



Jus Corpus Law Journal

Open Access Law Journal – Copyright © 2022 – ISSN 2582-7820
Editor-in-Chief – Prof. (Dr.) Rhishikesh Dave; Publisher – Ayush Pandey

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Real Estate Sector's relationships with Environmental laws in India

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Received 28 July 2022; Accepted 27 August 2022; Published 30 August 2022

It's been a struggle in the 21st century to construct and achieve economic development in a way that does not menace or harm or cause or lead to any environmental degradation. There have been many environmental disasters in the past few decades and there has been a growing general agreement to ensure that all real state projects must develop by safety standards prescribed and consist of all environmental compliances and make sure that no construction leads to any environmental hazards, mainly those projects which are constructed nearby any natural resources such as forest, wildlife, coastal zones, and other eco-sensitive areas.¹ In today's time, the idea of urbanization and development has into the idea of creating healthy contemporary spaces while protecting the natural environment around them. Governments all around the world are trying to achieve concord on reducing the negative impact of humans on the planet through the implementation of strict laws and regulations. Article 480-A of the Indian constitution States about protecting and improving the environment and safeguarding forests and wildlife of the country. India is a Party of the United Nations Climate Change Conference (COP21) and India has strict in the real estate sector. The target for the year 2050 is to achieve carbon Neutrality for which non-CO2 energy sources are required especially in construction and infrastructure because 20% of global greenhouse gas emissions are from urban spaces.² In March 2005 Indian government allowed foreign investors to

¹ Abhishek Sharma & Amit Wadhvani, 'India : Environment v/s Rea; Estate' (Mondaq, 7 October 2016) <<https://www.mondaq.com/india/environmental-law/533492/environment-vs-real-estate>> accessed 23 July 2022

² 'Environment Laws in Indian for the Real Estate Sector' (Smart bricks, 2021) <<https://gosmartbricks.com/environment-laws-in-india-for-the-real-estate-sector/>> accessed 23 July 2022

invest 100% directly into real estate and because of this, the Indian real estate sector made a profit. Real State plays a major role in sharpening India's future as India is a developing nation. Development in the real state also. Increase Environment pollution. While Construction at the development site contributes to a great amount of land, air, and water pollution. It is the Corporate Social Responsibility (CSR) of the Government of India, to take measures to control pollution, hence, the government introduced several legislations to protect the environment as mentioned above.³

Keywords: *real estate, pollution, environment protection, property development, prevention.*

INTRODUCTION

The first global initiative that concerned the environment and sustainable development was the Stockholm Conference in 1972. The conference recognized principles of ecological management and issued an action plan with 109 recommendations. The Government of India made expressed provisions for protecting and promoting the environment in 1976 by constitution 42nd Amendment act⁴ to incorporate 3rd decision meet at shuffling Conference of 1972. The Constitution of India introduced Article 48-A in the Directive Principles of state policy⁵ and Article 51-A(g)⁶ in fundamental duties.

Article 48 A of the Indian constitution states that “the State shall endeavour to protect and improve the environment in to safeguard the forest and wildlife for the country”.

*Article 51-A(g) of the Indian Constitution states that “it shall be the duty of every citizen of India to protect and improve the natural environment, including forests, lakes, rivers, and wildlife, and to have compassion for living creatures”.*⁷

³ Jasleen, 'Real Estate Development and Environment Laws' (*Legal Readers*, 22 March 2021)

<<https://legalreadings.com/real-estate-and-environment-pollution/#:~:text=Environment%20protection%20legislation%20in%20India%20concerning%20real%20estate,has%20a%20ministry%20dedicated%20entirely%20to%20the%20Environment.>> accessed 23 July 2022

⁴ Constitution (Fourty-Second Amendment) Act 1976

⁵ Constitution of India, art 48A

⁶ Constitution of India, art 51A(g)

⁷ Abhishek Sharma (n 1)

According to **National Environment Policy Act**,⁸ federal agencies need to prepare an **Environmental Impact System**, in every recommendation or report on proposals for legislation. The agencies should also undertake a major confederate action that especially affects Environmental Quality. This statement must carry various details like the impact of the proposed action on the environment, any unavoidable adverse impact, compare short-term and as well as long-term consequences, etc. The project can be enjoyed from proceeding unless the impact statement is prepared.

National Environment Policy Act does not apply to activities that are purely private. It can only be carried out by those who are proposed by federal agencies in some manner.

In 1970, the **Environmental Protection Agency** was formed and oversaw monitoring the industries that are engaged in Environmental practices and assisting government and private businesses. To maintain environmental decay, implementing regulations consists of federal environmental policies and polishing the industry for violation of various federal environmental statutes and regulations.⁹ Six authorities in India give clearance for any Real estate development project work. Under Environmental Protection Act, The Indian Government extinguished that no new projects are expansions to an existing project that can be executed without an Environmental Clearance. Projects having a Green building rating that are prioritized for environment clearance are compared to alternative investment models.¹⁰

REAL ESTATE LAWS

Real estate laws mean the development of any land and the construction of an immovable property. The real estate sector is growing because of the inundation of industries, corporates, and thus the growing population in the cities. The Indian government has introduced many acts related to property in India which are crucial for the smooth functioning of construction, sale,

⁸ Environment (Protection) Act 1986

⁹ 'Chapter 11, The Nature and Regulation of Real Estate and the Environment' (*Saylorddotorg.github.in*) <https://saylordotorg.github.io/text_introduction-to-the-law-of-property-estate-planning-and-insurance/s14-the-nature-and-regulation-of-r.html#:~:text=The%20various%20ways%20in%20which%20environmental%20laws%20affect,manager%20has%20become%20critically%20important%20within%20the%20corporation.> accessed 23 July 2022

¹⁰ Smart bricks (n 2)

and purchase of an immovable property. These laws and regulations are applied in the sect of the Union Territory, State laws, and municipal laws. India is usually populated and culturally diverse thus, specific laws might be necessary for the recruitment of a particular state or area. There are various aspects of real estate that include lease, sale, mortgage, license, etc. All relating to immovable property, under the due diligence work, that is required before investing in a property or purchasing a property, Title checks are also included in them. The real Estate Regulatory (RERA) Act 2016¹¹ brought a revolutionary change in the real estate sector by regularising the transactions. There are many formalities, Terms, and conditions of lease and sale-purchase but still,¹² they are one-sided in the favor of the builders, if we consider the factor or dare the need to come up with updated rules and regulations was felt and RERA came into place.¹³

PUBLIC LAW PERMITS OBLIGATIONS

Indian jail land can be broadly categorized into a ruler or agricultural urban lands. Other lands like the protected or preserve forest eco-sensitive zones. There are various laws governing zoning, all formatting, and related matters that concerned the use, development, and occupation of Land in India such as.:

- Urban planning development laws.
- Town and country planning laws
- Master plans.¹⁴

¹¹ Real Estate Regulatory (RERA) Act 2016

¹² *Ibid*

¹³ Khyatu Dhuparr, 'Real Estate Rules and Regulation in India' (*Lawyered*, 14 December 2018)

<<https://www.lawyered.in/legal-disrupt/articles/real-estate-laws-overview/#:~:text=The%20main%20acts%20related%20to%20property%20in%20India,by%20local%20laws%20and%20bylaws%20More%20items...%20>> accessed 23 July 2022

¹⁴ *Ibid*

The Constitution of India has provided a framework to conserve and protect the environment and its components. Article 246 of the Constitution of India¹⁵ divides the subject areas of legislation between the Union and the state into 3 lists:

- A list I: The union list.¹⁶
- List II: The state list.¹⁷
- List III: The concurrent list.¹⁸

This state and the Union have Jurisdiction in the matter related to Environment Protection as it is contained in the concurrent list.¹⁹ Under Article 31(2) Principles of Eminent domain,²⁰ the state can acquire private property. This section of the Constitution states that land can be obtained by the state (only) for any public purpose by6 considering compensation.

Mean permits or licenses that are required for building works and/or the use of the real estate are:

- Land use change permits/Land clearance.
- Zoning permits.
- Building sanctions and approvals

Building approval includes building, plan, and layout approval for the construction of the building.

1. Layout approval.
2. Building plan.
3. Intimation of disapproval or similar process/Stages
4. RERA Approval

¹⁵ Constitution of India, art 246

¹⁶ Constitution of India, schedule VII, list I

¹⁷ Constitution of India, schedule VII, list II

¹⁸ Constitution of India, schedule VII, list III

¹⁹ Abhishek Mathur (n 1)

²⁰ Pinciples of eminent domain, art 31(2)

5. Environmental Impact Assessment (EIA)

ENVIRONMENTAL IMPACT ASSESSMENT (EIA)

It identifies and evaluates the potential impact (beneficial and adverse) of development and projects on the environmental system. All industrial projects have an environmental impact and many of them may not be sufficient grounds to elaborate assessment procedures. It will be decided if there is any need for search exercises by preliminary evaluation of the possible implication of a particular project and its location.

- Environmental clearance/Approval.
- Fire department permit.
- Air and Water Pollution control permit.

Other permits/Approvals To be obtained (if necessary) are:

1. Coastal regulatory zone (CRZ) Clearance if required, by the coastal zone management authority.
2. Ancient monument approval by archaeological Survey of India.
3. NOC from Airport Authority of India by Civil Aviation Department/Airport Authority of India.
4. NOC from the Sewage department. (Municipal)
5. NOC from the stormwater and rain department. (Municipal).
6. NOC from the electric department. (Municipal) etc.²¹

ENVIRONMENT PROTECTION LEGISLATION IN INDIA

The Constitution of India Provided the following legislation relating to Environment Protection. They are as follows:

²¹ *Ibid*

*The Wildlife (Protection) Act, 1972*²²: This act ensures the protection and. Administration of flora and fauna in their natural habitat. According to Section 4 of this Act,²³ the government may appoint a chief wildlife warden to look after the centuries. Section 3 of this Act²⁴ forbids search gardens to construct real estate properties within the border of wildlife sanctuaries except with the prior permission of the National Board.

*The water prevention and control of Pollution Act, 1974*²⁵: This act checks and regulates water pollution at both the Centre and state levels. Under Sections 3²⁶ and 4²⁷, a “board” is formed at the Centre and state That monitors water pollution in their respective territory. A clearance from this board is required if the construction is affecting any water body before the construction of any real estate.

*The Air (Prevention and Control of Pollution) Act, 1981*²⁸: This act is for the prevention, control, and embedment of air pollution. Under this act board at the centre is the Central Pollution Board and the Board at the state level, the state Pollution Board is set up for the prevention and control of air pollution in the country at both levels. The Supreme Court says in the case of MC Mehta versus Union of India, that air pollution violates the right to life under Article 21 of the Constitution.²⁹ Which also includes the right to a healthy and safe environment, Hence, this act also provides a penalty of imprisonment for a term of 6 months 21 years with a fine.

*The Forest (Conservation) Act 1980*³⁰: This act restricts the construction of industries for the protection and conservation of forests. Section 2³¹ of this Act says that for search construction, the party must take prior approval from the central government. Under Section 2 of the Act for

²² Wildlife (Protection) Act 1972

²³ Wildlife (Protection) Act 1972, s 4

²⁴ Wildlife (Protection) Act 1972, s 3

²⁵ Water Prevention and Control of Pollution Act 1974

²⁶ Water Prevention and Control of Pollution Act 1974, s 3

²⁷ Water Prevention and Control of Pollution Act 1974, s 4

²⁸ Air (Prevention and Control of Pollution) Act 1981

²⁹ Constitution of India, art 21

³⁰ Forest (Conservation) Act 1980

³¹ Forest (Conservation) Act 1980, s 2

granting search approval, an Advisory committee will be formed under Section 3³² of this act. Under section 3A³³, the Act also provides a penalty.

*The Environment Protection Act 1986*³⁴: This act ensures the protection and improvement of the environment that is related to the prevention of hazards to human beings and any other living creatures, plants, and properties. After the Bhopal. After the tragic incident of the Bhopal Gas leak in 1984 at the Union Carbide Indian Limited pesticide plant in Bhopal, this act was introduced. Under Section 3,³⁵ this act provides for the constitution of authority and appointment of officers by the central government. Section 4³⁶ states provide that the government may take necessary measures to protect and improve the quality of the environment and prevent, control, and obtain environmental pollution in the construction areas.

*Environment Impact Assessment under Environment (Protection) Act, 1986*³⁷: The Government of India introduced a new assessment called the Environment Impact assessment under the Environment (Protection) Act 1986³⁸ after the Bhopal gas tragedy case. This act was introduced to assess the process of any project that will impact the environment Including real estate projects. No construction could be held without clearance from this assessment report. The process of assessment includes the site section, then providing a no objection certificate to the party, construction of the real estate property (Commercial or personal), and then a public hearing. After all these steps, finally, the report is published, in which they also suggest recommendations to the builders. The central Government of India regularly releases aperiodic environment impact access human notification. On how the assessment is to be conducted.

- On 27 January 1994, the first notification was released that it was necessary for any construction that includes real steel to get Environment Clearance (EC) from the Ministry of Environment, Forest and Climate Change (MoEF).

³² Forest (Conservation) Act 1980, s 3

³³ Forest (Conservation) Act 1980, s 3A

³⁴ Environment Protection Act 1986

³⁵ Environment Protection Act 1986, S 3

³⁶ Environment Protection Act 1986, s 4

³⁷ Environment Impact Assessment under Environment (Protection) Act 1986

³⁸ Environment (Protection) Act 1986

- Notification of 2016 made major changes to this legislation. That made it mandatory for various projects to get EC It's pressurized to get environmental clearance from the state Pollution Control Board that includes. Approval from the local municipal community or Panchayat Department of mining. Department of Underwater Board or any other state authorities as The case might be.
- 2020 the Government of India introduced a new Environment Impact Assessment draft. The new draft became controversial as it allowed violation projects to apply for an environment clear at any time after the construction starts. The public hearing time was also reduced to 20 days, which was 30 days in 2006 traffic. Due to the controversy, the MoEF issued a notification that in 16 days, the public has the opportunity to submit their suggestions on the draft. Regarding the draft's extended period of 60 days, Ed was only released in the English language, and a writ was filed in High Court.

*Hazardous Waste (Management and Handling) Rules, 1989*³⁹: Hazardous waste management is a prime concern for builders during real estate development. The Ministry of Environment, Forest and Climate Change defines hazardous waste as “waste, which due to its physical-chemical or biological composition, is likely to harm health or environment, whether alone or in contact with other waste or substance” .⁴⁰ The chemical ‘formaldehyde’ which is used in building materials Can call respiratory problems and cancer in animals. Hence the hazardous waste management rules must be seriously concerned while constructing a real state.

*Coastal Regulation Zone Notification, 2011*⁴¹: In 1991, the first Coastal regulation zone notification was issued to prohibit development activities on the coastline. In 2011, notification allowed construction on coastal zones, with certain exceptions, but it was made mandatory to get prior clearance from the authority.

³⁹ Hazardous Waste (Management and Handling) Rules 1989

⁴⁰ Jasleen (n 3)

⁴¹ Coastal Regulation Zone Notification 2011

AUTHORITIES

There are regulatory authorities that play an important role in any real estate development project in India. The Authorities look after the management and protection of the environment as at the development site, they are:

Ministry of Environment. Forest: India has a ministry that is directed entirely to the environment; hence, the ministry comes up with legislation that concerns real estate development like the Wildlife Protection Act, Environment Protection Act, etc. time to time. This ministry is responsible for the rules and regulations, planning and promotion of the environment, and plans related to forests in India.

Central and State Pollution Control Board: In 1970, under the Water (Prevention and Control of Pollution) Act, this strategy organization was formed. Without prior clearance from this board, any major real estate projects cannot be started.

National Green Tribunal: Under the National Green Tribunal Act,⁴² This Quasi-Judicial body was established. This Tribunal handles all the cases that are related to environment and real estate development.

Coastal Regulation Zone management authority: Any kind of construction in the coastal region must have clearance from this authority.

Forest settlement officer: Under Section 4 of the Forest Act⁴³ Forest Settlement Officer is appointed. The officer is empowered by this act to take service on the land authorized to him.

National Board of Wildlife: In 1972, under the Wildlife Protection Act, this board was formed. This board advises the central government on framing policies for the conservation of wildlife in the country.⁴⁴

⁴² National Green Tribunal Act 2010, s 10

⁴³ Forest Act 1927, s 4

⁴⁴ Wildlife Protection Act 1972

CLIMATE CHANGE

Many regulatory measures have been taken for reducing carbon dioxide emissions:

Paris Agreement: In 2016, India approved the Paris Agreement and pledged to reduce 33 to 35% emissions compared to 2005 levels. It aims to shift regard to renewable energy with 40% of its electric capacity.

Renewable energy: The government set a goal to install 175 GW 2015 of renewable energy in 2022. India met various goals like 886 GW of renewable energy capacity generation that included 38 GWA wind energy and 34 GWF solar energy in December 2016 and announced at the UN Climate Action Summit in September 2019 that its new target is 450 GW of renewable energy by 2030.

Solar: The solar mission is included in India's National Action Plan on Climate Change. The mission involves 3 phases that are:

- Phase I-2010- 2012
- Phase II- 2013-2017
- Phase III- 2017-2022

Wind: On 6th October 2015, the Government of India informed that the National offshore wind energy policy and as the nodal ministry, the Ministry of New and Renewable Energy was appointed.

Other regulatory measures to improve the sustainability of both new and existing constructed buildings are:

Model Building Bye-Laws 1016: The Ministry of Urban Development has the town and Country planning organization made an effort to prepare model building Bye-laws 2016. These laws guide the state government, urban, and local bodies, Urban Development authorities, and others. This law provides provisions for a safe, secure, and barrier-free environment and an environment concerning the adaptation of modern construction technology, Swatch Bharat

mission, ease of doing business, rainwater harvesting, and the effect of communication technology.⁴⁵

Power of entry and inspection: Section 10 of the Environment Protection Act 1986⁴⁶, a person who is empowered by the central government, has the right to enter, at any responsible time if the reason is considered necessary, Any place:

- a) For the purpose to carry out the functions of the Central Government instructed to him.
- b) For determining if any functions are needed to be performed and if it is needed to be performed, then in what manner.
- c) To examine and test any equipment, industrial plant or record, etc. or to search a building and to seize any equipment, industrial plant, or record register, document, or other object material, if he has a reason to believe that it may furnish evidence of any offence that has been committed and that is punishable under this Act or rules that are made there under all, that search action is obligatory to prevent or reduce environmental pollution.

EFFECT OF COVID-19 ON THE REAL ESTATE SECTOR

The pandemic has led to unique and odd disputes and situations in the Indian real estate sector. India's constitution doesn't have a qualified lawyer that deals with force major, and it is usually adopted as a contract provision in India as it is a civil law concept. Indian law contains qualified provisions for contingent contracts. In the future, if any uncertain event happens after the contract is made, the contract to do an act becomes impossible or because of some event which the promisor couldn't prevent, unlawful becomes void in the act becomes unlawful. Some other changes due to COVID-19 Fender make and that are relevant to the real estate sector are:

RERA REGISTRATION AND DELIVERY TIMELINES

The pandemic has affected the real estate developers in their registration with the RERA and the delivery timelines of the already launched real estate projects that were committed to allottees.

⁴⁵ Abhishek Mathur (n 1)

⁴⁶ *Ibid*

An extension was provided to the real state project registration due to any occurrence of *force major* events that are also defined as “Cases of war, flood, drought, fire, cyclone, earthquake, or any other natural calamity affecting the regular development of any real estate project” under Section 6 of RERA.⁴⁷ The developer cannot approach RERA authorities to seek an extension for their registration of the project under the terms of the restrictive definition of *force measure* under RERA. In circumstances that are proved reasonable and have no default on the part of the developer. The RERA authorities have the direction that they cannot extend the registration timelines for more than one year.

LOAN MORATORIUM

Due to pending make on 27th March 2020, the RBI issued a circular allowing lending institutions to grant a moratorium on the payment of installments of the term loans that were due between 1st March 2020 and 31st May 2020. Later, the moratorium was extended until 31st August 2020. This initiative of the government helped many real estate developers *in lieu* of their projects that were in process.

CASES

*M.C. Mehta v Union of India, 1991; Vehicular Pollution Case*⁴⁸:

Delhi is one of the high highly populated cities in India. The population of the urban area was 90 lakh and during the period of independence, Delhi was populated by around 5 lakhs. With a rapidly increasing population comes the concern of environmental pollution. A writ petition was filed by M.C. Mehta, an environmentalist under Article 32,⁴⁹ who requested the court to pass appropriate orders for the reduction of vehicular pollution in Delhi. He approached the court to shut down the unsaved business situated in the thickly populated regions of Delhi and

⁴⁷ Real Estate Regulatory (RERA) Act 2016, s 6

⁴⁸ Dhruval, ‘M.C. Mehta V Union of India, 1991; Vehicular Pollution Case’ (*Law Times Journal*, 12 October 2018) <<https://lawtimesjournal.in/m-c-mehta-vs-union-of-india-1991-vehicular-pollution-case/>> accessed 26 July 2022

⁴⁹ Constitution of India, art 32

to regulate air contamination brought by vehicles working in that region and the warm units creating power of the Delhi Electric supply undertaking.

The Supreme Court delivered a landmark judgment in 1992 and appointed a retired Judge of the Supreme Court along with three members to recommend measures for control of vehicular pollution in India. **The Supreme Court kept this writ petition pending for monetary and past the following interim orders:**

- Article 15 A⁵⁰ and directive principles of state policy and the Indian constitution recognizes the importance of protecting the environment, Life, flora, and fauna. Hence, the state must protect the environment.
- All citizens of the country who are using automobiles should have an idea about the harmful effect on the environment due to the emission cost of their vehicles. Spreading awareness is an effective way of reducing environmental Pollution.
- Reviewing the problem of vehicular pollution and finding methods to reduce pollution in Delhi, a committee was set up. The committee comprised a retired judge of the Supreme Court acting as the chairman. MC Mehta is the chairman of the Central Pollution Control Board and the person who represents the Association of Indian Automobile Manufacturers. The members were empowered to take advice from not more than three members. The joint secretary in the Ministry of Environment and Forest was appointed as the Contrary Secretary of the Committee. Under the notification of the Union government on 18th March 1991, this committee came into effect.

Objectives of the committee:⁵¹

- a) Assessing technology available for Vehicular pollution control in the world.
- b) Assessing the current status of technology available in India for controlling vehicular pollution.

⁵⁰ Constitution of India, art 15A

⁵¹ Parul Singh, 'M.C. Mehta V Union of India, 1991; Vehicular Pollution Case' (*Law Times Journal*, 8 July 2021) <<https://lawtimesjournal.in/m-c-mehta-vs-union-of-india-1991-vehicular-pollution-case-2/>> accessed 26 July 2022

- c) Observing the low alternatives to operate vehicles in the metropolitan cities of India at reduced pollution levels.
- d) Examining the workability of measures to reduce or eliminate pollution from motor vehicles, On both; a long and short-term basis and make appropriate recommendations.
- e) Making specific recommendations on the administrative or legal regulations required for implementing the recommendations in (c) above.
- The Supreme Court ordered the committee to supply a report within 2 months mentioning the steps taken in the matter. The Union government and Delhi administration were directed to cooperate with the committee to ensure its smooth operation.

*Union Carbide Corporation v Union of India*⁵²

Concerning section 155 of CPC,⁵³ the Union Carbide Corporation applied to the Supreme Court to claim damages made by the Union of India against the order Bhopal District Court regarding all calamities under the Bhopal gas Leak Disaster Act, 1985. The Union Carbide Corporation and the Union of India filed district appeals in the Supreme Court against the judgment of the Madhya Pradesh High Court on behalf of the sufferers of the Bhopal gas leak disaster damages were sorted. The court examined the *prima facie* material to certify the demands and question the domestication of the point of the United States for execution. It examined the question closely regarding the number of damages that could be “just, equitable, and reasonable” for an overall settlement. The code refers to the MC Mehta versus Union of India case in which it was held that the measure of demands payable had to be correlated to the magnitude and capacity of the enterprise because such compensation had to have a curbing effect.

⁵² Pooja GN, ‘Union Carbide corporation v Union of India’ (SSRN, 16 June 2021)
<https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3861768> accessed 25 July 2022

⁵³ Civil Procedure Code 1908, s 155

*Vikrant Tongad v India, W.P. (C) 3747/2020 & CM APPL. 1342/2020 (30 June 2020)*⁵⁴

On March 20, 20, the Ministry of Forest and Climate Change Ministry issued a draft that notified the proposed substantial revision to the environmental impact assessment (EIA) process. The draft notified that the public can submit comments for 60 days followed by the publication in the Gazette of India. On April 11, 2020, the publication of Gadget occurred with set a deadline of comments as. Julie 11, 2020. A notice was issued by the ministry declaring that the public comment on the draft notification would be extended for further 60 days due to restrictions imposed by COVID-19, on May 8, 2020. Due to the impact of COVID-19, the petitioner asked the High Court of Delhi to resolve the disciplinary notice and consider having a longer public comment. The High Court declared that Facial ambiguity of notification must be resolved in favour of the people whose comments are being invited. Part 8. States that the court set the deadline on August 11, 2020, and the deadline to extend the period further. The High Court also addresses the fact that if the notification of the draft was published only in Hindi and English when the impact would have been nationwide. Para 10: The High Court ordered to translation of the 83-page draft notification into 22 languages that are recognized in the Indian constitution and posted on several government websites within 10 days.⁵⁵

CONCLUSION

The laws on Environment Protection have been evolving from time to time and the government has taken many actions and proactive measures to formulate various registrations and policies intending to promote sustainable development and also insured that such development does not undermine or negatively affect, critical resources and ecological, functions, wellbeing, lifestyle, and livelihood of people who are dependent on them. Laws governing real states have wide scope and India. A person who is interested in the real estate industry shall focus on legal compliance for real estate Companies. Due to better real estate rules and regulations like RERA, the risk for investors reduces and they can be more open to investing in real estate, so that's a win-win situation for the builders, investors, and purchasers. The Indian government

⁵⁴ *Vikrant Tongad v Union of India* WP (C) 3747 of 2020

⁵⁵ *Ibid*

introduced legislation and authorities, showing that the real estate sector of India develops while maintaining the decorum of the environment and making sure that. Steps are taken from time to time to curb environmental pollution due to the development of the real state. The government made it mandatory for the builders to follow these rules and regulations and to get clearance from the respected authorities before construction and impose penalties if not followed properly. But also, from more technologies that make minimal population pollution in the environment.