

MAHARASHTRA POLLUTION CONTROL BOARD

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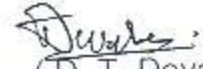
Date: 27/04/2012

CIRCULAR

Sub : Procedure for public consultation for projects
Falling under para 8(v) of CRZ Notification, 2011.

Ref : Office Memorandum issued by the Environment Deptt.,
Govt. of Maharashtra dtd.30/12/2011.

Please find enclosed herewith a copy of the Office Memorandum
dtd.30/12/2011 issued by the Secretary, Environment Deptt., Govt. of
Maharashtra on the captioned subject for information and necessary action.


(D. T. Devale)
Sr.Law Officer

Encl: As above.

Copy submitted to: The Member Secretary, MPCB, Mumbai – for favour of information.

Copy f.w.cs.to: Joint Director(APC)/ Principal Scientific Officer/Asstt.Secretary(Tech.)/
Joint Director(PAMS)/I/c Joint Director(WPC)/Regional Officer(HQ), MPCB, Mumbai –
for information and necessary action.

Copy to:

- 1) I/c L.O.(P&L Div.I & II), MPCB, Mumbai – for information and necessary action.
- 2) R.O.- Mumbai/Navi Mumbai/ Thane/Kalyan/Raigad/Pune/ Aurangabad/
Nagpur/Nashik/Kolhapur/ Amravati/ Chandrapur, MPCB – for information and
necessary action. They are instructed to circulate the said Office Memorandum to
the officers under their control.
- 4) All Asstt.Law Officers, Policy & Law Divn, MPCB, Mumbai- for information &
necessary action.
- 5) Asstt.System Officer, MPCB, Mumbai- for information and necessary action – He is
instructed to place the above Office Memorandum on the website of the Board.

MAHARASHTRA COASTAL ZONE MANAGEMENT AUTHORITY



No. MCZMA-2011/CR-1/MCZMA
Environment Department,
217-Annex, 2nd Floor,
Mantrolaya, Mumbai -400 032
Date: 30th December, 2011.

OFFICE MEMORANDUM

Subject: Procedure for public consultation for projects falling in para 8(v) of CRZ Notification, 2011

Reference: 1) Gazette of India S.O. 19(E) Coastal Regulation Zone
2) Notification MoEF office Memorandum No.11-83/2005 IA-III dated 24-2-2011

This has reference to the issue of the Coastal Regulation Zone Notification, 2011 vide S.O. No. 19(E), dated 6-1-2011. As per para 4(i)(e)d of the notification, the MoEF may under a specific or general order specify projects which require prior public hearing of the project affected people.

The MoEF vide above vide letter dated 24th Feb. 2011, has clarified that the following projects would attract prior public hearing:-

- a) All 'A' and 'B1' category projects listed under Environmental Impact Assessment Notification, 2006 and which also attract Coastal Regulation Zone Notification, 2011;
- b) The housing projects which involves group housing, slum redevelopment project, cessed/ unsafe/ dilapidated building redevelopment projects.

Further, the MoEF also clarified that the public hearing shall be held as per the procedure laid down in the Environmental Impact Assessment Notification, 2006 involving the project affected people.

Henceforth, group housing projects, slum redevelopment projects, cessed/ unsafe/ dilapidated building and redevelopment projects undertaken in the Coastal Regulation Zone areas, shall submit public consultation reports along with the application for prior CRZ permission to the Maharashtra Coastal Zone Management Authority.

The individual projects under V(iii)(b) and (c) shall be undertaken only after the public consultation in which views of only of the legally entitled slum dwellers or the legally entitled tenants of the dilapidated or cessed buildings shall be obtained.

The Project proponents are requested to approach the Maharashtra Pollution Control Board (MPCB) for conducting the public hearing as per the procedure laid down

chx

Recd on
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MAHARASHTRA POLLUTION CONTROL BOARD
(PUBLIC REALATION COMMUNICATION CELL)

News paper :- The Indian Express

Page:-

Date:- 6-2-12

CITY/ANCHOR DEVELOPERS TO SUBMIT DRAFT ENVIRONMENT IMPACT ASSESSMENT REPORT TO MAHARASHTRA POLLUTION CONTROL BOARD

State govt makes public hearings must for CRZ clearance

SHALINI NAIR
FEBRUARY 5

ALL LARGE residential, commercial and retail projects, projects involving redevelopment of slums, cessed or dilapidated building and public infrastructure projects that fall within the Coastal Regulation Zone (CRZ) will henceforth be required to go through a detailed public hearing in order to get a CRZ clearance.

The state government, through a recent circular, said the Maharashtra Pollution Control Board (MPCB) will be in charge of conducting such hearings. All developers constructing residential, commercial or retail projects over 20,000 sq m or taking up redevelop-

ment of slums, cessed or unsafe buildings will have to submit their draft Environment Impact Assessment (EIA) report to the pollution board.

The same procedure will have to be followed for public projects affected by CRZ, such as construction of coastal roads, sea links or jetties. Within the next 45 days, the pollution board along with the Collector will have to hold a hearing where the affected locals can voice their suggestions and objections. The pollution board will have to prepare a detailed report based on the hearing and submit it to the Maharashtra Coastal Zone Management Authority (MCZMA), in charge of recommending projects or issuing CRZ clearances. The entire process is ex-

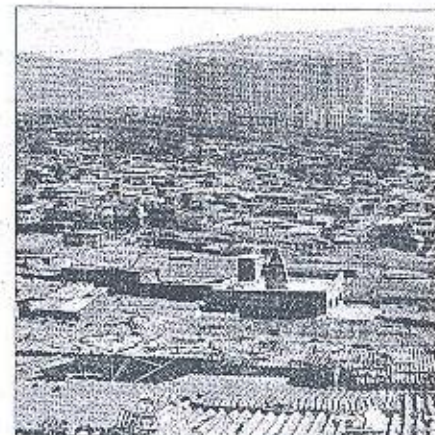
pected to take three months.

The rule is in keeping with the Ministry of Environment and Forests' CRZ notification, 2011, which requires certain projects to hold a prior public hearing for the project affected people. Officials pointed out that under the EIA notification of 2006, public hearings were initially held for all such projects. However, following representations from the construction industry, the condition was waived off in most cases except for setting up of polluting industries.

Manoj Daisaria, from the Practicing Engineers, Architects, Townplanners' Association, said the Central government had issued orders asking every state government to include construction projects within the am-

bit of public hearing almost a year ago; it is only now that the state has swung into action. "While the Central ministry requires all state governments to enforce this rule for protecting the environment, this will definitely prolong the process of getting CRZ clearances and delay projects further," he said.

In case of slum and cessed buildings' redevelopment, only the legally eligible slumdwellers and tenants will be part of the hearing process. The state government's circular states that the hearing should cover all issues including "the views of legally entitled tenants, complaints if any from surrounding area, court cases, land ownership along with environmental issues if any".



COVERS ALL developers constructing re commercial or retail projects over 20, or taking up redevelopment of slums, or unsafe buildings.

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