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**PROCUREMENT CONVENOR**  
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**WOMEN'S WING CHAIRPERSON**  
Sejal Goradia

To,  
**Shri Bhupender Yadav,**  
Hon'ble Minister for Environment, Forest and Climate Change,  
Indira Paryavaran Bhawan,  
Jorbagh Road,  
New Delhi- 110003

**Subject: Acknowledging and Proposing Enhancements to the Draft Building  
Construction Environment Management Regulation 2022**

Respected Sir,

On behalf of the CREDAI-MCHI, we extend our gratitude to the Central Government for introducing the Draft Building Construction Environment Management Regulations 2022. This initiative holds immense promise for our sector, and we fully embrace the opportunity it presents.

We wish to express our heartfelt appreciation for acknowledging the distinctive characteristics of the building and construction industry. Our chapter, along with the larger CREDAI network, has consistently advocated for recognition that sets us apart from general industries. The high level of self-compliance and the environmentally conscious approach of our stakeholders underline our unique identity.

With earnest dedication, we have meticulously reviewed the Draft Notification for Building Construction Environment Management Regulations 2022 and compiled a set of suggestions and objections. These recommendations, which address the specific needs of our region and chapter, have been submitted to the concerned officers of the Ministry through our National office via representation dated 13<sup>th</sup> April 2022 (**Copy attached**). Our collective vision is to contribute to the realization of a robust and effective regulatory framework.

As we move forward, we kindly request the Ministry to consider the inputs and concerns outlined in our submission. This collaborative approach will further strengthen the appraisal system, aligning it with the principles of sustainable and responsible construction practices that our chapter upholds.

Moreover, we would like to bring to your attention the matter of design alterations that preserve the Built-up Area (BUA) while adhering to environmental parameters. Our chapter suggests that office memorandum F.No. IA3-22/10/022-IA.III, dated May 5, 2022, be revisited, and amended, as outlined in our attached proposal. This step would allow environmentally friendly design modifications without necessitating revised or amended Environmental Clearances (EC).

EC Validity for Townships: Request to reconsider the extension of validity of EC for sector 8(b) construction projects of townships. This category mainly includes large Township construction projects. These township construction projects are generally upward of 100 acres and on an average around 300 to 400 acres. In such projects the gestation period and quantum of work is very large.

**Maharashtra Chamber of Housing Industry**

Maker Bhavan II, 4<sup>th</sup> Floor, 18, V. Thackersey Marg, New Marine Lines, Mumbai - 400 020.  
Tel: 42121421, Fax: 4212 1411/407 Email: secretariat@mchi.net Website: [www.mchi.net](http://www.mchi.net)

CREDAI-MCHI CHAPTERS : THANE | KALYAN-DOMBIVLI | MIRA BHAYANDAR | RAIGAD | NAVI MUMBAI |  
BHIWANDI | PALGHAR BOISAR | SHAHAPUR-MURBAD | URAN-DRONAGIRI |  
VASAI VIRAR | ALIBAG | KARJAT-KHALAPUR-KHOPOLI | YOUTH NMR

**CREDAI-MCHI's Prayer:**

After obtaining the EC, the sanctioning and various approvals for these projects generally may take up to 2 years. Thereafter as the built-up area (BUA) quantum of construction in these projects is very large, it takes such projects much more than 10 years to complete.

Therefore, it is our humble request that for such 8(b) township projects, after the first 10 years of EC validity, an additional validity extension depending on the size maybe given for category 8(b) projects:

For Township up to 100 Acres – 10 + 3 years extension = 13 years

101 to 200 Acres – 10 + 4 years extension = 14 Years

201 to 400 Acres – 10 + 5 years extension = 15 years

401 & above – 10 + 10 years extension = 20 years

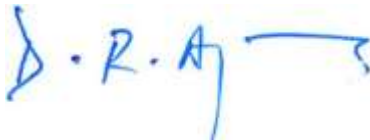
We eagerly anticipate your thoughtful consideration of our suggestions and objections. Your continued support and proactive approach are crucial for the realization of a sustainable and environmentally conscious building and construction sector in Mumbai & MMR.

Thank you for your attention to these matters of significance.

Yours sincerely,  
**For CREDAI-MCHI**



**Domnic Romell**  
President



**Dhaval Ajmera**  
Hon. Secretary

**Enclosure: As above.**



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CREDAI/MOEFCC/2022/15

Dated: 13 April 2022

To,

Ms. Leena Nandan, IAS  
Secretary,  
Ministry of Environment, Forest and Climate Change,  
Indira Paryavaran Bhawan,  
Jorbagh Road,  
New Delhi- 110003.

## **Sub: Objections/ comments on the draft building construction environment management regulations 2022; notification dated 25 February 2022**

Respected Madam,

CREDAI welcomes the draft building construction environment management regulations 2022 notification which the Central Government proposes to issue exclusively for the building & construction sector. It had been construction & Real Estate sector's long-standing request not to be treated in the category of general industries as the sector is highly self-compliant and our end users are themselves, extremely sensitive on issues relating to environment.

We assume that the purpose of this draft regulation is to reduce redundancies and promote outcome based standardized EC process and therefore we assume that the current time-consuming process of appraisal of projects under EIA notification 2006 for category 8(a) and 8(b) is to be replaced with the said regulation. Accordingly, we understand only the final version of this 2022 regulation will apply to the building construction sector, once the same is issued.

It may also be ensured that the anticipated notification would be adhered to by the municipalities/ local authorities/ authorities or under the acts of the State Governments having overlapping jurisdiction regarding urban planning and regulation of land use and construction of buildings (article 243W of the 12<sup>th</sup> schedule of the Constitution).

With these broad-objections, the regulations-wise suggestions / objections are mentioned below.

Continued....

**Confederation of Real Estate Developers' Associations of India**

5th Floor, 4/2 Siri Institutional Area, August Kranti Marg, New Delhi - 110016. India  
Tel.: (011) 43126262, 43126200 Fax - (011) 43126211 Email: info@credai.org | www.credai.org  
CIN No. - U91110DL1999NPL247248

Regulation No.	Regulation	Objection
2 (2)	<b>Building</b> - A structure constructed with any material whatsoever for the purpose of being used for human habitation, professional use etc. except industrial building and hazardous building.	This definition is not according to the definition mentioned in the State laws and Development Control Regulations of Corporations and Municipal Councils, which is exhaustive. Needs to be modified at par with the said definition. Or Please confirm that the proposed definition here shall apply.
3	(1) The Regulation shall be applicable for projects involving construction of buildings, having built up area $\geq$ 5000sq.mts.	These regulations are made applicable to projects having built up area $\geq$ 5000sq ms. Certain provisions like grey water recycling, sewage treatment system etc. will have to be made for which space shall be required. In many municipalities across India, due to high FAR a construction of 5000 sq m or more is achieved in smaller plots. It will be not possible to have physical space for installing STP or Grey water treatment plant. In numerous Tier I, II and III cities throughout India, 5000 sq m. built-up area can be constructed on a plot of 1500 sq mt in view of the higher FSI allowed. In such cases, it is nearly impossible to make provisions of STP or Grey water treatment plants in a plot of small size due to physical space constraints. Hence this limit of 5000 sq mt. may be increased to 20,000 sq mt.

Regulation No.	Regulation	Objection
3 (2)	(2) These Regulations shall be applicable to new building projects and expansion / renovation / repair of old / existing buildings.	These regulations should only be made applicable to totally new constructions only. These provisions cannot be made applicable in case of expansion / renovation / repair in old buildings. It cannot be made applicable to plans which are already sanctioned and projects which are going for revision/modification/expansion of already sanctioned plans. In case of old buildings, it will be difficult to make provisions for the things mentioned in these regulations. In short it should be applicable to projects which are totally de novo or totally new.
13 (A)	<p><b>(A) For projects with built up area of 5,000 sq. mtrs. to 20,000 sq.mtrs. –</b></p> <p>i. In areas where there is no municipal sewage network,</p> <p>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 &amp; grey water. Such treated water should be used with dual plumbing system for flushing and other non-potable use; OR</p> <p>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; The excess treated water should conform to the general discharge norms of CPCB/MoEF&amp; CC.</p>	<p>(A) The limit of 5000 sq m. should be increased to 20,000 sq m. due to space constraint reasons mentioned above in point 3(1).</p> <p>The limit of 20,000 Sq Mtr also found mention in the earlier proposed draft 2020 notification as also recommended by the expert committee.</p> <p>b. Please rephrase to clarify that option of septic tank as stated in 13(A),b, is available. It appears ambiguous.</p>

Regulation No.	Regulation	Objection
13 (B)	<p><b>(B) For projects involving built-up area of 20,000 sq. mts. or more –</b></p> <p>15. The adequacy of the Sewage Treatment Plant (STP) shall be certified by an independent expert and a report in this regard shall be submitted to the authorized agency.</p> <p>16. Discharge of excess treated wastewater outside the premises, after treatment in STP, should meet the discharge standards as notified by CPCB/MoEF&amp;CC from time to time.</p> <p>17. Wastewater and treated water quantification system through metering/sub-metering shall be installed.</p> <p>19. Where Common Sewage Treatment Plan facility has been availed, it shall be ensured that treated waste water is recycled back to respective building for reuse.</p>	<p>15. A certificate from STP vendor should be enough. This will ensure ease of doing business. Introducing more experts and agencies will have no additional benefits and further add to irregularities, unethical practices and also delay the projects.</p> <p>16. Discharge of excess treated wastewater outside the premises, after treatment in STP, should meet the methods and discharge standards as notified by CPCB/MoEF&amp;CC from time to time.</p> <p>17. This has no meaningful value addition and again it will lead to complications and malpractices.</p> <p>19. Such distribution is complex and cause for dispute amongst various end users. Hence distribution should be left as mutually decided between various users.</p>
D-21	Organic waste composter/Vermiculture pit with a minimum capacity of 1.0 kg/150 sqm. of built-up area/day shall be installed & operated.	Projects with large BUA on small plots do not have sufficient free spaces to install vermiculture pits. Hence option for authorized vendors to pickup the biodegradable waste must be available. There are professional biodegradable waste management companies who can be given such waste.

Regulation No.	Regulation	Objection
J,6,39	The project proponent shall submit Performance Data and Certificate of Compliance of the project for the environmental regulations and the parameters applicable, every year during the period of construction and every two years during operational phase (5 years in case the building has been certified as Green building in terms of GRIHA guidelines of MNRE) to the Government with special focus on the following parameters	<p>The project proponent shall submit Performance Data and Certificate of Compliance of the project for the environmental regulations and the parameters applicable, every year during the period of construction and the project authority/RWA/society/occupants every two years during operational phase (5 years in case the building has been certified as Green building in terms of GRIHA guidelines of MNRE) to the Government with special focus on the following parameters</p> <p>Polluter pays:</p> <p>After the occupancy is given and maintenance is handed over to the society/RWA, they should be responsible for maintenance and operation of the project. Hence, they should be responsible for statutory obligations of reporting and compliances</p>
Additional Clarification Required	This regulation does not address Consent to Establish and Consent to Operate. CTE and CTO	<p>Please clarify that the Present system of obtaining CTE and CTO from SPCB would be eliminated.</p> <p>Or It shall be applicable to projects with BUA of 20,000 sq m or more</p>

Hence, it is requested to consider the above objections and do the needful.

Thanking you.

Yours Sincerely,



Satish Magar  
Chairman



Harsh Vardhan Patodia  
President



Boman R. Irani  
President Elect

Copy to:  
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Government of India  
Indira Paryavaran Bhawan, Jorbagh Road,  
Aliganj, New Delhi - 110 003