

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

Chief Executive Officer

Ref. No. MCHI/CEO/13-14/212

October 14, 2013

To,  
**Shri. Manu Kumar Shrivastava (I.A.S.)**  
Principal Secretary (I)  
Urban Development Dept.  
Govt of Maharashtra  
Nirmal Bhavan,  
Mumbai - 400 032

ms. 44193

Dear

**Sub : Points for your consideration as directed by Hon'ble Chief Minister**

**Ref : Review Meeting held with Hon'ble Chief Minister on 07<sup>th</sup> October 2013  
by the Managing Committee Members of MCHI-CREDAI.**

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Thanks for attending and listening to our issues regarding real estate in our last meeting with Hon'ble Chief Minister on 07<sup>th</sup> October 2013 at Sahyadri Guest House, Malabar Hill, Mumbai.

In our meeting with Hon'ble Chief Minister, we had discussed various points related to the real estate industry which needs to be considered in development of projects in MMR.

I am complying and putting up the following points for your consideration which were discussed and the directions given by the Hon'ble Chief Minister in our meeting.

- (1) **Urban Land Ceiling (ULC Policy) :**  
As per information from Principal Secretary - I for UDD, the Hon'ble Court is seized off the matter and awaiting for order. The Hon'ble Chief Minister, desired that government should carry out provisions of the Act and implement those in right spirit to avoid delay. The point needs priority and expeditious follow up please.
- (2) **About High Rise Committee :**  
As discussed in the meeting extension for the current High Rise Committee is recommended for extension up to six months or till the new rule comes in to force, whichever is earlier. The examples of Best Practices were to be collected. Government was expected to request the respective Consulate Generals.
- (3) **Premium FSI to be increased from 0.33 to 0.67 :**  
It may be a new demand but we would like to request you that government should consider and increase FSI from 0.33 to 0.67 because it is having an impact on the prices of the flats which are getting increased day by day.

- (4) **Open Space Deficiency Premium at 10% and not 100% & No open space or similar to be charged for area comprising of fungible FSI :**  
Time for discussion to take the issue further may also be given please.
- (5) **Uniform DCR in MMR :**  
As per information from Principal Secretary - I for UDD, the draft report is prepared and it is going to be finalized by end of this month after submission and approval from Hon'ble Chief Minister. Please expedite the same.
- (6) **Speedy Approvals :**  
The decision for Speedy Approval was already taken. Circular issued. However, the implementation is not there. Please see that time scheduled for execution within time is maintained by the concerned officers.
- (7) **Civil Aviation :**  
For Navi Mumbai geographical map has been cleared and work is about to start. And for Mumbai the Maps and proposal is submitted and awaiting for approval from AAI. Please inform.  
  
Also regarding the issue of placement of Doppler Radar, the Chief Secretary informed that government is in communication with IMD officials. Therefore our members want to know the current updates in both the matters.
- (8) **Policy for redevelopment of dilapidated buildings in suburbs and extended suburbs :**  
Our members would like to meet Principal Secretary - I for UDD to discuss and understand the views of the government and the stage of progress on the proposals in this matter.
- (9) **JV Development on MHADA's Land**  
As the JV Scheme on MHADA Land would clash with Affordable Housing Scheme, as stated by Principal Secretary, MCHI-CREDAI suggested that all types of schemes should be implemented so that number of Affordable Housing stock available increases.
- (10) **Establishment of a world-class Exhibition, Real Estate and construction Workers Skills Development Institute & Construction Workers Colony (Labour Welfare)**  
As per the detailed discussion please expedite the location of the land availability and formation of the scheme, which would be taken up for the development by MCHI.

- (11) **Affordable Housing, Issue of FSI of 3 in affordable housing was discussed, Government proposes to allow affordable housing only where width of the Road 18 mtrs. wide should be kept, 20% premium deemed on free sale in the Affordable Housing, EWS 20% & Township Project**  
 We would request for the meeting with yourself to get a clear view on these issues and follow up the same.

The above points are especially brought to your kind notice; so that a time bound program and requisite follow up could be done. The Hon'ble Chief Minister was very clear that the speedy approvals should become reality as per the earlier decision and the delays can be avoided. This aspect of time taken and monitoring the progress is very crucial for any project to get going and get completed within the reasonable time frame. It helps controlling the time over run and increase in costs.

This is for your necessary cooperation and help please!

Yours



S. S. Hussain

To,  
 ✓ Shri. Manu Kumar Shrivastava (I.A.S.)  
 Principal Secretary (I)  
 Urban Development Deptt.  
 Govt of Maharashtra  
 Nirmal Bhavan,  
 Mumbai - 400 032

Clark 15/10/13  
 Urban Development Deptt.  
 Mantralaya, Mumbai - 32.

आज प्राप्त झाले  
 दिनांक 23 OCT 2013  
 झोपडपट्टी पुनर्वसन प्राधिकरण  
 प्रशासकीय इमारत, वांद्रे (पूर्व), मुंबई ५२.

Encl : Minutes of the Meeting with Hon'ble Chief Minister dtd. 07.10.2013

Copy for information:

- ✓ 1. Shri J K Banthia (I.A.S.), Chief Secretary
- ✓ 2. Shri A K Jain (I.A.S.), ACS to Hon'ble CM
- ✓ 3. Shri U P S Madan (I.A.S.), MC, MMRDA
- ✓ 4. Shri Ashish Kumar Singh (I.A.S.), PS to Hon'ble CM
- ✓ 5. Shri Aseem Gupta (I.A.S.), Municipal Commissioner, Thane
- ✓ 6. Shri S V R Srinivas (I.A.S.), Additional Municipal Commissioner, MCGM
- ✓ 7. Shri Nirmal Deshmukh (I.A.S.), CEO, SRA
- ✓ 8. Shri Suresh Kakani (I.A.S.), Municipal Commissioner, Mira Bhayandar Municipal Corporation
- ✓ 9. Shri Shankar Bhise, Municipal Commissioner, Kalyan Dombivli Municipal Corporation
- ✓ 10. Shri Sitaram Kunte (I.A.S.), Municipal Commissioner, MCGM

मुख्य सचिवांचे कार्यालय  
 दिनांक 21/10/2013

मुख्य कार्यालय  
 21/10/2013

म. न. पा. आयुक्तांचे कार्यालय  
 23/10/13  
 बृहन्मुंबई महानगरपालिका

15/10/13

15/10/13

**Minutes of the Review Meeting held under the  
Chairmanship of Hon'ble Shri Prithviraj Chavan, Chief Minister of Govt of Maharashtra  
at Sahyadri Guest House on 7<sup>th</sup> October 2013 at 8:00 pm**

**Government Attendees:**

- |     |                                      |   |   |
|-----|--------------------------------------|---|---|
| 1.  | Hon'ble Shri Prithviraj Chavan       | - | Chief Minister                          |
| 2.  | Shri J K Banthia (I.A.S.)            | - | Chief Secretary                         |
| 3.  | Shri A K Jain (I.A.S.)               | - | ACS to Hon'ble CM                       |
| 4.  | Shri U P S Madan (I.A.S.)            | - | MC, MMRDA                               |
| 5.  | Shri Manu Kumar Shrivastava (I.A.S.) | - | PS (UDD-1)                              |
| 6.  | Shri Ashish Kumar Singh (I.A.S.)     | - | PS to Hon'ble CM                        |
| 7.  | Shri Aseem Gupta                     | - | Municipal Commissioner, Thane           |
| 8.  | Shri S V R Srinivas                  | - | Additional Municipal Commissioner, MCGM |
| 9.  | Shri Nirmal Deshmukh (I.A.S.)        | - | CEO, SRA                                |
| 10. | Shri Suresh Kakani                   | - | Municipal Commissioner, Mira Bhayandar  |
| 11. | Shri Shankar Bhise                   | - | Municipal Commissioner, Kalyan Dombivli |
| 12. | Shri Rajeev Kuknur                   | - | Chief Engineer DP, MCGM                 |

**MCHI-CREDAI Attendees:**

- |     |                            |   |   |
|-----|----------------------------|---|---|
| 1.  | Vimal Shah                 | - | President                                   |
| 2.  | Nainesh Shah               | - | Secretary                                   |
| 3.  | S S Hussain (I.A.S. Retd.) | - | Chief Executive Officer                     |
| 4.  | Paras Gundecha             | - | Imm. Past President                         |
| 5.  | Mayur Shah                 | - | Vice President                              |
| 6.  | Nayan Shah                 | - | Vice President                              |
| 7.  | Deepak Goradia             | - | Vice President                              |
| 8.  | Harish Patel               | - | Jt Secretary                                |
| 9.  | Sandeep Runwal             | - | Jt Secretary                                |
| 10. | Bandish Ajmera             | - | Jt Secretary                                |
| 11. | Pujit Agarwal              | - | Co-ordinator                                |
| 12. | Jayesh Shah                | - | Member                                      |
| 13. | Nayan Bheda                | - | Member                                      |
| 14. | Rajendra Chaturvedi        | - | Member                                      |
| 15. | Rakesh Sanghvi             | - | Member                                      |
| 16. | Jitendra Jain              | - | Member                                      |
| 17. | Shailesh Puranik           | - | Member & President for Thane Unit           |
| 18. | Johar Zojwalla             | - | Member & President for Kalyan-Dombivli Unit |
| 19. | Shrikant Shitole           | - | Member & Secretary for Kalyan-Dombivli Unit |
| 20. | Avadhoot Rane              | - | General Manager, Liaison, MCHI              |

S.No.	Issue	Discussion
1.	<b>Urban Land Ceiling (ULC Policy)</b>	The Principal Secretary - I, UDD informed that the case for ULC Repeal Act provisions has been submitted to Attorney General. Larger bench of the Hon'ble High Court has been formed, which will give the decision. 27 <sup>th</sup> September was the last date

		<p>of hearing. The Hon'ble Court is seized of the matter. Hence, we should await the order. Attorney General may also like to wait and would not like to give opinion now. It was pointed out by our Secretary, Shri Nainesh Shah that the bench is almost not there because the Hon'ble Justice has been transferred as Chief Justice of Allahabad High Court. Therefore, it will take another six months or so for forming the new bench.</p> <p>The Hon'ble Chief Minister said that we are the only state carrying on these provisions of the Act. Whereas we should implement the provisions in right spirit completely and avoid delay. And since the matter is not likely to be heard by the Court soon, Government should obtain the opinion of the Advocate General on the subject at the earliest.</p>
2.	<b>Environment</b>	<p>It was stated that the nomination of three committees has been finalized. However, the approval from the Ministry of Environment, Government of India is awaited. Our Secretary, Shri Nainesh Shah thanked the Hon'ble Chief Minister for his keen interest and taking up this important issue with Ministry of Environment, Govt. of India.</p>
3.	<b>About High Rise Committee</b>	<p>Extension was recommended. The issues of building integrity, fire safety measures and following the best practices could be considered. The Chief Secretary said that it is true that High Rise committee is unable to go into details of the proposals from the structural point of view. The Hon'ble Chief Minister considered that for Peer Review, a panel of Engineers, Architects could go into detailed scrutiny as required. The Principal Secretary - I for UDD stated that present MC was of the view that High Rise Committee should continue, since it provides committee review. Hon'ble Chief Minister said that there is no accountability in committee review, but in case of peer review, the accountability and technical scrutiny is completely on the institute reviewing the proposal and was better alternative. He</p>

		<p>directed Chief Secretary, to examine this issue and put up the report to Government at the earliest.</p> <p>Hon'ble Chief Minister directed and Principal Secretary - I UDD informed recommendation for peer review will be finalised by Chief Secretary's committee by October end.</p> <p>Chief Minister also directed to get rid of duplication in TOR. No environmental aspects need to be seen by High Rise Committee.</p>
4.	<b>Premium FSI to be increased from 0.33 to 0.67</b>	It was stated by Principal Secretary-I, UDD that this is new demand, hence could be considered later and Government will take the decision on it accordingly at the earliest.
5.	<b>Open Space Deficiency Premium at 10% and not 100%</b>	It was informed by Principal Secretary-I, UDD that this is new demand, hence could be considered later and also in the light of outcome of Kohinoor SLP.
6.	<b>Automatic N.A.</b>	Matter of NOCs, were discussed and Chief Secretary informed that the committee of Divisional Commissioner has submitted its reports to Additional Chief Secretary, Revenue and decision about N.A. is to be taken by Government. CEO, Shri S. S. Hussain informed that idea was that the Municipal areas where urban agglomeration has been declared and mapping has been done, the Municipal Corporations could give N.A. However, the issue of ownership and title could be considered by Revenue Department. But the apprehension was from the real estate industry that it will create two centers to get clearances, which will create problem of delay and documents presentation hassles. Time is essence. The Hon'ble Chief Minister stated that new method could be processed and decided at least for Municipal Corporation areas. It can be continued to be issued by collectors of other districts for non Municipal Corporation areas.
7.	<b>Uniform DCR in MMR</b>	The Principal Secretary-I, UDD informed that draft report has been finalized. Draft report prepared.

		<p>The submission to government could be made by 19<sup>th</sup> of this month and completion by month's end by the department and it will be submitted to Hon'ble Chief Minister for final approval.</p>
8.	<b>Speedy Approvals</b>	<p>It was informed that the instructions were issued. Time line could be implemented. The Hon'ble Chief Minister said that the time of 60 days and other instructions issued by then Municipal Commissioner of MCGM, Shri Subodh Kumar, be followed and time bound clearances or plan should come online which could be considered. It was informed that Thane is ahead and the work was already started on pilot basis. Earlier also Chief Minister had insisted on Municipal to monitor this 60 days approvals system.</p> <p>The Principal Secretary-I for UDD and Thane Municipal Commissioner insisted MCHI Members to purchase the software version of Auto DCR to calculate and examine the proposals related to the DCR.</p>
9.	<b>Civil Aviation</b>	<p>It was informed that Navi Mumbai maps have been cleared by Airport Authority of India about maximum height to be considered for buildings etc. Mumbai maps have been submitted to Airport Authority of India for scrutiny and consideration. Hon'ble Chief Minister wanted to know whether the work has been started in New Mumbai or not?</p> <p>The Principal Secretary- I for UDD said that he will check up and confirm.</p> <p>Discussions were held about the placement of Doppler Radar. Central Mumbai to South Mumbai - entire development is affected as height is restricted to 22 floors. The general view was that either it could be transferred or relocated to some other areas, where disturbance may be avoided. The Chief Secretary informed that they are in touch with the Indian Metrological Department (IMD) officials of Government of India and some decision is awaited.</p>

		<p>Hon'ble Chief Minister was entirely seized of the matter. He requested his office to get him in touch with Mr. Shailesh Naik &amp; felt gravity and urgency of the situation.</p> <p>It has been decided to write a letter to Civil Aviation Minister to expedite the issue of Doppler placement.</p>
10.	<b>CIDCO - NAINA (Project Approval Policy to be framed)</b>	<p>There was nobody present from CIDCO. It was decided that the subject would be differed and they will be taken up separately.</p>
11.	<b>CIDCO - CRZ Issues</b>	
12.	<b>Policy for redevelopment of Dilapidated Buildings in Suburbs &amp; Extended Suburbs</b>	<p>Cluster Redevelopment has been taken up as informed by the Principal Secretary-I for UDD.</p>
13.	<b>No open space or similar to be charged for area comprising of fungible FSI.</b>	<p>This is new demand, so differed.</p>
14.	<b>MHADA Layout redevelopment 33(5) timelines</b>	<p>Already decided. Modifications have been decided and Notification issued u/s. 154 and can be collected in few days.</p>
15.	<b>High Court order regarding 2.5 to 3.0 FSI</b>	
16.	<b>JV Development on MHADA's Land</b>	<p>To be taken up later.</p> <p>The Principal Secretary-I, UDD, pointed out that Joint Venture on MHADA land would clash with Affordable Housing scheme. It should not be similar to the other schemes and only one of them should come up and not the both. President MCHI, Shri Vimal Shah, stated that all kinds of schemes which creates affordable housing should be implemented, so that number of affordable housing available increases.</p>
17.	<b>Establishment of a world-class Exhibition</b>	<p>President MCHI, stated that MCHI is willing to set</p>

	<b>&amp; Convention Centre</b>	Exhibition Centre, if 50,000 to 1,00,000 Sq. mtr. Of the land is allotted in the Mumbai City. He also stated that the Exhibition Centre is a must for City of Mumbai, and it will help boost employment and revenue of the City. MCHI will also collaborate with other associations like IMC, FICCI etc. to set up such centre. The Hon'ble Chief Minister informed that the Government has taken up exhibition centers for construction at Morshi, Pune, Aurangabad and they have been cleared. In Mumbai private land/plot is available in Goregaon and Reliance is constructing one in BKC. CIDCO has developed Convention Center at Navi Mumbai. They are smaller. It was suggested that a joint venture could be considered for 50000/60000 sq. mtr. with Godrej, for land at Ghatkopar. The Hon'ble Chief Minister also suggested that we should explore the availability of land about 1,00,000 sq. ft. area of construction because the facilities like Hotel, near Railway Stations, Airport is required for better connectivity. Chief Secretary and Principal Secretary - I for UDD will discuss together to expedite this issue.
18.	<b>Real Estate and Construction Workers Skills Development Institute</b>	
19.	<b>Construction Workers Colony (Labour Welfare)</b>	<p>The land availability could be considered and explored.</p> <p>Regarding Workers Residential Colony and training Institute, President MCHI, Shri Vimal Shah, stated that presently all the construction workers stay on the site and the condition of the construction workers needs to be improved. MCHI is willing to set up Workers Residential Colony, with Creche, school, colleges and training institute, on PPP basis, where workers would reside on transit basis. The colony will be managed by the Developers. It was informed by the President that for a construction workers colony about 100 acres land could be required. It could be in a periphery away from the city and could be even near Karjat. The colony will be constructed and maintained by the developers. The Hon'ble Chief Minister asked the Chief Secretary for location and appropriate</p>

		piece of land. Both collectors from Mumbai & Mumbai Suburban could be written/approached for assisting his efforts.
<b>FEW OTHER POINTS DISCUSSED</b>		
20.	<b>Affordable Housing</b>	<p>It was informed that it is under implementation. Scheme envisages in Municipal Council areas, except Mumbai and Navi Mumbai. It was pointed out by our President Shri Vimal Shah, that the need about such affordable housing is much more in Mumbai than anywhere else. It is being thought on only on private land and no government land or any facilities from government is demanded/expected.</p> <p>It was discussed that even where Rental or Affordable Housing are constructed, whether infrastructure has come up there or not?</p> <p>The issues of maintenance and governance also came up for detailed discussion. It could be considered in SPA areas, Urban Local Body areas and not in isolated and Gram Panchayat areas.</p> <p>Merging of locational clearance &amp; building permit to be considered.</p> <p>Minimum tenement size of 30 sq. fts. - prospective wherever CC is issued - old scheme will be permitted.</p> <p>MCHI to officially give their views within 7 days.</p>
21.	<b>Issue of FSI of 3 in affordable housing was discussed</b>	It was suggested by the President, Shri Vimal Shah that the cap of 4 FSI could be continued and in some areas could be lesser, proportionate to the area available.
22.	<b>Government proposes to allow affordable housing only where width of the Road 18 mtrs. wide should be kept</b>	President, MCHI, Shri Vimal Shah brought to the notice that majority of the roads in already developed municipal areas, are 12 meters and hence affordable housing should be allowed where road width is 12 mtr. And above. Since Affordable Housing is now proposed to be taken up only in Municipal limits, it is important that they be

		allowed where road width is 12 mtr. and above.
23.	<b>20% premium deemed on free sale in the Affordable Housing</b>	President, MCHI Shri Vimal Shah told that this would adversely affect the economic viability of the scheme and government should see housing as shelter to masses and not a revenue generating scheme. The suggestion was that we should first create over supply of housing stock.
24.	<b>EWS 20%?</b>	<p>President MCHI, Shri Vimal Shah, requested that EWS cannot be provided as composite building. The size of the property on which EWS should be insisted should not be less than 10000 SM. Also provision of EWS on a separate plot within 5 km range should also be allowed.</p> <p>Governance issues were also discussed. It was brought out that it should not be based on the construction area but on the plot area. Also in all cases of rehabilitation scheme, this provision should not apply.</p> <p>Should be considered for green field projects only Clubbing for proposals should be allowed.</p> <p>MCHI to officially give their views within 7 days.</p>
25.	<b>Township Project</b>	The Principal Secretary emphasized 15% of economic activities must be there. Government does not want to reduce the area restrictions. The Hon'ble Chief Minister stated that all the people should be housed within the area of working. All varieties of activities like manufacturing, business, commercial and industrial and other dedicated activities to create jobs, health, education etc. should be there. Conceptually to be designed as "cities of the future".