

AMENDED COMMENCEMENT CERTIFICATE

Permission is hereby granted, under Section 45 of the Maharashtra Regional & Town Planning Act, 1966 (Maharashtra Act No. XXXVII of 1966) to **Shri. Raju K. Khetwani & Shri. Naresh S. Khetwani**, For M/s. Swastik Real Estate Developers, 504-B, Dev Corpora, Opp. Cadbury Junction, Off. Eastern Express Highway, Thane (west) – 400602. for the **Amended Multi-Level Car Parking Building (Basement (For Services only) + Ground + 9 upper floors) up to plinth level only** on land bearing **S. No. 1, H. No. 4, 5, 6, 7, 8Pt, 10, 12, 14, 15, 16, 17, 18, 19, 21, 22, 23, S.No. 54, H. No 6, 7, 8, 9Pt, 9Pt, 10, 13, 15A, 15B, 16, 17, 18, S. No 76, H. No 1, 2, S. No 77, H. No 4, 5, 6, 7, & 9**, of Vill. **Ranjnoli, Tal – Bhiwandi, Dist - Thane** on gross plot admeasuring 37970.00 sq.m with net plot area admeasuring 36801.26 sq.m, total permissible built up area of 57041.95 sq.m (FSI – 1.55) and total proposed built up area of 54994.51 sq.m (FSI – 1.49) as depicted on Drawing Sheets (Total 3 Nos. of Sheet) on 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 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 such lapse shall not bar

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any subsequent application for fresh permission under section 44 of Maharashtra Regional & Town Planning Act, 1966.

5. 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.
6. The provisions in the proposal which are not confirming to applicable Development Control Regulation and other acts are deemed to be not approved.
7. 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.
8. 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.
9. The applicant shall obtain permissions under the provisions of other applicable statutes, wherever necessary, prior to Commencement of the construction.
10. All the existing structures on site are to be demolished prior to commencement of any work on site;
11. Construction beyond plinth level should not be commenced without obtaining Commencement Certificate above plinth level from MMRDA;
12. The applicant shall be solely responsible for compliance of all the conditions mentioned in all the NOCs/ Clearances such as EIA clearance; CFO, etc.
13. The applicant shall develop RG areas and shall plant the required number of trees in the RG area as per the sanctioned provision of DCR for Bhiwandi Surrounding Notified Area (BSNA) before applying for Occupancy Certificate.
14. The applicant shall submit notice for 'start of work' before commencement of construction in accordance to regulation 6(2) of MCGM DCR;
15. 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;
16. 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;

17. The applicant shall pay the 'Bldg. and Other Construction Labor Welfare Cess' to the competent Authority and submit a copy of receipt to this office;
18. All the existing structures on site are to be demolished prior to commencement of any work on site;
19. The applicant shall obtain all the necessary final NOCs/Completion Certificates/ clearances relating to water supply, sewerage, SWD, CFO etc. and submit the same to MMRDA before applying for Occupancy Certificate for the Bldg.s on the land under reference.
20. 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:
 - I. Name and address of the owner/developer, architect and contractor;
 - II. Survey No./ City Survey No./ Ward No. of the land under reference, with description of its boundaries;
 - III. Order No. and date of grant of development permission issued by MMRDA;
 - IV. F.S.I permitted;
 - V. Address where the copies of detailed approved plans shall be available for inspection;
21. A notice in the form of advertisement giving all the details mentioned in 20 above shall also be published in two widely circulated newspapers one of which should be in Marathi language;
22. 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;
23. The provisions in the proposals which are not conforming to applicable Development Control Regulations and other Acts are deemed to be not approved;
24. 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;
25. 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;
26. This approval has been issued by considering the present available access to the plot as depicted on the Bldg. 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 applicant shall permit the use of the internal access roads to provide access to an adjoining land;
28. No new Bldg. 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;
29. 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;
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. 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;
32. 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;
33. 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;
34. In case any discrepancies are observed in the approved plans vis-à-vis the consolidated map issued by TILR which will affect the layout, Bldg.s 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 Bldg.s etc and obtain fresh Commencement Certificate for the same from MMRDA and only then proceed with construction accordingly;

35. 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;
36. Applicant shall submit Storm water drainage and Sewerage NOC's prior to requesting for CC beyond plinth;
37. 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;
38. 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;
39. Amenities, Play grounds, Garden, Public Offices and staff quarters, Market, Parking lot reservations shall be handed over to the concerned authorities after development of Bldg. if required as specified by MMRDA along-with the appurtenant land and shall be conveyed to respective Authorities;
40. Occupancy Certificate will be granted only after satisfactory completion of all amenities and road network;
41. Regarding any disputes, MMRDA shall stand indemnified. MMRDA reserves the right to modify or withdraw this approval in larger public interest;
42. Applicant shall carry out the construction of all amenities parallel to construction of other Bldg.s in the layout by obtaining CC from MMRDA;
43. All the conditions of Fire NOC, Dt. 23.08.2018 issued by the Director, Maharashtra Fire Services are binding on the applicant;
44. The FSI under permissible utilization of TDR shall be claimed only after generation of the TDR and submitting TDR Certificate to the Competent Authority and completing the due procedure in respect of the same. Also, Premium FSI will be considered only after the payment of admissible Premium to the Authority. However, layout approved with full potential of FSI does not guarantee automatic entitlement to the additional FSI by way of TDR and/or any other method;

45. The applicant shall pay all the taxes to the revenue department required as per Maharashtra Ordinance No. II of 2017 dt. 05.01.2017 (Amendment to Maharashtra Land Revenue Code, 1966) and Collector, Thane's letter dt. 16.03.2017;
46. All the condition of Environmental Clearance dt. 25.10.2018 are binding on the applicant;
47. That Registered undertaking cum Indemnity Bond shall be submitted for abiding above conditions by applicant.

(Handwritten Signature)

Planner
Planning Division, MMRDA

Copy with set of approved drawings bearing nos. 01/03 to 03/03.

- ✓ 1. **Shri. Raju K. Khetwani & Shri. Naresh S. Khetwani,**
For M/s. Swastik Real Estate Developers,
504-B, Dev Corpora, Opp. Cadbury Junction,
Off. Eastern Express Highway,
Thane (west) – 400602.
2. **Mrs. Devyani Khadilkar, Architect**
for M/s Spaceage Consultants
B-106, Natraj Bldg.,
Mulund Link Road, Mulund (W),
Mumbai-400080.
3. **Copy forwarded to:**
The Collector,
Collector Office, Thane.
as required u/s 45 of MR & TP Act, 1966.

