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S.L. NO.

**BEFORE THE NATIONAL GREEN TRIBUNAL SITTING AT KOLKATA**

**(Under Section 18(1) read with Section 16 of National Green Tribunal Act, 2010)**

**APPEAL No. 02 of 2025/EZ**

**Between**

Z-Estates Private Limited & Anr.

...Appellants

**VERSUS**

State Environment Impact Assessment Authority Odisha & Ors.

...Respondents

**APPEAL**



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*Pramod Prasad*  
Advocate for the Appellants

I

**BEFORE THE NATIONAL GREEN TRIBUNAL SITTING AT KOLKATA**

**(Under Section 18(1) read with Section 16 of National Green Tribunal Act, 2010)**

**APPEAL No. of 2025/EZ**

**Between**

Z-Estates Private Limited & Anr.

...Appellants

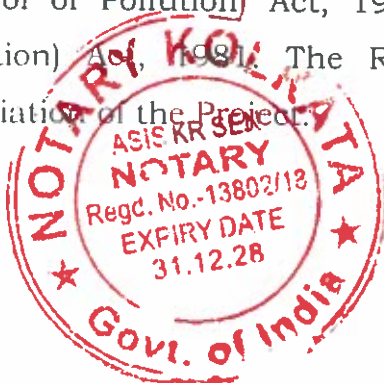
**VERSUS**

State Environment Impact Assessment Authority Odisha & Ors.

...Respondents

**SYNOPSIS OF THE CASE**

The Appellant No. 1 is a private company incorporated under the provisions of the *erstwhile* Companies Act, 1956 and an existing company under the provisions of the Companies Act, 2013. The Appellant is engaged in the business of real estate development in the state of Odisha. The Appellant is the Project Proponent of Z-1 Apartment Complex located at Kalarahanga, Patia, Bhubaneswar, Dist. – Khordha, Odisha (**'Project'**). The Respondent No. 1 is the State Environment Impact Assessment Authority, Odisha, a statutory body constituted by the Ministry of Environment, Forest & Climate Change under the provisions of the Environment (Protection) Act, 1986 (**'Environment Act'**). The Respondent No. 2 is the State Pollution Control Board discharging functions *inter alia* under the Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981. The Respondent No. 3 is the residents' welfare association of the Project.

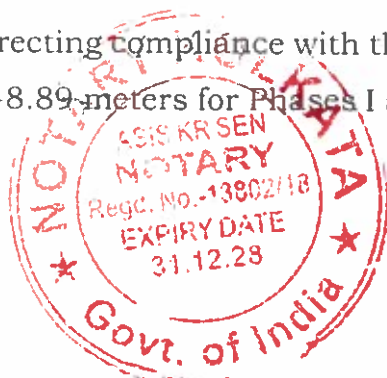


The Project being a large one, is to be developed in phases. It is submitted that as on date the Project Proponent has completed 2 (two) phases and Phase-III is under progress. Phase-III of the Project is expected to be completed 2027.

The Appellants submitted an application dated October 5, 2015 with the Respondent No. 2 for a consent to operate under the Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981. Pursuant to such application, the Respondent No. 2 was pleased to issue a Consent to Operate on January 27, 2016 (“CTO”). In the said CTO, the Respondent No. 2 was pleased to permit construction of a common stack attached to three DG sets (380 KVA each) having height of 6.06 meters above ground level. Such DG sets’ stack height was permitted in view of the fact that the nearest habitable building to the common stack was proposed to be at least 30 meters away. Moreover, location of all 3 DG sets was proposed to be on the north side of the Project for better dispersion of smoke since the wind in the region of the Project blew from the south-west.

On January 11, 2022, the Respondent No. 3 filed an application before this Hon’ble Tribunal being O.A. No. 11/2022/EZ alleging non-compliance of some EC conditions by the Appellants and praying for appropriate orders. The same was finally disposed of on May 1, 2023 directing the Respondent No. 2 to *“verify as to whether the vent height of the D.G. set stack which is at present 6.06 meters for the ground level is adequate, considering that the Environmental Clearance requires the same to be more than the highest building height”*.

Thereafter, the Respondent No. 1 passed the impugned order/direction dated February 18, 2025 which form part of a purported show cause notice issued under Section 5 of the Environment (Protection) Act, 1986 (“**Impugned Order**”) directing compliance with the requirement for installation of DG stack height of 48.89 meters for Phases I and II by the Appellants and also directing



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for the suspension of all building and construction work for Phase-III of the Project until final order of the authority.

The Impugned Order has been passed without application of mind and without jurisdiction. The Impugned Order is unreasonable, disproportionate and contrary to law without proper consideration being given to the CTO.

Hence, the Impugned Order is liable to set aside, recalled or quashed on such ground alone.



IV

**BEFORE THE NATIONAL GREEN TRIBUNAL SITTING AT KOLKATA**

**(Under Section 18(1) read with Section 16 of National Green Tribunal Act, 2010)**

**APPEAL No.                      of 2025/EZ**

**Between**

Z-Estates Private Limited & Anr.

...Appellants

**VERSUS**

State Environment Impact Assessment Authority Odisha & Ors.

...Respondents

**LIST OF DATES**

November 1, 2010      The Appellant submitted Form 1 and Form 1A along with the scrutiny fees for obtaining Environmental Clearance (“EC”)

August 16, 2011      EC was granted to the Appellant based upon the above submitted Form 1 and Form 1A

September 10, 2014      Amendment application under Form 1 for obtaining approval for Phase-II of the Project was made by the Appellant

January 27, 2016      Respondent No. 2 issued a Consent to Operate in favour of the Appellants



V

February 23, 2016 EC was granted to the Appellant based upon the above submitted amended application under Form 1

August 27, 2016 Occupancy Certificate issued with respect to Phase-I of the Project

April 18, 2019 Appellant made online application for obtaining approval for Phase-III of the Project

March 17, 2020 EC was granted to the Appellant based upon the above submitted online application for Phase-III of the Project

April 1, 2021 Appellant No. 1 handed over the Phase-I of the Project to the Respondent No. 3

January 11, 2022 Respondent No. 2 filed an application before this Hon'ble Tribunal being O.A. No. 11/2022/EZ

February 10, 2022 Occupancy Certificate issued with respect to Phase-II of the Project

May 1, 2023 Order passed by the Hon'ble Tribunal in O.A. No. 11/2022/EZ directing the Respondent No. 1 to inspect the Project site within one month

July 13, 2023 The Joint Committee, constituted under the aegis of order dated May 1, 2023 visited the Project site

July 12, 2024 Respondent No. 2 issued notice to the Appellants

July 19, 2024 The Appellants responded to the notice dated July 12, 2024 of the Respondent No. 2

August 17, 2024 Respondent No. 2 issued notice to Respondent No. 3



VI

- November 11, 2024 Respondent No. 2 issued a letter to Respondent No. 1 purporting violation of EC conditions pertaining to DG sets stack height
- December 20, 2024 Order of this Hon'ble Tribunal in M.A. No. 15/2024/EZ directing Respondent No. 1 to pass orders relating to the purported violation of DG set stack height in Phases-I and II of the Project
- February 18, 2025 Impugned Order passed by the Respondent No. 1 under a show cause notice directing stoppage of construction and works under Phase-III of the Project





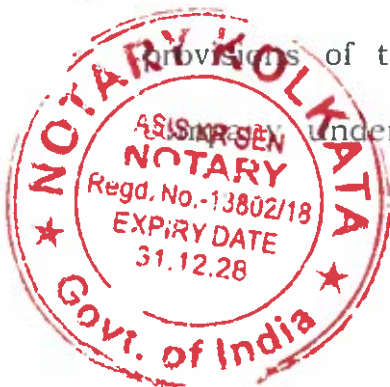
2. Odisha State Pollution Control Board, through the Member Secretary, having his office at Nilakantha Nagar, Unit-VIII, Bhubaneswar-751012. Email ID: [paribesh1@ospcboard.org](mailto:paribesh1@ospcboard.org)
3. Z1 Residents' Welfare Association, service through the General Secretary, having its office at Bidhubhusan Nayak, Tower 1, Flat No. 1304, Z1 Estate, Nadankanan Road, Kalarhanga, Patia, Bhubaneswar – 751024, Odisha. Email ID: [Z1rwa.bbsr@gmail.com](mailto:Z1rwa.bbsr@gmail.com)

....RESPONDENTS

- (I) The address of the Appellants is as given above for the service of this appeal and that of their representative Argus Partners is 3<sup>rd</sup> Floor, Binoy Bhawan, 27B Camac Street, Kolkata – 700016.
- (II) The addresses of the Respondents are as given above for service of notices of the present appeal.
- (III) The Appellants above-named begs to present the Memorandum of Appeal against the order dated February 18, 2025 (**'Impugned Order'**) passed by the Respondent No. 1 hereinabove, on the grounds set out hereunder:

**FACTS IN BRIEF:**

1. The Appellant No. 1 is a private company incorporated under the provisions of the *erstwhile* Companies Act, 1956 and an existing



under the provisions of the Companies Act, 2013. The

Appellant No. 2 is one of the directors of the Appellant No. 1 and is duly authorised to represent Appellant No. 1. The Appellant No. 2 is vitally interested in the business and affairs of the Appellant No. 1. The Appellant No. 1 is engaged in the business of real estate development in the state of Odisha. The Appellant No. 1 is the Project Proponent of “Z-1 Apartment Complex” situated at Kalarahanga, Patia, Bhubaneswar, Dist. – Khordha, Odisha (**Project**). The Project being a large one, is to be developed in phases. It is submitted that as on date the Project Proponent has completed 2 (two) phases and Phase-III is under progress. Phase-III of the Project is expected to be completed by 2027.

2. The Respondent No. 1 is the State Environment Impact Assessment Authority, Odisha, a statutory body constituted by the Ministry of Environment, Forest & Climate Change under the provisions of the Environment (Protection) Act, 1986 (**Environment Act**). The Respondent No. 2 is the State Pollution Control Board discharging functions *inter alia* under the Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981. The Respondent No. 3 is the residents’ welfare association of Phase I of the Project.
3. Your Appellants state that on November 1, 2010, the Appellants submitted Form 1 and Form 1A along with the scrutiny fees for obtaining Environmental Clearance (“EC”) for the above proposed housing project.



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The Appellants submitted clarifications and additional information through subsequent letters dated December 28, 2010, January 7, 2011, March 3, 2011, April 2, 2011, May 2, 2011, May 14, 2011, May 16, 2011 and July 1, 2011. Thereafter, the Environment Clearance being Ref. No. 433/SEIAA/SEIAA-261/10 was granted to the Project Proponent through letter dated August 16, 2011 issued by the Respondent No. 1. As per condition B(v) of the EC the requirements for Diesel Generator (“DG”) Sets in the Project were as follows:-

*“Diesel power generating sets proposed as source of back-up power for lifts elevators and common area illumination during operation phase should be of enclosed type and conform to Environment Protection (EP) Rules 1986. The height of the stack of DG sets should be equal to the height needed for the combined capacity of all proposed DG sets put together and should be more than the highest building height. Low sulfur diesel should be used. The location of the DG sets may be decided in consultation with Orissa State Pollution Control Board. Care may be taken to avoid disposal of smoke /pollutants from DG sets in the residential area.”*

The appellants crave leave to refer to and rely upon photocopies of the application Form 1 and Form 1A submitted by the Appellant along with letters dated December 28, 2010, January 7, 2011, March 3, 2011, April 2, 2011, May 2, 2011, May 14, 2011, May 16, 2011 and July 1, 2011, if necessary, at the time of hearing. Copy of the Environment



Clearance dated August 16, 2011 is annexed hereto and collectively marked as "**Annexure P-1**".

4. It is pertinent to mention that in the aforesaid EC, total plot area was 105962.07 sqm. corresponding to built up area was 244092.73 sqm. It was also mentioned that Green Belt and Avenue Plantation of trees over at least 20% of the site area shall be done using native tree species and/or plants improving greenery and keeping in view aesthetics considerations in the whole campus.
  
5. Your Appellants state that on September 10, 2014, the Appellants submitted Form 1 and Pre-feasibility report along with the scrutiny fees for obtaining Environmental Clearance for the proposed modernization for construction of Housing Colony and Shopping Mall (Phase II) of the Project and additional information was submitted through letters dated January 12, 2015, March 17, 2015, July 13, 2015, and October 20, 2015. Thereafter, the Amendment Environment Clearance being Ref. No. SEIAA/827 was granted to the Project Proponent through letter dated February 23, 2016 issued by the Respondent No. 1. It is pertinent to mention that in the said Form I, the modified plot area was 1,23,717 sqm. corresponding to total Built Up area 2,75,042 sqm. The Appellant craves leave to refer to and rely upon photocopies of the aforesaid Form I and Pre-feasibility Report if necessary, at the time of hearing. Copy of



C

the Amendment Environment Clearance dated February 23, 2016 is annexed hereto and collectively marked as "**Annexure P-2**".

6. In the meantime, the Appellants submitted an application dated October 5, 2015 with the Respondent No. 2 for a consent to operate under the Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981. Pursuant to such application, the Respondent No. 2 was pleased to issue a Consent to Operate on January 27, 2016 ("**CTO**"). In the said CTO, the Respondent No. 2 was pleased to permit construction of a common stack attached to three DG sets (380 KVA each) having height of 6.06 meters above ground level. Such DG sets' stack height was permitted in view of the fact that the nearest habitable building to the common stack was proposed to be at least 30 meters away. Moreover, location of all 3 DG sets was proposed to be on the north side of the Project for better dispersion of smoke since the wind in the region of the Project blew from the south-west. The Appellants crave leave to refer to and rely upon a copy of the application dated October 5, 2015, if necessary, at the time of hearing. A copy of the said CTO dated January 27, 2016 is annexed hereto and marked as "**Annexure P-3**".

7. Your Appellants state that Occupancy Certificate with respect to Phase-I was issued on August 27, 2016, a copy of which is annexed hereto and marked as "**Annexure P-4**".



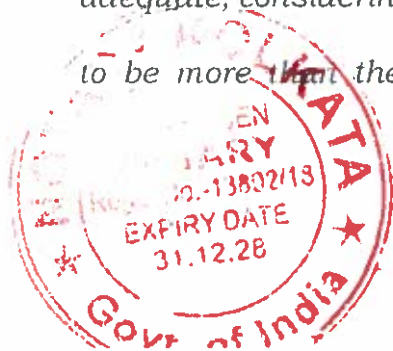
8. Your Appellants state that the Appellants further submitted a proposal for proposed expansion for construction of housing colony and convenient shopping (Phase III) of the Project on July 19, 2018 through online application under File No. SIA/OR/NCP/30018/2018. The Environment Clearance being Ref. No. 7991/SEIAA dated March 17, 2020 was issued by the Respondent No. 1 in favour of the Appellants. The Appellant craves leave to refer to and rely upon the photocopies of the application, if necessary, at the time of hearing. Copy of the aforesaid Environment Clearance dated March 17, 2020 is annexed hereto and marked as "**Annexure P-5**".
9. The Phase-I of the Project was completed by 2016 and the Appellant No. 1 handed over the common maintenance Phase-I of the Project to the Residents' Welfare Association ("**Z1 RWA**") i.e., the Respondent No. 3, on and from April 1, 2021, and copies of documents evincing such handover are annexed hereto and marked collectively as "**Annexure P-6**".
10. Your Appellants state that the Occupancy Certificate with respect to Phase-II of the Project was issued on February 10, 2022, a copy of which is annexed hereto and marked as "**Annexure P-7**".
11. A complete aerial view of the layout of the Project as per the Environmental Clearance granted for each phase is annexed hereto and



marked as “**Annexure P-8**”. The Appellants have therefore made every endeavour to ensure that the mandate of the terms and conditions of the Environment Clearance have not been violated other than situations where the Appellants endeavours were obstructed by factors not within its control.

12. On January 11, 2022, the Respondent No. 3 filed an application before this Hon'ble Tribunal being O.A. No. 11/2022/EZ (*Z1 Residents' Welfare Association vs. Z Estates Private Limited & Ors.*) alleging non-compliance of some EC conditions by the Appellants and praying for appropriate orders. The said proceeding was frivolously and vexatiously filed by the respondent no. 3 and the contentions therein are unsubstantiated. The Appellants craves the leave of this Hon'ble Tribunal to refer to and rely upon the pleadings in the above application at the time of hearing, if necessary.

13. The matter was heard at length on several occasions by this Hon'ble Tribunal and was finally disposed of on May 1, 2023. By an order dated May 1, 2023 passed in O.A. No. 11/2022/EZ (*Z1 Residents' Welfare Association vs. Z Estates Private Limited & Ors.*), this Hon'ble Tribunal directed the Respondent No. 2 to “*verify as to whether the vent height of the D.G. set stack which is at present 6.06 meters for the ground level is adequate, considering that the Environmental Clearance requires the same to be more than the highest building height*”. A copy of the aforesaid



solemn order dated May 1, 2023 passed in O.A. No. 11/2022/EZ is annexed hereto and marked as “**Annexure P-9**”.

14. Pursuant to the directions contained in the order dated May 1, 2023, the Joint Committee, constituted under the the order dated May 1, 2023, visited the Project site and conducted an inspection on July 13, 2023. Thereafter, no notice or communication was received for a substantial amount of time in respect of any alleged inadequacy in DG sets’ stack height from any of the respondent authorities.
15. It later transpired that the Z1 RWA/Respondent No. 3 had filed an application being Miscellaneous Application No. 15/2024/EZ on or about January 23, 2024 seeking certain purported reliefs arising out of the said order dated May 1, 2023 in O.A. 11/2022/EZ. The Appellants crave leave to refer to and rely on a copy of M.A. 15/2024/EZ, if necessary, at the time of hearing.
16. Thereafter, the Respondent No. 2 purported to issue a notice dated July 12, 2024 to the Appellants for the first time stating that the common stack height of the DG sets in the Project was required to be 48.89 meters from the ground level. The Respondent No. 2 also purported to direct installation of Retrofit Emission Control Device (“**RECD**”) at the exhaust muffler of the DG sets (as per a circular of the Respondent No. 2 dated October 6, 2023) within seven days. The Appellant No. 1 immediately



responded to the said notice by a letter dated July 19, 2024 putting on record the correct facts and circumstances of the case including the fact that stack height of the DG sets had been stipulated as 6.06 meters as per the CTO, which was still valid and subsisting in respect of the Project. The Appellant No. 1 further informed of handing over of Phase-I of the Project to the Respondent No. 3 much prior to coming into operation of the circular dated October 6, 2023 of the Respondent No. 2. Copies of the said letters dated July 12, 2024 and July 19, 2024 are annexed hereto and collectively marked as "**Annexure P-10**".

17. The Appellants later learnt that the Respondent No. 2 had written to the Respondent No. 3 on August 17, 2024 directing enhancement of DG sets' stack height. To the best of the Appellants' knowledge the Respondent No. 3 took no steps whatsoever towards enhancement of DG sets' stack height in Phase-I of the Project which was under the possession and control of the Respondent No. 3 exclusively. A copy of the said letter dated August 17, 2024 is annexed hereto and marked as "**Annexure P-11**".

18. No further notice or communication was received from the Respondent No. 2 in respect of the common stack height of the DG sets. The Appellants thus, proceeded with construction of Phase-III of the Project taking into account the fact that the purported issue relating to the stack height of the DG sets had been settled. By continuing with construction of Phase-III without any objection raised by the Respondent No. 2 as to



the common stack height of the DG sets, the Appellants altered their position and continued to incur expenses towards construction of Phase-III.

19. By an order dated December 20, 2024 (in M.A. 15/2024/EZ), this Hon'ble Tribunal was pleased to direct the Respondent No. 1 to pass orders relating to the purported violation of DG set stack height in Phases-I and II of the Project. No direction as to Phase-III of the Project was passed. A copy of the said order dated December 20, 2024 is annexed hereto and marked as "**Annexure P-12**".

20. Several months after the last communication relating to DG sets' stack height, the Respondent No. 1 purported to pass the impugned order/direction dated February 18, 2025 which form part of a purported show cause notice issued under Section 5 of the Environment (Protection) Act, 1986 ("**Impugned Order**"). By the Impugned Order, the Respondent No. 1 has purported to direct compliance with the requirement for installation of DG stack height of 48.89 meters for Phases I and II by the Appellants and has also directed suspension of all building and construction work for Phase-III of the Project until final order of the authority. It is only from the enclosure of the said Impugned Order that the Appellants came to learn that the Respondent No. 2 had purported to change their stand (by a letter dated November 12, 2024

purported to change their stand (by a letter dated November 12, 2024 by Respondent No. 2 to the Respondent No. 1) and had purported



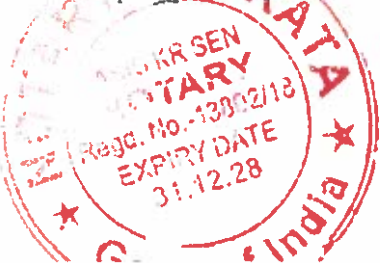
to rely on height of the “nearest” building for the common stack height of the DG sets for the Project. A copy of the show cause notice dated February 18, 2025 (containing the impugned order and the letter dated November 12, 2024) is annexed hereto and marked as “**Annexure P-13**”.

21. It is submitted that the Impugned Order has been passed without application of mind and without jurisdiction. The Impugned Order is unreasonable, disproportionate and contrary to law. The Impugned Order has also been passed in gross violation of the principles of natural justice.
22. There exists no violation of the EC dated August 26, 2011, as erroneously and incorrectly alleged in the Impugned Order. The respondent authorities failed to appreciate that the DG sets’ common stack was situated at a distance of at least 30 meters from the nearest habitable building, and as such, there could be no question of linking any building height with the common stack height of DG sets in the Project. The CTO issued by the Respondent No. 2 correctly applied the relevant rules and guidelines governing the common stack height of DG sets to stipulate the same to be 6.06 meters in the Project.
23. The compliance of the CTO stipulated common stack height of DG sets cannot be disputed by the respondent authorities and the EC dated August 26, 2011 has to be read in consonance with the CTO stipulations.



As such, no case for non-compliance of the EC condition has been made out by the respondent authorities; thus, the Impugned Order could not have been passed on the basis of such alleged violation.

24. Since Phase-I of the Project had already been handed over to the Respondent No. 3, the alleged non-compliance of common stack height of DG sets requirement in respect of Phase-I could only entail liability on the part of the Respondent No. 3 and no liability in that regard could be imposed on the Appellants. The Respondent No. 2 has already acknowledged such liability of the Respondent No. 3 in respect of enhancement of DG sets' common stack height for Phase-I and had issued the letter dated August 17, 2024 in that regard. Such fact has been wholly ignored by the Respondent No. 1 in passing the Impugned Order.
25. The purported letter dated November 12, 2024 of the Respondent No. 2 is wholly misconceived and bad in law. Pursuant to the direction of this Hon'ble Tribunal dated May 1, 2023, the Respondent No. 2 was obliged to consider the factual matrix in relation to the Project to determine whether the DG sets' stack height was adequate. The Respondent No. 2 failed to adhere to such direction inasmuch as the Respondent No. 2 failed to appreciate that in the factual circumstances of the Project, there could be no linking of the common stack height with any building and the purported reliance being placed on the "nearest building" was and is



de hors the Environment Act and the rules framed thereunder. The said internal letter dated November 12, 2024 could not and cannot in any event impose any liability on the Appellants; and the Impugned Order relying upon the said internal letter dated November 12, 2024 cannot be sustained on this ground.

26. There exists no binding finding or direction of this Hon'ble Tribunal in respect of purported non-compliance of common stack height requirement, and the respondent authorities have failed and/or neglected to arrive at any definitive finding as to violation of any EC condition so as to justify passing of the Impugned Order.
27. The Impugned Order is also disproportionately harsh and without jurisdiction insofar as it purports to direct stoppage of construction work in Phase-III for alleged violation of EC conditions applicable for Phases I and II. No violation of any EC condition insofar as Phase-III of the Project has been alleged by the respondent authorities; and as such, no order/direction for stoppage of Phase-III construction could have been passed by the respondent authorities. The respondent authorities failed to appreciate the express terms and conditions of three separate ECs obtained by the Appellant for the three separate Phases of the Project.
28. The respondent authorities cannot be permitted to alter their stand (from the valid and subsisting CTO) to the detriment of the Appellants and the Project as a whole. The Appellants having continued construction on the



basis of the valid CTO had, at all material times and still, have a right to continue construction and work relying upon the express terms of the CTO. The respondent authorities are estopped from raising new allegations as to non-compliance of EC conditions at such a belated stage and contrary to their own CTO providing for the permissible height of the common stack of DG sets. The Appellants are entitled to continue their construction work relating to the Phase-III of the Project on the basis of the representations held out by the respondent authorities relating to common stack height.

29. This Hon'ble Tribunal, by the order dated December 20, 2024, directed the Respondent No. 1 to only pass appropriate orders pertaining to the purported violation of common stack height of DG sets in Phases I and II, and not for passing orders pertaining to Phase III of the Project. No direction for stoppage of construction work was ever passed by this Hon'ble Tribunal.

30. Phase III of the Project involves hundreds of workmen and labourers, and irreparable loss and injury is being suffered by the Appellants with every day's stoppage of work on Phase III. The entire progress of work being undertaken by the Appellants cannot be permitted to be jeopardized on account of the illegal and unreasonable actions of the respondent authorities, which suffers from unreasonableness and irrationality.

Further, the stoppage of work on Phase III shall also delay the completion



of Phase III and risk the Appellants' ability to give timely possession of the apartments to 587 homebuyers in Phase III.

31. The impugned order is manifestly arbitrary, illegal and without any basis.

32. The impugned order/direction for stopping construction work in Phase-III of the Project has also been passed in contravention/violation of the principles of natural justice. The Respondent No. 1 while requiring the Appellants to show cause against the alleged non-compliances could not have simultaneously passed the drastic impugned order/direction before coming to a final decision on the subject matter of the show cause notice. The respondent authorities were required to grant the Appellants an opportunity of hearing and/or time to show cause before passing the impugned order/direction. The principles of natural justice ingrained in the exercise of powers under Section 5 of Environment Act were given a go-by by the Respondent No. 1 in passing the impugned order/direction. The prejudice being caused to the Appellants by the Impugned Order is severe and grave and had the Appellants been given an opportunity to show cause and be heard on the subject matter of the notice dated February 18, 2025, the Appellants could have provided satisfactory explanation so as to obviate and/or counter the allegations of non-compliance. The Impugned Order passed in violation of the principles of natural justice is violative of the fundamental rights of the Appellants.



33. The Appellants have complied with all EC conditions and the relevant laws/rules/guidelines relating to common stack height of DG sets in the Project. Without prejudice to the aforesaid and in any event, the Appellants undertake to carry out any additional work relating to enhancement of DG sets' stack height, if required in law, expeditiously and within a time frame stipulated by this Hon'ble Tribunal. The Appellants pray for stay of the impugned order/direction such that the Appellants can continue construction work in Phase-III while carrying out DG sets' stack height enhancement work simultaneously.
34. However, despite the above, the Respondent No. 1 has passed the Impugned Order in a mechanical manner without taking into consideration the fact of the situation; therefore, the Impugned Order is liable to set aside, recalled or quashed on this ground also.
35. It is submitted that the impugned order/direction is liable to be modified, set aside, recalled, or quashed, on the following amongst other grounds.

**GROUND:**

- I. FOR THAT that the Impugned Order has been passed without application of mind and without jurisdiction.



- II. FOR THAT the impugned order is unreasonable, disproportionate and contrary to law.
- III. FOR THAT the impugned order has also been passed in gross violation of the principles of natural justice.
- IV. FOR THAT there exists no violation of the EC dated August 26, 2011 as erroneously and incorrectly held in the Impugned Order.
- V. FOR THAT the respondent authorities failed to appreciate that the DG sets' common stack was situated at a distance of at least 30 meters from the nearest habitable building, and as such, there could be no question of linking any building height with the common stack of DG sets in the Project.
- VI. FOR THAT the CTO issued by the Respondent No. 2 correctly applied the relevant rules and guidelines governing the common stack height of DG sets to stipulate the same to be 6.06 meters in the Project.
- VII. FOR THAT the compliance of the CTO stipulated common stack height of DG sets cannot be disputed by the respondent authorities and that the EC dated August 26, 2011 has to be read in consonance with the CTO stipulations.
- VIII. FOR THAT no case for non-compliance of the EC condition has been made out by the respondent authorities; thus, the Impugned Order could not have been passed on the basis of such alleged violation.
- IX. FOR THAT since Phase-I of the Project had already been handed over to the Respondent No. 3, the alleged non-compliance of common stack height of DG sets requirement in respect of Phase-I could only entail



liability on the part of the Respondent No. 3 and no liability in that regard could be imposed on the Appellants.

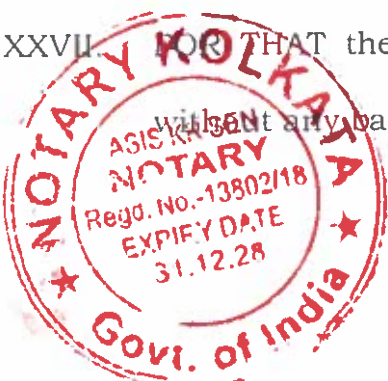
- X. FOR THAT the Respondent No. 1 while passing the Impugned Order has wholly ignored the fact that the Respondent No. 2 has already acknowledged the liability of the Respondent No. 3 in respect of enhancement of DG sets' common stack height for Phase-I and had issued the letter dated August 17, 2024 in that regard.
- XI. FOR THAT the purported letter dated November 12, 2024 of the Respondent No. 2 is wholly misconceived and bad in law.
- XII. FOR THAT pursuant to the direction of this Hon'ble Tribunal dated May 1, 2023, the Respondent No. 2 was obliged to consider the factual matrix in relation to Project so as to determine whether the DG sets' stack height was adequate.
- XIII. FOR THAT the Respondent No. 2 failed to adhere to such direction inasmuch as the Respondent No. 2 failed to appreciate that in the factual circumstances of the Project, there could be no linking of the common stack height with any building and the purported reliance being placed on the "nearest building" was and is de hors the Environment Act and the rules framed thereunder.
- XIV. FOR THAT the said internal letter dated November 12, 2024 could not and cannot in any event impose any liability on the Appellants; and the Impugned Order relying upon the said internal letter dated November 12, 2024 cannot be sustained on this ground.



- XV. FOR THAT there exists no binding finding or direction of this Hon'ble Tribunal in respect of purported non-compliance of common stack height requirement, and the respondent authorities have failed and/or neglected to arrive at any definitive finding as to violation of any EC condition so as to justify passing of the Impugned Order.
- XVI. FOR THAT the Impugned Order is also disproportionately harsh and without jurisdiction insofar as it purports to direct stoppage of construction work in Phase-III for alleged violation of EC conditions applicable for Phases I and II.
- XVII. FOR THAT no violation of any EC condition insofar as Phase-III of the Project has been alleged by the respondent authorities; and as such, no order/direction for stoppage of Phase-III construction could have been passed by the respondent authorities.
- XVIII. FOR THAT the respondent authorities failed to appreciate the express terms and conditions of three separate ECs obtained by the Appellant for the three separate Phases of the Project.
- XIX. FOR THAT the respondent authorities cannot be permitted to alter their stand (from the valid and subsisting CTO) to the detriment of the Appellants and the Project as a whole.
- XX. FOR THAT the Appellants having continued construction on the basis of the valid CTO had, at all material times, and still have a right to continue construction and work relying upon the express terms of the



- XXI. FOR THAT the respondent authorities are estopped from raising new allegations as to non-compliance of EC conditions at such a belated stage and contrary to the terms contained in the CTO providing for the permissible height of the common stack of DG sets.
- XXII. FOR THAT the Appellants are entitled to continue their construction work relating to the Phase-III of the Project on the basis of the representations held out by the respondent authorities relating to common stack height.
- XXIII. FOR THAT this Hon'ble Tribunal, by the order dated December 20 2024, directed the Respondent No. 1 to only pass appropriate orders pertaining to the purported violation of common stack height of DG sets in Phases I and II, and not for passing orders pertaining to Phase III of the Project.
- XXIV. FOR THAT linking of alleged violation of common stack height of DG sets in Phase I and II, with that of stopping work in Phase III is unreasonable and arbitrary.
- XXV. FOR THAT Phase III of the Project involves hundreds of workmen and labourers and irreparable loss and injury is being suffered by the Appellants with every days' stoppage of work on Phase III.
- XXVI. FOR THAT the entire progress of work being undertaken by the Appellants cannot be permitted to be jeopardized on account of the illegal and unreasonable actions of the respondent authorities.
- XXVII. FOR THAT the Impugned Order is manifestly arbitrary, illegal and without any basis.



- XXVIII. FOR THAT the impugned order/direction for stopping construction work in Phase-III of the Project has also been passed in contravention/violation of the principles of natural justice.
- XXIX. FOR THAT the Respondent No. 1 while requiring the Appellants to show cause against the alleged non-compliances could not have simultaneously passed the drastic impugned order/direction before coming to a final decision on the subject matter of the show cause notice.
- XXX. FOR THAT the respondent authorities were required to grant the Appellants an opportunity of hearing and/or time to show cause before passing the impugned order/direction.
- XXXI. FOR THAT the principles of natural justice ingrained in the exercise of powers under Section 5 of Environment Act were given a go-by by the Respondent No. 1 in passing the impugned order/direction.
- XXXII. FOR THAT the prejudice being caused to the Appellants by the impugned order is severe and grave and had the appellants been given an opportunity to show cause and be heard on the subject matter of the notice dated February 18, 2025, the Appellants could have provide satisfactory explanation so as to obviate and/or counter the allegations of non-compliance.
- XXXIII. FOR THAT the Impugned Order passed in violation of the principles of natural justice is violative of the fundamental rights of the Appellants.



- XXXIV. FOR THAT the Appellants have complied with all EC conditions and the relevant laws/rules/guidelines relating to common stack height of DG sets in the Project.
- XXXV. FOR THAT the Appellants, in any event, undertake to carry out any additional work relating to enhancement of DG sets' stack height, if required in law, expeditiously and within a time frame stipulated by this Hon'ble Tribunal.
- XXXVI. FOR THAT the Appellants pray for stay of the impugned order/direction such that the Appellants can continue construction work in Phase-III while carrying out DG sets' stack height enhancement work simultaneously.
- XXXVII. FOR THAT the Respondent Nos. 1 has passed the Impugned Order in a mechanical manner without taking into consideration the fact of the situation; therefore, the Impugned Order is liable to be set aside, recalled or quashed on this ground also
- XXXVIII. FOR THAT the Impugned Order passed is manifestly arbitrary, illegal and without any basis.
- XXXIX. FOR THAT the Impugned Order is liable to be modified, set aside, recalled and/or quashed.
- XL. FOR THAT the Impugned Order ought to be stayed or kept in abeyance till the disposal of the present appeal.



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**LIMITATION:**

That the instant appeal is being filed within 30 days from the date of the Impugned Order dated February 18, 2025 passed by the Respondent No. 1, which was communicated to the Appellants on February 18, 2025.



**P R A Y E R:**

Under the circumstances, the Appellants abovenamed most humbly prays before this Hon'ble Tribunal to grant the following reliefs and/or pass the following orders –

- a. An order directing stay of the Impugned Order/Direction dated February 18, 2025 passed by the Respondent No. 1 under Section 5 of the Environment (Protection) Act, 1986 till the disposal of the instant appeal;
- b. An order directing modification, setting aside, recalling and/or quashing the Impugned Order/Direction dated February 18, 2025 as being unwarranted, unfair, unjust and/or passed without application of mind;
- c. In the alternative, an order be passed directing/permitting the Appellants to proceed with construction work on Phase-III of the Project upon the Appellants' undertaking to carry out any rectification work for any alleged non-compliance of any conditions stipulated in the Environment Clearance within a time stipulated by this Hon'ble Tribunal, or upon such terms and;
- d. Ad-interim orders in terms of prayer (a) above;

e. In the alternative, ad-interim orders in terms of prayer (c) above; and

f. Such other or further order and/or orders, direction and/or directions Hon'ble Tribunal may deem fit and proper in the facts and circumstances of the case.

And your Appellants as in duty bound shall ever pray.

*Sumanti Prasad*  
Advocate

*Japon Kuman Mohanti*



AFFIDAVIT

I, Tapan Kumar Mohanty, son of Late Bansidhar Sahoo, aged about 69 years, resident of Jhanjirimangala Gada, Badambadi, Cuttack - 753009 and presently camped at 27B, Camac Street, Kolkata - 700016, do hereby solemnly affirm and say as follows:

1. That I am the Managing Director of the Appellant No. 1 herein and have been duly authorised by the Appellant No. 1 to make and affirm this affidavit *vide* Board Resolution dated April 17, 2024 and as such I am well acquainted with the facts and circumstances of this case.
2. That the accompanying appeal has been drafted and prepared by my counsel under my instructions and the same are based on the records and has been read over by me and I have understood the same.
3. The statements made in paragraphs 1 and 2 are true to my personal knowledge, the contents of paragraphs 3 (partly), 4 (partly), 5 (partly), 6 (partly), 7, 8 (partly), 9, 10, 11 (partly), 12 (partly), 13, 14 (partly), 15, 16, 17 (partly), 19, 20, 22 (partly), 24 (partly), 25 (partly), 29 (partly), 30 (partly) are based on records maintained by the Appellant company and the rest of my humble submissions before this Hon'ble Tribunal and that I have not suppressed any material fact.

Solemnly affirmed and declared  
Before me on Identification

Tapan Kumar Mohanty  
DEPONENT

ASIS KUMAR SEN  
City Civil Court  
Kolkata  
Reg. No. 13802/18 Govt. of India

Identified by me

Dwanki Prasad  
Advocate

VERIFICATION

24 FEB 2025

I, the abovenamed deponent, do hereby solemnly affirm that the contents of paragraphs 1 to 3 of the abovenamed affidavit are true to my personal knowledge. Nothing has been concealed in it. No part of it is false.

Tapan Kumar Mohanty  
Deponent

Identified by me

Dwanki Prasad  
Advocate F/653/513/2023

Date: February 24, 2025

Place: KOLKATA

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ANNEXURE 'P-1'



STATE ENVIRONMENT IMPACT ASSESSMENT AUTHORITY,  
(SEIAA), ORISSA.

(Constituted vide order No. S.O. 2674 (E) Date 17<sup>th</sup> Nov. 2008 of Ministry of Environment & Forest, Govt. of India, Under Environment Protection Act, 1986.) Qr. No. 5RF-2/1, Unit-IX, Bhubaneswar-751022  
E-mail-seiaaorissa@gmail.com, Website - www.orissaseiaa.gov.in

Ref. No. 433/SEIAA  
SEIAA - 261/10

Dt. 16.08.2011

From

Bhagirathi Behera, IFS  
Director, Environment-cum-  
Spl. Secretary to Government  
& Member Secretary, SEIAA, Orissa

To

Sri Tapan Kumar Mohanty, (M.D)  
M/s Z-Estates Pvt. Ltd.  
M4/34, Acharya Vihar, Bhubaneswar-751013  
Tel- 0674-2540806, Fax- 0674-2540698  
E-mail- [zestates@zestates.in](mailto:zestates@zestates.in)

Sub. Environmental Clearance for construction of housing colony and shopping mall of M/s Z-Estates Pvt. Ltd. at Kalarahaga, Bhubaneswar.

Sir,

This has reference to your letter no. Nil dated 01.11.2010 and subsequent letters dated 28.12.2010, dated 07.01.2011, dated 03.03.2011, dated 02.04.2011, dated 02.05.2011, dated 14.05.2011, dated 16.05.2011, and dated 01.07.2011 on the above mentioned subject I am directed to say that the State Environment Impact Assessment Authority, Orissa have considered the application on the proposal for residential complex and shopping mall promoted by M/s Z-Estates Pvt. Ltd. at Kalarahanga, Bhubaneswar, Orissa. There will be blocks of B+G+12, 6 nos. B+G+14: 17 nos. B+G+19: 2 nos. B+G+24. 1 no. Total Plot Area is 105962.07 sqm. Total built up area is 244092.73 sqm. The total makeup water requirement is 773.52 KLD. Around 928.2 KLD of waste water will be generated which will be treated in a Sewage Treatment Plant (STP). Treated water will be re-used for dual flushing, green belt and landscaping. Total solid waste generation will be 2.55 TPD. The power requirement is 110 MW. The case was placed in the SEAC meeting held on 3<sup>rd</sup> & 4<sup>th</sup> March, 2011. It was decided to consider the proposal after receipt of compliance from the proponent and the proponent will be invited for presentation. The unit has furnished certain compliances including BDA approval letter. The proponent along with the consultant M/s S S Environics (India) Pvt. Ltd, Bhubaneswar made a detailed presentation before the SEAC, Orissa on 20<sup>th</sup> & 21<sup>st</sup> May, 2011 complying to earlier observations of SEAC. The committee decided to consider environmental clearance for the proposal after receipt of certain information /documents from the proponent. The proponent furnished the desired information/ documents. The committee verified the same.



Based on the information / documents and clarifications provided by the proponent and on recommendation of SEAC, Orissa the State Environment Impact Assessment Authority, Orissa hereby accords Environmental Clearance in favour of the project for a period of 5 (five) years under the provisions of Environment Impact Assessment Notification, 2006 and 2009 and subsequent amendments thereto under various MoEF, Govt. of India circulars thereunder subject to the following stipulated conditions.

**Stipulated Conditions:-**

**I. GENERAL**

- i) The applicant (Project proponents) will take necessary measures for prevention, control and mitigation of Air Pollution, Water Pollution, Noise Pollution and Land Pollution including solid waste management as mentioned by them in Form-1, Form-1A and Environment Management Plan (EMP) in compliance with the prescribed statutory norms and standards.
- ii) The applicant will take statutory clearance/approval / permissions from the concerned authorities in respect of the project as and when required.
- iii) The applicant will submit half-yearly compliance report on post-environmental monitoring in respect of the stipulated terms and conditions in the Environmental Clearance to the State Environmental Impact Assessment Authority, (SEIAA, Orissa) on 1<sup>st</sup> June and 1<sup>st</sup> December of each calendar year.
- iv) The project proponent shall obtain Periodic Occupancy Renewal Certificate from the competent authority at an interval of 3 to 5 years as per the provisions of National Building Code (NBC) 2005.
- v) The project proponent shall comply all the conditions stipulated by the Bhubaneswar Development Authority, (BDA) in its building plan approval letter issued vide letter No. BP 2B-3415/10/7398/BP/BDA, Bhubaneswar, dated 26.04.2011.
- vi) The project proponent shall provide 16 (sixteen) mtrs wide open space all around the 02 (two) nos. of B+G+19, 16 mtrs wide open space for 1 (one) no. of B+G+24, 13 mtrs wide open space for 17 nos. of B+G+14, and 12 mtrs wide open space for 06 nos. of B+G+12 mtrs. of building blocks for movement of fire engine as per provisions of National Building Code (NBC)-2005 and as recommended by Fire Prevention Officer, Orissa.
- vii) The project proponent shall comply to all the conditions stipulated by the Fire Prevention Officer, Orissa.
- viii) The project proponent shall comply to all the conditions stipulated by the Air Port Authority of India in its NOC for height clearance issued vide letter No AAI/ER/NOC/(274/10)/200-202 dated 07.02.2011.
- ix) The applicant will adopt the prescribed norms and standards provided in the National Building Code of India, 2005, specially relating to
  - a) Fire protection and life safety of occupants of the buildings.
  - b) Safety of personnel during construction, operation and demolition of buildings
  - c) Day lighting and natural ventilation of buildings.
  - d) Safety from electrical fire, shock and lightning of the buildings
  - e) Air-conditioning, heating and mechanical ventilation of the buildings.



- f) Acoustics and noise control of the buildings.
- g) Maintenance and functioning with emissions from generators supplying power to common space/ residential area in case of power failure along with fuel handling /storage.
- h) Installation of lifts and escalators in the buildings.
- i) Water supply, drainage and sanitation including solid waste management
- j) Landscaping of surrounding areas of the buildings

## II. SPECIAL CONDITIONS

### A) CONSTRUCTION PHASE

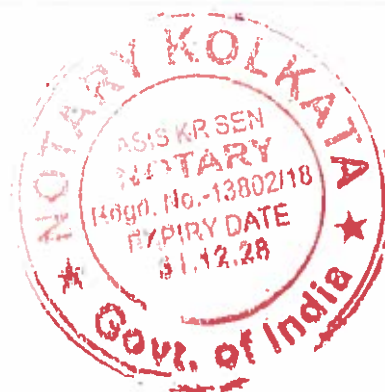
- i) No ground water shall be extracted for the project work at any stage during construction phase.
- ii) Provision shall be made for the housing of construction labourers within the site with all necessary infrastructure and facilities such as fuel for cooking, mobile toilets, mobile STP, safe drinking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



- xii) Fly ash bricks should be used as building material in the construction as per the provisions of Fly Ash Notification of September, 1999 and as amended thereafter.
- xiii) Ready mixed concrete would be used in building construction
- xiv) Storm water control and its re-use should be as per CGWB and BIS standards for these applications.
- xv) Water demand during construction should be optimized by adopting best practices without compromising quality.
- xvi) Separation of grey and black water supplies and collection should be done by the use of dual plumbing line. Grey and black water should be treated separately before recycling/reuse.
- xvii) Fixtures for showers, toilet flushing and drinking water should be of low flow type and restricted to requirements by use of aerators, avoiding wastage pressure reducing devices or sensor based controls.
- xviii) Use of glass may be maximum upto 40% of total outer wall area to reduce the energy consumption and load on air-conditioning, if necessary, high quality double glass with special reflective coating may be used in the windows
- xix) Roof should meet the prescribed requirement as per Energy Conservation Building Code by using appropriate thermal insulation material.
- xx) Opaque wall should meet prescriptive requirements as per Energy Conservation Building Code.
- xxi) The approval of the competent authority shall be obtained for structural safety of the buildings due to earthquake, adequacy of fire fighting equipments etc as per National Building Code of India, 2005 including protection measures from lightning etc.
- xxii) Regular supervision of the above and other measures for monitoring should be in place all through the construction phase to avoid disturbances and pollution to the surroundings

#### B. OPERATION PHASE.

- i) The installation of the Sewage Treatment Plant (STP) should be certified by a competent agency and a report in this regard should be submitted to the SEIAA, Orissa before the project is commissioned for operation. Treated effluent from STP shall be recycled/ reused to the maximum extent possible. Treatment of 100% grey water by decentralized treatment should be done. Discharge of unused treated effluent shall conform to the norms and standards of the Orissa State Pollution Control Board. Necessary measures should be taken to mitigate the odour problem from STP.
- ii) The STP sludge should not be dried nor incinerated within the project site and should be disposed off as per the norms of SPCB, Orissa.
- iii) The project proponent will ensure that under no circumstances, the environment is polluted due to non-functioning /under performance of sewerage disposal system of the project. To achieve this, a stand-by STP with similar capacity should be installed to be put into service during the maintenance /over hauling of the original STP.
- iv) The solid waste generated should be properly collected and segregated. Wet garbage should be disposed off to composted and dry/ inert solid waste should



be disposed off to a certified agency for safe disposal. Necessary approval /permission may be obtained from the concerned authorities.

- v) Diesel power generating sets proposed as source of back-up power for lifts elevators and common area illumination during operation phase should be of enclosed type and conform to Environment Protection (EP) Rules 1986. The height of the stack of DG sets should be equal to the height needed for the combined capacity of all proposed DG sets put together and should be more than the highest building height. Low sulfur diesel should be used. The location of the DG sets may be decided in consultation with Orissa State Pollution Control Board. Care may be taken to avoid disposal of smoke /pollutants from DG sets in the residential area.
- vi) Noise should be controlled to ensure that it does not exceed the prescribed standards. During night time, the noise levels measured at the boundary of the sites shall be restricted to the permissible levels to comply with the prevalent regulations.
- vii) Green-belt & avenue Plantation of trees over at least 20% of the site area shall be done using native tree species/ plants improving greenery & keeping in view aesthetics considerations in the whole campus. Professional landscape architects should be engaged to design the green layout to provide for multi tier plantation and green fencing all around, mitigating various environmental parameters like dust, noise, emissions etc. and pathway for joggers.
- viii) Rain water harvesting for roof run-off and surface run-off, as plan submitted should be implemented. Before recharging the run off, pretreatment must be done to remove suspended matter, oil, grease and other soluble components as per norms. Rainwater recharge should be through specified recharge pits of required numbers. The surface runoff water should be stored suitably treated and reused for landscaping. The bore-well for rainwater recharging should be kept at least 5 mtrs, above the highest ground water table. The technology may preferably be adopted from a commercial firm with performance guarantee.
- ix) Weep holes in the compound walls shall be provided to ensure natural drainage of excessive rain water in the project area during the monsoon period after the harvesting operations. Care must be taken so that there is no water logging in the territory and drainage is 100%.
- x) The ground water level and its quality should be monitored regularly in consultation with Central /State Ground Water Authority.
- xi) Traffic congestion near the entry and exit points from the roads adjoining the proposed project site must be avoided. Traffic congestion shall be avoided inside the project site. The area ear marked for parking shall not be used for any other purpose. Alternate entry and exit must be provided to handle excess traffic and emergency situations.
- xii) A Report on the energy conservation measures conforming to energy conservation norms finalized by the Bureau of Energy Efficiency should be prepared incorporating details about building materials & technology, R & U Factors etc and submitted to the SEIAA, Orissa in three months time before operation /habitation.
- xiii) Provisions of solar hot water storage/supplies at the roof top may be made as per statutory norms of CPCB/MoEF/SPCB, Orissa.



- xiv) Energy conservation measures like installation of CFLs/ TFLs for lighting the areas outside the building should be integral part of the project design and should be in place before project commissioning. Used CFLs and TFLs should be properly collected and disposed off/sent for recycling as per the prevailing guidelines /rules of the regulatory authority to avoid toxic contamination. Use of solar panels may be adopted to the maximum extent possible, especially for street lights.
- xv) The building blocks should have adequate distance between them to allow movement of fresh air and passage of natural light, air and ventilation.
- xvi) The funds earmarked for the environment protection measures shall be judiciously utilized. Under no circumstances this funds shall be diverted for other purposes like Annual allocation and maintenance /monitoring etc and expenditure for this fund should be reported to the SEIAA, Orissa
- xvii) The need of the local people should be appropriately addressed in the CSR activities to be undertaken in the area. An action plan in this regard should be prepared and submitted.

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

  
Member Secretary

Memo No \_\_\_\_\_ /Dt. \_\_\_\_\_

Copy to

1. Ministry of Environment & Forests, Govt. of India, Paryavaran Bhawan, CGO Complex, Lodhi Road, New Delhi for kind information
2. Principal Secretary, Forests & Environment Dept, Government of Orissa for kind information.
3. Chairman, State Pollution Control Board, Parivesh Bhawan, A/118, Nilakantha Nagar, Unit-8, Bhubaneswar for kind information.
4. Chief Conservator of Forests, Regional Office (EZ), Ministry of Environment & Forests, A-31, Chandrasekharpur, Bhubaneswar for kind information
5. Chairman, Central Pollution Control Board, CBD-cum-office Complex, East Anjun Nagar, New Delhi-110032 for kind information
6. Vice Chairman, Bhubaneswar Development Authority, Akash Sobha Building, Secretariat Marg, Bhubaneswar-751001 for kind information.
7. Chief Engineer, PH (Urban), Orissa, 1<sup>st</sup> Floor, Heads of Dept. Building, Bhubaneswar-751001 for kind information.
8. Chief Engineer-cum-Member Secretary, Orissa Water Supply & Sewerage Board, Satya Nagar, Bhubaneswar-751007 for kind information
9. Collector & District Magistrate, Khurda for kind information and necessary action
10. Chairman/Member/Member Secretary, SEIAA for kind information.
11. Chairman, SEAC/Secretary, SEAC, Paribesh Bhawan, A/118, Nilakantha Nagar, Unit-VIII, Bhubaneswar for kind information.
12. Guard file for record.

  
Member Secretary,





## STATE ENVIRONMENT IMPACT ASSESSMENT AUTHORITY (SEIAA), ODISHA.

(Constituted vide Order No. S.O. 3387 (E) Date 15.12.2015 of Ministry of Environment Forest & CC, Govt. of India,  
Under Environment Protection Act, 1986.)

Qr. No. 5RF-2/1, Unit - IX, Bhubaneswar - 751022

E-mail : selaaorissa@gmail.com

Ref. No. SEIAA/ 827  
From

Date 23.02.2016

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

To

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

Sub: Amendment of Environmental Clearance for modernization for construction of housing colony and shopping mall (Phase-II) of M/s Z-Estae Pvt. Ltd. at Kalarahanga, Bhubaneswar, Odisha with total built up area 2,75,042 M2..

Sir,

This has reference to your letter no ZEPL/14-15/006 DATED 10.09.2014, and subsequent clarification letter no. ZEPL/14-15/025 dated 12.01.2015, letter no. 109-46/EPE dated 17.03.2015, dated 13.07.2015 & dated 20.10.2015 from MoEF & CC, Regional Office, Chandrasekharpur, Bhubaneswar on the above mentioned subject I am directed to say that the State Environment Impact Assessment Authority (SEIAA), Odisha have considered the Environmental Clearance amendment application of M/s Z-Estates Pvt. Ltd. in its meeting held on dated 22.01.16 & 25.01.16.

M/s Z-Estates Pvt. Ltd. has proposed modernization cum expansion for construction of housing colony and shopping mall (Phase-I & Phse-II) located at Kalarahanga, Bhubaneswar, Odisha. The total built up area of the project is 2,75,042 sqm. Initially, the project was proposed to be developed in single phase. Environmental Clearance to the project was granted vide letter no. SEIAA-261/10 dated 16.08.2011. Consent to Establish (NOC) was granted from OSPCB vide letter No. 2478/IND-II-NOC-5439 dated 16.02.2012. Out of



total area, 97346.90 m<sup>2</sup> area, comprising of 444 dwelling Units, Basement, Club House with swimming pool and Dormitory block have been constructed. Due to sluggish market demand and financial constraints the project proponent has decided to develop the project in phases. The present application is for Phase I consisting existing building (as a part of the earlier EC) and modified phase II of the project proposed to be developed. Future expansion will be done at later stage (Project proponent will apply separately for revised EC for expansion of this project). The details of phase-I, Phase II have been work out by the proponent as follows.

|                              | As per EC letter for Entire project | As per revised proposal (Phase-I + Phase-II)  |
|------------------------------|-------------------------------------|---|
| Plot Area                    | 105962.07 sqm                       | 123717 sqm  |
| Total built up area          | 244092.73 sqm                       | Phase-I (completed)-73958.9 sqm<br>Phase-II (proposed)-111945.98 sqm.<br>Total=185904.880 sqm |
| Total no. of blocks          | 26 nos                              | 15 nos  |
| Total water requirement      | 773.52 KLD                          | 984.51 KLD  |
| Total waste water            | 928.2 KLD                           | 710.84 KLD  |
| Total Solid waste Generation | 2.55 TPD                            | 2.44 TPD  |
| Power Requirement            | 11 MW                               | 5.2 MW  |

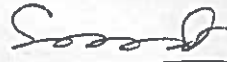
Considering the information/documents furnished and additional clarifications provided during discussion made with the project proponent and along with consultant M/s Ind Tech House Consult, Delhi, compliance verification certification from Regional Office, MoEF&CC, Govt. of India of earlier Environmental Clearance conditions, the State Expert Appraisal Committee (SEAC) after due considerations of the relevant documents submitted by the project proponent and compliance verification certification from Regional Office, MoEF&CC, Govt. of India observed that modification of Environmental Clearance proposal is well within the permissible built up area as per earlier environmental clearance granted by SEIAA and have recommended the project for Amendment of Environmental Clearance.

The State Environment Impact Assessment Authority (SEIAA) after considering the proposal and recommendations of SEAC, Odisha hereby accords Amendment of Environmental Clearance in favour of the project under the provisions of



EIA Notification 2006 and 2009 and subsequent amendments thereto under various MoEF&CC, Govt. of India circulars subject to strict compliance of the terms and conditions stipulated remaining unaltered as given vide E.C letter no. SEIAA-261/10 dated 16.08.2011.


Yours faithfully,

  
23.2.16  
Member Secretary

Memo No 828/SEIAA Dt. 23.02.2016

Copy to

1. Ministry of Environment, Forests and Climate Change Govt. of India, Indira Paryavaran Bhavan, Jor Bagh Road, Aliganj, New Delhi-110003 for kind information.
1. Principal Secretary, Forests & Environment Dept., Government of Odisha for kind information.
2. Chairman, State Pollution Control Board, Parivesh Bhawan, A/118, Nilakantha Nagar, Unit-8, Bhubaneswar for kind information.
3. Chief Conservator of Forests, Regional Office (EZ), Ministry of Environment & Forests, A-31, Chandrasekharpur, Bhubaneswar for kind information.
4. Chairman, Central Pollution Control Board, CBD-cum-office Complex, East Arjun Nagar, New Delhi-110032 for kind information.
5. Vice Chairman, Bhubaneswar Development Authority, Akash Sobha Building, Secretariat Marg, Bhubaneswar-751001 for kind information.
6. Chief Engineer, PH (Urban), Orissa, 1<sup>st</sup> Floor, Heads of Dept. Building, Bhubaneswar-751001 for kind information.
7. Chief Engineer-cum-Member Secretary, Orissa Water Supply & Sewerage Board, Satya Nagar, Bhubaneswar-751007 for kind information.
8. Collector & District Magistrate, Khurda for kind information and necessary action.
9. Chairman/Member/Member Secretary, SEIAA for kind information.
10. Chairman, SEAC/Secretary, SEAC, Paribesh Bhawan, A/118, Nilakantha Nagar, Unit-VIII, Bhubaneswar for kind information.
11. Guard file for record.

  
23.2.16  
Member Secretary



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ANNEXURE - 'P-3'



CONSENT ORDER



ANNEXURE-I

Page 1

**STATE POLLUTION CONTROL BOARD, ODISHA**

[DEPARTMENT OF FOREST & ENVIRONMENT, GOVERNMENT OF ODISHA]  
Paribesh Bhawan, A/118, Nilakantha Nagar, Unit-VIII, Bhubaneswar-751012  
Phone-2561909, Fax: 2562822, 2560955

BY REGD POST WITH AD

**CONSENT ORDER**

No. 1788 / IND-I-CON-6488 Dt. 27.01.2016 /

CONSENT ORDER NO. 2819

Sub: Consent for discharge of sewage and trade effluent under section 25/26 of Water (PCP) Act, 1974 and for existing / new operation of the plant under section 21 of Air (PCP) Act, 1981.

Ref: Your online application ID No. 342095, Dtd. 05-10-2015

Consent to operate is hereby granted under section 25/26 of Water (Prevention & Control of Pollution) Act, 1974 and under section 21 of Air (Prevention & Control of Pollution) Act, 1981 and rules framed thereunder to

Name of the Industry M/s Z Estates Pvt. Ltd.

Name of the Occupier & Designation: Sri Tapan Kumar Mohanty, Managing Director

Address: Village-Kalarahanga, Tehsil- Bhubaneswar, Dist-Khurda, Odisha-751024

The housing project is granted with One Time Consent to Operate (As per 104<sup>th</sup> Board Meeting held on 23.11.2013).

This consent order is valid for Multistoried residential project on discharge quantity and quality, specified chimney / stack as specified in this order. This consent is granted subject to the general and special conditions stipulated therein

**A. Details of Housing Project:**

| Sl. No. | Product  | Quantity   |
|---------|--|--|
| 1.      | Construction of Multistoried Residential Housing Project | 6 Blocks of (B+6+12) 12 Blocks of (B+6+14), 2 Blocks of (B+6+19), 1 Block of (B+6+24), 26 Blocks of (6+12) Villa, 1 No (B+6+4), Villa, 1 No. of (B+6+1) Community Building and 2 Nos. of G Floor Creche having ground coverage of 25 430.9 m <sup>2</sup> with total built up area of 2 4092 m <sup>2</sup> over 26 184 Ac |





## CONSENT ORDER

## B. Discharge permitted through the following outlet subject to the standard:

| Outlet No. | Description of outlet | Point of discharge  | Quantity of discharge KLD or KL/hr | Pre-scribed Standard |            |            |            |
|------------|-----------------------|---|------------------------------------|----------------------|------------|------------|------------|
|            |                       |   |                                    | pH                   | TSS (mg/L) | COD (mg/L) | BOD (mg/L) |
| 1.         | Outlet of STP         | To be used for gardening, toilet flushing, vehicle washing and balance to Municipal Sewer | 270 KLD                            | 6.5 to 9.0           | 20         | 50         | 10         |

## C. Emission permitted through the following stack subject to the prescribed standard:

| Chimney Stack No. | Description of Stack                              | Stack height (m) | Quantity of emission | Prescribed Standard |                 |                 |
|-------------------|---|------------------|----------------------|---------------------|-----------------|-----------------|
|                   |   |                  |                      | PM                  | SO <sub>2</sub> | NO <sub>x</sub> |
| 1                 | Common Stack attached to 3 DG Sets (380 KVA each) | 6.06 m above GL  |                      |                     |                 |                 |

## D. Disposal of solid waste permitted in the following manner:

| Sl. No. | Type of Solid waste | Quantity generated | Quantity to be reused on site | Quantity to be reused off site | Quantity disposed off | Description of disposal site.           |
|---------|---------------------|--------------------|-------------------------------|--------------------------------|-----------------------|---|
| 1.      | Garbage             | 32 Tonne /Month    | -                             | 32 Tonne /Month                | -                     | Handed over to Bhubaneswar Municipality |
| 2.      | STP Sludge          | 3 36 Tonne / Month | -                             | -                              | -                     | Used as manure for horticulture         |





## CONSENT ORDER

**E. GENERAL CONDITIONS FOR ALL UNITS:**

1. The consent is given by the Board in consideration of the particulars given in the application. Any change or alternation or deviation made in actual practice from the particulars furnished in the application will also be the ground liable for review/variation/revocation of the consent order under section 27 of the Act of Water (Prevention & Control of Pollution) Act, 1974 and section 21 of Air (Prevention & Control of Pollution) Act, 1981 and to make such variations as deemed fit for the purpose of the Acts.
2. The housing project would immediately submit revised application for consent to operate to this Board in the event of any change in the approved layout plan building facility / quantity /quality of the waste water generated / capacity or number of DG set etc. and the applicant shall not change or alter as such without the permission of the Board.
3. The application shall comply with and carry out the directives/orders issued by the Board in this consent order and at all subsequent times without any negligence on his part. In case of non-compliance of any order/directives issued at any time and/or violation of the terms and conditions of this consent order, the applicant shall be liable for legal action as per the provisions of the Law/Act.
4. The issuance of this consent does not convey any property right in either real or personal property or any exclusive privileges nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of Central State laws or regulation.
5. This consent does not authorize or approve the construction of any physical structure or facilities or the undertaking of any work in any natural water course.
6. The applicant shall display this consent granted to him in a prominent place for perusal of the public and inspecting officers of this Board.
7. An inspection book shall be opened and made available to Board's Officers during the visit to the project site.
8. The applicant shall furnish to the visiting officer of the Board any information regarding the construction, installation or operation of effluent treatment system / air pollution control system / stack monitoring system any other particulars as may be pertinent to preventing and controlling pollution of Water / Air.
9. Meters must be affixed at the entrance of the water supply connection so that such meters are easily accessible for inspection and maintenance and for other purposes of the Act provided that the place where it is affixed shall in no case be at a point before which water has been tapped by the consumer for utilization for any purposes whatsoever.
10. The applicant shall display suitable caution board at the place where the effluent is entering into any water-body or any other place to be indicated by the Board indicating therein that the area into which the effluents are being discharged is not fit for the domestic use/bathing.
11. Storm water shall not be allowed to mix with the trade and/or domestic effluent on the upstream of the terminal manholes where the flow measuring devices will be installed.
12. The applicant shall maintain good house-keeping within the complex. All pipes, valves, sewers and drains shall be leak-proof. Floor washing shall be admitted into the effluent collection system only and shall not be allowed to find their way in storm drains or open areas.





## CONSENT ORDER

13. The applicant shall at all times maintain in good working condition and operate as efficiently as possible all the treatment or control facilities installed by him to achieve within the term(s) and conditions of the consent.
14. Care should be taken to keep the anaerobic lagoons, if any, biologically active and not utilized as mere stagnation ponds. The anaerobic lagoons should be fed with the required nutrients for effective digestion. Lagoons should be constructed with sides and bottom made impervious.
15. The effluent disposal on land, if any, should be done without creating any nuisance to the surroundings or inundation of the lands at any time.
16. If at any time the disposal of treated effluent on land becomes incomplete or unsatisfactory or creates any problem or becomes a matter of dispute, the project must adopt alternate satisfactory treatment and disposal measures.
17. The sludge from treatment units shall be dried in sludge drying beds and the drained liquid shall be properly treated.
18. The applicant shall provide port holes for sampling the emissions and access platform for carrying out stack sampling and provide electrical outlet points and other arrangements for chimneys/stacks and other sources of emissions so as to collect samples of emission by the Board or the applicant at any time in accordance with the provision of the Act or Rules made therein.
19. The applicant shall provide all facilities and render required assistance to the Board staff for collection of samples / stack monitoring / inspection.
20. No control equipments or chimney shall be altered or replaced or as the case may be erected or re-erected except with the previous approval of the Board.
21. The stack monitoring system employed by the applicant shall be opened for inspection to this Board at any time.
22. There shall not be any fugitive or episodal discharge from the premises.
23. Any upset condition in any of the plant/plants of the project which is likely to result in increased effluent discharge/emission of air pollutants and / or result in violation of the standards mentioned above shall be reported to the Headquarters and Regional Office of the Board by fax / speed post within 24 hours of its occurrence.
24. The project proponent shall plant trees within the complex, develop green belt along the boundary and develop landscaping and greenery within the premises.
25. The solid waste such as sweeping wastage, packaging, empty containers, residues, sludge from waste water treatment system shall be collected and disposed off scientifically to the satisfaction of the Board, so as not to cause fugitive emission / dust problems / leaching etc.
26. Notwithstanding anything contained in this conditional letter of consent, the Board hereby reserves to it the right and power under section 27(2) of the Water (Prevention & Control of Pollution) Act, 1974 to review / impose additional condition / revoke / change / alter any and/or all the conditions imposed herein and to make such variations as deemed fit for the purpose of the Act by the Board.
27. The industry shall abide by E(P) Act, 1986 and Rules framed thereunder.





## CONSENT ORDER

**F. SPECIAL CONDITIONS (AIR POLLUTION CONTROL):**

1. Diesel power generating sets shall have acoustic enclosure
2. The height of the stack connected to DG set shall conform to the following  

$$H = h + 0.2\sqrt{KVA}$$

h = Height of the building where it is installed in meter  
 KVA = Capacity of DG set  
 H = Height of the stack in meter above ground level.
3. The ambient air quality in the premises of the unit shall conform to the norm stipulated in Annexure-I.

**G. SPECIAL CONDITIONS (WATER POLLUTION CONTROL):**

1. The entire domestic waste water shall be treated in the existing Sewage Treatment Plant (STP). The treated wastewater shall be partly reused for toilet flushing, landscaping, vehicle washing and green belt. The balance treated effluent shall be discharged to Municipal sewer and shall meet prescribed standard mentioned in Section-B of this order. STP shall be operated without any stoppage and maintained properly.
2. Separate storm water, drain and weep holes in the compound walls shall be provided to ensure natural drainage of rain water in the catchment area during the monsoon period.
3. The solid waste generated should be properly collected, segregated and shall be handed over to BMC for ultimate disposal.
4. Rain water harvesting structure shall be developed inside the premises and maximum efforts shall be made to reuse harvested rain water with a definite plan and programme to reduce drawl of fresh water.
5. There shall not any leakage of oil from DG set area.

**H. SPECIAL CONDITIONS (OTHERS):**

1. The proponent shall comply the conditions as stipulated in environmental clearance issued by SEIAA, Odisha vide letter No 433, dtd 16.08.2011.
2. The waste water treatment system and other environmental measures shall be operated and maintained all the time either by the Project Proponent (Builder of the Project) or by the Owners' Welfare Association as the case may be.
3. Energy Conservation measure like installation of CFLs/TFLs for the lighting the areas outside the building should be in place. Used CFLs and TFLs should be properly collected and disposed off/sent for recycling as per the prevailing guidelines/rules of the regulatory authority to avoid mercury contamination. Use of solar panels may be done to the extent possible.
4. Opaque wall should meet prescriptive requirement as per Energy Conservation Building Code which is proposed to be mandatory for all air conditioned spaces while it is aspirational for non-air conditioned spaces by use of appropriate thermal insulation material to fulfill requirement.





## CONSENT ORDER

5. Lube oil from Diesel generator shall be disposed to authorized waste oil recycler
6. The Board may impose further condition or modify the conditions are stipulated in this order during installation and/or at the time of obtaining consent to operate and may revoke this order in case the stipulated conditions are not implemented and / or information is found to have been suppressed / wrongly furnished in the application form.
7. In case the consent fee is revised upwards during this period of consent the unit shall pay the differential amount to the Board (for the remaining years) to keep the consent order in force. If the industry fails to pay the amount within the period stipulated by the Board the consent order will be revoked without prior notice.
8. The Board reserves the right to revoke / refuse consent at any time during this period in case any violation is observed and modify / stipulate additional conditions as deemed appropriate.

The occupier must comply with the conditions stipulated in section A, B, C, D, E, F, G & H to keep this consent order valid.

To

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

SR. ENV. SCIENTIST-L1(PCP)  
STATE POLLUTION CONTROL BOARD, ODISHA

Memo No. \_\_\_\_\_ /Dt. \_\_\_\_\_ /

Copy forwarded to

- i) Regional Officer, State Pollution Control Board, Bhubaneswar
- ii) District Collector, Khurda
- iii) DFO, Khurda
- iv) Cess Section (Head Office)
- v) SES(L), SPC Board, Bhubaneswar
- vi) Consent Register



SR. ENV. SCIENTIST-L1(PCP)  
STATE POLLUTION CONTROL BOARD, ODISHA





## CONSENT ORDER

## Annexure-I

## NATIONAL AMBIENT AIR QUALITY STANDARDS

| Sl. No. | Pollutants   | Time Weighed Average | Concentration of Ambient Air                 |  |  |
|---------|--|----------------------|--|--|--|
|         |  |                      | Industrial Residential, Rural and other Area | Ecologically Sensitive Area (notified by Central Government) | Methods of Measurement   |
| (1)     | (2)  | (3)                  | (4)  | (5)  | (6)  |
| 1.      | Sulphur Dioxide (SO <sub>2</sub> ), $\mu\text{g}/\text{m}^3$   | Annual<br>24 Hours   | 50<br>80                                     | 20<br>80   | Improved wet and Cuvette   |
| 2.      | Nitrogen Dioxide (NO <sub>2</sub> ), $\mu\text{g}/\text{m}^3$  | Annual<br>24 Hours   | 80<br>80                                     | 30<br>80   | Ultraviolet Fluorescence<br>Modified Lactol & Ethalibacter<br>(Na-Arsenite)<br>Chemiluminescence                                       |
| 3.      | Particulate Matter (size less than 10 $\mu\text{m}$ ) or PM <sub>10</sub> , $\mu\text{g}/\text{m}^3$   | Annual<br>24 Hours   | 60<br>100                                    | 60<br>100  | Gravimetry<br>TOEM<br>Beta Attenuation   |
| 4.      | Particulate Matter (size less than 2.5 $\mu\text{m}$ ) or PM <sub>2.5</sub> , $\mu\text{g}/\text{m}^3$ | Annual<br>24 Hours   | 40<br>60                                     | 30<br>60   | Gravimetry<br>TOEM<br>Beta Attenuation   |
| 5.      | Ozone (O <sub>3</sub> ), $\mu\text{g}/\text{m}^3$  | 8 Hours<br>1 Hour    | 100<br>180                                   | 100<br>180   | UV Photometry<br>Chemiluminescence<br>Chemical Method  |
| 6.      | Lead (Pb), $\mu\text{g}/\text{m}^3$  | Annual<br>24 Hours   | 0.50<br>1.0                                  | 0.50<br>1.0  | AAS (ICP method after sampling on EPM 2000 or equivalent filter paper<br>ED NR1 using Teflon filter<br>Non Dispersive Infra Red (NDIR) |
| 7.      | Carbon Monoxide (CO), $\text{mg}/\text{m}^3$   | 8 Hours<br>1 Hour    | 0.2<br>0.1                                   | 0.2<br>0.1   | Spectroscopy   |
| 8.      | Ammonia (NH <sub>3</sub> ), $\mu\text{g}/\text{m}^3$   | Annual<br>24 Hours   | 100<br>100                                   | 100<br>100   | Chemiluminescence<br>Indophenol Blue Method  |
| 9.      | Benzene (C <sub>6</sub> H <sub>6</sub> ), $\mu\text{g}/\text{m}^3$                                     | Annual               | 0.5  | 0.5  | Gas Chromatographic based continuous analyzer<br>Adsorption and Desorption followed by GC analysis                                     |
| 10.     | Benzo (a) Pyrene (BAP)- Particulate phase only, $\text{mg}/\text{m}^3$                                 | Annual               | 0.1  | 0.1  | Solvent extraction followed by HPLC/GC analysis  |
| 11.     | Arsenic (As), $\text{mg}/\text{m}^3$   | Annual               | 0.6  | 0.6  | AAS (ICP method after sampling on EPM 2000 or equivalent filter paper  |
| 12.     | Nickel (Ni), $\text{mg}/\text{m}^3$  | Annual               | 20   | 20   | AAS (ICP method after sampling on EPM 2000 or equivalent filter paper  |

Annual arithmetic mean of minimum 101 measurements in a year at a particular site taken twice a week 24 hourly at uniform intervals

24 hourly or 08 hourly or 01 hourly monitored values, as applicable, shall be complied with 98% of the time in a year, 2% of the time, they may exceed the limits but not on two consecutive days of monitoring.



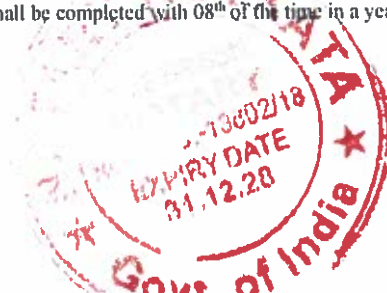
## CONSENT ORDER

Annexure-I

## NATIONAL AMBIENT AIR QUALITY STANDARDS

| Sl.No. | Pollutants  | Time Weighted Average | Concentrate of Ambient Air                  |  |   |
|--------|---|-----------------------|---|--|---|
|        |   |                       | Industrial Residential, Rural and other Arc | Ecologically Sensitive Area (notified by Central Government) | Methods of Measurement  |
| (1)    | (2)   | (3)                   | (4)   | (5)  | (6)   |
| 1.     | Suplhur Dioxide (SO <sub>2</sub> ), µg/m <sup>3</sup>                             | Annual                | 50  | 20   | Improved west and Gaeke   |
|        |   | 24 Hours              | 80  | 80   | Ultraviolet fluorescence  |
| 2.     | Nitrogen Dioxide (NO <sub>2</sub> ), µg/m <sup>3</sup>                            | Annual                | 40  | 30   | Modified Jacob & Hochherset (Na Arsenite)   |
|        |   | 24 Hours              | 80  | 80   | -Chemiluminescence  |
| 3.     | Particulate Matter (size less than 10 µm) or PM <sub>10</sub> µg/m <sup>3</sup>   | Annual                | 60  | 60   | -Gravimetric  |
|        |   | 24 Hours              | 100   | 100  | -TOEM<br>-Beta Attenuation  |
| 4.     | Particulate Matter (size less than 2.5 µm) or PM <sub>2.5</sub> µg/m <sup>3</sup> | Annual                | 40  | 40   | -Gravimetric  |
|        |   | 24 Hours              | 60  | 60   | -TOEM<br>-Beta Attenuation  |
| 5.     | Ozone (O <sub>3</sub> ) µg/m <sup>3</sup>   | 8 Hours               | 100   | 100  | -UV Photometric   |
|        |   | 1 Hours               | 180   | 180  | -Chemiluminescence<br>-Chemical Method  |
| 6.     | Lead (Pb) µg/m <sup>3</sup>   | Annual                | 0.50  | 0.50   | -AAS/ICP method after sampling on EMP 2000 or equivalent filter paper                               |
|        |   | 24 Hours              | 1.0   | 1.0  | -ED-NRF using Teflon filter   |
| 7.     | Carbon Monoxide (CO) mg/m <sup>3</sup>  | 8 Hours               | 02  | 02   | -Non Dispersive Infra Red (NDIR)  |
|        |   | 1 Hours               | 04  | 04   |   |
| 8.     | Ammonia (NH <sub>3</sub> ) µg/m <sup>3</sup>                                      | Annual                | 100   | 100  | - Chemiluminescence   |
|        |   | 24 Hours              | 100   | 100  | -Indophenol Blue Method   |
| 9.     | Benzene (C <sub>6</sub> H <sub>6</sub> ) µg/m <sup>3</sup>                        | Annual                | 05  | 05   | -Gas Chromatography based continuous analyzer<br>-Adsorption and Desorption followed by GC analysis |
| 10.    | Benzo (a) Pyrene (BaP)-Particulate phase only, mg/m <sup>3</sup>                  | Annual                | 01  | 01   | -Solvent extraction followed by HPLC GC analysis  |
| 11.    | Arsenic (As), mg/m <sup>3</sup>   | Annual                | 06  | 06   | -AAS/ICP method after sampling on EPM 2000 or equivalent filter paper                               |
| 12.    | Nickel (Ni), mg/m <sup>3</sup>  | Annual                | 20  | 20   | -AAS/ICP method after sampling on EPM 2000 or equivalent filter paper                               |

Annual arithmetic mean of minimum 104 measurement in a year at a particular site taken twice a week 24 hourly at uniform intervals 24 hourly or 08 hourly or 01 hourly monitored values, as applicable, shall be completed with 08<sup>th</sup> of the time in a year, 2% of the time, they may exceed the limits but not on two consecutive days of monitoring





FORM X

## OCCUPANCY CERTIFICATE

No. 24944/BDA, Bhubaneswar, dated 27 th August, 2016  
File No. MBP1B-463/14

Occupancy Certificate(Part) under Regulation-16 of BDA (Planning & Building Standards) Regulations-2008 is issued in favour of 'Z' Estates Pvt Ltd, MD-Tapan Kumar Mohanty & 'Z' Harshapriya Partner-Tapan Kumar Mohanty, Purna Ch Nayak, Dharanidhar Das, represented through GPA holder 'Z' Estate Pvt Ltd.

in respect of existing one block (consisting of 8 nos Wings) of B+G+12 & B+G+14 multi-storey apartment residential building, one dormitory of G+2, one Club of B+G+1 and Changing room (GF) over plot No.86,87,88,89,90,91/4029,91/3465,92,93,94/4021,95,95/4539,100,101/2608,104,105/4016,105/2727,105/2855,106,106/2609,106/2586,106/2587,106/2585,107,187,84,85,96,132&133KhataNo.725/932,340,725/1303,725/1837,725/931,290,730,725/1297,725/927,725/1390,739,746,728,725/960,747,428, 286 & 88 in Mz-Kalarahanga, Bhubaneswar.

The work of erection, re-erection or for material alternation undertaken in respect of above plots under Mz-Kalarahanga, Bhubaneswar is completed under the supervision of Ar. Bibhuti Bhusan Mohapatra (Empanelment No.CA/2001/27464 & Er. Nagendra Kumar Parida, Structural Engineer (Empanelment No.SER/015/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 and the conditions imposed vide letter No.7398/BDA dt. 26.04.2011 and regularization made vide letter No. 17230/BDA dt. 26.6.16 on deposit of compounding fee of Rs.8,90,733/- (Rupees Eight lakhs Ninety thousand Seven hundred thirty three) only. The Building is permitted for Residential apartment and other ancillary 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.
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 Deputy Fire Prevention Officer vide certificate No 18/FPW dt. 25.02.2016 shall be strictly adhered to.

By approval of Vice-Chairman

*[Signature]*  
 Authorised Officer/ Planning Member  
 Bhubaneswar Development Authority

Memo No. 24945 BDA DT.

Copy submitted to the Asst. Fire Prevention Officer, BBSR/City Engineer, BMC, Bhubaneswar/Manager (Elect), BCDD No 2, Nayapalli, BBSR for information and necessary action.

*[Signature]*  
 Authorised Officer/ Planning Member  
 Bhubaneswar Development Authority



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ANNEXURE - (P-B)



STATE LEVEL ENVIRONMENT IMPACT ASSESSMENT AUTHORITY,  
ODISHA, BHUBANESWAR

Ref. No. 3991/SEIAA

Dt. 17.03.20

SEIAA File No. 30018/02-NCP/04-2019

To

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

Sub: Proposal for proposed expansion for construction of housing colony and convenient shopping (Phase-III) of M/s Z-Estates Pvt. Ltd. At Kalarahanga, Bhubaneswar with built up area 3,95,865.09 M<sup>2</sup>-Environmental Clearance Regarding.

Ref: Your online application dated 18.04.2019 for issue of EC vide File No. SIA/OR/NCP/30018/2018.

Sir,

This has reference to your online application seeking environmental clearance of the project proposal mentioned above. The proposal falls in the sub category 8(b) of the schedule of EIA Notification, 2006 as amended from time to time. The proposal has been duly appraised by SEAC, Odisha on the basis of the documents enclosed with the application, such as Form-1, Form-IA, Conceptual Plan (EMP), Final EIA/EMP Report and clarifications furnished to SEAC/ SEIAA in response to their observations.

**Background:**

1. This is a proposal for Environmental Clearance for proposed expansion for Construction of Housing Colony and Convenient Shopping (Phase-III) at Mouza- Kalarahanga, Bhubaneswar, Odisha.
2. The proposal falls under category 'B', Section 8 (b) "Townships and Area Development projects" of Schedule of EIA Notification 2006 and amendment thereafter.
3. The site is located at Kalarahanga, Bhubaneswar, Odisha. The Geographical co-ordinate of the project site is: Latitude - 20° 22' 0.72" N & Longitude - 85° 50' 06.28" E. The project site is well connected with Nandan Kanan Road which take towards National Highway-6 (Kolkata-Chennai Road). Nandan Kanan road is 0.1 Km from proposed site. The nearest railway station is Mancheswar Railway station at a distance of approx

1  
[Constituted under the Environment Protection Act, 1986 and Environment Impact Assessment Notification, 2006 vide Notification No. S.O. 1217(E) dated the 8<sup>th</sup> March, 2019 of Ministry of Environment, Forests & Climate Change, Govt. of India]  
Address: SRF-2/1, Unit - IX, Bhubaneswar - 751013  
Tel: 0674-2540669, E-Mail: seiaaor@seiaaodisha.gov.in



5.1 Km in South direction. The nearest airport is Biju Patnaik Airport at a distance of approx. 13.5 Km in the South West direction from the project site. The site is easily accessible from Nandan Kanan Road.

4. The Building Details of the Project:

The proposed project is the Third phase of the building covering a built up area of 2,09,960.21 m<sup>2</sup> (including parking). The first phase building had a built up area 73,958.9 m<sup>2</sup> (Occupancy Obtained) & the second phase building had a built up area 1,11,945.98 m<sup>2</sup> (which is Under Construction) and the plot area is 1,23,717 m<sup>2</sup>. So total Built up area for Phase-I & Phase-II is 1,85,904.880 m<sup>2</sup> for which Environmental Clearance was obtained from SEIAA, Odisha vide letter no. for Phase - I :SEIAA – 261 / 10, dated 16.08.2011 and for Phase-II: vide letter no. SEIAA/827, dated 23.02.2016. Hence, the total built up area of the proposed project will be 3,95,865.09 m<sup>2</sup> & the revised plot area is 1,41,590.23 m<sup>2</sup>.

A comparative statement of the existing and proposed project with respect to built up area as well as other requirements are given below:

| Sl. No. | Particular              | Phase-I                   | Phase-II                   | Phase-III                    | Total                         |
|---------|-------------------------|---------------------------|----------------------------|------------------------------|-------------------------------|
| 1.      | Plot Area               | 1,23,717.0 m <sup>2</sup> |                            | 17,873.23 m <sup>2</sup>     | 1,41,590.23 m <sup>2</sup>    |
| 2.      | Built up Area           | 73,958.9 m <sup>2</sup>   | 1,11,945.98 m <sup>2</sup> | 2,09,960.21 m <sup>2</sup>   | 3,95,865.09 m <sup>2</sup>    |
| 3.      | Green Belt Area         | 30,929.22 m <sup>2</sup>  |                            | 20,922.87 m <sup>2</sup>     | 51,852.09 m <sup>2</sup>      |
| 4.      | Road Area               | 20,000 m <sup>2</sup>     |                            | 2,000.00 m <sup>2</sup>      | 22,000.00 m <sup>2</sup>      |
| 5.      | Basement Parking Area   | 24,610.0 m <sup>2</sup>   | 25,371.0 m <sup>2</sup>    | 46,001.54 m <sup>2</sup>     | 95,982.54 m <sup>2</sup>      |
| 6.      | Total Water Requirement | 423.51 KLD                | 561 KLD                    | 708 KLD                      | 1692.51 KLD                   |
| 7.      | Fresh Water Requirement | 234.17 KLD                | 310.79 KLD                 | 471.0 KLD                    | 1015.96 KLD                   |
| 8.      | Waste Water Requirement | 262.3 KLD                 | 448.7 KLD                  | 602.0 KLD                    | 1313 KLD                      |
| 9.      | STP Capacity            | 270 KLD                   | 580 KLD                    | 650 KLD                      | 1500 KLD                      |
| 10.     | Power Requirement       | 2.3 MW                    | 2.9 MW                     | 3.1 MW                       | 8.3 MW                        |
| 11.     | Solid Waste Generation  | 1.15 TPD                  | 1.29 TPD                   | 2.41 TPD                     | 4.85 TPD                      |
| 12.     | Dwelling Unit           | 444 Unit                  | 588 Unit                   | 586 Unit<br>635 Units<br>EWS | 1618 Unit<br>635 Units<br>EWS |



## Built up Area Detail Phase Wise:

| Sl. No.   | Detail of building           | Tower         | Area in m <sup>2</sup> | Total built up area        |
|---|------------------------------|---------------|------------------------|----------------------------|
| Statement of area for Ph-I (completed)  |                              |               |                        |                            |
| 1   | B+G+14                       | 1             | 10695.75               | 73,958.9 m <sup>2</sup>    |
| 2   | B+G+14                       | 2             | 8551.83                |                            |
| 3   | B+G+12                       | 3             | 6883.42                |                            |
| 4   | B+G+14                       | 4             | 8761.89                |                            |
| 5   | B+G+14                       | 5             | 9498.15                |                            |
| 6   | B+G+12                       | 6             | 7057.98                |                            |
| 7   | B+G+14                       | 7             | 8559.3                 |                            |
| 8   | B+G+14                       | 8             | 10670.25               |                            |
| 9   | Community Hall               |               | 2618.13                |                            |
| 10  | Dormitory                    |               | 662.20                 |                            |
| Total Built up Area (Phase-I)   |                              |               | 73,958.9               |                            |
| Statement of area for Ph-II (under construction) & Ph-III (proposed)                                      |                              |               |                        |                            |
| 1   | Ph-II Residential            | 111945.9<br>8 | 139970.59              | 3,21,906.19 m <sup>2</sup> |
| 2   | Ph-III Residential           | 139970.5<br>9 |                        |                            |
| 4   | EWS (G+22)                   |               | 20159.50               |                            |
| 5   | Convenient Shopping Building | G+2           | 757.03                 |                            |
| 6   | Toilet & Dormitory           | G+1           | 180.20                 |                            |
| 7   | Toilet/Driver Rest Room      | G             | 55.86                  |                            |
| 8   | Club House-II                | G+2           | 2740.49                |                            |
| 9   | Parking & Services           |               | 45736.54               |                            |
| Total Built up Area (Phase-III)   |                              |               | 3,21,906.19            |                            |
| Total Built up Area   |                              |               |                        |                            |
| Total Builtup Area (Phase-I + Phase-II + Phase-III) = 73,958.9 + 3,21,906.19 = 3,95,865.09 m <sup>2</sup> |                              |               |                        |                            |

## 5. Requirement for the proposed expansion project:

## (i) Power requirement:

The daily power requirement for the proposed expansion Project is preliminarily assessed as 3045 KW source from CESU of Odisha State Electricity Board. In order to meet emergency power requirements during the grid failure, there is provision of 3 nos. of DG set having 500 KVA capacities for power back up in the proposed expansion Project.

For energy conservation, there will be 120 nos. of Solar Lighting poles (@72 Watt) has been proposed for Street & common area solar lighting, so

Energy conservation by using Solar Street Lighting = 120 x 72 = 8640 watt = 8.6 KW

Energy conservation by using Solar lighting for common area = 200 KW

Total Energy Conservation = (200 + 8.6) KW = 208.6 KW

Total Energy saving = 208.6/3045 = 0.0685 x 100 = 6.8 %



## (ii) Water requirement:

Fresh make up of 471.0 m<sup>3</sup>/day will be required for the project which will be sourced from ground water supply. Waste water of 602 KLD will be treated in a STP of 650 KLD capacity, which includes primary, secondary and tertiary treatment. After treatment, the treated water will be discharge to the Buri Nalla. Rain Water will be harvested through 41 no. of recharging pits.

## (iii) Firefighting Installations:

Firefighting system will be installed as per recommendation of the Fire fighting Officer, Odisha and as per the guideline of NBC (part-4).

## (iv) Green Belt Development:

Green belt will be developed over an area of 51,852.09 sqm which is 35.40 % of the plot area; by using the local species like Radhachuda, Nageswar, Akash Neem, Ashok, Polanga, Karang, Bela, Pijilu, Kaniara, Tagar, Hena, etc.

## (v) Solid Waste Management:

From the residential complex solid waste in form of food waste from kitchen and miscellaneous waste will be generated @ 0.45 kg/capita/day, which will be about 5225 x 0.45 = 2351.25 kg/day. The generated solid waste from the residential complex will be segregated as biodegradable and non-biodegradable. This will be collected in separate coloured beans. Proper waste management practices will be adopted during the collection, storing and disposal of the generated solid waste.

Waste generated from Floating people will be @ 0.15 kg/capita/day, which will be about 166 x 0.15 = 24.9 kg/day. Solid waste from sweeping and Dry Garbage containing non bio-degradable wastes like polythene bags, metal, ceramic Waste, glass etc. shall be stored in separate garbage bin and send to approved agency for final disposal. The biodegradable waste will be converted to manure by an organic waste convertor, which will be used for landscaping.

| Sl. No.                     | Category   | Counts (heads)     | Waste generated |
|-----------------------------|------------|--------------------|-----------------|
| 1.                          | Residents  | 5225 @ 0.45 kg/day | 2351.25         |
| 2.                          | Floating   | 166 @ 0.15 kg/day  | 24.9            |
| 3.                          | STP sludge |                    | 35              |
| Total solid waste generated |            |                    | 2411.15 kg/day  |

6. The ToR for Phase- III expansion had been granted by SEAC, Odisha vide letter no. 845 / SIA / OR / NCP / 28277 / 2018 / SEAC / 156, dated 12.10.2018.
7. Baseline study was conducted during summer season i.e. from March 2018 to May 2018.
8. ToR compliance regarding detailing of Project proponent, project consultants land description was compiled.
9. The proponent has obtained Certified Compliance Report for previous Environmental Clearance from Regional Office, MoEF&CC, Bhubaneswar on 11.12.2018.
10. Estimated Project cost:  
Total Capital Cost = Rs.300 Crores  
Environment Management Cost = Rs 2.25 Crores
11. The project proponent along with their consultants M/s Enviro Infra Solutions Pvt. Ltd., Ghaziabad, Uttar Pradesh and M/s Centre for Envotech & Management Consultancy



Pvt. Ltd., IRC Village, Bhubaneswar, Odisha made a detailed presentation on the proposal before the SEAC on 12.06.2019.

12. The project proponent furnished additional information / documents on the project to SEAC for necessary compliance to clarification raised by SEAC on 14.10.2019 & 27.11.2019.

13. The Sub-Committee of SEAC conducted site visit on 25.10.2019 and observed the following:

a) Green Belt:

While the proponent stated to develop necessary green belt in the green belt areas and plant species in due course for Phase-II (under Construction) & Phase -III proposed, Green Belt for Phase - I is virtually absent except decorative plants such as *Krushna chuda*, *Ficus panda* etc. in the periphery of the boundary of Phase - I and land scaping.

- (i) The width of the area along boundary may be less than a meter even, therefore, the area covered to have claimed under green belt even with decorative plants may be much less than the prescribed guidelines. Hence, a compliance in matter is necessary which may be asked from the proponent.
- (ii) Green belt needs to be strengthened with local shade bearing species like Akashmani, Neem, Ashoka, Kadamba, Pollanga, Bela, Karanj etc. in consultation with local DFO for the prescribed area.
- (iii) Similar strict adherence for Phase II & Phase III (Proposed) is necessary for Greenbelt. Compliance report in context shall be submitted to SEIAA / SEAC.

b) Fresh water (Ground Water):

The Proponent stated to have three deep borewells for fresh drinking water and two of them were seen by the Sub-Committee and also visited the Piezometer installed by the proponent.

The proponent was advised to submit the following:

- (i) Valid 'NOC' from CGWA & permission for Water Resources Deptt, Govt of Odisha for Phase I for which borewell are in use since beginning, shall be submitted for Phase I & II. The project proponent shall also submit the dimensions of borewells & the water consumption details of last three months.

c) Waste Water:

The Sub-Committee visited STP installed in their premises. They claimed to have consumed almost complete waste water after treatment in vehicle (Car) washing & watering of plants excepting small quantity might be discharged to their own low lying areas following vacant for future expansion. They could not satisfactorily reply as to consumption of complete treated waste water during monsoon. Therefore, they must be discharging the excess treated waste water to open low lying areas available in their premises, even though the treated waste water is polluted & contaminated. So, the proponent needs to submit a detailed workable plan / scheme either for zero discharge / or discharge to main road side drain through ETP and oil water separation unit, particularly for monsoon period so that it will not affect the human health / environment.

d) Rain Water Harvesting / Recharge Pits:

The Sub-Committee of SEAC visited the roof top water harvesting system & the recharging pits. It was observed that the roof top water mixed with open drain water, which should be connected to recharge pit directly. But, water harvesting for storm water & run off water is not available for which they need to submit a workable plan & time frame to execute it for Phase-I and workable plan for Phase II & proposed Phase-III expansion.



- e) **Solid waste Management:**  
The proponent claimed to have outsourced for daily disposal of Solid waste being generated, but no mechanism either at source or at delivery point to outsourcing agency for separation into Bio-degradable & Non-biodegradable category could be seen.  
Therefore, the proponent need to submit details of collection, segregation and disposal of solid waste for last three months to the outsourcing agency and submit the plan / mechanism for separation of solid wastes into Bio-degradable & Non-biodegradable wastes before disposing to outsourcing agency.
- f) **Use of Renewable / Solar Energy :**  
It is found to be absent for Phase – I completely. The proponent must submit a system along with the time frame for use of renewal / solar power at least as per the guidelines & preferably minimum 5% of their total power consumption for Phase I & similarly for Phase-II & III (Proposed) within a fortnight to SEIAA/ SEAC.
- g) **DG Set:**  
Location of DG sets (3 Nos.) installed for Phase – I was visited. The stack heights were found to be inadequate & negligible. The proponent must submit a design as applicable for such housing projects as per MoEF&CC / CPCB guidelines and DG rules for all three phases immediately within a fortnight time. Accordingly, they must replace / correct the stack heights as necessary for the existing area and accordingly plan for Phase II & Phase III.
14. The SEAC in its meeting held on 19-11-2019 decided that the site visit mentioned points as observed by the Sub-Committee of SEAC shall be complied by the proponent in addition to non-compliance points as pointed out for taking necessary decision in matter by the SEAC.
15. The project proponent furnished necessary compliance as desired by SEAC to the relevant points pointed out by the Sub-Committee of SEAC committee on 27.11.2019 & 23.12.2019.
16. Considering the information furnished by the proponent and presentation made by the consultant on behalf of proponent, the State Expert Appraisal Committee (SEAC) after due considerations of the relevant documents submitted by the project proponent and clarification/documents furnished to it have appraised the proposal on 24.12.2019 and recommended for grant of Environmental Clearance for the project valid for a period of 7 years, stipulating various conditions.
17. The proposal for grant of EC was considered by the State Environment Impact Assessment Authority in the 17<sup>th</sup> meeting held on dated 14.02.2020 wherein the Authority after detailed deliberation of the matter has decided as follows: "The PP has appeared before us to clarify on the reported non-compliance of EC conditions of Phase-I and Phase-2 of this project. We may address a letter to PP pointing out the EC conditions not complied with so far, and ask him to furnish a definite time line by which each of these pending compliances will be made. On receipt of the desired undertaking / commitment, EC may be considered."
18. The SEIAA considered the EC of the expansion proposal on 06.03.2020 after the project proponent furnished necessary compliance and undertaking / commitment as desired by SEIAA vide letter dt. 25.02.2020.

The State Environment Impact Assessment Authority (SEIAA), Odisha after considering the proposal, appraisal report and recommendations of SEAC, hereby accords Environmental Clearance to the project valid for a period of 7 years under the provisions of EIA Notification 2006 and subsequent amendments thereto subject to strict compliance of all conditions stipulated as follows. Detailed compliance report of these

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conditions is mandatorily to be submitted by the project proponent to SEIAA at half yearly intervals by 1<sup>st</sup> June and 1<sup>st</sup> December each year.

**Stipulated Conditions:**

**Part A - Specific Conditions:**

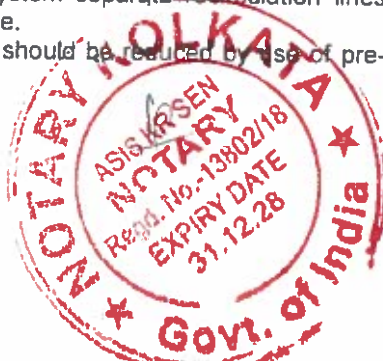
1. Consent to Establish / Operate for the project shall be obtained from the State Pollution Control Board as required under the Air (Prevention and Control of Pollution) Act, 1981 and the Water (Prevention and Control of Pollution) Act, 1974.
2. The approval of the Competent Authority shall be obtained for structural safety of buildings due to earthquakes, adequacy of fire fighting equipment etc. as per National Building Code including protection measures from lightening etc.
3. The project proponent shall obtain all necessary clearance/ permission from all relevant agencies including town planning authority before commencement of work. All the construction shall be done in accordance with the local building byelaws.
4. The project proponent shall ensure that the guidelines for building and construction projects issued vide this Ministry's OM NO.19-2/2013-IA.III dated 9th June, 2015, are followed to ensure sustainable environmental management.

**Topography and Natural Drainage**

5. 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.

**Water Requirement, Conservation, Rain Water Harvesting, and Ground Water Recharge**

6. No ground water shall be extracted for the project work at any stage during the construction phase. If ground water will be used during construction phase, they shall obtain permission from the Water Resource Department, Govt. of Odisha/ CGWB.
7. As proposed, fresh water requirement from ground water shall not exceed 471 m<sup>3</sup> per day.
8. 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.
9. 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 Regional Office, MoEF&CC and SEIAA, Odisha along with six monthly Monitoring reports.
10. 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.
11. 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.
12. 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.
13. Water demand during construction should be reduced by use of pre-mixed concrete,



- curing agents and other best practices referred.
14. The local bye-law provisions on rain water harvesting should be followed. If local bye-law provision is not available, adequate provision for storage and recharge should be followed as per the Ministry of Urban Development Model Building Byelaws, 2016. Rain water harvesting recharge pits of 41 nos. shall be provided.
  15. 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 drawal of water.
  16. A complete plan for rainwater harvesting at the proposed site shall be drawn up and implemented to minimise ground water withdrawal thereby recharging ground water in the area. The complete rainwater harvesting plan after implementation shall be submitted to SEIAA.

#### **Solid Waste Management**

17. The provisions of the Solid Waste (Management) Rules, 2016, E-Waste (Management) Rules, 2016, and the Plastics Waste (Management) Rules, 2016 shall be followed.
18. 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.
19. 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 wet garbage and inert materials. Wet garbage shall be composted in Organic Waste Converter. Adequate area shall be provided for solid waste management within the premises which will include area for segregation, composting. The inert waste from group housing project will be sent to dumping site.
20. 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.
21. 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.

#### **Sewage Treatment Plant**

22. Sewage shall be treated in STP of capacity 650 KLD and shall be installed before start of the operation phase of the building. The treated effluent from STP shall be recycled/re-used for flushing, gardening and DG Cooling. The sewage treatment plant shall be ensured before the completion of Building Complex.
23. 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.
24. No sewage or untreated effluent water would be discharged through storm water drains.
25. The installation of the Sewage Treatment Plant (STP) shall be certified by an independent expert and a report in this regard shall be submitted to the SEIAA, Odisha before the project is commissioned for operation. Periodical monitoring of water quality of treated sewage shall be conducted. Necessary measures should be made to mitigate the odour problem from STP.
26. 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.

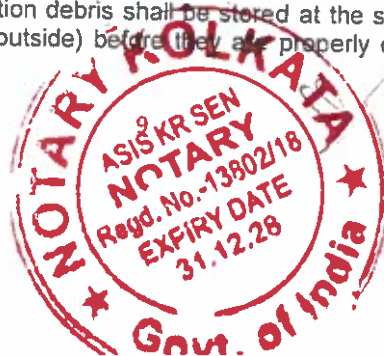
27. The project proponent will ensure that under no circumstances, the environment is polluted due to non-functioning / under performance of sewerage disposal system of the project.

#### Energy

28. 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.
29. 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.
30. Solar, wind or other Renewable Energy shall be installed to meet electricity generation equivalent to 5% of the demand load or as per the state level/ local building bye-laws requirement, whichever is higher. Follow super ECBC requirement of ECBC 2017 and provide compliance report.
31. 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. Residential buildings are also recommended to meet its hot water demand from solar water heaters, as far as possible.
32. 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 on 27th August, 2003 and 25th January, 2016. Ready mixed concrete must be used in building construction.
33. 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.

#### Air Quality and Noise

34. 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 prone to causing dust pollution at the site as well as taking out debris from the site. Sand, murrum, 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.
35. 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.

36. 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.
37. 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.
38. For indoor air quality the ventilation provisions as per National Building Code of India shall be provided.
39. Ambient noise levels shall conform to residential standard both during day and night as per Noise Pollution (Control and Regulation) Rules, 2000. 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.

#### Green Cover

40. No tree cutting/transplantation of existing trees has been proposed in the instant project. A minimum of 1 tree for every 80 m<sup>2</sup> of land should be planted and maintained. The existing trees will be counted for this purpose. The landscape planning should include plantation of native species. The species with heavy foliage, broad leaves and wide canopy cover are desirable. Water intensive and/or invasive species should not be used for landscaping. As proposed 35.40 % of plot area shall be provided for green area development.
41. 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 and oil and grease.

#### Top Soil Preservation and Reuse

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

#### Transport

43. 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
44. 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 05 kms radius of the project is maintained and improved upon after the implementation of the project.
45. 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 05 Kms radius of the site in different scenarios of space and time and the traffic 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.

46. 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.

**Environment Management Plan**

47. 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.
48. The Project proponent has earmarked Rs.2.25 Crores towards environmental protection measures for the proposed expansion project. The year wise funds earmarked for environmental protection measures shall be kept in separate account and should be spend accordingly and not to be diverted for any other purpose. Year wise progress of implementation of action plan for EMP shall be reported to the SEIAA, Odisha, Regional Office, MoEF&CC, Govt. of India, Bhubaneswar, SPCB along with the Six Monthly Compliance Report.
49. 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, Odisha & Regional Office of the Ministry of Environment & Forest, Odisha in hard and soft copies on 1<sup>st</sup> June and 1<sup>st</sup> December of each Calendar Year and shall also upload the compliance report in the website of the Ministry.

**Others**

50. 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.
51. A First Aid Room shall be provided in the project both during construction and operations of the project.
52. The company shall draw up and implement corporate social Responsibility plan as per the Company's Act of 2013.
53. As per the MoEF&CC, Govt. of India Office Memorandum F.No.22-65/2017-IA.III dated 1<sup>st</sup> May 2018, the project proponent is required to prepare and implement Corporate Environment Responsibility (CER) Plan. As per para 6(II) of the said O.M. appropriate funds shall be earmarked for the activities such as infrastructure creation for drinking water supply, sanitation, health, education, skill development, roads, cross drains, electrification including solar power, solid waste management facilities, scientific support and awareness to local farmers to increase yield of crop and fodder, rain water harvesting, soil moisture conservation works, avenue plantation, plantation in community areas etc. The activities proposed under CER shall be restricted to the affected area around the project. The entire activities proposed under the CER shall be



- treated as project and shall be monitored. The monitoring report shall be submitted to the regional office as a part of half yearly compliance report, and to the District Collector. It should be posted on the website of the project proponent.
54. The proponent shall implement the observations of the sub-Committee of SEAC after field visit on 25.10.2019 as per the time schedule given in the action plan enclosed with the legal affidavit which was submitted on 23.12.2019. The Sub-Committee of SEAC shall visit the site again to verify the status of implementation. In case of non-implementation, the Environmental Clearance will be revoked on recommendation of SEAC.
55. The proponent shall implement the full scale compliance of all EC conditions of phase-I and phase-II with definite time line as submitted to SEIAA on 25.02.2020. In case of non-implementation, the Environmental Clearance will be revoked by SEIAA or on recommendation of SEAC.

**Part B – General Conditions**

1. A copy of the Environmental Clearance letter shall also be displayed on the website of the concerned State Pollution Control Board. The EC letter shall also be displayed at the Regional Office, District Industries centre and Collector's Office/ Tehsildar's office for 30 days.
2. The funds earmarked for environmental protection measures shall be kept in separate account and shall not be diverted for other purpose. Year-wise expenditure shall be reported to the SEIAA, Odisha and MoEF&CC, Govt. of India and its concerned Regional Office.
3. Officials from the Regional Office of MoEF&CC, Bhubaneswar 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.
4. In the case of any change(s) in the scope of the project, the project would require a fresh appraisal by the SEIAA, Odisha.
5. 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.
6. 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
7. These 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.
8. 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.
9. A copy of the clearance letter shall be sent by the proponent to concerned Panchayat, ZillaParisad / 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.

10. The proponent shall submit/upload six monthly reports on the status of compliance of the stipulated Environmental Clearance conditions, including results of monitored data on their website and shall update the same periodically. It shall simultaneously be sent to the Regional Office of MoEF&CC, Govt. of India, the respective Zonal Office of CPCB and the SPCB. 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.
11. 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 Regional Offices of MoEF&CC, Govt. of India by E-mail.
12. 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

Memo No 7992/SEIAA /Dt. 17.03.20  
Copy to

1. Joint Secretary (Environment), 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. Member Secretary, State Pollution Control Board, Odisha, Paribesh Bhawan, A/118, Nilakantha Nagar, Unit-8, Bhubaneswar for information.
4. Additional Principal Conservator of Forests, Regional Office (EZ), Ministry of Environment & Forests, A-31, Chandrasekharpur, Bhubaneswar for information.
5. Chairman, Central Pollution Control Board, CBD-cum-office Complex, East Arjun Nagar, New Delhi-110032 for information.
6. Member Secretary, CGWA, 18/11, Jamnagar House, ManSingh Road, New Delhi-110011 for information.
7. Collector, District Magistrate, Khordha, for kind information and necessary action.
8. Chairman/Member/Member Secretary, SEIAA for kind information.
9. Chairman, SEAC/Secretary, SEAC, Paribesh Bhawan, A/118, Nilakantha Nagar, Unit-VIII, Bhubaneswar for kind information.
10. Guard file for record.

  
Member Secretary



## Minutes of meeting held between ZEPL &amp; Z1RWA on 08/01/2021

## Members Present:-

Z1RWA

1. Manoranjan Mishra
2. P. C. Mishra
3. Kalpataru Pattanaik
4. Malay Panigrahi
5. Bidhubhusan Nayak
6. P. K. Nayak

ZEPL

1. Tapan Kumar Mohanty
2. Satyajyoti Mohanty
3. Amrapali Mohanty
4. Radha Prasad Das

Pursuant to the e-mail dated 04/01/2021 of ZEPL the authorized representatives of Z1RWA attended the meeting for deliberation on the modalities of handing over of the maintenance of the common facilities with respect to the Z1 Advait.

At the inception, after discussion of the background of the meeting the secretary of Z1RWA handed over a checklist of documents (Annexure – 1) which are required to be handed over to Z1RWA. After deliberation on various aspects involved in smooth takeover of the facilities the following points were agreed.

1. The documents as per the aforesaid checklist will be handed over to Z1RWA by ZEPL within a week or further extended time as may be mutually agreed.
2. Upon getting the documents as per the checklist the Z1RWA will conduct due diligence through a third party agency within a time frame of 15 days or any extended period as may be mutually agreed.
3. Upon completion of due diligence, the handing over process will take place based on a MOU or agreement to be signed between ZEPL & Z1RWA. Z1RWA will authorize the designated office bearers who will sign the MOU/Agreement.
4. The collection of maintenance from residents and takeover of accumulated funds will be done by Z1RWA only after the Z1RWA gets the registration certificate from the competent authority.
5. All employees of URS LLP will be the employees of Z1RWA after registration of the Z1RWA is obtained.
6. Until the completion of the hand over process, the URS LLP will work under supervision of Z1RWA.

*Manoranjan Mishra*  
08/01/21

*P. C. Mishra*  
08/01/21

*Kalpataru Pattanaik*  
08/01/21

*Malay Panigrahi*  
08/01/21

*Bidhubhusan Nayak*  
08/01/21

*P. K. Nayak*  
08/01/21

*Tapan Kumar Mohanty*

*Satyajyoti Mohanty*

*Amrapali Mohanty*





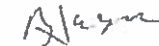

*Radha Prasad Das*




*Amrapali Mohanty*  
08/01/21

7. Club house PRANA will remain with ZEPL and the differential maintenance cost (Income vis a vis expenditure) if any will be reimbursed to ZEPL. This arrangement will continue till the Club House is handed over by ZEPL to the appropriate/apex body as per law.
8. ZEPL will make necessary arrangements for providing power supply to a common point for consumption of Advait and the concerned common areas.

For ZIRWA

1.   
(Manojan Mishra)
2.   
(P. C. Mishra)
3.   
(P. K. Nayak)
4.   
(Kalpataru Patteraik)
5.   
(BIDHUBHUVAN NAYAK)
6.   
Manoj Paul  
8.1.2021

For ZEPL

  
08/01/21  
Salyakshi Mohanty  
Anuragali Mohanty  
Rachhalrasal Das 8-1-21



Checklist for Handover from Builder to the Housing Society / Owners AssociationProperty

- Property Documents executed between the Landowners and Builders in original
- Approved Construction Plan in original
- Completion Certificate in original
- Occupancy Certificate in original
- NoC from Fire Department in original
- NoC from Electrical Inspector in original
- All other NoCs relating to construction from other authorities as required by the Plan

Approving Authority in original

- Clearance to operate Elevators in original
- Property Insurance Document (if any) in original
- Detail of compounding (if any) along with all relevant documents, payment receipt and Clearance certificate by competent authority.
- All approvals /NOCs from relevant authorities with respect to Switchgear, Meters, panels, Transformers etc.
- Sanction letter from relevant authorities for Electricity Sanctioned and allotted load along with flat wise load allocation.

Operations

- Drawings of the Electrical Wiring including Earthing Points
- Drawings of the Water Piping
- STP Drawing & certification by Architect/Pollution Control Board
- Waste Disposal system with approval from Pollution Control Board
- AMC Documents – Lift, Generator, Transformer, ADDA portal, etc.
- Invoices and Warranties for all Assets – Pumps, Lift, Generator, Transformer, Pool Equipments, Gym Equipments
- Maintenance Schedule for all Assets
- Sump and Overhead Tank Documentation
- Approval from local authorities for Bore well, RWI compliance documented evidence.
- Technical documentation for pumps, documentation for overhead tanks, documentation indicating borewell depth, etc.

08/01/2021

As per  
C.B. Nayak

08/01/21  
TAPAN MOHANTY



As per  
Ratanak  
08/01/21

Finance

- ☑ Payment Record for Taxes towards Property, Construction and Maintenance
- ☑ Payment Record for City/Municipality Water Supply
- ☑ Record of Maintenance Expenses while under Builder's Maintenance
- ☑ Record of all Collections made from the Owners (except purchase related)
- ☑ Contracts with existing Maintenance, Security staff
- ☑ Detail of Sinking/ Corpus fund to be refunded to the AOA/Apartment Owners (if any).
- ☑ Records of all movable assets acquired out of maintenance charges.
- ☑ Records of all movable assets proposed to be given by the builder to the Association as part of Project Cost
- ☑ Record of Security deposits at various authorities like Electricity, Water etc.

Legal

- ☑ Car Parking Allocation Record
- ☑ All Legal Documents executed between the Builder & Landowner (could be same as P1)
- ☑ Contracts with Vendors
- ☑ Undertaking by the Builder regarding Indemnity & Limitation of Liabilities of the Society for all transactions prior to the Handover Date

08/01/2021

08/01/21  
(TAPAN MUHANTY)

08/11/2021

(B. NAYAK)

(P. K. NAYAK)

notes

08/01/21



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**Z ESTATES PRIVATE LIMITED**

Checklist for Handover from Builder to the Housing Society/Owners Association.

| Sl No | Particulars   | Remarks  | No of Pages |
|-------|---|--|-------------|
| 1     | Property Documents  | Enclosed as per Annexure 1   | 41          |
| 2     | Approved Consturction Plan  | Enclosed as per Annexure 2   | 68          |
| 3     | Completion Certificate  | Enclosed as per Annexure 3   | 4           |
| 4     | Occupancy Certificate   | Enclosed as per Annexure 4   | 2           |
| 5     | NOC from Fire Department  | Enclosed as per Annexure 5   | 5           |
| 6     | NOC from Electrical Inspector   | Enclosed as per Annexure 6   | 7           |
| 7     | All other NOCs relating to consturction from other authorities as required by the Plan Approving Authority                                | NOC's of Airports Authority of India, Central Ground Water Authority, State Pollution Control Board (Consent Order), State Environment Impact Assessment Authority, Public Health Department and Bhubaneswar Development Authority enclosed as per Annexure -7 | 24          |
| 8     | Property Insurance Document (if any) in original.   | Enclosed as per Annexure - 8   | 15          |
| 9     | Sanction letter from relevant authorities for Electricity Sanctioned and allotted load along with flat wise load allocation.              | Enclosed as per Annexure - 9   | 7           |
|       | <b>Operations</b>   |  |             |
| 10    | Drawings of the Electrical Wiring including Earthing Points   | Enclosed as per Annexure - 10  | 57          |
| 11    | Drawings of the Water Piping (PLUMBING)   | Enclosed as per Annexure - 11  | 56          |
| 12    | STP Drawing & certification by Architect / Pollution Control Board  | Enclosed as per Annexure - 12  | 125         |
| 13    | AMC Documents, Lift, Generator, Transformer, Etc.   | Enclosed as per Annexure - 13  | 33          |
| 14    | Maintenance Schedule for all Assets   | Enclosed as per Annexure - 14  | 12          |
|       | <b>Finance</b>  |  |             |
| 15    | Record of Maintenance Expenses while under Builder's Maintenance, (Audited accounts for the period from September 2016 to March 2020).    | Enclosed as per Annexure - 15  | 22          |
| 16    | Contracts with security agency.   | Enclosed as per Annexure - 16  | 3           |
| 17    | Records of all movable assets acquired out of maintenance charges.  | Enclosed as per Annexure - 17  | 10          |
| 18    | Records of all movable assets proposed to be given by the builder to the Association as part of project cost                              | Enclosed as per Annexure - 18  | 1           |
| 19    | Security deposits - Gas   | Enclosed as per Annexure - 19  | 3           |
|       | <b>Legal</b>  |  |             |
| 20    | Car parking Allocation Record   | Enclosed as per Annexure - 20  | 5           |
| 21    | Contracts with Vendors  | Enclosed as per Annexure - 21  | 85          |
| 22    | Undertaking by the Builder regarding Indemnity & Limitation of Liabilities of the Society for all transactions prior to the Handover Date | Draft Copy Required  |             |
|       | <b>Operation Manual and Handing Over Document.</b>  |  |             |
| 23    | Handing over document of OMT Plumbing Engineering Pvt. Ltd.   | Enclosed as per Annexure - 22  | 67          |
| 24    | Operation manual of OMT Plumbing Engineering Pvt. Ltd.  | Enclosed as per Annexure - 23  | 83          |
| 25    | Handing over document of D.D. Pradhan & Co. Pvt. Ltd.   | Enclosed as per Annexure - 24  | 54          |
| 26    | Operation manual of D.D. Pradhan & Co. Pvt. Ltd.  | Enclosed as per Annexure - 25  | 204         |
| 27    | Handing over document of Shasi Enterprises  | Enclosed as per Annexure - 26  | 25          |
| 28    | Operation manual of Fire Alarm System   | Enclosed as per Annexure - 27  | 88          |
| 29    | Project handing over document of B S Enterprises  | Enclosed as per Annexure - 28  | 87          |
| 30    | Project handing over document of Kedaranth Electricals  | Enclosed as per Annexure - 29  | 195         |
| 31    | Pump Manual of GRUNDFOS   | Enclosed as per Annexure - 30  | 93          |

Received all the documents as mentioned above.



FOR ZIRWA  
 Manoj Kumar Mishra  
 18/01/2021  
 PRESIDENT



**Radhaprasad das**

**From:** Radhaprasad das <radhaprasad@zestates.in>  
**Sent:** 16 March 2021 15:38  
**To:** 'shreedattdash@hotmail.com'; 'pitambar\_acharya@rediffmail.com'; 'rahulsahu297@gmail.com'; 'shubhakant.satapathy@gmail.com'; 'jaipuriar.pallavi@gmail.com'; 'skdash\_abicee@yahoo.co.in'; 'swastikassets@gmail.com'; 'rameshsahu55@yahoo.com'; 'mihirayak76@gmail.com'; 'bapiarpan@gmail.com'; 'bhabatosh71@gmail.com'; 'lnpanigrahy2000@gmail.com'; 'ppanigrahy75@gmail.com'; 'drsubasis@hotmail.com'; 'macharya39@yahoo.com'; 'a\_k\_pattnaik@yahoo.co.in'; 'patiabhijit@rediffmail.com'; 'ddasadv@gmail.com'; 'manjusha.behera@gmail.com'; 'sanjay\_tiki@rediffmail.com'; 'dasbbd@hotmail.com'; 'shaanoptimistic@gmail.com'; 'sharmillan@hotmail.com'; 'rubu123@gmail.com'; 'nmohapatra@gmail.com'; 'bmahuya@gmail.com'; 'binaymohanty@gmail.com'; 'dattatreya@gmail.com'; 'bishnupsahoo56@gmail.com'; 'mamta\_santosh@hotmail.com'; 'stripathy900@gmail.com'; 'shreedattdash@hotmail.com'; 'gdbrahma@yahoo.com'; 'sjbrahma@rediffmail.com'; 'deepabparekh@gmail.com'; 'ashok.gnextventure@gmail.com'; 'ashok.mishra@saferisk.in'; 'umisra@rediffmail.com'; 'saambiswal@gmail.com'; 'ranjansatya@gmail.com'; 'mmishraopgc@yahoo.com'; 'mishra.mranjan@gmail.com'; 'dipaksomani@jss.in'; 'kcdeep69@yahoo.co.in'; 'ranjan1963.rm@gmail.com'; 'ranjan.mishra@visabao.net'  
**Cc:** 'z1rwa'  
**Subject:** Handing Over

Dear "Advait" Flat Owners,

As you all know the process of our handing over the maintenance and management of the entire Common Area and Properties of Advait to your RWA is underway.

On this we would like to intimate all of you that we will cease all our activities & responsibilities and withdraw from the Complex with effect on and from midnight of 31<sup>st</sup> March 2021. Your RWA shall thereafter be in charge and look after & run the entire system of Advait. This is for all of your information and record please.

Further we would like to express our sincere gratitude to all of you for giving us the opportunity to manage and maintain your Complex till now. Wishing you all a happy and peaceful living in Advait.

Thanks & Regards

R.P.Das

For URSLLP





**OCCUPANCY CERTIFICATE**

No. 5467 /BDA, Bhubaneswar,  
File No. BPBA-RV-584/2017

dated 10/11 February, 2022

Occupancy Certificate (Pt) under Rule-18 of ODA (Planning & Building Standards) Rules-2020 is issued in favour of "Z" Estates Pvt. Ltd., MD, Tapan Kumar Mohanty & "Z" Harshsapiya, Partner Tapan Kumar Mohanty, Purna Chandra Nayak, Dharanidhar Das, Kishore Kumar Jena, Loknath Nayak, Kishore Kumar Sahu, Puspa Manjari Mohanty, Panda Infrastructure Pvt. Ltd., Susanta Kumar Garabadu, Nanda Nayak, Sasmita Satpathy, Subash Chandra Mishra, Prasanna Kumar Mishra, Nirmal Kumar Rout, Tanuj Kumar Samal, Susant Kumar Ray, Bichitra Bhusan Nanda, Bhagyadhar Mohanty, Anima Mishra, Rosina Jena, Sujata Nayak, Dillip Kumar Digal, Mamata Satpathy, Kishore Chandra Barik, Maheswar Sethi, Manas Kumar Das, K. Neelamohan Subudhi, Kabita Sahu, Nirmala Swain & Kamakshya Behera represented through GPA Holder "Z" Estates Pvt. Ltd.

in respect of existing Phase-II A consisting of following blocks:-

- i) **Block-2**
  - a) Wing A –(B+G+24)
  - b) Wing B,C,D – (B+G+20)
- ii) **Block-3**
  - a) Wing E, G – (B+G+20)
  - b) Wing F – (B+G+24)
- iii) **Convenient Shopping (G+2)**

over plot No.186,187,200 & others, Khata No.57,276, 599 & others (Ref: File No. BPBA-RV-584/17 Letter No.24018/BDA dtd.9.7.21).

The work of erection, re-erection or for material alteration undertaken in respect of above plots is completed under the supervision of Ar. Bibhuti Bhusan Mohapatra (Empanelment No CA/2001/27464 & Er. Nagendra Parida, Structural Engineer (Empanelment REGD No SER-015/BDA) as per the Completion certificate submitted. On inspection, it is observed that the erection, re-erection or alteration undertaken with respect to above plot(s) conform to the regularized plan and the condition imposed vide letter No.24018/BDA dtd.9.7.21. The Building are permitted for Residential Apartment Building & Convenient Shopping subject to the following

1. All physical infrastructures like water supply, sewerage and drainage system and rain water harvesting structures shall be maintained



2. At least 1 tree per 80 sqm of the land area shall be developed for plantation and landscaping; and shall be 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. The building shall not be put to any other use other than the purpose for which the permission is accorded.
5. All the stipulated conditions of the CGWA vide No.21-4(287)/SER/CGWA/2021-683 dt. 16.07.2019, CESU Letter No.BCDD-II/TECH. No.463 dt. 11.01.2017, FPW letter No.7463/FPW dtd.22.09.21, Env. Letter No.SEIAA/827 dtd.23.02.12 & EIDP letter No.36/EM/BDA,BBSR dtd 20.01.2016 shall be strictly adhered to.
6. The applicant shall construct the EWS Housing of 14129.06 S.qmt. Carpet area over Govt. land, if allotted as per the provision of revised policy for Housing for All in Urban Areas, Odisha-2015 (Revised 2020) notified vide No.1810/HUD dtd.29.12.2020; and in case the applicant fails to construct the EWS Housing on Govt. land, the same shall be constructed on the location shown in the OC drawing (site plan) as per undertaking dtd. 01.02.2022.
7. A copy of the permission letter, occupancy certificate and approved drawing shall be displayed in a conspicuous place on the property after occupancy certificate is issued.

One set of completion plans duly certified is returned herewith.

By Approval of Vice-Chairman

Planning Member

Bhubaneswar Development Authority  
dtd. 10-02-2022

Memo No 5168 /BDA

Copy submitted to Sri Tapan Kumar Mohanty, MD, "Z" Estates Pvt. Ltd., M-4/34, Acharya Vihar, Bhubaneswar for information and necessary action.

Planning Member

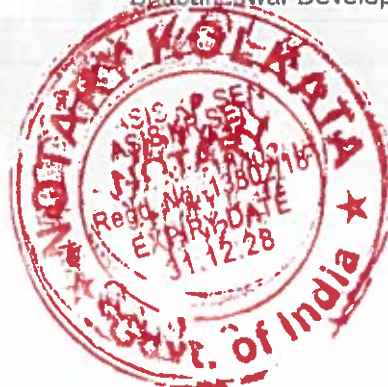
Bhubaneswar Development Authority  
dtd. \_\_\_\_\_

Memo No \_\_\_\_\_ /BDA

Copy submitted to SIEAA-Qr.No.5RF-2/1, Unit-9, Bhubaneswar-22/ Regional Director,CGWB, South Eastern Region, Bhubaneswar/ Chief Fire Officer (SAG) FPW, Cuttack /Office of the Regional Manager (Elect.), BCDD-II, Plot No.N-1/228, IRC Village, Nayapalli, Bhubaneswar-15 information and necessary action.

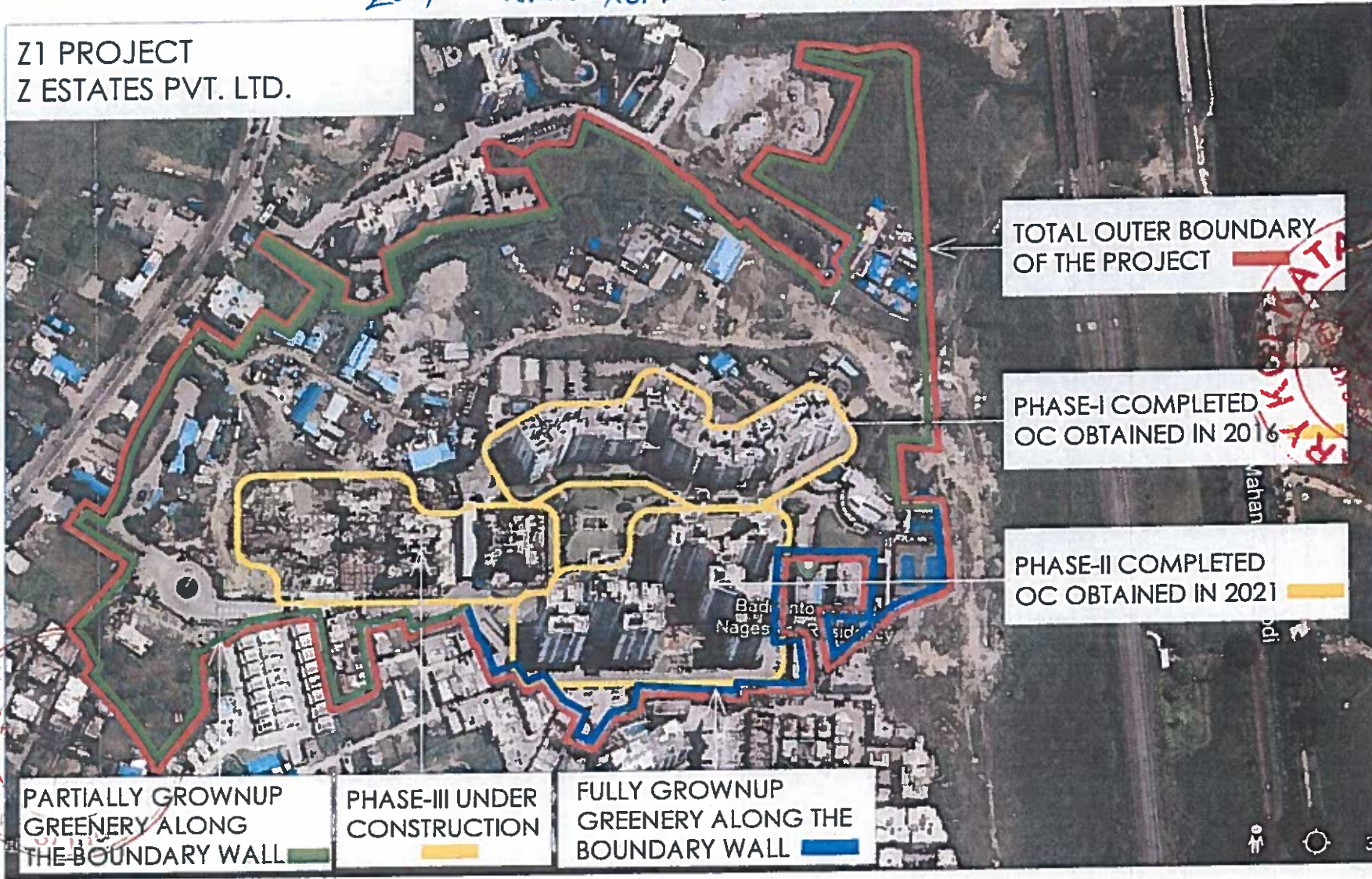
Planning Member

Bhubaneswar Development Authority



~~204~~ ANNEXURE 'P-6' 203

Z1 PROJECT  
Z ESTATES PVT. LTD.



TOTAL OUTER BOUNDARY OF THE PROJECT

PHASE-I COMPLETED OC OBTAINED IN 2016

PHASE-II COMPLETED OC OBTAINED IN 2021

PARTIALLY GROWNUP GREENERY ALONG THE BOUNDARY WALL

PHASE-III UNDER CONSTRUCTION

FULLY GROWNUP GREENERY ALONG THE BOUNDARY WALL



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ANNEXURE - 'P-3'

Item No.06

Court No.1

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

Original Application No.11/2022/EZ

**IN THE MATTER OF:**

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

.....Applicant(s)

Versus

- 1. Z ESTATES PRIVATE LIMITED,**  
Registered office at M/4-34 Acharya Vihar,  
Bhubaneswar, Odisha-751013;
- 2. SHRI TAPAN KUMAR MOHANTY,**  
Managing Director,  
Z Estates Private Limited,  
At M/4-34, Acharya Vihar, Bhubaneswar,  
Odisha-751013;
- 3. MEMBER SECRETARY,**  
Odisha State Environment Impact Assessment Authority, (SEIAA),  
Qr. No.5RF-2/1, Unit-IX,  
Bhubaneswar-751022,
- 4. MEMBER SECRETARY,**  
Odisha State Pollution Control Board,  
A-118, Nilakantha Nagar,  
Unit-VIII, Bhubaneswar-751012,
- 5. MEMBER SECRETARY,**  
Central Ground Water Authority,  
18/11, Jamnagar House, Mansingh Road,  
New Delhi-110011,
- 6. REGIONAL DIRECTOR,**  
Central Ground Water Board,  
South Eastern Region, Bhubaneswar Bhujal Bhawan,  
Khandagiri, Bhubaneswar,
- 7. DEPUTY DIRECTOR GENERAL OF FORESTS (C),**  
Ministry of Environment, Forest & Climate Change,  
Integrated Regional Office,  
A/3, Chandarsekharapur,  
Bhubaneswar-751023,

.....Respondent(s)



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Date of hearing: 01.05.2023

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

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

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

### ORDER

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



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

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

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

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

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

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

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

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

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

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

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

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

5. The Respondent Nos. 1 & 2, (hereinafter referred to as 'Project Proponent'), have filed the Annexure-affidavit dated 05.03.2022,



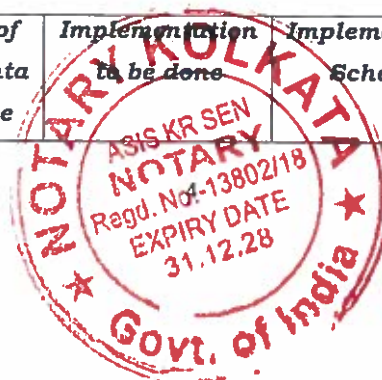
denying the allegations in the Original Application and further submitting that the claims made by the Applicant with regard to the Respondent Nos.1&2, are misconceived, vexatious and frivolous, apart from not being maintainable and Applicants have no cause of action.

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

**"STATUS OF ACTION PLAN FOR IMPLEMENTATION OF  
POINTS MENTIONED VIDE SEIAA, LETTER NO-7887/SEIAA**

**DATE-20-02-2020**

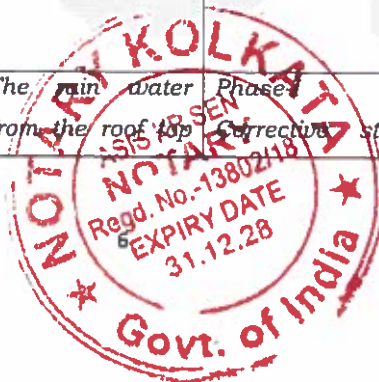
| Sl. No. | Condition of Environmental Clearance | Implementation to be done | Implementation Schedule | Implementation Status as on 31-01-2022 |
|---------|--------------------------------------|---------------------------|-------------------------|--|
|         |                                      |                           |                         |  |



|    |  |   |  |   |
|----|--|---|--|---|
| 1) | Development of Green Belt For PH-I & PH-II   | We will develop a Green belt of 3.0Mtr width (approx..) in multiple layers all along the permanent boundary wall. This will be carried out both for PH-I & PH-II Expansion. The plantation activity of Greenbelt for PH-II shall be started on the onset of monsoon and shall be completed by end of 2020 monsoon i.e. much before the completion of building project and handing over process. | Plantation work to be started by June 2020 (start of monsoon) and will be completed by September 2020 (End of Monsoon) | Since this is an integrated project plantation can only be done along the permanent boundary which will take place in phase manner as per the available of boundary. However Plantation around PH-I area and along 500 mtr. Of permanent boundary has been completed using Local species of plan (Kamini, Neem, Bakul, Kadamba, Champa, Mango, Coconut, Karanja etc.) |
| 2) | 'NOC' from CGWA & Measures for permission for Water Resources Dept. Govt. of Odisha for Phase-I and PH-II for quantum of ground water drawl. Measures for limiting water | NOC from CGWA. Measures for limiting water use has been done by restricting the use through optimization of water supply and measuring the daily supply using flow meter.   | Complied   | Complied  |



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



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

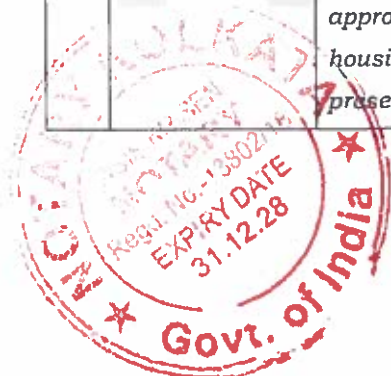


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|    |   |   |                             |   |
|----|---|---|-----------------------------|---|
|    | Phase-  | waste and handing over to the OPSCB Empaneled (Under solid waste management rule of 2016 of Environmental protection act 1986) solid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



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



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

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

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

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

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

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



local shade bearing species like Akashmani, Neem, Ashoka, Kadamba, Bela, Karanja etc. in the form of green belt. There is a provision of 30,923.22 sqm green belt in Phase-I project.

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

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

**"Overall Observation:**

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



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

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

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

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



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

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

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

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

9. **Solid Waste Management:** PA a copy of agreement letter on dated 08.06.2020 with authorised party of M/s. Clean mart Facility Services, Plot No. 78, Rasulgarh Square, Bhubaneswar-

10. Odisha for collection of solid waste from the premise of Z1-Estate for the period 1st may 2020 to 31st march 2021. It was informed by PA that initially internal collection of solid waste was managed by them systematically till handover the Z1-



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

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

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

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

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



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

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

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

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

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

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



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

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

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

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

**Other Points:**

1. The Z-Welfare Association authority did not agree to participate in the joint discussion.
2. The Association was asked about list of deviations they have mentioned while taking over from the PA. they said that there is no such deviation lists neither have they showed any other documents like: Contact without side agency for disposal of solid wastes etc.

3. Now that the Phase-I building of Z1-estate is managed by the Z1-Residents' Welfare Association, we may officially ask them to produce the following:



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

b) Test report of STP water done periodically

c) Maintenance plans for the existing green belt and plantation

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

**Recommendation of the Committee**

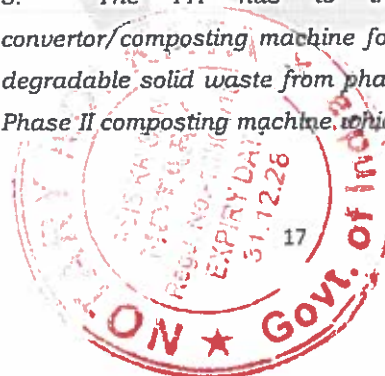
1. The PA is yet to complete some of the unfinished work referring to what was identified by SEAC and SIEAA and agreed by them vide letter dated 25.02.2020. Being an integrated project few of the activities are interrelated, as explained by PA to which Committee inferred that the compliance has to be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

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

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

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

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



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

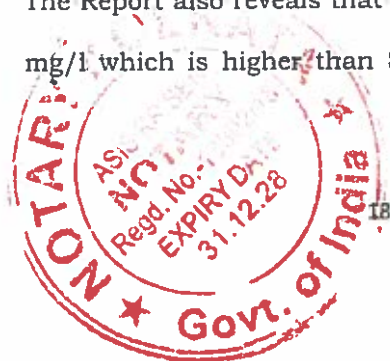
6. The PA has to install adequate no. of solar panel for light of street and common area of Phase-I building within 30th June, 2022.

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

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

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

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



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

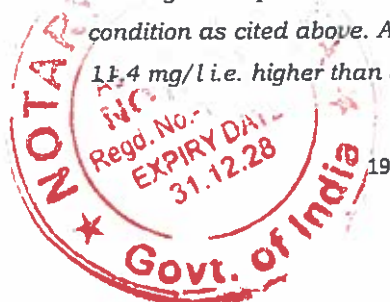
***“Additional information w.r.t. O.A. No. 11 of 2022/EZ in the Matter of Z1 Residential Welfare Association on Applicant - Vrs - Z-Estates Pvt. Ltd. & Others - Respondent.***

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

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

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

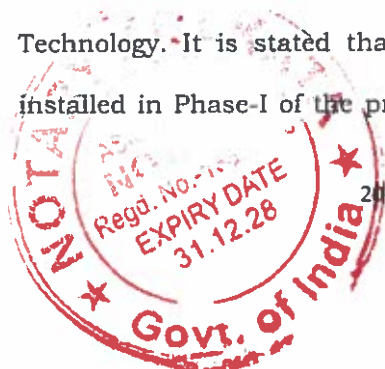
Whereas, the Analysis Report which was received from Central Lab., of State Pollution Control Board, Odisha, Bhubaneswar revealed that BOD and Fecal coliform result is not meeting the prescribed standard w.r.t. special stipulated condition as cited above. Also the Oil & Grease result is showing 11.4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



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

**Remark:**

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



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

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

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

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

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

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



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

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

**Compliance to Consent to Operate Conditions:**

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



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



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



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



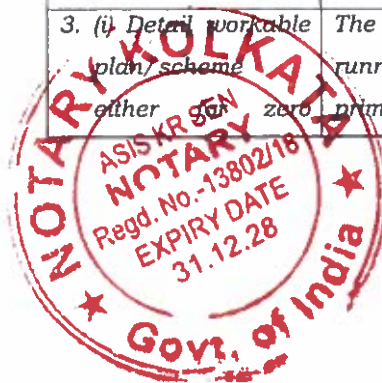
is fully operational. It is also stated that the Project Proponent had vide letter dated 11.05.2022 informed the Applicants of Phase-I to segregate the waste generated in Phase-I and to send the biodegradable waste for composting to this Composting Machine.

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

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



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



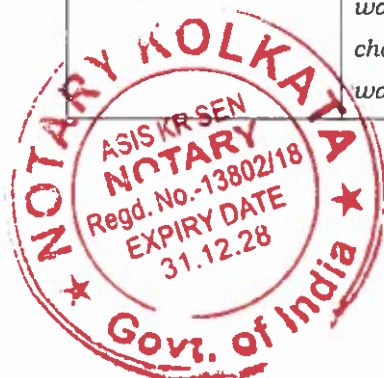
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| <p>discharge and/or discharge to main road side drain through STP and oil water separation unit, particularly for monsoon period so that it will not affect the human health / environment is not available.</p> | <p>treated water of Phase I has been utilised for gardening purpose and no excess water is available for discharge to municipal drain. There is no excess treated water found or accumulated at any area nearby. The committee</p> | <p>Area. After installation, the STP was maintained and controlled by the Project Proponent. Thereafter, one FMC Company namely United Resorts Services LLP was appointed by the Project Proponent for maintaining the said STP. The said company had been maintaining the said STP on and from 01.09.2016 to 31.03.2021.</p> |
| <p>(ii) STP does not have the facility for complete treatment (Primary, Secondary and tertiary) of waste water.</p>  | <p>advised that there has to be a connection of treated water of outside Municipal Drain to take care of excess treated water if any and also in rainy season. The</p>   | <p>Thereafter, the said STP was handed over to the residents of the building in Phase I on 01.04.2021. On and from 01.04.2021, the said STP has been maintaining and controlling by the residents of the Phase I Building.</p>  |
| <p>(iii) The water treatment plant does not have any iron remover although one of the water sources has high iron content.</p>   | <p>respondent nos. 1 and 2 had also installed water treatment plant for treatment of underground water.</p>  |   |
| <p>(iv) The zero liquid discharge is not maintained, there is no oil water separation unit and thereby discharge of untreated water to BudhiNalla which is mentioned as</p>                                      |  |   |





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| <i>BuriNalla in EC Letter.</i>  |  |  |
| <p>4. Absence of facility for use of Renewable / Solar Energy in Phase I against a stipulation of at least 5% of the total power consumption for Phase I for street and common area solar lighting.</p> | <p>There was no use of renewable/solar energy in Phase I building. The respondent nos. 1 and 2 undertook that the said solar energy will be installed in Phase I building by 31.08.2022.</p> | <p>The installation of solar water heater has been completed at roof top area of Phase II and the entire system will be completed by 30.06.2022.</p> <p>The installation of solar power generation system for Phase I will be in place with help of suitable agency to install solar water heater by 31.08.2022.</p> <p>Work order has been issued to M/S Solar Sack on 19.08.2022 and the installation works are under process.</p> <p>It is submitted that the aforesaid installation work will be completed by 31.01.2023. But such completion of installation work will be subject to cooperation and permission rendered and granted by the applicants, i.e. Z1 Residents' Welfare Association.</p> <p>At present, the building of the Phase I is under the control of the applicants. The said building along with maintenance of rainwater harvesting and/or recharging pits etc.</p> |



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





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

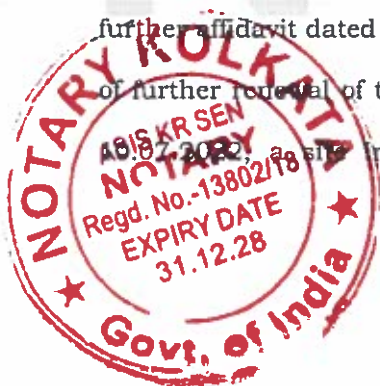


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| <p>waste composting machines having capacity 1000 kg/day waste decomposition for the Phase II building was already there to operate. The compost machine for Phase II has been installed and the same will be operated by 30.06.2022.</p> | <p>Thereafter, the solid waste of the Buildings of Phase I has been managed by the applicants.</p> <p>One Bio-degradable Waste Compositing Machine having capacity of 1000 kg/day has already been installed in the Southern portion of Phase I, i.e. in Phase II and the said machine is fully functioning. The Project Proponent, by a letter, has already informed the applicants of Phase I and asked them to segregate the waste generated in Phase I and to send the bio-degradable waste for composting to this Composting Machine. It is further submitted that there was no condition in the Environment Clearances dated 16.08.2011 and 23.02.2016 respectively for putting of Organic Waste Converter in Phase I. Therefore, no Bio-degradable Waste Compositing Machine was installed in Phase I. The building of Phase I was handed over to the applicants on 18.01.2021 and inspection was conducted by the Committee on 20.01.2022.</p> |
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|  | <br> | <p><i>After handing over the building to the applicants, the solid waste was managed by the applicant. The Project Proponent is not responsible for placing any community dustbin outside of the building for separation and collection of domestic waste for Phase I.</i></p> <p><i>At present, the building of the Phase I is under the control of the applicants. The said building along with contract with authorized agency for solid waste disposal has to be maintained by the applicants."</i></p> |
|--|---|---|

20. The Central Ground Water Board, Respondent Nos. 5 & 6, has filed its affidavit dated 26.10.2022, stating therein that previously No Objection Certificate (NOC) was issued to the Respondent Nos. 1&2, Project Proponent on 16.07.2019 for use of ground water and the same has expired on 09.07.2022. It is also stated that an online application was submitted by the Project Proponent on 09.04.2022 for renewing of NOC issued to them earlier for use of ground water and the same is still pending consideration before the Central Ground Water Board, Bhubaneswar.
21. The Central Ground Water Board, Respondent Nos. 5&6, has filed a further affidavit dated 16.12.2022, stating that before consideration of further renewal of the NOC for extraction of ground water w.e.f. 16.12.2022, as site inspection of the premises in question was



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

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



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



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

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



Environmental Clearance conditions prior to grant of further Environmental Clearances.

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



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

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

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



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

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

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

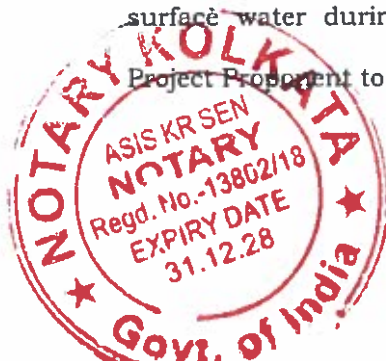


35. The Environmental Clearance dated 16.08.2011 is silent with regard to the capacity of the STP. From the documents on record, it is not clear as to whether the STP of 270 KLD would be adequate for Phase-I, Phase-II and Phase-III of the Project in question. The Water Analysis Report certainly shows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

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

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

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



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

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

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

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



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



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

42. We, therefore, direct the Project Proponent to complete the project of installation of Solar System for energy conservation to the extent of 5% of the total power positively within two months. However, for past non-compliances, the Project Proponent will be liable for Environmental Compensation as may be determined by the SEIAA, Odisha, which granted the Environmental Clearance.
43. As regards the Diesel Generator set Stacks, the Committee has noted that the DG set Stack of Phase-I is about 6 meters. The Committee also noted that the nearest building is about 50 meters and, therefore, the stack height is not adequate. The Environmental Clearance condition for Diesel Power Generating sets mentions that the height of the stack of DG sets should be equal to the height needed for the combined capacity of all proposed DG sets put together and should be more than the highest building height. The Committee Report clearly indicates violation of the Environmental



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

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

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

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



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



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



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

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

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



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

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

.....  
**B. Amit Sthalekar, JM**

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

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



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ANNEXURE-(P-10)



Tele: 0674-2973126  
E-mail : [rospcb.bhubaneswar@ospcbboard.org](mailto:rospcb.bhubaneswar@ospcbboard.org)  
Website : [www.ospcbboard.org](http://www.ospcbboard.org)

OFFICE OF THE REGIONAL OFFICER, BHUBANESWAR  
**STATE POLLUTION CONTROL BOARD, ODISHA**  
(DEPARTMENT OF FOREST, ENVIRONMENT & CLIMATE CHANGE, GOVERNMENT OF ODISHA)  
Plot No.-B-59/2 & B-59/3, Chandaka Industrial Estate, Patia, Po-KIIT, Bhubaneswar -751024

No. 2531 /

Dt. 12.07.2024  
By Speed Post/ By E-mail

To,

Shri. Tapan Kumar Mohanty, MD  
M/s Z Estate Private Limited  
M4/34, Acharya Vihar  
Bhubaneswar-751013.

Sub: Height of the stack connected to the DG sets-Reg

Ref: - Order of Hon'ble NGT Case on dtd 01.05.2023 in relation to O.A No. 11/2022/EZ for necessary compliance

Sir,

With reference to the captioned subject cited above. it is to inform you that the joint committee which had visited the residential complex earlier in relation the case under reference. you were advised to raise the height of stack connected to DG Sets (3Nos) at Phase-I as per the guideline stipulated by CPCB. During the time of inspection on dtd 24.04.2024, it was observed that you have not taken any steps for enhancement of the stack to the recommended height as cited in CTO order. Accordingly, it was advised by the inspecting officers of the SPC Board to provide a common stack up to the calculated height as per CPCB guidelines of 48.89m from the ground level to minimize the smoke emission. You are also directed to install RECD (Retrofit Emission Control Device) at the exhaust muffler of the DG sets to minimize the particulate emission by 70% as per SPCB Circular No. 15730 dtd 06.10.2023.(Copy Annexed). The compliance report may be submitted to this office within seven days of issue of this letter along with photographs.

Yours Faithfully,

REGIONAL OFFICER



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Memo No. 2532 /

Dtd 12.07.2024

Copy forwarded to the Member Secretary, SPCB for kind information.

*[Signature]*  
12/7/24

REGIONAL OFFICER

Memo No. 2533 /

Dtd 12.07.2024

Copy forwarded to the Sr. Law Officer(L-II), SPCB for kind information and necessary action.

*[Signature]*  
12/7/24

REGIONAL OFFICER

Memo No. 2534 /

Dtd 12.07.2024

Copy forwarded to the Legal Consultant ,SPCB for kind information and necessary action.

*[Signature]*  
12/7/24

REGIONAL OFFICER



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EPABX : 2561909/2562847  
E-mail: paribesh1@ospcbboard.org  
Website: [www.ospcbboard.org](http://www.ospcbboard.org)

## STATE POLLUTION CONTROL BOARD, ODISHA

[DEPARTMENT OF FOREST, ENVIRONMENT & CLIMATE CHANGE, GOVERNMENT OF ODISHA]  
Paribesh Bhawan, A/118, Nilakantha Nagar, Unit - VIII  
Bhubaneswar - 751012

No. 15730/

IND-I-CON(Misc)-1671

Date: 06.10.2023/

### CIRCULAR

#### RETROFITTING OF OPERATIONAL DG SETS UP TO CAPACITY 800 KW OR 1000 KVA FOR EMISSION CONTROL IN THE STATE OF ODISHA

Hon'ble National Green Tribunal, in its order dated 06.08.2019, in the matter of OA No.681/2018 has directed all the States to take of various measures for controlling urban air pollution.

The Diesel Generator (DG) Sets are one of the major source of air pollution in urban areas. It was also noted that a large number of small DG Sets of up to gross mechanical power of 800 KW or 1000 KVA capacity are used, mostly during power failure by Industries, Establishments, Projects, Buildings, Utilities, Airports, Railway Stations and other places.

Hon'ble NGT in the above matter, directed the Central Pollution Control Board to evolve a standard for emission from the DG Sets of Capacity up to 800 KW or 1000 KVA. The Ministry of Environment, Forest & Climate Change, Govt. of India has notified emission norm for DG Sets up to 800 KW capacity vide notification No.GSR-771(E), dated 11.12.2013.

The emission limit shall be applicable for type approval and Conformity of Production (COP) approved by the authorized agencies at the level of manufactures, importer and assembler level.

As directed by the Hon'ble NGT, in the above matter, operators of all the operational DG Sets shall ensure usage of either of the following two options.

- Use of Retrofitted Emission Control Equipment or Device (RECD) having a minimum specified Particulate Matter (PM) capturing efficiency of at least 70%, type approved by one of the five CPCB recognized laboratory; or,

Page 1 of 2



OSPCB-OT-1152-0061-2023



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- b) Shifting to gas based generators by employing new gas-based generators or retrofitting the existing DG Sets for partial gas usage.

This is issued with immediate effect.

By the order of Chairman

  
06/10/23

MEMBER SECRETARY

Memo No. 15731, Date 06.10.2023

Copy forwarded to:

1. PS to the Chief Secretary, Odisha-cum-Chairman, SPCB, Odisha for kind information of the Chairman, SPCB, Odisha.
2. Additional Chief Secretary, Energy Department, Govt. of Odisha for kind information and necessary action.
3. Director (Env.)-cum-Special Secretary to Govt., Forest, Environment and Climate Change Department., Govt. of Odisha for kind information and necessary action.
4. All the Collector & District Magistrate.
5. CEEs / CESs / ACEEs / ACESs, SPC Board, Odisha.
6. All the Regional Officers, SPC Board, Odisha.
7. SI.O(II), SPC Board, Odisha.
8. CEE (CTO), SPCB, Odisha. The System Administrator may be requested to display the Circular in Board's website for public view.

  
06/10/23  
MEMBER SECRETARY

Page 2 of 2

OSPCB-CTO-MISC-0061-2023/1/2023



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ANNEXURE-III



Z ESTATES PRIVATE LIMITED

19.07.2024

To.

The Regional Officer  
State Pollution Control Board  
Plot no- B 59/2 & 59/3  
Chandaka Industrial Estate, Patia  
Bhubaneswar-751024.

**Sub:-** Height of Stack connected to the D G sets

**Ref:-** Your letter no 2531 Dt- 12-07-2024.

Dear Sir,

Referring to your above mentioned letter, we have been directed to increase the stack height up-to 48.89 Meter and to install RECD at the exhaust Muffler.

In this context we would like to bring the following points to your kind notice.

1. The location of DG is 30.00meter away from the habitable building. So there is no building attached to the D G to compute the height of the Stack.
2. According to the CTO issued by SPCB , Odisha vide letter no1788/IND-I-6488 Dt 27-01-2016 CONCENT ORDER NO-2819, the common stack height shall be 6.06 meter from G.L for 3 DG sets (380KVA Each).(Copy Enclosed).and the stack installation has been done accordingly.
- 3.All the D G sets were placed 300 mm above the G L and has been CPCB approved, fitted with acoustic enclosure.
4. The location of all 3 DG has been made on the North side of the Project for better dispersion of smoke as the normal day wind blows from South-West in this region.
- 5.You have enclosed and referred the SPCB circular no-15730 dt 06-10-2023, which stipulates that all DG up-to 800 to 1000 KVA has to be fitted with RECD to reduce the Particulate Emission by 70%. But you have to please realize that we have handed over this project to the RWA Z1 ADVAIT since 01-04-2021. (Copy Enclosed), which was also intimated to your esteemed office several times over mail and during site visit also.



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Therefore, this said circular of 2023 should not be made applicable to us.

Considering the above submission, we request your good office not to insist Z Estate Pvt Ltd to increase the Stack height to 48.89 meter which contradicts the CTO permission of 6.06 meter.

Further you are also requested to give your direction to the RWA Z1 ADVAIT to install RECD as we have already handed over the society to RWA Z1 ADVAIT since 01-04-2021, much before the SPCB circular date.

The receipt of the letter may kindly be acknowledged.

Thanking you.

  
For Z Estates Pvt. Ltd.





**Z ESTATES PRIVATE LIMITED**

*Checklist for Handover from Builder to the Housing Societies/Owners Association.*

| Sl.No  | Particulars   | Remarks   | No of Pages |
|--|---|---|-------------|
| 1  | Property Documents  | Enclosed as per Annexure 1  | 41          |
| 2  | Approved Consturction Plan  | Enclosed as per Annexure 2  | 68          |
| 3  | Completion Certificate  | Enclosed as per Annexure 3  | 4           |
| 4  | Occupancy Certificate   | Enclosed as per Annexure 4  | 2           |
| 5  | NOC from Fire Department  | Enclosed as per Annexure 5  | 5           |
| 6  | NOC from Electrical Inspector   | Enclosed as per Annexure 6  | 7           |
| 7  | All other NOCs relating to consturction from other authorities as required by the Plan Approving Authority                                | NOC's of Airports Authority of India, Central Ground Water Authority, State Pollution Control Board (Consent Order), State Environment Impact Assessment Authority, Public Health Department and Bhubaneswar Development Authority enclosed as per Annexure - 7 | 24          |
| 8  | Property Insurance Document (if any) in original.   | Enclosed as per Annexure - 8  | 15          |
| 9  | Sanction letter from relevant authorities for Electricity Sanctioned and allotted load along with that wise load allocation.              | Enclosed as per Annexure - 9  | 7           |
| <b>Operations</b>                                  |   |   |             |
| 10   | Drawings of the Electrical Wiring including Earthing Points   | Enclosed as per Annexure - 10   | 57          |
| 11   | Drawings of the Water Piping (PLUMBING)   | Enclosed as per Annexure - 11   | 56          |
| 12   | STP Drawing & certification by Architect / Pollution Control Board  | Enclosed as per Annexure - 12   | 125         |
| 13   | AMC Documents, Lift, Generator, Transformer, Etc.   | Enclosed as per Annexure - 13   | 33          |
| 14   | Maintenance Schedule for all Assets   | Enclosed as per Annexure - 14   | 12          |
| <b>Finance</b>                                     |   |   |             |
| 15   | Record of Maintenance Expenses while under Builder's Maintenance (Audited accounts for the period from September 2016 to March 2020).     | Enclosed as per Annexure - 15   | 22          |
| 16   | Contracts with security agency  | Enclosed as per Annexure - 16   | 3           |
| 17   | Records of all movable assets acquired out of maintenance charges.  | Enclosed as per Annexure - 17   | 10          |
| 18   | Records of all movable assets proposed to be given by the builder to the Association as part of project cost.                             | Enclosed as per Annexure - 18   | 1           |
| 19   | Security deposits - Gas   | Enclosed as per Annexure - 19   | 3           |
| <b>Legal</b>                                       |   |   |             |
| 20   | Car parking Allocation Record   | Enclosed as per Annexure - 20   | 5           |
| 21   | Contracts with Vendors  | Enclosed as per Annexure - 21   | 85          |
| 22   | Undertaking by the Builder regarding Indemnity & Limitation of Liabilities of the Society for all transactions prior to the Handover Date | Draft Copy Required   |             |
| <b>Operation Manual and Handing Over Document.</b> |   |   |             |
| 23   | Handing over document of OMT Plumbing Engineering Pvt. Ltd.   | Enclosed as per Annexure - 22   | 67          |
| 24   | Operation manual of OMT Plumbing Engineering Pvt. Ltd.  | Enclosed as per Annexure - 23   | 83          |
| 25   | Handing over document of D.D. Pradhan & Co. Pvt. Ltd.   | Enclosed as per Annexure - 24   | 53          |
| 26   | Operation manual of D.D. Pradhan & Co. Pvt. Ltd.  | Enclosed as per Annexure - 25   | 204         |
| 27   | Handing over document of Shasi Enterprises  | Enclosed as per Annexure - 26   | 25          |
| 28   | Operation manual of Fire Alarm System   | Enclosed as per Annexure - 27   | 88          |
| 29   | Project handing over document of B S Enterprises  | Enclosed as per Annexure - 28   | 87          |
| 30   | Project handing over document of Kedaranth Electricals  | Enclosed as per Annexure - 29   | 195         |
| 31   | Pump Manual of GRUNDFOS   | Enclosed as per Annexure - 30   | 93          |

Received all the documents as mentioned above.



*[Signature]*  
FOR Z1RWA  
Manoj Kumar Mishra  
18/12/2018  
PRESIDENT

*[Signature]*  
Kattarasa For Z1RWA  
Kattarasa  
SECRETARY



122

**Radhaprasad Das**

---

**From:** Radhaprasad Das <radhaprasad@zestates.in>  
**Sent:** 19 July 2024 17:33  
**To:** 'rospcb.bhubaneswar@ospcbboard.org'  
**Cc:** 'ZESTATES@zestates.in'; 'Parthasarathi Panda'  
**Subject:** Height of Stacks connected to the DG Sets  
**Attachments:** Letter to SPCB.pdf

Dear Sir,

Please find attached our reply to your Letter No 2531 dated 12.07.2024.

Thanking You  
Radha Prasad Das  
For Z Estates Pvt.Ltd.



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ANNEXURE - (P-11)

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## ANNEXURE-R4/F

Tele: 0674-2973126  
E-mail: rospcb.bhubaneswar@ospboard.org  
Website: www.ospboard.org



OFFICE OF THE REGIONAL OFFICER, BHUBANESWAR  
**STATE POLLUTION CONTROL BOARD, ODISHA**  
[FOREST, ENVIRONMENT AND CLIMATE CHANGE DEPARTMENT, GOVERNMENT OF ODISHA]  
Plot No. B-59/2 & B-59/3, Chandaka Industrial Estate, Patla, Po- KIIT, Bhubaneswar - 751024

No. 2886 / RO/NOC-2483Dt. 17-08-2024By Speed Post/ By E-mail

To,

Sri Bidhubhusan Nayak,  
Secretary, Z1, Residential Welfare Association,  
Ground Floor, Tower-3, Z1 (ADVITA)  
Kalarahanga(Nandankanan Road) Bhubaneswar  
Dist.: Khurda (Odisha)-751024.

Sub: O.A.No.11/2022/EZ- Z1 Residential Welfare Association-Vrs- Z- Estate Pvt. Ltd.,  
and Others ... reg.

Sir,

In compliance to the direction dtd.01.05.2023 of the Hon'ble Tribunal, a letter was communicated to M/s Z Estate Private Limited regarding the increase of the height of the stack connected to the DG sets vide Letter No. 2731 dated 12.07.2024(Annexed). In reply to the said letter, it was communicated that the project of Z estate Phase I ( Z1 Advait) has been handed over to Z1 RWA(Phase-I) since 01.04.2021. They have requested to also give direction to Z1 RWA(Phase-I) for the implementation of the enhancement of the stack of the DG set. The letter by the Z estate is attached your kind reference.

Hence, you are requested to kindly intimate this office regarding the implementation of the enhancement of the height of the stack attached to the DG set and to ensure that Hon'ble order of NGT is complied. It is also requested to submit the action taken report to this office at earliest for intimation of the same to Hon'ble Court.

Yours Faithfully

Encl: As above.



*[Signature]*  
REGIONAL OFFICER

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Memo No. 2887 / Dtd. 17-08-2024  
Copy forwarded to the Member Secretary, SPCB, BBSR for kind information.

REGIONAL OFFICER

Memo No. 2888 / Dtd. 17-08-2024  
Copy forwarded to Chief Env. Scientist (SWM), SPC Board, Odisha, Bhubaneswar for kind information and necessary action.

REGIONAL OFFICER

Memo No. 2889 / Dtd. 17-08-2024  
Copy forwarded to Sr. Law Officer (L-II), SPC Board, BBSR & Sri B.P. Pattajoshi (Legal Consultant) for information.

REGIONAL OFFICER



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ANNEXURE - 'P-12'

Item No.02

Court No.1

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

Miscellaneous Application No.15/2024/EZ  
In  
Original Application No.11/2022/EZ

Z1 Residents' Welfare Association Applicant(s)

Versus

Z Estates Private Limited & Ors. Respondent(s)

Date of hearing: 20.12.2024

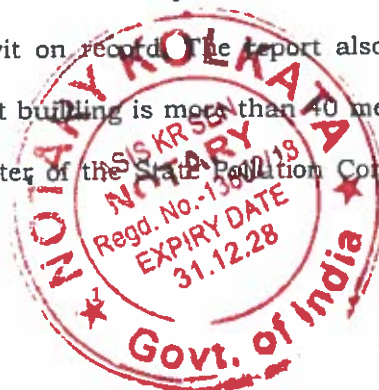
**CORAM: HON'BLE MR. JUSTICE B. AMIT STHALEKAR, JUDICIAL MEMBER  
HON'BLE DR. ARUN KUMAR VERMA, EXPERT MEMBER**

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

For Respondent(s): Mr. Soorjya Ganguli, Advocate a/w  
Ms. Pooja Chakrabarti, Advocate and  
Ms. Devanshi Prasad, Advocate for R-1&2 (in Virtual Mode),  
Mr. Apurba Ghosh, Advocate for R-3 (in Virtual Mode),  
Ms. Papiya Banerjee Bihani, Advocate for R-4 (in Virtual Mode),  
Mr. Ashok Prasad, Advocate for R-5 & 6,  
Ms. Amrita Pandey, Advocate for R-7 (in Virtual Mode)

**ORDER**

1. Mr. Sankar Prasad Pani, learned Counsel assisted by Mr. Ashutosh Padhy, learned Counsel is present (in Virtual Mode) on behalf of the Applicant.
2. Affidavit dated 30.11.2024 has been filed by the Respondent No.4, Odisha State Pollution Control Board; the same is taken on record.
3. Violation of D.G. Set stack height has been noted by the State Pollution Control Board in its Inspection Reports which have been filed in their affidavit on record. The report also shows that the height of the nearest building is more than 40 meters as would be evident from the letter of the State Pollution Control Board dated



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12.11.2024 and thus it has been reported that there is gross violation of the conditions indicated therein while granting Environmental Clearance.

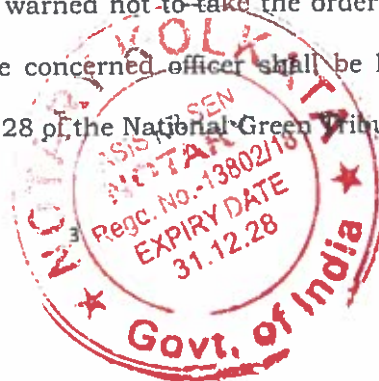
4. Mr. Apurba Ghosh, learned Counsel appearing (in Virtual Mode) on behalf of the State Environment Impact Assessment Authority (SEIAA), Odisha submits that the Consent to Operate (CTO) was granted by the Odisha State Pollution Control Board subsequent to the granting of the Environmental Clearance (EC) on 16.08.2011 and therefore, SEIAA, Odisha cannot be held responsible if there are stack height violations of the D.G. Sets.
5. The submission of Mr. Apurba Ghosh is thoroughly misconceived and contrary to the EC conditions mentioned in the Environmental Clearance dated 16.08.2011 granted by the SEIAA, Odisha to M/s Z-Estates Private Limited.
6. The EC conditions under the heading (B. Operation Phase) at point (v) at (Page No.40 of the paperbook) in O.A. No.11/2022/EZ mentions that the diesel power generating sets proposed as source of back-up power for lifts, elevators and common area illumination during operation phase should be of enclosed type and conform to Environment Protection Rules 1986. The height of the stack of the D.G. sets should be equal to the height needed for the combined capacity of all proposed D.G. sets put together and should be more than the highest building height. In the present case since the highest building nearest to the Project Proponent is more than 40 meters and the height of the stack connected to D.G. sets is only 6.06 meters, the Odisha State Pollution Control Board vide its letter dated 12.07.2024 (page 283 of the paperbook) has recommended that the stack height calculated as per the Central Pollution



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Control Board guidelines should be at least 48.89 meters from the ground level to minimise smoke emission.

7. We, therefore, direct SEIAA, Odisha to pass orders considering the facts which have emerged in the affidavits which are on record and pass appropriate orders with regard to the violation of stack height.
8. Let the affidavit be filed within four weeks.
9. This Court in its order dated 01.05.2023 in para 48(i) had also directed the concerned respondent to verify the conduct of the officers of SEIAA, Odisha who were in position at the relevant point of time with regard to strict enforcement of the conditions laid down in the Environmental Clearance prior to granting subsequent Environmental Clearances. In the present case, we find that there have been violations of conditions (v) in the Environmental Clearance dated 16.08.2011 but subsequently fresh Environmental Clearances have been granted by the SEIAA, Odisha to the Project Proponent and the affidavit of the SEIAA and Ministry of Environment, Forests and Climate Change (MoEF&CC) is silent with regard to the action taken against the officers concerned in spite of the letter of the Ministry of Environment, Forests and Climate Change (MoEF&CC) dated 10.07.2024 addressed to the Additional Chief Secretary, Forest and Environment Department, Government of Odisha (page 228 of the paperbook in Annexure-R7/9) filed with the affidavit of MoEF&CC.
10. The affidavit of SEIAA, Odisha dated 01.05.2024 is silent with regard to the action taken against its negligent officers.
11. The SEIAA, Odisha is warned not to take the order of the Tribunal casually otherwise the concerned officer shall be liable for action under Section 26 and 28 of the National Green Tribunal Act 2010.



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12. The affidavit of the SEIAA, Odisha shall indicate what action has been taken against the officer concerned.
13. **List on 19.02.2025.**

.....  
**B. Amit Sthalekar, JM**

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

December 20, 2024,  
Miscellaneous Application No.15/2024/EZ  
In  
Original Application No.11/2022/EZ  
OM



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ANNEXURE - 'P-13'

 Outlook

**FW: SHOW CAUSE NOTICE to Sri Tapan Kumar Mohanty, MD M/s. Z-Estates Pvt. Ltd., Bhubaneswar for non-compliance of EC condition in light of inadequate DG sets stack heights.**

From Parthasarathi Panda <parthasarathi@z-1.in>  
Date Wed 2/19/2025 10:08 AM  
To Pooja Chakrabarti <pooja.chakrabarti@argus-p.com>  
Cc Devanshi Prasad <devanshi.prasad@argus-p.com>; Soorjya Ganguli <soorjya.ganguli@argus-p.com>

 3 attachments (8 MB)

6-SPCB letter.pdf; 7-Show Cause Notice to Z-Estates Pvt. Ltd..pdf; Order -20.12.2024.pdf;

**CAUTION:** This email originated from outside of Argus Partners. Do not click links or open attachments unless you are absolutely certain of the sender's email address and sure that the content is safe.

FYI

From: SEIAA Odisha <seiaaodisha@gmail.com>  
Sent: 18 February 2025 18:43  
To: zestates@zestates.in; parthasarathi panda <parthasarathi@z-1.in>  
Cc: info@bmc.gov.in; bdabbsr1983@gmail.com; Chairman SPCB Odisha, Bbbsr <paribesh1@ospcboard.org>; seac.odisha.2019@gmail.com; rospcb.bhubaneswar@ospcboard.org; IRO Bhubaneswar <roe2.bsr-mef@nic.in>; dm-khurdha@nic.in  
Subject: SHOW CAUSE NOTICE to Sri Tapan Kumar Mohanty, MD M/s. Z-Estates Pvt. Ltd., Bhubaneswar for non-compliance of EC condition in light of inadequate DG sets stack heights.

Sir/Madam,  
Please find the attached letter on the above mentioned subject.  
This is for your kind information and necessary action.

Thanking you  
With regards,  
SEIAA, Odisha

**STATE ENVIRONMENT IMPACT ASSESSMENT AUTHORITY, ODISHA**

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

Address: Qtr. No. SRF-2/1, Unit-IX, Bhubaneswar-751022, Tel: 0674-3512840



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**STATE ENVIRONMENT IMPACT ASSESSMENT AUTHORITY, ODISHA**

5RF-2/1, Unit-IX, Bhubaneswar-751022, Tel: 0674-3512840. Email:

seiaaodisha@gmail.com

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

Letter No. 6306/SEIAA File No. SEIAA-68/07-2023

Dated 18.02.25.

To,

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

**SUB: COMPLIANCE TO THE DIRECTIONS UNDER SECTION-5 OF ENVIRONMENT (PROTECTION) ACT, 1986- SHOW CAUSE NOTICE THEREOF**

- Ref: 1. Hon'ble NGT order dt. 01.05.2023 in O.A. No.11/2022/EZ & order dated 20.12.2024 in MA No.15/2024/EZ in OA No. 11/2022/EZ on the matter of Z1- Residents' Welfare Association Vrs Z- Estates Private Limited and Ors.  
2. Counter Affidavit of SPCB, Odisha submitted before Hon'ble Tribunal dated 30.11.2024 and Letter received from SPCB, Odisha vide letter no.18418 dated 12.11.2024.

Sir/Madam.

WHEREAS. the Environment Clearance (EC) for construction of housing colony and shopping mall for block B+G+12. 6 nos. B+G+14: 17 nos. B+G+19: 2 nos. B+G+24: 1 no. over a plot area 1,05,962.07 sqm for total built-up area 2,44,092.73 sqm at-Kalarahanga. Bhubaneswar. Dist-Khordha, Odisha was issued vide EC 433/SEIAA dt. 16.08.2011 to Sri Tapan Kumar Mohanty (MD) of M/s. Z-Estates Pvt. Ltd subject to compliance of stipulated conditions given in EC letter. Further, the Amendment of EC vide letter no. 827/SEIAA dated 23.02.2016 was issued for modernization cum expansion for construction of housing colony and shopping mall (Phase-I & Phase-II) with total built-up area 2,75,042 sqm. located at Kalarahanga. Bhubaneswar and later EC was issued vide letter no. 7991/SEIAA dated 17.03.2020 for expansion of housing colony and convenient shopping (Phase-III) over a plot area 17873.23 sqm and built-up area 2,09,960.21 sqm at- at Kalarahanga, Bhubaneswar to M/s. Z-Estates Pvt. Ltd.

WHEREAS. the Project Proponent (PP) has not submitted the statutory compliance of EC conditions in PARIVESH 2.0 Portal or in hard copy/soft copy on regular basis.



WHEREAS, there is an allegation received at SEIAA, Odisha vide letter no.18418 dated 12.11.2024 from the SPCB, Odisha against the project proponent for non-compliance of condition given in point no. B (v) in page no.05 in the EC letter dated 16.08.2011 that *diesel power generating sets proposed as source of back-up power for lifts elevators and common area illumination during operation phase should be of enclosed type and conform to Environment Protection (EP) Rules, 1986. The height of the stack of DG sets should be equal to the height needed for the combined capacity of all proposed DG sets put together and should be more than the highest building height. Lower sulfur diesel should be used. The location of the location of the DG sets may be decided in consultation with Odisha State Pollution Control Board. Care may be taken to avoid disposal of smoke/pollutants from DG sets in the residential area.* The SPCB, Odisha has also mentioned that the height of the nearest building is more than 40 meters and height of the stack connected to DG sets should be 48.89 meters from the ground as per CPCB norms.

WHEREAS, based on the Counter Affidavit of SPCB, Odisha submitted before Hon'ble Tribunal dated 30.11.2024 and letter received from SPCB, Odisha vide letter no.18418 dated 12.11.2024, the Hon'ble NGT, EZ, Kolkata has passed an order dt. 01.05.2023 in MA No.15/2024/EZ in OA No. 11/2022/EZ on the matter of ZI- Residents' Welfare Association Vrs Z-Estates Private Limited and Ors with direction to SEIAA, Odishawhich reads as follows:

- i. *"We, therefore, direct SEIAA, Odisha to pass orders considering the facts which have emerged in the affidavits which are on record and pass appropriate orders with regard to the violation of stack height."*

WHEREAS, it is evident that there is a violation of EC conditions in light of non-compliance of EC conditions given in point no. B (v) in page no.05 in the EC letter dated 16.08.2011 that diesel power generating sets proposed as source of back-up power for lifts elevators and common area illumination during operation phase should be of enclosed type and conform to Environment Protection (EP) Rules, 1986. The height of the stack of DG sets should be equal to the height needed for the combined capacity of all proposed DG sets put together and should be more than the highest building height (that is 48.89 metres). Lower sulfur diesel should be used. The location of the location of the DG sets may be decided in consultation with Odisha State Pollution Control Board.



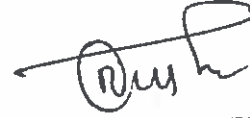
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NOW THEREFORE, in view of the above evidence and in exercise of the powers vested with SEIAA, Odisha under section-5 of the Environment (Protection) Act, 1986 & amended therein. the Project Proponent Sri Tapan Kumar Mohanty. MD M/s. Z-Estates Pvt. Ltd., Bhubaneswar is directed as follows:

1. To comply to the requirement of installation of the DG stack height as recommended by SPCB (i.e. 48.89 metres for Phase I and II of the construction).
2. That building & construction work for the Phase-III project shall remain suspended from date issue of this letter until further order of Authority.
3. To submit the Certified Compliance Report to the condition on point no. (i) above from the Competent Authority in reply to the above direction in point no (i) and (ii) in writing to the office of the Member Secretary, SEIAA, Odisha within 15 days from the date of receipt of this Show Cause Notice as to why the EC letter no.7991/SEIAA dated 17.03.2020 issued for expansion of housing colony and convenient shopping (Phase-III) shall not be revoked due to violation of earlier EC conditions in respect of non-compliance of EC conditions with respect to inadequate DG sets stack heights of DG sets of all phases.

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

By order and Authority of SEIAA, Odisha



Member Secretary, SEIAA, Odisha

Memo No. 6307 File No. SEIAA-68/01-2023 Dated 18.02.25.

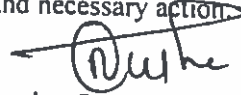
Copy forwarded to

1. The Collector & District Magistrate, ADM, Khordha; the Sub-Collector, Khordha; the RO, SPCB, Khordha for information and necessary action.
2. The Bhubaneswar Development Authority (BDA) and Bhubaneswar Municipality Corporation (BMC) for information.
3. The Additional Chief Secretary, Forest, Environment & Climate Change Dept., Government of Odisha for information.



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4. The Member Secretary, State Pollution Control Board, Odisha, Paribesh Bhawan, A/118, Nilakantha Nagar, Unit-8, Bhubaneswar for information and necessary action



Member Secretary, SEIAA, Odisha



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ANNEXURE-R4/H

EPABX: 2561909/2562847  
 Tel: 2562822, 2560955  
 Email: [Paribesh1@ospceboard.org](mailto:Paribesh1@ospceboard.org)  
 Website: [www.ospceboard.org](http://www.ospceboard.org)



**STATE POLLUTION CONTROL BOARD, ODISHA**

[DEPARTMENT OF FOREST AND ENVIRONMENT, GOVERNMENT OF ODISHA]  
 Paribesh Bhawan, A/118, Nilakanthanagar, Unit - VIII,  
 Bhubaneswar - 751 012, INDIA

No. 18418  
 VII - L - Misc - 902

Date: 12-11-24

To

The Member Secretary  
 SEIAA, Odisha,  
 Qrs. No.5RF-2/1  
 Unit-IX, Bhubaneswar.

Sub: OA No.11/2022/EZ - ZI Residents Welfare Association vs. Z-Estates Pvt. Ltd. & Others.

Ref: This Board letter No.8120 dtd.22.05.2023 and your letter dtd.28.12.2023 & 16.03.2024 addressed to Sri Tapan Kumar Mohanty, MD, M/s. Z-Estates Pvt. Ltd. regarding submission of environmental compensation.

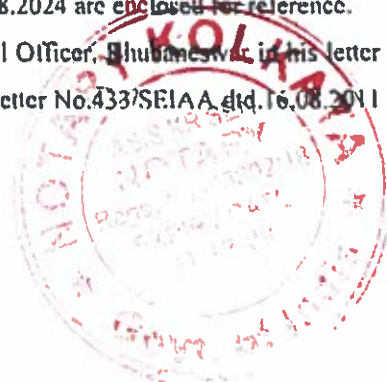
Sir,

The aforesaid OA has been finally disposed of by the Hon'ble NGT, EZB, Kolkata vide their order dtd.01.05.2023 with certain directions contained in para-48 of the order for compliance by SEIAA, SPCB, CEGWB, MOEF&CC. A copy of the order has been forwarded to you by the Board in the above referred letter. In the meantime, MA No.15/2024 has been filed by the Applicant with a prayer at (a) which reads as follows:

- a) "Direct the Respondents to show cause why the criminal proceedings shall not be initiated for violation of the order of the Hon'ble Tribunal dated 1<sup>st</sup> May 2023 paragraph 48 (except point D & E).

The Board has filed affidavit dtd.05.07.2024 indicating the step taken for compliance of the direction dtd. 01.05.2023. The said affidavit has been taken note of by the Hon'ble Tribunal in their order dtd.08.07.2024 and further directed to file affidavit of compliance with regard to the issue regarding DG Sets. Copy of the affidavit dtd.5.07.2024 and order dtd.08.07.2024 are enclosed for your reference. In compliance to the order dtd.08.07.2024 the Board has filed the affidavit dtd.20.08.2024 before the Hon'ble Tribunal which has also been taken note of by the Hon'ble Tribunal in their order dtd.23.08.2024. Copy of the affidavit dtd.20.08.2024 and order dtd.23.08.2024 are enclosed for reference.

In the meantime, it is informed by the Regional Officer, Bhubaneswar in his letter No.3626 dtd.12.11.2024 that the SEIAA, Odisha vide letter No.433/SEIAA dtd.16.08.2011



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According to environmental clearance for the aforesaid project has imposed a condition under the heading Special Conditions Operation Phase as at Col.(v) as follows:

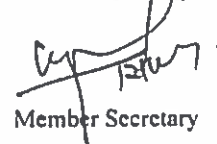
- v) Diesel power generating sets proposed as source of back-up power for lifts elevators and common area illumination during operation phase should be of enclosed type and conform to Environmental Protection (EP) Rules, 1986. The height of the stack of DG sets should be equal to the height needed for the combined capacity of all proposed DG sets put together and should be more than the highest building height. Low Sulphur diesel should be used. The location of the DG sets may be decided in consultation with Odisha State Pollution Control Board. Care may be taken to avoid disposal of smoke / pollutants from DG sets in the residential area.

The height of the nearest building is more than 40 meters and the height of the stack connected to DG sets is 6.06 meters. As such there is a gross violation of the conditions indicated above imposed while granting environmental clearance. Copy of the letter No.3626 dtd.12.11.2024 is also enclosed for reference.

Hence, it is requested to please initiate appropriate action for violation of the conditions of the environmental clearance indicated above against the aforesaid project. It is pertinent to mention here that the SEIAA, Odisha is also implemented as R.No.3 in the aforesaid OA.

Encl: As above.

Yours faithfully,

  
Member Secretary



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Item No.02

Court No.1

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

Miscellaneous Application No.15/2024/EZ  
In  
Original Application No.11/2022/EZ

Z1 Residents' Welfare Association Applicant(s)

Versus

Z Estates Private Limited & Ors. Respondent(s)

Date of hearing: 20.12.2024

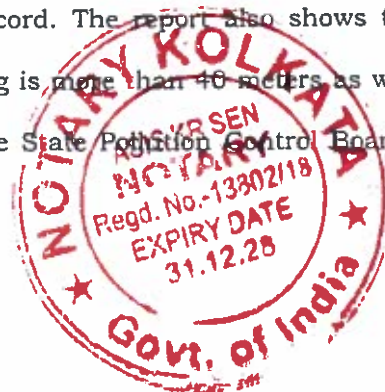
**CORAM: HON'BLE MR. JUSTICE B. AMIT STHALEKAR, JUDICIAL MEMBER  
HON'BLE DR. ARUN KUMAR VERMA, EXPERT MEMBER**

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

For Respondent(s): Mr. Soorjya Ganguli, Advocate a/w  
Ms. Pooja Chakrabarti, Advocate and  
Ms. Devanshi Prasad, Advocate for R-1&2 (in Virtual Mode),  
Mr. Apurba Ghosh, Advocate for R-3 (in Virtual Mode),  
Ms. Papiya Banerjee Bihani, Advocate for R-4 (in Virtual Mode),  
Mr. Ashok Prasad, Advocate for R-5 & 6,  
Ms. Amrita Pandey, Advocate for R-7 (in Virtual Mode)

**ORDER**

1. Mr. Sankar Prasad Pani, learned Counsel assisted by Mr. Ashutosh Padhy, learned Counsel is present (in Virtual Mode) on behalf of the Applicant.
2. Affidavit dated 30.11.2024 has been filed by the Respondent No.4, Odisha State Pollution Control Board; the same is taken on record.
3. Violation of D.G. Set stack height has been noted by the State Pollution Control Board in its Inspection Reports which have been filed in their affidavit on record. The report also shows that the height of the nearest building is more than 40 meters as would be evident from the letter of the State Pollution Control Board dated



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12.11.2024 and thus it has been reported that there is gross violation of the conditions indicated therein while granting Environmental Clearance.

4. Mr. Apurba Ghosh, learned Counsel appearing (in Virtual Mode) on behalf of the State Environment Impact Assessment Authority (SEIAA), Odisha submits that the Consent to Operate (CTO) was granted by the Odisha State Pollution Control Board subsequent to the granting of the Environmental Clearance (EC) on 16.08.2011 and therefore, SEIAA, Odisha cannot be held responsible if there are stack height violations of the D.G. Sets.
5. The submission of Mr. Apurba Ghosh is thoroughly misconceived and contrary to the EC conditions mentioned in the Environmental Clearance dated 16.08.2011 granted by the SEIAA, Odisha to M/s Z-Estates Private Limited.
6. The EC conditions under the heading (B. Operation Phase) at point (v) at (Page No.40 of the paperbook) in O.A. No.11/2022/EZ mentions that the diesel power generating sets proposed as source of back-up power for lifts, elevators and common area illumination during operation phase should be of enclosed type and conform to Environment Protection Rules 1986. The height of the stack of the D.G. sets should be equal to the height needed for the combined capacity of all proposed D.G. sets put together and should be more than the highest building height. In the present case since the highest building nearest to the Project Proponent is more than 40 meters and the height of the stack connected to D.G. sets is only 6.06 meters, the Odisha State Pollution Control Board vide its letter dated 12.07.2024 (page 235 of the paperbook) has recommended that the stack height calculated as per the Central Pollution



Control Board guidelines should be at least 48.89 meters from the ground level to minimise smoke emission.

7. We, therefore, direct SEIAA, Odisha to pass orders considering the facts which have emerged in the affidavits which are on record and pass appropriate orders with regard to the violation of stack height.
8. Let the affidavit be filed within four weeks.
9. This Court in its order dated 01.05.2023 in para 48(i) had also directed the concerned respondent to verify the conduct of the officers of SEIAA, Odisha who were in position at the relevant point of time with regard to strict enforcement of the conditions laid down in the Environmental Clearance prior to granting subsequent Environmental Clearances. In the present case, we find that there have been violations of conditions (v) in the Environmental Clearance dated 16.08.2011 but subsequently fresh Environmental Clearances have been granted by the SEIAA, Odisha to the Project Proponent and the affidavit of the SEIAA and Ministry of Environment, Forests and Climate Change (MoEF&CC) is silent with regard to the action taken against the officers concerned inspite of the letter of the Ministry of Environment, Forests and Climate Change (MoEF&CC) dated 10.07.2024 addressed to the Additional Chief Secretary, Forest and Environment Department, Government of Odisha (page 228 of the paperbook in Annexure-R7/9) filed with the affidavit of MoEF&CC.
10. The affidavit of SEIAA, Odisha dated 01.05.2024 is silent with regard to the action taken against its negligent officers.
11. The SEIAA, Odisha is warned not to take the order of the Tribunal casually otherwise the concerned officers shall be liable for action under Section 26 and 28 of the National Green Tribunal Act 2010.



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12. The affidavit of the SEIAA, Odisha shall indicate what action has been taken against the officer concerned.
13. **List on 19.02.2025.**

.....  
**B. Amit Sthalekar, JM**

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

December 20, 2024,  
Miscellaneous Application No.15/2024/EZ  
In  
Original Application No.11/2022/EZ  
OM



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Pranali Kumer Mahapatra

# "VAKALATNAMA"

## ~~IN THE HIGH COURT AT CALCUTTA~~ BEFORE THE NATIONAL GREEN TRIBUNAL SITTING AT KOLKATA

District: \_\_\_\_\_

Constitutional Writ civil Criminal Revisional  
Appellate Jurisdiction

APPEAL No.

Of 2025 | E2

Z-ESTATES PRIVATE LIMITED & ANR

Appellants  
Petitioner.

-Versus-

STATE ENVIRONMENT IMPACT ASSESSMENT Respondent  
AUTHORITY ODISHA & ORS Opposite party

Vakalatnama on behalf of APPELLANTS .....Knows

all men be these presents that by this Vakalatnama I/We appoint the Advocates Pleaders noted below or any one of them as my/our lawful Advocate or Advocates for filing the memorandum of appeal or petition for entering appearance in the above matter for appearing and conducting and arguing the same for depositing or Withdrawing any money in connection therewith, for moving the Court in any matter connected therewith for preparing the Paper Book in the case and for putting in papers, petition etc. on my/our behalf for filing or taking back any documents for withdrawing suits or appeals or petitions with permission to institute fresh suits, appeals, petition etc. for signing and filing the petitions of compromise in connection with the said matter and for taking copies of paper from the Record and I/We further say that any act done by my/our said Advocate or Advocates or by any one of them after accepting this Vakalatnama, shall be considered as my/our own true and lawful act.

And I/We further hereby agree and undertake to pay the said Advocate or Advocates his or their fees as settled and all others sums that may be necessary to carry out the requisition of the Court and otherwise to enable the said Advocate or Advocates to conduct the case properly, failing which the said Advocate or Advocates after notice to me/us will be at liberty to withdraw from the further conduct of the case.

IN WITNESS WHEREOF I/we sign and execute this vakalatnama, on this the 21<sup>ST</sup> day of FEB.....20

NAME OF THE ADVOCATES

MS. DEVANSHI PRASAD, ADVOCATE

ARGUS PARTNERS

SOLICITORS & ADVOCATES  
3rd Floor, Binoy Bhawan,  
27-B, Camac Street, Kolkata - 700 016

MB. NO - 84203 11945

F/653/593/2023

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Received and accepted by me,

Punamshi Prasad, Adv.

F/653/593/2023

Received and accepted by me.

Anita Ds.  
Advocate -

F/297/290/2022.

Received and accepted by me  
Debonita Sachu, Advocate.  
F/179/197/2022.



## Z ESTATES PRIVATE LIMITED

**CERTIFIED TRUE COPY OF THE RESOLUTION PASSED AT THE MEETING OF THE BOARD OF DIRECTORS OF Z ESTATES PRIVATE LIMITED HELD ON 17<sup>TH</sup> APRIL 2024 AT 11.A.M.**

**RESOLVED THAT** the consent of the Board of Directors be and is hereby accorded to validate the authorization of Mr. Tapan Kumar Mohanty, Managing Director of the Company, to represent the Company in all respect and for all present and future purposes before the National Green Tribunal, Eastern Zone thereto including pending and future disputes and to sign, verify, declare, affirm, make, present, submit and file all necessary Notices, Plaints, Statement of Claims, Rejoinder, Petitions, Applications, Written Statements, Affidavits, various petitions, Undertakings, Vakalatnamas, Declarations and such other legal documents as may be required, from time to time, in connection with as aforesaid as may be considered necessary and appropriate and also to nominate, appoint and engage advocates, solicitors, counsel or other professionals and to do all such acts, deeds or things as may be considered or proper and necessary in the interest of the Company.

**RESOLVED FURTHER THAT** the aforesaid authorization shall remain in full force and effect until a written instruction for cancellation/revocation of the same be issued by the Board of Directors of the Company.

**RESOLVED FURTHER THAT** a copy of the aforesaid resolution duly certified by any of the Directors of the Company is forwarded to the concerned authorities for reference and record."

Certified to be true copy

~~FOR Z ESTATES PRIVATE LIMITED~~

*Tapan Kumar Mohanty*  
DIRECTOR

[Tapan Kumar Mohanty]

[Director]

**BEFORE THE NATIONAL GREEN  
TRIBUNAL SITTING AT KOLKATA  
(Under Section 18(1) read with  
Section 16 of National Green Tribunal  
Act, 2010)  
APPEAL No. of 2025/EZ**

**Between:**

Z-Estates Private Limited & Anr.

...Appellants

Versus

State Environment Impact Assessment  
Authority Odisha & Ors.

...Respondents

**APPEAL**

Devanshi Prasad  
Advocate  
C/o Argus Partners, Solicitors & Advocates  
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