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AUBAG  
KARJAT-KHALAPUR-KHOPOLI

To,  
Shri Devendra Fadnavis,  
Hon'ble Deputy Chief Minister,  
Government of Maharashtra  
Mantralaya, Mumbai.

23.11.22  
लिपिक  
उपमुख्यमंत्री के कार्यालय  
महाराष्ट्र सरकार  
मुंबई दिनांक 20.11.22

**Sub: Suggestion from CREDAI-MCHI with regard to Environment Department**

Respected sir,

We would take this opportunity to appreciate that you have always responded positively to our request and supported for the revival of real estate industry. We are delighted to have leader like you, who understands the importance of real estate industry and its contribution to the growth of Mumbai and Maharashtra.

**Few Suggestion from CREDAI-MCHI**

**1) Requirement of Certified Compliance Report (CCR) RO visit in accordance with MoEF OM dated 8<sup>th</sup> June 2022. F. No. IA3-22/10/2022-IA.III [E 177258]**

The Integrated Regional Officer (IRO) in-charge of issuing such CCR for Maharashtra (along with few other states) is in Nagpur. Most of our members are applying for IRO visit well in advance but the IRO visits for obtaining CCR is not happening within stipulated 1-month period. No other alternate mechanisms or remedies to this delay is available to our members. Further the MoEF OM dated 8<sup>th</sup> June 2022 on page 2, Para A, (i) states that "at the time of issuance of expansion ToR, the Member Secretary of SEAC shall endorse a copy of the ToR to the concerned IRO of MoEF & CC". Thus, requirement of CCR is presumed to be applicable to ToR cases only and the primary responsibility in such TOR cases are vested with Member Secretary of SEAC. In other words, category 8(a) projects which do not require ToR should be exempt from CCR requirement. This point therefore needs further clarification.

Alternatively, we request you to please vest power of issuing CCR to Sub-regional officer (SRO) of MPCB.

**2) Request for your support for the pending issue of Slum rehabilitation schemes in CRZ II as per CRZ notification 2019.**

We bring to you notice that, your letter as Hon. Chief Minister, Maharashtra, vide No. CMO/19/3670342 dated 08.02.2019 to Dr. Harsh Vardhan, Minister of environment, Forest and Climate Change, with regard to seeking clarification for the slum rehabilitation scheme in CRZ II areas of the Maharashtra state. (Annexed).

The above letter has elaborated that CRZ Notification, 2019 vide clause 5.2(iv) permits reconstruction of "authorized buildings" only and there is ambiguity about the permissibility of the SRA schemes in CRZ II Area.

We would like to bring to your kind attention to Clause 5.2(ii) of CRZ Notification 2019 which states that "Construction of buildings for Residential purposes, schools, hospitals, institutions, offices, public places, etc shall be permitted only on landward side of existing road or on landward side of existing authorized fixed structures". Needless to say, when the plot is situated on landward side of existing authorized roads or on landward side of

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existing authorized structures, the development is straight away permissible from CRZ point of view, without checking the authenticity of the structures on the plot proposed to be developed / redeveloped. In short, when the plot is situated on landward side, the authenticity of existing structures does not matter/not necessary to check, and redevelopment of slums / unauthorized structures can be permitted as per clause 5.2(ii). There is no necessity to refer clause 5.2(iv) and thereby debating about authorised or unauthorized structures.

In Mumbai, majority slums are situated on landward side of road / landward side of authorised building and can get relief by applying clause 5.2(ii). The remaining few cases, can be suitably represented later, for cases on seaward side as well as slums situated on CRZ-III lands (slums situated on RG/PG in DP). At present, all 100% slums situated within CRZ-II are kept on hold, by wrongly applying clause 5.2(iv) in all cases.

It seems that clarification sought from MoEF CC is still awaited and hence the proposals for MCZMA consents are getting deferred in the meetings in absence of the clarification on redevelopment of SRA schemes in Mumbai as per CRZ 2019.

CREDAI-MCHI humbly request you to kindly take cognizance of the issue as Slum clusters were worst affected during the pandemic with great loss of life due to unhygienic and congested living conditions, and discern the slums situated on landward side and seek revised clarification at the earliest from MoEF & CC for the SRA Schemes on landward side by applying Clause 5.2 (ii) of CRZ Notification 2019. This will give relief to a majority of people living in SRA schemes in CRZ areas.

### 3. Finalization of Draft EIA 2020


Building Construction and Area Development projects mentioned under item 42 of the schedule of Draft EIA 2020, the area prescribed for the project to qualify under B2 category is very low. Considering the most of the project irrespective for the size up to the BUA of 250000 sq mtr generally has the similar the environment impact and are generally issued EC clearance with the same conditions to be complied with by the project proponents. To ensure that the regulatory authority and appraising authority are not over loaded with proposals which could be cleared based on standard TOR with standard compliance conditions and also to ensure that the larger project is assessed qualitatively we proposed this change.

We request your good office to suggest MoEF & CC department to increase the BUA size for the project requiring EC under Ease of Doing Business also to finalize draft EIA 2020.

We hope that our above request will be considered positively and necessary action will be taken accordingly.

Thanking you for your continuous support.

Yours faithfully,  
For CREDAI-MCHI



**Boman Irani**  
President



**Dhaval Ajmera**  
Hon. Secretary