

**MANAGING COMMITTEE
2012 - 2013**

PRESIDENT
Paras Gundecha

IMMEDIATE PAST PRESIDENT
Sunil Mantri

PRESIDENT-ELECT
Vimal Shah

VICE PRESIDENTS
Dharmesh Jain
Mayur Shah
Nayan Shah
Deepak Goradia

HON. SECRETARY
Boman Irani

HON. JOINT SECRETARIES
Rasesh Kanakia
Harish Patel
Nainesh Shah

TREASURER
Ashok Mohanani

JT. TREASURERS
Mukesh Patel
L. P. Bhagtani

CO-ORDINATORS
Sukhraj Nahar
Pujit Aggarwal
Sandeep Runwal

COMMITTEE MEMBERS
Bandish Ajmera
Sujal Shroff
Parag Munot
Rajan Bandelkar
Vikas Walawalkar
Jayesh Shah
Nayan Bhedra
Sanjay Chhabria
Rajendra Chaturvedi
Jagdish Ahuja

INVITEE MEMBERS
Sandeep Raheja
Mukesh Mehta
Rakesh Sanghvi
Suhail Khandwani

MCHI-CREDAI UNITS
Shailesh Puranik, President,
Thane
Shrikant Shitole, Hon. Secretary
Kalyan-Dombivli
Shailesh Sanghvi, Secretary
Mira Virar City
Rajesh Prajapati, President
Raigad
Arvind Goel, President
Navi Mumbai

PAST PRESIDENTS
Pravin Doshi
Mohan Deshmukh
Motatraj Munot
Niranjan Hiranandani
Rajni S. Ajmera
G. L. Raheja
(Late) Lalit Gandhi
(Late) Babubhai Majethia



Ref. No. MCHI/PRES/12-13/107

January 10, 2013

To,
Hon'ble Shri Jayant Banthia (I.A.S.)
Chief Secretary
Government of Maharashtra
1st Floor, Main Bldg.,
Mantralaya,
Mumbai - 400032



Dear Sir,

We, at MCHI, once again congratulate you on your appointment as Chief Secretary, Government of Maharashtra and sincerely look forward to a fruitful way forward in fulfilling the need to see the changes that have been the prime need of the people of the MMR region i.e. 'Homes For All'.

A number of key issues facing the Real Estate Industry are crippling the sector, which require prompt remedial action. The same have been discussed with the Hon'ble Chief Minister during the meets held on 1st May, 2012 and 18th September, 2012. In this respect, the last meet of the MCHI delegation with the then Hon'ble Chief Secretary, Shri Ratnakar Gaikwad was held around nine months back i.e. on 9th April, 2012. (A copy of the minutes of the same is attached herewith).

The key issues discussed and subsequent decisions taken, are briefly tabulated here as under:

Sr. No.	Issue	Discussion Outcome / Deliberations as on 1 st May, 2012	Directions given by Hon'ble CM on 18 th September, 2012	Status as on 9 th January, 2013 and action to be taken
1.	SPEEDY (60 DAYS) APPROVAL BY ULBs	It was proposed that a Monthly Monitoring Mechanism could be set up, whereby all clearances would be put up on a website, and average time taken will also be known.	Government has made it mandatory for approvals to be made within 60 days and the same to be implemented by issuing requisite	The same is pending. Infact, the non-discretionary system set up by the then Municipal Commi-ssioner, Shri Subodh Kumar had a twin objective:

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MCHI-CREDAI (ISO 9001:2008)

Maker Bhavan II, 4th Floor, 18, V. Thackersey Marg, New Marine Lines, Mumbai - 400 020.
Tel.: 4212 1421, Fax : 4212 1411/407, Email : secretariat@mchi.net
Website : www.mchi.net

		<p>This will promote accountability at each level. The Hon'ble Chief Minister said that like the Central Environment Department, the State Government too could follow this lead.</p>	<p>circulars to all ULBs for implementation of Speedy Approvals.</p>	<p>i) Level playing field (no discretion) ii) Assurance of timely approvals While i) has been created, system set up of getting clearance within 60 days is nowhere close to it. Recommendation: Necessary instructions be issued to make approvals mandatory within 60 days.</p>
2.	ENVIRONMENT	<p>On the issue of Environment, the Chief Minister said he had personally written to the Ministry in Delhi, and was pursuing the issue. He said we have forwarded file to Environment Ministry at Delhi for approval for an additional committee for MMR. The two committees will be given a mandate to meet regularly to clear the backlog of approvals.</p> <p>With reference to the recent office memo on the height of Building, he had written a letter to the Environment Ministry on its impact on Real Estate here. But this</p>	<p>Notification for the 2nd Appraisal Committee for Environment Clearance for Mumbai Projects has been issued by MOEF, New Delhi on 26th June, 2012.</p> <p>Also, relief to be granted from the MOEF Notification (for High Rise Buildings) dated 7th February, 2012 by keeping the same in abeyance by taking it to an appropriate forum in Delhi</p> <p>3rd Committee for Industry to be formed.</p>	<p>Office Memorandum dated 11th December 2012, for committee constituted (copy attached) for review of Road Width, Construction, SEZs and Road Projects.</p>

		being a Central matter, there were jurisdictional issues. But he stressed that the Terms of Reference being drawn up for the proposed committees will be underlined by absolute clarity and clearance of all backlog. If need be, the Chief Minister said he was ready to make an approach at the PMO level.		
3.	AUTOMATIC N.A.	<p>The Chief Minister said that the Cabinet in 2009 had rejected Auto NA. The Revenue Department would put up a new note to the cabinet.</p> <p>The grant of Automatic NA was under active consideration of the Government in respect of Class-I lands and Class-II lands. However, he said there were issues of ownership, occupancy, with Tribal, SC, reservations needing to be taken into account. It may require modification of MRL act. Till then we can adopt Nashik pattern for</p>	<p>a) "Nashik pattern" as per GR dated 4th July, 2012 to be implemented within 30 days.</p> <p>b) The Committee Report of all Collectors on Registered Power of Attorney to be treated as a valid document.</p>	Pending

		NA.		
4.	HIGH RISE COMMITTEE	<p>It was submitted to the Chief Minister that the Municipal Commissioner had prescribed 120 mtrs. as the minimum height. The Chief Minister made a reference to the National Building Code's 100mtrs. norm. High Rise in 2004 had expeditiously cleared proposals.</p> <p>It was suggested the High Rise Committee should look into the minimum permissible height, and Structural Safety issues. It was proposed that a minimum height could be prescribed for all ULBs, wherein proposals that come below the minimum height would not go to the Committee. Other cases, could be referred to a Panel of Experts from institutions such as IITs.</p> <p>The Government agreed that Terms of Reference of the High rise Committee would be looked into, particularly in view</p>	<p>a) MCGM to finalise Terms of Reference within 30 days. Government to set up a Committee to review Terms of Reference submitted by MCGM within 30 days.</p> <p>b) CC upto 70 m to be issued on the indemnity and undertaking and at the risk of the Developer. Necessary instructions to be issued within 30 days.</p>	<p>Pending.</p> <p>MCGM Recommendations to be implemented</p>

		<p>of existence of Environmental Committee. Various options like peer review, etc. are under Government's active consideration. The decision of the CM would be taken very quickly with regard to this Committee.</p>		
5.	ULC	<p>Mr. Boman Irani submitted that ULC should be scrapped in letter and in spirit. He said that ULC issues could be handed over to ULBs.</p> <p>The CM agreed to the need to do away with the department, subject to checks being put in place, to ensure the commitments made by Developers under ULC, are fulfilled.</p> <p>It was said that there were 2800 cases pending in residential projects for The Advocate General had expressed a negative view on ULC. And the Government would be taking the opinion of the Attorney General.</p>	<p>Opinion from Attorney General of India to be taken within 30 days.</p>	<p>Opinion from Attorney General is pending.</p> <p>The same to be expedited in 7 days. Scrap ULC completely as done in other states.</p> <p>NOC procedure to be streamlined pending legal solution & NOC to be issued within 7 days.</p>

		The Government would take suitable action on this issue, at the earliest.		
6.	CIVIL AVIATION	<p>The CM agreed with the view that various heights can be prescribed on a three-dimensional basis for the entire MMR. He promised to take up the matter with the Civil Aviation Authorities in Delhi. Mr. Rahul Asthana, Commissioner-MMRDA, said he had written to the Hon'ble Civil Aviation Minister, Shri Vyalar Ravi on the issue of Civil Aviation clearances for projects in Mumbai. The Chief Minister expressed surprise that when international norms from ICAO were available, why it was so difficult to set clear guidelines for Mumbai.</p> <p>Mr. Dharmesh Jain made a reference to the proposed Navi Mumbai airport, wherein a radius of 20 kms has been prescribed. It was also pointed out that the Civil Aviation Committee had not</p>	<p>Guidelines to be issued to ensure clarity and simplicity so that no individual cases need to approach individually for approvals. Government of Maharashtra to follow up within 30 days.</p>	<p>Pending</p> <p>Radial Method like in Hyderabad can be followed and zoning to be done ASAP & plan to be published.</p>

		<p>met for 9 months.</p> <p>On the point of letting ULBs being given the charge of Civil Aviation clearances, Mr. T C Benjamin, that the subject was too sensitive to be handed over to ULBs.</p> <p>The Chief Minister said will take the issue of Civil Aviation with him to Delhi, and meet with the Civil Aviation Minister.</p>		
7.	RENTAL HOUSING	<p>The Chief Minister observed that he had received a note on committee of Rental Housing, and that he was not happy with the situation. The Government reiterated that Rental as well as Affordable Housing was the need of the hour. And the Government would come out with further clarification and simplification in respect of Rental/Affordable Housing in a very short time.</p>	<p>Any change should be prospective in nature and not retrospective. Locational clearance given (whether valid as on today's date or not), following instances shall be considered as a commitment where the Locational clearances is granted (whether revalidated or not) or where letter of comfort or letter of Intent to consider the proposal of</p>	<p>To clear all files as per current rules.</p> <p>As after Locational clearance at least it takes 12 to 15 months to start the work.</p> <p>MMRDA to achieve 5 lacs rental Homes target at earliest .</p> <p>Huge confusion exists. Only case by case approvals are given.</p> <p>Our only request is decision to be taken about the future of the Scheme.</p>

			<p>Rental Housing to be made by the owner/developer were given by MMRDA such instances should be considered as a "commitment" and old policy should be continued in this case or cases where MMRDA could not process Locational Clearances only for want of Government clarifications, Government technicalities like ULC clearance etc. These cases should be considered as commitment and considered as "logged-in" cases.</p> <p>MMRDA to consider old cases and to make reference to the Government within 30 days. Government to decide the reference made by MMRDA there from within 30 days.</p>	
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8.	MCHI UNITS	<p>i) Uniform DCR</p> <p>ii) Independent Meets-After Mr. Boman Irani's presentation, each Unit of MCHI-CREDAI also made a representation to the Hon'ble Chief Minister, highlighting their region's issues and problems. The Chief Minister, duly taking note of these presentations, offered to call a separate meeting of all, so that their region-specific problems would be addressed in more detail.</p>	PS UDD (I) to meet all units within 30 days.	<p>Pending</p> <p>Separate meets - unit wise - to be held at the earliest.</p>
9.	33(9) CLUSTER REDEVELOPMENT SCHEME ,	i) Review of pending proposal with Govt./HPC	Government appointed committee to take decision within 30 days.	Pending
10.	33(7) REDEVELOPMENT OF CESSED BUILDINGS,	ii) Guidelines for implementing cluster redevelopment scheme.		Pending
11.	33(5) REDEVELOPMENT OF MHADA COLONY	<p>Implement the recommendation proposed by MHADA</p> <p>Implement the suggestions proposed by MLAs</p>		Pending

		& Public Representatives		
12.	MHADA 33(5) ON PRIVATE LAND	37 (1) AA has been done and hence the Government should immediately proceed with the approvals under 37(2), as the State is losing revenue on a daily basis.	37(2) to be implemented within 30 days.	Pending
13.	DCR	60 days approval	a) Minor modificatio ns suggested by Municipal Commi- ssioner to be finalized by PS (UD) within 30 days. b) Uniform DCR as suggested by the Committee under the chairmansh ip of the then PS (UD), Shri. T. C. Benjamin to be adopted within 30 days.	An Advisory Committee to be appointed who are part of the formulation of the new DCR as, with any new law, there are lot of clarifications that need to be sought and hence, this Committee may work as an advisory to the Municipal Commi- ssioner.
14.	AFFORDABLE HOUSING UNDER 33 (XX)		Decision of Hon'ble CM is that UD to come up with a special DCR for Affordable	Congratulations that the Special Townships Scheme vide GR dated _ _ _ _ _ _ has been announced and

			Housing within 30 days.	Industrial Policy has been announced on 4 th January, 2013.
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In view of the above, it is the need of the hour that the 'Homes For All' Committee, which is headed by your goodself, and ably assisted by the Secretaries - sets policies in a transparent and time-bound manner so as to ensure that development becomes automatic and it has become pertinent that all the burning issues cited by MCHI are followed by immediate decisions and implementation of the same can put housing (which is one of the primary needs) on the fast track.

We are hopeful that under your guidance and leadership, we can surely look forward that a uniform, transparent, speedy system is set in place across all ULBs in MMR.

With Best Regards,
For MCHI-CREDAI



Paras Gundecha
President

Mobile No: 9821092439