

Ref. No. MCHI/PRES/23-25/087
Date: 5/7/2023

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Boman Irani

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Naman Shah

PROCUREMENT CONVENOR
Nimish Ajmera

WOMEN'S WING CHAIRPERSON
Sejal Goradia

To,
Shri Aseem Kumar Gupta (I.A.S.),
Additional Chief Secretary UD [1] Dept.,
Government of Maharashtra,
Mantralaya, Mumbai - 400032

Sub: Request action on the letter submitted on the subject of our say with respect to regulation Reg. No. 48(5)(A) (e) of DCPR 2034 for not charging premium for fire escape staircase for a high rise residential building for the reason of same being essential additional fire safety requirement.

Ref: 1. Letter UNDER NO TPB/4322/2022/UD-11 dated 30/11/2022
2. CREDAI-MCHI letter no. MCHI/PRES/22-23/363, dated 19 Dec 2022
Submitted to UD [1] Dept. on 26 Dec 2022.

Respected Sir,

We would like to draw your kind attention towards our letter dated 19 Dec 2022, submitted on 26 Dec 2022 to Urban Development [1] Department regarding the subject of **our say with respect to regulation Reg. No. 48(5)(A) (e) of DCPR 2034 for not charging premium for fire escape staircase for a high rise residential building for the reason of same being essential additional fire safety requirement. (Copy Attached)**

Thank you and looking forward to hearing from you. We look forward to a favourable response.

Yours sincerely,
For **CREDAI-MCHI**

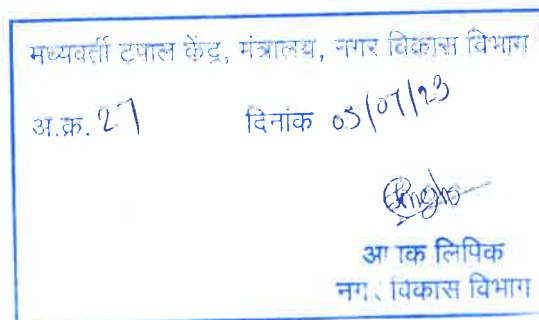


Domnic Romell
President



Dhaval Ajmera
Hon. Secretary

Encl.: As above



Maharashtra Chamber of Housing Industry

Maker Bhavan II, 4th Floor, 18, V. Thackersey Marg, New Marine Lines, Mumbai - 400 020.
Tel: 42121421, Fax: 4212 1411/407 Email: secretariat@mchi.net Website: www.mchi.net

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BHIWANDI | PALGHAR BOISAR | SHAHAPUR-MURBAD | URAN-DRONAGIRI |
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URAN-DRONAGIRI
ALIBAG
KARJAT-KHALAPUR-KHOPOLI

Ref. No. MCHI/PRES/22-23/363

Date: 19/12/2022

To,
Dr. Bhushan Gagrani (I.A.S.),
Additional Chief Secretary (UD I),
Urban Development Department,
Government of Maharashtra,
Mumbai – 400012.

26/12/22
नगर विकास विभाग
मंत्रालय, मुंबई ४०० ०३२

Sub: Our say with respect to regulation Reg. No. 48(5)(A) (e) of DCPR 2034 for not charging premium for Fire Escape staircase for a High rise Residential building for the reason of same being essential additional fire safety requirement.

Ref: - Your Letter UNDER NO TPB/4322/2022/UD-11 dated 30/11/2022

Respected Sir,

This has reference writ petition no 33287/2022 & your letter under reference received by us on 14 Dec 2022 submitting our say on the said subject matter on or before 8/12/2022. In response to letter dated 30/11/2022 we are submitting our say as below:

VARIOUS PROVISIONS OF DCPR 2034 FOR NUMBER AND WIDTH OF STAIRCASE ARE AS BELOW:

Provision 1)

47. Fire Protection Requirements

Regulation no 47 (3) (iii)

(iii) Number and width of exits

"The width of an exit, stairway/corridor and exit door to be provided at each floor in occupancies of various types shall be as shown in columns 3 and 5 of Table No 22 here under. Their number shall be calculated by applying to every 100-sq.m of the plinth or covered area of the occupancy, the relevant multiplier in columns 4 and 6 of the said Table, fractions being rounded off upward to the nearest whole number."

Provision 2)

Regulation 48. (5)(A) Additional Staircase:

(a) In case of high-rise Residential buildings of 70 m or less, additional staircase shall be necessary.

Provided, however, it will not be necessary, if,

(i) Travel distance does not exceed that mentioned in sub regulation (3)(ii)(i) (i&ii) of regulation 47 and.

(ii) If floor area on any floor does not exceeds 500 sq. m

Note: These staircases shall be of enclosed type having minimum width of 1.5 m.

(b) Buildings having height 70 m or more, shall be provided with two enclosed type staircases, each having width not less than 2.0 m.

(c) Whenever two staircases are necessary, both the staircases shall open & terminate at ground floor or to any other place of safety. The staircases shall be as remote as possible from each other

(d) Staircase leading from basement shall be staggered at ground floor and then diverted to upper floor

(e) The fire escape staircase other than one required per building/wing shall be free of FSI without charging premium.

Quantitative requirement of Exit/Staircases for any occupancy is governed by the Reg.No. 47(3)(ii)(i)(iii) and Table No. 22 therein, which calculates the *minimum* required number of Exits/Staircases with help of Multiplication factors stated therein for various types of occupancy for a given floor area in multiples of 100 sqm. These are basically mandatory Principal Exits.

The number of Exit/staircases required for a Residential tower having height more than 70m having floor area of 600 Sq. m shall be $1 (600/100=6) \times (0.145 \text{ i.e., factor for residential occupancy as per Table no.22 Serial No.1}) = (0.87 \text{ or say } 1)$ Thus, one principal Exit/Staircase is required in this case.

But as per regulation 48(5)(A) as the building height more than 70m additional one staircase is required to be provided and in the same regulation clause 48(5) (A) (e) the said clause states that same shall be allowed free of FSI without charging premium.

Whereas, upon mere reading of sub-Reg. No. 48(5) Additional Staircase, one can understand two facts, that: -

As per provisions under Reg. No.48 (5) (A) & 48(5)(8) for Residential and non-Residential high-rise buildings respectively, at least two staircases are necessary, so that at least one additional or alternate route of escape/Exit is available.

As per Reg. No. 48(5) (A) (e) Fire escape staircase other than one required per building/wing shall be free of FSI without charging premium.

(Here, -other than one' means other than "principal number of Exit/ staircases required as per floor area, occupancy & the multiplication factor given In Table No.22 referred hereinabove.")

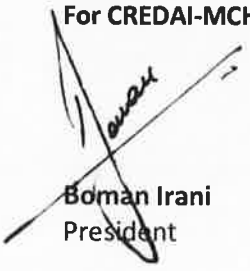
Thus Firstly, heading of sub-Reg. No. 48(5): **Additional staircase'** itself is self-explanatory. As such, planning authorities' contention, that text of Reg No.48(5)(A)(b) mandates two staircases as Principal Exit is not correct. As far as quantitative minimum (mandatory) requirement of a Principal Exit is concerned, those are governed by Reg. No, 47(3)(ii)(i)(iii) & Table No.22. & Not by regulation 48(5) (A).

Secondly. Upon further perusal of Regulation 47 & 48, intention of providing **an Additional /Alternate Route** of escape to **Principal Exit is clear**, which is nothing but a Fire Escape staircase, hence premium for the same cannot be charged as per the sanctioned text of Reg. No. 48(5)(A) (e) for permitting additional staircase area free of FSI as mentioned above.

You are therefore requested to issue the necessary directions to the planning authorities for not charging the premium in such cases.

Thanking you

Yours faithfully,
For CREDAI-MCHI


Boman Irani
President


Dhaval Ajmera
Hon. Secretary