

(b) if so, by when it is likely to be cleared; and

(c) if not, the reasons of its pendency?

THE MINISTER OF STATE IN THE MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE (DR. MAHESH SHARMA): (a) Yes Sir. A letter in context of insulation of 807.5 kms. of electric lines passing through six tiger reserves and three territorial forest circles was received from the Chief Wildlife Warden, Madhya Pradesh but was not considered due to the financial implication involved.

(b) and (c) Questions does not arise.

**Power of environmental clearance to the local bodies**

797. DR. SASIKALA PUSHPA RAMASWAMY: Will the Minister of ENVIRONMENT, FOREST AND CLIMATE CHANGE be pleased to state:

(a) whether Government has authorised local bodies, such as Municipalities, Development Authorities and District Panchayats to stipulate environmental conditions while granting building permission, for the building or construction projects with built up area equal to 20,000 sq. m. and less than 50,000 sq.m.;

(b) if so, the reasons therefor;

(c) whether Government had undertaken any study/awareness regarding the suitability of Urban Local Bodies/Rural Bodies (ULB/RB), availability of technical knowledge along with manpower at Municipality and District Panchayat level; and

(d) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE (DR. MAHESH SHARMA): (a) to (d) Yes Sir. The Ministry has issued a Notification *vide* S.O.5733 (E) dated 14th November, 2018 wherein in exercise of the powers conferred by section 23 of the Environment (Protection) Act, 1986 (29 of 1986), the Central Government has delegated the power to local bodies such as Municipalities, Development Authorities, District Panchayats as the case may be, to ensure the compliance of the environmental conditions as specified in the Appendix of the Notification in respect of building or construction projects with built-up area >20,000 sq. mtrs. to 50,000 sq. mtrs. and industrial sheds, educational institutions, hospitals and hostels for educational institutions  $\geq$  20,000 sq. mtrs. upto 1,50,000 sq. mtrs. along with building permission and to ensure that the conditions specified in the Appendix are complied with, before granting the occupation certificate/completion certificate.

Subsequently *vide* Notification no. S.O.5736 (E) dated 15th November, 2018, the Ministry has increased the threshold for obtaining a prior environmental clearance upto 50,000 square metres built up areas for Building or Construction projects and empowered the local bodies such as Municipalities, Development Authorities and District Panchayats, to stipulate environmental conditions while granting building permission, for the Building or Construction projects with built-up area  $\geq 20,000$  sq. m. and  $<50,000$  sq. m. and industrial sheds, educational institutions, hospitals and hostels for educational institutions from built-up area  $\geq 20,000$  sq.m. to  $<1,50,000$  sq.m. as specified in Notification S.O. 5733(E) dated 14th November, 2018.

The above Notifications have been issued for streamlining the permissions for buildings and construction sector while simultaneously strengthening efforts to improve environment through greater objectivity and transparency as it is important to streamline the process to achieve housing for all by 2022 with the objective of making available affordable housing to weaker section in urban areas, while ensuring better environment compliance monitoring through mechanism of building occupation/completion/use permissions being exercised by the local bodies, which are closer to the subject matter in this particular sector.

Based on substantial experience gained in matters relating to prior environmental clearance related to building and construction projects, the Ministry in the Notification dated 14th November, 2018 has specified various environmental conditions, *inter alia*, for Topography and natural drainage; Air Quality and Noise; Waste Management; Green cover; Top soil preservation and re-use; Water Conservation; Rain Water Harvesting; Ground Water Recharge; and Transport to address the issues related to various impacts on the environment. These conditions would provide the required technical guidance to the Urban Local Bodies.

However, the operation of both the aforesaid notifications has been stayed by the Hon'ble High Court of Delhi in the matters of Social Action for Forest and Environment *Vs.* Union of India in W.P. (C) 12570/2018 and Society for Protection of Environment and Biodiversity (SPENBIO) *Vs.* Union of India in Writ Petition (Civil) No. 12570. The notification dated 14th November, 2018 has also been stayed by the Hon'ble National Green Tribunal, Principal Bench in the matter of Shashikant Vithal Kamble *Vs.* Union of India and Ors. in O.A. no 1017/2018.

#### **Premature deaths due to air pollution**

798. SHRI RIPUN BORA: Will the Minister of ENVIRONMENT, FOREST AND CLIMATE CHANGE be pleased to state:

(a) whether it is a fact that India tops in deaths, under the age of five years due to toxic air and 60,000 such premature deaths were reported in 2016;