

M.A.LATEEF
ADVOCATE

5-4-187/3 &4, 2ND Floor,
Soham Mansion, M.G. Road
Secunderabad-500003

Date: 15-05-2019

To
Chief Information Officer,
Town Planning Section,
GHMC Head Office, Tank Bund Road
Hyderabad-500029.

Sub : Request for information under RTI Act in respect of allowance
of 2 mtr balcony projection in the open space from 2nd floor.

The GO.No.168 dated 07.04.2012 issued by MA&UD department.
Government of AP has specified the building rules governing issue of
building permits in the state of Telangana. In the said GO clause
7(a)(xiv) 'The balcony projections upto 2 mtrs may be allowed projecting
onto open spaces for upper floors from 6 mtr height onwards'.

I have been given to understand that in light of several fire accidents,
especially the 2019 incident at the exhibition grounds, Nampally,
Hyderabad, the fire department has recommended to modify the above
rule. Certain applications for building permit were denied the benefit of
the above rule.

Please provide a copy of any order, memo, notification or correspondence
with the fire department that has suspended or amended the above
mentioned rule.

Enclosed herewith Rs.10/- Postal Order towards fee.

Yours sincerely


M.A.Lateef
Advocate

अधपत्रा COUNTERFOIL

इसे फाड़कर प्रेषक अपने पास रख ले।
To be detached and kept
by the Sender.

पोस्टल आर्डर

₹ 10

POSTAL ORDER

किस अदा करना
To whom payable CPO

GHMC Town Planning
Abad.

किस डाकघर में
At what Office CPO

क्या इसे क्रास किया है
Whether crossed Yes

भेजने की तारीख
Date sent 15/5/19

46F 004022

GREATER HYDERABAD MUNICIPAL CORPORATION

Office of the Chief City Planner
Town Planning Section [HO]
GHMC, Tank Bund, Hyderabad.

Lr. No: File No.E-421273/TPS/GHMC/HO/2019. 262 Date:- 18.06.2019.

To

Sri M.A. Lateef, Advocate,
H. No.5-4-187/3 & 4,
2nd Floor, Soham Mansion,
M.G. Road, Secunderabad - 500003.

Sir,

Sub:- GHMC - TP Section - HO - Request for information under RTI Act in respect of allowance of 2 Mts balcony projection in the open space from 2nd floor - Reg.

Ref:- Representation of Sri M.A. Lateef, Advocate, H. No.5-4-187/3 & 4, 2nd Floor, Soham Mansion, M.G. Road, Secunderabad - 500003, dated 15.05.2019.

Adverting to the subject in the reference cited above, it is to inform you that the request made by you for providing copy of any order, memo, notification or correspondence with the Fire Department that has suspended or amended the above mentioned rule has been verified and noticed that there is no information from the Fire Department in this matter.

Hence, this is for your information under RTI Act.



Yours faithfully


Add. Chief City Planner/PIO
GHMC

12/6/19

M.A.LATEEF
ADVOCATE

5-4-187/3 &4, 2ND Floor,
Soham Mansion, M.G. Road
Secunderabad-500003

Date: 15-05-2019

To
Chief Information Officer,
Town Planning Section,
GHMC Head Office, Tank Bund Road
Hyderabad-500029.

Sub: Request for information regarding Environment Clearance under RTI Act.

The Ministry of Environment and Forest (MoEF), GOI has issued notification dated 14th September, 2006 (SO No. 1533) specifying rules for obtaining Environment Clearance. Under the said notification building and construction projects between 20,000 sq mtrs and 1,50,000 sq mtrs would require prior Environment Clearance from State Authorities. Buildings below the threshold limit of 20,000 sq mtrs, were exempt from obtaining Environment Clearance subject to compliance of certain conditions specified therein.

The threshold limit for obtaining environment clearance was increased to 50,000 sq mtrs vide notification dated 14th November, 2018 (SO 5733) i.e., buildings upto 50,000 sq mtrs are now exempt from obtaining Environment Clearance subject to compliance of certain conditions specified therein.

National Green Tribunal (NGT) has issued an order suspending the notification on 3rd December, 2018. However, the Honourable Supreme Court of India on 18th February, 2019 in Tamilnadu Pollution Control Board Vs Sterilite Industry & Others, Civil Appeal no. 4763/4764 of 2013 held that NGT only has appellate jurisdiction and it cannot entertain and exercise jurisdiction over the validity of notifications issued by MoEF. Applying this principle, NGT order suspending the notification dated 14.11.2018 is without any jurisdiction.

As per our understanding the notification by MoEF dated 14.11.2018 (SO 5733) is valid and in force.

Please provide a copy of any order, memo, notification or the like, received by GHMC, that has suspended or amended the MoEF notification dated 14.11.2018 (SO 5733).

Enclosed herewith Rs.10/- Postal Order towards fee.

Yours sincerely



M.A.Lateef
Advocate

अधपत्रा COUNTERFOIL

इसे फाड़कर प्रेषक अपने पास रख ले।
To be detached and kept
by the Sender.

पोस्टल आर्डर

₹ 10

POSTAL ORDER

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To whom payable PTO

GHMC Hyderabad

किस डाकघर में

At what Office GPO

क्या इसे क्रॉस किया है

Whether crossed Yes

भेजने की तारीख

Date sent 15/5/19

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