

No. SROT/27 Villages/2401/BP/Bhopar-10/Vol-X/384/2021.

**APPROVAL TO THE LAYOUT AND BUILDING PERMISSION & AMENDED
COMMENCEMENT CERTIFICATE.**

To,

Shri. Rajendra Lodha,**Director, M/s. Lodha Developers Ltd.**

216, Shah & Nahar Industrial Estate,

Dr. E. Moses Road, Worli, Mumbai - 400 018.

Sir,

With reference to your application for the grant of sanction of Revised Layout Approval, Amended C.C. as per UDCPR under Section 44 of The Maharashtra Regional and Town Planning Act, 1966, to carry out development work of Residential & Commercial Buildings on land bearing Survey Nos. 53/1, 53/2, 54/1, 54/2, 54/3, 55, 56/4A, 56/4B, 231/3, 231/4A, 231/4B, 231/4C, 231/4D, 231/5, 232/1, 232/8, 240/5A, 240/5B, 240/6, 240/7, 240/8, 240/3A/2, 240/3A/4, 240/3A/5, 240/3A/6, 240/3A/7, 240/3A/9 and New S.No. 240/3A/10 (Old S.No. 240/3/1Pt) of Village Bhopar, Taluka Kalyan, Dist. Thane on 77,515.85 Sqm. plot area and net plot area excluding Amenity space area admeasuring 32,924.42 Sqm. with permissible Base BUA of 36,216.86 Sqm. (Base FSI-1.1 on net plot) with permissible BUA based on 60% ancillary FSI is 21,730.12 Sqm (60% of 36,216.86 Sqm) out of which applicant has availed 11,903.66 Sqm of BUA based on Ancillary FSI. Total permissible BUA potential i.e. Based on Base FSI & Ancillary FSI is 57,946.98 Sqm (i.e. 36,216.86 Sqm + 21,730.12 Sqm) at present. and total now proposed BUA is 48,120.42 Sqm [Out of this BUA, BUA of 28,494.40 sqm for earlier approved 5 nos. Residential Buildings, Shopping Center-01 & Club House with Swimming Pool (including toilets) are retained as per earlier approval dated 06/11/2020 as per erstwhile DCR of 27 villages Notified area of Kalyan & Ambemath Tehsils of Thane District] and BUA of 19,626.12 Sqm is now newly proposed and approved as per provisions of UDCPR as mentioned in following table and as depicted on the drawing nos. 1/3 to 3/3 (total 03 nos.)

Mumbai Metropolitan Region Development Authority

Sub Regional Office : Multipurpose Hall, 2nd Floor, Near Oswal Park, Pokharan Road No. 2, Majiwada, Thane (W) - 400 601.

Tel.: (022) 21712195 / 21712197 Fax : (022) 21712197 E-mail : sro.thane@mailmmrda.maharashtra.gov.in

File No.34-21013/5/2021-SRO THANE

Table-1: Indicating the details of buildings for which applicant has retained the BUA as per earlier approval dated 06/11/2020 as per erstwhile DCR of 27 villages Notified area of Kalyan & Ambernath Tehsils of Thane District.

Cluster No.	Type of Wings	No. of Storey	Height in Mtr	No. of Wings	Total BUA in sq.m.	No. of Tenements
1.01	A	Stilt + 15 Upper Floor	45.75	1	5426.05	88
	B	Stilt + 15 Upper Floor	45.75	1	5426.05	88
	C	Stilt + 15 Upper Floor	45.75	1	5426.05	88
	D	Stilt + 15 Upper Floor	45.75	1	5426.05	88
	E	Stilt + 15 Upper Floor	45.75	1	5426.05	88
	Shopping Center-01	Ground + 02 Upper Floors	11.40	1	707.84	-
	Club House with Swimming Pool (including toilets)	Ground + 01 st Floor	7.75	-	656.33	-
Sub-Total.....(A)					28,494.40	440

Table-2 : Indicating the details of buildings for which Building Permission & Amended CC is hereby issued as per UDCPR

Cluster No.	Type of Wings	No. of Storey	Height in Mtr	No. of Wings	Total BUA in sq.m.	No. of Tenements
1.01	F	Stilt + 18 Upper Floor	54.60	1	8068.75	106
	G	Stilt + 18 Upper Floor	54.60	1	8068.75	106
	H	Stilt + 07 Floors	23.25	1	3249.62	42
	I	Stilt Floor Only	3.30	1	119.50	0
	J	Stilt Floor Only	3.30	1	119.50	0
Sub-Total.....(B)					19,626.12	254
Total BUA =(C)=(A)+(B)					48,120.52	694

Approval to the Layout and Building Permission & Amended Commencement Certificate is granted under Section 45 of the said Act, subject to the following conditions:

Viz:

1. This Approval to the Layout and Building Permission & Amended Commencement Certificate supersedes MMRDA's earlier approvals. However, conditions mentioned therein other than following conditions shall be binding on the applicant;
2. This permission / Commencement Certificate shall not entitle the applicant to build on the land which is not in his ownership in any way;
3. This certificate is liable to be revoked by the Metropolitan Commissioner, MMRDA if-
 - I. The development works in respect of which permission is granted under this certificate is not carried out or the user thereof is not in accordance with the sanctioned plans.
 - II. Any of the conditions subject to which the same is granted or any of the restrictions imposed by the Metropolitan Commissioner is contravened or is not

complied with.

- III. The Metropolitan Commissioner, MMRDA is satisfied that the same is obtained through fraud or misinterpretation and in such an event, the applicant and every person deriving title through or under him shall be deemed to have carried out the developmental work in contravention of section 43 and 45 of the Maharashtra Regional & Town Planning Act, 1966.
4. This permission / commencement certificate shall remain valid for 4 years in the aggregate but shall have to be renewed every year from the date of its issue;
5. The application for renewal shall be made before expiry of one year if the work is not already commenced. Provided that, no such renewal shall be necessary if the work is commenced within the period of valid permission and such permission shall remain valid till the work is completed;
6. Such renewal can be done for three consecutive terms of one year after which proposals shall have to be submitted to obtain development permission afresh under section 44 of Maharashtra Regional & Town Planning Act, 1966;
7. The Conditions of this certificate shall be binding not only on applicant but his/her heirs, successors, executors, administrators and assignees & every person deriving title through or under him;
8. The provisions in the proposal which are not conforming to applicable Unified Development Control & Promotion Regulations (UDCPR) and other acts are deemed to be not approved;
9. The proposal shall be got certified to be earthquake resistant from the licensed structural engineer and certificate shall be submitted to MMRDA before Occupancy Certificate;
10. Any development carried out in contravention of or in advance of the Commencement Certificate is liable to be treated as unauthorized and may be proceeded against under sections 53 or, as the case may be, section 54 of the M.R.&T.P. Act, 1966. The applicant and/or his agents in such cases may be proceeded against under section 52 of the said Act. To carry out an unauthorized development is treated as a cognizable offence and is punishable with imprisonment apart from fine;
11. The applicant shall obtain permissions under the provisions of other applicable statutes, wherever necessary;
12. The applicant shall be solely responsible for compliance of all the conditions

mentioned in all the NOCs/ Clearances obtained/will be obtained/required to be obtained from the competent authorities for the proposed development on the land under reference;

13. The applicant shall obtain all the necessary final NOCs/Completion Certificates/ clearances relating to water supply, sewerage, SWD, Tree, Electric supply etc.for full potential of the plot from KDMC/ MSEDCL/ Competent Authority and submit the same to MMRDA before applying for Occupancy Certificate for the buildings on the land under reference;
14. The applicant shall comply with MCGM's Circular no. CHE/27921/DP/ Gen; dated 06/01/2014 [in respect of preservation of documents mentioned at sr. no. (a) to (k) therein] & applicant shall submit Undertaking & Indemnity Bond mentioned therein before applying for Occupation Certificate;
15. The applicant will not take up any development activity on the aforesaid property till the court matter pending, if any, in any court of law, relating to this property is settled;
16. Actual on site demarcation of the consolidated plot under reference is to be done through TILR by the owner prior to applying for Occupancy Certificate;
17. This approval has been issued by considering the present available access to the plot as depicted on plans submitted to MMRDA by Applicant/Architect for approval. The responsibility of peaceful, uninterrupted, continuous access and any further dispute with regards to the access road to the plot under reference vests with the Applicant and his Licensed Architect;
18. The applicant shall submit notice for 'start of work' before commencement of construction on site;
19. The applicant shall give intimation in the prescribed form in Appendix- F of sanctioned UDCPR certified by Architect / licensed Engineer /Supervisor to the Authority after the completion of work upto plinth level. Further, it may be noted that as per Regulation No. 2.6.4 of sanctioned UDCPR, after receipt of such intimation, the officers of the Authority may inspect the completed plinth;
20. The owner shall give an undertaking that the recreational open space shall be for the common use of all the residents or occupants of the layout/ building unit as mentioned in Regulation No. 3.4.2 of sanctioned UDCPR;
21. The applicant shall develop RG areas and shall plant the required number of trees in the RG area as per provisions of UDCPR and shall submit final NOC from the Tree

Authority before applying for Occupancy Certificate;

22. The applicant shall provide, at his own cost, the infrastructural facilities within the plot as stipulated by the Planning Authority (Internal access, arrangements of drinking water, arrangements for conveyance, disposal of sullage and sewage, arrangements of collection and disposal of solid waste, Rain Water Harvesting, reuse and recycling of waste water) before applying for Occupancy Certificate. Occupancy Certificate shall not be granted unless all these arrangements are found to MMRDA's satisfaction;
23. As soon as the development permission for the new construction is obtained, the owner/developer shall install a 'Display Board' on a conspicuous place on site indicating following details:
 - i. Name and address of owner, developer, all concerned licensed persons.
 - ii. Survey number / city survey number of land under reference.
 - iii. Order number and date of grant of development / building permission / redevelopment permission issued by the Authority.
 - iv. Built up area permitted.
 - v. RERA registration no.
24. The applicant shall install the SWH or RTPV system as per Regulation no. 13.2 of sanctioned UDCPR;
25. The applicant shall make provision of the Rain Water Harvesting Structure/s on site as per Regulation No. 13.3. of sanctioned UDCPR;
26. The applicant is required to submit NOC from Competent Fire Authority in accordance to plans approved herewith or otherwise before submitting Intimation of Plinth Completion. If any deviations with regards to fire safety are proposed by CFO in the plans approved herewith, it shall be necessary for applicant to obtain revised permission from MMRDA accordingly;
27. The applicant shall be solely responsible for compliance of all the conditions mentioned in all the NOCs/ Clearances such as EIA clearance, CFO and any other applicable NOCs/Clearances;
28. The applicant shall deposit Labour Welfare Cess to 'Maharashtra Building and Other Labour Welfare Association, Mumbai' in account no. 3671178591, IFSC Code No.: CBIN0282611 of Central Bank of India, BKC Branch and submit a copy of receipt to

this office before applying for Occupancy Certificate;

29. No new building or part thereof shall be occupied or allowed to be occupied or used or permitted to be used by any person until Occupancy Certificate has been granted by MMRDA;
30. The land vacated in consequence of the enforcement of the set-back rule shall form part of the public street in future;
31. The applicant shall permit the use of the internal access roads to provide access to an adjoining land;
32. The Development shall be strictly as per the provisions of DP for Notified Area of 27 villages of Kalyan and Ambernath Taluka sanctioned u/s 31(1) of MR & TP Act, 1966;
33. The responsibility of authenticity of documents vests with the Applicant and his Licensed Architect. All the documents submitted/produced to MMRDA shall be considered to be authentic on the basis of the undertakings given by the Licensed Architect/Applicant/Developer;
34. MMRDA shall not be responsible for any dispute regarding ownership of any land portion and it shall be sole responsibility of Applicant and his successors only. The applicant shall mean the Architect/land owner/POA holder etc. and their successors who have approached MMRDA for the approval. MMRDA shall stand indemnified from any disputes and notarized undertaking shall be submitted by applicant within a week from the date of this Commencement Certificate;
35. Neither the granting of this permission nor the approval of the drawings and specifications, not the inspection, made by the officials during the development shall in any way relieve Owner/Architect/Structural Engineer/Developer of such Development from full responsibility for carrying out the work in accordance with the requirements of all applicable Acts/Rules/Regulations;
36. Regarding any disputes, MMRDA shall stand indemnified. MMRDA reserves the right to modify or withdraw this approval in larger public interest;
37. The applicant shall sign the Memorandum of Understanding (MOU) with MMRDA as and when called upon by the MMRDA and pay the infrastructural Development Charges (IDC) or any other charges as approved by MMRDA in future for lands falling within Kalyan Growth Centre boundary and as ensured by applicant in

undertaking dated 03/07/2017;


38. The applicant should submit remarks, design, planning etc. from respective consultants for Third party certification parking arrangement and maneuverability, Internal SWD, Internal Water works & Rain water harvesting, Internal drainage works, Internal Mechanical & Electrical, Structural design & plan showing the structural details for the proposed building, Detailed plan & design for Sewerage Treatment Plant from consultant, Internal road, Horticulture and Solid waste Management Plan prior to Occupancy Certificate;
39. It shall be binding on the developer/applicant to submit a Self-declaration Form to comply with the environmental conditions (Appendix XIV) along with Form 1A and certification by the Qualified Building Environment Auditor prior Occupancy Certificate;
40. The applicant should obtain separate 7/12 extracts for R.G., DP Roads, DP reservations, amenities etc. and submit the same to MMRDA;
41. The applicant should submit Self-Certification by Consultant* & developer for the same along with plan showing the details of tree on plot duly certified by both Architect & Developer;
42. The applicant shall obtain MMRDA permission prior to making any changes in the approved layout on site;
43. The applicant shall update the earlier Environmental Clearance with respect to amendments proposed in Layout & Buildings as per the Govt. Circular from MoEF dt. 30/01/2014 and submit the same to MMRDA;
44. The Applicant shall take concurrence of Appropriate Authority and Director, TP, Pune & Govt. as per erstwhile DCR No. 6.6. of 27 Villages Notified Area and submit the same to MMRDA regarding proposed shifting of part area of D.P. Res. PG-18 in the southern part of their land parcel and proposing Shopping Center-1 plot in its place;
45. The Security Deposit which was collected as per provision of erstwhile DCR, shall be forfeited in case of non-compliance/breach of any conditions of Regulations/Commencement Certificate or any other directions issued by MMRDA. The Security Deposit would be refunded without any interest only after satisfactory compliance to the various conditions stipulated in the development permission are made by the applicant;
46. The conditions of NA permission dated 24/09/2008 are binding on the applicant. All

applicable conditions of the Revenue & Forest Department's Maharashtra Ordinance No. II of 2017 published in the Maharashtra State Gazette on 05/01/2017 shall be binding on the applicant.

47. All the conditions of Govt. of Maharashtra's Directives in GR No. टिपीएस-१८२०/अनौ.२७/प्र.क्र.८० /२०/नवि-१३, dt. 14/01/2021 for availing 50% exemption in Premium BUA amount shall be applicable to the applicant and the applicant shall submit an Undertaking regarding the same to MMRDA.

That Notarized undertaking cum Indemnity Bond shall be submitted for abiding above conditions by applicant.

Yours faithfully,


(Siddharth S. Yadav)
Planner,
Planning Division

Copy with set of approved drawings bearing nos. 1/1 to 3/3:

- Shri. Pradeep Kamble (Architect)**
Pradeep Kamble & Associates,
B/101, 1st floor, Jakh Bautera Complex,
Pandit Malviya Path,
Dombivali (East) - 421 201.
- The Collector,**
Collector Office, Thane..... As required u/s 45 of MR & TP Act, 1966.
- The Municipal Commissioner,**
Kalyan-Dombivli Municipal Corporation,
Shankarrao Chowk, Kalyan(W) - 421 301.....With reference to KDMC's letter No.
जा.क्र.कडॉमपा/इप्रक्षे/ क्र. 92,dated 26/08/2016.

