

मुख्य कार्यालय, विरार
विरार (पूर्व),
ता. वसई, जि. पालघर - ४०१ ३०५.



दुरध्वनी : ०२५० - २५२५१०१ / ०२/०३/०४/०५/०६
फॅक्स : ०२५० - २५२५१०७
ई-मेल : vasaivirarcorporation@yahoo.com

जाचक क्र.: व.वि.श.म.
दिनांक :

VVCMC/TP/CC/VP-0855/303/2023-24

13/02/2024

To,

1. Mr. Hemant R. Mhatre.
Wadivkar Sadan, Gaothan
Virar (W), Tal-Vasai
Dist-Palghar
2. M/s. En-Con, Project Consultants,
Reality House, 2nd Floor,
Opp. Newan Sky Building
Beside Mount Carmel School,
Kaul City, Vasai (W)
Taluka Vasai, Dist. -Palghar.

Sub: Commencement Certificate for proposed Residential Building No.4 Building on land bearing on land bearing on land bearing S.No.319 H.No.B1,B2,B3,B4;S.No.327B,Plot No.1,2,7,8 & 9(Old); S.No.319/B/1, 319/B/2, 319/B/3,319/B/4; S.No.327C/1,327C/2,327C/7, 327C/8 & 327 C/9 (New) of village Juchndra, Tal.Vasai, Dist. Palghar.

Ref:

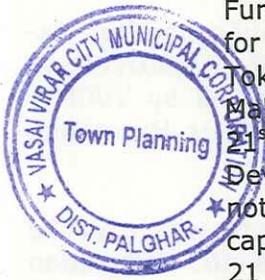
1. Commencement Certificate No. VVCMC/TP/CC/VP-0855/2224 dated 03/02/2012.
2. Revised Development Permission No. VVCMC/TP/CC/VP-0855/0227/2014-15 dated 02/12/2014.
3. Your Registered Engineer's letter dated 30/03/2022.

Sir/ Madam,

The Development Plan of Vasai Virar Sub Region is sanctioned by Government of Maharashtra vide Notification no TPS-1205/1548/CR-234/2005/UD-12 dated 09/02/2007. Keeping 113 EPS in pending. Further 5 EPS were approved vide Notification No. TPS-1208/1917/CR-89/09/UD-12 dtd. 13/03/2009, 31 EPS were approved vided Notification No.TPS-1208/1917/CR-89/09/UD-12 dtd 19/09/2009, Notification No. TPS-1208/1917/CR-89/08/UD-12 dtd 05/10/2009, 11 EPS were approved vide Notification No.TPS-1209/1917/CR-89/09 UD-12 dtd. 4th April 2012, 1 EP was approved vide notification no.TPS-1214/975/CR-77/14/UD-12 dtd. 16th August 2014 and 64 EPs were approved vide notification no. TPS-1214/975/CR-77/14/UD-12 dtd. 27th February 2015. Govt. entrusted Planning Authority functions for respective jurisdiction of Vasai-Virar City Municipal Corporation vide notification no. TPS-1209/2429/CR-262/2010/UD-12 dtd. 07/07/2010. Further Vasai Virar City Municipal Corporation is appointed by Govt.of Maharashtra as SPA for 21 villages Arnala, Arnala Killa, Patilpada, Mukkam, Tembi, Kolhapur, Chandrapada, Tokri, Khairpada, Vasalai, Rangao, Doliv, Khardi, Khochiwada, Pali, Tivri, Octane, Tarkhad, Maljipada, Satpala & Kalamb, notification no. TPS-1214/UOR-54/CR-17/15/UD-12 dtd. The 21st February 2015. The Development permission is granted on the basis of unified Development Control and promotion Regulations which was published as per Govt. notification No. TPS-1818/CR-236/18/SEC 37 (1AA)/UD-13 dtd.2nd December 2020. In the capacity of as Planning Authority/Planning Authority for respective jurisdiction and SPA for 21 villages VVCMC is functioning as per MRTP Act 1966. The details of permission are as under:

The conditions mentioned in the letter No. VVCMC/TP/CC/VP-0855/2224 dated 03/02/2012. are binding on you. The details of the layout is given below:

The details of the building is given below:



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Sr. No.	Predominant Building	Building No. /Sector No.	No. of Floors	No. of Flats	Built Up Area (P-Line Area) (In sq. mt.)
1.	Residential Building	Bldg. No. 4	Gr/St+16 floors	158	8589.05 sq.m

- 1) The commencement certificate shall remain valid for a period of one year for the particular building under reference from the date of its issue (Clause 2.7.1 of Unified Development Control and Promotion Regulations-2020).
- 2) You shall transport all the construction material in a good transport system and the material shall not be stacked in unhygienic / polluting condition/on road without permission of VVCMC.
- 3) You shall see that water shall not be stored to lead to unhygienic conditions like mosquito breeding/disease prone conditions.
- 4) You shall provide drainage, sewerage, water storage systems strictly to the satisfaction of Vasai-Virar City Municipal Corporation. Else occupancy certificate shall not be granted to you, which may please be noted.
- 5) You shall develop the access road to the satisfaction of Vasai-Virar City Municipal Corporation as per the width as shown in the approved plan (D.P. Road/ access obtained as the case may be) before applying for Plinth Completion Certificate. You shall give detailed engineering report comprising reclamation level to be maintained, Storm Water drainage systems, sewerage systems and water supply (tank sizes etc) before applying for Plinth Completion Certificate.
- 6) You shall construct cupboard if any, as per UDCPR Regulation.
- 7) You shall provide Mosquito proof treatment in order to avoid Mosquito breeding to the satisfaction of VVCMC. Occupancy Certificate will not be granted if Mosquito treatment is not provided by providing Dr. Major Covells system of Mosquito proofing to control Malaria to the satisfaction of VVCMC.
- 8) You shall provide two distinct pipelines for potable and for non-potable water.
- 9) You shall provide the Rain Water Harvesting systems as per Govt. notification No.TBA-432001/2133/CR-230/01/UD-11 dtd. 10/03/2005 & TPB-4307/396/CR-24/2007/UD-11 dtd. 06/06/2007 by appointing the Rain Water Consultants empanelled by VVCMC. Occupancy Certificate shall be granted after certification of Rain Water Harvesting systems by said empanelled consultant of VVCMC.
- 10) You shall construct the compound wall /Retaining as per site condition which will be design & supervised by certified structural engineer before Plinth Completion Certificate.
- 11) You shall submit subsoil investigation report for structural stability & Rain water harvesting purpose before Plinth completion Certificate.
- 12) You are responsible for the disputes that may arise due to Title/ Access matter. Vasai-Virar City Municipal Corporation is not responsible for any such disputes.
- 13) You shall provide flush tanks in all W.C/Toilets with dual valve system.



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- 14) You shall do structural Audit for the buildings under reference after 30 years of completion as per Government of Maharashtra Act No.6 of 2009.
- 15) You shall plant the plants by taking the sapling/Plants available with Vasai Virar City Municipal Corporation. You shall contact DMC, Vasai-Virar City Municipal Corporation and shall plant the same as will be directed by DMC, VVCMC under intimation to this office.
- 16) You are responsible for obtaining various permissions from other authorities subsequent to grant of permission like revised N.A order, PWD NOC, NOC from Highway Authority, NOC from Railway, NOC from MSEB, NOC from Eco Sensitive Zone, TWLS, MOEF, CRZ/wetlands etc., as may be applicable and N.A TILR as required as per N.A order and other applicable compliances. If any of the compliances as per other Dept/Acts/ requirements are not done, only you shall face the consequence arising out of such lapse from your side and VVCMC is not responsible for the lapses from your side.
- 17) You are responsible for complying with all conditions of N.A. order/sale permission / other permissions of other authorities including MOEF/CRZ/wetlands, TWLS etc. In case of any violation with reference to conditions of N.A. order / permissions of other Authorities, only you shall be responsible for the said violation and the same may call for actions by Concerned Authority as per their statutory provisions. Vasai Virar City Municipal Corporation has no role in the said matters. However if any conditions pertaining to validity of said orders are not complied like validity of N.A. order etc. Only you are liable for any actions as may be contemplated by the said authority notwithstanding the permission granted by VVCMC as the same need to be ensured by Concerned Authority.
- 18) You shall take all precautionary measures as per various statutory provisions including provisions as contained in National Building code of india in order to avoid injury/loss to lives and property during construction and till the property is handed over to the subsequent legitimate owner of the property. If any such incident occurs you are responsible for the same and VVCMC is not responsible for your negligence, in providing various precautionary measures to avoid accidents leading to loss of life, injury or loss of property
- 19) The responsibility of obtaining any other statutory NOC as per other acts shall be with the applicant.
- 20) You shall provide separate dust bins per wing of buildings for Dry & Wet waste & Composting unit as per MSW rules 2016 prior to Occupancy Certificate.
You shall abide by all conditions mentioned in MSW rules 2016 and guidelines/order about Solid Waste Management which needs to be implemented in your proposal from time to time as instructed by this office as per Swacch Bharat Mission and guidelines from VVCMC and State/Central Govt. You shall submit compliance report regarding the above before approaching this office for grant of Occupancy Certificate
- 22) VVCMC has asked IIT-Bombay and NEERI to prepare Comprehensive flood management plan by reviewing current development plan and past studies. The applicant shall have to adhere and do the necessary implementation as per recommendations of IIT Bombay and NEERI for flood management of Vasai Virar Sub region affecting for your layout.



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- 23) You shall provide temporary toilet Blocks at site for labours/ Workers for the ongoing construction activity. The temporary constructed toilets blocks shall be demolished before final Occupancy Certificate.
- 24) You shall provide Septic tank & Underwater tank on site as per IS Code 2470.
- 25) You will be liable to pay any charges/areas with applicable interest for your proposal as and directed by VVCMC/any other competent authority.
- 26) You shall provide Solar Assisted water heating SWH system to said layout if applicable.
- 27) You shall dispose of the debris/Material generated by demolition of the existing structures to the appropriate locations as specified by VVCMC and shall submit the Geo tagged photos regarding the same before Commencement of work at site, failure to do so if not will compel us to impose fine as per the directive of Hon'ble High Court in PIL 3/2023.
- 28) You shall provide Grey Water recycling as per clause 13.4 of UDCPR failure to provide Grey Water recycling as per clause 13.4 of UDCPR will compel us to take necessary actions including refusal of Occupancy to the buildings
- 29) As you shall provide STP as per MPCB letter dtd. 19/12/2023 if the Sewage generation is above 10 CMD. If the same is not provided Occupancy Certificate will not be granted to the buildings
- 30) You shall provide safety Grill for windows and other opening of habitable or non habitable rooms and other rooms in non Residential users also, in case of any mishap you shall face the Civil and Criminal cases arising out of this eventuality.
- 31) Right to access agreement shall be submitted before Commencement of work failing to which this Commencement Certificate stands invalid.
- 32) You should provide lightening resistant system and produce the Certificate from Licensed agency for each building at the time of Occupancy Certificate.
- 33) If any legal matter arises at any Civil/Criminal Courts or in Hon'ble High Court, any revenue/co-operative court or with any Govt. Authority like Police, NCILT, ED, etc., the said permission stand cancelled without giving prior notice or opportunity being heard.
- 34) You shall be legally responsible for taking care of provisions of RERA in respect of present amendment where third party rights are created by way of registered agreement for sale or lease of apartment by taking consent from interested party or persons. Any disputes that may arise due to violation of said provisions Vasai Virar City Municipal Corporation is not responsible for such disputes.
- 35) The responsibilities of Architect, Licensed Engineer and Structural Engineer shall be as per C-2.3, C-3.3, C-4.3, C-8.3 of UDCPR if any of the responsibilities are violated the eventuality shall be faced by the concerned technical person accordingly.
- 36) You shall be held Responsible for any future disputes arising regarding the Access Road to the plot, if any disputes arises in future it is to be purely delt by you and VVCC shall not be responsible for the same
- 37) The location is affected by Wetland as per wetland atlas. In PIL 87/2013 Hon'ble High Court of Mumbai gave directives to State Govt./M.C. to follow wetland atlas and in case if any development is envisaged leave of court is to be taken. Also High Court directed



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to prepare brief document. Collector, Palghar prepared and submitted brief document to Govt. and Govt. submitted the same to Hon'ble High Court. Recently in two cases Hon'ble High Court gave verdict to follow brief document. The case number Writ Petition No. 303 of 2019 with Interim Application No. 2312 of 2022 with Interim Application No. 1072 of 2021 and Writ Petition No. 4365 of 2022 are enclosed. In this case the Environment Dept. has mentioned in the letter dated 11th Jan 2019 that the location is not covered in definition of wetland as per clause no. 2(1)(g) of wetland rules 2017. As per the reference No.13, Director (Environment) and M.S. Maharashtra State Wetland Authority, Environment and climate change department Govt. of Maharashtra, clearly clarified that the land falling in this proposal have not been tagged as Wetland as per brief document of Collector Palghar.

- 38) Director (Environment) and M.S. Maharashtra state wet land authority ,Environment and climate change department Govt.of Maharashtra ,clearly clarified that the lands falling in this proposal have not been tagged as wetland ,as per brief document of collector palghar.
- 39) Wetland rules, the notification 26/09/2017, vide clause no.2 (I) (g) specify as below:
"Wetland means an area of marsh, fen, peat land or water; weather natural or artificial, permanent or temporary, with water that is static or flowing, fresh, brackish or salt. Including areas of marine water, the depth of which at low tide does not exceed six meters, but does not include river channels, paddy fields, human-made water bodies/ tangs specifically constructed for aquaculture, salt production, re-creation and irrigation purposes".
- 40) In this regard clarification pertaining applicability of National Wetland Atlas to plot bearing S.No.297/2,309/1,319/B, H.No.1 to 10, B, S.No.327/B, 327/1/2, 371/2/2 of Vill- Juchandra, it is observed that lands under reference have not tagged and not marked as Wetland as per Director (Environmental) and M.S. Maharashtra State Wetland Authority.
- 41) You shall submit consent to establish for the entire proposal before commencement of additional work at site.
- 42) You shall develop RG-1 & RG-3 before applying for Final Occupancy Certificate.
- 43) You shall obtain title remark from legal advisor vvcmc within one month from the date of issue.
- 44) You shall construct compound wall at site.
- 45) Any breach of conditions mentioned above and not complied in given timelines will lead to cancellation of this order without giving any notice or any opportunity to be heard by following natural justice.

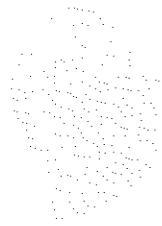


c.c. to:

1. Asst. Commissioner, UCD,
Vasai-Virar city Municipal Corporation.
Ward office
Dist:-Palghar.

sal
Commissioner
Vasai Virar City Municipal Corporation
Certified that the above permission is
issued by Commissioner VVCMC, Virar.

[Signature]
Deputy Director,
VVCMC, Virar.



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