

GOVERNMENT OF INDIA  
MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE

**LOK SABHA**  
**UNSTARRED QUESTION NO. 3172**  
TO BE ANSWERED ON 05.01.2018

**Violations of Environmental Norms**

3172. SHRI PR. SENTHIL NATHAN:

Will the Minister of ENVIRONMENT, FOREST AND CLIMATE CHANGE be pleased to state:

- (a) whether the Government has taken steps against builders and realtors who have breached the environmental norms and rules;
- (b) if so, the details thereof and the list of those realtors booked during the last three years and the current year, year-wise, State/UT-wise;
- (c) whether the Government has taken any concrete measures to control and curb such illegal construction activities even before the start of the work; and
- (d) if so, the details thereof and the decision taken by the Government and the National Green Tribunal in this regard?

**ANSWER**

**MINISTER OF STATE IN THE MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE**  
**(DR. MAHESH SHARMA)**

(a) & (b) The Ministry of Environment, Forest and Climate Change (MoEF&CC) accords prior environmental clearance for projects or activities listed in the Schedule to the Environment Impact Assessment (EIA) Notification, 2006 (and its amendments) after having followed the prescribed process in the said notification. Violation of the environmental norms issued for developmental projects are monitored by the Regional Offices of the Ministry and the concerned State Pollution Control Boards/Union Territories Pollution Control Committees or any other concerned Central/State agencies. If any non compliance is observed/reported, the Ministry takes appropriate action as deemed fit as per Environment (Protection) Act, 1986. Section 3 of the Environment (Protection) Act 1986 gives power to the Central Government to take all measures that it deems necessary or expedient for the purpose of protecting and improving the quality of the environment and preventing and controlling abating environmental pollution. The MoEF&CC does not maintain the details of year-wise, company-wise and State/UT-wise violations of Environmental Norms and Rules.

(c) & (d) The Hon'ble National Green Tribunal, Principal Bench vide its order dated 7<sup>th</sup> July, 2015 in Original Application No. 37 of 2015 and Original Application No. 213 of 2015 had held that the Office Memoranda dated 12<sup>th</sup> December, 2012 and 24<sup>th</sup> June, 2013 on the subject of consideration of proposals for Terms of Reference or Environment Clearance or Coastal Regulation Zone Clearance involving violations of the Environment (Protection) Act, 1986 or Environment Impact Assessment Notification, 2006 Coastal Regulation Zone Notification, 2011 could not alter or amend the provisions of the Environment Impact Assessment notification, 2006 and had quashed the same.

The Ministry has issued a Notification vide S.O.804(E) dated the 14<sup>th</sup> March, 2017 under the Environment (Protection) Act, 1986 to appraise the projects, which have started the work without taking prior environmental clearance in terms of the provisions of the Environment Impact Assessment Notification, 2006. Pursuant to this Notification, the project proponent are required to submit a bank guarantee equivalent to the amount of remediation plan, natural and community resource augmentation plan with the concerned State Pollution Control Board, as per recommendations of the Expert Appraisal Committee and finalized by the Regulatory Authority.

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