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To,
The Secretary
Ministry of Environment, Forest and Climate Change
Government of India
Indira Paryavaran Bhawan, Jorbagh Road,
Aliganj, New Delhi - 110 003

Sub: Suggestion / Objections and Request for Hearing in respect to Draft Notification published on 25th February 2022 pertaining to Building Construction Environment Management Regulations, 2022

Respected Sir

We have reviewed the proposed Draft GSR 861 E, **Building Construction Environment Management Regulations, 2022** and we wish to list our Suggestions / Objections as stated below

Applicability of the Regulation

Part No. / Regulation No	Provision in Draft Regulations	Suggestion Proposed	Justification
3	(1) The Regulation shall be applicable for projects involving construction of buildings, having built up area ≥ 5000 sq.mts	(1) The Regulation shall be applicable for projects involving construction of buildings, having built up area ≥ 5000 20,000 sq.mts or the minimum threshold area for obtaining environment clearance as per provisions of EIA Notification, 2006 as amended from time to time, whichever is higher	Required to be amended in order to maintain consistency with the minimum threshold area as per EIA notification, 2006

Inconsistency with other Regulation

Part No. / Regulation No	Provision in Draft Rules	Suggestion Proposed	Justification
3	(4) In case of any inconsistency with any other regulations, byelaws, etc., the provisions that are more stringent shall apply.	(4) In case of any inconsistency with any other regulations, byelaws, etc., the provisions that are more stringent shall apply. Provided further that the provisions of local building bye-laws in respect of non-environmental parameters shall always prevail over provisions of this Regulations.	Cities like Mumbai, Pune, etc have developed historically and have irregular shape and size of plots. Local bye-laws are prepared considering the development of such plots. In view of the same, the provisions of local building bye-laws should always prevail with respect to non-environmental parameters.

Maharashtra Chamber of Housing Industry

Usage of ground water

Part No. / Regulation No	Provision in Draft Rules	Suggestion Proposed	Justification
5(B)	5. No ground water shall be used during construction phase of the project except with prior approval of the Central Ground Water Authority.	5. No ground water shall be used during construction phase of the project except with prior approval of the Central Ground Water Authority or as per the local bye-laws provisions for use of ground water.	In several cities, local authority grants permission for bore/tube well for non-potable purposes.

Water harvesting plan

Part No. / Regulation No	Provision in Draft Rules	Suggestion Proposed	Justification
5(B)	7. Roof top and non-roof rain water harvesting plan shall be designed & implemented to capture at least 'one-day rainfall runoff volume' from roof and non-roof areas in a manner that prevents possible contamination of ground water.	7. Roof top and non-roof rain water harvesting plan shall be designed & implemented to capture at least 'one-day rainfall runoff volume' from roof and non-roof areas in a manner that prevents possible contamination of ground water or as per the provisions contained in the local bye-laws.	Local authority to devise these requirements depending on user category i.e. high rise residential/commercial vis-à-vis school/hospital vis-à-vis rehabilitation

Sewage/Waste water management and recycling / re-use of treated water

Part No. / Regulation No	Provision in Draft Rules	Suggestion Proposed	Justification
5(C)(13)	A. For projects with built up area of 5,000 sq.mtrs. to 20,000 sq.mtrs. <i>i. In areas where there is no municipal sewage network, a. Either Onsite Sewage Treatment Systems with capacity to treat 100% waste water may be installed with appropriate tertiary treatment system with disinfection for black & grey water. Such treated water should be used with dual plumbing system for flushing and other non-potable use;</i> OR	A. For projects with built up area of 5,000 sq.mtrs. to 20,000 sq.mtrs. <i>i. In areas where there is no municipal sewage network, a. Either Onsite Sewage Treatment Systems with capacity to treat 100% waste water may be installed with appropriate tertiary treatment system with disinfection for black & grey water. Such treated water should be used with dual plumbing system for flushing and other non-potable use;</i> OR	Required to be amended in order to maintain consistency with the minimum threshold area as per EIA notification, 2006

<p><i>b. In case of usage of septic tank, only black water shall be discharged in the septic tank. Grey water may be treated through natural treatment systems or other secondary treatment as feasible. Such treated water should be used with dual plumbing system for flushing and other non-potable use;</i></p> <p><i>The excess treated water should conform to the general discharge norms of CPCB/MoEF&CC.</i></p> <p><i>ii. In areas where there is municipal sewage network,</i></p> <p><i>a. Either Onsite Sewage Treatment Systems with capacity to treat 100% waste water may be installed with appropriate tertiary treatment system with disinfection for black & grey water. Such treated water should be used with dual plumbing system for flushing and other non-potable use;</i></p> <p><i>OR</i></p> <p><i>b. The project authority may opt to discharge only black water in such municipal sewage network subject to availability of trunk sewer line. For this purpose, two separate pipeline network—one for black water discharge and other for collection of grey water shall be installed. Grey water may be treated through natural treatment systems or other secondary treatment as feasible. Such treated water should be used with dual plumbing system for flushing and other non-potable use;</i></p> <p>B. For projects involving built-up area of 20,000 sq. mts. or more</p>	<p><i>b. In case of usage of septic tank, only black water shall be discharged in the septic tank. Grey water may be treated through natural treatment systems or other secondary treatment as feasible. Such treated water should be used with dual plumbing system for flushing and other non-potable use;</i></p> <p><i>The excess treated water should conform to the general discharge norms of CPCB/MoEF&CC.</i></p> <p><i>ii. In areas where there is municipal sewage network,</i></p> <p><i>a. Either Onsite Sewage Treatment Systems with capacity to treat 100% waste water may be installed with appropriate tertiary treatment system with disinfection for black & grey water. Such treated water should be used with dual plumbing system for flushing and other non-potable use;</i></p> <p><i>OR</i></p> <p><i>b. The project authority may opt to discharge only black water in such municipal sewage network subject to availability of trunk sewer line. For this purpose, two separate pipeline network—one for black water discharge and other for collection of grey water shall be installed. Grey water may be treated through natural treatment systems or other secondary treatment as feasible. Such treated water should be used with dual plumbing system for flushing and other non-potable use;</i></p> <p>B. For projects involving built-up area of 20,000 sq. mts. or more</p>	
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Green Cover

Part No. / Regulation No	Provision in Draft Rules	Suggestion Proposed	Justification
5(E)	22. A minimum of 1 tree for every 80 sqm. of land should be planted and maintained so as to ensure at least 10% of plot area under tree cover. The existing trees will be counted for this purpose.	22. For plot size above one hectare, A minimum of 1 tree for every 80 sqm. of land should be planted and maintained so as to ensure at least 10% of plot area under tree cover or as required by local bye-laws, whichever is lower. The existing trees will be counted for this purpose.	In smaller plots, providing physical area on mother earth is a challenge considering fitment challenges, parking requirements, etc.

Project Environment Management Cell

Part No. / Regulation No	Provision in Draft Rules	Suggestion Proposed	Justification
5(I)	(For projects with built-up area above 20,000 sq.mts.) 37. A Project Environment Management Cell with defined functions and responsibility shall be put in place by the project authority to ensure compliance of these regulations during construction & operation phase. The environment management cell shall also keep the record of environment monitoring and those related to the environment infrastructure.	(For projects with built-up area above 20,000 sq.mts.) 37. A Project Environment Management Cell with defined functions and responsibility shall be put in place by the project local authority to ensure compliance of these regulations during construction & operation phase. The environment management cell shall keep the record of environment monitoring and those related to the environment infrastructure.	Required to be amended in order to make it consistent as per prevailing practice wherein project authority is required to submit compliance report as certified by an expert on regular basis as per provisions of EIA Notification, 2016

We request you to consider our Suggestions/Objections and grant us a hearing at the earliest.

Thanking you,

Yours faithfully,
For CREDAI-MCHI


Boman Irani
President


Dhaval Ajmera
Hon. Secretary

Copy to:

1. **Shri Tanmay Kumar**
Addl. Secretary
Ministry of Environment, Forest and Climate Change
Government of India
Indira Paryavaran Bhawan, Jorbagh Road,
Aliganj, New Delhi - 110 003