



NO.CO./MB/REE/NOC/ F-613/1830/2013,  
Dated 30 SEP 2013

**NOC for I.O.D. purpose only**

To,  
Executive Engineer,  
Building Proposal Department (E.S.),  
M.C.G.M. Bldg. Near Raj Legacy,  
Old Paper Mill Compound,  
L. B. S. Marg, Vikhroli (W),  
**Mumbai - 400083**

- Subject: Proposal for grant NOC for Redevelopment of existing Building No. 38 Known as Nehru Nagar Shiv-Vaibhav Co-Op. Housing Society Ltd., bearing C.T.S. No. 12 (Pt) at village - Kurla, Mumbai-400024
- Reference: 1. This office Offer letter No. CO/MB/RDC /NOC /F-613 /1142/2013, dt. 26-06-2013  
2. M/s. Innovations (Architect)'s letter dated 24-08-2013

Sir,

The Society has complied with all requisites for obtaining No Objection Certificate (NOC) for redevelopment of their existing property under subject. There is no objection of this office to undertake construction by society as per the proposal of the said society under certain terms and conditions, on the Plot admeasuring about **1288.29** m<sup>2</sup> ( i.e as lease deed 924.49 m<sup>2</sup> + additional land 363.80 m<sup>2</sup> ). The NOC is granted as per policy laid down by the MHADA vide MHADA Resolution Nos. 6260 Dt. 04/06/2007, Resolution No. 6397 dated 5/05/2009 & Resolution No. 6422 dated 07/08/2009 subject to following conditions. The other additional terms and conditions as per Annexure-I shall also apply & are appended separately.

**TERMS & CONDITIONS**

1. This NOC is issued to Society /Architect only for the initial approval i.e. I. O.D. from MCGM.
2. The work of redevelopment should be carried out as per plans submitted to this office along with detailed proposal, as per prior approval of MCGM.
3. Necessary Approvals to the plans from M.C.G.M. should be obtained before starting of work.
4. The work should be carried out under the supervision of the Competent Registered Architect and Licensed Structural Engineer.

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5. The work should be carried out entirely at applicant's own risk and cost and MHAD Board will not be responsible for any mishap or irregularity at any time.
6. a) **The built up area permitted as per statement below.**

Sr. No.	Built-up Area	Area in Sq. mtr.
1.	<b>Plot area considered for FSI as per Lease deed.</b> (Plot area as per lease deed 924.49 m <sup>2</sup> + additional land 363.80 m <sup>2</sup> )	1288.29
2.	<b>FSI permissible</b>	2.5
3.	<b>Total Built Up Area permissible</b>	3220.725
4.	<b>Existing BUA</b> (33.40 m <sup>2</sup> X 40 Ts)	1342.00
5.	<b>Additional Built Up Area allotted by MHADA now through this NOC</b> a) Residential use 1878.725 m <sup>2</sup> b) Commercial use --- m <sup>2</sup>	1878.725
6.	<b>Total Built Up Area permitted vide this NOC ( Sr. No. 4 + 5 )</b>	3220.725
7.	<b>Existing No. of tenements</b> Existing T/s will be permitted with carpet area upto 45.00 m <sup>2</sup> including balcony	40 Nos.
8.	<b>Additional No. of T/s permitted vide this NOC</b>	18 Nos.
9.	<b>Total No. of T/s permitted vide this NOC</b>	58 Nos.

(As per DCR-1991 all benefits are permissible).

7. **The proposal is approved by restricting the permissible FSI upto 2.50 on the plot area 924.49 m<sup>2</sup> as per lease deed. Accordingly, total permissible built up area allotted is 2311.22 m<sup>2</sup> out of this Built up share of 109.34 m<sup>2</sup> will have to be handed over to MHADA free of cost constructed Residential tenements of approx. 32.40 m<sup>2</sup> to 45.00 m<sup>2</sup> built up area.**
8. **Allotment of additional land admeasuring 363.80 m<sup>2</sup> was approved as per MHADA circular No. VP & CEO/LA/A/399/2011, dt 22/01/2012. Accordingly, total permissible built up area allotted is 909.50 m<sup>2</sup> out of this Built up share of 454.75 m<sup>2</sup> will have to be handed over to MHADA free of cost in the form of constructed Residential tenements of approx. 32.40 m<sup>2</sup> to 45.00 m<sup>2</sup> built up area each in lieu of additional land.**  
Thus Society will have to hand over 569.09 Sq.Mt. (i.e. 109.34 m<sup>2</sup>+ 454.75 m<sup>2</sup> BUA to MHADA.
9. **These Tenements shall be handed over to MHADA within a period of 3 years from date of issue of Commencement Certificate from MCGM. In case if any time extension is required in future for any unforeseen reason/due to any natural calamities, same will be considered only after approval of Hon. Vice President / Authority.**

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10. **The Society & Developer will have to sign the Tripartite agreement with MHADA for the built up area share before issue of Consent for Commencement Certificate.**
11. Appointment of Developer & Architect is the responsibility of the society. MHADA will not be held responsible for any dispute about development agreement, drawing of new rehab. building, tenements size, carpet area etc.
12. No additional F.S.I. should be utilized other than mentioned above.
13. The work should be carried out within the land or plot leased by the Board / as per approved subdivision.
14. Responsibility of any damage or loss of adjoining properties if any will vest entirely with the society and M. H.& A. D. Board will not be responsible in any manner.
15. The user of this construction should be restricted to **RESIDENTIAL** purpose only. Separate permission for other user will have to be obtained.
16. Barbed wire fencing/ chain link Compound wall along boundary line is permitted after getting demarcation fixed from the Executive Engineer/Kurla Division /Mumbai board and Asst. Land Manager/Kurla/ Mumbai Board.
17. The society shall have to construct and maintain separate under ground water tank, pump house and overhead water tank to meet requirement of the proposed and existing development and obtain separate water meter & water connection.
18. The society shall have to obtain approval for amended plans as and when amended else the NOC for Occupation Certificate from M.C.G.M. will not be granted.
19. One set of plan along with letter should be forwarded to the office of Sr. Architect/MB as token of your approval.
20. The Chief Officer / Mumbai Board reserves the right to cancel NOC without giving any notice.
21. All the terms and conditions mentioned in earlier Offer letters, NOC letters & the accompanying list (Annexure-I) appended to this letter will be applicable to the society.
22. The redevelopment proposal should be prepared adhering to the Development Plan reservation, Building regulations and any other rules applicable to Building construction by the Building Proposal Dept. in MCGM.
23. **Before Obtaining Commencement Certificate from MCGM a prior consent letter duly signed by Chief Officer / Mumbai Board shall be obtained.**

24. All the dues should be cleared by Society before issue of Consent for Occupation Certificate.
25. The plans of the proposed building shall be submitted to MCGM within six months from the date of issue of this NOC positively for its approval, failing which the NOC will stand cancelled.
26. The NOC holder will have to communicate the actual date of commencement of work and to submit progress report of the redevelopment scheme by every month till completion of scheme to the Executive Engineer / Kurla Division. / M.B. under intimation to this office.
27. If NOC holder fails to start the redevelopment work within 12 months from the date of issue of NOC, the right is reserved to cancel the NOC by this office.
28. The reconstruction of new building for the rehabilitation of old occupiers shall be completed within a period of 36 months from the date of issue of Commencement Certificate from MCGM. In case NOC holder fails to do so, extension to the above time limit may be granted depending on the merits of the case and on payment of an extension fee as may be decided by the office time to time.
29. After issue of NOC, during course of demolition of old buildings & during course of redevelopment work if any mishap / collapse occur, the entire responsibility of the same will lie with NOC holder. However all the necessary precautionary measures shall be taken to avoid mishap / collapse and the work of demolition & redevelopment shall be carried out under strict supervision of Architect and R.C.C. Consultant.
30. The proposal of issue of NOC for obtaining occupation Certificate from MCGM to the newly constructed building will have to be submitted along-with the following documents / information.
  - a) Copy of approved plan along-with copy of IOD & C.C. from MCGM. The name of the occupiers against concerned tenements proposed to be allotted in new building should be clearly shown in the plan along-with carpet area to be given. Matching statement i.e. Name of occupant, Room No., existing area and proposed allotted area.
  - b) The concerned Architect & NOC Holder / Developer should give certificate that the newly constructed building is in accordance with the plans approved by MCGM & the tenements constructed for rehabilitation of the occupiers of building are as per the areas and amenities as prescribed in the agreement executed with the occupiers.
  - c) Photographs of the newly constructed building taken from various angles.
31. If it is subsequently found that the documents / information submitted with your application for NOC are incorrect or forged, mis-leading then this NOC will be cancelled and NOC holder will be held responsible for the consequences / losses, if any thereof if arises in future.



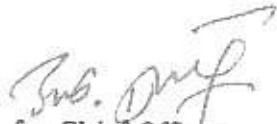
32. Necessary trial pits / trial bores shall be taken at the captioned property to ascertain the bearing capacity of the soil and foundation shall be designed accordingly. R.C.C. design of the new proposed building shall be prepared taking into account the aspect of Mumbai Seismic Zone and same should be got approved from R.C.C. Consultant / Structural Engineer, registered with MCGM.
33. As far as possible separate building for rehabilitation of existing tenants & for the purpose of free sale, taking into account the plot area of the captioned property shall be constructed. The NOC holder has to form the independent Co.Op. Hsg. Society for rehab building of tenants as well as for free sale component after giving possession to the existing tenants & prospective buyers, wherever possible.
34. If, the NOC holder proposes to construct separate buildings for rehab and free sale, then the Commencement Certificate for free sale buildings shall be issued only after the work of rehab buildings is started.

It is, therefore, directed that the proposed work would be carried out strictly adhering to the terms and conditions as mentioned above. In case of any breach to above condition & other terms and conditions annexed herewith, the NOC will stand cancelled.

Now, MHADA is considering the proposal for amendment of the layout for 2.5 FSI. Further 2.5 FSI is granted to the society on the notionally sub-divided area, hence the proposal should be considered for 2.5 FSI and all the directives given in the Govt. Resolution of U.D.D. vide No. TPB /4308 /74 /C. NO.11 /2008 /UD-11, dated 6/12/2008 shall be applicable to the society.

ENCL.- 1) ANNEXURE -I

(Draft approved by CO/MB)

  
for Chief Officer,  
M. H. & A. D. Board,  
Bandra (E), Mumbai

**Copy to Lessee:** - Secretary, Nehru Nagar Shiv -Vaibhav Co-Op. Society Ltd. Bldg No. 38, Nehru Nagar, Kurla (E), Mumbai-400024.ENCL.- ANNEXURE -I

**Copy to Architect:** M/s. Innovatins. 602, Mahalaxmi Tower, Seizer Road, Amboli, Andheri (W), Mumbai-400 058.ENCL.- ANNEXURE -I

**Copy to Developer :-** M/s. Parson Foundation & Engineering Corporation, 253/A-2, Shah & Nahar Ind. Estate, Mumbai 400 013

Forwarded to information and necessary action in the matter to the: -

1. Architect & Planner / M.B.
2. Executive Engineer, Housing Kurla/ Division. /M.B.
3. Estate Manager (Kurla) / M. B.
4. Chief Accounts Officer/M.B.
5. Asst. Land Manager / (Kurla ) M.B.
6. Shri Kulkarni, Sr. Clerk for record pl.



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**ANNEXURE -I**

**TERMS AND CONDITIONS**

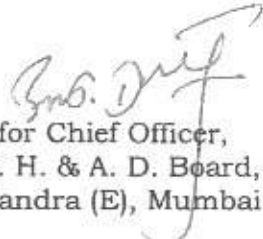
The additional buildable area is granted as per policy laid down by MHADA vied NOC mentioned above as per resolution no.5998 dated:09/01/2004 and amended A.R.No.6041, dt.29/7/2004, A. R.No. 6260 Dt. 04/06/2007, A. R. 6349 dated 25/11/2008, A. R. No. 6383 dated 24/02/2009, A. R. No. 6397 dated 5/05/2009 & A. R. No. 6422 dated 07/08/2009 are subject to following terms and conditions.

1. All the terms and conditions mentioned in the M.C.G.M's Layout approval Letter would be applicable to the society.
2. The set of plan approved by M.C.G.M. duly certified by the Architect should be submitted to this office before commencement of work.
3. The Society will have to construct and maintain separate tank if necessary with approval M.C.G.M.
4. The Society will have to enter into a separate Lease Agreement of Society will have to get the rectification deed done through concern Estate Manager of Legal Department of the Board for additional area granted before asking for Occupation Certificate form M.C.G.M.
5. The Society will have to submit stability of the existing structure / proposed work through Registered Licensed Structural Engineer by M.C.G.M.
6. The Society will have to obtain separate P. R. card as per the approved sub division / plot leased out by the board duly signed by S. L. R. before asking for Occupation Permission for M.C.G.M.
7. The Society will have to obtained approval for amended plans as and when the society amends the plans.
8. The Society should submit undertaking on Rs. 250/- Stamp paper for not having any objection if the newly developable plots are either developed by the Board or by the allotted of the Board in **Nehru Nagar, Kurla (E) Layout.**
9. The Society will have to hand over the set back area free of cost to MCGM & proof of the same will have to be submitted to this office and the society will have to inform about form encroachment to M.C.G.M. at their own cost and M.H.A.D. Board shall not be held responsible.

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10. The pro-rata charges towards construction of D.P. Road as implemented by M.C.G.M. will be paid from the premium received from the society for the purchase of additional BUA for which receipts shall be submitted by the society from M.C.G.M. in favour of Chief Accounts Officer/MHAD Board.
11. The Society will have to submit Undertaking on Rs. 250/- stamp paper agreeing to pay the difference in premium if any as and when MHADA reviews the policy for allotment of F.S.I. / T.D.R.
12. The redevelopment Proposal should be approved adhering to the Development Plan reservation, Building regulations and any other rules applicable to Building construction by the Building Proposal Dept. in MCGM.
13. The charges as may be levied by MCGM, from time to time (apart from FSI charges), for e.g. Pro-rata charges for Roads, shall be paid by the society to MCGM directly, on demand from MCGM.
14. The Society shall indemnify MHADA against any legal action regarding payment of stamp duty for a) Transfer of built tenements to beneficiaries and b) Purchase of balance FSI /T. D. R. etc. as may be required under provisions of Stamp Duty Act.
15. It is therefore, directed that the proposed work should be carried out strictly adhering to the terms and conditions mentioned as above. In case of any breach to above condition the NOC will stand cancelled.

(Draft approved by CO/MB)

  
for Chief Officer,  
M. H. & A. D. Board,  
Bandra (E), Mumbai