

Additional Notes

Date.27th August 2025

New Bombay Co-Op Commercial Complex Premises Society Ltd., a registered Co-operative Society bearing Registration No. TNA/General/O/306/1986-87 dated 22.09.1986, was allotted a commercial plot bearing **Plot No. 43, Sector 11, CBD Belapur, Navi Mumbai**, admeasuring **3969.10 sq. mtrs**, by **CIDCO (City and Industrial Development Corporation of Maharashtra Ltd.)** under Agreement to Lease dated **30th July 1986**, for a lease term of **60 years**, with **FSI 2**, for the purpose of Commercial development.

The Society appointed **M/s Hemraj Construction Co.** as the Developer under a Development Agreement executed in the year 1986, and appointed **Architects Anil Nagrath & Associates** as Society's Architect for purpose of preparation of the Sale Plans and Building Plans and to get them approved by CIDCO and Concern Authorities.

The Society, Developer, and Architect prepared and distributed a **Sale Plan Brochure**, which formed the basis for Allotment of **Shops and Offices**, showing **Super Built-Up Area of Shops and Offices** within the commercial building. This methodology for determining Super Built-Up Area was uniformly applied to all members during the allotment process and remains consistent with the Society's internal policies and resolutions. **Determination of Super Built-Up Area, comprising :**

- Built-up shop areas with **loft area** + proportionate share of common areas (lifts, lobbies, passages, staircases, etc.).
- Built-up office areas with **attached terrace areas** (where applicable) + proportionate share of common areas (lifts, lobbies, passages, staircases, etc.).

The Society commenced allotment of individual Shops and Offices in **December 1989** as per the above-referred **Sale Plan – Brochure**.

The **super built-up areas** as mentioned in the **Sale Plan – Brochure** were used for execution of **Agreements for Allotment**, which were duly **stamped and registered**, and the same have been **submitted to and accepted by the office of the Collector of Stamps and Sub-Registrar**, with most registrations completed prior to the year **2012**.

From **Dec. 1989 onwards**, units were allotted and agreements executed based on **Super Built-Up Area** as per brochure.

Litigation & Permissions

CIDCO revoked permission on **15.05.1989** and denied Occupancy on **31.07.1989**.

Society appealed to Govt. of Maharashtra.

Urban Development Dept. Order dated 08.04.1991 (CR-323/90/UD-10) set aside CIDCO's revocation, directing revalidation and grant of Occupancy with **FSI 2**.

CIDCO issued **Part Occupancy Certificate on 20.04.1991** for the constructed building (Basement + Ground + 5 upper floors).

Civil work remained incomplete for years; fresh society elections in **2009** revived management.

NEW BOMBAY CO-OPERATIVE COMMERCIAL COMPLEX PREMISES SOCIETY LTD

Registration No. TNA/General/0/306/1986-87 Dt.22/09/1986

Sector No.11, Plot No.43, Opp Belapur Rly. Station, C.B.D., Belapur, Navi Mumbai-400614

Society Charges

The methodology for determining Super Built-Up Area was uniformly applied to all members remains consistent with the Society's internal policies and resolutions, including the Resolution dated **15.03.2009**, which confirmed that Society charges would be levied on the **Super Built-Up Area** basis. @ ₹ 1/- per sq.ft. (Super Built-Up Area as per Sale Plan Brochure) per month (ad-hoc basis).

All society charges (maintenance, repairs, sinking fund, transfer charges, etc.) continue to be collected on **Super Built-Up Area basis as per Sale Plan Brochure**. The Society has completed construction of building under supervision of **Architects Anil Nagrath & Associates**.

Full Occupancy & Lease Deed

After scrutiny of plans, inspections, area certifications, and compliance with statutory requirements, **Navi Mumbai Municipal Corporation issued Full Occupancy Certificate on 13.07.2017, Ref. No. 7590/2986/2017.**

Owing to variations in actual constructed units on Ground, First, Second, Third and Fourth floors vis-à-vis with the CIDCO sanction plans - Commencement Certificate **21.01.1987, Ref No. BP/CBD/11-43/100, Architects Anil Nagrath & Associates** prepared and submitted **revised floor plans** for Ground, First, Second, Third and Fourth floors to Navi Mumbai Municipal Corporation (NMMC) on **23.06.2016**. and proposal for amalgamations, subdivisions & renumbering of units to match actual allotments on **07-09-2017**

Navi Mumbai Municipal Corporation has given its approval for Architects **Anil Nagrath & Associates** proposal for subdivisions & renumbering of units on **20.09.2017** and for amalgamations, subdivisions & renumbering of units on **06.12.2017**.

After receiving Full Occupancy Certificate and approval for amalgamations, subdivisions & renumbering of units from **Navi Mumbai Municipal Corporation**, the Society made application to **CIDCO** for Execution of Lease Deed as per carpet and built-up area statements prepared and certified by Architects **Anil Nagrath & Associates**.

CIDCO Ltd executed **Lease Deed** between **CIDCO Ltd** and **New Bombay Co-Op Commercial Complex Premises Society Ltd** on date **23rd January 2019** which is registered with the **Sub-Registrar Thane** on **23-01-2019** having Registration No. **TNN6/929/2019 Dated 23-01-2019**.

CIDCO Ltd has confirmed the Leasehold rights in respect of the Plot in favor of **New Bombay Co-Op Commercial Complex Premises Society Ltd** on **28-01-2019**, Ref No. **CIDCO/M(TS-1)/EO(1)/2019/5296**.

Area Clarifications

As per **M/s. Anil Nagrath & Associates** (Project Architect), the following definitions are applicable and **accepted by CIDCO & NMMC** for assessment, OC, property tax, transfer charges:

Carpet Area → Net usable area within walls of shops/offices, excluding walls, ducts, service shafts.

Built-Up Area → Carpet Area + wall thickness + ducts, Service shafts within shops/offices (as per 1987 DCR)

Super Built-Up Area → Built-Up Area + proportionate share of common areas (lifts, lobbies, passages, staircases, etc.) + Loft area of shop (applicable for Shops) + Proportionate areas of attached balconies/terraces/covered chajja within / attached with office (where applicable) **as per Sale Plan Brochure**.

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✓ CIDCO & NMMC have recognized the Architect's Certified Carpet Area & Built-Up Area statement for:

Occupancy Certificate

Lease Deed execution

Property Tax assessments

CIDCO Estate Department Transfer Charges

MSEDCL – Electricity department for allocation of power – load supply

NMMC taxation & Airport Authority clearance

Legal Position

The **Agreement to Lease (1986)**, subsequent approvals, and **Govt. of Maharashtra Order (1991)** conclusively establish that the society is entitled to FSI 2 and Occupancy.

All agreements / allotments with unit holders are based on **Super Built-Up Area** as per original Sale Plan Brochure.

For statutory purposes (CIDCO, NMMC, Tax), the **Architect-certified Carpet & Built-Up Area** are binding and have been accepted by all government authorities.

Hence, there is no ambiguity in area calculations—the **Super Built-Up Area** was commercial sale terminology for member allotment, whereas **Carpet & Built-Up Area** are the legally recognized and certified measurements for government and statutory records.

Conclusion

The **Carpet Area and Built-Up Area statements prepared, certified and submitted by M/s. Anil Nagrath & Associates** are final, conclusive, and binding for all statutory and legal purposes.

The **Super Built-Up Area** shown in the original Sale Plan Brochure remains relevant for internal society records, Society charges, allotment of Units and agreements with members.

The members may rely upon the Architect's certified statement (already approved and accepted by CIDCO, NMMC, Airport Authority) as the final **Area Certificate** for all ongoing and future submissions.

Additional Notes are based on information and details provided by Promoters, Architects and Consultants.

For New Bombay Co-Op Commercial Complex Premises Society Ltd



Prashant N Shah

Hon. Gen. Secretary



Enclosed : 1) Sale Plan – Brochure
 2) Architect-certified Carpet & Built-Up Area Statement.