

BEFORE THE NATIONAL GREEN TRIBUNAL  
EASTERN ZONAL BENCH, KOLKATA, WEST BENGAL  
FINANCE CENTRE, 3<sup>RD</sup> FLOOR, NEW TOWN

**MEMORANDUM OF APPLICATION**

Original Application No.55/2024/EZ  
(Earlier Original Application No.17/2024/PB)

**IN THE MATTER OF:**

Sanu Das

...Applicant

-versus-

State of Odisha & Ors.

...Respondents

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Place: Bhubaneshwar

Date: 25 November 2024

Advocate for Respondent No. 4 (Kriday Realty Pvt. Ltd)

BEFORE THE NATIONAL GREEN TRIBUNAL  
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FINANCE CENTRE, 3<sup>RD</sup> FLOOR, NEW TOWN

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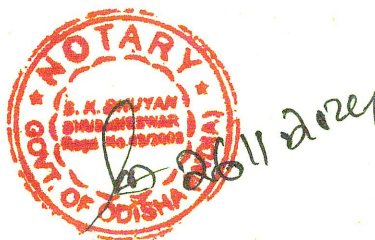
State of Odisha & Ors.

...Respondents

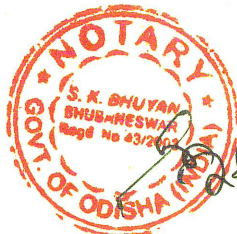
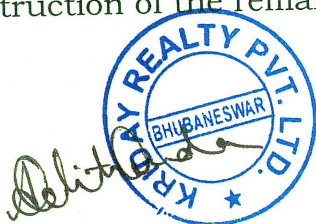
**COUNTER AFFIDAVIT ON BEHALF OF THE RESPONDENT NO. 4**

I, Aditi Kumar Nanda, daughter of Kailash Chandra Nanda, aged about 43 years, by faith Hindu, by occupation Service, working for gain at Kriday Realty Pvt. Ltd., as Deputy Manager, Marketing and Sales (CRM), having regional office at CRM Office, Plot No.87/1263, Sankarpur, Aiginia, Bhubaneswar-751029 do hereby solemnly affirm and say as follows:

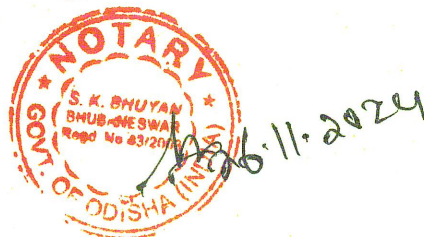
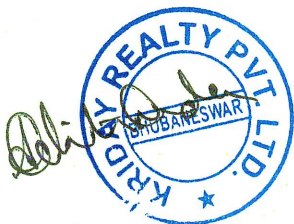
1. I am the authorized representative of the respondent No. 4 abovenamed. I am competent and have been duly authorized by the respondent No. 4 to make and affirm this affidavit on behalf of the respondent No. 4. I am fully acquainted with the facts and circumstances of the case partly from my own knowledge and partly from the records made available to me, which are maintained by the answering Respondent in the usual course of its business.
2. I am in receipt of an order dated 15 February 2024 passed by the Learned National Green Tribunal, Principal Bench, New Delhi, ("**Learned Principal Bench**") in Original Application No. 17/2024 and a subsequent order passed by the said Learned Tribunal dated 20 February 2024, whereby certain inadvertent errors in the order dated 15 February 2024 have been corrected. In terms of the orders dated 15 February 2024, read with order dated 20 February 2024, it appears that the Learned Principal Bench is in receipt of a letter sent by one Mr. Sanu Das, which has been treated as O.A. No. 17/2024. In terms of the order dated 15 February 2024, the answering respondent has been impleaded as respondent No. 5.



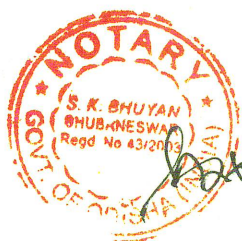
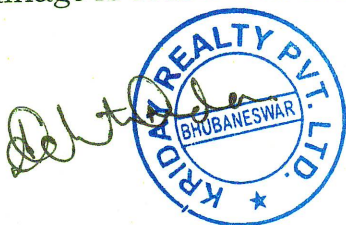
3. I am also in receipt of a copy of the letter sent by Mr. Sanu Das dated 6 July 2023, whereby an undated letter written by him to the Chairman, State Environmental Impact Assessment Authority (“**SEIAA**”), was sent to the Learned Principal Bench, together with a copy of the letter issued by SEIAA, Odisha to the answering respondent dated 16 May 2023, Occupancy Certificate ( Part) dated 10 June 2017 and another Occupancy Certificate (Part) dated 4 December 2017. The aforesaid letter dated 6 July 2023 together with the undated letter is being treated as the original application and the supporting documents as annexures thereto (“**said Application**”). I have read a copy of the said Application and have understood the meaning and purport thereof. I am also in receipt of an additional affidavit dated 27 May 2024, and interim application dated 27 May 2024 and another additional affidavit dated 4 November all filed by the applicant, Mr. Sanu Das. At the outset, I deny all pleas, allegation, contentions, submissions, statements and averments made in the aforesaid Application(s), affidavit, additional affidavit, etc. No allegation, contention, statement and / or averment contained therein ought to be deemed to be admitted due to want of specific non-traverse, save and except those which are specifically admitted by the answering Respondent to be true and correct.
4. I state that the said petition is misconceived and not maintainable in law or in the facts of the case. The said petition is based entirely on falsehood. Before dealing with the original application, I say as follows:
- (i) I state that the project “Tata Ariana” being developed in Bhubaneswar, Odisha, comprises of a total of 12 towers being built on PPP model (“**the Project**”).
  - (ii) The Project had earlier been granted Environmental Clearance (“**EC**”) vide letter No. 1997/SEIAA on 24 April 2013 for construction of 12 towers having total built up area of 1,85,176.33 sq. m. (including basement). However, construction of the 12 towers could not be completed in time and only 8 towers were completed, having a total built up area of 1,12,805.24 sq. m. Accordingly, Occupancy Certificate was also granted for 8 towers vide Occupancy Certificate (Part) bearing reference No. 15869/BDA, Bhubaneswar dated 30<sup>th</sup> June, 2017 and Occupancy Certificate (Part) bearing reference No. 30785/BDA, Bhubaneswar dated 4 December 2017, copy whereof is annexed here and collectively marked with the letter “**A**”.
  - (iii) Subsequently, the answering respondent obtained an extension of time for construction of the remaining 4 towers in the said Project.



- (iv) Accordingly, although EC was already granted on 24 April 2013, the Terms of Reference application for construction of the 4 towers was submitted on 27 April 2022 and Standard Terms of Reference was granted vide letter bearing ref No. 76188/83-MIS/04-2022 dated 29 April 2022 for undertaking detailed Environment Impact Assessment (“EIA”) studies for the same. After detailed study, the proposal for grant of EC was placed in the 109<sup>th</sup> meeting of the SEIAA, Odisha, when various observations were made by the SEIAA to be complied with by the answering respondent. The proposal for grant of EC was once again placed before the SEIAA, Odisha in its meeting held on 27 March 2023 when the SEIAA made some further observations as well. The proposal for grant of EC was thereafter, once again placed before the SEIAA, Odisha in its 116<sup>th</sup> meeting held on 26 - 27 April 2023 when, for the reasons mentioned thereunder, the application was rejected.
- (v) The answering respondent thereafter filed a fresh application for EC addressing all the concerns raised by the SEIAA. The SEIAA was thereafter pleased to further examine the matter, recommendations of the SEAC, and submissions of the answering respondent, in its 123<sup>rd</sup> meeting held on 5 May 2023. EC was thereafter granted to the answering respondent for the project for a period of 10 years for the proposed expansion with modification of “Ariana: multistoried residential complex 12.00 acre with total built up area of 1,71,593.75 sq. mt [existing built up area – 1,12,805.24 sq.m (8 towers completed), modified / revised built up area of 1,71,593.75 sq. m. (for 4 towers proposed built up area of 58,788.51 sq. m) located at Mouza – Sankarpur, Tahasil – Bhubaneswar, District – Khorda, on the stipulations, environmental conditions and safeguards specified. A copy of the Environmental Clearance granted on 30 June 2023 is annexed hereto and marked with the letter “B”.
- (vi) I say that the answering respondent has since been developing the remaining 4 towers in said Project in terms of the EC granted.
- (vii) It is further stated that in terms of order dated 3 September 2024, passed by the Hon’ble High Court of Orissa in W.P. (C) No. 100910 of 2024, the incorrect recording of a part of Hal Plot No. 7, extending Ac 1.016 dec, and corresponding to Sabik Plot No. 87/1264, which had wrongly been recorded as Kisam Jungle in Government Rakhit Khata No. 2075, has been directed to be corrected within a period of two months from the date of order, as it has been established that this was indeed an incorrect recording, and there is no jungle in the subject land.

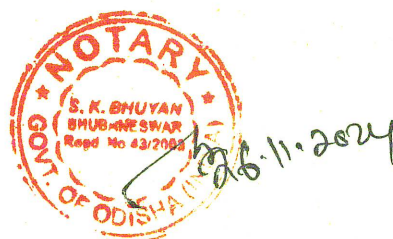
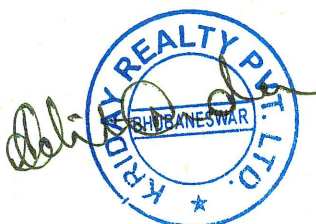


- (viii) I say that the allegations raised by the complainant are therefore misconceived as the same are based on prior events alone, and subsequent events have not been considered.
5. Now dealing with the Original Application, I say that with respect to the letter dated 6 July 2023, the same only forwards the undated letter sent by the complainant to the Chairman, SEIAA, Odisha, and therefore the same does not merit any reply in itself.
  6. I say that in the complaint letter the allegation of the complainant is non-compliance of Environmental conditions regarding storm water discharge. It is stated in the affidavit of SEIAA affirmed on 31 July 2024 that clearly certificate of compliance of EC conditions were attached with the new EC proposal and EC was granted after SEAC examined and considered the proposal. In the affidavit of SEIAA it is also clearly stated that Bhubaneswar Development Authority is responsible for acquiring of land for development of storm water, the answering respondent have already paid the required amount for that. It is denied that there has been any non-compliance of EC issued to the answering respondent for the said Project as alleged or at all. It is denied that any action needs to be taken against the answering respondent, as alleged or at all. The answering respondent is cognizant of the impact of its activities on the environment, and runs its operations in full compliance of extant laws and in a manner to ensure the wellbeing of our environment. The letter has been issued by the complainant without being abreast of the then current position, as EC had already been granted as on that date.
  7. With reference to the contents of the undated letter to the Chairman, SEIAA, Odisha, it is stated that the same has been sent by the complainant without updating himself on the matter, as EC had already been granted in respect of the said Project. The said complaint is based on fictitious and false allegations and has been issued with the intent to malign our reputation for the reasons best known to the Complainant.
  8. I repeat that it is denied that the answering respondent has failed to comply with all the conditions of Environmental Clearance, as alleged or at all. It is stated that the grounds for rejection mentioned in the letter dated 16 May 2023 pertain to a previous period, and as mentioned hereinbefore, EC has since been granted on 30 June 2023. With respect to the storm water drainage for 770 cu/hour it is stated that the answering respondent has completed its part of the same, and the storm water drainage is connected to the adjacent project, i.e., the Trident Project. The storm water

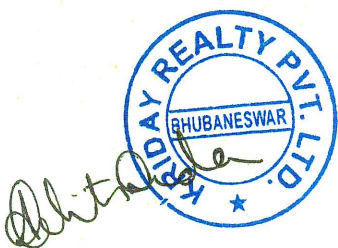


drainage now needs to be completed by the BDA, which is required to connect it from the end of the Trident Project to the natural drain. This has also been recorded in the affidavit of the State Environment Impact Assessment Authority in paragraph 6 of its affidavit dated 31 July 2024.

9. I say that the documents annexed to the said undated letter pertain to an earlier period, and do not reflect the current circumstances, which have been suppressed by the complainant.
10. Dealing with the additional affidavit dated 27 May 2024, I state that the contents of paragraphs 1 and 2 are matters of record and merit no response. With reference to the contents of paragraph 3, it is stated that the Hon'ble High Court of Orissa, vide its order dated 3 September 2024 has held that the recording of jungle was wrongly done, and has directed correction of the record. A copy of the order dated 3 September 2024 is annexed and marked with the letter "C". It is denied that the construction is being done on forest land.
11. Dealing with the interim application dated 27 May 2024, I state that the contents of paragraphs 1 and 2 are matters of record and merit no response. With reference to the contents of paragraph 3, it is stated that the same is substantially the same as that of the additional affidavit dated 27 May 2014, and has already been dealt with hereinabove. With reference to the contents of paragraph 4, it is stated that details of the judgement being relied upon have not been shared and therefore, its bearing to the present case is not understood. It is denied that the answering respondent is illegally taking up construction work, or that it is infringing the rights of the applicant or that it should be directed to stop construction of the 4 towers. It is denied that the answering respondent has represented false facts in the 123<sup>rd</sup> meeting of the SEIAA or at all.
12. Dealing with the additional affidavit dated 27 May 2024, I state that the contents of paragraphs 1 and 2 are matters of record and merit no response. With reference to the contents of paragraph 3, it is stated that the construction work is not being done in violation of the orders of the SEIAA.
13. I state that the complainant has made the complaint with malafide purposes and come before the Hon'ble Tribunal with unclean hands. I say that the correct facts are as narrated by the answering respondent and supported by the necessary documents annexed herewith.



14. I say that no case has been made out in the said application and therefore the relief as prayed in the said application may be denied.
15. The deponent reserves the right to file further affidavit, if necessary, and prays that leave be granted for the same.
16. That the statements made in paragraphs 1 to 10 are true to my knowledge, and those made in paragraphs 11, 12, 13 & 14 are my humble submissions before this Hon'ble Tribunal.



VERIFICATION

I, Aditi Kumar Nanda, daughter of Kailash Chandra Nanda, aged about 43 years, by faith Hindu, by occupation Service, working for gain at Kriday Realty Pvt. Ltd., as Deputy Manager, Marketing and Sales (CRM), having regional office at CRM Office, Plot No.87/1263, Sankarpur, Aiginia, Bhubaneswar-751029 do hereby verify that the contents of the paragraphs 1 to 10 are based on information and/or derived from sources which I verily believe to be true and I have not suppressed any material facts and circumstances and the rest are my humble submissions.



*Aditi Kumar Nanda*  
Signature of the applicant

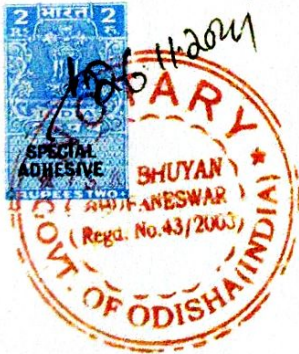
Identified by me:

DATE: 25 November 2024

PLACE: Bhubaneshwar

Advocate

*Prepared in my office  
Shruti Soubh  
Adv.*



The deponent above named being duly identified by ..... *A. P. Mohanty* Advocate appear before me and states on oath this affidavit are true to the best of my his/her knowledge.

*Sarat Kumar Bhuyan*  
NOTARY, BHUBANESWAR  
Govt of Odisha (India)  
Regd No. -43/2003

## ANNEXURE A



## FORM X

## OCCUPANCY CERTIFICATE (PART)

No. 15869 /BDA, Bhubaneswar, dated 30<sup>th</sup> June, 2017  
File No. BPBA-O-854/16

Occupancy Certificate (Part) under Regulation-16 of BDA (Planning & Building Standards) Regulations-2008 is issued in favour of **Bhubaneswar Development Authority represented through M/s Kriday Realty Pvt. Ltd.** in respect of **Integrated Multistoreyed Residential Apartment building i.e. Tower No.1,2 (B+G+13), No. 3&4 (B+G+16), No.10(B+G+15), No.11&12 (B+G+14) over plot No.87/1264 & 87/1263 Khata No.421, Village-Sankarpur, Bhubaneswar.**

The work of erection, re-erection or for material alternation undertaken in respect of plot No.87/1264 & 87/1263 Khata No.421, Village-Sankarpur, Bhubaneswar is completed under the supervision of Ar. Debraj Behera (Empanelment No.CA/2004/33719 & Er. B.K. Bhola Structural Engineer (Empanelment No.SER/003/BDA) as per the Completion certificate submitted. On inspection, it is observed the erection, re-erection or alternation undertaken with respect to above plot(s) conform the approved plan issued vide No.26990/BP dated 1412.2012 and subsequent letter No.592/CSC/BDA dt.16.01.2016. The Building is permitted for Residential occupancy subject to the following.

1. All physical infrastructures like water supply, sewerage and drainage system and water harvesting structures shall be maintained.
2. At least 20% of the land shall be developed for plantation and landscaping and maintained.
3. Periodic inspection shall be made by the Fire Authority to ensure the fire safety of the building and compliance with the provisions of fire and life safety requirement (Fire and Lift Safety Part-4 of NBC).
4. Periodic Occupancy renewal certificate shall be issued by the Authority on the recommendation of the Fire Prevention Officer which shall also include safe keep of the fighting installations and equipments for such building.



*True Copy Attested*  
*S. K. Bhuyan*  
S. K. Bhuyan  
NOTARY, BHUBANESWAR  
Regd. No.- 43/2003

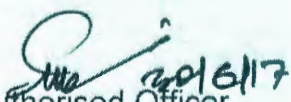


*[Signature]*

5. The building shall not be put to any other use other than the purpose for which the permission is accorded.
6. All the stipulated conditions of the NOC given by PHED vide MemoNo.7168 dt. 18.4.2017, Certificate No.54/FPW dt. 5.4.207 issued by Chief Fire Officer, No.1997/SEIAA dated 24.04.2013 of SEIAA and CESU permission letter No.11310 dt.21.7.2015 shall be strictly adhered to.
7. The Construction of storm water drain up to 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.

One set of completion plans duly certified is returned herewith.

By Approval of Vice-Chairman

  
Authorised Officer

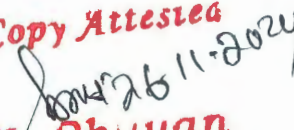
Bhubaneswar Development Authority

Memo No. 15870 /BDA DT.30.06.17 <sup>2017</sup>

Copy submitted to the Chief Fire Officer, Cuttack/City Engineer, BMC, Bhubaneswar/Executive Engineer, PH Divn-II, BBSR/ Manager(Ele), BCDD-II, IRC Village, Nayapalli, BBSR-15 for information and necessary action.

  
Authorised Officer

Bhubaneswar Development Authority

*True Copy Attested*  
  
**S. K. Bhuyan**  
NOTARY, BHUBANESWAR  
Regd. No.- 43/2003



## ANNEXURE A



FORM X

## OCCUPANCY CERTIFICATE (PART)

No. 30785/BDA, Bhubaneswar, dated - 04.12. 2017  
File No. BPBA-O-854/16

Occupancy Certificate (Part) under Regulation-16 of BDA (Planning & Building Standards) Regulations-2008 is issued in favour of **Bhubaneswar Development Authority** represented through **M/s Kriday Realty Pvt. Ltd.** in respect of **Integrated Multistoreyed Residential Apartment building i.e. Tower No.9 (B+G+15) and Club House over Sabak plot No.87/1264 & 87/1263 ( Hal Plot No. 87/1263/1802) Khata No.421, Village-Sankarpur, Bhubaneswar.**

The work of erection, re-erection or for material alternation undertaken in respect of plot No.87/1264 & 87/1263/1802 Khata No.421, Village-Sankarpur, Bhubaneswar is completed under the supervision of Ar. Debraj Behera (Empanelment No.CA/2004/33719 & Er. B.K. Bhola Structural Engineer (Empanelment No.SER/003/BDA) as per the Completion certificate submitted. On inspection, it is observed the erection, re-erection or alternation undertaken with respect to above plot(s) conform the approved plan issued vide No.26990/BP dated 1412.2012 and subsequent letter No.592/CSC/BDA dt.16.01.2016. The Building is permitted for Residential occupancy subject to the following.

- True Copy Attested*  
*by 26.11.2021*  
**S. K. Bhuyan**  
**NOTARY, BHUBANESWAR**  
**Regd. No.- 43/2003**
1. All physical infrastructures like water supply, sewerage and drainage system and water harvesting structures shall be maintained.
  2. At least 20% of the land shall be developed for plantation and landscaping and maintained.
  3. Periodic inspection shall be made by the Fire Authority to ensure the fire safety of the building and compliance with the provisions of fire and life safety requirement (Fire and Lift Safety Part-4 of NBC).
- Periodic Occupancy renewal certificate shall be issued by the Authority on the recommendation of the Fire Prevention Officer which shall also include safe keep of the fighting installations and equipments for such building.



*Debraj Behera*

5. The building shall not be put to any other use other than the purpose for which the permission is accorded.
6. All the stipulated conditions of the NOC given by PHED vide MemoNo.7168 dt. 18.4.2017, Certificate No.54/FPW dt. 5.4.207 issued by Chief Fire Officer, No.1997/SEIAA dated 24.04.2013 of SEIAA and CESU permission letter No.11310 dt.21.7.2015 shall be strictly adhered to.
7. The Construction of storm water drain up to 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.

One set of completion plans duly certified is returned herewith.

By Approval of Vice-Chairman

  
Authorised Officer

Bhubaneswar Development Authority

Memo No 30786/BDA DT. 04.12.2017

Copy submitted to the Chief Fire Officer, Cuttack/City Engineer, BMC, Bhubaneswar/Executive Engineer, PH Divn-II, BBSR/ Manager(Ele), BCDD-II, IRC Village, Nayapalli, BBSR-15 for information and necessary action.

  
Authorised Officer

Bhubaneswar Development Authority

**True Copy Attested**  
*26.11.2017*  
**S. K. Bhuyan**  
NOTARY, BHUBANESWAR  
Regd. No.- 43/2003



## ANNEXURE B

ENVIRONMENTAL  
CLEARANCE

Government of India  
Ministry of Environment, Forest and Climate Change  
(Issued by the State Environment Impact Assessment  
Authority(SEIAA), ODISHA)

To,

The General Manager - Projects  
KRIDAY REALTY PRIVATE LIMITED  
Avishikta-1, Flat No.1D 601, 369/1 Purbachal Kalitala Road, Haltu -  
700078

**Subject:** Grant of Environmental Clearance (EC) to the proposed Project Activity  
under the provision of EIA Notification 2006-regarding

Sir/Madam,

This is in reference to your application for Environmental Clearance (EC)  
in respect of project submitted to the SEIAA vide proposal number  
SIA/OR/INFRA2/430852/2023 dated 26 May 2023. The particulars of the  
environmental clearance granted to the project are as below.

- |   |  |
|---|--|
| 1. EC Identification No.                      | EC23B039OR184012   |
| 2. File No.                                   | 430852/509-INFRA2/05-2023  |
| 3. Project Type                               | Expansion  |
| 4. Category                                   | B  |
| 5. Project/Activity including<br>Schedule No. | 8(b) Townships and Area Development<br>projects.   |
| 6. Name of Project                            | Environment Clearance for Expansion<br>with Modification of "ARIANA",<br>Multistoried Residential complex at<br>MouzaSankarpur, Bhubaneswar, Odisha. |
| 7. Name of Company/Organization               | KRIDAY REALTY PRIVATE LIMITED  |
| 8. Location of Project                        | ODISHA   |
| 9. TOR Date                                   | N/A  |

The project details along with terms and conditions are appended herewith from page  
no 2 onwards.

Date: 30/06/2023

(e-signed)  
Dr. K. Murugesan, IFS  
Member Secretary  
SEIAA - (ODISHA)

Note: A valid environmental clearance shall be one that has EC identification  
number & E-Sign generated from PARIVESH. Please quote identification  
number in all future correspondence.

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True Copy Attested  
26-11-2024  
3. K. Bhuyan  
NOTARY, BHUBANESWAR  
Regd. No.- 43/2003





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

**SEIAA File No. 430852/509-INFRA2/05-2023**

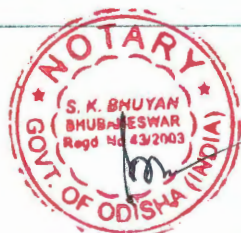
**Subject:** Application of EC of M/s Kriday Realty Pvt. Ltd for proposed Expansion with Modification of Project "TATA ARIANA". Multistoried Residential complex with Total Plot area of 12.00 Acre/ 4.857531 Ha with Total Built up area of 1.71.593.75 Sqmt. (Existing EC: 1,85,176.33Sqmt, proposed modified/revised Builtup-1.71,593.75 Sqmt) located at Mouza- Sankarpur, Tahasil-Bhubaneswar, District- Khorda-**Environmental Clearance reg.**

This has reference to your online proposal No. SIA/OR/INFRA2/430852/2023 dated 26.05.2023, submitted to SEIAA, Odisha for grant of Environmental Clearance (EC) for proposed Expansion with Modification of Project "TATA ARIANA", Multistoried Residential complex with Total Plot area of 12.00 Acre/ 4.857531 Ha with Total Built up area of 1.71.593.75 Sqmt. (Earlier EC granted: 1,85,176.33Sqmt, Existing Builtup area—1,12,805.24 Sqmt.(8 Towers Completed) Modified builtup area-1,71,593.75Sqmt(4 Towers-proposed builtup area-58788.51 Sqmt.) located at Mouza- Sankarpur, Tahasil-Bhubaneswar, District- Khorda by M/s. Kriday Realty Pvt.Ltd. filed by Sri Siddhartha Roy, GM-Projects in terms of the provisions of the Environment Impact Assessment(EIA) Notification, 2006 under the Environment(Protection) Act,1986 and subsequent amendments thereto.

**2.Proposal in Brief:-**

Proposal No.	SIA/OR/INFRA2/430852/2023
Date of application	26.05.2023
File No.	430852/509-INFRA2/05-2023
Project Type	EC (expansion with modification)
Category	BI
Project/Activity including Schedule No.	8(b) Townships and Area Development projects.
Name of the Project	Proposal for EC for proposed Expansion with Modification of Project "TATA ARIANA". Multistoried Residential complex with Total Plot area of 12.00 Acre/ 4.857531 Ha with Total Built up area of 1.71.593.75 Sqmt. (Earlier EC granted: 1.85,176.33Sqmt. Existing Builtup area—1,12,805.24 Sqmt,(8Towers Completed) Modified builtup area-1,71,593.75Sqmt (4 Towers-proposed builtup area-58788.51 Sqmt.) located at Mouza- Sankarpur, Tahasil-Bhubaneswar, District- Khorda.
Name of the company/Organization	Applicant: M/s Kriday Realty Pvt.Ltd.; Sri. Siddhartha Roy: General Manager - Projects

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Location of Project	At Mouza- Sankarpur, Tahasil-Bhubaneswar District- Khorda
ToR Date	29.04.2022

**3. Project Details:** The highlights of the proposal as ascertained from the application and as revealed from proceedings/discussion held during the meeting of SEAC/SEIAA, are given as under.

- (i) The proposal is for Expansion with Modification of "ARIANA", Multistoried Residential complex 12.00 Acre/ 4.857531 Ha with Total Built up area of 1,71,593.75 Sqmt. (Earlier EC granted: 1,85,176.33Sqmt, Existing Builtup area—1,12,805.24 Sqmt.(8Towers Completed) Modified builtup area-1,71,593.75Sqmt(4 Towers-Proposed builtup area-58788.51 Sqmt.) located at Mouza- Sankarpur, Tahasil-Bhubaneswar, District- Khorda by M/s. Kriday Realty Pvt.Ltd. filed by Sri Siddhartha Roy,GM-Projects.
- (ii) M/s Kriday Realty Pvt.Ltd. has proposed for expansion with modification of Residential Project "TATA ARIANA" located at Mouza - Sankarpur, Tahasil-Bhubaneswar, in the district of Khorda in Odisha. The project site is coming under Bhubaneswar Municipality area.
- (iii) Earlier, the project has been granted environmental clearance vide letter no - 1997/SEIAA on dated 24.04.2013 for construction of 12 Towers having total builtup area of 1,85,176.33 Sqmt (including Basement) & 1,32,395.7 sqm (Excluding Basement area). The proposed project of 12 Towers could not be completed within the stipulated time period as per agreement with BDA and only 8 Towers were completed with total built up area of 1,12,805.24 Sqmt. The CTO was granted for 12 Towers by SPCB which was subsequently revised to 8 Towers vide their letter no.7629/IND-I-CON-6662 dated 11.05.2023. The Occupancy certificate for 8 Towers has already been granted by BDA. Since, this was a Project on PPP basis with BDA for completion of 12 Towers, the agreement with BDA for completion of the project expired in the year 2017 & extension of time (EoT) to complete the project was received only in December 2021 from BDA. During this period, the building proposal was revised for expansion and modification for the remaining 4 Towers.
- (iv) The PP has submitted the proposal for construction of the remaining 4 Towers for which EC was already granted in 24.04.2013. The ToR application for construction of the remaining 4 Towers was submitted on 27.04.2022 and Standard ToR was granted by vide letter no. File No.76188/83-MIS/04-2022 dated 29.04.2022 for undertaking detailed EIA studies for the project.
- (v) Location and Connectivity – The proposed site is located at Mouza- Sankarpur, Tahasil-Bhubaneswar, District-Khordha. The Geographical co-ordinates of the project site are Latitude: 20°15'47.40"N & Longitude: 85°45'22.72"E. The site is very near to NH 5 is approx. 0.92km. The nearest railway station is Bhubaneswar Railway Station approx. 9.3 km from the project site. Biju Patnaik International Airport is at a distance of approx. 7km from the project site. Chandka-Dampara Wild Life Sanctuary is about 7.71 km. Nandankanan Wild Life Sanctuary is about 14km.

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(vi) The Detailed area Statement of the building Project:

S. No.	Project Activity	Details	Work completed	Work Yet to be completed
i)	Plot Area	Total Plot Area: 48575.31 sqm. (12.00 Acre/ 4.857531 Ha), In Possession-201537.49 sqm		
ii)	Ground coverage	9,977.279 (20.5%)	6918.703 (14.2%)	3058.576 (6.3%)
iii)	Road Area	8075.162		
iv)	Green belt (plantation area)	9997.585		
v)	Green belt above Podium	8195.295		
vi)	Service Area	515.522		
vii)	Swimming Pool	269.383		
viii)	open parking area	5800.365		
ix)	Proposed FAR	Permissible -2.75 Proposed - 2.749		
x)	Built Up Area	EC obtained for 12 Towers with built-up area of 1,85,176.33 m <sup>2</sup> (including Basement) & 132395.7 sqm (Excluding Basement area)		
		The total built-up area after modification will be decreases from 1,85,176.33 m <sup>2</sup> (including Basement) to 171593.75 m <sup>2</sup>	Existing-79458.56 sqm (Excluding Basement) 112805.24 sqm (Including Basement))	Proposed built up area-58788.51 sqm
xi)	Landscape Area Total Green belt (plantation area) 20.6 % Green belt above Podium 16.9 %	18192.88 sqm (37.5 %)	Green belt (plantation area 9997.585 sqm	
			Green belt above Podium 8195.295 sqm	
xii)	Parking Area	Total parking area -	Existing 8 Towers =	Proposed 4 Towers &

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S. No.	Project Activity	Details	Work completed	Work Yet to be completed
	30 % percentage of total built-up area towards FAR	41,685.917	24377.318 Sqm (31% of Built up area )	= 17308.599 Sqm (30% of Built up area )
xiii)	Maximum height of building	66 m	-(G+13, G+14 , G+15 & G+16) -51 m	Proposed – ( G+21) -66 m
xiv)	No. of Units	1210 nos.	792	418 Total no of L.I.G. Flats=244 nos (Which is more than 20% of total nos. of Flats)
xv)	Total project cost	Rs. 557 Cr	Rs. 346 Cr	Rs. 211

(vii) Water Requirement – During Operation phase, the total water requirement for proposed 4 towers will be approx. 323 KLD (domestic + flushing), out of which total domestic water requirement for residential is 215 KLD, flushing water is 108 KLD. The total fresh water requirement is 215 KLD (daily basis for residential blocks for domestic requirement). The total fresh water requirement for the total project(12Towers) is approx. 895 KLD, out of which total domestic water requirement for residential is 589 KLD, flushing water is 306 KLD. Therefore, the total fresh water requirement will be 589 KLD (daily basis for residential blocks for domestic requirement).

(viii) Waste water Generation & Management- It is expected that the total project will generate 719KLD of waste water. A total of 530 KLD of waste water is generated from existing 8 towers and 189 KLD will be generated from proposed 4 towers. The wastewater will be treated in a STP having capacity of 860 KL (provided for Existing and proposed sewage water Treatment) provided within the complex generating 576 KLD of recoverable treated waste water from STP which will be recycled within the project. During dry season, zero discharge will be followed and during monsoon period surplus treated wastewater 140 KLD will be discharged into municipal sewer after due permission from the competent authority. Sewerage treated water can be reused in toilet flushing & landscaping to reduce the load on fresh water. Therefore, the total fresh water requirement will be approx. 895 KLD for the project., out of which total domestic water requirement for residential is 589 KLD, flushing water is 306 KLD. The total fresh water requirement is 589 KLD (daily basis for residential blocks for domestic requirement).

(ix) Rainwater Harvesting Pits-Total no. of Rainwater Harvesting pits provided for the project will be 08 nos.

(x) Power Requirement - The overall maximum demand is approximately 4384.49 KW or 6000kVA at power factor 0.9. It is proposed to have Grid supply at 33KV from Electricity Supply Company. It is proposed to have 100% Power Backup for Common Area Services and limited for each flat. The Back-up power shall be provided by 415 Volt DG Sets. Total

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- Backup power load is 3530 KVA which will be met by 3 nos. 1010 kVA, 1 no. 500 KVA 415 DG sets. Solar Power proposed for 4 towers is 100KW.
- (xi) Solid waste Management - During operation phase, waste comprise of municipal waste majorly. Total waste generation after overall development of the project is estimated to be 3381 kg/day. Waste will be segregated into recyclable, compostable and inert waste. Apart from this E-waste will be generated from the project site. Hazardous waste to be generated from site is used oil only from DG sets. Presently, total solid waste generation is about 1.196 T/day. However, it is envisaged to be 3.8 T/day after 100% completion and operation of the project. The Municipal Solid Waste Management will be conducted as per the guidelines of Solid Waste Management Rules, 2016.
- (xii) Green Belt – The project has been well planned to have sufficient open space and green coverage. The green area comprises of evergreen, tall and ornamental trees and ornamental shrubs inside the premises. The green area has been developed over total green area measuring 18192.88 sqm (37.5 %) has already been developed. The biodiversity in the area will improve due to the proposed green cover. Evergreen tall and ornamental trees and ornamental shrubs will be planted inside the premises.
- (xiii) Parking Details – Total Parking Area Provided - 41,685.917Sqm. (Existing 8 Towers = 24377.318 Sqm (31% of Built up area) & Proposed 4 Towers= 17308.599 Sqm (30% of Built up area ).
- (xiv) Fire fighting Installations: Fire fighting system will be installed as per recommendation of the Firefighting Officer, Odisha and as per the provisions given in Part-IV of National Building Code of India -2016 and relevant BIS specifications.
- (xv) The residential population of the project will be 2392 persons after 100% completion. The population for the project is estimated at 2392 permanent, 316 visitors, and 1133 in retail. Club & Town admin building etc.
- (xvi) The project cost is 577 crores in total out of which for existing building is 327 crores and for proposed building is 250 crores. Environmental Monitoring Programme Cost Capital and recurring cost towards EMP will be Rs. 2058.75 lakhs and 429.9 lakhs/ annum respectively.
- (xvii) The project proponent along with the consultant M/s Visiontek Consultancy Services Pvt. Ltd., Bhubaneswar made a detailed presentation on the proposal on 03.08.2022.
- (xviii) The proposed site was visited by the sub-committee of SEAC on 09.11.2022. Following are the observations of the sub-committee as below:
- No construction has been made in the proposed phase except the basement. PP and Consultant were present. PP informed that the basement approval for all 3 phases were taken earlier (PP informed to submit document). Similarly, the STP has already been installed for all 3 phases as informed by PP. Thus. calculation sheet justifying the capacity to be submitted.
  - Solar power (roof top) has not been installed for earlier 2 Phases, PP informed that the same was not a requirement while the approval for the earlier 2 phases were taken. However, the solar power installations will be done for the current phase and details will be submitted.

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- iii) A drain is existing as shown by PP, thus NOC from BMC for draining excess treated water to be taken before construction.
- iv) Stack height to be enhanced as committed in the proposal, as current height is less than Phase 3 building height.
- (xix) The Sub-committee of SEAC recommended EC subject to compliance of above conditions and also submission of documents /compliances as asked by the committee during presentation.
- (xx) The PP submitted the ADS as sought by SEAC & sub-committed on 27.09.2022.
- (xxi) 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 and addition specific conditions.
- (xxii) The proposal was placed in 109<sup>th</sup> meeting of SEIAA, Odisha and After detailed deliberations, the Authority decided that the proposal be referred back to SEAC with the following observations:
- (i) As per MoEF & CC, Govt. of India circular F.No. J-11011/618/2010-IA-II(I) dated 30.05.2012, application for expansion project receipt without a certified report of the status of compliance of the conditions stipulated in the environmental clearance for the on-going/existing operation of the project by Integrated Regional Office (IRO) of MoEF & CC, Bhubaneswar, the EC shall not be accepted and placed for consideration before the SEAC. In this case, the certified compliance report of EC condition attached at annexure-6 is not certified by IRO, MoEF & CC, Govt. of India.
- (ii) The SEAC is requested to give their considered view on each of the point of EC conditions after examining the certified compliance report of IRO, MoEF & CC.
- (iii) 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 have been granted for the same area. Whereas, the PP has now applied the proposal for expansion of existing-79,458.56 Sqm (Excluding Basement) & 1,12,805.24 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.
- (iv) 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. The present position and status of the storm water drain may be verified from field.
- (xxiii) The proposal was again placed in SEAC meeting held on 27.03.2023 and the SEAC reiterated its earlier decision of EC with additional condition with the following opinion:
- 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.

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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.
  - 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.
- (xxiv) The proposal was again placed in the 116<sup>th</sup> meeting of SEIAA held on 26<sup>th</sup> -27<sup>th</sup> April, 2023. The authority had perused the recommendation of SEAC and submission of PP vide their letter no. Nil dated 05.09.2022 and decided to reject the EC application with the following observation:
- The PP was granted EC vide letter no. 1197/SEIAA dated 24.04.2013 which was valid for 10 years i.e upto 23.04.2023.
  - The EC issued for 12-Towers having a total built-up area of 1.85,1776.3 Sqmt.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. At present, there is no scope of further EC 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 leads 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.
  - The PP may apply afresh after obtaining revised CTO and occupancy certificate with full compliance of previous EC condition.
- (xxv) The PP had now submitted new EC application as per the decision of SEIAA and has submitted the ADS of SEIAA with information for consideration of EC as follows:

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Sl No	Parameter	As per EC Condition vide letter no. 1997/SEIAA dated 24.04.2013	Existing Condition as on 01.06.2023	Now Proposed by PP for existing 8 towers + proposed 4 towers
1	2	3	4	5
a)	Total plot area (Sqm):	48,575.31	48,575.31	48,575.31
	Total Built up Area (Sqm):	1,85,176.33	1,12,805.24	1,12,805.24 + 58,788.51 = 1,71,593.75
b)	Total Number of Dwelling Units:	1268	792	792 + 418 = 1210
c)	Fresh Water Requirement	691KLD as per previous EC.	374 KLD	374 KLD for existing 8 Towers and 215 KLD for proposed 4 Towers. Total fresh water requirement after expansion will be approx. 589KLD
d)	Waste Water Treatment	860KLD as per previous EC for 12 towers.	Presently waste water generated from existing 8 towers is 530 KLD.	530 KLD of waste water generated from existing 8 towers and 189 KLD will be generated from proposed 4 towers. Total 719 KLD of waste water generation after Expansion (from 12 towers). STP Capacity is 860KLD .
e)	Drainage	770 cu/hr	770 cu/hr	770 cu/hr
f)	Ground water	No ground water shall be extracted for the project work at any stage during the construction phase. Rain water recharge pit = 7 nos	No ground water was extracted during construction work of 8 Towers. Rain water recharge pit = 5 nos	No ground water will be extracted for construction work of proposed 4 Towers. Rain water recharge pit= For existing 8 towers 5 nos+ proposed 4 towers 3 nos= total 8 nos
g)	Solid Waste Generation and Management (MT per Month)	2500 kg/day or 75 Ton/Month	Bio degradable waste- 26.8 ton/month and Non Bio degradable waste- 37.47 ton/month are generated and handed over to BMC, Bhubaneswar	Bio degradable waste- 41 ton/month and Non Bio degradable waste- 60 ton/month will be generated and will be handed over to BMC, Bhubaneswar (for existing 8 towers +proposed 4 towers) We will install adequate capacity of OWC within the premises to treat 1400 Kg/day of bio degradable Waste.

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h)	Air Quality and Noise levels	Ambient noise levels should conform to residential standards both during day and night. Incremental pollution loads on the ambient air and noise quality should be closely monitored during construction phase. Adequate measures should be taken to reduce ambient air and noise level during construction phase so as to conform to the stipulated standards by CPCB/OPCB.	Maximum Ambient Noise Level of 55 dB during Construction was complied. DG set of capacity 2x1010 KVA are used for 8 Towers.	Maximum Ambient Noise Level of 55 dB will be maintained during Construction. DG set of 3 Nos. 1010 KVA + 1 No. 500 KVA will be required for 8 existing Towers and 4 Proposed Towers.
i)	Energy Conservation	Energy conservation measures like installation of CFL, s/TFL,s for lighting the areas outside the building should be integral part of the project design and should be in place before project commissioning. Used CFL,s and TFL,s should be properly collected and disposed off/sent for recycling as per the prevailing guidelines/rules of the regulatory authority to avoid toxic contamination. Use of solar panels may be adopted to the maximum extent	Fly Ash Bricks, AAC Blocks were used during the construction of 8 Towers. LED Lights at the Common Area and Solar Street Light are used for 8 Towers. Solar Hot Water @40litres/Unit Capacity were provided for Kitchen Hot Water for 8 Towers.	Fly Ash Bricks, AAC Blocks will be used during the construction of proposed 4 Towers. LED Lights at the Common Area and Solar Street Light will be used for proposed 4 Towers. Solar PV system @ 5% of Power Demand for 4 proposed Towers will be provided.

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		possible especially for street lights.		
j)	Traffic Circulation	Traffic congestion near the entry and exit points from the roads adjoining the proposed project site must be avoided. Traffic congestion shall be avoided inside the project site. The area earmarked for parking shall not be used for any other purpose. Alternate entry and exit must be provided to handle excess traffic and emergency situations .	Minimum width of the Access Road is provided as 30.48m. 1841m length of Internal Road Network with average width of 5.5m are provided for the 8 Existing Towers. Total 788 Nos. of Parking have been provided for Existing 8 Towers.	Minimum Width of 30.48m Access Road will be provided for the 8 Existing Towers + 4 proposed Towers. 996m length of Internal Road Network with average width of 6.5m will be provided for the proposed 4 Towers. Total 473 Nos. of Parking will be provided for the proposed 4 Towers.
k)	Greenbelt Development	Green belt and avenue plantation of trees over atleast 20% of the site area shall be done using native tree species/shrubs improving greenery & keeping in view aesthetics considerations in the whole complex. Professional landscape architects should be engaged to design the green layout to provide for multi-tier plantation and green fencing all around, Mitigating various environmental pollutants like dust,	8821.179 Sqm. of Land (18.16% of Plot Area ) have been provided for the Existing 8 Towers.	9997.585 Sqm. of Land (20.582% of Total Plot Area ) will be provided for 8 Existing Towers and 4 Proposed Towers.

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		noise, emissions etc. and pathway for joggers. Further, the project proponent shall ensure protection of existing natural plant species in the project area. Planting pattern of different species shall be decided by the project proponent in consultation with forestry/horticulture specialist.		
l)	Disaster / Risk Management	Standard Engineering Norms.	Emergency preparedness and response plan was available and followed during construction phase. HIRAC and safe operation procedure for each and every activity were carried out. Mock drills were being conducted for different emergency scenario like cyclone, earthquake, thunderstorm, collapse of crane, electrocution, fall from height etc. Firefighting System were provided as per Fire norms for the existing 8 Towers.	Emergency preparedness and response plan will be available and followed during construction phase for 4 Proposed Towers. HIRAC and safe operation procedure will be followed for each and every activity. Mock drills will be conducted for different emergency scenario like cyclone, earthquake, thunderstorm, collapse of crane, electrocution, fall from height etc. Firefighting System will be provided as per Fire norms for the proposed 4 Towers.
m)	Socio Economic	As per Engineering	First Aid Room was	First Aid Room, Workers shelter,

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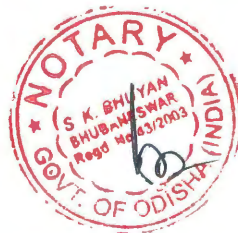


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	management	norms.	provided during the Construction of 8 Towers	Ambulance, First Aider shall be provided during the construction of 4 proposed Towers.
n)	Environment management		EMP Cost of Rs. 912.75lakh was spent during the construction and operation of 8 Towers.	EMP Cost of Rs. 861.0 Lakh will be spent during the construction and operation of proposed 4 Towers.
o)	Any other related parameter of the project	NA	NA	NA
p)	Estimated cost of storm water drain under construction within Trident Properties	Rs.1,50,66,940 estimated (Including tax)	Rs.1,50,66,940 estimated (Including tax) deposited to BDA.	Network Completed

4. This proposal conforms to the item no. 8(b)-‘Townships and Area Development Projects’ in the schedule of EIA Notification, 2006 as amended time to time, and the Building & Construction project falls under Category B1 as the built-up area of the project is  $\geq 1,50,000$ Sqmt.
5. The SEAC have appraised the proposal for consideration of EC in its meeting dated 13.01.2023 & 27.03.2023 and recommended for grant of Environmental Clearance for the project valid for a period of 10 years, stipulating various conditions.
6. The matter was further examined in the State Environment Impact Assessment Authority (SEIAA), Odisha in its 123<sup>rd</sup> meeting held on 05.05.2023, recommendation of SEAC, submission of PP and in accordance with the EIA Notification, 2006 and further amendments thereto.
7. Environmental Clearance (EC) is granted to the project valid for a period of 10 years under the provisions of EIA Notification No. S.O. 1533 (E) dated the 14<sup>th</sup> September, 2006 of the Government of India in the erstwhile Ministry of Environment and Forests, as amended from time to time for “**proposed Expansion with Modification of “ARIANA”, Multistoried Residential complex 12.00 Acre/ 4.857531 Ha with Total Built up area of 1,71,593.75 Sqmt. (Existing Builtup area—1,12,805.24 Sqmt,(8 Towers Completed), Modified/revised built up area-1,71,593.75Sqmt (for 4 Towers-Proposed built up area-58788.51 Sqmt.) located at Mouza- Sankarpur, Tahasil-Bhubaneswar, District- Khorda by M/s. Kriday Realty Pvt. Ltd.**” with the following stipulations (specific and standard). environmental conditions and safeguards.

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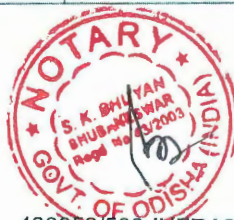
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**A. STIPULATIONS AT A GLANCE:**

**Specific conditions:**

- 7.1 EC is allowed subject to closure of the Integrated Regional Office (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.
- 7.2 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.**
- 7.3 The following thrust area of environmental sustainability shall be adhered to by the project proponent comprising of **15 parameters and EC stipulations** mentioned against each parameter:

Sl.No.	Parameters	EC Stipulations
(a)	Brief description of the project	<ul style="list-style-type: none"> <li>➤ Project "ARIANA", Multistoried Residential complex with Total Plot area of 12.00 Acre/ 4.857531 Ha with Total Built up area of 1,71,593.75 Sqmt. (Existing Builtup area— 1,12,805.24 Sqmt,(8 Towers Completed). Modified/revised built up area- 1.71,593.75Sqmt (with 4 Towers-Proposed built up area-58788.51 Sqmt) located at Mouza- Sankarpur, Tahasil-Bhubaneswar, District- Khorda</li> <li>➤ Estimated Population of the Project- 2392Persons(residential)</li> </ul>
b)	Environmental impact on project land	<ul style="list-style-type: none"> <li>➤ Total plot area- 48,575.31 Sqmt..</li> <li>➤ Total Built-up Area-1,71,593.75Sqmt (Existing-1,12,805.24 sqm. proposed - 58,788.51 Sqmt)</li> <li>➤ FAR-2.749</li> <li>➤ Total No. of Dwelling Units-(792Nos. for 8 Towers + 418Nos. for 4 Towers = 1210Nos..)</li> </ul>
(c)	Water Requirement	<ul style="list-style-type: none"> <li>➤ Total water requirement-895KLD (572KLD-existing 8 Towers &amp; 323KLD for 4 Towers)</li> <li>➤ Total fresh makeup water requirement- 589KLD(374KLD-existing 8 Towers &amp; 215KLD for 4 Towers)</li> </ul>
(d)	Waste Water Treatment	<ul style="list-style-type: none"> <li>➤ STP Capacity of 860KLD to be installed.</li> <li>➤ Net Zero Liquid Discharge(ZLD) from project site. PP is required to submit NOC from</li> </ul>

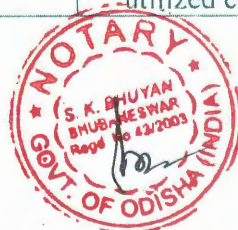




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		BMC/competent authority to SEIAA, Odisha for any change in ZLD.
(e)	Drainage	➤ PP is required to submit site specific drainage plan for drainage of storm water from BMC/Competent Authority to SEIAA, Odisha.
(f)	Ground water	➤ Not allowed during construction. ➤ After Construction with permission from WRD/CGWB. ➤ 8nos.of recharging pits of adequate capacity to be constructed within the premises.
(g)	Solid Waste Generation & Management	➤ Organic Waste Converter (OWC) of 1400kg/day capacity to be installed within the premises to treat minimum 3800 kg/day compostable waste. ➤ Inorganic waste (inerts) to be disposed off through authorized vendor.
(h)	Air Quality & Noise levels	➤ Maximum ambient noise level of 55dB to be maintained during construction. ➤ DG Set of capacity 3x 1010 kVA, 1 x 500 KVA to be installed.
(i)	Energy Conservation	➤ Solar power to be installed-100kw. minimum ➤ Flyash brick, AACs, other environmental friendly bricks & blocks to be used-20%
(j)	Traffic Circulation	➤ Minimum width of the access road (right of way) shall be 30m as height of building is above 60 m. ➤ 41,685.917Sqmt/1261ECS parking space to be provided with e-vehicle charging facility.
(k)	Green Belt Development	➤ 18,192.88 sqm (37.5 % of Plot area. ie 8,821.179 Sqmt for 8 Towers & 9,997.585 Sqmt for 4 Towers) to be raised before occupancy.
(l)	Disaster /Risk Management Plan	➤ Firefighting system shall be provided as per the fire NOC.
(m)	Socio Economic & CSR	➤ A First Aid Room with Workers shelter, Ambulance to be provided in the project both during construction and operations of the project.
(n)	Environment Management Plan(EMP)	➤ EMP cost: Rs. 2058.75Lakhs as capital cost & Rs. 429.90 Lakhs as recurring cost to be utilized each year.

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(o)	Any other related parameter of the project	➤ The Project Proponent shall convert the land to Gharabari and shall take the ownership of the land if not already taken.
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- 7.4 Any change in the EC stipulations of the parameters above shall require prior approval of SEIAA. The PP is required to obtain amendment in EC before making any changes, failing which it will be construed as violation under Environment (P) Act, 1986. The Project Proponent shall ensure submission of all permission/documents as applicable to the project for monitoring of compliance of EC conditions. These certificates/permission/documents should be submitted by the PP to SPCB, BDA, SEIAA, Odisha and to the Integrated Regional Office of MoEF & CC, Govt. of India who can assess / evaluate / monitor the compliance of conditions of EC order of the project to ensure sustainable environmental management due to the proposed project.
- 7.5 The SPCB, Odisha shall ensure that there is no change in the project w.r.t. the EC stipulations mentioned against each parameter before giving 'consent to operate' to this project and by the local urban bodies and the Bhubaneswar Development Authority while giving the 'occupancy certificate' to this project.

**B. SPECIFIC ENVIRONMENTAL CONDITIONS AND SAFEGUARDS WHICH NEED TO BE COMPLIED WITH BY THE PROJECT PROPONENT BEFORE BREAKING OF LAND:**

**7.6 Statutory Compliance:**

- (i) The PP shall adhere to terms of Agreement with BDA.
- (ii) The Proponent shall also obtain permission/NOC from Executive Engg. (PHD) and / or from the appropriate authority for disposal of excess STP treated water to the nearest drain and also submit the same to SEIAA, Odisha before start of construction work. Also, in case of the connecting drain passing through others land (Govt. or Private land), the Proponent shall obtain the permission and possession as the case may be.
- (iii) The approval of the Competent Authority shall be obtained in regard to structural safety of buildings against earthquake, adequacy of fire fighting equipment as per National Building Code including protection measures from lightning.
- (iv) The project proponent shall obtain all necessary clearance/ permission from all concerned agencies including BDA authority before commencement of work in accordance with the local building byelaws.
- (v) When the public water supply will be available adjacent to/ in the vicinity of the proposed project in future, the PP shall avail it following due procedure of the Govt if the concerned authority agrees and dispense with the drawl of ground water except one borewell for

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- emergency purpose. The PP shall take up suitably for the purpose with the concerned authority of the Government.
- (vi) The proponent shall obtain permission from concerned Fire Safety Authority.
- (vii) To reduce discharge of treated water to open drain, the proponent shall use more water for increased number of trees proposed to be planted in the green belt area & shall also utilize this treated water for car washing, floor washing to minimize the surplus discharge to drain.
- (viii) All other statutory clearances such as the approvals for storage of diesel from Chief Controller of Explosives, Fire Department, Civil Aviation Department, the Forest Conservation Act, 1980 and the Wildlife (Protection) Act, 1972 etc. shall be obtained, as applicable by project proponents from the respective competent authorities.
- (ix) The project proponent shall advertise in at least two local Newspapers widely circulated in the region, one of which shall be in the vernacular language informing that the project has been accorded Environmental Clearance and copies of clearance letters are available with the State Pollution Control Board and may also be seen on the website of the SEIAA, Odisha. The advertisement shall be made within Seven days from the date of receipt of the Clearance letter and a copy of the same shall be forwarded to the Regional Office of MoEF&CC, Bhubaneswar.
- (x) A copy of the clearance letter shall be sent by the proponent to concerned Panchayat, Zilla Parisad/Municipal Corporation, Urban Local Body and the Local NGO, if any, from whom suggestions/ representations, if any, were received while processing the proposal. The clearance letter shall also be put on the website of the company by the proponent. The EC letter shall also be displayed at the Regional Office, District Industries centre and Collector's Office/ Tahsildar's office for 30 days.

**C. SPECIFIC ENVIRONMENTAL CONDITIONS AND SAFEGUARDS WHICH NEED TO BE COMPLIED WITH BY THE PROJECT PROPONENT DURING CONSTRUCTION PHASE:**

- 7.7 Water Requirement:** The project shall adopt & implement net 'Zero liquid discharge' principle and shall maximize recycling and reuse of treated waste water generated in the project. All waste water generated shall be treated in the STP and the treated waste water shall be recycled and reused within the project so as to minimize extraction of ground water. Also ground water recharge by surplus waste water in the project plot area shall be maximized. For discharge of any quantity of treated waste water to outside the project area premises during monsoon period, the exact location of drain, etc. to which such discharge will be made and permission of competent authority allowing such discharge have to be reported. The layout of pipe lines, etc to take the waste water to the approved discharge

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point has to be elaborately depicted on map and submitted. The EC is liable to be revoked if such report is not submitted by PP.

- (ii) No ground water shall be extracted for the project work at any stage during the construction phase without obtaining the permission from the Water Resources Department, Govt. of Odisha/ CGWB.
- (iii) A certificate shall be obtained from the local body supplying water, specifying the total annual water availability with the local authority, the quantity of water already committed the quantity of water allotted to the project under consideration and the balance water available. This should be specified separately for ground water and surface water sources, ensuring that there is no impact on other users.
- (iv) When the public water supply will be available adjacent to/ in the vicinity of the proposed project in future, the PP shall avail it following due procedure of the Govt if the concerned authority agrees and dispense with the drawl of ground water except one borewell for emergency purpose. The PP shall take up suitably for the purpose with the concerned authority of the Government.
- (v) Water demand during construction should be reduced by use of pre-mixed concrete, curing agents and other best practices referred.

**7.8 Disposal of Solid Waste:** The solid waste shall be duly segregated into biodegradable and non-biodegradable components and handled in separate areas earmarked for segregation of solid waste, as per Solid Waste Management Rules, 2016. The biodegradable waste generated shall be utilized through the Organic Waste Converter to be installed at the project site. Solid waste disposal shall be by micro composting of all bio degradable waste inside the premises. The inert waste (bio-non degradable components like plastics) shall be disposed off as per norms only at authorized site. The mode of disposal of all such waste at any approved site shall be reported, even if it is handed over to any authorized vendor. Construction & Demolition (C&D) waste from the project (debris) shall be segregated and managed as per C&D Waste Management Rules, 2016 and the detailed mode of disposal to the final disposal point shall also be reported. The PP shall formulate a concrete implementation plan and submit a report showing on the layout plan of the final disposal point of biodegradable waste, non-biodegradable waste and debris generated during construction. The EC is likely to be revoked if such report is not submitted by PP.

**7.9 Air Quality Management and Noise Management:** (i) Construction site shall be adequately barricaded before the construction begins. Dust, smoke & other air pollution prevention measures shall be provided for the building as well as the site. These measures shall include screens for the building under construction, continuous dust/ wind breaking walls all around the site (at least 3-meter height). Plastic/tarpaulin sheet covers shall be provided for vehicles bringing in sand, cement, murrum and other construction materials

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- prone to causing dust pollution at the site as well as taking out debris from the site. Sand, murram, loose soil, cement, stored on site shall be covered adequately so as to prevent dust pollution. Wet jet shall be provided for grinding and stone cutting. Unpaved surfaces and loose soil shall be adequately sprinkled with water to suppress dust.
- (ii) All construction and demolition debris shall be stored at the site (and not dumped on the roads or open spaces outside) before they are properly disposed. All demolition and construction waste shall be managed as per the provisions of the Construction and Demolition Waste Rules, 2016. All workers working at the construction site and involved in loading, unloading, carriage of construction material and construction debris or working in any area with dust pollution shall be provided with dust mask.
- (iii) Notification GSR 94(E) dated 25.01.2018 of MoEF&CC regarding mandatory implementation of dust mitigation measures for construction and demolition activities for projects requiring environmental clearance shall be complied with.
- (iv) Ambient noise levels shall conform to residential standard both during day and night as per Noise Pollution (Control and Regulation) Rules, 2000 for the project. Incremental pollution loads on the ambient air and noise quality shall be closely monitored during construction phase. Adequate measures shall be made to reduce ambient air and noise level during construction phase, so as to conform to the stipulated standards by CPCB / SPCB.
- 7.10 Natural Drainage:** (i) The natural drain system should be maintained for ensuring unrestricted flow of water. No construction shall be allowed to obstruct the natural drainage through the site, on wetland and water bodies. Check dams, bio-swales, landscape and other Sustainable Urban Drainage Systems (SUDS) are allowed for maintaining the drainage pattern and to harvest rain water. Buildings shall be designed to follow the natural topography as much as possible. Minimum cutting and filling should be done.
- (ii) The permission from competent authority will be obtained to discharge the excess storm water to drain if any. The proponent shall renovate the existing drain to accommodate the discharge and maintain it perennially.
- 7.11 Provision for construction labour:** (i) Provisions shall be made for the housing of construction labour within the site with all necessary infrastructure and facilities such as fuel for cooking, mobile toilets, mobile STP, safe drinking water, medical health care, creche etc. The housing may be in the form of temporary structures to be removed after the completion of the project.
- (ii) A First Aid Room shall be provided in the project both during construction and operations of the project.
- 7.12 Top Soil Preservation and Reuse:** Topsoil should be stripped to a depth of 20 cm from the areas proposed for buildings, roads, paved areas, and external services. It should be

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stockpiled appropriately in designated areas and reapplied during plantation of the proposed vegetation on site.

**D. SPECIFIC ENVIRONMENTAL CONDITIONS AND SAFEGUARDS WHICH NEED TO BE COMPLIED WITH BY THE PROJECT PROPONENT DURING OPERATION PHASE:**

**7.13 Water Requirement and Rain Water Harvesting:**

- (i) For meeting the total fresh water requirement for the project upto maximum 589KLD(Total water requirement -895KLD(approx.) i.e. first time before recycle) from ground water source, necessary prior permission has to be obtained from the Water Resources Department, Govt. of Odisha/ CGWB, failing which no ground water is allowed to be tapped. PP shall install water meter at all water drawal and intake points for the project.
- (ii) The quantity of fresh water usage, water recycling and rainwater harvesting shall be measured and recorded to monitor the water balance as projected by the project proponent. The record shall be submitted to the Integrated Regional Office, MoEF&CC and SEIAA, Odisha along with six monthly Monitoring reports.
- (iii) Installation of dual pipe plumbing for supplying fresh water for drinking, cooking and bathing etc. and other for supply of recycled water for flushing, landscape irrigation, car washing, thermal cooling, conditioning etc. shall be done.
- (iv) Use of water saving devices/ fixtures (viz. low flow flushing systems; use of low flow faucets tap aerators etc.) for water conservation shall be incorporated in the building plan.
- (v) Separation of grey and black water should be done by the use of dual plumbing system. In case of single stack system separate recirculation lines for flushing by giving dual plumbing system be done.
- (vi) Any ground water dewatering should be properly managed and shall conform to the approvals and the guidelines of the CGWA in the matter. Formal approval shall be taken from the CGWA for any ground water abstraction or dewatering. The proponent shall also obtain permission from Water Resources Department, Govt. of Odisha for drawl of water.
- (vii) The proponent shall keep one bore well as standby domestic water source once municipal water supply is made available in the project area.
- (viii) A complete plan for rainwater harvesting at the proposed site shall be drawn up and implemented. The complete rainwater harvesting plan shall be submitted to SEIAA within one month from this day. As proposed, 08 nos. of rain water harvesting pits for artificial ground water recharge shall be installed as per CGWB guidelines.

**7.14 Solid Waste Management:**

- (i) The provisions of the Solid Waste (Management) Rules, 2016. E-Waste (Management) Rules.

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2016, and the Plastics Waste (Management) Rules, 2016 shall be followed.

- (ii) Disposal of muck during construction phase shall not create any adverse effect on the neighbouring communities and be disposed taking the necessary precautions for general safety and health aspects of people, only in approved sites with the approval of competent authority.
- (iii) Separate wet and dry bins must be provided in each unit and at the ground level for facilitating segregation of waste. Solid waste shall be segregated into bio-degradable and inert materials. Bio-degradable waste shall be composted in Organic Waste Converter of 1400kg/day as proposed. Adequate area shall be provided for solid waste management within the premises which will include area for segregation, composting. The inert waste from the project will be sent to dumping site.
- (iv) Any hazardous waste generated during construction phase, shall be disposed off as per applicable rules and norms with necessary approvals of the State Pollution Control Board.
- (v) A certificate from the competent authority handling municipal solid wastes, indicating the existing civic capacities of handling and their adequacy to cater to the Municipal Solid Waste generated from project shall be obtained.

**7.15 Sewerage Treatment Plant:**

- (i) STP of 860 KLD capacity shall be installed before start of the operation phase of the building. Treatment of 100% grey water by decentralized treatment should be done. The treated waste water from STP shall be recycled / reused to the maximum extent possible. Flushing, washing, watering of the lawns and gardening, filter backwash, cleaning of the floors, etc. facilities are to be met by recycled water. Discharge of unused treated waste water shall conform to the norms and standards of the Odisha State Pollution Control Board. Necessary measures should be taken to mitigate the odour problem from STP. The sewage treatment plant shall be made functional before the completion of Building Complex. Periodical monitoring of water quality of treated sewage shall be conducted. Necessary measures should be made to mitigate the odour problem from STP.
- (ii) Excess treated water shall be discharged to the drain only after getting the permission from the concerned authority. The proponent shall renovate the existing drain to accommodate the discharge and maintain it perennially.
- (iii) A certificate from the competent authority shall be obtained for discharging treated effluent/ untreated effluents into the Public sewer/disposal/drainage systems along with the final disposal point.
- (iv) The wastewater generated shall not be allowed to mix with storm water. The Project Proponent shall ensure separate approved line for discharge of treated waste water and that of storm water. No sewage or untreated effluent water would be discharged through storm water

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drains.

- (v) Sludge from the onsite sewage treatment, including septic tanks, shall be collected, conveyed and disposed as per the Ministry of Urban Development, Central Public Health and Environmental Engineering Organization (CPHEEO) Manual on Sewerage and Sewage Treatment Systems, 2013.
- (vi) The proponent shall obtain permission from the concerned authority to discharge the liquid waste to any drain i.e. the competent authority of the drain and "Nala" before commencement of any activity at the project site.

**7.16 Energy Conservation:**

- (i) Compliance with the Energy Conservation Building Code (ECBC) of Bureau of Energy Efficiency shall be ensured. Buildings in the States which have notified their own ECBC, shall comply with the State ECBC. Outdoor and common area lighting shall be LED. Concept of passive solar design that minimize energy consumption in buildings by using design elements, such as building orientation, landscaping, efficient building envelope, appropriate fenestration, increased day lighting design and thermal mass etc. shall be incorporated in the building design. Wall, window, and roof u-values shall be as per ECBC specifications.
- (ii) Energy conservation measures like installation of CFLs / LED for the lighting the area outside the building should be integral part of the project design and should be in place before project commissioning. Used CFLs, TFL and LED shall be properly collected and disposed off/sent for recycling as per the prevailing guidelines/rules of the regulatory authority to avoid mercury contamination.
- (iii) The proponent shall use renewable energy/ solar power of at least 5% of projected power requirement for the building premises as feasible.
- (iv) Solar energy shall be installed to meet electricity generation equivalent to 5% of the demand load/as proposed or as per the state level/ local building bye-laws requirement, whichever is higher & feasible. The project proponent shall follow the ECBC/ECBC-R prescribed by Bureau of Energy Efficiency, Ministry of Power strictly.
- (v) Solar power shall be used for lighting in the apartment to reduce the power load on grid. Separate electric meter shall be installed for solar power. Solar water heating shall be provided to meet 20% of the hot water demand of the commercial and institutional building or as per the requirement of the local building bye-laws, whichever is higher.
- (vi) Use of environment friendly materials in bricks, blocks and other construction materials, shall be required for at least 20% of the construction material quantity. These include Fly Ash bricks, hollow bricks, AACs, Fly Ash Lime Gypsum blocks, compressed earth blocks, and other environment friendly materials. Fly ash should be used as building material in the construction as per the provision of Fly Ash Notification of September, 1999 and amended as

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on 27<sup>th</sup> August, 2003 and 25<sup>th</sup> January, 2016. Ready mixed concrete must be used in building construction.

- (vii) A certificate of adequacy of available power from the agency supplying power to the project along with the load allowed for the project shall be submitted.

**7.17 Air Quality Management and Noise Management:**

- (i) The gaseous emissions from DG set shall be dispersed through adequate stack height as per CPCB standards. Acoustic enclosure shall be provided to the DG sets to mitigate the noise pollution. Low sulphur diesel shall be used. The location of the DG set and exhaust pipe height shall be as per the provisions of the Central Pollution Control Board (CPCB) norms.
- (ii) For indoor air quality the ventilation provisions as per National Building Code of India shall be provided.

**7.18 Greenbelt Development:**

- (i) Green-belt, lawn area & avenue plantation of trees over the area of 18,192.88 sqm (37.5% of plot area) shall be done using native tree species/shrubs improving greenery & keeping in view aesthetics considerations in the whole complex. The species with heavy foliage, broad leaves and wide canopy cover are desirable. Professional landscape architects should be engaged to design the green layout to provide for multi-tier plantation and green fencing all around, mitigating various environmental pollutants like dust, noise, emissions etc. A minimum of 1 tree for every 80 Sqmt of land should be planted and maintained.
- (ii) Rainwater from open spaces shall be collected and reused for landscaping and other purposes. Roof top rain water harvesting shall be adopted for the proposed Buildings. Rainwater harvesting at the proposed site shall be implemented. Before recharging the surface runoff, pre-treatment must be done to remove suspended matter, oil and grease.

**7.19 Parking, Traffic & Transportation:**

- (i) A comprehensive mobility plan, as per Ministry of Urban Development best practices guidelines (URDPFI), shall be prepared to include motorized, non-motorized, public, and private networks. Road should be designed with due consideration for environment, and safety of users. The road system can be designed with these basic criteria.
- Hierarchy of roads with proper segregation of vehicular and pedestrian traffic.
  - Traffic calming measures
  - Proper design of entry and exit points.
  - Parking norms as per local regulation
- (ii) A detailed traffic management and traffic decongestion plan shall be drawn up to ensure that the current level of service of the roads within a 01 km radius of the project is maintained and improved upon after the implementation of the project. This plan should be based on cumulative impact of all development and increased habitation being carried out or proposed to be carried out by the project or other agencies in this 01 km radius of the site and the traffic

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management plan shall be duly validated and certified by the State Urban Development department and the P.W.D./ competent authority for road augmentation and shall also have their consent to the implementation of components of the plan which involve the participation of these departments.

- (iii) Vehicles hired for bringing construction material to the site should be in good condition and should have a pollution check certificate and should conform to applicable air and noise emission standards be operated only during non-peak hours.
- (iv) A dedicated entry/exit and parking shall be provided for commercial activities.
- (v) Barricades shall be provided around project boundary.
- (vi) Speed of the vehicles shall be restricted upto 15 kmph by erecting speed bumps at regular intervals at project site and proper signage shall be provided for guided vehicular movement and speed restrictions.
- (vii) Parking shall be prohibited on the access road to the proposed project site.
- (viii) Parking in terms of ECS & space, both for 4 wheelers / 2 wheelers for the project shall be provided as per the norms considering the residents and visitors in the project.
- (ix) Footpath shall be seamless with sufficient width.
- (x) No vehicles shall be allowed to stop and stand in front of the gate on main access.
- (xi) A buffer of minimum 10 m shall be maintained between the entry/exit gate and the road to avoid traffic congestion.

**7.20 Environment Management Plan:** (i) The company shall have a well laid down environmental policy duly approve by the Board of Directors/project authority. The environmental policy should prescribe for standard operating procedures to have proper checks and balances and to bring into focus any infringements/deviation/violation of the environmental / forest /wildlife norms/ conditions. The company shall have defined system of reporting infringements / deviation / violation of the environmental / forest / wildlife norms / conditions and / or shareholders / stake holders. The copy of the board resolution in this regard shall be submitted to the Integrated Regional Office, MoEF&CC, Govt. of India, Bhubaneswar as well as SEIAA, Odisha as a part of six-monthly report.

- (ii) An Environmental Management Plan (EMP) shall be prepared and implemented to ensure compliance with the environmental conditions specified above. A dedicated Environment Monitoring Cell with defined functions and responsibility shall be put in place to implement the EMP. The environmental cell shall ensure that the environment infrastructure like sewage treatment plant, landscaping, rain water harvesting, energy efficiency and conservation, water efficiency and conservation, solid waste management, renewable energy etc. are kept operational and meet the required standards. The environmental cell shall also keep the record of environment monitoring and those related to the environment infrastructure.

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- (iii) Action plan for implementing EMP(as proposed) and environmental conditions along with responsibility matrix of the company shall be prepared and shall be duly approved by competent authority. The year wise funds earmarked for environmental protection measures shall be kept in separate account and not to be diverted for any other purpose. Year wise progress of implementation of action plan shall be reported to the Integrated Regional Office. MoEF&CC, Govt. of India, Bhubaneswar as well as SEIAA, Odisha along with the Six Monthly Compliance Report.

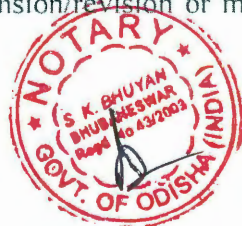
- 7.21 Half-yearly Compliance Report:** (i)It shall be mandatory for the project management to submit six (06) monthly compliance reports on post environmental monitoring in respect of the stipulated terms and conditions in this Environmental Clearance to the State Environment Impact Assessment Authority (SEIAA),Odisha, SPCB & Integrated Regional Office of the Ministry of Environment & Forest, Odisha, the respective Zonal Office of CPCB and the SPCB in hard and soft copies on 1<sup>st</sup> June and 1<sup>st</sup> December of each calendar year. The proponent shall also upload the compliance report including results of monitored data, as applicable in the website of the Ministry for monitoring of EC Conditions. The criteria pollutant levels namely; SPM, RSPM, SO<sub>2</sub>, NO<sub>x</sub> (ambient levels as well as stack emissions) or critical sectoral parameters, indicated for the project shall be monitored and displayed at a convenient location near the main gate of the company in the public domain.
- (ii)Officials from the Integrated Regional Office of MoEF&CC, Bhubaneswar/SPCB, Odisha who would be monitoring the implementation of environmental safeguards should be given full cooperation, facilities and documents/data by the project proponents during their inspection.
- (iii)The environmental statement for each financial year ending 31<sup>st</sup> March in Form-V as is mandated to be submitted by the project proponent to the concerned State Pollution Control Board as prescribed under the Environment (Protection) Rules, 1986, as amended subsequently, shall also be put on the website of the company along with the status of compliance of EC conditions and shall also be sent to the respective Integrated Regional Offices of MoEF&CC, Govt. of India by E-mail.

**E. MISCELLANEOUS ENVIRONMENTAL CONDITIONS WHICH NEED TO BE COMPLIED WITH BY THE PROJECT PROPONENT:**

**7.22 Other Conditions:**

- (i) The project proponent shall inform the Integrated Regional Office, MoEF&CC, Govt. of India, Bhubaneswar as well as SEIAA, Odisha the date of financial closure and final approval of the project by the concerned authorities, commencing the land development work and start of operation by the project.
- (ii) No further expansion/revision or modifications in the project shall be carried out without

Day





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

- prior approval of SEIAA, Odisha. In the case of any change(s) in the scope of the project, the project would require a fresh appraisal by the SEIAA, Odisha.
- (iii) The SEIAA, Odisha reserves the right to add additional safeguard measures subsequently, if found necessary, and to take action including revoking of the environment clearance under the provisions of the Environmental (Protection) Act, 1986, to ensure effective implementation of the suggested safeguard measures in a time bound and satisfactory manner. The company in a time bound manner shall implement these conditions.
- 8 All EC condition stipulations would be enforced among others under the provisions of the Water (Prevention and Control of Pollution) Act, 1974, the Air (Prevention and Control of Pollution) Act 1981, the Environment (Protection) Act, 1986, the Public Liability (Insurance) Act, 1991 and the EIA Notification, 2006.
- 9 Any appeal against this clearance shall lie with the National Green Tribunal, if preferred, within a period of 30 days as prescribed under Section 16 of the National Green Tribunal Act, 2010.

Yours faithfully,

  
 Member Secretary

**Copy to:**

1. **Joint Secretary (IA Division)**, Ministry of Environment, Forests and Climate Change Govt. of India, Indira Paryavaran Bhavan, Jor Bagh Road, Aliganj, New Delhi-110003 for information.
2. **Additional Chief Secretary**, Forests & Environment Dept., Government of Odisha for information.
3. **Secretary**, SEAC, Paribesh Bhawan, A/118, Nilakantha Nagar, Unit-VIII, Bhubaneswar for information.
4. Guard file for record/Website/Parivesh Portal.

**Copy for information and necessary action:**

1. **Member Secretary**, State Pollution Control Board, Odisha, Paribesh Bhawan. A/118, Nilakantha Nagar, Unit-8, Bhubaneswar.
2. **Deputy D.G.Forest**, Integrated Regional Office (IRO), Ministry of Environment & Forests, A-31, Chandrasekharapur, Bhubaneswar.
3. **Regional Director**, CGWA, South Eastern Region, Bhujal Bhawan, Khandagiri, Bhubaneswar, Pin-751030







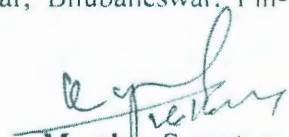
**STATE ENVIRONMENT IMPACT ASSESSMENT AUTHORITY, ODISHA**

SRF-2/1, Unit-IX, Bhubaneswar-751022, Tel: 0674-3512840. Email: seiaaodisha@gmail.com

statutory body constituted by Ministry of Environment, Forest & Climate Change under Environment (Protection) Act, 1986)

4. **Vice Chairman**, BDA, Bhubaneswar Development Authority, Akash Shova Building, Sachivalay Marg, Bhubaneswar, Pin-751001.
5. **Executive Engineer**, Bhubaneswar Municipal Corporation, Vivekananda Marg, Near Kalpana Square, Bhubaneswar, Pin-751014.
6. **Member Secretary**, OWSSB, Unnati Bhawan, 2<sup>nd</sup> floor, Satya Nagar, Bhubaneswar, Pin-751007.
7. **Engineer-in-Chief**, PHD, Unnati Bhawan, 1<sup>st</sup> floor, Satya Nagar, Bhubaneswar, Pin-751007.
8. **Collector, District Magistrate**, Khordha, District-Khordha.

111

  
Member Secretary



06/11/2024

Signature Not Verified

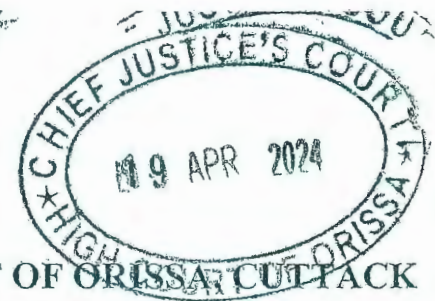
Digitally signed by Dr. K.

Murugesan, IFS

Member Secretary

Date: 6/30/2023 5:40:04 PM

# ANNEXURE 'C'



1 -

IN THE HIGH COURT OF ORISSA, CUTTACK

WP(C) No. 10091 of 2024

CODE No.: 200900

In the matter of:

Articles 226 and 227 of the Constitution of India

AND

In the matter of:

Articles 14 and 300-A of the Constitution of India

AND

Presented in Court

*S. K. Bhuyan*  
B.O.  
23/4/24

In the matter of:

An application assailing the order dated 09 February 2024 passed in OSS Case No. 826/2023 whereby the Ld. Board of Revenue has erroneously dismissed the application under S. 15(b) of the Odisha Survey & Settlement Act, 1958 for correction of the finally published ROR dated 14 November 2013 as not maintainable.

True Copy Attested  
26-11-2024  
**S. K. Bhuyan**  
NOTARY, BHUBANESWAR  
Regd. No.- 43/2003



AND

*Surendra Prasad Dhal*  
Advocate  
NOTARY, CUTTACK  
18

- 2 -

In the matter of:

An application assailing the finally published Record of Rights dated 14 November 2013 whereby a parcel of land admeasuring Ac.1.016 in Mouza-Sankarpur, Tahasil - Bhubaneswar, District - Khurda out of Ac.12.00 sub-leased by the Bhubaneswar Development Authority (BDA) in favour of the Petitioner No. 1 on 18 February 2013 for development of an integrated residential complex has been erroneously recorded as "Jungle" in Hal Plot No. 97 under Khata No.2076.

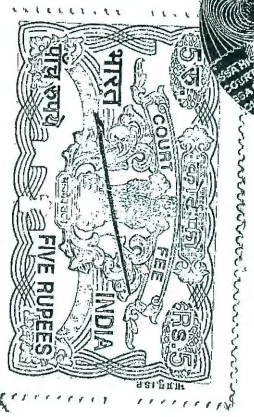
AND

In the matter of:

An application seeking quashing of the order dated 09 February 2024 passed in OSS Case No. 826/2023 issuance of directions to the Opp. Parties for rectification of the ROR consistent with the lease deed executed by the State in favour of the BDA and the sub-lease executed by the BDA in favour of the Petitioner No.1.

AND

4.17.24  
Surendra Prasad Dhal  
Advocate  
NOTARY CUTTACK



NOTICES

- 3 -

In the matter of:

1) **KRIDAY REALTY PVT. LTD.**, a company represented through its authorized representative Aditi Nanda, at present working as Assistant Manager Marketing and Sales (CRM), being duly authorized by the Board of Directors, having its regional office at CRM Office, at Plot No. – 87/1263, Sankarpur, Aiginia, Bhubaneswar – 751020

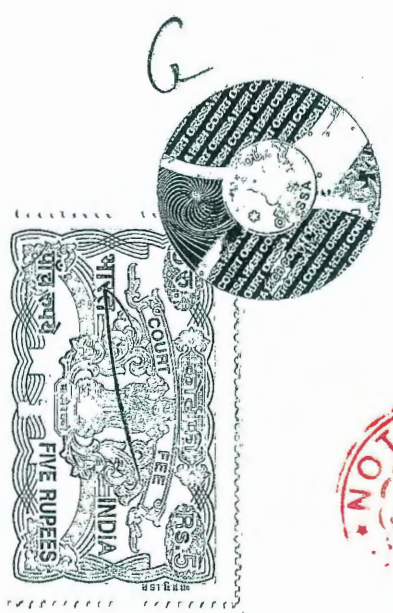
2) **TATA HOUSING DEVELOPMENT COMPANY** represented through its authorized representative Aditi Nanda, at present working as Assistant Manager Marketing and Sales (CRM), being duly authorized by the Board of Directors, having its registered office at E Block, Voltas Compound, T. B. Kadam Marg, Chinchpokli, Mumbai - 400033

...PETITIONERS

-Versus-

1) **THE STATE OF ODISHA**, represented by the Principal Secretary to Government in the Department of Revenue and Disaster Management, Lok Seva Bhavan, Bhubaneswar – 751001, District – Khurda, Odisha

2) **THE STATE OF ODISHA**, represented by the Additional Chief Secretary to Government in the



*Surendra Prasad Dhal*  
Advocate  
NOTARY, CUTTACK

- 4 -

General Administration & Public Grievance  
Department, Lok Seva Bhavan, Bhubaneswar –  
751001, District – Khurda, Odisha

3) **THE SETTLEMENT OFFICER**, At-Jobra,  
Ps- Malgodown, Dist- Cuttack

4) **THE TAHASILDAR**, Bhubaneswar Tahasil,  
Bhubaneswar, District – Khurda, Odisha

5) **BHUBANESWAR DEVELOPMENT  
AUTHORITY**, represented through its Secretary,  
At: Akash Shobha Building, Sacivalaya Marg,  
Bhubaneswar-751001, District – Khurda, Odisha

6) **ODISHA REAL ESTATE REGULATORY –  
AUTHORITY**, represented through its Secretary,  
At: Block-A1, 3<sup>rd</sup> Floor, Toshali Bhawan,  
Satyanagar, Bhubaneswar-751007, District –  
Khurda, Odisha

7) **THE DIVISIONAL FOREST OFFICER**,  
City Forest Division Bhubaneswar, Green Park  
Nursery, Saheednagar, Bhubaneshwar - 751007

8) **THE BOARD OF REVENUE, ODISHA**,  
Cuttack through its Secretary



...OPP. PARTIES

*Surendra Prasad Dhal*  
Advocate,  
NOTARY, CUTTACK

*g* *B*

- 5 -

9) THE UNION OF INDIA IN THE MINISTRY OF ENVIRONMENT, FORESTS AND CLIMATE CHANGE, At: Indira Paryavaran Bhawan, Jorbagh Road, New Delhi - 110003

...PROFORMA OPP. PARTY



18



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.10091 of 2024

*(An application under Articles 226 & 227 of the Constitution of India.)*

**Kriday Realty Pvt. Ltd.,  
and another**

.....

**Petitioners**

Versus

**State of Odisha and others**

.....

**Opposite Parties**

Advocate(s) appeared in this case :-

For Petitioners : Mr.M.Kanungo, Sr. Advocate  
For Opposite Parties : Mr.D.Mohapatra, Advocate  
(for O.P.No.5)  
Mr.K.K.Das, ASC

**CORAM : JUSTICE B.P. ROUTRAY**

**JUDGMENT**  
**3<sup>rd</sup> September 2024**

**B.P. Routray, J.**

1. Heard Mr.Kanungo, learned Senior Counsel for the Petitioners and Mr.Mohapatra, learned counsel for Opposite Party No.5 as well as Mr.Das, learned counsel for the State-Opposite Parties.

2. Mr.Das, learned Additional Standing Counsel for the State submits that Opposite Party No.3 has filed his counter today through e-filing.

*W.P.(C) No.10091 of 2024*

*Page 1 of 7*





3. The Petitioners in this writ petition have prayed for quashing of order dated 9<sup>th</sup> February 2024 (Annexure-2) passed by the Additional Commissioner, Bhubaneswar in OSS Case No.826/ 2023.

4. The Petitioners are Real Estate Developers who have been allowed to develop the land on PPP Mode. Bhubaneswar Development Authority, who allotted the land for development to the present Petitioners, preferred the revision case before the Additional Commissioner impleading Petitioner No.1 as Opposite Party No.5. The entire dispute is regarding recording of the land in Hal Plot No.97 extending Ac.1.016 dec corresponding to Sabik Plot No.87/1264 in Government Rakhit Khata No.2075 having Kisam Jungle.

5. The admitted fact remains that in the Sabik ROR, it was recorded as Puratana Patita and while preparing the hal records, such extent of the land measuring Ac.1.016 dec. has been recorded in Jungle Kisam.

6. The learned Commissioner in the impugned order under Annexure-2 has though agreed that RoR.of the land in question has been prepared wrongly with an apparent error committed by the Settlement Authority during last settlement operation shifting southern boundary line of Hal Plot No.97, thereby mismatching the Hal-Sabik comparison of maps. Despite holding so, the Commissioner has denied to correct the Kisam of the land holding that even if for wrong recording of the land in Jungle Kisam, prior approval of Government of India in the Ministry of Environment and Forest is mandatory and therefore, refused to correct the Kisam.

7. Perusal of the hal ROR under Annexure-1 admittedly reveals recording of the Kisam as Jungle in respect of Plot No.97. The real dispute involved here is that, the land in question was never in Jungle Kisam, but





by wrong shifting of boundary line of the plot in the map, some Jungle Kism lands were included. It is submitted on behalf of the Petitioners and Opposite Party No.6 that, if the boundary line in the map would be corrected, all those Jungle Kism lands will be excluded. It is seen from the counter filed by Opposite Party No.7, i.e. The Forest Department, they have admitted regarding mismatch in the preparation of boundary line in the Hal map of Plot No.97. Paragraph 5 and 6 of their counter are reproduced below:

“5. That the deponent respectfully submits that Sabik Plot No.87/1264 & No.87/1263 of Village-Sankarpur, P.S-Chandaka recorded in Sabik Khata No.421 corresponds to series of Hal plot with Gocher classification recorded in Hal Khata No.2075 (Rakhit Khata). But on super imposition of Hal & Sabik map, it reveals that Sabik Plot No.87/1264 with an area of Ac.7.990 corresponds to several Hal plots including plot No.97(P) with an area of Ac.1.016 classified as Jungle, recorded in “Jungle Bibhag” Khata No.2076. But Hal plot No.97(P) as per Hal map does not tally with the Hal Sabik & Sabik Hal plot index co-relation. So, as it appears there is a mis-match in preparation of boundary line of Hal plot No.97, Hal Khata No.2076 which corresponds to Sabik plot No.87 (P) of Mouza-Sankarpur.

6. That on verification in the field, it is seen that the Forest Deptt. is not in possession over the schedule area of Ac.1.016 of plot No.97(p) having no forest growth. The Settlement Officer, Major Settlement, Cuttack is the competent authority to offer his views in the matter of change of boundary line in the Hal map if required which has been communicated to the Under Secretary, Board of Revenue, Odisha, Cuttack vide this office letter No.8159 dated 07.11.2023.”

W.P.(C) No.10091 of 2024



Page 3 of 7





8. Opposite Party No.5 in their counter supports the case of the Petitioners of course.

9. Opposite Party No.3 in his counter has stated that the Settlement Officer is not the competent authority to correct the map and ROR after final publication of the same.

10. In such view of the matter, the question arises that, when it is admitted that the boundary line has been wrongly drawn in the map to include some portion of the Jungle Kisam lands, can the Revenue Authorities under the provisions of Odisha Survey and Settlement Act rectify the same ?

11. Section 15 of the OSS Act, which gives the revisional power to the Board of Revenue, stipulates as follows:

“15. Revision by Board of Revenue – The Board of Revenue may in any case direct-

(a) of its own motion the revision of any record-of-rights, or any portion of a record-of rights, at any time after the date of final publication under Section 12-B but not so to affect any order passed by a Civil Court under Section 42.

(b) on application made within one year from the date of final publication under Section 12-B the revision of record-of-rights or any portion thereof whether within the said period of one year or thereafter but not so as to affect any order passed by a Civil Court under Section 42.

Provided that no such direction shall be made until reasonable opportunity has been given to the parties concerned to appear and be heard in the matter.”



W.P.(C) No.10091 of 2024



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12. It is no more *res integra* that the authority exercising the revision power under Section 15 of the Act to correct the record of rights has very wide jurisdiction. A land record which is wrongly prepared due to the mistake on the part of settlement authorities can undoubtedly be corrected by exercising the power under Section 15. In the instant case, it is not that the land allotted to the BDA and subsequently given to the Petitioners were the forest lands. But the fact remains that the area, due to change of the boundary line, is including some forest lands. So, if the boundary line is corrected in terms of the Sabik map, then it will exclude the forest lands. So, the question of changing of Kisam of Jungle (forest) would not arise in respect of the land.

13. As it is found from the report of the Tahasildar, mentioned in the impugned order, he has clearly stated that there is mismatch in Hal-Sabik map. The relevant portion is reproduced below:

“Hal Plot No.97 stands recorded in Khata No.2076 (Jungle Bibhag) classified as jungle which corresponds to sabik Plot No.87 of Sabik Khata No.424, but doesn't corresponds to Sabik Plot No.87/1264 or 87/1263 of Mouza-Sankarpur. The Hal Plot No.97(p) towards Southern side measuring an area of Ac.1.016 is under exclusive possession of BDA which has been leased out to M/s.Kriday Reality Pvt. Ltd for Housing Project. Further, on verification, it is seen that Sabik-Hal and Hal-Sabik co-relation in corresponds to Sabik Plot No.87/1264 and 87/1263 of Mouza-Sankarpur as per plot Index does not tally with the Hal Sabik superimposition of maps leading to mismatch in preparation of the South side boundary wall of Hal Plot No.97. It may be stated here that Sabik Plot No.87/1264 and 87/1263 stands recorded in Settlement ROR No.423 (Rakhita Anabadi) which is classified as Gochara. As such, the Southern side boundary line of Hal Plot



W.P.(C) No.10091 of 2024



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B





No.97 need to be corrected to the extent so as to tally with Sabik Map plot No.87.”

Further, the Collector in his para-wise report has stated before the Commissioner that while preparing the map in respect of Plot No.97 some area/portion of Sabik Plot No.87 has been mistakenly added to Hal Plot No.97.

14. Therefore, it becomes clear from the record as well as the counter of the Opposite Parties that a mistake has been incorporated while preparing the map to include some parts of forest land and therefore, if the map is corrected, such forest lands would be excluded from plot no.97 in terms of the Sabik plot. Undoubtedly, the power to correct the record of settlement is vested with the revisional authority in terms of Section 15 of the OSS Act and therefore, the authority under Section 15 has the power to correct the record if any mistake is found in preparation of the same because once a case is made out to invoke the revisional power, the authority is bound to exercise the power. So, the finding of the revisional authority that permission of Ministry of Environment and Forest is required for correction of the Kisam, is found an error on record. It is true that the power vested by the provisions of the statute on an authority cannot be construed to divest the power from same authority, and the authority is duty-bound to exercise his power within his limits. Here, it is held that the Commissioner has the power under Section 15 of the OSS Act to correct the records whenever he finds a mistake in preparation of the same by the Settlement Authorities and he cannot leave his hands free on the guise of permission from another authority. Accordingly, the Revenue Authorities are directed to correct the map in respect of Hal Plot No.97 as per the



W.P.(C) No.10091 of 2014



mistakes pointed out by the concerned authorities, within a period of two months from today. The impugned order is set aside to this extent.

15. The writ petition is disposed of as allowed.

SD/- B. P. Routroy, J

C.R. Bhowal, A.R.-Cum-Sr.Secy.



W.P.(C) No.10091 of 2024

Compare by, R. Sahoo  
11.9.24


Date of Application :- 11  
 Date of Notification :- 10  
 Date of Supply :- 13 / 09.2024  
 Date of Ready :- 10  
 Date of Delivery :- 13/09.2024


C.A No- 77470/2024

**MEMO OF COSTS**

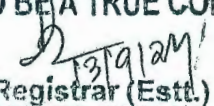
	Rs.	P.
Application Fee.....	10	00
Folios / No. Pages...12... x 2	24	00
Hologram Fees..... x 1	12	00
Photo Copier Fee..... x 1	12	00
For Typed Copies..... x 5	—	—
<b>Total</b>	<b>58</b>	<b>00</b>

(Rupees Fifty Eight only)

  
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 18.09.2024  
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**CERTIFIED TO BE A TRUE COPY**

  
 Assistant Registrar (Estt.)  
 HIGH COURT OF ORISSA  
 Authorised Under Section-75,  
 Bharatiya Sakshya Adhinlyam-2023

