

F. No. IA3-22/10/2022-IA.III
Government of India
Ministry of Environment, Forest and Climate Change
(Impact Assessment Division)

Indira Paryavaran Bhawan
Aliganj, Jorbagh Road
New Delhi-110 003
Dated 5th May, 2022

OFFICE MEMORANDUM

Sub.: Clarification with regard to non-requirement of EC amendment due to change in conceptual plan arising out of statutory requirements in building and construction sector- regarding.

The EIA Notification 2006 as amended from time to time states that the construction of new projects or activities or the expansion or modernization of existing projects or activities listed in the Schedule to the notification entailing capacity addition with change in process and or technology shall be undertaken in any part of India only after prior environmental clearance.

2. Building or Construction projects or Area Development projects and Townships are covered under the schedule 8 of the above Notification and require prior Environmental Clearance (EC) from the State Environment Impact Assessment Authority (SEIAA) for projects with built up area of 20,000 sq. mts., and above.
3. The projects under Schedule 8 of the Notification are appraised for the grant of EC, based on the building plan, which may undergo further changes necessitated because of local site conditions before the final building/construction/ township/ area development project is undertaken by the project proponent.
4. The Ministry is in receipt of representations from various stakeholders requesting that amendment of prior EC for building construction/area development projects may not be insisted upon for minor changes in building projects at the time of execution/implementation of the project so long as they do not adversely impact the environment and are within the scope of already approved Environmental Management Plan.
5. Accordingly, matter has been examined and it has been decided that any change in configuration/planning/design of the appraised building Project for which EC was granted shall not require amendment of EC, subject to no change in (i) Built Up Area (ii) Floor Area Ratio (FAR) (iii) change in exterior spaces/green belts, parking, walkways and driveways that are covered including attics and outdoor sports courts. Further there shall be no change in the designated use of the building, number of

dwelling units, height of the building, number of floors & basements and total excavation of earth of the building/construction/ township/ area development project so as not to require any changes in the already approved Environmental Impact Analysis (EIA) and Environmental Management Plan (EMP).

6. The above dispensation shall be applicable subject to the Project Proponent filing an application in prescribed format on PARIVESH portal and obtaining a self-generated acknowledgement to this effect from the portal.

7. Any addition, alteration, modification in the conceptual plan, as stated at para-6 of the EIA Notification 2006, for which prior EC was granted other than the changes falling under the category of permissible changes as explained in para 5 above which results in the increase in pollution of any type beyond the approved levels necessitating fresh EIA/EMP shall be treated as Violation and shall be dealt with accordingly as per the provisions of the Office Memorandum dated 7th July 2021.

8. This issues with the approval of the Competent Authority.

Ashish
05.05.2022

(Dr. Ashish Kumar)
Additional Director

To

1. Chairman/Member Secretary, Central Pollution Control Board
2. Chairman/ Member Secretaries of all Expert Appraisal Committees
3. Chairperson/Member Secretaries of all SEIAAs/SEACs
4. Chairmen/Member Secretaries, all PCBs and PCCs
5. All Officers of IA Division, MoEF&CC

Copy to

1. PS to Hon'ble MEFCC
2. PS to Hon'ble MoS (EF&CC)
3. PPS to Secretary (EF&CC)
4. PPS to AS (TK)/AS(NPG)
5. PPS to JS (SKB)
6. Website, MoEF&CC
7. Guard file