



MUMBAI METROPOLITAN REGION DEVELOPMENT AUTHORITY

मुंबई महानगर प्रदेश विकास प्राधिकरण

No. SROT/BSNA/2501/BP/Amended/Borpada-01/Vol-II/ 1384 /2017.

Date: 04 OCT 2017

AMENDED COMMENCEMENT CERTIFICATE

READ : 1. Layout Approval Letter No. SROT/BSNA/2501/BP/Borpada-01/492/2017, Dt: 12.04.2017.
2. Commencement Certificate No. SROT/BSNA/2501/BP/Borpada-01/493/2017, Dt: 12.04.2017.

Permission is hereby granted, under Section 45 of the Maharashtra Regional & Town Planning Act, 1966 (Maharashtra Act No. XXXVII of 1966) to Shri. Anup .S. Karnani for M/s. Ambika Brickwell Pvt. Ltd, 301, Shalaka, Plot No. 32, Juhu Road, Near Santacruz Police Station, Santacruz (West), Mumbai - 400054 for the Proposed **Residential & Commercial Buildings of Phase - 1 up to plinth level only** (As mentioned in Table - A below) on land bearing S.No 13, H.No 2, S.No 14, H.No 1Pt, S.No 15, H.No 1, S.No 19, H.No 1 & 2, S.No 22, H.No 1, 2, 3, 4, 5, 6 & 7, S.No 23, S.No 24, H.No 1/2, 1/3, 1/4, 1/5, 1/6 & 1/7, 2, S.No 25, H.No 2, S.No 28, H.No 1Pt, 2, 3 & 4, S.No. 30/1/APt, 31Pt & Pardi No. 2, At Village - Borpada, Tal - Bhiwandi, Dist -Thane admeasuring 210230.00 sq.m with net plot area admeasuring 159028.53 sq.m, total permissible built up area of 151077.10 sq.m (FSI - 1.95) and proposed built up area of 102573.36 Sqm (FSI - 0.64) as depicted on Drawing Sheet (Total 42 Nos. of Sheet) on the following conditions:

Table - A: Indicating the details of earlier approved building and now proposed amended buildings, for which permission is hereby granted up to plinth for proposed development of Residential & Commercial Buildings in Phase - 1.

Bldg. No.	Earlier Approved				Now Proposed			
	Wing	Nos. of Floor	Height (in Mt.)	BUA area (in Sq.M)	Wing	Nos. of Floor	Height (in Mt.)	BUA area (in Sq.M)
Bldg. 1	-	-	-	-	Wing - A	1P+ST+20	62.35	6693.419
	-	-	-	-	Wing - B	1P+ST+20	62.35	6731.584
	-	-	-	-	Wing - C	1P+ST+20	62.35	6693.419
B dg. 2	Wing - A	1P+ST+01	10.10	522.69	Wing - A	1P+ST+20	62.35	9482.581
	Wing - B	1P+ST+08	27.55	3861.20	Wing - B	1P+ST+20	62.35	9482.581
B dg. 3	-	-	-	-	Wing - A	1P+ST+20	62.35	8976.481
	-	-	-	-	Wing - B	1P+ST+20	62.35	8540.481
	-	-	-	-	Wing - C	1P+ST+20	62.35	8976.481
Bldg. 4	-	-	-	-	Wing - A	1P+ST+20	62.35	9482.581
Bldg. 5	-	-	-	-	Wing - A	1P+ST+20	62.35	6693.419

	-	-	-	-	Wing - B	1P+ST+20	62.35	6761.779
	-	-	-	-	Wing - C	1P+ST+20	62.35	6693.419
	-	-	-	-	Wing - D	1P+ST+20	62.35	6688.360
Bldg. 6	Shopping	-	-	-	Shopping	Ground	4.65	676.87
TOTAL BUILT UP AREA			4383.89		TOTAL BUILT UP AREA			102573.362

Viz:-

1. This permission/Commencement Certificate shall not entitle the applicant to build on land which is not in his ownership in any way;
2. This Certificate is liable to be revoked by the Metropolitan Commissioner, MMRDA if –
 - (a) 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;
 - (b) Any of the conditions subject to which the same is granted or any of the restrictions imposed by the Metropolitan Commissioner, MMRDA is contravened or is not complied with;
 - (c) The Metropolitan Commissioner, MMRDA is satisfied that the same is obtained through fraud or misrepresentation and in such an event the applicant and every person deriving title through or under him shall be deemed to have carried out the development work in contravention of Section 43 or 45 of the Maharashtra Regional & Town Planning Act, 1966;
3. This Commencement Certificate is valid for a period of one year from the date hereof and will have to be renewed thereafter;
4. This Commencement Certificate is renewable every year but such extended period shall in no case exceed three years, after which it shall lapse provided further that if construction is not completed up to plinth level or where there is no plinth, up to upper level of basement or stilt, as the case may be, on the subject land within the period of one year from the date of issuance of CC or in the year for which renewal as per section 48 of MR & TP Act, 1966 is taken, it shall be necessary for the applicant to make application for fresh permission;
5. The provisions in the proposal which are not confirming to applicable Development Control Regulation 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. Construction beyond plinth level should not be commenced without obtaining Commencement Certificate above plinth level from MMRDA;
10. The applicant shall be solely responsible for compliance of all the conditions mentioned in all the NOCs/ Clearances such as CFO etc obtained/will be obtained/required to be obtained from the competent authorities for the proposed development on the land under reference;
11. The applicant shall develop RG areas and shall plant the required number of trees in the RG area as per DCRs before applying for Occupancy Certificate;
12. The applicant shall submit notice for 'start of work' before commencement of construction in accordance to regulation 5.1 of sanctioned DCR of BSNA;
13. The applicant shall ensure that the detection systems are strictly adhering to the IS codes as mentioned in Maharashtra Fire Service Offices circular No. MFS/10/2012/1099 dated 19/7/2012;
14. The applicant shall install the Rain Water Harvesting System as per UDD's Notification No. TPB/432001/2133/CR-230/01/UD-11; Dt. 10/03/2005;
15. 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;
16. The applicant shall pay the 'Building and Other Construction Labour Welfare Cess' to the Competent Authority and submit a copy of receipt to this office;

17. The applicant shall obtain all the necessary final NOCs/Completion Certificates/ clearances relating to water supply, sewerage, SWD, CFO etc. from competent authorities and submit the same to MMRDA before applying for Occupancy Certificate for the buildings on the land under reference;
18. As soon as the development permission for the new construction is obtained, the owner/developer shall install 'Display Board' on a conspicuous place on site indicating following details;
 - a. Name and address of the owner/developer, architect and contractor;
 - b. Survey No./ City Survey No./ Ward No. of the land under reference, with description of its boundaries;
 - c. Order No. and date of grant of development permission issued by MMRDA;
 - d. F.S.I permitted;
 - e. Address where the copies of detailed approved plans shall be available for inspection;
19. A notice in the form of advertisement giving all the details mentioned in 18 above shall also be published in two widely circulated newspapers one of which should be in Marathi language;
20. The conditions of this certificate shall be binding not only on the applicant but also his/ her heirs, successors, executors, administrators and assignees and every person deriving title through or under him;
21. The provisions in the proposals which are not conforming to applicable Development Control Regulations and other Acts are deemed to be not approved;
22. 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;
23. Actual on site demarcation of the plot under reference is to be done through TILR by the owner prior to commencement of the construction on site;
24. This approval has been issued by considering the present available access to the plot as depicted on the building 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;

25. The applicant shall permit the use of the internal access roads to provide access to an adjoining land;
26. 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;
27. The Security Deposit 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;
28. तहसिलदार भिवंडी यांनी त्यांच्या दि. ०९.०३.२०१६ च्या पत्रात नमुद केल्यानुसार नियोजन प्राधिकरणास वरीलप्रमाणे विनिश्चिती कळविण्यात येत असली तरी, या प्रमाणपत्रान्वये भोगवटादार वर्ग-१ या धारणाधिकाराची विनिश्चिती करण्यात आलेली जमीन भविष्यात वर्ग-दोन या धारणाधिकाराची असल्याचे निष्पन्न झाल्या त्यासाठी प्रचलित तरतूदी विचारात घेतल्यानंतर शासनाकडे नियमानुसार देय असणारी नजराण्याची व शासनास देय असलेली अन्य रक्कम विहित कार्यपद्धती अवलंबून संबंधित महसूल प्राधिका-यांना मागणी केल्यास सदर रकमा शासनास जमा करणेही संबंधित भोगवटादाराची जबाबदारी राहिल आणि हे संबंधित भोगवटादार सामान्य आहे, असे संबंधित भोगवटादार यांच्याकडून बंधपत्राच्या स्वरूपात नियोजन प्राधिकरणाने लिहून घेणे अनिवार्य राहिल;
29. तहसिलदार भिवंडी यांनी त्यांच्या दि. ०९.०३.२०१६ च्या पत्रात नमुद केल्यानुसार शासन निर्णय दिनांक २२/०१/२०१६ मधील निदेशानुसार संबंधित जमीन मालक यांनी आवश्यक त्या सर्व परवानग्या घेतलेनंतर जमिनीच्या वापरास सुरुवात केल्यापासून तीस दिवसाच्या आत ग्रामअधिका-यास व तहसिलदार यांस लेखी कळविणे बंधनकारक आहे. तसेच जमिनीचे वापराबाबत रूपांतरित कराचा भरणा करणे व विहित नमुन्यात सक्षम प्राधिकारी यांचेकडून मुदतीत सनद घेणे बंधनकारक आहे. याप्रमाणे अट आपले विकास परवानगीमध्ये नमूद करणेत यावी;
30. तहसिलदार भिवंडी यांनी त्यांच्या दि. ०९.०३.२०१६ च्या पत्रात नमुद केल्यानुसार सदरचे पत्र हे महाराष्ट्र जमीन महसूल अधिनियम, १९६६ चे कलम १५७ तरतुदीनुसार आज रोजीचे अभिलेखावरून देणेत येत आहे. सदरचे मिळकतीबाबतचे कोणतेही अभिलेख अथवा फेरफार हे

कोणत्याही सक्षम न्यायालयाने रद्द केल्यास सदरचे पत्र आपोआप रद्द झाले असे समजणेत येईल व याकरिता कोणतेही स्वतंत्र आदेश काढणेची आवश्यकता राहणार नाही. याप्रमाणे अटी आपले विकास परवानगीमध्ये नमूद करणेत यावी;

31. The applicant shall comply all the conditions as mentioned in letter dated 19/03/2016 issued by Tahsildar, Bhiwandi;
32. 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;
33. 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;
34. 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. That the conditions laid in this Commencement Certificate shall be binding not only on the applicant but also his/her heirs, successors, executors, administrators and assignees and every person deriving through or under him;
35. The applicant shall obtain and submit Environmental Clearance before applying for covered area above 20000 sqm from the State Environmental Appraisal Committees. Further the applicant will have to comply with the directions of the concern committee to accommodate environmental concerns, if any;
36. The applicant shall get the entire land within the proposed project surveyed and get the internal roads and development plans roads, amenity areas, development plan reservations etc demarcated from the TILR and accordingly submit a consolidated TILR map and get the same verified with approved plans, from the Lands & Estate Cell of

MMRDA, prior to requesting for issuance of CC beyond plinth;

37. In case any discrepancies are observed in the approved plans vis-à-vis the consolidated map issued by TILR which will affect the layout, buildings etc w.r.t to the requirements 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 Railway, Highway, Electric Authorities for HT lines etc), the applicant will have to accordingly amend the lay-out, locations of buildings etc and obtain fresh Commencement Certificate for the same from MMRDA and only then proceed with construction accordingly;
38. The permissible built-up area will be restricted any time in future on the basis of the minimum of land areas considering the minimum internal lines of boundaries of the layout, consolidated TILR maps by survey of external boundaries for the proposed project, actual area in possession as per survey by TILR and the land area as per ownership documents;
39. Applicant shall submit Storm water drainage and Sewerage NOC's prior to requesting for CC beyond plinth;
40. Sub-Station shall be constructed for supply of Electricity to the proposed project as per the Electricity Company's requirements prior to issuance of Occupancy Certificate;
41. All the amenities, utilities, facilities and the road network shall be fully developed by the developer at his own cost. The amenities shall be in concurrence with the provisions of sanctioned DCR of BSNA;
42. Reservations of Garden (G-65), Primary School (PS-5) & Town Hall (TH-6) shall be handed over to the concerned authorities after development of building if required as specified by MMRDA along-with the appurtenant land and shall be conveyed to respective Authorities;
43. Occupancy Certificate will be granted only after satisfactory completion of all amenities and road network;
44. Regarding any disputes, MMRDA shall stand indemnified. MMRDA reserves the right to modify or withdraw this approval in larger public interest;
45. Applicant shall carry out the construction of all amenities parallel to construction of other buildings in the layout by obtaining CC from MMRDA;
46. The applicant shall submit revised Fire NOC from competent Fire Authority;

47. That Registered undertaking cum Indemnity Bond shall be submitted for abiding above conditions by applicant;
48. All the conditions of Environmental Clearance Dt. 19.09.2017 issued by Ministry of Environment, Forest and Climate Change, Government of India, shall be binding on the applicant;
49. The applicant with regards to the earlier 'In-Principle Layout Approval' dt. 12.04.2017 issued by MMRDA for land admeasuring to 248290.00sq.m, is now required to obtain revised 'In-Principle Layout Approval' from MMRDA for land admeasuring to 210230.00 sq.m, by deleting the land bearing S.No. 24/1/A, 26 & 27 of Vill. Borpada, Tal- Bhiwandi, Dist-Thane admeasuring to 38060.00 sq.m.


Sr. Planner, MMRDA.

Enclosure: Drawing Sheet (Total 42 No of Sheet).

Copy to,

1. **Shri. Anup .S. Karnani,**
M/s. Ambika Brickwell Pvt. Ltd,
301, Shalaka, Plot No. 32,
Juhu Road, Near Santacruz Police Station,
Santacruz (West),
Mumbai – 400054.
2. **M/s. Ajay Wade & Associates (Licensed Surveyor),**
A/6, 1st Floor, Sai Tower,
Ambadi Road,
Vasai (West).
3. **Copy forwarded to:**
The Collector,
Collector Office, Thane.
as required u/s 45 of MR & TP Act, 1966.

