

S. S. Hussain I.A.S. (Ex)

Chief Executive Officer

Ref. No. MCHI/CEO/16-17/299

July 14, 2017

Sub: Office Memorandum issued by MoEF & CC on 7th July 2017 regarding defining 'Built Up Area' of the Project.

Dear

I am forwarding the Office Memorandum by Ministry of Environment, Forest and Climate Change, Government of India dated 7th July 2017 about the Clarification on the date of applicability of notification S.O. (E) 695 dated 04.04.2011 issued by MoEF & CC defining 'Built Up Area' of the project.

Since, many of our members are suffering due to the non clarity of Built Up Area for environmental clearance that has arisen between the Notifications of 2006 and 2011. The clarity has now come because of this clarification vide Office Memorandum quoted above.

The same is enclosed for your information and with request to issue instructions to expedite all the pending files on priority and necessary action at your level Please.

Yours

**(S. S. Hussain)**

To,
Shri Ajoy Mehta (I.A.S.)
Municipal Commissioner,
Municipal Commissioner of Greater Mumbai
Mumbai - 400 001

Encl: As above

F. No. 22-35/2017-IA.III
Government of India
Ministry of Environment, Forest and Climate Change
(Impact Assessment Division)

Indira Paryavaran Bhawan
Jor Bag Road, Aliganj
New Delhi - 110 003

Dated: 7th July, 2017

OFFICE MEMORANDUM

Sub: Clarification on the date of applicability of notification S.O. (E) 695 dated 04.04.2011 issued by MoEF&CC defining 'Built Up Area' of the project.

The Ministry is in receipt of a reference dated 03.04.2017 from Confederation of Real Estate Developers Association of India (CREDAI) seeking clarification on above mentioned subject. The CREDAI has requested that the definition of Built Up Area (BUA) given vide notification S.O. 695 (E) dated 04.04.2011 should have prospective effect.

2. The matter has been examined in the Ministry. The BUA defined in the notification S.O. 1533 (E) dated 14th September, 2006 mentions at item 8 (a) columns 4 and 5 "built up area for covered construction; in the case of facilities open to sky, it will be the activity area".
3. The Ministry has further defined BUA vide its notification S.O. 695 (E) dated 04.04.2011 which reads as, "the built up or covered area on all the floors put together including its basement and other service areas, which are proposed in the building or construction project."
4. The definition provided in the Ministry's notification will have its effect from the prospective date of the notification only. The projects which are not covered in the period of above notifications should be assessed as per the definition of built up area provided in the building bye-laws or Development Control Regulation (DCR) of the local authorities in the States.
5. This issues with the approval of Competent Authority.


(Dr. Ashish Kumar)
Joint Director
Ph.: 011-24695474
Email: ashish.k@nic.in

All States/UTs/SIEAAs/MoEF&CC Divisions