

**MANAGING COMMITTEE
2013-2014**

**PRESIDENT
Vimal Shah**

**IMMEDIATE PAST PRESIDENT
Paras Gundecha**

**PRESIDENT-ELECT
Dharmesh Jain**

**VICE PRESIDENTS
Mayur Shah
Nayan Shah
Deepak Goradia
Boman Irani**

**HON. SECRETARY
Nainesh Shah**

**HON. TREASURER
Sukhraj Nahar**

**CEO
S. Shahzad Hussain,
I.A.S. (Retd.)**

**HON. JOINT SECRETARIES
Harish Patel
Ashok Mohanani
Sandeep Runwal
Bandish Ajmera**

**JT. TREASURERS
Lakshman Bhagtani
Mukesh Patel**

**CO-ORDINATORS
Rasesh Kanakia
Jagdish Ahuja
Pujit Aggarwal
Parag Munot**

**COMMITTEE MEMBERS
Sujal Shroff
Rajan Bandelkar
Vikas Walawalkar
Jayesh Shah
Nayan Bheda
Sanjay Chhabria
Rajendra Chaturvedi**

**PAST PRESIDENTS
Sunil Mantri
Pravin Doshi
Mohan Deshmukh
Mofatraj Munot
Niranjan Hiranandani
Rajini S. Ajmera
G. L. Raheja
Lalit Gandhi
Babubhai Majethia**

Ref. No. MCHI/CEO/13-14/018

June 24, 2013

To,
Shri Swadheen S. Kshatriya (I.A.S.)
Additional Chief Secretary (Revenue)
Revenue & Forest Deptt.
Government of Maharashtra,
New Administrative Building,
Mumbai

Dear *Shri Kshatriya,*

28/6/13
श्री स्वधेन (आ.स.)
अतिरिक्त व. स. (आ.स.),
मुंबई, महाराष्ट्र

With reference to my last D.O. letter MCHI/CEO/13-14/004 dtd. May 31, 2013, would like to draw your kind attention on important issues of Automatic NA under the subject of Revenue Department.

You may please recollect that in our last meeting with Hon'ble Chief Minister on 09th May 2013 it was informed that the divisional commissioner's report was submitted to the State Government and it was presently under active consideration.

It was suggested, even during 2006, when the new housing policy was being drafted, that once DP is prepared and the area of the region comes under Urban Conglomerate or local body areas, such a long vending process for granting NA need not be gone through. They could be considered as deemed NA and any fee and charges for the same could be deposited with the Special Planning Authority/Local bodies, which in turn could be transferred to government. In this way, the NA would be considered under the deemed provision of the MLRC and time and money spent and separately pursuing the issue could be avoided. If we consider such things, then the need for so many NOCs to be collected and provided, time consumed process could be saved. If we adopt expediting procedure for granting NA in this way, I feel that there may not be need to amend the MLRC Code because the NA use can be allowed as per the legal requirements. However, the procedure can be curtailed.

In the second option, the procedure adopted by Collector of Nashik to expeditiously granting NA permission could also be examined and considered as they are issuing NA within 30 days, following a system of receipt of application, acknowledgement, scrutinizing the papers and finally

taking Collector's approval, is gone through expeditiously with the help of SETU system.

This is for your kind consideration and if you feel appropriate, you can give me suitable time to come and discuss the issues with you.

With best personal regards, Yours Sincerely,



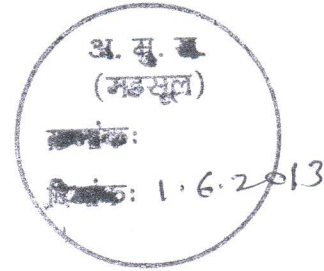
**S. S. Hussain, I.A.S.
(Retd.)
C.E.O
MCHI-CREDAI**

To,
Shri Swadheen S. Kshatriya (I.A.S.)
Additional Chief Secretary (Revenue)
Revenue & Forest Deptt.
Government of Maharashtra,
New Administrative Building,
Mumbai

MANAGING COMMITTEE**2013-2014****PRESIDENT**
Vimal Shah**IMMEDIATE PAST PRESIDENT**
Paras Gundecha**PRESIDENT-ELECT**
Dharmesh Jain**VICE PRESIDENTS**
Mayur Shah
Nayan Shah
Deepak Goradia
Boman Irani**HON. SECRETARY**
Nainesh Shah**HON. TREASURER**
Sukhraj Nahar**CEO**
S. S. Hussain, I.A.S. (Retd.)**HON. JOINT SECRETARIES**
Harish Patel
Ashok Mohanani
Sandeep Runwal
Bandish Ajmera**JT. TREASURERS**
Lakshman Bhagtani
Mukesh Patel**CO-ORDINATORS**
Rasesh Kanakia
Jagdish Ahuja
Pujit Aggarwal
Parag Munot**COMMITTEE MEMBERS**
Sujal Shroff
Rajan Bandelkar
Vikas Walawalkar
Jayesh Shah
Nayan Bheda
Sanjay Chhabria
Rajendra Chaturvedi**INVITEE MEMBERS**
Sandeep Raheja
Mukesh Mehta
Rakesh Sanghvi
Suhail Khandwani**MCHI-CREDAI UNITS**
President, Thane
Shailesh Puranik**Hon. Secretary, Kalyan-Dombivli**
Shrikant Shitole**Hon. Secretary, Mira Virar City**
Shailesh Sanghvi**President, Raigad**
Rajesh Prajapati**President, Navi Mumbai**
Arvind Goel

Ref. No. MCHI/CEO/13-14/004

May 31, 2013

To,
Shri Swadheen Kshatriya (I.A.S.)
Additional Chief Secretary, (Revenue)
Revenue & Forest Department,
Govt of Maharashtra,
Mantralaya, Mumbai

Dear

Government of Maharashtra is committed to transparent and speedy administration. Current process of taking N.A. permission is a time consuming and lengthy process for citizens. In the process, precious time is lost and many important and socially relevant projects are inordinately delayed.

Under section of 42 of MLRC No land used for agriculture shall be used for any non-agricultural purpose, except with the permission of the Collector.

To bring in transparency in this process of granting N.A. permissions by Collector and to avoid hurdles and getting expeditious action to provide permission, not longer than 90 days, which is mandatory, from which proposal is submitted or duly complied with, the deeming provision is also in the MLRC code.

Under section of 44 of MLRC detailed Procedure for conversion of use of land from one purpose to another is elaborated.

The above section also finally declares that if the collectors fails to inform the applicant of his decision within ninety days from the date of acknowledgement of the application, or from the date of receipt of the application, then within ninety days [or as the case may be, within fifteen days] from the date on which it is again presented, duly complied with, the permission applied for shall be deemed to have been granted, but subject to any conditions prescribed in the rules made by the State Government in respect of such user.

You may please recall that during the meeting with the Hon'ble Chief Minister, it was requested by our members that the procedure followed is too time consuming which affects the proposals very very adversely and there is lot of wastage of time and efforts. It was informed by your goodself that the Government has received the report of the Division Commissioners' Committee and the matter would be submitted to the Hon'ble Chief Minister within 30 days

Recd
1.6.13

PAST PRESIDENTS

Sunil Mantri, Pravin Doshi, Mohan Deshmukh, Mofatraj Munot, Niranjana Hiranandani, Rajini S. Ajmera, G. L. Raheja, Lalit Gandhi, Babubhai Majethia

for necessary decision. It was also brought out that there is no need for so many NOCs which is asked for before issuing NA permissions. We had also mentioned that if any change is to be brought in MLRC it may be amended.

We had suggested earlier to the Government that whenever a DP plan of any city or urban area is prepared the areas of the urban agglomerate which have been brought in MMR region etc. then, a separate NA permission may not be called for.

The Government may charge fees for the same which could be deposited with the Municipal Corporations or Municipal Councils and later on transferred to Revenue Department. This would save the time and the hassle faced by the applicants.

If I am allowed to suggest that the Collector Nashik has issued a circular and adopted a procedure in order to expedite the grants of NA permissions. He has adopted a detailed procedure for the same and with the help of SETU, concerned Tahsildars, relevant revenue record keepers and finally the collector's office. I also feel that if it is followed strictly, the permission can be granted well within three months period provided in the Code. If not, necessary amendment procedure may be taken up expeditiously.

Yours Sincerely,



S. S. Hussain, I.A.S. (Retd.)
C.E.O
MCHI-CREDAI

To,
Shri Swadheen Kshatriya (I.A.S.)
Additional Chief Secretary, (Revenue)
Revenue & Forest Department
Govt of Maharashtra,
Mantralaya, Mumbai

Encl: Minutes of the Meeting held with Hon'ble CM on 09th May 2013.