DRAFT RULES

MoEFCC publishes draft Construction and Demolition Waste Management Rules, 2024, to replace the 2016 rules

G.S.R. 458(E) proposes Construction and Demolition Waste Management Rules, 2024, with EPR for large projects and utilization targets, replacing the 2016 rules.

G.S.R. 458(E), DATED JULY 29, 2024, is a draft notification of the Ministry of Environment, Forest and Climate Change. It recites that the Construction and Demolition Waste Management Rules, 2016 were notified by G.S.R. 445(E) dated March 29, 2016, and that the Ministry found through the implementation review that the existing regulation needs comprehensive revision and strengthening, including by introducing extended producer responsibility, environmental compensation, centralized interface based online monitoring and compliance assessment. The draft Construction and Demolition Waste Management Rules, 2024 would supersede the 2016 rules and come into force on April 1, 2025.

THE CHANGE

Proposed: the Construction and Demolition Waste Management Rules, 2024, superseding the 2016 rules, with extended producer responsibility for producers, a waste utilization framework, environmental compensation and an online portal.

KEY FACTS

TYPE
Draft rules

G.S.R. NUMBER
G.S.R. 458(E)

DATED
July 29, 2024

APPLIES FROM
Proposed: April 1, 2025 (rule 1(2) of the draft: “with effect from 01st April 2025”)

REFERENCES

G.S.R. 458(E)

CG-DL-E-31072024-255936

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G.S.R. 458(E) · July 29, 2024

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Producers, defined as waste generators registered on the portal for a building or building complex project having built-up area of 20000 square meters and above, would carry an extended producer responsibility to recycle the debris part of their waste: 50% in 2025-26 and 100% from 2026-27 onwards, for re-construction and demolition projects alike (Schedule I). They would deposit their entire (100%) waste at a processing facility, or at an intermediate waste storage facility where none is functional, and meet the obligation by buying extended producer responsibility certificates online from registered recyclers. Certificates are worked out as QEPR = QP x CF x WP, with a weightage of 1.2 for in-situ and 1 for off site recycling, and stay valid for three years from the end of the financial year in which they are generated.

A waste utilization mandate would apply to construction activities having built-up area of 20000 sq. mts. and above, and to road construction, as a percentage of the total virgin or fresh construction material requirement: for building construction, 5% in 2026-27 rising to 25% in 2030-31 and onwards (Schedule II); for road construction, 5% in 2026-27 rising to 15% in 2030-31 and onwards (Schedule III). Environmental compensation would be levied for non-compliance, with 85, 60 or 30 per cent returned where a producer's shortfall is addressed after one, two or three years.

The notice invites suggestions or comments within a notice period of sixty (60) days; it does not say what day the period runs from. G.S.R. 219(E) of April 2, 2025, the Environment (Construction and Demolition) Waste Management Rules, 2025, cites this draft.

The notification (F. No. HSM-12/152/2022-HSM) appears in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), No. 419, dated July 30, 2024; the e-Gazette put it online on July 31, 2024.

G.S.R. number	G.S.R. 458(E)
Dated	July 29, 2024

Issued	July 30, 2024
Put online	July 31, 2024
Gazette ID	CG-DL-E-31072024-255936
Rule	Other waste rules
Type	Draft rules
Would supersede	Construction and Demolition Waste Management Rules, 2016
Before	The Construction and Demolition Waste Management Rules, 2016, notified by G.S.R. 445(E) dated March 29, 2016.
After	Proposed: the Construction and Demolition Waste Management Rules, 2024, superseding the 2016 rules, with extended producer responsibility for producers, a waste utilization framework, environmental compensation and an online portal.
Applies from	Proposed: April 1, 2025 (rule 1(2) of the draft: “with effect from 01st April 2025”)
Comments	• MoEFCC lists the same date for opening and closing, September 6, 2024. MoEFCC's What's New lists it for comment • Closing date September 28 or 29, 2024, worked out: 60 days from the Gazette of July 30, 2024, put online July 31, 2024 (the draft does not say what the period counts from)
Made final by	G.S.R. 219(E) of April 2, 2025
Conditions	• The Central Government invites suggestions or comments, within a notice period of sixty (60) days, from the general public at mishra.vp@gov.in and amit.vashishtha@nic.in (the notice's words). The notice does not say what day the period runs from. • Closing date, worked out (not printed): September 28, 2024, counted from the issue date, July 30, 2024; September 29, 2024, counted from the publish date, July 31, 2024. • G.S.R. 219(E) of April 2, 2025, the Environment (Construction and Demolition) Waste Management Rules, 2025, cites this draft.
Applies to	All activities of construction, demolition, remodeling, renovation and repair of any structure; extended producer responsibility on producers, the waste generators registered on the portal for a building or building complex project having built-up area of 20000 square meters and above.
Issued under	Sections 6, 8, and 25 of the Environment (Protection) Act, 1986 (29 of 1986) read with sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986

Signed by NARESH PAL GANGWAR, Addl. Secy.

The notification, entry by entry

Entry	Text
Rule 1: Short title and commencement	These rules shall be called the Construction and Demolition Waste Management Rules, 2024. They shall come into force with effect from 01st April 2025.
Rule 2: Application	All activities of construction, demolition, remodeling, renovation and repair of any structure. Not waste covered under the Solid Waste Management Rules, 2016, the Plastic Waste Management Rules, 2016, the Hazardous and Other Waste Management Rules, 2016 (as printed), the Atomic Energy Act, 1962, defense projects and other projects of strategic nature, or waste streams covered under other extended producer responsibility frameworks.
Rule 3: Definitions	a. to z. A “producer” means a waste generator registered on the portal for a building or building complex project having built-up area of 20000 square meters and above.
Rule 4: Coverage (Chapter II, Extended Producer Responsibility Framework)	The extended producer responsibility obligation applies on all producers. Producers, operators of Intermediate Waste Storage Facility and recyclers register on the online portal; the recycling targets are in Schedule I. Registration may be revoked by the Central Pollution Control Board for a period up to five-years for false or concealed information or any irregularity, and environmental compensation charges may also be levied.
Rule 5: Modalities for Extended Producer Responsibility Framework	The local authority or development authority implements the framework through the portal and a waste management plan. Only the debris part of the waste (cement concrete, bricks, cement plaster, stone, rubble, tiles etc.) counts towards the targets; iron, wood, plastic, metal and glass do not. The producer deposits its entire (100%) waste at the processing facility, or at the intermediate waste storage facility where there is no functional processing facility, and meets its obligation by online purchase of extended producer responsibility certificates from registered recyclers. The proceeds are shared equally (50:50) between the implementing agency and the recycler.
Rule 6: Extended Producer Responsibility Certificate Generation	QEPR = QP x CF x WP, with a weightage (WP) of 1.2 for in-situ recycling and 1 for off site recycling. A certificate is valid for three years from the end of the financial year in which it is generated, in denominations of 100, 200, 500 and 1000 Tons.
Rule 7: Transaction of extended producer responsibility certificate	A producer may buy certificates up to its current year liability (Year Y), plus any leftover liability of preceding years, plus 10 per cent of the current year liability. The Central Pollution Control Board fixes the highest and lowest prices at hundred percent and thirty per cent of the environmental compensation for non-fulfillment.

Rule 8: Waste Utilization Framework (Chapter III)	A mandate for utilization of processed waste applies to all construction activities having built-up area of 20000 sq. mts. and above, and road construction, with targets in Schedule II and Schedule III, as a percentage of the virgin or fresh construction material requirement. Only debris derived processed waste counts.
Rule 9: Responsibilities of the Waste Generator (Chapter IV)	Collect and segregate waste into separate material streams; store it and recycle it in-situ or send it for off-site processing; transport entire (100%) waste to collection points or an intermediate waste storage facility, or hand it to an authorized agency or recycler.
Rule 10: Responsibilities of Producers	Register on the portal; follow the standard operating procedures; undertake demolition in compliance with 'IS 4130: Safety code for demolition of buildings'; prepare an integrated waste management plan with prior approval of the implementing agency.
Rule 11: Responsibilities of Contractors, Service Providers and Authorized Agencies	Assist waste generators in channelizing waste and meeting their obligations; implement sustainable construction practices, including guidance on 'IS 15883: 2021 – Guidelines for Construction Project Management Part 11 Sustainability Management'.
Rule 12: Responsibilities of Operators of Intermediate Waste Storage Facility	Register on the portal; report receipt, storage and dispatch of waste during the preceding half year by 15th October and 15th April each year; file annual returns on or before 30th May following the financial year.
Rule 13: Responsibilities of Recycler	Register on the portal; meet product quality and technical specifications; dispose of rejects or inert material at the nearest sanitary landfill facility; report half-yearly by 15th October and 15th April and file annual returns on or before 30th May.
Rule 14: Responsibilities of Central Government	Central Ministries align tender conditions with the rules; the Ministry of Housing and Urban Affairs updates the 'schedule of rates' through the Central Public Works Department and aligns model building bye laws; the Ministry of Commerce and Industry facilitates listing of processed waste articles on Government E-marketplace; the Ministry of Finance explores supportive fiscal measures.
Rule 15: Responsibilities of Central Pollution Control Board	Set up and operate the portal, ensuring its functionality within six months from the date of notification of these rules; frame guidelines and standard operating procedures; enforce the rules.
Rule 16: Responsibilities of Bureau of Indian Standards and Indian Roads Congress	Prepare codes of practices and standards for use of recycled materials and products of construction and demolition waste.

Rule 17: Responsibilities of State Government or Union Territory Administration, local authority or development authority, and the State and Union Territory Pollution Control Board or Committee	Local or development authorities establish processing facilities or integrated waste storage facilities within a year of notification of these rules and set up collection points; the State or Union Territory Pollution Control Board or Committee enforces the rules and levies environmental compensation.
Rule 18: Procedure for Storage of waste and processed waste (Chapter V)	Local authorities establish collection points. Intermediate storage provided due to storage space constraints with the processing facility is allowed for a duration of 120 days, extendable to 180 days, with prior approval of the implementing agency.
Rule 19: Environment Compensation (Chapter VI)	Levied on recyclers, producers, occupiers of construction or re-construction activity, operators of Integrated Waste Storage Facility and local authorities for the non-compliances listed. Unfulfilled obligations carry forward up to three years; 85, 60 or 30 per cent of the compensation is returned if the shortfall is addressed after one, two or three years.
Rule 20: Reporting and Information sharing (Chapter VII)	Annual reports: the local authority by April 30, the State or Union Territory Pollution Control Board or Committee by May 30, and the Central Pollution Control Board to the Ministry by June 30 each year.
Rule 21: Accident Reporting	Report immediately or within 24 hours to the State Pollution Control Board or Pollution Control Committee through telephone and e-mail.
Rule 22: Verification and audit	The Central Pollution Control Board, by itself or through a designated agency, assesses compliance through inspection and periodic audit.
Rule 23: Constitution of Steering and Monitoring Committee	A Steering Committee headed by the Chairperson, Central Pollution Control Board, and a Monitoring Committee at State or Union Territory level.
Rule 24: Appeal	A first appeal within thirty days to the Secretary In-charge (Environment) of the State Government or Union Territory Administration; a second appeal within thirty days to the Additional Secretary or Joint Secretary of the Ministry, with proof of deposit of 20% of the penalty or environmental compensation; disposal within 60 days.
Rule 25: Prosecution	Under section 15 of the Act, in addition to the environmental compensation.
Rule 26: Power to remove difficulties	The Steering Committee.
Schedule I [See Rule 4(3)]: Targets for recycling of waste as per Extended Producer Responsibility framework	Re-construction Projects and Demolition Projects: 50% in 2025-26; 100% in 2026-27 onwards.

Schedule II [See Rule 8(5)]: Minimum targets for utilisation of waste in construction and re-construction activities as per Waste Utilisation Framework for building construction	Waste Utilization Mandate: 5% in 2026-27, 10% in 2027-28, 15% in 2028-29, 20% in 2029-30, 25% in 2030-31 and onwards.
Schedule III [See Rule 8(5)]: Minimum targets utilization of waste in road construction	Waste Utilization Mandate: 5% in 2026-27, 5% in 2027-28, 10% in 2028-29, 10% in 2029-30, 15% in 2030-31 and onwards.

The notification (PDF, 1.9 MB)

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