



Building Permission Cell, PMAY cell/A

(A designated Planning Authority for PMAY constituted as per government regulation no. TPB4315/167/CR-51/2015/UD-11 dtd. 23.05.2018)

INTIMATION OF APPROVAL (IOA)

U/S 45 (1) (ii) of MRTP Act 1966, as amended upto date

No. EE/BP / PMAY/A/MHADA/ 875/2023

Dated: - 10 NOV 2023

To,
Rustagi Estate Private Limited,
Atul Baug, Near Saraswat Bank, Syndicate
Kalyan-Murbad Road,
Kalyan(West)

SUB: Proposed development for 1104 EWS tenements, 88 LIG tenements & 130 Shops/Office on plot bearing on Land Bearing Survey No.98/6,98/7, 98/8, 99/2, 125/7/A, 125/7/B, 125/7/C, 125/7/D, 125/6/D, 125/8, 126/1B, 126/2/A, 126/2/B, 126/3 at Mouje Titwala, Ta – Kalyan, Dist – Thane under vertical AHP – PPP model under PMAY scheme.

REF: 1. Govt. of Maharashtra Notification No. TPB-4317/629/CR-51/ 2015/ UD-11, dated. 23/05/2018
2. Your application letter dated 04/08/2023

Sir,

With reference to your application U/S 44 of the MRTP Act 1966 for building permissions submitted with letter dated 04/08/2023 and the plans, Sections, Description and further particulars and details of your buildings at Proposed development of commercial Bldg No.1 & 2 of Gr + 3rd Floor, Commercial Bldg No.3 of stilt + 4th floor, Bldg No.4 to 21 of Gr./Stilt + 7th floor & 88 Row houses of Gr+1st floor total comprising of 1104 EWS T/s, 88 LIG T/s & 130 shops /office on plot bearing Survey No.98/6,98/7, 98/8, 99/2, 125/7/A, 125/7/B, 125/7/C, 125/7/D, 125/6/D, 125/8, 126/1B, 126/2/A, 126/2/B, 126/3 at Mouje Titwala, Ta – Kalyan, Dist – Thane, under AHP model (PPP) under PMAY scheme.

I have to inform you that I may approve the building or work proposed to be erected or executed, and I therefore hereby formally intimate to you U/S 45(i)(ii) of the MRTP Act 1966 as amended upto date, my approval by reasons thereof subject to fulfillment of conditions mentioned as under

CONDITIONS TO BE COMPILED WITH BEFORE APPLYING FOR Plinth C.C./FURTHER C.C. / O.C.

1. That the commencement certificate U/s-45 of MRTP Act shall be obtained before starting the proposed work.

2. That the structural Engineer shall be appointed and supervision memo as per provisions of unified DCPR shall be submitted by Applicant.
3. That the work should be carried out under the supervision of the competent registered Architect, licensed structural Engineer & Licensed Civil Engineer. The structural Design and calculations for the proposed work accounting for system analysis as relevant IS code along with plan shall be get approved from reputed agency and one copy shall be submitted before start of work.
4. That the sanitary works, drainage works, water supply & plumbing work, electric work shall be carried out as per specifications. The completion certificate shall be submitted through competent registered consultant before asking for O.C
5. The work should be carried out as per sanctioned plans & no additional F.S.I. should be utilized other than as per sanctioned plans. If construction has been done beyond sanctioned or other than sanctioned plan then necessary action should be done as per clause no.52 of MRTP ACT 1966 & also it is your responsibility to remove the additional construction at your own cost. The proposed construction should be restricted for RESIDENTIAL purpose only.
6. That the work should be carried out on the plot/ land proposed for above project as per approved layout vide letter No. जा क्र. अं.मं. व बां.प.कक्ष /पीएमएवाय/७६१/२०२३ दिनांक ०४/१०/२०२३. All conditions of this approved layout are binding on applicant/ owner & are mandatory to comply.
7. It is to be understood that the foundations must be excavated down to hard soil and as per the soil testing report. For this, Necessary trial pits / trial bores shall be taken at the captioned property to ascertain the bearing capacity of the soil and foundation shall be designed accordingly. The soil test report & hard strata shall be approved from appointed R.C.C. consultant before actual start of work. The copy of the same shall be submitted accordingly
8. That the you have to prepare complete structural design , drawings for the bldgs to be constructed. The R.C.C. design shall be confirming to IS 456 of 2000 and relevant IS amended time to time. The RCC design shall be prepared taking into consideration the protection against seismic forces required for earthquake resistance structures and shall be based on appropriate seismic coefficient as per prevailing relevant IS. The RCC Design of buildings shall be got got approved from institutions such as IIT Mumbai/VJTI Mumbai/VNIT Nagpur/COE Pune or any other Gov. reputed Institute before actual start of work the copy of the same should be submitted to this office before Further C C & work should carried out under the supervision of R.C.C. Consultant.
9. That the work should be carried out entirely at applicant's own risk and cost and the Planning Authority/PMAY/MHADA will not be responsible for any mishap or irregularity at any time.
10. That the 7/12 extract of land should be free hold, if loading is on the 7/12 then, the same should be make free hold & the fresh free hold 7/12 should be submitted before further C.C.
11. That the NOC from Maharashtra Pollution control Board shall be obtained before actual start of work & shall be submitted to this office before asking for Further C C.

12. That the responsibility of any damage or loss of adjoining properties if any will vest entirely with the applicant and Planning Authority/PMAY/MHADA will not be responsible in any matter whatsoever.
13. All the terms and conditions mentioned in this IOA & Plinth C.C. to be issued will be applicable to the applicant and the Indemnity bond in prescribed Performa agreeing the terms and conditions in IOA & Plinth C.C. to be issued shall be submitted by the applicant at the time of issue of I.O.A.
14. If any dues are pending with Local Authority, N.A. Charges, Agriculture Tax or any other charges to be pending with concerned Authorities then the same should be cleared by Applicant and NO- Due Certificate with effect that should be submitted to this office before asking for O.C.
15. That the concerned Architect/Licensed Surveyor & Applicant/ Developer/Owner should give certificate that, the newly constructed building is in accordance with the plans approved by Planning Authority/PMAY/MHADA.
16. That the road widening proposed in the layout will be binding on the applicant. The applicant should develop the road widening area, approach road & internal road of layout at their own cost.
17. That the D.P. road widening area should be handed over to local authority. The 7/12 in the name of KDMC for road affected area of 589.06m² shall be submitted to this office before asking for Further C.C. The BUA for such as a road affected area of 589.06m² shall be restricted if not handed over to KDMC.
18. That the DP road widening area should be handed over to local authority before asking further C.C.
19. Requisitions of clause as per the Prevailing Development control Regulations of unified DCPR shall be complied with & Records of good quality of work, verification report, material test reports etc. shall be maintained on site till completion of the entire work.
20. As per the Unified DCPR ,development / construction of building requiring clearance from the authorities like Railway, Directorate of Industries, Maharashtra Pollution Control Board, District Magistrate, Inspectorate of Boilers and Smoke Nuisance, Defense Department, Maharashtra Coastal Zone Management Authority, Archaeological Department etc, the relevant no objection certificates from these authorities, if applicable shall be submitted before further C.C.
21. That the requirements of final N.O.C. from (i) M.S.E.B. before completion of work. (ii) PWD road Department before start of work., if necessary (iii) Water Supply Department before completion of work. (iv) Health Department before O.C. (v) NOC from concern Authority for parking etc's shall be obtained before completion of work. (vi) Drainage NOC from concern Authority before completion of work. (vii) To concern Local Tree Authority department and obtain NOC from them before start of work
22. If the land of the subjected project is affecting High Tied Line under red zone then plinth level of building should not be less than height of 0.50 meter above the Red Flood Line level as per clause 11.3 of Prevailing Development control Regulations of Regional Plan Area. Normally the plinth height should not be less than 0.30 meter above ground level or road level whichever is maximum as per UDCPR

23. That the qualified / Licensed registered site supervisor should be appointed.
24. This I.O.A. is being issued subject to submission of the notarized Comprehensive undertaking on Rs. 500/- Stamp paper in prescribed Performa.
25. That the owner should provide Water supply, Electric Supply & Drainage arrangement & also other basic facilities as their own cost.
26. That all the buildings are required to be designed with the requirements of all relevant IS codes including IS code 1893 for earthquake design (as per Earthquake Zone), the stability certificate as per UDCPR clause No.2.2.15 from Structural Engineer to that effect shall be submitted before issue of Plinth C.C./ Further C C/ O.C
27. That the owner / developer shall display a board at site before starting the work giving the details such as name and address of the owner / developer, Architect and structural engineer. A certified set of latest approved plans shall be displayed on site at the time of commencement the work and during the progress of the construction work.
28. That the UD's circular vide no. TPB,43200/2133/CR-230/01/UD-11, Date 10/03/2005 for Rain Water Harvesting & DCR.1094/2829/UD-11, Date 19/09/1995 for Solar Water Heating system as per adequate design should be provided.
29. That the Soil investigation will be done before actual start of work & the adequate strata shall be checked and approved by R.C.C.consultant.
30. That, if drainage line is not available on site, then it is mandatory to provide STP in adequate design approved by concern authority & also if the plot is more than 10000.00m² then, 10% open space shall be provided for Grey Water Treatment recycling plant shall be provided for subjected project.
31. That the MAHA RERA registration is mandatory for above project and registered copy for the same should be submitted before asking for further C.C.
32. **As per your request & accordingly competent authority's approval on your request to pay development charges payment of Rs.1,65,54,350/- in two installments, the 1st installment of the development charges of Rs.40,00,000/- should be paid before issue of Plinth C C & 2nd installment of Rs.1,25,54,350/- shall be paid before issue of Further C C. The interest at the rate of 18% P.A. should have to be paid also for the period from Plinth C C to be issued to further C C to be issued.**
33. That the as per your request & accordingly the competent Authority's approval on your request to pay labour cess payment of Rs.1,88,37,060/- in Four installments, the 1st installment of the labour cess of Rs.10,00,000/- should be paid before before issue of plinth C.C, 2nd installment of Rs. 60,00,000/- shall be paid within 4 months of issue of Plinth CC or Before Further CC whichever is earlier, third installment of Rs. 60,00,000/- within 9 months of issue of Plinth CC & 4th installment of Rs. 58,37,060/- within 12 months of issue of Plinth CC or before 02/12/2024 whichever is earlier. If the same amount will not paid in stipulated time period then उद्योग, उर्जा व कामगार विभाग,

यांनी जारी केलेल्या शासन निर्णयामधील तरतुदीनुसार the full amount with interest @2% p.m. for delayed period will be recovered from you.

34. That the Architect, Structural consultant shall verify the scheme is in progress as per sub-structure, super structure & as per plans sanctioned.
35. All terms and conditions of RERA Act 2016, Unified DCPR and D.P. Remarks will be binding to this project.
36. That the notice in the form of UDCPR shall be submitted on completion of plinth & after that, the plinth shall be got checked by this office staff before commencement of work above plinth/further super structural work. Further work of above plinth should not be started before verification of this office staff.
37. It is the responsibility of the developer to obtained NOC from Tahasildar, Collector Department for excavation of land before actual start of work & That the debris shall be disposed as per the norms of respective Local Authority.
38. That the payments intimated by Executive Engineer, BP/ PMAY/ A /MHADA shall be paid before issue of IOA / Plinth C.C. & if any other outstanding that may be asked by any other Govt. Dept./ planning authority, MHADA or Local Authority, the same shall be borne by the Owner/Developer/Applicant.
39. That the MOU/Agreement must be executed with concerned nodal agency department and copy of the same should be submitted before asking further C.C. All terms & conditions of MOU are binding to this project. The tenements for PMAY should be constructed as prescribed in the MOU /Agreement executed.
40. That the amended remarks of concerned authorities / empanelled consultants for the approved plan, if differing from the plans submitted for remarks, shall be submitted from respective Authorities.
41. That the work should be carried out and the Material testing should be done of all required material as per IS code, Red Book & N.B.C's Specifications & the report for construction materials used at site shall be obtained from Govt. Approved Laboratory as per required frequency.
42. That every person who shall erect as new domestic building shall cause the same to be built so that every part of the plinth shall be so located with respect to surrounding ground level that adequate drainage of the site is assured but height shall not be less than 0.30 cm. above the surrounding ground level as per clause of UDCPR
43. That the proposed actual date of start of work should be communicated to this office. That the quality control for building work/for structural work/supervision of the work shall be done.
44. That all the terms and condition of Central and State govt. G.R.'s/ notification issued time to time which are related to AHP (PPP) under PMAY are binding to this scheme.
45. That the permissible tenements for PMAY & Developer/ Owner should be as per GR issued vide no. शासन निर्णय क्रमांक : प्रआयो/२०१७/प्र. क्र. १२/ गृनिधो-२/शिकाना दि. ११ जानेवारी 2018.

46. That the Water connection for constructional purpose from concern authority shall be taken with prior approval from concern authority and if bore water shall be used for construction purpose then the same water shall be tested from reputed laboratories.
47. That to safeguard the plot is owner's/applicant's responsibility. The plot should be encroachment free. If any type of encroachment/unauthorized construction to be done on the plot area of layout after IOA issued then the same shall be removed by the applicant/owner at his own risk and cost, Planning Authority/PMAY/MHADA is not responsible for the same.
48. The NOC from Airport Authority is mandatory if necessary. & shall be submitted before Plinth C.C. All the terms and conditions of Airport Authority's NOC for subjected project should be adhered to and complied with
49. That the Provisions of the notifications of of dated 14/09/2006, 9/12/2016 & circular of dtd 27/12/2018 of Ministry of Environment, Forest & Climate change should be adhered to the applicant & action to be taken accordingly by applicant.
50. That the Construction area for subjected project mentioned in plan is 70762.80 sq.mtr. which is more than 20,000.00 sq.mtr. then the environment clearance from State Level Environment Impact Assessment Authority is mandatory to the subjected project The same should be obtained from them and shall be submitted before issue of Plinth C.C. The terms and conditions of E.C. are binding to the applicant.
51. That the Fire /CFO NOC for Bldg No.1, 2 & 3 commercial building & Podium is mandatory & should be submitted to this office before asking for Plinth C C. The terms and conditions of CFO NOC are binding to the applicant.
52. Area / Remaining Area (where structure of Club House is proposed as per UDCPR Clause 3.4.7) of the recreation open space shall be kept open to sky and properly accessible to all members as a place of recreation, garden or a playground.
53. That the consent to operate certificate for sewage treatment plant from Maharashtra pollution control Board shall be obtained & submit to this office before asking for O.C.
54. That the License for working of Lift & Fire NOC for all proposed lift shall be obtained and submitted to this office before asking O.C
55. Recreational open space shall have on independent means of access.
56. The owner shall have to give an undertaking that the recreational open space shall be for the common use of all the residents or occupants of the layout / building unit as per clause 3.4.2 of UDCPR. The conditions of clause 3.4.2 (i)(ii) of UDCPR is binding on owner / applicant.
57. If, any amendment is required in sanctioned plan then the approval for revised amendment plan is required to be taken by Planning Authority / PMAY/MHADA.
58. That the applicant shall permit the use of the internal layout roads to provide access to an adjoining land of layout & also shall provided access to recreational Open space & Amenity.

59. That the marginal distances shall be provided as per sanctioned plans & compound wall shall be erected on site before asking of further C.C. To insure that marginal distance can be measured as per drawing before issuing plinth completion certificate.
60. The compound wall shall be constructed as per design given by RCC Consultant. Strengthening of compound wall is whole responsibility of applicant. Also at some place to avoid land slides R.C.C. retaining wall should be necessary, the same should be designed & constructed under the supervision of R.C.C. Consultant.
61. That the applicant shall provide Over-Head water tank and Under Ground water tank to the bldg as per standard design and satisfaction of concern authority.
62. That the applicant shall strictly follow the prevailing Rules /Orders / Notification issued by the Labor Department, GoM from time to time, for labours working on site.
63. That the applicant shall provide at his own cost, the infrastructural facilities (such as internal Access, approach road, channelization of water, arrangements of drinking water, arrangements for commutation, disposal of sludge and sewage, arrangements of collection of solid waste ect) within the plot, of such standards (i.e. standards relating to design, material or specification) as stipulated by the corporation, before applying for Occupancy Certificate. Occupancy Certificate will be granted only after all these arrangements are made to satisfaction of the Planning Authority as well as Local Authority.
64. That this I.O.A. is being issued subject to submission of under taking for NOC of civil aviation if necessary, NoC of CFO, NOC of environmental clearance before issue of Plinth C.C.. Final NOC for water supply, electrical & drainage before completion & receipts of No Due Certificate from Local Authority for N.A. Charges or any other charges related to land paid upto March 2022 before asking Further C.C.
65. That all the terms & condition mentioned in Garden and Tree Authority NOC shall be binding to applicant. The developer shall obtain & submit the garden & Tree Authority final NOC before asking for O.C.
66. if any other departments NOC is required other than mentioned in this I.O.A., the same shall required to be obtained and copy to be submitted to this office.
67. That the, if there is a nallah existing near by or on subjected project's land then the NoC or remarks from concern Irrigation Department is required & the terms and conditions are binding to the project & to be complied with.
68. That the approach road should be provided for electric substation / transformer also amenity space & R.G.. Also, the adequate space should be provided for waste water treatment & recycling plant
69. The plot boundary should be confirmed from TILR before actual start of work and fencing / barricade should be provided to whole plot as a boundary before actual start of work.
- 70. According to the decision in 66th CSMC meeting held on 10/05/2023 which state that, "It has been decided in 66th CSMC meeting held on 10 May 2023 that all**

ungrounded houses under BLC, AHP and ISSR vertical sanctioned up to 31 March 2021 now stand cancelled / curtailed, Funds are not to be released against these ungrounded houses. Any spill over liability for completion of houses / projects will have to be borne by the State beyond scheme duration, i.e. 31/12/2024". The EE/BP/PMAY/A/MHADA will not be responsible if Central and State fund are not released for the subjected project as the CSMC sanctioned for the subjected project is on 22/02/2021 (i.e. before 31/03/2021)

71. The amount of Rs.6,64,450/- (Rupees Six Lakh Sixty Four Thousand Four Hunderd & Fifty Only) to be deposited to the Planning Authority as security deposit before issue of Plinth C.C. & shall be forfeited either in whole or in part at the absolute discretion of the Planning Authority for breach of any of the conditions stipulated in the I.O.A. as well as Commencement Certificate for Plinth. Such forfeiture shall be without prejudice to any other remedy or right of the Planning Authority.
72. The conditions of I.O.A. shall be binding not only on the applicant but also on his successors and every person deriving title through or under them.
73. As per your request and accordingly competent authority's approval as per norms of clause no.2.2.14(i)(B) option-2, out of total payable Ancillary Premium of Rs.2,80,90,780/-in 3 installment, the 1st installment of Rs.25,00,000/- should be paid before issue of Plinth C.C, 2nd installment of Rs.25,00,000/- should be paid before issue of Further C C alongwith the interest @ 8.5% p.a. from the period of date of Plinth C C issued upto date of Further C C to be issued and balance premium of Rs.2,30,90,780/- alongwith the interest @ 8.5% p.a. from the period of date of Plinth C C issued upto 02/12/2024 shall be paid on or before 02/12/2024. The owner / developer shall deposit post-dated cheques for balanced installment amount Rs.2,30,90,780/- with an interest due drawn on scheduled bank, as per the scheduled date of payment. The interest @ 8.50% should have to be calculated for balance premium of Rs.2,30,90,780/- for the period of date of Plinth C.C. issued to upto 02/12/2024. The receipt of the same should be submitted to this office accordingly
74. That the Intimation of Approval is given exclusively for the purpose of enabling you to proceeds further with the arrangements of obtaining No Objection Certificate from the Competent Authorities wherever required not for start of work.
75. The Construction work will be start only after the Commencement Certificate upto Plinth u/s 45 of MRTP ACT will be issued
76. That, if you failed to fulfill the IOA conditions then the commencement certificate will be granted under Section 45 (ii) of the Maharashtra Regional and Town Planning Act 1966, to be withdrawn.
77. That the Planning Authority / PMAY / MHADA reserve its right to withdraw, change, alter amend their IOA/Plinth C.C. letter and conditions mentioned herein in future at any point of time without giving any reason to do so.

78. That this IOA is issued based on available/submitted document. If it is subsequently found that the document/information submitted with your application for building permission are incorrect or forged, misleading then this IOA/Plinth C.C. will be cancelled and applicant will be held responsible for the consequences/losses, if any thereof arises in future.

79. That the Hon. Vice President/Authority, MHADA reserve the right to cancel the building permission (IOA/Plinth CC) without giving any notice.

DA: - one set (7 nos of plans)

sd/-

**Executive Engineer/B.P.Cell
PMAY/ MHADA**

Copy forwarded for favour of information :

1. Arch. Shradha Paranjpe, 303, Raghuveer, TMC School, Uthalsar Naka, Thane (W), For Information
2. Chief Officer, Konkan Board, MHADA.
3. Commissioner, KDMC
4. Asst. Director of Town Planning, KDMC
5. Chief I.C.T. Officer, MHADA for information & to be uploaded on official MHADA website.
- ✓ 6. Executive Engineer-II/PMAY/MHADA/A, for information

**Executive Engineer/B.P.Cell
PMAY/ MHADA**

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