

11th Feb. 2011

For “Press Release” with respect to Recent Circular dated 15th Jan. 2011 & 4th Feb. 2011 issued by M.C.G.M.

PEATA (I) i.e. Practicing Engineer, Architect & Town Planners Association perturbed to note M.C.G.M.'s proposed action on Architect/ License Surveyor mentioned in the Circulars as it is for the wrong which are committed by Developers. The Circular is exceptionally & unreasonably harsh on our fraternity. Besides there is bit of anomaly in the circulars. On one hand the corporation would suspend license of Architect/ License Surveyor and on the other hand regularize the illegal work without taking any action against the officers involved in it or by prohibiting builders from demolition of work. It is absurd & certainly in justice to professional. In the City of Mumbai 70% of population stay in unauthorized and illegal slums. Practicing Architects have no role in construction of these slums. Ugly nexus of various elements actually result in unauthorized development. Professionals are not certainly party to it Every body is silent on said issue. What is the accountability for the Developer who carry out such a important activity, enjoy huge profits, who is

also a major stake holder in the Development of Mumbai? Why not to issue license to them? In fact it is learnt, this was initially suggested by non other than Late Shri Sadashiv Tinaikar former Municipal Commissioner during 1989. The modification was suggested to that effect which is pending with U.D.

Proforma is signed by the Owner, C.C.'s are issued in the Name of Owner clearly mentioned, up to what extended proposal is approved? Besides what is the authority with Architect to stop the work of his client? In fact authority is with corporation to issue stop work notice. Their Mukadams are supposed to visit daily, they should pin point & concern officer can take action.

The difference between unauthorized, illegal & work beyond C.C. needs to be differentiate. Why Developers are compeled to proceed beyond C.C. also needs to be examined.

The hurdles & unending delay in getting approval, number of N.O.C. required to be obtained, attitude & non co-operation of the staff, lengthy procedure will also have to be delt on priority.

It may be mentioned that Council of Architecture formed under Architect Act 1972 is the sole authority regulating Architecture profession in the country. M.C.G.M. can not undermine Council's Authority & assume its role. Chennai High Court has previously held that responsibility of the Architect can

not extend to being accountable for the wrong doings of the client
(1993 Judgement)

We humbly request & appeal to respected Municipal
Commissioner

- 1) It is high time corporation disciplines its own staff.
- 2) Concentrate on simplification of procedures & expeditious approval as suggested by JNNURM.
- 3) Start issuing License to Developer. Which is pending since 1989.
- 4) Recharge the Engineering Department of D.P./ B.P. give them confidence & proper guidelines in the interest of public at large.
- 5) Invite PEATA (I) for interaction & our expert suggestions.

(Ar. Pravin Kanekar)
PRESIDENT, PEATA(I)