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Ref. No. MCHI/PRES/19-20/039

September 13, 2019

To,

Shri Anil Diggikar (IAS)

Principal Secretary

Environment Department

Govt. of Maharashtra

Mantralaya, Mumbai 400 032

Re: Request to review MPCB's process for Consent Renewal and Online Monitoring System

Dear Sir,

As the apex body of developers in the Mumbai metropolitan region, on behalf of our 1800+ members, we convey our immense gratitude to you for your Environment Department's supportive and pro-active stand towards the state's real estate sector. It is the Environment Department's hands-on approach to implementing environmental legislations applicable to our industry, and its encouraging attitude to ensure proper execution by our member developers that has earned Maharashtra the reputation of having one of the most environmentally-conscious and compliant real-estate sectors in the country.

Through this communication, we draw your kind attention to two prevailing processes of Maharashtra Pollution Control Board that, if considered for reviewing, would not only make them much smoother to implement, but also render them more effective in practise. As an industry body working in partnership with the Government to achieve environmental targets, we have listed the two subjects hereunder, along with our submission to make them more user-friendly and impactful:

1. Renewal of Consent

As per general conditions in schedule IV of Consent To Operate (CTO), our member developers have been instructed to renew the consent after the expiry period, which can be done for a period ranging from one year to five years. However, there is no clarity on the binding period for which the consent has to be taken either by the developer or the housing society, in case of residential projects.

The consent fees are a crucial factor for any developer or housing society as it starts at Rs. 1 lakh and at 2% of total project cost, adds up to a huge amount. Residential projects have to already meet various conditions for the consent and issue bank guarantees of amounts as high as Rs. 25 lakh against the given conditions. Additionally, the sewage treatment plants have to be equipped with online monitoring system, which is another cost intensive installation.

The societies find it difficult to manage the funds for yearly regulatory renewal, and there is further pressure on operating and maintaining the plants and systems provided by the member developers, eventually making the facilities redundant and depriving the rehabilitation residents of basic facilities like treated water for flushing, solid waste management systems, etc.

Our submission is that for ease of operation & business, the board should limit the consent renewal for a fixed period, with periodic checks or report submissions to ensure compliance. We request to kindly keep a fixed period for renewal of Consent To Operates for residential projects/housing societies.

2. Installation of Continuous Online Monitoring System

The consent issued by MPCB for projects with Sewage Treatment Plant, has the following condition mentioned in its Schedule I: *Installation of online continuous monitoring system for the parameter flow, BOD & TSS at the outlet of sewage treatment plant with connectivity to MPCB server.*

We would like to mention here that in recent times some industries have been given the provision while being issued the environmental clearance that if they are reusing the treated water, online monitoring system is not necessary and installation of web camera with night vision should suffice. Since residential projects also re-use the treated water for flushing, the same condition can be applicable for the residential components too.

Online monitoring system is cost-intensive and a significant additional factor in the budget for residential communities. While industries that have access to much larger resources are exempted from online monitoring systems, the residential community with scarce resources is being burdened to implement this pre-condition.

MCHI-CREDAI's request is that residential components be exempted from such high investments and/or be provided a low-cost, practical alternative. Meanwhile, with MCGM recognizing the need for environment friendly practices and providing incentives to the housing societies for their Property Tax dues, the societies themselves are motivated to install & maintain the said systems.

In conclusion, we request you to favourably consider the solutions we have offered for the two currently deterring factors and enable our member developers to uphold the highest levels of compliance when it comes to environment-friendly legislations and practices.

Thanking You,

Your sincerely,
For CREDAI-MCHI



Nayan A. Shah
President



Bandish Ajmera
Hon. Secretary