

PRESIDENT
Boman Irani

IMMEDIATE PAST PRESIDENT
Deepak Goradia

PRESIDENT-ELECT
Ajay Ashar

VICE PRESIDENTS
Domnic Romell
Shrikant Joshi
Jayesh Shah
Shailesh Puranik
Parag Shah
Sukhraj Nahar

HON. SECRETARY
Dhaval Ajmera

TREASURER
Pritam Chivukula

SPECIAL PROJECTS
Shahid Balwa
Parag Munot
Rajendra Chaturvedi
Raajesh Prajapati
Harshul Savla
Parth Mehta

HON. JT. SECRETARIES
Pratik Patel
Tejas Vyas

JT. TREASURERS
Mukesh Patel

COMMITTEE MEMBERS
Harish Patel
Nainesh Shah
Bandish Ajmera
Sandeep Raheja
Subodh Runwal
Rasesh Kanakia
Gautam Ahuja
Deepak Gundecha

SPECIAL ADVISORS
Abhishek Lodha
Gautam Chatterjee
Ar. Hafeez Contractor
Anuj Puri
Ankur Gupta
Adv. Parimal Shroff

INVITEE MEMBERS
Mohit Malhotra
Jackbastian Nazareth
Venkat K. Narayan
Abhishek Kapoor
Amit Thacker
Gurminder Singh Seera
Munish Doshi
Nishant Agarwal
Cherag Ramakrishnan
Azim F. Tapia
Jayesh C. Shah
Shailesh Sanghvi
Sunny Bijlani
Binitha Dalal
Sahil Parikh
Nikunj Sanghavi
Rushank Shah
Ricardo Romell
Samyag Shah
Rushi Mehta
Rajeev Jain

YOUTHWING CONVENOR
Naman Shah

PROCUREMENT CONVENOR
Nimish Ajmera

WOMEN'S WING CHAIRPERSON
Mona Ajmera

CREDAI-MCHI UNITS
THANE
KALYAN-DOMBIVLI
MIRA VIRAR
RAIGAD
NAVI MUMBAI
PALGHAR BOISAR
BHIWANDI
SHAHAPUR-MURBAD
URAN-DRONAGIRI
ALIBAG
KARJAT-KHALAPUR-KHOPOLI

To,
Shri. Sujit Kumar Bajpayee
Joint Secretary
Jor bagh, Lodhi Colony, New Delhi,
Delhi 110003

Subject: Challenges faced by developers for getting Environment Clearance for Expansion Projects

Ref: OM dated 26th September, 2022 (F.No.JS(SKB)/August/01/2022) – Direction regarding functioning of SEIAA wrt Environmental Monitoring and Compliance - reg

Respected Sir,

With reference to OM F.No.JS(SKB)/August/01/2022, dated 26th September, 2022, it may be noted that MoEF&CC has directed in point 2(iv) that "SEIAA shall strictly adhere to the procedure prescribed in OM No. IA322/10/2022-(A.III dated 08.06.2022) and **not consider any expansion EC proposal without Certified Compliance Report (CCR)** and status of compliance as mentioned in such CCRs." And that the CCR shall be prepared by the Integrated Regional Office (IRO) after due inspection of the site. There are some serious operational concerns regarding this which are articulated below:

- The revisions in the DCPR 2034 for Mumbai, UDCPR, 2020 for rest of Maharashtra and modifications in CRZ 2021 have resulted in a surge of expansion projects seeking EC. These have now reached to approximate 1,000 expansion building projects a year in addition to mining, industry and other regular new projects.
- Compliance of Monitoring reports (being submitted by project proponent on every six monthly basis) which are to be certified by IRO, requires a more number of technical staff with multiple teams to carry out site inspection, check the compliance of Environmental Clearance and prepare CCR for the same.
- Currently, there are three Scientists along with three contractually employed assistants at the IRO, Nagpur who are assigned for Maharashtra State, not only looking into this but other matters, but others as well pertaining to Supreme Court matters, High Court matters, NGT matters, CRZ clearances, Industry matters, Mining and other related environmental issues. It is obvious that such a small team can only complete only small fraction of site visits and CCRs (Approximately 30 CCRs per month), which is currently the state of operation of the IRO Nagpur.
- Moreover, the current manpower is currently handling Maharashtra and Chhattisgarh States, hence, it is already a stretched resource, and the OM dated 26th September 2022 will make it further unwieldy for the team to handle the workload.
- In one of the NGT matters, MoEF have themselves suggested that they will require 125 'C' Scientists, 65 'B' Scientists B/Research Officer/Research Assistant and 18 UDC/LCDs. Considering projects in both Category A and B will further necessitate increase in this the staff requirement substantially more.
- Analysing the above figures, it is evident that SEIAA insisting on issuing EC as per OM only after receiving Certified Compliance Report through the IRO will lead to very few applications being considered in a year (maximum 30 per month) leading to a serious pile-up of EC consideration matters at SEIAA level.

Maharashtra Chamber of Housing Industry

Maker Bhavan II, 4th Floor, 18, V. Thackersey Marg, New Marine Lines, Mumbai - 400 020.
Tel: 42121421, Fax: 4212 1411/407 Email: secretariat@mchi.net Website: www.mchi.net

- G. MoEF&CC is also evaluating and monitoring, the disposal of cases and ranking SEIAAs for speedy issuance of EC. A rough estimate of 30 CCRs a month would entail nearly 5 years to clear the current backlog, and obviously further time will keep getting added as further expansion projects get added for the issuing of EC.
- H. It is therefore to be noted that the insistence on acquiring CCR would bring the issuance of ECs for expansion projects to a near standstill and would lead to unassailable losses to the housing sector, making housing prohibitively expensive due to these delays, and creating a huge supply gap in the market.
- I. From record it can be also be conformed that in any case, most developers diligently submit six-monthly compliance and therefore, the onus is on the MoEF&CC to give the CCR. If they don't have the require technical staff to do it, then bringing in a Direction such as this one will only add to serious delays.
- J. Sir, it is highly unreasonable and also contradictory to the Government of India commitment on ease of doing business. This will definitely make it very expensive to build due to delays making housing supply numbers further unattainable.

CREDAI-MCHI Prayer

- i) **It is therefore requested and humbly submitted that the current process of issuing ECs subject to condition of submitting a self-declaration by project proponent to submit on receipt from the IRO should be continued.** This may be please considered keeping in the view Hon'ble Prime Minister bringing direction for ease of doing business in letter and spirit.
- ii) **Further we also suggest that, power or direction must be given to State Pollution Control Boards (SPCBs) to carry out the certification for six monthly compliance monitoring. The delegation of power or direction to be given to Field Officers, RO, SROs of particular SPCBs to expertise the process of certifying the six monthly compliance monitoring report. As per the OM No. IA322/10/2022-(A.III E 177258 dated 08.06.2022) "In case, the CCR in not issued within three months, the project proponent shall approach concerned Regional Offices of Central Pollution Control Board (CPCB) or Member Secretary of representative State Pollution Control Boards (SPCBs) or State Pollution Control Committees (SPCCs) for the same". We request, MoEFCC to grant them the power or direction that they can directly carry out certification of compliance monitoring without this buffer/waiting period of 3 months.**

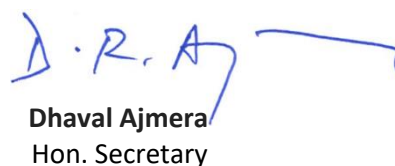
We hope that our above submission will be considered and a quick response with resolution to this challenge which are being faced by state of Maharashtra will be highly appreciated, as it would hamper the economic growth of the state as well.

We request your urgent and immediate intervention in this matter.

Yours faithfully,
For CREDAI-MCHI



Boman Irani
President



Dhaval Ajmera
Hon. Secretary

CC:

- 1) **Shri Kanwarjit Singh (I.F.S), Additional Principal Chief Conservator of forest (C)**
Ministry of Environment Forest and Climate Change
Regional office (WCZ), Ground Floor East Wing, New Secretariat building Civil Lines, Nagpur
- 2) **Shri Pravin Darade (I.A.S), Secretary, Environment department Government of Maharashtra**