



## BEFORE THE NATIONAL GREEN TRIBUNAL

## EASTERN ZONE BENCH, KOLKATA

APPEAL NO 8 OF 2024

IN THE MATTER OF

Z-Estates Private Limited &amp; Anr.

Appellant(s)

Versus

State Environment Impact Assessment Authority,

Odisha, &amp; Ors.

Respondent(s)

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DATE- 08/07/2025

RESPONDENT 2 THROUGH

PLACE- BHUBANESWAR

SANKAR PRASAD PANI ASHUTOSH PADHY

ADVOCATE

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**REPLY AFFIDAVIT ONBEHALF OF THE RESPONDENT-2 TO THE**

**APPEAL NO.8 OF 2024**

I, Bidhubhusan Nayak, aged about 48 years, Son of Shri Bishnu Charan Nayak presently serving as Secretary of the Z1 RESIDENTS' WELFARE ASSOCIATION having its registered office at Tower 1 , Flat No.1304 ,Z1 Estate, Nandankanan Road ,Kalarahanga, Patia, Bhubaneswar, Odisha -751024, hereby solemnly affirm, and declare as under:

1. That I am the Secretary of Respondent No 2 Organisation in the above mentioned Appeal AND authorised by the society to swear this affidavit.
2. That the present appeal is being filed by the appellants on the following grounds,



- I. FOR THAT the Impugned Order has no legs to stand on and there is no negligence on part of the Appellants.
- II. FOR THAT in the aforesaid EC dated March 17, 2020, it was specifically recorded that the total area for Phase I and Phase II of the Project was 1,23,717 sqm. corresponding to Built up area was 73,958.9 sqm for Phase I and 1, 11, 945. 98 sqm for Phase II respectively. The total area for Phase III of the Project was 17,873.23 sqm corresponding to Built up area was 2,09,960.21 sqm. It was also mentioned that total green belt area was 30,929.22 sqm for Phase I and Phase II of the Project and total green belt area was 20,922.87 sqm for Phase III of the Project.
- III. FOR THAT 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.
- IV. FOR THAT in the aforesaid Impugned Order dated 16.03.2024, the residential project of the appellants has been treated as Red Category Unit by the Respondent No. 1 at the time of calculation of Environmental Compensation of Phase I Building of the Appellants. The residential building of the Appellants is the Orange Category of Industry in terms of the Direction dated March 7, 2016

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under Memo No. B-29012/ESS(CPA)/2015-16 passed by the Central Pollution Control Board.

- V. FOR THAT at the time of assessing the Calculation of Environmental Cost, the Pollution Index of the residential project of the Appellants has been fixed as 80 as Red Category Industry by the Respondent No. 1. The Pollution Index of the Project of the Appellants should be 50 as Orange Category Industry.
- VI. FOR THAT the Impugned Order has been passed without application of mind and without application of a proper formula to arrive at the compensation amount. The same is also evident from the Report filed by the Joint Committee.
- VII. FOR THAT The Impugned Order and the Report incorrectly record that the Solar Power Generating System has not been installed at the premises. Further, the Impugned Order and the Report fail to take into consideration the fact that the Project is an integrated project, and therefore in the absence of a permanent boundary wall, the Project Proponent is facing impediments in developing Green Belt and Avenue Plantation.
- VIII. FOR THAT the Joint Committee of the Respondent No. 1 had visited the Project area of the Appellants on 13.07.2023. In the Report, it was stated that as per the site visit and Google Earth Map KML file, it reveals that there is no separate boundary for Phase 1,

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Phase II and Phase III. The Green Belt area for Phase 1 of the Project area is approximately of the Project area is approximately a 9,000 Sqm area and for Phase-II of the Project area is approximately 11,000 sqm. Thereafter, the total area of Green Belt of the Project area for both Phase I and Phase II is 20,000 Sqm.

IX. FOR THAT at the time of inspection conducted by the Respondent No. 1, 20,000 Sqm. Green Belt has already been completed by the Appellants. Rest of Green belt, in terms of the Environment Clearance dated 17.03.2020, could not be completed due to non-availability of the boundary wall of the Phase II of the site area.

X. FOR THAT the Appellants explored the market for a good, sustainable, and service oriented vendor agency and after several rounds of discussion, including discussion with an expert from IIT Bhubaneswar, and the Appellants issued a Work Order dated August 19, 2022 to M/ s. Solar Sack to execute the job of installing the requisite solar system.

XI. FOR THAT all installation works at the Project site were subject to approval of Respondent No. 2. It is submitted that all materials were procured by the Appellants and were ready to be installed but unfortunately, there was a delay in obtaining the approval of Respondent No. 2.



XII. FOR THAT in the aforesaid Original Application, the appellants had submitted Compliance affidavit dated 15.11.2022 before the Hon'ble Tribunal thereby stating that the aforesaid Solar System installation work will be completed by January 31, 2023, but such completion of installation work will be subject to cooperation and permission rendered and granted by the applicants, i.e., Respondent No. 2 herein.

XIII. FOR THAT after several rounds of discussion with Respondent No. 2, the Appellants finally received the permission to execute the job over the rooftop of the Phase-I building on November 29, 2022. Thereafter, installation by Solar Sack was completed within two months.

XIV. FOR THAT even though the Appellants have completed the installation of the entire system long back, the same is not under operation till date due to non-availability of permission from the Respondent No. 2.

XV. FOR THAT the Appellants approached the Respondent No. 2 for obtaining the necessary approval for operating the solar system, however, it was informed that the Respondent No. 2 is renovating the water supply ring line on such rooftop and necessary clearance to make the installed solar system operative can only be accorded pursuant to completion of such renovation works.



- XVI. FOR THAT the Appellants have installed a SOLAR WATER HEATER SYSTEM for a total capacity of 22,000 litres catering to all eight towers in the Project. The same is equivalent to 748 KW electricity which is 7.48 times in excess than the actual requirement of 100 KW as per the terms of EC.
- XVII. FOR THAT the Appellants have installed a SOLAR WATER HEATER SYSTEM for a total capacity of 22,000 litres catering to all eight towers in the Project. The same is equivalent to 748 KW electricity which is 7.48 times in excess than the actual requirement of 100 KW as per the terms of EC.
- XVIII. FOR THAT the delay in operation of the Solar System is not attributable to the Appellants as grant of approval by the Respondent No. 2 is beyond the control of the Appellants. FOR THAT the above situation was brought to the attention of the Respondent No. 1 through reply letter dated January 11, 2024, and in the hearing dated February 3, 2024. However, the Respondent No. 1 has failed to take the same into consideration while passing the Impugned Order. Hence, the Impugned Order is liable to set aside, recalled or quashed on such ground alone.
- XIX. FOR THAT the Impugned Order records that the Solar System has been installed but is not under operation due to non-availability of permission from Respondent No. 2, however, despite



such observation, the Respondent No. 1 has passed the Impugned Order in a mechanical manner.

XX. FOR THAT the Project is a large integrated project being developed in phases. Therefore, developing the Green Belt from the beginning of the all along the boundary wall is not advisable, because such greenery will get disturbed as and when the subsequent phases within the vicinity of the Green Belt and Avenue Plantation are taken for construction work or completion in the future. Therefore, the Green Belt and Avenue Plantation can only be fully developed by the Appellants where the phase wise construction along with a permanent boundary wall is completed.

XXI. FOR THAT the Phase I of the Project was constructed in such a way that there is no permanent boundary wall available for developing a Green Belt. Therefore, only Avenue Plantation comprising of some local species and decorative species of plants was developed initially. Therefore, after completion of Phase II where some portion of a permanent boundary wall was available, the Appellants developed a thick Green Belt along such portion of the available permanent boundary wall with three tier plantation using local species like - Neem, Swarna-Champa, Baku!, Karanja, Radha-chuda, Krushna-chuda, Panas, Mango, etc., along with Avenue Plantation.



XXII. FOR THAT the Appellants also undertook that upon completion of the entire Project, the Appellants will develop the requisite Green Belt and Avenue Plantation along the entire boundary wall as per the EC requirement.

XXIII. greenery will get disturbed as and when the subsequent phases within the vicinity of the Green Belt and Avenue Plantation are taken for construction work or completion in the future. Therefore, the Green Belt and Avenue Plantation can only be fully developed by the Appellants where the phase wise construction along with a permanent boundary wall is completed. XXII. XXIII. XXIV. . \., FOR THAT the Phase I of the Project was constructed in such a way that there is no permanent boundary wall available for developing a Green Belt. Therefore, only Avenue Plantation comprising of some local species and decorative species of plants was developed initially. Therefore, after completion of Phase II where some portion of a permanent boundary wall was available, the Appellants developed a thick Green Belt along such portion of the available permanent boundary wall with three tier plantation using local species like - Neem, Swarna-Champa, Baku!, Karanja, Radha-chuda, Krushna-chuda, Panas, Mango, etc., along with Avenue Plantation.

XXIV. FOR THAT the Appellants also undertook that upon completion of the entire Project, the Appellants will develop the

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requisite Green Belt and Avenue Plantation along the entire boundary wall as per the EC requirement. consideration the fact of the situation. Therefore, the Impugned Order is liable to set aside, recalled or quashed on this ground also.

XXV. FOR THAT the fact of non-availability of separate boundary wall for different phases of the Project was also observed by the Joint Committee in its Report. However, despite such observation, the Respondent No. 1 has passed the Impugned Order holding that the 20% Green Belt is not achieved for Phase-1 building because the entire Project is an integrated and interlink building and construction project. On the one hand the Respondent No. 1 has agreed that the Project is an integrated project and on the other hand, the Respondent has imposed a penalty on the Appellants.

XXVI. FOR THAT alleged non-compliances are outside the control of the Appellants. The Appellants undertake to complete the works within a time bound manner as and when the above-mentioned impediments are removed.

XXVII. FOR THAT the Appellants have not violated any law for the time being in force.

XXVIII. FOR THAT the Impugned Order has been passed without application of mind and without taking into consideration the fact of the situation on XXVIII. the ground.



- XXIX. FOR THAT the Respondent No. 1 has passed the Impugned Order without considering the submissions made by the Appellant.
- XXX. FOR THAT the Impugned Order records that the Solar System has been installed by the Appellants however the same is not operational due to non-availability of permission from the Respondent No. 2, however, despite such observation the Respondent No. 1 has passed the Impugned Order, which is totally contrary to the facts of the case.
- XXXI. FOR THAT the Appellants cannot be made liable to pay for purported non-installation of the Solar System, when in fact the Solar System has already been installed long back.
- XXXII. FOR THAT the Impugned Order records that the Project is an integrated project and therefore there is no permanent boundary available at the moment to develop the requisite Green Belt and Avenue Plantation, however, despite such observation the Respondent No. 1 has passed the Impugned Order in a mechanical manner.
- XXXIII. FOR THAT the Impugned Order passed is manifestly arbitrary, illegal and without any basis since it does not specify the provision of law under which the compensation amount has been calculated.



XXXIV. FOR THAT the Impugned Order is liable to be modified, set aside, recalled and/or quashed

XXXV. FOR THAT the Impugned Order ought to be stayed or kept in abeyance till the disposal of the present appeal.

3. Since the Environmental Clearance dated 17/03/2020 is the expansion of building project whose original Environmental Clearance was granted on dated 16/08/2011 and the 17/03/2020 Environmental Clearance is the expansion of existing project whose Environmental Clearance was granted for a plot area for Phase-I & Phase II is 1,23,717 sqm and total built-up area is 73,968.9 sqm (Phase-I) and 1,11,945.98 sqm (Phase-II), provision for green belt-30,929.22 sqm (i.e. for Phase-1 & Phase-II). Similarly, total plot area for Phase-III is 17,873.23 sqm and Built-up area 2,09,960.21 sqm, green belt area provision is 20,922.87 sqm.
4. Needless to say that the conditions of original Environmental Clearance dated 16/08/2011 continues to be non complied while the SEIAA granting Environmental Clearance for further expansion of the project. Even though SEIAA has reiterated the conditions imposed in the original EC while granting EC to the expansion project.
5. It is more pertinent to mention here that the Environmental Clearance for expansion of the project on 17/03/2020 is purely subject to compliance of undertaking given by the Project Proponent before SEAC, the affidavit dated 23/12/2019 filed by the Project Proponent before the SEAC clearly admits



that they have failed to comply with the conditions of the EC and undertakes to comply with the recommendations made by the SEAC in a time barred manner, however again they have failed to comply with the conditions of the EC and the recommendations made by the SEAC. Copy of the undertaking dated 23/12/2019 given by Project Proponent is annexed here unto as **ANNEXURE-1.**

6. That the violation day should have been considered from the day when the SEAC has observed that the Appellants are in violation of the Environmental Clearance conditions. That on dated 25/10/2019 the SEAC sub- committee visited the site for inspection and observed certain non-compliances hence the violation day should have been calculated from 25/10/2019 and not from 31/08/2022.
7. The Original EC has 55 special conditions and 12 general conditions. However there have been severe non-compliances and some are summarised as follows
  - I. 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.*
  - II. Compliance of Conditions of “NOC” from CGWA and permission of Water Resource Department Govt of Odisha is not available
  - III. Detail workable plan/scheme either for zero discharge/or discharge to main road side drain through STP and oil water separation unit,

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particularly for monsoon period so that it will not affect the human health/environment is not available.

- IV. STP does not have the facility for complete treatment (Primary, Secondary and tertiary) of waste water.
  - V. The water treatment plant does not have any iron remover although one of the water source has high iron content,
  - VI. 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 Nalla in EC letter.
  - VII. **Absence of facility for use of Renewable/Solar Energy** against a stipulation of **at least 5% of the total power consumption for street and common area solar lighting.**
  - VIII. **Diesel Generator sets** of project have **inadequate Stack heights and same is** violation of CPCB Norms
  - IX. Dust control measures not adopted to control dust and noise pollution during the construction of Phase III for which the senior citizens are the worst sufferers.
  - X. Rain Water harvesting/Recharge Pits reveals that water harvesting for storm water and runoff water is not available
  - XI. No facility for segregation of solid wastes into Biodegradable and non-biodegradable category.
  - XII. The project Proponent has not obtained **periodic Occupancy Renewal Certificate from the Competent Authority at an interval of 3-5 years** as per the provision of National Building Code (NBC) 2005.
  - XIII. Half Yearly Compliance report not submitted by the proponent
8. That the Committee in it's report dated 20/01/2022 has recommended the following measures to be taken by the project proponent.



- a. 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. Non-compliance of the said conditions, the EC will be revoked
  - b. 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.
  - c. The PA shall submit the details report on water cycle like quantum (in KLD) 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.
  - d. 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.
  - e. The PA has to augment the capacity of organic convertor/composting machine based on the number of Household in the project
  - f. The PA has to install adequate no. of solar panel for light of street and common area of the project within 30th June 2022.
  - g. The committee suggests to communicate the findings and recommendations to the Dept. of FE &Cc, Govt. of Odisha and the member Secretary SPCB for further needful and necessary action as per Govt. Procedure.”
9. That in order to comply with the development of green belt the PP is taking a plea that the boundary wall of the project is under construction for which he

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is unable to comply with the greenbelt condition, It is needless to mention here that Boundary of a project is integral part of a building plan layout and project cannot start before finalizing the project boundary. Therefore the plea of the PP saying boundary wall is under construction cannot be accepted. Further without boundary wall details the layout could not be finalised and therefore no construction can go ahead in absence of final layout and this this is a vital ground to stop construction of the project.

10. That in the present case the project proponent has a mandate to have a green belt in an area of 20 percentage of the area of the Z1 Project. In this case the green belt should have been made in 30,929 Sqmtre (332916Sqfeet) of the project where the applicant society exists. There is only one line of ornamental plants and same has been observed by the SEAC Committee while Granting Environment Clearance. It is stated that the green belt must be of adequate width so as to fulfill the purpose and it's objective to make the area cooler and reduce the air pollution by absorbing pollutants on their surface and reduce the noise level in the ambient. The nature plants being ornamental plants on the soil mounted on the concrete basement does not comply the mandate of 20 percentage area of the site as well as the nature of plants in the so called green belt will not be able to meet the purpose of green belt. That in the garb of revised EC conditions for expansion of the project, the Boundary wall of phase III construction is still to be completed can not bet a ground to further delay the development of Green belt whose



deadline has crossed since 2011 and thereafter June 2020 as per the undertaking before the SEAC.

11. That the concept of Greenbelt as practiced for different construction projects says that is a set of rows of trees planted in such a fashion, to create effective barrier between the project and surroundings. The greenbelt helps to capture the fugitive emissions, attenuate the noise levels in the existing project and simultaneously improving aesthetics of the surroundings. The greenbelt around the project wall should have been developed in keeping view of the following objectives. 1. Planting of trees in each row will be in staggered pattern. 2. The short trees will be planted in the first rows and the tall trees in the outer rows around the purview of the project site. 3. Since the trunks of the trees are generally devoid of foliage, it will be useful to have shrubs in front of the trees so as to give coverage to this portion. 4. Sufficient spacing should be maintained between the trees to facilitate effective height of the greenbelt. 5. Plants of native origin, fast growing type with canopy and large leaf index shall be preferred
12. That as because most of the area has been concretised including the earmarked area of green belt for accommodating the expansion project for profit of the project proponent, hence the ornamental plants planted on basement mounted with some topsoil cannot allow the plants to penetrate their roots deep into the ground. As such the Green Belt width should have been at least 7 to 15metres considering the nature of project. So at no stretch

of imagination, less than 1 metre width of some ornamental plants can be treated as green belt.

13. It is stated that the green belt area earmarked for the Original Project should not be compromised and as of now the greenbelt is not evident in its present form and the society requests the authorities to direct the project proponent to ensure the area for green belt for Original Project as per the 2011 EC conditions to be inviolate and maintained so that the inmates of the applicant society will not be deprived of their right to have greenery in their campus.
14. That the economic value of the area earmarked for green belt of original Project that is 332016 Sqfeet is 166.45 Crores of Rupees considering the per square feet price of Rs5000. Needless to state that the period of non-compliance is right from the EC granted in year 2011 and the SEAC committee observations dated 25/10/2019 wherein the non-compliance were reaffirmed. Environment Compensation should be proportionate to the cost of the project.
15. It is needless to say that the EC dated 17-03-2020 is the only EC active and the previous EC of 2011 and 2016 have been merged with the EC granted in the year 2020 hence granting 3 different time span for compliance of conditions in EC letter dated 17/03/2020 is unreasonable, non-application of mind and further contrary to the final EC letter granted in 2020 hence splitting of one EC letter in 3 different time phases for compliance is bad in

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law and the authority is requested to reconsider the order allowing the PP to continue with construction.

16. The concept of phase 1 and phase 2 for compliance of EC condition is not applicable to the present case as because there is only one EC for the whole project and the Project proponent is duty bound to comply all the conditions imposed in the EC letter dated 17/03/2020 and the SEIAA authority also have a duty to monitor the compliance of EC conditions.

17. It is also pertinent to mention that the Hon'ble NGT vide order dated 19/02/2025 in M.A No. 15/2024 directed the SEIAA authority in paragraph 25 that to review the compliance of EC condition not just to the DG height but also to other conditions, *"We direct the State Environment Impact Assessment Authority (SEIAA), Odisha to revisit the site in question and carry out fresh Inspection with regard to fulfillment of the conditions given in the Environmental Clearance such as 20% green cover disposal of solid waste etc. and remedial measures and ensure that the same is duly complied with by the Project Proponent within a given time span."*

18. It is pertinent to mention here that in the **EC letter dated 17/03/2020 in Condition No. 53** it is categorically mentioned that *"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"* but as on date neither the

Project Proponent has complied the EC conditions nor the SEIAA authority has taken any stringent steps for compliance of EC conditions that are imposed for Phase-I and Phase-II.

19. It is further submitted that in the EC letter dated 17/03/2020 under the head of **Requirement For the proposed project expansion** in point No. (iv) it is categorically mentioned that the *“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”* , that this requirement is for the whole project however the PP has failed to comply with the greenbelt development for the Original Project and even after that the SEIAA authority by ignoring the previous non-compliance granted the EC for the Expansion Project.
20. That the allegation of claim of Appellants in the appeal that the Respondent society is not cooperating with the solar water heater system is a false statement and the liability of the Project Proponent to install solar heater is in the EC letter dated 16/08/2011 and they should have completed the installation of the same prior to grant of occupational certificate as such the Respondent society has always cooperated with the Project Proponent to ensure the commitments in EC letter are being complied however from the timelines filed by the Appellant itself suggests the violations are being continuing right from 2011 from the grant of first EC and continuing till

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date. Copy of the email dated 11/03/2024, 11/03/2024 and 10/01/2025 showing the Respondent society is cooperating the Appellant is annexed here unto as **ANNEXURE-2**.

21. That in regard to category of the polluting industry that should have been considered to Orange category and should not be Red category is not correct. The present Respondent adopting the stand taken by SEIAA in paragraph 6 (v) with regard to the category of the industry as Red as the waste water generation of the industry is 602 KLD and it will be treated in 650 KLD STP Capacity, so it is considered as Red category project as per CPCB guidelines.
22. It is further submitted that the Building Plan approval for the project is already expired and without a valid Building plan approval the Project Proponent is continue to work in the site. Needless to say environment clearance is subject to approved building plan.
23. That the Respondent society on dated 30/04/2025 made a representation before the SEIAA and the was sent to the SEIAA authority on 02/05/2025 regarding Suspension/revocation of EC letter for Non-Compliance of EC Conditions and the same is pending before the SEIAA authority and the violations of the EC conditions are still continuing. Copy of the representation dated 30/04/2025 and sent on 02/05/2025 is annexed here unto as **ANNEXURE-3**.
24. In view of the aforementioned paragraphs since there is a continuing non compliance of EC conditions, the deadline as per the commitment given by

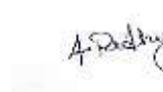
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PP in the shape of Affidavit while making application for EC is already over since 2020 itself and the **Hon'ble NGT also ordered to look into the issue of Non-compliance of EC vide order dated 19/02/2025. The environment compensation needs to be recomputed from the date of observation of the violations i.e 25/10/2019 and considering the market value of the greenbelt area diverted for the construction purpose also needs to be computed.**

DATE-08/07/2025

RESPONDENT 2 THROUGH

PLACE- BHUBANESWAR



SANKAR PRASAD PANI

ASHUTOSH PADHY

ADVOCATE

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL  
EASTERN ZONE BENCH, KOLKATA  
APPEAL NO -8 OF 2024/EZ**

**IN THE MATTER OF:**

Z- Estates Private Limited & Anr

**APPELLANTS**

**VERSUS**

State Environment Impact Assessment Authority, Odisha & Ors

**RESPONDENTS**

**AFFIDAVIT** 08 JUL 2025

I, Bidhubhusan Nayak, aged about 51 years, Son of Shri Bishnucharan Nayak presently serving as Secretary of the Z1 RESIDENT'S WELFARE ASSOCIATION having its registered office at Tower 1, Flat No. 1304 Z1 Estate, Nandankanan Road Kalarahanga, Patia, Bhubaneswar Odisha -751024, hereby solemnly affirm, and declare as under:

1. That I am the Secretary of Respondent Organization in the above mentioned appeal AND authorised by the Respondent society to swear this affidavit.
2. I am fully conversant with the facts and circumstances of the case and therefore competent to swear this affidavit.
3. That I have read over the contents of the accompanying Rejoinder affidavit and the same is true and correct and drafted on my instruction

For Z1RWA  
B. Chandra Mohan  
**SECRETARY  
DEPONENT**

**VERIFICATION**

Verified on this 08 JUL 2025 day of .....2025 at BBSR that the contents of the above affidavit are true and correct. No part of it is false and nothing material has been concealed therefrom.

Identified By  
Advocate

Advocate, Bhubaneswar  
Appears before me on 08 JUL 2025  
at ..... A.M./P.M. ....  
on oath the contents of this affidavit are true to the best of his / her / their knowledge and belief.

For Z1RWA  
B. Chandra Mohan  
**SECRETARY  
DEPONENT**

**ANMEJAYA RAUTRAY  
NOTARY, GOVT. OF ODISHA  
BHUBANESWAR  
REGD. NO ON-66/2012**





ଓଡ଼ିଶା ओडिशा ODISHA

Jagyeeswar Acharya  
 Notary, Govt. Of India  
 Odisha, BSR Dist, Khurda  
 Regd. No. 1791/2008  
 Mob:- 9861006172  
 K 128692

I sri Tapan Kumar Mohanty (Managing Director), Z ESTATES PRIVATE LIMITED. M4/34, Acharya Vihar, Bhubaneswar, Pin-751013 do hereby doing this Affidavit and do undertake:-

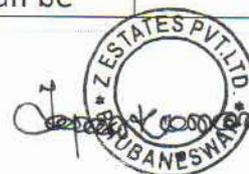
That I will implement the Observations of the SEAC sub-committee after field visit as per the details described below. This will be in line with the Letter No 417(2)/SEAC-(MISC-28 Dt 10-12-2019 issued by STATE LEVEL EXPERT APPRAISAL COMMITTEE, ODISHA for the proposal file no SIA/OR/NCP/300182018 (Proposal for Environmental Clearance 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>. (EC).

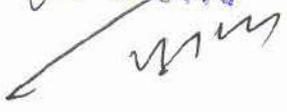




Jagyneshwar Acharya  
Notary, Govt. Of India  
Odisha, BBSR, Dist-Khurda  
Regd. No.-7791/2009

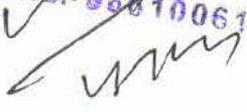
The Sub-Committee of SEAC conducted site visit on 25.10.2019 and observed the following:			
a)	Green Belt:	Implementation To Be Done	Implementation Schedule.
	While the proponent stated to develop necessary green belt in the green belt areas and plant species in due course for Phase-II (under Construction) & 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 landscaping.		
(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.	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-II&PH-II Expansion. The plantation activity of Green belt for PH-II shall be started on the on set 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).
	Green belt needs to be strengthened with local shade bearing species like Akashmani, Neem, Ashoka, Kadamba, Pollanga, Bela,	As suggested by Sub-Committee SEAC , the recommended species shall be included for plantation in the above referred Green Belt. Further the D.F.O(City) Bhubaneswar & OFDC shall be	Plantation work to be started by June 2020 (Start of Monsoon) and will be completed by



	Karanj etc. in consultation with local DFO for the prescribed area.	consulted to obtain the suggestion of species for the Green Belt in the Project.	<p style="text-align: right;">Jagyneshwar Acharya Notary, Govt. Of India Odisha, BBSR, Dist-Khurda Regd. No. 7791/2009 Mob. 9864190613</p> <p style="text-align: right;">September 2020 (End of Monsoon)</p>
(iii)	Similar strict adherence for Phase II & Phase III (Proposed) is necessary for Greenbelt. Compliance report in context shall be submitted to SEIAA / SEAC.	We will strictly follow the plantation with suggested species as required for development of Green Belt for Phase-II and Phase-III along with suggestions provided by our Landscape Architect.	
<b>b) Fresh water (Ground Water):</b>			
	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.	After obtaining NOC from CGWA(copy enclosed) ,we had approached the water Resources Department GOVT of ODISHA for Granting of permission for drawl of ground water. During discussion with the Officials of Water Resources Department it is learnt that no such policy has been finalized till today for Granting such permission for the housing project and we will have to wait till such policy framed for Housing project. If any such applicability comes, we here by undertake to comply the same.	

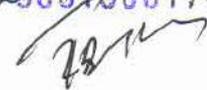


Jagyneshwar Acharya  
 Notary, Govt. Of India  
 Odisha, BBSR, Dist-Khurda  
 30/05/2020  
 Regd. No.-7791/2009  
 Mob:- 9881006171

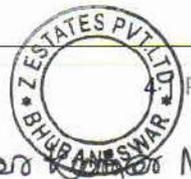
<p>c)</p>	<p><b>Waste Water:</b></p> <p>The Sub-Committee visited STP installed in their premises. They claimed to have consumed almost complete waste water after treatment in vehicle (Car) washing &amp; watering of plants excepting small quantity might be discharged to their own low lying areas following 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 &amp; c</p>	<p>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 ETP 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>The waste water generated from other area (like runoff from landscape horticulture shall also be carried by the surface drain and subjected to the above ETP before discharge.</p> <p>The discharge of waste water and STP surplus water shall not be discharged in the Low Lying area to prevent contamination of Ground water.</p> <p>The waste water , STP surplus water and first few surface run-off water of first few showers of the monsoon shall be subjected to treatment in the ETP and there after we will have the advantage of dilution of the waste water when there is torrential rain and cloud burst.</p>	
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Jagyneshwar Acharya  
 Notary, Govt. Of India  
 Odisha, BBSR, Dist-Khurd  
 Regd. No. 7791/2009  
 30TH JUNE 2020  
 Mob: 9887006174



d)	<b>Rain Water Harvesting / Recharge Pits :</b>		
	<p>The Sub-Committee of SEAC visited the roof top water harvesting system &amp; 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 &amp; run off water is not available for which they need to submit a workable plan &amp; time frame to execute it for Phase - I and workable plan for Phase II &amp; proposed Phase-III expansion.</p>	<p>Henceforth the rain water from the roof top 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. This will ensure good quality water being recharged to Under Ground .</p>	
e)	<b>Solid waste Management:</b>		
	<p>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 &amp; Non-biodegradable category could be seen.</p> <p>Therefore, the proponent needs to submit details of collection, segregation and disposal of solid waste for last three</p>	<p>Further to our existing process of door to door collection of segregated solid waste and handing over to thje OPSCB Empanelled (Under solid waste management rule of 2016 of Environmental protection act 1986) solid waste re-cycler 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.</p>	<p>31<sup>ST</sup> OCTOBER 2020</p>



Page 4  
 Jagyneshwar Acharya

Jagyneswar Acharya  
Notary, Govt. Of India  
Odisha, BBSR, Dist-Khurda  
Regd. No.-7791/2009  
Mob:- 9881006174

*[Handwritten Signature]*

	<p>months to the outsourcing agency and submit the plan I mechanism for separation of solid wastes into Bio-degradable &amp; Non-biodegradable wastes before disposing to outsourcing agency.</p>	<p>The above system catering both for PH-I and PH-II shall be in operation by October-2020.</p>	
<p>f)</p>	<p><b>Use of Renewable I Solar Energy :</b></p>		
	<p>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 I solar power at least as per the guidelines &amp; preferably minimum 5% of their total power consumption for Phase I &amp; similarly for Phase- 11 &amp; III (Proposed) within a fortnight to SEIAA/ SEAC .</p>	<p>As suggested by Sub-committee SEAC we are consulting and negotiating with IIT bhubaneswar start-up project group for procurement , installation, operation and maintenance of solar power within the Project for II &amp; III phases with a long term annual maintenance contract satisfying the norms of minimum 5% of the power consumption in the Project.</p>	<p>30<sup>TH</sup> JUNE 2020</p>
<p>g)</p>	<p><b>DG Set:</b></p>		
	<p>Location of DG sets (3 Nos.) installed for Phase - I was visited . The stack heights were found to be inadequate &amp; negligible. The proponent must submit a design as applicable for such housing projects as per MoEF&amp;CC /GPCB guidelines and DG rules for all three phases</p>	<p>Although the Power outage in the Project is Low, there by utilization of DG set is also Low. However as suggested by the sub-committee of SEAC we are committed to construct appropriate housing of the present and future DG sets and provide Vent od adequate height for proper dispersion of air Pollutant and noise pollution.</p>	<p>30<sup>th</sup> JUNE 2020</p>

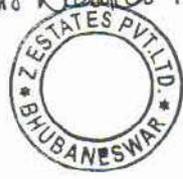


*[Handwritten Signature]*

<p>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 &amp; Phase III.</p>		<p>Jagyneshwar Acharya Notary, Govt. Of India Odisha, BBSR, Dist-Khurda Regd. No.-7791/2009 Mob:- 9861006174</p> <p><i>(Handwritten signature)</i></p>
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**NOTE:**  
Over and above Z Estates Pvt Ltd is committed to provide best and qualitative housing with all modern amenities and advance facilities ,retaining it's continual customer satisfaction and public appreciation and committed to comply all such possible suggestions by honourable members of SEAC from time to time for safeguard of the Environment.

*(Handwritten signature)*



*(Handwritten signature)*  
Jagyneshwar Acharya  
Notary, Govt. Of India  
Odisha, BBSR, Dist-Khurda  
Regd. No.-7791/2009  
Mob:- 9861006174

**Fw: Installation of Solar Water Heater System.**

1 message

**Estate Manager** <estatemanager@z1rwa.com>

To: "sankarprasadpani@gmail.com" &lt;sankarprasadpani@gmail.com&gt;

Sir,

FYI.

Estate Manager

**From:** Estate Manager <estatemanager@z1rwa.com>**Sent:** Friday, January 10, 2025 11:18:18 AM**To:** Radhadas Das <radhadas@zestates.in>**Cc:** Accounts Z1 RWA <accounts@z1rwa.com>; Help Desk <helpdesk@z1rwa.com>**Subject:** Re: Installation of Solar Water Heater System.

Dear Sir,

Thank you very much for your mail in the referring our mail dated 08.11.2024.

Innocently, the job is incomplete till date for years. It may kindly be noted that the job for installation of Solar Heater System in the terrace of individual towers.

As per our letter on dated 29<sup>th</sup> Oct'22, we have given you the permission to complete the job at the earliest but as per the current report most of the works are still immediately for system operational.

We have engaged one plumber to cooperate your team for smooth operation.

For any issue pls instruct your contractor to inform our technical Manager and Me as per the schedule .

Kindly deploy your manpower on daily basis to close the pending branch line and other works.

Please share the Hydro test report of Individual Series which you have already completed.

Also share the specification of individual Solar Heater System along with the operational manual.

It may be kindly noted that the job is not in the line with the project approval which was supplying 5% of the install capacity of power through Solar Heater System.

Thanking you

With regards,

Estate Manger, Z1RWA

**From:** Radhadas Das <radhadas@zestates.in>**Sent:** Friday, December 20, 2024 1:39 PM**To:** Estate Manager <estatemanager@z1rwa.com>**Cc:** helpdeskz1rwa@gmail.com <helpdeskz1rwa@gmail.com>; profpcmishra@gmail.com <profpcmishra@gmail.com>; bbhusan99ca@gmail.com <bbhusan99ca@gmail.com>; Panigrahi777@gmail.com <Panigrahi777@gmail.com>; atpanigrahi@gmail.com <atpanigrahi@gmail.com>; parthasarathi@z-1.in <parthasarathi@z-1.in>; Help Desk <helpdesk@z1rwa.com>**Subject:** RE: Installation of Solar Water Heater System.

Dear Mr. Tripathy,

In reply to your mail the following points are the updates for installation of Solar Hot Water system at Advait.

1. The installation of Solar Hot Water System at Terrace Level is completed since June 2024.
2. The terrace looping work including shaft connection for all tower is completed since 31<sup>st</sup> July 2024.
3. Flushing & cleaning of all vertical stack line in all tower is completed since August 2024.

Further it may be please be noted that, charging to all Flats cannot be completed unless we check all individual Flat connection.

In this regard our Technical Team has visited the Flats in all Towers and were able to check 50% (Approximately).

The Current status list is enclosed herewith for your reference.

However in this context we request your help to complete the checking of balance Flats so that we will be able to charge the hot water system to all the Flats at the earliest.

Regards

R.P.Das

For Z Estates Pvt Ltd.

**From:** Estate Manager [mailto:estatemanager@z1rwa.com]**Sent:** 08 November 2024 15:42**To:** Radhadas Das**Cc:** helpdeskz1rwa@gmail.com; profpcmishra@gmail.com; bbhusan99ca@gmail.com; Accounts Z1 RWA; Panigrahi777@gmail.com; atpanigrahi@gmail.com; parthas;**Subject:** Re: Installation of Solar Water Heater System.



Dear Sir,

Request your personal intervene and update the work progress along with the operational status so that we will intimate to residents.

Estate Manager  
ZIRWA

---

**From:** Estate Manager <[estatemanager@z1rwa.com](mailto:estatemanager@z1rwa.com)>  
**Sent:** Monday, May 13, 2024 4:24:35 PM  
**To:** Radhaprasad Das <[radhaprasad@zestates.in](mailto:radhaprasad@zestates.in)>  
**Cc:** [helpdeskz1rwa@gmail.com](mailto:helpdeskz1rwa@gmail.com) <[helpdeskz1rwa@gmail.com](mailto:helpdeskz1rwa@gmail.com)>; [profpcmishra@gmail.com](mailto:profpcmishra@gmail.com) <[profpcmishra@gmail.com](mailto:profpcmishra@gmail.com)>; [kalpataru1@gmail.com](mailto:kalpataru1@gmail.com) <[kalpataru1@gmail.com](mailto:kalpataru1@gmail.com)>; [accounts@z1rwa.com](mailto:accounts@z1rwa.com) <[accounts@z1rwa.com](mailto:accounts@z1rwa.com)>; [Panigrahi777@gmail.com](mailto:Panigrahi777@gmail.com) <[Panigrahi777@gmail.com](mailto:Panigrahi777@gmail.com)>; [atpanigrahi@gmail.com](mailto:atpanigrahi@gmail.com) <[atpanigrahi@gmail.com](mailto:atpanigrahi@gmail.com)>; [parthasarathi@z-1.in](mailto:parthasarathi@z-1.in) <[parthasarathi@z-1.in](mailto:parthasarathi@z-1.in)>  
**Subject:** Re: Installation of Solar Water Heater System.

Sir,

This is for your kind information that no one from the vendor coming to the site for Solar system work.

Request you to kindly confirm the progress of work for connection of the system for operating.

Pls look it personally and let me know if you have required any support from us.

ESTATE Manager  
ZIRWA

---

**From:** Radhaprasad Das <[radhaprasad@zestates.in](mailto:radhaprasad@zestates.in)>  
**Sent:** Wednesday, March 20, 2024 11:42:42 AM  
**To:** Estate Manager <[estatemanager@z1rwa.com](mailto:estatemanager@z1rwa.com)>  
**Cc:** [helpdeskz1rwa@gmail.com](mailto:helpdeskz1rwa@gmail.com) <[helpdeskz1rwa@gmail.com](mailto:helpdeskz1rwa@gmail.com)>; [profpcmishra@gmail.com](mailto:profpcmishra@gmail.com) <[profpcmishra@gmail.com](mailto:profpcmishra@gmail.com)>; [kalpataru1@gmail.com](mailto:kalpataru1@gmail.com) <[kalpataru1@gmail.com](mailto:kalpataru1@gmail.com)>; [accounts@z1rwa.com](mailto:accounts@z1rwa.com) <[accounts@z1rwa.com](mailto:accounts@z1rwa.com)>; [Panigrahi777@gmail.com](mailto:Panigrahi777@gmail.com) <[Panigrahi777@gmail.com](mailto:Panigrahi777@gmail.com)>; [atpanigrahi@gmail.com](mailto:atpanigrahi@gmail.com) <[atpanigrahi@gmail.com](mailto:atpanigrahi@gmail.com)>; [Z1rwa.bbsr@gmail.com](mailto:Z1rwa.bbsr@gmail.com) <[Z1rwa.bbsr@gmail.com](mailto:Z1rwa.bbsr@gmail.com)>  
**Subject:** RE: Installation of Solar Water Heater System.

Dear Mr. Tripathy,

Yesterday (19.03.2024) our representative Mr. Partha Sarathi Panda, Mr. Basant Rout along with our vendor visited Tower1& 3 terrace along with your representative Mr. Manoj Ku system.

The Schedule of work is as follows:-

- Commencement of work in Tower-1 Terrace from 22<sup>nd</sup> March 2024
- Tentative completion date for charging of last shaft in Tower-8 shall be 10<sup>th</sup> April 2024.

The Detail of work involved.

- Connection of Solar Water Heater System with existing water supply and delivery line.
- Testing of vertical stack line inside the shaft before charging of hot water.

However Site in Charge Mr. Pratap will coordinate with you for the work on regular basis.

Regards  
R. P Das  
For Z Estates Pvt.Ltd.

---

**From:** Radhaprasad Das [<mailto:radhaprasad@zestates.in>]  
**Sent:** 18 March 2024 15:33  
**To:** 'Estate Manager'  
**Cc:** '[helpdeskz1rwa@gmail.com](mailto:helpdeskz1rwa@gmail.com)'; '[profpcmishra@gmail.com](mailto:profpcmishra@gmail.com)'; '[kalpataru1@gmail.com](mailto:kalpataru1@gmail.com)'; '[bbhusan99ca@gmail.com](mailto:bbhusan99ca@gmail.com)'; 'Accounts Z1 RWA'; '[Panigrahi777@gmail.com](mailto:Panigrahi777@gmail.com)'; 'at  
**Subject:** RE: Installation of Solar Water Heater System.

Dear Mr. Tripathy,

Our Technical team headed by Mr. Partha Sarathi Panda & Mr. Basant Rout along with our vendor will visit the site tomorrow (19.03.2024) at 11 A.M & they will give the work sche

Regards  
R.P.Das  
For Z Estates Pvt Ltd.

---

**From:** Estate Manager [<mailto:estatemanager@z1rwa.com>]  
**Sent:** 18 March 2024 14:27  
**To:** Radhaprasad Das  
**Cc:** [helpdeskz1rwa@gmail.com](mailto:helpdeskz1rwa@gmail.com); [profpcmishra@gmail.com](mailto:profpcmishra@gmail.com); [kalpataru1@gmail.com](mailto:kalpataru1@gmail.com); [bbhusan99ca@gmail.com](mailto:bbhusan99ca@gmail.com); Accounts Z1 RWA; [Panigrahi777@gmail.com](mailto:Panigrahi777@gmail.com); [atpanigr  
\*\*Subject:\*\* Re: Installation of Solar Water Heater System.](mailto:atpanigr)

Sir,  
May please confirm the progress and operational status of solar system along with the hydrolic test of internal pipes which is still pending.

From your end no one coming to the site for the same.

Thanks & Regards

Estate Manager

---

**From:** Estate Manager <[estatemanager@z1rwa.com](mailto:estatemanager@z1rwa.com)>  
**Sent:** Monday, March 11, 2024 1:05:08 PM  
**To:** Radhaprasad Das <[radhaprasad@zestates.in](mailto:radhaprasad@zestates.in)>; 'President Z1' <[president@z1rwa.com](mailto:president@z1rwa.com)>  
**Cc:** [helpdeskz1rwa@gmail.com](mailto:helpdeskz1rwa@gmail.com) <[helpdeskz1rwa@gmail.com](mailto:helpdeskz1rwa@gmail.com)>; [profpcmishra@gmail.com](mailto:profpcmishra@gmail.com) <[profpcmishra@gmail.com](mailto:profpcmishra@gmail.com)>; [kalpataru1@gmail.com](mailto:kalpataru1@gmail.com) <[kalpataru1@gmail.com](mailto:kalpataru1@gmail.com)>  
<[accounts@z1rwa.com](mailto:accounts@z1rwa.com)>; [Panigrahi777@gmail.com](mailto:Panigrahi777@gmail.com) <[Panigrahi777@gmail.com](mailto:Panigrahi777@gmail.com)>; [atpanigrahi@gmail.com](mailto:atpanigrahi@gmail.com) <[atpanigrahi@gmail.com](mailto:atpanigrahi@gmail.com)>; [Z1rwa.bbsr@gmail.com](mailto:Z1rwa.bbsr@gmail.com) <[Z1rwa.bbsr@gmail.com](mailto:Z1rwa.bbsr@gmail.com)>  
**Subject:** Re: Installation of Solar Water Heater System.

Sir,

Request you to kindly confirm the progress & schedule of hydrotesting of internal pipeline and connection of the system for operating.

ESTATE Manager  
Z1RWA

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**From:** Estate Manager <[estatemanager@z1rwa.com](mailto:estatemanager@z1rwa.com)>  
**Sent:** Thursday, February 29, 2024 6:11:56 PM  
**To:** Radhaprasad Das <[radhaprasad@zestates.in](mailto:radhaprasad@zestates.in)>; 'President Z1' <[president@z1rwa.com](mailto:president@z1rwa.com)>  
**Cc:** [helpdeskz1rwa@gmail.com](mailto:helpdeskz1rwa@gmail.com) <[helpdeskz1rwa@gmail.com](mailto:helpdeskz1rwa@gmail.com)>; [profpcmishra@gmail.com](mailto:profpcmishra@gmail.com) <[profpcmishra@gmail.com](mailto:profpcmishra@gmail.com)>; [kalpataru1@gmail.com](mailto:kalpataru1@gmail.com) <[kalpataru1@gmail.com](mailto:kalpataru1@gmail.com)>  
<[accounts@z1rwa.com](mailto:accounts@z1rwa.com)>; [Panigrahi777@gmail.com](mailto:Panigrahi777@gmail.com) <[Panigrahi777@gmail.com](mailto:Panigrahi777@gmail.com)>; [atpanigrahi@gmail.com](mailto:atpanigrahi@gmail.com) <[atpanigrahi@gmail.com](mailto:atpanigrahi@gmail.com)>; [Z1rwa.bbsr@gmail.com](mailto:Z1rwa.bbsr@gmail.com) <[Z1rwa.bbsr@gmail.com](mailto:Z1rwa.bbsr@gmail.com)>  
**Subject:** Re: Installation of Solar Water Heater System.

Sir,

With respect to your letter Dt.23.02.2024, we wish to inform you that your statement is not in line with the facts of the case. On dated 29th Oct 2022, we have given However from photographs attached, it is found that you have not connected. The water system to the coil and also the hydro test of internal piping is not done yet. S In case of any other specific permission other than which has been already granted and you have kindly speak to me.

Thanks & Regards

Estate Manager

---

**From:** Radhaprasad Das <[radhaprasad@zestates.in](mailto:radhaprasad@zestates.in)>  
**Sent:** Friday, February 23, 2024 2:48:01 PM  
**To:** 'President Z1' <[president@z1rwa.com](mailto:president@z1rwa.com)>  
**Cc:** Estate Manager <[estatemanager@z1rwa.com](mailto:estatemanager@z1rwa.com)>; [helpdeskz1rwa@gmail.com](mailto:helpdeskz1rwa@gmail.com) <[helpdeskz1rwa@gmail.com](mailto:helpdeskz1rwa@gmail.com)>; [profpcmishra@gmail.com](mailto:profpcmishra@gmail.com) <[profpcmishra@gmail.com](mailto:profpcmishra@gmail.com)>  
[99ca@gmail.com](mailto:99ca@gmail.com)>; Accounts Z1 RWA <[accounts@z1rwa.com](mailto:accounts@z1rwa.com)>; [Z1rwa.bbsr@gmail.com](mailto:Z1rwa.bbsr@gmail.com) <[Z1rwa.bbsr@gmail.com](mailto:Z1rwa.bbsr@gmail.com)>; [Panigrahi777@gmail.com](mailto:Panigrahi777@gmail.com) <[Panigrahi777@gmail.com](mailto:Panigrahi777@gmail.com)>  
**Subject:** Installation of Solar Water Heater System.



## Z ESTATES PRIVATE LIMITED

To,  
The President,  
Z-1 Residents Welfare Association,  
Z-1 Advait Premises,  
Nandan Kanan Road,  
Bhubaneswar-751024

Dear Sir,

This is in reference to your letter dated 29/11/2022, to the Solar Water Heating System. But unfortunately inspite of total installation since - 04/08/2023 as well as our request, we have not yet received any communication from you.

We therefore once again request you to please give us an opportunity to allow our personnel to operationalize the Solar Water Heating System already have been installed by us since long.

Thanks & Regards

For Z Estates Pvt.Ltd



M4/34, Acharya Vihar, Bhubaneswar - 751013, CIN - U4  
Phone : 0674-2540806, Telefax : 0674-2540698, Web. : [www.zesta](http://www.zesta)

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**Re: Reg : Denied to receive wet waste.**

1 message

**Estate Manager** <estatemanager@z1rwa.com>

Mon, Mar 11, 2024 at 12:41 PM

To: Radhaprasad Das &lt;radhaprasad@zestates.in&gt;

Cc: Help Desk &lt;helpdesk@z1rwa.com&gt;, Accounts Z1 RWA &lt;accounts@z1rwa.com&gt;, Amarnath &lt;amarnath.accounts@z-1.in&gt;

Sir,

May please confirm the operational status of KWIK compost machine.

Enclosed letter for your kind reference.

Estate Manager  
Z1RWA

---

**From:** Estate Manager <estatemanager@z1rwa.com>**Sent:** Saturday, March 2, 2024 4:54:45 PM**To:** Radhaprasad Das <radhaprasad@zestates.in>**Cc:** Help Desk <helpdesk@z1rwa.com>; Accounts Z1 RWA <accounts@z1rwa.com>; 'Amarnath' <amarnath.accounts@z-1.in>**Subject:** Re: Reg : Denied to receive wet waste.

Sir,

Enclosed letter for your kind reference.

Estate Manager

---

**From:** Estate Manager <estatemanager@z1rwa.com>**Sent:** Friday, March 1, 2024 12:22:43 PM**To:** Radhaprasad Das <radhaprasad@zestates.in>**Cc:** Help Desk <helpdesk@z1rwa.com>; Accounts Z1 RWA <accounts@z1rwa.com>; 'Amarnath' <amarnath.accounts@z-1.in>**Subject:** Re: Reg : Denied to receive wet waste.

Sir,

Request you to kindly confirm the operational status of KWIK compost machine to deliver the wet waste . We have not received any confirmation even after several enquiries from your end, regarding the operational status of KWIK machine after 09.09.23.

May pls confirm the same for smooth operation.

Thanking You

Estate Manager

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**From:** Radhaprasad Das <radhaprasad@zestates.in>**Sent:** Saturday, September 9, 2023 11:04:38 AM**To:** Estate Manager <estatemanager@z1rwa.com>**Cc:** Help Desk <helpdesk@z1rwa.com>; Accounts Z1 RWA <accounts@z1rwa.com>; 'Amarnath'



<amarnath.accounts@z-1.in>

**Subject:** RE: Reg : Denied to receive wet waste.

Dear Mr. Tripathy,  
We are waiting for some parts to be installed.  
After installation and the machine becomes  
functional we shall intimate you to send the Wet Waste.

Regards  
R.P.Das  
For Z Estates Pvt.Ltd.

---

**From:** Estate Manager [mailto:[estatemanager@z1rwa.com](mailto:estatemanager@z1rwa.com)]  
**Sent:** 08 September 2023 16:24  
**To:** Radhaprasad Das <[radhaprasad@zestates.in](mailto:radhaprasad@zestates.in)>  
**Cc:** Help Desk <[helpdesk@z1rwa.com](mailto:helpdesk@z1rwa.com)>; Accounts Z1 RWA <[accounts@z1rwa.com](mailto:accounts@z1rwa.com)>; 'Amarnath'  
<[amarnath.accounts@z-1.in](mailto:amarnath.accounts@z-1.in)>  
**Subject:** Re: Reg : Denied to receive wet waste.

Dear Sir,  
May pls confirm the status of operational of KWIK compost machine to deliver the Wet Waste.

Estate Manager

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**From:** Radhaprasad Das <[radhaprasad@zestates.in](mailto:radhaprasad@zestates.in)>  
**Sent:** Wednesday, August 23, 2023 12:39:42 PM  
**To:** Estate Manager <[estatemanager@z1rwa.com](mailto:estatemanager@z1rwa.com)>  
**Cc:** Help Desk <[helpdesk@z1rwa.com](mailto:helpdesk@z1rwa.com)>; Accounts Z1 RWA <[accounts@z1rwa.com](mailto:accounts@z1rwa.com)>; 'Amarnath'  
<[amarnath.accounts@z-1.in](mailto:amarnath.accounts@z-1.in)>  
**Subject:** RE: Reg : Denied to receive wet waste.

Dear Mr. Tripathy,  
Since the Compost Machine will remain closed for repair and maintenance, we request you not to send any  
garbage for processing. Please dispose off your garbage directly through your appropriate agent.

Thanks & Regards  
R.P.Das  
For Z Estates Pvt.Ltd.

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**From:** Estate Manager [mailto:[estatemanager@z1rwa.com](mailto:estatemanager@z1rwa.com)]  
**Sent:** 22 August 2023 14:45  
**To:** [radhaprasad@zestates.in](mailto:radhaprasad@zestates.in)  
**Cc:** Help Desk <[helpdesk@z1rwa.com](mailto:helpdesk@z1rwa.com)>; Accounts Z1 RWA <[accounts@z1rwa.com](mailto:accounts@z1rwa.com)>  
**Subject:** Re: Reg : Denied to receive wet waste.

Dear Sir,

As discussed, we have not received any official information from your side, not to collect wet garbage's  
from us.

We all are known that the DENGU fever spread all over Bhubaneswar, in this situation we unable to  
stock wet waste in the premises.

So pls understand the above situation to hand over wet waste on regular basis.

We will hand over the wet west to your KWIK machine from tomorrow onwards.

Pls consider.

Estate Manager

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**From:** Estate Manager <estatemanager@z1rwa.com>

**Sent:** Monday, August 21, 2023 11:10:15 AM

**To:** radhaprasad@zestates.in <radhaprasad@zestates.in>

**Cc:** Help Desk <helpdesk@z1rwa.com>; Accounts Z1 RWA <accounts@z1rwa.com>

**Subject:** Reg : Denied to receive wet waste.

Dear Sir,

Today your operator informed us at 10.30am that, he will not receive the wet garbage from us to your KWIK machine.

We may request to inform before so that we will plan accordingly.

Thanks

ESTATE Manager



1000521973.jpg  
104K



Sankar Pani &lt;sankarprasadpani@gmail.com&gt;

**Reg: Unauthorized dumping of Polluting material dumped by Z Estates Private Limited , Kalaranga, Nandan Kanan Road,Bhubaneswar 751024**

1 message

**Estate Manager** <estatemanager@z1rwa.com>

Mon, Mar 11, 2024 at 11:29 AM

To: "paribesh1@ospcboard.com" &lt;paribesh1@ospcboard.com&gt;, RO SPCB BBSR &lt;rospcb.bhubaneswar@ospcboard.org&gt;

Cc: "info@bmc.gov.in" &lt;info@bmc.gov.in&gt;, "z1rwa.bbsr@gmail.com" &lt;z1rwa.bbsr@gmail.com&gt;, Accounts Z1 RWA &lt;accounts@z1rwa.com&gt;, "seiaaorissa@gmail.com" &lt;seiaaorissa@gmail.com&gt;

Dear Sir,

Attached please find few videos and snaps taken from the spot between the Railway Track and Adavit Complex of Z1 , [Kalaranga, Nandan Kanan Road, Bhubaneswar 751024](#).

The ideos and snaps are self explanatory showing empty plastic cement bags which are dumped with the slurry water of Cement mixer carrying vehicles.

These highly pollutants are likely cause havoc with the environment . You may take appropriate action as may be required.

Yours faithfully

Regards,

Estate Manager, Z1RWA

**5 attachments****20240309\_175356.jpg**  
2126K**20240309\_175332.jpg**  
2483K



**20240309\_175338.jpg**  
2686K



**20240309\_175350.jpg**  
3229K



**20240309\_175335.jpg**  
3216K



Sankar Pani <sankarprasadpani@gmail.com>

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**Sub: Suspension/revocation of EC letter Non-Compliance of EC Conditions**

1 message

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**z1rwa** <z1rwa.bbsr@gmail.com>  
To: seiaaodisha@gmail.com  
Bcc: sankarprasadpani@gmail.com

Fri, May 2, 2025 at 11:30 AM

Dear Sir,

Please find the enclosed document.

Sincerely

Sd/  
Bidhubhusan Nayak  
Secretary , Z1RWA

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 **revised letter 30th April 205.pdf**  
554K

IN REG: Z1 RESIDENT WELFARE ASSOCIATION OBJECTION TO THE LIFTING OF  
STOPWORK ORDER DATED 7/03/2025 BY SEIAA ODISHA AND DEMAND FOR  
REVOCATION OF ENVIRONMENT CLEARANCE  
INDEX

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1	COMPLAINT LETTER	1-12
2	Photographs of the construction work in violation of the stop work order dated 18-02-2025 as ANNEXURE-1	13-16
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5	Copy of the objection by the Z1 RWA dated 11/03/2025 as ANNEXURE-4	25-28

For Z1RWA  
B. Subhakar Nayak

SECRETARY

Secretary

Z1 Resident Welfare Association

DATE-30/04/2025

BHUBANESWAR

**LIST OF DATES**

26/04/2011	BDA approval for construction of the project
16/08/2011	Environmental Clearance granted to the Original Project
16/02/2012	Consent to Establish Granted in favour of the project
23/02/2016	Amendment of <b>Environmental Clearance for modernisation</b> of the project while the land <b>area of the project increased but the Built-up area is decreased</b>
20/06/2016	Rgularisation cum Revised approval of Building Plan of the project by BDA
16/07/2019	Renewal of NOC for ground water withdrawal to M/S Z Estates with certain conditions and same is liable to be revoked for non-compliance of conditions as the Project is drawing ground water for construction purposes
25/10/2019	Sub-Committee of SEAC conducted site visit and pointed out several non-compliance
<b>23/12/2019</b>	<b>Project proponent submitted undertaking and commitments for time bound compliance to the observations of SEAC</b>
17/03/2020	Amended Environmental Clearance granted for <b>expansion of the project including construction of housing colony and convenient shopping</b>
19/02/2021	The Z1RWA society came into existence by virtue of registration under society registration act
5/10/2021	Society through its president in a letter pointed out the non-compliance's of EC Conditions and brought to the notice of SEIAA Odisha but no action as of now.
18/02/2025	Construction work suspended by SEIAA and Show-cause notice issued
19/02/2025	NGT directed SEIAA for review of compliance of EC conditions

3/03/2025 NGT dismissed the appeal of Project Proponent challenging the stop work order

6/03/2025 SEIAA allowed the PP to go ahead with construction despite of non-compliance AND given new timeline for compliance of conditions

11/03/2025 RWA objected to the ongoing construction and the proposal for DG set without consulting RWA and SPCB

30/04/2025

TO

MEMBER SECRETARY

Odisha State Environment Impact Assessment Authority (SEIAA) ,

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

Sub- Suspension/revocation of EC letter Non-Compliance of EC Conditions

Dear Sir,

I Sri Bidhu Bhusan Nayak, the Secretary of Z1 RWA wish to bring your kind attention demanding the suspension/revocation of Environment Clearance dated 17/03/2020 for the following reasons

1. That one Original Application No. 11 of 2022 was filed challenging the continuing Non-Compliance of several conditions of Environment Clearance letter dated **16/08/2011 and 17/03/2020** granted in favour of Z Estate Pvt Ltd engaged in construction of housing projects in an area of **141590.23sqmtre and built up area of 395,865.09 sqmtre with green belt over an area of 51852SqMtre( 35 percent of the plot area as per the EC condition in 2020)**. The Environment Clearance has been granted based on an undertaking on affidavit to comply the required norms by **31/10/2020 but same has not been complied** and no action has been taken by SEIAA Odisha to revoke the environment clearance.
2. While grant of **Environment Clearance(EC)** in the year 2011, there was no concept for staggering the project in phases and even while grant of amended EC for modernisation there was no increase of built-up area though the concept of Phase 2 was inserted. Hence

the whole issue of staggering the EC conditions in the garb of Phases is antithetic to the Original EC granted in the Year 2011 and so also the Building Plan which were subsequently revised.

3. The Original EC has 55 special conditions and 12 general conditions. However there have been severe non-compliances and some are summarised as follows
  - I. 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.*
  - II. Compliance of Conditions of “NOC” from CGWA and permission of Water Resource Department Govt of Odisha is not available
  - III. 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.
  - IV. STP does not have the facility for complete treatment (Primary, Secondary and tertiary) of waste water.
  - V. The water treatment plant does not have any iron remover although one of the water source has high iron content,
  - VI. 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 Nalla in EC letter.
  - VII. **Absence of facility for use of Renewable/Solar Energy** against a stipulation of at least **5% of the total power consumption for street and common area solar lighting.**
  - VIII. **Diesel Generator sets** of project have **inadequate Stack heights and same is violation of CPCB Norms**
  - IX. Dust control measures not adopted to control dust and noise pollution during the construction of Phase III for which the senior citizens are the worst sufferers.
  - X. Rain Water harvesting/Recharge Pits reveals that water harvesting for storm water and runoff water is not available

- XI. No facility for segregation of solid wastes into Biodegradable and non-biodegradable category.
- XII.** The project Proponent has not obtained **periodic Occupancy Renewal Certificate from the Competent Authority at an interval of 3-5 years** as per the provision of National Building Code (NBC) 2005.
- XIII. Half Yearly Compliance report not submitted by the proponent
4. That the Committee in it's report dated 20/01/2022 has recommended the following measures to be taken by the project proponent.
- a. 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. Non-compliance of the said conditions, the EC will be revoked
  - b. 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.
  - c. The PA shall submit the details report on water cycle like quantum (in KLD) 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.
  - d. 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.
  - e. The PA has to augment the capacity of organic convertor/composting machine based on the number of Household in the project
  - f. The PA has to install adequate no. of solar panel for light of street and common area of the project within 30th June 2022.
  - g. The committee suggests to communicate the findings and recommendations to the Dept. of FE &Cc, Govt. of Odisha and the member Secretary SPCB for further needful and necessary action as per Govt. Procedure.”

5. It is submitted that soon after the incorporation of the society, the **present RWA through letter dated 5/10/2021 has brought to the notice of the project proponent as well as the regulatory authorities** that much of the commitments in the Environment Clearance letter and Consent to Operate is still to be achieved by the project proponent. The same has been also confirmed in the committee report as well as the project proponent has given a new time line to complete the solar work and the **internal drainage connection of the project to be connected to Municipality drainage** by 30th June 2022.
6. That in the present case the project proponent has a mandate to have a green belt in an area of **20 percentage of the area of the Z1 Project. In this case the green belt should have been made in 30,929 Sqmtre (332916Sqfeet)** of the of the project where the applicant society exists. There is only **one line of ornamental plants** and same has been observed by the SEAC Committee while Granting Environment Clearance. It is stated that the green belt must be of adequate width so as to fulfill the purpose and it's objective to make the area cooler and reduce the air pollution by absorbing pollutants on their surface and reduce the noise level in the ambient. The nature plants being ornamental plants on the soil mounted on the concrete basement does not comply the mandate of 20 percentage area of the site as well as the nature of plants in the so called green belt will not be able to meet the purpose of green belt. That in the garb of revised EC conditions for expansion of the project, the Boundary wall of phase III construction is still to be completed can not bet a ground to further delay the development of Green **belt whose deadline has crossed since 2011** and thereafter **June 2020 as per the undertaking before the SEAC.**
7. That the concept of Greenbelt as practiced for different construction projects says that is a set of rows of trees planted in such a fashion, to create effective barrier between the project and surroundings. The greenbelt helps to capture the fugitive emissions, attenuate the noise levels in the existing project and simultaneously improving aesthetics of the surroundings. The greenbelt around the project wall should have been developed in keeping view of the following objectives. 1. Planting of trees in each row will be in staggered pattern. 2. The short trees will be planted in the first rows and the tall trees in the outer rows around the purview of the project site. 3. Since the trunks of the trees are generally devoid of foliage, it will be useful to have shrubs in front of the trees so as to

- give coverage to this portion. 4. Sufficient spacing should be maintained between the trees to facilitate effective height of the greenbelt. 5. Plants of native origin, fast growing type with canopy and large leaf index shall be preferred
8. That as because **most of the area has been concretised including the earmarked area of green belt for accommodating the expansion project** for profit of the project proponent, hence the ornamental plants planted on basement mounted with some topsoil cannot allow the plants to penetrate their roots deep into the ground. As such the Green Belt width should have been at least 7 to 15metres considering the nature of project. So at no stretch of imagination, less than 1 metre width of some ornamental plants can be treated as green belt.
  9. It is stated that the green belt area earmarked for the Original Project should not be compromised and as of now the greenbelt is not evident in it's present form and the society requests the authorities to direct the project proponent to ensure the area for green belt for Original Project as per the 2011 EC conditions to be inviolate and maintained so that the inmates of the applicant society will not be deprived of their right to have greenery in their campus.
  10. That the economic value of the area earmarked for green belt of original Project that is **332016Sqfeet is 166.45Crores** of Rupees considering the per square feet price of Rs5000. Needless to state that the period of non-compliance is right from the EC granted in year 2011 and the SEAC committee observations dated 25/10/2019 wherein the non-compliance were reaffirmed. Environment Compensation should be proportionate to the cost of the project.
  11. It is further submitted that installation of all the environment measures in the project site is **responsibility of the project proponent**. The capacity of STP is not adequate, there is no tertiary level of treatment system in the STP, the internal drain connection of the project to municipality drain is still to be completed as per the report. The Affidavit of SPCB dated 29<sup>th</sup> April 2022 further states that the Sewage Treatment Plant should be **upgraded to meet the standard**. It is evident that the STP in it's present form set up by the project

proponent is not adequate. It is humbly submitted that the applicant society is maintaining the STP by engaging the competent person received but to upgrade the condition of ETP is the duty of the project proponent.

12. The the capacity of the composter is not adequate to handle the biodegradable waste of entire project and as such the Composter stopped functioning for more than a year now
13. It is needless to mention that the Non-compliance of EC conditions constitute violation of EC letter. Hon'ble NGT in Original Application No. 287 of 2020 in the matter of Dastak N.G.O. Vs Synochem Organics Pvt. Ltd. &Ors. and in applications pertaining to same subject matter in Original Application No. 298 of 2020 in Vineet Nagar Vs. Central Ground Water Authority &Ors., vide order dated 03.06.2021 held that "**for past violations, the concerned authorities are free to take appropriate action in accordance with polluter pays principle, following due process**".
14. It is further stated that from time to time the photos/Videos of **Dust and Noise pollution due to ongoing construction has been shared with the SEIAA and SPCB and no action has been taken as on date.** It appears the concrete mixing plants are not granted consent and operating in violation of environmental standards prescribed for such units.
15. That the SEIAA on dated **18-02-2025 issued a show cause notice against the project proponent and directed to stop the construction work for non- compliance of EC conditions.**
16. However on dated **06-03-2025 the SEIAA authority has allowed the PP to continue the construction work and decided to lift the abeyance/ restriction** previously imposed vide order dated 18-02-2025.
17. The SEIAA authority while lifting the abeyance/ restriction which was imposed on dated 18-02-2025 has given a further period of 90 days for compliance of EC condition of phase-I, 180 days for phase-II and till the grant of occupancy certificate for phase-III.

18. It is pertinent to mention here that the project proponent was working in the project site even during the period from 18/02/2025 to 07/03/2025 in violation of the stop work order dated 18-02-2025. Photographs of the construction work in violation of the stop work order dated 18-02-2025 is annexed here with as **ANNEXURE-1**
19. It is pertinent to mention here that the **SEIAA authority revoked/lifted the restriction unilaterally without any consultation with the RWA and allowed the construction work only on the basis of assurance to increase the stack height of the DG sets** which shall be complied within 90 days for Phase-I and within 180 days for the Phase-II.
20. It is further stated that while there is **only one resident's welfare association namely Z1 Residents Welfare Association (ZIRWA)** and is the only recognised residents welfare association by Bhubaneswar Development Authority. The Project Proponent without considering the objection of the Residents Welfare Association is going ahead with proposal to identify the site for establishment of stack of DG sets in collusion with few individuals of Phase-2 in the garb that the DG sets will be placed in Phase-2 of the Project, hence the Project Proponent is avoiding the recognised RWA.
21. That the Bhubaneswar Development Authority while deciding a complaint case bearing Complaint Case No.-01/2024 on dated 15/10/2024 observed that ***"Hence, considering all the facts mentioned above, in alignment with the Odisha Apartment (Ownership and Management) Act, 2023, and the Removal of Difficulties vide Gazette Notification No. 3325 dtd. 09.02.2024, it is hereby confirmed that Z1 is a single integrated project and ZIRWA is to be considered as the sole association for all phases."*** But in the present case neither the SEIAA authority nor the Project Proponent is consulting with the RWA. Copy of the BDA order dated 15/10/2024 passed in Complaint Case No.-01/2024 is annexed here unto as **ANNEXURE-2**
22. It is pertinent to mention here that the same order **18-02-2025 was challenged by the Project Proponent before the Hon'ble National Green Tribunal in appeal No. 2 of 2025** and the Hon'ble was pleased to **dismiss the same on dated 03-03-2025**. Copy of the

order dated 03/03/2025 passed in Appeal No.2/2025 is annexed here with as **ANNEXURE-3**

23. Despite of rejection/dismissal of the appeal challenging the show cause notice dated 18/02/2025 filed before the Hon'ble NGT Kolkata, the SEIAA authority allowing the project proponent to continue with the construction work is against the settled position of law where the authority confirms the violations/non-compliance.
24. Further the PP could not go ahead with the proposal of establishment of DG sets and stack height without consultation with State Pollution Control Board, needless to say the Z1 RWA had already submitted its objection on 11/03/2025. Copy of the objection by the Z1 RWA dated 11/03/2025 is annexed here with as **ANNEXURE-4**
25. It is needless to say that the EC dated 17-03-2020 is the only EC active and the previous EC of 2011 and 2016 have been merged with the EC granted in the year 2020 hence granting 3 different time span for compliance of conditions in EC letter dated 17/03/2020 is unreasonable, non-application of mind and further contrary to the final EC letter granted in 2020 hence splitting of one EC letter in 3 different time phases for compliance is bad in law and the authority is requested to reconsider the order allowing the PP to continue with construction.
26. The concept of phase 1 and phase 2 for compliance of EC condition is not applicable to the present case as because there is only one EC for the whole project and the Project proponent is duty bound to comply all the conditions imposed in the EC letter dated 17/03/2020 and the SEIAA authority also have a duty to monitor the compliance of EC conditions.
27. It is also pertinent to mention that the Hon'ble NGT vide order dated 19/02/2025 in M.A No. 15/2024 directed the SEIAA authority in paragraph 25 that to review the compliance of EC condition not just to the DG height but also to other conditions, ***“We direct the State Environment Impact Assessment Authority (SEIAA), Odisha to revisit the site in question and carry out fresh Inspection with regard to fulfillment of the conditions given in the Environmental Clearance such as 20% green cover disposal of solid waste***

*etc. and remedial measures and ensure that the same is duly complied with by the Project Proponent within a given time span.”*

28. It is pertinent to mention here that in the EC letter dated 17/03/2020 in Condition No. 53 it is categorically mentioned that *“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”* but as on date neither the Project Proponent has complied the EC conditions nor the SEIAA authority has taken any stringent steps for compliance of EC conditions that are imposed for Phase-I and Phase-II.
29. It is further submitted that in the EC letter dated 17/03/2020 under the head of **Requirement For the proposed project expansion** in point No. (iv) it is categorically mentioned that the *“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”* , that this requirement is for the whole project however the PP has failed to comply with the greenbelt development for the Original Project and even after that the SEIAA authority by ignoring the previous non-compliance granted the EC for the Expansion Project.
30. That in order to comply with the development of green belt the PP is taking a plea that the boundary wall of the project is under construction for which he is unable to comply with the greenbelt condition, It is needless to mention here that Boundary of a project is integral part of a building plan layout and **project cannot start before finalizing the project boundary**. Therefore the plea of the PP saying boundary wall is under construction cannot be accepted. Further without boundary wall details the layout could not be finalised and therefore no construction can go ahead in absence of final layout and this this is a vital ground to stop construction of the project.
31. It is further submitted that the **Building Plan approval for the project is already expired** and without a valid Building plan approval the Project Proponent is continuing to

work in the site. Needless to say environment clearance is subject to approved building plan

32. Needless to say that the Show-Cause Notice dated 18/02/2025 clearly stipulate that in case non satisfactory response in regard to compliance of EC conditions, the EC will be revoked, Surprisingly based on mere commitments only in regard to increase of Stack Height of DG set without any consultation with RWA and State Pollution Control Board, the SEIA authority lifted the stop work order and issued a further new time line for compliance.
33. It is further submitted that since most of the conditions continue to be non-compliant, hence prosecution under section 19 of Environment Protection Act 1986 against the project proponent may be initiated along with immediate Revocation of Environment Clearance dated 17/03/2020 and stop work order against the ongoing construction of the project.
34. In view of the aforementioned paragraphs since there is a continuing non compliance of EC conditions, the deadline as per the commitment given by PP in the shape of Affidavit while making application for EC is already over since 2020 itself and the **Hon'ble NGT also ordered to look into the issue of Non-compliance of EC vide order dated 19/02/2025**, We therefore request the SEIAA authority to **review its decision dated 07-03-2025** and the EC letter dated 17/03/2020 may be revoked for non compliance of the conditions

Sincerely

For ZIRWA  
B. R. Chakrabarti Nayan  
SECRETARY

Secretary, Z1 RWA

PHOTOGRAPH DATED 24/02/2025 SHOWING CONSTRUCTION ACTIVITIES





24 Feb 2025 at 15:49:44  
Bhubaneswar 751024  
Odisha  
India  
Patia



24 Feb 2025 at 15:49:06  
Bhubaneswar 751024  
Odisha  
India  
Patia



24 Feb 2025 at 15:44:40  
Bhubaneswar 751024  
Odisha  
India  
Patia



GPS Map Camera



24/02/25 04:00 PM GMT +05:30

(ANNEXURE-2)



**BHUBANESWAR DEVELOPMENT AUTHORITY  
AKASH SHOVA BUILDING  
SACHIVALAYA MARG, BHUBANESWAR - 751001.**

No. 35/78 /BDA, Bhubaneswar,  
R-AoA-04/2024

Dated 19.12/2024

To

**The Secretary  
Z1 Residents Welfare Association,  
Ground Floor, Tower-3,  
Z One (ADVAIT),  
Kalarahanga, Bhubaneswar,  
PIN-751024.**

Sub: Orders passed in Compliant Case No. 01/2024.

Sir,

With reference to the subject cited above, I am directed to enclose herewith the orders passed by the Competent Authority-cum-Secretary, BDA in Compliant Case No. 01/2024 for your information and necessary action.

Yours faithfully

  
Joint Commissioner

**Complaint Case No. 01/ 2024****Under Sec 23(4) of Odisha Apartment (Ownership and Management) Act, 2023**

Case	Z1 Resident Welfare Association (Z1RWA) vs. Z Estate Private Limited (ZEPL) and Others
Date of Hearing	15.10.2024
Parties Present	Ms. Sunita Satapathy, represented by Adv. L. Maharana. Z Estate Private Limited (ZEPL), represented by Adv. S.S. Mohanty Z1RWA, represented by its Secretary, Mr. B.B. Nayak.

**Background**

Z1 Resident Welfare Association henceforward mentioned as (Z1RWA) applied on 27.02.2024 for recognition as the deemed Association of allottees under Section 15 of the Odisha Apartment (Ownership and Management) Act, 2023.

Z Estate Private Limited henceforward mentioned as ZEPL filed applications on 27.02.2024 and 18.03.2024 for separate associations for its second and third phases namely, "Z1 VYOM" and "Z1 NIRVANA."

Objections were raised by one Ms. Sunita Satapathy, a resident owner of Z1 VYOM, on 12.03.2024, contesting Z1RWA's inclusion of Z1 VYOM resident owners in its application for recognition of their Association.

Learned Adv. For ZEPL claimed that each phase (Z1 ADVAIT, Z1 VYOM, and Z1 NIRVANA) is an independent project with its own common areas and facilities.

He submitted reference of Section 17 and Section 3(2) (*explanation*) of the Real Estate (Regulation and Development) Act, 2016 (RERA), which allows phase-wise project registration and development that is to be treated as standalone projects and opposed the letter from the Competent Authority dated 19.06.2024, stating that elections during the hearing period were "unlawful. "He pleaded that Z1 VYOM being an independent project under the Act opposed Z1RWA's application for including Z1 VYOM resident owners. Also, he stated that Z1 ADVAIT is a pre-RERA project whereas the rest two have been constructed after enactment of RERA.

Secretary of Z1RWA stated that Z1 is a single integrated project, supported by a single plan approval issued by BDA, without phase-wise delineation of Common facilities and amenities (e.g., clubhouse, roads, basement) used by all resident owners across phases. He cited Section 14(4) of the Odisha Apartment Act, which mandates a single association for a single project



unless mixed occupancies (e.g., residential, commercial, EWS) exist. He asserted that its bye-laws comply with the prescribed model bye-laws under the Act.

### **Issues to be Decided**

1. Whether multiple Associations of Resident owners can be registered for Z1.
2. Whether Z1RWA's Form-C application should be accepted.
3. Whether ZEPL's applications for separate associations for Z1 VYOM and Z1 NIRVANA should be approved.
4. Whether Z1 is a single project or consists of multiple independent projects.

Section 14(4) of the Odisha Apartment Act mandates one association unless there is mixed occupancy. Z1 does not meet the criteria for multiple associations. It further clarifies that where common areas are shared, a single association must represent all resident owners.

*Explanation* to Section 3(2) of Odisha Real Estate (Regulation & Development) Act, 2016 says, 'For the purpose of this section, where the real estate project is to be developed in phases, every such phase shall be considered a stand-alone real estate project, and the promoter shall obtain registration under this Act separately.'

But Odisha Apartment (Ownership and Management) Act, 2023, and the Removal of Difficulties vide Gazette Notification No. 3325 dtd. 09.02.2024, clearly says that, 'Where prior to commencement of the Odisha Apartment (Ownership and Management) Act, 2023 (Odisha Act 8 of 2023) and where the Real Estate (Regulation and Development) Act, 2016 (16 of 216) is not applicable to a project, a promoter has completed two or more projects having common areas and facilities which are common to all such projects and it is not possible to separately delineate such common areas and facilities for each individual project, the promoter may execute a deed of transfer in respect of un-divided proportionate title in common areas and facilities which are common to all such projects in favour of the association of allottees and one association of allottees shall be formed for such projects.'

Hence, considering all the facts mentioned above, in alignment with the Odisha Apartment (Ownership and Management) Act, 2023, and the Removal of Difficulties vide Gazette Notification No. 3325 dtd. 09.02.2024, it is hereby confirmed that Z1 is a single integrated project and Z1RWA is to be considered as the sole association for all phases.

Consequently, the following is decided:

1. Z1RWA is recognized as the sole Association of Resident owners for the Z1 project.
2. Z1RWA's bye-laws align with Section 15 of the Act, qualifying it as the deemed Association of Resident owners.

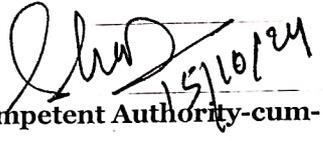
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3. Form-C Application by Z1RWA is accepted.
4. No separate associations are permitted for Z1 VYOM and Z1 NIRVANA. ZEPL's applications for separate associations conflict with the law and are rejected.
5. ZEPL must provide a complete list of all resident owners from all phases to Z1RWA within 15 days.
6. Z1RWA must conduct free and fair elections for its executive members within two months.

Intimate all parties accordingly.

Pronounced on this day i.e. 15<sup>th</sup> October 2024.

  
Competent Authority-cum-  
Secretary, BDA, Bhubaneswar

(ANNEXURE-3)

Item No.01

Court No.1

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

Appeal No.02/2025/EZ

**IN THE MATTER OF:**

- 1. Z-Estates Private Limited,**  
Represented by the Managing Director of the Company,  
Registered Office at M4/34, Acharya Vihar,  
Bhubaneswar – 751013,
- 2. Tapan Kumar Mohanty,**  
S/o Late Bansidhar Sahoo,  
Working at Z-Estates Private Limited,  
Registered Office at M4/34, Acharya Vihar,  
Bhubaneswar – 751013,

**...Appellant(s)****Versus**

- 1. State Environment Impact Assessment Authority Odisha,**  
Service through the Member Secretary,  
Office at 5RF-2/1, Unit-IX, Bhubaneswar,  
Pin – 751022,
- 2. Odisha State Pollution Control Board,**  
Through the Member Secretary,  
Office at Nilakantha Nagar, Unit-VIII,  
Bhubaneswar – 751012,
- 3. Z1 Residents' Welfare Association,**  
Service through the General Secretary,  
Office at Bidhubhusan Nayak, Tower 1,  
Flat No1304, Z1 Estate, Nandankanan Road,  
Kalarhanga, Patia, Bhubaneswar, Odisha,  
Pin – 751024,

**...Respondent(s)**

Date of hearing: 03.03.2025

**CORAM: HON'BLE MR. JUSTICE B. AMIT STHALEKAR, JUDICIAL MEMBER  
HON'BLE DR. ARUN KUMAR VERMA, EXPERT MEMBER**For Appellant(s) : Mr. Soorjya Ganguli, Advocate (in Virtual Mode) a/w  
Ms. Devanshi Prasad, Advocate**ORDER**

1. We have heard Mr. Soorjya Ganguli assisted by Ms. Devanshi Prasad, learned Counsel appearing for the Appellants.



an order. The remedy for appeal against an order is provided in Section 16 of the National Green Tribunal Act, 2010. Section 16 of the National Green Tribunal Act, 2010, reads as under:-

**“16. Tribunal to have appellate jurisdiction.—***Any person aggrieved by,—*

*(a) an order or decision, made, on or after the commencement of the National Green Tribunal Act, 2010, by the appellate authority under section 28 of the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974);*

*(b) an order passed, on or after the commencement of the National Green Tribunal Act, 2010, by the State Government under section 29 of the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974);*

*(c) directions issued, on or after the commencement of the National Green Tribunal Act, 2010, by a Board, under section 33A of the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974);*

*(d) an order or decision made, on or after the commencement of the National Green Tribunal Act, 2010, by the appellate authority under section 13 of the Water (Prevention and Control of Pollution) Cess Act, 1977 (36 of 1977);*

*(e) an order or decision made, on or after the commencement of the National Green Tribunal Act, 2010, by the State Government or other authority under section 2 of the Forest (Conservation) Act, 1980 (69 of 1980);*

*(f) an order or decision, made, on or after the commencement of the National Green Tribunal Act, 2010, by the Appellate Authority under section 31 of the Air (Prevention and Control of Pollution) Act, 1981 (14 of 1981);*

*(g) any direction issued, on or after the commencement of the National Green Tribunal Act, 2010, under section 5 of the Environment (Protection) Act, 1986 (29 of 1986); (*

*h) an order made, on or after the commencement of the National Green Tribunal Act, 2010, granting environmental clearance in the area in which any industries, operations or processes or class of industries, operations and processes shall not be carried out or shall be carried out subject to certain safeguards under the Environment (Protection) Act, 1986 (29 of 1986);*

*(i) an order made, on or after the commencement of the National Green Tribunal Act, 2010, refusing to grant environmental clearance*

*for carrying out any activity or operation or process under the Environment (Protection) Act, 1986 (29 of 1986);*

*(j) any determination of benefit sharing or order made, on or after the commencement of the National Green Tribunal Act, 2010, by the National Biodiversity Authority or a State Biodiversity Board under the provisions of the Biological Diversity Act, 2002 (18 of 2003),*

*may, within a period of thirty days from the date on which the order or decision or direction or determination is communicated to him, prefer an appeal to the Tribunal:*

*Provided that the Tribunal may, if it is satisfied that the appellant was prevented by sufficient cause from filing the appeal within the said period, allow it to be filed under this section within a further period not exceeding sixty days.”*

4. From perusal of the provisions of Section 16 of the Act, 2010, it will be clear that no appeal lies to the National Green Tribunal against a show cause notice.
5. The Appellants have not filed their reply to the said show cause notice dated 18.02.2025, as stated by Mr. Soorjya Ganguli, Counsel for the Appellants.
6. Be that as it may, the present Appeal against the impugned Show Cause Notice dated 18.02.2025 is not maintainable. This Appeal is, therefore, dismissed as not maintainable.
7. I.As., if any, stand disposed of accordingly.
8. There shall be no order as to costs.

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

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

March 03, 2025,  
Appeal No.02/2025/EZ  
AK



# Z1 RESIDENTS WELFARE ASSOCIATION

(ANNEXURE-4)<sup>62</sup> 25

Registration No.: 2722-69/2020-21 under Society Registration ACT XXI of 1860

Letter No. : Z1RWA/MAR-24/134

Date : 11-03-2025

To  
The Member Secretary,  
State Pollution Control Board, Odisha  
Paribesh Bhawan, A/118, Nilakantha Nagar, Unit-VIII, Nayapalli, Bhubaneswar, 751 012

**Sub: Raising of the DG Exhaust Stack Height to 48.85 mtr of the 1<sup>st</sup> Phase (Advait) of Z-1 Project at Kalarahanga, Bhubaneswar.**

Dear Sir,

In respect to the letter from ZEPL addressed to you dated 7<sup>th</sup> march 2025 under the subject of Raising of the DG Exhaust Stack Height to 48.85 mtr of the 1<sup>st</sup> Phase (Advait) of Z-1 Project at Kalarahanga, Bhubaneswar a copy of which has been marked to us, we would like to provide the following information for your kind perusal.

In this connection, we invite your kind attention to the order of the **STATE ENVIRONMENT IMPACT ASSESSMENT AUTHORITY (SEIAA), ODISHA**, vide the reference no. 433/SEIAA/ SEIAA-261/10, DTD-16/08/2011 under subject of Environmental Clearance for construction of Housing colony and shopping mall of M/S E-Estate Pvt. Ltd at Kalarahanga, Bhubaneswar.

On the Para B Operative Phase on page 12(v), It has been mentioned 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 (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 OSCB. Care may be taken to avoid disposal of smoke / pollutants from DG sets in the residential area."

From the above Para It is clear that the SPCB was to identify and select a place of DG set installation. We are not sure if this activity has been carried out by SPCB and in case it is, we are no information on the subject. It may please be clarified that the place is selected has been decided by you for installation of DG.

In this context, it may please be noted that the proposed plan needs to meet to the requirements of our society in terms of aesthetics and other parameters which we are striving to achieve. Secondly, the structural analysis is not relevant at the moment because the first thing we need to get going is to identify a correct place where the chimney stacks are be installed.

In this context, the couple of photographs are attached, which show that the best way to attach a chimney is nearer to the DG by installing a stand-alone structure supporting the Chimneys. This is a running to DG set which needs to as near to the place is as possible so that the noise, vibration and other things that would be far way from residential area.

Further the hot chimney air needs to go out of northwards away from the residential complex and place as has been selected by ZEPL does not meet the requirement at all.

This may kindly be considered sympathetically. In this context, we also request you kindly have a field visit to understand the problems faced by the residents and advise ZEPL accordingly.

Please let us know a suitable date for the inoculation ZEPL so that our technical committee people will be available and ready to discuss the matter with you.

Thanking you,

For Z1 Residents Welfare Association

**For Z1RWA**

*B. R. Subudha Nayak*

Secretary **SECRETARY**

**Ground Floor, Tower-3, Z One (ADVAIT), Kalarahanga, Bhubaneswar  
Dist-Khordha, Odisha-751024, E-mail : z1rwa.bbsr@gmail.com**





