

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

(THROUGH PHYSICAL HEARING WITH HYBRID MODE)

Appeal No. 08/2024/EZ  
(I.A. No. 40/2024/EZ)

Z-Estates Private Limited & Anr.-----Applicant(s)

Versus

State Environment Impact Assessment Authority, Odisha

& Ors.----- Respondent(s)

Affidavit on Behalf of the Opposite Party/Respondent No. 01 State  
Environment Impact Assessment Authority (SEIAA), Odisha

**INDEX**

| Sl.<br>No. | Particulars   | Page<br>No. |
|------------|---|-------------|
| 1.         | Affidavit on Behalf of State Environment Impact Assessment Authority (SEIAA), Odisha  | 01-09       |
| 2.         | Copy of EC of SPCB, Odisha officer order no, 8333 dated 11.07.2018 is enclosed as <b>Annexure-I</b>   | 10-28       |
| 3.         | SEIAA, Odisha letter dated 16.03.2024 regarding direction to PP for submission of environmental compensation amount to respective Govt. A/c. number is attached in <b>Annexure-II</b> . | 29-44       |

Place: Bhubaneswar  
Date: 22/10/2024

**Mrs. Rashmi Singhee**  
Advocate for Respondent No.01  
(SEIAA), Odisha  
34/1, Bondel Road  
6<sup>th</sup> Floor, Asha Towers  
Kolkata -700019  
Email- rashmibothra24@gmail.com  
Phone No.9830193031

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

**(THROUGH PHYSICAL HEARING WITH HYBRID MODE)**

Appeal No. 08/2024/EZ  
(I.A. No. 40/2024/EZ)

Z-Estates Private Limited & Anr.-----Applicant(s)

Versus

State Environment Impact Assessment Authority, Odisha  
& Ors.----- Respondent(s)

Affidavit on Behalf of the Opposite Party/Respondent No. 01 State  
Environment Impact Assessment Authority (SEIAA), Odisha

1. Shri Prem Kumar Jha, IFS, son of late Dr. Harihar Jha aged 56 years, at present working as Director Environment-cum-Special Secretary to Govt. in Forest, Environment & Climate Change Department and Member Secretary, State Environment Impact Assessment Authority, Odisha, do hereby solemnly affirm and state as follows.
2. That I am the deponent in this affidavit and I have been duly authorized to swear this affidavit on behalf of the Opp. Party No.01 before this Hon'ble National Green Tribunal.
3. That, I have gone through the order dated 02.07.2024, 05.08.2024 & 06.09.2024 of Hon'ble Tribunal and Original Appeal and understood the contents thereof. I am well acquainted with the facts of the case and the relevant official records. Any contention, allegation or averment not dealt with in the present affidavit shall be construed as denied.

**MEMBER SECRETARY  
State E.I.A Authority  
Orissa, Bhubaneswar**



4. That, in reply to the averments made in the I.A. No. 40/2024/EZ, the deponent humbly submits that in the instant case the petitioner has been file the I.A. No. 40/2024/EZ much after the period which its outage period and the petitioner filled the application for condonation of delay have no proper reason. Therefore, it is prayed that the instant application for condonation of delay be dismissed in the interests of Justice and Equity.
5. That, in reply to the averments made in the Para-01 to Par-02 in appeal, the deponent humbly submits that that this deponent has no comments to offer.
6. That, in reply to the averments made in the Para-03 to Para-17 in appeal the deponent humbly submits that the following points are follows:
- i. Initially, EC was issued by SEIAA, Odisha vide letter no. 433/SEIAA dt. 16.08.2011 where it was mentioned that the plot area is 1,05,962.07 sqm, total built-up area 2,44,092.73 sqm and condition given in EC letter for plantation that green belt & avenue plantation of trees should be at least 20% and shall be done using native tree species/plants improving greenery. EC obtained for entire project and nowhere, it is mentioned that EC granted for Phase-I or Phase-II etc.
  - ii. Then, the EC amended by SEIAA; Odisha vide letter no. 827/SEIAA dt. 23.02.2016 where the plot of existing area was revised 1,05,962.07 sqm to 1,23,717 sqm (i.e. Phase-I + Phase-II) and built-up area revised to 2,44,092.73 sqm to 1,85,904.880sqm. (i.e., for phase-I + Phase-II).

MEMBER SECRETARY  
State E.I.A Authority  
Orissa, Bhubaneswar



- iii. Further, EC obtained from SEIAA, Odisha vide letter no. 7991/SEIAA dt. 17.03.2020 where it was mentioned that the plot area for Phase-I & Phase -II is 1,23,717 sqm and total built-up area is 73,968.9 sqm (Phase-I) and 1,11,945.98 sqm (Phase-II), provision for green belt- 30,929.22 sqm (i.e. for Phase-I & Phase-II). Similarly, total plot area for Phase-III is 17,873.23 sqm and Built-up area 2,09,960.21 sqm, green belt area provision is 20,922.87 sqm.
- iv. In regard to public complaint petition made by the Sri Ashok Kumar Tripathy, IAS (Rtd.) and one of the members of the Z1- Residents Welfare Association on green belt issues, validity of NOC for groundwater extraction, STP facilities and its management, rainwater harvesting & storm water discharge to nearest drain, solid waste management, use of Renewable/Solar energy in Phase-I and inadequate stack heights of D.G. sets. As per direction of Authority SEIAA, Odisha a joint visit was made on 20.01.2022 by representatives of SPCB, Odisha, Regional Office of MoEF & CC., Bhubaneswar and SEAC & SEIAA. The committee observed that 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. The PA (Z1-builder) has informed that the phase-I 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 the same by Sri Manoranjan Mishra and Sri

*Amk*  
 MEMBER SECRETARY  
 State E.I.A Authority  
 Orissa, Bhubaneswar



Kalpataru Pattanaik the two members of the association. The committee also observed that some condition of Pahe-I EC letter was not complied at the time of joint visit by Project Authority like installation of a separate organic convertor/composting machine for phase-I, installation of solar panel for light of street and common area of Phase-I and adequate green belt etc. The joint inspection report has been submitted to Authority SEIAA, Odisha and Govt. of Odisha and based onn the joint visit report a Affidavit was filed by SEIAA before Hon'ble NGT in order to comply the direction of Hon'ble Tribunal order dated 31.01.2022 in O.A. No. 11/2022/EZ- Z1-Residents' Welfare Association Vrs Z- Estates Private Limited and Ors. The same was intimated to the Z-Estates Pvt. Ltd. vide letter no. 7887/SEIAA dated 20.02.2022 and as per Joint committee observation, the PA has submitted commitment that the non-compliance conditions of EC will be completed by 31.08.2022.

- v. Again, as per the direction of the Hon'ble NGT, Eastern Zone, Kolkata order dated 01.05.2023 in O.A. No. 11/2022/EZ- Z1-Residents' Welfare Association Vrs Z- Estates Private Limited and Ors, a joint committee has been constituted the same committee member and the committee visited the project site on 13.07.2022. The committee observed that this is a case of violation of EC conditions for which the project proponent have failed their committed to comply EC conditions on 31.08.2023 i.e. Green-belt/Plantation and Solar System for energy conservation to the extent of 5% of total power through solar water heater and Solar Power Generation System i.e



MEMBER SECRETARY  
State E.I.A Authority  
Orissa, Bhubaneswar

Solar Street light. Hence, the environmental compensation of **Rs.1,41,37,500/-** has been calculated as per mentioned formula:

**Environment Compensation to be levied for various violation by Industrial Units: -**

In absence of any formula for calculation of Environment Compensation due to violation of EC conditions for building and construction project. The committee adopted the CPCB formula applicable for environmental compensation for the industries is calculated following formula:

$$EC=PI \times N \times R \times S \times LF$$

$$EC=80 \times 377 \times 250 \times 1.5 \times 1.25 = \mathbf{Rs.1,41,37,500/-}$$

Where,

EC is Environmental Compensation in ₹

PI = Pollution Index of industrial sector (taken 80 red category industries)

N = Number of days of violation took place (377 days i.e. 31.08.2022 to 13.07.2023)

R = A factor in Rupees (₹) for EC (Taken Rs.250/- as per CPCB recommendation)

S=Factor for scale of operation (Taken 1.5 a= for large category)

LF = Location factor (Taken 1.25)

**Pollution Index (PI)**

The range of Pollution Index for Red, Orange and Green is 60 to 100, 41 to 59 and 21 to 40, respectively.

The following values of PI have been suggested in the CPCB report:—

| Category | Red | Orange | Green |
|----------|-----|--------|-------|
| PI       | 80  | 50     | 30    |

Waste water generation is 602 KLD and it will be treated in 650 KLD STP Capacity, so it is considered as Red category project as per CPCB guidelines.

**Number of days (N)**

N, number of days for which violation took place is the period between the day of violation observed/due date of

MEMBER SECRETARY  
State E.I.A Authority  
Orissa, Bhubaneswar

*Signature*





direction's compliance and the day of compliance verified by regional office.

**Factor in Rupees (R)**

The minimum of 100 and maximum of 500 of factor in Rupees (R) mentioned in report of CPCB.

7. That, in reply to the averments made in the Para-18 to Para-20 in appeal, the deponent humbly submits that the above environmental compensation amount has been calculated based on CPCB guidelines and there is no wrong in this formula. This project is treated as Red category based on the SPCB, Odisha letter no. 8333 dated 11.07.2018 with mentioned in Sl. No. 61(ii) that the Building & Construction projects having built-up area  $\geq 20,000$  sq.m to  $\leq 1,50,000$  sqm with wastewater discharge  $>100$  KLD will be treated as Red Category and in this case the waste water generation is 602 KLD and will be treated in 650 KLD STP capacity. The Copy of SPCB, Odisha & CPCB guidelines is attached in **Annexure-I**.

8. That, in reply to the averments made in the Para-21 to Para-44 in Appeal., the deponent humbly submits that as per direction of the Hon'ble National Green Tribunal in order dated 01.05.2023 OA No. 11/2022/EZ in the matter of the matter of Z1-Residents' Welfare Association Vrs Z- Estates Private Limited and Ors, a joint committee was formed and visited the project site again dated 13.07.2023 and the committee have mentioned that this is a case of violation of EC conditions and the project proponent has failed in their commitments to comply EC conditions by 31.08.2023 i.e. green belt/Plantation and Solar System for energy conservation to the extent of 5% of total power through solar water heater and Solar Power Generation

MEMBER SECRETARY  
State E.I.A Authority  
Orissa, Bhubaneswar





System for its use etc. Accordingly, Show Cause Notice was issued by SEIAA, Odisha to PP vide letter no. SEIAA-68/07-2023 dt. 28.12.2023. The Project Proponent Sri Tapan Kumar Mohanty (Chief Managing Director, Z Estates Pvt. Ltd.), Sri Saty Jyoti Mohanty (Director, Z Estates Pvt. Ltd) & Sri Partha Sarathi Panda (Deputy General Manager of Z Estates Pvt. Ltd) were present physically at SEIAA, Odisha Officer, Chamber for hearing of the case matter on 03.02.2024. The Authority heard the Sri Tapan Kumar Mohanty (Chief Managing Director, Z Estates Pvt. Ltd.) stating that the 20% green belt is not achieved for Phase-I building because the entire project is an integrated and interlink building & construction project of phase-I, Phase - II & phase-III of Z1- Estates Pvt. Ltd. The Phase-I and Phase-II already completed and Phase-III is under construction. The PP agreed that he has not achieved 20% green belt for phase-I as there is no permanent boundary for phase-I for plantation in boundary area and only avenue plantation was done there and also phase-III is under construction so there is a chance of damage of tree species and the greenery will get disturbed. He also mentioned in their letter that the green belt can be created by the PP where the phase wise construction along with a permanent boundary wall is completed. Secondly, the Z Estates Pvt. Ltd. have completed all set-up for the roof top solar heater but the same it is not working as the Z1-Residents' Welfare Association is not allowing to operate it due to some issues for pipeline connection from their side. After perusal of the order dt. 01.05.2023 of NGT and after detailed deliberation in the matter, the Authority decided the PP has not installation of Solar Power Generation System for Phase-I and installation of Solar Heater operation is incomplete which was required to be completed by

*Signature*

MEMBER SECRETARY  
State E.I.A Authority  
Orissa, Bhubaneswar



31.08.2022. Also, the PP has not completed of Green Belt and Avenue Plantation over at least 20% of the site area as required by the Environmental Clearance dated 16.08.2011 and committed by the PP by 31.08.2022. It was incumbent upon PP to seek amendment of EC conditions or time line for compliance due to operational difficulties before due date i.e., 31.08.2022. Raising operational issues at this stage is not acceptable. After detailed discussion in the matter the authority decided that, the PP is required to submit the Environmental Compensation amount of **Rs. 1,41,37,500/-** for violation of EC conditions. As per decision of Authority, direction was issue dated 16.03.2024 to PA for submission of Environmental compensation amount of Rs.1,41,37,500/- respective A/c. number of FE & CC, Dept., Govt. of Odisha but no reply received in this regard. Copy of SEIAA letter to deposit the Environmental Compensation amount is attached in **Annexure-II**.

9. That the facts stated above in this counter affidavit are true to the best of my knowledge and belief which are based on official records that I believe to be true.
10. That the deponent reserves the right to file further affidavit as and when necessary.

IDENTIFIED BY ME  
Identified by  
Advocate

22-10-2024

ADVOCATE

*[Signature]*

Deponent

MEMBER SECRETARY  
State E.I.A Authority  
Orissa, Bhubaneswar





**VERIFICATION**

Verified at Bhubaneswar on this day of 22-10-2024  
that the contents of the above affidavits are true and correct on  
the basis of the records maintained by the respondent in the daily  
course of its business, no part of it is false and nothing has been  
concealed therefore.

Place: Bhubaneswar

Date: 22.10.2024

**Deponent**

**MEMBER SECRETARY  
State E.I.A Authority  
Orissa, Bhubaneswar**

A  
22.10.2024

**SWORN BEFORE ME**

A  
22.10.2024

**DUSASAN SAMANTARAY  
NOTARY, GOVT. OF ODISHA  
BHUBANESWAR, ODISHA  
REGD. NO. 88/2012  
MOB-9439143015**





EPABX : 2561909/2562847

E-mail: paribesh1@ospcboard.org

Website: www.ospcboard.org

**STATE POLLUTION CONTROL BOARD, ODISHA**  
(DEPARTMENT OF FOREST & ENVIRONMENT, GOVERNMENT OF ODISHA)  
Paribesh Bhawan, A/118, Nilakantha Nagar, Unit – VIII  
Bhubaneswar – 751 012, INDIA

No. 8333 / Ind-I-Con-1505 Date: 11.07.2018

**OFFICE ORDER**

**WHEREAS**, Central Pollution Control Board, New Delhi vide it's office order No. B-29012/ESS(CPA)/2015-16/8583, dtd.7.3.2016 had laid down an elaborate process for categorization of industrial sectors and brought out a list of industrial sectors categorized under Red, Orange, Green and White based on pollution potential with a direction u/s18(b) Water (PCP) Act,1974 and Air (PCP) Act,1981 to all State Pollution Control Boards/ Pollution Control Committees to follow an uniform pattern of classification of the industries under Red, Orange, Green and White category which is mandatory and binding upon SPC Board, Odisha;

**AND WHEREAS**, upon receipt of approval of State Govt. the Board vide it's office order No.15889, dtd.31.10.2016 brought out an Office Order notifying the revised categorization of industrial units classified under Red (81 nos.), Orange(91 nos.), Green(73 nos.) and White (42 nos.) following the criteria stipulated by CPCB;

**AND WHEREAS**, further several industrial units/projects not included in CPCB list were required for classification by the State Pollution Control Board, Odisha at later stage following the criteria fixed by CPCB. Revised classification of additional industrial units under different categories have been notified by the Board subsequently vide office order No.6488, dtd.08.05.2017, & No.16226, dtd.16.12.2017;

**AND WHEREAS**, in the process of furnishing updated list of categorized industrial units through the India E-track Web Portal of CPCB, inconsistency in the serial numbers in the lists of classification made by the CPCB & SPCB has been observed though the contents remain almost same;

**AND WHEREAS**, such inconsistency causes too much of manual intervention and difficulties while working with the India E-track Web Portal of CPCB) for information dissemination and sharing;

**AND WHEREAS**, there is a need to prepare a comprehensive list to bring uniformity and consistency in the contents and serial numbers of the industrial units/projects in the lists of CPCB and SPC Board, Odisha;

Now therefore, SPC Board, Odisha hereby notifies a revised list of industrial units/processes categorized under Red, Orange, Green and White fully consistent and similar to the serial numbers in the list of CPCB for ease of working and sharing information online through India E-track Web Portal. The new revised list contains 92 types of units under Red category, 95 types of units under Orange category, 78 types of units under Green and 43 types of units under White category.

The list of industrial units classified under Red/Orange & Green categories are required to obtain Consent to Establish and Consent to Operate from the State Pollution Control Board, Odisha whereas the industrial units listed under White Category are exempted from obtaining Consent to Establish and Consent to Operate from the Board.

This order supersedes all earlier orders issued relating to categorization of industrial units / project with immediate effect.

By Order of Chairman.

  
**MEMBER SECRETARY**

Encl: List of revised classification  
of industrial units.

Memo No. 8334 /Dt. 11.07.2018 /

Copy forwarded to the Member Secretary, Central Pollution Control Board, Paribesh Bhawan, CBD-cum-Office Complex, East Arjun Nagar, Delhi - 110032 for kind information.

  
**MEMBER SECRETARY**

Memo No. 8335 /Dt. 11.07.2018

Copy forwarded to Addl. Chief Secretary, Forest & environment Deptt., Govt. of Odisha for kind information and necessary action.

  
**MEMBER SECRETARY**

Memo No. 8336 /Dt. 11.07.2018

Copy forwarded to Principal Secretary/Addl. Chief Secretary, Industries Deptt./MSME Deptt./Steel & Mines Deptt./Energy Deptt./Housing and Urban Deptt./Health & Family Welfare Deptt./ Agriculture Deptt./ Works Deptt./Water Resources Deptt. /F & ARD/ Excise Deptt./ Commerce & Transport Deptt. / Textile & Handloom/CMD, IPICOL /CMD,IIDCO /Special Secretary P&C Deptt./Director, Factory & Boilers, Govt. of Odisha for information & necessary action.

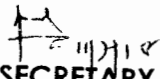
  
**MEMBER SECRETARY**

Memo No. 8337 /Dt. 11.07.2018

Copy forwarded to All Branch Officers, SPCB, Odisha, Bhubaneswar/ All Regional Officers, SPCB, Odisha for information and necessary action.

Memo No. 8338 /Dt. 11.07.2018

✓ Copy forwarded to IT Cell for information and necessary action. It is requested to upload the Office Order in the website of the Board.

  
MEMBER SECRETARY

  
MEMBER SECRETARY

## 1X3 Categorization of Industrial sectors under Red, Orange, Green and White as per CPCB Criteria

| CPCB<br>Sl.No. | Red Category   |
|----------------|--|
| 1.             | Isolated storage of hazardous chemicals (as per schedule of manufacturing, storage of Hazardous Chemicals Rules, 1989 as amended)  |
| 2.             | Automobile Manufacturing (integrated facilities)   |
| 3.             | Industries engaged in recycling / reprocessing/ recovery/reuse of Hazardous Waste under schedule IV of Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016- Items namely - Spent cleared metal catalyst containing copper, Spent cleared metal catalyst containing zinc.  |
| 4.             | Manufacturing of lubricating oils, grease and petroleum based products   |
| 5.             | DG Set of capacity > 5 MVA   |
| 6.             | Industrial carbon including electrodes and graphite blocks, activated carbon, carbon black   |
| 7.             | Lead acid battery manufacturing (excluding assembling and charging of lead-acid battery in micro scale)  |
| 8.             | Phosphate rock processing plant  |
| 9.             | Power generation plant [except Wind and Solar renewable power plants of all capacities and Mini Hydel power plant of capacity <25MW)   |
| 10.            | Industries engaged in recycling / reprocessing/ recovery/reuse of Hazardous Waste under schedule IV of Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016- Items namely - Spent catalyst containing nickel, cadmium, Zinc, copper, arsenic, vanadium and cobalt.   |
| 11.            | Processes involving chlorinated hydrocarbons   |
| 12.            | Sugar ( Excluding Khandsari)   |
| 13.            | Fibre glass production and processing (excluding moulding)   |
| 14.            | Fire crackers manufacturing and bulk storage facilities  |
| 15.            | Industries engaged in recycling / reprocessing/ recovery/reuse of Hazardous Waste under schedule IV of Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016- Items namely - Dismantlers Recycling Plants --Components of waste electrical and electronic assembles comprising accumulators and other batteries included on list A, mercury-switches, activated glass cullets from cathode-ray tubes and other activated glass and PCB-capacitors, or any other component contaminated with Schedule 2 constituents (e.g. cadmium, mercury, lead, polychlorinated biphenyl) to an extent that they exhibit hazard characteristics indicated in part C of this Schedule. |
| 16.            | Milk processes and dairy products (integrated project)   |
| 17.            | Phosphorous and its compounds  |
| 18.            | Pulp & Paper ( waste paper based without bleaching process to manufacture Kraft paper)   |
| 19.            | Coke making, liquification, coal tar distillation or fuel gas making.  |





## Red Category

| CPCB Sl.No. |  |
|-------------|--|
| 20.         | Manufacturing of explosives, detonators, fuses including management and handling activities  |
| 21.         | Manufacturing of paints varnishes, pigments and intermediate (excluding blending/mixing)   |
| 22.         | Organic Chemicals Manufacturing  |
| 23.         | Airports and Commercial Air Strips   |
| 24.         | Asbestos & asbestos based industries   |
| 25.         | Basic chemicals and electro chemicals and its derivatives including manufacturing of acid.   |
| 26.         | Cement   |
| 27.         | Chlorates, per-chlorates & peroxides   |
| 28.         | Chlorine, fluorine, bromine, iodine and their compounds  |
| 29.         | Dyes and Dye- Intermediates  |
| 30.         | Health-care Establishment (as defined in BMW Rules, 2016) having total wastewater generation more than 100 KLD or with incinerator.  |
| 31.         | Hotels having overall waste-water generation @ 100 KLD and more.   |
| 32.         | Industries engaged in recycling / reprocessing/ recovery/reuse of Hazardous Waste under schedule IV of Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016- Items namely - Lead acid battery plates and other lead scrap/ashes/residues not covered under Batteries (Management and Handling) Rules, 2001. [ * Battery scrap, namely: Lead battery plates covered by ISRI, Code word "Rails" Battery lugs covered by ISRI, Code word "Rakes". Scrap drained/dry while intact, lead batteries covered by ISRI, Code word "Rains".  |
| 33.         | Industries engaged in recycling / reprocessing/ recovery/reuse of Hazardous Waste under schedule IV of Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016- Items namely - Integrated Recycling Plants -- Components of waste electrical and electronic assembles comprising accumulators and other batteries included on list A, mercury-switches, activated glass cullets from cathode-ray tubes and other activated glass and PCB-capacitors, or any other component contaminated with Schedule 2 constituents (e.g. cadmium, mercury, lead, polychlorinated biphenyl) to an extent that they exhibit hazard characteristics indicated in part C of this Schedule. |
| 34.         | Manufacturing of Glue and Gelatin  |
| 35.         | Mining and ore beneficiation   |
| 36.         | Nuclear power plant  |
| 37.         | Pesticides (technical) (excluding formulation)   |
| 38.         | Photographic film and its chemicals  |
| 39.         | Railway locomotive work shop/Integrated road transport workshop / Authorized service centers   |



| CPCB<br>Sl.No. | Red Category  |
|----------------|---|
| 40.            | Yarn / Textile processing involving any effluent/emission generating processes including bleaching, dyeing, printing and colouring.   |
| 41.            | Chlor Alkali  |
| 42.            | Ship Breaking Industries  |
| 43.            | Oil and gas extraction including CBM (offshore & on-shore extraction through drilling wells)  |
| 44.            | Industry or process involving metal surface treatment or process such as pickling/ electroplating/paint stripping/ heat treatment using cyanide bath/ phosphating or finishing and anodizing / enamellings/ galvanizing |
| 45.            | Tanneries   |
| 46.            | Ports and harbour, jetties and dredging operations  |
| 47.            | Synthetic fibers including rayon ,tyre cord, polyester filament yarn  |
| 48.            | Thermal Power Plants  |
| 49.            | Slaughter house (as per notification S.O.270(E)dated 26.03.2001)and meat processing industries, bone mill, processing of animal horn, hoofs and other body parts  |
| 50.            | Aluminium Smelter   |
| 51.            | Copper Smelter  |
| 52.            | Fertilizer (basic) (excluding formulation)  |
| 53.            | Iron & Steel (involving processing from ore/ integrated steel plants) and or Sponge Iron units.   |
| 54.            | Pulp & Paper ( waste paper based units with bleaching process to manufacture writing & printing paper)  |
| 55.            | Zinc Smelter  |
| 56.            | Oil Refinery (Mineral Oil or Petro Refineries)  |
| 57.            | Petrochemicals Manufacturing (including processing of Emulsions of oil and water )  |
| 58.            | Pharmaceuticals   |
| 59.            | Pulp & Paper ( Large-Agro + wood), Small Pulp & Paper ( agro based-wheat straw/rice husk)   |
| 60.            | Distillery (Molasses/ Grain / Yeast Based)  |
| 61.            | Others (State Specific List)  |

| State Specific List |   |
|---------------------|---|
| Sl.No.              | Red Category  |
| 61<br>(i)           | Automobile servicing, repairing and painting (excluding only fuel dispensing) having wastewater generation 100 KLD or more.   |
| 61<br>(ii)          | Building and construction project $\geq$ 20,000 sq.m to $\leq$ 1,50,000 Sqm of built up area. (Wastewater discharge $>$ 100 KLD)  |
| 61<br>(iii)         | Ceramics and Refractories (More than 12 Tons / day coal consumption)  |
| 61<br>(iv)          | Common Effluent Treatment Plant (CETP)/ Common Sewage Treatment Plant   |
| 61<br>(v)           | Common Hazardous Waste Treatment, Storage, Disposal facility (CHWTSDF)  |
| 61<br>(vi)          | Common Solid Waste Management facility (CSWMF) as per Solid Waste Management Rules, 2016.   |
| 61<br>(vii)         | Fermentation industry including manufacture of Yeast, Beer, Distillation of Alcohol extra Neutral Alcohol having wastewater discharge more than 100 KLD   |
| 61<br>(viii)        | Ferrous / Non-ferrous metal extraction ((i) more than 1 Metric ton / hour secondary production, (ii) lead secondary production, (iii) Induction furnace followed with AOD   |
| 61<br>(ix).         | Foundries with production capacity more than 5T/hour and more, coal/coke consumption more than 500 kg/hr,   |
| 61<br>(x)           | Gold and silver smithy -purification with acid smelting operation and sulphuric acid polishing operation having more than 1 liter of sulphuric acid / nitric acid per month.  |
| 61 (xi)             | Hydro Cyanide acid and its derivatives  |
| 61<br>(xii)         | Industrial Estates/ Parks /Complexes/ Areas, Export Processing Zones (EPZs), Special Economic Zones (SEZs), Biotech Parks   |
| 61<br>(xiii)        | Industrial or inorganics gases namely (a) chemical gases like acetylene, hydrogen, chlorine, flourine, ammonia, sluphur dioxide, ethylene, hydrogen sulphide, phosphine, (b) hydrocarbon gases like methane, butane, ethane, propane. |
| 61<br>(xiv)         | Insecticides / fungicides / herbicides / agrochemical formulation.  |
| 61<br>(xv)          | Laboratory chemicals involving distillation and purification process.   |
| 61<br>(xvi)         | Lead manufacturing including smelting   |
| 61<br>(xvii)        | Manufacturing of lead glass   |

~~1X7~~  
State specific List

| Sl.No.         | Red Category   |
|----------------|--|
| 61<br>(xviii)  | Non-alcoholic beverages (soft drink) & bottling of alcohol / non-alcoholic products, where wastewater generation is more than 100 KLD.     |
| 61<br>(xix)    | Parboiled Rice Mills having wastewater more than 100 KLD and/or Fuel consumption more than 12 T/Day.                                       |
| 61<br>(xx)     | Petroleum products / crude oil storage and transfer excluding cross country pipeline.  |
| 61<br>(xxi)    | Synthetic Detergents and soaps (excluding formulation) having wastewater generation more than 100 KLD                                      |
| 61<br>(xxii)   | Township and area development projects covering an area more than or equal to 50 Ha. Or built up area more than or equal to 1.5 lakh sq.m. |
| 61<br>(xxiii)  | Vegetable oil manufacturing including solvent extraction and refinery / hydrogenated oils having wastewater generation more than 100 KLD.  |
| 61<br>(xxiv)   | Water softening and demineralized plant  |
| 61<br>(xxv)    | Calcined Petroleum Coke  |
| 61<br>(xxvi)   | Pyrolysis Process  |
| 61<br>(xxvii)  | Aluminium Ingot from Aluminium Dross   |
| 61<br>(xxviii) | Common Biomedical Waste treatment and disposal facility  |
| 61<br>(xxix)   | Sanitary Land fill (Standalone) > 5 TPD  |
| 61<br>(xxx)    | Packing of Pesticides / Chemicals  |
| 61<br>(xxxi)   | Septage Treatment (It should be treated as a part of common STP)   |
| 61<br>(xxxii)  | Pharmaceuticals R & D purpose  |

*Shree*



| CPCB<br>Sl.No. | Orange Category   |
|----------------|---|
| 1.             | Dismantling of rolling stocks (Wagons / Coaches)  |
| 2.             | Bakery and confectionery units with production capacity > 1 TPD. ( With ovens / furnaces)                                   |
| 3.             | Chanachur and ladoo from puffed and beaten rice( muri and shira) using husk fired oven                                      |
| 4.             | Coated electrode manufacturing  |
| 5.             | Compact disc computer floppy and cassette manufacturing / Reel manufacturing  |
| 6.             | Flakes from rejected PET bottle   |
| 7.             | Food and food processing including fruits and vegetable processing.   |
| 8.             | Jute processing without dyeing  |
| 9.             | Manufacturing of Silica gel   |
| 10.            | Manufacturing of tooth powder, toothpaste, talcum powder and other cosmetic items   |
| 11.            | Printing or etching of glass sheet using hydrofluoric acid  |
| 12.            | Silk screen printing, sari printing by wooden blocks (with boiler)  |
| 13.            | Synthetic Detergents and soaps (excluding formulation) having wastewater generation up to 100 KLD                           |
| 14.            | Thermometer manufacturing   |
| 15.            | Cotton spinning and weaving (medium and large scale)  |
| 16.            | Steel furniture, Almirah, Grill Manufacturing (Dry mechanical process) with spray painting                                  |
| 17.            | Aluminium & copper extraction from scrap using oil fired furnace (dry process only)   |
| 18.            | Automobile servicing, repairing and painting (excluding fuel dispensing), where wastewater generation is less than 100 KLD. |
| 19.            | Ayurvedic and homeopathic medicine  |
| 20.            | Brickfields ( excluding fly ash brick manufacturing using lime process)   |
| 21.            | Building and construction project > 20,000 sq.m to < 1,50,000 Sqm of built up area. (Wastewater discharge upto 100 KLD)     |
| 22.            | Ceramics and Refractories (coal consumption less than 12 tons per day)  |

| CPCB<br>Sl.No. | Orange Category  |
|----------------|--|
| 23.            | Coal washeries   |
| 24.            | Dairy and dairy products (small scale)   |
| 25.            | DG set of capacity (>1MVA but < 5MVA)  |
| 26.            | Dry coal processing, mineral processing, industries involving ore sintering, pelletisation, grinding and pulverisation   |
| 27.            | Fermentation industry including manufacture of yeast, beer, distillation of alcohol (Extra Neutral Alcohol) (Wastewater discharge up to 100 KLD)   |
| 28.            | Ferrous and Non- ferrous metal extraction involving different furnaces through melting, refining, re-processing, casting and alloy-making (Secondary Production up to 1 Ton / Hour excluding lead)   |
| 29.            | Fertilizer (granulation / formulation / blending only)   |
| 30.            | Fish feed, poultry feed and cattle fee   |
| 31.            | Fish processing and packing (excluding chilling of fishes)   |
| 32.            | Forging of ferrous and non- ferrous metals (using oil and gas fired furnaces)  |
| 33.            | Formulation/pelletization of camphor tablets, naphthalene balls from camphor/ naphthalene powders.   |
| 34.            | Glass ceramics, earthen potteries and tile manufacturing using oil and gas fired kilns, coating on glasses using cerium fluorides and magnesium fluoride etc.  |
| 35.            | Gravure printing, digital printing on flex, vinyl  |
| 36.            | Heat treatment using oil fired furnace ( without cyaniding)  |
| 37.            | Hot mix plants   |
| 38.            | Hotels (<3 star) or hotels having >20 rooms and less than 100 rooms. Hotels having more than 20 rooms and wastewater generation less than 100 KLD and having coal or oil fired boiler. (Hotels with more than 20 rooms with wastewater generation <10 KLD and without any boiler and no generation of hazardous waste will be under Green Category). |
| 39.            | Ice cream  |
| 40.            | Industries engaged in recycling / reprocessing/ recovery/reuse of Hazardous Waste under schedule IV of Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016 - Items namely - Paint and ink Sludge/residues   |

20

## Orange Category

| CPCB Sl.No. | Orange Category  |
|-------------|--|
| 41.         | Industries engaged in recycling / reprocessing/ recovery/reuse of Hazardous Waste under schedule IV of Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016 - Items namely - Brass Dross , Copper Dross, Copper Oxide Mill Scale, Copper Reverts, Cake & Residues, Waste Copper and copper alloys in dispersible form, Slags from copper processing for further processing or refining , Insulated Copper Wire, Scrap/copper with PVC sheathing including ISRI-code material namely "Druid" ,, Jelly filled Copper cables , Zinc Dross-Hot dip Galvanizers SLAB, Zinc Dross-Bottom Dross,, Zinc ash/Skimming arising from galvanizing and Die casting operations, Zinc ash/Skimming/other zinc bearing wastes arising from smelting and refining, Zinc ash and residues including zinc alloy residues in dispersible form. |
| 42.         | Industry or processes involving foundry operations. (less than 5 T/hour and coal consumption less than 500 kg/hr)  |
| 43.         | Lime manufacturing (using lime kiln)   |
| 44.         | Liquid floor cleaner, black phenyl, liquid soap, glycerol mono-stearate manufacturing  |
| 45.         | Manufacturing of glass   |
| 46.         | Manufacturing of iodized salt from crude/ raw salt   |
| 47.         | Manufacturing of mirror from sheet glass   |
| 48.         | Manufacturing of mosquito repellent coil   |
| 49.         | Manufacturing of Starch/Sago   |
| 50.         | Mechanized laundry using oil fired boiler  |
| 51.         | Modular wooden furniture from particle board, MDF<swan timber etc. Ceiling tiles / partition board from saw dust, wood chips etc., and other agricultural waste using synthetic adhesive resin, wooden box making (with boiler)  |
| 52.         | New highway construction project   |
| 53.         | Non-alcoholic beverages (soft drink) & bottling of alcohol / non-alcoholic products, where wastewater generation is less than 100 KLD  |
| 54.         | Paint blending and mixing (Ball mill)  |
| 55.         | Paints and varnishes (mixing and blending)   |
| 56.         | Ply-board manufacturing (including Veener and Laminate) with oil fired boiler / thermic fluid heater (without resin plants)  |



| CPCB<br>Sl.No. | Orange Category   |
|----------------|---|
| 57.            | Potable alcohol (IMFL) by blending, bottling of alcohol products  |
| 58.            | Printing ink manufacturing  |
| 59.            | Printing press  |
| 60.            | Reprocessing of waste plastic including PVC   |
| 61.            | Rolling mill (Oil or Coal Fired) and Cold Rolling Mill  |
| 62.            | Spray painting, paint baking, paint shipping  |
| 63.            | Steel and steel products using various furnaces like blast furnace / open hearth furnace / induction furnace / arc furnace / submerged arc furnace / basic oxygen furnace / hot rolling reheated furnace.   |
| 64.            | Stone crushers  |
| 65.            | Surgical and medical products including prophylactics and latex.  |
| 66.            | Teflon based products   |
| 67.            | Thermocol manufacturing (with boiler)   |
| 68.            | Tobacco products including cigarettes and tobacco / opium processes.  |
| 69.            | Transformer repairing / manufacturing ( dry process only)   |
| 70.            | Tyres and tubes vulcanization/ hot retreating   |
| 71.            | Vegetable oil manufacturing including solvent extraction and refinery / hydrogenated oils, where wastewater generation is upto 100 KLD  |
| 72.            | Wire drawing and wire netting   |
| 73.            | Dry cell battery (excluding manufacturing of electrodes) and assembling & charging of acid lead battery on micro scale  |
| 74.            | Pharmaceutical formulation for R&D purpose.(for sustained release / extended release of drugs only and not for commercial purpose)  |
| 75.            | Synthetic resins  |
| 76.            | Synthetic rubber excluding molding  |
| 77.            | Cashew nut processing   |
| 78.            | Coffee seed processing  |
| 79.            | Parboiled Rice Mills, where wastewater generation is up to 100 KLD and/or Fuel consumption less than 12 T/Day.  |
| 80.            | Foam manufacturing  |
| 81.            | Industries engaged in recycling / reprocessing/ recovery/reuse of Hazardous Waste under schedule IV of Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016 - Items namely - Used Oil – As per specifications prescribed from time to time. |
| 82.            | Industries engaged in recycling / reprocessing/ recovery/reuse of Hazardous Waste under schedule IV of Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016- Items namely - Waste Oil - As per specifications prescribed from time to time. |
| 83.            | Producer gas plant using conventional up drift coal gasification (linked to rolling mills glass and ceramic industry refractories for dedicated fuel supply)  |
| 84.            | Others ( <b>State Specific List</b> )   |


**State Specific List**

| Sl.No.       | Orange Category  |
|--------------|--|
| 84<br>(i)    | Chilling plant and ice plant using Ammonia   |
| 84<br>(ii)   | Coal Briquetting   |
| 84<br>(iii)  | Dumping of Ash/ Char /Slag / Other Non-hazardous industrial waste outside the factory premises (including mine void / or low lying area filling) |
| 84<br>(iv)   | Fish landing centre  |
| 84<br>(v)    | Health-care Establishment (as defined in BMW Rules, 2016) having total wastewater generation upto 100 KLD and without incinerator.               |
| 84<br>(vi)   | Incineration plants  |
| 84<br>(vii)  | Manufacturing of Pasted veneers (using gas fired boiler or thermic fluid heater by sun drying) (Coal fired boiler only)                          |
| 84<br>(viii) | Manufacturing of glass (excluding lead glass)  |
| 84<br>(ix)   | Ship building  |
| 84<br>(x)    | Sports goods   |
| 84<br>(xi)   | Standalone composting facility having capacity more than 5 ton per day (without shed)  |
| 84<br>(xii)  | Wasting of used sand by hydraulic discharge  |




| CPCB<br>Sl.No. | Green Category  |
|----------------|---|
| 1.             | Aluminium utensils from Aluminium Circle by pressing only (Dry Mechanical Operation)  |
| 2.             | Ayurvedic & Homeopathic medicines (without boiler)  |
| 3.             | Bakery /confectionery / sweets products with production capacity <1 TPD (with Gas and electrical oven   |
| 4.             | Bi-axially oriented PP film along with metalizing operations.   |
| 5.             | Biomass briquettes (sun drying) without using toxic hazardous wastes.   |
| 6.             | Blending of melamine resins & different powder additives by physical mixing.  |
| 7.             | Brass and bell metal utensils manufacturing from circles (dry mechanical operation without re-rolling facility)   |
| 8.             | Candy   |
| 9.             | Cardboard / corrugated box & Paper products (excluding paper or pulp manufacturing and without using boilers)   |
| 10.            | Carpentry & wooden furniture manufacturing (Excluding saw mill) with the help of electrical (motorized) machines such as electrical wood planner, steel saw cutting circular blade etc. |
| 11.            | Cement products (without using asbestos / boiler / steam curing) like pipe, pillar, jaffery, well ring, tiles etc.) should be done in closed covered shed to control fugitive emissions |
| 12.            | Ceramic colour by mixing & blending only (not using boiler and wastewater recycling process)  |
| 13.            | Chilling plant, cold storage and ice making   |
| 14.            | Coke briquetting (Sun Drying)   |
| 15.            | Cotton spinning and weaving (Small scale)   |
| 16.            | Dal Mills   |
| 17.            | Decoration of ceramic cups and plates by electric furnace   |
| 18.            | Digital printing on PVC clothes   |
| 19.            | Facility of handling, storage and transportation of food grains in bulk   |
| 20.            | Flour mills (dry process)   |
| 21.            | Glass , ceramic, earthen potteries, tile and tile manufacturing using electrical kiln or not involving fossil fuel kiln   |
| 22.            | Glue from starch (physical mixing) with gas / electrically operated oven /boiler.   |
| 23.            | Gold and silver smithy (purification with acid smelting operation and sulphuric acid polishing operation) (using less or equal to 1 litre of sulphuric acid/ nitric acid per month)     |

| CPCB Sl.No. | Green Category  |
|-------------|---|
| 24.         | Heat treatment with any of the new technology like ultrasound probe, induction hardening, ionization beam, gas carburizing etc.         |
| 25.         | Insulation and other coated papers (excluding paper or pipe manufacturing)  |
| 26.         | Leather foot wear and leather products (excluding tanning and hide processing except cottage scale)                                     |
| 27.         | Lubricating oil, greases or petroleum based products (only blending at normal temperature)  |
| 28.         | Manufacturing of pasted veneers using gas fired boiler or thermic fluid heater and by sun drying  |
| 29.         | Oil mill Ghani and extraction (no hydrogenation / refining)   |
| 30.         | Packing materials manufacturing from non-asbestos fibre, vegetable fibre yarn   |
| 31.         | Phenyl/toilet cleaner formulation and bottling  |
| 32.         | Polythene and plastic processed products manufacturing (virgin plastic)   |
| 33.         | Poultry, Hatchery and Piggery (Poultry farms handling 1,00,000 or more birds at a given time in single location as per CPCB guidelines) |
| 34.         | Power looms (without dye and bleaching)   |
| 35.         | Puffed rice (muri) (using gas or electrical heating system)   |
| 36.         | Pulverization of bamboo and scrap wood  |
| 37.         | Ready mix cement concrete   |
| 38.         | Reprocessing of waste cotton  |
| 39.         | Rice mill (Rice hullers only)   |
| 40.         | Rolling mill ( gas fired) and cold rolling mill   |
| 41.         | Rubber goods industry (with gas operated baby boiler)   |
| 42.         | Saw mills   |
| 43.         | Soap manufacturing (hand made without steam boiling / boiler)   |
| 44.         | Spice grinding up to 20 HP motor  |
| 45.         | Spice grinding > 20 HP motor  |
| 46.         | Steel furniture without spray painting  |
| 47.         | Steeping and processing of grains   |
| 48.         | Tyres and tube retreating (without boilers)   |

~~25~~  
Green Category

| CPCB<br>Sl.No. | Green Category  |
|----------------|---|
| 49             | Chilling plant, ice making and / or cold storage (without using Ammonia)  |
| 50.            | CO <sub>2</sub> Recovery  |
| 51.            | Distilled water (without boiler) with electricity as source of heat   |
| 52.            | Hotels upto 20 rooms & without boilers and wastewater generation less than 10 KLD and no boiler and no Hazardous Waste generation |
| 53.            | Manufacturing of optical lenses (using electrical furnace)  |
| 54.            | Mineralized water   |
| 55.            | Tamarind powder manufacturing   |
| 56.            | Cutting, sizing and polishing of marble stone   |
| 57.            | Emery powder (fine dust of sand manufacturing)  |
| 58.            | Fly ash export, transport & disposal facilities   |
| 59.            | Mineral stack yard / Railway sidings  |
| 60.            | Oil and gas transportation pipeline   |
| 61.            | Seasoning of wood in steam heated chamber   |
| 62.            | Synthetic detergent formulation   |
| 63.            | Tea processing (with / without boiler)  |
| 64.            | Others ( <b>State Specific List</b> )   |

*State*




**State Specific List**

| Sl.No.       | Green Category   |
|--------------|--|
| 64<br>(i)    | Block making for printing  |
| 64<br>(ii)   | Bulk cement terminal   |
| 64<br>(iii)  | Carpentry excluding saw mill and excluding motorized machines.   |
| 64<br>(iv)   | Chuda mill   |
| 64<br>(v)    | Concrete Sleeper / Hume Pipes with or without steam curing (without using coal)  |
| 64<br>(vi)   | Granite Polishing Units  |
| 64<br>(vii)  | Manufacturing of food additives, nutrients and flavours.   |
| 64<br>(viii) | Mineral Conveyor with closed conveying system  |
| 64<br>(ix)   | Mineral Slurry Pipeline  |
| 64<br>(x)    | Modular wooden furniture from particle board, MDF < swan timber etc. Ceiling tiles / partition board from saw dust, wood chips etc., and other agricultural waste using synthetic adhesive resin, wooden box making (without boiler) |
| 64<br>(xi)   | Musical instrument and manufacturing   |
| 64<br>(xii)  | Optical frames   |
| 64<br>(xiii) | Pulverizing units  |
| 64<br>(xiv)  | Raw Rice Mill (Pre Boiled)   |
| 64<br>(xv)   | Shoe lace manufacturing  |




| Sl. No. | White Category (Non-polluting industries) by State   |
|---------|--|
| 1       | Assembly of Air coolers /conditioners, repairing and servicing   |
| 2       | Assembly of Bicycles, baby carriages and other small motorizing vehicles.  |
| 3       | Bailing (hydraulic press) of waste papers  |
| 4       | Bio fertilizer and bio-pesticides without using inorganic chemicals.   |
| 5       | Biscuits trays etc. from rolled PVC sheets. (using automatic vacuum foaming machine)   |
| 6       | Blending / packing of tea  |
| 7       | Block making of printing without foundry (excluding wooden block making)   |
| 8       | Candles manufacturing  |
| 9       | Chalk making from plaster paris by casting without boilers etc.,( sun drying / electrical oven)  |
| 10      | Compressed oxygen gas from crude liquid oxygen(without use of any solvents and by maintaining pressure & temperature only for separation of other gases) |
| 11      | Cotton and woolen hosiers making (dry process only without any drying / washing operation)   |
| 12      | Diesel pump repairing and servicing (complete mechanical dry process)  |
| 13      | Electric lamp (bulb) and CFL (by assembling only)  |
| 14      | Electrical and electronic item assembling (dry process)  |
| 15      | Engineering and fabrication units (dry process without any heat treatment/metal surface finishing operations/painting)                                   |
| 16      | Flavoured betel nuts (production / grinding) completely by dry mechanical operation.   |
| 17      | Fly ash bricks/ block manufacturing  |
| 18      | Fountain pen manufacturing and assembling only   |
| 19      | Garment Stitching and tailoring  |
| 20      | Glass ampules & vials making from glass tubes.   |
| 21      | Glass putty and sealant (by mixing with machine only)  |
| 22      | Gold and silver thread zari work   |
| 23      | Ground nut decorticating   |

| Sl. No. | White Category (Non-polluting industries) by State  |
|---------|---|
| 24      | Handloom/ carpet weaving (without drying and bleaching operation)   |
| 25      | Jobbing and machining   |
| 26      | Leather cutting and stitching (more than 10 machine and using motor)                                      |
| 27      | Manufacturing of steel trunk / suitcases  |
| 28      | Manufacturing of Coir items from coconut husk   |
| 29      | Manufacturing of Metal caps, containers etc.  |
| 30      | Manufacturing of Shoe brush and wire brush  |
| 31      | Medical oxygen  |
| 32      | Organic and inorganic nutrients (by physical mixing)  |
| 33      | Organic manure (manual mixing)  |
| 34      | Packing of powdered milk  |
| 35      | Paper pins and U clips  |
| 36      | Radio Assembling  |
| 37      | Repairing of electric motors /generators (dry mechanical process)   |
| 38      | Rope (plastic and cotton)   |
| 39      | Scientific and mathematical instrument manufacturing  |
| 40      | Solar module for non-conventional energy apparatus manufacturing unit                                     |
| 41      | Solar power generation through solar photovoltaic cell, wind power and mini hydel power (less than 25 MW) |
| 42      | Surgical and medical products assembling only (not involving effluent/ emission generating process)       |
| 43      | Standalone composting facility (with shed)  |

*Shree*





**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 <sup>th</sup> 16 March, 2024.

To

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

**Sub: Direction for submission of Environmental Compensation -Regarding**

Whereas, the matter is already disposed of on 01.05.2023 and the Hon'ble National Green Tribunal, Eastern Zone Bench, Kolkata in the form of Original Application No. 11/2022/EZ in the matter of the matter of Z1-Residents' Welfare Association Vrs Z- Estates Private Limited and Ors has issued 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 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 and also 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."

Whereas, a Joint Committee comprising the members i.e. Prof. (Dr.) B.K. Satapathy (Member, SEAC, Dr. Rebati Kanta Mishra, Environmental Scientist, SPCB, Odisha, Dr. Chittaranjan Panda (Member, SEAC) & Dr. Pradeept Kumar Nayak, Environmental Scientist, SEIAA, Odisha had visited the site on 13.07.2023 and have submitted their inspection report (copy attached in Annexure-I) on Phase-I building & Construction project of Z1-Apartment Complex located At-Kalarahanga, Patia, Bhubaneswar, Dist-Khordha, Odisha. In the said report, the committee have mentioned that this is a case of violation of

EC conditions and the project proponent has failed in their commitments to comply EC conditions by 31.08.2023 i.e. green belt/Plantation and Solar System for energy conservation to the extent of 5% of total power through solar water heater and Solar Power Generation System for its use etc.

Whereas, the Environmental Compensation against the Z- Estates Private Limited was calculated as per the" Report of the CPCB In-house Committee on Methodology for Assessing Environmental Compensation and Action Plan to Utilize the Fund". The details of which is as below: -

**Calculation of Environmental Compensation of Phase-I Building of Z- Estates Pvt. Ltd. At-Kalarahanga, Patia, Bhubaneswar, Dist-Khordha, Odisha**

$$\begin{aligned} EC &= PI \times N \times R \times S \times LF \\ EC &= 80 \times 377 \times 250 \times 1.5 \times 1.25 \\ &= \text{Rs. 1,41,37,500/-} \end{aligned}$$

Where,

EC -Environmental Compensation in ₹

PI = Pollution Index of industrial sector (taken 80 red category industries)

N = Number of days of violation took place (377 days i.e. 31.08.2022 to 13.07.2023)

R = A factor in Rupees (₹) for EC (Taken Rs.250/- as per CPCB recommendation)

S=Factor for scale of operation (Taken 1.5 a= for large category)

LF = Location factor (Taken 1.25)

**Pollution Index (PI)**

The range of Pollution Index for Red, Orange and Green is 60 to 100, 41 to 59 and 21 to 40, respectively.

The following values of PI have been suggested in the CPCB report: —

| Category | Red | Orange | Green |
|----------|-----|--------|-------|
| PI       | 80  | 50     | 30    |

Wastewater generation is 602 KLD and it will be treated in 650 KLD STP Capacity, so it is considered as red category project as per CPCB guidelines.

**Number of days (N)**

N, number of days for which violation took place is the period between the day of violation observed/due date of direction's compliance and the day of compliance verified by Regional Office.

**Factor in Rupees (R)**

The minimum of 100 and maximum of 500 of factor in Rupees (R) mentioned in report of CPCB.

Whereas, an Environmental Compensation of **Rs.1,41,37,500/-** ((i.e. **Rupees One Crore Forty-One Lakh Thirty-Seven Thousand Five Hundred Only**) was imposed upon you vide our letter no. SEIAA-68/07-2023 dt. 28.12.2023 and it was directed to reply by letter or to appear/present in person or through authorized person in SEIAA, Odisha Office chamber within 15 days from date of receipt of show cause notice, why the environmental compensation amount of Rs. 1,41,37,500/- shall not be collected from the builders for non-compliance of EC conditions.

Whereas, based on the show case notice letter file no. SEIAA-68/07 dt. 28.12.2023, the Sri R. P. Das on behalf of Z Estates Pvt. Ltd. has submitted their reply through email dt. 10.01.2024 and requested to SEIAA, Odisha to be present in person on 13.01.2024 but 13<sup>th</sup> January 2024 as a Govt. Holiday (Second Saturday) hence, it was intimated the Project Proponent (PP) that the meeting on 13<sup>th</sup> January 2024 is not possible and the next date will be intimate you shortly. Accordingly, we intimated the PP to present in SEIAA, Odisha office chamber and share their view on 03.02.2024. The Project Proponent Sri Tapan Kumar Mohanty (Chief Managing Director, Z Estates Pvt. Ltd.), Sri Saty Jyoti Mohanty (Director, Z Estates Pvt. Ltd) & Sri Partha Sarathi Panda (Deputy General Manager of Z Estates Pvt. Ltd) were present physically at SEIAA, Odisha Officer, Chamber for hearing of the case matter.

Whereas, the Authority heard the Sri Tapan Kumar Mohanty (Chief Managing Director, Z Estates Pvt. Ltd.) stating that the 20% green belt is not achieved for Phase-I building because the entire project is an integrated and interlink building & construction project of phase-I, Phase -II & phase-III of Z1- Estates Pvt. Ltd. The Phase-I and Phase-II already completed and Phase-III is under construction. The PP agreed that he has not achieved 20% green belt for phase-I as there is no permanent boundary for phase-I for plantation in boundary area and only avenue plantation was done there and also phase-III is under construction so there is a chance of damage of tree species and the greenery will get disturbed. He also mentioned in their letter that the green belt can be created by the PP where the phase wise construction along with a permanent boundary wall is completed. Secondly, the Z Estates Pvt. Ltd. have completed all set-up for the roof top solar heater but the same it is not working as the Z1- Residents' Welfare Association is not allowing to operate it due to some issues for pipeline

connection from their side. After perusal of the order dt. 01.05.2023 of NGT and after detailed deliberation in the matter, the Authority decided the PP has not installation of Solar Power Generation System for Phase-I and installation of Solar Heater operation is incomplete which was required to be completed by 31.08.2022. Also, the PP has not completed of Green Belt and Avenue Plantation over at least 20% of the site area as required by the Environmental Clearance dated 16.08.2011 and committed by the PP by 31.08.2022. It was incumbent upon PP to seek amendment of EC conditions or time line for compliance due to operational difficulties before due date i.e., 31.08.2022. Raising operational issues at this stage is not acceptable. After detailed discussion in the matter the authority decided that, the PP is required to submit the Environmental Compensation amount of **Rs. 1,41,37,500/-** for violation of EC conditions.

Now, therefore in view of the above, it is hereby directed the Builders is required to deposit the Environmental Compensation amounting of **Rs.1,41,37,500/- (i.e. Rupees One Crore Forty-One Lakh Thirty-Seven Thousand Five Hundred Only)** in the UCO Bank Account maintained at Secretariat Branch by FE & CC Department (Account No. 06640110075074, IFSC: UCBA0000664) and the copy of the same to be submitted at SEIAA, Odisha within 15 days of issuance of this letter. In case of failure to do so legal action may be initiated against you.

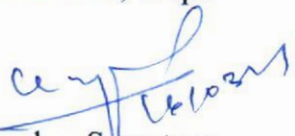
This issues with the approval of the Competent Authority.

Yours faithfully,

  
Member Secretary

Copy to

1. The Collector & District Magistrate/ADM, Khordha/Sub-Collector for his information.
2. The Member Secretary, Odisha State Pollution Control Board, A-118, Nilakantha Nagar, Unit-VIII, Bhubaneswar-751012 for his information.
3. The Director-cum-Special Secretary to Govt. Forest, Environment & CC., Dept. Govt. of Odisha, Bhubaneswar for his information.

  
Member Secretary



**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 28<sup>th</sup> December, 2023.

To

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

**DIRECTIONS UNDER SECTION-5 OF ENVIRONMENT (PROTECTION) ACT,  
 1986- SHOW CAUSE NOTICE THEREOF**

Ref: Hon'ble NGT order dt. 01.05.2023 in O.A. No.11/2022/EZ, on the matter of Z1-Residents' Welfare Association Vrs Z- Estates Private Limited and Ors.

Sir/Madam,

With reference to the above cited subject, I am to inform you that a case has been filed before the Hon'ble NGT, EZ, Kolkata in O.A. No.11/2022/ on the matter of Z1-Residents' Welfare Association Vrs Z- Estates Private Limited and Ors. The Hon'ble NGT vide its order dt. 01.05.2023 have directed to SEIAA, Odisha as follows:

- i. 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 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.
- ii. 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 (EC) 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.


- ~~34~~
- iii. With regard to completion of Green Belt and Avenue Plantation over at least 20% of the site area as required by the Environmental Clearance 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.

Accordingly, the Joint Committee comprising of the above-mentioned official had visited the site on 13.07.2023 and observed the following and after details assessment the SEIAA, Odisha has calculated amount of Rs. 1,41,37,500/- for Environmental Compensation against the Respondent Nos. 01 for non-compliance of EC conditions.

NOW THEREFORE, in view of the above observation and in exercise of the powers vested with SEIAAA, Odisha under section-5 of the Environment (Protection) Act, 1986, the Project Proponent/lessee Sri Tapan Kumar Mohanty is directed to reply by letter or to appear/present in person or through authorized person in SEIAA, Odisha office chamber within 15 days from the date of receipt of this show cause notice, why the environmental clearance (EC) amounting of Rs. Rs. 1,41,37,500/- for non-compliance of EC conditions shall not be collected from him.

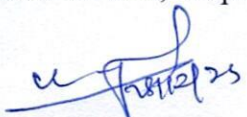
In the event of failure to comply with the above directions within the stipulated time frame, action as deemed appropriate shall be initiated against the Project Proponent in accordance with the provisions of the law.

Yours faithfully,

  
Member Secretary

Copy to

1. The Collector & District Magistrate/ADM, Khordha/Sub-Collector for his information.
2. The Member Secretary, Odisha State Pollution Control Board, A-118, Nilakantha Nagar, Unit-VIII, Bhubaneswar-751012 for his information.
3. The Director-cum-Special Secretary to Govt. Forest, Environment & CC., Dept. Govt. of Odisha, Bhubaneswar for his information.

  
Member Secretary

**Inspection report of the Joint Committee visited on 13.07.2023, in the matter on violation of conditions stipulated in the EC by the Builders Z-Estates Pvt. Ltd on Construction of Housing colony and shopping mall (Phase-I) at Kalarahanga, Patia, Bhubaneswar.**

As per the direction of the Hon'ble NGT, Eastern Zone, Kolkata order dated 01.05.2023 in O.A. No. 11/2022/EZ- Z1-Residents' Welfare Association Vrs Z- Estates Private Limited and Ors, a joint committee has been constituted comprising of the following members and the committee visited the project site on 13.07.2023:

1. Prof. (Dr.) B.K. Satapathy (Member, SEAC)
2. Dr. Rebati Kanta Mishra, Environmental Scientist, SPCB, Odisha
3. Dr. Chittaranjan Panda (Member, SEAC)
4. Dr. Pradeept Kumar Nayak, Environmental Scientist, SEIAA, Odisha

In addition to the above committee members, the following representatives and villagers were also present during the site visit: -

1. Sri Ashok Kumar Tripathy, IAS (Rtd.) Member/Representative, Z1-Welfare Apartment Society
2. Sri Malay Panigrahi, Member/Representative, Z1-Welfare Apartment Society
3. B. N. Panda Member/Representative, Z1-Welfare Apartment Society
4. Sri Partha Sarathi Panda, Representative Z- Estates Private Limited
5. Sri Radhaprasad Das Representative Z- Estates Private Limited

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

- i. 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 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.

- ii. 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 (EC) 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.
- iii. With regard to completion of Green Belt and Avenue Plantation over at least 20% of the site area as required by the Environmental Clearance 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.

Accordingly, the Joint Committee comprising of the above-mentioned official had visited the site on 13.07.2023 and observed the following after details assessment:

**Overall Observation:**

1. During site inspection the Committee has observed that the Phase-I project had already been completed and people are staying there, and Phase-II project also completed and people are staying there but the Phase-III project is under construction. The Phase-I, II & III projects are integrated project in the same campus with single boundary.
2. There is no use of Solar Power Generation System for Phase-I building only installation of Solar Heater which were under process (i.e. some equipment's for connection of Solar Heaters are installed in the roof top but not completed and not operational during the time of visit) which was required to be completed by 31.08.2022 as committed by the Project Proponent, and not completed as verified by the committee during the joint visit.
3. As the Project Proponent has not installed any Solar Power Generation System i.e Solar streetlight and Solar Heater etc and nothing operational, the Solar System for

energy conservation to the extent of 5% of total power as required by the Environmental Clearance (EC) conditions dated 16.08.2011 is not complied by the Project Proponent as observed by the Joint Committee.

4. Initially, EC was issued by SEIAA, Odisha vide letter no. 433/SEIAA dt. 16.08.2011 where it was mentioned that the plot area is **1,05,962.07 sqm**, total built-up area **2,44,092.73 sqm** and condition given in EC letter for plantation that-green belt & avenue plantation of trees should be at least 20% and shall be done using native tree species/plants improving greenery. EC obtained for entire project and nowhere, it is mentioned that EC granted for Phase-I or Phase-II etc.
5. The EC amended by SEIAA; Odisha vide letter no. 827/SEIAA dt. 23.02.2016 where the plot area was revised 1,05,962.07 sqm to **1,23,717 sqm** (i.e. Phase-I + Phase-II) and built-up area revised to **2,44,092.73 sqm** to **1,85,904.880sqm**. (i.e., for phase-I + Phase-II).
6. Finally, EC obtained from SEIAA, Odisha vide letter no. 7991/SEIAA dt. 17.03.2020 where it was mentioned that the plot area for Phase-I & Phase -II is 1,23,717 sqm and total built-up area is 73,968.9 sqm (Phase-I) and 1,11,945.98 sqm (Phase-II), provision for green belt-30,929.22 sqm (i.e. for Phase-I & Phase-II). Similarly, total plot area for Phase-III is 17,873.23 sqm and Built-up area 2,09,960.21 sqm, green belt area provision is 20,922.87 sqm.
7. As per the site visit and Google earth map KML file it reveals that there is no separate boundary for phase-I, Phase-II and Phase-III. The green-belt of Phase-I is approximately 9000 sqm. area Phase-II it is approximately 11000 sqm. area and in together it is 20,000 sqm. (Phase-I & Phase-II). But in EC letter issued vide letter no. 7991/SEIAA dt. 17.03.2020 was mentioned that the green belt- area shall be 30,929.22 sqm (i.e. for Phase-I & Phase-II) which is not complied by the Project Proponent. The Green belt and Avenue Plantations are available and shown by the Project Proponent during joint visit revealed that the tree species are planted only adjacent to boundary wall of project area and rest of the area with lawns and some decorated plant. Tree species are very less with comparison to lawns area including



ornamental and decorated plant. During joint visit Z1-Residents' Welfare Association members informed that they want to remove some tree species planted in the lawn area as there is an underground basement parking and green belt i.e. lawn was developed over the underground basement parking thus, there may be chances of cracking the basement, so they want to remove the planted tree.

### **Environmental Compensation**

Overall, the committee observed that this is a case of violation of EC conditions and the project proponent has failed in their commitments to comply EC conditions on 31.08.2023 i.e. Green belt/Plantation and Solar System for energy conservation to the extent of 5% of total power through solar water heater and Solar Power Generation System for its use etc. Hence, the environmental compensation has been calculated as below:

### **Environment Compensation to be levied for various violation by Industrial Units: -**

In absence of any formula for calculation of Environment Compensation due to violation of EC conditions for building and construction project. The committee adopted the CPCB formula applicable for environmental compensation for the industries is calculated, following below formula:

$$EC=PI \times N \times R \times S \times LF$$

$$EC=80 \times 377 \times 250 \times 1.5 \times 1.25 = \text{Rs. 1,41,37,500/-}$$

Where,

EC is Environmental Compensation in ₹

PI = Pollution Index of industrial sector (taken 80 red category industries)

N = Number of days of violation took place (377 days i.e. 31.08.2022 to 13.07.2023)

R = A factor in Rupees (₹) for EC (Taken Rs.250/- as per CPCB recommendation)

S=Factor for scale of operation (Taken 1.5 a= for large category)

LF = Location factor (Taken 1.25)

### **Pollution Index (PI)**

The range of Pollution Index for Red, Orange and Green is 60 to 100, 41 to 59 and 21 to 40, respectively.

The following values of PI have been suggested in the CPCB report: —

| Category | Red | Orange | Green |
|----------|-----|--------|-------|
| PI       | 80  | 50     | 30    |

Wastewater generation is 602 KLD and it will be treated in 650 KLD STP Capacity, so it is considered as Red category project as per CPCB guidelines.

**Number of days (N)**

N, number of days for which violation took place is the period between the day of violation observed/due date of direction's compliance and the day of compliance verified by Regional Office.

**Factor in Rupees (R)**

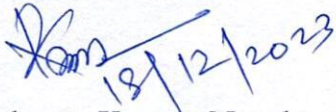
The minimum of 100 and maximum of 500 of factor in Rupees (R) mentioned in report of CPCB.

**Recommendation of the Committee**

The Project proponent shall deposit the above-mentioned amounting of Rs. 1,41,37,500/- to Forest, Environment & CC Dept., Govt. Odisha and that amount to be used for remedial measure for Plantation and installation of Solar light & Solar Heater of Z-1 Building.



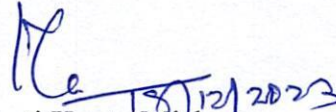
Prof (Dr.) B.K. Satpathy  
(Member, SEAC)



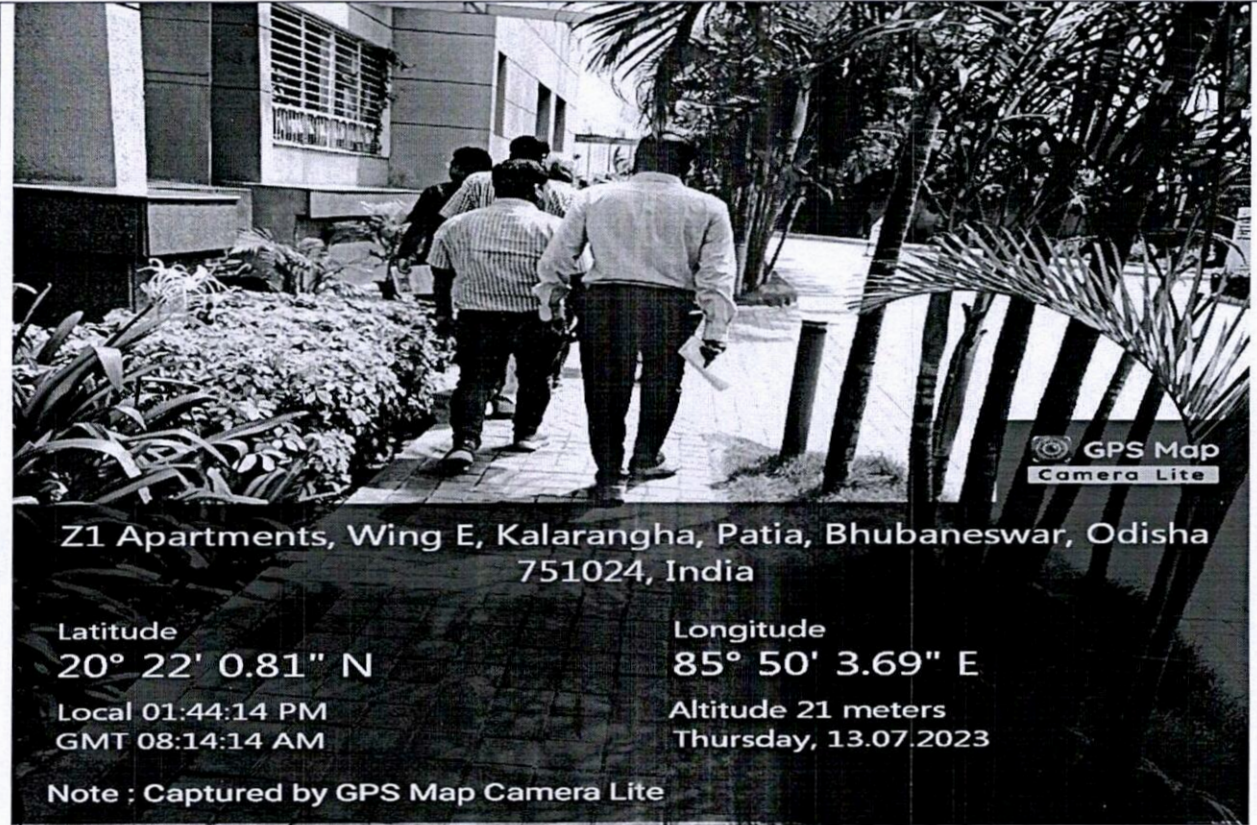
Dr. Pradeepta Kumar. Nayak,  
Environmental Scientist, SEIAA, Odisha



Dr. Chittaranjan Panda  
(Member, SEAC)



Dr. Rebati Kanta Mishra,  
Environmental Scientist, SPCB, Odisha



GPS Map  
Camera Lite

Z1 Apartments, Wing E, Kalarangha, Patia, Bhubaneswar, Odisha  
751024, India

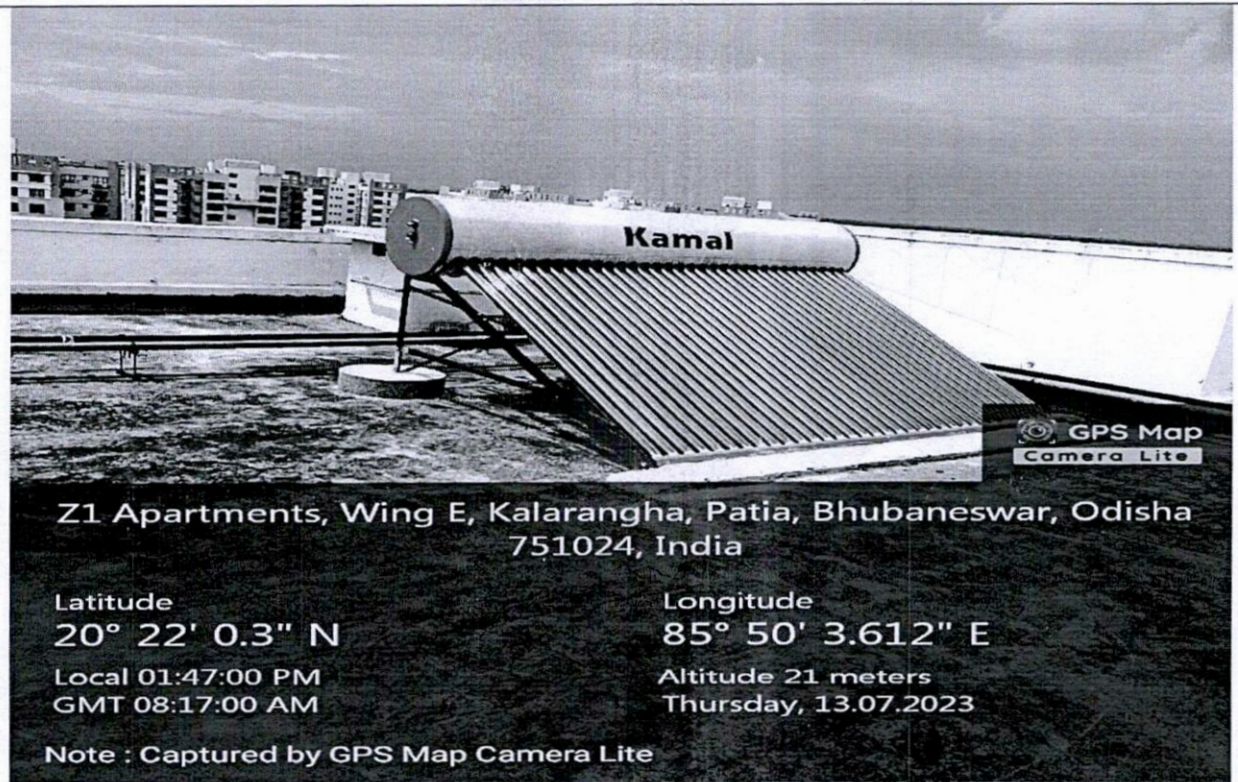
Latitude  
20° 22' 0.81" N

Longitude  
85° 50' 3.69" E

Local 01:44:14 PM  
GMT 08:14:14 AM

Altitude 21 meters  
Thursday, 13.07.2023

Note : Captured by GPS Map Camera Lite



GPS Map  
Camera Lite

Z1 Apartments, Wing E, Kalarangha, Patia, Bhubaneswar, Odisha  
751024, India

Latitude  
20° 22' 0.3" N

Longitude  
85° 50' 3.612" E

Local 01:47:00 PM  
GMT 08:17:00 AM

Altitude 21 meters  
Thursday, 13.07.2023

Note : Captured by GPS Map Camera Lite

