



- Nishigandh 'C', Disha Srushti, Rana Nagar,
Opp. Hotel Atithi, Jalna Road, Aurangabad.
Call: 0240-2451616 Mail: info@samilarchitects.com
- Anand Building, Opp. Sant Eknath Rangmandir,
New Usmanpura, Aurangabad
Call: 0240-2325367 Mail: kale.manish@gmail.com

Date: 24 March 2023

To,

MAHARERA, Mumbai

1. This is to certify that, **Sunder Ajanta Hospitality** has obtained building permission for their project situated at Plot no P-86, in MIDC, Chikalthana Industrial Area, vide commencement certificate No. MIDC/SPA/DB/SPA/ of 2021, dated 05/08/2021.

According to Revised Development Control Regulations 2009 for MIDC -

2. As MIDC being planning authority, there is no provision for renewal of permission or validity of permission. Please refer Chapter 3 to 6 (Page No 12 to 22) attached herewith. It is not like the case in other planning authorities. In other planning authorities renewal is must if work is not commenced. But in case of planning authorities like MIDC, no renewal of building permission is required as per current Revised Development Control Regulations 2009 for MIDC.

3. Also, **Sunder Ajanta Hospitality** has obtained Part work done of the project from the authority (MIDC, Aurangabad) vide letter no. MIDC/SPA/No. D72649 dated 11/11/2022.

Hence as work was commenced & part work was completed, there is no need to obtain the renewal.

Hence this certificate is issued.

Yours Faithfully,

ER. MANISH V. KALE

(License No.CA – 93 /15610)

For AKW ASSOCIATES

Manish Vasant Kale
Architect & Approved Valuer
Reg. No. CA/93/15610

Note: Wherever there is conflict between definitions given in the Development Control (DC) Rules above and the definition given by National Building Code, the definition given in the National Building Code shall prevail.

3. Procedure for Securing Development Permission

3.1. Necessity of Obtaining Development Permission

Subject to the provisions of Section 43 of the Act, no person shall erect or re-erect a building or alter any building or carry out any development or redevelopment including temporary construction, on any plot or land or cause the same to be done without obtaining prior development permission from MIDC.

3.2. Application for Development Permission

Subject to the provision of Section 44 of the Act, any person intending to carry out any development on any land shall make an application in writing to MIDC in prescribed Form No.1 enclosed in the appendix IX.

3.3. Particulars and Documents to be Submitted along with Application

The following particulars and documents shall be submitted along with the application viz.

- a. Copy of letter of allotment from MIDC
- b. Copy of lease agreement/ownership document
- c. Copy of demarcation plan
- d. Latest Copy of registration of Architect with Council of Architecture and in case of Town Planner registration with Institute of Town Planners, India.
- e. A site plan (in quadruplicate) of the area proposed to be developed to a scale of 1:500 showing the following details wherever applicable.
 - i) The boundaries of the plot.
 - ii) The position of plot in relation to neighboring street.
 - iii) The name of the streets in which the plot is situated.
 - iv) All the existing buildings and other development standing on over or under the site.
 - v) The position of building and of all other buildings which the applicant intends to erect.
 - vi) The means of access from the street to the building or the site and all other buildings which the applicant intends to erect.
 - vii) Open space to be left around the buildings to secure free circulation of air, admission of light and access for scavenging purposes.
 - viii) The width of the street (if any) in front and of the street at the side or rear of the building.
 - ix) The direction of north point relative to the plan of the buildings.
 - x) Any physical features such as trees, wells, drains, etc.

f. **Detailed Plan** (in quadruplicate) showing the plans, sections and elevations of the proposed development work to a scale 1:100 showing the following details wherever applicable:

- i) Floor plans of all the floors (including with the service floors) together with the covered area, clearly indicating the size and spacing of all framing members and sizes of rooms and the position of staircases, ramps and lift-wells including escalator spaces.
- ii) The use of all parts of the building.
- iii) Sizes of footings, thickness of basement walls, wall construction, floor slabs and roof slabs with their materials. The sections shall indicate the height of building and height of rooms and also the height of the parapet and the drainage and slope of the roof. At least one section should be taken through the staircase.
- iv) The building elevations from all the streets.
- v) Details of service privy, if any.
- vi) Terrace plan indicating the drainage and slope of the roof.
- vii) The north point relative to the plans.
- viii) All structural calculations with necessary drawings.
- ix) All plumbing services with necessary details.
- x) Rain Water Harvesting plan
- xi) All provisions related to Active and Passive Fire Protection requirements adhering to Part IV of National Building Code 2005 i.e. Fire & Life Safety.

Note: Only one set of plans under "e" and "f" above may be submitted initially for scrutiny.

g. **In the case of a Layout of land or plot**

- i) Site plan (in quadruplicate) drawn to a scale of 1:1500 showing the surrounding land and existing access to the land included in the layout.
- ii) Plan (in quadruplicate) drawn to a scale of 1:500 showing:
 - a. Sub-divisions of the land or plot with dimensions and area of each of the proposed sub-divisions and its use according to prescribed regulations,
 - b. Width of the proposed streets and
 - c. Dimensions and areas of open spaces provided in the layout for the purpose of garden or recreation or like purposes.
- iii) A plan showing location of road signage with typical details of signage in terms of their sizes and contents.

h. **Landscape Plan** (in quadruplicate) to a scale of 1:250 showing various landscape features such as trees, hedges, paved areas, etc. The plan shall Show, in particular, the type and number of existing trees, the trees to be felled, the trees to be transplanted and the proposal for planting of new trees.

- i. **Rain Water Harvesting Plans** (in quadruplicate) showing the arrangement of Rain Water Harvesting,
- j. **Specifications:** Specifications, both general and detail, giving type and grade of materials to be used for development.
- k. **Certificate of Supervision:** Certificate in the prescribed form (Form 2 in the Appendix IX) by the Registered Architect or Engineer undertaking the supervision and any other consultant.

3.4. Notations to be followed for Preparation of Plans:

- a. The following notations shall be used for plans referred to in regulation 3.3 above.

Table 1: Notations for Preparation of Plans

Sr. No.	Item	Site Plan	Bldg. Plan
1.	Plot Line	Thick Black	Thick Black
2.	Existing Street	Green	-
3.	Future Street, if any	Green dotted	-
4.	Permissible building Lines	Thick dotted	-
5.	Open spaces	No colour	No colour
6.	Existing work	Blue	Blue
7.	Work proposed to be demolished	Yellow hatched	Yellow hatched
8.	Proposed work	Red	Red
9.	Drainage & Sewerage Work	Red dotted	Red dotted
10.	Water Supply Work	Black dotted	Black dotted thin
11.	Recreation ground	Green Wash	--
12.	Gas Supply Line	Violet Dotted	Violet dotted Thin
13.	Water Based Fire Protection Systems	Blue dotted	Blue dotted

- b) Wherever applicable, schedules of rooms, apertures and floor areas shall be submitted along with the drawing in accordance with the forms enclosed in Appendix IX.

4. Development works to be Planned, Designed, Submitted and Supervised by Registered Professionals

4.1. Architect / licensed Engineer

The plans, specifications and notifications referred to in 3.3 and 3.4 above shall be prepared and duly certified by the Registered Architect or Licensed Engineer having valid license from the nearby urban local body where the proposed development is intended.

4.2. Town Planner

The layout plans or sub-division schemes for areas above 5 Ha., requiring infrastructure planning shall be prepared and duly signed by a qualified Town Planner who shall be a Member of the Institute of Town Planner, India (ITPI). However this clause may not be applied to manufacturing industrial units.

4.3. Structural Engineer

The plans showing structural details shall be prepared and duly signed by the Registered Structural Engineer.

The plans showing structural details shall be prepared & duly certified under the hand of Structural Engineer possessing requisite qualification as per Regulation No.2.75.

In respect of structural stability of each development work, each owner shall notify the name & address of the registered Structural Engineer in the form enclosed Form and the Structural Engineer shall convey his acceptance as per Form 12 enclosed. The Structural Engineer shall submit form of supervision as per form No. 13 enclosed, & on completion of the development, the Structural Engineer shall issue a certificate of stability of the structure, as per Form No.14 enclosed (Appendix IX).

4.4. "Plumbing Engineer"

The Plans showing plumbing arrangements shall be prepared and duly signed by the Plumbing Engineer.

5. Development Permission Fees

5.1. Scrutiny Fees

A person applying for permission to carryout any development on any land shall with his application pay to MIDC the Scrutiny Fees at the rates notified by MIDC from time to time.

5.2. Development Charge

Any person who intends to carry out any development or change any use of any land or building for which the development permission is required under these Regulations, whether he has applied for such permission or otherwise has commenced carrying out any such development or has carried out any change in such use or who has applied to the Competent Authority for grant of Occupancy Certificate shall pay to the Competent Authority the development charge in accordance with the provisions laid down in Section 124 A to L of MR & TP Act, 1966 and in accordance with the directives of the State Government for levy of such charges.

5.3. Charges for Stacking of Building Materials on Public Roads

The stacking of building materials and debris on public roads shall be prohibited except with special permission of MIDC. Where such permission has been granted, the license fee for depositing building materials and debris on public road etc. shall be as follows.

Table 2 : Charges for Stacking of Building Materials on Public Roads

(a)	For construction residential building.	Rs.5/- per Sq.m per week
(b)	For construction non-residential building.	Rs. 10/- Sq.m per week

Note:

The stacking of materials would be permitted till the completion of the building. If after completion of the building, in the opinion of MIDC, certain material have not been cleared or left in a stage causing annoyance or inconvenience, MIDC shall take necessary actions against the Licensee/Lessee and any cost incurred in the removal of such material, which has been carried out by MIDC, shall be recovered from the Licensee/Lessee.

6. Decision of the MIDC

- 6.1. On receipt of the application for development permission, MIDC shall communicate its decision whether to grant or refuse permission to the applicant as per the provisions of Section 45 of the Act.
- 6.2. The Commencement Certificate, granting the permission with or without conditions shall be in Form 3 enclosed in the Appendix IX.

7. Deviations during Construction

If during the construction of a building, any departure of a Substantial nature from the sanctioned plans is intended by way of internal or external additions, which violate any provisions regarding general building requirements, structural stability and fire safety requirements of the bye-laws, sanction of the Chief Executive Officer shall be obtained. A

revised plan showing the deviations shall be submitted and the procedure laid down for the original plans hereto before shall apply to all such amended plans.

8. Development undertaken on behalf of Government

As per the provision of Section 58 of the Act the Officer-in-Charge of any Government Department or Office or Authority shall inform in writing to MIDC of the intention to carry out development of any land for its purpose along with the following documents and plans.

- a. A site plan (in quadruplicate) of the area proposed to be developed to a scale of 1:500
- b. Detailed Plan (in quadruplicate) showing the plans, sections and elevations of the proposed development work to a scale of 1:100.
- c. In the case of a layout of land or plot:
 - i. A site plan (in quadruplicate) drawn to a scale of 1:1500 showing the surrounding land and existing access to the land included in the layout.
 - ii. A plan (in quadruplicate) drawn to a scale of 1:500 showing:
 - iii. Sub-divisions of the land or plot with dimensions and area of each of the proposed sub-divisions and its use according to prescribed regulations;
 - iv. Width of the proposed streets and
 - v. Dimensions and areas of open space provided in the layout for the purpose of garden or recreation or like purposes.

9. Permission for Temporary Construction

The MIDC may grant permission for temporary construction for a period not exceeding 6 months in aggregate, unless otherwise specified, for the following types of activities:-

- i. Structures for protection from the rain or covering of the terraces during the monsoon only, i.e. between 15th May and 15th November.
- ii. Pandals for ceremonies, religious functions, sale of crackers, seasonal goods etc. Subject to approval of CFO(Chief Fire Officer) & FA(Fire Advisor)
- iii. Structures for Exhibitions/ Circuses etc. Subject to approval of CFO(Chief Fire Officer) & FA(Fire Advisor)
- iv. Temporary site office, labour camps and watchman chowkie/boths within the site, only during the phase of construction of main building.
- v. Asphalt Mixing / RMC (Ready Mix Concrete) plant for a period not exceeding 15 days at a stretch subject to a maximum limit of 60 days in a calendar year.

The above activities may be permitted subject to

- a. The condition that for such temporary construction fees should be recovered at the rate of Rs.50/- per Sq.m of such covered area of temporary construction. Equal amounts as fees shall be payable as deposit, which will be refundable provided by the end of the stipulated period such temporary structures are removed without fail by the Allottee/ Licensee/ Lessee/ Owner. Failure to remove such temporary sheds will be liable for forfeiture of the deposit and any such failure continuing beyond stipulated period shall be liable for imposition of penalty which will be 3 times the rate of Rs.50/- per Sq.m
- b. That all the permitted structures are not constructed in the clear width of mandatory open space around building.

10. Responsibilities of the Applicant

10.1. Neither the grant of Commencement Certificate nor the approval of the drawing and specifications nor inspections made by MIDC during the carrying out of development shall in any way relieve the applicant of his responsibility for carrying out the development in accordance with the requirements of these regulations.

10.2. The Applicant shall:

- a. Permit authorized officers of MIDC to enter the plot for which the Commencement Certificate has been granted for carrying out development, at any reasonable time for the purpose of enforcing these regulations.
- b. Obtain, where applicable, from MIDC permission relating to building, zoning, grades, sewers, water mains, plumbing, gas pipeline, advertisements signs, signage blasting, street occupancy, electricity, highways and all other permits required in connection with the carrying out the development.
- c. Give at least seven working (7) days" notice to MIDC of the intention to commence the carrying out of development. (Form No.5).
- d. In case of building operations, give notice to MIDC on completion up to plinth level and seven working (7) days before the commencement of further work.(Form No.6).
- e. In case of Industrial plots which have been closed down and changing the use, the applicant has to submit a clearance certificate from the labour commissioner that the industry has paid all the dues to the employees.
- f. Give written notice to MIDC regarding completion of the development in Form No. 8 enclosed in the Appendix IX, duly signed by the Registered Architect.
- g. Obtain occupancy certificate from MIDC prior to any occupancy or use of the development so completed (Form No. 9).

- h. Keep available for inspection, during the carrying out of development and for such a period thereafter as required by MIDC, the records of the tests which are made on any material to ensure conformity with the requirements of these regulations.
- i. Keep pasted in a conspicuous place on the property in respect of which the permission to develop is granted, a copy of the Commencement Certificate.
- j. Keep during carrying out of development a copy of the approved plans on the premises where the development is permitted to be carried out.
- k. The owner shall submit a soft copy of all the sanctioned plans and as built plans in AutoCad Format before issue of the commencement certificate and the occupancy certificate respectively.

11. Inspection

- 11.1. Inspection at various stages – MIDC may at any time during erection of building or execution of any work or development make an inspection thereof.

12. Occupancy Certificate

12.1. Grant of Occupancy Certificate

The MIDC shall within 30 days from the receipt of completion certificate required under regulation No.10.2 (f) communicate its decision after the necessary inspection about the grant of occupancy certificate indicated in regulation 10.2 (g) and fulfillment of condition specified in Regulation 10.2(k)

12.2. Occupancy for a part of Building

Upon the request of the Owner, MIDC may issue an occupancy certificate for a part of the building before completion of the entire work as per development permission, provided, sufficient precautionary measures are taken by the Owner to ensure public safety and health safety. Provided further that the part of the building for which occupancy certificate is applied for, shall be functionally complete and conform to all requirements of these Regulations. This certificate may be granted by MIDC subject to the condition that the Owner indemnifies the Authority, on stamp paper of such value as decided by MIDC as per the proforma given in Appendix IX (Form No.10).

12.3. Occupancy for high-rise buildings

For all high rise buildings (Above 15 m) and all special buildings MIDC shall issue occupancy certificate only after ensuring that the buildings comply with the provisions of MIDC Fire Protection and Life Safety Regulations 2007.

13. Unsafe Buildings

All unsafe buildings shall be considered to constitute a danger to public safety, hygiene and sanitation and shall be restored by repairs or demolished or dealt with by the owners of such buildings as otherwise directed by MIDC.

14. Clearances from other Authorities

Specific approvals/clearances shall be obtained from authorities like Maharashtra Pollution Control Board, Director of Industries, Chief Controller of Explosives, Inspectorate of Boilers and Smoke Nuisance, Civil Aviation Department etc. as may be applicable and the same shall be submitted to MIDC at the time of obtaining development permission.

15. Procedure for fast track Approval

15.1. The MIDC may permit to undertake development on fast track, without obtaining prior permission if the same is undertaken/supervised by an empanelled Accredited Architect/Accredited Town Planner, subject to the following:

15.1.1. Any person intending to undertake any construction on his land/plot shall inform in writing to MIDC of the intension to carry out such development along with the following documents:

- a) Document showing ownership of the land.
- b) Undertaking to be given by the Accredited Architect as per the format given in Appendix IX.
- c) One set of drawings showing site plan, building plans and one cross section.

15.1.2. The applicant/owner may, thereafter, commence the work at site and carry out the work up to plinth level. However, under no circumstances, further work shall be undertaken by the applicant/owner without first obtaining formal development permission as required under these Regulations.

15.1.3. The works undertaken under this provision shall be in conformity with these Regulations and the Accredited Architect shall be held personally responsible in case of any violation and shall be liable for such action as may be decided by MIDC including termination from empanelment.

15.2. Eligibility criteria for empanelment of Accredited Architects:

- a. The Architect shall have the minimum qualification as prescribed under the Architects Act, 1972.
- b. The applicant shall be a registered member of the Council of Architecture.
- c. He shall have at least ten years experience as a Practicing Architect.

- d. He shall have an excellent track record in designing and supervising buildings and shall have executed projects worth Rs.5 crore per annum for the past three years.
- e. The applicant shall deposit and keep deposited an interest free amount of Rs. one lakh with MIDC throughout the period of empanelment. The deposit amount is liable to be revised from time to time

15.3. Eligibility criteria for empanelment of Accredited Town planners:

- a. The applicant shall be a registered member of the Institute of Town Planners, India.
- b. He shall have at least ten years experience as a Professional Planner.
- c. He shall have an excellent track record in planning and supervising development projects and shall have executed projects worth Rs.5 crore per annum for the past three years.
- d. The applicant shall deposit and keep deposited an interest free amount of Rs. One lakh with MIDC throughout the period of empanelment.

15.4. Procedure for empanelment of Accredited Architects / Town Planners.

MIDC shall empanel accredited Architect / Town Planners, in the months of January and July of each calendar year. Application for Empanelment as Accredited Architect / Town Planner Shall be in Form No 15 Given in Appendix IX.

16. Discretionary Powers

- a. *"In specific cases, where clearly demonstrable hardship is caused, Chief Executive Officer may for reasons to be recorded in writing by special permission, permit any of the dimensions prescribed in these rules to be modified except those relating to Floor Space Indices front margin parking requirements unless otherwise permitted under these rules, provided that the relaxation will not affect the health, safety fire safety, structural safety & public safety of the inhabitants of the buildings and the neighborhood"*
- b. The Chief Executive Officer may, from time to time, add or alter or amend Appendix I except where same are prescribed in the MR & TP Act, 1966 or in the MID Act, 1961.

PART II - DEVELOPMENT CONTROL REGULATIONS

A - MACRO CONTRO

17. Classifications of Land uses and permissible land uses

17.1. Classification of land-uses

For the purpose of these Regulations the land-uses have been classified into following groups:

- 1) Assembly
- 2) Bio-technology
- 3) Business
- 4) Educational
- 5) Floriculture
- 6) Industrial
- 7) Information Technology
- 8) Institutional
- 9) Mercantile
- 10) Nanotechnology
- 11) Residential
- 12) Storage
- 13) *100mtr wide green belt shall be provided on either side of the river. Following user shall be allowed within green belt area.*
 - 1) *Fuel wood plantation*
 - 2) *Furniture & structural wood plantation*
 - 3) *Bamboo plantation*
 - 4) *Grass & fodder plantation*
 - 5) *Sericulture without processing*
 - 6) *Horticulture development*
 - 7) *Fruits & berries plants*
 - 8) *Nurseries development*
 - 9) *Plantation of Medical & aromatic plant*
 - 10) *Water obstruction works*

17.2. Unless the context otherwise specifies:

- 17.2.1. "Assembly Land-use" includes any land where groups of people congregate or gather for amusement, recreation, social, religious, patriotic, civil, travel and similar purposes, and include buildings of drama and cinema theatres, Multiplexes, Drive-in-theatres, assembly halls, city halls, town halls, auditorium, exhibition