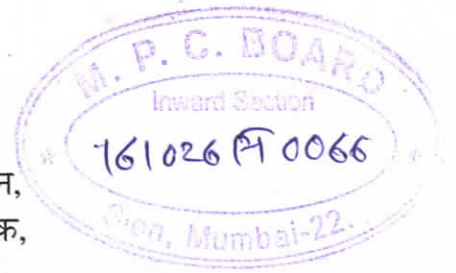


महाराष्ट्र शासन

पर्यावरण विभाग

१५ वा मजला, नवीन प्रशासकीय भवन,
मादाम कामा रोड, हुतात्मा राजगुरु चौक,
मंत्रालय, मुंबई ४०० ०३२.



दूरध्वनी क्र. २२८१९५१७/ फॅक्स क्र. २२०२५९४६/ ई-मेल- envtc2@gmail.com

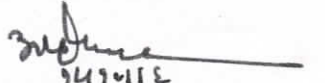
क्रमांक : SEAC 2015/CR.308/TC-2

दिनांक :- १८ ऑक्टोबर, २०१६

परिपत्रक

पर्यावरण आघात अधिसूचना २००६ त्यामध्ये वेळोवेळी झालेल्या सुधारणांच्या अनुषंगाने Industrial Sheds तसेच IT Park/Software Development Units/Parks इत्यादी क्रियाकलापांसाठी लागणाऱ्या पर्यावरण विषयक अनुमतीसंदर्भात केंद्रीय वने, पर्यावरण व वातावरणीय बदल मंत्रालयाकडून स्पष्टीकरण/खुलासा मागविण्यात आला होता. केंद्रीय वने, पर्यावरण व वातावरणीय बदल मंत्रालयाकडून क्र. F.No.22-68/2016-IA-III दिनांक ६ सप्टेंबर २०१६ च्या पत्रान्वये सदर स्पष्टीकरण प्राप्त झाले आहे. सदर पत्र सुलभ संदर्भासाठी तसेच योग्य त्या कार्यवाहीसाठी सोबत जोडलेले आहे.

सहपत्र :- वरीलप्रमाणे.


१५/१०/१६
(शु. द. आहेर)
उपसचिव, महाराष्ट्र शासन

प्रत,

- ✓ सदस्य सचिव, महाराष्ट्र प्रदुषण नियंत्रण मंडळ, सायन, मुंबई २२
- मा. मंत्री, (पर्यावरण), यांचे खाजगी सचिव, मंत्रालय, मुंबई ३२
- मा. राज्यमंत्री (पर्यावरण) यांचे खाजगी सचिव, मंत्रालय, मुंबई ३२
- प्रधान सचिव (पर्यावरण) यांचे खाजगी सचिव, मंत्रालय, मुंबई ३२
- तां.क-१/ तां.क.-२/ तां.क.-३/ तां.क.-४/आस्थापना, पर्यावरण विभाग, मंत्रालय मुंबई ३२
- निवडनस्ती- तां.क-२

Recd.
8/10/16

Geeta
upload on board mgmt
for link.

सं. 442/प्रा.स.२ ३३
30.09.2016

F. No. 22-68/2016-IA-III
Government of India
Ministry of Environment, Forest and Climate Change
(IA Division)

Indira Paryavaran Bhawan,
Ali Ganj, Jor Bagh Road,
New Delhi-110 003

Email: yogendra78@nic.in
Telefax: 011-24695365
Dated: 6th September, 2016

पर्यावरण विभाग, नवी दिल्ली
दिनांक: १५.९.१६
अनुक्रमांक: १९९१६

To,

Principal Secretary
(Kind attention: Shri Satish Gavai)
Environment Department
Room No. 217 (Annex.), 2nd floor
Mantralaya, Mumbai- 400 032
Maharashtra

Sub: Applicability of EIA Notification, 2006 to the industrial sheds and information technology park/ software development units/parks - Clarification sought by Environment Department, Govt. of Maharashtra-reg.

Sir,

This has reference to the letter No. SEAC-I/CR-207/TC-2 dated 6th January, 2016 and letter No. SEAC-I/CR-308/TC-2 dated 6th January, 2016 seeking clarification regarding applicability of EIA Notification, 2006 to the industrial sheds and information technology park/ software development units/parks.

2.0 In this context, the undersigned is directed to inform that the Ministry has issued a Gazette notification S.O. No. 3252 (E) on 22.12.2014 exempting the 'Industrial Sheds' from requirement of prior environmental clearance under the provisions of the EIA Notification, 2006. Subsequently, vide Office Memorandum No. 19-2/2014-IA.III dated 5.03.2014 the Ministry has clarified the meaning of word 'Industrial Shed' stating that "The word 'Industrial shed' implies building (whether RCC or otherwise) which is being used for housing plant and Machinery of industrial units and shall include Godowns and buildings connected with production related and other associated activities of the unit in the same premise". A copy of the same is enclosed herewith for reference.

3.0 The industrial shed for industries which are not covered under the EIA Notification, 2006 has been exempt from the requirement of prior environment clearance under item 8 of schedule. The principle here is of dominant purpose. If an industry is not covered under EIA, 2006 for obtaining prior EC, it shall not be required to obtain prior EC under item 8 if the size of industrial shed under which that industry is proposed to be housed is ≥ 20000 sq. mt.

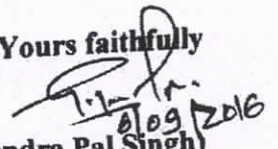
5.0 The above exemption of industrial shed from prior EC is available to all such industrial sheds irrespective of size (even more than 150000 sq. mt.).

Contd./

TC-2
GAVAI
22.09.2016

The information technology park/ software development units/parks are covered for grant of Environmental Clearance if attracts the provisions given under item 8(a) and 8 (b) of the Schedule to the EIA Notification, 2006.

Yours faithfully



(Yogendra Pal Singh)

Scientist 'D'/ Joint Director (IA)

01/09/2016

MINISTRY OF ENVIRONMENT, FORESTS AND CLIMATE CHANGE

NOTIFICATION

New Delhi, the 22nd December, 2014

S.O. 3252(E).—Whereas, a draft notification further to amend the notification number S.O 1555(E), dated the 14th September, 2006 (hereinafter referred to as the principal notification), was published, as required under sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986 in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (ii) vide number S.O. 2319, (E) dated the 11th September, 2014 (hereinafter referred to as the said notification), inviting objections and suggestions from all persons likely to be affected thereby within a period of sixty days from the date on which copies of Gazette containing the said notification were made available to the public;

And whereas, copies of the said notification were made available to the public on 11th September, 2014;

And whereas, no objections or suggestions have been received in response to the said notification within the specified period of sixty days;

Now, therefore, in exercise of the powers conferred by Sub-section (1) and clause (v) of Sub-section (2) of Section 3 of the said Environment (Protection) Act, 1986 (29 of 1986) read with clause (d) of sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986, the Central Government hereby makes the following amendments in the said notification, namely:—

In the principal notification, in the Schedule, under Column (1), for item 8 relating to Building/Construction Projects/Area Development Projects and Townships and sub-items 8 (a) and 8 (b) and the entries relating thereto, specified there under, the following item, sub-items and entries shall be substituted, namely:—

(1)	(2)	(3)	(4)	(5)
"8		Building or Construction projects or Area Development projects and Townships		
8 (a)	Building and Construction projects		>20000 sq.mtrs and < 1,50,000 sq. mtrs. of built up area	<p>The term "built up area" for the purpose of this notification the built up or covered area on all floors put together, including its basement and other service areas, which are proposed in the building or construction projects.</p> <p>Note 1.- The projects or activities shall not include industrial shed, school, college, hostel for educational institution, but such buildings shall ensure sustainable environmental management, solid and liquid waste management, rain water harvesting and may use recycled materials such as fly ash bricks.</p> <p>Note 2.- "General Conditions" shall not apply.</p>
8	Townships and Area Development Projects		Covering an area of > 50 ha and or built up area > 1,50,000 sq. mtrs	<p>A project of Township and Area Development Projects covered under this item shall require an Environment Assessment report and be appraised as Category 'B1' Project.</p> <p>Note.- "General Conditions" shall not apply.</p>

[F. No. 19-2/2013-IA-III]

MANOJ KUMAR SINGH, Jt. Secy.

Note: The principal rules were published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (ii) *vide* Notification Number S.O. 1533(E), dated the 14th September, 2006 and was subsequently amended as follows:—

1. S.O. 1737 (E), dated the 11th October, 2007;
2. S.O. 3067 (E), dated the 1st December, 2009;
3. S.O. 695 (E), dated the 4th April, 2011;
4. S.O. 2896 (E), dated the 13th December, 2012;
5. S.O. 674(E), dated the 13th March, 2013;
6. S.O. 2559 (E), dated the 22nd August, 2013 ;
7. S. O. 2731 (E), dated the 9th September, 2013;
8. S. O. 562(E), dated the 26th February 2014; and
9. S. O. 1599(E), dated the 25th June, 2014.

53

F. No. 19-2/2014-IA-III
Government of India
Ministry of Environment Forests and Climate Change
(IA-III Division)

Indira Paryavaran Bhawan
Jor Bagh Road
New Delhi-110003
Dated: 5th February, 2015
n. h. c. h.

OFFICE MEMORANDUM

Sub: Clarification regarding Gazette Notification No. S.O. 3252 (E) dated 22.12.2014 on "Industrial Shed"-regarding.

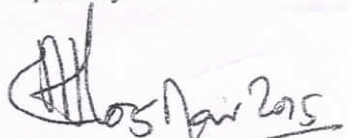
The Ministry of Environment, Forests & Climate Change vide Gazette Notification No. S.O. 3252 (E) dated 22.12.2014 made amendment for exemption of "Industrial Shed" from requirement of Environment Clearance under the provisions of the EIA Notification, 2006.

The Ministry has received representations from various organizations seeking clarity about the meaning of word "Industrial Shed". The matter has been further examined in the Ministry and following clarification is hereby issued:

"The word '*Industrial Shed*' implies building (whether RCC or otherwise) which is being used for housing plant and Machinery of industrial units and shall include Godowns and buildings connected with production related and other associated activities of the unit in the same premise."

The Construction of the buildings shall follow the guidelines as prescribed by the Ministry of Environment, Forest & Climate Change which are being issued separately.

This issues with approval of the Competent Authority.


(Dr. Manoranjan Hota)
Director

Copy to:-

1. All the officers of IA Division
2. Chairperson/Member Secretaries of all the SEIAAs/SEACs.
3. Chairman of all the Expert Appraisal Committees
4. Chairman, CPCB
5. Chairpersons/Member Secretaries of all SPCBs/UTPCCs.
6. IT consultant, MoEFCC for uploading into the website

Copy for information:

1. PS to MOS (Independent Charge).
2. PPS to Secretary (EF&CC).
3. PS to JS (MKS).
4. All Divisional Head.
5. Website, MoEF&CC
6. Guard File.