



**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/551/2023

Dated: - 03 JUL 2023

To,  
Rustagi Estate Private Limited,  
16, 1st Floor, Khatau Building  
Alkesh Dinesh Modi Marg, Fort,  
Mumbai 400023.

*Sub*  
*10.07.2023*  
*10.7.23*  
*payal*  
To Cell,  
M. H. & A. D. Authority  
Inward No.: 1583  
Date: 07.07.2023

**SUB:** Proposed development of Bldg No.1 to 4 for 300 EWS tenements, 29 LIG tenements, 49 conv.Shops & School Bldg on plot bearing on Land Bearing Survey No. 98/4/A/2, 95/9, 95/7/D/2, 97, 98/4/C/1, 98/4/C/2, 101/1/D, 236 at Mouje Titwala, Ta – Kalyan, Dist – Thane under vertical AHP – PPP model under PMAY scheme.

**REF:** 1. M/s Rustagi Estate Pvt. Ltd. application for revised sanctioned plan dated 22/05/2023

Sir,

With reference to your application U/S 44 of the MRTP Act 1966 for revised plans for sanction submitted with letter dated 22/05/2023 and the plans, Sections, Description and further particulars and details of your buildings for Proposed development of building no. 1 of Gr.+6 & Bldg No.2 to 4 of Gr+7 for 300 EWS tenements, 29 LIG tenements, 49 Shops & school Bldg of Gr.+4 on plot bearing Survey No. 98/4/A/2, 95/9, 95/7/D/2, 97, 98/4/C/1, 98/4/C/2, 101/1/D, 236 at Mouje Titwala, Ta – Kalyan, Dist – Thane, under AHP model (PPP) under PMAY scheme.

I hereby inform 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. The IOA issued by this office vide letter No.EE/BP/PMAY/A/MHADA/220/2023 dtd.14/03/2023 along with sanctioned plans is hereby treat as cancelled
2. That the commencement certificate U/s-45 of MRTP Act shall be obtained before starting the proposed work.
3. That the structural Engineer shall be appointed and supervision memo as per provisions of unified DCPR shall be submitted by Applicant.
4. 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.

5. That the sanitary arrangement, drainage works, Water supply completion & Electric Work shall be carried out as per Specifications. The completion certificate shall be submitted through appointed consultant /licensed plumber before asking O.C.
6. 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.
7. 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/५०३/२०२२ दिनांक २७/०९/२०२२ & revised sanctioned layout to be issued. All conditions of this approved layout are binding on applicant/ owner & are mandatory to comply.
8. 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 copy of soil test report approved by competent authority should be submitted to this office before actual start of work.
9. **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 actual start of work & work should carried out under the supervision of R.C.C. Consultant.**
10. 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.
11. 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.
12. That the if you have submitted the notarized partnership deed on Rs.500/- stamp paper. then the same should be registered from concern department before issue of further C.C.
13. 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.
14. 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.

15. 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.
16. 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.
17. **That NOC from Pollution Control Board shall be obtained before actual start of work & to be submitted before asking Further C C.**
18. That the approach road should be constructed at your own cost before completion of work.
19. **That the DP road widening area & approach road & Internal road should be handed over to local authority before completion of work. The 7/12 in the name of KDMC for road affected area of 668.13m<sup>2</sup> shall be submitted at the earliest. The BUA for such a road affected area of 1069.00m<sup>2</sup> shall be restricted if not handed over to KDMC.**
20. 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.
21. 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.
22. 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 (viii) That the permission from Collector Dept. for excavation of land before start of work shall be taken.
23. 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
24. That the qualified / Licensed registered site supervisor should be appointed.
25. This I.O.A. is being issued subject to submission of the notarized Comprehensive undertaking on Rs. 500/- Stamp paper in prescribed Performa.
26. That the owner should provide Water supply, Electric Supply & Drainage arrangement & also other basic facilities as their own cost.
27. **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.**

28. 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.
29. 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.
30. That the Soil investigation will be done before actual start of work and the adequate strata shall be checked and approved by R.C.C. Consultant.
31. 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 4000.00 sq. m. then, Sewage Water Treatment recycling plant shall be provided for subjected project.
32. 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.
33. The amount of Rs. 2,17,780/- (Rupees Two Lakh Seventeen Thousand Seven Hunderd & Eighty 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.
34. That the Development Charges payment of Rs. 65,28,560/- should be paid before issue of Plinth C.C. & the receipt of the same should be submitted to this office before Plinth C.C.
35. That the as per your request & accordingly the competent Authority's approval on your request to pay labour cess payment of Rs.68,26,960/- in Two installments, the 1st installment of the labour cess of Rs.40,00,000/- should be paid before issue of Further C.C & 2nd installment of Rs.28,26,960/- shall be paid before 6 month from the date of issue of Further C C., 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.
36. 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.89,56,400/-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 and balance premium of Rs.39,56,400/- 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 02/12/2023. The owner / developer shall deposit post-dated cheques for balanced installment amount Rs.39,56,400/- 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.39,56,400/- 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**

37. That the Architect, Structural consultant shall verify the scheme is in progress as per sub-structure, super structure & as per plans sanctioned.
38. All terms and conditions of RERA Act 2016, Unified DCPR and D.P. Remarks will be binding to this project.
39. 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.
40. That the debris shall be disposed as per the norms of respective Local Authority.
41. 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.
42. **That the MOA/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 MOA are binding to this project. The tenements for PMAY should be constructed as prescribed in the MOA /Agreement executed.**
43. 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.
44. 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.
45. 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
46. 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. The monthly progress report of the work shall be submitted through the Architect.
47. 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.
48. That the permissible tenements for PMAY & Developer/ Owner should be as per GR issued vide no. शासन निर्णय क्रमांक : प्रआयो/२०१७/प्र. क्र. १२/ गुनिधो-२/शिकाना दि. ११ जानेवारी २०१८.
49. 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.

50. 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.
51. **As there is a change in the plot area & the R.G. area & the plot dimension of school building in the proposed layout. The revised layout shall be got approved before the issue of Further C C & same shall be submitted to this office.**
52. 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
53. 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.
54. **That the Construction area for subjected project mentioned in plan is 25645.97 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.**
55. That the Bldg Height is more than 24.00 m then the Fire / CFO Noc is mandatory and should be submitted before issue of Plinth C.C.
56. **That since there is school bldg proposed in the layout and part commercial component in bldg No.1, the developer shall get the CFO approval for school bldg & commercial portion of bldg No.1 & submit the same to this office before asking for Further C C.**
57. 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.
58. Recreational open space shall have on independent means of access.
59. **The owner shall give an undertaking to the respect 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.**
60. 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.
61. 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.
62. 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 ensure that marginal distance can be measured as per drawing before issuing plinth completion certificate.
63. 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 by R.C.C. Consultant.

64. 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.
65. 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.
66. 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.
67. That this I.O.A. is being issued subject to submission of NOC for civil aviation if necessary, NoC of CFO if necessary, 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 before asking O.C.
68. If Trees are affected in the project then the NOC from concerned Authority is mandatory. The NOC should be taken from concern authority before actual start of work. The Nos of trees should be provided as per the concerned Authority's norms before issue of O.C.
69. 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.
70. 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.
71. 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
72. The revised plot boundary should be demarcated from TILR before actual start of work and final copy of TILR (क प्रत मोजणी नकाशा) shall be submitted to this office immediately before asking Further C C. Also fencing / barricade should be provided to whole plot as a boundary before actual start of work.
73. That the Developer shall get the revised layout approval before the issue of Further C C.
74. That the developer shall submit the final joint measurement & submit the same to this office before the issue of further C C.

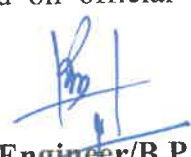
75. That the school is proposed in proposed amity area, then the required NOC if any from concern education department or any other department is required to be obtained before actual start of work.
  76. The conditions of I.O.A. shall be binding not only on the applicant but also on his successors and every person deriving title through or under them.
  77. 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.
  78. The Construction work will be start only after the Commencement Certificate upto Plinth u/s 45 of MRTP ACT will be issued
  79. That, if you fail to fulfill the IOA conditions then the commencement certificate granted under Section 45 (ii) of the Maharashtra Regional and Town Planning Act 1966, shall be withdrawn.
  80. That the Planning Authority / PMAY / MHADA reserves its right to withdraw, change, alter amend this IOA/Plinth C.C. letter and conditions mentioned herein in future at any point of time without giving any reason to do so.
  81. 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.
  82. 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 ( 29 nos of plans)

sd/-

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

**Copy forwarded for favour of information :**

1. Arch. Ub architects , 602-B Sarvoday 11.Kher Nagar, Bandra (East) Mumbai 400051, 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.

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