

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

Ref. No. MCHI/CEO/15-16/041

July 03, 2015


Sub: The Environmental Clearance of Real Estate Projects on the basis of Concept Plan.

Dear

The Office Memorandum dated 19th June 2013, prescribes that the Environmental Clearances for any project in the Conceptual Plan is to be submitted by the project proponent. However, in last few hearings, we have noticed that the Environmental Committee insists on getting detailed plans and also the deliberations are on provisions connected with the DC Regulations.

We request you to issue necessary guidelines to Environmental Committee to strictly follow the aforesaid circular and necessary Conceptual Plans, giving details of density and various Environmental Parameters connected with the development project. We request you to, also further state, in such guidelines, that the provisions related to Development Control Regulations should be accepted as provided by the Architect and project proponent should not be deliberated.

Further to our representation dated 23rd April 2015 made to Principal Secretary, (Env) and Chairman, MCZMA regarding simplification of the application procedure, we are pleased to inform you that in the Minutes of the 99th Meeting of Maharashtra Coastal Zone Management Authority (MCZMA) held on 16th May 2015, it has been decided that the IOD conditions be waived off for submission of proposals to MCZMA as also proposal could be submitted with approval of conceptual plans without IOD by concern planning Authority.


S. S. Hussain
Additional Chief Secretary
Department of Environment
Govt. of Maharashtra, Mumbai-400032

Yours



(S. S. Hussain)

To,
Smt. Malini Vijay Shankar (I.A.S.)
Principal Secretary
Department of Environment
Govt of Maharashtra
Mantralaya, Mumbai 400032

No.21 -270/2008-IA.III
Government of India
Ministry of Environment & Forests

Dated: June 19, 2013

OFFICE MEMORANDUM

Subject: Environment Clearance for buildings and real estate projects.

Ministry of Environment & Forests vide OM dated 11.12.2012, had constituted a Committee under the Chairmanship of Dr. K. Kasturirangan, Member, Planning Commission to review the provisions of the Environment Impact Assessment Notification (EIA), 2006, relating to granting environment clearances for roads, buildings, SEZ projects and the provisions under the OM dated 7.2.2012 related to high-rise buildings. The Committee has since submitted its report to the Ministry.

2. One of the terms of reference (ToR) of the aforesaid Committee was to review the requirement of environment clearance for buildings and real estate projects to avoid duplication considering that such projects will be covered by the local civic authorities and under the provisions of the relevant master plan, building control regulations and safety regulations. The recommendation of the Committee on this ToR has been accepted and the following has been decided:
 - i. Timelines stipulated in the EIA Notification, 2006 shall be strictly adhered to by SEIAA and SEAC while processing the proposals for TOR/EC for the building and construction projects and township and area development projects. SEAC will make appropriate recommendations within sixty days of the receipt of the complete proposal from the project proponents. SEIAA shall consider the recommendations of the SEAC and convey its decision to the applicant within forty five days of the receipt of the recommendations. MoEF will regularly review the progress in disposal of cases by SEIAAs with the view to ensuring meeting of these timelines.
 - ii. With the view to avoiding delay in processing of proposals, project proponents should provide complete information at the first instance only while submitting documents for TOR/EC so that the processing of proposals is not held up in the absence of requisite details. Incomplete proposals not tallying with the check -list should not be accepted by the SEIAA/SEAC.
 - iii. In order to meet the stipulated timelines, to avoid duplication of work, and to speed-up the process of scrutiny, SEIAA/SEAC may only focus on the following thrust areas of environmental sustainability while appraising the 'Building and Construction' and 'Township and Area Development' projects.
 - a. **Brief Description of the Project** in terms of location and surroundings.
 - b. **Environmental Impacts on Project Land** and its surrounding developments and vice-versa.

- c. **Water Balance Chart** with a view to promote waste water treatment, recycle, reuse and water conservation.
- d. **Waste Water Treatment** and its details including target standards.
- e. Alterations in the natural slope and **drainage pattern** and their environmental impacts on the surroundings.
- f. **Ground water** potential of the site and likely impacts of the project.
- g. **Solid Waste Management** during construction and post construction phases.
- h. **Air Quality and Noise Levels**; likely impacts of the project during construction and operational phases.
- i. **Energy** requirements with a view to minimize power consumption and promote use of renewable energy sources.
- j. **Traffic Circulation System and connectivity** with a view to ensure adequate parking, conflict free movements, Energy efficient Public Transport.
- k. **Green Belt/Green cover** and the Landscape Plan.
- l. **Disaster/Risk Assessment and Management Plan.**
- m. **Socio Economic Impacts** of the project and CSR.
- n. **EMP** during construction and operational phases.
- o. **Any other** related parameter of the project which may have any other specific impact on environmental sustainability and ecology.

The SEIAA/SEAC need not focus on the other issues which are normally looked after by the concerned local bodies/ State Government Departments/SPCBs.

- iv. In case of a large pendency in a State and in case the concerned State Government feels that there is a need for another SEAC, the State Government may accordingly send the proposal to MoEF for setting up/ notifying another SEAC and MOEF may consider the same.
3. Necessary action in the matter may be taken by the State Governments, SEIAAs and SEACs.
4. This issues with the approval of the Competent Authority.


 (Lalit Kapur)
 Director
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- To
1. All the Officers of IA Division
 2. Chairpersons/Member Secretaries of all the SEIAAs/SEACs
 3. Chairman, CPCB
 4. Chairpersons / Member Secretaries of all SPCBs / UTPCCs

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