkopar- Kirol is 'The Rajawadi CHS Ltd'. The tenure for the plot is H-1 adm. area 68.60 Sq m. The name of M.C.G.M. is not reflected on the P. R. Card submitted by Dy. M.A. (SIC). As informed by Municipal Architect vide pg C-1, the compliance of obtaining P.R. Cards in the name of MCGM is being followed up separately with C.T.S.O.

It is to be further mentioned that, as per the circular u/no. CHE/DP/7923/ Gen dtd 09.06.2016 (pg. C-115), it is mandatory for architects to submit the PR cards with area mentioned in words issued by CTSO alongwith the building proposal.

As per the site conditions, the existing Municipal school on land u/ref has been demolished and plot is in possession of MCGM. This being MCGM proposal, it is for consideration of Ch. Eng (D.P.) / Hon'ble M.C. to process the proposal without insisting PRC in words at this stage.

In view of above, Ch. Eng (D.P.) / Hon'ble M.C's approval is requested process the proposal for redevelopment of Rajawadi Municipal School without insisting upon the P.R. Card mentioning the area of plot in words as well as in figures in the name of M.C.G.M and CTS plan for plot u/ref at this stage, by accepting ownership in the name of MCGM.

3) **AREA OF PLOT:**

As per property register cards submitted by Dy. M. A. vide pg. C/15 to C/17, the area of plot bearing CTS no. 1068 of Ghatkopar- Kirol village is 68.60 Sq m. As per DP sheet, the plot reserved for Muni. Primary school is located at CTS no. 1068/3 (part). The PRC for the said CTS is not submitted by M.A. / Consultants till date. As well, C.T.S. Plans for the land showing the boundary of plot are not submitted. It is therefore necessary to consider

the area of plot as worked out by consultant as per the stringent boundaries between C.T.S. and possession boundary as shown on plan at pg. C/77.

The area of plot as per the various documents submitted by M.A./Consultants is as under:

1	As per copy of P.R. Card for CTS no 1068 at pg. C/ 15 to C/17	68.60 Sq m.
2	As per area calculation by triangulation submitted by Architect at pg. C/77	2203.83 Sq. Mt.
3	Area of plot in possession of MCGM as per consulting architect's calculation at pg C -23.	2210.09 Sq. Mt.
4	Area of plot as worked out by Consultant considering the stringent boundaries between C.T.S. and possession boundary on plan at pg. C/77	2203.83 Sq. Mt.

In view of above, Ch. Eng (D.P.) / Hon'ble M.C's approval is requested to adopt the area of plot adm. 2203.83 Sq. Mt. at this stage for processing the approval of Rajawadi school building, subject to condition that the P.R. card reflecting therein the name of MCGM with area of plot mentioned in words shall be obtained by user department /Dy. M.A. (SIC) before completion of the work.

4) D.P. REMARKS, SURVEY REMARKS & ACCESS:

As per copy of D.P. remarks at P. C- 11 to C- 13 issued under S.R.D.P, 1991, the land bearing C.T.S. No. 1068/3 (pt) of Village Ghatkoper Kirol is designated for Municipal Primary School and is situated in "Residential Zone (R)".

As mentioned in Survey remarks vide copy at pg C-29 to C-31, the plot falls in Residential zone & is entirely reserved for designated MAP. The plot is affected by 13.00 m wide D.P. road. The conditions to be stipulated while approval is as below-

- a) Joint demarcation from SEDP and SE (Survey) is required for road and reservations prior to start of work.
- b) NOC from concerned authority, as plot falls in Aerodrome zone is required.
- c) Remarks from Civil aviation for permissible height are required.
- d) Plot is near to Tansa Main Pipe line and nalla, specific remarks from H.E. and EE (SWD) are required.
- e) The bridge alignment is in the vicinity; hence necessary remarks from EE (Bridges) are necessary.

PROVISIONS OF DRAFT D.P.-2034 (MAY-2016):

As per Draft D.P. 2034 (May 2016), the land under proposed development is affected by the designation of DE 1.1 i.e. for Municipal School. (Draft D.P. plan at pg. C/111).

As per the policy guideline circular u/no Ch E/ 7204/DP/Gen dtd 30-05-2016 for implications of publications of DDP -2034 as per notification in Govt. Gazette u/no. CHE/6457/DP/ Revision dtd 27.05.2016, the proposal can be processed, since there are no change in reservation that from SRDP -

1991.

Further, the proposals which were sanctioned with respect to proposed widening to the existing road/ new road shown in DDP 2034(Feb-2015) and widening/ new roads are deleted in DDP 2034 (May-2016), may be processed/ amended as per DDP -2034 (May -2016). In present case, the widening to the existing road of 12.20 m proposed in DDP -2034(2015) as at pg C- 113, seems to be deleted in re-published DDP -2034 (May 2016) (pg C- 111) as per the available sheets in this office. However, in absence of detailed remarks same cannot be ascertained. Dy. M.A. (SIC) will be instructed to obtain detailed remarks from EE (DP) ES for DDP -2034 (May 2016) before start of work.

5) Access: -

As per existing site condition, the plot u/ref is accessible through existing road of average 11.50 m width with footpaths, street lights & SWD thereon on either side. As per the copy of status of road given by AE (Maint.) as at pg C- 67- C -69, the existing road of width 11.50 m(Avg) is maintained by MCGM. The RL, if any, to the access road shall be ascertained by Dy. M. A. (SIC) before start of work from AE (Survey)/ EE (T & C).

6) Cognizance of decision of Hon'ble Supreme Court :-

As per order by Hon'ble Supreme Court under Civil Appeal no. 11150 of 2013 dated 17th December 2013 as prescribed under Sr. No. 60, issue no.(i) wherein it is stated that, *"The minimum recreational space as laid down under Development Control Regulation (DCR) 23, cannot be reduced on the basis of DCR 38(34). The recreational space, if any, provided on the podium as per DCR 38(34)(iv), shall be in addition to that provided as per DCR 23 and issue No.(iv) where in it is stated that, "The second proviso to DCR 43(1)(A), concerning fire protection requirements, is held to be bad in law. We hold that even for the reconstruction proposals of plots upto the size of 600 Sq. Mt. under DCR 33(7), open spaces of the width of 6 meters at least on one side at ground level within the plot, accessible from the road side will have to be maintained for the maneuverability of a fire engine, unless the building abuts two roads of 6 meters or more on two sides, or another access of 6 meters to the building is available, apart from the road abutting the building"*.

The physical provision of PG is proposed at ground level & open to sky. The 6.00 mt. open space required as per order is proposed for bldg u/r on three sides. The provisions of D C Reg. 1991 & Hon'ble Supreme Court's orders dated 17th December 2013 are followed.

7) To allow additional FSI of 100% for the Municipal school:

As stated above, the proposed development is located at Ghatkopar (E) in Eastern Suburb and hence the permissible floor space index for Residential/Commercial zone in suburb and extended suburbs is 1.00 as per Reg. 32, Table 14(1)(B)(iii) of DCR 1991.

As per provisions of Reg. 33(2) of DCR-1991, the Commissioner may permit the FSI specified in Table No.14 to be exceeded by 100% in respect of buildings in independent plots of educational and medical institutions and institutional buildings of Government or public authorities in the wards of the island city, suburbs and extended suburbs, subject to conditions mentioned therein including payment of premium.

In the instant case, Consulting Architect M/s. Kalayojan have submitted the plans for Municipal School with consumption of Zonal 1.00

FSI and with additional FSI to the extent of 100 % over & above zonal permissible FSI (i.e. total 2.00 FSI).

As such, the permissible FSI on plot u/ref is zonal FSI 1.00 + additional FSI of 1.00 with the approval of Commissioner aggregating to total FSI of 2.00.

In view of above, Ch.E. (D.P)/Hon'ble M.C's approval is requested to allow to exceed zonal FSI of 1.00 by 100% (i.e. zonal FSI of 1.00 + additional FSI of 1.00 = 2.00 total FSI) as specified in Table No. 14, for the proposed Rajawadi Municipal School without charging premium being M.C.G.M proposal as per provisions of Reg. 33(2) of modified DCR 1991.

8) To allow admissible fungible FSI:

In the instant case, Consulting Architect M/s. Kalayojan have submitted the plans for Municipal School with consumption of fungible FSI over and above Zonal 1.00 FSI and additional FSI to the extent of 100 % (i.e. total 2.00 FSI).

As per the provisions of reg. 35 (4) of modified DCR-1991, the Commissioner may, by Special permission, permit fungible compensatory FSI not exceeding 20% for Commercial development, over and above admissible FSI, by charging premium at 100% of the S.D.R.R. rate. The proposal being of M.C.G.M for the public, the said fungible FSI may be permissible without charging premium.

In view of above, Ch.E. (D.P)/Hon'ble M.C's approval is requested to permit the fungible compensatory FSI to the extent of 20% of proposed built up area of School building, as per provisions of Reg. 35(4) of modified DCR-1991, without charging premium being a municipal proposal.

9) PLANNING OF PROPOSED SCHOOL BUILDING:

Consultant M/s. Kalayojan have submitted the revised plans for Municipal School building for total FSI of 2.00 and admissible fungible FSI of 20% over and above zonal FSI. The proposed School building comprises of Ground. + 6 upper floors with total height of 26.85 mt. The floor-wise plans of the building are enclosed at pg. C/77 to C/95. The floor-wise planning details are as below-

- Ground floor: 3 nos. of classrooms, toilets, administration room kitchen, Balwadi, Principal's room, store room, drinking water, pump room, electric meter room.
- 1st floor: 7 no of Class rooms, drinking water, Staff room, Store rooms, Toilet block.
- 2nd floor: 7 no of Class rooms, drinking water, staff room, Store rooms, Toilet block.
- 3rd floor : - 7 no of Class rooms, drinking water, Principal room, Store rooms, Toilet block, Tiffin room.
- 4th floor : - 7 no of Class rooms, drinking water, Staff room, Store room, Toilet block, Tiffin room.
- 5th floor: Library, AV room, Computer room, science lab, Staff room, Art & Drawing room, Drinking water, Toilet block.
- 6th floor: Indoor game are, Boy's & Girl's green room, Store rooms, Indoor game store, Toilet blocks.

Architect has proposed separate toilet blocks for Boys and girls and on each floor. The provision of drinking water facility is shown on all floors. The provisions such as toilets, ramp etc. for physically handicapped persons is also proposed.

Staircases & Lifts: - Architect has proposed 2 nos. of enclosed type staircases of 2.00 mt flight width both located with one exterior wall from Ground to terrace level. Total 2 nos. of lifts are proposed. One of the staircases is proposed with revas projection for landing on rear side of building permissible as per DC Reg. no. 38 (23). The area of staircase is claimed free of FSI computation.

As per the Reg. 43 (2)(ii)(j)(i), "The Exits from all parts of the building, except those not accessible for general use shall be so located that the travel distance on the floor does not exceed 22.50 mt. for Institutional occupancies. The proposed travel distance is 22.00 m which is within permissible limit as per DCR.

Double height lobbies at ground & 2 upper floors:

Architect has proposed the entrance lobby at ground floor & lobby at 2nd floor with height of 8.10 Mt. from aesthetic, light ventilation and fire safety point of view. These portions are counted 1.50 times into FSI.

NOC from CFO: - Architect has submitted NOC from CFO for proposed height & planning of school as at pg C- 35 to C-63.

Civil Aviation NOC: - Architect has submitted certificate from AE (Survey) ES as at pg C - 107 dtd 10.05.2016, wherein it is mentioned that, for plot u/ref, the permissible height of building as per CCZMA map from civil aviation point of view is 50.00 m AMSL. Architect has submitted copy of remarks from AE (Survey) ES dtd 26.09.2014 as at pg C-71, wherein the site elevation at the site u/ref is mentioned as 8.14 m above mean sea level (AMSL). Hence the permissible height of building on plot u/ref works out 41.86 m upto topmost point of building. The proposed height of building upto terrace is 26.85 m and maximum height including OHT, staircase room, LMR etc is 31.05 m. Proposed height is within 41.86 m permissible from civil aviation point of view.

10) OPEN SPACES:

Consultant has proposed Municipal Primary school building comprising of Ground. + 6 upper floors with total height of 26.85 mt for FSI of 2.00. The details of the open spaces required, proposed and the deficiency therein are as tabulated below-

OPEN SPACES REQD FOR 2.00 FSI

Ht of Bldg. = 26.85 m For D/W = 6.00 m

Length of building = 46 m along East-West.

Long Length Factor = $(46 - 40) \times 10 / 100 = 0.6$ m on N-S direction.

For L/V, $(H/3 + LLF) = 8.95 + 0.60 = 9.55$ m. Say, 10.00 m.

FOS from 11.50m wide existing road = $(26.85 / 1.5 - 11.50) = 6.40$ m

Side	Open Space Reqd.	Open Space Prop.	Def. in mt.	% Def.	Remarks
North	10.00	17.00	NIL	NIL	L/V
South	4.50 6.40	6.00 6.40	Nil Nil	Nil Nil	F.O.S, from existing 11.50 mt. wide Municipal Road. (table 10A of DCR-1991) Reg. no. 31(1)
East	6.00	6.00	Nil	Nil	
West	6.00	6.00	Nil	Nil	As per Reg. no 29(6)

As can be seen above, there is no open space deficiency as per provisions of DCR -1991.

The plans submitted by consultant have been scrutinized as per provisions of DCR -1991 and requires consideration of Ch.E (D.P)/ Hon. M.C. on the following points:

11) To allow provision of 40% P.G. touching to cantilever building line for staircase:

The proposal u/r is the construction of Municipal school building. As per the notification by government of Maharashtra u/no TPS-3206/488/CR-104/06/UD-30 dated 08.09.2006, provision of continuous open space of 40 % of total plot area, for the purpose of the play ground in educational development is mandatory.

In present case, the total plot area of plot is 2203.83 sq. mtr. M.A. has proposed 40% PG at one place with width of 15.50 m. Dy. M. A. proposed 40% P.G. area on rear side of building at ground open to sky and partly touching to building. The cantilever projection of staircase landing is touching the PG area. Further, the underground water tank is proposed in PG area is not permissible as per DC reg no. 23(1)(g), since the area of PG is less than 1000 Sq m. Hence Dy. M.A. will be requested to shift the same in side open space.

As per DC Reg. no. 29 (1) (iii), except where plot size is less than 2500 Sq m, the marginal open space in plot abutting the recreation/ Amenity open spaces in the same layout shall not be less than 3m. Since the plot area is less than 2500 Sq m, in consideration with DC reg. no. 29(1)(iii) for 40% PG in school, the PG area may be allowed touching to building line.

In view of above, Ch. Eng.(D.P.) / M.C.'s approval is requested to allow P.G. area touching to the building line as proposed by Municipal Architect; considering provision of Reg. no. 29(1)(iii) of DCR -1991.

12) To allow deficient Parking spaces :

As per Sr. no 2 of Table no 15 of DCR -1991, the parking spaces required for administrative area works out to 2 & that for multi-purpose hall works out to 16 nos.

Architect has not proposed parking space required for area of administration and public areas as applicable under Table 15 (2) of DCR 1991. Also at 6th floor, the hall/ indoor gaming area is proposed with stage for extra curriculum activities. However, parking spaces as required as per

→ DCR for such multi-purpose halls are not shown. There is 18 no. of deficient parking spaces.

In this regard, due to planning constraints created due to provision of 40% plot area towards PG as well as mandatory open spaces of 6.00 m all around the building, there is no space available for parking.

Ch.E. (D.P.)/Hon. M.C.'s approval is requested to allow 18 Nos. of deficient parking spaces required in school building.

13) To allow exemption of staircase, lift, lift lobby from FSI computations:

Consultant has proposed 2 no. of enclosed type staircases having 2.00 mt flight width each. Same are located externally extending from Ground to terrace level. Total 2 no. of lifts are proposed. The proposed lifts are leading from Ground to topmost floor of the building. The areas of staircase, lifts and lift lobby are claimed free from FSI Computations; which is permitted as per Cl. 35(2)(iv) of DCR-1991, with the Special permission of Commissioner.

The proposed building being a municipal primary school building, these areas may be allowed without charging premium. Further the area of staircase headroom, overhead water tank and area below the OHT is claimed free of FSI. As per reg. 35(2) (iii) the area of OHT at terrace level is permissible free of FSI without charging premium.

In view of above, Ch. Eng (D.P)/Hon'ble M.C.'s approval is requested to allow area under staircases (2 nos.), lifts (2 nos.) and its lift lobby on all floors free from F.S.I. computation without charging premium being a MCGM School building.

In view of above Hon. M.C.'s approval is requested to the following:

- 1) To process the proposal for redevelopment of Rajawadi Municipal School without insisting upon the P.R. Card mentioning the area of plot in words as well as in figures in the name of M.C.G.M and CTS plan for plot u/ref at this stage, by accepting ownership in the name of MCGM..
- 2) To adopt the area of plot adm. 2203.83 Sq. Mt. at this stage for processing the approval of Rajawadi school building, subject to condition that the land shall be got jointly surveyed/measured from City Survey officer and the P.R. cards reflecting therein the name of MCGM with corrected area of plot in words and figures shall be obtained by user department / M.A and submitted before completion of the work.
- 3) To allow to exceed zonal FSI of 1.00 by 100% (i.e. zonal FSI of 1.00 + additional FSI of 1.00 = 2.00 total FSI) as specified in Table No. 14 without charging premium for the proposed Rajawadi Municipal School belonging to M.C.G.M as per provisions of Reg. 33(2) of modified DCR 1991.
- 4) To permit the fungible compensatory FSI to the extent of 20% of proposed built up area of School building, as per provisions of Reg. 35(4) of modified DCR-1991, without charging premium being a municipal proposal.
- 5) To allow P.G. area at Ground level touching to the building line as proposed by Municipal Architect; considering provision of Reg no. 29(1)(iii) of DCR -1991.

- 6) To allow 18 Nos. of deficient parking spaces required in school building.
- 7) To allow areas under staircases (2 nos.), lifts (2 nos.) and its lift lobby on all floors free from F.S.I. computation without charging premium being a MCGM School building.

Submitted please.

Ch.E. (D.P.)

Hon. M.C.

Sir,

CHP/471/DPBP spl cell
18/7/16

Dy.Ch.E. (B.P.) Special Cell

Proper ramp for physically challenged persons + be provided provided at entry to the school. At elevation features to be counted in FSI.

बृहन्मुंबई महानगर पालिका			
प्रमुख अभियंता (विकास नियोजन)			
यांचे कार्यालय			
११	१२	१३	१४
१५	१६	१७	१८
१२ JUL 2016			
४७१			
क्र.प्र.अ./दि.नि./	शहर	पूर्व. उप	प. उप
मा.अधि.	टिडीआर	लोखा	आस्था

DPBP spl cell

Subjected to 'x' above submitted, approved to Sr. No. ① to ⑦ as recommended by Dy.Ch.E. (B.P.) Special Cell.

submitted please.

12/7/16
ChDP

Approved as proposed.

16/7/16

Municipal Commis

Ch.E. DP

बृहन्मुंबई महानगरपालिका	
आयुक्तांचे कार्यालय	
१३ JUL 2016	
समय	११, १२, १३, १४ १५, १६, १७, १८
क्रमांक	MC/13698

18/7/16

CHP/489/DPBP spl cell

उप प्रमुख अभियंता (इमारत प्रस्ताव) वि.क.३
आवश्यक त्या कार्यवाहीकरीता

बृहन्मुंबई महानगर पालिका			
प्रमुख अभियंता (विकास नियोजन)			
यांचे कार्यालय			
११	१२	१३	१४
१५	१६	१७	१८
१८ JUL 2016			
४८९			
क्र.प्र.अ./दि.नि./	शहर	पूर्व. उप	प. उप
मा.अधि.	टिडीआर	लोखा	आस्था

DPBP spl cell

प्रमुख अभियंता
(विकास नियोजन)

वृहन्मुंबई महानगर पालिका,
उप प्रमुख अभियंता इमारती प्रस्ताव
(विशेष कक्ष) यांचे कार्यालय

20/07/2016

2256

उप प्र. अभि. (इप्र.) विशेष कक्ष

Ex. Eng./Asst. Eng. (City/WS/ES)
A.O./H.C. (Rev.)/H.C. (Estt.)

21/7/16
Dy. En. E. (BP) Spl. Cell

21/7/16

Asst. Eng. (City / WS / ES)
A.O./H.C. (Rev.)/H.C. (Estt.)

P. note CHE DP For n/a pl.
reverts n/a
& procen future

Ex. Eng. (BP) Spl. Cell

SECBM Spl. Cell. M Word.

Correct the draft plans as per
endorsement of CHECBM and put up
L.O.A. with conditions to return
complete file to AP.MA.UIC.

Signature

21/07/2016

ABCBM Spl. Cell.