स्वातंत्र्याचा अमृत महोत्सव

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MMRDA

No.SROT/BSNA/2501/BP/Kalher-62/Vol-V/503 /2024 Date: 03 MAY 2024

COMMENCEMENT CERTIFICATE

To,
M/s. Jai Bhawani Orchid Infra LLP,
Shri.Chirag Shamji Gada (POAH)
Shri. Pankaj Sureshkumar Mehta (POAH & Authorised Partner)
Shri.Jignesh Maganlal Gada (Authorised Partner)
5, Karmapushpa Apt. J.S. Road BhandarAali, Thane (W), 400 601

READ WITH:

MMRDA's Revised Commencement Certificate No. SROT/BSNA/2501/BP/Revised/Kalher-62/297/2022dt.04.03.2022

Sir,

Permission is hereby granted, under section 45 of the Maharashtra Regional & Town Planning Act, 1966 (Maharashtra Act No. XXXVII of 1966) to the applicant **Shri. JigneshGada, Shri. Pankaj Mehta, M/s Jai Bhawani Orchid Infra LLP**, 5 , Karmapushpa Apt. J.S. Road BhandarAali, Thane (W), 400 601 for the proposed development of Residential **Building No. 3 and Building No. 4 (Details in Table Below)** on the lands bearing S.No. 53/5, 53/6, 310/2, 310/3 & 310/4, 51/4, 51/2, 51/10 & 51/3B at Village Kalher, Tal.Bhiwandi, Dist. Thane on gross plot area admeasuring 11730.00 Sq.m. Details of the proposal as depicted on Drawing Sheets 1/3 (Total No. of sheets 03) is described in the table below:

Table 1: BUA Statement

Sr. No	Description		Area (In Sq.m)
1	Net Plot Area		6932.43
2	Base FSI		1.10
3	Base BUA (1x2)		7625.67
4	FSI on payment of premium		0.30
5	BUA on payment of premium (4x1)		2079.73
6	**Base + premium BUA (3+5)**		**9705.40**
7	Earlier sanctioned area proposed to be retained (OC Received for Building 1 Wing A &B) a. Base =2362.36 b. Premium FSI = 1549.60		3911.96
8	Balanced development potential [6-7]		5793.44
9	Permissible Ancillary FSI = 60% of balanced Development Potential i.e. 5793.44 X 60%		**3476.06**
10	**Total Entitlement of proposal (6+9)**		**13181.46**
11	a	Earlier sanctioned area proposed Building 1 Wing A & B to be retained as per BSNA DCR(Excluding Ancillary FSI area) (Status-OC Received)	3911.96
	b	Earlier Approved BUA (Bldg. No. 2 Wing	2094.89

		C) (Including Ancillary FSI area) (Approved as per UDCPR)	
	c	OC received for Bldg. 2 Wing D (Including Ancillary FSI area) (Approved as per UDCPR)	2041.61
	d	CC received for Watchman Cabin area (Including Ancillary FSI area) (Approved as per UDCPR)	5.00
12	**Balance BUA [10-(11a+11b+11c+11d)]**		**5128.00**
13	Proposed BUA of Building No. 3		2731.98
14	Proposed BUA of Building No. 4		2382.51
15	**Total proposed BUA Building No. 3 & 4 (13+14)**		**5114.49**
16	**Balance BUA [12-15]**		**13.51**

Table 2: Building Details

Residential Buildings	Status	No. of Floors	Ht. of Bldg	Proposed BUA (in Sq.m.)
Building No.3	Newly proposed as per UDCPR	Stilt + 7	22.95 m.	2731.98
Building No.4	Newly proposed as per UDCPR	Stilt + 5	17.25 m.	2382.51
			Total Proposed BUA =	**5114.49 Sq.m.**

The Commencement Certificate is granted under Section 45 of the said Act, subject to the following conditions:

Viz.

1. This permission / Commencement Certificate shall not entitle the applicant to build on the land which is not in his ownership in any way;
2. 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;
3. This permission/ commencement certificate shall remain valid for four years in the aggregate but shall have to be renewed every year from the date of its issuance. The application for renewal of Commencement Certificate 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 if the work is completed. Such renewal can be done for three consecutive terms of one year after which proposals shall have to be submitted to obtain fresh development permission under section 44 of the said Act. Such proposals shall be scrutinized as per rules and regulations and proposed DP applicable at that time and shall be binding on the applicant;

4. 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;
5. The provisions in the proposal which are not confirming to applicable Unified Development Control & Promotion Regulation (UDCPR) and other acts are deemed to be not approved;
6. 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;
7. 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;
8. The applicant shall obtain permissions under the provisions of other applicable statutes, wherever necessary, prior to Commencement of the construction;
9. The applicant shall submit notice for 'start of work' before commencement of construction on site;
10. 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 up to plinth level. Further, as per Regulation No. 2.8.4 of sanctioned UDCPR, after such intimation, the officers of the Authority may inspect the completed plinth;
11. 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;
12. The structural design, building materials, installations, electrical installations, etc. shall be in accordance with the provision as prescribed in the National Building Code/ and as per UDCPR 2020;
13. The land vacated in consequence of the enforcement of the set-back rule shall form part of

public street in future;

14. The applicant shall permit the use of the internal access roads to provide access to adjoining land;
15. The responsibility of authenticity of the documents vests with the applicant and his appointed licensed Architect/Engineer;
16. 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;
17. Prior permission is necessary for any deviation/ change in approved plan;
18. The owner and the architect are fully responsible for any ownership, boundary and area disputes. In case of any dispute, MMRDA will not be responsible;
19. Actual on site demarcation of the plot under reference is to be done through TILR by Owner prior commencement of the construction on site;
20. If any discrepancy found in paid charges, the applicant shall be liable to pay the same;
21. All safety measures and precautions shall be taken on site during construction with necessary signage/ display board on site;
22. The applicant shall provide for all necessary facilities for the physically challenged as required/ applicable;
23. The applicant shall strictly follow the prevailing rules/ orders/ Notification issued by Labour Department, GoM from time to time, for labours working on site;
24. To follow the duties and responsibilities as per provisions in Appendix C of UDCPR is mandatory to Engineer/ structural engineer/ supervisor/ town planner/ licensing Site Engineer/ Geotechnical Engineer/ owner/ developer;
25. 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;
26. 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;
27. The responsibility of structural and other stability and safety of proposed buildings shall lie with Owner and concerned expert, consultant, executant appointed by Owner;
28. The applicant shall abide by and be solely responsible for all the conditions of all the NOCs/ Clearances obtained/ required to be obtained from the competent Authorities for the proposed development on the land under reference;
29. 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:

a. Name and address of the owner/developer, all concerned licensed persons;
b. Survey No./ City Survey No. of the land under reference;
c. Order No. and date of grant of development / building permission/ redevelopment permission issued by Authority;
d. Built up area permitted;
e. RERA Registration no, if applicable;

However, Such Display Board shall not be required for individual plot holder's individual building;

30. 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;
31. The applicant shall install the Rain Water Harvesting Structures as per Regulation no. 13.3 of sanctioned UDCPR which shall be made operational on site and remarks regarding the completion and operation of the Rain Water Harvesting System shall be obtained from consultant and submitted before applying for Occupancy Certificate;
32. The Electric Sub-Station shall be constructed for supply of Electricity to the proposed project as per in-principle consent dated 30.09.2023 for Electricity Supply issued by Manager, Torrent Power Ltd, Bhiwandi prior to earliest application for issuance of Occupancy Certificate;
33. The applicant shall install the Solar Assisted Water Heating (SWH) System/ Rooftop Photovoltaic (RTPV) as per Regulation no. 13.2 of sanctioned UDCPR which shall be made operational on site and remarks regarding the completion and operation of the same shall be obtained from consultant and submitted before applying for Occupancy Certificate;
34. The applicant shall install the Solid waste management for treatment of wet waste generated from all buildings under project as per Regulation no. 13.5 of sanctioned UDCPR; which shall be made operational on site and remarks regarding the completion and operation of the solid waste management System shall be obtained from consultant and submitted before applying for Occupancy Certificate;
35. The applicant shall install the Grey Water Recycling plant as per Regulation no. 13.4 of sanctioned UDCPR which shall be made operational on site and remarks regarding the completion and operation of the Grey Water Recycling System shall be obtained from consultant and submitted before applying for Occupancy Certificate;
36. The applicant shall abide to undertaking dated 17.01.2024 submitted as per Regulation No. 3.4.2 of sanctioned UDCPR and the applicant shall submit registered undertaking regarding structures permissible in Recreational Open Space as per Regulation no. 3.4.7 (vii) of sanctioned UDCPR before application for Occupancy Certificate of Building No.3 & Building No.4;
37. All conditions of NOC from Kharland Development Circle dt. 23.03.2018 are binding on applicant and applicant shall submit the NOC from Khar Land Development Circle, Thane for land bearing

S.No. 51/10, 51/4, 51/2 & 51/3/B of village Kalher before giving intimation for plinth completion of Building No.3 or Building No.4;

38. The applicant shall hand over land under Reservation No. SS-37 (Secondary School), Reservation No.VM-49 (Vegetable Market), Reservation No. SC-50 (Shopping Complex) & Proposed DP 24 m. wide DP Road affecting the plot to MMRDA and submit 7/12 extract/ PR Card in the name of MMRDA for the same which shall be free from all encumbrances before applying for Occupancy Certificate of Building No.3 & Building No.4. The responsibility of keeping said land encroachment free lies with applicant till further direction of MMRDA;
39. The present approval is being granted considering the plot boundary as shown on the measurement plan certified by TILR after deducting the land under encroachment as land not in possession of applicant. However, this should not be construed as certification of boundary of the land under reference by MMRDA. The applicant shall be solely responsible for any future disputes arising with regards to the boundary of the land under reference and MMRDA shall stand indemnified in this regard;
40. The applicant is required to submit Fire NOC for Fire lift for Building No. 3 & Building No. 4 before giving intimation of plinth completion of any one of these buildings;
41. The plinth level of proposed buildings shall be above the surrounding ground level so that, adequate drainage of site is ensured as per regulation no. 9.1 of UDCPR. The applicant shall make necessary arrangements as per site topography. In case of flood or heavy rain and in case of loss of property or loss of life in the area for which commencement certificate has been given, the concerned developer shall be fully responsible for it. MMRDA shall stand indemnified;
42. The Undertaking dt. 04.09.2023 regarding architectural projections is binding on the applicant.
43. The applicant is required to submit structural design, remarks, & plan showing the structural details before applying for Occupancy Certificate;
44. The present approval is being granted considering the plot boundary as shown on the measurement plan certified by Dy. SLR, Bhiwandi for the land bearing S.No. 51/4, 51/2, 51/10 & 51/3B of Village Kalher having no. अति/अतितातडी/ हद्दकायम/ मो.र.नं .749/2023 dt. 17.10.2023 and अति/अतितातडी/ हद्दकायम/ मो.र.नं .733/2023 dt. 22.09.2023 submitted by applicant and MMRDA's earlier approval for adjacent land bearing S.No. 53/5, 53/6, 310/2, 310/3 & 310/4 of Village Kalher . However, this should not be construed as certification of boundary of the land under reference by MMRDA. Applicant shall be solely responsible for any future disputes arise with regards to the boundary of the land under reference & area which is not in possession as shown on plan and MMRDA shall stand indemnified in this regard as stated by applicant in his undertaking dt. 04.09.2023. Further in such event this permission shall be treated as cancelled. Further, applicant shall submit final measurement plan certified by Dy. SLR, Bhiwandi showing

plot boundary before 6 months from the date of submitting intimation of completion of plinth of proposed buildings;

45. Applicant is required to pay Labor Welfare Cess of amount ₹ 14,21,387.00/- (Fourteen Lacs Twenty One Thousand Three Hundred and Eighty Seven Only). It is binding on the applicant to pay Labor Cess in stages or in whole as per the Labor Cess Act. Applicant is required to make the payment of Labor Cess to 'Maharashtra Building and Other Labor 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 MMRDA before applying for Occupancy Certificate. If any discrepancy is found in payment of Labor Cess charges, the applicant shall be liable to pay the same;
46. It shall be the responsibility and liability of applicant/owner/society to ensure adequate and continuous supply of water to users of proposed buildings as per the notarized undertaking dated 04.09.2023;
47. 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;
48. It shall be the responsibility of the Applicant(s)/ Developer(s)/ Owner(s) to strictly follow the guidelines and instructions for Mitigating Air Pollution issued by MMRDA on 03.11.2023 and/any competent authority from time to time;
49. All the conditions mentioned in CC dt. 11.12.2017, 28.02.2019, 21.09.2020, 06.11.2020 & 04.03.2022 issued by MMRDA shall be binding on applicant and architect.

(Sanil Shete)
Planner, MMRDA

मुंबई महानगर प्रदेश विकास प्राधिकरण
MMRDA
MUMBAI METROPOLITAN REGION DEVELOPMENT AUTHORITY

Encl: Drawing Sheets (1/3 to 3/3)

Copy to:

1. **Shri. Atul Gharat (Consultant Engineer)**
   Atul Gharat & Associates,
   1st Floor, Sudarshan Building,
   Kalyan-Bhiwandi Rd., At Pimpalghar Pada,
   Tal- Bhiwandi, Dist- Thane 421 311

2. **Collector,**
   Collector Office, Thane.....as required u/s 45 of MR & TP Act, 1966.