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पर्यावरण, वन और जलवायु परिवर्तन विभाग

MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE**NOTIFICATION**

New Delhi, the 29th April, 2016

S.O. 1595(E).—The following draft of the notification, further to amend the notification of the Government of India in the erstwhile Ministry of Environment and Forests number S.O.1533 (E), dated the 14th September, 2006 (hereinafter referred to as the said notification) which the Central Government proposes to issue in exercise of the powers conferred by sub-section (1), and clause (v) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986) is hereby published, as required under sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986, for the information of the public likely to be affected thereby; and notice is hereby given that the said draft notification shall be taken into consideration on or after the expiry of a period of sixty days from the date on which copies of the Gazette containing this notification are made available to the Public;

Any person interested in making any objections or suggestions on the proposal contained in the draft notification may forward the same in writing for consideration of the Central Government within the period so specified to the Secretary, Ministry of Environment, Forest and Climate Change, Indira Paryavaran Bhawan, Jor Bagh Road, Aliganj, New Delhi-110 003, or send it to the e-mail address at:- mk.singh65@ias.nic.in and satish.garkoti@nic.in.

Draft Notification

Whereas, the Central Government is working for ensuring Ease of Doing Responsible Business; and streamlining the permissions for buildings and construction sector which is important for providing house and for this purpose the scheme of Housing for all by 2022 with an objective of making available of affordable housing to weaker section in urban area has ambitious target;

And whereas, the buildings are important consumers of host of construction materials, electricity, water, and generates large quantity of sewage and solid waste, having significant carbon footprint over life of the project;

And whereas, the current environmental regime covers buildings and constructions of only above 20,000 square meter of built up area, whereas majority of the buildings being constructed are of smaller size and it is important to integrate environmental concerns, considerations and best practices into the construction and operation of building and construction sector projects of smaller sizes as well;

Now, therefore, in exercise of 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 further amendments in the said notification which shall come into force on the date of its final publication in the Official Gazette, namely:-

In the said Notification,-

(I) after paragraph 13, the following paragraph shall be inserted, namely:-

“14. The Government has decided to integrate the environmental conditions with the building permission (except for hospitals) being granted by the local authorities, the buildings and constructions as per the size shall follow the prescribed objective, monitorable environmental conditions as given at Appendix-XIII. The States adopting these objective and monitorable environmental conditions in their building bye-laws and relevant laws and incorporating these conditions in the approvals given for building construction making it legally enforceable shall not require a separate environmental clearance for individual buildings. The States shall send such proposed changes in their bye-laws and rules to the Ministry of Environment, Forest and Climate Change, who will examine the draft and convey the concurrence. After the State finally notifies the bye-laws and rules concurred by the Ministry, the Ministry shall issue an order under this notification through individual decision that no separate environmental clearance is required for buildings located in those States or local authority areas for which such rules have been notified or laws enacted. The local authorities like development authorities, Municipal Corporations, State Pollution Control Boards (for buildings only above 20000 sq. mtrs) will certify the compliance of these environmental conditions prior to issuance of Completion Certificate and Consent to Operate, as applicable as per the requirements stipulated for such buildings. The States where such legislation or rules are not made will continue to follow the arrangement of appraisal of individual projects and grant of Environmental Clearance for buildings and constructions as per the provisions laid down in this notification.”.

(II) In the said notification, in the Schedule, for item 8 and for the entries relating thereto, the following item and entries shall be substituted, namely:-

(1)	(2)	(3)	(4)	(5)
“8		Building / Construction projects / Area Development projects and Townships		
8 (a)	Building/ and Construction projects		≥ 20,000 sq. mtrs and < 1,50,000 sq. mtrs of built up area	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 buildings and construction projects. Note 1.- The projects or activities shall not include industrial shed, universities, college, hostel for educational institutions, Information Technology Parks, and Godowns (without any manufacturing and processing facility) , but such buildings shall ensure sustainable environmental management and implement environmental conditions given at Appendix-

				XIII. Note 2.-General Condition Shall not apply.
8 (b)	Townships and Area Development projects	≥ 3,00,000 sq. mtrs of built up area or Covering an area ≥ 150 ha	≥1,50,000 sq. mtrs and < 3,00,000 sq. mtrs built up area or covering an area ≥ 50 ha and < 150 ha	Note.- General Condition Shall not apply

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

MANOJ KUMAR SINGH, Jt. Secy.

Appendix –XIII**ENVIRONMENTAL CONDITIONS FOR BUILDINGS AND CONSTRUCTIONS****(CATEGORY '1': 5000 to 20000 square meters)**

MEDIUM	S.N	ENVIRONMENTAL CONDITIONS
Natural Drainage	1	The inlet and outlet point of natural drain system should be maintained with adequate size of channel for ensuring unrestricted flow of water.
Water conservation - Rain Water Harvesting, and Ground Water Recharge	2	A rain water harvesting plan needs to be designed where the recharge bores (minimum one per 5000 sq mt of built up area) shall be provided. The rain water harvested should be stored in a tank for reuse in household through a provision of separate water tank and pipeline to avoid mixing with potable municipal water supply. The excess rain water harvested be linked to the tube well bore in the premise through a pipeline after filtering arrangement of the rain water
	2(a)	The unpaved area shall be more than or equal to 20% of the recreational open spaces.
Solid Waste Management	3	Separate wet and dry bins must be provided at the ground level for facilitating segregation of waste.
Energy	4	In common area lighting must be of LED/Solar lights be provided.
Air Quality and Noise	5	Dust, smoke & debris prevention measures such as screens, barricading shall be installed at the site during construction. Plastic/tarpaulin sheet covers for trucks bringing in sand & material at the site.
	5 (a)	The exhaust pipe of the DG set if installed must be minimum of 10 mtr. away from the building or incase it is less than 10m away, the exhaust i e shall be taken u to 3m above the building.
Green Cover	6	A minimum of 1 tree for every 80 sq.mt. of land shall be planted and maintained. The existing trees will be counted for this purpose. Preference should be given to planting native species.
	6 (a)	Where the trees need to be cut compensatory plantation in the ratio of 1:3 (i.e. planting of 3 trees for every 1 tree that is cut) and maintained.

ENVIRONMENTAL CONDITIONS FOR BUILDINGS AND CONSTRUCTIONS**(CATEGORY '2': 20000 to 50000 square meters)**

MEDIUM	S.N	ENVIRONMENTAL CONDITIONS
Natural Drainage	1	The inlet and outlet point of natural drain system should be maintained with adequate size of channel for ensuring unrestricted flow of water.
Water conservation - Rain Water Harvesting, and	2	A rain water harvesting plan needs to be designed where the recharge bores (minimum one per 5000 sq mt of built up area) shall be provided. The rain water harvested should be stored in a tank for reuse in household through a provision of separate water tank and pipeline to avoid mixing with potable municipal water supply. The excess rain water harvested be linked to the tube well bore in the premise through a pipeline after filtering

Ground Water Recharge		arrangement of the rain water.
	2(a)	The unpaved area shall be more than or equal to 20% of the recreational open spaces.
Solid Waste Management	3	Separate wet and dry bins must be provided at the ground level for facilitating segregation of waste.
	3 (a)	All non-biodegradable waste shall be handed over to authorized recyclers for which a written tie up must be done with the authorized recyclers.
	3(b)	Organic waste composter/Vermiculture pit with a minimum capacity of 0.3 kg /tenement/day must be installed.
Energy	4	All common area lighting must be of LED/Solar lights.
	4 (a)	At least 1% of connected applied load generated from renewable energy source such as photovoltaic cells or wind mills or hybrid be provided.
	4 (b)	As per the provisions of the Ministry of New and Renewable Energy solar water heater of minimum capacity 100 lit/ 4 persons (25 litre per capita) to be installed.
	4 (c)	Use of flyash bricks. Fly ash should be used as building material in the construction as per the provisions of Fly Ash Notification of September, 1999 and as amended from time to time.
Air Quality and Noise	5	Dust, smoke & debris prevention measures such as wheel washing, screens, barricading & debris chute shall be installed at the site during construction including plastic/tarpaulin sheet covers for trucks bringing in sand & material at the site.
	5 (a)	The exhaust pipe of the DG set if installed must be minimum of 10mtr. Away from the building or incase it is less than 10m away, the exhaust pipe shall be taken up to 3m above the building.
Green Cover	6	A minimum of 1 tree for every 80 sq.mt. of land shall be planted and maintained. The existing trees will be counted for this purpose. Preference should be given to planting native species.
	6 (a)	Where the trees need to be cut compensatory plantation in the ratio of 1:3 (I.e. planting of 3 trees' for every 1 tree that is cut) with the obligation to continue maintenance

ENVIRONMENTAL CONDITIONS FOR BUILDINGS AND CONSTRUCTIONS

(CATEGORY '3': 50000 to 150000 square meters)

MEDIUM	S.N	ENVIRONMENTAL CONDITIONS
Natural Drainage	1	The inlet and outlet point of natural drain system should be maintained with adequate size of channel for ensuring unrestricted flow of water.
Water conservation - Rain Water Harvesting, and Ground Water Recharge	2	A rain water harvesting plan needs to be designed where the recharge bores (minimum one per 5000 sq mt of built up area) shall be provided. The rain water harvested should be stored in a tank for reuse in household through a provision of separate water tank and pipeline to avoid mixing with potable municipal water supply. The excess rain water harvested be linked to the tube well bore in the premise through a pipeline after filtering arrangement of the rain water.
	2(a)	The unpaved area shall be more than or equal to 20% of the recreational open spaces.
	2 (b)	The ground water shall not be withdrawn without approval from the competent authority.
	2 (c)	Use of potable water in construction should be minimized.
	2 (d)	Low flow fixtures and sensors be used to promote water conservation.
	2 (e)	Separation of grey and black water should be done by the use of dual plumbing system.
Solid Waste Management	3	Separate wet and dry bins must be provided at the ground level for facilitating segregation of waste.
	3 (a)	All non-biodegradable waste shall be handed over to authorized recyclers for which a written tie up must be done with the authorized recyclers.

	3(b)	Organic waste composter/Vermiculture pit with a minimum capacity of 0.3 kg /tenement/day must be installed wherein the TP sludge may be used to be converted to manure which could be used at the site or handed over to authorized recyclers for which a written tie up must be done with the authorized recyclers.
Energy	4	All common area lighting must be of LED/Solar lights.
	4 (a)	At least 1% of connected applied load generated from renewable energy source such as photovoltaic cells or wind mills or hybrid be provided.
	4 (b)	As per the provisions of the Ministry of New and Renewable Energy solar water heater of minimum capacity 100 lit/ 4 persons (25 litre per capita) to be installed.
	4 (c)	Use of fly ash bricks. Fly ash should be used as building material in the construction as per the provisions of Fly Ash Notification of September, 1999 and as amended from time to time.
	4 (d)	Use of concept of passive solar design of buildings using architectural design approaches that minimize energy consumption in buildings by integrating conventional energy-efficient devices, such as mechanical and electric pumps, fans, lighting fixtures and other equipment, with the passive design elements, such as building orientation, landscaping, efficient building envelope, appropriate fenestration, increased day lighting design and thermal mass.
	4 (e)	Optimize use of energy systems in buildings that should maintain a specified indoor environment conducive to the functional requirements of the building by following mandatory compliance measures (for all applicable buildings) as recommended in the Energy Conservation Building Code (ECBC) 2007 of the Bureau of Energy Efficiency, Government of India.
Air Quality and Noise	5	Dust, smoke & debris prevention measures such as wheel washing, screens, barricading & debris chute shall be installed at the site during construction including plastic/tarpaulin sheet covers for trucks bringing in sand & material at the site.
	5 (a)	The exhaust pipe of the DG set if installed must be minimum of 10mtr. Away from the building or incase it is less than 10m away, the exhaust pipe shall be taken up to 3m above the building.
Green Cover	6	A minimum of 1 tree for every 80 sq.mt. of land shall be planted and maintained. The existing trees will be counted for this purpose. Preference should be given to planting native species.
	6 (a)	Where the trees need to be cut compensatory plantation in the ratio of 1:3 (I.e. planting of 3 trees' for every 1 tree that is cut) with the obligation to continue maintenance
Sewage Treatment Plant	7	Sewage treatment plant of capacity of treating 100% waste water to be installed. Treated water be recycled for gardening and flushing.
Environment Management Plant	8	The environment infrastructure like Sewage Treatment Plant, Management Landscaping, Rain Water Harvesting, Power backup for environment Plan infrastructure, Environment Monitoring, Solid Waste Management and Solar and Energy conservation, should be kept operational through Environment Monitoring Committee with defined functions and responsibility.