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Dhaval Ajmera

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Pritam Chivukula

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Parag Munot
Rajesh Prajapati
Harshul Savla
Parth Mehta

HON. JT. SECRETARIES
Pratik Patel
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Sunny Bijlani

SPECIAL ADVISORS
Abhishek Lodha
Gautam Chatterjee
Ar. Hafeez Contractor
Anuj Puri
Ankur Gupta
Adv. Parimal Shroff

INVITEE MEMBERS
Mohit Malhotra
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Rushii Melita
Rajeev Jain
Harmohan Sahni

YOUTHING CONVENOR
Naman Shah

PROCUREMENT CONVENOR
Nimish Ajmera

WOMEN'S WING CHAIRPERSON
Mona Ajmera

CREDAI-MCHI UNITS
THANE
KALYAN-DOMBIVLI
MIRA VIRAR
RAIGAD
NAVI MUMBAI
PALGHAR BOISAR
BHIWANDI
SHAHAPUR-MURBAD
URAN-DRONAGIRI
ALIBAG
KARJAT-KHALAPUR-KHOPOLI

To
Shri Pravin Darade (I.A.S.),
Principal Secretary,
Environment Department
Government of Maharashtra

Respected Sir,

CREDAI-MCHI would like to thank you for giving us appointment on February 8, 2023. Sir we wish to draw your attention and request your intervention for the following issues :

1) **Requirement of Certified Compliance Report (CCR) RO visit in accordance with MoEF OM dated 8/6/22, Folio No. IA3-22/10/2022-IA.III (E 177258)**

The integrated regional officer (IRO) in-charge of issuing such CCR for Maharashtra is in Nagpur. Most of our members are applying for IRO visit well in advance but the IRO visits for obtaining CCR are not happening within the stipulated 1 month period. No other alternate mechanisms or remedies to this delay is available to our developer members. Further, MoEF OM page 2, para A(i) states that "at time of issuance of expansion ToR, the member Secretary of SEAC shall endorse a copy of the ToR to be concerned IRO of MoEF & CC". Thus, the requirement of CCR is presumed to be applicable to the ToR cases only and the primary responsibility in such TOR cases are vested with the Member Secretary of SEAC. Category 8(a) projects which do not require TOR should be exempt from CCR requirement.

Having said this, we request you to please vest the power of issuing CCR to the Sub regional officer (SRO) of MPCB. In the meantime, we request you to please continue the process of taking self declaration from project proponent for compliance within 3 months for appraisal of 8(a) and 8(b) projects, or else, most expansion projects will have to be halted which will adversely affect our obligation of delivery date under MahaRERA.

2) **Validity period of Consent to Establish (CTE) issued by MPCB:**

The validity period for CTE for projects which requires EC is 5 years which was in congruence with the validity of EC which used to be for 5 years. Now the validity of EC itself has increased to 10 years by MoEF&CC hence we request you to please increase the revalidation time and add to ease of doing business. Such increase in CTE tenure should be made applicable in the manner similar to MoEF&CC doing it for EC to maintain the harmony of the two permissions.

3) **Recent Judgement of NGT Special Bench on appeal no. 22/2-16(WZ) & 23/2016 etc. and scope of appraisal**

It was observed by NGT, which in turn cited Hon. SC order of 2015, that recreational space should be provided on the ground. The said judgement has been made applicable to all the ongoing projects. However, the said judgement is only applicable / was applicable to projects which were being carried out under the then prevailing DCR regulations within the municipal limits of Greater Mumbai. Considering the fact that the new regulation of DCPR 2034 has come into effect from May 2018, we hereby request your attention in this matter.

Maharashtra Chamber of Housing Industry

Maker Bhavan II, 4th Floor, 18, V. Thackersey Marg, New Marine Lines, Mumbai - 400 020.
Tel: 42121421, Fax: 4212 1411/407 Email: secretariat@mchi.net Website: www.mchi.net

10/02/23
महाराष्ट्र राज्य कायदा
व वास्तवशास्त्र विभाग
मुंबई

4) Recommendation for 94 ongoing projects

Reference to the minutes of the 158th (day 4) meeting held on 25th May 2022. On page no. 18, it mentions that the Authority discussed the above stated clarification issued by MOEF & CC and decided on a standard operating procedure where the concerned planning Authority shall submit the list of matters along with their remarks in a tabulated form which has already been complied with by CIDCO and the submission has been made to MCZMA already. *(Copy of earlier letter is attached herewith)*

We request for your kind intervention to resolve this issue which is affecting more than 10,000 (Ten Thousand) home buyers as the OCs are not being awarded for the said 94 projects.

5) Support for Survey and Mapping of Entire Dronagiri Node by Chennai IRS

There is an urgent need to get a complete mapping/survey done by Chennai IRS for the Dronagiri node. As you are aware that many developers are unable to obtain commencement certificate as they need to obtain CRZ clearance from MCZMA on plots allotted by CIDCO. In the minutes of meeting held on 26th November 2021, MOEF & CC has even directed to submit a proposal to carry out the survey of entire Dronagiri node to resolve CRZ and Mangrove Buffer Zone issue by Chennai Survey agency, IRS.

The delay is not only increasing the Additional Lease premium and Time extension charges that CIDCO levies on these affected plots by the day but also the already invested huge amounts of capital to acquire these plots thereby hampering the development of Dronagiri node where thousands of affordable homes can be built by developers.

MCZMA has always been supportive in resolving the issues which obstruct development keeping environmental concerns in mind and we are sure we will gather the same support to expedite this matter too.

CREDAI-MCHI Uran Dronagiri Unit, a unit of CREDAI-MCHI would therefore like to commence this mapping directly with Chennai-IRS or in affiliation with CIDCO Ltd.

6) Validity of CTO for buildings handed over to the societies

Whenever construction of a certain part/phase/wings/buildings of a project has been completed on site, the project proponent applies for the Occupation Certificate from the concerned planning authority for the said part/phase/wings/buildings of the project. Before applying for OC of the said completed part/phase/wings/buildings the project proponent applies to the MPCB for the Consent to Operate of the services such as STP, OWC, RWH, etc. that are being provided in the said completed part/phase/wings/building of the project, the validity period of the CTO in a normal case is usually 1 year. The project proponent post obtaining the OC of the said part/phase/wings/buildings hands over possession of the same to the society. Thus, it is the responsibility of the society to maintain & operate the services that are provided in the said part/phase/wings/buildings and also revalidation of CTO of the same.

In the recent past it has been observed that the societies have not been revalidating the Consent to Operate of the part/phase/wings/buildings whose OC has been granted. Further on completion of the further part/phase/wings/buildings of the project, the project proponent applies for the CTO of the further completed part. Thus, at the time of grant of Consent to Operate for the further completed part huge penalties are being charged by the MPCB for non-revalidation of Consent to Operate of the initial parts. This practice followed by the MPCB is not fair towards the project proponent as they are being held liable to make the payment of penalty charges for revalidation of CTO whose responsibility lies with the concerned societies.

In view of above, we hereby request your kind good selves to not levy penalty charges for the revalidation of consent to operate of the initial parts if OC for the same has been granted and they are already handed over to the concerned societies.

7) Extension of validity of consents for the 9-month covid period

The MoHUA, Government of India issued a notification bearing no. K – 14011/12/2020 – AMRUT – IIA dated 28.05.2020, as per the said notification an advisory was issued by the ministry for extension of validity and time limit of all approvals, NOCs and subsequent compliances given by State and Central agencies for real estate sector. The ministry after

examining all the facts and the views of all the stakeholders involved considered the situation as a “force majeure”. The government automatically extended the validity of various kinds of approvals by ULBs/Urban Development Authorities/other state agencies including commencement/completion certificates, payment schedule of charges including development charges, ‘No Objection Certificate’ from various agencies by 9 months.

In view of above, we hereby request you to grant an extension in the validity of the consents i.e., both establish and operate for the period of 9 months i.e., the covid period.

8) Requirement of Balance Sheet for issuance of Consents

While making an application for Consent to Establish, the project proponent must submit an undertaking and a CA certificate for the estimated cost of the project. Based on the data provided in the same, the fees for submitting the application for consent to establish are calculated. However, during the scrutiny of the proposal and during the review of the proposal by the CAC a new requirement of providing the balance sheet of the project proponent is being raised by the MPCB. We would like to state that this requirement raised by the MPCB is causing duplication of data that is being submitted by the project proponent. Further the fulfillment of the said requirement is causing unnecessary delay in the grant of consent for the project proponents which in turn is increasing the project cost and affecting the viability of the project.

In view of above, we hereby request you to grant concession for the requirement of balance sheet of the project proponent and issue the consents based on the undertaking and the CA certificate provided for the project cost.

9) Clarification regarding the provision of Bank Guarantee for Consents

While applying for consents both establish & operate for fresh application or revalidation of earlier consent, a new bank guarantee needs to be submitted by the project proponent to the MPCB as a part of compliances for the issuance of consents. Further the validity of the said BG's gets expired on the completion of the validity period. Whenever the project proponent approaches a banking institution for renewal of the said expired BG's, the banks insist on submission of the earlier issued expired BG's. Since the same is in the possession of MPCB, the project proponent has to invest an additional amount for the issuance of the fresh BG. This leads to duplication of investment by the project proponent and causes hardship to them as their funds are blocked for a long time even after the completion of the purpose for which the BG was issued.

In view of above, we hereby request you to issue clarifications regarding the structure of the amount of BG and the period for which it needs to be submitted while obtaining consents so that the duplication of investment and blocking of funds can be avoided.

In view of the above suggestions, we would like to discuss the issue in detail for early resolution of the said issues.

Looking forward to your cooperation in this regards.

Yours faithfully,
For **CREDAI-MCHI**



Boman Irani
President



Dhaval Ajmera
Hon. Secretary

PRESIDENT
Boman Irani

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Munish Doshi
Nishant Agarwal
Cherag Ramakrishnan
Azim F. Tapia
Jayesh C. Shah
Shailesh Sanghvi
Sunny Bijiani
Binitha Dalal
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URAN-DRONAGIRI

ALIBAG

KARJAT-KHALAPUR-KHOPOLI

To
Smt. Manisha Mhaikar (I.A.S)
Principal Secretary,
Environment and climate change department
3rd Floor, New Administrative building, Mantralaya
Mumbai, Maharashtra-400032

Sub: Recommendation for 94 ongoing projects

Ref: Minutes of the 158th (Day 4) meeting held on 25th May'2022

Respected Madam,

With respect to the above subject, firstly we would like to thank you for giving us the opportunity to present our case on 09.05.2022.

This has reference to the minutes of the 158th (Day 4) meeting held on 25th May'2022. On page no.18, it mentions that the Authority discussed the above stated clarification issued by MOEF&CC and decided on a standard operating procedure where the concerned planning Authority shall submit the list of matters along with their remarks in a tabulated form.

We are sure about your knowledge on the standard operating procedure which has already been complied with by CIDCO and the submission has been made to MCZMA already (A copy of acknowledgement has been enclosed herewith)

We hereby request you give us an appointment to meet & urge you to send a positive recommendation to CIDCO so the long-awaited possession of several affected Home buyers could find a positive conclusion.

Kindly do the needful and oblige.

Thanking you,

Yours faithfully,
For CREDAI-MCHI

Boman Irani
President

D. R. A
Dhaval Ajmera
Hon. Secretary

08/06/22
लिपिक,
प्रधान सचिव कार्यालय,
पर्यावरण व वातावरणीय बदल विभाग,
मंत्रालय, मुंबई-४०० ०३२.

Maharashtra Chamber of Housing Industry

Maker Bhavan II, 4th Floor, 18, V. Thackersey Marg, New Marine Lines, Mumbai - 400 020.
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List of plots not in CRZ as per CZMP prepared under CRZ notification, 1991 and now falling in CRZ as per CZMP 2011.

Annexure I

CC prior to 31st July 2018

Sr. No.	Node	Sector No.	Plot No.	CC - Date
1	Uhwe	23	177	16 July 2010
2	Uhwe	21	96	16 December 2010
3	Dronagiri	15	3,4	30 December 2010
4	Dronagiri	47	1	31 January 2011
5	Uhwe	21	111	25 February 2011
6	Uhwe	21	105	16 June 2011
7	Dronagiri	15	10	19 July 2011
8	Dronagiri	15	113	25 October 2011
9	Dronagiri	15	113	25 October 2011
10	Uhwe	23	222	01 November 2011
11	Dronagiri	48	111	30 December 2011
12	Dronagiri	15	141	28 February 2012
13	Uhwe	23	176	28 June 2012
14	Uhwe	23	221	17 August 2012
15	Dronagiri	48	98	09 October 2012
16	Uhwe	21	97	12 October 2012
17	Uhwe	21	99	26 November 2012
18	Uhwe	21	94	31 December 2012
19	Uhwe	23	224	30 January 2013
20	Dronagiri	15	74	29 April 2013
21	Dronagiri	15	99	14 May 2013
22	Dronagiri	48	105	17 May 2013
23	Uhwe	23	216	28 May 2013
24	Dronagiri	48	121	02 July 2013
25	Dronagiri	52	7	04 July 2013
26	Dronagiri	51	37, 38, 39	08 July 2013
27	Dronagiri	53	115	08 July 2013
28	Uhwe	23	175	07 August 2013
29	Dronagiri	48	107	30 August 2013
30	Dronagiri	55	28, 29	03 September 2013
31	Dronagiri	41	160	19 September 2013
32	Dronagiri	15	72, 73	10 October 2013
33	Dronagiri	48	89	23 October 2013
34	Dronagiri	15	64	25 October 2013
35	Dronagiri	47	39	18 November 2013
36	Dronagiri	50	54	05 December 2013
37	Dronagiri	51	134	10 December 2013
38	Dronagiri	51	36, 53	17 April 2014
39	Dronagiri	48	110	30 May 2014
40	Uhwe	23	1	22 August 2014
41	Dronagiri	50	11	05 December 2014
42	Dronagiri	48	118	18 December 2014
43	Dronagiri	53	183	18 February 2015
44	Dronagiri	50	46	20 March 2015
45	Dronagiri	15	89	08 May 2015
46	Dronagiri	50	106	22 June 2015
47	Dronagiri	50	102	25 August 2015
48	Dronagiri	50	51	07 September 2015
49	Dronagiri	54	17	23 October 2015
50	Dronagiri	41	158	25 January 2016
51	Dronagiri	50	54	25 January 2016
52	Dronagiri	52	91A	02 February 2016
53	Dronagiri	52	9	05 July 2016

54	Dronagiri	51	26	09 September 2016
55	Dronagiri	50	65, 66, 67	25 October 2016
56	Dronagiri	52	90	24 November 2016
57	Dronagiri	50	107	21 December 2016
58	Dronagiri	15	60	02 January 2017
59	Dronagiri	53	165	17 February 2017
60	Dronagiri	47	25	31 March 2017
61	Dronagiri	47	36	27 April 2017
62	Dronagiri	47	36 & 36A	27 April 2017
63	Dronagiri	53	225-226	08 May 2017
64	Dronagiri	50	122	09 May 2017
65	Dronagiri	47	38	15 May 2017
66	Dronagiri	54	1	23 May 2017
67	Dronagiri	53	135	14 June 2017
68	Dronagiri	50	136	20 July 2017
69	Dronagiri	47	41	27 July 2017
70	Dronagiri	52	24	28 August 2017
71	Dronagiri	54	41	12 September 2017
72	Dronagiri	50	15	13 October 2017
73	Dronagiri	53	166	06 November 2017
74	Dronagiri	50	120	23 January 2018
75	Dronagiri	53	210	08 March 2018
76	Dronagiri	50	17	20 March 2018
77	Dronagiri	15	12	23 March 2018
78	Dronagiri	55	85	16 May 2018
79	Dronagiri	53	222	15 June 2018
80	Dronagiri	15	62	09 July 2018
81	Dronagiri	53	112	01 August 2018
82	Dronagiri	50	17	23 March 2018
83	Dronagiri	48	90A	26 February 2014
84	Dronagiri	54	63	21 November 2013
85	Dronagiri	15	1	08 January 2015
86	Dronagiri	55	31	11 June 2015
87	Dronagiri	50	16	28 November 2016
88	Kharghar	10	221A & 222	28 January 2017
89	Kharghar	18	79	18 December 2017
90	Kharghar	18	71	31 December 2017
91	Ulwa	23	138	18 April 2018
92	Taloja	19	14	27 April 2018
93	Taloja	364	18	09 May 2018

Notes: 1. Above list includes plots submitted to MCZMA / MoEFCC earlier.
2. Commencement Certificates in above plots were issued as per provisions of prevailing GDCRs and policies of CIDCO

Annexure II**CC between 31st July 2018 to 21st September 2019**

Sr. No.	Node	Sector No.	Plot No.	CC - Date
1	Dronagiri	53	137	17 September 2018
2	Uhwe	25	123 to 125 A	28 September 2018
3	Dronagiri	53	86	16 October 2018
4	Dronagiri	55	58	19 November 2018
5	Dronagiri	53	229	16 January 2019
6	Dronagiri	50	41	28 January 2019
7	Dronagiri	53	200A	30 January 2019
8	Dronagiri	55	56	14 February 2019
9	Dronagiri	50	132	15 March 2019
10	Dronagiri	55	57	16 May 2019
11	Dronagiri	47	6,7	02 August 2019

Notes: 1. Above list includes plots submitted to MCZMA / MoEFCC earlier.

2. Commencement Certificates in above plots were issued as per provisions of prevailing GDCRs and policies of CIDCO