

**Notice of the 7<sup>th</sup> Managing Committee Meeting of MCHI-CREDAI for the term 2012 – 2013**

**To**  
**All Managing Committee Members**

**Dear All,**

Notice is hereby given that a meeting of the Managing Committee of MCHI-CREDAI will be held on **Tuesday, December 18, 2012 at 06.00 P.M.** at **MCHI-CREDAI Conference Room, Mumbai**, to transact the following business.

**SR. No.****AGENDA ITEM**

Refreshments and Networking.

1. To read and confirm the Minutes of the meeting held on November 27, 2012  
(Annexure – I, Pg. No. 2 to 6 )
2. To grant leave of absence to members.
3. Update on Legal Matters for discussions.
  - a. New Writ Petitions to be filed by engaging advocate M/s. Parimal Shroff & Co.
    - On Heritage Committee
    - On Redevelopment of the slums in CRZ area.
    - On MoEF Issues
  - b. Property Tax Reforms – Capital Value
4. To review updates on the following matters.
  - a. VAT
  - b. Service Tax
  - c. MoEF  
Discussion on circular of MoEF related to standardization of TORs for Identified Categories of Projects.
5. Discussion on
  - a. Circulars issued by UDD, GoM on 1<sup>st</sup> December 2012 related to Notice u/s. 20(3) of Regarding Regulations for Development of Special Township Projects in areas under MMR Plan, Thane, Raigad & Ratnagiri-Sindhudurga District by Shri Vimal Shah.
  - b. To suggest two names as an “Invitee Member” on State level Expert committee to prepare DCR for ‘D’ class Municipal Corporation (excluding MMR).
  - c. Heritage issues affected in MMR Plan, Arch. Chetan Raikar, Chairman & Managing Director for Structural Designers & Consultants Pvt. Ltd. Mumbai, will give presentation for the same.
6. Any other matter with permission of Chair.

All Members of the Managing Committee are requested to kindly make it convenient to be on time and be present for the meeting.

Attendance is mandatory for all Meetings

For **MCHI-CREDAI**,

Sd/-  
**Boman Irani**  
Hon. Secretary

## MINUTES

Name of the Meeting	6 <sup>th</sup> Meeting of Managing Committee 2012 - 13							
Meeting Chaired by	Shri Paras Gundecha							
Meeting Conducted by	Shri. Boman Irani, <i>Hon. Secretary, MCHI-CREDAI</i>							
Date of the Meeting	Tuesday, November 27, 2012			Time of the Meeting		6:00 pm		
Venue of the Meeting	Mumbai Cricket Association, Attic Floor Conference Hall, BKC, Bandra, Mumbai.							
Total Committee Members (42)	No. of Member Present	20	No. of Members Absent	12	Leave Granted to	10	Guest Attended	3
Member Present	1. Shri Paras Gundecha, President 2. Shri Vimal Shah, President-eletc 3. Shri Deepak Goradia, Vice President 4. Shri Boman Irani, Hon. Secretary 5. Shri Harish Patel, Hon. Jt. Secretary 6. Shri Nainesh Shah, Hon. Jt. Secretary 7. Shri Ashok Mohanani, Treasurer 8. Shri Mukesh Patel, Treasurer 9. Shri Lakshman Bhagtani, Jt. Treasurer 10. Shri Pujit Aggarwal, Co-ordinator 11. Shri Bandish Ajmera, Committee Member 12. Shri Jayesh Shah, Committee Member 13. Shri Jagdish Ahuja, Invitee Member 14. Shri Mukesh Mehta, Invitee Member 15. Shri Rakesh Sanghvi, Invitee Member 16. Shri Suhail Khandwani, Invitee Member 17. Shri Shrikant Shitole, Secretary, MCHI-CREDAI Kalyan-Dombivli 18. Shri Rajesh Prajapati, President, MCHI-CREDAI Raigad 19. Shri. Arvind Goel, President, MCHI-CREDAI Navi Mumbai 20. Shri Mohan Deshmukh, Past President							
Leave of Absence Granted to	1. Shri Dharmesh Jain, Vice President 2. Shri Mayur Shah, Vice President 3. Shri Nayan Shah, Vice President 4. Shri Sukhraj Nahar, Co-ordinator 5. Shri Sujal Shroff, Committee Member 6. Shri Rajan Bandelkar, Committee Member 7. Shri Vikas Walawalkar, Committee Member 8. Shri. Sanjay Chhabria, Committee Member 9. Shri Rajendra Chaturvedi, Committee Member 10. Shri Shailesh Puranik, President, MCHI-CREDAI Thane 11. Shri Mofatraj Munot, Past President 12. Shri G. L. Raheja, Past President							
Name of Members Absent	1. Shri Sunil Mantri, Immediate Past President 2. Shri Rasesh Kanakia, Hon. Jt. Secretary 3. Shri Sandeep Runwal, Co-ordinator 4. Shri Parag Munot, Committee Member 5. Shri Nayan Bheda, Committee Member 6. Shri. Sandeep Raheja, Committee Member 7. Shri Shailesh Sanghvi, Secretary, MCHI-CREDAI Mira Virar City 8. Shri. Pravin Doshi, Past President 9. Shri Niranjan Hiranandani, Past President 10. Shri Rajni Ajmera, Past President							
Guest Attended	1. Shri Rakesh Prajapati 2. Shri Manohar Shroff 3. Shri Vikas Bhamre							
Date & Venue of the Next Meeting	December 18, 2012							

Sr. No. Agenda	DISCUSSION & DECISION	
1.	<b>To read and confirm the Minutes of the meeting held on October 9, 2012</b>	
	Minutes of the Managing Committee Meeting held on October 9, 2012 were read and confirmed.	
2.	<b>To grant leave of absence to members</b>	
	As mentioned on Page 1, leave of absence granted to names mentioned (Nos. 1 to 12)	
3 & 4.	<b>To review updates on the following matters.</b>	
	a.	<b>VAT</b> <ul style="list-style-type: none"> <li>- Review updates on correspondence with Government Officers regarding VAT.</li> <li>- To discuss issues related to the VAT in Supreme Court of India and refer the matter to the larger bench.</li> </ul>
		Mrs. Chheda pointed out that Shri Shankarbhai of Builders Association of India has requested MCHI-CREDAI to inform Supreme Court to expedite pending SLP of L & T, where MCHI-CREDAI's SLP is clubbed. Shri Vimal Shah pointed out that let the application of L & T be considered first and then we may decide to take further steps if necessary.
	b.	<b>Service Tax:</b> <b>To review the representation prepared by ERNST &amp; YOUNG to CBEC regarding Service Tax on rehab construction which will be handed over to Shri R Sekar, Commissioner Service Tax at Mumbai who has also invited Managing Committee members to attend National Conference on Service Tax organized by ASSOCHAM, on November 30, 2012 at Hyatt Regency, Mumbai.</b>
		<p>The draft presentation given by ERNST &amp; YOUNG on issues of real estate industry has been approved by Shri Vimal Shah after some modification and final presentation is expected to come from ERNST &amp; YOUNG and thereafter same will be submitted to Shri R Sekar, Commissioner Service Tax, Mumbai II and simultaneously E &amp; Y all try to get appointment with Shri Garg at CBEC New Delhi.</p> <p>We have written letter to Commissioner Shri R. Shekar, and Shri Sushil Solanki to give us a time for the seminar at MCHI-CREDAI office after December 10, 2012 to discuss the burning issues, but we have not received any reply so far.</p>
	c.	<b>MoEF</b> New Writ Petition to be filed by MoEF issues and engaging advocate M/s. Parimal Shroff & Co.
		(i) It was pointed out by Shri Vimal Shah that there was a meeting with Shri Parimal Shroff, Solicitor and the issues relating to filing petitions challenging the heritage list and the scope of heritage committee. It may be pointed out that the committee has published the list of heritage buildings and present in 1991. In 2010, another list is published adding about 1000 properties. There are no guidelines/criteria to fix or declare the property as heritage. Incidentally, even the committee has declared trees as heritage. Even entire Dadar area is published/declared as present. Moreover, once the buildings are declared as heritage the same buildings are to be preserved by the owner at his own costs.

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	<p>The old building required heavy costs of maintenance. However, the Government/Corporation do not take any responsibility to maintain such building or to acquire such heritage building. This causes tremendous hardships to the owner.</p> <p>(ii) The Government has issued notification, regarding redevelopment of the slums in CRZ area. The Government has proposed 51% of the participation in slum redevelopment scheme. This notification is beyond the scope under environment act.</p> <p>(iii) It appears that committees (Environment) on their own whims reject development proposal in spite of its approval by local public bodies in the light of existing DC Regulations and Act. Shri Vimal Shah gave one example that the committee has permitted only to put 40% of the glasses on the building, on the guise that the 100% covering of the glasses in the building causes bad-in-environment effect in the area. This conclusions are without any study and/or guidelines. Many times less podiums are permitted.</p> <p>These Writ Petitions will be filed through M/s. Parimal K. Shroff &amp; Co. and if any experts advise is required, then the consultant will be appointed. Shri Vimal Shah requested the sanction of the Managing Committee to appoint M/s. Parimal K. Shroff &amp; Co., solicitor to file three Writ Petitions on the above referred issued. It was seconded by Shri Nainesh Shah, the Managing Committee unanimously approved the proposal. All Managing Committee Members have to give at least one example of either rejection or modification.</p>
d.	<p><b><u>DP</u></b>  <b>To approve the cost of donating Wide Format Plotter &amp; A-3 printer towards adopting new technology in the Development Plan Department.</b></p>
	<p>It has been decided by the Managing Committee to provide above said plotter and A3 printer which was particularly selected by IT provider of MCGM as per their quotation copy circulated to the MCHI-CREDAI Secretariat. Budget Approved Rs. 10 lakhs.</p>
e.	<p><b><u>ULC Matter</u></b>  <b>To discuss the opinion received from Senior Counsel Shri Iqbal Chagla and sent to Dr. Nitin Kareer, Secretary (I) to Hon'ble Chief Minister.</b></p>
	<p>It was pointed out by Mrs. A. H. Chheda, Legal Advisor, MCHI-CREDAI that this matter will come on board in January 2013.</p>
f.	<p><b><u>RTI</u></b>  <b>To discuss RTI applications sent asking for copies on all clarification sent by MoEF to Maharashtra Government on notification related to CRZ dated 06/01/2011.</b></p>
	<p>It has been decided to follow up The RTI application which sent to Shri E. Thirunavukkarasu, Central Public Informative Officer for asking queries regarding CRZ Notification dated 6<sup>th</sup> January 2011.</p>

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5.	<b>Shri Bandish Ajmera, Chairman, Exhibition Committee to give a brief report on the Property 2012 Exhibition held from 1<sup>st</sup> to 4<sup>th</sup> November 2012 in Mumbai.</b>	
	Shri Bandish Ajmera given a brief report on the Property 2012 Exhibition held from 1 <sup>st</sup> to 4 <sup>th</sup> November 2012 in Mumbai.	
6.	<b>Seek approvals for endorsing</b>	
	a.	<b>RAGC's 1st certification program for Asst. Engineers to achieve Execution Excellence at construction site from Saturday 8th December 2012.</b>
		Managing Committee has given approval for the RAGC's 1 <sup>st</sup> certification program for Asst. Engineers to achieve Execution Excellence at construction site from Saturday 8 <sup>th</sup> December 2012.
	b.	<b>FICCI jointly with DMG events Dubai are organizing Big 5 Construct India 2013, the 1st International Exhibition and Conference on Building and Construction from September 2 -4, 2013 at Mumbai Exhibition Centre, Goregaon, Mumbai</b>
		Managing Committee has given approval for the endorsing Big 5 Construct India 2013, the 1st International Exhibition and Conference on Building and Construction from September 2 -4, 2013 at Mumbai Exhibition Centre, Goregaon, Mumbai. But is decided that no developers should be part of this show and no selling of residential or commercial units will be permitted.
7.	<b>To review and decide follow up actions.</b>	
	a.	<b>Follow up meeting with Dr. Nitin Kareer (I.A.S) Secretary (I) to Hon'ble Chief Minister of Maharashtra.</b>
		It has been decided that to take a next meeting with CMO specifically with Dr. Nitin Kareer on priority before State Government Assembly session in Nagpur. Shri Dharmesh Jain, Shri Mayur Shah, Shri Nainesh Shah will take a lead to attend this meetings.
	b.	<b>Follow up meeting with Shri Manu Kumar Srivastava (I.A.S.), Principal Secretary (I), Urban Development Department.</b>
		It was also decided to take next meeting with CMO specifically with Shri Manu Kumar Srivastava on priority before State Government Assembly session in Nagpur. Shri Mayur Shah will take a lead to attend this meeting.
	c.	<b>Meeting with Shri Ujwal Uke, (I.A.S), Principal Secretary, Women and Child Development department.</b>
		It has been decided that as MCHI-CREDAI has not direct involvement to construct the crèches at various sites in MMR. Mumbai mobile crèches is doing the concern work for the same. MCHI-CREDAI will only support in informative point of view. Therefore, it has been decided to write a letter to Principal Secretary Woman and Child development according to the reference of above point.
	d.	<b>Meeting with Dr. K. C. Chakrabarty, Dy Governor, RBI.</b>
		Dr. Chakrabarty shown his inability for our issues and suggested to contact Shri D. Subbarao, Governor of RBI. We received the letter from Subbarao on November 12, 2012 he is also pre-occupied in his busy scheduled and he is unable to give us appointment and suggested to meet Shri Anand Sinha, Deputy Governor RBI. Therefore we have decided to write a letter to Shri Anand Sinha for his appointment.

<b>Sr. No. Agenda</b>	<b>DISCUSSION &amp; DECISION</b>
<b>8.</b>	<b>New Membership approved on October 26, 2012</b>
	<p>The Managing Committee accepted new members to MCHI-CREDAI and pass the following resolution:</p> <p>“RESOLVED THAT Ashapura Housing Corporation Ltd., (Rep. Shri Himmat S. Bhadra / Shri Lehrikant S. Bhadra); Vijay Laxmi Developers Pvt. Ltd., (Rep.: Shri Shantilal Kavar/ Shri Vikash Kavar) be and are hereby admitted as Patron members (Corporate) of MCHI-CREDAI.”</p> <p>“FURTHER RESOLVED THAT K. N. Pokar Construction Pvt. Ltd., (Rep: Shri Haresh Kanji Pokar/ Shri Bhavin Kishor Pokar); M/s. Mahaveer Construction, (Rep. Shri Pinakin D. Shah); Everest Heights (Rep. Shri Narendra Kumar Agarwal/ Shri Ravi Gehi); Brite Tools Company Pvt. Ltd. (Rep. Shri Ajay N. Gogri/ Shri Dhiraj L. Shah) be and are hereby admitted as Life Corporate Member of MCHI-CREDAI.”</p>
<b>9.</b>	<b>Any other matter with permission of Chair.</b>
	<p>It has been decided that after appointment of new Chief Secretary of State Government of Maharashtra MCHI-CREDAI could not conducted a single meeting with reference to Homes for All Committee, therefore Shri Boman Irani specifically informed to write a letter to the new Chief Secretary to arrange a next meeting of Homes For All Committee immediately after the winter session of the Maharashtra Government gets over.</p> <p>As per the exhibition presentation given by Shri Bandish Ajmera, Shri Vimal Shah suggested that MCHI-CREDAI should concentrate on brokers during the exhibition. He specifically mentioned that MCHI-CREDAI should dedicate the 1<sup>st</sup> day of every exhibition to all brokers to interact with all exhibitors. Also MCHI-CREDAI should arrange a road show by exhibitors for the brokers at the exhibition.</p> <p>It has been decided by Shri Paras Gundecha and Shri Boman Irani to take an appointment with new bureaucrat in Government of Maharashtra in next month December 2012 except between 5 to 9 December. Specifically MCHI-CREDAI requires an urgent appointment with Shri Debashish Chakrabarty, I.A.S., Principal Secretary for housing department immediately after the winter session of the Maharashtra Government gets over.</p> <p>It has been also decided that MCHI-CREDAI will be supporting Kokan Bhumi Pratishthan for their forth coming event “Global Kokan Festival” to be held at NSE Complex, Goregaon, Mumbai from 4 – 6 January 2013.</p>

Meeting ended to the thanks to the chair.

Sd/-  
Boman Irani  
Hon. Secretary