

MINUTES

Name of the Meeting	3 rd Meeting of Managing Committee 2013 – 14								
Meeting Chaired by	Shri Vimal Shah, President, MCHI-CREDAI								
Meeting Conducted by	Shri. Nainesh Shah, Hon. Secretary, MCHI-CREDAI								
Date of the Meeting	Tuesday , August 6, 2013			Time of the Meeting		6:00 pm			
Venue of the Meeting	MCHI-CREDAI Conference Hall								
Total Committee Members	No. of Member Present	24	Leave Granted to	12	No. of Members Absent	7	Guest Attended	1	
Member Present	<div>1. Shri Vimal Shah, President</div> <div>2. Shri Paras Gundecha, Immediate Past President</div> <div>3. Shri Mayur Shah, Vice President</div> <div>4. Shri Nayan Shah, Vice President</div> <div>5. Shri Deepak Goradia, Vice President</div> <div>6. Shri Boman Irani, Vice President</div> <div>7. Shri Nainesh Shah, Hon. Secretary</div> <div>8. Shri Sukhraj Nahar, Hon Treasurer</div> <div>9. Shri Harish Patel, Hon. Jt. Secretary</div> <div>10. Shri Ashok Mohanani, Hon. Jt. Secretary</div> <div>11. Shri Sandeep Runwal, Hon. Jt. Secretary</div> <div>12. Shri Bandish Ajmera, Hon. Jt. Secretary</div> <div>13. Shri Lakshman Bhagtani, Hon. Jt. Treasurer</div> <div>14. Shri Mukesh Patel, Hon. Jt. Treasurer</div> <div>15. Shri Jagdish Ahuja, Co-ordinator</div> <div>16. Shri Parag Munot, Co-ordinator</div> <div>17. Shri Sujal Shroff, Committee Member</div> <div>18. Shri Jayesh Shah, Committee Member</div> <div>19. Shri Nayan Bheda, Committee Member</div> <div>20. Shri Rakesh Sanghvi, Invitee Member</div> <div>21. Shri Rajesh Prajapati, President MCHI-CREDAI Raigad</div> <div>22. Shri Arvind Goel, President, MCHI-CREDAI Navi Mumbai</div> <div>23. Shri Jitendra Jain, Special Invitee Member</div> <div>24. Shri Shailesh Sanghvi, Hon. Secretary, MCHI-CREDAI Mira Virar City-</div> <div>25. Shri S. S. Hussain, CEO, MCHI-CREDAI</div> <div>26. Smt. Anjana Chheda, Legal Advisor, MCHI-CREDAI</div> <div>27. Shri Ashok Lulla, General Manager, MCHI-CREDAI</div> <div>28. Shri C. P. Goyal, Chief Manager – Finance & Admin, MCHI-CREDAI</div> <div>29. Smt. Shehnaaz Khambatta , General Manager – PR & Corp. Communication, MCHI-CREDAI</div> <div>30. Shri Avadhoot Rane, General Manager (Liaison), MCHI-CREDAI</div>								
Leave of Absence Granted to	<div>1. Shri Dharmesh Jain, President-elect</div> <div>2. Shri Rasesh Kanakia, Co-ordinator</div> <div>3. Shri Sanjay Chhabria, Committee Member</div> <div>4. Shri Rajendra Chaturvedi, Committee Member</div> <div>5. Shri Sandeep Raheja, Invitee Member</div> <div>6. Shri Suhail Khandwani, Invitee Member</div> <div>7. Shri Shailesh Puranik, President, MCHI-CREDAI Thane</div> <div>8. Shri Johar Zojwalla, President, MCHI-CREDAI Kalyan Dombivli</div> <div>9. Shri Mohan Deshmukh, Past President</div> <div>10. Shri Mofatraj Munot, Past President</div> <div>11. Shri Niranjan Hiranandani, Past President</div> <div>12. Shri G. L. Raheja, Past President</div>								
Name of Members Absent	<div>1. Shri Pujit Aggarwal, Co-ordinator</div> <div>2. Shri Rajan Bandelkar, Committee Member</div> <div>3. Shri Vikas Walawalkar, Committee Member</div> <div>4. Shri Mukesh Mehta, Invitee Member</div> <div>5. Shri Sunil Mantri, Past President</div> <div>6. Shri Pravin Doshi, Past President</div> <div>7. Shri Rajni S. Ajmera, Past President</div>								
Guest Attended	<div>1. Shri Manohar Shroff, Hon. Secretary, MCHI-CREDAI Navi Mumbai</div>								

Sr. No. Agenda	DISCUSSION & DECISION	
1.	To read and confirm the Minutes of the meeting held on July 2, 2013 Minutes of the Meeting held on July 2, 2013 were taken as read and confirmed.	
2.	To grant leave of absence to members As mentioned on Page 1, leave of absence granted to names mentioned (Nos. 1 to 9).	
3.	Presentation of the work allotted to the concern Task Owners.	
	i.	Task - SRA: Owner - Shri Jagdish Ahuja Report of SRA presented in front of Managing Committee Members. CEO of SRA sent a SRA information handbook to MCHI-CREDAI for suggestions/ objections on the said handbook. It has been decided that Shri Ahuja will take a final call in this matter to prepare a final draft to CEO SRA in concurrence of CEO MCHI-CREDAI after getting suggestions/ objections from Managing Committee Members.
	ii	Task – Automatic NA & Royalty matter Owner – Shri Nayan Bheda It has been decided that Shri Bheda will discuss with CEO of MCHI-CREDAI at initial level to peruse pending matters with Revenue and Relief & Rehabilitation Department. CEO of MCHI-CREDAI has already sent a DO letters to ACS Revenue, accordingly.
	iii	Task – CZMP/MoEF (other than OM) Owner – Shri Deepak Goradia It has been decided that Shri Deepak Goradia will initiate the matter to take a meeting with Principal Secretary of Environment department with pending issues of environment clearance and legal matters.
	iv	Task – High Rise Owner:- Shri Mayur Shah & Shri Nayan Shah It has been decided that to follow-up with department for the date of next meeting with Hon'ble Chief Secretary under the subject of Technical Study Group for high rise related matters.
	v	Task – DCR implementation Owner – Shri Mayur Shah It has been decided that task owner will take initiative to get the meeting with Chief Engineer DP with MCGM along with his team of associate members and youth members. While the number of persons showing up for Zonal meetings was small, it was impressed upon the Task Owners that the goal is to create rapport with concerned department officers, and form a pressure group. BMC: Shri Mayur Shah referred to 20-5, a burning issue and said a Directors level

		meeting is called for. We should work to have a process implemented where payment is made 1 point for all points.
	vi	<p>Task – CIDCO Owner – Shri Rajesh Prajapati</p> <p>In matter of Civil Aviation related to the subject of the task CEO of MCHI-CREDAI informed the Managing Committee that he already had a word with Joint Secretary Civil Aviation in New Delhi about getting updates of current status for Navi Mumbai Airport. As per sources in Civil Aviation Ministry it has been said that the Government of India has given approval to first phase for the said airport. The detailed notification for NOC on Development of various projects with conditions is yet to be issued by Government of India.</p> <p>At present, this particular subject comes under the jurisdictions of NAINA.</p>
	vii	<p>Task – Hand Book Owner – Shri Nayan Shah</p> <p>Shri Nayan Shah informed that he has approached the concerned engineer in MCGM to get the contents for Hand book of MCHI-CREDAI. This would be compiled under the title 'Handbook of Obtaining Approvals from MCGM'S DP and BP departments.</p>
4.	Legal Matters for discussions.	
	i.	<p>Draft Petition challenging the demand and charging 100% premium for condoning the compulsory open space arising out of Fungible FSI.</p> <p>The draft petition is ready the same will be filed. The Managing Committee requested to appoint Wadia Ghandy & Co. to file Writ Petition on behalf of MCHI-CREDAI and Mayfair Housing as another Petitioner.</p> <p>Letters have been written to all members to furnish details regarding levy of 100% premium for condoning compulsory open space arising out of fungible FSI. On receipt, the detailed papers will be forwarded to Wadia Ghandy & Co. to prepare draft petition.</p> <p>Mayfair Housing is filing a separate petition as their facts relates to one project only.</p>
	ii.	<p>43 C</p> <p>Shri Natwarlal Vepari & Co. has opined that earlier constitutional amendment of Sec. 50C was challenged. The Hon'ble Court held it valid. The provisions of Sect. 43CA are quite similar. Thus challenging the constitutional validity of Sec. 43CA may not be successful.</p> <p>Shri Vimal Shah pointed out that it will be necessary to file Writ Petition.</p>
	iii.	<p>An effort has been made by Shri Nivit Srivastava and Senior Counsel, Shri Pravin Samdani to place the matters relating to ULC by asking for forming a bench of three judges.</p> <p>In ULC matter the final hearing is fixed on August 30th at 3.00 pm before full bench in High Court.</p>

	iv.	<p>Vi - Hi-Rise Committee - validity to be challenged The notes along with backup papers are forwarded to Shri Parimal Shorff for Advice.</p> <p>Mrs. Chheda will pursue with Shri Parimal Shroff regarding formation of High Rise Committee.</p>
	v.	<p>SC order on hi-rise in Bombay</p> <p>The MCGM has filed SLP challenging the order passed by Hon'ble High Court permitting the respondents to carryout work permitted by BMC under DCR 33(24 i.e. public parking.)</p> <p>The settlement is arrived between parties the Hon'ble Supreme Court passed order on July 25 keeping for issues for consideration.</p> <p>What should be the correlation between DCR 23 and DCR 38 (34) regarding the recreational area? It is permissible to reduce the minimum recreational area provided under DCR 23 on any ground?</p> <p>Whether the exemption from DCR 31 (1) under DCR Nos. 33(7), 33(8) and 33(9) is justified, valid and legal particularly in the island city of Greater Mumbai? If so, to what extent and in which context?</p> <p>What is the impact of the additional FSI in the island city on the traffic situation? How can it be controlled?</p> <p>Whether the present mechanism for protection against the fire hazards is adequate and is being implemented effectively? If not, what should be the mechanism for enforcement with respect to the provisions concerning the safety?</p> <p>The SLP is kept for hearing after 4 weeks.</p> <p>Shri Vimal Shah will decide whether to intervene in pending SLP relating to 4 issues raised by Supreme Court against Kohinoor Developers on behalf of MCHI-CREDAI as Interveners.</p> <p>Further, Shri Nayan Shah would form a committee of 3-4 persons, including Shri Mofatraj Munot and 1 or 2 architects.</p>
	vi.	<p>Discussion on CREDAI-BANM conflict of interest and action taken</p> <p>On receipt of the letter from Shri Rajesh Prajapati regarding proposed formation of CREDAI - BANM - Raigad by BANM, the notice has been issued to BANM and CREDAI through M/s. Wadia Ghandy & Co. to refrain from giving effect to this proposal by BANM.</p>
5		Discussion on 31st AGM of MCHI-CREDAI.
		On AGM, Shri Boman Irani said we shall invite Youth Wing members, keynote speakers like Shri Sitaram Kunte, Shri Abhishek Lodha, and a Panel Discussion under Shri Anuj Puri will be held in the AGM.

6	Formation of Youth Wing Committee of MCHI-CREDAI.
	Shri Boman Irani reported that Study Tour has been organized to New York, from Sept 23-26. Real Estate Awards, discussions with Wizcraft were on. This would be cashneutral or MCHI-CREDAI would earn revenue. Nominations could be called in around 1st -2nd week of January. Further, Shri Boman Irani said that they were looking to bring in world-renowned speakers like Stephen Covey Michael Porter.
7	Secretariat upgradation.
	Procurement: Proposal from Ariba awaited. Shri CP Goyal will seek to find a good consultant, E&Y or Kearney.
8	Discussion on roles & responsibilities of office bearers
	A note to go out to all Units on Statutory Audit.
9	Any other matter with the permission of Chair
	Website had been developed, revenue increase is anticipated, and ownership of website will vest with MCHI-CREDAI.

Meeting ended with thanks to the chair.

Sd/-
Nainesh Shah
Hon. Secretary