

S. S. Hussain I.A.S. (Ex)

Chief Executive Officer

Ref. No. MCHI/CEO/16-17/301

July 17, 2017

Sub: Appointment of MHADA as Special Planning Authority under Sec.152(4) read with Sec.2-15 (c) of MRTP Act 1966

Dear

Maharashtra Housing Area Development Authority (MHADA) has played a pioneering role in the State of Maharashtra for providing affordable housing in urban and semi-urban areas for the last 40 years. In the city of Mumbai, MHADA has developed more than 104 layouts spread over an area in excess of 3520 acres i.e. 1600 hectares. Most of these layouts have been developed by MHADA in the 80's/90's and with the efflux of time, the buildings built by MHADA in these layouts have dilapidated. Taking the same into consideration, the Government of Maharashtra with the view to promote redevelopment of such MHADA colonies introduced the DC Regulation 33(5) in DCR 1991. Under the DC Regulation 33(5), occupants/members of societies built within the MHADA layouts are permitted to redevelop their buildings/layouts subject to terms and conditions contained in the said regulation.

As per the current process in vogue, MHADA has to first approach the Municipal Corporation of Greater Mumbai (MCGM) for obtaining approval of its layout under the DC Regulation 33(5). The layout approval is processed by the Special Cell of MCGM, which deals with layouts belonging to Government agencies. Subsequent to the approval of the layout, by the Municipal Commissioner, the individual societies situated within the layout (if opting for redevelopment) choose a developer who after obtaining their consents submits the proposal to MHADA for issuance of NOC. MHADA verifies the submission of the developer and after scrutiny issues the NOC to the developer. The developer thereafter submits his plans along with MHADA's NOC to the respective Building Proposal (BP) Department of the MCGM for further approval of the plans. The building proposal department scrutinizes the proposals and invariably submits the proposal for approval of concessions to the Municipal Commissioner (MC). The BP-MCGM department thereafter issues the IOD/CC to enable the developer to commence construction of the project and after completion of the project issues the Occupation Certificate to the project.

MHADA has submitted proposals to the MCGM for several layouts and as on date, more than 70 layouts are pending for approval of the MCGM since the year 2007-08. In the absence of the layout approval by MCGM, MHADA has been issuing ad-hoc NOC's to the buildings within such layout by restricting the FSI to 90% of the permissible FSI. As a result thereof the redevelopment of the individual societies are not completed with the full development potential available under DCR 33(5). Moreover the building plans approval by the BP-MCGM department situated in a separate office takes anywhere between 6 months to 1 year. As a result of this a developer has to shuttle between MHADA, Special Cell of the MCGM and the Building Proposal department of the MCGM for approval of its plan.

To remove this inefficiency in the system, we have been informed that a meeting was convened by the Hon'ble CM's in the Housing War Room on 3rd December 2015, wherein it was inter alia agreed by all present that MHADA be appointed as a Special Planning Authority (SPA) for its own project. In deference to this decision, the UD Department appointed MHADA as the SPA for all the BDD chawls, which are significantly smaller in comparison to MHADA's own layout. However, the UD Department did not appoint MHADA as SPA for undertaking redevelopment of MHADA colonies under DCR 33(5) and as a result of which even today redevelopment of MHADA colony and approval required thereof takes between 2-3 years.

To reduce the time taken and avoid this circuitous route for obtaining approval and commencing / completion for redevelopment of MHADA colonies it is submitted that MHADA be made the SPA in respect of all MHADA colonies and such a decision will go a long way to promote the single window clearance of the Government and its objective of ease of doing business. We are enclosing hereto several letters written by successive VP's/CEO to the Government in this regard with a request that the Government appoints MHADA as a SPA for all MHADA layouts on the same lines as BDD Chawls.

Thanking you,

Yours



(S. S. Hussain)

To,
Shri Milind Mhaikar (I.A.S.)
Vice President & Chief Executive Officer,
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Government of Maharashtra
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