

GOVERNMENT OF MAHARASHTRA

No. ENV 2013/CR 39/TC-1
Environment Department,
Room No. 217 (Annex), 2nd floor,
Mantralaya, Mumbai – 400 032.
Date : 22nd April, 2014.

To

✓ Shri S.S. Hussain,
Chief Executive Officer,
MCHI-CREDAI,
Maharashtra Chamber of Housing Industry,
Maker Bhavan 11, 4th Floor,
18, V.Thackersey Marg, New Marine Lines,
Mumbai – 400 020.

Dear Sir,

Please refer to your letters dated 14th April 2014 and 22nd April, 2014 along with Hon. High Court's stay orders in case of M/s. Glomore Constructions Pvt. Ltd (M/s. Acme Housing India Limited). It is true that we had telephonic talk on 16th April 2014 on the issue. My intention of calling you on 16th April 2014 was just to clarify department's stand that the department does not have jurisdiction and hence does not interfere at all, if any building project size is less than 20,000 sq.mt. The department comes in picture only when any developer applies for Environment Clearance as per MoEF Notification of 2006, thereby accepting the fact that the size of his project is more than 20,000 sq.mt. You have also attached a copy of Show Cause Notice issued to M/s. Acme Housing India Limited, which is direction under Section 5 of Environment (Protection) Act, 1986. A simple reading of this direction clarifies all doubts, if at all, in this regard. The size of the project of M/s. Acme Housing India Limited is 24,215 sq.mt. and hence it requires prior Environment Clearance before starting any construction on the site.

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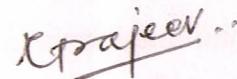
In this regard, the department has also issued clarification vide No. ENV 2013/CR-39/TC-1 dated 17th January, 2014 based on various judgments of Hon. High Court and N.G.T., which is also self-explanatory. Your contention

in the letter dated 14th April 2014 that Environment Clearance for the purpose of construction of building below 20,000 sq.mt. is not required needs to be qualified by the condition that "provided the total size of the project is less than 20,000 sq.mt." Under these circumstances, I think the stand of the department is already clarified and Hon. High Court has also taken cognizance of the same.

If there are any other issues to be discussed with the undersigned, you are free to send me an agenda for discussion first, before any date of the meeting is fixed up. I am always open for discussion and feel that it should be structured and hence the request. It will be needless to say that any discussion about subjudice matter will not be proper.

With kind regards,

Yours sincerely,



(R.A. Rajeev)
Principal Secretary