

Ref. No. MCHI/PRES/12-13/035

August 16, 2012

To,
Mr. Manu Kumar Srivastava (I.A.S.)
Principal Secretary,
Department of Urban Development (I)
Govt. of Maharashtra
Mantralaya,
Mumbai 400 032

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16812
Clerk
Urban Development Deptt.
Mantralaya, Mumbai - 32.

Sub.: Meeting on 8th August, 2012 from 4.15 pm to 5.30 pm.

Dear Sir,

We, at MCHI, once again congratulate you on your appointment as Principal Secretary for Urban Development Department (I). This is one of the most important portfolio which decides the way Maharashtra will look in the next 3 years and your decisions will have a long lasting impact.

Present Dignitaries':

From Urban Development Department

1. Mr. Manu Kumar Srivastava (I.A.S.) Principal Secretary (I),
2. Mr. Rajan Kop, Joint Secretary,
3. Mr. Sudhakar Nangnure, Divisional Deputy Director, Kokan Bhavan
4. Mr. Sanjay Banait, Under Secretary, UDD-11

From MCHI CREDAI

1. Paras Gundecha, President
2. Vimal Shah, Elect President
3. Boman Irani, Secretary
4. Dharmesh Jain, Vice President
5. Mayur Shah, Vice President
6. Deepak Goradia, Vice President
7. Nainesh Shah, Joint Secretary
8. Lakshman Bhagtani, Joint Treasurer
9. Sandeep Runwal, Co-ordinator
10. Avadhoot Rane, General Manager (Liaison)

Mr. Boman Irani gave a welcome note and briefed Principal Secretary (UD) about the 1st May, 2012 meet with the Hon'ble Chief Minister (Minutes of the Meeting attached herewith). Also, the updated Minutes which were submitted to CM's Office on 6th August, 2012 are also attached herewith.

- 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**
Sandeep Raheja
Bandish Ajmera
Sujal Shroff
Parag Munot
Rajan Bandelkar
Vikas Walawalkar
Jayesh Shah
Nayan Bheda
Sanjay Chhabria
Ajendra Chaturvedi
- INVITEE MEMBERS**
Mukesh Mehta
Rakesh Sanghvi
Jagdish Ahuja
- 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
Moham Deshmukh
Mofatraj Munot
Niranjan Hiranandani
Rajni S. Ajmera
G. L. Raheja
(Late) Lalit Gandhi
(Late) Babubhai Majethia

The issues discussed are tabulated as under:

Sr No.	Issues Discussed	Discussion and Suggestions On Way Forward	Action to be Taken
1.	High Rise Committee	<p>i) Terms of Reference (ToR) of the High Rise Committee to be looked into, so as to avoid overlapping or duplication with respect to MOEF Committee.</p> <p>ii) UD Department has written to Indian Institute of Technology for their opinion - That needs to be followed up.</p> <p>iii) MCHI suggested that, like earlier, construction up to 70 m should be allowed at the risk and responsibility of the developer and the developer may make all provisions that may be required - UD to consider.</p> <p>iv) It was discussed that the constitution of Hi-Rise Committee is not by observations or Court of Law, neither it is statutory in nature. It is an administrative set-up.</p>	<p>The Government agreed that Terms of Reference of the High rise Committee would be looked into, particularly in view of existence of Environmental Committee. Various options like peer review, etc. are under Government's active consideration. <u>The decision of the CM would be taken very quickly with regard to this Committee.</u></p>
2.	ULC	<p>Based on the meeting with the Hon'ble CM, UD Department was to write to Attorney General of India seeking their opinion on the interpretation with respect to Repeal Act, 2007.</p>	<p>Case for opinion to be sent to Attorney General by 20th August, 2012.</p>

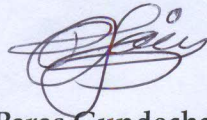
Sr No.	Issues Discussed	Discussion and Suggestions On Way Forward	Action to be Taken
		<p>Without prejudice to the Writ Petition filed, MCHI stressed that, in the meantime, there needs to be a simplification of procedure where the NOCs are issued within 7 days.</p>	
3.	Rental Housing	<p>As per the assurance given by the Hon'ble CM in the recently concluded Assembly, UD to give necessary clarification to MMRDA.</p> <p>Definition of "Commitment" 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 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.</p>	Any change should be prospective in nature and not retrospective.
4.	DCR	<p>i) MCHI informed about the suggestion of formation of Committee to guide the BMC for the interpretation of DCRs. A decision needs to be taken about the same.</p> <p>ii) It was deliberated in detail that there needs to be</p>	The Hon'ble Municipal Commissioner had sent certain revisions in DCR recommendations for UD approval - UD to approve the same.

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		<p>"Transition Policy" agreed where commitments done by Corporation / State with respect to IOD / CC, where the choice lies with the developer to go with the old DCR or the new DCR. Will submit the details about Transition Policy shortly in few days</p> <p>iii) New DCR with respect to Commercial Development and Retail Development - MCHI strongly emphasized that with the new DCR, it is impossible for the new Commercial and Retail Development to come up in Mumbai and requested UD to have a re-look at it.</p>	
5.	MOEF	<p>i) Writ Petition filed by MCHI with respect to Advisory Office Memorandum issued by MOEF in February, 2012 - there seems to be an overlook in the Advisory with respect to development in all metros. The State Government and its Hon'ble Chief Minister has unequivocally agreed on the same. This Advisory needs to be amended in the MMR region.</p>	State to give requisite direction at the earliest.
6.	MHADA 33 (5)	<p>Private Joint Venture Development under 33(5) was mooted and 37 (1) AA was done in the month of February 2011. Only 37 (2) is pending.</p>	The necessary notification u/s 37(2) of MRTTP Act be issued at the earliest.

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		UD Department to please give the status update.	
7.	Automatic N.A.	The commitment done by ACS (Revenue) jointly with UDD in CM's 1 st May, 2012 meet needs to be executed.	Revenue Department to make Automatic NA a reality in all other classes of land.

Thanking you,

With Best Regards,
For MCHI-CREDAI



Paras Gundecha
President

Mobile No: 9821092439

Encl:

1. *Updated Minutes of the meeting (As on 5th July 2012)*
2. *Minutes of the meeting held with Hon'ble Chief Minister of Govt of Maharashtra*