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Dr. Adv. Harshul Savla

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Rushi Ajmera

YOUTHWING CONVENOR
Naman Shah

PROCUREMENT CONVENOR
Nimish Ajmera

WOMEN'S WING CHAIRPERSON
Sejal Goradia

To,

Dr. Iqbal Singh Chahal (I.A.S.),
Hon'ble Municipal Commissioner,
Brihanmumbai Municipal Corporation
Mumbai - 400001.



Sub: To Request for action on letter submitted on date 27.04.2023

**Ref: CREDAI-MCHI letter no. MCHI/PRES/23-25/012 on dated 27.04.2023
Submitted to BMC.**

Respected Sir,

We would like to draw your kind attention towards our letter submitted on 24.04.2023 regarding the subject of Standard Operating Procedure (SOP) issued by the govt. of Maharashtra, environmental dept. vide no. SEIAA-2022/Pr. No.30/SEIAA dated 12.04.2023 (Copy attached)

We therefore, request you to kindly right back to the environmental department of the government of Maharashtra and request to amend this SOP after discussions with all stakeholders and by taking into account the current ground reality at the earliest and oblige.

Thank you for your kind attention to this matter. We look forward to a favourable response.

Yours Sincerely,

For CREDAI-MCHI

Domnic Romell
President

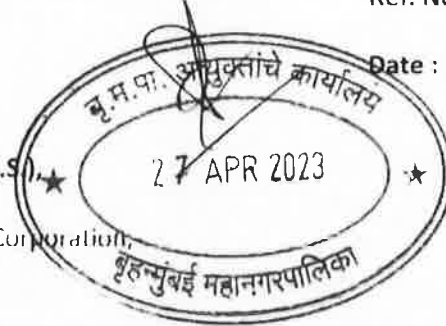
Dhaval Ajmera
Hon. Secretary

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

CREDAI-MCHI CHAPTERS : THANE | KALYAN-DOMBIVLI | MIRA BHAYANDAR | RAIGAD | NAVI MUMBAI |
BHIWANDI | PALGHAR BOISAR | SHAHAPUR-MURBAD | URAN-DRONAGIRI |
VASAI VIRAR | ALIBAG | KARJAT-KHALAPUR-KHOPOLI | YOUTH NMR

Date : 27/4/2023



To,
Dr. Iqbal Singh Chahal (I.A.S.),
Municipal Commissioner,
Brihanmumbai Municipal Corporation,
Fort, Mumbai

Sub: Standard Operating Procedure (SOP) issued by the Government of Maharashtra,
Environmental Department vide No. SEIAA-2022/ प्र. क्र. 30/SEIAA dated 12.04.2023.

Hon'ble Sir,

1. Reference is requested to the above. In this regard vide the subject Notification, the Government of Maharashtra has issued the above SOP to be followed by the Planning Authority i.e. Municipal Corporation in respect of detection of violation on ground qua Environmental Clearance (EC) granted under the EIA Notification 2006. The SOP inter-alia states as follows:

A. Detection of violation on ground is the Primary Responsibility of Local Planning Authority/ Competent Authority:-

I. Local Planning Authority/Competent Authority is the main authority entrusted with the responsibility of ensuring all development is carried out as per Maharashtra Regional and Town Planning Act, 1966, and various Development Control Regulations (DCR) issued thereunder.

II. Local Planning Authority/ Competent Authority is entrusted with the responsibility of issuing IOA/ IOD/ Concession report before giving Commencement Certificate only after due compliance of DCR and various notifications.

III. Local Planning Authority/ Competent Authority is expected to observe the entire process of Building Construction and site development right from issuing 100/IOA/ Concession Report, Commencement Certificate to Plinth Checking Certificate, to Slab Checking Certificate at each slab to Completion Certificate and final Occupation Certificate (OC). It is thus being reiterated that the entire responsibility of ensuring Town and country planning mandate/DCR and related conditions of EC is with the Local Planning Authority/Competent Authority.

IV. It is expected that the Local Planning Authority/Competent Authority will not issue Commencement Certificate/Completion Certificate to projects where EIA Notification 2006 is applicable unless the said notification is complied with.

V. It is respectfully submitted that the primary responsibility for ensuring compliance of EIA Notification, 2006 therefore lies with the Local Planning Authority/ Competent Authority as they are feet on the ground as elaborated in point 1, 2, 3 & 4 above.

VI. In order to reiterate primary responsibility of Local Planning Authority / Urban Local Bodies Circular instructions are being issued by Department of Environment and Climate Change Government of Maharashtra.

Maharashtra Chamber of Housing Industry

Maker Bhavan II, 4th Floor, 18, V. Thackersey Marg, New Marine Lines, Mumbai - 400 020.
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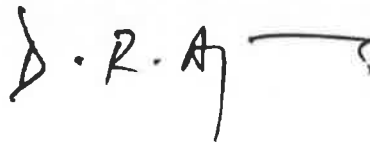
2. As can be seen from the above, the SOP now mandates that plinth checking certificate, slab checking certificate at each slab to CC and final CC is to be monitored by MCGM. In this regard, it is submitted that as per the current procedure followed by the MCGM, CC is issued in parts with plinth CC being the first CC and thereafter CC for the rest of the building depending to the nature of the building. In view thereof, to expect that a slab checking certificate is issued at each slab would not only result in delay in construction but also put enormous pressure on the Planning Authority with regards to checking each slab of every site.
3. We therefore, request you to kindly write back to the Environmental Department of the Government of Maharashtra and request to amend this SOP after discussions with all stakeholders and by taking into account the current ground reality at the earliest and oblige.

Thanking you,

Yours sincerely,
For **CREDAI-MCHI**



Domnic Romell
President



Dhaval Ajmera
Hon. Secretary