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**BEFORE THE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA**

O.A. NO.55/2024/EZ

Sanu Das.....Applicant

-Vrs-

State of Odisha and Others ... Respondents

I N D E X

Sl. No.	Description of Documents	Pages
1.	Affidavit filed by the Respondent No. 4.	150-158
2.	<u>Annexure-A/4</u> Copy of Report of the Joint Committee dt.22.05.2024.	159-169

Cuttack

Dt.13.09.2024

ADDL. GOVT. ADVOCATE

SASWAT DAS

E. NO.0-335/2004

M. NO. 9437268875

MAIL:SASWAT.DAS10@GMAIL.COM

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL

EASTERN ZONE BENCH, KOLKATA.

ORIGINAL APPLICATION NO. 55/2024/EZ

(Earlier O.A No. 17/2024/PB)

SANU DAS.....APPLICANT.

-Vrs.-

STATE OF ODISHA

AND OTHERS.....RESPONDENTS.

**AFFIDAVIT FILED BY COLLECTOR & DISTRICT
MAGISTRATE, KHORDHA, RESPONDENT NO 4.**

I, Chanchal Rana, aged about 35 years, S/O-
Anil Kanta Rana, at present working as Collector &
District Magistrate, Khordha, At/PO/Dist.- Khordha do
hereby solemnly affirm and state as follows: -

1. That, I am working as above and have been arrayed as Respondent No.4 in the aforesaid Original Application. I have gone through the Original Application, relevant records and understood the contents thereof. I am well acquainted with the facts of the case and competent to swear this affidavit in my official capacity.

Chanchal Rana

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2. That, the applicant had filed O.A No-17 of 2024 before the Hon'ble National Green Tribunal, Principal Bench, New Delhi with a prayer to take necessary action against M/S-Kriday Realty Pvt. Ltd, Bhubaneswar for non- compliance of E.C issued in its favour for "ARIANA" project, Bhubaneswar vide letter No. 1997/SEIAA Dtd. 24.04.2013.

3. That, the Hon'ble National Green Tribunal, Principal Bench, New Delhi vide order dated- 15.02.2024 in O.A No-17 of 2024 constituted a Joint Committee to verify the factual position and to suggest appropriate remedial action comprising of the representatives of Central Pollution Control Board, State Environment Impact Assessment Authority, Odisha, Odisha Pollution Control Board and District Magistrate, Bhubaneswar and directed the said Committee to meet within two weeks, undertake visits to the site, look into the grievances of the applicant, associate the applicant and representative of the concerned project proponent, verify the factual position and to suggest appropriate remedial action. The

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Hon'ble NGT also directed that the Odisha Pollution Control Board shall be the nodal agency for coordination and compliance.

4. That, in compliance to the order dated- 15.02.2024 of Hon'ble National Green Tribunal, Principal Bench, New Delhi passed in O.A No-17 of 2024, the Member Secretary, State Pollution Control Board, Odisha vide letter No-4365, Dt-23.03.2024 communicated the order of Hon'ble NGT to all concerned members for necessary action. This deponent vide letter No-4438, Dt-02.04.2024 nominated the Additional District Magistrate, Bhubaneswar to be his representative in the Committee constituted for the purpose. Subsequently, the State Pollution Control Board, Odisha vide letter No-1120 Dt-09.04.2024 intimated all concerned to meet in the office of the Additional District Magistrate, Bhubaneswar on 18.04.2024 for compliance discussion and field visit. Accordingly, the Committee met on 18.04.2024, wherein various issues raised in the O.A were discussed. After meeting, the Joint Committee

Charmed here.

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visited the alleged site i.e M/s Kriday Realty Pvt. Ltd for ARIANA project, Bhubaneswar to examine the grievance made by the applicant, Sanu Das, in the above Original application. A copy of the report of Joint Committee dated-22.05.2024 is annexed herewith as Annexure-“A/4”.

5. That, the Hon'ble National Green Tribunal, Eastern Zone Bench, Kolkata vide order dated-23.04.2024 in O.A No-55 of 2024 passed order at Paragraph-13 directing to all the Respondents to file their counter-affidavits within four weeks. Later on vide order dtd. 31.07.2024 the Hon'ble Tribunal has observed that the State Respondents responsible for land acquisition has not cared to file any affidavit till date, even though notices were issued by the New Delhi Bench of the National Green Tribunal on 15.02.2024 and again by National Green Tribunal, Eastern Zone Bench, Kolkata on 23.04.2024.

Most humbly it is submitted that, being the District Election Officer of Khordha District, this

Chandra Kumar

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deponent along with all the officers and officials were engaged in the Simultaneous General Election-2024 and related works for which, the order dated-23.04.2024 of Hon'ble National Green Tribunal, Eastern Zone, Kolkata could not be complied with in time. It is further submitted that non-compliance of the order of National Green Tribunal, Eastern Zone, Kolkata is not intentional. This deponent has highest regard for the Hon'ble Tribunal and hold their Lordship in great esteem and is duty bound to implement the order passed by the Hon'ble Tribunal.

6. That, in connection with the observations of the Hon'ble National Green Tribunal, Eastern Zone, Kolkata made vide order dated-31.07.2024 in O.A No-55 of 2024 at para-5, it is submitted that during joint visit, the Committee observed that the M/s. Kriday Realty Pvt. Ltd. building and construction project and Trident Project are adjacent to each other. M/s. Kriday Realty Pvt. Ltd. is situated in upward position and Trident Project is located in downward of M/s. Kriday Realty Pvt. Ltd. and does not have access to a natural



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drain to discharge its storm water. Hence, an agreement through affidavit was made on 01.06.2016 between M/s. Kriday Realty Pvt. Ltd. and Trident Project with condition that the Trident Project has to construct the storm water drain in their peripheral area and it can carry the discharge storm water of M/s. Kriday Realty Pvt. Ltd. and finally the storm water shall discharge to natural drain through private land after land acquisition by BDA, Bhubaneswar which is yet to be completed. In this context, it is submitted that though this deponent is responsible for land acquisition, any land acquisition proceeding can be initiated and processed following due provisions of the Act only after receipt of such proposals from the concerned project proponent. On verification of Land acquisition cell of this Collectorate, Khordha and as per the report of Land Acquisition Officer, no such land Acquisition proposal has been received from the project proponent for construction of drain at the alleged site of ARIANA project. However, if any proposal for acquisition of land or for direct purchase of private land is filed

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before this deponent for construction of drain at the alleged project site, the same shall be taken up expeditiously following due process of law.

7. That, the contents of the above paragraphs are true and correct to the best of my knowledge as derived from the official records and that nothing material has been concealed there from and the present deponent reserves the right to file further affidavit as and when required and directed by this Hon'ble Tribunal.


Identified by

Advocate


Deponent

VERIFICATION

I, Chanchal Rana, aged about 35 years, S/O- Anil Kanta Rana, at present serving as Collector and District Magistrate, Khordha, do hereby solemnly affirm and verify the contents of paragraph nos. 1 to 7 of the affidavit are true to my knowledge and that I have not suppress any material facts. I sign this verification at my office on ___ day of September, 2024.



VERIFICANT

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Certificate

Certified that Cartridge papers are not available.

Addl. Govt. Advocate

AFFIDAVIT

The above deponent being personally known to me appears before me on _____ at _____ AM / PM and states on oath that the contents of the show cause reply are true to the best of his knowledge based on official records.

[Handwritten Signature]
Deponent

[Handwritten Signature] 12/9/2024
Executive Magistrate, Bhubaneswar.

EXECUTIVE MAGISTRATE
BHUBANESWAR



CF NO - 3
18/09/24

REPORT OF THE JOINT COMMITTEE AS PER THE HON'BLE NATIONAL GREEN TRIBUNAL ORDER IN THE MATTER OF OA NO. 55/2024/EZ (EARLIER OA NO. 17/2024/PB) OF SANU DAS VRS. STATE OF ODISHA & OTHERS

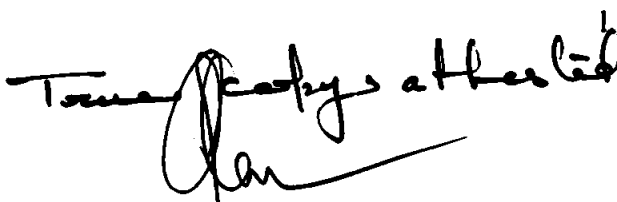
The Hon'ble NGT, PB, New Delhi vide their order dt. 15.2.2024 passed in OA No. 17/2024/PB has constituted a joint committee comprising of representative of Central Pollution Control Board; State Environment Impact Assessment Authority, Odisha; Odisha Pollution Control Board and District Magistrate, Bhubaneswar and directed them to meet within two weeks, undertake visit of the site, look into the grievance of the applicant, associate the applicant and representative of the concerned project, verify the factual position and suggest appropriate remedial action.

Hon'ble National Green Tribunal, Principal Bench, New Delhi in his order dated 15.2.2024 passed in OA No. No. 17/2024/PB in the matter of Sanu Das vs. Sate of Odisha & Ors. & Others has constituted a joint committee comprising of following members:

- (i) Representative of Central Pollution Control Board;
- (ii) State Environment Impact Assessment Authority, Odisha;
- (iii) Odisha Pollution Control Board and
- (iv) District Magistrate, Bhubaneswar.

Accordingly following name were nominated as members of the committce:

- (i) Sri Rudra Narayan Mohanty, OAS (SAG), Additional District Magistrate, Bhubaneswar, Odisha,
- (ii) Mr. Toufic Aslam, Scientist - C, Central Pollution Control Board, Eastern Regional Directorate, Kolkata,
- (iii) Dr. Sohan Giri, Additional Chief Environmental Scientist - cum - Regional Officer, State Pollution Control Board, Odisha, Bhubaneswar, Odisha and
- (iv) Dr. Pradeept Kumar Nayak, Environmental Scientist, State Environment Impact Assessment Authority, Odisha


Collector & District Magistrate,
Khordha

In pursuance to the direction of the Hon'ble NGT, a meeting was held on dt. 18.4.2024 in the Office of the Additional District Magistrate, Bhubaneswar, Odisha. In the meeting the various issues raised in the OA as per the orders of Hon'ble NGT were discussed.

After the meeting on dt. 18.4.2024, the joint committee team visited the alleged location i.e. M/s. Kriday Reality (P) Ltd. for Ariana Project, Bhubaneswar to assess the grievances made by the applicant Sri Sanu Das. The joint committee also invited Sri Sanu Das, Applicant and Sri Siddhartha Roy, Project Head of M/s. Kriday Reality (P) Ltd. for Ariana Project and requested them to be present at the site and both of them were present during inspection.

Sri Sanu Das, Applicant and Sri Siddhartha Ray, Project Head of M/s. Kriday Reality (P) Ltd. for Ariana Project were present at the site of dt. 18.04.2024.

OBSERVATIONS:

Sl. No.	Letter & issues raised in the Grievances letter:	Observations of the Joint Committee
	<p>Subject of Grievance: Non Compliance of EC issued to M/s. Kriday Reality (P) Limited for "ARIANA" Project, Bhubaneswar vide letter No. 1997/SEIAA, dt. 24.4.2013.</p> <p>Reference: Rejection of EC vide letter dated 16.5.2023 issued to M/s. Kriday Reality (P) Limited for "ARIANA" Project, File No. SIA/OR/MIS/78819/2022.</p>	
1.	It is clear that M/s. Kriday Reality (P) Limited has failed to comply with all the conditions of Environmental Clearance even after 10 years but now wants to construct 4 new Tower for residential purpose.	(i). The environmental clearance (EC) was issued by SEIAA, Odisha vide letter no. 1997/SEIAA dt. 24.04.2013 for construction of 12 towers of Multi-Storied Residential apartment over plot no. 87/1263, 87/1264, Khata no. 421 covers 48575.31 sqm (12.0 acres), total built-up area-1,85,176.33 sqm (i.e. Phase-I + Phase-II) at Mouza Sankarpur, Tahasil: Bhubaneswar, Dist: Khordha in


True copy attached

 Collector & District Magistrate,
 Khordha

		<p>favour of M/s. Kriday Realty Pvt. Ltd. for a period of 5 years. Earlier EC copy is attached in <u>Annexure-I</u>.</p> <p>(ii). Again, the project proponent had submitted expansion with modification EC proposal for said building and construction project and accordingly, ToR (Terms of Reference) application has been file by PP vide application no. SIA/OR/MIS/76188/2022 dt. 27.04.2022 and accordingly, ToR was issued vide letter no. 76188/83-MIS/04-2022 dt. 29.04.2022 for EIA studies. After completion of EIA studies, the PP again submitted EC application vide letter no. SIA/OR/MIS/78819/2022 dt. 25.06.2022. The SEAC visited the project site on 09.11.2022 and opined that the project has been granted prior environmental clearance vide letter no.-1997/SEIAA on dated 24.04.2013 for construction of 12 Towers having total construction area of 1,85,176.33sqm. (including Basement) 1,32,395.7 sqm (Excluding Basement area). Later due to PPP agreement expired in the year 2017 & Extension of Time (EoT) received only in December 2021 from BDA building revised proposal for expansion and modification was submitted and recommended for the ToR. The basement approval for all 3 phases were taken earlier but EC application applied earlier for two phases only. The proposal was placed in the SEAC meeting held on 13.01.2023 and the SEAC have recommended for grant of Environmental Clearance valid for 10 years with standard stipulated conditions in addition to the specific conditions. Then, the proposal was placed in 109th SEIAA, Odisha meeting held on 22.02.2023, 23.02.2023 & 24.02.2023 and after detailed deliberation in the matter the Authority decided that the proposal be referred back to SEAC with the following observations:</p> <p>a. The SEAC is requested to give their considered view on each of the point of earlier EC conditions after examining the</p>
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True copy attached



Collector & District Magistrate,
Khordha

	<p>certified compliance report of IRO, BBSR, MoFF & CC.</p> <p>b. The project has been granted prior-EC vide no. 1997/SEIAA on dated 24th April 2013 for construction of 12 Towers having total built up area of 1,85,176.33 Sq. mt. (including Basement, for Phase-I & Phase-II) and 132395.7 sqm (Excluding Basement area for Phase-I & Phase-II). Further, the CTO issued vide order no. 2866 with letter no. 1238 dated 30.01.2019 by OSPCB has been granted for the same area. Whereas, the PP has now applied the proposal for expansion of existing-79458.56 Sqm (Excluding Basement) & 112805.24 Sqm (Including Basement)) area to Proposed new built-up area-58788.51 sqm (as expansion). The discrepancy between CTO issued and work completed may be clarified.</p> <p>c. The EC dated 24.04.2013 was issued by SEIAA, Odisha for 5 years based on undertaking that the storm water of quantity 770 cum/hr to be discharged through the peripheral drain of M/s. Trident properties Ltd. The BDA will acquire and construct the storm water drain of approximate length 180 meter for which the PP shall bear the cost of the drain as conditions mentioned the BDA letter no. 109/EM/BDA dated 11.02.2013. Recently, BDA has approved building plan vide letter no. 52316/BDA dt. 31.12.2022 for revised building plan (additional/alternation) of Tower nos. (5, 6, 7 & 8) with integrated basement + Ground+21 storied residential building and G+2 storied retail commercial building (Phase-III) The present position and status of the storm water drain may be verified from field. BDA old and new approval letter is attached in Annexure-II & III.</p> <p>(iii) Again, the proposal was placed in SEAC meeting held on 27.03.2023 and the</p>
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[Signature]

Collector & District Magistrate,
Khordha

		<p>committee opinion that :</p> <p>a. Since, this is an ongoing project, the PP has to comply the lapses as pointed out in the certified compliance report as per instruction issued by the MoEF&CC, Govt. of India in their letter dated 14.03.2023. Further, certified compliance is required and PP to submit. Here, SEIAA henceforth should forward the applications to SEAC only if such a document is submitted by PP as this is a requirement in such types of projects. This will avoid delay. Reply, of the proponent is convincing.</p> <p>b. The committee visited and witnessed the drain that was connected to Trident drain and necessary documents including NOC were sought for discharge of storm water from the authority. However, documentary evidence like: agreement with Trident, BDA/BMC letter and its reply giving the consent to deposit the money for the final drain and the status of the same can be asked to PP (if not submitted earlier). The structured drain beyond Trident was to be developed/constructed after land acquisition by BDA/BMC and money to be deposited by PPs on getting the demand for the same. Thus, status of the same may be obtained in the form of documentary evidence instead of one more site visit as it is beyond the scope of the current project site.</p> <p>(iv) Finally, the committee recommended the additional condition:</p> <p>a) The proponent shall comply to the lapses as pointed out in the certified compliance report to the earlier EC conditions as per instruction issued by the MoEF&CC, Govt. of India in their letter dated 14.03.2023.</p>
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	<p>(v) The proposal was placed in 116th SEIAA, Odisha meeting held on 26.04.2023, 27.01.2023 & 28.04.2023 and Authority perused the recommendation of SEAC and submission of PP vide their letter no. Nil dated 05.09.2022. The Authority observed the following:</p> <ol style="list-style-type: none"> The PP was granted EC vide letter no. 1197/SEIAA dated 24.04.2013 which was valid for 5 years + 2 years = 7 years i.e. upto 23.04.2020. The EC issued for 12-Towers having a total built-up area of 1,85,1776.3 sq.m and Consent to Operate (CTO) has been obtained for the same area. There is no information regarding the built-up area for which occupancy certificate has been obtained. Therefore, there is no scope of further construction unless the CTO/occupancy certificate is revised. The undertaking given by the PP while obtaining the EC dated 24.04.2013 regarding discharge of storm water quantity of 770 cum/hour has not yet been fully complied with. Any further addition of dwelling unit only lead to increase in storm water quantity without proper arrangement for discharge. The original EC dated 24.04.2013 contains 50 conditions. The certified compliance report furnished by MoEF & CC, IRO, Bhubaneswar vide their file no. 109-1145/EPE after inspecting the site on 13.01.2023 shows that out of 50 EC conditions, 19 no. are fully complied, 20 no. are partially complied and 11 no. are not complied even after 10 years. In view of the above, the Authority decided to reject the application for Expansion with Modification of "ARIANA", Multistoried Residential complex at Mouza Sankarpur, Bhubaneswar, District Khorda, The PP may apply afresh after obtaining revised CTO and occupancy certificate with
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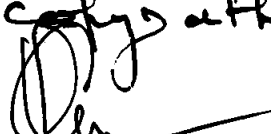
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Collector & District Magistrate,
Khordha

		<p>compliance of previous EC. Accordingly, rejection letter was issued vide file no. SIA/OR/MIS/78819/2022 dt, 16.05.2023 Rejected proposal letter copy is attached in Annexure-IV.</p> <p>(vi) Again, the PP had submitted fresh EC application vide SIA/OR/INFRA2/430852/2023 dt. 26.05.2023 with attaching certified compliance of EC conditions and other required documents and finally, the proposal was placed in 123rd SEIAA, Odisha meeting held on 19.06.2023 and the After detailed deliberation on the matter, the Authority decided as follows:</p> <p>a. EC is allowed subject to closure of the IRO compliance report vide letter no. No.109-1145/EPE dated 14.03.2023 of earlier EC conditions within a period of 6 months failing which the EC will be revoked.</p> <p>b. The issue of Occupancy Certificate (OC) & Consent to Operate (CTO) for the 4 nos. of Towers shall be subject to completion of storm water drain as per BDA Condition vide its letter no.109/EM/BDA, Bhubaneswar dated.11.02.2013. Accordingly, EC was issued vide EC identification no. EC23B039OR184012 dt. 30.06.2023 with standard and above-mentioned specific conditions. Copy of Expansion with modification EC letter is attached in <u>Annexure-V</u>.</p>
2.	<p>One observation mentioned in letter dt. 16.05.2023 will have serious impact on not only for "Ariana" but also for neighbouring "Trident Galaxy" Apartment Complex, this is regarding discharge of 770 cum/hour Storm Water, which is yet to be fully complied with. Without proper arrangement for discharge of Storm Water, any further addition</p>	<p>(i). During the joint visit the committee observed that the M/s. Kriday Realty Pvt. Ltd. building and construction project and Trident Project are adjacent to each other, M/s. Kriday Realty Pvt. Ltd. is situated in upward position and Trident Project is located in downward of M/s. Kriday Realty Pvt. Ltd. and does not have access to a natural drain to discharge its storm water. Hence, an agreement through affidavit was made on 01.06.2016 between M/s. Kriday Realty Pvt. Ltd and Trident</p>

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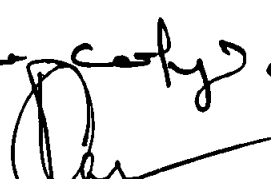


Collector & District Magistrate,
Khordha

	<p>of Dwelling Units, will result in increase in Storm Water quantity. As mentioned above this will lead to disastrous consequences not only for "Ariana" but also for "Trident Galaxy" apartment Complex.</p>	<p>Project with condition that the Trident Project has to construct the storm water drain in their peripheral area and it can carry the discharge storm water of M/s. Kriday Realty Pvt. Ltd. and finally the storm water shall discharge to natural drain through private land after land acquisition by BDA which yet to be complete. As per the agreement with Trident Project, the M/s. Kriday Realty Pvt. Ltd. has deposited the amount of Rs.1,50,66,940/- to Trident Project for development of peripheral storm water drain of Trident Project which is under process and rest of the amount of Rs. 39,33,060/- has be paid by M/s. Kriday Realty Pvt. Ltd after completion of drain construction work by Trident Project. Copy of agreement Paper along with account statements for payment towards construction storm water drain is attached in Annexure-VI & VII.</p> <p>(ii). There is a condition of Bhubaneswar Development Authority (BDA) vide letter no. 109/EM dt. 11.02.2013 that out of the total storm water 960 cum/hr only 190 cum/hr (i.e. 20%) should be considered for discharging in 19 nos. of recharge pits. The balance storm water i.e. 770 cum/hr is recommended to be discharged through the peripheral drain of M/s. Trident Properties Pvt. Ltd. M/s. Kriday Realty Pvt. Ltd. may obtain the required invert levels & accordingly a revised storm water drainage plan may be furnished for approval by BDA. M/s. Kriday Realty Pvt. Ltd. should bear the land acquisition charges to be incurred by BDA for acquiring land acquisition for an approximate length of 180 m along the proposed 200'-0' master plan road. Accordingly, EC conditions given vide letter no.1997/SEIAA dt. 24.04.2013 for construction of storm water drain.</p>
3.	<p>Attached the Occupancy Certificate (OC) Dated 30.6.2017 given for Tower No. 1,2,3,4,10,11 & 12 and OC dated 04.12.2017 for Tower 9 for your kind reference:</p>	<p>(i). The committee observed that the EC was obtained from SEIAA, Odisha for construction of 12-Tower having total built-up area is 1,85,176.33 sqm has been modified to total built-up area-1,71,593.75sqm and already constructed built-up area is</p>

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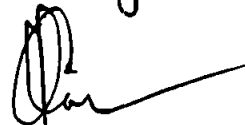
Tower copy attached



Collector & District Magistrate,
Khordha

<p>Kindly refer Sl. No. 6 & 7, Page 2 of the both OC.</p> <p>It is Clearly mentioned in sl. No. 6 & 7 of the OC that:</p> <p>Sl. No. 6. "All the stipulated Conditions of the NOC given by PHED vide Memo no. 7168, dt. 18.4.2017, Certificate No. 547 FPW, dt. 5.4.207 issued by Chief Fire Officer, No. 1997/SEIAA dated 24.4.2013 and CESU permission letter No. 11310 dt. 21.7.2015 shall be strictly adhered to".</p> <p>Sl. No. 7. "The construction of storm water drain upto final disposal point and 20'-0" wide road in the South-West of the project area shall be developed by the applicant to facilitate the neighbouring plot owners before obtaining full occupancy certificate".</p> <p>It is clear now, even M/s Kriday Realty (P) Ltd. yet receive the final OC as they have failed to comply with SEIAA Letter no. 1997/SEIAA.</p> <p>In view of the above, I deem it as a favor and remain ever grateful to your esteem office, if fresh EC is not issued to M/s Kriday Realty Pvt. Ltd. for construction of balance 4 Towers in "ARIANA"</p>	<p>1,12,805.24 sqm (i.e. 8 nos. of Towers-Tower no.1,2,3,4,9,10,11,12 & club-house) and rest of 4-towers having built-up area 58,788.51 cum is under construction for which EC obtained vide EC Identification No.-EC23B039OR184012 dt. 30.06.2023. BDA partly occupancy certificate is attached in <u>Annexure-VIII & IX.</u></p> <p>(ii). As per BDA letter no. 109/EM dt. 11.02.2013 and EC conditions given vide letter no.1997/SEIAA dt. 24.04.2013 the project proponent of M/s. Kriday Realty Pvt. Ltd. has to be complete the storm water drain. The Committee observed that the project Proponent (PP) has completed the peripheral storm water drain in their own premises and it is connected to Trident Project storm water drain with mutual agreement on payment basis. But the complete storm water drain starting from M/s. Kriday Realty Pvt. Ltd. campus to natural drain is incomplete. The BDA has to develop the storm water drain from Trident Project campus boundary to natural drain after land acquisition which yet to be complete.</p> <p>(iii). The BDA has issued partly occupancy certificate (OC) to M/s. Kriday Realty Pvt. Ltd. vide letter no. 15869/BDA dt. 30.06.2017 for Tower No. 1,2,3,4,10,11,12 and vide letter no. 30785/BDA dt. 04.12.2017 for Tower no. 09 and Club House with condition that the full occupancy certificate shall be issued after the completion of the construction of storm water drain up to final disposal point and 20'-0: wide road in the South-West of the project area of M/s. Kriday Realty Pvt. Ltd.</p> <p>(iv). It is observed that the 20'-0" wide road in the South-West of the project area of M/s. Kriday Realty Pvt. Ltd. is under construction and the PP has informed that it is delay due to Sewerage underground pipeline construction work is passing along this road.</p>
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Tower copy attached⁹



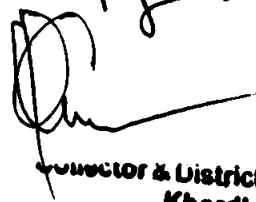
Collector & District Magistrate
Khordha

Overall Observation & Suggestion:

- 1) The Environmental Clearance (EC) was issued by SEIAA, Odisha vide letter no. 1997/SEIAA, dt. 24.04.2013 for construction of 12 towers of Multi-Storied Residential apartment over plot no. 87/1263, 87/1264, Khata no. 421 covers 48575.31 sqm (12.0 acres), total built-up area-1,85,176.33 sqm (i.e. Phase-I + Phase-II) at Mouza Sankarpur, Tahasil: Bhubaneswar, Dist: Khordha in favour of M/s. Kriday Realty Pvt. Ltd. for a period of 5 years based on undertaking that the storm water of quantity 770 cum/hr to be discharged through the peripheral drain of M/s. Trident properties Ltd. The BDA will acquire and construct the storm water drain of approximate length 180 meter for which the PP shall bear the cost of the drain as conditions mentioned the BDA letter no. 109/EM/BDA dated 11.02.2013.
- 2) Based on the terms of Reference (ToR), project proponent had submitted expansion with modification EC proposal for said building and construction project vide letter no. SIA/OR/MIS/78819/2022, dt. 25.06.2022 after due recommendation, the Authority accorded EC vide EC identification no. EC23B039OR184012, dt. 30.06.2023 with standard and specific conditions that the occupancy certificate and Consent to Operate (CTO) shall be issued after completion of construction storm water drain and 20'-0" wide road in the South-West of the project area shall be developed by the applicant to facilitate the neighboring plot owners.
- 3) The BDA has issued partly occupancy certificate (OC) to M/s. Kriday Realty Pvt. Ltd. vide letter no. 15869/BDA dt. 30.06.2017 for Tower No. 1,2,3,4,10,11,12 and vide letter no. 30785/BDA dt. 04.12.2017 for Tower no. 09 and Club House with condition that the full occupancy certificate shall be issued after the completion of the construction of storm water drain up to final disposal point and 20'-0: wide road in the South-West of the project area of M/s. Kriday Realty Pvt. Ltd.
- 4) It is observed that the 20'-0" wide road in the South-West of the project area of M/s. Kriday Realty Pvt. Ltd. is under construction and the PP has informed that it is delay due to Sewerage underground pipeline construction work is passing along this road.

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Tanya



Director & District Magistrate
Khordha

- 5) During the joint visit the committee observed that the M/s. Kriday Realty Pvt. Ltd. building and construction project and Trident Project are adjacent to each other, M/s. Kriday Realty Pvt. Ltd. is situated in upward position and Trident Project is located in downward of M/s. Kriday Realty Pvt. Ltd. and does not have access to a natural drain to discharge its storm water. Hence, an agreement through affidavit was made on 01.06.2016 between M/s. Kriday Realty Pvt. Ltd. and Trident Project with condition that the Trident Project has to construct the storm water drain in their peripheral area and it can carry the discharge storm water of M/s. Kriday Realty Pvt. Ltd. and finally the storm water shall discharge to natural drain through private land after land acquisition by BDA which yet to be complete. As per the agreement with Trident Project, the M/s. Kriday Realty Pvt. Ltd. has deposited the amount of Rs.1,50,66,940/- to Trident Project for development of peripheral storm water drain of Trident Project which is under process and rest of the amount of Rs. 39,33,060/- has be paid by M/s. Kriday Realty Pvt. Ltd after completion of drain construction work by Trident Project.
- 6) Since, the issue mainly on the drainage line for discharge of storm water, the BDA shall acquire and construct the storm water drain of approximate length 180 meter for which the PP shall bear the cost of the drain as conditions mentioned the BDA letter no. 109/EM/BDA dated 11.02.2013 and the drain work shall be completed in time-bound period.

J. K. S.
22/7/2024

**Addl. Chief Env. Scientist-cum-
Regional Officer, SPCB, Odisha,
Bhubaneswar**

A. S. L.
22/05/2024

Scientist-C, CPCB, ERD, Kolkata

D.
22/5/2024

**Additional District Magistrate,
Bhubaneswar, Khordha**

R. K.
22/05/2024

**Environmental Scientist, SEIAA,
Odisha, Bhubaneswar**

True copy attached.

[Signature]

**Collector & District Magistrate,
Khordha**