MUNICIPAL CORPORATION OF GREATER MUMBAI

MUMBAI HERITAGE CONSERVATION COMMITTEE

MINUTES OF THE **THIRTEENTH** MEETING

Date:**Tuesday, 10 / 05 / 2016**

Time:2.30 p.m.

Venue: Conference Hall at 5th floor, M.C.G.M. Head Office, Annex Bldg., Mahapalika Marg, Fort, Mumbai.

The following members were present:

1. Dr. P.P.Bhave, member
2. Dr. K. K. Sangle, member
3. Dr.M.M. Murudi, member
4. Dr. Manjiri Kamat, member

The following officers were in attendance-

1.	Shri Umesh Nagarkar	Dy. Municipal Architect (D.P.)
2.	Shri Dipak Bidve	Sr. Architect (D.P.)
2.	Shri Rituraj Karanjkar	Sub-engineer (Architect)
3.	Shaikh Mohammed Ashique	Sub-engineer (Architect)

Leave of absence was granted to the following members -Prof. Rajiv Mishra, Shri Sabyasachi Mukherjee, Chief Architect, Govt. of Maharashtra, and Shri V.P. Chithore, Ch. Eng. (D.P.), Member Secretary, MHCC.

The Chairman had to attend an urgent meeting in respect of D.P. Revision and the meeting was chaired by Dr. K. K. Sangle.

A. Confirmation of minutes of previous meeting:

Minutes of the previous meetings of the MHCC dtd. 5.04.2016 (11th) and 21.4.2016 (12th) were confirmed and the office was instructed to get the final corrected minutes signed from the Chairman subsequently.

B. The following cases were then considered:

1. Case No. :453 / 2014 Sr. No.: 160 (prop) Grade-III (prop)

'Swastik Bungalow'

Proposal: Proposed redevelopment of building known as 'Swastik Bungalow' on Plot bearing C.T.S. No. 984, 984/1, 984/2 of Village Vile Parle, S.V. Road, Vile Parle (W), Mumbai.

Architect: Ashim Khatri.

Ref: CHE/001424/DPWSdtd. 12.04.2016.

The bungalow u/r situated at corner of S.V.Road and Bajiprabhu Deshpande Marg at Vile Parle (west) is collectively included at Sr.No.160 of the proposed Heritage List under Grade-III category along with another adjoining bungalow. The entry at Sr.No.160 mentions about 'Swastik Houses' which are two identical bungalows built in the year 1933 and further extension carried out in 1975.

Scope of Work- In this case it has been proposed to demolish one of the existing bungalow structures and construct a new residential structure. A new residential building comprising pit & puzzle parking with stilt + Mezzanine + 1st to 8th residential floors and part 9th floor (a small Gymnasium area) in the place of existing ground + 1 storied bungalow is proposed. The total height would be 32.20 meters upto8th floor terrace level.

Earlier consideration by the Committee in meeting dated 25.11.2014: - The architect & developer of the project presented the proposal for redevelopment u/r. It was informed that the redevelopment proposal was undertaken by utilizing the FSI 1.00 along with TDR 1.00 and applicable fungible area. As per the listing card the bungalows – town houses were developed during the period which has a mix of vernacular houses and the colonial bungalow/villa. There are no stylistic references except the stained glass sun breaker panels at the verandah, the railings, the staircases and the swastika patterns on the façade.

It was observed from the photographs submitted by the Architect that the height of the surrounding building varies from G+ 3 to G+7 floors. It was also noted from the provisions of the regulations for Grade-III that reconstruction could be allowed for consuming permissible FSI for the plot , however, the then committee was of the opinion that as per Appendix VII-A ,TDR could not be utilized on a heritage property. However, it was decided that the issue of utilization of TDR would be looked into by the B.P. dept. The architect was then requested to submit the structural audit report.

Consideration in meeting dtd. 10.5.2016 – With reference to the direction of the previous committee the architect / owner had submitted Structural audit report from project consultant Shri Bhavin Shah &prepared by M/s Futurestress Labs which mentions about dilapidated condition of the structure and recommendation for demolition as it is not feasible to undertake structural repair as per latest I.S.Code.

The owner had also submitted photographs of the structure and surrounding development. It was informed that the stained glass feature and motifs etc. would be reused/ recreated in the elevation of the proposed building. The Committee was requested to consider and grant NOC for redevelopment.

The building under reference is from a Grade-III complex. Being in the suburbs the NOC of the MHCC is being insisted in this case. The case was considered by the Committee in the meeting held on 10.5.2016 when it was noted that the surrounding area has been developed. The plot is also affected by road widening lines on both the S.V. Road and Bajiprabhu Deshpande Margand not handing over set back may create bottleneck on this busy arterial road. Although the structure may not be beyond repairs it has become dilapidated and redevelopment to consume the available potential has been proposed. Considering all it was decided by the Committee to grant the NOC for the said redevelopment proposal. The architect was requested to submit the final set of plans including elevations of the proposed building for vetting & issuing the NOC.

2.Case No. :455 / 2016 Sr. No.: 123 Grade II-A

'Times of India'

Proposal: Proposed partial repairs to the building, regularization of Mezzanine of Ground floor, partial cordoning off the excess Mezzanine floor and regularization of internal alteration work in the 'Times Of India' building situated at Plot No. 15, Hornby Road Estate, C.S. No. 1451 (part) of Fort division at D.N. Road, Fort, Mumbai.

Architect: W. V. Kanhere.

Ref: CHE/002163/DPC dtd.21.04.2016.

The site u/r is located at D.N. Road and Mahapalika Marg on either sides bearing C.S. No.1451 (part) of Fort Division, Mumbai. The site u/r is individually listed at Sr.No.123 as Grade II-A of the heritage list.

Decision in meeting dated 21-02-2015-The proposal for rearrangement / regularization and relevant alterations at structure u/r was submitted by the architect. It was then informed by the architect that Mezzanine for Ground floor was existing since long, however, it was proposed to be regularized as per prevailing norms and only 50% of the mezzanine floor was to be retained and excess was to be dismantled. The structural engineer member of committee had insisted architect to check whether the mezzanine floor was part of the existing structural framework as dismantling may create stress in the structure.

The committee after consideration suggested to remove / open up the slab portion above the main entrance to the extent possible so as to restore the grandeur of the entrance foyer which has been lost due to the low height.

Scope of instant amended proposal -It is informed by the architect that apart from the works proposed earlier it has been decided now to carry out partial structural repairs to the building at all floor levels and regularization of internal renovation work such as partition walls, cabins and cubicles etc. It was also informed by the architect that as per structural reports it is not advisable to remove any structural portion including the mezzanine floor of the building. Therefore the portion of Mezzanine floor which is within 50% of the ground area is proposed to be regularized however, excess Mezzanine floor which was proposed to be removed earlier is now proposed to be cordoned off. The architect also informed that after diligent search it was found out that the mezzanine floor is quite old and authorized and any attempt to remove it may damage the structural integrity.

Decision of the Committee –The internal work & structural repairs was found to be approvable as it would not affect the external façade. So far as cordoning off the portion of mezzanine floor is concerned it was opined by the Committee that the B.P. dept. should examine the approvability from D.C.R. point of view and approve accordingly.

During site visit it was noted that on rear side of building M.S. corrugated sheet weather sheds have been installed which don't match with the character of the structure. It was, therefore, suggested that those projections can be replaced with suitable type of sheds to be in harmony with the heritage character of the building. Subject to the aforesaid suggestion being implemented during the course of repairs it was decided to grant NOC from heritage point of view to the amended proposal.

3. Case No. :461 / 2016 Sr. No.: nil Gamdevi Precinct

'Gamdevi Precinct'

Proposal: Proposed redevelopment of the property bearing C.S.No. 8/492 of Malabar Hill Division situated at Laburnum Road, known as 'Shirin Villa', Gamdevi, Mumbai.

Applicant: M/s Ingrain Architects.

Ref: No. CHE / 002890 / DPC dtd.27.04.2016.

The plot u/r bearing C.S No. 8/492 falls within the Gamdevi Precinct. Apart from that, it also falls within 100m, i.e. 4th block from Grade-I listed 'Mani Bhavan' structure.

Earlier consideration by the Previous Committee-The proposal for demolition of the existing structure and construction of a new residential building at the plot u/r was considered by the previous Committee in 2013.. A multistoried building (about 35 mts. in height) under the provisions of DCR-33(7) was proposed then.

The draft Gamdevi Precinct Guidelines, which inter-alia allows for a building upto maximum 4 floors in height (15 mts.),were referred by the Committee. The Architect was requested to submit the revised drawings conforming to the said guidelines so that the NOC from the MHCC could be issued for demolition of the structure u/r and subsequently for the proposed redevelopment.

Instant revised proposal-The architect for the proposal (now M/s Ingrain) have submitted revised plans for 'Shirin Villa' property envisaging demolition of the existing structure and construction of a new basement + ground (part) + 3 upper storied residential building in its place. The total height would be 13.5 mt upto terrace level. The proposed structure consists of three levels of mechanical car parking's in the basement, and a car lift for the same.

Decision of the Committee-The revised drawings including the front elevation showing the proposed Ground + 3 storied structure were examined and few suggestions were given. The overall proposal was found to be in conformity with the recommendations of the previous Committee about the height of the new building etc. It was therefore decided to grant the NOC from heritage point of view to the said proposal subject to the following :

i) that, the structural stability of the adjoining buildings should be properly ensured / maintained during demolition / construction work.
ii) that, Box grills should not be used for the windows and the external units of A.C., if any, should preferably not be fixed on the front facade,
iii) that, appropriate fire safety measures as per provisions of lawshould be taken / implemented during the execution of the work.
iv) that, the recommended elevational features should be faithfully implemented during the execution of the work.
v) that, the overall approvability of proposal should be further examined & got confirmed by the Building Proposals dept. in accordance with the provisions of other D.C. Regulations in force;
vi) that, completion certificate from the MHCC should be obtained on completion of work at site.

4. Case No. :437 / 2016 Sr.No.633 (1) Gateway Precinct

'Rabro House'

Proposal:Proposed Installation of 2 No. of lifts at 'Rabro House' situated on plot bearingC.S. No. 417 ofColaba Division, ShahidBhagatSingh road, 'A' Ward**.**

Architect: Nalini Shah.

Ref: 1) CHE / 046863 / DPC dtd.11.02.2016.

2) CHE / 003710 / DPC dtd.03.05.2016.

The building u/r abuts Shahid Bhagat Singh road and falls in the Gateway sub precinct of Fort precinct listed at Sr.No.633 (1) of the existing heritage list. The existing building is ground + 3 storied with mangalore tiled sloping roof.

Earlier consideration by Committee: The NOC of the MHCC was sought for installation of two numbers of lifts (machine room less)in the existing G+3 storied building. The space for the new lift-shafts was proposed to be created in the existing two staircase block areas by replanning & reconstructing the existing staircases. It was informed by the architect that the said lifts are proposed to be installed on medical grounds due to the age and medical ailment of the occupants. The structural stability certificate was submitted and it was informed that the building has recently been repaired in phases in structural steel with flooring in ladi- coba above R.S.J., internal / external walls in brick masonry and existing sloping roof in mangalore tiles.

It was also observed that extensive repairs / renovation works are being done for the entire building including replastering of the facades. The mass and scale of the building and window grids are however maintained. The detailed elevations of the façade would also have to be obtained from the architect.

Although the scope appeared to be non-objectionable it was then decided to first obtain remarks from the B.P. dept. about whether the staircase, as planned now, would be approvable from DCR point of view and also to know if any permission was granted by them for the repairs work going on at site.

Discussion and decision in today's meeting: The architect has submitted the copy of IOD plans on 05.05.2016. The same was noted by the Committee. It was informed by the architect who was present that the staircase would be reconstructed in steel. Also the repairs are being carried out by the Repairs Board. As decided earlier, as the B.P. has given its consent to the plan it was decided to grant NOC of the MHCC for the proposal of reconstruction of the staircase and installation of lift in the said building.

C. Following new proposals were thenconsidered:

1. Case No.440 / 2016 Sr.No.142 (b) Grade IIA

'Hongkong & Shanghai Bank'

Proposal -Proposed restoration of the 'HSBC Building' (old building of the British Bank of Middle East) situated at Veer Nariman Road, Mumbai.

Architect: - dwpinterics.

Consulting Architect: - AbhaNarainLambah Associates.

Ref: - CHE/048485/DPC dtd.29.02.2016.

The building u/r is located at the junction of Veer Nariman Road & Cawasji Patel Street. The building u/r is individually listed at Sr.No.142 (b) under Grade IIA & also falls in the Fountain sub precinct of Fort Precinct listed at Sr.No.633 (6) of the heritage list.

Scope of Work: M/s DWP Interics has appointed M/s Abha Narain Lambah Associates for Façade restoration works of the said HSBC Bank Building and to prepare Plans, Specifications and doing correspondence with Heritage Committee. The proposal contemplates the restoration of exteriors of the building u/r. It is informed by the applicant that building u/r was restored in 2006 by them and same restoration scheme is proposed. The scope of work as envisaged by the consultant is as follows:

1. Restoration of the exterior shell, undertaking conservation specialized techniques of stone cleaning of Malad Basalt Stone & other stone surfaces using non-abrasive water misting system, re-pointing the lime mortar & provision of sensitive signage.
2. Policing of the ornamentation details of Façade.
3. Original Timber openings to be restored.
4. Concrete portion to be repaired by thixo topic, micro concreting, low viscosity epoxy raising grout.
5. Repairing/ replacing damaged windows & doors.

Decision in today's meeting: The office had requested the HSBC to confirm that the works of external restoration has been allotted to M/s DWP Interics (who has in turn appointed M/s Abha Lambah Associates) as there was another proposal from architect S.V. Vartak. During the site visit the HSBC officials confirmed that the work has been allotted to Abha Lambah Associates through M/s DWP Interics.

The representative of Abha Lambah Associates presented the proposal for repairs & restoration of the façade and the same was found to be approvable. The representative of M/s DWP Interics was also present and it was informed that a separate application has been submitted for internal renovation / furniture work. A presentation was given and it

was explained that original features would be maintained. The terrace waterproofing is also proposed to be redone. Considering all it was decided to grant NOC for the repairs / restoration and internal furniture / renovation work at HSBC Bank bldg. subject to the authenticity / approvability of the proposal being further examined and got approved form the B.P. dept.

2. Case No. :454 / 2016Sr. No.: 65/58 Grade:-Prop IIA

'J B Petit School for Girls'

Proposal: - Proposed addition, alteration & extension to the existing school building known as J. B. Petit High school for girls on plot bearing C.S. No.703 of Fort Division at Fort.

Applicant: - Shashank Mehandale and Associates,

Consulting Architect:- M/s Abha Lambah Associates.

Reference: - CHE/050664/DPC dtd. 14.03.2016.

The plot u/r is located at junction of Marzaban Road & Bastion Road on plot bearing C.S. No.703 of Fort Division at Fort. The building u/r is individually listed as II-A under Sr.No. 65/58 of the Proposed Heritage List & also falls within 'Esplande Sub precinct' of 'Fort Precinct' listed at Sr.No.633 (5) of the heritage list.

Scope of work: It was informed by the applicant that the plot u/r reference known as J. B. Petit High school for girls is designated as SAS (secondary school). Extension was done at two times in the past to the original stone building of the school constructed in 1878. The first extension being sometimes in 1960's and second in the 80's. The scope of proposed work envisaged by the architect is as follows

1. To demolish the existing stilt / ground + 3 storied extension building (second)& construction of a new stilt / Ground +5 storied building with almost the same footprint.
2. Construction of one additional floor in light weight material on the existing first extension building.

It was also mentioned by the applicant that they would require Concession in respect of the following:

1. To condone deficiency in open space by charging open space deficiency premium.
2. To condone the parking requirements as it is not proposed due to non-availability of the open space within the plot.
3. To condone 40% open space required for school proposals due to non-availability of open space in the plot & retaining the existing building.

Decision of the Committee –The consulting architect, engineer and the Principal of the school presented the proposal to the Committee. It was explained that the need for reconstruction has aroused due to shortage of class rooms due to growing number of students and other ancillary rooms / areas. The design concept was to keep the original heritage structure intact, add another floor after evaluating structural stability on the first extension building and utilisethe footprint of the second modern extension building to reconstruct and consume maximum permissible area potential.

It was noted by the Committee that the original heritage structure will be retained and restored. A new floor would be created on the first extension building with light weight material. The new structure proposed by demolition of the second extension would also be more or less on the same footprint. The design language of the new structure is proposed to be modern to differentiate from the original heritage structure but at the same time it Is subtle enough to be in sympathy with the Precinct character.

The only variation in terms of the mass would be the additional height by way of additional two floors in the new building. The height of the new building would be24.99m. Similar height was allowed by previous Committees in this Precinct and is conforming to the Govt. Directive of 1995 for height of buildings in 'A' Ward. Although the skyline of the immediate surrounding would be affected to a certain extent considering the user as a school it was considered for granting the NOC purely from heritage point of view subject to the following:

i) that, the heritage structures proposed to be retained should be properly restored / repaired structurally as may be needed.
ii) that the structural stability of the heritage buildings to be retained should be properly ensured during the course of proposed new construction touching the same.
ii) that, Box grills should not be used for the windows and the external units of A.C., if any, should preferably not be fixed on the front facades,
iii) that, appropriate fire safety measures as per provisions of laws hould be taken / implemented during the execution of the work.
iv) that, the overall approvability of proposal should be further examined & got confirmed by the Building Proposals dept. in accordance with the provisions of other D.C. Regulations in force;
v) that, completion certificate from MHCC should be obtained on completion of work at site.

As regards the request for granting requisite concessions in open spaces, parking etc. the same may be considered subsequently by the M.C. as per general policy.

3. Case No. :450 / 2016 Sr. No.: 541 Grade - IIB

'BaiJerbaiWadia Hospital for Children'

Proposal: Completion Certificate for Structural Repairs/Maintenance of Bai Jerbai Wadia Hospital for Children on C.S.No. 219/74, Acharya Donde Marg, ParelSewree Division, F/S Ward, Mumbai.

Applicant: Bai Jerbai Wadia Hospital for Children.

Ref: No. CHE / 052923 / DPC dtd.31.03.2016.

The site u/r is located on plot bearing C.S No. 219/74 and is included as Grade-IIB Heritage site at Sr. No. 541 in the Heritage list.

Scope of Work-The following scope of work was considered by the Committee in the meeting dtd.07.06.2014;

1. Strengthening of the existing RCC slab, replacement of the exposed reinforcement by new steel reinforcement of similar diameter as per requirement and design, treatment to all the structural members by high quality anti corrosive paint.
2. Grouting of the wide spread cracks and leakage marks on the internal and external wall. Redoing the external damaged stone cladding with new stone cladding of same material wherever required.
3. Replacement of the existing mosaic tile flooring by ceramic or vitrified tiles.
4. Plinth protection, removal of the damaged/malfunctioning sanitary and rainwater pipes and replacement of the same with PVC pipes.
5. Roof repairs, replacement of the A.C. sheet roofing by metal sheets.

The Committee had then instructed to do minimal intervention without compromising on the structural safety of the hospital building. Also, regarding changing the existing mosaic tiles / kotah tiles to vitrified it was suggested to use similar tiles and limit the use of vitrified tiles to areas such as Operation Theatres where it is absolutely essential for convenience / ease of cleaning.

Decision in today's meeting: The architect and Hospital authorities have now informed the Committee that the work has been completed at site. A letter was also received from Chief Executive Officer, Bai Jerbai Wadia Hospital for Children referring to a Court Order for completion of works (PILNo. 7 of 2014 with chamber summons No. 74 of 2015) wherein the Court had directed by stating that 'It should be possible for Bai Jerbai Wadia Children's Hospital to shift to their premises at Acharya Dhonde Marg, Parel, Mumbai by 30th April 2016 or latest by 15th May 2016. All respondents and the concerned authorities shall act accordingly to comply with the aforesaid time-limit.'

The site was accordingly visited on 07.05.2016 by the office. It was noted that the works approved by the previous MHCC such as repairs, roof repairs, plinth protection, tiling, painting etc. have been completed at site. Some civil works like paving, finishing, services and cleaning etc. was in progress and would be completed soon. The Committee after going through the presentation & photographs etc. observed that the repairs / restoration work was found to be completed satisfactorily from heritage point of view. The applicant informed that in place of broken and deteriorated kotah stone tiles matt finish anti-skid tiles have been used and the same was found to be approvable. In view of the same it was decided to grant the requisite completion certificate of the MHCC to the said work subject to the following:

i) that, Box grills should not be used for the windows and the external units of A.C., if any, should not be fixed on the front façade.
ii) that, appropriate fire safety measures should be taken/implemented.
iii) that, remaining works such as paving , services , touch up etc. should be completed before occupying the premises for intended use.
iv) that, the premises including the surrounding open spaces as per approved plan should be properly cleaned.
v) that suggestions / instructions / conditions from other concerned depts. ,if any, should be complied with,
vi) that, approvability of the completed work in accordance with the provisions of applicable D.C. Regulations should be examined and confirmed from the concerned B.P.Dept.

4.Case No. : 91 / 2013 Sr. No.:-547 Grade:-IIB

'P.S.C. (Toilet) blockat KEM Hospital'

Proposal: Proposed pay and use P.S.C. (Toilet) block in-between gate no. 3 and 4 at K.E.M. Hospital (Grade IIB) near Emergency ward located at Earnest Borges Road, F/south Ward, Mumbai.

Applicant:Asst. Eng. (S.W.M.) F/S Ward.

Reference: KEM/FS/149/SWM dtd.25.04.2016.

The KEM Hospital Complex is situated at Earnes & Borges Road & Shri Parmar Guruji Road,Khandelkar Chowk, Pareland has a Grade IIB heritage status.

Scope of work: An application was received from the office of the A.E. (SWM) , F/S Ward requesting permission for construction of a new toilet block in the premises of 'KEM Hospital'. Two alternative locations were submitted, one in-between gate no. 3 and 4 near Emergency wardand another at the north side junction along Earnest Borges Road. It was

informed by the Asst. Eng. (S.W.M.) F/S Ward that it is proposed to construct P.S.C. (Toilet) block comprising of gents toilet& urinals, ladies toilet &urinals with care taker room area. The proposed structure would be a ground storied structure with tiled roof above.

Decision of the Committee –The applicant has proposed the toilet to cater to the basic needs of patients & their relatives who visit the KEM Hospital. However, it was noted from the locations proposed that the toilet block would be right in front of main heritage KEM Hospital building. The Committee was not against providing facilities for patients or their relatives, however, it was felt that the instant submitted locations cannot be approved form heritage point of view. It was decided that the site would be visited by Committee members to discuss with the Dean / authorities and to suggest any other suitable location for providing the toilet facility.

5. Case No. :456 / 2016 Sr. No.: 113Grade II-A

'J. N. Petit Institute'

Proposal: Proposed internal alterations at Ground and Mezzanine floor for existing IDFC Bank in 'J.N. Petit Institute' building situated on plot bearing C.S. No. 701 and 702 of Fort Division, Dr D. N. Road, Fort, Mumbai 400001.

Architect: W. V. Kanhere.

Ref: CHE/002302/DPC dtd.21.04.2016.

The building u/r known as 'J.N. Petit Institute' is located at the junction of Dr. D.N. Road andNapier Roadbearing C.S. No.701 and 702 of Fort Division, Mumbai.The building is individually listed under Sr.No.113 as Grade II-A and also falls within 'Ballard Pier Sub precinct' of 'Fort Precinct' at Sr.No.633 (9) of the heritage list.

Scope of Work-The building u/r is partly load bearing and partly R.C.C. having 0.85m thick external load bearing stone masonry façade wall and internal R.C.C. framed structure. The building consists of Ground with Mezzanine + First with Mezzanine + Second Floor .The restoration work has been completed recently as per the sanction of MHCC.

Now internal renovation / furniture work for a Bank is proposed at the ground & mezzanine floor of the said building. The scope of proposed work as informed by architect is as follows:

- Full height and low height wooden / siporex / partly glazed internal partitions.
- Full height RCC partition wall for locker room.
- Gypsum board false ceiling.
- Demolition of existing brick walls and siporex partitions.

- Artificial ventilation through ducting and split A.C. units.
- Internal tenantable repairs such as painting, electrification etc.

It was also mentioned by the architect that the external elevation and building façade will not be affected in any way.

Observations / Decision of the Committee –The presentation was made by the architect. It was observed that most of the proposed work includes alteration of internal partitions for staff cabins and workstations, gypsum board false ceiling and RCC partition wall for locker room and server room.It was suggested to architect that proposed partitions should follow the window grid. It was observed from proposed A.C. layout that external units of the split A.C. are proposed on the rear side and not on main visible facades. The RCC walls proposed for the strong room would cover a few windows on the rear side and it was instructed by the Committee to maintain the windows from the external side for continuity of the original façade.

It was also instructed to expose and retain all the existing old C.I. columns (some of which were found to be encased in photographs) and also the C.I. spiral staircase& railing. Subject to this it was decided to grant NOC from heritage point of view to the said proposal.

6. Case No. :462 / 2016 Sr. No.: 292 Grade - IIB

'Bhuleshwar Devalaya Complex'

Proposal: Proposed repairs in Building No. 21-25, Bhuleshwar Road, 'C' Ward, Plot Bearing C.S. No-2367, Mumbai.

Applicant: M/s Ikoloki Consultants.

Ref: No. CHE / 000272 / DPC dtd.06.04.2016.

The structure u/r, a small temple structure is part of 'Bhuleshwar Devalaya Complex' at building no. 21-25 located on plot bearing C.S No. 2367. Bhuleshwar Devalaya Complexis included as Grade-IIB Heritage site at Sr. No. 292 in the Heritage list.

Scope of Work-The existing structure u/r has a temple portion with a dome above one storied height followed by a ground + 1 storied residential part and another ground storied residential part having sloping mangalore tiled roof. The Dome structure and ground+1 storied residential portion are proposed to be repaired. The Dome structure is proposed to be repaired in situ and the residential structure is proposed to be repaired amounting to reconstruction in RSJ / steel framework. The following interventions have been proposed by the applicant.

1. New Structural Steel Columns, Beams, RSJ ladi coba ladi flooring.
2. External & internal plastering

3. Waterproofing.
4. External PVC plumbing Pipe line.
5. Mangalore tile roof.

Observations / decision of the Committee –The member of the Trust and contractor for the work were present in the meeting. It was informed by them that a part of the flooring above the main hall on the ground floor has collapsed, while the remaining floor is also in a precariously dilapidated condition and there is an imminent danger of its collapse. It was noted by the Committee form the photographs etc. that the structure needs urgent repairs. However, it is desired that the existing features such as the Dome with carving pattern, cornice, wooden paneled vertical windows, mangalore tiled roof etc. are maintained.

It was however observed that the plans and elevations need to be modified showing the exact status, features and proper elevations etc. Subject to the drawings being revised and submitted for vetting it was decided to grant NOC for the repairs of the said structure in Bhuleshwar Devalaya complex subject to the following:

i) that, all the existing features like the Dome with carving pattern, cornice, wooden paneled vertical windows, mangalore tiled roof etc. should be properly restored / repaired as may be needed.
ii) that the structural stability of the heritage buildings should be properly ensured during the course of proposed repairs .
iii) that, there should not be any increase in the existing footprint, roof height and pattern during the course of proposed work.
iv) that, Box grills should not be used for the windows,
v) that, the overall approvability of proposal should be further examined & got confirmed by the Building Proposals dept. in accordance with the provisions of other D.C. Regulations in force;
vi) that, completion certificate from MHCC should be obtained on completion of work at site.

D.The following was also discussed and remarks were given as under:

1. Letter dated 21.04.2016 from Ex. Eng. (B.P.) City-II regarding 'Proposed repairs / reconstruction to building No. 251-253, Saroosh Bldg., D.N. Road on Plot bearing C.S. No. 767 of Fort Division in 'A' Ward, Mumbai.

Ref: 1) Letter from Ex.Eng. (B.P.)City-II dtd.21.04.2016.
2) Adv. Vijay Kesarkodion behalf of the Respondent & owner Mr. Pravin Jaindtd.21.05.2015 received on 30.05.2015.

3) Letter from Adv.AmolAroteon behalf of the Petitioner Advance Commercial Co. Ltd.dtd.26.05.2015 received on 30.05.2015.

4) High Court O.O.C.J. Notice of Motion No.of 2015in
WRIT PETITION NO. 922 of 2015 (W. P. (L) NO. 324 of 2015)

Advance Commercial Company Ltd. …… Petitioner
Versus
M.H.C.C. through its Chairman and others …… Respondents

The building u/r, known as 'Saroosh Building' is situated at D.N.Road between Eruchshaw building and Cama house, collectively listed under Sr.No.107 mentioned as 'All buildings on D.N.Road'with a Grade IIA.

The existing building u/r is a G+4 storied composite structure with external load bearing walls and framed structure with timber and steel elements in various parts. As per the structural engineer's report, the building was repaired and reconstructed earlier in a major extent by taking additional columns and beams inside the building. Flooring is of Jack Arch type in some part (old part) and ladi coba type in the other part (comparatively new).

The previous MHCC had granted its NOC on 24.4.2015for repairs / internal reconstruction of the said building. A letter from E.E. (B.P.) City-II dtd. 21.04.2016 was received referring to the said MHCC NOC and requesting clarification about the R.L. affecting the portion / facades of 'Saroosh Building'.

A letter from E.E. (B.P.) City-IIdtd. 21.04.2016 was received referring to the MHCC NOC dtd.24.04.2015regarding proposed Repairs/Reconstruction to building no.251-253'Saroosh Building' bearing C.S. No.767 of Fort Division in 'A'ward, Mumbai and requesting clarification about the portion of building/plot affected by R.L.

The following was mentioned in the letter:

1. that the plot u/r is affected by the sanctioned R.L. of 30' wide Raghunath Dadaji Street & 120'-0" wide Dr. D.N.Road, clearance from this department is requested whether repairs/reconstruction shall be allowed in the portion affected by setback area by intimation to standing Committee under section 297(3) of MMC Act.
2. that if setback is proposed to be handed over to MCGM, the condition of MHCC NOC 1 & 2 cannot be complied.
   (Condition no.1): That the original window grid and architectural features should be maintained.

   (Condition no.2): That the structural stability of the external walls /façade of the building should be properly ensured /maintained.

A plan showing the said R.L. was also forwarded by B.P. dept. for reference.

H.C. hearing dtd. 06.05.2016: The matter was heard in Hon'ble High Court on 06.05.2016 which was attended by the Sr. Architect (D.P.). On hearing, A.E.(B.P.) city stated that B.P. department will issue IOD on same date on presumption that the R.L. would not be recommended.

Remarks of the Committee:The relevant provisions of Govt. Directive dtd.25th April 1995, about road widening was referred which reads as under:

Sub clause 2 (ii)- Road widening line shall be so prescribed under the Bombay Municipal Corporation Act, 1888 as to preserve and not detract from the said heritage precincts.

Sub Clause 2 (v)- 'No road widening of the existing road shall be allowed under the Bombay Municipal Corporation Act or in Revised Development Plan for Greater Bombay in such a manner so as to affect the existing heritage building as per the list sanctioned by the Govt. even though they are not included in the Precinct'.

It was noted by the Committee that due to the road setback front & rear facades of the said 'Saroosh' building would be affected. The relevant provisions of Govt. Directive dtd.25th April 1995, about road widening were also noted.

The ''Saroosh building' u/r being situated along D.N.Road& having the arcade in front. it was felt desirable from heritage point of view that the original street-edge / façade is preserved. Although the rear side façade is not significant, the other buildings in line along the Raghunath Dadaji Street have not handed over any setback yet.

It was therefore the opinion of the Committee that the road widening cutting the front & rear facades of the building may not be appropriate to be implemented. It was decided to forward the aforesaid remarks of the MHCC about the R.L. affecting the 'Saroosh Building' to the B.P. dept. for taking appropriate cognizance and further processing in the matter.

2.Letter dated 18.03.2016 from Dy. Secretary (Building) PWD, GOM regarding 'Handing over of land for proposed station at Vidhan Bhavan of Metro Phase–III project.'

Reference: CHE/ 052002/ DPC/ dtd.22.03.2016.

The existing 'Mantralaya' building is located on land bearing C.S. No.1577 to 1587 at Madam Kama Road, Hutatma Rajguru Chowk and falls in the notified Marine Drive Precinct boundary.

It was informed by Dy. Secretary (Building) PWD that when the proposal to handing over of land of existing 'Mantralaya' building for proposed Vidhan Bhavan Metro station for

Metro Phase–III project was initiated to U.D. department then U.D. department has directed to take remarks/NOC of MHCC as it included in the notified Marine Drive Precinct boundary.

A letter has been forwarded by the office to PWD to submit details of proposed Metro station & alignment of MML3 at the plot u/r. It was decided by the Committee to offer remarks after the reply to the said letter and required compliance is received from the PWD office.

E. <u>The following applications for Hoardings were also considered decision was recorded</u>:

1.<u>Case No. :447 / 2016 Sr. No.: nil Precinct</u>

'Hoarding Display of size 40'X20' at T.G. Trust Compound'

Proposal: N.O.C. from heritage point of view for Hoarding display of size 40'X20' at T.G. Trust Compound, 10-A, Bhulabhai Desai Road, Mumbai.

Applicant: Mass Holdings Pvt. Ltd.

Ref: No. CHE/ 000096 / DPC dtd.01.04.2016.

The hoarding u/r at T. G. Trust Compound is within the Mahalaxmi Temple Precinct boundary as per heritage D.P. sheets of 1995 under Sr. No. 442.

<u>Remarks / decision of the Committee -</u>The plot u/r is not an individually listed heritage site, but is part of the Mahalaxmi Temple Precinct, as has been sanctioned and published in the Heritage List of 1995. Although, in the reviewed Heritage List of 2012, the area u/r is not proposed to be included in the Mahalaxmi Temple Precinct. This reviewed list / revised precinct boundary is under consideration of the Government. However, it was opined by the Committee that until the review process is complete, and the final boundary of Mahalaxmi heritage precinct is not notified by the Govt. the boundary of 1995 shall be applicable. If the area u/r is not included by the Govt. in the Mahalaxmi Precinct boundary then the question of MHCC NOC would not arise. As per the policy of the MHCC, hoardings are not allowed in Heritage Precincts or even at the periphery of a open space in precinct. Hence, it was decided to convey that N.O.C. from heritage point of view cannot be granted in this case.

2. Case No. :448 / 2016 Sr. No.: nil Precinct

'Hoarding Display of size 40'X20' at T.G. Trust Compound'

Proposal: N.O.C. from heritage point of view for Hoarding display of size 40'X20' at T.G. Trust Compound, 10-A, Bhulabhai Desai Road, Mumbai.

Applicant: Yoag Advertisers

Ref: No. CHE/ 000097 / DPC dtd.01.04.2016.

The hoarding u/r at T. G. Trust Compound is within the Mahalaxmi Temple Precinct boundary as per heritage D.P. sheets of 1995 under Sr. No. 442.

Remarks / decision of the Committee -The plot u/r is not an individually listed heritage site, but is part of the Mahalaxmi Temple Precinct, as has been sanctioned and published in the Heritage List of 1995. Although, in the reviewed Heritage List of 2012, the area u/r is not proposed to be included in the Mahalaxmi Temple Precinct. This reviewed list / revised precinct boundary is under consideration of the Government. However, it was opined by the Committee that until the review process is complete, and the final boundary of Mahalaxmi heritage precinct is not notified by the Govt. the boundary of 1995 shall be applicable. If the area u/r is not included by the Govt. in the Mahalaxmi Precinct boundary then the question of MHCC NOC would not arise. As per the policy of the MHCC, hoardings are not allowed in Heritage Precincts or even at the periphery of a open space in precinct. Hence, it was decided to convey that N.O.C. from heritage point of view cannot be granted in this case.

3. CaseNo. :449 / 2016 Sr. No.: nil Precinct

'Hoarding Display of size 20'X20' at Smriti Building Compound'

Proposal: N.O.C. from heritage point of view for Hoarding display of size 20'X20' at Smriti Building Compound, 18 Bhulabhai Desai Road, Mumbai.

Applicant: Smt. Nalini R. Kara

Ref: No. CHE/ 000099 / DPC dtd.01.04.2016.

The hoarding u/r is in te compound of 'Smriti Building' and iswithin the Mahalaxmi Temple Precinct boundary as per heritage D.P. sheets of 1995 under Sr. No. 442.

Remarks / decision of the Committee -The plot u/r is not an individually listed heritage site, but is part of the Mahalaxmi Temple Precinct, as has been sanctioned and published

in the Heritage List of 1995. Although, in the reviewed Heritage List of 2012, the area u/r is not proposed to be included in the Mahalaxmi Temple Precinct. This reviewed list / revised precinct boundary is under consideration of the Government. However, it was opined by the Committee that until the review process is complete, and the final boundary of Mahalaxmi heritage precinct is not notified by the Govt. the boundary of 1995 shall be applicable. If the area u/r is not included by the Govt. in the Mahalaxmi Precinct boundary then the question of MHCC NOC would not arise. As per the policy of the MHCC, hoardings are not allowed in Heritage Precincts or even at the periphery of an open space in precinct. Hence, it was decided to convey that N.O.C. from heritage point of view cannot be granted in this case.

4. Case No. :458 / 2016 Sr. No.: 250/49 Grade-III& Precinct

'Hoarding Display of size 20'X20' at MulchandBhavan'

Proposal: N.O.C. from heritage point of view for two advertisement hoardings of 20'X20' each back to back (existing 14'X14') at Mulchand Bhavan, 2/4, Walkeshwar Road, Mumbai.

Applicant: Creation Publicity Pvt. Ltd.

Ref: No. CHE/ 003251 / DPC dtd.29.04.2016.

The Hoarding u/r is on the façade of 'Mulchand Bhavan' which is situated within the Marine Drive Precinct boundary and also is an individually Grade-III listed building at Sr. No. 250/49 in the new Heritage List.

Remarks / decision of the Committee -The structure u/r is individually listed at Sr. No. 250/49 as Grade III Heritage Structure in the new heritage list. It is also part of the Marine Drive Precinct. The hoardings are on the façade of the said structure and as per the policy of the MHCC, hoardings are not allowed on Heritage Structures or in Heritage Precincts, as they would mar the view of the structure/precinct. Hence, it was decided by the Committee that N.O.C. from heritage point of view cannot be granted for this proposal.

5. Case No. :459 / 2016 Sr. No.: 250/49 Grade- III & Precinct

'Hoarding Display of size 30'X20' at Mulchand Bhavan'

Proposal: N.O.C. from heritage point of view for advertisement hoarding of 30'X20' (existing 20'X20') at Mulchand Bhavan, 2/4, Walkeshwar Road, Mumbai.

Applicant: Empress Advertising.

Ref: No. CHE/ 003252 / DPC dtd.29.04.2016.

The Hoarding u/r is on the façade of 'Mulchand Bhavan' which is situated within the Marine Drive Precinct boundary and also is an individually Grade-III listed building at Sr. No. 250/49 in the new Heritage List.

Remarks / decision of the Committee -The structure u/r is individually listed at Sr. No. 250/49 as Grade III Heritage Structure in the new heritage list. It is also part of the Marine Drive Precinct. The hoardings are on the façade of the said structure and as per the policy of the MHCC, hoardings are not allowed on Heritage Structures or in Heritage Precincts, as they would mar the view of the structure/precinct. Hence, it was decided by the Committee that N.O.C. from heritage point of view can not be granted for this proposal.

6. Case No. :460 / 2016 Sr. No.: 250/49 Grade- III & Precinct

'Hoarding Display of size 30'X20' at Mulchand Bhavan'

Proposal: N.O.C. from heritage point of view for advertisement hoarding of 30'X20' at Mulchand Bhavan, 2/4, Walkeshwar Road, Mumbai.

Applicant: M. P. Publicity Services.

Ref: No. CHE/ 003253 / DPC dtd.29.04.2016.

The Hoarding u/r is on the façade of 'Mulchand Bhavan' which is situated within the Marine Drive Precinct boundary and also is an individually Grade-III listed building at Sr. No. 250/49 in the new Heritage List.

Remarks / decision of the Committee -The structure u/r is individually listed at Sr. No. 250/49 as Grade III Heritage Structure in the new heritage list. It is also part of the Marine Drive Precinct. The hoardings are on the façade of the said structure and as per the policy of the MHCC, hoardings are not allowed on Heritage Structures or in Heritage Precincts, as they would mar the view of the structure/precinct. Hence, it was decided by the Committee that N.O.C. from heritage point of view can not be granted for this proposal.

The meeting then concluded with a vote of thanks to the Chair.

Sd/-
Chairman
Mumbai Heritage Conservation Committee