

**CITY AND INDUSTRIAL DEVELOPMENT CORPORATION OF MAHARASHTRA LIMITED**

(CIN - U99999 MH 1970 SGC - 014574)

**REGD. OFFICE:**

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Ref. No. CIDCO/NAINA/Panvel/Vihighar/BP-360/CC/2019/SAP-940/890

Date: 19.07.2019.

To,

✓ **Mr. Santosh V. Ambavane and Mr. Asif H. Patel**

Shop no 10/11, Ashapuri Nagar,  
MCCH Society, Panvel, Navi Mumbai

**Sub: Development permission for proposed Residential building on land bearing Survey No. 48/2 at Village- Vihighar, Taluka- Panvel, Dist. - Raigad.**

- Ref.:
1. Your Revised application letter, regarding subject matter, received to this office dated 03.12.2018.
  2. This office's letter no. CIDCO/NAINA/Panvel/Vihighar/BP-360/2018/2299 dated 26.10.2018.
  3. This office's letter addressed to Tahasildar, Panvel vide no. सिडको/नियोजन/बांप-३६०/बिनशेती/अभिप्राय/२०१८/१५८४ dated ०३.०५.२०१८.
  4. Remarks from Tahasildar, Panvel vide no. जमिनबाब/कात-१/७६७३/२०१८ dated २६.०४.२०१८ received to this office dtd ०६.०८.२०१८.
  5. Hadd Kayam Measurement map (क प्रत) issued by Dy. S L R vide अतितातडी/ह.का./मो.र.नं.११०८५/१४.०२.२०१७.
  6. NOC issued for deriving access from Executive Engineer, Raigad ZP, vide no जा.क्र. राजिप/बांखा/सीबी-१/८२२३/२०१८ दि. १७.०३.२०१८.
  7. NOC issued for Electric supply from MSEDCL vide No. EE/PNL-U/17-18/Tech/005890 dtd 07.12.2018.
  8. Letter of Senior Geologist, GSDA, Raigad, Alibag No SG/GSDA /Rai/Tech/LGW/628/2017, dated 07.10.2017, regarding quality and availability of potable water.
  9. NOC issued for Height clearance of building from AAI, vide No. NAVI/WEST/B/101217/251380, dated 12.10.2017.
  10. Development Charges paid Rs. 8,01,000/- vide receipt no. 6900000220/2019 dated 15.06.2019.
  11. Delayed Payment Charges (DPC) paid Rs. 42,661/- vide receipt no. 6900000328/2019 dated 29.06.2019.

Sir,

With reference to your application no. Nil referred above at no 01, dated 28.11.2018 for grant of Commencement Certificate under Section 44 of the Maharashtra Regional and Town Planning Act, 1966 (Mah. XXXVII of 1966), to carry out development work / Building on land bearing S. No. 48/2 at Village- Vihighar, Taluka- Panvel, Dist. - Raigad, the Commencement

Certificate, vide letter no. CIDCO/NAINA/Panvel/Vihighar/BP-360/CC/2019/SAP-940/890 , dated 19.07.2019, as required under section 45 of the Maharashtra Regional and Town Planning Act, 1966 is enclosed herewith.

Yours faithfully,

  
(Shubhangi Bhishnurkar)  
Associate Planner, NAINA  
CIDCO Ltd.

Encl: As above

Cc to:

1. Ar. Neha Jain.  
AN Arch, Office no 20 & 21,  
Raheja Arcade, Plot no 61,  
Sector 11, CBD Belapur,  
Navi Mumbai 400614.
2. The District Collector,  
Office of the Collector, Revenue Dept,  
Near Hiraokot Lake, Alibag,  
Dist-Raigad 402201.
3. The MSED Co. Ltd.  
Executive Engineer,  
M.S.E.D.Co Ltd, Panvel Urban Dn.
4. Dy. Superintendent of Land Records,  
Agri Samaj Hall, 1st floor,  
Panvel, 410206.
5. The Tahasildar,  
Office of the Collector, Revenue Dept,  
Near Hiraokot Lake, Alibag, Dist-Raigad 402201.
6. The Sarpanch,  
Gram Panchayat of Vihighar,  
Panvel, Raigad.
7. The CCUC (NAINA),  
CIDCO

With a request to ensure that the  
Occupancy Certificate is obtained by the  
applicant, before giving permanent power  
supply.

**COMMENCEMENT CERTIFICATE**

The Commencement Certificate / Building Permit is hereby granted under Sec. 45 of Maharashtra Regional and Town Planning Act, 1966 (Mah. XXXVII of 1966), as under:

- A) Location: Survey No. 48/2 at Village- Vihigar,  
Taluka- Panvel, Dist. - Raigad.
- B) Land use (Predominant): As per Sanctioned Interim Development Plan of NAINA, the subject land falls under Urban Villages (N-4).
- C) Details of the proposal with BUA:

Sr. No.	Particulars	Area in Sq. M.
1	Area of plot as per 7/12 Extract	1700.000
2	Area of plot as per measurement plan( As per triangulation of TILR at true scale )	1741.507
3	Area of plot as per Physical Survey plan	1737.325
4	Area of plot, considered { least of (1), (2) & (3) above }	1700.000
5	Deduction for-	
	a. Existing road area	94.219
	b. Widening of road	0
	c. Any reservation	0
6	Gross area of the plot = { (04) – (05) }	1605.781
7	Deduction for Amenity space, if any	NA
8	Net area of plot = { (06) – (07) }	1605.781
9	Recreational open space required	250.00
10	Recreational open space provided	250.990
11	Permissible FSI	1.00
12	Permissible Built up Area = { (08) X (11) }	1605.781
13	Proposed Built Up Area	1600.326
14	Balance Built Up Area = { (12) – (13) }	5.455
15	FSI Consumed { (13) ÷ (08) }	0.997
16	FSI Balanced = { (11) – (15) }	0.003
17	Number of units proposed	38
	a. Residential	38
	b. Commercial	0
18	Trees to be planted against plot area = { (01) ÷ 100 }	17
19	Trees to be planted against Recreational open space = { (10) X 5 ÷ 100 }	13

- D) Details of the Building is as follows:

Sr. No	Building No.	Predominant use	No of Floors	BUA in Sq. M.
1	Building I (Wing A + Wing B)	Residential	Stilt+4	1600.326
<b>Total BUA in Sq. M.</b>				<b>1600.326</b>

- E) This Commencement Certificate is to be read along with the accompanying drawings bearing no. CIDCO/NAINA/Panvel/Vihighar/BP-360/CC/2019/SAP-940/890, dtd 19.07.2019.
- F) This commencement certificate shall remain valid for a period of one year for the particular building under reference from the date of its issue. Thereafter, building wise revalidation shall be done in accordance with provision under Section – 48 of MR&TP Act- 1966 and as per relevant regulations of the Development Control Regulations in force.
- I. This Commencement Certificate is liable to be revoked by the Corporation if:
- The development work in respect of which permission is granted under this certificate is not carried out or the use thereof is not in accordance with the sanctioned plans.
  - Any of the conditions subject to which the same is granted or any of the restrictions imposed by the Corporation is contravened.
  - The Managing Director, CIDCO, is satisfied that the Commencement Certificate is obtained /produced by the applicant by fraudulent means or by misrepresentation of facts, and the applicant and every person deriving title through or under him, in such event shall be deemed to have carried out the development work in contravention of Section 43 or 45 of the Maharashtra Regional and Town Planning (MR&TP) Act, 1966.

## GENERAL CONDITIONS

### 2. The applicant shall :-

- Inform to the Corporation immediately after starting the development work in the land under reference.
- Give written notice to the Corporation on completion up to the plinth level & obtain plinth completion certificate for each building separately, before the commencement of the further work.
- Give written notice to the Corporation regarding completion of the work.
- Obtain the occupancy certificate from the Corporation.
- Permit authorized officers of the Corporation to enter the building or premises for the purpose of inspection.
- Pay to the Corporation the development charges as per provisions stipulated in the Maharashtra Regional & Town Planning Act 1966, amended from time to time, and other costs, as may be determined by the Corporation for provision and/or upgradation of infrastructure.
- Always exhibit a certified copy of the approved plan on site.
- As per Govt. of Maharashtra memorandum vide no. TBP/4393/1504/C4-287/9 UD-11/RDP, Dated 19<sup>th</sup> July, 1994 for all buildings following additional conditions shall apply.
- As soon as the development permission for new construction or re-development is obtained by the Owners/Developer, he shall install a 'Display Board' at a conspicuous place on site indicating following details:-



- a. Name and address of the owner/developer, Architect and Contractor.
  - b. Survey Number/City survey Number, Ward number, village and Tahsil name of the Land under reference along with description of its boundaries.
  - c. Order Number and date of grant of development permission or re-development permission issued by the Corporation.
  - d. FSI permitted.
  - e. Number of Residential flats/Commercial Units with their areas.
  - f. Address where copies of detailed approved plans shall be available for inspection.
- ii. A notice in the form of an advertisement, giving all the details mentioned in (i) above, shall be published in two widely circulated newspapers one of which should be in regional language.
3. The amount of Rs. 52,000.00/- (Rupees Fifty Two Thousand only), deposited vide Receipt No. 6900000221/2019 dated 15.06.2019, with the Authority as security deposit shall be forfeited either in whole or in part at the absolute discretion of the Corporation for breach of any of the conditions stipulated in the Commencement Certificate. Such forfeiture shall be without prejudice to any other remedy or right of the Corporation.
  4. The responsibility of authenticity of the documents vests with the applicant and his appointed licensed Architect/Engineer.
  5. This permission does not entitle the applicant to develop the land which does not vest with him.
  6. The conditions of Commencement certificate shall be binding not only on the applicant but also on his successors, and every person deriving title through or under them.
  7. The provisions in the proposal which are not in conformity with the applicable Development Control Regulations and other Acts are deemed to be not approved.
  8. The grant of this permission is subject to the provisions of any other law for the time being in force and that may be applicable to the case and getting clearances from the Authorities concerned.
  9. The applicant shall 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 well settled.
  10. Notwithstanding anything contained in the Commencement Certificate conditions, it shall be lawful for the Corporation to direct the removal or alternation of any structures erected or the use contrary to the provisions of this approval. Corporation may cause the same to be carried out and recover the cost of carrying out the same from the applicant / owner and every person deriving title through or under them.
  11. The land vacated in consequence of the enforcement of the set-back rule, as may be prescribed by the Authorities, shall form part of the public street.
  12. The applicant shall provide the right of way to the existing road passing through the survey numbers. Also he shall keep the land free from encumbrances, which will be required for proposed road, railway, and any other infrastructure facilities, as may be required for DP



reservations and to accommodate the reservations of the authorities such as MMRDA, NHAI, PWD, DFCC etc.

13. 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 is granted by the Corporation. If the occupancy is reported before grant of Occupancy Certificate, the security deposit of the said building shall be forfeited, and the Corporation may impose/levy penalty, as may be determined, to regulate such occupancies.
14. It may please be noted that the applicant has to make provisions for infrastructure at his own cost till CIDCO executes and provides the same.
15. The applicant shall ensure potable water to the consumer / occupier of tenements/units for perpetuity. The occupancy certificate will be granted only after verifying the provision of potable water to the occupier.
16. The permanent water connection shall be given only after getting the necessary occupancy certificate from the Corporation.
17. The applicant is required to provide a solid waste disposal unit for non-bio degradable & bio-degradable waste separately, of sufficient capacity, at a location accessible to the Municipal sweepers, to store/dump solid waste.
18. The applicant shall ensure that the building materials will not be stacked on the road during the construction period.
19. The applicant shall provide for all necessary facilities for the physically challenged as required / applicable.
20. The applicant shall strictly follow the Prevailing Rules / Orders / Notification issued by the Labor Department, GoM from time to time, for labors working on site.
21. As per the notification dtd. 14th September 1999 and amendment on 27th August 2003, issued by Ministry of Environment & Forest (MOEF), Govt. of India and as per Circular issued by Urban Development Dept., Govt. of Maharashtra, vide No. FAR/102004/160/P. No. 27/UD-20, dtd. 27/02/2004, for all Buildings following additional condition shall apply.  
  
The Owners/Developer shall use Fly Ash bricks or blocks or tiles or clay fly ash bricks or cement fly ash bricks or blocks or similar products or a combination of aggregate of them to the extent of 100 % (by volume) of the total bricks, blocks & tiles as the case may be in their construction activity.
22. You shall make arrangement and provision for Rain Water Harvesting in accordance with the regulation number 40.2.1 of the DCPR of Sanctioned Interim Development Plan of NAINA.
23. Neither the granting of this permission nor the approval of the drawings and specifications, nor the inspection made by the officials during the development shall in any way relieve Owner/Applicant/Architect/Structural Engineer/Developer of such development from responsibility for carrying out the work in accordance with the requirement of all applicable Acts/Rules/Regulations.
24. No development shall be carried out in CRZ area without prior clearance / approval from the Competent Authority

25. The applicant shall co-operate with the officials/representatives of the Corporation at all times of site visit and comply with the given instructions.

### **SPECIFIC CONDITIONS**

26. All the conditions mentioned in NOC issued for deriving access, by Executive Engineer, Raigad ZP, vide no जा.क्र. राजिप/बांखा/सीबी-१/८२२३/२०१८ दि. १७.०३.२०१८, shall be binding on the applicant.
27. All the conditions mentioned in NOC issued for electric supply, by Executive Engineer, MSED Co. Ltd., Panvel Urban Division, vide no. EE/PNL-U/17-18/Tech/005890 dtd 07.12.2018, shall be binding on the applicant.
28. You shall submit the Non-Agricultural Measurement Plan and Non-Agricultural 7/12 extract showing NA status of Survey No. 48/2, Vihigar, Panvel, Raigad while applying for Plinth Completion Certificate.
29. As per section 42 B sub section (2) of MLR Code, you shall inform in writing to the village officer and the Tahasildar within 30 days from the date on which change of use of land commenced and submit copy of the same to this office.
30. The compound wall shall be erected on site to ensure that marginal distance can be measured as per drawing before applying for the Plinth Completion certificate.
31. The openings provided shall not vest any easement right on the part of the other user. The Corporation or the concerned public body as the case may be, has freedom to carry out the activities as if no openings exist on the end walls. The applicant shall keep the openings solely at his own risk.
32. The applicant shall permit the use of the internal access roads to provide access to an adjoining land.
33. The applicant shall obtain NOC for advance connections for utilities and services in the layout from the Competent Authority wherever necessary.
34. The applicant may approach the Authority Concerned for the temporary power requirement, location of the transformer etc. The permanent power connection shall be obtained only after getting the necessary Occupancy Certificate from the Corporation.
35. The applicant shall provide over-head water tank on the building as per the design standards and to the satisfaction of the Corporation.
36. In case of existing drinking water wells, the same shall be well built and protected.
37. While extracting water from underground, the applicant will strictly follow the instructions given by Sr. Geologist of the Groundwater Surveys Development Agency (G.S.D.A.) to ensure that proper quality and quantity of water is available to the applicant and no contamination of the water source and its surroundings takes place.
38. The applicant shall provide at his own cost, the infrastructural facilities (such as Internal Access, channelization of water, arrangements of drinking water, arrangements for commutation, disposal of sullage and sewage, arrangement of collection of solid waste etc) within the plot, of such standards (i.e. standards relating to design, material or specifications) as stipulated by the Corporation, before applying for Occupancy Certificate.

Occupancy Certificate will be granted only after all these arrangements are made to satisfaction of the Corporation.

39. The applicant shall not dispose off any plot, unless the infrastructural facilities mentioned in this certificate are actually provided.
40. In case of unavoidable circumstances, if the plot is intended to be sold or otherwise disposed off by the applicant, it shall be done by the applicant, subject to the conditions mentioned in this order. He shall invariably make specific mention about these conditions in the deed to be executed by him.
41. If the applicant does not make adequate arrangements for disposal of sullage and sewage before sale of the plots, he shall, through appropriate agreements, ensure that this obligation is cast upon the buyers of the plot or tenements.
42. NOC for clearing the septic tank is required to be obtained from the Corporation from time to time.
43. The applicant shall observe all the rules in force regarding overhead/ underground electric lines/ transmission lines/ utilities passing through the layout while designing the individual buildings and the same shall be specified at the time of submission for the approval of the Corporation.
44. No construction on sub-divided plots will be allowed unless internal road and gutters are constructed to the satisfaction of the Corporation.
45. The applicant while undertaking the development on land shall preserve, as far as practicable existing trees. Where trees are required to be felled, 2 trees shall be planted for every tree to be felled. Cutting / felling of trees shall be carried with prior approval of the Tree Authority concerned.
46. Every plot of land shall have at least 1 tree for every 100 Sq.mt. or part thereof, of the plot area. Where the number of existing trees in the plot is less than the above prescribed standard, additional number of new trees shall be planted.
47. Where the tree authority having jurisdiction in the area under development has prescribed standards or regulations in respect of preservation of trees under Maharashtra (Urban Area) Preservation of Trees Act, 1975, the same shall prevail.
48. The applicant shall get the approved layout demarcated on the site by the licensed Surveyors. The measurement plan shall be certified by the Dy. S L R, concerned. The demarcation of approved layout on the site shall be carried out without altering the dimensions and area of the roads, recreational open space or other reservations. The demarcated layout measurement plan certified by Dy. S L R shall be submitted before applying for first plinth completion certificate.
49. In case of any discrepancies observed in the approved plans vis-a-vis the consolidated map issued by Dy. S L R, which will affect the layout, buildings etc. with respect to the requirement of DCRs or any conditions in the NOC's that are not submitted prior to this approval, but are required to be or will be submitted subsequently (such as Railways, Highways, CRZ, Electric Authorities for HT lines etc), the applicant shall have to accordingly amend the lay-out, locations of buildings etc and obtain fresh Commencement Certificate for the same from the Corporation and then only proceed with the construction activity.





50. The structural Design including the aspects pertaining to seismic activity, Building materials, Plumbing Services, Fire Protection, water supply, Electrical installation etc. shall be in accordance with the provisions prescribed in the National Building Code and/or Development Control Regulations, in force.
51. The formation level of the land shall be achieved as per the Engineering report, according to the specified R.L. Further, the required arrangements of storm water drain and septic tank /STP or any other arrangement as may be prescribed shall have to be provided as per the specifications.
52. The applicant shall submit to the Corporation the scheme of the development of the determined compulsory recreational space and develop it in accordance with the approved scheme
53. The applicant shall not change the use, alter/amend the building plans, sub-divide or amalgamate the plots etc. without obtaining prior approvals from the Corporation. Also no changes in the Recreational Ground (RG) and amenity space area and their locations will be permitted.
54. Open space shown in the layout shall be kept open permanently and shall be handed over to the Corporation.
55. The applicant shall construct the society office/room, if any as proposed and approved in the plan and it shall not be used for any other purpose. This society office/room shall be handed over to the Co-operative housing Society to be formed in due course.
56. The applicant shall construct the Common Facility Center (CFC) / amenity space, if any as proposed and approved in the plan and shall use it for the intended purpose only.
57. The applicant shall make suitable arrangements for temporary accommodation and permanent accommodation of the tenants, if any, in case of redevelopment schemes and will also submit a proposal to that effect. Plinth Completion Certificate shall be issued only after such a proposal is received.
58. For the portion of the compound wall rounded off at the corner at road junctions, M.S. grills over 0.75 m of brick work, up to the height of 1.5 m from the ground shall be provided.
59. The applicant shall provide the solar water heating systems in the buildings, as may be applicable.
60. Notwithstanding anything contained in the Development Control Regulations, the Development Plan provisions or the approvals granted / being granted to The applicant; it shall be lawful on the part of the Corporation to impose new conditions for compliance as may be required and deemed fit to adhere to any general or specific orders or directives of any Court of Law, Central / State Government, Central / State PSU, Local Authority or any public Authority as may be issued by them from time to time.

Yours faithfully,

  
**(Shubhangi Bhishnurkar)**  
Associate Planner, NAINA  
CIDCO Ltd.

CC to

1. Ar. Neha Jain.  
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