

S. S. Hussain I.A.S. (Ex)
Chief Executive Officer

Ref. No. MCHI/CEO/14-15/036


August 20, 2014

Sub: Bullet points for the discussion

Dear


With reference to our Yesterday's telephonic discussion and MCHI-CREDAI's correspondences submitted to Environment Department, some of our Committee Members would like to discuss with you in brief about the attached bullet points, related to the pending issues of Environment Department.

Hence, I am forwarding you, all those bullet points with this letter which may be considered for productive discussion during the meeting.


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वरविभाग विभाग
मंत्रालय, मुंबई-३२


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Yours


(S. S. Hussain)

To,
Smt Medha Gadgil (I.A.S.)
Additional Chief Secretary
Dept of Environment,
Govt of Maharashtra,
Mantralaya,
Mumbai - 400032

NOTE

I. Withdrawal of Circulars of 17th January 2014 and 31st June 2014.

- 1) 17th January 2014 limiting development of Rehabilitation of tenement in SRA/Dilapidated/Cess Buildings below 20000 sq. Mtr. Without obtaining prior environment clearance.

There should be no distinction sought to be made between redevelopment projects, SRA, Rental Housing Projects and other projects without any rational justification.

The latest Court Judgment of Glomore Constructions and Ors. V/s. The Union of India and Ors. Writ Petition (L) No. 655 of 2014 dated 24th March 2014 clearly permits all development upto 2000 sq. Mtrs.

- 2) Circular dated 30th January 2014, it is mandatory for all project proponents to first get the building plans sanctioned and only upon a clarification being issued by the local authorities that the plans are in conformity with the local planning rules and provisions, shall the project proponent submit an application for Environmental Clearance.

As per the provisions of the EIA Notification, a project proponent is required to attach a copy of the **Conceptual Plan** along with the application seeking environmental clearance. The Conceptual Plan so submitted contains various details about the project such as Internal Roads, Developable Area, etc., based on which the State Level Environmental Impact Assessment Authority can assess the increase in population and impact on the environment due to such increase in the population and the development of the project.

II. MPCB with regards to the insistence on obtaining its prior consent under provisions of section 21 & section 25 of the Air and Water Act respectively - consequence of Non-Application of the Judgment of Delhi High Court.

III. CRZ Buffers for Mumbai

CRZ Notification would not stand on keeping the buffer as it does not serve any value addition and the development gets seriously hampered. Already representation sent to the Director of IRS, Chennai.

IV. Items of DCR not to be examined by MoFE.