

GOVERNMENT OF INDIA  
MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE

**LOK SABHA**  
**UNSTARRED QUESTION NO. 1895**  
TO BE ANSWERED ON 29.11.2019

**Action against Builders for Violation of Environmental Rules**

1895. DR. T. SUMATHY THAMIZHACHI:

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 prescribed norms and rules of his Ministry;
- (b) if so, the details thereof and the list of those realtors booked in the last five years, year-wise and State-wise;
- (c) whether the Government has taken any concrete measures to control such construction activities at the outset;
- (d) if so, the details thereof; and
- (e) 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**  
**(SHRI BABUL SUPRIYO)**

(a) & (b) In accordance with the provisions of the Environmental Impact Assessment (EIA) Notification, 2006, building and housing/construction projects are required to obtain a prior environmental clearance (EC) from the respective State/Union Territory Government bodies, as per delegations. The violation of environmental norms and conditions of clearance etc. only for such projects are monitored by the concerned State/Union Territory Pollution Control Boards or other concerned Central/State agencies for action under the provisions of Environment (Protection) Act, 1986.

(c) to (e) The Ministry has drafted standard Terms of Reference for housing and building construction projects which are generally applicable to all such projects. While granting clearance to the individual projects, specific conditions, over and above the standard conditions for ECs to such projects are stipulated for compliance by the proponents. Flowing from the directives of NGT, the Ministry, vide notification dated 14-03-2017, decided to consider such projects, which had started activities without a prior EC, for post-facto consideration. The project proposal in such cases, as per the recommendations of the Expert Appraisal Committee (EAC), are required to submit a bank guarantee towards remediation plan/measures, natural and community resources augmentation plan for the purported harm/damage caused to the environment owing to such activities and the proposal is granted post facto EC thereafter.

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