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Vasai Taluka

Housing
Federation

February 2019

VOL.08 Issue 11

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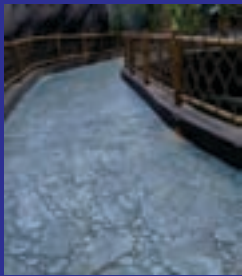
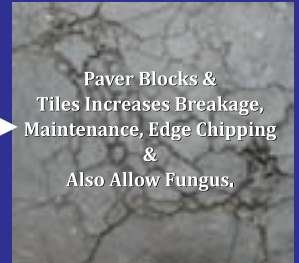
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EDITORIAL

Dear Readers,

Seasons' Greetings,



राजिंद
श्री. दि. विष्णुनाथन

As you will be Please to know that **VTHF** has formed a Study Group for Self Redevelopment under the Chairmanship of former Principal Secretary to the Chief Minister, Maharashtra State, and retired I.A.S. officer **Hon.ble Shri Subhash Lalla**. It is our privileged that another retired I.A.S. officer **Hon.ble Shri Chandrakant Dalvi**, former Commissioner, Co-operation and Registrar, Co-operative Societies has also joined our Study Group for Self Redevelopment. With these senior bureaucrats, Study Group also comprised retired Government Pleader, Solicitor, Architects, Engineers, Chartered Accountants, Advocates, retired bank officials, and stake holders. We have almost completed our report on Self Re-development and soon we are going to submit it to the Hon.ble Chief Minister of Maharashtra.

Hon'ble Chief Minister has also indicated that the State Government could amend the new development rules to encourage Self-redevelopment and will support and encourage Self-redevelopment. At present, there are no incentives or a framework to promote self redevelopment. The Government may issue an administrative order to streamline and boost this model.

We have studied every model of Self-Redevelopment which will cater the needs of the people. We will soon bring these models before you. While discussing every pros and cons in the self re-development, we came across the main hurdle of finance. At present Mumbai District Central Co-operative Bank came forward with its loan policy on Self re-development.

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OWNERSHIP OF COLLECTOR LEASEHOLD LANDS



CA. Ramesh S. Prabhu, Chairman, **MahaSeWA**,

- 01 Become a owner of Collector Land
- 02 Convert Lease to Ownership
- 03 Class 2 land to Class 1 Land
- 04 Easy Redevelopment
- 05 No Transfer Fees
- 06 Conversion Premier 25% of Ready Reckoner

As elections approaching fast, the Government came with new announcement after every alternate day. Recently Government has decided to give the plot on ownership basis by taking one time transfer fee given for utilization of residential and commercial us in the CIDCO area at Navi Mumbai, Aurangabad and Nashik.

Hereinbefore the Government had taken decision to give government land allotted by the Collector on lease, on ownership by taking transfer fee at the rate of 25 per cent of the prevailing market rate. Even after not getting any response to this, the Government has taken this new decision.

The premises allotted by the Collector on lease and the land allotted by the CIDCO, are mostly given to the Housing Societies to construct residential flats for their members. Earlier this lease was of 99 years, now it has been lessen for 30 years. After expiration of lease its period is again newly extended. For this a nominal fees is charged from the Government. Mostly middle class families lived on the Housing Societies built on these lease lands.

Considering the Mumbai Suburban District, there are near about three thousand Housing Societies, and the generally the same number of Housing Societies are situated on CIDCO land.

There are two types of land. Lease hold land and Free hold land. The Government make available the land in its possession for housing and other public social cause on lease. In Navi Mumbai, the government had acquired the land and developed it and that plot allotted by the CIDCO on lease. The Board of Directors of CIDCO had made a resolution to extend the period of lease of such plot and forwarded it to Mantralaya for approval. On that basis the Government has taken this decision to give these lands on ownership by taking transfer fees. It should be applicable only to residential and commercial purpose lands. This decision shall not be applicable to the land allotted to Trust, Hospitals, Educational Institutions, Industries and Gymkhana.

Once the land is transferred from lease hold to free hold, then there is no need to take permission of the concerned Collector, CIDCO Authority for sale of flat, transfer, mortgage, to admit new member, redevelopment of the building etc. on the lease hold land. Actually, residents in the housing societies standing on lease hold land demanded to make free hold their land.

However the premium that slap by the Government at the rate of 25 per cent of the prevailing market rate is going to crore of rupees and this is not affordable to the middle class residents staying in the housing societies on lease hold land.

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There is demand that this premium should be reduced at 2 per cent. This is the main reason that no one come forward for getting their land from lease hold to free hold. Now there is doubt that now how many people came forward to take advantage of the CIDCO land. Because one time transfer fee of the CIDCO according to the plot area is from 5% to 20% for residential utilization and for the

commercial utilization the same is from 25% to 30% of the market rate. Therefore only time will decide, how much response it will get. The Government should reconsider this hefty premium and pave the way for re-development of the dilapidated buildings standing on these lease land and recovered their premium from the salable flat which will be available after re-development.

Continued from page no. 06

While perusing their Loan Policy it seems that their loan limit is 85% of the project costs, and that is after getting IOD / IOA to the society. This means till the IOD / IOA the society has to bear the cost of 15 per cent. This 15% initial money is not small amount and no society will bare this cost and ultimately the self re-development project will go to the un-scruples builders. Secondly since the jurisdiction of the Mumbai District Central Co-operative Bank is Mumbai and Mumbai Suburb only it cannot lend money for self re-development in cities like Thane, Dombivali, Kalyan, Navi Mumbai, Vasi-Virar etc. where self re-development is a need of the hour.

To encourage and boost the Self Re-development, we are formulating start up funding policy with the help of **ANGA SWAGAT FINANCE AND INVESTMENT PVT. LTD.**, a non banking finance company. This Finance Company shall provide loan up to IOD/IOA stage, and shall extend every help and guidance from our expert team so that the self re-development projects sail smoothly. We want to bring cheers on faces of the members and their families of the co-operative housing societies. You are requested to contact our office for more details to give your feedback opinion, suggestions in this regard so that the policy will be more comprehensive.

Large number of queries poured in our office about the fate of Maharashtra Co-operative Societies Act, 1960 after the Hon.ble

Governor of Maharashtra promulgated the Maharashtra Co-operative Societies (Third Amendment) Ordinance, 2018 on the 30th October 2018. Which pave the way for a separate chapter for co-operative housing societies, and since it is expedient to replace the said Ordinance by an Act of State Legislature; the Hon.ble Minister for Co-operation tabled the L.A. Bill No. LXX of 2018 on 29th November 2018 before the House. However, Hon.ble Members of the House insisted more discussion on the bill and requested to keep pending the Bill till next session of the House.

Now from 18th February both the Houses of the State Legislature will in session. But no major business will be transacted in the House. So this bill will not come before the House in ensuing session. It may be tabled in the next session thereafter. Till then, old Maharashtra Co-operative Societies Act, 1960 and Rules 1961 shall be applicable to the Co-operative Housing Societies in Maharashtra.

With Best Regards,

V. Viswanathan,
Secretary, VTHF

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- To comply with statutory requirements.
- To enhance life cycle of building by suggesting preventive and corrective measures like repairs and retrofitting.

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- (c) recommendations by the structural engineer as to such building works as are necessary to ensure the structural stability or integrity of the building.

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Exposure Draft of Chapter – 1 on SELF REDEVELOPMENT

Exposure Draft of Chapter 1 on Self Redevelopment Manual Prepared by Self Redevelopment Study Group of MahaSeWA Chaired by Hon'ble Shri SUBHASH S LALLA, IAS, Former Principal Secretary to Chief Minister of Maharashtra and Co-chaired by Hon'ble Shri Chandrakant Dalvi, IAS, Former Commissioner, Co-operation and Registrar, Co-operative Societies.



REDEVELOPMENT, ITS ADVANTAGES AND RISKS

Hon'ble Shri SUBHASH S
LALLA, IAS,
Study Group Chairman



Hon'ble Shri Chandrakant
Dalvi, IAS,
Study Group Co-Chairman

The Readers are also requested to give their suggestions on this Draft of Chapter – 1 of Manual. Please visit or website : www.mswa.co.in to get Complete Draft.

1. INTRODUCTION :

In the recent years with the ever growing need for space and the changes in the rules, the latest trend has been redevelopment of old, dilapidated buildings. This propensity has been widely accepted as it seems to be the only alternative for accommodating the ever growing population, as also it is more viable in terms of achieving the end result.

2 MEANING OF REDEVELOPMENT

As the term implies "Redevelopment" means demolishing the Old Structure and replacing it with a New Structure with new dimensions and space.

3 ADVANTAGES OF REDEVELOPMENT:

Redevelopment has its own advantages and disadvantages. It is worthwhile to mention a few of the advantages and disadvantages that are associated with redevelopment.

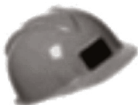
A) ADVANTAGES OF REDEVELOPMENT:

(I) To the Societies/Members:

- (a) Solution to extensive repairs for lack of funds
- (b) Additional area
- (c) Members get option to choose to purchase extra space.
- (d) Corpus Fund
- (e) Lifts in New Building structures
- (f) Parking facilities
- (g) Modern amenities and electronic gadgets
- (h) Better building structures
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 - Modern elevators.
 - Larger toilets.
 - Attached bathroom in bedrooms, etc.
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- (ii) Self Redevelopment Opportunity
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4 DISADVANTAGES/ RISKS OF REDEVELOPMENT:

There are also a few disadvantages or risks involved in the redevelopment that need to be mentioned. Redevelopment projects certain issues need to be tackled so as to avoid discomfort for the members of the Society.

(I) To the Co-operative Societies/ Members:

- (a) Risks of lacuna in development agreement
- (b) Inconvenience during construction period
- (c) A residential complex
- (d) Cultural issues between Old & New members
- (e) Increase in Maintenance Cost
- (g) Risk of non-receipt/procurement of OC by the developer

- (h) Water shortage
- (I) Additional vehicles need extra space.
- (j) Additional area purchased
- (k) Delay in delivery of project
- (l) Risk of Non-payment of rent
- (m) Diversion of funds by the Developer
- (n) Serious irregularities in the process

(ii) To the Developers:

- (a) All the members of the Society have to be satisfied with all the plans of proposed by the Builder/Developer even though their most of the dealings are with the Managing Committee of the Society.
- (b) In case of any dissatisfaction arising between the Members of the Society during the execution of the Redevelopment project, it results into division of Members and various oppositions start arising which makes the task even more difficult.
- (c) In the event, the redevelopment project is delayed due to factors which are not in the hands of the developer, like approval delays, then it increases cost of the project like payment of rent for delayed period, increase in cost of materials. With the advent of RERA, it may give rise to litigations.

(These are only important points published in this magazine, Readers who are interested details about this draft they may visit our Website : www.vasaihousingfederation.com vasaihousingfederation@gmail.com)

CREATION OF WhatsApp Group by Vasai Taluka Co-Operative Housing federation

The Social media has been spreading very quickly. Every person who wants to have the instate information on various aspects been using WhatsApp as means and getting enrolled in different WhatsApp group. At the request of many members and public at large at different Seminars. VTHF has Created the areawise WhatsApp group on Self Redevelopment.

any person who want to be part of their respective areawise group are requested to send there request to : WhatsApp No.: 9 9 8 2 1 7 5 4 3 1 6 or E - mail to : vasaihousingfederation@gmail.com with following details : (1) Name, (2) Designation like Committee member or Secretary etc. (3) name of Society (4) Area for e.g. model town, Shastri ngr., or Road (5) Railway Stn. (6) E-mail Add. _____



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 - c. Parking instructions.
 - d. Reminder to member to pay on or before a specific time to avoid defaulter status
9. **Drafting notices** to be given by society to defaulter members.

FOR MORE INFORMATION CONTACT Mrs. Trupti.

Office Address: Office No. 103, "B" Wing, Ashoka Super Market CHS Ltd., Jn. of. S. V. Road and Aarey Road, Goregaon West, Mumbai 400104

For Society Matters (Trupti) - 91375 72651 | 6693 8746.

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STATE COULD TWEAK RULES TO BOOST SELF REDEVELOPMENT

Maharashtra govt could tweak rules to boost self redevelopment

MUMBAI: The state government could amend the new development control rules to encourage self redevelopment. This is a model where residents redevelop their properties without a builder to corner all the benefits.

The housing department will table a proposal before the state cabinet after deliberations with departments such as urban development, cooperation and revenue, Bhushan Gagrani, principal secretary in the chief minister's office told TOI.

On Saturday morning, the self redevelopment model received its first major push with a full-fledged brainstorming meeting with all the stakeholders in chief minister Devendra Fadnavis' war room in Mantralaya. The meeting was chaired by Gagrani following the CM's directive. Two weeks ago, the CM had told TOI that his government will support and encourage self redevelopment

Saturday's meeting was attended by officials from various state departments, housing authority Mhada, housing activist Chandrashekhhar Prabhu, who has authored the policy, Mumbai District Central Cooperative Bank chairman Praveen Darekar, and housing society members. The cooperative bank's officials made a presentation on the self redevelopment model. The bank has sanctioned Rs 75 crore and has given an in-principle approval to sanction Rs 780 crore to redevelop 19 housing societies. Gagrani said the government may later issue an administrative order to streamline and boost the self redevelopment model.

One of the main demands of housing societies is concessions in payment of hefty premiums to



the BMC and Mhada during self redevelopment. It includes a crushing property tax on land under construction. While this tax on land under construction is meant to ensure that builders complete redevelopment projects on time, in self redevelopment, societies have no reason to delay construction work. Hence, to levy the same penal tax on societies is unfair, say activists. While builders with deep pockets who make profits from redevelopment schemes can afford to pay the premiums, society members who opt for self redevelopment are not in a position to do so.

Members of a Goregaon society currently self redeveloping their building said they were shocked when the BMC slapped them with Rs 75 lakh property tax for three years for land under construction. "The government must waive this off or give benefits to such societies," said Chandrashekhhar Prabhu, housing activist, who promotes self redevelopment.

Saturday's meeting also discussed plans to make Mhada's one-window cell for self redevelopment more operational. Several Mhada societies which signed lease agreements decades ago now find obstacles if their plot numbers were erroneously written in lease deeds. "Society members are made to run around to carry out fresh measurements of properties," said Prabhu. So far, Mhada has given offer letters to three societies for self redevelopment.

Source :- TIMES OF INDIA



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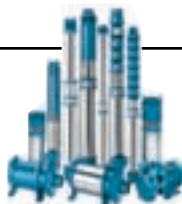
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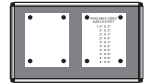


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SELF-REDEVELOPMENT STUDY GROUP OF MahaSeWA LISTED FOLLOWING SUGGESTIONS TO BE INCORPORATED IN THE SELF-REDEVELOPMENT POLICY TO BE ANNOUNCE BY GOVERNMENT.

Suggestions for encouraging Self Redevelopment as Under

1. Appoint a Nodal Agency :

The Government should appoint a Nodal agency who will facilitate and promote the Self redevelopment of the properties in Maharashtra and the societies going for Self Development can take help from the above Nodal agency and the service of Nodal agency will be optional. The said Nodal agency will provide a unbiased guidance to the societies going for Self Development as a facilitation center.

- By **Hon'ble Shri SUBHASH S LALLA, IAS,** Study Group Chairman

2. Single window clearance

Single window clearance for approval of the Real Estates projects at the planning / approving authority level.

- By **Adv. Pradip Indulkar,** Retd. Jt. Secy. to Govt.,

3. Income Tax/ GST exemption

Tax incentives like Income Tax/ GST exemption should be given for Self Development.

-By **CA. Ramesh S. Prabhu,** Chairman, MahaSeWA,

4. CC Before Demolition of Building

Commencement Certificate (CC) issued by planning authority, pending the demolition of the building

-By **Arch. Anil Darshetkar,**

5. Building more than 30 years old

Building which are dilapidated or more than 30 years old should be given extra incentives and fungible and other FSI should be provided at concessional rate.

- By **Himesh V. Gupta (B.E.),**

6. Phase wise development

Phase wise development should be permitted and if open spaces or RG areas are available the construction should be allowed thereon initially so that the problem of rehabilitation is sorted out to some extent.

-By **Arch. Sandeep Kangutkar,**

7. Dispute Redressal Mechanism

The dispute redressal mechanism should be set up through a competent authority for evicting people or for solving disputes between contractor and society.

- By **ADV. G N S IYER,**

8. Stamp Duty Only Rs. 100/-

Stamp duty of Rs. 100/- should be charged when new house is given with additional area.

-By **K. R. Belosay,** Retd. Govt. Plader,

9. Premium or Development Charges Should be Deferred

If any premium or development charges should be deferred till the time of getting Occupation Certificate or sale proceeds whichever is earlier.

-By **SAMEER SAWANT, B.E.**

10. All Banks Should Provide Loan

All the nationalized Banks, Cooperative Banks and other NBFCs should be encouraged to provide finance for Self Development.

- By **CA. Dilip Kumar Agrawal,**

11. Government Subsidy:

Government should provide interest subsidy for the loan taken for Self development.

- By **CA. ANIKET BAGVE**



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Indian society of structural engineer (ISSE)	1999
Institution of Valuer	2002
Mumbai Building repair & reconstruction board (MHADA UNIT)	2002
License of site surveyor	1988
License of site supervisor	1997
American society of civil Engineers (ASCE)	2004
Institute for steel development & growth	2001
Indian society for technical Education (ISTE)	2002
Registered member of the council architect New Delhi	1984
Associated member of the Indian Institute of Architects	1984

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SELF – REDEVELOPMENT IN A NUT-SHELL

Himesh Gupta
Architectural consultant and Urban Planner
hvgassociates@gmail.com
9890087688



As we have already witnessed the unscrupulous builders who have taken the society in their hands and have failed to reconstruct the new society in a particular time frame thereby leaving the existing occupants homeless and on the mercy of the builders.

It is high time society realizes the above fact, and builds its societies building by **“Self Redevelopment”** under the initiative taken by **CA. Ramesh Prabhu** (Chairman MahaSeWA) is already in process of publishing the standard guidelines and the various methodology involved to be adopted by the societies for Self- Redevelopment .

1st Step: Obtain Conveyance:

In Self – Redevelopment, the First step is society must have conveyance in its name. While applying for IOD to BMC, society must be owner of the land on which redevelopment is proposed. If the land belongs to MHADA, Collector, PUGREE, trust or any statutory authority, etc then NOC from such owner is must for redevelopment.

2nd Step: Building more than 30 years old or dilapidated:

The second step for the society to go for redevelopment is to check if the building has completed 30 years and is in dilapidated state by ascertaining through certified structural

consultants . As the DCPR 2034 of MCGM is sanctioned, the society can avail the benefit for incentive additional BUA to the extent of 15 % of existing BUA or 10 sq.m per tenement whichever is more as per clause 33(7) (B), also as per clause 31(3) additional 35 % for Fungible Compensatory area is permissible and the most important clause of 30 (C) **“Protected Development ”** which allows FSI to be exceeded for redevelopment of existing authorized building to the extent of existing authorized development rights/BUA thereby reducing the Premium FSI and TDR required to be purchased.

3rd Prepare Feasibility Report:

The third step is to prepare feasibility report with respect to D.P. remarks, C.T.S plan, physical survey through an Architect/ Project Management Consultant, by taking all the above benefits including the width of road which it abuts to claim the maximum potential FSI with the TDR and also checking if the particular land is affected by any of the lands adjacent to it where NOC is required by the respective department like Airport, Jail authorities, Railways, Defense (COD), Naval, Mumbai Heritage Conservation Committee (MHCC), Archeological Survey of India (ASI), MHADA / MBRR Board, Highway , Estate Department of MCGM, MCZMA for lands affected by CRZ, Collector, Director of Industries, mangroves, MOEF in case the BUA is more than 20,000 sq.m, MMRDA in case of











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influence zone of Metro/Monorail . with this the Society now knows its potential FSI, fungible FSI and total FSI consumed till date, with the balance FSI left for sale. Further, if the society wants to redevelop and reconstruct for themselves RERA is not required , however if the society wants to sell some of new flats in its redeveloped project and it is more than 8 units or 500 sq mtrs or more then it has to register it in Maha RERA.

4th Step: Appoint Project Management Consultant (PMC)

As society in case of Self –Redevelopment itself is a Builder should proactively get involved with Project management consultants to invite quotation from professionals and other persons to execute the project like Architects, Quantity Surveyors, RCC Consultants, Chartered Accountant ,Geotechnical Engineers, Contractor, Aluminum Contractors, Fabricators, Electricians, Fire and AVspecialists, Plumbers, Landscape Gardeners, RMC, Tile / Marble contractors, Pest Control, Painting Contractor, Water Proofing specialist, Parking Consultants, Investors / Financial Institutes, Sales / Marketing Consultants, Brokering Agency, Accountants, Advocates, Liaisoning Architect, Site Supervisor, Lift Consultants, Signage Consultant, Elevation Experts, MEP Consultant, Interiors Designers, HVAC Experts, Fire Safety Experts thereby appointing the most competitive agencies with a sound track record, to get the qualitative work done and in prescribed time limit.

5th Step: Obtain Various Building permissions:

The various permissions to be sought from Government agencies involved for Redevelopment as per case to case basis are MCGM Town Planning Dept, Assessment Dept, Hydraulic Dept, Sewerage Dept, Traffic Dept, Storm Water Drainage Dept, Collector's Office, Tree Authority ,Air Authority of India, Pest Control Authority, MTNL, Fire Department, PWD, Water Dept, Tahsildar Office.

6th Step: Create Own Fund or avail Loan:

Regarding Funding there are three options the society can 1.Capitalize its own fund , 2. Pre-sales of proposed saleable flats 3.seek loan from finance lenders .**The Mumbai District Central Cooperative Bank (MBCC)** provides the loan of upto 85 % for self-redevelopment of the buildings of the housing society, now some NBFC are also coming up to bridge the gap of 15 % of loan to the societies who are coming up for self – redevelopment.

7th Step: Awarding Contract:

The last but not the least, as Society itself being a landlord and the project coordinator in case of **self-redevelopment, which** involves dealing with large sums of money and awarding contracts to various people, it is important for the members of the housing society to choose persons of integrity to be members of managing committee, else there would be no difference between redevelopment done through Builders and by society, the managing committee members should not indulge into malpractices which will then lead to delays in the completion of the project and cost escalations.

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The most prized possession of any Indian family is their home, since a roof above one's head provides unmatched security and satisfaction. Many families put together small amounts of money and toil for years to be able to buy their own small cozy nest. Hence, it is inevitable for families to prioritize safeguarding of the home or structure's longevity vis-à-vis any other alternative targets. In certain cases, some families don't ensure timely repairs to homes or structures thereby leading to unfortunate calamities such as building collapses.

Calamities such as building collapse occasionally happen due to bad weather conditions but mostly occur due to improper construction practices or negligence in structural maintenance. The most tenacious enemy of a residential building is not fire or structural collapse - though a building obviously should be protected from all such disasters. Any structure or building's primary and foremost enemy is water.

If water is left unchecked, simple moisture can slowly infiltrate your building envelope and wreak havoc throughout the structure. As heavy rains lashed Mumbai a few months back, battering the metropolis and its residents – the issue has been bought back into spotlight due to the number of precariously standing structures across the country.

The concrete structures in aggressive marine environment always deteriorate due to corrosion of reinforcement. Mumbai being an island city suffers most corrosion related problem in the country for which number of buildings collapse in the monsoon.

The frequency of similar occurrences has

been alarming: On 28 June, 2014 more than twenty people died in two incidents, one in Chennai and the other in Delhi. While the building that collapsed in Delhi was 50 years old, the one in Chennai was under construction. In the same year, a seven-storey building collapsed in Santa Cruz while another building collapsed at Mumbra. In October 2016, another five-storey building collapsed in Bandra East and recently in Kurla, a portion of a three-storey building collapsed, though no injuries were reported. The latest one being the collapse of the Andheri suburbs railway over-bridge.



Dr. SANJAY BAHADUR
CEO - Dr. Fixit

These statistics do not account for the major and minor building collapses in other cities and small towns which go largely unreported.

Reasons for Building Collapses:

According to Dr. Sanjay Bahadur, from Dr. Fixit “Building failures can be categorized into two broad groups: structural or application failures. Most of the building collapses in India are due to the use of substandard raw materials, insufficiently trained manpower and inadequate supervision during construction of multi-storey structures. Removal of load bearing members such as columns and beams, shifting of kitchen, toilets etc. within the flat without consulting structural consultants or engineers is also a serious issue.

Additionally, one of the natural and important factors that result in building collapse is rainfall and therefore buildings need to be constructed bearing in mind climatic conditions of the region. Most seepage related issues are considered only during monsoons. However,



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seepage causes various problems such as rusting and internal leakages. In most cases, it is difficult to ascertain the problem.

Most co-operative housing societies are misled and engage in crack filling and repainting, this is a superficial solution and does not suffice for the structure's waterproofing needs. Therefore it is imperative to undergo a thorough structural audit before any repair work, to clearly understand the true nature of the problem and the remedial measures to be taken up to avoid future mishaps.

However, in most cases people don't spend money on health assessment of buildings for which the cost of repair increases at later stage since the distress and damages propagates with time. Diagnosis of defects and condition assessments are essential for a successful repair and maintenance. Sometimes, the builders do not consider the long term effects of using poor quality raw materials. Although, the projects are completed with good exteriors and appearances but many-a-times the raw materials used are compromised."

CA Ramesh Prabhu, Chairman - (VTHF) says, "Major reason for building collapse is lack of timely preventive actions such as regular maintenance and flat inspection at least once in six months to identify possible leakages and rectify it by applying various waterproofing techniques, and postponing the decision till the building is declared as dilapidated,"

Timely repair:

Out of the 31,000 CHS in Mumbai, around 15,000-16,000 urgently need repairs. These societies are not being reconstructed due to some issues. Such buildings consider redevelopment as an alternative to repairs. However, redevelopment is not a substitute for repairs. Repairs have to be carried out by the CHS and redevelopment should not be considered as an easy alternative. But unfortunately merely 10 per cent of these

buildings actually conduct repairs. There should be some regulation on age of the building for redevelopment. With the construction practices prevalent these days, a structure can experience distress and cracks within 10 years of construction, therefore it is important that societies engage with designated civil-structural engineers for diagnosing the problems of the building every 5 years, to correctly identify the problems leading to leakage and recommend appropriate waterproofing solutions. This will save enormous loss of wealth and manpower and same resources can be utilized for building new buildings and infrastructures.

Benefits out of this will be available of more housing stocks for living which will decrease the rental property value of the city. The shocking or rather disturbing fact is that currently not even 10 per cent of structures undergo structural audit, although there is strict regulation from the municipal corporation in this regard. It is in this context that the issue of conducting timely repairs, accurate diagnostics and waterproofing for buildings has been emphasized on multiple occasions.

Dr. Sanjay Bahadur, from Dr. Fixit says, "Timely structural diagnosis with the accurate detection of water leakage and structural rehabilitation and use of expert waterproofing solutions helps to create a waterproof building envelope that leads to a healthy building."

With technology driving innovation, each day brings new products and systems which can alter the conventional systems completely and bring about a revolutionary change in current practices. It is important that the industry creates awareness about the importance of modern construction techniques and materials. It could be one of the effective pathways to alleviate India of building collapses – a problem that has plagued the nation since quite a few years."

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ENCROACHMENT AND DEMAND FOR ADDITION, ALTERATION IN STRUCTURE AND PRECINCT IN URBAN AREAS.

Friends today we are discussing here the very well known topic of encroachment in urban areas.

1. As per study of basic needs most people go for unwilling additions and alterations in the structure of their house ,building and precinct when they are not provided with basic amenities like enclosed bath and individual w.c. in their homes and they are suffering badly because of lacking in this basic human needs.
2. Apart from w.c. and enclosed bathroom needs people do suffer because of having very less carpet area such as 150 sq. feet in other area of life, but still few people choose to do encroachment ,so it's a matter of individuals to adjust oneself in the existing living conditions in his/her home. Many people don't go for horizontal encroachment but they choose to create addition in usable space by constructing a loft within home.
3. Many people migrate from old city to suburban areas because they don't choose to do encroachment in their home to increase space.
4. The most dangerous category of people in our societies is of criminal encroachment which is always done by people having attitude of land grabbing and built in space grabbing. This type of encroachment is not a basic need base and it always hurts and spoils social fabric and redevelopment projects.
5. Attached terrace to flats and balcony area are 2 typical areas where we find most encroachment done in our cities.
6. Encroachments in precincts, in common passages is done for reasons like car parking garage, common gymnasium, public library, religious structures.
7. Most encroachments in last 25 years are done for the reason to have space for own employment by constructing shop, stall ,office. Even highly qualified people do encroachments to set up own office, we do see areas under staircase soffit ,parking garage and terrace area encroached by this qualified people.
8. governance issues with building plan approvals like the long duration to approve plans of lawful applications for development ,addition and alteration proposal leads to creation of conducive atmosphere for negative thoughts which results in people not choosing for lawful approval way for their needs. So it's a serious matter which shall be think by our policy makers.



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NEW COASTAL REGULATION ZONE NOTIFICATION PAVE THE WAY FOR AFFORDABLE HOUSING



S. Parthasarathy, Vice President, **MahaSeWA**

Mob.: 98676 90040 | E-mail:parthasarathys.mahasewa@gmail.com

Setting aside the fear of Fishermen that their traditional business of fishing will come in danger, & the opposition of environmentalist, the cabinet cleared the Coastal Regulation Zone (CRZ).

This will allow construction up to 50m of the high tide line, and temporary structures only 10m from it. Shri Subhash Lalla, retired IAS officer allied the fear of endangerment to the environment. He said that environment and development should go together hand in hand. This move will pave the way for more affordable houses which is the need of the hour. CA. Ramesh Prabhu, Chairman, MahaSeWA has also justify this decision saying that the Government has maintained equilibrium of development and environment. Now more land will be available for the affordable housing. This decision of the Government to reduce the no development zone to 20 meters from earlier 50 or 100 meters will give solace to those old buildings which came across CRZ.

The Cabinet cleared the Coastal Regulation Zone (CRZ) notification on Thursday allowing for construction up to 50m of the high tide line, and temporary structures only 10m from it in a move that environmental experts and fisher folk said would ruin the coastal environment.

The new notification relaxes various provisions of the CRZ 2011 notification, including the

reduction of no-development-zone to 20 metres for all islands from the earlier 50 or 100 metres (depending on the type of island).

The new notification allows for greater real estate and tourism development on the coast, but could come at a significant cost to the environment.

Fishermen's unions have warned of a national level agitation if the notification comes into force because it doesn't address their concerns and makes the coastline vulnerable to environmental disasters.

The CRZ 2018 also “de-freezes” the current Floor Area Ratio (FAR) caps facilitating real estate development in coastal urban areas and allows for a no-development zone (NDZ) of only 50 meters from high tide line (HTL) as opposed to 200 meter from HTL in CRZ 2011 in populated coastal rural areas. Environmental clearances for projects in CRZ areas have also been simplified—CRZ clearances are needed only for those projects located in CRZ 1 zone or in ecologically sensitive areas and for CRZ VI zone (area between low tide line and 12 nautical miles seaward). A new feature has been added which allows for temporary tourism facilities such as shacks, toilet blocks, drinking water facilities etc on beaches at a minimum distance of only 10 meters from HTL.

Fisher folk and environmental experts say the



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notification will spell disaster for India's 7,500 km long coastline. The National Fish workers Forum and other state fish worker unions submitted more than 100000 representations to the environment ministry opposing the draft notification released in April 2018. "During cyclone Ockhi last year and Gaja this year, locals noticed that sea water entered 3 to 4 km inland in Tamil Nadu. After the Tsunami in 2004, the entire coastline of TN was declared eco-sensitive...Sand dunes which protect the coast from seawater intrusion will be destroyed completely if temporary structures are allowed...We will oppose this notification tooth and nail and take to the streets to protest," said Olencio Simoes, Vice Chairman of National Fishworker's Forum. He added the relaxations are being made to facilitate government's Sagarmala project for inland waterways to drive industrial development. "The entire 7,500 km coastline is used by fishworkers for landing canoes...if you allow development within 50 metres of HTL it means there is no coastline left for us," he added.

Union law minister, Ravi Shankar Prasad while announcing the Cabinet decision on Friday said the government received a large number of representations to revoke the 2011 CRZ notification and that the current notification is a good blend of "development and sustainability." "The changes brought about ...will add to creating additional opportunities for affordable housing...boost tourism in terms of more activities, infrastructure and opportunities," the environment ministry's statement said.

The new CRZ notification is based on recommendations of the Sailesh Nayak (former secretary, ministry of earth sciences) headed committee. "The committee was opaque and based its findings on the demands of state governments. There has been no scope for public dialogue or consultation with coastal communities... I think it made with two projects in mind Sagarmala, the blue economy and affordable housing," said Kanchi Kohli, legal researcher at the Centre for Policy Research (CPR).

18th Jan 2019 CRZ Notification copy available in our office : 022 - 42551425 / 32

AVAIL THE FACILITIES OF DEEMED CONVEYANCE

In our last issue we have informed you that the Co-operation Department, Government of Maharashtra has simplified the Deemed Conveyance Procedure so that more and more Co-operative Housing Societies can take benefit of Deemed Conveyance.

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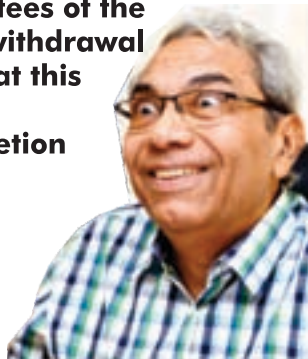
Whose side is MahaRERA on?

Regulatory body passes order asking unhappy flat buyers in Dadar development to not withdraw in bulk as it could jeopardise project for 520 others.

‘Keeping in Mind the larger interest of approximately 520 allottees of the project, allowing bulk withdrawal to so many complaints at this stage would mean jeopardising the completion of the project’

Gautam chatterjee, MahaRERA chief stated in the order

Vinod Kumar Menon



65

No. of storeys in the tower

7.5

Price (in crore) that the flat buyers paid for each flat in the Island City Centre

13

Total no. of flat buyers who wish to withdraw their flat purchases from the project

The flat buyers allege that the developer of Island city Centre has changed the layout, floor building plans and reduced the promised amenities. PIC FOR PRESENTATION/ BOMBAY REALTY

In an unusual order, the MahaRERA chief on January 9 set aside the plea of 13 flat buyers who want to withdraw their investments from Bombay Realty's Island City Centre project in Dadar, stating that a bulk withdrawal like this would jeopardise the completion of the project

and impact 520 other flat buyers. The buyers are now contemplating approaching the tribunal. For the complainants, who booked flats in the project around 2012-13, several changes to the plan and reduced amenities proved to be the nail in the coffin.

‘This is nothing but favouring the developer by depriving flat buyers’

Speaking about the issues, one of the complainants said, "The issue with this ground-plus-65 storey tower, which is almost ready, is different from other flat buyers' contentions. In this case, the plan given to us was changed thrice. All the promises made at the time of booking the flat were not kept. For instance, we were promised a 300 sq ft balcony attached to our flat, and today, when the structure is ready, the balcony has been completely eliminated, and only a small window has been provided for ventilation. The shapes of the rooms are not the way they were assured either."

Unwanted changes

Dejected with these broken promises, the buyers approached MahaRERA, where further disappointment awaited them. "MahaRERA



stated in its order that if we decide to still go ahead and withdraw from the project, the terms and condition stated in the letter of allotment [before the project was registered with MahaRERA] will be applicable, under which the developer/builder can forfeit a certain percentage of the payment we have already made. However, MahaRERA is not willing to consider the layout and design plans presented by the developer/builder to the flat purchasers before they registered the project with MahaRERA. This is nothing but favouring the developer by depriving the flat buyers," said the complainant.



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They added, "We had filed individual cases. But without giving us a fair chance to be heard, MahaRERA clubbed all the complaints into one and passed a single order, depriving us our right to come out of the project. We have decided to challenge the MahaRERA order in the tribunal."

According to advocate **Ramesh Prabhu**, who represented six of the 13 flat buyers, each of the flats cost anywhere between Rs 7.5 crore to Rs 10 crore. He said, "MahaRERA chairman [Gautam Chatterjee] is of the view that instead of withdrawing from any project, people should stay on it and ensure that it gets completed. Even in this case, the order is very clearly asking flat buyers to stick to the project and allow the completion of the construction. However, the flat buyers are aggrieved. Hence, they approached MahaRERA seeking justice, but this order is unfortunate, and has not given any justice to the flat buyers."

Prabhu added, "Section 12 of RERA clearly states that if there are any discrepancies in the sample flat shown at the time of booking the flat and the final output, the flat buyer can withdraw from such a project. However, the MahaRERA chief's order completely contradicts section 12, as he is interested in getting the project completed, which the complainants are not keen on continuing with."

"Also, in his order, MahaRERA chief directs complainants to adhere to terms and conditions cited in the letter of allotment, but ignores other assurances stated in the same letter. He refuses to accept all the plans submitted by the developer/builder prior to registering his project on the MahaRERA site, which in itself is a contradictory statement," pointed out Prabhu.

The counsel for the respondent in the case, Bombay Dyeing and Manufacturing Company Limited, submitted that the development work of the registered project is at an advanced stage and they are committed to completing the project in accordance with the sanctioned plans and approval disclosed at the time of

registering with MahaRERA, and as per the revised timeline given at the time of registration.

MahaRERA says

Stating its reasons, MahaRERA said in its order [mid-day has a copy], "Keeping in mind the larger interest of approximately 520 allottees of the project, allowing bulk withdrawal to so many complainants at this stage would mean jeopardising the completion of the project. Money for the refund will have to be taken out from a separate account, which is meant specifically for the completion of the project.

This would eventually slow down the progress of the project work, especially when the project is nearing completion. Therefore, the provisions of Section 12 of the Act cannot be retrospectively applied to transactions that transpired before the Act came into force. Further, the complainants have failed to show that they have sustained any loss and damage by reason of an alleged incorrect, false statement made by the respondent and therefore, section 12 of the said Act is not applicable in the present case."

Commenting on the issue, advocate Vinod Sampat said, "I am of the opinion that MahaRERA is trying to save the developers by ensuring that the completion of the project is more vital than injustice being caused to a few individual flat purchasers. No steps have been taken by MahaRERA to penalise the developer. It implies that a wrongful act done by the developer/builder prior to registering with MahaRERA registration can be overlooked, which will financially hurt flat buyers. In my view, that flat buyers must always approach consumer court, as one can get 24 per cent interest, which is not the case with MahaRERA."

Source : Mid-Day | 15/01/2019

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AVAILABILITY OF START UP FUND FOR Self-Redevelopment

VTHF, Chairman CA. Ramesh Prabhu has been taking various initiatives for implementation of self redevelopment of projects by housing societies. VTHF has realized the following three major challenges faced by the Societies to initiate self Redevelopment

- 1) To raise Startup/Initial funding to obtain Intimation of Disapproval (IOD)/ Intimation of Approval (IOA) by the societies & to raise the additional Project Loan to complete the project.
- 2) To select a competent Architect/Engineer /PMC/Contractors & other service providers to be engaged in the process of Self Redevelopment.
- 3) To monitor proof check & Control the various Agencies professional involved in the self Redevelopment including to guide members update the members regularly.

After interacting with various funding Agencies, MahaSeWA has realized that funds available after initial approvals which costs between Rs. 50 lakhs to one Crore depending on the size of plot/No of members in the society. None of the funding agencies are willing to give startup funds to Housing Societies to obtain necessary permission from Planning Authorities nor society is able to raise such funds in a short period.

In order to meet all the above three challenges, **ANAGA SWAGAT FINANCE & INVESTMENT PVT. LTD.** a NBFC has been promoted by a team of real estate professionals to provide the startup funds to any Housing societies for self Redevelopment.

Loan Amount: ANAGA SWAGAT will give funding upto 75% of STARTUP funds & max upto ONE CRORE and to obtain required permissions like IOD/IOA etc.

Society Contribution/ Margin Money: The Members/Society may contribute the 25% of initial fund of startup from SINKING /REPAIR FUND & OTHER RESERVES or by raising the contribution.

Repayment: The Startup fund is repayable by the society in Equal monthly Installments(EMI) with a tenure of 3-5 years and in the deserving cases the period may be extended upto 7 years.

Rate of Interest: Flat rate of 15% p.a till the same is repaid.

Security : The society need to create Mortgage Document of land in favour of ANAGA SWAGAT FINANCE & INVESTMENT PVT LTD,

Project Loan: As and when **MUMBAI BANK** or any other the financial institution grant the project loan, start up loan availed from **ANAGA SWAGAT** may be repaid by such financial institution & transfer the mortgage of land to Financial Institution who has granted the project loan.

Empanelment of Service Providers: Anaga Swagat will empanel competent service provides with proper service level agreement with each of the empanel service providers. Anaga Swagat will be taking the responsibility of guiding & facilitating, selecting competent PMC professionals & contractors to complete self redevelopment projects.

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Redevelopment Services

- Liaisoning with various Govt. Dept.
- Conveyance / Deemed Conveyance
- Land Survey using Total Station
(Digital Drawings)
- Feasibility Report
- Tendering & Developer Selection
- Supervision & Quality control

Self Redevelopment Services

- Project Report
- Architectural Designing
- Legal Assistance
- Govt. Approvals
- Quality Constructions
- IOD, CC, OC, BCC etc.



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Monitoring and Audit: ANAGA SWAGAT also will be giving the services of Technical Audit,, Technical Proof checking, monitoring the project, Updating the members about the Redevelopment Project.

Nomination of Officer :The nominated officer of ANAGA SWAGAT will be attending every General Body & Managing Committee Meeting of the society & will be recording minutes of the meeting on the spot & obtain the signatures of members present to maintain the transparency in the implementation of Self Redevelopment till the position is handed over.

Transparency : ANAGA SWAGAT will facilitate to maintain a website for each society with a login & password given to every members with all the information of self redevelopment will be uploaded regularly & will be available to the members at one place.

For more information to avail all the start up fund or any other services related to self Redevelopment, you may contact **Shri. Mahesh Prabhu**, CEO and former Chief Manager of SBI on Office No. 42551414/444 or send on email: maheshp.aswagat@gmail.com

CREATION OF WhatsApp Group by VTHF

The Social media has been spreading very quickly. Every person who wants to have the instate information on various aspects been using WhatsApp as means and getting enrolled in different WhatsApp group. A any person who want to be part of their respective areawise group are requested to send your

request to: WhatsApp Mobile No.: 9 8 2 1 7 5 4 3 1 6 or E - mail to: vasaihousingfederation@gmail.com /with following details : (1) Name, (2) Designation like Committee member or Secretary etc. (3) name of Society (4) Area for e.g. model town, Shastri ngr., or Road (5) Railway Stn.(6) E-mail



MAHARASHTRA SOCIETIES WELFARE ASSOCIATION (R) "MahaSeWA Branch office "

Location	Address	Tel. No.
Fort	Sai Sadan, 1st floor, office No. 103, 76/78, Modi Street, Fort, Mumbai 400001	022 - 2265 65 82 98 21 23 47 70
Vasai	Swagat Bhavan Bldg., Near Indian oil, Opp. M. S. E. B. Colony, Vasai (E), Thane - 400 208.	0250 - 645 75 85 0250 - 645 75 86
Dombivali	1-B, Ram Govind Apartment, Opp. Vijya Bank, Near Brahman Sabha Hall, Dombivali (E) - 421 201.	0251 - 2422 880
Ghatkopar	Ad Vijay Bagaria, B 01, Mahavir Smruti CHSL Plot No. 113/114, Opp Satikripa Shopping, Garodia NGR Ghatkopar East, Mumbai - 77. Email : vijaybagaria04@yahoo.com	93222 89495
Kalyan	Shop No. 6, K-Wing, Sanghavi Estate, Nr. KDMC "B" Ward Office, Kalyan West, Thane Dist, Pin – 421301	98330 45208
Dahisar (E)	SHREE SATYAM CHS, No. 3, Ground Floor, Near Corporation Bank, Dahisar (East), Mumbai - 400 068.	022 - 2898 0414 022 - 2896 9178
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**APPLICATION FORM FOR SUBSCRIPTION FOR
VASAI TALUKA HOUSING SOCIETIES REVIEW MAGAZINE.**

**VASAI TALUKA CO-OPERATIVE HOUSING FEDERATION LTD.,
VASAI - 401202**

Regd. No. TNA/VSI/GNL/(O)/1453/2011 dated 25th August 2011.

=====

Date- / / 2018

To,
The Hon.Secretary,
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Secretary /Authoritory
Vasai Taluka Co-op.Housing Federation Ltd.

FORM OF APPLICATION FOR MEMBERSHIP/And Allotment of the
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VASAI - 401202

Regd. No. TNA/VSI/GNL/(O)/1453/2011 dated 25th August 2011.

Date: _____

The Hon. Secretary,
Vasai Taluka Co-op Housing Federation Ltd.
Vasai. Dist : Thane 401 202.

Sir,

We hereby apply for the membership of the **THE VASAI TALUKA COOP. HOUSING FEDERATION LTD.,** and for allotment of Ten shares of Rs. 100/- each. We furnish below following particulars in respects of our society.

1. Name of the society (in Block Letters) : _____

2. Registered Address : _____

3. Registration No. and Date if Registration : _____
4. Location of Land of building of the Society : _____
5. Total No. of member in a society : _____

The Bye-Laws of the Federation have been read by us and agreed to be binding on our society.

A copy of the resolution of the managing Committee of the society in this connection and a cheque of Rs.1600/- being the value of ten shares of Rs.100/- and Entrance Fee Rs.100/- and annual subscription of Rs 500/- is enclosed herewith.

Yours faithfully

Chairman / Secretary / Treasurer
Co-op. Housing Society Ltd.

Copy of the Resolution of the Meeting of the Managing Committee of the _____
 Co-op. Housing Society Ltd. _____ held on _____. _____
 _____ Resolved that the _____ Co-op Housing
 Society Ltd _____

Do apply to **THE VASAI TALUKA CO-OP. HOUSING FEDERATION LTD., VASAI** and for allotment of TEN shares of the Federation of the Value of Rs. 100/- each, in the name of the society.

Further resolved that the Chairman / Secretary of the society be and is hereby authorized to sign the application for membership of the Federation on behalf of the society and to pay the amount of Rs. 1600/- towards ten shares of Rs. 100/- each. Entrance Fee of Rs. 100/- and Annul Subscription Expenses of Rs. 500/-..

Proposed By : Shri _____

Seconded By : Shri _____

Carried Unanimously.
 TRUE COPY

Chairman / Secretary Society
 Co-op. Housing Society Ltd.

DATA SHEET

Name of the Society : _____

Address of the Society : _____

Land Mark to reach Society : _____

Registration No. : _____

No. of Flat : _____ No. of Shops : _____

Name of the Committee Members :


Designation	Name	Mobile	E-mail-ID
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Secretary			
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Other			

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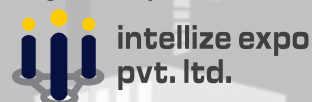


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