

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
Lakshman Bhagtani
Mukesh Patel

CO-ORDINATORS
Sukhraj Nahar
Pujit Aggarwal
Sandeep Runwal

COMMITTEE MEMBERS
Bandish Ajmera
Sujal Shroff
Parag Munot
Rajan Bandelkar
Vikas Walawalkar
Jayesh Shah
Nayan Bheda
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
Mofatraj Munot
Niranjan Hiranandani
Rajni S. Ajmera
G. L. Raheja
(Late) Lalit Gandhi
(Late) Babubhai Majethia

Ref. No. MCHI/CEO/13-14/002

May 18, 2013

To,

Shri. Debashish Chakrabarty (I.A.S.)
Principal Secretary,
Department of Housing,
Government of Maharashtra,
Mantralaya,
Mumbai - 400 032

Sub: Draft Minutes of the Review Meeting held under the Chairmanship of Hon'ble Shri Prithviraj Chavan, Chief Minister of Government of Maharashtra at Sahyadri Guest House on 9th May 2013 at 11:00 am


Respected Sir,

Greetings from MCHI-CREDAI

The draft of Minutes of the discussion, which were held during the meeting with the Hon'ble Chief Minister on 9th May 2013 at 11:00 am. It is being sent with compliments for your information and action as per the directions please.

Thanking you,

Yours faithfully,
For MCHI-CREDAI


S. S. Hussain
CEO

Encl : Draft Minutes of the Meeting

CC to:

- (1) **Shri. Ashish Kumar Singh (I.A.S.)**, Principle Secretary to Hon'ble Chief Minister,
- (2) **Shri. A. K. Jain (I.A.S.)**, Addl. Chief Secretary to Hon'ble Chief Minister,

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

DRAFT

**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 9th May 2013 at 11:00 am**

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 Swadheen Kshatriya (I.A.S.) | - | ACS (Revenue) |
| 5. | Shri U P S Madan (I.A.S.) | - | MC, MMRDA |
| 6. | Shri Satish Gavai (I.A.S.) | - | VP & CEO, MHADA |
| 7. | Shri S K Shrivastava (I.A.S.) | - | PS (Finance) |
| 8. | Shri Sitaram Kunte (I.A.S.) | - | MC, MCGM |
| 9. | Shri Manu Kumar Shrivastava (I.A.S.) | - | PS (UDD-1) |
| 10. | Shri Debashish Chakrabarty (I.A.S.) | - | PS (Housing) |
| 11. | Shri Praveen Pardeshi (I.A.S.) | - | PS (Forests) |
| 12. | Shri Ashish Kumar Singh (I.A.S.) | - | PS to Hon'ble CM |
| 13. | Shrimati Valsa Nair Singh (I.A.S.) | - | Secretary, Environment |
| 14. | Shri Nirmal Deshmukh (I.A.S.) | - | CEO, SRA |
| 15. | Shri Rajan Kop | - | Jt. Secretary for UDD |
| 16. | Shri Kamlakar Aakode | - | Director for Town Planning |
| 17. | Shri Rajeev Kuknur | - | Chief Engineer DP, MCGM |

21/5/13
महाराष्ट्र शासन
मंत्रालय, मुंबई-४०००३२
दिनांक ०७.०५.१३

MCHI-CREDAI Attendees:

- | | | | |
|-----|----------------------------|---|---|
| 1. | Paras Gundecha | - | President |
| 2. | Boman Irani | - | Secretary |
| 3. | S S Hussain (I.A.S. Retd.) | - | Chief Executive Officer |
| 4. | Vimal Shah | - | Elect President |
| 5. | Mayur Shah | - | Vice President |
| 6. | Nayan Shah | - | Vice President |
| 7. | Deepak Goradia | - | Vice President |
| 8. | Nainesh Shah | - | Jt Secretary |
| 9. | Harish Patel | - | Jt Secretary |
| 10. | Mukesh Patel | - | Jt Treasurer |
| 11. | L P Bhagtani | - | Jt Treasurer |
| 12. | Sukhraj Nahar | - | Co-ordinator |
| 13. | Pujit Agarwal | - | Co-ordinator |
| 14. | Sandeep Runwal | - | Co-ordinator |
| 15. | Bandish Ajmera | - | Member |
| 16. | Jayesh Shah | - | Member |
| 17. | Parag Munot | - | Member |
| 18. | Sanjay Chhabria | - | Member |
| 19. | Manohar Shroff | - | Member & Secretary for Navi Mumbai Unit |

S.No.	Issue	Discussion
1.	SPEEDY (60 DAYS) APPROVAL BY ULBs	<p>The Hon'ble Chief Minister (CM) welcomed MCHI-CREDAI committee members. He said that we are meeting after quite some time, and asked to be apprised on the status of issues.</p> <p>Mr. Boman Irani thanked the Hon'ble CM, and conveyed that a no. of issues had been put forward to the Hon'ble CM in the meeting of the May 1, 2012 & Sept 18, 2012.</p> <p>He said in that meeting all the commitments, viz Speedy Approvals, are still to be realized. Mr. Irani stated that in spite of the new DC Regulations, fungible FSI, where submitted plans have no ambiguity which would require clarifications, still approvals are not being done in the promised 60 days' time limit. In some instances, approvals have been delayed for upto 6 months.</p> <p>Hon'ble CM asked for data to be compiled on timelines for approvals.</p> <p>Municipal Commissioner to start collecting data as to when the file was submitted and when the file was cleared so as to get a fair idea to ascertain the average time taken to clear a file/proposal.</p>
2.	ENVIRONMENT	<p><u>OM dated 7th Feb'12:</u> High Court Order dated 10th April 2012 was discussed stating the HC has stated the OM to be advisory in nature.</p> <p>Hon'ble CM said he will be going to Delhi on 17th May and he would talk to the MoEF Ministry about the environmental issues.</p> <p>Another OM dated 4th May, 2013 was brought to the notice of Hon'ble Chief Minister stating that OM is mandatory regardless of the High Court's direction.</p> <p>Terms of Reference (ToR) to be finalized so as to avoid overlapping and repetitive/conflicting directions by various committees.</p> <p>Necessary instructions to be issued within 30 days.</p>
3.	AUTOMATIC N.A.	<p>There is the issue of transparency involved in submission of NA Proposals. It was pointed that changes to the Automatic NA would require amending the MLRC Act.</p> <p>CEO for MCHI CREDAI pointed out that if the</p>

		<p>Amendment in MLRC code required then it be looked upon as an issue to expedite clearances where so many NOCs may not be necessary.</p> <p>The Report of six Commissioners is under active consideration. Within 30 days, ACS (Revenue) will put up the file to Hon'ble CM.</p> <p>A similar consideration was agreed in 2006 policy, to ensure Automatic NA, co-incidentally it was drafted by the current ACS (Revenue).</p> <p>A GR has been issued, Collectors to follow the GR. General consensus was that there was no necessity for so many NOCs.</p>
4.	HIGH-RISE COMMITTEE Definition	<p>Another committee for High-Rise may not be needed. CEO for MCHI-CREDAI informed that MCHI- CREDAI is trying to collect data from within and outside India. Once obtained it would be submitted.</p> <p>Government to form a committee to examine the setting up of an expert panel that would scrutinize any submitted project, and approve within a month (30 days) such project.</p> <p>Municipal Commissioner raised the concern about accountability of Private Structural Experts and others, in the event of any problems arising, post-project completion. He said that statutory bodies were held accountable, but private practitioners may not be accountable.</p> <p>Definition: Definition of High Rise needs to be checked / threshold - whether NBC provides for any definition.</p> <p>Change in procedure discussed and suggested by PS (UD):</p> <ul style="list-style-type: none"> i) Municipal Commissioner to initiate formation of the Panel of structural experts can be finalized for Peer Review. Project proponent to get the design checked by the Peer Review and only the Peer Review remarks will be discussed by the High Rise Committee. ii) Should there be any mischief on behalf of the RCC consultant or the Peer Review consultant, their license could be revoked by the Corporation. iii) Proposal -to give CC upto 70 m on the indemnity and undertaking by the Developer at his risk --to be considered.

		<p>Government to finalise Terms of Reference so as to avoid overlapping with MOEF Committee.</p> <p>Necessary instructions to be issued within 30 days.</p> <p>To minimize overlapping of checklist by Environment Committee, by High Rise Committee and by CFO, a list of approvals / criteria that has to be checked by each of the Committee needs to be evolved so as to avoid any overlapping.</p> <p>Also it has been decided that govt will form an expert's panel to expedite following 2 issues</p> <ol style="list-style-type: none"> 1) Structural Engineering in terms of High Rise Building 2) Height restrictions upto 70 meters <p>For this any developer can hire a service from IIT or VJTI & he will bear the expenditure for the same.</p>
5.	ULC	<p>Mr. Manu Kumar Srivastava, PS for UDD-1, said that the issue was financial; a provision in the repealed act provided that if use of land is changed from commercial to residential, or if time has to be extended, then the Government charges a fee for such change. He said the issue had financial implication to the tune of Rs.200 crores.</p> <p>CEO for MCHI-CREDAI pointed it could be applicable to old proposals but when the ULC Act itself is repealed then the authority to charge a fee, or withhold approval on non-payment of such a fee, does not lie with the Government to ask for any NOCs, processes or rules under this Act. It only delays the projects.</p> <p>Mr. Vimal Shah pointed out that even in revenue terms the State Government was losing out far more than Rs.200 corers on Registration, Stamp Duties, other levies. Government, while it stood to collect Rs.200 cores was losing out on the creation of housing stock, the loss of general job opportunities, all these spelt a far greater loss through ULC delays. It impacts revenue earned!</p> <p>Maharashtra, said Mr. Vimal Shah, is the only State still having ULC in operation. Centres like Gurgaon, Bangalore and other metropolitan cities had gone far ahead of Mumbai Metropolitan Region in development.</p> <p>i) Opinion: In the meeting dated 1st May, 2012, Hon'ble CM had suggested to take the opinion from Attorney</p>

		<p>General of India. However, after in-depth discussion with PS (UDD-1) in today's meet, it was agreed that opinion of Attorney General of Maharashtra will be taken within 30 days.</p> <p>More than 40 Writ Petitions are pending in Bombay High Court. A three judge bench is yet to be formed and more than 2,50,000 homes are stuck. It would take anywhere upto 5 years before a Court verdict is delivered.</p> <p>ii) Scheme Management: PS(UDD-1) has agreed to streamline the process of any NOCs related to ULC in such a way that nobody needs to come to Mantralaya.</p>
6.	CIVIL AVIATION	<p>It was informed that the map for Navi Mumbai Airport has been finalized and would be vetted by AAI, and parameters like funnel, would be drawn up, thus doing away with the need for clearances on individual case-to-case basis.</p> <p>--CIDCO Map has been submitted to AAI, and a decision is expected to be received shortly.</p> <p>--Maps for Mumbai area are under preparation and will be submitted to AAI for vetting in a month.</p> <p>Shielding benefit for Mumbai buildings needs to be built in.</p> <p>The need for transition time / transition policy was emphasized as the current submissions by the Committee - it was briefly discussed - was too harsh and almost 95% of the applicants will be rendered ineligible.</p> <p>With the recent incident of collapse of Mumbra building, the need for transit accommodation is very severe.</p>
7.	MCHI UNITS	PS UDD-1 to meet all units within 30 days.
8.	UNIFORM DCR	<p>A comparative chart of the major DCR points in the MMR region needs to be evolved in 2 months.</p> <p>Point was raised that the issue has been pending for 2 years. Principal Secretary stated that the issue will be taken up within this month.</p> <p>On the issue of Uniform DCR, two committees are set up:</p>

		<p>1. For byelaws in Municipal Corporation Areas 2. For byelaws in Municipal Council Areas</p> <p>One is under PS of UDD-1 the other under Director-Town Planning</p>
9.	MHADA 33(5) ON PRIVATE LAND	<p>37 (1) AA already issued in Feb. 2011. Gazette notification has been issued for FSI 2.5</p> <p>MHADA emphasized on the need to implement 37(2). Also, the findings of the recent High Court Order were shared, supporting the same.</p> <p>Jt. Venture for property on Private Land. File being submitted. Request made for some more time. Committee</p> <p>37(2) to be implemented within 30 days.</p> <p>33(9) Cluster Redevelopment Scheme, PS of UDD-1 informed that they have finalized Draft 3 Major regulations are being finalized to be presented to the Hon'ble CM.</p>
10.	Rental Housing	<p>It was mooted that Rental Housing Scheme/Plan be converted into Affordable Housing. A report is to be submitted to the Hon'ble CM by Monday, May 13th.</p> <p>More Affordable Housing initiatives necessary, we are the lowest in providing FSI, which is affecting real estate projects. The Government's guidance and timeline are necessary.</p>
11.	NEXT REVIEW MEET	The next review meet could be taken within a month