

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
EASTERN ZONE, KOLKATA**

MISCELLANEOUS APPLICATION NO 15 OF 2024

ORIGINAL APPLICATION NO.11 of 2022/EZ

IN THE MATTER OF:

Z1 RESIDENTS' WELFARE ASSOCIATIONEXECUTION APPLICANTS

VS

Z ESTATES PRIVATE LIMITED,& Ors.RESPONDENTS

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IN THE MATTER OF:

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VS

Z ESTATES PRIVATE LIMITED,& Ors.RESPONDENTS

16 AUG 2024

M.M. HAQUE
NOTARY BHUBANESWAR
Regd. No.- ON-12/2008

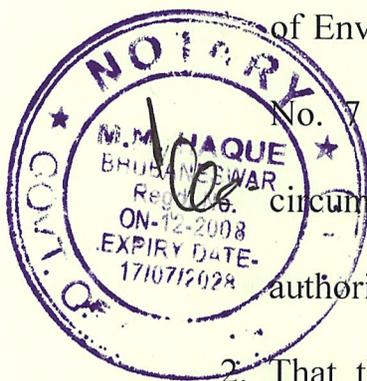
**REPLY AFFIDAVIT ON BEHALF OF DEPUTY DIRECTOR GENERAL OF
FORESTS (C),Ministry of Environment, Forest & Climate Change, Regional
Office,A/3, Chandersekharpur, Bhubaneswar**

MOST RESPECTFULLY SHOWETH:

I, Shri M. Rajeshwar Prasad ,S/O Shri M. Bhaskar Rao, aged 57 currently working as Scientist 'C' in the, Regional Office , Ministry of Environment, Forest and Climate Change (MoEF&CC),Plot No A/3 , RailVihar , Bhubaneshwar, 751023 do hereby solemnly affirm and state as under:-

M. Rajeshwar Prasad.

1. That I, in my official capacity as Scientist 'C' in the, Regional Office Ministry of Environment, Forest and Climate Change, Bhubaneswar i.e., Respondent No. 7 in the above-mentioned matter, am conversant with the facts and circumstances of the case on the basis of official records, and as such authorized and competent to swear this affidavit.



2. That the original application was filed Challenging the continuing non-Compliances of several conditions of Environment Clearance letter dated 16/08/2011 and 17/03/2020 granted in favour of the private respondent no 1, the Builder/Developer namely Z Estate Pvt Ltd 4 engaged in construction of housing projects in an area of 141590.23 sq metres and built-up area of 395,865.09 sq metres. The Environment clearance has been granted based on

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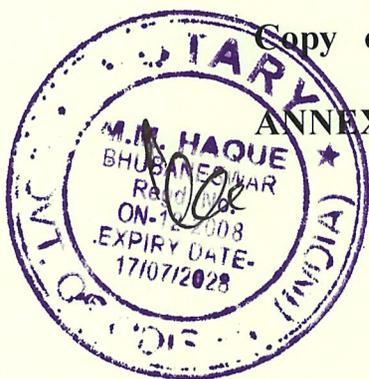
a undertaking on affidavit to comply the required norms by 31/10/2020 but same has not been complied and no action has been taken by SEIAA Odisha to revoke the environment clearance.

3. That the Original Application no 11 was disposed of on 1st May 2023 with direction's to Ministry of Environment Forest and Climate Change "para 48(H), it was ordered that *"The Ministry of Environment, Forests and Climate Change, shall verify as to how the Central Ground Water Board granted the NOC to the Project Proponent for extraction of ground water in violation of the Special Conditions laid down in the Environmental Clearance dated 16.08.2011 that no ground water shall be extracted for the project work at any stage during the construction phase and if the concerned officers of the Central Ground Water Board are found to have acted in violation of the Environmental Clearance conditions in granting the NOC to the Project Proponent for extraction of ground water, appropriate disciplinary action shall be taken against the concerned officers of the Central Ground Water Board by the Appointing Authority."*

4. That subsequently in para 48(I) it was ordered by the Hon'ble Tribunal that *"The Ministry of Environment, Forests and Climate Change, shall also verify the conduct of the officers of SEIAA, Odisha, who were in position at the relevant point of time with regard to strict enforcement of the conditions laid down in the Environmental Clearance prior to granting subsequent Environmental Clearances and if dereliction in discharge of their duties is found, appropriate adverse entries shall be given to the concerned officers of SEIAA, Odisha, in their ACRs by the Appointing Authority."*

Copy of Final Order dated 01/05/2022 is annexed here with as

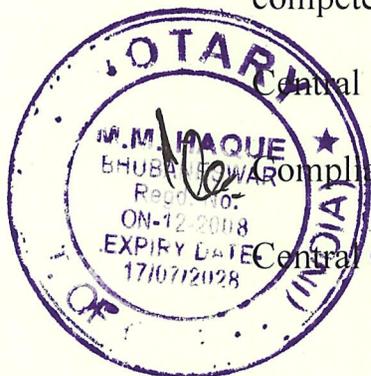
ANNEXURE-R7/1.



M. Rajeshwar Prasad.

5. That a short affidavit is being filed by the answering respondent at this stage and craves leave and liberty to file a detailed Reply Affidavit to the aforesaid application, as and when required.
6. That the applicant in the present miscellaneous application prays for
 - a. Direct the Respondents to show because why the criminal proceedings shall not be initiated for violation of the Order of the Hon'ble Tribunal
 - b. Direct the Respondent to show because what steps they have taken to implement the order of Hon'ble NGT dated 1 st May 2023.
 - c. Direct SEIAA and CGWA to file their compliance report.
 - d. Failure to provide satisfactory explanation the Hon'ble Tribunal may direct for the appropriate proceedings as provided under Section 26 and 28 of NGT Act 2010.
7. That in reply to the averments made in the Miscellaneous Application, it is stated that the Regional Office, Ministry of Environment, Forests and Climate Change of Bhubaneswar has communicated the Hon'ble National Green Tribunals order dated 01.05.2023 to MoEF&CC, Infra Division, and Legal Monitoring Cell for information and necessary action on 06.06.2023. **Copy of the letter annexed herewith as Annexure R7/2.**
8. Furthermore, a letter was also sent regarding the execution application filed by the applicants in the Original Application NO.11 of 2022/EZ on 09.05.2024. **Copy of the letter annexed herewith as Annexure R7/3.**
9. That in reply to the **Paragraph 48(H)** of the Hon'ble Tribunal's order, the Ministry of Environment, Forests and Climate Change (MoEF&CC) is not the competent Authority to initiate disciplinary actions against the officers of the Central Ground Water Board (CGWB). However, a letter was sent by Compliance and Monitoring division on 29.12.2023 addressing the Chairman, Central Ground Water Authority (CGWA) and the following information was

M. Rajeshwar Prasad.



sought from CGWB for further examination of the matter in the Ministry in reference to the Court Order:

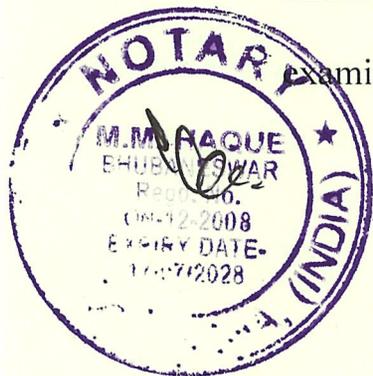
- a. The background in the Order states that PP are accused of operating without NOC from CGWB while direction (H) states that CGWB NOC was granted. Please confirm the status of NOC for the project from CGWB.
 - ii. Did the CGWB verify the EC condition w.r.t NoC granted to the project for extraction of ground water?
 - iii. Is there any SOP or checklist for granting NOC by CGWB for projects which require EC?

Since no reply was received in this regard, the Ministry issued a reminder letter dated 22.07.2024 to CGWB. However, the response still remains awaited. **Copies of the letters dated 29.12.2023 and 22.07.2024 are annexed herewith as Annexure R7/4 and Annexure R7/5.**

10. That the Regional Office in Bhubaneswar has formally communicated with the Member Secretary (MS) of the Central Ground Water Authority (CGWA), requesting the necessary actions in accordance with the Hon'ble Tribunal's directive.

Copy of the letter dated 10.07.2024 annexed herewith as Annexure R7/6.

11. That the Compliance and Monitoring division, MOEF & CC, in its letter dated 29.12.2023 addressing the Chairman, State Environmental Impact Assessment Authority (SEIAA), Odisha and following information/documents was sought from SEIAA, Odisha for further examination of the matter in the Ministry in reference to the Court Order:



M. Rajeshwar Prasad.

- i. Please confirm if PP committed for no GW extraction for EC and subsequently proceeded for extraction.
- ii. The status of Certified Compliance Reports with respect to the Phase II and Phase III expansion project, when the project was considered by SEIAA.
- iii. Confirm if the compliance status of existing project were recorded in the Minutes of meeting for expansion ECs issued by SEIAA. In this regard also furnish all the related minutes.
- iv. All the CCRs wrt all the ECs issued till date for the project, which shall include CCR taken into account for expansion projects need to be provided.
- v. Copies of all the ECs pertaining to the project.
- vi. The composition of SEIAA involved in appraisal and grant of all the ECs for the project.

Copy of the letter dated 29.12.2023 annexed herewith as Annexure R7/7.

12. That in response to Ministry's letter dated 29.12.2023 a response has now been received from SEIAA, Odisha vide letter dated 02.08.2024 that is currently under examination in the Ministry. **A copy of the letter dated 02.08.2024 is annexed herewith as Annexure R7/8.**

13. That in reply to the **Paragraph 48(I) of the order dated 01.05.2023** "In relation to the Hon'ble Tribunal's directive concerning the officers of the State Environmental Impact Assessment Authority (SEIAA), Odisha, the Ministry of Environment, Forests and Climate Change (MoEF&CC) reiterates that it does not have the jurisdiction to directly enforce adverse entries in the Annual Confidential Reports (ACRs) of the SEIAA officers. Nonetheless, the

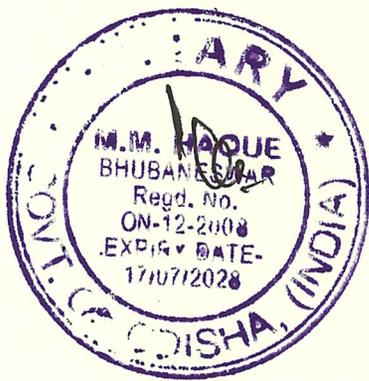


M. Rajeshwar Prasad.

M.M. HAQUE
NOTARY, BHUBANESWAR
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Regional Office in Bhubaneswar has issued a formal request to the Additional Chief Secretary, Forest & Environment Department of the State Government to evaluate the conduct of the concerned SEIAA officers and to take appropriate action as per the Hon'ble Tribunal's order. This Office has ensured that the necessary communications have been made to facilitate compliance with the Tribunal's directives." **Copy of the letter dated 10.07.2024 annexed herewith as Annexure R7/9.**

14. That in view of the aforementioned facts and circumstances, this Hon'ble Tribunal may kindly be pleased to pass appropriate order(s).



M. Rajeshwar Prasad
DEPONENT

M.R. Prasad
SCIENTIST 'C'
Govt. of India
Ministry of Environment, Forest & Climate Change
Integrated Regional Office
Bhubaneswar

VERIFICATION

I, the above named deponent do hereby verify that the contents of the above affidavit are true and correct on the basis of official record maintained by the Respondent No. 7 in daily course of its business, no part of it is false and nothing material has been concealed there from.

Verified at Bhubaneswar on this the 16th day of August, 2024



M. Rajeshwar Prasad
DEPONENT

M.R. Prasad
SCIENTIST 'C'
Govt. of India
Ministry of Environment, Forest & Climate Change
Integrated Regional Office
Bhubaneswar

Identified by me
M.M. Haque
Advocate Bhubaneswar

The above said deponent being identified by Smt./Sri/Ms...
M.M. Haque Advocate BSR, appears before me
on dt. 16/08/2024 at about 4.50 P.M. & stated on oath that the contents of this affidavit
is true to the best of his/her knowledge and belief

M.M. Haque
M.M. HAQUE
NOTARY, BHUBANESWAR
Regd. No. - ON-12/2008

ANNEXURE-R7/1.

Item No.06

Court No.1

**BEFORE THE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA
(THROUGH PHYSICAL HEARING WITH HYBRID MODE)**

Original Application No.11/2022/EZ

IN THE MATTER OF:**Z1 RESIDENTS' WELFARE ASSOCIATION,**

Through its General Secretary, Bidhubhusan Nayak,
Tower 1, Flat No. 1304, Z1 Estate,
Nadankanan Road, Kalarhanga, Patia,
Bhubaneswar, Odisha-751024

.....Applicant(s)

Versus

1. Z ESTATES PRIVATE LIMITED,

Registered office at M/4-34 Acharya Vihar,
Bhubaneswar, Odisha-751013;

2. SHRI TAPAN KUMAR MOHANTY,

Managing Director,
Z Estates Private Limited,
At M/4-34, Acharya Vihar, Bhubaneswar,
Odisha-751013;

3. MEMBER SECRETARY,

Odisha State Environment Impact Assessment Authority, (SEIAA),
Qr. No.5RF-2/1, Unit-IX,
Bhubaneswar-751022,

4. MEMBER SECRETARY,

Odisha State Pollution Control Board,
A-118, Nilakantha Nagar,
Unit-VIII, Bhubaneswar-751012,

5. MEMBER SECRETARY,

Central Ground Water Authority,
18/11, Jamnagar House, Mansingh Road,
New Delhi-110011,

6. REGIONAL DIRECTOR,

Central Ground Water Board,
South Eastern Region, Bhubaneswar Bhujal Bhawan,
Khandagiri, Bhubaneswar,

7. DEPUTY DIRECTOR GENERAL OF FORESTS (C),

Ministry of Environment, Forest & Climate Change,
Integrated Regional Office,
A/3, Chandrasekharpur,
Bhubaneswar-751023,

.....Respondent(s)

Date of hearing: 01.05.2023

**CORAM: HON'BLE MR. JUSTICE B. AMIT STHALEKAR, JUDICIAL MEMBER
HON'BLE DR. ARUN KUMAR VERMA, EXPERT MEMBER**

For Applicant(s) : Mr. Sankar Prasad Pani, Adv. (in Virtual Mode)

For Respondent(s) : Mr. Kallol Basu, Advocate a/w Mr. Nilanjan Pal, Adv.
and Ms. Radhika Mishra, Adv. for R-1&2,(in Virtual Mode),
Mr. Apurba Ghosh, Advocate for R-3,
Ms. Papiya Banerjee Bihani, Adv. for R-4 (in Virtual Mode),
Mr. Ashok Prasad, Adv. for R-5 & 6 (in Virtual Mode)

ORDER

1. Mr. Sankar Prasad Pani, learned Counsel is present (in Virtual Mode) for the Applicant. Counsel for the Respondents are present in Virtual Mode.
2. The broad allegations made in the present Original Application are that the Respondent Nos. 1 and 2 have been carrying out constructions in Phase-I & II over a built-up area of 3,95,865.09 m² for which they were accorded Environmental Clearance on 17.03.2020 (Annexure 9 to the Original Application). It is also alleged by the Applicant's Association that in violation of the conditions of the Environmental Clearance, Green-Belt and Avenue Plantation required over an area of 20% of the site using native trees species/plants, was supposed to have been planted by the Project Proponent, Respondent Nos.1 and 2, covering an area of 30,929.22 m² but this has not been done.
3. It is further alleged that the compliance of condition of No Objection Certificate (NOC) from the Central Ground Water Board and permission of Water Resource Department, Govt. of Odisha, has not been undertaken.

4. The Applicant in his Original Application alleges that following Environmental Clearance conditions have not been complied with which read as under:-

“1. Green-Belt and Avenue Plantation over at least 20% of the site using native trees species/plants area not there. SEAC Committee observes that Green belt for Phase I is virtually absent except decorative plants such as Krushna Chuda, Ficus panda etc. in the periphery of the boundary of Phase I and landscaping.

2. Compliance of Conditions of “NOC” from CGWA and permission of water Resource Department, Govt. of Odisha is not available.

3. Detail workable plan/scheme either for zero discharge/or discharge to main road side drain through STP and oil water separation unit, particularly for monsoon period so that it will not affect the human health/environment is not available.

4. STP does not have the facility for complete treatment (Primary, Secondary and tertiary) of waste water.

5. The water treatment plant does not have any iron remover although one of the water source has high iron content.

6. The zero liquid discharge is not maintained, there is no oil water separation unit and thereby discharge of untreated water to Budhi Nalla which is mentioned as Buri Nall in EC letter.

7. Absence of facility for use of Renewable/Solar Energy in Phase I against a stipulation of at least 5% of the total power consumption for Phase I for street and common area solar lighting.

8. Diesel Generator sets in Phase I of project have inadequate Stack heights and same is violation of CPCB Norms.

9. Dust control measures not adopted to control dust and noise pollution during the construction of Phase II for which the senior citizens were the worst sufferers.

10. Rain Water harvesting/Recharge Pits reveals that water harvesting for storm water and runoff water is not available.

11. No facility for segregation of solid wastes into Biodegradable and non-biodegradable category.”

5. The Respondent Nos. 1 & 2, (hereinafter referred to as ‘Project Proponent’), have filed their counter-affidavit dated 05.03.2022,

denying the allegations in the Original Application and further submitting that the claims made by the Applicant with regard to the Respondent Nos.1&2, are misconceived, vexatious and frivolous, apart from not being maintainable and Applicants have no cause of action.

6. In the affidavit, it is stated that the Applicant submitted a letter on 05.10.2021 to the Respondent No.3, SEIAA, Odisha, alleging non-compliances of the stipulated conditions by the Respondent Nos. 1 & 2, in the Phase-I of the Project. It is stated that a four Member Committee was formed by the SEIAA, Odisha, to investigate the purported non-compliance of the stipulated conditions by the Project Proponent and the said Committee visited the site and conducted an investigation in the presence of one representative of the Applicant at the project site on 20.01.2022. It is stated that representatives of the Applicant and Respondents Nos. 3, 4 and 7 were also present as well as the representatives of the Project Proponent. It is stated that investigation was conducted by the Committee without any obstruction by the parties pursuant to which the Project Proponent submitted a Status Report vide letter dated 03.02.2022 with regard to the Action Plan for implementation of the points mentioned by SEIAA, Odisha, in its letter dated 20.02.2020. Copy of the Status of Action Plan has been filed as Annexure-A (colly) (page no. 223) which is extracted herein below:-

**“STATUS OF ACTION PLAN FOR IMPLEMENTATION OF
POINTS MENTIONED VIDE SEIAA, LETTER NO-7887/SEIAA
DATE-20-02-2020**

Sl. No.	Condition of Environmental Clearance	Implementation to be done	Implementation Schedule	Implementation Status as on 31-01-2022
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1)	Development of Green Belt For PH-1 & PH-II	We will develop a Green belt of 3.0Mtr width (approx..) in multiple layers all along the permanent boundary wall. This will be carried out both for PH-I & PH-II Expansion. The plantation activity of Greenbelt for PH-II shall be started on the onset of monsoon and shall be completed by end of 2020 monsoon i.e. much before the completion of building project and handing over process.	Plantation work to be started by June 2020 (start of monsoon) and will be completed by September 2020 (End of Monsoon)	Since this is an integrated project plantation can only be done along the permanent boundary which will took place in phase manner as per the available of boundary. However Plantation around PH-I area and along 500 mtr. Of permanent boundary has been completed using Local species of plan (Kamini, Neem, Bakul, Kadamba, Champa, Mango, Coconut, Karanja etc.)
2)	'NOC' from CGWA & permission for Water Resources Dept. Govt. of Odisha for Phase-I and PH-II for quantum of ground water drawl. Measures for limiting water	NOC from CGWA. Measures for limiting water use has been done by restricting the use through optimization of water supply and measuring the daily supply using flow meter.	Complied	Complied

	<i>use.</i>			
3)	<i>Installation of STP of appropriate capacity (Phase-I and Phase-II) and complete waste water treatment protocol adopted. Waste water drainage outside the premises, and permission of the competent Authority for the same.</i>	<i>STP of capacity 270 KLD based on MBBR technology is already in force for Phase-I and another STP of capacity 450 KLD has been planned for Phase-II. The surplus waste water of STP after using it for car washing. Toilet Flushing and gardening will be carried by the surface drain of the project leading to a appropriate capacity of ET P with oil and water separate chamber and shall be finally discharged to BMC open drain running along the frontage of the project after meeting the required parameters.</i>	<i>EPT for disposal of Excess treated Water during Monsoon shall be in operation by 30th June 2020.</i>	<i>The construction installation and operation of STP for PH-II is in final operation stage and connection of pipeline for disposal of Excess treated waste water to municipal drain has been completed which will be taken into full operation during monsoon of 2022. All the treated water of PH-I has been utilized for gardening purpose and no excess water is available for discharge to municipal drain. However system for discharging excess treated water during monsoon period has been integrated with PH-II system of discharging excess water.</i>
4)	<i>Rain water harvesting/Rec</i>	<i>The rain water from the roof top</i>	<i>Phase-I Corrective steps</i>	<i>All necessary corrective steps</i>

	<p>harge pits implementation plan.</p>	<p>of the building shall be channelized through pipelines and chambers directly to the collection pit and Ground water recharging pits without mix up with other run off water from landscaped area in the surface drain.</p> <p>This will ensure good quality water being recharged to Under Ground.</p> <p>Already 17 no. of Recharge pit are in force for Phase-I and another 12 no. of Recharge pit are under construction for Phase-ii.</p> <p>THERE IS A PLAN OF TOTAL 58 NO. OF Recharge pit has been planned for the entire project in phase manner.</p>	<p>to be completed by 30th June 2020.</p> <p>Phase-II will be in operation by December 2020.</p>	<p>has been completed and roof top rainwater discharge line directly connected to rain water recharge pits.</p> <p>Complied</p>
5)	<p>Solid waste Management plan and its implementation for Phase-I and</p>	<p>Further to our existing process of door to door collection of segregated solid</p>	<p>31st October 2020.</p>	<p>Adequate capacity of compost machine has been installed, which</p>

	<i>Phase-</i>	<p>waste and handing over to the OPSCB Empaneled (Under solid waste management rule of 2016 of Environmental protection act 1986) solid waste recycler for disposal.</p> <p>We are committed to install adequate capacity of Organic convertor/composting machine in the project area aiming at utilization of this compost for Lawn, ornamental Horticulture, Green belt.</p> <p>The above system catering both for PH-I and PH-II shall be in operation by October 2020.</p>		<p>will be made fully operational by 30th June 2022. However, the discussion with PH-I society will be made and a system will be explored to manage the solid waste generated from PH-I through this compost machine. Till handover to PH-I society the agency with whom we had a contract was collecting the garbage regularly.</p>
6)	<i>Energy conservation measures undertaken in Phase-I and Phase-II</i>	<p>As a progressive measure we are consulting and negotiating with IIT Bhubaneswar start-up project</p>	30 th June 2020.	<p>The installation of Solar power generation system is in progress at roof top area of</p>

	including installation of solar panel for lighting of common areas, hot water storage etc. Detail of action plan and implementation schedule.	group for procurement installation, operation and maintenance of solar power within the Project for I & II phases with a long term annual maintenance contact satisfying the norms of minimum 5% of the power consumption in the Project.		Phase-II Building and the entire system will be in complete operation by 30 th June 2022. Similar System for PH-I will be in place with help of suitable agency to generate solar power by 31 st August 2022. This delay is due to Pandemic and few system installed earlier did not work properly.
7)	Details of expenditure incurred on various activities carried out under CSR activities.	Detail expenditure for Financial year 18-19 and 19-20 enclosed for your reference.	Complied	Complied
8)	Installation of DG set as per CPCB norms.	Although the Power outage in the Project is Low, thee by utilization of DG set is also Low. However, we are committed to construct appropriate housing of the present and	20 th June 2020	As per the Consent order issued by SPCB the height of vent has been made 6.05mt from Ground level.

		<p>future DG sets and provide Vent to adequate height for proper dispersion of air Pollutant and noise pollution.</p>		
<p><i>NOTE: Z Estates Pvt. Ltd. is committed to provide best and qualitative Housing with all modern amenities and advance facilities retaining its continual customer satisfaction and public appreciation.</i></p> <p><i>But due to the PANDEMIC COVID-19 situation Since March 2020 we are unable to keep our commitment as per our letter Dt.25-02-2020.</i></p> <p><i>Further it may please note that as this is an integrated project and certain things can only be executed along with the completion of the work in phase manner.</i></p> <p><i>However, we assured the Esteemed Committee visited our site on 20.01.2022 that we will strictly adhere to the guide lines and conditions of E.C. and other Statutory authority in phase manner.”</i></p>				

7. The SEIAA, Odisha, Respondent No.5, has filed affidavit also dated 05.03.2022, and in para 2 thereof it has brought on record the Inspection Report of inspection carried out on 20.01.2022.
8. The State Pollution Control Board, Odisha, Respondent No.4, has filed affidavit dated 13.04.2022, bringing on record an Inspection Report of inspection carried out on 20.01.2022, relevant extract of which is extracted herein below:-

“Inspection report of the Joint Committee visited on 20.01.2022, in the matter on violation of conditions stipulated in the C by the Builders Z-Estates Pvt. Ltd. on Construction of Housing Colony and shopping mall (Phase-I) at Kalarahanga, Patia, Bhubaneswar.

.....XXX.....XXX.....XXX.....XXX.....

As per direction, the Joint Committee to visit the site and examine the facts and submit report on the following points:

- i. *No green belt has been developed in Phase-I except some decorative plants where as the EC stipulation is to plant*

- local shade bearing species like Akashmani, Neem, Ashoka, Kadamba, Bela, Karanja etc. in the form of green belt. There is a provision of 30,923.22 sqm green belt in Phase-I project.
- ii. The Project Proponent may be asked to submit valid NOC from CGWA and permission from Water Resources Dept. Govt. of Odisha, for Phase-I for which bore wells are in use since the beginning.
 - iii. The ZEPL has handed over a STP which does not have the facility to complete treatment (Primary, Secondary and Tertiary) and there is no provision for either zero waste water discharge or discharge to main road side drain through ETP & oil water separation unit.
 - iv. There is no system for water harvesting for storm water and runoff water.
 - v. There is blatant violation of Solid Waste Management Rules, 2016 as there is no mechanism either at source or at delivery point to outsourcing agency for separation into Biodegradable and non-biodegradable category.
 - vi. There is no use of Renewable/Solar Energy in Phase-I against a stipulation of at least 5% of the solar power consumption for Phase-I for street and common area solar lighting.
 - vii. The installation of three D.G. sets in Phase-I have inadequate stack heights, a violation of Pollution norms.

Accordingly, the Joint Committee comprising of the aobe following official had visited the site on 20.01.2022. Shri Ashok Kumar Tripathy, complainant as not present and on behalf of him the Z1 Residents' Welfare Association of Phase-I Z-Estate has nominated Sri S.K. Dash, the representative of the society to join inspection team. As intimated, Shri Ashok Kumar Tripathy, the member of the Z1 Residents' Welfare Association that he will not attend the inspection committee showing the reasons that he was not taken Vaccine of COVID-19.

“Overall Observation:

Based on the site inspection and documents submitted by the Sri Tapan Kumar Mohanty project Authority (PA) of Z1-Estates, the following point has been observed by the committee are as follows:

1. Initially, the PA had applied a proposal to SEIAA, Odisha to develop in single phase construction of building Z1-estate Pvt. Ltd. for which Environmental Clearance (EC) was granted by SEIAA, Odisha vide letter no. SEIAA-261/10 dated **16.08.2011** over total built up area-**2,44,092.73 sqm.** And provision for green belt & avenue plantation of trees-20% of the site area. Later the PA had applied another application on 10.09.2014 for modernization for construction of housing colony and shopping mall (Phase-II) with built up area **2,75,042 sqm.**, existing premises of Phase-I construction project. Due to sluggish market demand and financial constraints the PA had decided to developed the project in phases for which the PA had applied application on 10.09.2014 for Phase-I consisting existing building (as a part of the earlier EC) and modified Phase-II project to developed with total built up area 2,75,042 sqm (Phase-I & Phase-II). EC obtained for modernization of phase-II vide letter no. 827 dt. **23.03.2016.** the PA had obtained EC vide letter no.7991/SEIAA dt. **17.03.2020** for expansion for construction of housing colony and convenient shopping (Phase-III) with built up area **3,95,865.09 sqm** and green belt provision was **30.929.22 sqm.**

2. During site inspection the Committee has observed that the Phase-I project had already completed and people are staying there and Phase-II project almost completed and going to operate very soon and the Phase-III project is under construction. So, Phase-I, II & III projects are integrated project in a same campus.

3. Green belt and Avenue Plantations are available and shown by the Proponent. However, at some places the plants were not available and very less/uprooted, which needs to be replanted.

4. PA was asked to submit the NOC /letter from CGWA for use of ground water. A copy of the same was shown by the proponent. The PA had obtained NOC from Central Ground Water Authority (CGWA) for withdrawal of ground water 1100 cum/day vide letter no.21-4(287)/SER/CGWA/2011-140 Dt.23.02.2011 and also thereafter (i.e. on dated 23.05.2015 for 950cum/day and on dated 16.07.2019 for 3.46,750 cum/year) copy attached.

5. The PA has informed that the phase-8i building of Z1-Estates Pvt. Ltd. was handover to Z1 Residents Welfare Association on dated 18.01.2021 and the documents handover details to the Association was acknowledge by Sri Manoranjan Mishra and Sri KalpataruPattanaikthe two members of the association.

6. The Committee visited the STP and was found that the STP was running with Primary and Secondary units. STP is installed and in place and the PA has explained that it is functioning through Moving Bed Biofilm Reactor (MBBR) technology. The proper function of the same depends upon its regular operation required chemical dosing and maintenance. It was decided that Regional officer of SPCB, Bhubaneswar may collect a sample in presence of PA ad Z1-Residents' Welfare Association, sealed it and tested to ascertain functioning of STP at later stage.

7. The treated water generated from STP is used for gardening etc. as explained by PA and there is no excess treated water found or accumulated at any area nearby. However, PA was advised that there has to be a connection of treated water to outside Municipal drain to take care of excess treated water of any and also in rainy season. Pa explained that some of the works are incomplete due to the integrated periphery development work like-internal drains, roads etc and will be done very soon.

8. **Rain water harvesting & Recharge Pits:** the PA showed the recharging Pits across the site. One such pit was opened and found water in it. ThePA has explained that channel drains are available to collect the excess water and surface water during rainy season. Pa was advised that, as so many recharge pits are already in place, they should implement the harvesting system fully not only for roof top but also for paved area surface water by connecting channels to pits.

9. **Solid Waste Management:** PA a copy of agreement letter on dated 08.06.2020 with authorised party of M/s. Clean mart Facility Services, Plot No. 78, Rasulgarh Square, Bhubaneswar-10, Odisha for collection of solid waste from the premise of Z-Estate for the period 1st may 2020 to 31st march 2021. It was informed by PA that initially internal collection of solid waste was managed by them systematically till handover the Z1-

building to the Association and then it was managed by them. Now they are not aware of renewal of any such contract by the association. The PA has not installed any composting machinery for decomposition and reuse of bio-degradable waste at building premises of Phase-I. The committee has not seen any community dustbin has been placed outside of the building for separation and collection of domestic waste for phase-I. However, there is a newly purchased bio-degradable waste composting machines having capacity 1000kg/day waste decomposition for the Phase-II building is already there to operate. The Pa has informed that, the Phase-2 compost system having adequate capacity shall be made available to Phase-1 building for treatment of bio-degradable solid waste for composting through composting machines if association desire.

10. **Solar system or energy conservation;** there is no use of Renewable/Solar energy in Phase-I building as it verified by the committee. The PA has explained that efforts were made by them initially (like individual lighting system), but the system did not work due to breakdowns. They are now planning to do the system along with Phase-II and will be done by them. Pa was informed that they must put in place 5% of total power by solar PV system at rooftop as agreed by them for Phase-I

11. **Dg set Stack:** the DG set stack of phase-I about 6 mtr as per compliance report and also found physically with roof coverage. Although it is not adequate, the distance from nearest building is over 50 meters. The PA was advised to adhere the commitments given to SEAC/SIEAA with regard to stack height even though it is away from the building also the RO, SPCB needs to check the same whether as per norm.

12. The PA was asked to submit required documents with status of compliance report which they have submitted. From this, it is found that while some of the work already has done and some work are yet to be executed. Reason of delay expressed by Pa that due to pandemic Covid-19 and being an integrated project some activities gets delayed. However, PA has agreed to do the pending work with new timeline(attached).

13. The PA has submitted a undertaking vide letter no. nil dated 25.02.2020 at SEIAA. Odisha on dated 26.02.2020 with mentioning that he will complete the action plan for

implementation EC conditions mentioned in letter no. 7887/SEIAA dt. 20.02.2020 within the period i.e. ends of the year 2020. But some of the works i.e. install of organic convertor/composting machine in the project area of phase-I, procurement installation operation and maintenance of solar power within the project area of Phase-I and Phase-II though minimum 5 % of the power consumption in the project and appropriate height for D.G. sets are not complied by Pa within the time period.

14. Again the Pa has submitted their reply (copy attached) on compliance of the conditions issued by SEIAA vide letter no.7887/SEIAA dt. 20.02.2020 and the following points are as follows:

a. **Green Belt:** since this is an integrated project plantation can only be done along the permanent boundary which will take place in phase manner as per the valuable of boundary. However, plantation around Phase-I area and along 500mtr of permanent boundary has been completed using local species of plant (kamini, neem, Bakul, Kadamba, champa, mango, Coconut, karanja etc.).

b. **NOC from Central Ground Water Authority:** complied

c. **Installation of STP of appropriate capacity:** the construction, installation and operation of STP for Phase-II is in final stage to operate and connection of pipe line for disposal of excess treated waste water to municipal drain has been completed which will be taken into full operation during monsoon of 2022. All the treated water of phase-I has been utilized for gardening purpose and no excess water is available for discharge to municipal drain. However system for discharging excess treated water during monsoon period has been integrate with phase-II system of discharging excess water.

d. **Rain Water Harvesting /Recharging pits implementation plan:** all necessary corrective steps has been completed and roof top rainwater discharge line directly connected to rain water recharge pits.

e. Solid waste management plan and its implementation for Phase-I and Phase-II adequate capacity of compost machine has been installed. Which will be made fully operational by 30th June 2022. However, the discussion with Phase-I Residents' Welfare Association will be made and a system will be explored to manage the solid waste generated from phase-I through this compost machine. Till the phase-I building handover to the Welfare Association with whom we had a contact was collecting the garbage regularly.

f. Energy Conservation measures for Phase-I & Phase-II: the installation of solar power generation system is in progress at roof top area of Phase-II building and the entire system will be complete operation by 30th June 2022. Similar system for Phase-I will be in place with help of suitable agency to generate solar power by 31st August 2022. This delay is due to Pandemic and few system installed earlier did not work properly.

g. Details of expenditure incurred on various activities carried out under CSR activities: Complied

h. Installation of DG set as per CPCB norms: As per the Consent order issued by SPCB the height of vent has been made 6.06mt from ground level.

Other Points:

1. The Z-Welfare Association authority did not agree to participate in the joint discussion.
2. The Association was asked about list of deviations they have mentioned while taking over from the PA. they said that there is no such deviation lists neither have they showed any other documents like: Contact without side agency for disposal of solid wastes etc.
3. Now that the Phase-I building of Z1-estate is managed by the Z1-Residents' Welfare Association, we may officially ask them to produce the following:

a) *Valid Contract agreement for solid waste disposal with outsourcing agency (Authorized).*

b) *Test report of STP water done periodically*

c) *Maintenance plans for the existing green belt and plantation*

4. *PA to adhere all unfinished work committed by them timeline with reason for delay to be explained by them.*

Recommendation of the Committee

1. *The PA is yet to complete some of the unfinished work referring to what was identified by SEAC and SEIAA and agreed by them vide letter dated 25.02.2020. Being an integrated project few of the activities are interrelated, as explained by PA to which Committee inferred that the compliance has to be done fast within stipulated time as mentioned by PA. Now compliance of the said conditions. The EC will be revoke.*

2. *The PA has to plant more indigenous fruit bearing and broad leave tree species rather decorative and increasing lawn area within the period August, 2022 positively.*

3. *The PA shall submit the details report on water cycle like quantum (in KILD) of rainwater water to be collected from roof top area of building, paved area, open surface, and storm water and their connecting route from source to rainwater recharging/recycling pit with photographs to be submitted at SEIAA, Odisha.*

4. *The PA needs to recharge the rainwater harvesting pits and harvest the water from reutilization by the users. They should use the services of a qualified consultant of execution of the same.*

5. *The PA has to install a separate organic convertor/composting machine for phase-I or to collect the bio-degradable solid waste from phase-I building and compost it in Phase II composting machine which is already placed in Phase-II*

building premises after mutual understanding between PA of Z-estates and Z1-Residents' Welfare Association.

6. *The PA has to install adequate no. of solar panel for light of street and common area of Phase-I building within 30th June, 2022.*

7. *Further, since the Phase-I building is now under the control of Z1-Residents' Welfare Association, it is mandatory on the part of the Association to maintain all systems like-STP operation, contract with authorized agency for solid waste disposal, maintenance of rainwater harvesting/recharging pits. Maintain plants life, pay required water cess for ground water to the authority (if any). Working of lifts etc. by trained manpower for safety and environment. This needs to be ascertained by RO. SPCB periodically.*

8. *The Regional Officer, SPCB Bhubaneswar may collect as sample in presence of PA and Z1 - Residents' Welfare Association, sealed it and tested to ascertain functioning of STP and quality of treated water used of gardening and other purposes.*

9. *The committee suggests to communicate the finding and recommendations to the Dept. of FE &Cc, Govt. of Odisha and the member Secretary SPCB for further needful and necessary action as per Got. Procedure.”*

9. Additional affidavit dated 29.04.2022 has been filed by the State Pollution Control Board, Odisha, Respondent No.4, wherein it is stated that the Board, in pursuance of the Inspection Report of the Joint Committee, has collected samples and sent the same to the Central Laboratory, Bhubaneswar, for analysis. The Analysis Report received from the Central Laboratory reveals that BOD and Feacal Coliform (FC) results do not meet the prescribed standard. The Report also reveals that Oil & Grease result is showing as 11.4 mg/l which is higher than STP discharge standard of 10.0 mg/l.

Copy of the Analysis Report has been filed as Annexure-R4/2 (colly) to the affidavit, which is extracted herein below:-

“Additional information w.r.t. O.A. No. 11 of 2022/EZ in the Matter of Z1 Residential Welfare Association on Applicant – Vrs – Z-Estates Pvt. Ltd. & Others – Respondent.

.....XXX.....XXX.....XXX.....XXX.....

As per the recommendation of joint committee w.r.t. visit to the project site on dtd. 20.01.2022 to verify the violation made to the stipulated Environmental Clearance condition on Z-Estate Pvt. Ltd., (Phase-I) FOR CONSTRUCTION OF Housing Colony and Shopping Mall vide Point No.08 the outlet of STP treated water before discharge to garden has been collected on 13.04.2022 in sealed condition in presence of representative of Project Proponent and Estate Manager of Residential Welfare Association and analyzed in the Central Lab, Patia, of SPCB, BBSR. For evaluation of 270 KLD Capacity STP working condition, the stipulated parameters like PH, BOD, TSS, Fecal coliform of Board have been analyzed as has been cited in the Consent to Establish Order w.r.t. expansion of construction of housing colony which was issued vide Order No.20841, dtd.27.12.2021.

As per the Consent to Establish condition the treated domestic waste water shall meet the standard as pH (6.5-9.0, BOD: (<20 mg/l), TSS (<100 mg/l) & Fecal Coliform (<1000 MPN/100 ml.) as notified by the MoEF& CC, Govt. of India vide G.S.R 1265 €, dtd. 13.10.2017. The treated waste water shall be reused for plantation, gardening etc. to the maximum possible extent. Also the treated waste water from STP may be discharged to Municipal Sewer after meeting the prescribed standard as proposed by Board.

Whereas, the Analysis Report which was received from Central Lab., of State Pollution Control Board, Odisha, Bhubaneswar revealed that BOD and Fecal coliform result is not meeting the prescribed standard w.r.t. special stipulated condition as cited above. Also the Oil & Grease result is showing 11.4 mg/l i.e. higher than STP discharge standard 10 mg/l).

Here this can be summarized that the total wastewater of the Phase-I housing complex is not being treated fully (100%) for which the result of treated water is showing high BOD, FC & Oil & Grease value w.r.t. to prescribed standard of Board.

Remark:

- a) *In that context the said Effluent Treatment Plant should be upgraded to such an extent so as to achieve the standard criteria parameter before land discharge.*
 - b) *After necessary up-gradation if required at an regular interval 03 more evaluation report may be conducted within coming 3-4 months so as to get a clear cut conclusion about working status of STP of phase-I.*
 - c) *The In-charge of the said Sewage Treatment Plant (STP) should taken up the adequate treatment and necessary chemical dosing practices so as to meet the prescribed standard of the Board before discharge to land/drainage system/used in the garden.*
 - d) *The Project Proponent may be directed to provide clear idea that during monsoon how the treated water is being utilized or directly discharging the same to nearby barren land and finally connecting to the natural drainage system which is flowing backside i.e. some distance away from Phase-I project site.”*
10. The Test Reports which have been filed with the affidavit show the presence of Oil & Grease at 11.4 mg/l which is higher than the STP discharge standard of 10 mg/l; Feacal Coliform is 1,60,000 MPN/100 ml which should be >1000 MPN/100 ml, and Biochemical Oxygen Demand (BOD) is 22.0 mg/l as against the prescribed standard of 20 mg/l.
 11. The Respondent Nos.1&2, Project Proponent, have filed their reply dated 26.05.2022, wherein it is stated that the Committee had visited the STP and found that the same had been installed and was functioning through Moving Bed Biofilm Reactor (MBBR) Technology. It is stated that one STP of capacity 270 KLD was installed in Phase-I of the project area which was maintained and

controlled by the Project Proponent and one FMC Company, namely, United Resorts Services LLP, was appointed by the Project Proponent for maintaining the said STP and the said Company had maintained the STP w.e.f. 01.09.2016 to 31.03.2021. Thereafter, the said STP was handed over to the residents of the building in Phase-I w.e.f. 01.04.2021 and on and from 01.04.2021, the said STP has been maintained and controlled by the Applicant's of Phase-I building.

12. It is further stated that the Respondent No.4, State Pollution Control Board, Odisha, had inspected the STP on 30.11.2019 when it was still being maintained by the Respondent No.1, Project Proponent, and submitted an Inspection Report which did not speak of any deviation in the operation of the STP. Copy of Inspection Report of inspection carried out on 30.11.2019 has been filed as Annexure-A to the affidavit which reads as under:-

***“Inspection Report of M/s. Z-Estates Pvt. Ltd.,
At- Kalarahanga, PO-KIIT, Dist.-Khordha, Odisha***

.....xxx.....xxx.....xxx.....xxx.....

During the day of inspection the unit has following observations were made:

1. *The unit has installed three nos. of D.G. sets having capacity 380 KVA each with in-built acoustic enclosure alongwith stack of required height each.*
2. *It was found that the unit has complete the constructed work of 2 Blocks of (B+G+12), 6 Blocks of (B+G+14), one Dormitory (G+2) and one Club (B+G+1) started operation as observed.*
3. *The unit installed one no. of STP having capacity 270 KLD for waste water treatment purpose each consisting of oil & grease trap, bar screen, equalization tank, MBBR-1, BBR-2, Tube Settler, Chlorine Dosing Tank, Sludge Holding Tank, Activated Carbon Filter and Multigraded filter etc.*

4. The treated water after meeting prescribed standard of the Board is being used for landscaping, vehicle washing, toilet flushing and gardening purpose and no treated effluent shall be discharge to outside of the premises found during visit.
5. The house keeping of that unit is found to be satisfactory.

The compliance to Consent to Operate order is given as follows.

Compliance to Consent to Operate Conditions:

<i>F. SPECIAL CONDITIONS (AIR POLLUTION CONTROL):</i>	
<i>Diesel power generating sets shall have acoustic enclosure.</i>	<i>3 nos (DG) sets (with Acoustic Enclosure) 380 KVA Each are in operation for the existing project.</i>
<i>The Height of the stack connected to DG set shall conform to the following $H = h + 0.2\sqrt{KVA}$</i>	<i>Three nos. of D.G. sets having capacity 380 KVA each with in-built acoustic enclosure along with stack of required height each.</i>
<i>The ambient air quality in the premises of the unit shall confirm to the norm stipulated.</i>	<i>Assured to comply.</i>
<i>G. SPECIAL CONDITIONS (WATER POLLUTION CONTROL):</i>	
<i>The entire domestic water shall be treated in the existing Sewage Treatment Plant (STP). The treated waste water shall be partly reused for toilet flushing, landscaping, vehicle washing and green belt. The balance treated effluent shall be discharged to Municipal sewer and shall meet prescribed standard mentioned in section-B of this order. STP shall be operated without any stoppage and maintained properly.</i>	<i>At present the treated water is being used for gardening, toilet flushing and car washing and no waste water is being discharged to outside of the unit premises.</i>
<i>Separate storm water drain and weep holes in the compound walls shall be provided to ensure natural drainage of rain water in the catchment area during the</i>	<i>Separate storm water drain and provision of weep holes on the compound wall to ensure natural drainage of rain water in the catchment area during the</i>

<i>monsoon period.</i>	<i>monsoon period.</i>
<i>The solid waste generated should be properly collected segregated and shall be handed over to BMC for ultimate disposal.</i>	<i>The solid waste generated from household is being collected and handed over to BMC for ultimate disposal.</i>
<i>Rain water harvesting structure shall be developed inside the premises and maximum efforts shall be made to reuse harvested rain water with a definite plan and programme to reduce drawl of fresh water.</i>	<i>17 nos. of rain water recharge Pit are being executed and in operation at site.</i>
<i>There shall not any Leakage of oil from DG set area.</i>	<i>There is no leakage of oil from DG sets observed at site during inspection.</i>
H. SPECIAL CONDITIONS (OTHERS)	
<i>The proponent shall comply he conditions as stipulated in environmental clearance issued by SEIAA Odisha vide letter No. 433 dt 16.03.2011.</i>	<i>Complied</i>
<i>The waste water treatment system and other environmental measures shall be operated and maintained all the time either by project proponent (Builder of the Project) or by the Owner's welfare Association as the case may be.</i>	<i>The Project proponent has engaged Expert professionals to maintain and operate one 270 KLD STP.</i>
<i>Energy conservation measure like installation of CFLS/TFLs for the lighting the areas outside the building should be in place. Used CFLs and TFLs should be properly collected and disposed off/sent for recycling as per the prevailing guidelines/rules of the regulatory authority to avoid mercury contamination. Use of solar panels may be done to the extent possible.</i>	<i>LED bulbs have been used for all common area lighting and all street lighting, points. The used bulbs are given to authorized agency.</i>

<p><i>Opaque wall should meet prescriptive requirement as per Energy conservation. Building code which is proposed to be mandatory for all air-conditioned spaces while it is aspirational for non-air-conditioned spaces by use of appropriate thermal insulation material to fulfil requirement.</i></p>	<p><i>Opaque wall and thermal insulation has been used in the project.</i></p>
<p><i>Lube oil from Diesel generator shall be disposed to authorized waste recycler.</i></p>	<p><i>The Lube oil generated from DG sets during maintenance is being handed over to authorized used oil/waste recycler.</i></p>
<p><i>The board may impose further condition or modify the conditions are stipulated in this order during installation and/or at the time of obtaining consent to operate and may revoke this order in case the stipulated conditions are not implemented and/or information is found to have been suppressed/wrongly furnished in the application form.</i></p>	<p><i>The proponent has agreed to comply.</i></p>
<p><i>In case the consent fee is revised upwards during this period of consent the unit shall pay the differential amount to the Board (for the remaining years) to keep the consent order in force if the industry fails to pay the amount within the period stipulated by the Board the consent order will be revoked without prior notice.</i></p>	<p><i>The proponent has agreed to comply.</i></p>
<p><i>The Board reserves the right to revoke/refuse consent at any time during this period in case any violation is observed and modify/stipulate additional conditions as deemed appropriate.</i></p>	

13. Submission of Mr. Kallol Basu, learned Counsel appearing for Project Proponent, Respondent Nos. 1&2 is that no illegality or irregularity in the maintenance of STP was observed by the State Pollution Control Board, Odisha, as long as the said STP was being controlled and maintained by the Respondent Nos.1&2 and the Inspection Report filed by the Joint Committee, of inspection carried out on 20.01.2022, is after the STP was handed over to the Applicant's Association on 01.04.2021.
14. The Project Proponent have filed another reply affidavit dated 26.05.2022 to the same effect as their previous affidavit also dated 26.05.2022. In addition, it is stated that a detailed report has been submitted by the Project Proponent on water cycle like - quantum (in KLD) of rainwater to be collected from the rooftop area of the building, the paved area, the open surface area for storm water collection. It is stated that all recharge pits have been constructed and are provided with slotted pipes which extend upto 30 meters depth in order to facilitate the replenishment and retention of rainwater all around the year and the same is in full operation.
15. With regard to the Solid Waste Management, it is stated that one M/s Clean Mart Facility Services, Bhubaneswar, has been appointed by the Project Proponent for collection of solid waste from the premises for the period from 01.05.2020 to 31.03.2021 but after the building of Phase-I was handed over to the Applicant on 18.01.2021, the solid waste of the buildings of Phase-I is being managed by the Applicant.
16. It is further stated that one Bio-degradable Waste Compositing Machine having capacity of 1000 kg/day has been installed in the Southern portion of Phase-I i.e., in Phase-II, and the said machine

is fully operational. It is also stated that the Project Proponent had vide letter dated 11.05.2022 informed the Applicants of Phase-I to segregate the waste generated in Phase-I and to send the biodegradable waste for composting to this Composting Machine.

The case of the Respondent Nos. 1&2, Project Proponent, is that there was no condition in the Environmental Clearance granted on 16.08.2011 and on 23.02.2016 for installing of Organic Waste Converter in Phase-I and, therefore, no Bio-degradable Waste Compositing Machine was installed in Phase-I.

17. With regard to Solar System or Energy Conservation, it is stated that installation of Solar Water Heater has been completed on the rooftop area of Phase-II and the entire system will be completed by 30.06.2022. It is also stated that the installation of Solar Power Generation System for Phase-I will be in place with the help of suitable agency to install Solar Water Heater by 31.08.2022. The delay in installation of the same has been explained by stating that there was COVID pandemic during this period.
18. As regards the Diesel Generator DG set Stack, it is stated by the Project Proponent that as per the recommendation of the Joint Committee the height of the DG Set Stack has been verified and re-checked by the SEIAA, Odisha, and the State Pollution Control Board, Odisha, and as per Consent to Operate issued by the State Board, the height of vent has been made 6.06 meter from ground level.
19. Further affidavit dated 15.11.2022 has been filed by the Project Proponent titled as 'compliance affidavit' and in para 2 thereof the compliance status of the directions of SEIAA has been given which is extracted herein below:-

Rejoinder	SEIAA	Respondent No. 1 and 2 - Compliance
1. Green Belt and Avenue plantation over at least 20% of the site using native trees species/plants area not there.	Green Belt and Avenue Plantations are available. The committee had instructed the respondent nos. 1 and 2 to plant more indigenous fruits bearing and broad leave tree species rather to develop decorative and increasing lawn area within the period August, 2022.	The project is an integrated project. The plantation can only be made along the permanent boundary. Plantation around Phase I and Phase II area along with 600 meter of permanent boundary has been completed using local species of plant like Swarnachampa, Nagachampa, Panasha, Kamini, Neem, Bakul, Kadamba, Champa, Mango, Coconut, Karanja etc.
2. Compliance of Conditions of "NOC" from CGWA and permission of Water Resource Department, Govt. of Odisha is not available.	23.02.2011: First NOC was granted by CGWA for use of ground water 1100 cum/day. 23.05.2015: Second NOC was granted by CGWA for use of water 950 cum/day. 16.07.2019: Third NOC was granted by CGWA for use of water 3,46,750 cum/day.	Complied
3. (i) Detail workable plan/scheme either for zero	The STP was running with primary units. The	One STP with a capacity of 270 KLD was installed in Phase 1 of the Project

<p>discharge and/or discharge to main road side drain through STP and oil water separation unit, particularly for monsoon period so that it will not affect the human health / environment is not available.</p> <p>(ii) STP does not have the facility for complete treatment (Primary, Secondary and tertiary) of waste water.</p> <p>(iii) The water treatment plant does not have any iron remover although one of the water sources has high iron content.</p> <p>(iv) The zero liquid discharge is not maintained, there is no oil water separation unit and thereby discharge of untreated water to BudhiNalla which is mentioned as</p>	<p>treated water of Phase I has been utilised for gardening purpose and no excess water is available for discharge to municipal drain. There is no excess treated water found or accumulated at any area nearby. The committee advised that there has to be a connection of treated water of outside Municipal Drain to take care of excess treated water if any and also in rainy season. The respondent nos. 1 and 2 had also installed water treatment plant for treatment of underground water.</p>	<p>Area. After installation, the STP was maintained and controlled by the Project Proponent. Thereafter, one FMC Company namely United Resorts Services LLP was appointed by the Project Proponent for maintaining the said STP. The said company had been maintaining the said STP on and from 01.09.2016 to 31.03.2021.</p> <p>Thereafter, the said STP was handed over to the residents of the building in Phase I on 01.04.2021. On and from 01.04.2021, the said STP has been maintaining and controlling by the residents of the Phase I Building.</p>
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<i>BuriNalla in EC Letter.</i>		
<p>4. Absence of facility for use of Renewable / Solar Energy in Phase I against a stipulation of at least 5% of the total power consumption for Phase I for street and common area solar lighting.</p>	<p>There was no use of renewable/solar energy in Phase I building. The respondent nos. 1 and 2 undertook that the said solar energy will be installed in Phase I building by 31.08.2022.</p>	<p>The installation of solar water heater has been completed at roof top area of Phase II and the entire system will be completed by 30.06.2022.</p> <p>The installation of solar power generation system for Phase I will be in place with help of suitable agency to install solar water heater by 31.08.2022.</p> <p>Work order has been issued to M/S Solar Sack on 19.08.2022 and the installation works are under process.</p> <p>It is submitted that the aforesaid installation work will be completed by 31.01.2023. But such completion of installation work will be subject to cooperation and permission rendered and granted by the applicants, i.e. Z1 Residents' Welfare Association.</p> <p>At present, the building of the Phase I is under the control of the applicants. The said building along with maintenance of rainwater harvesting and/or recharging pits etc.</p>

		<i>have to be maintained by the applicants.</i>
<i>5. Diesel Generator sets in Phase I of project have inadequate stack heights and same is violation of CPCB norms.</i>	<i>The DG Set stack of Phase I was about 6 meter with roof coverage. It was not adequate. The distance from nearest building was over 50 meters.</i>	<i>As per recommendation of the Committee, the height of the DG Set Stack has been verified and/or checked by the SEIAA and the Regional Officer, SPCB. As per the Certificate of the "Consent to Operate" issued by the SPCB, the height of vent has been made 6.06 meter from ground level.</i>
<i>6. Dust Control measures not adopted to control dust and noise pollution during the construction of Phase II for which senior citizens were worst suffers.</i>	<i>It was advised by the committee to take appropriate measures for controlling the dust and noise pollution. It was also advised to stop the construction work during mid day time, i.e. 1 pm to 3 pm and after 9 pm till the next morning.</i>	<i>Complied</i>
<i>7. Rain water harvesting / Recharge Pits reveal that water harvesting for storm water and runoff water is not available.</i>	<i>The committee had advised that as so many recharge pits were available in place, they should implement the harvesting system fully not only for roof top but also for paved area surface water connecting channels to pits. It was also advised</i>	<i>As per recommendation, the Project Proponent has already submitted the detailed report on water cycle like quantum (in KLD) of rainwater, which to be collected from the roof top area of the building, the paved area, the open surface and for storm water collection. All recharge pits are constructed and in full</i>

	<p>for rain harvesting and reuse for plantation and other purposes.</p> 	<p>operation. All recharge pits are provided with slotted pipes, which are extended up to 30 meter depth, in order to facilitate the replenish and/or retention of rainwater all around year.</p> <p>Techno-Commercial Offer for Surface Runoff Water Treatment Plant has been prepared by Swachh Green Info Tech Private Limited.</p> <p>As per the aforesaid Report, the work is under process.</p> <p>At present, the building of the Phase I is under the control of the applicants. The said building along with maintenance of rainwater harvesting and/or recharging pits etc. have to be maintained by the applicants.</p>
<p>8. No facility for segregation of solid wastes into Biodegradable and non-biodegradable category.</p>	<p>The committee had not seen any community dustbin had been placed outside of the building for separation and collection of domestic waste for Phase I. There was a newly purchased bio-degradable</p>	<p>One authorized party namely M/S Clean Mart Facility Services was appointed by the Project Proponent for collection of solid waste from the premises of Z-Estates for the period from 01.05.2020 to 31.03.2021. The building of Phase I was handed over to the applicant on 18.01.2021.</p>

	<p>waste composting machines having capacity 1000 kg/day waste decomposition for the Phase II building was already there to operate. The compost machine for Phase II has been installed and the same will be operated by 30.06.2022.</p>	<p>Thereafter, the solid waste of the Buildings of Phase I has been managed by the applicants.</p> <p>One Bio-degradable Waste Composting Machine having capacity of 1000 kg/day has already been installed in the Southern portion of Phase I, i.e. in Phase II and the said machine is fully functioning. The Project Proponent, by a letter, has already informed the applicants of Phase I and asked them to segregate the waste generated in Phase I and to send the bio-degradable waste for composting to this Composting Machine. It is further submitted that there was no condition in the Environment Clearances dated 16.08.2011 and 23.02.2016 respectively for putting of Organic Waste Converter in Phase I. Therefore, no Bio-degradable Waste Composting Machine was installed in Phase I. The building of Phase I was handed over to the applicants on 18.01.2021 and inspection was conducted by the Committee on 20.01.2022.</p>
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		<p><i>After handing over the building to the applicants, the solid waste was managed by the applicant. The Project Proponent is not responsible for placing any community dustbin outside of the building for separation and collection of domestic waste for Phase I.</i></p> <p><i>At present, the building of the Phase I is under the control of the applicants. The said building along with contract with authorized agency for solid waste disposal has to be maintained by the applicants.”</i></p>
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20. The Central Ground Water Board, Respondent Nos. 5 & 6, has filed its affidavit dated 26.10.2022, stating therein that previously No Objection Certificate (NOC) was issued to the Respondent Nos. 1&2, Project Proponent on 16.07.2019 for use of ground water and the same has expired on 09.07.2022. It is also stated that an online application was submitted by the Project Proponent on 09.04.2022 for renewing of NOC issued to them earlier for use of ground water and the same is still pending consideration before the Central Ground Water Board, Bhubaneswar.
21. The Central Ground Water Board, Respondent Nos. 5&6, has filed a further affidavit dated 16.12.2022, stating that before consideration of further renewal of the NOC for extraction of ground water w.e.f. 10.07.2022, a site inspection of the premises in question was

carried out by the officers of the Central Ground Water Board and during inspection it was found that the Project Proponent had failed to adhere to the condition laid down in the NOC issued. Based upon the site inspection for verification of compliance of NOC conditions, report dated 17.08.2022 has been prepared and a show cause notice has been issued to the Project Proponent on 23.08.2022 in exercise of powers under Section 5 of the Environment (Protection) Act, 1986, to show cause as to why a complaint against the Project Proponent be not registered under Section 15 of the Act, 1986. It is further stated that a notice period of 60 days was given to the Project Proponent. The Company, Project Proponent, accordingly submitted its Compliance Report on 27.10.2022 and it was found that the Project Proponent had not fulfilled the criteria i.e., conditions mentioned in the NOC as well as in the show cause notice and only three, out of five points of the non-compliance conditions, had been fulfilled. Hence, it is stated that a second show cause notice was issued to the Project Proponent on 28.11.2022 to show cause as to why a complaint be not registered against it under Section 15 of the Environment (Protection) Act, 1986, giving 15 days time to rectify the default. Copy of the show cause notice dated 23.08.2022 has been filed as Annexure-D/5 to the affidavit, which shows the following non-compliances of the Project Proponent:-

1. *Bore wells are not fitted with digital flow meter,*
2. *Log Book is not maintained,*
3. *Peizometer is not fitted with telemetry system,*
4. *Recharge structures are not maintained,*
5. *Self Inspection is not submitted,*

22. The second show cause dated 28.11.2022, copy of which has been filed as Annexure-D/6 to the affidavit, shows the following non-compliance of the Project Proponent:-
1. *Bore wells are not fitted with digital flow meter,*
 2. *Self Inspection is not submitted,*
23. Copy of the reply dated 27.10.2022 submitted to the Regional Director, Central Ground Water Board, Bhubaneswar, by the Project Proponent, has also been filed at page no.362 of the paper book, answering the queries of the show cause notice by attaching (a) photographs of borewells fitted with digital flow meter, (b) Log Book, (c) details of Telemetry System submitted to the CGWA on 13.09.2022, (d) maintenance of recharge structures are going on which will take another couple of months to complete, and (e) Self-Inspection Report.
24. The Project Proponent have filed further affidavit dated 17.02.2023, showing the compliance of the directions of the Central Ground Water Board which have already been extracted hereinabove.
25. The Applicant has filed rejoinder affidavit dated 24.08.2022, stating that Environmental Clearances were granted to the Project Proponent on 17.03.2020 and 16.08.2021 for their Housing Projects in an area of 1,41,950.23 square meters and built-up area of 3,95,865.09 square meters and the Environmental Clearance was granted on an undertaking given by the Project Proponent on affidavit to comply with the required norms by 31.10.2020 but there is no compliance of the same. It is further alleged that the Project Proponent has not achieved 20% of Green Belt and Avenue Plantation using native trees species/plants which, he states, finds mention in the Report of the SEIAA that only decorative plants such

as – Krushna Chuda, Ficus Panda etc. have been planted in the periphery of Phase-I and landscaping.

26. In the affidavit, it is further alleged that the STP does not have facility for complete treatment (primary, secondary and tertiary) of waste water and the water analysis report shows presence of oil which means that there is no oil water separation unit in the STP. It is alleged that Water Treatment Plant does not have (a) any iron remover, (b) Zero Liquid Discharge is not being maintained, (c) and untreated water is being drained into the Budhi Nalla (Buri Nalla). It is also alleged that (a) there is absence of renewable/solar energy in Phase-I against a stipulation of at least 5% of the total power consumption for Phase-I; (b) Diesel Generator Sets in Phase-I of the Project do not have adequate stack heights; (c) dust control measures to control dust; (d) and noise pollution during construction of Phase-II has not been observed; (e) the report of the SEIAA Committee has not been complied with regard to the submission of detailed report on water cycle like – quantum (in KLD) of rainwater to be collected from rooftop area of the building, paved area, open surface area and storm water collection and their connecting route from source to rainwater recharging/recycling pit.
27. The Applicant has further alleged that inspite of the fact that the conditions mentioned in the Environmental Clearance dated 16.08.2011 for Phase-I had not been complied with and still remain incomplete, Environmental Clearance was granted on 23.02.2016 for Phase-II and the conditions therein also remain incomplete and yet Environmental Clearance for Phase-III has also been granted on 19.03.2020, which shows total non-application of mind by the SEIAA and very casual approach of SEIAA to the enforcement of the

Environmental Clearance conditions prior to grant of further Environmental Clearances.

28. We have heard the learned Counsel for the parties and perused the documents on record.
29. The Special Conditions for construction phase in the Environmental Clearance dated 16.08.2011 with regard to Ground Water, specifically mentions that no ground water shall be extracted for the project work at any stage during construction phase.
30. The Inspection Report of the Joint Committee of inspection carried out on 20.01.2022 is silent on this aspect of the matter and all that has been stated is that Phase-I Project has already been completed and people are staying there; the Phase-II Project is also almost complete and is going to be operated very soon; and Phase-III Project is under-construction. In the report, it is further stated that the Project Proponent was required to submit NOC letter from the Central Ground Water Authority for use of ground water which shows that it was permitted withdrawal of ground water of 1100 cum/day vide letter dated 23.02.2011 and thereafter w.e.f. 23.05.2015 at 950 cum/day and w.e.f. 16.07.2019 at 3,46,750 cum/year.
31. We fail to understand that when the Environmental Clearance Special Conditions of 16.08.2011 clearly stipulated that no ground water shall be extracted for the project work at any stage during the construction phase, how was the NOC granted by the Central Ground Water Authority for withdrawal of ground water vide their letters dated 23.02.2011, 23.05.2015 and 16.07.2019. This clearly shows dereliction of duty and irresponsibility on the part of the

officers concerned of the Central Ground Water Authority in acting in a mechanical manner on the basis of the application for grant of NOC without demanding and examining the conditions laid down in the Environmental Clearance.

Question is not that the Project Proponent submitted online application for grant of NOC. Question is whether the NOC for extraction of ground water for the project work at any stage during construction phase could have been granted at all?

32. The affidavit of the Central Ground Water Board dated 26.10.2022 shows that NOC was granted initially to the Project Proponent on 16.07.2019 on his application which expired on 09.07.2022 and now another online application has been submitted by the Project Proponent on 09.04.2022 for renewal of NOC. The Central Ground Water Authority before granting of NOC ought to have called for the Environmental Clearance of the Project Proponent's project and gone through the conditions laid down therein and in view of the specific prohibition against extraction of ground water for project work during construction work, *prima facie*, no NOC could have been granted. Without first verifying as to what the NOC was being required for and for what purpose the ground water was sought to be extract, NOC has been granted by the Central Ground Water Board. The affidavit of the Central Ground Water Board is silent on these aspects of the matter and, therefore, we may infer that the NOC was granted by the Central Ground Water Board to the Project Proponent in violation of the Special Conditions laid down in the Environmental Clearance dated 16.08.2011. This matter needs to be examined by the Ministry of Environment, Forests and Climate Change with regard to the conduct of the officers of the Central

Ground Water Board, calling for their explanation and if dereliction and negligence of duty on their part in this regard is found, appropriate disciplinary action needs to be taken against the then concerned officers of the Central Ground Water Board.

However, having said that, we do not intend to penalize the Project Proponent, Respondent Nos.1&2, for extraction of ground water when the NOC itself was approved by the Central Ground Water Board.

33. So far as the findings of the Joint Committee's Report with regard to the STP is concerned, the Joint Committee noted that during inspection the STP was found to be operational with primary and secondary units through Moving Bed Biofilm Reactor (MBBR) Technology and the treated water generated from the STP was being used for gardening and no excess treated water was found accumulated in any nearby area. The Project Proponent was advised to ensure connection of treated water to outside municipal drain to take care of excess treated water, if any, and also in the rainy season. Some works were found incomplete such as – internal drains, roads etc. which it was stated by the Project Proponent would be completed at the earliest.
34. The Project Proponent in his compliance affidavit dated 15.11.2022 has stated that one STP of capacity 270 KLD has been installed in Phase-I of the project area and the same was maintained by the Project Proponent till 31.03.2021 whereafter the same was handed over to the residents of the building in Phase-I on 01.04.2021 and thereafter the maintenance and control of the said STP has to be taken care of by the residents of the Phase-I building.

35. The Environmental Clearance dated 16.08.2011 is silent with regard to the capacity of the STP. From the documents on record, it is not clear as to whether the STP of 270 KLD would be adequate for Phase-I, Phase-II and Phase-III of the Project in question. The Water Analysis Report certainly shows non-compliance of the prescribed standard of BOD being 22.0 mg/l as against the prescribed standard of 20 mg/l and Faecal Coliform being 160000 MPN/100 ml as against the prescribed standard of less than >1000 MPN/100 ml, but as already noted hereinabove, the maintenance of the STP is now under the management and control of the residents of the Phase-I building i.e., the Applicant's Association, and, therefore, the liability for violation of the STP norms as indicated in the Report would fall upon the Applicant's Association.

We, therefore, direct the State Pollution Control Board, Odisha, to take appropriate action for determination of Environmental Compensation for violation of STP norms against the Applicant's Association.

36. The allegation of the Applicant that the Water Treatment Plant does not have Iron Removal or Zero Liquid Discharge, the same needs to be examined by the State Pollution Control Board, Odisha, for purposes of determination of Environmental Compensation in the light of the observations made hereinabove based on the Water Analysis Report.

37. As regards the Rain Water Harvesting and Recharge Pits, the Joint Committee noted that the recharge pits were found filled with water and channel drains were available to collect excess water and surface water during rainy season. The Committee advised the Project Proponent to implement the harvesting system fully not only

for rooftop but also for paved area surface water by connecting channels to the pits.

The Environmental Clearance dated 16.08.2011 requires the Project Proponent to install borewells for rain water recharging to be at least 5 meters above the highest ground water table.

38. The affidavit of the Central Ground Water Board, however, clearly shows that two notices were issued by the Board on the ground that (a) recharge structures were not being maintained by the Project Proponent; (b) borewells were not fitted with digital flow meter; (c) Log Book was not maintained; (d) piezometer is not fitted with telemetry system, and (e) self inspection is not submitted. Thus, the Project Proponent is in clear violation of the directions given by the Central Ground Water Board and is also not compliant of the Environmental Clearance conditions with regard to rain water harvesting and recharge of rain water through borewell.

The show cause notice issued by the Central Ground Water Board on 23.08.2022 shows that NOC with mandatory conditions/restrictions and safeguard was issued to the Project Proponent on 16.07.2019 and even on 29.08.2022, the Project Proponent has been found to be non-compliant with regard to recharge borewells and their maintenance. The Central Ground Water Board shall, therefore, determine the penalty for violations with regard to recharge of borewells and their maintenance committed by the Project Proponent and thereafter recover the same from the Project Proponent after giving him opportunity of hearing. It is made clear that subsequent compliance of the conditions by the Project Proponent will not absolve him from past violation of environmental norms.

39. As regards the Solid Waste Management, the Committee went through the papers relating to agreement of the Project Proponent with M/s Clean Mart Facility Service, Bhubaneswar, for collection of solid waste from the premises in question for the period from 01.05.2020 to 31.03.2021. The Committee did not notice any community dustbin outside the building for separation and collection of domestic waste for Phase-I but found that there was a newly purchased Biodegradable Waste Composting Machine having capacity of 1000 kg/day waste decomposition for Phase-II building. The Project Proponent has informed that Phase-II compost system had adequate capacity and would be made available to Phase-I building for treatment of biodegradable solid waste for composting through composting machines.
40. So far as Solid Waste Management regime is concerned, we may advert to the previous Inspection Report dated 30.11.2019 wherein it is found that solid waste generated from households was being collected and handed over to Bhubaneswar Municipal Corporation (BMC) for ultimate disposal. If any default has been found in the subsequent Inspection Report and according to the Project Proponent Phase-I site was handed over to the residents on 18.01.2021, therefore, any findings of non-compliance of the solid waste management regime would be the liability of the Applicant's Association.
41. As regards the Solar System or Energy Conservation, the Committee found that there was no use of Renewable/Solar Energy in Phase-I building. It is stated that efforts were made initially by the Project Proponent but the system did not work due to frequent breakdowns. The Project Proponent has been informed that they

must adhere to 5% of total power by Solar PV System at rooftop for Phase-I. The Project Proponent in his compliance report has stated that installation of Solar Power Generation System for Phase-I will be completed with the help of suitable agency by 31.08.2022. This clearly shows that from 2011 when the first Environmental Clearance was granted, the Project Proponent has not yet completed installation of Solar Power Generation System and has not install 5% of the total power generation or put in place solar water heater storage/supply at the rooftop and is, therefore, in violation of energy conservation measures. Even in the present affidavit of 16.11.2022, it has not been disclosed by the Project Proponent that Solar Water Heater at rooftop of Phase-I has been installed by 31.08.2022 or not.

42. We, therefore, direct the Project Proponent to complete the project of installation of Solar System for energy conservation to the extent of 5% of the total power positively within two months. However, for past non-compliances, the Project Proponent will be liable for Environmental Compensation as may be determined by the SEIAA, Odisha, which granted the Environmental Clearance.

43. As regards the Diesel Generator set Stacks, the Committee has noted that the DG set Stack of Phase-I is about 6 meters. The Committee also noted that the nearest building is about 50 meters and, therefore, the stack height is not adequate. The Environmental Clearance condition for Diesel Power Generating sets mentions that the height of the stack of DG sets should be equal to the height needed for the combined capacity of all proposed DG sets put together and should be more than the highest building height. The Committee Report clearly indicates violation of the Environmental

Clearance condition by the Project Proponent. The Compliance Report of the Project Proponent mentions that as per the Consent to Operate, the height of the vent has been made 6.06 meters from ground level.

The State Pollution Control Board, Odisha, is, therefore, required to examine as to whether the stack height of DG set of 6.06 meters of the Project Proponent's project from ground level is adequate in the given circumstances or not.

44. Mr. Sankar Prasad Pani, learned Counsel for the Applicant's Association submitted that the Project Proponent has not achieved the required Green Belt condition of the Environmental Clearance and, therefore, subsequent Environmental Clearances could not have been granted by the SEIAA, Odisha, mechanically and without application of mind till the conditions laid down in the previous Environmental Clearance had been complied with by the Project Proponent.

45. Learned Counsel has referred to the affidavit filed by the Project Proponent before the State Level Expert Appraisal Committee (SEAC) dated 23.12.2019 (Annexure-8 to the Original Application), wherein the Project Proponent had itself undertaken that the Green Belt would be completed by September, 2020. The Committee has, however, noted that the project is an integrated project and, therefore, tree plantation for Green Belt can only be achieved along the permanent boundary which would take place in a phase manner as per availability of boundary. It is, however, stated that plantation around Phase-I area and along 500 meters of permanent boundary has been completed using local species of plant – Kamini, Neem, Kadamba, Champa, Mango, Coconut, Karanja etc.

46. The Environmental Clearance of 16.08.2011 requires the Project Proponent to achieve plantation of trees over at least 20% of the project site area by using native trees species/plants. The Inspection Report of 30.11.2019 is silent with regard to tree plantation in the premises in question. The Committee Report of 20.01.2022 also is peculiarly silent with regard to achieving of 20% target by the Project Proponent as per the Environmental Clearance of 16.08.2011.
47. The Project Proponent, Respondent Nos.1&2, in his compliance affidavit dated 15.11.2022 with regard to Green Belt and Avenue Plantation over at least 20% of the site area has stated that the project is an integrated project and plantation can only be achieved along the permanent boundary but plantation around Phase-I and Phase-II area along with 600 meters of permanent boundary has been completed using local species of plants like – Swarnachampa, Nagachampa, Panasha, Kamini, Neem, Bakul, Kadamba, Champa, Mango, Coconut, Karanja etc.
48. We may, therefore, summarise the directions given by us hereinabove as under:-
- (A) The SEIAA, Odisha, shall inspect the site in question within one month and verify whether installation of Solar Power Generation System for Phase-I and installation of Solar Water Heater which was required to be completed by 31.08.2022 as stated by the Project Proponent, has been completed and if not, appropriate penalty shall be imposed against the Project Proponent and the same shall be recovered within two months after giving him an opportunity of being heard.

- (B) The SEIAA, Odisha, is further directed to determine Environmental Compensation against the Project Proponent for failure to install the Solar System for energy conservation to the extent of 5% of total power as required by the Environmental Clearance conditions dated 16.08.2011 and action in this regard shall be taken within two months after giving the Project Proponent an opportunity of being heard.
- (C) The State Pollution Control Board, Odisha, shall verify as to whether the vent height of the D.G. set stack which is at present 6.06 meters for the ground level is adequate, considering that the Environmental Clearance requires the same to be more than the highest building height.
- (D) The State Pollution Control Board, Odisha, is also directed to compute Environmental Compensation against the Applicant's Association for violation of STP norms w.e.f. 01.04.2021 when the Phase-I was handed over to the Association by the Project Proponent within two months after giving them an opportunity of being heard.
- (E) The State Pollution Control Board, Odisha, shall also take action against the Applicant's Association for non-compliance of the Solid Waste Management regime, if any, w.e.f. 18.01.2021 when the Phase-I of the site in question was handed over to the Applicant's Association.
- (F) The Central Ground Water Board shall determine the penalty for violations with regard to recharge of borewells and their pits as committed by the Project Proponent and thereafter recover the same from the Project Proponent within two months after giving him an opportunity of being heard.

(G) With regard to completion of Green Belt and Avenue Plantation over at least 20% of the site area as required by the Environmental Clearance conditions dated 16.08.2011, the Committee constituted by the Tribunal is directed to re-visit the premises of the Project Proponent and verify whether at least 20% of the Green Belt has been achieved by the Project Proponent and if not, appropriate Environmental Compensation shall be determined against the Project Proponent and the same shall be recovered within two months after giving him an opportunity of being heard.

(H) The Ministry of Environment, Forests and Climate Change, shall verify as to how the Central Ground Water Board granted the NOC to the Project Proponent for extraction of ground water in violation of the Special Conditions laid down in the Environmental Clearance dated 16.08.2011 that no ground water shall be extracted for the project work at any stage during the construction phase and if the concerned officers of the Central Ground Water Board are found to have acted in violation of the Environmental Clearance conditions in granting the NOC to the Project Proponent for extraction of ground water, appropriate disciplinary action shall be taken against the concerned officers of the Central Ground Water Board by the Appointing Authority.

(I) The Ministry of Environment, Forests and Climate Change, shall also verify the conduct of the officers of SEIAA, Odisha, who were in position at the relevant point of time with regard to strict enforcement of the conditions laid down in the Environmental Clearance prior to granting subsequent Environmental

Clearances and if dereliction in discharge of their duties is found, appropriate adverse entries shall be given to the concerned officers of SEIAA, Odisha, in their ACRs by the Appointing Authority.

49. With the observations and directions made hereinabove, the Original Application No. 11/2022/EZ is accordingly disposed of.
50. I.A.s, if any, stand disposed of accordingly.
51. There shall be no order as to costs.

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B. Amit Sthalekar, JM

.....
Dr. Arun Kumar Verma, EM

May 1st, 2023,
Original Application No.11/2022/EZ
AK

NGT



1/45778/2023

भारत सरकार / Government of India ANNEXURE-R7/2

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पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय / Ministry of Environment, Forest and Climate Change

एकीकृत क्षेत्रीय कार्यालय / Integrated Regional Office

ए/3, चंद्रशेखरपुर / A/3, Chandrasekharpur

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File No. 107-528/23/EPE

Date 06.06.2023

To

The Director,
Legal Monitoring Cell,
Ministry of Environment, Forest & Climate Change,
Indira Paryavaran Bhawan, Jor Bagh Road,
Aliganj, New Delhi – 110001

Sub: OA 11 of 2022 in the matter Z1 Residents' Welfare Association vs Z Estates Private Limited, before the Hon'ble NGT, Kolkata, Eastern Zone-reg

Sir,

With reference to the subject and letter cited above I am directed to draw your kind attention to the subject and references cited above and to state that as per Hon'ble NGT has disposed off the aforesaid matter vide Order dated 01.05.2023 with specific directions to the Ministry.

In order dated 01.05.2023 of the Hon'ble Tribunal ,para 48(H), it has been ordered that "The Ministry of Environment, Forests and Climate Change, shall verify as to how the Central Ground Water Board granted the NOC to the Project Proponent for extraction of ground water in violation of the Special Conditions laid down in the Environmental Clearance dated 16.08.2011 that no ground water shall be extracted for the project work at any stage during the construction phase and if the concerned officers of the Central Ground Water Board are found to have acted in violation of the Environmental Clearance conditions in granting the NOC to the Project Proponent for extraction of ground water, appropriate disciplinary action shall be taken against the concerned officers of the Central Ground Water Board by the Appointing Authority. "

Subsequently in para 48(I) it has been ordered by the Hon'ble Tribunal that , "The Ministry of Environment, Forests and Climate Change, shall also verify the conduct of the officers of SEIAA, Odisha, who were in position at the relevant point of time with regard to strict enforcement of the conditions laid down in the Environmental Clearance prior to granting subsequent Environmental Clearances and if dereliction in discharge of their duties is found, appropriate adverse entries shall be given to the concerned officers of SEIAA, Odisha, in their ACRs by the Appointing Authority."

This is for kind information & necessary action.

Yours faithfully,

(T.H Mahato)
Scientist-D

Encl: As above



भारत सरकार / Government of India

पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय / Ministry of Environment, Forest and Climate Change

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File No. 107-528/23/EPE

Date 09.05.2023

To

The Director,
Legal Monitoring Cell,
Ministry of Environment, Forest & Climate Change,
Indira Paryavaran Bhawan, Jor Bagh Road,
Aliganj, New Delhi – 110001

Sub: Misc Application filed in disposed of cases No. 15/2024 in Original Application No. 11/2022 - OA 11 of 2022 in the matter Z1 Residents' Welfare Association vs Z Estates Private Limited, before the Hon'ble NGT, Kolkata, Eastern Zone-reg

Ref: 1.This office letter no File No. 107-528/23/EPE dated 06.06.2023 enclosing order dated 01.05.2023
2.Hon'ble National Green Tribunal order dated 19.03.2024
3.Hon'ble National Green Tribunal order dated 02.05.2024

Sir,

With reference to the subject and references cited above I am directed to state that a misc Application No. 15/2024 has been filed by the applicants in disposed off case Original Application No. 11/2022 - in the matter Z1 Residents' Welfare Association vs Z Estates Private Limited, before the Hon'ble NGT, Kolkata, Eastern Zone for execution of the final order dated 01.05.2023 in OA/11/2022/EZ.

In order dated 01.05.2023 of the Hon'ble Tribunal ,para 48(H), it was ordered that "***The Ministry of Environment, Forests and Climate Change, shall verify as to how the Central Ground Water Board granted the NOC to the Project Proponent for extraction of ground water in violation of the Special Conditions laid down in the Environmental Clearance dated 16.08.2011 that no ground water shall be extracted for the project work at any stage during the construction phase and if the concerned officers of the Central Ground Water Board are found to have acted in violation of the Environmental Clearance conditions in granting the NOC to the Project Proponent for extraction of ground water, appropriate disciplinary action shall be taken against the concerned officers of the Central Ground Water Board by the Appointing Authority.***"

Subsequently in para 48(I) it was ordered by the Hon'ble Tribunal that ,"***The Ministry of Environment, Forests and Climate Change, shall also verify the conduct of the officers of SEIAA, Odisha, who were in position at the relevant point of time with regard to strict enforcement of the conditions laid down in the Environmental Clearance prior to granting subsequent Environmental Clearances and if dereliction in discharge of their duties is found, appropriate adverse entries shall be given to the concerned officers of SEIAA, Odisha, in their ACRs by the Appointing Authority.***"

COURT CASE

The copy of the said order has been communicated by this office to the Ministry vide letter no File No. 107-528/23/EPE dated 06.06.2023. Furthermore, the copy of the MA was served upon us by Smt. Amrita Pandey on 02.05.2024 vide mail .The Hon'ble National Green Tribunal has granted 4 weeks of time to file the CA in the said matter .Therefore the copy of the MA along with the order is attached herewith for kind information and necessary action please.

Yours faithfully,

Encl: As above

- | |
|--|
| <ol style="list-style-type: none">1.This office letter no File No. 107-528/23/EPE dated 06.06.2023 enclosing order dated 01.05.20232.Hon'ble National Green Tribunal order dated 19.03.20243.Hon'ble National Green Tribunal order dated 02.05.20244.Copy of the MA no 15/2024/EZ |
|--|


(T.H Mahato)
Scientist-D

Copy to :

1. **Dr. Ashish Kumar , Addl. Director & Member Secretary**, EAC (Infra -2)Ministry of Environment, Forest and Climate Change, Government of India,Indira Paryavaran Bhawan, Jorbagh Road, Aliganj, New Delhi-110 003, For kind information and necessary action please.

Email

IRO Bhubaneswar

OA 11 of 2022 in the matter Z1 Residents' Welfare Association vs Z Estates Private Limited, before the Hon'ble NGT,Kolkata,Eastern Zone-reg

From : IRO Bhubaneswar <roez.bsr-mef@nic.in>

Tue, Jun 06, 2023 11:18 AM

Subject : OA 11 of 2022 in the matter Z1 Residents' Welfare Association vs Z Estates Private Limited, before the Hon'ble NGT,Kolkata,Eastern Zone-reg 2 attachments**To** : Legal Monitoring Cell <Imc.moefcc@gov.in>

Sir,

Please find the attachment for your kind information and necessary action.

With regards,
IRO, MoEF&CC
Bhubaneswar

 **107-528_0001.pdf**
467 KB **order copt in OA 11.pdf**
770 KB



1/45778/2023

भारत सरकार / Government of India

पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय / Ministry of Environment, Forest and Climate Change

एकीकृत क्षेत्रीय कार्यालय / Integrated Regional Office

ए/3, चंद्रशेखरपुर / A/3, Chandrasekharpur

भुवनेश्वर - 751 023, ओडिशा / Bhubaneswar - 751 023, Odisha



162

Telephone: 0674 - 2301213, 2302432, 2301248, 2302452, 2302453.

E-mail: roez.bsr-mef@nic.in

File No. 107-528/23/EPE

Date 06.06.2023

To

The Director,
Legal Monitoring Cell,
Ministry of Environment, Forest & Climate Change,
Indira Paryavaran Bhawan, Jor Bagh Road,
Aliganj, New Delhi – 110001

Sub: OA 11 of 2022 in the matter Z1 Residents' Welfare Association vs Z Estates Private Limited, before the Hon'ble NGT, Kolkata, Eastern Zone-reg

Sir,

With reference to the subject and letter cited above I am directed to draw your kind attention to the subject and references cited above and to state that as per Hon'ble NGT has disposed off the aforesaid matter vide Order dated 01.05.2023 with specific directions to the Ministry.

In order dated 01.05.2023 of the Hon'ble Tribunal ,para 48(H), it has been ordered that "The Ministry of Environment, Forests and Climate Change, shall verify as to how the Central Ground Water Board granted the NOC to the Project Proponent for extraction of ground water in violation of the Special Conditions laid down in the Environmental Clearance dated 16.08.2011 that no ground water shall be extracted for the project work at any stage during the construction phase and if the concerned officers of the Central Ground Water Board are found to have acted in violation of the Environmental Clearance conditions in granting the NOC to the Project Proponent for extraction of ground water, appropriate disciplinary action shall be taken against the concerned officers of the Central Ground Water Board by the Appointing Authority. "

Subsequently in para 48(I) it has been ordered by the Hon'ble Tribunal that , "The Ministry of Environment, Forests and Climate Change, shall also verify the conduct of the officers of SEIAA, Odisha, who were in position at the relevant point of time with regard to strict enforcement of the conditions laid down in the Environmental Clearance prior to granting subsequent Environmental Clearances and if dereliction in discharge of their duties is found, appropriate adverse entries shall be given to the concerned officers of SEIAA, Odisha, in their ACRs by the Appointing Authority."

This is for kind information & necessary action.

Yours faithfully,

(T.H Mahato)
Scientist-D

Encl: As above

Item No.02

Court No.1

**BEFORE THE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA
(THROUGH PHYSICAL HEARING WITH HYBRID MODE)**

M.A. No.15/2024/EZ

In

Original Application No.11/2022/EZ

Z1 Residents' Welfare Association

Applicant(s)

Versus

Z Estates Private Limited & Ors.

Respondent(s)

Date of hearing: 19.03.2024

**CORAM: HON'BLE MR. JUSTICE B. AMIT STHALEKAR, JUDICIAL MEMBER
HON'BLE DR. ARUN KUMAR VERMA, EXPERT MEMBER**

For Applicant(s) : Mr. Sankar Prasad Pani, Advocate a/w
Mr. Ashutosh Padhy, Advocate (in Virtual Mode)

ORDER

1. The M.A. No.15/2024/EZ filed in Original Application No.11/2022/EZ is being taken up.
2. This Tribunal vide its judgment and order dated 01.05.2023 had disposed of the Original Application No.11/2022/EZ (*Z1 Residents' Welfare Association Vs. Z Estates Private Limited & Ors.*) with the following directions:-

"48. We may, therefore, summarise the directions given by us hereinabove as under:-

(A) The SEIAA, Odisha, shall inspect the site in question within one month and verify whether installation of Solar Power Generation System for Phase-I and installation of Solar Water Heater which was required to be completed by 31.08.2022 as stated by the Project Proponent, has been completed and if not, appropriate penalty shall be imposed against the Project Proponent and the same shall be recovered within two months after giving him an opportunity of being heard.

(B) The SEIAA, Odisha, is further directed to determine Environmental Compensation against the Project Proponent for failure to install the Solar System for energy conservation to the extent of 5% of total power as required by the Environmental Clearance conditions dated 16.08.2011 and action in this regard shall be taken within two months after giving the Project Proponent an opportunity of being heard.

(C) The State Pollution Control Board, Odisha, shall verify as to whether the vent height of the D.G. set stack which is at present 6.06 meters for the ground level is adequate, considering that the Environmental Clearance requires the same to be more than the highest building height.

(D) The State Pollution Control Board, Odisha, is also directed to compute Environmental Compensation against the Applicant's Association for violation of STP norms w.e.f. 01.04.2021 when the Phase-I was handed over to the Association by the Project Proponent within two months after giving them an opportunity of being heard.

(E) The State Pollution Control Board, Odisha, shall also take action against the Applicant's Association for non-compliance of the Solid Waste Management regime, if any, w.e.f. 18.01.2021 when the Phase-I of the site in question was handed over to the Applicant's Association.

(F) The Central Ground Water Board shall determine the penalty for violations with regard to recharge of borewells and their pits as committed by the Project Proponent and thereafter recover the same from the Project Proponent within two months after giving him an opportunity of being heard.

(G) With regard to completion of Green Belt and Avenue Plantation over at least 20% of the site area as required by the Environmental Clearance conditions dated 16.08.2011, the Committee constituted by the Tribunal is directed to re-visit the premises of the Project Proponent and verify whether at least 20% of the Green Belt has been achieved by the Project Proponent and if not, appropriate Environmental Compensation shall be determined against the Project Proponent and the same shall be recovered within two months after giving him an opportunity of being heard.

(H) The Ministry of Environment, Forests and Climate Change, shall verify as to how the Central Ground Water Board granted the NOC to the Project Proponent for extraction of ground water in violation of the Special Conditions laid down in the Environmental Clearance dated 16.08.2011 that no ground water shall be extracted for the project work at any stage during the construction phase and if the concerned officers of the Central Ground Water Board are found to have acted in violation of the Environmental Clearance conditions in granting the NOC to the Project Proponent for extraction of ground water, appropriate disciplinary action shall be taken against the concerned officers of the Central Ground Water Board by the Appointing Authority.

(I) The Ministry of Environment, Forests and Climate Change, shall also verify the conduct of the officers of SEIAA, Odisha, who were in position at the relevant point of time with regard to strict enforcement of the conditions laid down in the Environmental Clearance prior to granting subsequent Environmental Clearances and if dereliction in discharge of their duties is found, appropriate adverse entries shall be given to the concerned officers of SEIAA, Odisha, in their ACRs by the Appointing Authority.

49. With the observations and directions made hereinabove, the Original Application No.11/2022/EZ is accordingly disposed of.”

3. The present M.A. has been filed by the Applicant, Z1 Residents' Welfare Association, seeking the following reliefs:-
- a) *“Direct the Respondents to show cause why the criminal proceedings shall not be initiated for violation of the order of the Hon’ble Tribunal dated 1st May 2023 paragraph 48 (except point D&E).*
 - b) *Direct the Respondent to show cause what steps they have taken to implement the order of Hon’ble NGT dated 1st May 2023 paragraph 48 (except point D&E).*
 - c) *Direct SEIAA and CGWA to file their compliance report.*
 - d) *Failure to provide satisfactory explanation the Hon’ble Tribunal may direct for the appropriate proceedings as provided under Section 26 and 28 of the NGT Act, 2010.*

e) Pass such order/s as this Hon'ble Tribunal may deem fit and proper in the facts and circumstances of this case."

4. Matter requires consideration.
5. Issue notice to the Respondents, returnable within four weeks.
6. All the Respondents shall file their counter-affidavits within four weeks showing compliance of the directions contained in para 48 of the Tribunal's judgment and order dated 01.05.2023.
7. **List on 02.05.2024.**

.....
B. Amit Sthalekar, JM

.....
Dr. Arun Kumar Verma, EM

March 19, 2024,
M.A. No.15/2024/EZ
In
Original Application No.11/2022/EZ
AK

Item No.05

Court No.1

**BEFORE THE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA
(THROUGH PHYSICAL HEARING WITH HYBRID MODE)**

Miscellaneous Application No.15/2024/EZ

In

Original Application No.11/2022/EZ

Z1 Residents' Welfare Association

Applicant(s)

Versus

Z Estates Private Limited & Ors.

Respondent(s)

Date of hearing: 02.05.2024

**CORAM: HON'BLE MR. JUSTICE B. AMIT STHALEKAR, JUDICIAL MEMBER
HON'BLE DR. ARUN KUMAR VERMA, EXPERT MEMBER**

For Applicant(s) : Mr. Sankar Prasad Pani, Adv. a/w
Mr. Ashutosh Padhy, Adv. (in Virtual Mode)

For Respondent(s) : Mr. Soorjya Ganguli, Adv. for R-1&2 (in Virtual Mode),
Mr. Apurba Ghosh, Adv. for R-3 (in Virtual Mode),
Ms. Papiya Banerjee Bihani, Adv. for R-4, OSPCB,
Mr. Ashok Prasad, Adv. for R-5 & 6 (in Virtual Mode),
Ms. Amrita Pandey, Adv. for R-7 (in Virtual Mode),

ORDER

1. Mr. Sankar Prasad Pani, learned Counsel along with Mr. Ashutosh Padhy, (in Virtual Mode) learned Counsel are present on behalf of the Applicant.
2. Affidavit dated 01.05.2024 has been filed on behalf of the Respondent No.3, State Environment Impact Assessment Authority (SEIAA), Odisha; the same is taken on record.
3. Mr. Ashok Prasad, learned Counsel appearing (in Virtual Mode) on behalf of the Respondent Nos.5 and 6, Central Ground Water Authority, prays for and is granted four weeks time for filing counter affidavit.

4. Ms. Amrita Pandey, learned Counsel who is appearing (in Virtual Mode), is directed to accept notice on behalf of the Respondent No.7, Ministry of Environment, Forests and Climate Change (MoEF&CC).
5. Ms. Papiya Banerjee Bihani, learned Counsel and Mr. Soorjya Ganguli, learned Counsel state that they have not received the copy of the Miscellaneous Application No.15/2024/EZ.
6. Mr. Sankar Prasad Pani, learned Counsel for the Applicant shall serve e-copy / soft copy of the Miscellaneous Application along with all its annexures upon Ms. Papiya Banerjee Bihani, Mr. Soorjya Ganguli and Ms. Amrita Pandey, learned Counsel for the Respondents within the course of the day. They pray for and are granted four weeks time for filing counter affidavits.
7. Mr. Soorjya Ganguli, learned Counsel shall share his E-mail ID in the chat-box of Virtual Court Proceedings, in the course of the day.
8. The Counsel who have not received the copy of the affidavit of the other Counsel, shall obtain the same from the portal of the National Green Tribunal.
9. **List on 08.07.2024.**

.....
B. Amit Sthalekar, JM

.....
Dr. Arun Kumar Verma, EM

May 02, 2024,
Miscellaneous Application No.15/2024/EZ
In
Original Application No.11/2022/EZ
SKB

ANNEXURE-R7/4

File No.: IA-L-11011/94/2023-IA-I

Government of India

Ministry of Environment, Forest and Climate Change
(I.A. – Compliance and Monitoring Division)



Indira Paryavaran Bhavan

Jor Bagh Road, Aliganj

New Delhi-110 003

Email: bhardwaj.adiraju@gov.in

Dated: 29th December, 2023

To,

The Chairman,

Central Ground Water Board (GCWB),

Bhujal Bhawan,

NH-IV, Faridabad, 121001

Email: - chmn-cgwb@nic.in, tschmn-cgwb@nic.in

Subject: Compliance of directions issued by the Hon'ble NGT (EZ) vide order dated 01.05.2023 in Original Application No.11 of 2022 in the matter titled as 'Z1 Residents' Welfare Association v. Z Estate Private Limited' – reg.

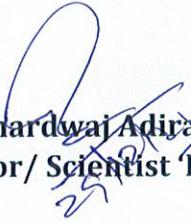
Undersigned is directed to draw reference to the above-cited court matter in NGT (EZ), which has been disposed of vide Order dated 01.05.2023 with specific directions to the Ministry. Central Ground Water Authority (CGWA) and CGWB are also respondents in the matter. The broad allegations in the matter were in reference to violation of Environmental Clearance (EC) granted under the Environment Impact Assessment (EIA) Notification, 2006. As per the extant Order, the Ministry of Environment, Forests and Climate Change, has been asked to verify as to how the CGWB granted the NOC to the Project Proponent for extraction of ground water in violation of the condition laid down in the EC dated 16.08.2011 that no ground water shall be extracted for the project work at any stage during the construction phase.

2. In reference to above, following information is sought from CGWB for further examination of the matter in the Ministry in reference to the Court Order:

- i. The background in the Order states that PP are accused of operating without NOC from CGWB while direction (H) states that CGWB NOC was granted. Please confirm the status of NOC for the project from CGWB.
- ii. Did the CGWB verify the EC condition w.r.t NoC granted to the project for extraction of ground water?
- iii. Is there any SOP or checklist for granting NOC by CGWB for projects which require EC?

3. Considering the court matter, timely response will be appreciated.

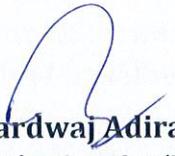
This issues with the approval of Competent Authority.


Dr. Bhardwaj Adiraju
(Joint Director/ Scientist 'D')

Enclosed: as above.

Copy to:

1. The Member Secretary, Central Ground Water Board (GCWA), 18/11, Jamnagar House, Mansingh Road, New Delhi - 110011.


Dr. Bhardwaj Adiraju
(Joint Director/ Scientist 'D')

Annexure R7/5**URGENT COURT MATTER****REMINDER-I****File No.: IA-L-11011/94/2023-IA-I****Government of India****Ministry of Environment, Forest and Climate Change
(I.A. - Compliance and Monitoring Division)**

**Indira Paryavaran Bhavan
Jor Bagh Road, Aliganj
New Delhi-110 003**

Email: bhardwaj.adiraju@gov.in

Dated: 22nd July, 2024**To,****The Chairman,**

Central Ground Water Board (GCWB),

Bhujal Bhawan,

NH-IV, Faridabad, 121001

Email: - chmn-cgwb@nic.in, tschmn-cgwb@nic.in

Subject: Misc. Application No. 15 of 2024 in Original Application No.11 of 2022 titled 'Z1 Residents' Welfare Association v. Z Estate Private Limited' for compliance of directions issued by the Hon'ble NGT (EZ) vide order dated 01.05.2023 - reg.

Ref:

1. Ministry's letter no. IA-L-11011/94/2023-IA-I dated 29.12.2023
2. Miscellaneous Application No. 15 of 2014 in Original Application No.11 of 2022 titled 'Z1 Residents' Welfare Association v. Z Estate Private Limited"
3. NGT(EZ) order dated 08.07.2024

Sir,

This is in continuation to previous communication of even number dated 29.12.2023 seeking inputs of the Central Ground Water Board (CGWB) w.r.t. the order dated 01.05.2023 in the above cited court matter (copy enclosed). Inputs of CGWB are still awaited.

2. Considering the exigency associated with the court matter, it is requested to furnish the desired information/inputs urgently to the Ministry.

This issues with the approval of Competent Authority.

Dr. Bhardwaj Adiraju
(Joint Director/ Scientist D)

SPEED POST



भारत सरकार / Government of India
 पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय / Ministry of Environment, Forest and Climate Change
 एकीकृत क्षेत्रीय कार्यालय / Integrated Regional Office
 ए/3, चंद्रशेखरपुर / A/3, Chandrasekharpur
 भुवनेश्वर - 751 023, ओडिशा / Bhubaneswar - 751 023, Odisha



Telephone: 0674 - 2301213, 2302432, 2301248, 2302452, 2302453. E-mail: roez.bsr-mef@nic.in

File No. 107-528/23/EPE

Date 10.07.2024

To

Member Secretary,
 Central Ground Water Authority,
 18/11 Jamnagar House,
 Man Singh Road, New Delhi- 110011.

Regional Director,
 Central Ground Water Board,
 South Eastern Region,
 Bhubaneswar Bhujal Bhawan,
 Khandagiri, Bhubaneswar.

Sub: Misc Application filed in disposed of cases No. 15/2024 in Original Application No. 11/2022 - OA 11 of 2022 in the matter Z1 Residents' Welfare Association vs Z Estates Private Limited, before the Hon'ble NGT, Kolkata, Eastern Zone-reg

Ref: 1. Hon'ble National Green Tribunal order dated 01.05.2023

Sir,

With reference to the subject and references cited above I am directed to state that a misc Application No. 15/2024 has been filed by the applicants in disposed off case Original Application No. 11/2022 - in the matter Z1 Residents' Welfare Association vs Z Estates Private Limited, before the Hon'ble NGT, Kolkata, Eastern Zone for execution of the final order dated 01.05.2023 in OA/11/2022/EZ.

In order dated 01.05.2023 of the Hon'ble Tribunal ,para 48(H), it was ordered that "*The Ministry of Environment, Forests and Climate Change, shall verify as to how the Central Ground Water Board granted the NOC to the Project Proponent for extraction of ground water in violation of the Special Conditions laid down in the Environmental Clearance dated 16.08.2011 that no ground water shall be extracted for the project work at any stage during the construction phase and if the concerned officers of the Central Ground Water Board are found to have acted in violation of the Environmental Clearance conditions in granting the NOC to the Project Proponent for extraction of ground water, appropriate disciplinary action shall be taken against the concerned officers of the Central Ground Water Board by the Appointing Authority.*"

SPEED POST

In light of the above directive, you are requested to take necessary action in compliance with the Hon'ble Tribunal's order. Action taken report may be submitted to this office. The copy of the above mentioned order is attached herewith for kind information and necessary action please.

Yours faithfully,

Encl: As above



(T.H Mahato)
Scientist-D

Annexure R7/7.

File No.: IA-L-11011/94/2023-IA-I

Government of India

Ministry of Environment, Forest and Climate Change
(I.A. - Compliance and Monitoring Division)

Indira Paryavaran Bhavan
Jor Bagh Road, Aliganj
New Delhi-110 003

Email: bhardwaj.adiraju@gov.in

Dated: 29th December, 2023**To,****The Chairman,**

State Environment Impact Assessment Authority (SEIAA), Odisha

Qr. No. 5RF-2/1, Unit-IX,

Bhubaneswar - 751022

Email: - seiaaorissa@gmail.com

Subject: Compliance of directions issued by the Hon'ble NGT(EZ) vide order dated 01.05.2023 in Original Application No.11 of 2022 in the matter titled as 'Z1 Residents' Welfare Association v. Z Estate Private Limited' - reg.

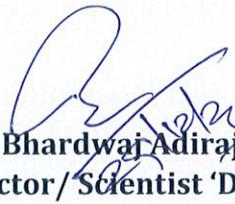
Undersigned is directed to draw reference to the above-cited court matter in NGT(EZ), which has been disposed of vide Order dated 01.05.2023 with specific directions to the Ministry. SEIAA, Odisha is one of the respondents in the matter. The broad allegations in the matter were in reference to violation of Environmental Clearance (EC) granted under the Environment Impact Assessment (EIA) Notification, 2006. As per the extant Order, the Ministry of Environment, Forests and Climate Change, has been asked to verify the conduct of the officers of SEIAA, Odisha, who were in position at the relevant point of time with regard to strict enforcement of the conditions laid down in the Environmental Clearance prior to granting subsequent Environmental Clearances.

2. In reference to above, following information/documents is sought from SEIAA, Odisha for further examination of the matter in the Ministry in reference to the Court Order:

- Please confirm if PP committed for no GW extraction for EC and subsequently proceeded for extraction.
- The status of Certified Compliance Reports wrt the Phase II and Phase III expansion project, when the project was considered by SEIAA.

- Confirm if the compliance status of existing project were recorded in the Minutes of meeting for expansion ECs issued by SEIAA. In this regard also furnish all the related minutes.
 - All the CCRs wrt all the ECs issued till date for the project, which shall include CCR taken into account for expansion projects need to be provided.
 - Copies of all the ECs pertaining to the project.
 - The composition of SEIAA involved in appraisal and grant of all the ECs for the project.
3. Considering the court matter, timely response will be appreciated.

This issues with the approval of Competent Authority.



Dr. Bhardwaj Adiraju
(Joint Director/ Scientist 'D')

Enclosed: as above.

Copy to:

1. The Member Secretary, 5RF-2/1, Acharya Vihar, Unit – IX, OPTCL Colony, Anand Bazar, Bhoi Nagar, Bhubaneswar, Odisha 751022.



Dr. Bhardwaj Adiraju
(Joint Director/ Scientist 'D')

Annexure R7/8

STATE ENVIRONMENT IMPACT ASSESSMENT AUTHORITY, ODISHA
 5RF-2/1, Unit-IX, Bhubaneswar-751022, Tel: 0674-3512840, Email:
 seiaaodisha@gmail.com
 (A statutory body constituted by Ministry of Environment, Forest & Climate Change
 under Environment (Protection) Act, 1986)

File No. SEIAA-68/07-2023

Dated 02nd August, 2024

To

Dr. Bhardwaj Adiraju
 Joint Director/Scientist 'D'
 MoEF & CC, Govt. of India
 (I.A.-Compliance & Monitoring Division)
 Indira Paryavaran Bhavan, Jor Bagh Road, Aliganj
 New Delhi-110003

Sub: Compliance of direction issued by the Hon'ble NGT (EZ) vide order dated 01.05.2023 in Original Application No. 11 of 2022 in the matter titled as 'Z1 Residents' Welfare Association Vrs Z-Estate Pvt. Ltd. -reg.

Ref: Your letter no. IA-L-11011/94/2023-IA-I dt. 29th December, 2023 and reminder letter dt. 22nd July, 2024

Sir,

With reference to the above cited subject, I am directed to submit the details information sought by you in your letter dated 29.12.2023 are as follows:

Sl. No.	Desired information sought by MoEF & CC	Reply of SEIAA, Odisha
1.	Please confirm if PP committed for no GW extraction for EC and subsequently proceeded for extraction.	<p>i. The Environmental Clearance (EC) was issued vide letter no. 433/SEIAA dated 16.08.2011 for construction of housing colony and shopping mall of B+G+12: 6 nos., B+G+14: 17 nos., B+G+19: 2 nos., B+G+24: 1 no. over on total plot area 105962.07 sqm and total built-up area 222092.73 sqm at Kalahanga, Bhubaneswar, Odisha in favour of M/s. Z-Estates Pvt. Ltd. and the applicant is Sri Tapan Kumar Mohanty, (M.D)</p> <p>ii. Condition given in EC letter that no ground water shall be extracted for the project work at any stage during construction phase.</p> <p>ii. As per Certified Compliance Report (CCR) submitted by Regional Office of MoEF & CC, BBSR on date of visit 05.02.2015 with respect to EC letter no. 433/SEIAA dated 16.08.2011 has mentioned in its CCR that the project has taken NOC from Central Ground Water Authority (CGWA), Ministry of Water Resource, Govt. of India for withdrawal of ground water vide letter no. 21-4(287)/SER/CGWA/2011-140 dated 23.02.2011 for drawing groundwater 1100 m³/day through proposed 8 numbers bore wells. It is in violation to the</p>

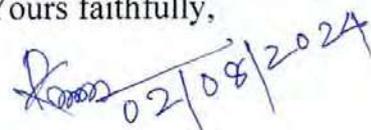
		condition. Based on SEIAA, Odisha clarification letter no. 4704/SEIAA dt. 17.08.2015 (Copy attached in Annexure-I) latter the regional office of MoEF & CC has clarified that the drawl of ground water has been made exclusively for the purpose of drinking for the labour force working at the project site.
2.	The status of Certified Compliance Reports wrt the Phase-II and Phase-III expansion project, when the project was considered by SEIAA	The Certified Compliance Reports of Phase-I was issued by Regional Office of MoEF & CC, Bhubaneswar vide letter no. 109-46/EPE dt. 17.03.2015, 13.07.2015 & 20.10.2015 is attached in Annexure-II and for Phase-II on 11.12.2018 and copy of the same is attached in Annexure-III . There is no Certified Compliance Report of Phase-III as it is under construction stage.
3.	Confirm if the Compliance status of existing project were recorded in the Minutes of meeting for expansion ECs issued by SEIAA. In this regard also furnish all the related minutes.	Yes, the compliance status of existing project was recorded in the Minutes of meeting for expansion of ECs issued by SEIAA, Odisha for Phase-I and Phase-II. The Phase-III is under construction and no CCR is issued yet for the Phase-III. The minutes of meeting of meetings of Phase-I, Phase-II & Phase-III is attached in Annexure-IV, V & VI respectively.
4.	All the CCRs wrt all the ECs issued till date for the project, which shall include CCR of all the ECs pertaining to the project.	Same as Sl. no. 02
5.	Copies of all the ECs pertaining to the project	The Copies of all the ECs were issued for Phase-I, Phase-II and Phase-III are attached in Annexure-VII, VIII & IX respectively.
6.	The Composition of SEIAA involved in appraisal and grant of all the ECs for the project	The Composition of SEIAA involved in appraisal and grant of all the ECs for the project are attached in Annexure-X

This is to informed you that before issue of EC for Phase-III building project, the proposal was placed in 17th SEIAA, Odisha meeting held on 14.02.2020 wherein the Authority decided that the PP has appeared before us to clarify on the reported non-compliance of EC conditions of Phase-I and Phase-II of this project. Accordingly, a letter was issued to the PP vide letter no. 7887/SEIAA dt. 20.02.2020 for reply of non-compliance of EC conditions and after received of reply from PP with undertaking/commitment, the EC was issued for Phase-III project on 17.03.2020 (Copy of SEIAA letter and its reply submitted by PP is attached in **Annexure-XI & XII**). Later, a public complaint was received at SEIAA from Shri Ashok Kumar Tripathy, IAS

(Rtd.) who is one of the member of Z1 Residents' Welfare Association vide his letter 05.10.2021 submitted a complaint letter addressing to the Member secretary, SEIAA, Odisha and another letter on dated 27.10.2021 through E-mail addressing to the Chief Secretary to Govt. of Odisha alleging violation of conditions stipulated in the Environmental Clearance(EC) of Phase-I by Z-Estates Pvt. Ltd. for the construction made namely Housing colony and shopping mall (Phase-I) at Kalarahanga, Patia, Bhubaneswar. In the said allegation, the complaint alleged that there are violations of stipulated conditions of EC issued by SEIAA, Odisha. In this regard, there was a direction from Department of FE & CC, Govt. of Odisha vide letter no. 19916 dt. 15.11.2021 to the SEIAA to cause an enquiry in the matter and to report the Govt. Accordingly, a joint committee was formed and visited the site on 20.01.2022 and in the meantime, Hon'ble NGT/EZ order came on 31.01.2022 in regard to O.A. 11/2022/EZ. The committee has submitted their report to the State Govt. and suggested to initiate legal action against the PP under 15 read with section 19 EP Act. 1986 as per the Govt. procedure as the PP has not complied the EC conditions as per their commitment made by PP dated 25.02.2020 for the phase-I building project. Finally, Hon'ble NGT disposed the case vide order dated 01.05.2023 with direction to SEIAA, Odisha to determine Environmental Compensation against the Project Proponent for failure to install the Solar System for energy conservation to the extent of 5% of total power, completion of Green Belt and Avenue Plantation over at least 20% of the site area as required as required by the Environmental Clearance conditions dated 16.08.2011, also verify whether installation of Solar Power Generation System for Phase-I and installation of Solar Water Heater which was required to be completed by 31.08.2022 as stated by the Project Proponent, has been completed and if not, appropriate penalty shall be imposed against the Project Proponent and the same shall be recovered within two months after giving him an opportunity of being heard. Accordingly, the committee re-visited the site on 13.07.2023 and found that the PP has failed in their commitments to comply EC conditions on 31.08.2023. After issue to Show Cause notice to PP dated 28.12.2023, a direction was issued to PP on 16.03.2024 for submission of Environmental Compensation of Rs. 1, 41, 37, 500/- which is pending to comply by PP. (Copy of 2nd Joint inspection report of 2nd visit to the project site, show cause notice to PP and order issued to PP for submission of Environmental Compensation amount are attached in **Annexure-XIII**).

This is for your kind information.

Yours faithfully,

02/08/2024

Environmental Scientist

State Environment Impact Assessment Authority, (SEIAA), Odisha

[Constituted vide Order No. S.O. 1899(E) Dated 17th Aug. 2012 of Ministry of Environment & Forests, Govt. of India]
Qr. No. 5RF-2/1, Unit - IX, Bhubaneswar - 751022, Tel: 0674-2540669

No. 4704/SEIAA

Dt. 17.08.15

From

Shri S.B. Samant
Member Secretary,
State Environment Impact Assessment Authority, (SEIAA) Odisha,
Bhubaneswar

To

The Chief conservator of Forests,
Regional Office (EZ)
Ministry of Environment, Forest & Climate Change,
Govt. of India,
A/31, Chandrasekharpur, Bhubaneswar

Sub: Environmental Clearance for modernization for construction of housing colony and shopping mall (Phase II) of M/s Z-Estate Pvt. Ltd. at Kalarahanga, Bhubaneswar, Odisha with total built up area 2,75,042 m².

Sir,

In inviting a reference to the above cited subject, I am directed to say that the project proposal was placed in the meeting of SEIAA held on 13.08.2015. The Committee discussed the compliance submitted vide your letter no. File No-109-46/EPE dated 17.03.2015 and observed that in Point No.3 under other observation, it is mentioned that "The project has constructed a Club house without environment clearance. It is a serious violation of EIA Notification, 2006". Further, vide your File No-109-46/EPE dated 13.07.2015 it is observed in point No-2(in Annexure-1) that there is a violation of Environmental Clearance Condition.

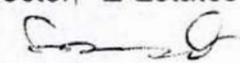
Hence, a clarification is sought from your office on Point No.3 (Other Observation in Part-A) and point No-2(in Annexure-1) whether it will be treated as a violation of Environmental Clearance Condition or not for taking further necessary action at this end.

Yours faithfully,


17.8.15
Member Secretary

Memo No. 4705/SEIAA Dtd. 17.08.15

Copy forwarded to Sri Tapan Kumar Mohanty, Managing Director, Z-Estates Pvt.Ltd.M4/34, Acharya Vihar, Bhubaneswar for information.


17.8.15
Member Secretary

ANNEXURE-II



Government of India/ भारत सरकार
Ministry of Environment, Forests & Climate Change/ पर्यावरण, वन एवं जलवायु बदलाव मंत्रालय
Eastern Regional Office/ पूर्वी क्षेत्रीय कार्यालय
A/3, Chandrasekharpur/ ए/३, चंद्रशेखरपुर
Bhubaneswar-751 023/ भुवनेश्वर - ७५१ ०२३



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जहाँ है ज़राहती ॥

Telephone : 0674-2301213, 2301248, 2302452, 2302453, Fax: 0674- 2302432, E-mail: roez.bsr-mef@nic.in

File No. 109-46/EPE

17.03.2015

To

The Member Secretary,
State Environment Impact Assessment Authority (SEIAA),
Qr No.5RF-2/1, Unit IX,
Bhubaneswar – 751 022.
E mail : seiaaorissa@gmail.com



Sub: Certified report of the status of compliance of project for consideration during appraisal by EAC-reg.

Ref: SEIAA letter No.434/SEIAA/ENV dated 16.08.2011.

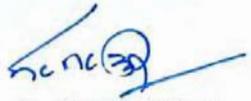
Sir,

I am directed to refer to the above subject and to inform that M/s Z-Estates Pvt. Ltd, Bhubaneswar has requested a certified copy of the compliance report from the Regional Office of the existing project. Further, it has also been informed that the certified copy of monitoring reports is required by them to comply with the requirements of MoEF Circular No. J-11011/618/2010-IA-II (I), dated 30th May, 2012. The project was monitored on 05.02.2015 at site and its latest status on the point-wise conditions of the environmental clearance of the existing project is enclosed for which environmental clearance was earlier accorded by the SEIAA, Odisha.

It is also recommended that environmental clearance for the proposed modification of the project may be given after verification by the Ministry of Environment, Forests & Climate Change, Eastern Regional Office, Bhubaneswar on all the non compliances and are also duly attended to by the project.

Encl: As above

Yours faithfully,


(Dr. S. KERKETTA)
DIRECTOR (S)

Copy to :

1. File No.106-21/EPE and 106-102/EPE.
2. Sri Tapan Kumar Mohanty, (M.D), M/s Z-Estates Pvt. Ltd., M4/34, AcharyaVihar, Bhubanewar-751013.

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Part A**Conditions require immediate attention:**

1. Monitoring of groundwater level should be carried out by construction new piezometers and implementation of the same requires immediate attention.
2. As per the condition, groundwater shall not be extracted for construction work, however, permission from the Central Groundwater Authority has been taken to draw groundwater which is in violation to the condition.
3. The following observation require immediate compliance:
 - i. Water supply and sanitation for all the working force need to be improved. The water supplied for drinking is to be ensured that it is pure and safe for drinking.
 - ii. All the mobile toilets constructed for the workers require regular cleaning and maintenance. It was noted that the living condition of both the hutments is not hygienic. This needs immediate attention. All the soak pits so constructed are to be properly maintained and should be adequate capacity.
 - iii. The drainage system at places where the labourers are living is very bad. Dirty water was found to be stagnant at the low-lying areas surrounding the temporary hutments. These places need to be cleaned and proper drainage to be ensured.
 - iv. It was observed that two large low lying areas of stagnant water. As these water bodies are located near to the labour hutments, the stagnant water should be treated for prevention of mosquito breeding. It requires immediate attention.
 - v. All over the surroundings of the construction areas, it was noted that poly-bags, plastic glasses, etc. have been thrown and the living areas of the labour force has been made dirty. The project authorities should ensure clean and healthy environment in the working as well as dwelling units.
3. Other Observation:
 - i. The project has constructed a Club House without environmental clearance. It is a serious violation of EIA Notification, 2006.
 - ii. EPF and ESIC should be acquired for all the labour force to benefit their families.
 - iii. Crèche should be provided to the children of all the workers.



(Dr. S Kerketta)
Director (S)

Part B**Monitoring report on status of compliance of Environment Clearance and Environmental Management.**

1. Name of the Project	:	Construction of Housing Colony and Shopping Mall of M/s Z-Estates Pvt. Ltd., at Kalarahanga, Bhubaneswar.
2. No. & Date of Clearance	:	No.434/SEIAA/ENV dated 16.08.2011
3. Address of Correspondence	:	Sri Tapan Kumar Mohanty, (M.D) M/s Z-Estates Pvt. Ltd., M4/34, Acharya Vihar, Bhubanewar-751013.
4. Date of site visit	:	05.02.2015

STATUS OF IMPLEMENTATION OF STIPULATED CONDITINS:

The project was visited by Dr. S. Kerketta, Director (S) and Shri M.R. Prasad, Research Officer on 05.02.2015 at site to oversee implementation of stipulated environmental clearance conditions. The officials who were present at the site during site inspection were Shri Dushmant Patro, General Manager, Shri Parthasarathy Panda, DGM, Shri Sibabrata Sinha, Sr. Project Manager, Shri Radha Prasad Das, Administration & HR Head. The project is for construction of blocks of B+G+12 – 6 numbers, B+G+12 - 17 numbers, B+G+19 – 2 numbers, B+G+24-1 number. Presently, construction of the project is in progress; structure has been completed for 8 nos. The status of implementation of conditions of environmental clearance is as follows:

I. GENERAL CONDITIONS:

- i) The applicant (Project proponents) will take necessary measures for prevention, control and mitigation of Air Pollution, Water Pollution, Noise Pollution and Land Pollution including solid waste management as mentioned by them in Form-1, Form-1A and Environment Management Plan (EMP) in compliance with the prescribed statutory norms and standards.

Status of Compliance:

The project has obtained Consent to Establish from the Odisha State Pollution Control Board, vide letter No. 2478/Ind-II-NOC-5439 dated 16.02.2012 and is valid for a period of five years. Details on the Consent to Operate from the OSPCB are to be submitted to this Office after completion of the construction work.

- ii) The applicant will take statutory clearance/approval / permissions from the concerned authorities in respect of the project as and when required.

Status of Compliance:

The project has also taken NOC from the Central Ground Water Authority, Ministry of Water Resources, Govt. of India for withdrawal of ground water vide letter No. 21-

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4(287)/SER/CGWA/2011-140 dated 23.02.2011 for drawing groundwater 1100 m³/day through proposed 8 numbers bore wells. **Monitoring of groundwater level should be carried out by construction new piezometers which implementation of the same requires immediate attention.**

- iii) The applicant will submit half-yearly compliance report on post-environmental monitoring in respect of the stipulated terms and conditions in the Environmental Clearance to the State Environmental Impact Assessment Authority, (SEIAA, Orissa) on the 1st June and 1st December of each calendar year.

Status of Compliance:

Two half yearly progress reports have been being submitted to this Office since last year.

- iv) The project proponent shall obtain Periodic Occupancy Renewal Certificate from the competent authority at an interval of 3 to 5 years as per the provisions of National Building Code (NBC) 2005.

Status of Compliance:

Presently the building is under construction stage. It has been stated that the condition would be complied with after completion and commissioning of the project.

- v) The project proponent shall comply all the conditions stipulated by the Bhubaneswar Development Authority, (BDA) in its building plan approval letter issued vide letter No. BP 2B-3415/10/7398/BP/BDA, Bhubaneswar, dated 26.04.2011.

Status of Compliance:

The project has stated that they are complying the conditions.

- vi) The project proponent shall provide 16 (sixteen) m wide open space all around the 02 (two) nos. of B+G+19, 16 m wide open space for 1 (one) no. of B+G+24, 13 m wide open space for 17 nos. of B+G+14, and 12 m wide open space for 06 m Of B+G+12 m of building blocks for movement of fire engine as per provisions of National building Code (NBC)-2005 and as recommended by Fire Prevention Officer, Orissa.

Status of Compliance:

It is stated that the condition will be complied with after all construction activities are completed.

- vii) The project proponent shall comply to all the conditions stipulated by the Fire Prevention Officer, Orissa.

Status of Compliance:

It is stated that all the conditions with regard to Fire Protection measures would be complied with.



- viii) The project proponent shall comply to all the conditions stipulated by the Air Port Authority of India in its NOC for height clearance issued vide letter No. AAI/ER/NOC/(274/10)/200-202 dated 07.02.2011.

Status of Compliance:

It is stated that the conditions would be complied with.

- ix) The applicant will adopt the prescribed norms and standards provided in the National Building Code of India, 2005, specially relating to:
- a) Fire protection and life safety of occupants of the buildings.
 - b) Safety of personnel during construction, operation and demolition of buildings.
 - c) Day lighting and natural ventilation of buildings.
 - d) Safety from electrical fire, shock and lighting of the buildings.
 - e) Air-conditioning, heating and mechanical ventilation of the buildings.
 - f) Acoustics and noise control of the buildings.
 - g) Maintenance and functioning with emissions from generators supplying power to common space/ residential area in case of power failure along with fuel handling / storage.
 - h) Installation of lifts and escalators in the buildings.
 - i) Water supply, drainage and sanitation including solid waste management.
 - j) Landscaping of surrounding areas of the buildings.

Status of Compliance:

It has been stated that most of the conditions would be complied with after the completion of the construction works. However, as observed at site, it was noted that:

- i. **Water supply and sanitation for all the working force need to be improved. The water supplied for drinking is to be ensured that it is pure and safe for drinking.**
- ii. **All the make shift toilets constructed for the workers require regular cleaning and maintenance. It was noted that the living condition of both the hutments is not hygienic. This needs immediate attention. All the soak pits so constructed are to be properly maintained and should be adequate capacity.**
- iii. **The drainage system at places where the labourers are living is very bad. Dirty water was found to be stagnant at the low-lying areas surrounding the temporary hutments. These places need to be cleaned and proper drainage to be ensured.**
- iv. **It was observed that two large low lying areas of stagnant water. As these water bodies are located near to the labour hutments, the stagnant water should be treated for prevention of mosquito breeding. It requires immediate attention.**
- v. **All over the surroundings of the construction areas, it was noted that poly bags, plastic glasses, etc. have been thrown and the living areas of the labour force has been made dirty. The project authorities should ensure clean and healthy environment in the working as well as dwelling units.**

II. SPECIAL CONDITIONS

A) CONSTRUCTION PHASE

- i) No groundwater shall be extracted for the project work at any stage during construction phase.

Status of Compliance:

The project has also taken NOC from the Central Ground Water Authority, Ministry of Water Resources, Govt. of India for withdrawal of groundwater vide letter No. 21-4(287)/SER/CGWA/2011-140 dated 23.02.2011 for drawing groundwater 1100 m³/day through proposed 8 numbers bore wells. **It is in violation to the condition.**

- ii) Provisions shall be made for the housing of construction labourers within the site with all necessary infrastructure and facilities such as fuel for cooking, mobile toilets, mobile STP, safe drinking water, medical health care, crèche etc. The housing may be in the form of temporary structures to be removed after the completion of the project.

Status of Compliance:

It has been stated that there are about 700 – 750 workers engaged in the project. The labourers are being provided through another agency, SIMPLEX, which has undertaken all the civil construction in the project. Provision has been made for housing all these labourers in temporary sheds. Poor conditions on health and hygiene have been noted in these locations. Project should ensure pure and safe drinking water and clean and healthy surroundings in the location.

- iii) A First-Aid Room will be provided in the project site both during construction and operation of the project.

Status of Compliance:

It has been provided with.

- iv) All the top soil excavated during construction activities should be stored separately for use in land filling, horticulture/ landscape development within the project site.

Status of Compliance:

No topsoil generation seen from the project area. However, topsoil is borrowed from the nearby areas for development of greenery.

- v) Disposal of muck during construction phase should not create any adverse effect on the neighbouring communities and will be disposed off taking the necessary precautions for general safety and health aspects of people only in approval sites with the approval of competent authority.

Status of Compliance:

It was noted that all the muck generated during the construction works has been dumped within the boundary of the project. Therefore, no inconvenience has been seen in the neighbouring areas.

- vi) Soil and ground water samples will be tested to ascertain that there is no threat to ground water quality by leaching of heavy metals and other toxic contaminants.

Status of Compliance:

It is stated that the condition has been complied with and there is no threat to the groundwater quality. **But, the project should carry out a study on this and ascertain impact of construction, if any.**

- vii) Construction spoils, including bituminous material and other hazardous materials should not be allowed to contaminate watercourses, ground water and dump sites by following safe dumping/disposal practical as per statutory rules and norms with necessary approval of the Orissa Pollution Control Board.

Status of Compliance:

This condition is being complied with.

- viii) The diesel generator sets to be used during construction phase shall be low sulfur diesel type and should conform to Environment (Protection) Rules 1986 prescribed for air emission and noise standards.

Status of Compliance:

Presently there are six DG sets operating in the projects. The emission from the DG Set has been stated to be complying with the norms.

- ix) The diesel required for operating DG sets shall be stored in underground tanks and if required, clearance from the Chief Controller of Explosives shall be taken.

Status of Compliance:

Diesel is stored in HDPE drums on concrete floor and the consumption of diesel per hour is 98.5 liters.

- x) Vehicles used for bringing construction materials to the site should be in good condition and should have a pollution check certificate, covered and conform to statutory air and noise emission standards and should be operated only during non-peak hours of the day.

Status of Compliance:

It was stated that the condition is being complied with. The construction materials are transported during the daytime only.

- xi) Ambient noise levels should conform to residential standards both during day and night. Incremental pollution loads on the ambient air and noise quality should be closely



monitored during construction phase. Adequate measures should be taken to reduce ambient air and noise level during construction phase, so as to conform to the stipulated standards by CPCB/OPCB.

Status of Compliance:

The Air quality monitoring and noise quality monitoring is being carried out through the consultant, M/s S.S. Environics (India) Pvt. Ltd. From the report, it is noted that all the parameters are found to be within prescribed limits.

- xii) Fly ash bricks should be used as building material in the construction as per the provisions of Fly Ash Notification of September, 1999 and as amended thereafter.

Status of Compliance:

It is observed at site that fly ash bricks are being used for civil construction works.

- xiii) Ready mixed concrete would be used in building construction.

Status of Compliance:

The condition is being complied with.

- xiv) Storm water control and its re-used should be as per CGWB and BIS standards for these applications.

Status of Compliance:

It is stated that storm water will be reused for plantation and other dust suppression activities after settling.

- xv) Water demand during construction should be optimized by adopting best practices without compromising quality.

Status of Compliance:

It is noted that about 50 KLD of water is now being consumed for the construction work which is being provided through water tankers.

- xvi) Separation of grey and black water supplies and collection should be done by the use of dual plumbing line. Grey and black water should be treated separately before recycling/reuse.

Status of Compliance:

It is stated that the condition would be complied after the completion and commissioning of the project. Provision for separation of the same has been incorporated in the building plan.

- xvii) Fixtures for showers, toilet flushing and drinking water should be low flow typed and restricted to requirements by use of aerators, avoiding wastage pressure reducing devices or sensor based controls.

Status of Compliance:

Presently civil construction is underway and it is stated that the condition would be strictly complied with by the project.

- xviii) Use of glass may be maximum up to 40% of total outer wall area to reduce the energy consumption and load on air-conditioning, if necessary, high quality double glass with special reflective coating may be used in the windows.

Status of Compliance:

It is stated by the project that glass will be used below 40% in the construction of the outer wall. In the outer wall of model building, about 15-20% glass has been used.

- xix) Roof should meet the prescribed requirement as per Energy Conservation Building Code by using appropriate thermal insulation material.

Status of Compliance:

The building is being constructed by following Energy Conservation Building Code. The roofs will be insulated to minimize the heat gain. Roof and wall insulation shall be planned to conserve energy. **Details on various other energy conservation methods should be intimated to this office.**

- xx) Opaque wall should meet prescriptive requirements as per Energy Conservation Building Code.

Status of Compliance:

The condition is being complied with.

- xxi) The approval of the competent authority shall be obtained for structural safety of the buildings due to earthquake, adequacy of fire fighting equipments etc. as per National Building Code of India, 2005 including protection measures from lightning etc.

Status of Compliance:

From the discussions with the project authorities, it is noted that Zone-III Seismic Load Design has been undertaken for earthquake protection and all rules and regulations applicable as per National Building Code of India, 2005 for the project would be followed. It was also stated that approval from Competent Authority (Jamia Millia Islamia) for structure safety of the building has been obtained. **Copy of the same has not been submitted to this office.**

- xxii) Regular supervision of the above and other measures for monitoring should be in place all through the construction phase to avoid disturbances and pollution to the surroundings.

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Status of Compliance:

A safety supervisor has been deployed to look after all safety measures at the construction site. Monitoring of noise level, air quality, etc. is being carried out by environmental consultant, M/s S.S. Environics Pvt. Ltd.,

B) **OPERATION PHASE:** Not applicable as construction is in progress.

C) **Other Observation:**

1. The project has constructed a Club House without environmental clearance. It is a violation of EIA Notification, 2006.
2. EPF and ESIC should be acquired for all the labour force to benefit their families.
3. Crèche should be provided to the children of all the workers.


(DR. S. KERKETTA)
DIRECTOR (S)



Government of India/ भारत सरकार
Ministry of Environment, Forests & Climate Change/ पर्यावरण, वन एवं जलवायु बदलाव मंत्रालय
Eastern Regional Office/ पूर्वी क्षेत्रीय कार्यालय
A/3, Chandrasekharpur/ ए/३, चंद्रशेखरपुर
Bhubaneswar- 751 023/ भुवनेस्वर - ७५१ ०२३



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Telephone : 0674-2301213, 2301248, 2302452, 2302453. Fax: 0674- 2302432. E-mail: roez.bsr-mef@nic.in

File No. 109-46/EPE

13.07.2015. *in meeting*

To

The Member Secretary,
State Environment Impact Assessment Authority (SEIAA),
Qr. No.5RF-2/1, Unit IX,
Bhubaneswar – 751 022.



Sub: Construction of Housing Colony and Shopping Mall of M/s Z-Estates Pvt. Ltd at Kalarahanga, Bhubaneswar.

Ref: SEIAA letter No.434/SEIAA/ENV dated 16.08.2011.

Sir,

I am directed to refer to the above subject and to inform that the construction of housing colony and shopping mall of M/s Z-Estates Pvt. Ltd. at Kalarahang, Bhubaneswar was visited by Regional Office on 07.07.2015 to review the latest status of compliance based on the reply provided by the project vide letter No.ZEPL/15-16/003 dated 15.05.2015. The reply was sent by the project to the Regional Office based on the observation made during the visit of the project site dated 05.02.2015.

The status of compliance submitted by the project has been reviewed and the comments of the Regional Office after site visit are enclosed as Annexure-I for further necessary action by the Ministry.

Encl: As above

Yours faithfully,

(Dr. S. KERKETTA)
DIRECTOR (S)

Annexure - I

Sl. No.	Observation of the Regional Office	Reply of the project	Comments of the Regional Office
1.	Monitoring of groundwater level should be carried out by construction of new piezometers and compliance of the same requires immediate attention.	The groundwater level from the existing bore wells is being monitored by new piezometers and the same will be continuously monitored at every six months interval to study the changes.	<p>Groundwater level from the ground surface is being carried out by the project at four locations within the project area.</p> <p>It has been found that groundwater level is being monitored by mobile piezometers instead of fixed type. As the mobile piezometers are being used for monitoring of groundwater level, a time series data cannot be drawn to ascertain fluctuation of groundwater level in a particular interval. Therefore, the project should monitor the level and quality of groundwater table regularly by installing piezometers.</p> <p>While the level of groundwater is monitored from the bore wells, the project should also monitor the depth of water available in the wells.</p>
2.	As per the condition, groundwater shall not be extracted for construction work, however, permission from the Central Groundwater Authority has been taken to draw groundwater which is in violation to the condition.	Groundwater is not being extracted from bore well for the purpose of construction. Only for the purpose of drinking purposes, the water of bore well is being used. A huge artificial pond at site has been created to hold storm water which is catering to the water requirement of the construction throughout the year.	<p>As per the condition, there is no permission to extract groundwater at any stage during construction stage of the project. However, permission has been taken from the Central Groundwater Authority to draw 1100 m³/day of groundwater on 23.11.2011 which is in violation of EC condition. The project should immediately inform the concerned authority</p>



			regarding drawl of groundwater and regularize the violation. The project should also inform the details of the water used during construction phase so far and source of its procurement along with documentary evidences.
3.	Water supply and sanitation for all the working force need to be improved. The water supplied for drinking is to be ensured that it is pure and safe for drinking.	Water supply has been made for drinking purpose of the workers. Drinking water is being stored in tanks/containers meant for drinking purpose from authorized drinking suppliers. Septic tanks and soak pits have been created for toilet and urinal of the workers and staff.	During visit, sanitation and general housekeeping of the labour camp was found to be satisfactory. The condition is complied with.
4.	All the mobile toilets constructed for the workers require regular cleaning and maintenance. Further, the living condition of both the hutments is not hygienic. This needs immediate attention. All the soak pits so constructed are to be properly maintained and should be of adequate capacity.	All the mobile toilets are being cleaned and sanitized on daily basis and surroundings of the workers camp area is being cleaned on daily basis. Both the hutment area is cleaned from all plastic garbage and being maintained neat.	During visit, mobile toilets, sanitation and general housekeeping of the labour camp was found to be satisfactory. The condition is complied with.
5.	The drainage system where all the labourers are living is very bad. Dirty water was found to be stagnant at the low-lying areas surrounding the temporary hutments. These places need to be cleaned and proper drainage to be ensured.	Pukka drains have been made for the hutments connecting from the bath area/wash area to the pit. Now stagnation of water is cleared. Regular sprinkling of disinfectants are being done on daily basis with a dedicated housekeeping supervisor.	During visit, the concrete drains have been provided in the labour camps. The condition is complied with.
6.	There are two large low lying areas of stagnant water and are located near to the labour hutments. The stagnant water should be treated for prevention of	The large low lying areas are being treated with mosquito fogging and around 550 numbers of 'Tilapia' fish are left in the stagnated water for purpose of keeping water clean.	Even though regular mosquito fogging is being carried out in the labour camp including providing Tiapia fish in the low lying stagnated water, de-weeding of all the grasses

	mosquito breeding. It requires immediate attention.		should be made. Regular health check up of the labour force should also be carried out under Contractors All Risk Insurance (CAR) Policy.
7.	All over the surroundings of the construction areas, it was noted that poly-bags, plastic glasses, etc. have been thrown and the living areas of the labour force has been made dirty. It should be ensured to keep clean and healthy environment.	The surrounding of the construction area is cleaned and cleared from poly bags and plastic bags and being maintained clean.	During visit, the surrounding of the construction area has been cleaned up and plastic bags and cups have also been removed and a good housekeeping has been maintained in the labour camps.
8.	A Club House has been constructed without prior environmental clearance. It is a serious violation of EIA Notification, 2006. It requires clarification.	The permission of the club house has been obtained from the authority vide Bhubaneswar Development Authority (BDA) letter No.7398BP dated 06.04.2011, Fire Prevention Officer, Bhubaneswar's letter No.383 dated 10.05.2011 and SPCB letter No.2478/Ind-II-NOC-5439 dated 16.02.2011.	The condition has been complied with.
9.	EPF and ESIC should be taken for all the labour force to benefit their families.	PF contributions for workers are being paid on monthly basis. All the workers are covered with Contractors All Risk Insurance (CAR) Policy which is applicable for constructions instead of ESI.	The project has submitted the EPF deposit statements of the outsourced agency (Simplex Infrastructure Ltd.) for the period November, 2014 to April, 2015. All the workers have also been covered under CAR policy to take care of their health.
10.	Crèche should be provided to the children of all the workers.	Some of the female workers of the local area are coming with their children who are not staying in the camp. A crèche/play area is created and provided to the children of those construction workers.	During visit, no children have been seen in the labour camp. However, the project admitted that local labourers (female) are coming with their children for which crèche has been provided.


 (Dr. S. KERKETTA)
 DIRECTOR (S)



GOVERNMENT OF INDIA
 MINISTRY OF ENVIRONMENT, FORESTS & CLIMATE CHANGE
 EASTERN REGIONAL OFFICE
 A/3 CHANDRASEKHARPUR, BHUBANESWAR-751023
 TEL: 0674-2301240, 2301213; FAX: 0674-2302432
 e-mail: oez.bsr-me@nic.in



No. 109-46/EPE

20.10.2015

To

The Member Secretary,
 State Environment Impact Assessment Authority (SEIAA), Odisha,
 Qr. No. 5RF-2/1, Unit-IX,
 Bhubaneswar

Sub: Environmental clearance for expansion of the project for construction of housing colony and shopping mall (Phase II) of M/s Z- Estate Pvt at Kalarahanga, Bhubaneswar Odisha with a total built up area of 2,75,042 m² - regarding.

Ref: Letter No. 4704/SEIAA dated 17.08.2015

Sir,

I am directed to draw your kind attention to the subject and letter cited above and to state that the project authorities have taken statutory clearances from the regulatory bodies with respect to construction of the project

With respect to the construction of Club House within the premises, it is stated that necessary approvals have been taken from the Bhubaneswar Development Authority (BDA) and NOC from the OSPCB. In both the approval letters, it is stated that approval has been obtained for construction of a total built up area of 24,3934.25 sq mtrs including the construction of Club House. However, there is no mention of club house in the environmental clearance. Therefore, before issuing any expansion to the existing project, SEIAA may look into the circumstances where OSPCB gave Consent to Operate for the construction of club house without including in the Environmental Clearance and take necessary action as per the Gazette Notification S.O. 673(E) dated 28.02.2014.

As regards Point No. 2 with respect to drawl of ground water is concerned, necessary permission has been taken by the project from the Central Ground water Board. The reports and discussions with the project reveal that drawl of ground water has been made exclusively for the purpose of drinking for the labour force working at the project site

This is for kind information and necessary action

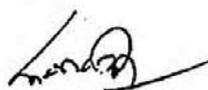
Yours faithfully,

(DR. S. KERKETTA)
 DIRECTOR (S)

Part A

Conditions require immediate attention:

1. Monitoring of groundwater level should be carried out by construction new piezometers and implementation of the same requires immediate attention.
2. As per the condition, groundwater shall not be extracted for construction work, however, permission from the Central Groundwater Authority has been taken to draw groundwater which is in violation to the condition.
3. The following observation require immediate compliance:
 - i. Water supply and sanitation for all the working force need to be improved. The water supplied for drinking is to be ensured that it is pure and safe for drinking.
 - ii. All the mobile toilets constructed for the workers require regular cleaning and maintenance. It was noted that the living condition of both the hutments is not hygienic. This needs immediate attention. All the soak pits so constructed are to be properly maintained and should be adequate capacity.
 - iii. The drainage system at places where the labourers are living is very bad. Dirty water was found to be stagnant at the low-lying areas surrounding the temporary hutments. These places need to be cleaned and proper drainage to be ensured.
 - iv. It was observed that two large low lying areas of stagnant water. As these water bodies are located near to the labour hutments, the stagnant water should be treated for prevention of mosquito breeding. It requires immediate attention.
 - v. All over the surroundings of the construction areas, it was noted that poly-bags, plastic glasses, etc. have been thrown and the living areas of the labour force has been made dirty. The project authorities should ensure clean and healthy environment in the working as well as dwelling units.
3. Other Observation:
 - i. The project has constructed a Club House without environmental clearance. It is a serious violation of EIA Notification, 2006.
 - ii. EPF and ESIC should be acquired for all the labour force to benefit their families.
 - iii. Crèche should be provided to the children of all the workers.


(Dr. S Kerketta)
Director (S)

F. No. J-11011/618/2010-IA-II (I)
Government of India
Ministry of Environment and Forests
(I.A. Division)

Paryavaran Bhawan
CGO Complex, Lodhi Road
New Delhi – 110 003

Dated: 30th May, 2012

CIRCULAR

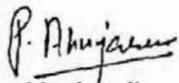
Subject: Consideration of expansion proposals for grant of Environmental Clearance under the EIA Notification, 2006.

This is in continuation to this Ministry's circular no. J-11013/41/2006-IA.II (I), dated 20.10.2009 regarding consideration of expansion proposals for grant of environmental clearance under EIA Notification, 2006.

2. It has been now decided that while submitting the application for consideration for grant of environmental clearance of all expansion projects under the EIA Notification, 2006, the project proponent shall henceforth submit a certified report of the status of compliance of the conditions stipulated in the environmental clearance for the ongoing / existing operation of the project by the Regional Offices of the Ministry of Environment and Forests.

3. The status of compliance of the conditions stipulated in the environmental clearance as highlighted in the report(s) will be subsequently discussed by the respective Expert Appraisal Committees during the appraisal of the expansion proposal and duly recorded in the minutes of the meeting. Applications for expansion project received without the compliance status as mentioned in para no.2 above shall not be accepted and placed for consideration before the Expert Appraisal Committees.

This issues with the approval of the Competent Authority.


(Dr. P.L. Ahujarai)
Director

- i. All the Officers of IA Division
- ii. Chairpersons / Member Secretaries of all the SEIAAs/ SEACs
- iii. Chairman, CPCB
- iv. Chairpersons / Member Secretaries of all SPCBs / UTPCCs

Copy to:

- i. PS to MEF
- ii. PPS to Secretary (E&F)
- iii. PPS to SS (JMM)
- iv. JS (RG)
- v. Website, MoEF
- vi. Guard File



Government of India/ भारत सरकार
Ministry of Environment, Forest & Climate Change/ पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
Eastern Regional Office/ पूर्वी क्षेत्रीय कार्यालय
A/3, Chandrasekharapur/ ए/३, चन्द्रशेखरपुर
Bhubaneswar - 751 023/ भुवनेश्वर - ७५१ ०२३



Telephone: 0674- 2301213, 2301248, 2302452, 2302453. Fax: 0674-2302432. E-mail: roe.z.bsr-mef@nic.in

No. 109-46/EPE

Date. 11.12.2018

To

The Chairman,
State Environment Impact Assessment Authority (SEIAA), Odisha
Qr. No. 5RF-2/1, Unit-IX,
Bhubaneswar – 751022
E-mail: seiaaorissa@gmail.com



Sub: Issue of Certified Compliance report of “ Construction of Housing Colony & Shopping Mall of M/s Z-Estates Private Ltd at Kalarahanga, Bhubaneswar, Odisha” - reg.

Ref: 1. Environmental Clearance EC No. SEIAA/261 dated 16.08.2011.
2. Environmental Clearance amendment letter No. SEIAA/827 dated 23.02.2016
3. Letter from the project authorities dated 28.11.2018.

Sir,

I am directed to state that above project was monitored by this office on 15.11.2018 to review the status of implementation of environmental safeguards stipulated in the environmental clearance letter as referred above. The detailed point-wise status of compliance to the conditions stipulated in the EC issued by SEIAA is enclosed herewith.

This is for favour of kind information and necessary action.

Encl: as above

Yours faithfully,

M.R. Prasad
(M.R. Prasad)
Scientist 'B'

Copy to: The Managing Director, Z-Estates Private Ltd, M4/34, Acharya Vihar, Bhubaneswar-751013,
E-mail: zestates@zestates.in for kind information and necessary action.

(एम. आर. प्रसाद)
M. R. PRASAD
शैक्षणिक 'बी' (Scientist 'B')
भारत सरकार/Govt. of India
पर्यावरण वन और जल मंत्रालय/ Min. of Env. Forest & CC
पूर्वी क्षेत्रीय कार्यालय/ Eastern Regional Office
भुवनेश्वर/ Bhubaneswar-751023

Scientist 'B'



Government of India/ भारत सरकार
Ministry of Environment, Forest & Climate Change/ पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
Eastern Regional Office/ पूर्वी क्षेत्रीय कार्यालय
A/3, Chandrasekharpur/ ए/३, चन्द्रशेखरपुर
Bhubaneswar - 751 023/ भुवनेश्वर - ७५१ ०२३



Telephone: 0674-2301213, 2301248, 2302452, 2302453. Fax: 0674-2302432. E-mail: roe.z.bsr-mef@nic.in

अनुश्रवणआख्या/Monitoring Report

Sl. No.	Items	Details
1.	परियोजनाका नाम Name of Project	Construction of Housing Colony & Shopping Mall of M/s Z-Estates Pvt. Ltd. at Kalarahanga, Bhubaneswar
2.	परियोजना प्राधिकरणका पता Address of project authorities	Z Estates Private Limited M4/34, Acharya Vihar, Bhubaneswar – 751 013 E-mail: zestates@zestates.in
3.	पर्यावरणीय स्वीकृतिपत्र सं० एवं तिथि Env. Clearance letter no. & Date	SEIAA/261 DATED 16.08.2011 and SEIAA/827 dated 23.02.2016
4.	क्षेत्रीय कार्यालय पत्र सं० Regional Office File No.	109-46/EPE
5.	स्थल दौरा तिथि Date of site visit	15.11.2018
6.	परियोजनाकी स्थिति Status of Project	Operational

7. स्थलदौराकेदौरानअवलोकन /Observations made during the site visit:

The project was visited at site by the undersigned to verify the status of compliance to the conditions stipulated in the Environment clearance issued to the project by the State Environment Impact Assessment Authority (SEIAA) Odisha, on 15.11.2018. The project was inspected along with the following Officials from the M/s Z Estates Private limited; Shri Tapan Kumar Mohanty, Managing Director, Shri Dushyanta Patro, General Manager (Projects), Shri Parthasarathi Panda, Dy. General Manager (Projects).

The SEIAA Odisha had issued Environment Clearance to the project for construction of housing colony and shopping mall. Subsequently, the Environment Clearance was amended by SEIAA vide letter SEIAA/827 dated 23.02.2016. The project had proposed modernization cum expansion for construction of housing colony and shopping mall (Phase – I and Phase-II)The building plan was approved by Bhubaneswar Development Authority letter No. 7398/BP/BDA dated 26.04.2011. The Consent to Establish was granted by the OSPCB vide letter No. 2478/IND-II-NOC-5439 dated 16.02.2012. In the amendment, it was also mentioned that due to sluggish market demand and financial constraints, the project proponent has decided to develop the project in phases. It was also mentioned that the initially constructed buildings were part of the Phase I of the project and Phase II incorporates the modification which has been proposed. Further, there has been an increase in the plot area from 105962.07 m² to 123717 m². The Club House with swimming pool and Dormitory block have also been included and constructed.

It is also noted that the project has been issued environment clearance by SEIAA on 16.08.2011 which was amended by SEIAA vide letter dated 23.02.2016. The following discrepancies have been noted :

(a) The Plot area, which was initially mentioned in the EC letter dated 16.08.2011 was 105962.07 m² whereas in the amended EC letter dated 23.02.2016, its mentioned as 123717 m² and there is an increase in an area of 17, 755 m².

- (b) The number of blocks to be constructed have been reduced from 26 numbers to 15 numbers. However, the total water requirement has been increased from 773.52 KLD to 984.51 KLD.

The Consent to Establish was issued to the project by the State Pollution Control Board, Odisha vide letter No. 1000 dated 10.04.2013. The latest Consent to Operate has been issued by the Board on 27.01.2016.

During the visit, it was noted that out of 15 Blocks approved earlier, 7 Blocks had been constructed during the first phase and during the second phase, remaining 8 Blocks are under construction.

The PAs have complied or are in process of complying with the conditions stipulated by the Ministry. In this context, information/action plans have been sought on following points:

1. Operational Phase: Condition No. xii.- A Report on the energy conservation measures confirming to energy conservation norms finalized by the Bureau of Energy Efficiency should be prepared incorporating details about building materials & technology, R & U Factors etc and submitted to the SEIAA, Orissa in three months time before operation /habitation.
 2. Operational Phase: Condition No. xiii. - Provisions of solar hot water storage /supplies at the roof top may be made as per statutory norms of CPCB /MoEF /SPCB, Orissa.
 3. Operational Phase: Condition No. xiv - The project should prepare an Action Plan with implementation schedule for the installation of Solar Panel lighting of common areas.
 4. Details on the expenditure incurred on various activities carried out under the CSR to be intimated to this Office.
 5. It had been observed that the project had laid a number of boards and iron roof casts all around the ground water recharging pits. These should be removed and stacked at a safe place.
8. निर्णयलिया (यदि कोई)/Action taken (if any) : Letter has been written to project proponent to take corrective measures on the above mentioned points.

MR Prasad

(एम.आर. प्रसाद)

बैज्ञानिक "बी०"

(एम.आर. प्रसाद)

(M. R. PRASAD)

बैज्ञानिक 'बी' (Scientist B)

भारत सरकार/Govt. of India

पर्यावरण एवं वन और ज.प.मंत्रालय/ Min. of Env. Forest & CC

पूर्वी क्षेत्रीय कार्यालय/ Eastern Regional Office

भुवनेश्वर/ Bhubaneswar-751023

Detailed report on the status of compliance to the stipulations made in the SEIAA EC letter Nos. SEIAA/261/10 dated 16.08.2011 and SEIAA-827 dated 23.02.2016.

Sl. No.	Stipulated Conditions	Status of Compliance
I.	General Conditions:	
1.	<p>The applicant (Project proponents) will take necessary measures for prevention, control and mitigation of Air Pollution. Water Pollution Noise Pollution including solid waste management as mentioned by them in Form-1, Form-1A and Environment Management Plan (EMP) in compliance with the prescribed statutory norms and standards.</p> <p>Status:</p> <p>It is noted that the project has adopted measures for air and water pollution control. The sewage water from the households is being treated at the Sewage Treatment Plant with capacity of 270 KLD capacity. The method of treatment is MBBR (Moving Bed Bioreactor). The treated water is being utilized for washing of vehicles and watering plants within the project area. For the solid waste management, it has been informed that all the solid wastes generated in the complex is being collected and handed over to vendors of the Bhubaneswar Municipal Corporation for disposal, on daily basis.</p>	Condition complied.
2.	<p>The applicant will take statutory clearance / approval/permissions from the concerned authorities in respect of the project as and when required</p> <p>Status:</p> <p>It is submitted that the project has taken approvals from the competent authorities for the first phase of the construction of project, wherein 26 blocks were to be constructed.</p> <p>Subsequently, the SEIAA amended the EC granted to the project on 26.04.2011 and has reduced the total number of blocks to 15 vide letter No. SEIAA/23.02.2016. Construction of 7 blocks has been completed in the first phase and 8 number of blocks are under the process of construction presently.</p>	Condition complied.
3.	<p>The applicant will submit half yearly compliance report on post environmental monitoring in respect of the stipulate terms and conditions in the Environmental clearance to the State Environmental Impact Assessment Authority (Odisha (SEIAA) on 1st June and 1st December of each calendar year.</p> <p>Status:</p> <p>The project is submitting half yearly compliance reports regularly to this Office.</p>	Condition complied.
4.	<p>The project proponent shall obtain Periodic Occupancy Renewal Certificate from the competent authority at an interval of 3 to 5 years as per the provisions of National Building Code (NBC) 2005</p> <p>Status</p> <p>It was reported by the project authorities that permission from the Bhubaneswar Development Authority (BDA) has been obtained for occupancy vide letter No. 24944 dated 27.08.2016. The project has assured of timely renewal of the same.</p>	Condition complied.

5.	<p>The project proponent shall comply all the conditions stipulated by the Bhubaneswar Development Authority (BDA) in its building plan approval letter issued vide letter No. BP2B-3415/107398/BP/BDA Bhubaneswar dated 26.04.2011.</p> <p>Status:</p> <p>It has been submitted by the project that they are complying with all the conditions as stipulated by the BDA and as applicable to the project.</p>	Condition complied.
6.	<p>The project proponent shall provide 16 mtrs wide open space all around the 02 nos. of B+G+19, 16 mtrs wide open space for 1 no. of B+G+24, 13 mtrs wide open space for 17 nos. of B+G+14 and 12 mtrs wide open space for 06 mtrs. Of B+G+12 mtrs. of building blocks for movement of fire engine as per provisions of National Building Code (NBC) 2005 and as recommended by Fire Prevention Officer, Odisha.</p> <p>Status</p> <p>It has been informed by the project authorities that all the conditions stipulated by the fire Officer are being complied with.</p>	Condition complied.
7.	<p>The project proponent shall comply all the conditions stipulated by the Bhubaneswar Development Authority (BDA) in its building plan approval letter issued vide Letter No. BP2B-3415/10/7398/BP/BDA, Bhubaneswar, dated 26.04.2011.</p> <p>Status:</p> <p>The project authorities have submitted that they are complying with all the prescribed conditions stipulated by the BDA in its building plan approval letter. It is also mentioned that the project is periodically submitting reports on the status of compliance to the BDA. The last report was submitted on 24.04.2018.</p>	Condition complied.
8.	<p>The project shall comply to all the conditions stipulated by the Air Port Authority of India in its NOC for height clearance issued vide letter No. AA/ER/NOC/(274/10)/200-202 dated 07.02.2011.</p> <p>Status:</p> <p>The project authorities have intimated to this Office that they are complying and shall comply with all the conditions as per the stipulation of Air Port Authority of India.</p>	Condition complied.
9.	<p>The applicant will adopt the prescribed norms and standards provided in the National Building Code of India, 2005, specially relating to:</p>	Condition complied

a) Fire protection and life safety of occupants of the buildings.	It has been submitted that in design component of the project, adequate precautionary measures has been considered as per the provision of the National Building Code (SP 7: 1983 Part IV Amendment No. 3 of January 1997), to provide for fire protection services. Sufficient quantity of water is stored within the premises to subdue fire. Water type along with foam & powder type fire extinguishers are installed in the project site for control of fire.
b) Safety of personnel during construction, operation and demolition of buildings.	It has been observed at site that the project is complying with all measures with respect to ensuring safety of the personnel working during the construction phase. The following measures are being followed at the construction site: i. PPEs to the workers including helmets, boots jackets. ii. Safety belt for workers working on scaffold. iii. Stacking of construction materials as per the NBC, 2005 and CPWD Best Construction Manual. iv. Platform on the scaffolding to bear adequate load v. Prohibition of loose / naked wires at all sites. vi. First Aid and Emergency Centers are available. vii. Fire exhausts located at all the fire prone areas. viii. Specialized persons impart training to personnel working at site on safety and emergency preparedness.
c) Day lighting and natural ventilation of buildings.	This is being complied with. For the purpose of day lighting design, sky illuminance is taken as contributing to illumination of the building interiors during the day. Lighting level is maintained in the building as per the illumination level recommended in Section 4.1.3.2 of National Building Code (NBC) of India.
d) Safety from electrical fire, shock and lightning of the buildings.	Loose/ naked or substandard wires/ electrical device are not used for the project site. Immediate medical attention shall be provided in case of any such occurrence at the project site.
e) Air-conditioning, heating and mechanical ventilation of the buildings.	It is noted that the air conditioners are provided in the construction site offices.
f) Acoustics and noise control of the buildings.	Diesel Generator (DG) sets are placed away from the nearest building and the silent DG sets are generating low noise, considerable stack height is maintained and massive green belt is being developed to minimize the noise propagation from the premises.
g) Maintenance and functioning with emissions from generators supplying power to common space/ residential area in case of power failure along with fuel handling /storage.	DG Sets emission are periodically monitored. DG Sets are provided with appropriate stack height as per norms. DG Set stack monitoring is being carried out and it is noted that the levels are within the permissible limits.
h) Installation of lifts and escalators in the buildings.	It is noted that the installation of lift is completed. At present there is no provision of installation of escalators.

	<p>i) Water supply, drainage and sanitation including solid waste management</p>	<p>It is noted that presently there is no public water supply connection near the project site. Hence, the fresh water required for the domestic use of the Phase-I project is sourced from the ground water through bore well. Z Estates has obtained the NOC from the Central Ground Water Authority (CGWA) to use ground water for domestic purposes. Presently, this permission is under the process of renewal. It is submitted by the project that Once the site gets connected with Public Health water supply line, ground water extraction will be stopped.</p> <p>Further, it is submitted that presently (approx. 80KLD) water is being used for construction work, which is brought by tankers.</p> <p>Storm water drainage system is being provided in the project site which is connected to the rain water recharge pits.</p> <p>The sewage generated from the operation phase is sent to the STP for treatment and the treated water is being reused for toilet flushing, vehicle washing and dust suppression, greenbelt etc.</p> <p>Solid waste includes waste arising out from construction activities, from labour resting units and project office block.</p> <p>Construction wastes are reused as much as possible within the project. Balance waste is being disposed off for filling low lying areas.</p> <p>The domestic wastes generated from the households (Phase-I project) is being collected in separated coloured bins and then supplied to an authorized vendor for onward disposal.</p>	
	<p>j) Landscaping of surrounding areas of the buildings.</p>	<p>Excavated Soil is being reused for landscaping and fertile top soil is being reused in plantation, lawn development.</p>	
<p>II.</p>	<p>Special Condition</p>		
<p>A.</p>	<p>Construction Phase</p>		<p>Status of Compliance</p>
<p>i.</p>	<p>No ground water shall be extracted for the project work at any stage during the construction phase. If ground water will be used during construction phase, they shall obtained permission from the Water Resource Department.</p> <p>Status:</p> <p>During the site visit and discussions held with the project Officials, it is noted that ground water is not used during the construction activity. The water required for construction work is being brought by tankers.</p>		<p>Being complied</p>
<p>ii.</p>	<p>Provision shall be made for the housing of construction labourers within the site with all necessary infrastructure and facilities such as fuel for cooking, mobile toilets, mobile STP, safe drinking water, medicinal health care, crèche etc. The housing may be in the form of temporary structures to be removed after the completion of the project.</p>		<p>Being complied.</p>

	<p>Status:</p> <p>Presently about 650 workers are working at the construction site. 3 no. of hutments of capacity 700 persons have been provided to the workers. Besides housing, other facilities like, electricity, treated water, lavatories, bathing platforms, canteen, security guard, first-aid, crèche, and grocery shop are provided. Periodical cleaning of drains, sanitization and mosquito repelling arrangement is made.</p>	
iii.	<p>A First-Aid room will be provided in the project site both during construction and operation of the project.</p> <p>Status:</p> <p>First aid room with basic first-aid facility has been provided at the project site for the workers.</p>	Being complied.
iv.	<p>All the top soil excavated during construction activities should be stored separately for use in land filing, horticulture/ landscape development within the project site.</p> <p>Status:</p> <p>The excavated soil from the operational part has been used for backfilling and the fertile top soil is being used for greenbelt and landscape development purpose.</p>	Being complied.
v.	<p>Disposal of muck during construction phase should not create any adverse effect on the neighboring communities and will be disposed of taking the necessary precautions for general safety and health aspects of people only in approved sites with the approval of competent authority.</p> <p>Status:</p> <p>It has been reported by the officials at site that during construction phase, no muck is disposed off outside the project area. Generated muck is presently utilized partly for back filling and balance for landscaping activities.</p>	Being complied.
vi.	<p>Soil and ground water samples will be tested to ascertain that there is no threat to ground water quality by leaching of heavy metals and other toxic contaminants.</p> <p>Status:</p> <p>Ground water is being used for domestic purpose only. The analysis of ground water quality was carried out by NABL accredited laboratory Centre for Envotech and Management Consultancy Private Limited during the month of June, 2018. All the parameters reported are within the prescribed limits.</p>	Being complied.
vii.	<p>Construction spoils, including bituminous material and other hazardous materials should not be allowed to contaminate</p>	Being complied.

	<p>watercourses, ground water and dump sites by following safe dumping /disposal practice as per statutory rules and norms with necessary approval of the Orissa Pollution Control Board.</p> <p>Status: This is a construction project for residential housing complex and does not generate any hazardous materials. Construction spoils including bituminous material are reused in backfilling.</p>	
viii.	<p>The diesel generator sets to be used during construction phase shall be low sulfur diesel type and should conform to Environment (Protection) Rules 1986 prescribed for air emission and noise standards.</p> <p>Status: 6 nos. of DG Set are installed in the project site as backup for power failure. Out of these, 3 nos. of 380 KVA DG sets are for operational part (Phase I) of the project and 3 nos. for construction work of the project (Phase II). Low Sulphur type Fuel is used in the DG Sets. From the data submitted on emission as well as noise quality, it is noted that the values are within the permissible limits.</p> <p>The project may submit copy of the statutory permissions obtained for the installation of DG sets from regulatory authorities to this Office.</p>	Condition complied
ix.	<p>The diesel required for operating DG sets shall be stored in underground tanks and if required, clearance from the Chief Controller of Explosives shall be taken.</p> <p>Status: It is reported that the Fuel (Diesel) is used at a rate of 10L/hr. Diesel is stored in HDPE drums on concrete floor (Max. 600L) and the dry tanks of the individual DG sets are being filled from time to time.</p>	Being complied.
x.	<p>Vehicles used for bringing construction materials to the site should be in good condition and should have a pollution check certificate, covered and conform to statutory air and noise emission standards and should be operated only during non-peak hours of the day.</p> <p>Status: It is submitted by the project Officials that Vehicles in use at the project site are in good condition and have valid PUC (Pollution Under Control) Certificate are used for transportation. The construction materials are brought in daytime, in completely covered & during non-peak hours.</p>	Being complied.
xi.	<p>Ambient noise levels should conform to residential standards both during day and night. Incremental pollution loads on the ambient air and noise quality should be closely monitored during construction phase. Adequate measures should be taken to reduce ambient air and noise level during construction phase, so as to conform to the stipulated standards by CPCB/ OPCB.</p>	Being complied.

	<p>Status:</p> <p>The Air quality monitoring and Noise monitoring reports reveal that the values are within the prescribed limits. The analysis has been carried out by NABL accredited laboratory Centre for Envotech and Management Consultancy Private Limited.</p>	
xii.	<p>Fly ash bricks should be used as building material in the construction as per the provisions of Fly Ash Notification of September, 1999 and as amended thereafter.</p> <p>Status:</p> <p>Fly ash bricks and AAC (Autoclave Aerated Concrete) blocks have been and are being used for construction purposes.</p>	Being complied.
xiii.	<p>Ready mixed concrete would be used in building construction,</p> <p>Status:</p> <p>Ready mixed concrete (Grade M-25, M-30, M-35, M-40, M-45, M-50) is used in building construction.</p>	Being complied
xiv.	<p>Storm water control and its re-use should be as per CGWB and BIS standards for these applications.</p> <p>Status:</p> <p>Construction work had started after obtaining Consent to Establish from State Pollution Control Board on 16.02.2012. Storm water drainage system is being provided in the project site which is connected to the rain water recharge pits.</p>	Being complied
xv.	<p>Water demand during construction should be optimized by adopting best practices without compromising quality.</p> <p>Status:</p> <p>Presently 80KLD of water is consumed for the construction activity. This water is brought in by tankers and also sourced from the stored in the artificial excavation pond to minimize the use of tanker water.</p>	Being complied.
xvi.	<p>Separation of grey and black water supplies and collection should be done by the use of dual plumbing line. Grey and black water should be treated separately before recycling/ reuse.</p> <p>Status:</p> <p>Dual plumbing system is already provided in the sewage treatment system.</p>	Being complied.
xvii.	<p>Fixtures for showers, toilet flushing and drinking water should be of low flow-type and restricted to requirements by use of aerators, avoiding wastage pressure reducing devices or sensor based controls.</p> <p>Status:</p> <p>Low flow type showers & toilet flush are installed in the project.</p>	Being complied.
xviii.	<p>Use of glass may be maximum up to 40% of total outer wall area to reduce the energy consumption and load on air-conditioning, if necessary, high quality double glass with special reflective coating may be used in the windows.</p>	Being complied.

	<p>Status:</p> <p>About 24% of the outer wall area is covered with glasses. However in the outer wall of model building, about 20% is covered with glass. The project may explore possibility of improving the existing glass fixtures.</p>	
xix.	<p>Roof should meet the prescribed requirement as per Energy Conservation Building Code by using appropriate thermal insulation material.</p> <p>Status:</p> <p>It is reported that all the buildings are constructed following Energy Conservation Building Code. The roofs are insulated to minimize the heat gain. Roof and wall insulation are provided to conserve energy.</p>	Being complied.
xx.	<p>Opaque wall should meet prescriptive requirements as per Energy Conservation Building Code,</p> <p>Status:</p> <p>It is submitted that the opaque walls will meet the Energy Conservation Building Code requirement.</p>	Being complied.
xxi.	<p>The approval of the competent authority shall be obtained for structural safety of the buildings due to earthquake, adequacy of fire fighting equipments etc. as per National Building Code of India, 2005 including protection measures from lightning etc.</p> <p>Status:</p> <p>Zone-III Seismic Load Design is conducted for earthquake protection complying all rules and regulations applicable as per National Building Code of India, 2005. Approval from competent authority (Jamia Millia Islamia) for structural safety of the building has been obtained.</p>	Being complied.
xxii.	<p>Regular supervision of the above and other measures for monitoring should be in place all through the construction phase to avoid disturbances and pollution to the surroundings.</p> <p>Status:</p> <p>It is reported by the project that regular supervision is carried out to look after all safety measures at the construction site. Monitoring of air, water, noise & soil has been carried out periodically by an accredited environmental laboratory Centre for Envotech and Management Consultancy Private Limited. The reports reveal that the values of the parameters of air, water conform to the prescribed standards.</p>	Being complied.
B.	Operational Phase	
i.	<p>The installation of the Sewage Treatment Plant (STP) should be certified by a competent agency and a report in this regard should be submitted to the SEIAA, Orissa before the project is commissioned for operation. Treated effluent from STP shall be recycled/ reused to the maximum extent possible. Treatment of 100% grey water by</p>	Condition complied.

	<p>decentralized treatment should be done. Discharge of unused treated effluent shall conform to the norms and standards of the Orissa State Pollution Control Board. Necessary measures should be taken to mitigate the odour problem from STP.</p> <p>Status:</p> <p>The project has already installed a STP of 270 KLD capacity which is operating for kitchen/ domestic effluents from the operating part of the project. STP treated water quality is being utilized for gardening and other purpose. However, it is noted that the project is yet to achieve 100% utilization of treated water. Efforts may be made by the project for achieving it.</p>	
ii.	<p>The STP sludge should not be dried nor incinerated within the project site and should be disposed off as per the norms of SPCB, Orissa.</p> <p>Status:</p> <p>The STP sludge is being disposed as per the norms of SPCB, Odisha.</p>	Being complied.
iii.	<p>The project proponent will ensure that under no circumstances, the environment is polluted due to non-functioning /under performance of sewerage disposal system of the project. To achieve this, a stand-by STP with similar capacity should be installed to be put into service during the maintenance /over hauling of the original STP.</p> <p>Status:</p> <p>As observed at site, there is no second STP plant. It is informed that the effluents from the STP are being monitored regularly and it is being monitored & maintained from time to time; so that STP plant is in the working condition. It is contended by the project that, no additional STP is required. However, the project may explore the possibility of installation of a second STP for the expansion phase, keeping the additional requirement in view.</p>	Being complied.
iv.	<p>The solid waste generated should be properly collected and segregated. Wet garbage should be disposed off to composted and dry/ inert solid waste should be disposed off to a certified agency for safe disposal. Necessary approval /permission may be obtained from the concerned authorities.</p> <p>Status:</p> <p>Proper waste management practices like collection and segregation of solid waste in different colour waste collection bins have been adopted in most of the places within the project. There is a tie up with authorized vendors for collection and disposal of the solid wastes.</p>	Condition complied.
v.	<p>Diesel power generating sets proposed as source of back-up power for lifts elevators and common area illumination during operation phase should be of enclosed type and conform to Environment Protection (EP) Rules 1986. The height of the stack of DG sets should be equal to the height needed for the combined capacity of all proposed DG sets put together and should be more than the highest building height.</p>	Condition complied.

	<p>Low sulfur diesel should be used. The location of the DG sets may be decided in consultation with Orissa State Pollution Control Board. Care may be taken to avoid disposal of smoke /pollutants from DG sets in the residential area.</p> <p>Status:</p> <p>6 nos. of DG Sets are installed in the project site as backup for power failure. Out of these, 3 nos. of 380 KVA DG sets are for operational part of the project and 3 nos. for construction work of the project. The height of the common stack of three 380 KVA DG sets is 6.06 m.</p> <p>Fuel used in the DG Set is low Sulphur type.</p>	
vi.	<p>Noise should be controlled to ensure that it does not exceed the prescribed standards. During night time, the noise levels measured at the boundary of the sites shall be restricted to the permissible levels to comply with the prevalent regulations.</p> <p>Status:</p> <p>The noise levels, as reported by the project, is within the prescribed limits.</p>	Condition complied.
vii.	<p>Green-belt & avenue Plantation of trees over at least 20% of the site area shall be done using native tree species/ plants improving greenery & keeping in view aesthetics considerations in the whole campus. Professional landscape architects should be engaged to design the green layout to provide for multi tier plantation and green fencing all around, mitigating various environmental parameters like dust, noise, emissions etc. and pathway for joggers.</p> <p>Status:</p> <p>Green-belt & plantation of trees has been developed along the boundary of the site as per the BDA Guidelines (20% of the total area). There is also plantation along the road and parking area. <u>The project authorities may also plant native tree species in the project area.</u></p>	Condition complied.
ix.	<p>Weep holes in the compound walls shall be provided to ensure natural drainage of excessive rain water in the project area during the monsoon period after the harvesting operations. Care must be taken so that there is no water logging in the territory and drainage is 100%.</p> <p>Status:</p> <p>The rain water is used to recharge ground water by recharge pits. Since the construction activity is not entirely completed, the weep holes are not constructed in the compound wall. However, as observed at site, there is a provision for the excess of storm water to be discharged into the nala, flowing outside the project lease boundary.</p>	Condition complied.
x.	<p>The ground water level and its quality should be monitored regularly in consultation with Central /State Ground Water Authority.</p>	Condition complied.

	<p>Status:</p> <p>Regular monitoring of ground water level is being carried out by two piezometers which have been installed within the project area. It has been seen that the ground water level is digitally monitored through Realtime data from this locations. The quality of ground water is being regularly monitored through third party and NABL accredited environmental laboratory Centre for Envotech and Management Consultancy Private Limited. The reports reveal that the values of the parameters of water conform to the prescribed standards.</p>	
xi.	<p>Traffic congestion near the entry and exit points from the roads adjoining the proposed project site must be avoided. Traffic congestion shall be avoided inside the project site. The area ear marked for parking shall not be used for any other purpose. Alternate entry and exit must be provided to handle excess traffic and emergency situations.</p> <p>Status:</p> <p>Separate entry and exit has been provided to handle excess traffic and emergency situations. Adequate parking area has been provided as per the norms.</p>	Condition complied.
xii.	<p>A Report on the energy conservation measures confirming to energy conservation norms finalized by the Bureau of Energy Efficiency should be prepared incorporating details about building materials & technology, R & U Factors etc and submitted to the SEIAA, Orissa in three months time before operation /habitation.</p> <p>Status:</p> <p>It is submitted by the project that all the details of the building materials and technology, R & U factors have already been submitted in the Form 1M. After completion of the entire project the energy conservation measures shall be submitted to this Office.</p>	Partially complied.
xiii.	<p>Provisions of solar hot water storage /supplies at the roof top may be made as per statutory norms of CPCB /MoEF /SPCB, Orissa.</p> <p>Status:</p> <p>This condition is not complied. It is submitted by the project authorities that Solar power heater will be installed.</p>	Condition not complied.
xiv.	<p>Energy conservation measures like installation of CFLs/ TFLs for lighting the areas outside the building should be integral part of the project design and should be in place before project commissioning. Used CFLs and TFLs should be properly collected and disposed off/sent for recycling as per the prevailing guidelines /rules of the regulatory authority to avoid toxic contamination. Use of solar panels may be adopted to the maximum extent possible, especially for street lights.</p> <p>Status:</p> <p>CFLs and TFLs for lighting have been installed. Presently, LEDs are used in lighting. Solar panel for lighting of common areas is not installed.</p> <p>The project should prepare an Action Plan with implementation</p>	Partially complied.

	schedule for the installation of Solar Panel lighting of common areas.	
xv.	<p>The building blocks should have adequate distance between them to allow movement of fresh air and passage of natural light, air and ventilation.</p> <p>Status: The building is constructed as per approved lay out and adequate distance has been maintained for movement of fresh air and passage of natural light.</p>	Condition complied
xvi.	<p>The funds earmarked for the environment protection measures shall be judiciously utilized. Under no circumstances this funds shall be diverted for other purposes like Annual allocation and maintenance /monitoring etc. and expenditure for this fund should be reported to the SEIAA, Orissa.</p> <p>Status</p> <p>The fund allocated for maintenance/ monitoring, etc. is only used for those purposes.</p>	Condition complied.
xvii.	<p>The need of the local people should be appropriately addressed in the CSR activities to be undertaken in the area. An action plan in this regard should be prepared and submitted.</p> <p>Status:</p> <p>This has been agreed; the CSR activities as suggested in the EC application and as per the need of the locality has been carried out on yearly basis.</p> <p>Details on the expenditure incurred on various activities carried out under the CSR to be intimated to this Office.</p>	Condition complied.

Conclusion:

The PAs have complied or are in process of complying with the conditions stipulated by the Ministry. In this context, information/action plans have been sought on following points:

1. Operational Phase: Condition No. xii.- A Report on the energy conservation measures confirming to energy conservation norms finalized by the Bureau of Energy Efficiency should be prepared incorporating details about building materials & technology, R & U Factors etc and submitted to the SEIAA, Orissa in three months time before operation /habitation.
2. Operational Phase: Condition No. xiii. - Provisions of solar hot water storage /supplies at the roof top may be made as per statutory norms of CPCB /MoEF /SPCB, Orissa.
3. Operational Phase: Condition No. xiv - The project should prepare an Action Plan with implementation schedule for the installation of Solar Panel lighting of common areas.
4. Details on the expenditure incurred on various activities carried out under the CSR to be intimated to this Office.
5. It had been observed that the project had laid a number of boards and iron roof casts all around the ground water recharging pits. These should be removed and stacked at a safe place.

Recommendations:

This project can be put up in the following tick-marked category of compliance status.

- Compliance status could not be judged as the project was not operational during the site visit.
- No non-compliance detected. No any further action is required.
- ✓ Minor non-compliance detected (not of immediate danger to health & safety of the people). Letter issued to project authorities for taking corrective measures.
- Serious non-compliance detected.

M.R. Prasad

(एम.आर. प्रसाद)

बैज्ञानिक "वी०"

(एम.आर. प्रसाद)

(M. R. PRASAD)

बैज्ञानिक "बी" (Scientist 'B')

भारत सरकार/Govt. of India

पर्यावरण वन और ज.प. मंत्रालय/ Min. of Env. Forest & CC

पूवी क्षेत्रीय कार्यालय/ Eastern Regional Office

भुवनेश्वर/ Bhubaneswar-751023



ANNEXURE - IV

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FAX : 2562822/2560955
 TEL : 2562368/ 2561909
 EPABX : 2561909 / 2562847

STATE LEVEL EXPERT APPRAISAL COMMITTEE, ORISSA

(Constituted vide order No. S.O. 2674 (E) dated 17th Nov 2008 of Ministry of Environment & Forests, Govt. of India.)

Paribesh Bhawan, A/118, Nilakanthanagar, Unit-VIII,

Bhubaneswar - 751 012, ORISSA

No. 551 / SEAC - 229 Date 25.7.11

By Regd. Post

To

The Member Secretary, SEIAA, Orissa
 Qr. No. 5RF-2/1, Unit-IX,
 Bhubaneswar-22.

Sub : PROPOSAL FOR CONSTRUCTION OF HOUSING COLONY AND SHOPPING MALL OF M/S. Z-ESTATES PVT. LTD. AT KALARAHANGA, BHUBANESWAR WITH BUILT UP AREA 244092.73 SQ.M (EC)

Ref : Your letter No. 14 /SEIAA dt. 15.1.11

Sir

In inviting a reference to above, it is to inform that the above proposal was placed in the SEAC, Orissa meeting held on 4th July, 2011. The SEAC recommended for grant of environmental clearance in favour of the project for a period of 5 (five) years. The minutes of the meeting has already been forwarded to SEIAA, Orissa vide letter No. 503 dt.19.7.11. The documents related to the project received from SEIAA, Orissa is returned herewith in original for taking further action by the SEIAA.

Yours faithfully,

Encl : As above

SECRETARY

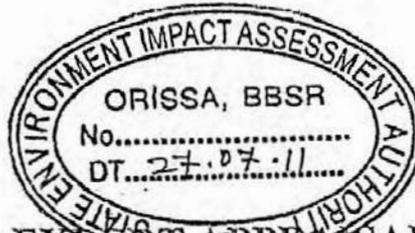
State Level Expert Appraisal Committee &
 Member Secretary, SPC Board, Orissa

Memo No. 551 /dt. 25.7.11

Copy forwarded to Sri Gagan Bihari Nityananda Chainy, Chairman, SEAC, Orissa for kind information

SECRETARY

State Level Expert Appraisal Committee &
 Member Secretary, SPC Board, Orissa



FAX : 2562822/2560955
TEL : 2562368/ 2561909
EPABX : 2561909 / 2562847

STATE LEVEL EXPERT APPRAISAL COMMITTEE, ORISSA
(Constituted vide order No. S.O. 2674 (E) dated 17th Nov 2008 of Ministry of Environment & Forests, Govt. of India ,)
Paribesh Bhawan, A/118, Nilakanthanagar, Unit-VIII,
Bhubaneswar – 751 012, ORISSA

No. 503 / SEAC- (Misc)-02 Date 19.07.11

To

✓ The Member Secretary
SEIAA, Orissa, Qr. No. 5 RF-2/1,
Unit - IX, Bhubaneswar-22

Sub : Proceedings of the meetings of State Level Expert Appraisal Committee Orissa were held on 17th - 18th June, 2011 & 4th July, 2011 .

Sir,

In inviting a reference to above, it is to inform that the SEAC meetings were held on 17th - 18th June, 2011 & 4th July, 2011 in the Conference Hall of SPC Board, Orissa, Bhubaneswar. The proceedings of the meetings are enclosed herewith for further action at your end.

Encl : As above

Yours faithfully,

Sda
SECRETARY

State Level Expert Appraisal Committee &
Member Secretary, SPC Board, Orissa

Memo No. 504 /Dt. 19.07.11.

Copy alongwith proceedings of the meeting forwarded to Dr. Gagan Bihari Nityananda Chainy, Chairman, SEAC, Orissa for information and necessary action.

Encl : As above

Sda
SECRETARY

State Level Expert Appraisal Committee &
Member Secretary, SPC Board, Orissa

Memo No. 505 (8) /Dt. 19.07.11

Copy alongwith proceedings of the meeting forwarded to all members, SEAC, Orissa for information and necessary action.

Encl : As above

Sda
SECRETARY

State Level Expert Appraisal Committee &
Member Secretary, SPC Board, Orissa

PROCEEDINGS OF THE MEETING
OF STATE LEVEL EXPERT APPRAISAL
COMMITTEE, ORISSA HELD ON
4TH JULY, 2011

- e) **EC FOR CONSTRUCTION OF HOUSING COLONY AND SHOPPING MALL OF M/S. Z-ESTATES PVT. LTD. AT KALARAHANGA, BHUBANESWAR WITH BUILT UP AREA 244092.73 SQ.M**

The proposal is a residential complex and shopping mall promoted by M/S. Z-ESTATES PVT. LTD. AT KALARAHANGA, BHUBANESWAR, Orissa. There will be blocks, B+G+12: 6 nos , B+G+14: 17 nos , B+G+19: 2 no, B+G+24: 1 no . Total Plot Area is 105962.07 Sq,M . Total built up area is 244092.73 sq.m. The total makeup water requirement is **773.52 KLD**. Around. 928.2 KLD of waste water will be generated which will be treated in a Sewage Treatment Plant (STP). Treated water will be re-used for dual flushing, green belt and landscaping. Total solid waste generation will be 2.55 TPD. The power requirement is 110 MW. The case was placed in the SEAC meeting held on 3rd & 4th March,2011. It was decided to consider the proposal after receipt of compliance from the proponent and the proponent will be invited for presentation. The unit has furnished certain compliances including BDA approval letter. The proponent alongwith the consultant M/S S. S. ENVIRONICS (INDIA) PVT. LTD, Bhubaneswar made a detailed presentation before the SEAC, Orissa on 20th & 21st May, 2011 complying to earlier observations of SEAC. The committee decided to consider environmental clearance for the proposal after receipt of certain information / documents from the proponent. The proponent furnished the desired information / documents. The committee verified the same.

Based on the information/document furnished, the SEAC recommended for grant of environmental clearance in favour of the project for a period of 5 (five) years with the following stipulated conditions .

i. **GENERAL**

- i) The applicant (Project proponents) will take necessary measures for prevention, control and mitigation of Air Pollution, Water Pollution, Noise Pollution and Land Pollution including solid waste management as mentioned by them in Form-1, Form-1A, and Environment Management Plan (EMP) in compliance with the prescribed statutory norms and standards.

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SECRETARY, SEAC

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- ii) The applicant will take statutory clearance/approval/permissions from the concerned authorities in respect of the project as and when required.
 - iii) The applicant will submit half-yearly compliance report on post-environmental monitoring in respect of the stipulated terms and conditions in the Environmental Clearance to the State Environmental Impact Assessment Authority (SEIAA), Orissa, on 1st June and 1st December of each calendar year.
 - iv) The project proponent shall obtain Periodic Occupancy Renewal Certificate from the competent authority at an interval of 3 to 5 years as per the provisions of National Building Code(NBC) 2005.
 - v) The project proponent shall comply all the conditions stipulated by the Bhubaneswar Development Authority (BDA) in its building plan approval letter issued vide letter No.BP 2B-3415/10/7398/BP/BDA, Bhubaneswar, dt.26/04/2011.
 - vi) The project proponent shall provide 16 (sixteen) mtrs wide open space all around the 02 (two) nos of B+G+19, 16 mtrs wide open space for 1(one) no. of B+G+ 24, 13 mtrs wide open space for 17 nos. of B+G+14, and 12 mtrs wide open space for 06 mtrs of B+G+12 mtrs of building blocks for movement of fire engine as per provisions of National Building Code (NBC) – 2005 and as recommended by Fire Prevention Officer, Orissa
 - vii) The project proponent shall comply to all the conditions stipulated by the Fire Prevention Officer, Orissa.
 - viii) The project proponent shall comply to all the conditions stipulated by the Air Port Authority of India in its NOC for height clearance issued vide letter No. AAI/ER/NOC/(274/10)/200-202 dt. 7-2-2011.
 - ix) The applicant will adopt the prescribed norms, and standards provided in the National Building Code of India, 2005, specially relating to :
 - a) Fire protection and life safety of occupants of the buildings.
 - b) Safety of personnel during construction, operation and demolition of buildings.
 - c) Day lighting and natural ventilation of buildings.
 - d) Safety from electrical fire, shock and lightning of the buildings.
 - e) Air-conditioning, heating and mechanical ventilation of the buildings.
 - f) Acoustics and noise control of the buildings
 - g) Maintenance and functioning with emissions from generators supplying power to common space / residential area in case of power failure along with fuel handling /storage.
 - h) Installation of lifts and escalators in the buildings.
 - i) Water supply, drainage and sanitation including solid waste management.
 - j) Landscaping of surrounding areas of the buildings.

II. SPECIAL CONDITIONS

A. CONSTRUCTION PHASE.

- i) No ground water shall be extracted for the project work at during construction phase.

- ii) Provision shall be made for the housing of construction labourers within the site with all necessary infrastructure and facilities such as fuel for cooking, mobile toilets, mobile STP, safe drinking water, medical health care, crèche etc. The housing may be in the form of temporary structures to be removed after the completion of the project.
- iii) A First-Aid Room will be provided in the project site both during construction and operation of the project.
- iv) All the top soil excavated during construction activities should be stored separately for use in land filling, horticulture/landscape development within the project site.
- v) Disposal of muck during construction phase should not create any adverse effect on the neighbouring communities and will be disposed off taking the necessary precautions for general safety and health aspects of people only in approved sites with the approval of competent authority.
- vi) Soil and ground water samples will be tested to ascertain that there is no threat to ground water quality by leaching of heavy metals and other toxic contaminants.
- vii) Construction spoils, including bituminous material and other hazardous materials should not be allowed to contaminate watercourses, ground water and dump sites by following safe dumping / disposal practice as per statutory rules and norms with necessary approval of the Orissa Pollution Control Board.
- viii) The diesel generator sets to be used during construction phase shall be low sulfur diesel type and should conform to Environment (Protection) Rules 1986 prescribed for air emission and noise standards.
- ix) The diesel required for operating DG sets shall be stored in underground tanks and, if required, clearance from the Chief Controller of Explosives shall be taken.
- x) Vehicles used for bringing construction materials to the site should be in good condition and should have a pollution check certificate, covered and conform to statutory air and noise emission standards and should be operated only during non-peak hours of the day.
- xi) Ambient noise levels should conform to residential standards both during day and night. Incremental pollution loads on the ambient air and noise quality should be closely monitored during construction phase. Adequate measures should be taken to reduce ambient air and noise level during construction phase, so as to conform to the stipulated standards by CPCB/OPCB.
- xii) Fly ash bricks should be used as building material in the construction as per the provisions of Fly Ash Notification of September, 1999 and as amended thereafter.

- 22)
- xiii) Ready mixed concrete would be used in building construction.
 - xiv) Storm water control and its re-use should be as per CGWB and BIS standards for these applications.
 - xv) Water demand during construction should be optimized by adopting best practices without compromising quality.
 - xvi) Separation of grey and black water supplies and collection should be done by the use of dual plumbing line. Grey and black water should be treated separately before recycling/ reuse.
 - xvii) Fixtures for showers, toilet flushing and drinking water should be of low flow type and restricted to requirements by use of aerators, avoiding wastage pressure reducing devices or sensor based controls.
 - xviii) Use of glass may be maximum upto 40% of total outer wall area to reduce the energy consumption and load on air-conditioning. If necessary, high quality double glass with special reflective coating may be used in the windows.
 - xix) Roof should meet the prescribed requirement as per Energy Conservation Building Code by using appropriate thermal insulation material.
 - xx) Opaque wall should meet prescriptive requirements as per Energy Conservation Building Code.
 - xxi) The approval of the competent authority shall be obtained for structural safety of the buildings due to earthquake, adequacy of fire fighting equipments etc. as per National Building Code of India, 2005 including protection measures from lightning etc.
 - xxii) Regular supervision of the above and other measures for monitoring should be in place all through the construction phase to avoid disturbances and pollution to the surroundings.

B. OPERATION PHASE.

- i) The installation of the Sewage Treatment Plant (STP) should be certified by a competent agency and a report in this regard should be submitted to the SEIAA, Orissa before the project is commissioned for operation. Treated effluent from STP shall be recycled/reused to the maximum extent possible. Treatment of 100% grey water by decentralized treatment should be done. Discharge of unused treated effluent shall conform to the norms and standards of the Orissa State Pollution Control Board. Necessary measures should be taken to mitigate the odour problem from STP.
- ii) The STP sludge should not be dried nor incinerated within the project site and should be disposed off as per the norms of SPCB, Orissa.
- iii) The project proponent will ensure that under no circumstances, the environment is polluted due to non-functioning / under performance of

sewerage disposal system of the project. To achieve this, a stand-by STP with similar capacity should be installed to be put into service during the maintenance /over hauling of the original STP,

- iv) The solid waste generated should be properly collected and segregated. Wet garbage should be disposed off to composted and dry / inert solid waste should be disposed off to a certified agency for safe disposal. Necessary approval / permission may be obtained from the concerned authorities
- v) Diesel power generating sets proposed as source of back-up power for lifts elevators and common area illumination during operation phase should be of enclosed type and conform to Environment Protection (EP) rules 1986. The height of the stack of DG sets should be equal to the height needed for the combined capacity of all proposed DG sets put together and should be more than the highest building height. Low sulfur diesel should be used. The location of the DG sets may be decided in consultation with Orissa State Pollution Control Board. Care may be taken to avoid disposal of smoke /pollutants from DG sets in the residential area.
- vi) Noise should be controlled to ensure that it does not exceed the prescribed standards. During night time, the noise levels measured at the boundary of the sites shall be restricted to the permissible levels to comply with the prevalent regulations.
- vii) ✓ Green-belt & avenue Plantation of trees over atleast 20% of the site area shall be done using native tree species/plants improving greenery & keeping in view aesthetics considerations in the whole campus. Professional landscape architects should be engaged to design the green layout to provide for multi tier plantation and green fencing all around, mitigating various environmental parameters like dust, noise, emissions etc. and pathway for joggers.
- viii) Rain water harvesting for roof run- off and surface run- off, as plan submitted should be implemented. Before recharging the run off, pre-treatment must be done to remove suspended matter, oil, grease and other soluble components as per norms. Rainwater recharge should be through specified recharge pits of required numbers. The surface runoff water should be stored suitably treated and reused for land scaping. The bore-well for rainwater recharging should be kept at least 5 mts. above the highest ground water table. The technology may preferably be adopted from a commercial firm with performance guarantee.
- ix) Weep holes in the compound walls shall be provided to ensure natural drainage of excessive rain water in the project area during the monsoon period after the harvesting operations. Care must be taken so that there is no water logging in the territory and drainage is 100%.
- x) The ground water level and its quality should be monitored regularly in consultation with Central / State Ground Water Authority.

- 20
- xii) Traffic congestion near the entry and exit points from the roads adjoining the proposed project site must be avoided. Traffic congestion shall be avoided inside the project site. The area ear marked for parking shall not be used for any other purpose. Alternate entry and exit must be provided to handle excess traffic and emergency situations.
 - xiii) A Report on the energy conservation measures confirming to energy conservation norms finalized by the Bureau of Energy Efficiency should be prepared incorporating details about building materials & technology, R & U Factors etc and submitted to the SEIAA, Orissa in three months time before operation/ habitation.
 - xiv) Provisions of solar hot water storage / supplies at the roof top may be made as per statutory norms of CPCB/MoEF/SPCB, Orissa.
 - xv) Energy conservation measures like installation of CFLs/TFLs for lighting the areas outside the building should be integral part of the project design and should be in place before project commissioning. Used CFLs and TFLs should be properly collected and disposed off/sent for recycling as per the prevailing guidelines/ rules of the regulatory authority to avoid toxic contamination. Use of solar panels may be adopted to the maximum extent possible, especially for street lights.
 - xvi) The building blocks should have adequate distance between them to allow movement of fresh air and passage of natural light, air and ventilation.
 - xvii) The funds earmarked for the environment protection measures shall be judiciously utilized. Under no circumstances this funds shall be diverted for other purposes like Annual allocation and maintenance / monitoring etc. and expenditure for this fund should be reported to the SEIAA, Orissa.
 - xviii) The need of the local people should be appropriately addressed in the CSR activities to be undertaken in the area. An action plan in this regard should be prepared and submitted.

The above mentioned stipulated conditions shall be complied in time-bound manner. Failure to comply with any of the conditions mentioned above may result in cancellation of this environmental clearance and attract action under the provisions of Environment (Protection) Act, 1986.

III. SCREENING OF NEW PROPOSALS :

- a) **PROPOSAL FOR CONSTRUCTION OF MULTI STORIES BUILDING "TOWER 2010" BY IDCO IN MANCHESWAR INDUSTRIAL ESTATE, BHUBANESWAR WITH BUILT UP AREA 30883.7 SQMT**

The proponent has to furnish the following information / documents at the time of presentation of their proposal.



 SECRETARY, SEAC

STATE LEVEL EXPERT APPRAISAL COMMITTEE, ORISSA(Constituted vide order No. S.O. 2674 (E) dated 17th Nov 2008 of Ministry of Environment & Forests, Govt. of India,)

Paribesh Bhawan, A/118, Nilakanthanagar, Unit-VIII,

Bhubaneswar - 751 012, ORISSA

26/10

No. 411 / SEAC- 229 Date 10-6-11

By Regd. Post

To,
Sri Tapan Kumar Mohanty, Managing Director
M/s. Z-Estates Pvt. Ltd
M4/34, Acharya Vihar, Bhubaneswar-751013

Sub : Final appraisal for EC for construction of housing colony and shopping mall at Kalarahanga, Bhubaneswar with built up area 244092.73 SQ.M (EC).

Ref : SEAC, Orissa meeting held during 20th & 21st May, 2011

Sir,

In inviting a reference to above, the State Level Expert Appraisal Committee (SEAC), Orissa decided to consider the environmental clearance for the proposal after receipt of following clarification

1. Copy of BDA approved drawings
2. Copy of site plan to the scale
3. A Consolidated to the scale map showing details of structure like buildings, set back area / open space free from all activities, drainage pattern, parking, plantation and landscaping, garbage collection, rain water harvesting structure, STP and other facilities if any
4. Copy of NOC from Airport Authority of India
5. Copy of permission letter from Fire Prevention Officer, Orissa
6. Emission estimate based on internal movement of vehicles as per CPCB guidelines
7. Fall out diagram in different colours
8. Copy of the map where DG sets are to be located with an undertaking from the DG set provider that the emission will be at 80 m height stack by natural draft
9. Details of storm water management with respect to drainage map with contour map of the area
10. Copy of Structural sufficiency certificate
11. Details of STP sludge processing for manure production

You are therefore requested to comply with the above within one month for taking further action by the SEAC. The copy of the compliance may be circulated to all the members of SEAC for consideration of your proposal for environmental clearance.

Yours faithfully,

SECRETARY

State Level Expert Appraisal Committee &
Member Secretary, SPC Board, OrissaMemo No. 412 /Dt. 10-6-11

Copy forwarded to the Member Secretary, SEIAA, Or. No. 5RF-2/1, Unit-IX, Bhubaneswar-22 for information and necessary action.

SECRETARY

State Level Expert Appraisal Committee &
Member Secretary, SPC Board, Orissa



FAX : 2562822/2560955
TEL : 2562368/ 2561909
EPABX : 2561909 / 2562847

STATE LEVEL EXPERT APPRAISAL COMMITTEE, ORISSA

(Constituted vide order No. S.O. 2674 (E) dated 17th Nov 2008 of Ministry of Environment & Forests, Govt. of India.)

Paribesh Bhawan, A/118, Nilakanthanagar, Unit-VIII,
Bhubaneswar – 751 012, ORISSA

No. 372 / SEAC- (Misc)-02

Date 04.06.11

To

✓ The Member Secretary
SEIAA, Orissa, Qr. No. 5 RF-2/1,
Unit - IX, Bhubaneswar-22

Sub : Minutes of the meeting of State Level Expert Appraisal Committee Orissa held on 20th & 21st May, 2011.

Sir,

In inviting a reference to above, it is to inform that the SEAC meeting was held on 20th & 21st May, 2011 in the Conference Hall of SPC Board, Orissa, Bhubaneswar. The minutes of the meeting is enclosed herewith for further action at your end.

Yours faithfully,

CMAN
10.6.11
Encl : As above

Saha
04.06.11
SECRETARY

State Level Expert Appraisal Committee &
Member Secretary, SPC Board, Orissa

Memo No. 373 /Dt. 04.06.11

Copy alongwith minutes of the meeting forwarded to Dr. Gagan Bihari Nityananda Chaiy, Chairman, SEAC, Orissa for information and necessary action.

Encl : As above

Saha
SECRETARY

State Level Expert Appraisal Committee &
Member Secretary, SPC Board, Orissa

Memo No. 374(8) /Dt. 04.06.11

Copy alongwith minutes of the meeting forwarded to all members, SEAC, Orissa for information and necessary action.

Encl : As above

Saha
SECRETARY

State Level Expert Appraisal Committee &
Member Secretary, SPC Board, Orissa

ITEM NO. 5

EC FOR CONSTRUCTION OF HOUSING COLONY AND SHOPPING MALL OF M/S. Z-ESTATES PVT. LTD. AT KALARAHANGA, BHUBANESWAR WITH BUILT UP AREA 244092.73 SQ.M

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The proposal is a residential complex and shopping mall promoted by M/S. Z-ESTATES PVT. LTD. AT KALARAHANGA, BHUBANESWAR, Orissa. There will be blocks, B+G+12: 6 nos , B+G+14: 17 nos , B+G+19: 2 no, B+G+24: 1 no. . Total Plot Area is 105962.07 Sq,M . Total built up area is 244092.73 sq.m. The total makeup

5


SECRETARY, SEAC

(16)

water requirement is 773.52 KLD. Around. 928.2 KLD of waste water will be generated which will be treated in a Sewage Treatment Plant (STP). Treated water will be re-used for dual flushing, green belt and landscaping. Total solid waste generation will be 2.55 TPD. The power requirement is 110 MW. The case was placed in the SEAC meeting held on 3rd & 4th March,2011. It was decided to consider the proposal after receipt of compliance from **the proponent and the proponent will be invited for presentation. The unit has furnished certain compliances including BDA approval letter .**

Considering the information furnished and presentation made by the consultant M/S S. S. ENVIRONICS (INDIA) PVT. LTD, Bhubaneswar, on behalf of the proponent, the SEAC decided to consider the environmental clearance for the proposal after receipt of following information / documents from the proponent.

1. Copy of BDA approved drawings
2. Copy of site plan to the scale
3. A Consolidated to the scale map showing details of structure like buildings, set back area / open space free from all activities, drainage pattern, parking, plantation and landscaping, garbage collection, rain water harvesting structure , STP and other facilities if any
4. Copy of NOC from Airport Authority of India
5. Copy of permission letter from Fire Prevention Officer, Orissa
6. Emission estimate based on internal movement of vehicles as per CPCB guidelines
7. Fall out diagram in different colours
8. Copy of the map where DG sets are to be located with an undertaking from the DG set provider that the emission will be at 80 m height stack by natural draft
9. Details of storm water management with respect to drainage map with contour map of the area

6


SECRETARY, SEAC

10. Copy of Structural sufficiency certificate

11. Details of STP sludge processing for manure production

[Signature]
(DR. GAGAN BIHARI NITYANANDA CHAINY)

CHAIRMAN, SEAC

[Signature] 01/06/2011
(DR. HAREKRISHNA NAYAK)

MEMBER, SEAC

(SRI SASANKA SEKHAR PATNAIK)

MEMBER, SEAC

[Signature] 11/6/11
(DR. R. C. MOHANTY)

MEMBER, SEAC

[Signature] 1/6/2011
(DR. SWOYAM PRAKASH ROUT)

MEMBER, SEAC

[Signature] 06.11
(DR. MOHESHWAR PATRA)

MEMBER, SEAC

(PROF. KUMAR DAS)

MEMBER, SEAC

[Signature] 01.06.11
(DR. SURENDRA NATH DAS)

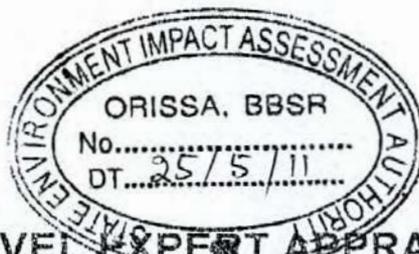
MEMBER, SEAC

[Signature]
(SRI. S. DAS)

SECRETARY, SEAC

APPROVED

[Signature] 1.6.11
CHAIRMAN, SEAC



FAX : 2562822/2560955
 TEL : 2562368/ 2561909
 EPABX : 2561909 / 2562847

STATE LEVEL EXPERT APPRAISAL COMMITTEE, ORISSA

(Constituted vide order No. S.O. 2674 (E) dated 17th Nov 2008 of Ministry of Environment & Forests, Govt. of India.)

Paribesh Bhawan, A/118, Nilakanthanagar, Unit-VIII,
 Bhubaneswar – 751 012, ORISSA

No. 323 / SEAC- (Misc)-02

Date 21-05-2011

To

The Member Secretary
 SEIAA, Orissa, Qr. No. 5 RF-2/1,
 Unit - IX, Bhubaneswar-22

Sub: Minutes of the meeting of State Level Expert Appraisal Committee Orissa held on 25th & 26th April, 2011 & 11th May, 2011.

Sir,

In inviting a reference to above, it is to inform that the SEAC meeting were held on 25th & 26th April, 2011 & 11th May, 2011 in the Conference Hall of SPC Board, Orissa, Bhubaneswar. The minutes of the meeting is enclosed herewith for further action at your end.

Yours faithfully,

Encl : As above

Sda
 SECRETARY

State Level Expert Appraisal Committee &
 Member Secretary, SPC Board, Orissa

Memo No. 324 /Dt. 21-05-11

Copy alongwith minutes of the meeting forwarded to Dr. Gagan Binari Nityananda Chaiyy, Chairman, SEAC, Orissa for information and necessary action.

Encl : As above

Sda
 SECRETARY

State Level Expert Appraisal Committee &
 Member Secretary, SPC Board, Orissa

Memo No. 325 /Dt. 21-05-11

Copy alongwith minutes of the meeting forwarded to all members, SEAC, Orissa for information and necessary action.

Encl : As above

Sda
 SECRETARY

State Level Expert Appraisal Committee &
 Member Secretary, SPC Board, Orissa

*By No 320/SEIAA
 30-5-11*

Annexure R7/9

SPEED POST



भारत सरकार / Government of India
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय / Ministry of Environment, Forest and Climate Change
एकीकृत क्षेत्रीय कार्यालय / Integrated Regional Office
ए/3, चंद्रशेखरपुर / A/3, Chandrasekharpur
भुवनेश्वर - 751 023, ओडिशा / Bhubaneswar - 751 023, Odisha



Telephone: 0674 - 2301213, 2302432, 2301248, 2302452, 2302453. E-mail: roez.bsr-mef@nic.in

File No. 107-528/23/EPE

Date 10.07.2024

To

The Additional Chief Secretary,
Forest & Environment Department,
Govt of Odisha, Bhubaneswar,
Odisha 751023

Sub: Misc Application filed in disposed of cases No. 15/2024 in Original Application No. 11/2022 - OA 11 of 2022 in the matter Z1 Residents' Welfare Association vs Z Estates Private Limited, before the Hon'ble NGT, Kolkata, Eastern Zone-reg

Ref: 1. Hon'ble National Green Tribunal order dated 01.05.2023

Sir,

With reference to the subject and references cited above I am directed to state that a misc Application No. 15/2024 has been filed by the applicants in disposed off case Original Application No. 11/2022 - in the matter Z1 Residents' Welfare Association vs Z Estates Private Limited, before the Hon'ble NGT, Kolkata, Eastern Zone for execution of the final order dated 01.05.2023 in OA/11/2022/EZ.

In order dated 01.05.2023 of the Hon'ble Tribunal, para 48(I) it was ordered by the Hon'ble Tribunal that, "***The Ministry of Environment, Forests and Climate Change, shall also verify the conduct of the officers of SEIAA, Odisha, who were in position at the relevant point of time with regard to strict enforcement of the conditions laid down in the Environmental Clearance prior to granting subsequent Environmental Clearances and if dereliction in discharge of their duties is found, appropriate adverse entries shall be given to the concerned officers of SEIAA, Odisha, in their ACRs by the Appointing Authority.***"

In light of the above directive, you are requested to take necessary action in compliance with the Hon'ble Tribunal's order. Action taken report may be submitted to this office. The copy of the above mentioned order is attached herewith for kind information and necessary action please.

Yours faithfully,

Encl: As above

(T.H Mahato)
Scientist-D