

Layout Approval Letter

No. SROT/Growth Centre/2401/BP/ Nilje- 08/ 1175/2022

Date: 06 SEP 2022

To,

M/s. Om Sai Builders & Developers,

Partners Shri. Santosh Kashinath Dixit and 1 Other,

Shop No 101/102, Om Shopping Centre,

Near Nilje Station, Lodha Heaven, Nilje,

Dombivali (East) 421 204

Sub: Issuance of Layout Approval for the proposed Residential & Commercial Buildings on land bearing S.No 3/1/E, 3/1/D, 3/1/C, 5/2, 2/5/A, 4/1 of Village Nilaje, Taluka-Kalyan, Dist-Thane

- Ref**
- 1 M/s Om Sai Developers application for development permission dt. 28/06/2021
 - 2 MMRDA's deficiency letter dt. 11/11/2021
 - 3 M/s Om Sai Developers letter dt. 11/05/2022

Sir,

W.r.t above cited letters you have requested MMRDA for the approval of the layout with full potential proposed for the development of Residential & Commercial Buildings on the land under reference. The Metropolitan Commissioner has granted approval to the layout and the plans as indicated on duly authenticated drawings nos. 1/1 to 1/1 (total 1 nos. drawings) which are enclosed herewith. The gross plot area, net plot area, BUA & FSI are as mentioned in table below:

Sr.No	Area Statement for Layout Approval	Area in Sq.m
1	Total area of plot as per POAH	11,130.00
2	Area as per triangulation	11,130.00
3	Least area considered from above	11,130.00
4	Deduction for	
A	Proposed DP Road of 30 m width	714.02
B	Proposed public office DP reservation	4,500.00
C	Total (A + B)	5,214.02
5	Balanced area of plot (3 - 4C)	5,915.98
6	Required amenity open space (5% of balance plot at serial no. 5) Not required since balance plot less than 20,000 sqm	0.00
7	Proposed amenity open space	0.00
8	Net plot area (5-7)	5,915.98
9	Required recreational open space (10% of net plot at serial no. 8)	591.60
10	Proposed recreational open space	902.70
11	Permissible basic FSI	1.10
17	Permissible BUA as per basic FSI = 1.10 * Sr.No 08	6,507.57

मुंबई महानगर प्रदेश विकास प्राधिकरण

उप प्रादेशिक कार्यालय : मल्टिपुर्पज हॉल, दुसरा मजला, ओसवाल पार्क जवळ, पोखरण रोड नंबर २, माजिवडा, ठाणे (प) - ४०० ६०९.

दूरध्वनी : (०२२) २९७९२९९५ / २९७९२९९७ फॅक्स : (०२२) २९७९२९९७ ई-मेल : sro.thane@mailmmrda.maharashtra.gov.in

18	Permissible FSI as premium	0.30
19	Permissible BUA as per premium FSI = 0.30 * Sr.No 08	1,774.79
20	Permissible FSI as per TDR	1.10
21	Permissible BUA as per TDR = 1.10 * Sr.No 08	6,507.57
22	Permissible BUA as per basic FSI + premium FSI + TDR	14,789.93
23	Permissible base + premium + TDR BUA under accommodation reservation for DP reservation of public office Base BUA = 1.1 * 4,500.00 = 4,950.00 Premium BUA = 0.30 * 4,500.00 = 1,350.00 TDR BUA = 1.1 * 4,500.00 = 4,950.00	11,250.00
24	Total permissible BUA = Sr.No 22 + Sr.No 23	26,039.93
25	Proposed Non-Residential BUA (Commercial)	671.49
26	Proposed Residential BUA	25,368.44
25	Permissible Additional Ancillary FSI for Residential use = 60% * Sr.No26	15,221.06
26	Permissible Additional Ancillary FSI for Non-Residential use = 80% * Sr.No25	537.19
27	Total permissible additional Ancillary FSI = Sr.No 25 + Sr.No 26	15,758.25
28	Total Permissible BUA Sr.No24 + Sr.No 27	41,798.18
29	Total Proposed BUA	41,785.08

The approval to the layout has been approved subject to the following conditions:

1. 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;
2. The applicant shall obtain permission / approval for amalgamation / subdivision of lands u/r, as depicted in the accompanying drawing;
3. This Layout Approval Letter shall not be construed as development permission and separate application for Building Permission shall be made by you.
4. This approval shall not be construed as authorization of any development carried out already in violation of any rules and regulation applicable;

5. This permission / approval shall not entitle the applicant to build on land which is not in his ownership in any way;
6. The FSI in lieu of the DP Roads shall be claimed only after formally handing over the said area to the Authority and completing the due procedure in respect of the same;
7. For any change and variation in the plans, prior approval of MMRDA shall be obtained;
8. The work of filling of low lying land, diverting nallas, laying sewer lines etc, if any, should not be done unless the due intimation is given to concerned Authority and their permission is obtained for proceeding with the work;
9. 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 letter;
10. Applicant shall comply and abide with all the conditions mentioned in sewerage & drainage NOC from KDMC. MMRDA shall not be responsible for any dispute regarding accumulation of water from sewerage, drainage or any construction related activity in the ownerships of any land portion surrounding the proposal u/r 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 letter;
11. Any development carried out in contravention of this approval letter is liable to be treated as unauthorized and may be processed against under section 53 or other sections, as case may be, of the MR & TP Act, 1966. To carry out unauthorized development is treated as a cognizable offence and is punishable with imprisonment apart from fine;
12. That the conditions in this letter shall be binding not only on the applicant but also his/her heirs, executors, administrators and assignees and every person deriving title through or under him;
13. In the detailed building plans to be approved, the required dimensions and proportions of RG area for the buildings shall be provided as per UDCPR.
14. The applicant shall permit the use of the internal access roads to provide access to an adjoining land;
15. This approval has been issued by considering the present available access to the plot as depicted on the Layout Plan 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;

16. The applicant shall provide access to private, land locked and government lands which are within the said Project and also surrounded by the said Project at your cost as per the UDCPR;
17. That the setback area if any and the DP Roads shall be duly handed over to the Concerned Authorities before requesting for occupation permission or as directed by MMRDA;
18. The FSI mentioned under Premium FSI and Ancillary FSI shall be available only on payment of applicable premium to Authority;
19. The applicant shall provide for all the necessary facilities for the handicapped as required/ applicable for the buildings in the layout;
20. Regarding any disputes MMRDA shall stand indemnified. MMRDA reserves the right to modify or withdraw this approval in larger public interest;
21. The applicant shall co-operate with MMRDA officials/ representative at all times of site visit and carry out instructions given;
22. 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;
23. That the Water Supply shall be sourced / supplied with potable quality by developer at his cost. The norms of Recycling the water/ Rain water harvesting shall be applicable as prescribed by Government from time to time;
24. All the Amenities, Utilities, Facilities and the Road Network within the layout shall be fully developed by the Developer at his own cost as per the specifications given by the MMRDA before giving first application for issuance of Occupancy of any completed building/structure;
25. The applicant shall develop RG areas as per the provisions of sanctioned UDCPR before applying for Occupancy of any building/structure;
26. Those adequate arrangements for disposing the Solid Waste shall be made for the Entire Project on regular basis;
27. That adequate arrangement for drainage of the Storm Water shall be made and flow of natural water courses shall not be disturbed at any time;
28. The applicant shall obtain permissions under the provisions of other applicable statutes, wherever necessary, and shall submit the same to MMRDA;
29. The development shall be strictly as per the Sanctioned UDCPR;



30. 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;
31. The applicant shall get the entire land within the proposed project surveyed and get the internal roads and development plan 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 SLR office, prior to requesting for issuance of Occupancy Certificate of any building/structure;
32. 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 maps and the land area as per ownership documents;
33. The applicant shall abide by all the conditions of all the NOC's obtained/ will be obtained/ required to be obtained from the Competent Authorities for the proposed development on the land under reference;
34. The Applicant shall demolish existing structures on land under reference before applying for any further approval;
35. All conditions of the provisional CFO NOC shall be binding on applicant. Further, applicant shall obtain the revised Fire NOC in accordance to any amendments made to the proposal in the future. If any deviations with regards to fire safety are proposed by CFO in the plans approved herewith at any stage, it shall be necessary for applicant to obtain revised permission from MMRDA accordingly Applicant shall obtain final NOC from CFO before applying for Occupancy Certificate of any building/structure;
36. All the conditions mentioned in the Electricity Supply letter shall be binding on applicant. Further, applicant shall obtain and submit final NOC from the said Authority before applying for Occupancy Certificate of any building/structure;
37. The applicant shall hand over land under DP Road, land under DP reservation 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 any building/structure;
38. Applicant shall develop and the constructed public office reservation and hand it over to MMRDA prior to requesting of occupancy certificate of any building/structure;
39. The applicant shall install Electric Sub-Station as per Regulation no. 3.6 of sanctioned UDCPR which shall be made operational prior to earliest application for issuance of Occupancy of any completed building/structure;

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40. 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 application for Occupancy Certificate of any building/structure;
41. The applicant shall install the SWH or RTPV system in all the buildings as per Regulation no. 13.2 of sanctioned UDCPR which shall be made operational on site before application for Occupancy Certificate of any building/structure;
42. The applicant shall install Grey Water Treatment Plant on site as per Regulation no. 13.4 of sanctioned UDCPR before applying for Occupancy Certificate of any building/structure;
43. Applicant shall comply with the requirements of Structural Design and Stability, Geo-technical and other aspects and Fire Safety norms as per provisions of UDCPR, Maharashtra Fire (Prevention and life Safety Measures) Act, 2006 and National Building Code of India, amended from time to time, for the aspects not covered in UDCPR. The certificates from structural and geo-technical engineers about the fulfillment of necessary requirements shall be submitted along with the application of Commencement Certificate of proposed buildings.
44. The present Layout Approval is being granted considering the total potential Built-Up area of the land under reference as mentioned in the Layout Drawing approved along with the present Layout Approval. However, the FSI mentioned under In-Situ FSI / TDR against handing over of land under Amenity Space shall only be available to applicant after the land under Amenity Space against which In-Situ FSI / TDR is claimed is surrendered to the Authority, free of cost and free from encumbrances following prescribed procedures of MMRDA's TDR policy. Further, the additional FSI shall be available only on payment of applicable premium to Authority. The present Layout Approval with full potential of FSI does not guarantee automatic entitlement to the additional FSI by way of TDR and/or any other method.
45. Applicant shall submit NOC for water supply prior to start of any construction work on site and thereafter applicant shall comply & abide with all the conditions mentioned in NOC and shall submit final NOC prior to requesting for Occupancy Certificate for the any building/structure;
46. The development shall be strictly as per the MOEF Notification dt. 19/02/1991 as amended up-to-date. It shall be binding on the applicant to submit EIA Clearance from competent Authority prior to request of approval for proposed built up area more than 20,000 sq.m;
47. Applicant shall submit NOC from DFCC/Railway prior to start of any construction work on site and thereafter applicant shall comply & abide with all the conditions mentioned in NOC.
48. Applicant shall submit NOC from MIDC prior to start of any construction work on site and thereafter applicant shall comply & abide with all the conditions mentioned in NOC.

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49. Applicant shall pay applicable premium amount for ancillary FSI and premium FSI prior to requesting for occupancy certificate of any building/structure since applicant has availed installment facility as per UDCPR
50. That an undertaking cum Indemnity bond shall be submitted for abiding the above conditions;


(Monika Sunchey) (PWS)
Planner, Planning Division



Enclosure: Layout drawings nos. 1/1 to 1/1 (total 1 no of drawing sheet).

Copy to,

1. **Architect Rahukkumar V Chhabhaiya,**
Office No 12, Ground Floor, Great Eastern Summit Wing B,
Plot No 66, Sector 15,
Belapur, Navi Mumbai – 400 614
2. **The Collector,**
Collector Office, Thane..... As required u/s 45 of MR & TP Act, 1966.
3. **The Municipal Commissioner,**
Kalyan-Dombivli Municipal Corporation, Shankarrao Chowk,
Kalyan (W) – 421301With reference to KDMC's letter No. जा.क्र.कडोंमपा/इ'प्रक्षे/कर
92, dt 26/08/2016.

