Filed by me
Advocate

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,

EASTERN ZONE BENCH AT KOLKATA

Miscellaneous Application No. 23 of 2025/EZ

In

Original Application No. 92 of 2023/EZ

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For & behalf of Arya Erectors India Private Limited

Managing Director

DATE:

PLACE:

APPLICANT THROUGH

NOTARY
Jnanajit Sarma
Guwahati
Regd. No.- 42846
Expiry Dt.- 20/02/2030
GOVERNMENT OF INDIA

11 JUL 2025

Filed by me
Advocate

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,

EASTERN ZONE BENCH AT KOLKATA

Miscellaneous Application No. of 2025/EZ

In

Original Application No. 92 of 2023/EZ

In the matter of:

OA 92/2023/EZ

Dr. Ganesh Chandra Das and Ors

...Applicants

-Versus-

M/s Arya Erectors India Pvt. Ltd. and Ors

...Respondents

And

In the matter of:

1. M/s Arya Erectors India Pvt. Ltd.

Represented by its Managing Director

House No.123, Arya Smart Living, Abhaypur, North Guwahati, Kamrup (Rural),

Assam, India - 781031

For & behalf of Arya Erectors India Private Limited
Managing Director

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11 JUL 2025

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Advocate

Email: aryaerectorsindia@gmail.com

...Applicant

-Versus-

For & behalf of Arya Erectors India Private Limited
Managing Director

1. Dr. Ganesh Das

   Son of Sri. Dijendra Ch. Das

   Resident of Tribeni Apartment

   Flat No.5A, 5th Floor, Madhabdevpur

   Rehabari, Guwahati 781008, Assam

   Email: ganeshdas40244@yahoo.com

2. Dr. Mrinmoy Borkataki

   Son of Dr. Munindra Borkataki

   Resident of D-49, Arya Smart Living

   Abhaypur, North Guwahati 781031, Assam

   Email: dr.mrinmoyborkataki@gmail.com

3. Sri. Brojen Dutta

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   Son of Late Jiban Ch. Dutta

   Resident of D-22, Arya Smart Living

   Abhaypur, North Guwahati 781031, Assam

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   Email: brojendutta07@gmail.com

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4. Sri. Sanjay Baruah

Son of Late Prutul Kumar Baruah

Resident of D-41, Arya Smart Living

Abhaypur, North Guwahati 781031, Assam

Email: sanjaybar@gmail.com

5. Sri. Ravi Dey

Son of Sri. Mintu Dey

Resident of D-41, Arya Smart living

Abhaypur, North Guwahati 781031, Assam

For & behalf of Arya Erection
India Private Limited
Managing Director

Email: ravidey75@yahoo.in

6. State Environmental Impact Assessment Authority, Assam

Represented by its Member Secretary

Bamunimaidam, Guwahati 781021

District – Kamrup (Metro), Assam

Email : ikalita.acs@assam.gov.in

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7. Ministry of Environment, Forest and Climate Change, Government of India

Represented by its Secretary

11 JUL 2025

India Paryavaran Bhawan, Jorbagh

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New Delhi 110003

Email: secy-moef@nic.in

8. Guwahati Metropolitan Development Authority

Represented by its Chief Executive Officer (CEO)

Statefed Building, Bhangagarh, Guwahati 781005, Assam

Email: ceogmdaghy@gmail.com

For & behalf of Arya Erectors India Private Limited
Anil Kumar Sarma
Managing Director

9. North Guwahati Municipal Board

Represented by its Chairman

North Guwahati, Guwahati 781030, Assam

Email: northghyrevcircle2016@gmail.com

10. Rudreswar Gaon Panchayat

Represented by its President

Rudreswar, North Guwahati 781030, Assam

Email: rudreshwar.gp@gmail.com

11. Pollution Control Board, Assam

NOTARY * Jnanajit Sarma * Guwahati Regd. No.- 42846 Expiry Dt.- 20/02/2030 * GOVERNMENT OF INDIA *

Represented by its Member Secretary

Bamunimaidam, Guwahati 781021, Assam

Email: membersecretary@pcbassam.org

11 JUL 2025

...Respondents

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Advocate

MOST RESPECTFULLY SHEWETH:

1. Address of the counsel of the applicant is given for the purpose of the service of notices and other correspondences.

2. The addresses of the respondents are given for the purpose of service of notices and other correspondences regarding this application.

3. That the present application is being preferred by the applicant M/s Arya Erectors India Pvt. Ltd. Represented by its Managing Director, seeking recall/modification of the Order dated 12th September, 2024 passed in OA No. 92/2023/EZ.

For & behalf of Arya Erectors India Private Limited
Sekma
Managing Director

4. That the respondent nos. 1 to 4 and Mr. Padum Deori preferred an Original Application O.A. No. 32/2023/EZ praying for the following:

*INTERIM PRAYER*

*(i) direct Respondent No. 1 to stop all construction activities in the Arya Smart Living project site wherein construction is going on without a valid Environmental Clearance, and/or*

*(ii) direct Respondent No. 1 to submit all Compliance Reports (till date) with the concerned authorities, with a copy of the same provided to the Applicants, and/or*

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*(iii) direct the formation of a fact finding Committee and conduct inspection of the project site for violations and non-compliance of Environmental Clearance dated 21/01/2014 and submit a report before this Hon'ble Court, and/or*

*PRAYER*

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*In view of the above said facts and circumstances it is therefore most respectfully prayed by the Applicant that this Hon'ble Tribunal may be pleased to-*

*(1) direct Respondent No. I to comply with the Specific Conditions at NOTARY Part-A (I) (i) of B.C dated 21.01.2014 and take necessary steps to analyze the contour levels of the site and the surrounding area and the capacity of storm water drainage and take necessary steps to address the problem of water logging and flooding, and/or*

*(ii) direct Respondent No. 1 to take necessary steps to comply with the Operation Phase Conditions at Part A (II) (i) of E.C dated 21.01.2014 and treat 100% of the grey wafer through decentralized treatment and submit a report in regard to the installation of Sewage Treatment Plant (STP) certified by an independent expert to SEIAA or to concerned authorities, and/or*

*(iii) direct Respondent No. 1 to take necessary steps to comply with the Operation Phase Conditions at Part A (II) (v) of E.C dated 21.01.2014 by developing the peripheral green belt of 3 mtrs, width all around the plot area with local species totalling to around 7,485.96 sq.m. (around 80,578.203 sq.ft.) to provide protection against particulates and noise, and/or*

*(iv) direct Respondent No. 1 to take necessary steps to comply with the Operation Phase Conditions at Part A (II) (ix) of E.C dated 21.01.2014 by keeping the width of the internal road at 7 mtrs. and 9 mtrs., and/or*

*(v) direct Respondent No. 1 to take necessary steps to comply with the Operation Phase Conditions at Part A (II) (x) of E.C dated 21.01.2014 by submitting a report on the energy conservation measures confirming to energy conservation norms finalized by Bureau of Energy Efficiency incorporating details about building materials and*

For & behalf of Arya Erectors
India Private Limited
Managing Director

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*technology, R&U factors, etc., and submit to SHIAA immediately, and/or*

*vi) direct Respondent No. 1 to comply with all the provisions of the Environmental Clearance dated 21/01/2014, and/or*

*(vii) direct respondent No. I not to operate without a valid Environmental Clearance, and/or*

*(viii) direct the respondent authorities to initiate action against Respondent No. 1 under section 15, 16 and 19 of The Environment (Protection) Act, 1986, among other laws, for violation and non-compliance of E.C dated 21/01/2014 among other violations, and/or*

For & behalf of Arya Erectors
India Private Limited
Managing Director

*(ix) To pass any other such order(s)/direction(s) as this Hon'ble Tribunal seem fit and proper in the facts and circumstances of the present case.*

5. The said application was taken up for consideration on 24th March, 2023 when the Hon'ble Tribunal was pleased to dispose of the said application ex-parte by passing the following directions:

*i) The Respondent No.2, SEIAA, Assam, shall consider and decide the two representations of the Applicants dated 06.07.2022 and 20.10.2022, Annexures-N & O, to the NGT Original Application as also the grievances raised in paragraph-9 and its sub-paragraphs of the Original Application.*

*(ii) The SEIAA, Assam shall decide the aforesaid representations by a reasoned and speaking order within month. Needless to say, before taking any decision SEIAA, Assam shall also given opportunity of hearing submission of written submissions, if any, to the Respondent No.1.*

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*7. With the aforesaid directions, the Original Application No.32/2023/EZ is disposed of.*

*8. Interlocutory Applications, if any, stand disposed of accordingly.*

*9. There shall be no order as to costs.*

6. Such order dated 24th March, 2023 was passed without giving the applicants herein being the respondent no.1 therein any opportunity of being heard and/or controverting the averments and/or allegations made by the applicants therein as against the respondent no.1 in the said application.

For & behalf of Arya Erectors India Private Limited
Managing Director

7. Pursuant to the said order dated 24th March 2023 passed in OA no 32/2023/EZ the SEIAA Assam was pleased to consider the said representations dated 6th July 2022 and 20th October, 2022 made by the respondent nos. 1 to 5 herein and pass a reasoned order dated 9th May 2023.

8. On perusal of the said reasoned order dated 9th May, 2023, it will appear that after considering the grievances of the applicants of OA No.32/2023/EZ dated 6th July, 2022 and 20th October 2022; the verbal and written submissions made by the representatives of the applicant herein being the respondent no.1 in the said OA. No. 32/2023/EZ; report of technical study carried out by the Indian Institute of Technology, Guwahati, and after conducting a site visit of the Arya Smart Living Group Housing Co-operative Society, the SEIAA Assam observed that the flood problem in the Arya Smart Living Group Housing Co-operative Society (hereinafter referred to as the said society) is general one which has been caused by the development of road and drain in the surrounding area. The photographs of the said society also revealed that the natural drainage at the front of the said society has been encroached by neighbours. SEIAA Assam has also appreciated that such problem can be solved by development departments and neighbouring

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committee by involving common approaches. The applicants herein was directed to create upon in the appropriate low lying area inside the campus with adequate capacity and with raised bank, railing all around for safety. The excess water was directed to be pumped out to the drain along with the road with approval from the competent authority. It was directed that the pond shall be so constructed so as to be filled by only the storm water. It was suggested that other activities can also be planned with the coordinated effort of all concern.

It was also held and observed by SEIAA Assam that the design and supply of STP was done by firms, experts in the field of the works and the same was stated to be functional at the time of handing over. Therefore, the said society was advised to keep it functional.

With reference to the non-submission of 6 monthly compliance report to SEIAA, it was observed that a stricture in that regard shall be issued separately.

9. Subsequent thereto, the respondent nos. 1 to 5 herein preferred an application before the Hon'ble Tribunal re-agitating the same issues as that in OA No. 32/2023/EZ vide OA No.92/2023/EZ. On perusal of the said application qua the report of SEIAA Assam dated 9th May, 2023, it will be evident that all such allegations made in OA. No.92/2023/EZ were already agitated vide the representation dated 6th July 2022 and 20th October 2022. SEIAA Assam, has decided such grievances of the respondent nos. 1 to 5 herein vide the speaking order dated 9th May 2023. The gist of the order has already been narrated in the paragraph herein above. The only issue SEIAA Assam held against the applicant herein was the alleged non-submission of six monthly compliance reports to SEIAA Assam.

10. Be that as it may, the said application being OA No. 92/2023/EZ was taken up for consideration by this Hon'ble Tribunal and the

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For & behalf of Arya Erectors India Private Limited
Managing Director

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Advocate

same was disposed of vide an order dated 12th September 2024 with the following directions:

*(i) Since, Respondent No. 1 has expanded the project by including an additional about 2 Bighas of land and raising additional construction of a clubhouse, swimming pool etc., without getting reappraisal of the EC dated 21.01.2014 and without getting the environmental clearance for the additional area, therefore, the Respondent No. 1 has violated clause 2 and 7(il) of the EIA Notification, 2006 and is liable to compensate for the damage caused to environment by depositing 1% of the project cost incurred in expansion with ASPCB as environmental compensation. The SEIAA, Assam and ASPCB will jointly workout the cost incurred in expansion of project and determine the environmental compensation.*

For & behalf of Arya Erectors
India Private Limited
Managing Director

*(ii) Respondent No. 1 is also liable to carry out the remedial measures which will be worked out by SEIAA, Assam based on the damage assessment.*

*(iii) The order dated 09.05.2023 passed by SEIAA Assam is found to be bad in law and is hereby set aside. The SEIAA, Assam is directed to decide the representations dated 06.07.2022 and 20.10.2022 of the applicants afresh on other issues keeping in view the observations made above and take appropriate remedial action.*

*(iv) Since the grievance of the Applicants is that, in terms of the specific condition at Part-A (I) (i) of the EC, necessary steps to analyze the contour intervals of the site and surrounding areas and the capacity of stormwater drainage have not been taken done and steps are not taken to address the problem of waterlogging and flooding, therefore SIEAA will duly examine the issue of non-compliance of above condition and take appropriate action.*

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*(v) The SEIAA, Assam is also directed to take action against Respondent No. 1 for violation of the EC condition by complying with the principles of natural justice.*

*(vi) The ASPCB is also directed to take action for the violation of the environmental norms found on the spot and reflected in its report dated 21.11.2023.*

*(vii) Let the above exercise be completed by the SEIAA, Assam and ASPCB within a period of three months and an action taken report be filed before the Registrar, NGT, Eastern Zone Bench at Kolkata, immediately on completion of three months and if found necessary the matter will be listed for consideration before the Bench.*

For & behalf of Arya Erectors
India Private Limited
Ghanshyam Sharma
Managing Director

Photocopy of the Order dated 12th September, 2024 is annexed herein and marked as Annexure 'A'.

11. It is reiterated that on perusal of the application OA No. 92/2023/EZ qua the report of SEIAA Assam dated 9th May, 2023, it will be evident that all such allegations made in OA. No.92/2023/EZ were already agitated vide the representation dated 6th July 2022 and 20th October 2022. SEIAA Assam, has decided such grievances of the respondent nos. 1 to 5 herein vide the speaking order dated 9th May 2023. The gist of the order has already been narrated in the paragraph herein above. The only issue SEIAA Assam held against the applicant herein was the alleged non-submission of six monthly compliance reports to SEIAA Assam. The respondent nos. 1 to 5 herein, in the application being OA No. 92/2023/EZ has also agitated the speaking order dated 9th May 2023 that instead of taking necessary actions against the applicant herein for non-compliance of the EC conditions, SEIAA Assam has only observed that strictures will be issued to the applicant herein for non-submission of six monthly reports. On perusal of the grounds of the said application it will be evident that the applicant no.1 has alleged violations of Environmental Conditions that SEIAA Assam vide their speaking

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order dated 9th May, 2023 has already dealt with. It is pertinent to mention herein that such order has been passed on a site visit done by a team of experts which included the Chairman of SEIAA Assam, as well as authorities of SEAC (State Expert Appraisal Committee).

12. It is stated that under such circumstances the application being OA No. 92/2023/EZ preferred by the applicants herein ought not to have been entertained by this Hon'ble Tribunal. Without prejudice to the rights and contentions of the applicant herein it is submitted that even if the Hon'ble Tribunal entertained the said application, the only point of consideration by this Hon'ble Tribunal could have been whether the said speaking order dated 9th May, 2023 have been passed in compliance of all legal propriety. It is pertinent to mention herein that the legal propriety of the order dated 9th May, 2023 has not been challenged by the respondent nos. 1 to 5 herein being the applicants of the said OA No. 92/2023/EZ.

For & behalf of Arya Erectors India Private Limited
Managing Director

13. In the absence of any pleadings with reference to the legal propriety of the order dated 9th May, 2023 and without having considered that the said order has been passed by the intervention and specific expertise of the committee formed by SEIAA Assam, while considering the grievance of the respondent nos. 1 to 5 herein vide the representation dated 6th July 2022 and 20th October 2022, this Hon'ble Tribunal ought not to have set aside the order of SEIAA Assam, dated 9th May 2023.

14. It is stated that the directions contained in the order dated 12th September 2024 has been passed by this Hon'ble Tribunal ~~over and above~~ without considering in its true perspective the observations by the order dated 9th May, 2023 of the expert committee formed under the order dated 24th March 2023, passed in OA No. 32/2023/EZ. Hence, the said order dated 12th September 2024 ~~is liable to~~ may be recalled and modify so as to ensure just and fair adjudication of the issues involved in the OA No.92/2023/EZ.

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15. The Hon'ble Tribunal while passing the order dated 12th September, 2024 ought to have taken into consideration ~~the settled principle of law that a judicial court ought not to sit in appeal over a decision of an expert body, in the present case, the Hon'ble Tribunal has failed to take into consideration~~ that SEIAA Assam has passed the order dated 9th May, 2023 with the consultation of expert bodies like SEAC and IIT, Guwahati, who raised absolutely no question as to any violation of the environmental obligation by the applicant herein.

For & behalf of Arya Erectors India Private Limited
Managing Director

16. It is evident from the order dated 12th September 2024 that the respondent authorities involved in the said OA No. 92/2023/EZ by filing different counter affidavits have put forth certain contentions before the Hon'ble Tribunal with reference to the averments made by the applicants in the said application being OA. No. 92/2023/EZ. Such counter affidavits have been taken into consideration by the Hon'ble Tribunal while passing the directions against the applicant herein in the order dated 12th September 2024. However, the present applicant has not been given any opportunity to deal with the statements and/or averments made in the counter affidavit of the respective respondent authorities herein. The applicant submits that under such conspectus the order dated 12th September, 2024 amounts to have been passed in violation of the principles of natural justice of the applicant herein and as such the same ought to be recalled or modified.

17. Thus it is imperative upon the applicant herein to bring forth to the notice of this Hon'ble Tribunal the fact that the Environmental Clearance Certificate was already obtained by the applicant herein before the construction project in the year 2014. The said Environmental Clearance certificate was admittedly valid for a period for 5 till the year 2019. By a notification dated 12th April 2016 the Ministry of Environment, Forest and Climate Change has stipulated that the Environmental Clearance of the projects which had not completed five (5) years on the date of publication of Notification i.e.

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29.04.2015, their validity will stand automatically extended to seven (7) years. Therefore, the validity of the Environmental Clearance certificate was valid till the year 2021. In this connection it is pertinent to mention herein that the construction of project had already been completed on 3rd July 2018 and applicant no.1 had already applied for Occupancy Certificate on 3rd July, 2018 which was issued in the year 2023 only after consideration of all 'No-objection' certificates and completion reports certified by GMDA, within the valid period of the Environmental Clearance Certificate. Hence, not applying for renewal of the said certificate after the year of 2018 cannot amount to any violation of the environmental norms.

For & behalf of Arya Erectors India Private Limited
Managing Director

18. It is further stated that on perusal of the notification dated 14th September 2006 issued by the Ministry of Environment and Forests it will be evident that the said clearance certificate is issued after screening by appraisal committees who are expert bodies and after complying with all terms and conditions the Environmental Clearance Certificate is issued. The Hon'ble Tribunal failed to take into consideration such aspects while passing the order dated 12th September 2024.

19. It has come into the knowledge of the representative and director of the present applicant that the respondent nos. 1 to 5 have themselves engaged in unauthorized constructions and have failed to obtain any occupancy certificate from Guwahati Metropolitan Development Authority (GMDA) because of such unauthorized construction. It is also stated that the said respondents are defaulters of paying maintenance dues to the applicant society. Their names have been deleted from the latest voter List due to non-payment of dues to the Society which is as per Section 26(3) of Assam Co-operative Society Act, 2007. The said respondents instead of aiding and assisting in the proper functioning and operations of the applicant society towards the betterment of all its members and owners have only been misusing the orders passed by this Hon'ble

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Tribunal and the reports of SEIAA Assam in obstructing repair and maintenance work in the said society. Such obstruction in repairs and maintenance work and chaos created by the said respondents have led the society to face severe issues of waterlogging and road damages within the society. It is needless to state that the society is maintained by the maintenance charges paid by its owners. The said respondents herein are constantly instigating and spreading false propaganda among the members and owners of the applicant society urging them to not pay their maintenance and other charges towards the applicant society. If such actions of the respondent nos. 1 to 5 and Mr. Padum Deori are not interfered and monitored by this Hon'ble Tribunal the applicant society will soon not be in a habitable condition.

For & behalf of Arya Erectors India Private Limited
Managing Director

20. It is within the knowledge of the director of the applicant herein that the said society has been making conscious endeavors towards the betterment of the living standards of the members and owners of the society as well as for the surrounding environment. Whereas the respondent nos. 1 to 5 and Mr. Padum Deori have been constantly making attempts to disrupt the functioning of the society. Further even SEIAA Assam while conducting investigation in the applicant society did not engage or consult or inquire from any of the member of the society including the board members. The decisions arrived by the SEIAA Assam is purely on speculations and at the instigations and in collusion with the respondent nos. 1 to 5 and Mr. Padum Deori.

21. Be that as it may vide an email dated 5th November 2024 the member, SIEAA Assam wrote to the Managing Director of the Applicant herein requesting him thereby to furnish certain information and/or document at the earliest so as to comply with the order dated 12th September 2024, passed in OA No. 92/2023/EZ. In the said email it was mentioned that the information sought is of utmost importance for finalizing the committee's report. Pursuant to

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such request of SEIAA Assam the applicant herein under a covering letter dated 29th November 2024, submitted a detailed set of documents including all No Objection Certificates and necessary permissions issued by different authorities from time to time. On perusal of the said letter along with all annexure and/or enclosures thereon it be evident that the applicant has complied with all norms for obtaining all necessary permissions from all the authorities as may be required under the provisions of law. It is stated that the applicant vide the said letter has also objected an pointed out the erroneous observation of facts with reference to the project site by the Hon'ble Tribunal in its order dated 12th September 2024. So that the same could be taken into consideration and fairly reflected in the report of the SEIAA Assam as called for under the order dated 12th September 2024.

For & behalf of Arya Erectors
India Private Limited
Anil Kumar Sarma
Managing Director

Photostat copies of the letter dated 5th November 2024 issued by Member, SEIAA Assam and letter dated 29th November, 2024 along with all its annexures are annexed hereto and marked as Annexure 'B' and 'C' respectively.

22. On 22nd February 2025, an order dated 15th February, 2025 along with a report of the Committee formed by SEIAA, Assam dated 29th January, 2025 was circulated by one Padum Deori in the WhatsApp group of the occupants of the said society. Even the respondent no.1 herein had also sent an email on 24th February 2025 to the applicant herein as well as the members of the Society attaching the Affidavit of Compliance by SEIAA Assam and other documents. However, the said report and the other documents were not communicated to the applicant herein. Therefore, the applicant therefore on 26th February 2025, wrote to the Member Secretary SEIAA Assam that the said report under the compliance order dated 15th February 2025 has not been received by the applicant and hence a request was made to provide him a copy of the same. However, the said letter was refused by the concerned authority. Under such compelling circumstances,

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the applicant herein vide an email dated 4th March 2025, wrote to the Chairman SEIAA Assam for providing him with a copy of the said report. Vide the said email the incident that the report of SEIAA was circulated via email and WhatsApp by the respondent no.1 and by Mr. Padum Deori was also informed to the said authority. After having received the said email SEIAA Assam vide an email dated 4th March 2025 at about 1.47pm forwarded the committee's report along with certain other documents which have been presumably considered at the time of preparation of such report.

For & behalf of Arya Erectors India Private Limited
Managing Director

Photostat copies of the letter dated 26th February, 2025, email dated 4th March, 2025, chats in WhatsApp group and email from SEIAA Assam dated 4th March 2025 are annexed hereto and marked as Annexure 'D', 'E', 'F' and 'G', respectively.

23. On perusal of the report circulated on WhatsApp by Padum Deori it appears that vide a letter being No. SEIAA3431/2023/402 dated 15th February 2025 issued by SEIAA Assam, the said report was allegedly communicated to M/s Arya Erectors India Pvt Ltd at an address being 503 KP Enclave Sohagpur Rehabari, Guwahati, 781008, Kamrup which is not the registered address of the applicant. Infact the correct address of the applicant as has been reflected in all the letterheads and official documents of the applicant has always been available with all the authorities as well as the private respondents herein. Therefore, it is a calculated step taken by the applicant as well as SEIAA Assam, to deprive the applicant from receiving any notice of any proceeding and other official notices from the respondent authorities of the present proceedings so as to ensure the non-appearance of the applicants in the said proceedings. Such step has been orchestrated with a view to practice fraud upon this Hon'ble Tribunal as well with regard to service of notice as well as pleadings.

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It is humbly stated that such discrepancy deliberately committed by the respondents herein had not come within the notice of the

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applicant herein until and unless the applicant came to learn of a Caveat filed by the respondent no.1 herein against the applicant before the Hon'ble High Court. It is made clear that on inspection of the record of the Hon'ble Guwahati High Court with reference to perspective application with respect to the letter dated 15th February 2025 issued by SEIAA Assam the applicant had discovered such discrepancy in the address of the applicant herein for which such caveat had never reached the applicant.

For & behalf of Arya Erections India Private Limited
Managing Director

Photocopy of the Caveat filed on 24th February 2025 is annexed herein and marked as Annexure 'H'.

24. Though the said letter has never been actually sent to the applicant herein, the said Mr. Padum Deori and the respondent no.1 had circulated the same to the members and stakeholders of the said society via WhatsApp and email. On perusal of the said letter it will be evident that the said letter was not even directed to Mr. Padum Deori and the respondent no.1 and the concerned person thus could not have obtained the said letter under any circumstances. Thereby evincing of a malicious and unholy nexus between the respondent nos. 1 to 5 herein and SEIAA Assam all of whom are acting in malafide and ulterior motive.

25. Further vide a letter dated 27th March 2025 the applicant herein wrote to the Chairman SEIAA Assam, bringing on record certain issues of compliance of the report dated 29th January 2025 with reference to the order/communication dated 15th February 2025 officially received by the applicant on 4th March 2025. The applicant vide the said letter has brought within the knowledge of the SEIAA Assam, of its compliance of the required mandate of law with reference to the construction project which was completed in the year 2018. A similar reminder was again sent to SEIAA Assam, vide an email dated 6th May 2025.

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Photocopy of the letter dated 27th March 2025 and 6th May are annexed herein and collectively marked as Annexure 'I'.

26. To clarify such doubt the applicant made an application dated 2nd June 2025 under the Right to Information Act before SEIAA Assam, seeking for particulars of parties to whom the SEIAA order dated 15th February 2025 have been issued. In reply to such application the Member Secretary, SEIAA Assam vide a letter dated 3rd June 2025 informed that the letter no. SEIAA.3431/2023/402 dated 15th February 2025 was issued to M/S Arya Erectors India Pvt Ltd with a copy to the Secretary to the Government of Assam, Environment & Forest Department, Dispur, Guwahati-06 and to the Chairman SEIAA Assam.

For & behalf of Arya Erectors India Private Limited
Managing Director

Photostat copies of the application dated 2nd June 2025 and letter 3rd June 2025 are annexed herein and marked as Annexure 'J' and 'K', respectively.

27. It is also pertinent to mention herein that with reference to the submission of the periodic compliance report to SEIAA Assam, the applicants had issued a letter dated 14th July 2022 thereby providing the said authority with all the periodic compliance report due from January 2014 to June 2019. Therefore there is no violation by the applicant herein of non-submission of compliance reports and the allegations made by the applicant to this effect as well as the observation of SEIAA Assam, in its report dated 9th May 2023 and 29th January 2025 are absolutely false and untenable in law.

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Photocopy of the letter dated 14th July 2022 is annexed herein and marked as Annexure 'L'.

28. The malicious nexus between the respondent no.1 and SEIAA Assam is also evident from the fact that the report of SEIAA Assam dated 29th January 2025 and the report of the same authority dated 09th May'2023 with respect to the same society and same project

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proponent being the applicant herein are uncontrovertibly distinct. On perusal of both the reports the said reports are in complete contradiction to each other while referring to the same allegations of the respondent nos. 1 to 5 herein with reference to the same period of time. On this ground alone the said report dated 29th January 2025 ought to be set aside and the applicant herein ought to be given a reasonable opportunity of hearing before this Hon'ble Tribunal by recalling the order dated 12th September, 2024.

For & behalf of Arya Erectors
India Private Limited
Managing Director

29. It is stated that for the aforesaid reasons and for appropriate and complete adjudication of the issues involving OA No. 92/2023/EZ while taking into consideration the report of SEIAA dated 29th January 2025, the order dated 12th September 2024 ought to be recalled and/or modified.

30. It is stated that that ~~there has been some delay in preferring~~ the present application ie preferred for recalling and/or modification of the order dated 12th September 2024 ~~by the applicant herein. The applicant humbly pray for condonation of the said delay~~ before this Hon'ble Tribunal.

31. It is stated that after receiving the order dated 12th September 2024 the applicant as well as the management of the society were dragged into a number of litigations and proceedings before different forums of law and statutory bodies by the respondent no.1 and his associates herein. The applicant herein have been engaged in defending itself before the different authorities of law as against the frivolous allegations of the respondent nos. 1 to 5 herein. In the meantime the applicant was also liable to attend hearings and site visits by SEIAA Assam and other authorities while complying with the order of this Hon'ble Tribunal. ~~As such the said engagements prevented the applicants from expending sufficient time into appreciating the present learned advocate on record of the applicant herein who resides in Kolkata.~~

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For & behalf of Arya Erectors
India Private Limited
Sahil Kumar Sarma
Managing Director

Advocate

32. This application is made bonafide and for the ends of justice.

**INTERIM PRAYER**

That in view of the above facts and circumstances, it is most respectfully submitted that the applicant herein has a good prima facie case, and in consideration of the said facts and circumstances, this Hon'ble Tribunal in the interim, may be pleased to:

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i) Direct the respondent authorities to stay their hands from proceeding against the applicant ~~society and its members~~ under the directions of the order dated 12th September 2024 passed by this Hon'ble Tribunal in OA No. 92/2023/EZ till disposal of the present application.

ii) Pass such other order or orders and/or direction or directions as this Hon'ble Tribunal seem fit and proper.

For & behalf of Arya Enclave India Private Limited
Managing Director

**PRAYER**

i) Under the circumstances stated herein above the applicant humbly prays that the order dated 12th September 2024 passed in OA No. 92/2023/EZ is recalled and or modified upon condonation of the delay, if any.

ii) Pass such other order or orders and/or direction or directions as this Hon'ble Tribunal seem fit and proper.

Date: Guwahati, Assam, India

Place: 11/7/2025

Filed by:

Advocate for the applicant

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Sl. No. 178
Date: 11/7/2025

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,

EASTERN ZONE BENCH AT KOLKATA

Miscellaneous Application No. of 2025/EZ

In

Original Application No. 92 of 2023/EZ

In the matter of:

OA 92/2023/EZ

Dr. Ganesh Chandra Das and Ors

...Applicants

-Versus-

M/s Arya Erectors India Pvt. Ltd. and Ors

...Respondents

AFFIDAVIT

I, Mr. Anil Kumar Sarma, son of Late Pabindra Sarma, aged around 67 years, by faith Hindu, by occupation Business residing at House no. 20, Boloram Bora Road, Happyvilla, Guwahati 781003, in the District of Kamrup Metropolitan, Assam do hereby solemnly affirm and state as under:

1. That I am the Managing Director representing the Applicant in the present application, and as such I am fully conversant with the facts and circumstances of the case, and I am authorized by the said company vide Board Resolution dated 02nd July, 2025 annexed with the application, hence, I am competent to swear this affidavit on its behalf.

2. That the accompanying application has been drafted by my counsel on our instruction and we have read and understood the contents of the same and nothing material has been concealed therefrom.

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Identified by me

Kailash Barman
Dt. 11/7/2025

Advocate

Enrollment No. 899 of 2005-06

Filed by me

Advocate

DEPONENT

For & behalf of Arya Erectors India Private Limited

Anil Kumar Sarma

Managing Director

11/7/25

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JNANAJIT SARMA
Guwahati
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Sl. No. 1[illegible]
Date 11/7/2025

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## VERIFICATION

I, Anil Kumar Sarma, son of Late Pabindra Sarma, aged around 67 years, by faith Hindu, by occupation Business residing at House no. 20, Boloram Bora Road, Happyvilla, Guwahati 781003, in the District of Kamrup Metropolitan, Assam do hereby verify that the contents of the paragraphs 1 to 36 are true to my personal knowledge and belief and/or information which I verily believe to be true and the rest are my humble submissions before the Hon'ble Tribunal upon legal advice and I have not suppressed any material facts and circumstances.

Filed by me

Advocate

Identified by me

Kailash Barman

Advocate 11.07.2025

DEPONENT

For & behalf of Arya Erectors India Private Limited

Anil Kumar Sarma

Managing Director

Solemnly affirmed before me this day, I certify that I read over and explained the contents to the declarant and that the declarant seemed perfectly to understand them.

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Annexure-A'

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Item No. 01 Court No. 1

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

**(Through Physical Hearing with Hybrid Mode)**

Original Application No. 92/2023/EZ

Dr. Ganesh Das & Ors. Applicant(s)

Versus

M/s Arya Erectors India Pvt. Ltd. & Ors. Respondent(s)

Date of completion of hearing and reserving of order: 19.07.2024

Date of pronouncement of order: 12.09.2024

For & behalf of Arya Erectors India Private Limited
Managing Director

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

Applicant: Mr. Vikram Rajkhowa, Adv.

Respondent: Mr. Neelanjan Deka, Adv. (in Virtual Mode) a/w
Mr. Sibojyoti Chakraborty, Adv. for R-1,
Mr. Santanu Bora, Adv. (in Virtual Mode) a/w
Ms. Malabika Roy Dey, Adv. for R-2 & 4,
Ms. Amrita Pandey, Adv. for R-3,
Mr. Parswajyoti Das Nair, Adv. for R-5, (in Virtual Mode),
Mr. Surendra Kumar, Adv. for R-7

**ORDER**

1. This original application has been filed by the purchasers of houses (Villa/Flats) at Arya Smart Living in Abhaypur, North Guwahati, Assam, constructed by Respondent No. 1 - M/s. Arya Erectors India Pvt. Limited.

2. The grievance of the Applicants is concerning non-compliance with various conditions of Environmental Clearance (EC) dated 21.01.2014, issued to Respondent No. 1 and violation of provisions of EIA Notification of 2006.

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3. The Applicants No. 1 to 4 had earlier filed OA No. 32/2023/EZ, raising the grievance against the project, which was disposed of by the Tribunal by order dated 24.03.2023, with a direction to Respondent No. 2-State Level Environment Impact Assessment Authority (SEIAA), Assam to consider and decide the representations dated 06.07.2022 and 20.10.2022 by a reasoned speaking order. Respondent No. 2 by order dated 09.05.2023 has disposed of the representations. The applicants in the OA rely upon various non-compliance and violations reflected in the order of Respondent No. 2 SEIAA, Assam dated 09.05.2023. The Applicants have detailed their grievance in paragraph 5 of the OA as under:

"5. xxxxxxxx

(i) *After receiving Environmental Clearance dated 21.01.2014, the project proponent has not submitted any compliance report before the concerned authorities (till date), in gross violation of General Conditions mentioned in the said E.0 as follows:*

***"Part -B. General Conditions***

1. *The project proponent shall also submit six monthly reports on the status of compliance of the stipulated EC conditions including results of monitored data (both in hard copies as well as by email) to the SEIAA/Regional Office of MoEF.*

9. *The proponent shall upload the status of compliance of the stipulated EC conditions, including results of monitored data on their website and shall update the same periodically. It shall simultaneously be sent to the SEIAA and Regional Office of MoEF. The criteria pollutant levels namely $PM_{10}$, $PM_{25}$, $SO_2$, $NO_2$, etc. (ambient levels as well as stack emission) or critical sectoral parameters, indicated for the project shall be monitored and a record be maintained for the public domain.*

10. *The environmental statement for each financial year ending 31s' March in Form-V as is mandate to be submitted by the project proponent to the SEIAA and State Pollution Control Board as prescribed under the Environmental (Protection) Rules, 1986, as amended subsequently and shall*



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Managing Director

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*also be sent to the respective Regional Offices of MoEF by email."*

*(ii) SEIAA admitted in their speaking order that the flood problem in the Arya Smart Living campus is a genuine one.*

*The project proponent submitted that-*

*(a) the contour survey was done prior to the starting of project and same was approved by GMDA, and*

*(b) the project was completed in 2018 and handed over in 2019 to the society.*

*The applicants beg to state in regard to the aforesaid contentions of respondent No. 1 that-*

*(a) Firstly, the project proponent had only submitted the contour survey of the internal site area and not that of the external surrounding areas as required under the Specific Conditions at Part - A (I) (i) of E.C, i.e.,*

***"The storm water drainage shall be worked out after analysing the contour levels of the site and the surrounding area and the capacity of storm water drainage."***

*The flood problem in the Arya Smart Living township probably would not have happened, if only the project proponent had complied with the aforesaid Environmental Condition and worked out the storm water drainage after proper contour survey of both internal as well as the external surrounding areas. The suggestion of SEIAA to create a pond inside the township to fill storm water is not a feasible one for a long-term solution as the same is neither approved in the drawings and nor permission is granted for the same.*

*(b) Secondly, it is not correct that the project has been handed over by the project proponent to the society. In fact a case is pending before the Hon'ble Gauhati High Court being numbered as W.P(C)/3654/2020, which is preferred by applicant No. 1 against order of the Registrar of Cooperative Societies, Assam, for overlooking the fact that the Director/s of respondent No. 1 company has made their own family members and partners as office bearer of the Arya Smart Living society, which is in conflict of interest, i.e., the project proponent is also the builder/developer as well as the office bearer of the society.*

*A copy order dated 30.01.2023 is herewith annexed an ANNEXURE — E.*

For & behalf of Arya Erectors India Private Limited
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(c) *Thirdly, Real Estate Regulatory Authority, Assam vide an order dated 13.06.2022 observed that the promoter (respondent No. 1) will submit application in prescribed form regarding extension of project completion period. Furthermore, it is reflected in the said order that the representative of GMDA stated that no occupancy certificate has been issued to the promoter due to deviations in the approved plan.*

*A copy of the REAT, Assam order dated 13.06.2022 is part of O.A No. 32/2023/EZ annexed as Annexure-A.*

(d) *The applicants beg to state that the project proponent is yet to complete the project and construction is still continuing without a valid E.0 in violation of EIA Notification, 2006.*

(iii) *The Operation Phase Conditions at Part-A.II.(i) of the E.0 requires that-"The installation of the Sewage Treatment Plant (STP) should be certified by an independent expert and a report in this regard should be submitted to the SEIAA before the project is commissioned for operation." But the SEIAA speaking order do not mention the submission of any report in this regard.*

(iv) *The Operational Phase Conditions at A.II.(v) of the E.0 requires that a peripheral green belt of 3 mtrs. width shall be developed all around the plot area and density preferably with local species along the periphery of the plot shall be raised so as to provide protection against articulates and noise. Be it stated that the project proponent has not maintained 3 mtrs. green belt all around the plot and in fact have constructed drains, pathways, etc., in the supposed green belt area. The project proponent is trying to mislead by claiming that the green belt is 9000 sq.m. by including common garden areas within the township. The requirement is of a 3 mtr. green belt all across the plot covering an area of 7484.96 sq.m., and same shall not include the other common areas like parks, lawns, etc. Unfortunately, SEIAA speaking order is silent on the issue of green belt.*

(v) *The Operation Phase Conditions at A.II.(x) of E.0 requires that-"a report on the energy conservation measures confirming to energy conservation norms finalized by Bureau of Energy Efficiency should be prepared incorporating details about building materials and technology, R& U factors, etc., and submit to SEIAA in three months." But the SEIAA speaking order do not mention the submission of any report in this regard. That according to the RTI*

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*response received earlier from SEIAA the report pertaining to aforesaid energy conservation measures etc. which was to be submitted in three months is not available.*

*(vi) Project proponent received E.0 on 21.01.2014 with validity for a period of 5 years, i.e., till 21.01.2019. In the meantime, MoEF&CC vide 0.M dated 12.04.2016 extended the validity of E.0 of the projects, which had not completed five (5) years on the date of publication of Notification i.e., 29/05/2015 to seven (7) years. Accordingly, the E.0 dated 21/01/2014 of project proponent also got automatically extended to 7 years, i.e., up to 21/01/2021. However, the project construction of project proponent is yet to be completed and therefore they were required to apply for the extension of E.0 dated 21/01/2014 upon its expiry on 21/01/2021, but as highlighted RTI reply of SEIAA dated 28/12/2020 and 13/05/2022 the project proponent has not applied for extension of E.0 dated 21.01.2014 till date, thereby operating without a valid E.0 from 21/01/2021 onwards in violation of laws. In this regard the speaking order of SEIAA is silent and SEIAA seem to be accepting the contention of the project proponent on face value rather than on the basis of cogent materials."*

For & behalf of Arya Erectors India Private Limited
Managing Director

4. The case of the applicants is that Specific Condition at part A(I)(i), and operation phase condition at part-A (II)(i), part-A(II)(v), part-A(II)(x) of EC have not been complied with and EC has expired on 21.01.2021, but the Respondent No. 1, in violation of EIA Notification, 2006 without getting the EC extended, is continuing with the construction of the project and that Respondent No. 1 has done expansion of project without EC appraisal.

5. The applicants have prayed for a direction to Respondent No. 1 to comply with the EC conditions, not to operate without valid EC and to initiate action against Respondent No. 1 for violation of EC conditions.

6. The Tribunal, after considering the grievance of the applicant in detail by order dated 22.08.2023, had issued notice to the respondents. Thereafter, reply and rejoinder have been filed.



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7. Respondent No. 1 has filed the counter affidavit raising the preliminary objections of *res judicata*, limitation, and locus ie. the applicants are not the persons aggrieved. On merit also Respondent No. 1 has taken the plea that the flooding problem arose because of the construction of a new drain by the PWD with the raised level. The plea relating to the violation of EC condition has been denied and the conclusion of SEIAA in respect of non-submission of regular six monthly reports has been disputed.

For & behalf of Arya Erectors India Private Limited
Managing Director

8. Respondent No. 2, SEIAA, Assam by filing the counter affidavit has taken the stand that representations filed by Applicants No. 1 to 4 have been decided after giving an opportunity of hearing. Counter Affidavit also refers to the formation of a committee and the site inspection and the finding of that Committee. It discloses that for non-submission of half yearly compliance report, a written warning was issued by Respondent No. 2 SEIAA, Assam to Respondent No. 1.

9. Respondent No. 3, Ministry of Environment, Forest and Climate Change (MoEF&CC) by filing the reply has placed on record the EIA Notification, 2006, SOP issued vide OM dated 07.07.2021 for identification and handling of violation cases under EIA Notification, 2006 and the Notification dated 28.08.2014 authorizing SEIAAs constituted by Central Government under section 3(3) of the Environment (Protection) Act, 1986 (EP Act, 1986) and delegating the power under section 19 of the Act.

10. Respondent No. 7, Assam State Pollution Control Board (ASPCB) has filed the reply disclosing that Respondent No. 1 had obtained CTO on 12.10.2022 which was valid up to 31.03.2023. Thereafter, Respondent No. 1 failed to apply for renewal of the CTO. The reply also discloses that



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Respondent No. 1 had failed to obtain permission from the Central Ground Water Authority (CGWA) for extraction of groundwater and that during the inspection on 14.09.2023, the Sewage Treatment Plant (STP) was not found operational and that though the stormwater drainage system was found in place but the potential issues related to the proper gradient flow capacity of rainwater and the adjustment of carrying capacity with the final load bearing drainage system was found. The affidavit of Respondent No. 7 also mentions that during the inspection storm water drain exhibited a greyish to blackish colour indicating potential neglect in maintenance by the housing entity, possibly due to blocked outlets.

For & behalf of Arya Erectors India Private Limited
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11. A separate reply on behalf of Respondent No. 4, Guwahati Metropolitan Development Authority (GMDA) (wrongly under the heading as "affidavit on behalf of Respondent No. 3") has been filed without touching upon the environmental issues.

12. Applicant has filed the rejoinders to the above counter affidavits and controverted the plea.

13. We have heard learned Counsel for the parties at length and perused the record.

**Preliminary Objections**

14. Respondent No. 1 has raised a preliminary objection relating to the *resjudicata* on the plea that earlier OA No. 32/2023/EZ filed by the applicants has been decided by the NGT, therefor fresh OA by them is not maintainable and is hit by the principle of *resjudicata*.

15. Applicants No. 1 to 4 had earlier filed OA No. 32/2023/EZ. The said OA was disposed of by order dated 24.03.2023 by directing as under:



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"6. *In this view of the matter, we dispose of this Original Application with the following directions: -*

*(i) The Respondent No.2, SEIAA, Assam, shall consider and decide the two representations of the Applicants dated 06.07.2022 and 20.10.2022, Annexures-N & O, to the Original Application as also the grievances raised in paragraph-9 and its sub-paragraphs of the Original Application.*

*(ii) The SEIAA, Assam shall decide the aforesaid representations by a reasoned and speaking order within a period of one month. Needless to say, before taking any decision the SEIAA, Assam shall also give opportunity of hearing and submission of written submissions, if any, to the Respondent No.1.*

*7. With the aforesaid directions, the Original Application No.32/2023/EZ is disposed of.*

*8. Interlocutory Applications, if any, stand disposed of accordingly.*

*9. There shall be no order as to costs."*

16. While passing the above order the grievance of the Applicants on merit was not examined by the Tribunal. Hon'ble Supreme Court in the matter of *Daryo & Ors. vs. State of UP & Ors.*, AIR 1961 SC 1457 has expressed that the summary dismissal is not a dismissal on merit and will not constitute a bar of *res judicata*. Section 11 of the CPC containing the principle of *res judicata* prohibits a Court from trying any suit or issue in which the subject matter directly and substantially was in issue in a former suit between the same parties and has been heard and finally decided by such Court.

17. Since, in the present case, by order dated 24.03.2023 passed in OA 32/2023/EZ, NGT had not decided the issue on merits, therefore, *principle of res judicata* is not attracted. Thus, we do not find any substance in the preliminary objection relating to *res judicata* raised by Respondent No. 1.

For & behalf of Arya Erectors India Private Limited
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18. Another preliminary objection raised by Respondent No. 1 is in respect of the limitation, on the plea that reliefs claimed in OA are barred by time.

19. Applicants in the present OA have sought compliance of the conditions of EC. They had earlier approached the Tribunal by filing OA No. 32/2023/EZ which was disposed of by order dated 24.03.2023 with a direction to the SEIAA, Assam to consider the representations of the Applicants dated 06.07.2022 and 20.10.2022 within one month. The SEIAA, Assam had decided the said representations by order dated 09.05.2023. Applicants, thereafter, have filed the present OA on 31.07.2023 under section 14(3) of the National Green Tribunal Act, 2010 (NGT Act). A limitation of six months has been prescribed for entertaining such application from the date of the first cause of action. The cause of action arose when SEIAA had passed the order dated 09.05.2023. This OA has been filed within six months from 09.05.2023. That apart, Applicants have raised the plea of continuous cause of action relating to violation of EC conditions by Respondent No. 1. An issue of subsequent expansion of the project by adding additional land of 2 bigha without obtaining EC has also been raised which gives a fresh cause of action. Hence, the OA is not found to be barred by time and cannot be rejected on that ground.

20. Respondent No. 1 has also submitted that the Applicants are not the persons aggrieved and has questioned their locus but such a submission cannot be accepted because the Applicants have purchased the houses/villa/flats in the project in question and they are directly affected by the non-compliance of EC conditions, alteration/expansion of the project and violation of environmental norms concerning the project.

For & behalf of Arya Erectors India Private Limited
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21. Hence, no substance is found in the preliminary objections raised by Respondent No. 1, which are accordingly rejected.

**On Merit**

22. Arguing on merit, Counsel for the applicant has referred to the report of Respondent No. 7, ASPCB and has pointed out the violations noted therein. He has also submitted that the original EC was for 28 bighas of land but later on, there was an expansion of the project by including 2 bigha more but the Respondent No. 1 had not obtained the EC for expansion of the project. He has further submitted that on account of non-compliance of the EC conditions relating to gradient, the entire area is getting flooded during the rainy season. He has submitted that Respondent No. 1 has violated various EC conditions and that the issues that were raised by the Applicants in the representation have been dealt with by the SEIAA, Assam in a cryptic manner.

23. Learned Counsel for Respondent No. 1 opposing the OA on merit has submitted that there is no environmental issue involved in this OA. The grievance of the Applicants has already been considered by the SEIAA while deciding the representation and passing the order dated 09.05.2023. He has also submitted that the condition of filing six monthly reports was complied with, the Applicants are not the persons aggrieved, PWD had constructed the drain at higher gradient subsequently which leads to flooding of the area and that Respondent No. 1 had tried to construct the pond for collection of rainwater but that was opposed by the residents. He submits that the project was completed on 03.07.2018. Learned Counsel does not dispute that subsequently additional 2 bighas of land was included and a clubhouse and swimming

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pool were constructed without reappraisal of the EC or without obtaining a fresh EC.

24. Learned Counsel appearing for Respondent No. 2, SEIAA, Assam has submitted that the representations submitted by Applicants have already been decided in terms of the direction of the Tribunal and that now the violations have come to the knowledge of SEIAA, therefore, action against Respondent No. 1 will be taken by SEIAA, Assam.

25. We have examined the record of the OA in the light of submission on merit made by Counsel for the parties.

26. The Ministry of Environment and Forests, Govt. of India exercising the power under sub-section (1) and clause (V) of sub-section (2) of section (3) of Environment (Protection) Act, 1986, read with clause (d) of sub-rule (3) of rule 5 of EP Act, 1986 has issued the EIA Notification dated 14.09.2006 requiring the prior EC from the concerned regulatory authority. For matters falling under category-B of the schedule, the State Level Environment Impact Assessment Authority (SEIAA) is the regulatory authority for prior EC at the State level. The schedule of the notification contains a list of projects or activities requiring prior EC.

27. The EIA Notification, 2006 requires prior EC for the new scheduled projects and expansion and modernization of existing projects or activities listed in the schedule to the notification. Clause 2 of the EIA Notification provides that:

> *"2. **Requirements of prior Environmental Clearance (EC):-** The following projects or activities shall require prior environmental clearance from the concerned regulatory authority, which shall hereinafter referred to be as the Central Government in the Ministry of Environment and Forests for matters falling under Category 'A' in the Schedule and at State level the State Environment Impact Assessment Authority (SEIAA) for matters falling under Category 'B' in the said Schedule, before any construction work, or preparation*



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*of land by the project management except for securing the land, is started on the project or activity:*

*(i) All new projects or activities listed in the Schedule to this notification;*

*(ii) Expansion and modernization of existing projects or activities listed in the Schedule to this notification with addition of capacity beyond the limits specified for the concerned sector, that is, projects or activities which cross the threshold limits given in the Schedule, after expansion or modernization;*

*(iii) Any change in product-mix in an existing manufacturing unit included in Schedule beyond the specified range."*

28. The amended EIA Notification dated 2006 includes the following construction projects in clause 8 of the schedule:

"

| | | | | |
|---|---|---|---|---|
| *xxx* | *xxx* | *xxx* | | |
| *8* | | *Building /Construction projects/Area Development projects and Townships* | | |
| *8(a)* | *Building and Construction projects* | | *20000 sq. mtrs and <1,50,000 sq. mtrs. of built-up area#* | *#(built up area for covered construction; in the case of facilities open to the sky, it will be the activity area)* |
| *8(b)* | *Townships and Area Development projects.* | | *Covering an area 50 ha and or built up area 1,50,000 sq .mtrs ++* | *++All projects under Item 8(b) shall be appraised as Category B1* |

"

29. The above building projects are category-B projects under EIA Notification, 2006 and require appraisal by the State Level Expert Appraisal Committee (SEAC) and approval by the State Level Environment Impact Assessment Authority (SEIAA).

30. Paragraph 7(ii) of the EIA Notification, 2006 provides as under:

***"7(ii). Prior Environmental Clearance (EC) process for Expansion or Modernization or Change of product mix in existing projects:***

*All applications seeking prior environmental clearance for expansion with increase in the production capacity beyond the capacity for which prior environmental clearance has been granted under this notification or with increase in either lease area or production capacity in the case of mining projects or for the modernization of an existing unit with increase in the total production capacity beyond the threshold limit prescribed in the Schedule to this notification through change in process and or technology or involving a change in the product –mix shall be made in Form I and they shall be considered by the concerned Expert*



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*Appraisal Committee or State Level Expert Appraisal Committee within sixty days, who will decide on the due diligence necessary including preparation of EIA and public consultations and the application shall be appraised accordingly for grant of environmental clearance."*

Thus, for expansion of a project or increase in the lease area consideration by EAC/SEAC and prior Environmental Clearance is required.

31. Under the Notification dated 28.02.2014, SEIAA has been authorized and delegated with the powers under section 19 of the Act to take necessary action against the violators.

32. Hon'ble Supreme Court in the judgment dated 03.12.2019 passed in Civil Appeal No. 2435/2019 in the matter of *Keystone Realtors Pvt. Ltd. vs. Shri Anil V. Tharthare and Ors.* has considered the issue of environmental impact on account of the increase in the size of the project and the requirements of EIA Notification on the expansion of the project by holding as under:

""xxx .....xxx.....xxx

16. *In a case where the text of the provisions requires interpretation, this Court must adopt an interpretation which is in consonance with the object and purpose of the legislation or delegated legislation as a whole. The EIA Notification was adopted with the intention of restricting new projects and the expansion of new projects until their environmental impact could be evaluated and understood. It cannot be disputed that as the size of the project increases, so does the magnitude of the project's environmental impact. This Court cannot adopt an interpretation of the EIA Notification which would permit, incrementally or otherwise, project proponents to increase the construction area of a project without any oversight from the Expert Appraisal Committee or the SEAC, as applicable. It is true that there may exist certain situations where the expansion sought by a project proponent is truly marginal or the environmental impact of such expansion is non-existent. However, it is not for this Court to lay down a bright-line test as to what constitutes a „marginal" increase and what constitutes a material increase warranting a fresh Form 1 and scrutiny by the Expert Appraisal Committee. If the government in its wisdom were to prescribe that a one-time „marginal"*



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*increase (e.g. 5% or 10%) in project size, within the threshold limit stipulated in the Schedule, could be subject to a lower standard of scrutiny without diluting the urgent need for environmental protection, conceivably this Court may give effect to such a provision. This would be subject to any challenge on the ground of their being a violation of the precautionary principle. However, as the EIA Notification currently stands, an expansion within the limits prescribed by the Schedules would be subject to the procedure set out in paragraph 7(ii).*

17. *At the time of the second increase, the total construction area of the appellant's project was enlarged from 32,395.17 square metres to 40,480.88 square metres. As a result of the expansion, the appellant constructed sixteen additional flats which were sold at the prevailing market rate. The appellant did not comply with the procedure set out under paragraph 7(ii) of the EIA Notification but rather sought an „amendment" to the EC. The third respondent did not require the appellant to submit an updated Form 1 nor was the proposal processed and evaluated by the fourth respondent. The „amendment" to the EC dated 13 March 2014 does not discuss the potential environmental impact of the increase in construction area, but merely records that the construction area now stands at 40,480.88 square metres. The procedure set out under paragraph 7(ii) of the EIA Notification exists to ensure that where a project is expanded in size, the environmental impact on the surrounding area is evaluated holistically considering all the relevant factors including air and water availability and pollution, management of solid and wet waste and the urban carrying capacity of the area. This was not done in the case of the appellant's project. It was not open to the third respondent to grant an „amendment" to the EC without following the procedure set out in paragraph 7(ii) of the EIA Notification.*

18. *We further note that as on the date of the impugned order construction at the project site had already been completed. A core tenet underlying the entire scheme of the EIA Notification is that construction should not be executed until ample scientific evidence has been compiled so as to understand the true environmental impact of a project. By completing the construction of the project, the appellant denied the third and fourth respondents the ability to evaluate the environmental impact and suggest methods to mitigate any environmental damage. At this stage, only remedial measures may be taken. The NGT has already directed the appellant to deposit Rupees one crore and has set up an expert committee to evaluate the impact of the appellant's project and suggest remedial measures. In view of these circumstances, we uphold the directions of the NGT and direct that the committee continue its evaluation of the appellant's project so as to bring its environmental impact as close as possible to that contemplated in the EC dated 2 May 2013 and also suggest the compensatory exaction to be imposed on the appellant."*

*[Emphasis provided]*

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33. Thus, it is settled that evaluation of the environment impact prior to the execution of the construction project is essential. The same applies to the expansion of the construction project also and in case of violation, the Project Proponent is liable to pay penalty and environmental compensation.

34. In the above Civil Appeal No. 2435/2019, order of the NGT dated 11.02.2019 passed in Appeal No. 122/2018 (Earlier Appeal No. 9/2014) (WZ) in the matter of *Anil Tharthare v. The Secretary, Envtl. Dept. Govt. of Maharashtra & Ors.* was under challenge wherein the Tribunal while examining the issue of illegality in amending the EC on expansion of the project had considered the importance of the EIA Notification and the issue of amendment of EC without following the due process in case of expansion of the project and has held as under:-

> *"xxx .....xxx.....xxx*
> *28. As regards the question whether EIA is mandatorily required, it may be noted that EIA has been recognised as the most valuable, inter-disciplinary and objective decision-making tool with respect to alternate routes for development, process technologies and project sites. It is considered an ideal anticipatory mechanism allowing measures that ensure environmental compatibility in our quest for socio-economic development. In fact, the whole concept is based on jurisprudential principle of 'Sustainable Development' and 'Precautionary Principle' though statutory basis has been provided to the same for effective enforcement.*
>
> *29. The projects covered by the Notification dated 14.09.2006 cannot be undertaken without environmental clearance. This may invite prosecution and punishment under section 15 of the Environment (Protection) Act, 1986 or other provisions. Mere fact that a project is not covered by the said notification is not conclusive to negate such requirement if impact on environment justifies it. One cannot ignore that impact assessment in all cases of potential impact is by itself a part of concept of sustainable development, which in turn is part of Article 21. Thus, even where notification does not require EIA, such requirement may apply by virtue of Article 21, if there is potential of impact on environment. In such a case the Court or Tribunal concerned with enforcement of principle of sustainable development can require this to be done, as mandatory condition, for continuing a project. In our jurisprudence, the*



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*protection of environment is fully ingrained. It is not only a part of Directive Principles under Article 48A and Fundamental Duties under Article 51A(g), but also inherent in the Fundamental Right under Article 21 of the Constitution. Principles of Sustainable Development, Precautionary Principle, and Intergenerational Equity are not only part of our jurisprudence, in terms of case law but also incorporated in Section 20 of National Green Tribunal Act, 2010. Needs for development have to be fulfilled consistent with these principles. There can be no development at the cost of environment.*[1]

30. *Environmental laws are required to be read into every activity adversely impacting environment. Grant of any permission or sanction by any authority has always to be read as subject to inherent limitation of the environment norms being maintained. Once pollution is being created, mere permission/ sanction by itself is no defense. While absence of a sanction may by itself be violation of law, even grant of sanction is never to be treated as unconditional and does not obviate the requirement to maintain environment norms. Adverse impact on environment is actionable in all situations. Accordingly, if there is an impact to the environment, there must be an Environment Impact Assessment. The fact remains that flats may have been allotted in which case it may be difficult to disturb or penalize such occupants who may not be party to violations. Still, the Tribunal cannot be mute spectator as far as the project proponent, respondent No. 6 is concerned. In this light, to uphold the Rule of Law, it is necessary that the violators are required to compensate for their illegal acts which may also act as a deterrent against those project proponents who circumvent the law to suit their convenience. This is also in conformity with 'Polluter Pays' principle.*

31. *By way of an interim arrangement, let the project proponent deposit a sum of Rs. 1 crore with the CPCB within one month towards interim cost of damage to the environment. The Committee which we propose may suggest the amount which should be recovered for such violation so that the amount can be deterrent and dissuade violators of law and also to cover the cost of restoration of the environment."*

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35. Learned Counsel for the Applicants placing reliance upon the order of the Tribunal dated 01.02.2021 in OA No. 837/2018 in the matter of *Sandeep Mittal vs. Ministry of Environment, Forests & Climate Change & Ors.* has submitted that there is a huge gap in effective monitoring

[1] Intellectuals Forum Vs. State of A.P - (2006) 3 SCC 549, Bombay Dyeing & Mfg. Co. Ltd. - (2006) 3 SCC 434, M.C. Mehta v. Union of India - (2004) 12 SCC 118, Tirupur Dyeing Factory Owners Assn. v. Noyyal River Ayacutdar Protection Assn - (2009) 9 SCC 737, T.N. Godavarman Thirumulpad v. Union of India - (2000) 10 SCC 606, Narmada Bachao Andolan v. Union of India - (2000) 10 SCC 664, Vellore Citizens Welfare Forum Vs. Union of India and Ors. (1996) 56 SCC 647, N.D. Jayal and Ors. Vs. Union of India and Ors. (2004) 9 SCC 362, Lafarge Umiam Mining (P) Ltd., Vs. Union of India and Ors. (2011) 7 SCC 338, and G. Sundarrajan Vs. Union of India and Ors. (2013) 6 SCC 620



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mechanism and in this regard, he has placed reliance upon para 3 of the said judgment wherein it has been held that:

> *"xxx .....xxx.....xxx*
> *3. The matter has thereafter been considered on several dates including 29.04.2019, 23.07.2019, 22.11.2019 and 31.7.2020. It has been repeatedly found that the mechanism for monitoring environmental norms is inadequate, as a result of which there is rampant violation of Environmental Clearance (EC) conditions, as noted by this Tribunal in several cases. The Tribunal also noted the observations in the Judgments of the Hon'ble Supreme Court in T.N. Godavarman Thirumulpad Vs. Union of India & Ors. (2014) 4 SCC 61 and Lafarge Umiam Mining Private Limited Vs. Union of India, (2011) 7 SCC 338 that power of the regulator under Section 3(3) of the Environment (Protection) Act, 1986 is coupled with duty and* ***there is a need for effective monitoring mechanism.*** *The Hon'ble Supreme Court also observed that there is poor monitoring and there are huge gaps in laying down of conditions and enforcement thereof. Such observations have also been made by the Comptroller and Auditor General of India (CAG), pointing out deficiencies on this aspect."*

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36. The submission of the parties needs to be examined in the light of the aforesaid legal position.

37. Environmental Clearance (EC) dated 21.01.2014 was issued to Respondent No. 1 in respect of the project involving the construction of Arya Smart Living at Abhaypur North, Guwahati on a plot area of 38,106 sq. m. It was specifically stipulated in the EC as under:

> *"xxx .....xxx.....xxx*
> *2. It is inter-alia, noted that the project involves the construction of Arya Smart Living at Abhaypur North, Guwahati on a plot area of 38,106 sq. m. The total construction built up area proposed for the project is 62,133.036 sq. m. The Podium area 2886 sq. m. The paved area is 12989.4 sq. m. The building foot print area is 12709.6 sq. m. The basement area 5791.636 sq. m. The green belt area is 7484.96 sq. m. The complex will have Villas – Type A 08 units, Type B 08 units, Type C 108 units. Apartment units 156, Shops 6 and Retail outlet 4. The total water requirement of the project is estimated to be about 286.63 KLD. The capacity of STP is 230 KLD. The treated water will be used 194 KLD and for Flushing 91 KLD. There will be no discharged of waste water. Total solid waste generation for the project will be 1.13 Tones per day. The power requirement is 2385.17 KW. Total car parking proposed 516 nos. The total cost of the project is Rs. 72.2 Crores."*



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It has not been disputed during the course of arguments that in Assam 1 Bigha equals 1346.42 sq.mt. Thus, the EC dated 21.01.2014 was for plot area of about 28.4 bigha.

38. The record further reflects that a complaint Petition was filed before the Real Estate Regulatory Authority (RERA), Assam making allegations against the promoter for occupying the building without obtaining a complete occupancy certificate, rejection of occupancy due to unauthorized construction, misrepresentation in respect of total land and that the joint inspection was got done. RERA, Assam in the order dated 13.06.2022 had recorded the details of the project area as under:

*(d)* ***Total area of land standing in the name of Arya Erectors India Pvt. Ltd. as per Land records***

i. *As per Chitha copy and Jamabandi copy of revenue village Abhaypur KP No. 198, the Arya Erectors India Pvt. Ltd. is the landholder of the following area as mentioned against each dag:*

*Dag No 884- 19 Bigha 0 katha 9 Lecha*
*Dag No. 885- 0 Bigha 01 Katha 11 Lecha*
*Dag No. 889- 03 Bigha 02 Katha 0 Lecha*
*Dag No. 890- 05 bigha 01 Katha 4 Lecha*
***Total 28 Bigha 0 katha 4 Lecha***

ii. *As per Chitha copy and Jamabandi copy of revenue village North Guwahati Town KP no. 271, the Arya Erectors India Pvt. Ltd is the landholder of the following area as mentioned against the dag no. 764.*

*Dag No 764-* ***02 Bigha 0 katha 0 Lecha.***
*Total area of land held by the Arya Erectors India Pvt. Ltd at Abhaypur and North Guwahati town under the project-* ***30 bigha 0 katha 04 Lecha( 28B-0 K- 04 lecha + 2 B-0 K-0 L)***

*(e)* ***Status in the Field-Observation***

*During joint visit, it is seen that the project is being implemented in the entire area of* ***30 Bigha 0 Katha 4 Lecha*** *(28Bigha 0 kitha4 Lecha of Abhaypur village plus 2 Bigha 0*

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*katha 0 Lecha of. North Guwahati town). However, the promoter has not yet submitted application for registration of the project being implemented at revenue village North Guwahati town over an area of 2 bigha covered by Dag No. 764 and KP No. 271 and also balance part of the project under GMDA measuring 4 Bigha 13 Lecha."*

39. Thus, Respondent No. 1 has implemented the project in the area of 30.4 bigha whereas the EC was obtained only for about 28.4 bigha. Hence, he has carried out construction on the area much more than the one for which environmental clearance was granted.

40. The order of the RERA, Assam dated 13.06.2022 also records the stand of GMDA that no occupancy certificate was issued to the promoter due to deviation in the approved plan and that the promoter had constructed some structures which were not approved by the GMDA.

41. It is undisputed that Respondent No. 1 had subsequently included about 2 bighas of land in the project and constructed a clubhouse and swimming pool on that land. Counsel for Respondent No. 1 during the course of the argument has candidly admitted the factum of adding 2 bighas in the project land and constructing club house and swimming pool thereon. Such additional inclusion of land and construction amounts to the expansion of the project for which in terms of clause 7(ii) of the EIA Notification of 2006, prior environmental clearance was required, which has not been obtained in the present case. The SEIAA was to examine beforehand the environmental damage, if any, and the extent of it, on account of the inclusion of the additional area in the project and the raising of construction on the additional area, which has not been done.

42. It is also the submission of the Applicants that the apartments for which the environmental clearance was granted were changed into villas



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and the construction of retail outlet was given up. Hence, that also amounts to a change of scope of the project in addition to the issue of expansion of the project by inclusion of 2 bighas.

43. The General Condition No. 3 of the EC dated 21.01.2014 also clearly stipulates that:

"xxx.....xxx.....xxx

3. *In the case of any change(s) in the scope of the project, the project would require a fresh appraisal by the SEIAA."*

44. As per the said condition also in case of a change of scope of the project, the Project Proponent was required to have a fresh appraisal of environmental clearance.

45. Hence Respondent No.1 has not only violated the General EC condition No. 3 but has violated clause 7(ii) of the EIA notification, therefore, Respondent No. 1 is liable to pay environmental compensation for deviating from the original project, expanding the project without prior EC and causing damage to the environment. Considering the circumstances of the case, we are of the view that such environmental compensation in the present case should be levied @ 1% of the cost of expansion of the project.

46. The record further reflects that the EC issued to Respondent No. 1 on 21.01.2014 was initially valid for a period of five years till 21.09.2019 and its validity was automatically extended up to 21.01.2021 by virtue of the OM dated 12.04.2016. The communication dated 28.12.2020 issued by the SEIAA, Assam states that Respondent No. 1 thereafter did not apply for renewal of EC. Any construction carried on by the respondent thereafter is in violation of law.

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47. There is also a violation in respect of renewal of CTO and in providing proper rainwater drain. Respondent No. 7, ASPCB has filed the report/affidavit dated 21.11.2023 mentioning the violations as under:

*"xxx .....xxx.....xxx*

*3. That pursuant to the direction passed by this Hon'ble Court, an inspection was carried out on 14th September, 2023 of the residential Building Construction-62000 sq. mt. (built-up area). The unit had obtained Consent to Operate (CTO) on 12th October, 2022 which was valid till 31st March, 2023. The unit has failed to apply for renewal of the CTO. The unit has failed to obtain permission from Central Ground Water Board (CGWA) for extraction of ground water.*

*4. As per the inspection report dated September 20, 2023, there had been no record of rainfall in the locality since last four to five days till the date of inspection i.e.14/09/2023. Consequently, the investigation could not conclusively assess the occurrence of waterlogging. Notably, the Sewage Treatment Plant (STP) was found non-operational during the inspection. Upon inquiry, the project authority explained that the STP has a capacity of approximately 230 KLD and operates twice a week. While a stormwater drainage system is in place, the inspection highlighted potential issues related to the proper gradient, flow capacity of rainwater, and the adjustment of carrying capacity with the final load-bearing drainage system. It is essential to emphasize that the problem of waterlogging cannot be solely attributed to any single stakeholder if the design and coordination of these drainage systems are not appropriately managed at both micro and macro levels. During the inspection, the stormwater drain exhibited a greyish to blackish colour, indicating potential neglect in maintenance by the housing entity, possibly due to blocked outlets."*

48. The above report reflects that the CTO has not been renewed after 31.03.2023, STP was found non-operational and there is improper gradient of the stormwater drain.

49. The EC dated 21.01.2014 was issued by SEIAA, Assam to Respondent No. 1 containing Specific and General Conditions and the conditions relevant for the present controversy incorporated in the said EC are as under:-

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"PART – A. SPECIFIC CONDITIONS

I. Construction Phase

(i) The storm water drainage shall be worked out after analysing the contour levels of the site and the surrounding area and the capacity of storm water drainage.

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

(xvii) Permission for ground water use shall be obtained from the competent authority prior to construction / operation of the project.

(xviii) Separation of grey and black water should be done by the use of dual plumbing line for separation of grey and black water."

II. Operation Phase

(i) The installation of the Sewage Treatment Plant (STP) should be certified by an independent expert and a report in this regard should be submitted to the SEIAA before the project is commissioned for operation. Treated effluent emanating from STP shall be recycled/reused to the maximum extent possible Treatment of 100% grey water by decentralized treatment should be done. Zero discharge criteria should be met as agreed.

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

(v) The peripheral green belt of 3 mtrs. width shall be developed all around the plot area and density preferably with local species along the periphery of the plot shall be raised so as to provide protection against particulates and noise.

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

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(ix) Traffic congestion near the entry and exit points from the roads adjoining the proposed project site must be avoided. Parking should be fully internalized and no public space should be utilized. Width of the internal road should be 7 mt. and 9 mts. in the project area.

(x) A report on the energy conservation measures confirming to energy conservation norms finalized by Bureau of Energy Efficiency should be prepared incorporating details about building materials & technology, R&U Factors, etc. and submit to the SEIAA in three months time.

PART – B. GENERAL CONDITIONS

(1) The project proponent shall also submit six monthly reports on the status of compliance of the stipulated EC conditions including results of monitored data (both in hard copies as well as by e-mail) to the SEIAA/Regional Office of MoEF&CC.



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

(3) *In the case of any change(s) in the scope of the project, the project would require a fresh appraisal by the SEIAA."*

50. The applicant in the representations dated 06.07.2022 and 20.10.2022 had raised the specific grievance relating to violation of above EC conditions such as the STP, green belt, storm water etc. by Respondent No. 1 but without properly examining the same, SEIAA, Assam by order dated 09.05.2023 has rejected the representation by observing as under:-

***"On Specific condition at part A(I) (i) of the EC***

- *The respondents submitted that the contour survey was done prior to starting of the project. Submitted GMDA approved contour survey map.*
- *The project was handed over to the Arya Smart Living Society in 2019, being completed in all respect including the drainage system as per requirement.*
- *The water logging problem started after the improvement of road and construction of drain taken up by PWD during 2017 to 2020. A technical study of the Water logging problem in Arya Smart Living campus and its adjoining areas of Abhaypur, North Guwahati was taken up by IIT Guwahati on request from the ASL society. It revealed that the bed of the newly constructed drain along the road is at 15 cm higher than the internal drain. Supporting photographs were submitted.*

***On Specific Condition A (I) (xviii) of EC***

- *Dual Plumbing system was partially complied with e.g. at places i.e. Water fall at front, car washing etc.*

***Operational phase Condition A(II) (i) of EC***

- *The design and supply of STP was done by firms, expert in the relevant field of work.*

***Operational phase Condition A(II) (v) of EC***

- *The Green belt area is 9000 sq.m No of trees planted including hedges etc. shall be around 900. Green Belt also maintained all around the campus with exception of two corners.*

***Operational phase Condition A(II) (vii) of EC***

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- *The ground water level being high and also as existing low lying area which acts as a natural water reservoir, only roof and surface rain water runoff is collected in the installed water tanks of 5000 Its capacity around the campus.*

***Operational phase Condition A (II) (ix) of EC***

- *There is no traffic congestion both inside and outside the campus. One parking area in each villa has been given as approved by GMDA.*

***Operational phase Condition A (II) (x) of EC***

- *Energy conservation measures have been taken in the villas and all common areas. Heard and seen both verbal and written submissions of the representative of Arya Realtors India Pvt. Ltd.*
  *Also perused the Final report of the Technical Study carried out by Indian Institute of Technology, Guwahati on request by Arya Smart Living Society.*

  *The site visit was also done by team of experts which included.-*

  *Name-*

  1. *Shri Praydut Kr. Choudhury, Chairman SEIA*
  2. *Shri Swapan Kr Seal Sarma, Chairman SEAC*
  3. *Prof. Bhagawat Pran Duarah, Member SEAC*
  4. *Prof.Sarat Phukan, Member SEAC*
  5. ***Dr. Santanu Kr Dutta,*** *Secretary SEAC*

  *As Both the representation `N' & `O' are identical except an additional clause at representation `N'-(5) Therefore both are being disposed simultaneously.*

***Regarding allegation at SL (1) of representation `N' & `O'***

- *The flood problem in the ASL campus is a genuine one The Arya Erectors, India Pvt. Ltd. contended that the project was completed in 2018 and handed over in 2019 and that in the meantime development of road & drain was taken up. The submitted photographs by the respondent no.1 also reveals that the natural drainage at front has also been encroached by neighbors. The nearby areas being developed only a common approach involving the development departments and neighboring community can bring in a fruitful one time solution to the problem. In the meantime, the Arya Erectors India Pvt. Ltd. Shall create a pond in appropriate low lying area inside the campus with adequate capacity & with raised bank, railing all around for safety. The excess water to be pumped out to the drain along the road with approval from competent authority. This pond shall be so constructed so as to be filled by only the Storm water. Other activities can also be planned with the coordinated effort of all concerned.*

***Allegation at SI (3) of representation `N' & `O'***

For & behalf of Arya Erectors India Private Limited
Managing Director



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- *The design and supply of the STP was done by firms, experts in the field of works and stated to be functional at the time of handing over (supporting documents submitted). Therefore, ASL society has to keep it functional.*

***Other matters,***

- *The matter of non submission of six monthly compliance reports to SEIAA has been viewed seriously and a stricture in this regard shall be issued separately."*

51. While examining the grievance in respect of non-compliance of the condition relating to the performance of STP, the SEIAA has only mentioned that "The design and supply of STP was done by firms, expert in the relevant filed of work".

52. In respect of six-monthly reports, SEIAA in the order dated 09.05.2023 has found that six monthly reports were not submitted and it was viewed seriously but no action has been proposed or taken in this regard. Somewhat similar is the situation with respect to other grievances also.

53. The above order clearly reflects that the grievance raised by the applicant in the representation has not been properly considered by the SEIAA, Assam and representation has been rejected by a cryptic order.

54. We find that though the Applicants had raised the specific grievance about non-compliance with various EC conditions by Respondent No.1 in the representations dated 06.07.2022 and 20.10.2022 but SEIAA while passing the order dated 09.05.2023 has not properly applied its mind to the grievances raised.

55. In view of the above analysis and conclusions, we dispose of the OA by directing as under:-

For & behalf of Arya Erectors India Private Limited
Managing Director



Jnanajit Sarma
Guwahati
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i. Since, Respondent No. 1 has expanded the project by including an additional about 2 Bighas of land and raising additional construction of a clubhouse, swimming pool etc., without getting reappraisal of the EC dated 21.01.2014 and without getting the environmental clearance for the additional area, therefore, the Respondent No. 1 has violated clause 2 and 7(ii) of the EIA Notification, 2006 and is liable to compensate for the damage caused to environment by depositing 1% of the project cost incurred in expansion with ASPCB as environmental compensation. The SEIAA, Assam and ASPCB will jointly workout the cost incurred in expansion of project and determine the environmental compensation.

ii. Respondent No. 1 is also liable to carry out the remedial measures which will be worked out by SEIAA, Assam based on the damage assessment.

iii. The order dated 09.05.2023 passed by SEIAA Assam is found to be bad in law and is hereby set aside. The SEIAA, Assam is directed to decide the representations dated 06.07.2022 and 20.10.2022 of the applicants afresh on other issues keeping in view the observations made above and take appropriate remedial action.

iv. Since the grievance of the Applicants is that, in terms of the specific condition at Part-A (I)(i) of the EC, necessary steps to analyze the contour intervals of the site and surrounding areas and the capacity of stormwater drainage have not been taken done and steps are not taken to address the problem of waterlogging and flooding, therefore SIEAA will duly examine

For & behalf of Arya Erectors India Private Limited
(Managing Director)



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the issue of non-compliance of above condition and take appropriate action.

v. The SEIAA, Assam is also directed to take action against Respondent No. 1 for violation of the EC condition by complying with the *principles of natural justice*.

vi. The ASPCB is also directed to take action for the violation of the environmental norms found on the spot and reflected in its report dated 21.11.2023.

vii. Let the above exercise be completed by the SEIAA, Assam and ASPCB within a period of three months and an action taken report be filed before the Registrar, NGT, Eastern Zone Bench at Kolkata, immediately on completion of three months and if found necessary the matter will be listed for consideration before the Bench.

Prakash Shrivastava, CP

B. Amit Sthalekar, JM

Dr. Arun Kumar Verma, EM

September 12, 2024
Original Application No. 92/2023/EZ
avt...

For & behalf of Arya Erectors India Private Limited
Managing Director

NOTARY
Jnanajit Sarma
Guwahati
Regd. No.- 428/16
Expiry Dt.- 20/02/2030
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Annexure- 'B' -5X



Gmail

Arya Erectors <aryaerectorsindia@gmail.com>

# Request for Project Data and Documentation pursuant to NGT Order dated 12.09.2024 in Original Application No. 92/2023/EZ

Tue, Nov 5, 2024 at 8:55 PM

Sarat Phukan <saratphukan@gmail.com>
To: aryaerectorsindia@gmail.com
Cc: Mauchmibarua@yahoo.in, membersecretary@pcbassam.org

To,
The Managing Director
M/s Arya Erectors India Pvt. Ltd.

Dear Sir,

This is concerning the National Green Tribunal's (NGT) Order dated September 12, 2024, in Original Application No. 92/2023/EZ, wherein the Hon'ble Tribunal has directed SEIAA-Assam to assess environmental compensation and evaluate compliance with Environmental Clearance conditions for the Arya Smart Living project at Abhaypur North, Guwahati.

As you are aware, pursuant to the NGT order dated 12.09.2024, a four-member joint committee, headed by the undersigned, has been constituted by SEIAA-Assam vide order dated 05.10.2024 to submit a detailed report within the stipulated time frame of three months as per the NGT directive. The committee has already conducted two inspection visits - first on 18.10.2024 with the representatives of M/s Arya Erectors India Pvt. Ltd., and second on 25.10.2024 with the petitioners and concerned residents of the premises. I am writing this mail on behalf of the aforesaid committee.

Pursuant to the site inspections conducted by the committee and in compliance with the NGT's directives, you are at this moment requested to furnish the following information/documents at the earliest:

1. **Regarding Project Expansion:**

   a) Detailed cost breakdown of construction activities carried out on the additional 2 bigha land.

   b) Bills and invoices related to the construction of the clubhouse and swimming pool.

   c) Total built-up area details of additional constructions.

2. **Technical and Operational Details:**

   a) Complete details of STP installation, including design specifications, capacity, and current operational status in the Arya Smart Living Premise

   b) Comprehensive documentation on black and grey water separation system and dual plumbing line installation as mandated in EC condition Part A-I(xviii)

   c) The drone image of the premise as agreed upon during the meeting between this committee and representatives of M/s Arya Erectors India Pvt. Ltd. to assess the status of the peripheral green belt.

   d) Detailed stormwater drainage design calculations, implementation details, and current functional status.

   e) Actual built-up area details compared with EC-approved area of 62,133.036 sq. m.

   f) Ground water extraction permissions from CGWA and current status of compliance.

This information is crucial for the committee to:

1. Determine the cost of project expansion for calculating environmental compensation at 1% as per NGT order.
2. Evaluate environmental damage and recommend remedial measures.
3. Assess overall compliance with EC conditions as directed by Hon'ble NGT.

Please note that this information is being sought under the directions of NGT vide order dated 12.09.2024, and the submission of the same is of utmost importance in finalizing the committee's report.

The required information/documents may be submitted both in hard copy and soft copy formats to the undersigned.

Yours faithfully,

--
Sarat Phukan
Professor
Department of Geological Sciences, Gauhati University
Guwahati-781014
India
-
Member
State Environment Impact Assessment Authority (SEIAA), Assam



For & behalf of Arya Erectors India Private Limited
Anil Kumar Sharma
Managing Director

NOTARY
Jnanajit Sarma
Guwahati
Regd. No.- 4284 6
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Ministry of Environment, Forest and Climate Change, Govt. of India
Bamunimaidan, Guwahati-781021

Mobile: +919954709901

For & on behalf of Arya Erectors India Private Limited
Managing Director



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Expiry Dt.-
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Annexure C' - 5X -

ARYA ERECTORS
INDIA PRIVATE LIMITED
CIN : U70101AS2010PTC010190

Arya Erectors India Pvt. Ltd.
House No. 123, 'Arya Smart Living'
Abhoypur, North Guwahati, Pin-781031, Assam
Tel : +91 98596 66501
E-mail: aryaerectorsindia@gmail.com
Web: www.aryaerectorsindia.com

Letter no. AEIPL/SEIAA/NGT/1031/20241129/

Dated: 29.11.2024

To

Dr. Sarat Phukan,
Member
State Environment Impact Assessment Authority (SEIAA), Assam
Bamunimaidam, Guwahati-781021

For & behalf of Arya Erectors India Private Limited
Managing Director

Sub: Request for Project Data and Documentation pursuant to NGT Order dated 12.09.2024 in Original Application No. 92/2023/EZ

Ref: Your letter dated 05.11.2024

Dear Sir,

This is in response to your letter dated 05.11.2024 with regards to the Site Inspection carried out by you and your team in compliance to NGT order dated 12.09.2024 for case no. OA No. 92/2023/EZ, wherein you had asked for certain information and relevant documentation. As the entire activity is in pursuance of the NGT order dated 12.09.2024, it is necessary to analyse the order pointwise in detail. In this regard we have undertaken a thorough and detailed analysis of our project, correlating our findings with the original conceptual plans and applications, submitted in accordance with the regulations, notifications, memorandums of the Ministry of Environment, Forest, and Climate Change (MoEF & CC), and thereby submit the following:

A. That, with respect to the para no. 55 (i) of the order NGT order date 12.09.2024, on page 26, the honourable NGT had commented that ***"the Respondent No. 1 has expanded the project by adding about 2 bighas of land and raising additional construction of a clubhouse, swimming pool etc. without getting reappraisal of EC dated 21.04.2014, and without getting additional the environmental clearance for the additional area, therefore Respondent no. 1 has violated clause 2 and 7(ii) of the EIA Notification, 2006"***.

In the above order, the honourable NGT has used the term 'expansion of project' and referred to two clauses of the EIA Notification of 2006, namely Clause 2 and Clause 7(ii),



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Clause 2 of the EIA Notification, 2006, in relation to expansion of project reads *"**2(ii)** Expansion and modernization of existing projects or activities listed in the schedule to this notification with addition of capacity beyond the limits specified for the concerned sector, that is, projects or activities which cross the threshold limits given in the schedule, after expansion or modernization."*

Clause 7(ii) of the EIA Notification 2006 reads,

**"Prior Environmental Clearance (EC) Process for expansion or modernization or change of product mix in existing projects.**

*All applications seeking prior environmental clearance for expansion with increase in the production capacity beyond the capacity for which prior environmental clearance has been granted under this notification or with increase in either lease area or production capacity in the case of mining projects or for the modernization of an existing unit with increase in the total production capacity beyond the threshold limit prescribed in the schedule to this notification through change in process or technology or involving a change in the product-mix shall be made in Form 1 and they shall be considered by the concerned expert appraisal committee or state level expert appraisal committee within 60 days, who will decide on the due diligence necessary including preparation of EIA and public consultation and the application shall be appraised accordingly for grant of Environmental Clearance.*

i. We would humbly like to state that the term "expansion of the project" should not be applied in this case as the additional two bighas of land was not an expansion, but a **separate project** with a separate building NOC and a separate Occupancy Certificate, obtained from the North Guwahati Municipal Board (earlier called the North Guwahati Town Committee).

ii. The relevant documents are attached as enclosures mentioned below and this is also clearly described in the RERA order dated 13.06.2022 (Enclosure no. 11), wherein the regulatory authority clearly distinguished this to be a separate project, directing us to register the same accordingly and the order was complied with by us. It was not registered with RERA earlier as it was not a saleable project, and as per the definition of RERA under Section 2(zn).

For & behalf of Arya Erectors India Private Limited
Managing Director



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iii. We would like to submit that as it is a separate project, it simply does not qualify for an EC due to its size which is only around 446 sq m, much lesser than the 20000 sqm minimum threshold required for EC clearance.

iv. The approved built-up area as per the EC was of 62,133.036 sq.mts., based on a conceptual plan which included 124 villas, a 16-storied high-rise building with commercial outlets and underground parking. However, as the land was not converted to commercial classification, the conceptual plan with respect to the high rise building and commercial part was abandoned and only the 124 residential villas were constructed on part of the plot as Phase 1, which fell under the jurisdiction of GMDA. This was **registered as a standalone project with GMDA and RERA.** The GMDA NOC is also separate and specific to this project.

v. The remaining plot with 124 Villas was applied for Building NOC and was approved by GMDA dated vide NOC 25.06.2013. In this project, the construction was done for approximately 23,326 sqm only, which was approximately only 37.5% of the total area approved by the EC dated 21.01.2014. Hence, this is a **reduction of the project rather than an expansion.**

vi. In the remaining plot, in place of the multi-storied high-rise building, 33 independent villas were constructed as a separate project with NOC from Rudreswar Gaon Panchayat, under whose jurisdiction the project falls. This project has it's independent OC issued by the Ruderswar Gaon Panchayat and is registered as a separate project under RERA with built up area of about 5463.87 sqm.

vii. Subsequently, another contiguous plot of land of about 2 bighas was purchased, much after submission of the application for Environmental Clearance. This plot of land which fell under the jurisdiction of North Guwahati Municipal Board (erstwhile North Guwahati Town Committee) is a separate project with its own individual NOC and OC issued by the North Guwahati Municipal Board, with built up area of about 446 sqm.

For Shree Arya Erectors
Anil Kumar Saraogi
Managing Director



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viii. **Even if we consider the total built-up areas of all the three projects together, it still adds up to approximately 29,750 sqm which is more only about 48% of the approved constructed area of 62133.036 sqm as per the EC dated 21.01.2014.**

Therefore, both clauses 2 and 7(ii) with respect to the term 'expansion of the project' should not be applied in case of our project as the total construction area of all the 3 projects added up also does not exceed the permitted limit mentioned in the EC dated 21.01.2014, and is only 19.8 % of the threshold limit prescribed in the Schedule for category 8 (a) B.

The relevant NOCs and OCs of the three projects are attached as

**Enclosure no. 1**: Copy of GMDA NOC dated for Project no. 1 – Arya Smart Living Phase I

**Enclosure no. 2**: Copy of GMDA issued Occupancy Certificate for Project no. 1

**Enclosure no. 3**: Copy of NGTC NOC for Project no. 3 – Arya Smart Living Clubhouse

**Enclosure no. 4:** Copy of NGMB issued Occupancy Certificate for Project no. 3

**Enclosure no. 5**: Copy of Rudreswar Gaon Panchayat NOC for Project no. 2 – Arya Smart Living Phase II

**Enclosure no. 6**: Copy of NGMB issued Occupancy Certificate for Project no. 2 – Arya Smart Living Phase II

**Enclosure no. 7:** Copy of the NGT order dated 12.09.2024

**Enclosure no. 8:** Copy of MoEF notification dated 14.09.2006

**Enclosure no. 9**: Copy of Environmental Clearance dated 21.01.2014

**Enclosure no. 41:** RERA Registration certificates for the 2 projects and Registration Application Temporary ID for Clubhouse Project

The appraisal of the project was conducted based on a conceptual plan detailed in Form 1 and Form 1A, which were submitted to the Ministry of Environment and Forests (MoEF), New Delhi, on 26.06.2012. Subsequently, the State Environment Impact Assessment Authority (SEIAA) granted EC on 21.01.2014, following prior approval from the GMDA dated 25.06.2013. The EC was issued in accordance with the plan approved by the GMDA on 25.062013. In this regard we would like to draw your attention to the MoEF circular dated Feb 5, 2008 issued specifically in respect of construction sector (item 8(a) and 8(b)), which followed the earlier EIA notification of 2006, wherein is it

For & behalf of Arya Erectors India Private Limited
Managing Director



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specifically mentioned that the issuance of EC is contingent upon the approval of building plans. In line with this requirement, the EC dated 21.01.2014, was granted based on the GMDA No Objection Certificate (NOC) dated 25.06.2013. This establishes that the EC pertains to the project constructed in compliance with the GMDA's approved NOC dated 25.06.2013.

**Enclosure 10:** Copy of MoEF Circular dated 05.02.2008

**Since this is a Building and Construction project**, registered as a standalone project under RERA, and the total built-up area is less than 50% of the approved built-up area as per the EC issued by SEIAA on 21.01.2014, the question of exceeding the threshold limits does not arise. The aforementioned MoEF Circulars therefore completely nullifies the word **expansion** with respect to our project.

Rather, in this project,

i. The Built-up area has been **reduced** by about 52%;
ii. The FAR utilised is **much less**;
iii. There is **no reduction** in exterior spaces/green belts, parking, walkways and driveways that are covered including attics and outdoor sports courts;
iv. There is **no change** in the designated use of the building,
v. There is **reduction** in the number of dwelling units, height of the building, number of floors, etc.;
vi. There is **no excavation of earth**, rather there is a huge reduction of excavation as the construction of a 16-storey high rise building with underground parking was completely abandoned from the project.
vii. In the entire project **no pilings** were done and the buildings were constructed on **isolated footing only;**
viii. There has not been a single tree cut in the entire project;

We therefore request your kind consideration of the fact that there has been no additional damage caused to the environment in this project, rather the damage has been substantially reduced due to reduction in the construction area.

In para no. 27 of the order, the requirement of "prior EC for new scheduled projects and expansion and modernization of existing projects" as mentioned in Clause 2 of the EIA notification of 2006 has been mentioned. We again submit that there is no

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"addition to capacity beyond the limits specified". Rather, there has been a significant reduction in all parameters like reduction in built up area, reduction in excavation, reduction in genset capacity, etc., as explained above thereby causing no damage to the environment. Details of the same are enclosed in this submission.

In para no. 32, there is a reference to the environmental impact due to increase in the project size. However, we would like to state that there would not be any environment impact at all as the size of the project has not increased, but rather reduced considerably.

In para no. 38, reference has been drawn from a RERA order dated 13.06.2022. Unfortunately, the order has not been taken in full, and hence inferences drawn from the same would be incomplete. In this paragraph, only that part of the order is attached which favours the complainant. If the order is studied in full, it is very clearly mentioned in the order that **there are 3(three) different projects under 3 (three) different jurisdiction bodies** – namely the Guwahati Metropolitan Development Authority, the North Guwahati Municipal Board and the Rudreswar Gaon Panchayat. All three projects have their individual building NOC and OC. The 2 bigha land is a separate project, with a separate NOC and OC and we have applied for the RERA registration in compliance to the same RERA order mentioned above. The NOC for the 2 bigha plot does not have any precondition for MoEF clearance, as it does not qualify for EC clearance due to its size and composition. The RERA order is attached for your reference.

**Enclosure no. 11**: Copy of the RERA order dated 13.06.2022

Para no. 40 of the afore mentioned NGT order mentions that no "occupancy certificate was issued to the promoter due to deviation in the approved plan and that the promoter had constructed some structures which were not approved by the GMDA."

It needs to be noted that the GMDA, on 21.08.2023, has issued the Part Occupancy certificate for the project, **finding no deviations**, **other than some illegal constructions done in the villas by the complainants themselves** and a few others after the possession was handed over to them. Due to these deviations caused by the complainants themselves, the GMDA has not issued the Occupancy Certificate **to them** for their villas. In order to divert the attention of the authorities from the fact that they themselves are the cause of the delay in the issue of the Occupancy



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Certificate, the complainants are trying to create confusion in the minds of the authorities. GMDA has issued individual notices to all the complainants for removing the unauthorised constructions and the same are enclosed herewith for your perusal.

**Enclosures no. 12:** Copies of individual notices from GMDA to complainants for removing of unauthorised constructions.

In para no 41 of the order, it is mentions that the 2 bighas of land is included in the project for the construction of a swimming pool and clubhouse.

i. Firstly, this is a building and construction project under category 8(a) B(2) and not an Area Development project 8(b).

ii. The 2 bighas of land constitute a separate project as have been amply highlighted in the previous statements and the fact is also reflected in the REA order dated 13.06.2022.

iii. The term 'expansion' in clause 7(ii) of the EIA notification of 2006, comes to effect only when there is an 'increase in the production capacity' beyond the prescribed threshold limits granted in the EC or is beyond the threshold limit prescribed in the Schedule mentioned in the EIA notification of 2006.

Therefore, the project would not amount to expansion under the terms of clause 7(ii) of the EIA notification of 2006. We therefore request SEIAA to examine the documents attached in detail, and evaluate if there had been any expansion causing any environmental damage at all.

In the Paras 42, 43 and 44 of the order, the honourable NGT stated that there has been a change in the scope of the project by changing the apartments into villas, and the construction of the retail outlet being given up.

Herein we would like to state that as per the EIA notification of 2006,

i. it is mentioned clearly that for Category B projects, the process of EC includes only Stage 1: Screening.

ii. It is also mentioned in clause 7(i)(I), on page 39 of the EIA notification dated 14.09.2006, that Category B2 projects would not require an Environment Impact Assessment report.

iii. Also, in clause 7(i)(II), under stage (2) – Scoping, it is clearly mentioned that for category 8(a) B (2) projects, it is clearly mentioned that ***"All projects and activities listed as Category 'B" in Item 8 of the Schedule***



Arya Erectors Private Limited
Managing Director

NOTARY GOVERNMENT OF INDIA
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Guwahati
Regd. No.- 42846
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***(Construction / Township / Commercial Complexes / Housing) shall not require Scoping and will be appraised on the basis of Form 1/Form 1A and the conceptual plan."***

Our project falls in the category 8(a) B (2) and hence does not fall under the stage of Scoping. Moreover, there is only a huge reduction in the total built up area, a reduction in the excavation and in all other parameters, and hence no additional damage has been caused to the environment.

We therefore request you and your team to view this matter accordingly, as to our understanding the project does not fall under the scope of expansion of a project and hence submission of a detailed cost breakdown of construction activities carried out in the separate project, the bills and invoices in relation to the construction of the clubhouse and the swimming pool, and the total built-up area details of additional constructions, as asked by you in your letter dated 05.11.2024 should not be made applicable.

However, in response to your letter, we are submitting the details, **although on protest.**

**Enclosure no. 42:** Details of costs of construction done in the project on the 2 bigha plot

B. In para 55 (ii) of the above-mentioned NGT order, the honourable authority had mentioned that ***"Respondent No. 1 is also liable to carry out the remedial measures which will be worked out by SEIAA, Assam based on damage assessment".***

In this regard, we respectfully request the Honourable Authority of the State Environment Impact Assessment Authority (SEIAA) to carefully examine the project in light of all applicable provisions of the Ministry of Environment and Forests (MoEF), including relevant circulars, notifications, office memorandums, and all submissions made by us in this matter. We further welcome any constructive suggestions or recommendations from the SEIAA to ensure compliance and alignment with the applicable regulatory framework, and assure you of our full cooperation in this regard.

For & behalf of Arya Erectors Limited
Managing Director



NOTARY Jnanajit Sarma Guwahati Regd. No.- 42846 Expiry Dt.- 20/02/2030 GOVERNMENT OF INDIA

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C. In Para 55 (iii) of the order, the honourable NGT has set aside the order passed by SEIAA, Assam and directed SEIAA, Assam to *"decide the representations dated 06.07.2022 and 20.10.2022 of the applicants afresh and other issues keeping in view the observations made above and take appropriate remedial action."* Therefore, it becomes necessary on our part to place our submissions before the inspection team again in detail for each of the issues made in the above-mentioned representations, which we submit as follows:

i. That, the contents of all the two documents (Annexures N & O) are exactly the same, barring one additional point of rain water harvesting in Annexure N of the Original Application. And hence, in this written statement, we will be dealing with all the issues individually rather dealing with them separately, document wise.

ii. That, the complaint number 1 of the complaint dated 06.07.2022 was with respect to Specific Conditions Part A(1)(i) of the Environmental Clearance, which states that *"The storm water drainage shall be worked out after analysing the contour levels of the site and the surrounding area and the capacity of the storm water drainage".* Herein, we would like to submit the following:

**Detailed stormwater drainage design calculations, implementation details, and current functional status.**

a. Contour study for the site has been done by Precision Surveying Co., Rajgarh, Guwahati and has been approved by GMDA on 27.06.2013. External storm drain is clearly mentioned in the Service plan submitted to and subsequently approved by GMDA on 27.06.2013. The Contour plan has already been submitted to your kind office earlier, and added as **enclosure no. 13** for your perusal.

b. Water logging problem is present in the entire area of Abhaypur, North Guwahati, where the project Arya Smart Living is located. The said problem started only after the construction of the PWD road and drains. PWD road work started on 18.08.2017 and completed on 27.07.2020, much later than the ASL project completion date of 03.07.2018. The PWD Work Completion Report is attached as **Enclosure no. 14** for your perusal.

For & behalf of Arya Erectors India Private Limited
Managing Director



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Evidence of the status of work done on the PWD Road has been provided through Google Earth Photos dated before Project initiation and after project completion are being attached as **Enclosure no. 15.**

Also, old Site Photographs showing the ground level of the road and the site, which has already been submitted to your kind office earlier, is again attached as **Enclosure no. 16.**

c. Main issue of waterlogging is that the bed level of the PWD Drains were wrongly and unscientifically constructed higher than the bed level of main outlet-drain of the project Arya Smart Living. Also, the gradient of the PWD drain is inverse on both sides creating a valley in front of ASL Gate, causing waterlogging issues in the entire area.

d. There was a natural waterway before the PWD road and drains were constructed. The culverts through which the drain water used to flow earlier has been illegally encroached and totally blocked by earth filling done by local residents, and hence with no way out, the water keeps circulating between two culverts located some distance apart on either side of the project.

Photographs of the culverts in their present condition is being attached as **Enclosure no. 17.**

e. The fact that the waterlogging problem is faced by the entire area and not just the Arya Smart Living complex alone had been practically demonstrated to you and your inspection team during the site visit. Almost every household in that area had raised their gates to prevent the water from the road to enter their houses. The photographs are also attached as **Enclosure no. 18** for your perusal. This clearly proves the point that the waterlogging problem is not pertaining to the Project alone.

f. Multiple representations have been made by our company as well as the local residents to PWD & Water resources Depts. seeking help and solutions for the same. Multiple inspections done by these departments at the site and some effort from the administration is also underway for resolving this issue. Copies of the letters sent is being attached as **Enclosure no. 19.** Representation by

For & behalf of Arya Erectors India Private Limited
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the society has also been done to various departments including the office of the honorable CM of Assam.

g. As the waterlogging issue is an issue of concern in the entire area, a meeting in connection with the water logging problem at Abhaypur area, convened by North Guwahati Municipal Board, was held at Clubhouse of Arya Smart Living, on 06.09.2021 which included apart from the Society members,

i. the Additional Deputy Commissioner, Kamrup, Executive Engineer
ii. Executive Engineer, North Guwahati Municipal Board
iii. Executive Engineer, Water Resources Department
iv. Asst. Engineer, Water Resources Department
v. J.E. Jalukbari & Hajo Territorial Road Division
vi. Representatives of North Guwahati Municipal Board
vii. Representatives of North Guwahati Revenue Board

The recorded minutes of meeting is circulated by the Executive Officer North Guwahati Municipal Board is attached as **Enclosure no. 20.** The minutes clearly indicate the acknowledgement of the issue of water logging and the necessity of immediate measures that need to be taken by different Government agencies in this regard.

h. Regarding current status of the storm water drains, as the project has been handed over to the society in the year 2019, as mentioned above, the current maintenance of the drains is being done by the society.

i. A few residents, including the main complainant, Dr Ganesh Ch Das had covered and encroached the storm water drain leading to accumulation of sludge/mud, etc. aggravating the problems of water logging during rainy seasons. Copy of email sent by the society and photos attached for your reference as **enclosure no. 21.**

j. In our Environmental Clearance (EC) application submitted on September 26, 2012, we explicitly stated that the stormwater drainage network would be developed in accordance with the GMDA Master Plan 2025, as per the remarks

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and certification provided by a GMDA-approved Registered Technical Person (RTP). We have previously furnished substantial evidence to your inspection team outlining the primary causes of waterlogging during the rainy seasons, which affect not only the project site but the entire surrounding area.

k. It is important to emphasize at this juncture that the complainants are attempting to mislead the Honourable National Green Tribunal (NGT) by presenting a false narrative that the waterlogging issue is specific to the project. We respectfully request your esteemed office to consider the factual evidence we provided during your site visits on April 11, 2023, and October 18, 2024, as well as the additional documentation included in this submission, regarding the waterlogging issue and its underlying causes.

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l. After the project was handed over to the society, it becomes the duty of the Society to take care of the maintenance and upkeep of the same. The details of drain capacity are provided below and we would request you to kindly go through the same in detail.

The calculations of the storm water drainage are attached below:

| Description | Area | UoM |
|---|---|---|
| Total Plot size | 38106 | Sqm |
| Less Building Foot Print | 11147.59 | Sqm |
| Less Paved Area (Road) | 9834.00 | Sqm |
| Net Open Area | 17124.41 | Sqm |
| Avg. Rainfall at Guwahati | 1722.00 | mm |
| Avg. No of Days of Rain Fall | 113.00 | Days |
| So, Intensity of Rainfall (=1722/113) | 15.24 | mm /Day |
| Or | 0.02 | M/Day |
| Total Rain Fall at the Open area of 17124.41 Sqm (=17124.41 x .0152) | 260.291 | m/Day |
| Co-efficient of Runoff water for open Ground | 0.10 | |
| Water goes to storm water Drain is (=260.291x .010 ) | 26.03 | Cum |
| Total Rain Fall at Paved area of 9834 Sqm (= 9834 x .0152) | 149.48 | Cum |
| Co efficient of Runoff water for Roads | 0.85 | |
| Water goes to storm water Drain is (=149.47 x .85) | 127.06 | Cum |
| Total rain Fall at Terrace area (=11147.59 x .0125) | 139.34 | Cum |
| Co efficient of Runoff water for Concrete Roof | 0.70 | |



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| | | |
|---|---|---|
| Water goes to storm water Drain is (=139.34 x 0.70) | 97.54 | Cum |
| | | |
| Grand Total Water goes to Storm Water Drain (= 26.03+127.05+ 97.54) | 274.3 | Cum |
| Or | 274300 | Ltr |
| Total Length of Storm water Drain | 870 | m |
| Avg Width of the Drain | 0.85 | m |
| Avg Depth of the Drain | 0.9 | m |
| Volume / Capacity of the Storm Water Drains (870 X.85 X .9) | 665.55 | Cum |
| **Total Capacity of the Storm water Drain is** | **665550** | **Litres** |

The above submissions are also in response to the requirement no. 2(d) mentioned in your letter dated 05.11.2024.

(iii) That, the complaint number 2 of the complaint dated 06.07.2022 was with respect to Specific Conditions Part A(I)(xviii) of the Environmental Clearance, which states that *"Separation of gey and black water should be done by the use of dual plumbing line for separation of grey and black water"*

Our submission in this regard is as follows:

i. There is a complete separation of Grey Water and Blackwater in the project;

ii. The black water from the all the households is being collected separately and treated in the STP. The calculations are mentioned below. The treated black water as reflected in the calculation sheet is only 30 KLD at peak hrs leading to generation of treated water about 24 KLD which used for gardening or other purposes. 100% of black water generated is being treated;

iii. Total waste water generated from 123 houses were calculated as follows.

a. Total water generated 56.58 KLD,
b. Out of 56.58 KLD water treated in STP is 40 KLD
c. Remaining 16.58 KLD is the grey water is currently being released to the drains, which through permeation method provides hydration to the green areas,
d. The total area of the drain accommodates 6,65;550 litres.

**Calculation of grey water is as follows:**

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| | |
|---|---|
| 1. No. of unit | 123 Nos. |
| 2. No. of Population (123 x 5) | 615 |
| 3. Water requirement per person<br>(i) Bath- 10 ltr<br>(ii) Washing - 20 lt0 | 30 Ltr |
| 4. Total Gray water generated (615 x 30) | 18450 Ltr |
| Less: 10% loss Evaporation etc. | (-)1845 Ltr |
| Total Grey Water | 16,605 Ltr |

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**iv. Initial Grey Water Management Plan (As per the conceptual plan submitted to MoEF dated 26.6.2012):**

The grey water calculations were initially based on the footfall and total built-up area planned during the conceptual design stage for obtaining Environmental Clearance (EC). A large water tank was planned on top of the multistoried building to accommodate treated grey and black water for over 2500+ footfalls, considering the 16 storied high-rise building with 156 apartments and commercial outlets.

**Changes in Built-Up Area:**

When applying for the No Objection Certificate (NOC) for construction, the project reduced the built-up area to less than 50% of the original plan, resulting in much fewer footfalls.

**Practical Challenges:**

The project consists of G+1 and G+2 buildings spread over large open areas. The plan for high rise building was abandoned, where the overhead treated-water tank was planned. Implementing individual treated water tank was for each villa was deemed impractical. At the same time construction of soak pit, etc. is also not feasible because of the high ground water level in that area (0.5 m),

**Alternative Approach:**

The proponent opted to treat the black water in a centralized Sewage Treatment Plant (STP) and use the same for gardening. With respect to the grey water, the promoter opted to use the same directly for irrigating the gardens through a permeation model, which is a Government approved method for areas with high level of ground water and with large areas for trees and gardens, vide the **The Manual : Greywater Management** released by the **Department of Drinking Water and Sanitation, Ministry of Jal Shakti, Government of India.**



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**Contextual Considerations:**

Our project is in North Guwahati, which was classified as a rural area, and our project is spread overh extensive open spaces and gardens and a high groundwater level of 0.5 m.

The grey water is currently being released from the households onto the drains. Before falling into the drains, all the household outlets have traps and strainers, in which all solid waste gets filtered and does not flow into the drains. A natural irrigation method using permeation was implemented, through creation of weep holes in the drains at 1.5 mt distances through which the grey water can permeate into the soil on both sides of the drains, which bordered approximately 9000 sq. mts of green areas with landscaped gardens and over 800 trees and expansive lawns. This has been done as there have been several studies which have shown that grey water is actually good for the soil for growing vegetation. With this system of grey water getting permeated in to the soil on both sides of the drain, it is seen that there is sufficient moisture for plants to grow in all the green areas of the campus on the outer side of the drains. This method prevents waterlogging as long as there is no backflow from newly constructed drains.

**Benefits of the Revised Plan:**

**Environmental Sustainability**: Natural irrigation and tree watering ensure effective use of grey water without wastage.

**Cost-Effectiveness:** Permeation method reduces operational and maintenance costs compared to distributed grey water tanks.

**Ease of Maintenance:** Permeation method is easier to monitor and maintain compared to multiple decentralized tanks. This adaptive strategy aligns with both the environmental context and practical constraints of the project while ensuring efficient resource use.

**The Manual : Greywater Management** released by the **Department of Drinking Water and Sanitation, Ministry of Jal Shakti, Government of India,** on page 15, section 2.1, under Household-Level Interventions mentions in point 4. Kitchen Garden, that Greywater can be used for watering the plants in a kitchen garden. This not only solves the problem of greywater management but also reduces the demand for freshwater. Also, under section 2.2 of the Manual,



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Criteria for selection of Appropriate Technologies, in page 17, in figure 4, a flowchart applicable to similar location is prescribed. The detailed description of the same is provided in the section 3.4 in the pages 43 to 47 of the manual. The other methods of Grey Water Management, i.e. the Soak pit, the Leach pit, the Magic Pit, the water stabilization pond, etc. are not feasible in this site due to the high ground water levels, at 0.5 mt depth. This method of greywater management is a government recommended method due to its low cost of maintenance and zero requirement of any other chemicals or electricity.

**Enclosure no. 22:** The Manual : Greywater Management (Pages 15,17,43-47)

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In addition to the above, we welcome any suggestions you may have for the effective management of greywater. However, since the project has already been handed over to the society, any changes or modifications to the existing infrastructure will require approval from at least two-thirds of the society's members, in accordance with applicable provisions of RERA.

This is also in response to the requirement no. 2(b) mentioned in your letter dated 05.11.2024.

(iv) That, the complaint number 3 of the complaint dated 06.07.2022 was with respect to Specific Conditions Part A(I)(xviii) of the Environmental Clearance, which states that ***"The installation of Sewage Treatment Plant (STP) should be certified by an independent expert and a report in this regard should be submitted to the SEIA before the project is commissioned for operation. Treated affluent emanating from STP shall be recycled/reused to the maximum extent possible. Treatment of 100% grey water by decentralised treatment should be done. Zero discharge criteria should be met as agreed."***

a. The STP installation was done by a company called Fresh Air Waste Management Services Pvt. Ltd, on December'2016 and the STP inspection was done by Forcetech Engineering, AT Road, Bharalumukh, Guwahati; both the companies being experts in their respective fields. The relevant documents are attached as

**Enclosure 23:** Copy of STP Installation documents from Fresh Air Waste Management Services Pvt. Ltd. dated 20.12.2016

**Enclosure 24:** Copy of STP Certification by Forcetech Engineering dated 15.11.2018



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b. The initial conceptual plan on the basis of which the EC was applied for, was later on significantly downsized. In the EC dated 21.01.2014, the approved built-up area was 62,133.036 sq. mts which included a 16 storied high-rise building with 156 apartments. The initial STP design and capacity were prepared accordingly. However, due to certain unavoidable reasons, the plan for constructing the high-rise apartment building was abandoned, and the new total built-up area is now only 23,326.3 sq. mts., thereby reducing the capacity requirements of the STP unit drastically.

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The comparative statement of the calculations with respect to the STP capacity is given below:

| Comparison between Present STP Capacity and Approved STP capacity | | | |
|---|---|---|---|
| **Sl. No** | **Particulars** | **Present STP** | **STP as Per MOEF** |
| 1 | Project Building Area | 23326.30 Sqm | 62133.036 Sqm |
| 2 | No. of Households | 123 | 268 |
| 3 | Population at full capacity utilization | 620 nos. | 2725 |
| 4 | No of Commercial Shop/Retail out Let | 0 | 6 nos |
| 5 | Total Water Requirement | 56.58 KLD | 286.63 KLD |
| 6 | Capacity of STP | 70 CUM | 230 CUM |

It is clearly evident from the above chart, there is more than 50% reduction in the actual built-up area, as compared to the approved built-up area in the EC.

c. The promoter has handed over the maintenance of the project to the society vide a registered agreement dated 09.04.2019. The responsibility of maintaining the STP operations lies with the Society of residents from the day of the handover. A copy of the Agreement is attached for your perusal **enclosures no. 25.** The complainants had made the complaint in the year 2022 and the STP was handed over to the society in the year 2019, more than 3 years prior to the date of the complaint.

d. Para no, 48 mentions that the STP was not found operational and there is improper gradient in the storm water drain. We would like to state that we do not agree with this statement. The STP was handed over to the society in April'2019. Since then, the society has been maintaining the same, and had it not been working, the conditions would have been unbearable as **100% of black water treatment is being done by the STP.**



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e. In response to requirement no. 2(a) in your letter dated 05.11.2024, you had asked for Complete details of STP installation, including design specifications, capacity, and current operational status in the Arya Smart Living Premise

In this regard we submit the following:

i. Complete details of the installation and design of the STP, along with the certificate is as below.

**Enclosure no. 26:** STP Flow Chart diagram

For & behalf of Arya Erectors India Private Limited
Managing Director

**Design Basis:**

**1.1 Waste Water Quantity Estimation:**

**1.1.2 Features of Waste Water Generation**

| | |
|---|---|
| Total Number of unites or flats | 124 nos. |
| Expected population of the project | 620 people |
| Total Floor Area (approximately) | 3,07,710 Sq. Ft. or **27,694 SQM** |
| Indian Standard Water Consumption | 0.135 KLD per person per day |

**1.1.2. Indian Standard Water consumption:**

| Sl. No | Heads | Lower limit in litres per person per day | Upper limit in litres per person per day | Water Consumption per person per day in for waste water estimation | Total water consumption per day | KLD |
|---|---|---|---|---|---|---|
| 1 | Drinking | 3.0 | 5.0 | 4 | 2480.0 | 2.48 |
| 2 | Bath | 5.0 | 15.0 | 10 | 6200.0 | 6.2 |
| 3 | Toilets | 25.0 | 95.0 | 25 | 15500.0 | 15.5 |
| 4 | Washing utensils and clothes | 15.0 | 25.0 | 20 | 12400.0 | 12.4 |
| 5 | General purpose | | | | 20000.0 | 20.0 |
| | **Total Water Consumption** | | | | | **56.58 KLD** |



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### 1.1.3 Waste Water Quantity Calculation:

| | |
|---|---|
| Total water consumption: | 56.58 KLD |
| Consideration of 10% loss for waste water | 50.92 KLD |
| Safety factor assumed 20% | 10.18 KLD |
| Therefore, Capacity of the STP | 61.10 KLD design capacity 70 KLD |
| Peak flow considered to be 50% | 30 KLD |

**1.2 Waste Water Quality Estimation:**

For & behalf of Arya Erectors India Private Limited
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### 1.2.1. Standards for Treated Waste Water

| Parameters | Standards |
|---|---|
| BOD | >30 mg/lt |
| COD | >250 mg/lt |
| PH | >6.3-9.0 |
| Oil and Grease | >10 mg/lt |
| T.S.S | >100.0 mg/lt |
| Bio Assay test | 90% of survival of fish after 96 hours in 100% . |

### 1.2.2. Parameters of Untreated Waste Water

| **Parameters** | **PPM** |
|---|---|
| BOD | 300.0 |
| COD | 500.00 |
| PH | 10 |
| Oil and Grease | 15.0 |
| T.S.S | 300 |

(v) That, the complaint number 4 of the complaint dated 06.07.2022 was with respect to Operation Phase Conditions Part A(II)(v) of the Environmental Clearance, which states that *"The peripheral green belt of 3 mts width shall be developed around the plot area and density preferably with local species along the periphery of the plot shall be raised so as to provide protection against particulates and noise",*



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In this regard we would like to submit the following:

a. Green belt area of 3 mts is maintained all around the campus with the only exception of two corners that too only at the at the vertex points. Dur to the irregular shape of the plot, the criteria of 3 mts. at only these two points were not met.

b. Total Green area in the project is approximately 9000 sqm, much more that the area proposed (i.e., 7486 qm).

c. The Green Area Calculations as per Approved Plan and actuals is given below:

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| Green Area as per approved drawing of ARYA SMART LIVING | | | |
|---|---|---|---|
| **Area No.** | **Location Description** | **Unit** | **Area** |
| 1 | Green Belt | SQM | 2646 |
| 2 | Children playground | SQM | 973.3 |
| 3 | Beside B08 | SQM | 191.6 |
| 4 | Behind B-Type, B01-B07 | SQM | 227.75 |
| 5 | Beside B01 | SQM | 74.42 |
| 6 | Beside C69, Near second pump house | SQM | 403.5 |
| 7 | Beside C33 | SQM | 64 |
| 8 | Beside C32 | SQM | 133 |
| 9 | Beside C19 | SQM | 71 |
| 10 | Triangular Garden 01 | SQM | 212 |
| 11 | Triangular Garden 02 | SQM | 212 |
| 12 | Lawn (108 villas) | SQM | 1188 |
| 13 | Behind APT 01 (C106-108) | SQM | 158.9 |
| 14 | Beside APT 01 C106 | SQM | 158.9 |
| 15 | A-type | SQM | 144 |
| 16 | Beside APT 02 | SQM | 21 |
| 17 | Beside APT 03 | SQM | 21 |
| 18 | Beside APT 04 | SQM | 21 |
| 19 | B-type | SQM | 68 |
| | **TOTAL** | | **6989.37** |

| Actual Green Area Measurement | | | |
|---|---|---|---|
| **Area No.** | **Location Description** | **Unit** | **Area** |
| 1 | Front of C97 | SQM | 39.03 |
| 2 | Near Sub-Station 02 beside playground | SQM | 198.52 |
| 3 | Beside Swimming Pool | SQM | 116.44 |
| 4 | Behind Club House | SQM | 570.73 |
| 5 | Beside Caretaker's Room, in front of Tennis court | SQM | 249.08 |



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| | | | |
|---|---|---|---|
| 6 | Beside tennis Court | SQM | 217.56 |
| 7 | Beside Tennis court with bamboo trees | SQM | 89.04 |
| 8 | Beside Tennis court | SQM | 273.38 |
| 9 | Behind Tennis court, beside B08 | SQM | 36.94 |
| 10 | Behind B08 | SQM | 84.42 |
| 11 | Behind B07 | SQM | 186.08 |
| 12 | Behind B-Type, B01-B07 | SQM | 315.5 |
| 13 | Beside B01 | SQM | 155.09 |
| 14 | Beside C69, Near second pump house | SQM | 341.63 |
| 15 | Beside C37 | SQM | 328.54 |
| 16 | Behind C36 | SQM | 59.6 |
| 17 | Near Sub-Station 01 and STP | SQM | 588.26 |
| 18 | Beside C33 | SQM | 73.9 |
| 19 | Beside C32 | SQM | 111.57 |
| 20 | Beside C19 | SQM | 66.57 |
| 21 | Beside Security Room, near entrance | SQM | 272.3 |
| 22 | Triangular Garden 01 | SQM | 283.42 |
| 23 | Triangular Garden 02 | SQM | 236.71 |
| 24 | Divider of Concrete Road | SQM | 36.34 |
| 25 | Ph 01 Divider, Entry gate to B type | SQM | 93.23 |
| 26 | Open area beside Concrete Road | SQM | 718.47 |
| 27 | Open area beside Concrete Road, near entrance | SQM | 138.92 |
| 28 | Lawn (108 villas) | SQM | 895.32 |
| 29 | Behind APT 01 (C106-108) | SQM | 174.12 |
| 30 | Beside APT 01 C106 | SQM | 328.17 |
| 31 | Behind Water Tank 01 | SQM | 38.13 |
| 32 | Beside Water Tank 01 | SQM | 19.51 |
| 33 | Behind DV33&34 | SQM | 185.79 |
| 34 | Behind APT 04(DV26-32) | SQM | 145.2 |
| 35 | Beside DV26 | SQM | 120.04 |
| 36 | Beside DV25 | SQM | 50.82 |
| 37 | Beside DV09 | SQM | 83.76 |
| 38 | Beside DV08 | SQM | 40.35 |
| 39 | Behind APT 01 (DV02-08) | SQM | 341.39 |
| 40 | Behind A-type (A01-07) | SQM | 528.13 |
| 41 | Beside APT 02 | SQM | 28.33 |
| 42 | Beside APT 03 | SQM | 28.33 |
| 43 | Beside APT 04 | SQM | 32.45 |
| 44 | Beside APT 08 | SQM | 15.6 |
| 45 | Beside APT 07 | SQM | 11.73 |
| 46 | Beside APT 04 (PH II) | SQM | 21.7 |
| 47 | Beside APT 02,03 (PH II) | SQM | 30 |
| | **TOTAL** | | **9000.14** |

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c. There are a total of more than 800 trees of more than 65 indigenous local species. Apart from these, there are a lot of hedges around all the big lawns.



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Every villa has its own little lawn. A List of the trees planted in the project is attached for your perusal.

**Enclosure no. 27:** List of trees of planted in the project.

d. The drone images of the campus, as mentioned in your letter dated 5.11.2024 under para 2(c), is as below:

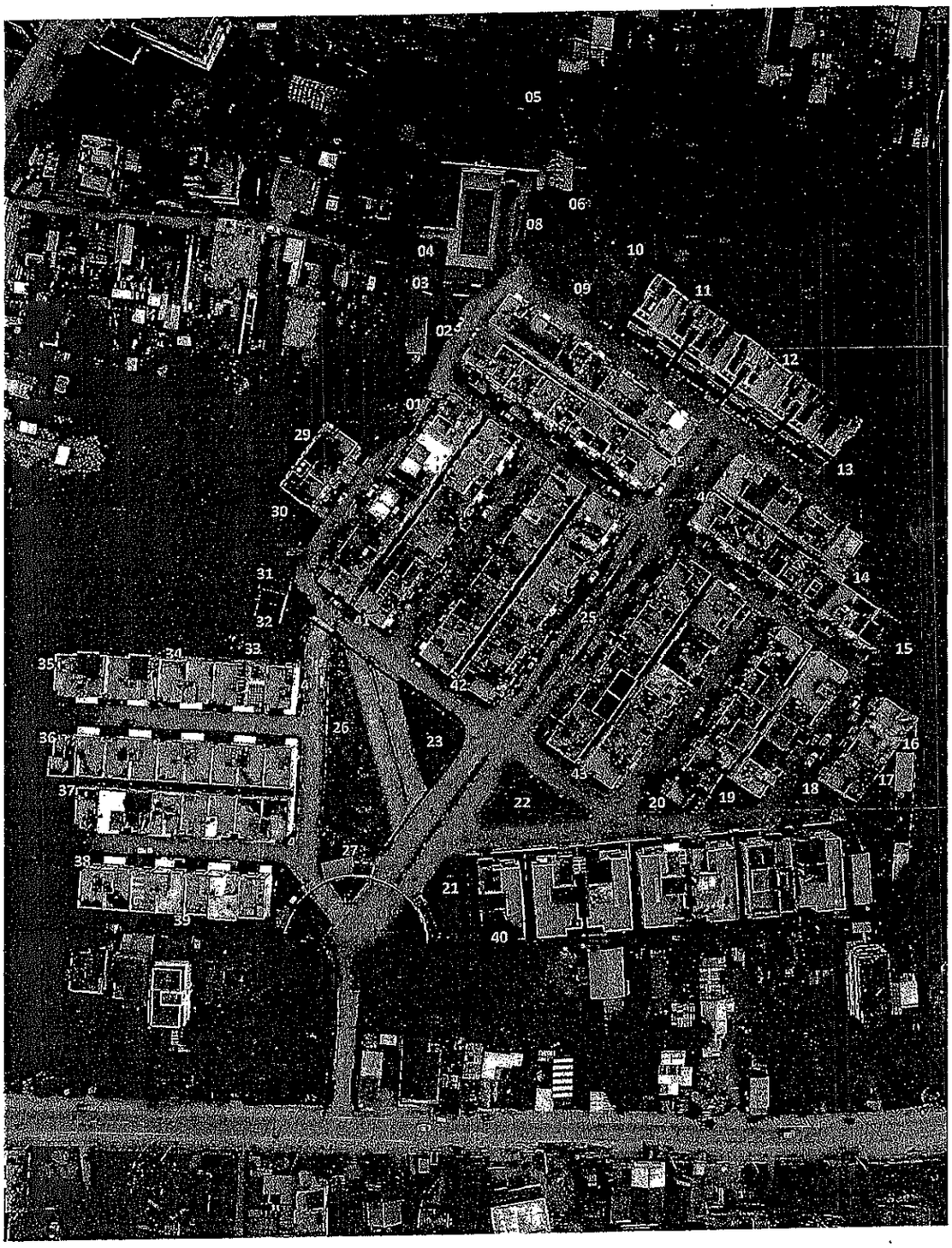
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c. Apart from the Drone image, the site inspection team had also made physical verification of the site earlier and in the recent survey, wherein the peripheral Green Belt has been clearly demonstrated.



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(VI) That, the complaint number 5 of the complaint dated 06.07.2022 was with respect to Operation Phase Conditions Part A(II)(vii) of the Environmental Clearance, which states that *"Rain water harvesting for roof run-off and surface run-off should be implemented. Before recharging the surface run-off. Pre-treatment must be done to remove suspended matter. Oil and grease. The bore well for rainwater recharging should be kept at ;least 5 mts before above the highest of ground water levels."*

In this regard, we submit the following:

a. Ground water level at the campus is very high (0.5 m) as evident from the soil testing report done by Reliant Foundations Pvt. Ltd. of Panjabari Road, Sixmile, Guwahati and completed on 30.04.2012. A copy of the same has been submitted to you earlier.

b. A huge low-lying area adjacent and outside the project on the northern side also exists, which also serves as a huge natural reservoir of rain water, and ground water recharge.

c. For collection of roof run-off and surface run-off rain water, multiple tanks of 5000 ltrs. capacity have been installed around the campus. The collected water is used for gardening, car washing and other utility purposes.

(VII) That, the complaint number 6 of the complaint dated 06.07.2022 was with respect to Operation Phase Conditions Part A(II)(ix) of the Environmental Clearance, which states that *"Traffic congestion near the exit points from the roads adjoining the proposed project site must be avoided. Parking should be fully internalised and no public space should be utilized. Width of internal road should be 7 mtr and 9 mtr in the project area."*

That, in response to complaint no. 6 of Annexure N pertaining to traffic congestion and width of the roads, we would like to state that :

a. There is no congestion of traffic near the entry and exit points from the roads adjoining the project.

b. The main entry road to the project is almost 11 m wide, opening up to a much wider open space before the main gate. Beyond the main gate there are two roads – the road coming inside from the main road is 14 m wide and the road moving towards the left is 12 m wide. The internal roads are all as per GMDA

For & behalf of Arya Erectors - India Private Limited
Managing Director



NOTARY GOVERNMENT OF INDIA Jnanajit Sarma Guwahati Regd. No.- 42846 Expiry Dt.- 20/02/2030

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approved sanctioned plans. The same has been checked and found compliant by the inspection team during their visits.

c. One parking area has been designed in every Villa, for a standard sized car, and the same is approved by GMDA.

(VIII) The complaint number 7 of the complaint dated 06.07.2022 was with respect to Operation Phase Conditions Part A(II)(x), *"A report on the energy conservation measures confirming to energy conservation norms finalized by Bureau of Energy Efficiency should be prepared incorporating details about building materials & technology, R&U factors, etc. and submit to the SEIAA in three months."*

For & behalf of Arya Erectors India Private Limited
Managing Director

In this regard we would like to submit that:

a. 6 monthly compliance reports have been submitted till Jun 2019. The same has been received by the good office of SEIAA.

b. All street lights in the campus are solar-powered.

c. Sufficient use of glass is done in all the villas.

d. All window panes which were installed by us are of aluminium. However, one of the complainants' viz. Dr. Ganesh Das has replaced / installed wooden window panes and has done significant interior wood-work in his villa, which this Hon'ble Authority may be pleased to look into.

e. Project has been completed in July 2018 and handed over to the society vide a notarised agreement on 08.04.2019.

**Enclosure no. 28:** A copy of the received copy of the six-monthly submission at SEIAA

I would also like to bring to notice here that as per the **MoEF notification no. SO 1533 dated August 2015**, in the Schedule mentioned on page 22, it is clearly specified that **for the projects falling the category 8(a), the "Geneal Conditions" shall not apply.**

**Enclosure no. 29:** Copy of the MoEF notification SO 1533 dated August 2015



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D. Para 55 (iv) of the NGT order dated 12.09.2024 directs SEIAA to examine the non-compliance of the promoter with respect to Specific Condition at Part A(I)(i) of the EC, which has been already addressed above, and hence not discussed again for the sake of brevity.

E. Para 55 (v) of the NGT order dated 12.09.2024 directs SEIAA to take action against the promoter for violation of EC conditions by complying with the *principles of natural justice.* With due respect to all, I would like to humbly request the kind authority of SEIAA to examine the entire matter on the merits of the documents, MoEF notifications dated 14.09.2006, subsequent circular no. 23/3/2007-IA.III dated 5.02.2008, Internal notification no. SO. 1533 dated Aug'2015 and all other applicable notifications, circulars, evidences submitted by us and not fall prey to a dangerous plan hatched by the complainants, details of which are given below.

For & behalf of Arya Erectors India Private Limited
Managing Director

F. Para 55 (vi) of the NGT order directs ASPCB to take action for the violation of environmental norms found on the spot and reflected in its report dated 21.11.2023.

In this regard we would like to submit the following:

i. The affidavit dated 21.11.2023 mentioned that the Consent to Operate (CTO) for the project had expired on 31.03.2023 and the same had not been renewed. We would like to state here that the project was completed in the year 2018, and this is validated by the Part OC issued by the GMDA on 21.08.2023. The project has been handed over to the society in April 2019, evidences of this fact has been submitted to you in the annexures. After the handover, it is the duty of the society to pursue the matter and the promoter cannot be held responsible for the same.

**Enclosure no. 25:** Copy of Agreement with society and handover documents

ii. With reference to the issue of CTO renewal, as per the MoEF notification no. S.O. 3999(E) dated 09.12.2016, on page 15, para 1, it is clearly mentioned that



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**"No Consent to Establish and Operate under the Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act,1981 will be required from the State Pollution Control boards for residential buildings up to 150000 square meters".** As the entire project is well within the threshold limit mentioned above, it does not qualify for CTO renewal.

Moreover, after the handover of the project to the society in 2019, the renewal of the CTO is entirely the responsibility of the society only and the promoter has no say in the same.

**Enclosure no. 30:** Copy of MoEF notification no. S.O. 3999(E) dated 09.12.2016

For & behalf of Arya Elegance India Private Limited
(Managing Director

iii. Moreover, the deductions on the gradient can be contested on the simple ground that if the gradient had been erroneous, there would have been waterlogging every day and not just on the days with very heavy rainfall, which is not the case.

iv. The affidavit also mentions that "the problem of waterlogging cannot be attributed to any single stakeholder if the design and coordination of these drainage systems are not appropriately managed at both micro and macro levels. We have earlier highlighted the all the causes of waterlogging earlier in this letter, and hence not placing them again here for the sake of brevity.

v. The affidavit also highlighted potential neglect in maintenance of the stormwater drain by the housing entity. After the handover of the project to the society in 2019, the maintenance of the drains is entirely the responsibility of the society only and the promoter has no say in the same.

G. As regards the requirement no 2 (e ) mentioned in your letter dated 05.11.2024, regarding the Actual built-up area details compared with the EC-approved area of 62,133.036 sq.m., kindly find our submission as follows:

As per the circular dated 05.02.2008. the EC has to be in accordance with the approved building plans. i.e NOC dated 25.06.2013 for Project 1 with 123 villas only.



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The actual constructed area for Project 1 is as follows.

| A | Project 1 - Under GMDA (GMDA) | | | |
|---|---|---|---|---|
| **Sl No** | **Name** | **Nos** | **Area per Unit in Sqm** | **Total area of Villas** |
| 1 | TYPE "A" VILLA | 7 | 444.62 | 3112.34 |
| 2 | TYPE "B" VILLA | 8 | 263.72 | 2109.76 |
| 3 | TYPE "C" VILLA | 38 | 195.8 | 7440.4 |
| 4 | TYPE "D" VILLA | 70 | 152.34 | 10663.8 |
| 5 | CLUB HOUSE (part) | 1 | 466.29 | 466.29 |
| 6 | Changing Room& Toilet | 1 | 49.43 | 49.43 |
| | **Total Area** | | | **23842.02** |

For & behalf of Arya Erectors India Private Limited
Managing Director

This clearly shows that the actual constructed area is only about 38% of the total approved constructed area as per the EC dated 21.01.2014.

Similarly, the actual constructed areas of the other two projects are as follows:

| B | PHASE -II VILLA AREA ( Rudreswar Gaon Panchayat ) | | | |
|---|---|---|---|---|
| **Sl No** | **Name** | **Nos** | **Area in Sqm** | |
| 1 | BLOCK -I ( 7 Nos Villa) | 1 | 1136.06 | |
| 2 | BLOCK -II ( 8 Nos Villa) | | 1296.34 | |
| 3 | BLOCK -III ( 9 Nos Villa) | | 1498.34 | |
| 4 | BLOCK -IV ( 9 Nos Villa) | | 1533.13 | |
| | **Total Area** | | **5463.87** | |

| C | CLUB HOUSE (part ) (NGMB ) | | | |
|---|---|---|---|---|
| **Sl No** | **Name** | **Nos** | **Area per Unit in Sqm** | **Total area in Sqm** |
| | CLUB HOUSE (part) | 1 | 444.19 | 444.19 |

The total area of all 3 projects combined is less than 29750.08 sqm, which is only about 48% of the total approved area as per the EC dated 21.01.2014 (lesers than 50% of the approved area).



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E. With respect to the requirement no 2(f) of your letter dated 05.11.2024, regarding Ground water extraction permissions from CGWA and current status of compliance, we would like to submit the following.

i. That, as mentioned in our EC application dated June 2012, under section II, sub section 1.23, we had mentioned that "the water required during construction and operation phase will be obtained by Guwahati water supply project new and tanker supply. In operation phase in addition to these sources treated water from STP will be used."

ii. That, accordingly, on 4th May'2012, we had applied to the Project Director, Project Implementation Unit of JICA, GMDA for allotment of a water supply connection for the project with proper calculations of the water requirements. A copy of the same is attached as **Enclosure no. 31.**

iii. That, in response to our letter, we received an acknowledgement from the Addl. Project Director, Project Implementation Unit, JICA assisted GWSP, on 25th June'2012, that the supply of the mentioned water requirement would be possible and the same is expected to be done by 2016. A copy of the same is attached as **Enclosure no. 32.**

iv. That, however, as promised JICA could not deliver their service and the same is still awaited, so the project proponent had to extract ground water by Boring;

v. That, it is hereby requested to kindly note that the Assam State Cabinet approved the Assam Ground Water Control and Regulation Rules only in the year 2022, by which time the project had been long completed and handed over to the society. Water being a state subject, we did not apply to the CGWA at the time of starting of the project in 2013, and it was not mandatory at that time to do so. The Times of India article dated Nov 12, 2022 is attached as **enclosure no. 33** which highlights the constitution of the state ground water regulatory board .

vi. Being a member of the Assam Real Estate and Infrastructure Development Association (AREIDA), I am aware that that none of the real estate projects of Assam, of the similar type and scale, of the time had applied for the same.

For & behalf of Arya Erectors India Private Limited

Managing Director



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Sir, it is clear that the NGT Order dated 12.09.2024 is based on the two complaints dated 06.07.2022 and 10.09.2022, and therefore a detailed investigation of these two complains is absolutely necessary and our submissions have been listed above. In both the complains, which are incidentally almost identical, if one looks into the para **"Overview and Summary of Observations"**, it is clear that the main intention of the complainants was to portray the project as incomplete, and so intentionally provided piece-meal information to the Authority and the honourable NGT. In order to misguide the authorities, the complainants have used certain documents which are either redundant in nature or are totally misleading as there were subsequent orders had been issued in contrary of their earlier contentions.

For & behalf of Arya Erectors India Private Limited
Managing Director

Some of the instances are as follows:

i. In both the complaints, the complainants had tried to portray that the EC had expired for the project and renewal was not done. However, the actual fact is that the EC issued by SEIAA dated 21.01.2014 was valid till 20.01.2019 and then extended for two years till **20.01.2021. The project was completed on 03.07.2018 even before the expiry of the initial EC**, and this has been clearly validated by the Part Occupancy Certificate issued by the GMDA dated 21.08.2023 on the basis of the completion report dated 03.07.2018. The Part Occupancy certificate issue by GMDA is attached as enclosure no. 2.

ii. The complainants also submitted GMDA order dated 03.11.2021 in an attempt to prove that the project was incomplete. It is necessary to point out at this juncture that through an orchestrated series of misleading communication, the complainants managed to confuse the GMDA to delay the process of issuance of the Occupancy Certificate for the project and were able to get the GMDA announce the order dated 03.11.202. However, after number of hearings and repeated site visits, GMDA finally issued the Part OC for the project on 21.08.2023, which clearly substantiated the following points -

   a. That, the project was completed well within the validity period of the EC. This has been validated by the Part OC;

   b. That, there were no deviations in the driveway and roads, no deviation in the green belt area, no deviations regarding any built up area and storm water drains in relation to the approved plans by GMDA;



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c. That, interestingly, the OC was issued by GMDA as a Part OC because **all of the complainants** and a few other villa owners **have done unauthorised constructions in their respective villas.** The chief complainant, Dr. Ganesh Chandra Das, has even constructed an extra floor in his residence, apart from other deviations like covering the storm water drains in the back of his residence and converted it into a garden. All the complainants have been issued individual notices by GMDA to remove the unauthorised constructions in their respective villas.

The GMDA order dated 3.11.2021 is attached as **enclosure no. 34** and the GMDA notices to the complainants are collectively attached as **enclosure no. 12** respectively.

For & behalf of Arya Erectors India Private Limited
Managing Director

**iii.** The complainants had also referred to the RERA order dated 13.06.2022 in their complaint. This order has been used by the complainants only for certain parts serving their purpose. However, if this order is closely perused, it is clearly established in section 2. Joint field Inspection, that **there are three different projects under jurisdiction of 3 different authorities.**

**The honourable RERA has in the above-mentioned order also asked us to register the clubhouse as a separate project**, which has been done by us in compliance of the same. The RERA order dated 13.06.2022 is attached as **enclosure no. 11** which provides the clarity of defining 3 separate projects.

iv. The complainant had also brought on record the High Court Case Number W.P(C)/3654/2020, mentioning that the project was not handed over to the society. This is a false statement aimed at misleading the authorities for getting a favourable judgement. Here it has to be noted that,

a. The project has been handed over to the society in the year 2019 vide an agreement dated 08.04.2019, and a copy of the agreement with the society is attached as **enclosure No. 25** for your perusal.

b. The society is earning revenue from the clubhouse as rent for holding events, both for the residents as well as others.



NOTARY GOVERNMENT OF INDIA Jnanaji Sarma Guwahati Regd. No.- 42846 Expiry Dt.- 20/02/2030

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c. Most importantly, the **High Court case no. W.P(C)/3654/2020** mentioned by the complainants **has been dismissed by the honourable Gauhati High Court**, vide order no. dated 11.09.2023. A copy of the high Court Order is attached along with for your reference as **enclosure no. 35**

It must also be brought to your attention about the various attempts of the complainants to manipulate the situation for their illegal financial gain.

- Despite having paid nearly the full amount for his villa, Dr. Das deliberately deferred the registration of the Sale Deed for his villa by citing the absence of an OC from GMDA, However, he himself was the person who created confusion leading to delay in the issue of the OC by filing number of complaints, RTIs etc., with leading questions, to GMDA. Whereas he has jointly applied for the NOC for the registration of his villa, and had already received the same. A copy of the NOC in his name is attached as **enclosure no.36.**

- He filed multiple RTIs with the GMDA, SEIAA, APDCL, and the Circle Office of Kamrup, seeking to exploit minor technicalities. Through these efforts, he managed to obtain an order dated 03/11/2021 from GMDA, which he then used in his complaint to SEIAA. This order, along with his complaint, was used as a basis for seeking compensation under Section 18(3) of the RERA Act. His claim that the project was not completed on time is baseless, as **the delays in the issuance of OC were primarily due to his own interference and although he received the NOC for registration which he has applied jointly with the promoter.**

- Dr. Das also approached RERA with a complaint, claiming that he did not receive "legal possession" on time, and initially managed to secure a verdict in his favour for compensation. He had purposefully hidden the fact that the possession was given to him on the basis of his written request to the promoter as he "did not have his own house". He was successful with RERA to get an order for compensation dt. 21.09.2022 against case no ASSAM /RERA/2020/02/3711.

**Enclosure no. 37:** RERA order dt. 21.09.2022

For & behalf of Arya Erectors India Private Limited
Managing Director



NOTARY GOVERNMENT OF INDIA
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**Enclosure no. 38:** Letter of Dr. Ganesh Ch Das dated 07.11.2019 seeking possession of his villa.

**Enclosure no.39:** Possession Certificate dated 30.11.2019 signed by Dr. Ganesh Ch Das after receiving possession of his villa.

- However, **this order was overturned by the Real Estate Appellate Tribunal (REAT), which set aside the compensation order**. Kindly refer to the page 14, Complaint no. 4, in the REAT Order dated 11.04.2023 which is attached as **Enclosure no. 40** for your perusal.

For & behalf of Arya Erectors India Private Limited
Managing Director

It is observed that all the complaints and RTI applications submitted by the main complainant, Dr. Ganesh Chandra Das, are primarily aimed at establishing that the project was not completed within the stipulated timeframe, ostensibly to claim compensation under Section 18 of the RERA Act. In furtherance of this objective, the complainant has been persistently attempting to mislead the authorities by providing false and misleading information in a piecemeal manner, thereby creating confusion and hindering the due process.

We therefore request your positive consideration of this submission, as we have ensured adherence to the regulatory framework at every stage. Should you require any additional clarifications or documents, we remain at your disposal.

Yours sincerely,

For & behalf of Arya Erectors
India Private Limited

Managing Director

Mr. Anil Kumar Sarma

Managing Director

cc.

1. Chairman – SEIAA
   Bamunimaidam, Guwahati 781021, Assam
   For your kind information only.
2. Chairman – Pollution Control Board
   Pollution Control Board Assam,
   Bamunimaidam, Guwahati - 781021.
   For your kind information only.



NOTARY
Jnanajit Sarma
Guwahati
Regd. No.- 42845
Expiry Dt.- 20/02/2030
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List of Enclosures

| Enclosure no. | Document detail |
|---|---|
| 1 | Copy of GMDA NOC dated for Project no. 1 – Arya Smart Living Phase I |
| 2 | Copy of GMDA issued Occupancy Certificate for Project no. 1 Arya Smart Living Phase I |
| 3 | Copy of NGTC NOC for Project no. 2 – Arya Smart Living Clubhouse |
| 4 | Copy of NGMB issued Occupancy Certificate for Project no. 2 |
| 5 | Copy of Rudreswar Gaon Panchayat NOC for Project no. 3 – Arya Smart Living Phase II |
| 6 | Copy of Rudreswar Gaon Panchayat issued Occupancy Certificate for Project no. 3 |
| 7 | Copy of the NGT order dated 12.09.2024 |
| 8 | Copy of MoEF notification dated 14.09.2006 |
| 9 | Copy of Environmental Clearance dated 21.01.2014 |
| 10 | Copy of MoEF Circular dated 05.02.2008 |
| 11 | Copy of the RERA order dated 13.06.2022 |
| 12 | Copies of individual notices from GMDA to complainants for removing of unauthorised constructions. |
| 13 | Copy of Contour Map approved by GMDA |
| 14 | Copy of PWD Work Completion Report |
| 15 | Copy of Google Earth Photos |
| 16 | Copy of Old Site photographs |
| 17 | Copy of Photographs of the existing culverts |
| 18 | Copy of Photographs of raised gates of other households of that area |
| 19 | Copies of letter send to PWD and Water resources department by the promoter |
| 20 | Copy of The recorded minutes of meeting is circulated by the Executive Officer North Guwahati Municipal Board |
| 21 | Copy of Email Sent to Dr. Ganesh Ch Das by Society for covering the storm water drains behind his villa |
| 22 | Copy of The Manual : Greywater Management |
| 23 | Copy of STP Installation documents from Fresh Air Waste Management Services Pvt. Ltd. dated 20.12.2016 |
| 24 | Copy of STP Certification by Forcetech Engineering dated 15.11.2018 |
| 25 | Copy of Agreement with society and handover documents |
| 26 | Copy of STP Flow Chart diagram |
| 27 | Copy of List of trees of planted in the project. |
| 28 | Copy of the received copy of the six-monthly submission at SEIAA |
| 29 | Copy of the MoEF notification SO 1533 dated August 2015 |
| 30 | Copy of MoEF notification no. S.O. 3999(E) dated 09.12.2016 |
| 31 | Copy of Letter to JICA for supply of water |
| 32 | Copy of the Reply received from JICA |
| 33 | The Times of India article dated Nov 12, 2022 |
| 34 | Copy of the GMDA order dated 13.11.2021 |
| 35 | Copy of the High Court Order for case no. W.P(C)/3654/2020 |
| 36 | Copy of NOC for Sale Deed registration for Dr. Ganesh Das |
| 37 | RERA order dt. 21.09.2022 |
| 38 | Copy of Letter of Dr. Ganesh Ch Das seeking possession of his villa |
| 39 | Copy of Possession Certificate signed by Dr. Ganesh Ch Das after receiving possession of his villa. |
| 40 | Copy of REAT Order dated 11.04.2023 |
| 41 | RERA Registration Certificates for Project 1 and Project 2 and Registration application receipt for Clubhouse Project |
| 42 | Details of the costs of construction |

For & behalf of Arya Elecon India Private Limited
Managing Director



NOTARY Jnanajit Sarma Guwahati Regd. No.- 42846 Expiry Dt.- 20/02/2030 GOVERNMENT OF INDIA

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20841036

Sl.No. 11691

# OFFICE OF THE
# GMDA GUWAHATI METROPOLITAN DEVELOPMENT AUTHORITY
# GUWAHATI

No.- GMDA/BP/2214/26112012/156 Dated :Tuesday, June 25, 2013

To : Shri ANIL KUMAR SARMA, MANAGING DIRECTOR OF ARYA ERECTORS INDIA (P) LTD.
503, K. P. ENCLAVE
SUHAGPUR, REHABARI
GUWAHATI - 781008

Sub : Issue of No-Objection Certificate under Sec.25 of the GMDA Act. 1985 for construction of an ~~Assam Type~~ / R.C.C. Building / ~~Boundary Wall~~ .

Ref. : Your application dated Monday, November 26, 2012

Sir / Madam,

With reference to your application for permission to erect / ~~re-erect~~ / ~~add to~~ / ~~alter~~ / a building / ~~Boundary Wall~~ at village ABHAYPUR of SILA SINDURI GHOPA mouza, Dag No 884,885,889,890 PattaNo. 198 on EXISTING=10M AND PROPOSED=25M GOPINATH BORDOLOI road for RESIDENTIAL purpose in accordance with the plans submitted with it, with area of each floor and setbacks as shown below

| | | | | | |
|---|---|---|---|---|---|
| Floor Area : | Ground | 10924.96 Sq.M | / 1st | 10520.32 Sq.M | / |
| | 2nd | 5289.92 Sq.M | / 3rd | xxxx | / |
| | 4th | xxxx | / 5th | xxxx | / |
| | 6th | xxxx | / 7th | xxxx | / |
| | 8th | xxxx | / 9th | xxxx | / |
| | Mezzanine | 288 Sq.M | / Basement | xxxx | / |

~~Boundary wall~~ at ABHAYPUR Guwahati.

| | | | | |
|---|---|---|---|---|
| Setbacks : | North | 6.35 M,15.59 M | South | 3.0 M,3.08 M,3.74 M,4.46 M,6.11 M |
| | East | 3.17 M,8.39 M,9.42 M,9.59 M,10.40 M | West | 3.0 M,3.24 M,4.80 M |

Your application is hereby -

(1) Sanctioned for the aforesaid construction under Bye-law 14 of the Guwahati Metropolitan Development Authority .

(2) ~~Sanctioned for construction with the following modification shown by red in the drawings.~~

(3) Clearance of MOEF has to be furnished before starting construction and conditions laid down therein are to be strictly complied with.

(4) The NOC is not to be honoured without the affixed security hologram of GMDA.

Yours faithfully,

For Chief Executive Officer,
Guwahati Metropolitan Dev. Authority
Bhangagarh, Guwahati - 5

Chief Executive Officer
Guwahati Metropolitan Dev. Authority

*Enclo : One copy of approved plan.*

N.B. :- See Notice overleaf

For & behalf of Arya Erectors India Private Limited
Managing Director

NOTARY GOVERNMENT OF INDIA
Jnanajit Sarma
Guwahati
Regd. No.- 42846
Expiry Dt.- 20/02/2030

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## NOTICE

1. The number of your building and site is GMDA/BP/2214/26112012/156

   This number is to be displayed at the site or on the building, in a distinctly visible manner from the road.

2. This permission shall remain in force for a period of one year from the that of permission.

3. This permission is not transferable.

4. The owner upon commencement of his work under a No-Objection Certificate shall give notice to the Authority that he started this work and the Authority shall cause inspection of the work to be made within the 14 (fourteen) days following the receipt of notice to verify date the building has been erected in accordance with the sanctioned plan.

5. Should the Authority determine at any stage that the layout of the construction is not proceeding to the sanctioned plan or is in violation of any provision of this Act, it shall serve a notice on the applicant requiring him to stay further execution until correction has been effected in accordance with the approved plan (Sec. 31 of the Guwahati Metropolitan Development Authority Act, 1985 as amended)

6. If permit holder fails to comply with the requirements at any stage of construction the Authority is empowered to cancel the building permit issued.

7. The Authority will have power to impose fine not exceeding Rs. 1000/- on any person, firm or corporation, who violates/ disobeys/ refuses to comply with or who resists the enforcement of any of the provisions of the Guwahati Metropolitan Development Authority Act, continuation of the violation shall constitute a separate offence for which a fine of Rs. 100/- per day may be imposed for the days after the first condition. And appeal shall lie to the Appellate Authority Constituted under this Act.

8. Any sum recoverable by the Guwahati Metropolitan Development Authority, if not paid on the demand, shall be recoverable as an area of land revenue (Sec. 103).

9. No building hereafter erected/re-erected or altered materially shall be occupied in whole or in part unit the issued of an occupancy certificate by the Authority affirming that such building is fit for occupation provided that if the Authority fail to issue the occupancy certificate within two weeks from the date of submission of the application, the building, may be occupied without further reference to the Authority.

Memo No : GMDA/BP/2214/26112012/156 (A) Dated :Tuesday, June 25, 2013

Copy to -

1) Commissioner, GMC for information.

2) M/S AKAR FOUNDATION , concerned RTP for information and necessary action.

3) Office Copy.

For Chief Executive Officer,
Guwahati Metropolitan Dev. Authority
Bhangagarh, Guwahati - 5

Chief Executive Officer
Guwahati Metropolitan Dev. Authority

*********

For & behalf of Arya Erectors
India Private Limited
Managing Director

NOTARY
Jnanaj. Sarma
Guwahati
Regd. No.- 42846
Expiry Dt.- 20/02/2030
GOVERNMENT OF INDIA

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(2)

Sl.No. A 0633

# OFFICE OF THE
# GUWAHATI METROPOLITAN DEVELOPMENT AUTHORITY
# GUWAHATI

## PART OCCUPANCY CERTIFICATE

(Under Clause 17 (b) of Building Byelaws of 2006)

No. GMDA/BP/2214/26112012/679 Dated: 21 / 08 /2023

To,
M/S Arya Erectors India Pvt Ltd.
Sri Anil Kr Sarma, Managing Director.
H No. 123, Arya Smart Living, Abhaypur,
North Guwahati, Dist: Kamrup, Assam, Pin-781031.

Sir/Madam,

This is to certify that the construction of the Residential apartment building project of villas permitted vide NOC. No. GMDA/ BP/2214/26112012/156, dated 25.06.2013 in a Patta no. 198, Dag no. 884, 885, 889, 890 situated at Revenue Village Abhaypur under Mouza- Sila Sinduri Ghopa, has been completed under the supervision of M/S Akar foundation, Guwahati-781007, Assam is hereby permitted to occupy partly completed villas with uses as mentioned below.

- Type-A: Gr+1 (No of villas 5)----Built up area of each villa 444.62 SqM (approx) including parking space for car.
- Type-B: Gr+2 (No of villas 7)----Built up area of each villa 263.72 SqM (approx) including parking space for car.
- Type-C: Gr+2 (No of villas 19)--Built up area of each villa 195.80 SqM (approx) including parking space for car.
- Type-D: Gt+1 (No of villas 33)--Built up area of each villa 152.34 SqM (approx) including parking space for car, based on the following conditions.

1. As per Completion certificates submitted by RTP dated 03.07.2018, as built drawings showing plot and built up areas.
   - Completion Report Form No. 16.
   - Certificate by Architect on record.
   - Certificate by Structural Engineer & Construction Engineer on record.
2. Load Sanctioning Letter issued vide No.CGM (D)/APDCL (LAR)/Arya Erectors India/ 2016-17, dated 28.12.2016. from the Chief General Manager (D), APDCL (LAR), Office of The Assam Power Distribution Company Ltd, Guwahati.
3. NOC. Issued vide no. F&ES/FPW/3362/794/18, dated 11.12.2018 from the Director Fire and Emergency Services, Assam, Guwahati.

It is here by mentioned that the residential 64 villas, as per annexed list, out of 123 villas of project (part) only is allowed for occupation. Further, you are directed to ensure the terms and conditions of the NOC issued earlier. One set of completion plan duly certified is returned herewith.

Yours faithfully

(Arbamuthan M.P, IAS)
Chief Executive Officer
Guwahati Metropolitan Dev. Authority
Bhangagarh : Guwahati-5

*Chief Executive Officer*
*Guwahati Metropolitan Dev. Authority*

For & behalf of Arya Erectors India Private Limited
Anil Kumar Sarma
Managing Director

NOTARY Jnanesh Barma Guwahati Regd. No.- 42846 Expiry Dt.- 20/02/2030 GOVERNMENT OF INDIA

11 JUL 2025

Sl.No. B 1750

# OFFICE OF THE
# GUWAHATI METROPOLITAN DEVELOPMENT AUTHORITY
# GUWAHATI

Memo No. GMDA/BP/ GMDA/BP/2214/26112012/ - 679 (A) Dated: 21 / 08/2023

Copy to :

1. The President of Rudreswar Gaon Panchayat, Abhaypur, Guwahati. for information.
2. The Secretary, RERA, Guwahati-22. This has reference to Case no. RERA/ASSAM/ Reg / Notice/ 2021/06

Chief Executive Officer
Guwahati Metropolitan Dev. Authority
Bhangagarh : Guwahati-5

For & behalf of Arya Erectors India Private Limited
Managing Director

NOTARY
Jnanajit Sarma
Guwahati
Regd. No.- 42846
Expiry Dt.-
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**Annexure**

**Ref. Occupancy Certificate (part) File No:- GMDA/BP//2214/ 26112012/ 679**

**List of villas approved for part occupancy**

| Sl No. | Type of Villa | Villa Nos. | Total Villa |
|---|---|---|---|
| 1 | A | A1, A2, A3, A4, A5 | 5 |
| 2 | B | B2, B3, B4, B5, B6, B7, B8 | 7 |
| 3 | C | C26, C27, C32, C33, C36, C37, C63, C68, C69, C78, C90, C100, C101, C102, C104, C105, C106, C107, C108 | 19 |
| 4 | D | D1, D2, D5, D6, D7, D8, D12(A), D15, D18, D29, D42, D45, D46, D55, D59, D60, D61, D64, D65, D67. D71, D73, D74, D75, D76, D82, D83, D85, D87, D88, D92, D93, D96 | 33 |
| | | **Total Villas** | 64 |

For & behalf of Arya Erectors India Private Limited

Managing Director

Town Planner
Guwahati Metropolitan Dev. Authority

Town Planning Assistant
Guwahati Metropolitan Dev. Authority

NOTARY
Jnanajit Sarma
Guwahati
Regd. No.- 42846
Expiry Dt.- 20/02/2030
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(3)

OFFICE OF THE CHAIRMAN

# NORTH GUWAHATI TOWN COMMITTEE

Guwahati-30

Ref..... No- NGTC / NOC / 2013-14 /1742

Date. 18-12-2013

For & behalf of Arya Erectors India Private Limited

Managing Director

To,

Sri Anil Kr. Sarma
Managing Director,
Arya Erectors India Privet Ltd.

Sub. - Issue of No-objection Certificate for Construction of R.C.C building.
Ref. - Your application dated 08-10-2013.

Sir,

With Reference to your application dated 08-10-2013 regarding Building permission the undersigned has no-objection to construct a R.C.C Building at Vill – North Guwahati Town, Mouza - Sila Sinduri Ghopa , measuring plot of land two Bighas, Dag No - 264 Patta No - 271 under the following terms and conditions.

1. Construction should be at per as shown at the approved drawing.
2. Plinth area for G.F. = 638.98 sq. m, F.F. = 661.01 sq.m .
3. Municipal rules and bye laws must not be violated during the time of construction.
4. The construction should be completed within one year from the date of permission.

Yours Faithfully

18/12/13

Chairman
North Guwahati Town Committee
Guwahati-30

NOTARY
Jnanajit Sarma
Guwahati
Regd. No.- 42846
Expiry Dt.- 20/02/2030
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OFFICE OF THE NORTH GUWAHATI MUNICIPAL BOARD
::::NORTH GUWAHATI::::GUWAHATI-781030::::

No. NGMB/BP/2022-23/2870 Dated: 02-11-2022

# OCCUPANCY CERTIFICATE

[Under Rule 15 (a) of Building Byelaws, 2014]

To,

**SRI ANIL KUMAR SARMA,**
**Managing Director**
**Arya Erectors India Pvt. Ltd.**
H. No. 123, Arya Smart Living, Abhaypur,
North Guwahati, Dist: Kamrup,
Assam, PIN-781030

For & behalf of Arya Erectors India Private Limited
Managing Director

Sir / Madam,

This is to certify that the construction of the R.C.C. Building- G.F.+1st floor (Part) approved vide No Objection Certificate No. NGTC/NOC/2013-14/1742 dated 18/12/2013, situated at Revenue Villages – North Guwahati Town, Mouza: Sila-Sindurighopa, Dist: Kamrup, Assam covered by Dag Nos. 764 of K. P. Patta No. 272 completed under the supervision of Technical Person- Akar Foundation, having registration No. CA/97/22284, is permitted to occupy the building based on the following-

1. Earlier Occupancy Certificate vide No. NGMB/BP/2021-22/2129 dated 31/07/2021 issued in favour of M/S Arya Erectors India Pvt. Ltd. is hereby cancelled as per order from the Chief Executive Officer, GMDA vide Order No. GMDA/BP/2214/26112012/489 dated 16/09/2022.
2. Completion Certificate submitted by RTP along with as built drawings showing plot and built-up areas.
3. Completion Report in Form No. 16.
4. Certificate by Architect on Record in Form No. 17.
5. Certificate by Construction Engineer on Record in Form No. 18.
6. Certificate by Structural Engineer on Record in Form No. 19.
7. Area statement of building as per as built drawing in Form No. 20.
8. Certificate from the Chief Electrical Inspector cum Adviser, APDCL, Assam issued vide No.CEIA/SES/2017/Pt/Amingaon/SS/12 & CEIA/SES/2017/Pt/Amingaon/OH/12 dated 23/08/2018.
9. N.O.C. issued vide No. F&ES/FPW/3362/794/18 dated 11/12/2018 from the Director of Fire and Emergency Services, Assam.
10. Rain Water Harvesting provisions are existing.
11. Parking provided at Ground 6 Nos. and Open 8 Nos. is as per approved site plan.
12. Segregate and store waste generated into two separate bins, i.e. biodegradable, non-biodegradable. Handover segregated waste to be processed, treated and disposed off through composting within the premises.

One set of completion plan / as built drawing duly certified is returned herewith.

Yours faithfully

Executive Officer
North Guwahati Municipal Board
North Guwahati-30

Memo No. . NGMB/BP/2022-23/2870 (A) Dated: 02/11/2022

Copy to:-

1. The Chief Executive Officer, GMDA, Bhangagarh, Guwahati for favour of information.
2. Akar Foundation, 2nd Floor, Woodland Marriage Hall Complex, Opp. DGP Office, B.K. Kakati Road, Ulubari, Guwahati-781007
3. The Assessment Branch, N.G.M.B. for information.

Executive Officer
North Guwahati Municipal Board
North Guwahati

NOTARY Jnanajit Sarma Guwahati Regd. No.- 42846 Expiry Dt.- 20/02/2030 GOVERNMENT OF INDIA

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(5)

P-I

GOVERNMENT OF ASSAM

# RUDRESWAR GAON PANCHAYAT

Rudreswar, North Guwahati, Kamrup, Assam, Pin-781030

Ref RGP/791/NOC/2004-05/17/81

Date 6-5-2015

## Building Permission/N.O.C.

The Office of the undersigned do hereby issue the following NOC for construction of building and approve the drawing submitted in the name of -M/S Arya Erectors India Pvt Ltd, of 2nd Floor, Happy Villa, Uzanbazar, Guwahati-3, Kamrup(M), Assam, under the below noted terms and conditions:-

1) Type of Construction :- R.C.C.
2) Total Plot Area :- 4 Bighas, 4 Kathas, 11 Lechas.
3) Total Area:- 6571.00 Sq.Mt.
4) Approved Floors :- G+2
5) Purpose of Construction :- Residential Flat
6) Location of the Building Premises :- Dag No - 885, 889, 890 Patta No - 198, Revenue village - Abhayapur, Mouza - Sila Sinduri Ghopa, Dist - Kamrup(Assam) under the jurisdiction of Rudreswar Gaon Panchayat.

President PRESIDENT
Rudreswar Gaon Panchayat

N.B. :- 1. This NOC is subject to strict adherance of plan, approved drawing, estimate and permissible/required limit of GMDA, following all rules, regulations, clauses & by-laws made by the Government of Assam and other concerned authorities from time to time in this regard.

2. Any alteration/addition/subtraction of the approved drawing and non compliance of permissible/required limit of GMDA mentioned in Planning Permit No. 031/0771/17-18/85, dated - 31/03/2018 will construe this N.O.C as cancelled.

For & behalf of Arya Erectors India Private Limited
Managing Director

NOTARY
Jnanajit Sarma
Guwahati
Regd. No.- 42846
Expiry Dt.- 20/02/2030
GOVERNMENT OF INDIA

4 MAY 2015

OFFICE OF THE CHAIRMAN
NORTH GUWAHATI MUNICIPAL BOARD
GUWAHATI-781030

North Guwahati Municipal Board Guwahati-30

No. NGMB/BP(OC)/2022-23/2513 Dated:- 06-05-2022

# OCCUPANCY CERTIFICATE

[Under Rule 15 (a) of Building Byelaws, 2014]

To,

**SRI ANIL KUMAR SARMA,**
**Managing Director**
**Arya Erectors India Pvt. Ltd.**
Abhaypur, North Guwahati
Dist: Kamrup, Assam, PIN-781030

For & behalf of Arya Erectors India Private Limited
Anil Kumar Sarma
(Managing Director

Sir

This is to certify that the construction of the R.C.C. Building- G.F.+2nd floor approved vide No Objection Certificate No. RGP/791/NOC /2004-05/17/81 dated 05/05/2018, situated at Revenue Villages - Abhaypur, Mouza: Sila-Sindurighopa, Dist: Kamrup, Assam covered by Dag Nos. 885, 889 and 890 of K. P. Patta No. 198 completed under the supervision of Technical Person- Akar Foundation, having registration No. CA/97/22284, is permitted to occupy the building based on the following-

1. Completion Certificate submitted by RTP along with as built drawings showing plot and built-up areas.
2. Completion Report in Form No. 16.
3. Certificate by Architect on Record in Form No. 17.
4. Certificate by Construction Engineer on Record in Form No. 18.
5. Certificate by Structural Engineer on Record in Form No. 19.
6. Area statement on construction of buildings as per as built drawings in Form No. 22.
7. Detail report on construction of buildings as per as built drawing in Form No. 27.
8. Certificate from the Chief Electrical Inspector cum Adviser, APDCL, Assam issued vide No.CEIA/SES/2021/Pt-II/Amingaon/SS&OH/139 dated 14/02/2022
9. N.O.C. issued vide No. F&ES/FPW/3881/6899/21 dated 20/07/2021 from the Director of Fire and Emergency Services, Assam.
10. Rain Water Harvesting provisions are existing.
11. Parking provided at Ground 33 Nos. and Open 56 Nos. is as per approved site plan.
12. Segregate and store waste generated into two separate bins, i.e. biodegradable, non-biodegradable. Handover segregated waste to be processed, treated and disposed off through composting within the premises.

One set of completion plan / as built drawing duly certified is returned herewith.

Yours faithfully

6/5/2022

CHAIRMAN
North Guwahati Municipal Board
Guwahati-30
North Guwahati Municipal Board
North Guwahati

Memo No. NGMB/BP(OC)/2022-23/2513 Dated:- 06-05-2022

Copy to:-

1. The Assessment Branch, N.G.M.B. for information.

Chairman
North Guwahati Municipal Board

NOTARY Jnanaj Sarma Guwahati Regd. No.- 42846 Expiry Dt.- 20/02/2030 GOVERNMENT OF INDIA

Item No. 01 Court No. 1

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

**(Through Physical Hearing with Hybrid Mode)**

92/23
31/7/23 Head

Original Application No. 92/2023/EZ

Dr. Ganesh Das & Ors. Applicant(s)

Versus

M/s Arya Erectors India Pvt. Ltd. & Ors. Respondent(s)

For & behalf of Arya Erectors India Private Limited
Managing Director

Date of completion of hearing and reserving of order: 19.07.2024
Date of pronouncement of order: 12.09.2024

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

Applicant: Mr. Vikram Rajkhowa, Adv.

Respondent: Mr. Neelanjan Deka, Adv. (in Virtual Mode) a/w
Mr. Sibojyoti Chakraborty, Adv. for R-1,
Mr. Santanu Bora, Adv. (in Virtual Mode) a/w
Ms. Malabika Roy Dey, Adv. for R-2 & 4,
Ms. Amrita Pandey, Adv. for R-3,
Mr. Parswajyoti Das Nair, Adv. for R-5, (in Virtual Mode),
Mr. Surendra Kumar, Adv. for R-7

**ORDER**

1. This original application has been filed by the purchasers of houses (Villa/Flats) at Arya Smart Living in Abhaypur, North Guwahati, Assam, constructed by Respondent No. 1 - M/s. Arya Erectors India Pvt. Limited.

2. The grievance of the Applicants is concerning non-compliance with various conditions of Environmental Clearance (EC) dated 21.01.2014, issued to Respondent No. 1 and violation of provisions of EIA Notification of 2006.



NOTARY Jnanajit Sarma Guwahati Regd. No.- 42846 Expiry Dt.- 20/02/2030 GOVERNMENT OF INDIA

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3. The Applicants No. 1 to 4 had earlier filed OA No. 32/2023/EZ, raising the grievance against the project, which was disposed of by the Tribunal by order dated 24.03.2023, with a direction to Respondent No. 2-State Level Environment Impact Assessment Authority (SEIAA), Assam to consider and decide the representations dated 06.07.2022 and 20.10.2022 by a reasoned speaking order. Respondent No. 2 by order dated 09.05.2023 has disposed of the representations. The applicants in the OA rely upon various non-compliance and violations reflected in the order of Respondent No. 2 SEIAA, Assam dated 09.05.2023. The Applicants have detailed their grievance in paragraph 5 of the OA as under:

"5. xxxxxxxx

(i) *After receiving Environmental Clearance dated 21.01.2014, the project proponent has not submitted any compliance report before the concerned authorities (till date), in gross violation of General Conditions mentioned in the said E.0 as follows:*

***"Part -B. General Conditions***

1. *The project proponent shall also submit six monthly reports on the status of compliance of the stipulated EC conditions including results of monitored data (both in hard copies as well as by email) to the SEIAA/ Regional Office of MoEF.*

9. *The proponent shall upload the status of compliance of the stipulated EC conditions, including results of monitored data on their website and shall update the same periodically. It shall simultaneously be sent to the SEIAA and Regional Office of MoEF. The criteria pollutant levels namely $PM_{10}$, $PM_{25}$, $SO_2$, $NO_2$, etc. (ambient levels as well as stack emission) or critical sectoral parameters, indicated for the project shall be monitored and a record be maintained for the public domain.*

10. *The environmental statement for each financial year ending 31s' March in Form-V as is mandate to be submitted by the project proponent to the SEIAA and State Pollution Control Board as prescribed under the Environmental (Protection) Rules, 1986, as amended subsequently and shall*



For & behalf of Arya Erectors India Private Limited
Managing Director

NOTARY GOVERNMENT OF INDIA Jnanaj Sarma Guwahati Regd. No.- 42846 Expiry Dt.- 20/02/2030

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*also be sent to the respective Regional Offices of MoEF by email."*

*(ii) SEIAA admitted in their speaking order that the flood problem in the Arya Smart Living campus is a genuine one.*

*The project proponent submitted that-*

*(a) the contour survey was done prior to the starting of project and same was approved by GMDA, and*

*(b) the project was completed in 2018 and handed over in 2019 to the society.*

*The applicants beg to state in regard to the aforesaid contentions of respondent No. 1 that-*

*(a) Firstly, the project proponent had only submitted the contour survey of the internal site area and not that of the external surrounding areas as required under the Specific Conditions at Part - A (I) (i) of E.C, i.e.,*

***"The storm water drainage shall be worked out after analysing the contour levels of the site and the surrounding area and the capacity of storm water drainage."***

*The flood problem in the Arya Smart Living township probably would not have happened, if only the project proponent had complied with the aforesaid Environmental Condition and worked out the storm water drainage after proper contour survey of both internal as well as the external surrounding areas. The suggestion of SEIAA to create a pond inside the township to fill storm water is not a feasible one for a long-term solution as the same is neither approved in the drawings and nor permission is granted for the same.*

*(b) Secondly, it is not correct that the project has been handed over by the project proponent to the society. In fact a case is pending before the Hon'ble Gauhati High Court being numbered as W.P(C)/3654/2020, which is preferred by applicant No. 1 against order of the Registrar of Cooperative Societies, Assam, for overlooking the fact that the Director/s of respondent No. 1 company has made their own family members and partners as office bearer of the Arya Smart Living society, which is in conflict of interest, i.e., the project proponent is also the builder/developer as well as the office bearer of the society.*

*A copy order dated 30.01.2023 is herewith annexed an <u>ANNEXURE — E.</u>*

3

For & behalf of Arya Erectors India Private Limited
Managing Director

NOTARY Jnanajit Sarma Guwahati Regd. No— 428 46 Expiry Dt.- 20/02/2030 GOVERNMENT OF INDIA

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(c) *Thirdly, Real Estate Regulatory Authority, Assam vide an order dated 13.06.2022 observed that the promoter (respondent No. 1) will submit application in prescribed form regarding extension of project completion period. Furthermore, it is reflected in the said order that the representative of GMDA stated that no occupancy certificate has been issued to the promoter due to deviations in the approved plan.*

*A copy of the REAT, Assam order dated 13.06.2022 is part of O.A No. 32/2023/EZ annexed as Annexure-A.*

(d) *The applicants beg to state that the project proponent is yet to complete the project and construction is still continuing without a valid E.0 in violation of EIA Notification, 2006.*

(iii) *The Operation Phase Conditions at Part-A.II.(i) of the E.0 requires that-"The installation of the Sewage Treatment Plant (STP) should be certified by an independent expert and a report in this regard should be submitted to the SEIAA before the project is commissioned for operation." But the SEIAA speaking order do not mention the submission of any report in this regard.*

(iv) *The Operational Phase Conditions at A.II.(v) of the E.0 requires that a peripheral green belt of 3 mtrs. width shall be developed all around the plot area and density preferably with local species along the periphery of the plot shall be raised so as to provide protection against articulates and noise. Be it stated that the project proponent has not maintained 3 mtrs. green belt all around the plot and in fact have constructed drains, pathways, etc., in the supposed green belt area. The project proponent is trying to mislead by claiming that the green belt is 9000 sq.m. by including common garden areas within the township. The requirement is of a 3 mtr. green belt all across the plot covering an area of 7484.96 sq.m., and same shall not include the other common areas like parks, lawns, etc. Unfortunately, SEIAA speaking order is silent on the issue of green belt.*

(v) *The Operation Phase Conditions at A.II.(x) of E.0 requires that-"a report on the energy conservation measures confirming to energy conservation norms finalized by Bureau of Energy Efficiency should be prepared incorporating details about building materials and technology, R& U factors, etc., and submit to SEIAA in three months." But the SEIAA speaking order do not mention the submission of any report in this regard. That according to the RTI*



For & behalf of Arya Erectors India Private Limited
Managing Director

NOTARY Jnanajit Sarma Guwahati Regd. No.- 42846 Expiry Dt.- 20/02/2030 GOVERNMENT OF INDIA

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*response received earlier from SEIAA the report pertaining to aforesaid energy conservation measures etc. which was to be submitted in three months is not available.*

*(vi) Project proponent received E.0 on 21.01.2014 with validity for a period of 5 years, i.e., till 21.01.2019. In the meantime, MoEF&CC vide 0.M dated 12.04.2016 extended the validity of E.0 of the projects, which had not completed five (5) years on the date of publication of Notification i.e., 29/05/2015 to seven (7) years. Accordingly, the E.0 dated 21/01/2014 of project proponent also got automatically extended to 7 years, i.e., up to 21/01/2021. However, the project construction of project proponent is yet to be completed and therefore they were required to apply for the extension of E.0 dated 21/01/2014 upon its expiry on 21/01/2021, but as highlighted RTI reply of SEIAA dated 28/12/2020 and 13/05/2022 the project proponent has not applied for extension of E.0 dated 21.01.2014 till date, thereby operating without a valid E.0 from 21/01/2021 onwards in violation of laws. In this regard the speaking order of SEIAA is silent and SEIAA seem to be accepting the contention of the project proponent on face value rather than on the basis of cogent materials."*

4. The case of the applicants is that Specific Condition at part A(I)(i), and operation phase condition at part-A (II)(i), part-A(II)(v), part-A(II)(x) of EC have not been complied with and EC has expired on 21.01.2021, but the Respondent No. 1, in violation of EIA Notification, 2006 without getting the EC extended, is continuing with the construction of the project and that Respondent No. 1 has done expansion of project without EC appraisal.

5. The applicants have prayed for a direction to Respondent No. 1 to comply with the EC conditions, not to operate without valid EC and to initiate action against Respondent No. 1 for violation of EC conditions.

6. The Tribunal, after considering the grievance of the applicant in detail by order dated 22.08.2023, had issued notice to the respondents. Thereafter, reply and rejoinder have been filed.



For & on behalf of Arya Erectors India Private Limited
Managing Director

NOTARY Jnanajit Sarma Guwahati Regd. No.- 42546 Expiry Dt.- 20/02/2030 GOVERNMENT OF INDIA

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7. Respondent No. 1 has filed the counter affidavit raising the preliminary objections of *res judicata*, limitation, and locus ie. the applicants are not the persons aggrieved. On merit also Respondent No. 1 has taken the plea that the flooding problem arose because of the construction of a new drain by the PWD with the raised level. The plea relating to the violation of EC condition has been denied and the conclusion of SEIAA in respect of non-submission of regular six monthly reports has been disputed.

8. Respondent No. 2, SEIAA, Assam by filing the counter affidavit has taken the stand that representations filed by Applicants No. 1 to 4 have been decided after giving an opportunity of hearing. Counter Affidavit also refers to the formation of a committee and the site inspection and the finding of that Committee. It discloses that for non-submission of half yearly compliance report, a written warning was issued by Respondent No. 2 SEIAA, Assam to Respondent No. 1.

9. Respondent No. 3, Ministry of Environment, Forest and Climate Change (MoEF&CC) by filing the reply has placed on record the EIA Notification, 2006, SOP issued vide OM dated 07.07.2021 for identification and handling of violation cases under EIA Notification, 2006 and the Notification dated 28.08.2014 authorizing SEIAAs constituted by Central Government under section 3(3) of the Environment (Protection) Act, 1986 (EP Act, 1986) and delegating the power under section 19 of the Act.

10. Respondent No. 7, Assam State Pollution Control Board (ASPCB) has filed the reply disclosing that Respondent No. 1 had obtained CTO on 12.10.2022 which was valid up to 31.03.2023. Thereafter, Respondent No. 1 failed to apply for renewal of the CTO. The reply also discloses that



Authorised Signatory of M/s Directors
Indo Private Limited
Managing Director

NOTARY
Jnanajit Barma
Guwahati
Regd. No.- 428/16
Expiry Dt.-
20/02/2030
GOVERNMENT OF INDIA

11 JUL 2025

Respondent No. 1 had failed to obtain permission from the Central Ground Water Authority (CGWA) for extraction of groundwater and that during the inspection on 14.09.2023, the Sewage Treatment Plant (STP) was not found operational and that though the stormwater drainage system was found in place but the potential issues related to the proper gradient flow capacity of rainwater and the adjustment of carrying capacity with the final load bearing drainage system was found. The affidavit of Respondent No. 7 also mentions that during the inspection storm water drain exhibited a greyish to blackish colour indicating potential neglect in maintenance by the housing entity, possibly due to blocked outlets.

11. A separate reply on behalf of Respondent No. 4, Guwahati Metropolitan Development Authority (GMDA) (wrongly under the heading as "affidavit on behalf of Respondent No. 3") has been filed without touching upon the environmental issues.

12. Applicant has filed the rejoinders to the above counter affidavits and controverted the plea.

13. We have heard learned Counsel for the parties at length and perused the record.

**Preliminary Objections**

14. Respondent No. 1 has raised a preliminary objection relating to the *resjudicata* on the plea that earlier OA No. 32/2023/EZ filed by the applicants has been decided by the NGT, therefor fresh OA by them is not maintainable and is hit by the principle of *resjudicata*.

15. Applicants No. 1 to 4 had earlier filed OA No. 32/2023/EZ. The said OA was disposed of by order dated 24.03.2023 by directing as under:



For & behalf of Arya Erectors India Private Limited
Managing Director

Jnanajyoti Sarma
Guwahati
Regd. No.- 428/16
Expiry Dt.- 20/02/2030

11 JUL 2025

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"6. *In this view of the matter, we dispose of this Original Application with the following directions: -*

*(i) The Respondent No.2, SEIAA, Assam, shall consider and decide the two representations of the Applicants dated 06.07.2022 and 20.10.2022, Annexures-N & O, to the Original Application as also the grievances raised in paragraph-9 and its sub-paragraphs of the Original Application.*

*(ii) The SEIAA, Assam shall decide the aforesaid representations by a reasoned and speaking order within a period of one month. Needless to say, before taking any decision the SEIAA, Assam shall also give opportunity of hearing and submission of written submissions, if any, to the Respondent No.1.*

*7. With the aforesaid directions, the Original Application No.32/2023/EZ is disposed of.*

*8. Interlocutory Applications, if any, stand disposed of accordingly.*

*9. There shall be no order as to costs."*

For & behalf of Arya Erectors India Private Limited
Anil Kumar Sarma
Managing Director

16. While passing the above order the grievance of the Applicants on merit was not examined by the Tribunal. Hon'ble Supreme Court in the matter of *Daryo & Ors. vs. State of UP & Ors.*, AIR 1961 SC 1457 has expressed that the summary dismissal is not a dismissal on merit and will not constitute a bar of *res judicata*. Section 11 of the CPC containing the principle of *res judicata* prohibits a Court from trying any suit or issue in which the subject matter directly and substantially was in issue in a former suit between the same parties and has been heard and finally decided by such Court.

17. Since, in the present case, by order dated 24.03.2023 passed in OA 32/2023/EZ, NGT had not decided the issue on merits, therefore, *principle of res judicata* is not attracted. Thus, we do not find any substance in the preliminary objection relating to *res judicata* raised by Respondent No. 1.



NOTARY GOVERNMENT OF INDIA
Jnanajit Sarma
Guwahati
Regd. No.- 42846
Expiry Dt.- 20/02/2030

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18. Another preliminary objection raised by Respondent No. 1 is in respect of the limitation, on the plea that reliefs claimed in OA are barred by time.

19. Applicants in the present OA have sought compliance of the conditions of EC. They had earlier approached the Tribunal by filing OA No. 32/2023/EZ which was disposed of by order dated 24.03.2023 with a direction to the SEIAA, Assam to consider the representations of the Applicants dated 06.07.2022 and 20.10.2022 within one month. The SEIAA, Assam had decided the said representations by order dated 09.05.2023. Applicants, thereafter, have filed the present OA on 31.07.2023 under section 14(3) of the National Green Tribunal Act, 2010 (NGT Act). A limitation of six months has been prescribed for entertaining such application from the date of the first cause of action. The cause of action arose when SEIAA had passed the order dated 09.05.2023. This OA has been filed within six months from 09.05.2023. That apart, Applicants have raised the plea of continuous cause of action relating to violation of EC conditions by Respondent No. 1. An issue of subsequent expansion of the project by adding additional land of 2 bigha without obtaining EC has also been raised which gives a fresh cause of action. Hence, the OA is not found to be barred by time and cannot be rejected on that ground.

For & behalf of Arya Erectors India Private Limited
Managing Director

20. Respondent No. 1 has also submitted that the Applicants are not the persons aggrieved and has questioned their locus but such a submission cannot be accepted because the Applicants have purchased the houses/villa/flats in the project in question and they are directly affected by the non-compliance of EC conditions, alteration/expansion of the project and violation of environmental norms concerning the project.



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21. Hence, no substance is found in the preliminary objections raised by Respondent No. 1, which are accordingly rejected.

**On Merit**

22. Arguing on merit, Counsel for the applicant has referred to the report of Respondent No. 7, ASPCB and has pointed out the violations noted therein. He has also submitted that the original EC was for 28 bighas of land but later on, there was an expansion of the project by including 2 bigha more but the Respondent No. 1 had not obtained the EC for expansion of the project. He has further submitted that on account of non-compliance of the EC conditions relating to gradient, the entire area is getting flooded during the rainy season. He has submitted that Respondent No. 1 has violated various EC conditions and that the issues that were raised by the Applicants in the representation have been dealt with by the SEIAA, Assam in a cryptic manner.

23. Learned Counsel for Respondent No. 1 opposing the OA on merit has submitted that there is no environmental issue involved in this OA. The grievance of the Applicants has already been considered by the SEIAA while deciding the representation and passing the order dated 09.05.2023. He has also submitted that the condition of filing six monthly reports was complied with, the Applicants are not the persons aggrieved, PWD had constructed the drain at higher gradient subsequently which leads to flooding of the area and that Respondent No. 1 had tried to construct the pond for collection of rainwater but that was opposed by the residents. He submits that the project was completed on 03.07.2018. Learned Counsel does not dispute that subsequently additional 2 bighas of land was included and a clubhouse and swimming

For & behalf of Arya Erectors India Private Limited
Managing Director



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pool were constructed without reappraisal of the EC or without obtaining a fresh EC.

24. Learned Counsel appearing for Respondent No. 2, SEIAA, Assam has submitted that the representations submitted by Applicants have already been decided in terms of the direction of the Tribunal and that now the violations have come to the knowledge of SEIAA, therefore, action against Respondent No. 1 will be taken by SEIAA, Assam.

25. We have examined the record of the OA in the light of submission on merit made by Counsel for the parties.

26. The Ministry of Environment and Forests, Govt. of India exercising the power under sub-section (1) and clause (V) of sub-section (2) of section (3) of Environment (Protection) Act, 1986, read with clause (d) of sub-rule (3) of rule 5 of EP Act, 1986 has issued the EIA Notification dated 14.09.2006 requiring the prior EC from the concerned regulatory authority. For matters falling under category-B of the schedule, the State Level Environment Impact Assessment Authority (SEIAA) is the regulatory authority for prior EC at the State level. The schedule of the notification contains a list of projects or activities requiring prior EC.

27. The EIA Notification, 2006 requires prior EC for the new scheduled projects and expansion and modernization of existing projects or activities listed in the schedule to the notification. Clause 2 of the EIA Notification provides that:

> *"2. **Requirements of prior Environmental Clearance (EC):-** The following projects or activities shall require prior environmental clearance from the concerned regulatory authority, which shall hereinafter referred to be as the Central Government in the Ministry of Environment and Forests for matters falling under Category 'A' in the Schedule and at State level the State Environment Impact Assessment Authority (SEIAA) for matters falling under Category 'B' in the said Schedule, before any construction work, or preparation*



For & behalf of Arya Erectors India Private Limited
Anil Kumar Sharma
Managing Director

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*of land by the project management except for securing the land, is started on the project or activity:*

*(i) All new projects or activities listed in the Schedule to this notification;*

*(ii) Expansion and modernization of existing projects or activities listed in the Schedule to this notification with addition of capacity beyond the limits specified for the concerned sector, that is, projects or activities which cross the threshold limits given in the Schedule, after expansion or modernization;*

*(iii) Any change in product-mix in an existing manufacturing unit included in Schedule beyond the specified range."*

28. The amended EIA Notification dated 2006 includes the following construction projects in clause 8 of the schedule:

"

| | | | | |
|---|---|---|---|---|
| *xxx* | *xxx* | *xxx* | | |
| *8* | | *Building /Construction projects/Area Development projects and Townships* | | |
| *8(a)* | *Building and Construction projects* | | *20000 sq. mtrs and <1,50,000 sq. mtrs. of built-up area#* | *#(built up area for covered construction; in the case of facilities open to the sky, it will be the activity area)* |
| *8(b)* | *Townships and Area Development projects.* | | *Covering an area 50 ha and or built up area 1,50,000 sq .mtrs ++* | *++All projects under Item 8(b) shall be appraised as Category B1* |

"

29. The above building projects are category-B projects under EIA Notification, 2006 and require appraisal by the State Level Expert Appraisal Committee (SEAC) and approval by the State Level Environment Impact Assessment Authority (SEIAA).

30. Paragraph 7(ii) of the EIA Notification, 2006 provides as under:

***"7(ii). Prior Environmental Clearance (EC) process for Expansion or Modernization or Change of product mix in existing projects:***

*All applications seeking prior environmental clearance for expansion with increase in the production capacity beyond the capacity for which prior environmental clearance has been granted under this notification or with increase in either lease area or production capacity in the case of mining projects or for the modernization of an existing unit with increase in the total production capacity beyond the threshold limit prescribed in the Schedule to this notification through change in process and or technology or involving a change in the product –mix shall be made in Form I and they shall be considered by the concerned Expert*



For & behalf of Arya Ltd. India Private Limited
Anil Kumar Sarma
(Managing Director)

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*Appraisal Committee or State Level Expert Appraisal Committee within sixty days, who will decide on the due diligence necessary including preparation of EIA and public consultations and the application shall be appraised accordingly for grant of environmental clearance."*

Thus, for expansion of a project or increase in the lease area consideration by EAC/SEAC and prior Environmental Clearance is required.

31. Under the Notification dated 28.02.2014, SEIAA has been authorized and delegated with the powers under section 19 of the Act to take necessary action against the violators.

32. Hon'ble Supreme Court in the judgment dated 03.12.2019 passed in Civil Appeal No. 2435/2019 in the matter of *Keystone Realtors Pvt. Ltd. vs. Shri Anil V. Tharthare and Ors.* has considered the issue of environmental impact on account of the increase in the size of the project and the requirements of EIA Notification on the expansion of the project by holding as under:

*""xxx .....xxx.....xxx*

*16. In a case where the text of the provisions requires interpretation, this Court must adopt an interpretation which is in consonance with the object and purpose of the legislation or delegated legislation as a whole. The EIA Notification was adopted with the intention of restricting new projects and the expansion of new projects until their environmental impact could be evaluated and understood. It cannot be disputed that as the size of the project increases, so does the magnitude of the project's environmental impact. This Court cannot adopt an interpretation of the EIA Notification which would permit, incrementally or otherwise, project proponents to increase the construction area of a project without any oversight from the Expert Appraisal Committee or the SEAC, as applicable. It is true that there may exist certain situations where the expansion sought by a project proponent is truly marginal or the environmental impact of such expansion is non-existent. However, it is not for this Court to lay down a bright-line test as to what constitutes a „marginal" increase and what constitutes a material increase warranting a fresh Form 1 and scrutiny by the Expert Appraisal Committee. If the government in its wisdom were to prescribe that a one-time „marginal"*



For & behalf of Arya Erections India Private Limited
(Managing Director

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*increase (e.g. 5% or 10%) in project size, within the threshold limit stipulated in the Schedule, could be subject to a lower standard of scrutiny without diluting the urgent need for environmental protection, conceivably this Court may give effect to such a provision. This would be subject to any challenge on the ground of their being a violation of the precautionary principle. However, as the EIA Notification currently stands, an expansion within the limits prescribed by the Schedules would be subject to the procedure set out in paragraph 7(ii).*

17. *At the time of the second increase, the total construction area of the appellant's project was enlarged from 32,395.17 square metres to 40,480.88 square metres. As a result of the expansion, the appellant constructed sixteen additional flats which were sold at the prevailing market rate. The appellant did not comply with the procedure set out under paragraph 7(ii) of the EIA Notification but rather sought an „amendment" to the EC. The third respondent did not require the appellant to submit an updated Form 1 nor was the proposal processed and evaluated by the fourth respondent. The „amendment" to the EC dated 13 March 2014 does not discuss the potential environmental impact of the increase in construction area, but merely records that the construction area now stands at 40,480.88 square metres. The procedure set out under paragraph 7(ii) of the EIA Notification exists to ensure that where a project is expanded in size, the environmental impact on the surrounding area is evaluated holistically considering all the relevant factors including air and water availability and pollution, management of solid and wet waste and the urban carrying capacity of the area. This was not done in the case of the appellant's project. It was not open to the third respondent to grant an „amendment" to the EC without following the procedure set out in paragraph 7(ii) of the EIA Notification.*

18. *We further note that as on the date of the impugned order construction at the project site had already been completed. A core tenet underlying the entire scheme of the EIA Notification is that construction should not be executed until ample scientific evidence has been compiled so as to understand the true environmental impact of a project. By completing the construction of the project, the appellant denied the third and fourth respondents the ability to evaluate the environmental impact and suggest methods to mitigate any environmental damage. At this stage, only remedial measures may be taken. The NGT has already directed the appellant to deposit Rupees one crore and has set up an expert committee to evaluate the impact of the appellant's project and suggest remedial measures. In view of these circumstances, we uphold the directions of the NGT and direct that the committee continue its evaluation of the appellant's project so as to bring its environmental impact as close as possible to that contemplated in the EC dated 2 May 2013 and also suggest the compensatory exaction to be imposed on the appellant."*

*[Emphasis provided]*



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33. Thus, it is settled that evaluation of the environment impact prior to the execution of the construction project is essential. The same applies to the expansion of the construction project also and in case of violation, the Project Proponent is liable to pay penalty and environmental compensation.

34. In the above Civil Appeal No. 2435/2019, order of the NGT dated 11.02.2019 passed in Appeal No. 122/2018 (Earlier Appeal No. 9/2014) (WZ) in the matter of *Anil Tharthare v. The Secretary, Envtl. Dept. Govt. of Maharashtra & Ors.* was under challenge wherein the Tribunal while examining the issue of illegality in amending the EC on expansion of the project had considered the importance of the EIA Notification and the issue of amendment of EC without following the due process in case of expansion of the project and has held as under:-

> *"xxx .....xxx.....xxx*
> *28. As regards the question whether EIA is mandatorily required, it may be noted that EIA has been recognised as the most valuable, inter-disciplinary and objective decision-making tool with respect to alternate routes for development, process technologies and project sites. It is considered an ideal anticipatory mechanism allowing measures that ensure environmental compatibility in our quest for socio-economic development. In fact, the whole concept is based on jurisprudential principle of 'Sustainable Development' and 'Precautionary Principle' though statutory basis has been provided to the same for effective enforcement.*
>
> *29. The projects covered by the Notification dated 14.09.2006 cannot be undertaken without environmental clearance. This may invite prosecution and punishment under section 15 of the Environment (Protection) Act, 1986 or other provisions. Mere fact that a project is not covered by the said notification is not conclusive to negate such requirement if impact on environment justifies it. One cannot ignore that impact assessment in all cases of potential impact is by itself a part of concept of sustainable development, which in turn is part of Article 21. Thus, even where notification does not require EIA, such requirement may apply by virtue of Article 21, if there is potential of impact on environment. In such a case the Court or Tribunal concerned with enforcement of principle of sustainable development can require this to be done, as mandatory condition, for continuing a project. In our jurisprudence, the*



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*protection of environment is fully ingrained. It is not only a part of Directive Principles under Article 48A and Fundamental Duties under Article 51A(g), but also inherent in the Fundamental Right under Article 21 of the Constitution. Principles of Sustainable Development, Precautionary Principle, and Intergenerational Equity are not only part of our jurisprudence, in terms of case law but also incorporated in Section 20 of National Green Tribunal Act, 2010. Needs for development have to be fulfilled consistent with these principles. There can be no development at the cost of environment.*[1]

30. *Environmental laws are required to be read into every activity adversely impacting environment. Grant of any permission or sanction by any authority has always to be read as subject to inherent limitation of the environment norms being maintained. Once pollution is being created, mere permission/ sanction by itself is no defense. While absence of a sanction may by itself be violation of law, even grant of sanction is never to be treated as unconditional and does not obviate the requirement to maintain environment norms. Adverse impact on environment is actionable in all situations. Accordingly, if there is an impact to the environment, there must be an Environment Impact Assessment. The fact remains that flats may have been allotted in which case it may be difficult to disturb or penalize such occupants who may not be party to violations. Still, the Tribunal cannot be mute spectator as far as the project proponent, respondent No. 6 is concerned. In this light, to uphold the Rule of Law, it is necessary that the violators are required to compensate for their illegal acts which may also act as a deterrent against those project proponents who circumvent the law to suit their convenience. This is also in conformity with 'Polluter Pays' principle.*

31. *By way of an interim arrangement, let the project proponent deposit a sum of Rs. 1 crore with the CPCB within one month towards interim cost of damage to the environment. The Committee which we propose may suggest the amount which should be recovered for such violation so that the amount can be deterrent and dissuade violators of law and also to cover the cost of restoration of the environment."*

35. Learned Counsel for the Applicants placing reliance upon the order of the Tribunal dated 01.02.2021 in OA No. 837/2018 in the matter of *Sandeep Mittal vs. Ministry of Environment, Forests & Climate Change & Ors.* has submitted that there is a huge gap in effective monitoring

[1] Intellectuals Forum Vs. State of A.P - (2006) 3 SCC 549, Bombay Dyeing & Mfg. Co. Ltd. - (2006) 3 SCC 434, M.C. Mehta v. Union of India - (2004) 12 SCC 118, Tirupur Dyeing Factory Owners Assn. v. Noyyal River Ayacutdar Protection Assn - (2009) 9 SCC 737, T.N. Godavarman Thirumulpad v. Union of India - (2000) 10 SCC 606, Narmada Bachao Andolan v. Union of India - (2000) 10 SCC 664, Vellore Citizens Welfare Forum Vs. Union of India and Ors. (1996) 56 SCC 647, N.D. Jayal and Ors. Vs. Union of India and Ors. (2004) 9 SCC 362, Lafarge Umiam Mining (P) Ltd., Vs. Union of India and Ors. (2011) 7 SCC 338, and G. Sundarrajan Vs. Union of India and Ors. (2013) 6 SCC 620



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mechanism and in this regard, he has placed reliance upon para 3 of the said judgment wherein it has been held that:

> *"xxx .....xxx.....xxx*
> *3. The matter has thereafter been considered on several dates including 29.04.2019, 23.07.2019, 22.11.2019 and 31.7.2020. It has been repeatedly found that the mechanism for monitoring environmental norms is inadequate, as a result of which there is rampant violation of Environmental Clearance (EC) conditions, as noted by this Tribunal in several cases. The Tribunal also noted the observations in the Judgments of the Hon'ble Supreme Court in T.N. Godavarman Thirumulpad Vs. Union of India & Ors. (2014) 4 SCC 61 and Lafarge Umiam Mining Private Limited Vs. Union of India, (2011) 7 SCC 338 that power of the regulator under Section 3(3) of the Environment (Protection) Act, 1986 is coupled with duty and **there is a need for effective monitoring mechanism**. The Hon'ble Supreme Court also observed that there is poor monitoring and there are huge gaps in laying down of conditions and enforcement thereof. Such observations have also been made by the Comptroller and Auditor General of India (CAG), pointing out deficiencies on this aspect."*

For & behalf of Arya Erectors India Private Limited
Sukumar
Managing Director

36. The submission of the parties needs to be examined in the light of the aforesaid legal position.

37. Environmental Clearance (EC) dated 21.01.2014 was issued to Respondent No. 1 in respect of the project involving the construction of Arya Smart Living at Abhaypur North, Guwahati on a plot area of 38,106 sq. m. It was specifically stipulated in the EC as under:

> *"xxx .....xxx.....xxx*
> *2. It is inter-alia, noted that the project involves the construction of Arya Smart Living at Abhaypur North, Guwahati on a plot area of 38,106 sq. m. The total construction built up area proposed for the project is 62,133.036 sq. m. The Podium area 2886 sq. m. The paved area is 12989.4 sq. m. The building foot print area is 12709.6 sq. m. The basement area 5791.636 sq. m. The green belt area is 7484.96 sq. m. The complex will have Villas – Type A 08 units, Type B 08 units, Type C 108 units. Apartment units 156, Shops 6 and Retail outlet 4. The total water requirement of the project is estimated to be about 286.63 KLD. The capacity of STP is 230 KLD. The treated water will be used 194 KLD and for Flushing 91 KLD. There will be no discharged of waste water. Total solid waste generation for the project will be 1.13 Tones per day. The power requirement is 2385.17 KW. Total car parking proposed 516 nos. The total cost of the project is Rs. 72.2 Crores."*



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It has not been disputed during the course of arguments that in Assam 1 Bigha equals 1346.42 sq.mt. Thus, the EC dated 21.01.2014 was for plot area of about 28.4 bigha.

38. The record further reflects that a complaint Petition was filed before the Real Estate Regulatory Authority (RERA), Assam making allegations against the promoter for occupying the building without obtaining a complete occupancy certificate, rejection of occupancy due to unauthorized construction, misrepresentation in respect of total land and that the joint inspection was got done. RERA, Assam in the order dated 13.06.2022 had recorded the details of the project area as under:

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Managing Director

***(d) <u>Total area of land standing in the name of Arya Erectors India Pvt. Ltd. as per Land records</u>***

*i. As per Chitha copy and Jamabandi copy of revenue village Abhaypur KP No. 198, the Arya Erectors India Pvt. Ltd. is the landholder of the following area as mentioned against each dag:*

*Dag No 884- 19 Bigha 0 katha 9 Lecha*
*Dag No. 885- 0 Bigha 01 Katha 11 Lecha*
*Dag No. 889- 03 Bigha 02 Katha 0 Lecha*
*Dag No. 890- 05 bigha 01 Katha 4 Lecha*
***Total 28 Bigha 0 katha 4 Lecha***

*ii. As per Chitha copy and Jamabandi copy of revenue village North Guwahati Town KP no. 271, the Arya Erectors India Pvt. Ltd is the landholder of the following area as mentioned against the dag no. 764.*

*Dag No 764- **02 Bigha 0 katha 0 Lecha.***
*Total area of land held by the Arya Erectors India Pvt. Ltd at Abhaypur and North Guwahati town under the project- **30 bigha 0 katha 04 Lecha( 28B-0 K- 04 lecha + 2 B-0 K-0 L)***

***(e) <u>Status in the Field-Observation</u>***

*During joint visit, it is seen that the project is being implemented in the entire area of **30 Bigha 0 Katha 4 Lecha** (28Bigha 0 kitha4 Lecha of Abhaypur village plus 2 Bigha 0*



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*katha 0 Lecha of. North Guwahati town). However, the promoter has not yet submitted application for registration of the project being implemented at revenue village North Guwahati town over an area of 2 bigha covered by Dag No. 764 and KP No. 271 and also balance part of the project under GMDA measuring 4 Bigha 13 Lecha."*

39. Thus, Respondent No. 1 has implemented the project in the area of 30.4 bigha whereas the EC was obtained only for about 28.4 bigha. Hence, he has carried out construction on the area much more than the one for which environmental clearance was granted.

40. The order of the RERA, Assam dated 13.06.2022 also records the stand of GMDA that no occupancy certificate was issued to the promoter due to deviation in the approved plan and that the promoter had constructed some structures which were not approved by the GMDA.

41. It is undisputed that Respondent No. 1 had subsequently included about 2 bighas of land in the project and constructed a clubhouse and swimming pool on that land. Counsel for Respondent No. 1 during the course of the argument has candidly admitted the factum of adding 2 bighas in the project land and constructing club house and swimming pool thereon. Such additional inclusion of land and construction amounts to the expansion of the project for which in terms of clause 7(ii) of the EIA Notification of 2006, prior environmental clearance was required, which has not been obtained in the present case. The SEIAA was to examine beforehand the environmental damage, if any, and the extent of it, on account of the inclusion of the additional area in the project and the raising of construction on the additional area, which has not been done.

42. It is also the submission of the Applicants that the apartments for which the environmental clearance was granted were changed into villas

For & behalf of Arya Erectors India Private Limited
Anil Kumar Saraf
Managing Director



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and the construction of retail outlet was given up. Hence, that also amounts to a change of scope of the project in addition to the issue of expansion of the project by inclusion of 2 bighas.

43. The General Condition No. 3 of the EC dated 21.01.2014 also clearly stipulates that:

> *"xxx.....xxx.....xxx*
>
> *3. In the case of any change(s) in the scope of the project, the project would require a fresh appraisal by the SEIAA."*

44. As per the said condition also in case of a change of scope of the project, the Project Proponent was required to have a fresh appraisal of environmental clearance.

45. Hence Respondent No.1 has not only violated the General EC condition No. 3 but has violated clause 7(ii) of the EIA notification, therefore, Respondent No. 1 is liable to pay environmental compensation for deviating from the original project, expanding the project without prior EC and causing damage to the environment. Considering the circumstances of the case, we are of the view that such environmental compensation in the present case should be levied @ 1% of the cost of expansion of the project.

46. The record further reflects that the EC issued to Respondent No. 1 on 21.01.2014 was initially valid for a period of five years till 21.09.2019 and its validity was automatically extended up to 21.01.2021 by virtue of the OM dated 12.04.2016. The communication dated 28.12.2020 issued by the SEIAA, Assam states that Respondent No. 1 thereafter did not apply for renewal of EC. Any construction carried on by the respondent thereafter is in violation of law



For & behalf of Arya Erectors India Private Limited
Sunil Kumar Sarma
Managing Director

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47. There is also a violation in respect of renewal of CTO and in providing proper rainwater drain. Respondent No. 7, ASPCB has filed the report/affidavit dated 21.11.2023 mentioning the violations as under:

> *"xxx .....xxx.....xxx*
>
> 3. *That pursuant to the direction passed by this Hon'ble Court, an inspection was carried out on 14th September, 2023 of the residential Building Construction-62000 sq. mt. (built-up area). The unit had obtained Consent to Operate (CTO) on 12th October, 2022 which was valid till 31st March, 2023. The unit has failed to apply for renewal of the CTO. The unit has failed to obtain permission from Central Ground Water Board (CGWA) for extraction of ground water.*
>
> 4. *As per the inspection report dated September 20, 2023, there had been no record of rainfall in the locality since last four to five days till the date of inspection i.e.14/09/2023. Consequently, the investigation could not conclusively assess the occurrence of waterlogging. Notably, the Sewage Treatment Plant (STP) was found non-operational during the inspection. Upon inquiry, the project authority explained that the STP has a capacity of approximately 230 KLD and operates twice a week. While a stormwater drainage system is in place, the inspection highlighted potential issues related to the proper gradient, flow capacity of rainwater, and the adjustment of carrying capacity with the final load-bearing drainage system. It is essential to emphasize that the problem of waterlogging cannot be solely attributed to any single stakeholder if the design and coordination of these drainage systems are not appropriately managed at both micro and macro levels. During the inspection, the stormwater drain exhibited a greyish to blackish colour, indicating potential neglect in maintenance by the housing entity, possibly due to blocked outlets."*

48. The above report reflects that the CTO has not been renewed after 31.03.2023, STP was found non-operational and there is improper gradient of the stormwater drain.

49. The EC dated 21.01.2014 was issued by SEIAA, Assam to Respondent No. 1 containing Specific and General Conditions and the conditions relevant for the present controversy incorporated in the said EC are as under:-

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Managing Director



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*"PART – A. SPECIFIC CONDITIONS*

***I. Construction Phase***

*(i) The storm water drainage shall be worked out after analysing the contour levels of the site and the surrounding area and the capacity of storm water drainage.*

*xxx .....xxx.....xxx*

*(xvii) Permission for ground water use shall be obtained from the competent authority prior to construction / operation of the project.*

*(xviii) Separation of grey and black water should be done by the use of dual plumbing line for separation of grey and black water."*

***II. Operation Phase***

*(i) The installation of the Sewage Treatment Plant (STP) should be certified by an independent expert and a report in this regard should be submitted to the SEIAA before the project is commissioned for operation. Treated effluent emanating from STP shall be recycled/reused to the maximum extent possible Treatment of 100% grey water by decentralized treatment should be done. Zero discharge criteria should be met as agreed.*

*xxx .....xxx.....xxx*

*(v) The peripheral green belt of 3 mtrs. width shall be developed all around the plot area and density preferably with local species along the periphery of the plot shall be raised so as to provide protection against particulates and noise.*

*xxx .....xxx.....xxx*

*(ix) Traffic congestion near the entry and exit points from the roads adjoining the proposed project site must be avoided. Parking should be fully internalized and no public space should be utilized. Width of the internal road should be 7 mt. and 9 mts. in the project area.*

*(x) A report on the energy conservation measures confirming to energy conservation norms finalized by Bureau of Energy Efficiency should be prepared incorporating details about building materials & technology, R&U Factors, etc. and submit to the SEIAA in three months time.*

***PART – B. GENERAL CONDITIONS***

*(1) The project proponent shall also submit six monthly reports on the status of compliance of the stipulated EC conditions including results of monitored data (both in hard copies as well as by e-mail) to the SEIAA/ Regional Office of MoEF&CC.*



For & on behalf of Adhunik Power & Natural Resources Limited
Authorised Signatory

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

(3) *In the case of any change(s) in the scope of the project, the project would require a fresh appraisal by the SEIAA."*

50. The applicant in the representations dated 06.07.2022 and 20.10.2022 had raised the specific grievance relating to violation of above EC conditions such as the STP, green belt, storm water etc. by Respondent No. 1 but without properly examining the same, SEIAA, Assam by order dated 09.05.2023 has rejected the representation by observing as under:-

***"On Specific condition at part A(I) (i) of the EC***

- *The respondents submitted that the contour survey was done prior to starting of the project. Submitted GMDA approved contour survey map.*
- *The project was handed over to the Arya Smart Living Society in 2019, being completed in all respect including the drainage system as per requirement.*
- *The water logging problem started after the improvement of road and construction of drain taken up by PWD during 2017 to 2020. A technical study of the Water logging problem in Arya Smart Living campus and its adjoining areas of Abhaypur, North Guwahati was taken up by IIT Guwahati on request from the ASL society. It revealed that the bed of the newly constructed drain along the road is at 15 cm higher than the internal drain. Supporting photographs were submitted.*

***On Specific Condition A (I) (xviii) of EC***

- *Dual Plumbing system was partially complied with e.g. at places i.e. Water fall at front, car washing etc.*

***Operational phase Condition A(II) (i) of EC***

- *The design and supply of STP was done by firms, expert in the relevant field of work.*

***Operational phase Condition A(II) (v) of EC***

- *The Green belt area is 9000 sq.m No of trees planted including hedges etc. shall be around 900. Green Belt also maintained all around the campus with exception of two corners.*

***Operational phase Condition A(II) (vii) of EC***



For & behalf of Arya Erectors India Private Limited
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- *The ground water level being high and also as existing low lying area which acts as a natural water reservoir, only roof and surface rain water runoff is collected in the installed water tanks of 5000 Its capacity around the campus.*

***Operational phase Condition A (II) (ix) of EC***

- *There is no traffic congestion both inside and outside the campus. One parking area in each villa has been given as approved by GMDA.*

***Operational phase Condition A (II) (x) of EC***

- *Energy conservation measures have been taken in the villas and all common areas. Heard and seen both verbal and written submissions of the representative of Arya Realtors India Pvt. Ltd.*
  *Also perused the Final report of the Technical Study carried out by Indian Institute of Technology, Guwahati on request by Arya Smart Living Society.*

  *The site visit was also done by team of experts which included.-*

  *Name-*

  1. *Shri Praydut Kr. Choudhury, Chairman SEIA*
  2. *Shri Swapan Kr Seal Sarma, Chairman SEAC*
  3. *Prof. Bhagawat Pran Duarah, Member SEAC*
  4. *Prof.Sarat Phukan, Member SEAC*
  5. ***Dr. Santanu Kr Dutta,*** *Secretary SEAC*

  *As Both the representation `N' & `O' are identical except an additional clause at representation `N'-(5) Therefore both are being disposed simultaneously.*

***Regarding allegation at SL (1) of representation `N' & `O'***

- *The flood problem in the ASL campus is a genuine one The Arya Erectors, India Pvt. Ltd. contended that the project was completed in 2018 and handed over in 2019 and that in the meantime development of road & drain was taken up. The submitted photographs by the respondent no.1 also reveals that the natural drainage at front has also been encroached by neighbors. The nearby areas being developed only a common approach involving the development departments and neighboring community can bring in a fruitful one time solution to the problem. In the meantime, the Arya Erectors India Pvt. Ltd. Shall create a pond in appropriate low lying area inside the campus with adequate capacity & with raised bank, railing all around for safety. The excess water to be pumped out to the drain along the road with approval from competent authority. This pond shall be so constructed so as to be filled by only the Storm water. Other activities can also be planned with the coordinated effort of all concerned.*

***Allegation at Sl (3) of representation `N' & `O'***

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- *The design and supply of the STP was done by firms, experts in the field of works and stated to be functional at the time of handing over (supporting documents submitted). Therefore, ASL society has to keep it functional.*

***Other matters,***

- *The matter of non submission of six monthly compliance reports to SEIAA has been viewed seriously and a stricture in this regard shall be issued separately."*

For & behalf of Arya Erectors, India Private Limited
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51. While examining the grievance in respect of non-compliance of the condition relating to the performance of STP, the SEIAA has only mentioned that "The design and supply of STP was done by firms, expert in the relevant filed of work".

52. In respect of six-monthly reports, SEIAA in the order dated 09.05.2023 has found that six monthly reports were not submitted and it was viewed seriously but no action has been proposed or taken in this regard. Somewhat similar is the situation with respect to other grievances also.

53. The above order clearly reflects that the grievance raised by the applicant in the representation has not been properly considered by the SEIAA, Assam and representation has been rejected by a cryptic order.

54. We find that though the Applicants had raised the specific grievance about non-compliance with various EC conditions by Respondent No.1 in the representations dated 06.07.2022 and 20.10.2022 but SEIAA while passing the order dated 09.05.2023 has not properly applied its mind to the grievances raised.

55. In view of the above analysis and conclusions, we dispose of the OA by directing as under:-



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i. Since, Respondent No. 1 has expanded the project by including an additional about 2 Bighas of land and raising additional construction of a clubhouse, swimming pool etc., without getting reappraisal of the EC dated 21.01.2014 and without getting the environmental clearance for the additional area, therefore, the Respondent No. 1 has violated clause 2 and 7(ii) of the EIA Notification, 2006 and is liable to compensate for the damage caused to environment by depositing 1% of the project cost incurred in expansion with ASPCB as environmental compensation. The SEIAA, Assam and ASPCB will jointly workout the cost incurred in expansion of project and determine the environmental compensation.

ii. Respondent No. 1 is also liable to carry out the remedial measures which will be worked out by SEIAA, Assam based on the damage assessment.

iii. The order dated 09.05.2023 passed by SEIAA Assam is found to be bad in law and is hereby set aside. The SEIAA, Assam is directed to decide the representations dated 06.07.2022 and 20.10.2022 of the applicants afresh on other issues keeping in view the observations made above and take appropriate remedial action.

iv. Since the grievance of the Applicants is that, in terms of the specific condition at Part-A (I)(i) of the EC, necessary steps to analyze the contour intervals of the site and surrounding areas and the capacity of stormwater drainage have not been taken done and steps are not taken to address the problem of waterlogging and flooding, therefore SIEAA will duly examine

For & on behalf of Arya Erectors India Private Limited
Managing Director



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the issue of non-compliance of above condition and take appropriate action.

v. The SEIAA, Assam is also directed to take action against Respondent No. 1 for violation of the EC condition by complying with the *principles of natural justice.*

vi. The ASPCB is also directed to take action for the violation of the environmental norms found on the spot and reflected in its report dated 21.11.2023.

vii. Let the above exercise be completed by the SEIAA, Assam and ASPCB within a period of three months and an action taken report be filed before the Registrar, NGT, Eastern Zone Bench at Kolkata, immediately on completion of three months and if found necessary the matter will be listed for consideration before the Bench.

For & Behalf of Arya Erectors & India Private Limited
Managing Director

Prakash Shrivastava, CP

B. Amit Sthalekar, JM

Dr. Arun Kumar Verma, EM

September 12, 2024
Original Application No. 92/2023/EZ
avt...

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## MINISTRY OF ENVIRONMENT AND FORESTS
## NOTIFICATION

New Delhi, the 14th September, 2006

S.O. 1533(E).—Whereas, a draft notification under Sub-rule (3) of Rule 5 of the Environment (Protection) Rules, 1986 for imposing certain restrictions and prohibitions on new projects or activities, or on the expansion or modernization of existing projects or activities based on their potential environmental impacts as indicated in the Schedule to the notification, being undertaken in any part of India[1], unless prior environmental clearance has been accorded in accordance with the objectives of National Environment Policy as approved by the Union Cabinet on 18th May, 2006 and the procedure specified in the notification, by the Central Government or the State or Union Territory Level Environment Impact Assessment Authority (SEIAA), to be constituted by the Central Government in consultation with the State Government or the Union Territory Administration concerned under Sub-section (3) of Section 3 of the Environment (Protection) Act, 1986 for the purpose of this notification, was published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (ii) *vide* number S.O. 1324(E), dated the 15th September, 2005 inviting objections and suggestions from all persons likely to be affected thereby within a period of sixty days from the date on which copies of Gazette containing the said notification were made available to the public;

And whereas, copies of the said notification were made available to the public on 15th September, 2005;

And whereas, all objections and suggestions received in response to the above mentioned draft notification have been duly considered by the Central Government;

Now, therefore, in exercise of the powers conferred by sub-section (1) and clause (v) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986, read with clause (d) of sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986 and in supersession of the notification number S.O. 60 (E) dated the 27th January, 1994, except in respect of things done or omitted to be done before such supersession, the Central Government hereby directs that on and from the date of its publication the required construction of new projects or activities or the expansion or modernization of existing projects or activities listed in the Schedule to this notification entailing capacity addition with change in process and or technology shall be undertaken in any part of India only after the prior environmental clearance from the Central Government or as the case may be, by the State Level Environment Impact Assessment Authority, duly constituted by the Central Government under sub-section (3) of section 3 of the said Act, in accordance with the procedure specified hereinafter in this notification.

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[1]Includes the territorial waters

2. **Requirements of prior Environmental Clearance (EC):-** The following projects or activities shall require prior environmental clearance from the concerned regulatory authority, which shall hereinafter referred to be as the Central Government in the Ministry of Environment and Forests for matters falling under Category 'A' in the Schedule and at State level the State Environment Impact Assessment Authority (SEIAA) for matters falling under Category 'B' in the said Schedule, before any construction work, or preparation of land by the project management except for securing the land, is started on the project or activity:

(i) All new projects or activities listed in the Schedule to this notification;

(ii) Expansion and modernization of existing projects or activities listed in the Schedule to this notification with addition of capacity beyond the limits specified for the concerned sector, that is, projects or activities which cross the threshold limits given in the Schedule, after expansion or modernization;

For & on behalf of Arya Erectors (India) Private Limited
Anil Kumar Sureka
(Managing Director)

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- परियोजना प्रबंधन में क्षेत्रीय विशेषज्ञ : परियोजना प्रबंधन या सुसंगत क्षेत्रों में प्रक्रिया /प्रचालन/सुविधा प्रबंधन में विशेषज्ञ ।
- पर्यावरणीय समाघात निर्धारण प्रक्रिया विशेषज्ञ : पर्यावरणीय समाघात निर्धारण का संचालन और कार्यान्वयन तथा पर्यावरणीय प्रबंधन योजना और अन्य प्रबंधन योजना तैयार करने में विशेषज्ञ और जो पर्यावरणीय समाघात निर्धारण प्रक्रिया में उपयोग की जाने वाली भावी तकनीकों और औजारों में विस्तृत विशेषज्ञता और ज्ञान रखते हों ।
- जोखिम निर्धारण विशेषज्ञ ।
- पेड़ - पौधे और जीव- जन्तु प्रबंधन में प्राणी विज्ञान विशेषज्ञ ।
- वन और वन्य जीव विशेषज्ञ ।
- परियोजना आंकलन में अनुभव सहित पर्यावरणीय अर्थशास्त्र विशेषज्ञ ।

3. पर्यावरणीय निर्धारण समिति की सदस्यता पंद्रह नियमित सदस्यों से अधिक की नहीं होगी । तथापि, अध्यक्ष, समिति की किसी विशिष्ट बैठक के लिए किसी सुसंगत क्षेत्र में किसी विशेषज्ञ को सदस्य के रूप में संहयोजित कर सकेगा ।

4. अध्यक्ष, सुसंगत विकास क्षेत्र में एक प्रतिष्ठित और पर्यावरणीय निति या प्रबंधन में अथवा लोक प्रशासन में अनुभव प्राप्त विशेषज्ञ होगा ।

5. अध्यक्ष, सदस्यों में से एक सदस्य को उपाध्यक्ष के रूप में नामनिर्देशित करेगा जो अध्यक्ष की अनुपस्थिति में पर्यावरणीय निर्धारण समिति की बैठक की अध्यक्षता करेगा ।

6. पर्यावरण और वन मंत्रालय का एक प्रतिनिधि उसके सचिव के रूप में समिति की सहायता करेगा ।

7. किसी सदस्य की अधिकतम पदावधि, जिसके अंतर्गत अध्यक्ष भी है, प्रत्येक तीन वर्ष की दो पदावधि होगी ।

8. अध्यक्ष/सदस्य को किसी कारण और समुचित जांच के बिना पदावधि के अवसान से पूर्व नहीं हटाया जा सकेगा ।

For & behalf of Arya Erectors India Private Limited
Managing Director

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(iii) Any change in product - mix in an existing manufacturing unit included in Schedule beyond the specified range.

3. **State Level Environment Impact Assessment Authority:- (1)** A State Level Environment Impact Assessment Authority hereinafter referred to as the SEIAA shall be constituted by the Central Government under sub-section (3) of section 3 of the Environment (Protection) Act, 1986 comprising of three Members including a Chairman and a Member – Secretary to be nominated by the State Government or the Union territory Administration concerned.

(2) The Member-Secretary shall be a serving officer of the concerned State Government or Union territory administration familiar with environmental laws.

(3) The other two Members shall be either a professional or expert fulfilling the eligibility criteria given in Appendix VI to this notification.

(4) One of the specified Members in sub-paragraph (3) above who is an expert in the Environmental Impact Assessment process shall be the Chairman of the SEIAA.

(5) The State Government or Union territory Administration shall forward the names of the Members and the Chairman referred in sub- paragraph 3 to 4 above to the Central Government and the Central Government shall constitute the SEIAA as an authority for the purposes of this notification within thirty days of the date of receipt of the names.

(6) The non-official Member and the Chairman shall have a fixed term of three years (from the date of the publication of the notification by the Central Government constituting the authority).

(7) All decisions of the SEIAA shall be unanimous and taken in a meeting.

4. **Categorization of projects and activities:-**

(i) All projects and activities are broadly categorized in to two categories - Category A and Category B, based on the spatial extent of potential impacts and potential impacts on human health and natural and man made resources.

(ii) All projects or activities included as Category 'A' in the Schedule, including expansion and modernization of existing projects or activities and change in product mix, shall require prior environmental clearance from the Central Government in the Ministry of Environment and Forests (MoEF) on the recommendations of an Expert Appraisal Committee (EAC) to be constituted by the Central Government for the purposes of this notification;

(iii) All projects or activities included as Category 'B' in the Schedule, including expansion and modernization of existing projects or activities as specified in sub paragraph (ii) of paragraph 2, or change in product mix as specified in sub paragraph (iii) of paragraph 2, but excluding those which fulfill the General Conditions (GC) stipulated in the Schedule, *will* require prior environmental clearance from the State/Union territory Environment Impact Assessment Authority (SEIAA). The SEIAA shall base its decision on the recommendations of a State or Union territory level Expert Appraisal Committee (SEAC) as to be constituted for in this notification. In the absence of a duly constituted SEIAA or SEAC, a Category 'B' project shall be treated as a Category 'A' project;

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**5. Screening, Scoping and Appraisal Committees:-**

The same Expert Appraisal Committees (EACs) at the Central Government and SEACs (hereinafter referred to as the (EAC) and (SEAC) at the State or the Union territory level shall screen, scope and appraise projects or activities in Category 'A' and Category 'B' respectively. EAC and SEAC's shall meet at least once every month.

(a) The composition of the EAC shall be as given in Appendix VI. The SEAC at the State or the Union territory level shall be constituted by the Central Government in consultation with the concerned State Government or the Union territory Administration with identical composition;

(b) The Central Government may, with the prior concurrence of the concerned State Governments or the Union territory Administrations, constitutes one SEAC for more than one State or Union territory for reasons of administrative convenience and cost;

(c) The EAC and SEAC shall be reconstituted after every three years;

(d) The authorised members of the EAC and SEAC, concerned, may inspect any site(s) connected with the project or activity in respect of which the prior environmental clearance is sought, for the purposes of screening or scoping or appraisal, with prior notice of at least seven days to the applicant, who shall provide necessary facilities for the inspection;

(e) The EAC and SEACs shall function on the principle of collective responsibility. The Chairperson shall endeavour to reach a consensus in each case, and if consensus cannot be reached, the view of the majority shall prevail.

**6. Application for Prior Environmental Clearance (EC):-**

An application seeking prior environmental clearance in all cases shall be made in the prescribed Form 1 annexed herewith and Supplementary Form 1A, if applicable, as given in Appendix II, after the identification of prospective site(s) for the project and/or activities to which the application relates, before commencing any construction activity, or preparation of land, at the site by the applicant. The applicant shall furnish, along with the application, a copy of the pre-feasibility project report except that, in case of construction projects or activities (item 8 of the Schedule) in addition to Form 1 and the Supplementary Form 1A, a copy of the conceptual plan shall be provided, instead of the pre-feasibility report.

**7. Stages in the Prior Environmental Clearance (EC) Process for New Projects:-**

7(i) The environmental clearance process for new projects will comprise of a maximum of four stages, all of which may not apply to particular cases as set forth below in this notification. These four stages in sequential order are:-

- Stage (1) Screening (Only for Category 'B' projects and activities)
- Stage (2) Scoping
- Stage (3) Public Consultation
- Stage (4) Appraisal

I. **Stage (1) - Screening:**

In case of Category 'B' projects or activities, this stage will entail the scrutiny of an application seeking prior environmental clearance made in Form 1 by the concerned State level Expert Appraisal Committee (SEAC) for determining whether or not the project or activity

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requires further environmental studies for preparation of an Environmental Impact Assessment (EIA) for its appraisal prior to the grant of environmental clearance depending up on the nature and location specificity of the project . The projects requiring an Environmental Impact Assessment report shall be termed Category 'B1' and remaining projects shall be termed Category 'B2' and will not require an Environment Impact Assessment report. For categorization of projects into B1 or B2 except item 8 (b), the Ministry of Environment and Forests shall issue appropriate guidelines from time to time.

II. **Stage (2) - Scoping:**

(i) "Scoping": refers to the process by which the Expert Appraisal Committee in the case of Category 'A' projects or activities, and State level Expert Appraisal Committee in the case of Category 'B1' projects or activities, including applications for expansion and/or modernization and/or change in product mix of existing projects or activities, determine detailed and comprehensive Terms Of Reference (TOR) addressing all relevant environmental concerns for the preparation of an Environment Impact Assessment (EIA) Report in respect of the project or activity for which prior environmental clearance is sought. The Expert Appraisal Committee or State level Expert Appraisal Committee concerned shall determine the Terms of Reference on the basis of the information furnished in the prescribed application Form1/Form 1A including Terms of Reference proposed by the applicant, a site visit by a sub- group of Expert Appraisal Committee or State level Expert Appraisal Committee concerned only if considered necessary by the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned, Terms of Reference suggested by the applicant if furnished and other information that may be available with the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned. All projects and activities listed as Category 'B' in Item 8 of the Schedule (Construction/Township/Commercial Complexes /Housing) shall not require Scoping and will be appraised on the basis of Form 1/ Form 1A and the conceptual plan.

(ii) The Terms of Reference (TOR) shall be conveyed to the applicant by the Expert Appraisal Committee or State Level Expert Appraisal Committee as concerned within sixty days of the receipt of Form 1. In the case of Category A Hydroelectric projects Item 1(c) (i) of the Schedule the Terms of Reference shall be conveyed along with the clearance for pre-construction activities .If the Terms of Reference are not finalized and conveyed to the applicant within sixty days of the receipt of Form 1, the Terms of Reference suggested by the applicant shall be deemed as the final Terms of Reference approved for the EIA studies. The approved Terms of Reference shall be displayed on the website of the Ministry of Environment and Forests and the concerned State Level Environment Impact Assessment Authority.

(iii) Applications for prior environmental clearance may be rejected by the regulatory authority concerned on the recommendation of the EAC or SEAC concerned at this stage itself. In case of such rejection, the decision together with reasons for the same shall be communicated to the applicant in writing within sixty days of the receipt of the application.

III. **Stage (3) - Public Consultation:**

(i) "Public Consultation" refers to the process by which the concerns of local affected persons and others who have plausible stake in the environmental impacts of the project or activity are ascertained with a view to taking into account all the material concerns in the project or activity design as appropriate. All Category 'A' and Category B1 projects or activities shall undertake Public Consultation, except the following:-

(a) modernization of irrigation projects (item 1(c) (ii) of the Schedule).

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(b) all projects or activities located within industrial estates or parks (item 7(c) of the Schedule) approved by the concerned authorities, and which are not disallowed in such approvals.

(c) expansion of Roads and Highways (item 7 (f) of the Schedule) which do not involve any further acquisition of land.

(d) all Building /Construction projects/Area Development projects and Townships (item 8).

(e) all Category 'B2' projects and activities.

(f) all projects or activities concerning national defence and security or involving other strategic considerations as determined by the Central Government.

(ii) The Public Consultation shall ordinarily have two components comprising of:-

(a) a public hearing at the site or in its close proximity- district wise, to be carried out in the manner prescribed in Appendix IV, for ascertaining concerns of local affected persons;

(b) obtain responses in writing from other concerned persons having a plausible stake in the environmental aspects of the project or activity.

(iii) : the public hearing at, or in close proximity to, the site(s) in all cases shall be conducted by the State Pollution Control Board (SPCB) or the Union territory Pollution Control Committee (UTPCC) concerned in the specified manner and forward the proceedings to the regulatory authority concerned within 45(forty five ) of a request to the effect from the applicant.

(iv) in case the State Pollution Control Board or the Union territory Pollution Control Committee concerned does not undertake and complete the public hearing within the specified period, and/or does not convey the proceedings of the public hearing within the prescribed period directly to the regulatory authority concerned as above, the regulatory authority shall engage another public agency or authority which is not subordinate to the regulatory authority, to complete the process within a further period of forty five days,.

(v) If the public agency or authority nominated under the sub paragraph (iii) above reports to the regulatory authority concerned that owing to the local situation, it is not possible to conduct the public hearing in a manner which will enable the views of the concerned local persons to be freely expressed, it shall report the facts in detail to the concerned regulatory authority, which may, after due consideration of the report and other reliable information that it may have, decide that the public consultation in the case need not include the public hearing.

(vi) For obtaining responses in writing from other concerned persons having a plausible stake in the environmental aspects of the project or activity, the concerned regulatory authority and the State Pollution Control Board (SPCB) or the Union territory Pollution Control Committee (UTPCC) shall invite responses from such concerned persons by placing on their website the Summary EIA report prepared in the format given in Appendix IIIA by the applicant along with a copy of the application in the prescribed form , within seven days of the receipt of a written request for arranging the public hearing . Confidential information including non-disclosable or legally privileged information involving Intellectual Property Right. source specified in the application shall not be placed on the web site. The regulatory authority concerned may also use

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other appropriate media for ensuring wide publicity about the project or activity. The regulatory authority shall, however, make available on a written request from any concerned person the Draft EIA report for inspection at a notified place during normal office hours till the date of the public hearing. All the responses received as part of this public consultation process shall be forwarded to the applicant through the quickest available means.

(vii) After completion of the public consultation, the applicant shall address all the material environmental concerns expressed during this process, and make appropriate changes in the draft EIA and EMP. The final EIA report, so prepared, shall be submitted by the applicant to the concerned regulatory authority for appraisal. The applicant may alternatively submit a supplementary report to draft EIA and EMP addressing all the concerns expressed during the public consultation.

**IV. Stage (4) - Appraisal:**

(i) Appraisal means the detailed scrutiny by the Expert Appraisal Committee or State Level Expert Appraisal Committee of the application and other documents like the Final EIA report, outcome of the public consultations including public hearing proceedings, submitted by the applicant to the regulatory authority concerned for grant of environmental clearance. This appraisal shall be made by Expert Appraisal Committee or State Level Expert Appraisal Committee concerned in a transparent manner in a proceeding to which the applicant shall be invited for furnishing necessary clarifications in person or through an authorized representative. On conclusion of this proceeding, the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned shall make categorical recommendations to the regulatory authority concerned either for grant of prior environmental clearance on stipulated terms and conditions, or rejection of the application for prior environmental clearance, together with reasons for the same.

(ii) The appraisal of all projects or activities which are not required to undergo public consultation, or submit an Environment Impact Assessment report, shall be carried out on the basis of the prescribed application Form 1 and Form 1A as applicable, any other relevant validated information available and the site visit wherever the same is considered as necessary by the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned.

(iii) The appraisal of an application be shall be completed by the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned within sixty days of the receipt of the final Environment Impact Assessment report and other documents or the receipt of Form 1 and Form 1 A, where public consultation is not necessary and the recommendations of the Expert Appraisal Committee or State Level Expert Appraisal Committee shall be placed before the competent authority for a final decision within the next fifteen days .The prescribed procedure for appraisal is given in Appendix V ;

**7(ii). Prior Environmental Clearance (EC) process for Expansion or Modernization or Change of product mix in existing projects:**

All applications seeking prior environmental clearance for expansion with increase in the production capacity beyond the capacity for which prior environmental clearance has been granted under this notification or with increase in either lease area or production capacity in the case of mining projects or for the modernization of an existing unit with increase in the total production capacity beyond the threshold limit prescribed in the Schedule to this notification through change in process and or technology or involving a change in the product –mix shall be made in Form 1 and they shall be considered by the concerned Expert Appraisal Committee or State Level Expert Appraisal Committee within sixty days, who will decide on the due diligence

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For & behalf of Arya Erectors India Private Limited
Anil Kumar Sarma
(Managing Director

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necessary including preparation of EIA and public consultations and the application shall be appraised accordingly for grant of environmental clearance.

**8.Grant or Rejection of Prior Environmental Clearance (EC):**

(i) The regulatory authority shall consider the recommendations of the EAC or SEAC concerned and convey its decision to the applicant within forty five days of the receipt of the recommendations of the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned or in other words within one hundred and five days of the receipt of the final Environment Impact Assessment Report, and where Environment Impact Assessment is not required, within one hundred and five days of the receipt of the complete application with requisite documents, except as provided below.

(ii) The regulatory authority shall normally accept the recommendations of the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned. In cases where it disagrees with the recommendations of the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned, the regulatory authority shall request reconsideration by the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned within forty five days of the receipt of the recommendations of the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned while stating the reasons for the disagreement. An intimation of this decision shall be simultaneously conveyed to the applicant. The Expert Appraisal Committee or State Level Expert Appraisal Committee concerned, in turn, shall consider the observations of the regulatory authority and furnish its views on the same within a further period of sixty days. The decision of the regulatory authority after considering the views of the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned shall be final and conveyed to the applicant by the regulatory authority concerned within the next thirty days.

(iii) In the event that the decision of the regulatory authority is not communicated to the applicant within the period specified in sub-paragraphs (i) or (ii) above, as applicable, the applicant may proceed as if the environment clearance sought for has been granted or denied by the regulatory authority in terms of the final recommendations of the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned.

(iv) On expiry of the period specified for decision by the regulatory authority under paragraph (i) and (ii) above, as applicable, the decision of the regulatory authority, and the final recommendations of the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned shall be public documents.

(v) Clearances from other regulatory bodies or authorities shall not be required prior to receipt of applications for prior environmental clearance of projects or activities, or screening, or scoping, or appraisal, or decision by the regulatory authority concerned, unless any of these is sequentially dependent on such clearance either due to a requirement of law, or for necessary technical reasons.

(vi) Deliberate concealment and/or submission of false or misleading information or data which is material to screening or scoping or appraisal or decision on the application shall make the application liable for rejection, and cancellation of prior environmental clearance granted on that basis. Rejection of an application or cancellation of a prior environmental clearance already granted, on such ground, shall be decided by the regulatory authority, after giving a personal hearing to the applicant, and following the principles of natural justice.

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For & behalf of Arya Erectors
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**9. Validity of Environmental Clearance (EC):**

The "Validity of Environmental Clearance" is meant the period from which a prior environmental clearance is granted by the regulatory authority, or may be presumed by the applicant to have been granted under sub paragraph (iv) of paragraph 7 above, to the start of production operations by the project or activity, or completion of all construction operations in case of construction projects (item 8 of the Schedule), to which the application for prior environmental clearance refers. The prior environmental clearance granted for a project or activity shall be valid for a period of ten years in the case of River Valley projects (item 1(c) of the Schedule), project life as estimated by Expert Appraisal Committee or State Level Expert Appraisal Committee subject to a maximum of thirty years for mining projects and five years in the case of all other projects and activities. However, in the case of Area Development projects and Townships [item 8(b)], the validity period shall be limited only to such activities as may be the responsibility of the applicant as a developer. This period of validity may be extended by the regulatory authority concerned by a maximum period of five years provided an application is made to the regulatory authority by the applicant - within the validity period, together with an updated Form 1, and Supplementary Form 1A, for Construction projects or activities (item 8 of the Schedule). In this regard the regulatory authority may also consult the Expert Appraisal Committee or State Level Expert Appraisal Committee as the case may be.

For & behalf of Arya Erectors
India Private Limited
Anil Kumar Sarma
Managing Director

**10. Post Environmental Clearance Monitoring:**

(i) It shall be mandatory for the project management to submit half-yearly compliance reports in respect of the stipulated prior environmental clearance terms and conditions in hard and soft copies to the regulatory authority concerned, on 1st June and 1st December of each calendar year.

(ii) All such compliance reports submitted by the project management shall be public documents. Copies of the same shall be given to any person on application to the concerned regulatory authority. The latest such compliance report shall also be displayed on the web site of the concerned regulatory authority.

**11. Transferability of Environmental Clearance (EC):**

A prior environmental clearance granted for a specific project or activity to an applicant may be transferred during its validity to another legal person entitled to undertake the project or activity on application by the transferor, or by the transferee with a written "no objection" by the transferor, to, and by the regulatory authority concerned, on the same terms and conditions under which the prior environmental clearance was initially granted, and for the same validity period. No reference to the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned is necessary in such cases.

**12. Operation of EIA Notification, 1994, till disposal of pending cases:**

From the date of final publication of this notification the Environment Impact Assessment (EIA) notification number S.O.60 (E) dated 27th January, 1994 is hereby superseded, except in suppression of the things done or omitted to be done before such suppression to the extent that in case of all or some types of applications made for prior environmental clearance and pending on the date of final publication of this notification, the Central Government may relax any one or all provisions of this notification except the list of the projects or activities requiring prior environmental clearance in Schedule I , or continue operation of some or all provisions of the said notification, for a period not exceeding one year from the date of issue of this notification.

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## SCHEDULE

**(See paragraph 2 and 7)**

### LIST OF PROJECTS OR ACTIVITIES REQUIRING PRIOR ENVIRONMENTAL CLEARANCE

| Project or Activity | | Category with threshold limit | | Conditions if any |
|---|---|---|---|---|
| | | A | B | |
| 1 | | **Mining, extraction of natural resources and power generation (for a specified production capacity)** | | |
| (1) | (2) | (3) | (4) | (5) |
| 1(a) | Mining of minerals | ≥ 50 ha. of mining lease area<br><br>Asbestos mining irrespective of mining area | <50 ha<br>≥ 5 ha .of mining lease area. | General Condition shall apply<br>Note<br>Mineral prospecting (not involving drilling) are exempted provided the concession areas have got previous clearance for physical survey |
| 1(b) | Offshore and onshore oil and gas exploration, development & production | All projects | | Note<br>Exploration Surveys (not involving drilling) are exempted provided the concession areas have got previous clearance for physical survey |
| 1(c) | River Valley projects | (i) ≥ 50 MW hydroelectric power generation;<br>(ii) ≥ 10,000 ha. of culturable command area | (i) < 50 MW ≥ 25 MW hydroelectric power generation;<br>(ii) < 10,000 ha. of culturable command area | General Condition shall apply |
| 1(d) | Thermal Power Plants | ≥ 500 MW (coal/lignite/naphta & gas based);<br>≥ 50 MW (Pet coke diesel and all other fuels -) | < 500 MW (coal/lignite/naptha & gas based);<br><50 MW<br>≥ 5MW (Pet coke ,diesel and all other fuels ) | General Condition shall apply |

For & behalf of Arya Erectors
Pvt. India Private Limited
Anil Kumar Sahoo
Managing Director

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| (1) | (2) | (3) | (4) | (5) |
|---|---|---|---|---|
| 1(e) | Nuclear power projects and processing of nuclear fuel | All projects | | |
| 2 | | **Primary Processing** | | |
| 2(a) | Coal washeries | ≥ 1 million ton/annum throughput of coal | <1million ton/annum throughput of coal | General Condition shall apply<br><br>(If located within mining area the proposal shall be appraised together with the mining proposal) |
| 2 (b) | Mineral beneficiation | ≥ 0.1million ton/annum mineral throughput | < 0.1million ton/annum mineral throughput | General Condition shall apply<br><br>(Mining proposal with Mineral beneficiation shall be appraised together for grant of clearance) |

For & behalf of Arya Erectors India Private Limited
Managing Director

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| 3 | | Materials Production | | |
|---|---|---|---|---|
| (1) | (2) | (3) | (4) | (5) |
| 3(a) | Metallurgical industries (ferrous & non ferrous) | a)Primary metallurgical industry<br><br>All projects<br><br>b) Sponge iron manufacturing ≥ 200TPD<br><br>c)Secondary metallurgical processing industry<br><br>All toxic and heavy metal producing units ≥ 20,000 tonnes /annum | Sponge iron manufacturing <200TPD<br><br>Secondary metallurgical processing industry<br><br>i.)All toxic andheavymetal producing units <20,000 tonnes /annum<br><br>ii.)All other non –toxic secondary metallurgical processing industries<br><br>>5000 tonnes/annum | General Condition shall apply for Sponge iron manufacturing |
| 3( b) | Cement plants | ≥ 1.0 million tonnes/annum production capacity | <1.0 million tonnes/annum production capacity. All Stand alone grinding units | General Condition shall apply |

For & behalf of Arya Erectors India Private Limited
Managing Director

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| | | | | |
|---|---|---|---|---|
| 4 | | **Materials Processing** | | |
| (1) | (2) | (3) | (4) | (5) |
| 4(a) | Petroleum refining industry | All projects | - | - |
| 4(b) | Coke oven plants | ≥2,50,000 tonnes/annum | <2,50,000 & ≥25,000 tonnes/annum | - |
| 4(c ) | Asbestos milling and asbestos based products | All projects | - | - |
| 4(d) | Chlor-alkali industry | ≥300 TPD production capacityor a unit located out side the notified industrial area/ estate | <300 TPD production capacity and located within a notified industrial area/ estate | Specific Condition shall apply<br>No new Mercury Cell based plants will be permitted and existing units converting to membrane cell technology are exempted from this Notification |
| 4(e) | Soda ash Industry | All projects | - | - |
| 4(f) | Leather/skin/hide processing industry | New projects outside the industrial area or expansion of existing units out side the industrial area | All new or expansion of projects located within a notified industrial area/ estate | Specific condition shall apply |
| 5 | | **Manufacturing/Fabrication** | | |
| 5(a) | Chemical fertilizers | All projects | - | - |
| 5(b) | Pesticides industry and pesticide specific intermediates (excluding formulations) | All units producing technical grade pesticides | - | - |

For & behalf of Arya Erectors & India Private Limited
Anil Kumar Sarma
(Managing Director)

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| (1) | (2) | (3) | (4) | (5) |
|---|---|---|---|---|
| 5(c) | Petro-chemical complexes (industries based on processing of petroleum fractions & natural gas and/or reforming to aromatics) | All projects<br>- | - | - |
| 5(d) | Manmade fibres manufacturing | Rayon | Others | General Condition shall apply |
| 5(e) | Petrochemical based processing (processes other than cracking & reformation and not covered under the complexes) | Located out side the notified industrial area/ estate<br>- | Located in a notified industrial area/ estate | Specific Condition shall apply |
| 5(f) | Synthetic organic chemicals industry (dyes & dye intermediates; bulk drugs and intermediates excluding drug formulations; synthetic rubbers; basic organic chemicals, other synthetic organic chemicals and chemical intermediates) | Located out side the notified industrial area/ estate | Located in a notified industrial area/ estate | Specific Condition shall apply |
| 5(g) | Distilleries | (i)All Molasses based distilleries<br><br>(ii) All Cane juice/ non-molasses based distilleries ≥30 KLD | All Cane juice/non-molasses based distilleries<br>–<br><30 KLD | General Condition shall apply |
| 5(h) | Integrated paint industry | - | All projects | General Condition shall apply |

For & behalf of Arya Erectors India Private Limited
Managing Director

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| (1) | (2) | (3) | (4) | (5) |
|---|---|---|---|---|
| 5(i) | Pulp & paper industry excluding manufacturing of paper from waste paper and manufacture of paper from ready pulp with out bleaching | Pulp manufacturing and<br><br>Pulp& Paper manufacturing industry<br>- | Paper manufacturing industry without pulp manufacturing | General Condition shall apply |
| 5(j) | Sugar Industry | -<br>- | ≥ 5000 tcd cane crushing capacity | General Condition shall apply |
| 5(k) | Induction/arc furnaces/cupola furnaces 5TPH. or more | -<br>- | All projects | General Condition shall apply |
| 6 | | **Service Sectors** | | |
| 6(a) | Oil & gas transportation pipe line (crude and refinery/ petrochemical products), passing through national parks /sanctuaries/coral reefs /ecologically sensitive areas including LNG Terminal | All projects<br>- | | - |

For & behalf of Arya Erectors India Private Limited
Managing Director

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| (1) | (2) | (3) | (4) | (5) |
|---|---|---|---|---|
| 6(b) | Isolated storage & handling of hazardous chemicals (As per threshold planning quantity indicated in column 3 of schedule 2 & 3 of MSIHC Rules 1989 amended 2000) | - | All projects | General Condition shall apply |
| 7 | | **Physical Infrastructure including Environmental Services** | | |
| 7(a) | Air ports | All projects | - | - |
| 7(b) | All ship breaking yards including ship breaking units | All projects | - | - |
| 7(c) | Industrial estates/ parks/ complexes/ areas, export processing Zones (EPZs), Special Economic Zones (SEZs), Biotech Parks, Leather Complexes. | If at least one industry in the proposed industrial estate falls under the Category A, entire industrial area shall be treated as Category A, irrespective of the area.<br><br>Industrial estates with area greater than 500 ha. and housing at least one Category B industry. | -Industrial estates housing at least one Category B industry and area <500 ha.<br><br>Industrial estates of area> 500 ha. and not housing any industry belonging to Category A or B. | Special condition shall apply<br><br>Note:<br>Industrial Estate of area below 500 ha. and not housing any industry of category A or B does not require clearance. |
| 7(d) | Common hazardous waste treatment, storage and disposal facilities (TSDFs) | All integrated facilities having incineration &landfill or incineration alone | All facilities having land fill only | General Condition shall apply |

For & behalf of Arya Erectors India Private Limited
Anil Kumar Sarma
Managing Director

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| (1) | (2) | (3) | (4) | (5) |
|---|---|---|---|---|
| 7(e) | Ports, Harbours | ≥ 5 million TPA of cargo handling capacity (excluding fishing harbours) | < 5 million TPA of cargo handling capacity and/or ports/ harbours ≥10,000 TPA of fish handling capacity | General Condition shall apply |
| 7(f) | Highways | i) New National High ways; and<br><br>ii) Expansion of National High ways greater than 30 KM, involving additional right of way greater than 20m involving land acquisition and passing through more than one State. | i) New State High ways; and<br><br>ii) Expansion of National / State Highways greater than 30 km involving additional right of way greater than 20m involving land acquisition. | General Condition shall apply |
| 7(g) | Aerial ropeways | | All projects | General Condition shall apply |
| 7(h) | Common Effluent Treatment Plants (CETPs) | | All projects | General Condition shall apply |
| 7(i) | Common Municipal Solid Waste Management Facility (CMSWMF) | | All projects | General Condition shall apply |

For & behalf of Arya Erectors India Private Limited
Anil Kumar Sarma
Managing Director

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| (1) | (2) | (3) | (4) | (5) |
|---|---|---|---|---|
| 8 | Building /Construction projects/Area Development projects and Townships | | | |
| 8(a) | Building and Construction projects | | ≥20000 sq.mtrs and <1,50,000 sq.mtrs. of built-up area# | #(built up area for covered construction; in the case of facilities open to the sky, it will be the activity area ) |
| 8(b) | Townships and Area Development projects. | | Covering an area ≥ 50 ha and or built up area ≥1,50,000 sq .mtrs ++ | ++All projects under Item 8(b) shall be appraised as Category B1 |

**Note:-**

**General Condition (GC):**

Any project or activity specified in Category 'B' will be treated as Category A, if located in whole or in part within 10 km from the boundary of: (i) Protected Areas notified under the Wild Life (Protection) Act, 1972, (ii) Critically Polluted areas as notified by the Central Pollution Control Board from time to time, (iii) Notified Eco-sensitive areas, (iv) inter-State boundaries and international boundaries.

**Specific Condition (SC):**

If any Industrial Estate/Complex / Export processing Zones /Special Economic Zones/Biotech Parks / Leather Complex with homogeneous type of industries such as Items 4(d), 4(f), 5(e), 5(f), or those Industrial estates with pre –defined set of activities (not necessarily homogeneous, obtains prior environmental clearance, individual industries including proposed industrial housing within such estates /complexes will not be required to take prior environmental clearance, so long as the Terms and Conditions for the industrial estate/complex are complied with (Such estates/complexes must have a clearly identified management with the legal responsibility of ensuring adherence to the Terms and Conditions of prior environmental clearance, who may be held responsible for violation of the same throughout the life of the complex/estate).

[No. J-11013/56/2004-IA-II(I)]
R. CHANDRAMOHAN, *Jt. Secy.*

**APPENDIX I**

**(See paragraph – 6)**

**FORM 1**

(I) **Basic Information**

Name of the Project:

Location / site alternatives under consideration:

Size of the Project: *

Expected cost of the project:

For & behalf of Arya Erectors India Private Limited
Managing Director

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Contact Information:

Screening Category:

- *Capacity corresponding to sectoral activity (such as production capacity for manufacturing, mining lease area and production capacity for mineral production, area for mineral exploration, length for linear transport infrastructure, generation capacity for power generation etc.,)*

**(II) Activity**

**1. Construction, operation or decommissioning of the Project involving actions, which will cause physical changes in the locality (topography, land use, changes in water bodies, etc.)**

| S.No. | Information/Checklist confirmation | Yes/No | Details thereof (with approximate quantities /rates, wherever possible) with source of information data |
|---|---|---|---|
| 1.1 | Permanent or temporary change in land use, land cover or topography including increase in intensity of land use (with respect to local land use plan) | | |
| 1.2 | Clearance of existing land, vegetation and buildings? | | |
| 1.3 | Creation of new land uses? | | |
| 1.4 | Pre-construction investigations e.g. bore houses, soil testing? | | |
| 1.5 | Construction works? | | |
| 1.6 | Demolition works? | | |
| 1.7 | Temporary sites used for construction works or housing of construction workers? | | |
| 1.8 | Above ground buildings, structures or earthworks including linear structures, cut and fill or excavations | | |
| 1.9 | Underground works including mining or tunneling? | | |
| 1.10 | Reclamation works? | | |
| 1.11 | Dredging? | | |
| 1.12 | Offshore structures? | | |
| 1.13 | Production and manufacturing processes? | | |

For & behalf of Arya Erectors India Private Limited
Managing Director

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|---|---|---|---|
| 1.14 | Facilities for storage of goods or materials? | | |
| 1.15 | Facilities for treatment or disposal of solid waste or liquid effluents? | | |
| 1.16 | Facilities for long term housing of operational workers? | | |
| 1.17 | New road, rail or sea traffic during construction or operation? | | |
| 1.18 | New road, rail, air waterborne or other transport infrastructure including new or altered routes and stations, ports, airports etc? | | |
| 1.19 | Closure or diversion of existing transport routes or infrastructure leading to changes in traffic movements? | | |
| 1.20 | New or diverted transmission lines or pipelines? | | |
| 1.21 | Impoundment, damming, culverting, realignment or other changes to the hydrology of watercourses or aquifers? | | |
| 1.22 | Stream crossings? | | |
| 1.23 | Abstraction or transfers of water form ground or surface waters? | | |
| 1.24 | Changes in water bodies or the land surface affecting drainage or run-off? | | |
| 1.25 | Transport of personnel or materials for construction, operation or decommissioning? | | |
| 1.26 | Long-term dismantling or decommissioning or restoration works? | | |
| 1.27 | Ongoing activity during decommissioning which could have an impact on the environment? | | |
| 1.28 | Influx of people to an area in either temporarily or permanently? | | |
| 1.29 | Introduction of alien species? | | |
| 1.30 | Loss of native species or genetic diversity? | | |
| 1.31 | Any other actions? | | |

2. **Use of Natural resources for construction or operation of the Project (such as land, water, materials or energy, especially any resources which are non-renewable or in short supply):**

| S.No. | Information/checklist confirmation | Yes/No | Details thereof (with approximate quantities /rates, wherever possible) with source of information data |
|---|---|---|---|
| 2.1 | Land especially undeveloped or agricultural land (ha) | | |

For & behalf of Arya Erectors India Private Limited
Managing Director

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| | | | |
|---|---|---|---|
| 2.2 | Water (expected source & competing users) unit: KLD | | |
| 2.3 | Minerals (MT) | | |
| 2.4 | Construction material – stone, aggregates, and / soil (expected source – MT) | | |
| 2.5 | Forests and timber (source – MT) | | |
| 2.6 | Energy including electricity and fuels (source, competing users) Unit: fuel (MT), energy (MW) | | |
| 2.7 | Any other natural resources (use appropriate standard units) | | |

**3. Use, storage, transport, handling or production of substances or materials, which could be harmful to human health or the environment or raise concerns about actual or perceived risks to human health.**

| S.No. | Information/Checklist confirmation | Yes/No | Details thereof (with approximate quantities/rates, wherever possible) with source of information data |
|---|---|---|---|
| 3.1 | Use of substances or materials, which are hazardous (as per MSIHC rules) to human health or the environment (flora, fauna, and water supplies) | | |
| 3.2 | Changes in occurrence of disease or affect disease vectors (e.g. insect or water borne diseases) | | |
| 3.3 | Affect the welfare of people e.g. by changing living conditions? | | |
| 3.4 | Vulnerable groups of people who could be affected by the project e.g. hospital patients, children, the elderly etc., | | |
| 3.5 | Any other causes | | |

**4. Production of solid wastes during construction or operation or decommissioning (MT/month)**

| S.No. | Information/Checklist confirmation | Yes/No | Details thereof (with approximate quantities/rates, wherever possible) with source of information data |
|---|---|---|---|
| 4.1 | Spoil, overburden or mine wastes | | |

For & behalf of Arya Erectors India Private Limited
Anil Kumar Sharma
(Managing Director

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| | | | |
|---|---|---|---|
| 4.2 | Municipal waste (domestic and or commercial wastes) | | |
| 4.3 | Hazardous wastes (as per Hazardous Waste Management Rules) | | |
| 4.4 | Other industrial process wastes | | |
| 4.5 | Surplus product | | |
| 4.6 | Sewage sludge or other sludge from effluent treatment | | |
| 4.7 | Construction or demolition wastes | | |
| 4.8 | Redundant machinery or equipment | | |
| 4.9 | Contaminated soils or other materials | | |
| 4.10 | Agricultural wastes | | |
| 4.11 | Other solid wastes | | |

**5. Release of pollutants or any hazardous, toxic or noxious substances to air (Kg/hr)**

| S.No. | Information/Checklist confirmation | Yes/No | Details thereof (with approximate quantities/rates, wherever possible) with source of information data |
|---|---|---|---|
| 5.1 | Emissions from combustion of fossil fuels from stationary or mobile sources | | |
| 5.2 | Emissions from production processes | | |
| 5.3 | Emissions from materials handling including storage or transport | | |
| 5.4 | Emissions from construction activities including plant and equipment | | |
| 5.5 | Dust or odours from handling of materials including construction materials, sewage and waste | | |

For & on behalf of Arya Erectors India Private Limited
Authorised Signatory / Director

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| 5.6 | Emissions from incineration of waste | | |
| 5.7 | Emissions from burning of waste in open air (e.g. slash materials, construction debris) | | |
| 5.8 | Emissions from any other sources | | |

**6. Generation of Noise and Vibration, and Emissions of Light and Heat:**

| S.No. | Information/Checklist confirmation | Yes/No | Details thereof (with approximate quantities/rates, wherever possible) with source of information data with source of information data |
|---|---|---|---|
| 6.1 | From operation of equipment e.g. engines, ventilation plant, crushers | | |
| 6.2 | From industrial or similar processes | | |
| 6.3 | From construction or demolition | | |
| 6.4 | From blasting or piling | | |
| 6.5 | From construction or operational traffic | | |
| 6.6 | From lighting or cooling systems | | |
| 6.7 | From any other sources | | |

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7. **Risks of contamination of land or water from releases of pollutants into the ground or into sewers, surface waters, groundwater, coastal waters or the sea:**

| S.No. | Information/Checklist confirmation | Yes/No | Details thereof (with approximate quantities/rates, wherever possible) with source of information data |
|---|---|---|---|
| 7.1 | From handling, storage, use or spillage of hazardous materials | | |
| 7.2 | From discharge of sewage or other effluents to water or the land (expected mode and place of discharge) | | |
| 7.3 | By deposition of pollutants emitted to air into the land or into water | | |
| 7.4 | From any other sources | | |
| 7.5 | Is there a risk of long term build up of pollutants in the environment from these sources? | | |

8. **Risk of accidents during construction or operation of the Project, which could affect human health or the environment**

| S.No. | Information/Checklist confirmation | Yes/No | Details thereof (with approximate quantities/rates, wherever possible) with source of information data |
|---|---|---|---|
| 8.1 | From explosions, spillages, fires etc from storage, handling, use or production of hazardous substances | | |
| 8.2 | From any other causes | | |
| 8.3 | Could the project be affected by natural disasters causing environmental damage (e.g. floods, earthquakes, landslides, cloudburst etc)? | | |

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9. **Factors which should be considered (such as consequential development) which could lead to environmental effects or the potential for cumulative impacts with other existing or planned activities in the locality**

| S. No. | Information/Checklist confirmation | Yes/No | Details thereof (with approximate quantities/rates, wherever possible) with source of information data |
|---|---|---|---|
| 9.1 | Lead to development of supporting. lities, ancillary development or development stimulated by the project which could have impact on the environment e.g.:<br>• Supporting infrastructure (roads, power supply, waste or waste water treatment, etc.)<br>• housing development<br>• extractive industries<br>• supply industries<br>• other | | |
| 9.2 | Lead to after-use of the site, which could havean impact on the environment | | |
| 9.3 | Set a precedent for later developments | | |
| 9.4 | Have cumulative effects due to proximity to other existing or planned projects with similar effects | | |

**(III) Environmental Sensitivity**

| S.No. | Areas | Name/ Identity | Aerial distance (within 15 km.) Proposed project location boundary |
|---|---|---|---|
| 1 | Areas protected under international conventions, national or local legislation for their ecological, landscape, cultural or other related value | | |

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| | | | |
|---|---|---|---|
| 2 | Areas which are important or sensitive for ecological reasons - Wetlands, watercourses or other water bodies, coastal zone, biospheres, mountains, forests | | |
| 3 | Areas used by protected, important or sensitive species of flora or fauna for breeding, nesting, foraging, resting, over wintering, migration | | |
| 4 | Inland, coastal, marine or underground waters | | |
| 5 | State, National boundaries | | |
| 6 | Routes or facilities used by the public for access to recreation or other tourist, pilgrim areas | | |
| 7 | Defence installations | | |
| 8 | Densely populated or built-up area | | |
| 9 | Areas occupied by sensitive man-made land uses *(hospitals, schools, places of worship, community facilities)* | | |
| 10 | Areas containing important, high quality or scarce resources *(ground water resources, surface resources, forestry, agriculture, fisheries, tourism, minerals)* | | |
| 11 | Areas already subjected to pollution or environmental damage. *(those where existing legal environmental standards are exceeded)* | | |
| 12 | Areas susceptible to natural hazard which could cause the project to present environmental problems *(earthquakes, subsidence, landslides, erosion, flooding or extreme or adverse climatic conditions)* | | |

**(IV). Proposed Terms of Reference for EIA studies**

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## APPENDIX II

**(See paragraph 6)**

**FORM-I A (only for construction projects listed under item 8 of the Schedule)**

**CHECK LIST OF ENVIRONMENTAL IMPACTS**

**(Project proponents are required to provide full information and wherever necessary attach explanatory notes with the Form and submit along with proposed environmental management plan & monitoring programme)**

### 1. LAND ENVIRONMENT

**(Attach panoramic view of the project site and the vicinity)**

1.1. Will the existing landuse get significantly altered from the project that is not consistent with the surroundings? (Proposed landuse must conform to the approved Master Plan / Development Plan of the area. Change of landuse if any and the statutory approval from the competent authority be submitted). Attach Maps of (i) site location, (ii) surrounding features of the proposed site (within 500 meters) and (iii)the site (indicating levels & contours) to appropriate scales. If not available attach only conceptual plans.

1.2. List out all the major project requirements in terms of the land area, built up area, water consumption, power requirement, connectivity, community facilities, parking needs etc.

1.3. What are the likely impacts of the proposed activity on the existing facilities adjacent to the proposed site? (Such as open spaces, community facilities, details of the existing landuse, disturbance to the local ecology).

1.4. Will there be any significant land disturbance resulting in erosion, subsidence & instability? (Details of soil type, slope analysis, vulnerability to subsidence, seismicity etc may be given).

1.5. Will the proposal involve alteration of natural drainage systems? (Give details on a contour map showing the natural drainage near the proposed project site)

1.6. What are the quantities of earthwork involved in the construction activity-cutting, filling, reclamation etc. (Give details of the quantities of earthwork involved, transport of fill materials from outside the site etc.)

1.7. Give details regarding water supply, waste handling etc during the construction period.

1.8. Will the low lying areas & wetlands get altered? (Provide details of how low lying and wetlands are getting modified from the proposed activity)

1.9. Whether construction debris & waste during construction cause health hazard? (Give quantities of various types of wastes generated during construction including the construction labour and the means of disposal)

### 2. WATER ENVIRONMENT

2.1. Give the total quantity of water requirement for the proposed project with the breakup of requirements for various uses. How will the water requirement met? State the sources & quantities and furnish a water balance statement.

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2.2 What is the capacity (dependable flow or yield) of the proposed source of water?

2.3. What is the quality of water required, in case, the supply is not from a municipal source? (Provide physical, chemical and biological characteristics with treatment required)

2.4. How much of the water requirement can be met from the recycling of treated wastewater? (Give the details of quantities, sources and usage)

2.5. Will there be diversion of water from other users? (Please assess the impacts of the project on other existing uses and quantities of consumption)

2.6. What is the incremental pollution load from wastewater generated from the proposed activity? (Give details of the quantities and composition of wastewater generated from the proposed activity)

2.7. Give details of the water requirements met from water harvesting? Furnish details of the facilities created.

2.8. What would be the impact of the land use changes occurring due to the proposed project on the runoff characteristics (quantitative as well as qualitative) of the area in the post construction phase on a long term basis? Would it aggravate the problems of flooding or water logging in any way?

2.9. What are the impacts of the proposal on the ground water? (Will there be tapping of ground water; give the details of ground water table, recharging capacity, and approvals obtained from competent authority, if any)

2.10. What precautions/measures are taken to prevent the run-off from construction activities polluting land & aquifers? (Give details of quantities and the measures taken to avoid the adverse impacts)

2.11. How is the storm water from within the site managed?(State the provisions made to avoid flooding of the area, details of the drainage facilities provided along with a site layout indication contour levels)

2.12. Will the deployment of construction labourers particularly in the peak period lead to unsanitary conditions around the project site (Justify with proper explanation)

2.13. What on-site facilities are provided for the collection, treatment & safe disposal of sewage? (Give details of the quantities of wastewater generation, treatment capacities with technology & facilities for recycling and disposal)

2.14. Give details of dual plumbing system if treated waste used is used for flushing of toilets or any other use.

## 3. VEGETATION

3.1. Is there any threat of the project to the biodiversity? (Give a description of the local ecosystem with it's unique features, if any)

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3.2. Will the construction involve extensive clearing or modification of vegetation? (Provide a detailed account of the trees & vegetation affected by the project)

3.3. What are the measures proposed to be taken to minimize the likely impacts on important site features (Give details of proposal for tree plantation, landscaping, creation of water bodies etc along with a layout plan to an appropriate scale)

## 4. FAUNA

4.1. Is there likely to be any displacement of fauna- both terrestrial and aquatic or creation of barriers for their movement? Provide the details.

4.2. Any direct or indirect impacts on the avifauna of the area? Provide details.

4.3. Prescribe measures such as corridors, fish ladders etc to mitigate adverse impacts on fauna

## 5. AIR ENVIRONMENT

5.1. Will the project increase atmospheric concentration of gases & result in heat islands? (Give details of background air quality levels with predicted values based on dispersion models taking into account the increased traffic generation as a result of the proposed constructions)

5.2 What are the impacts on generation of dust, smoke, odorous fumes or other hazardous gases? Give details in relation to all the meteorological parameters.

5.3. Will the proposal create shortage of parking space for vehicles? Furnish details of the present level of transport infrastructure and measures proposed for improvement including the traffic management at the entry & exit to the project site.

5.4. Provide details of the movement patterns with internal roads, bicycle tracks, pedestrian pathways, footpaths etc., with areas under each category.

5.5. Will there be significant increase in traffic noise & vibrations? Give details of the sources and the measures proposed for mitigation of the above.

5.6. What will be the impact of DG sets & other equipment on noise levels & vibration in & ambient air quality around the project site? Provide details.

## 6. AESTHETICS

6.1. Will the proposed constructions in any way result in the obstruction of a view, scenic amenity or landscapes? Are these considerations taken into account by the proponents?

6.2. Will there be any adverse impacts from new constructions on the existing structures? What are the considerations taken into account?

6.3. Whether there are any local considerations of urban form & urban design influencing the design criteria? They may be explicitly spelt out.

6.4. Are there any anthropological or archaeological sites or artefacts nearby? State if any other significant features in the vicinity of the proposed site have been considered.

## 7. SOCIO-ECONOMIC ASPECTS

7.1. Will the proposal result in any changes to the demographic structure of local population? Provide the details.

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(Managing Director)

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7.2. Give details of the existing social infrastructure around the proposed project.

7.3. Will the project cause adverse effects on local communities, disturbance to sacred sites or other cultural values? What are the safeguards proposed?

## 8. BUILDING MATERIALS

8.1. May involve the use of building materials with high-embodied energy. Are the construction materials produced with energy efficient processes? (Give details of energy conservation measures in the selection of building materials and their energy efficiency)

8.2. Transport and handling of materials during construction may result in pollution, noise & public nuisance. What measures are taken to minimize the impacts?

8.3. Are recycled materials used in roads and structures? State the extent of savings achieved?

8.4. Give details of the methods of collection, segregation & disposal of the garbage generated during the operation phases of the project.

## 9. ENERGY CONSERVATION

9.1. Give details of the power requirements, source of supply, backup source etc. What is the energy consumption assumed per square foot of built-up area? How have you tried to minimize energy consumption?

9.2. What type of, and capacity of, power back-up to you plan to provide?

9.3. What are the characteristics of the glass you plan to use? Provide specifications of its characteristics related to both short wave and long wave radiation?

9.4. What passive solar architectural features are being used in the building? Illustrate the applications made in the proposed project.

9.5. Does the layout of streets & buildings maximise the potential for solar energy devices? Have you considered the use of street lighting, emergency lighting and solar hot water systems for use in the building complex? Substantiate with details.

9.6. Is shading effectively used to reduce cooling/heating loads? What principles have been used to maximize the shading of Walls on the East and the West and the Roof? How much energy saving has been effected?

9.7. Do the structures use energy-efficient space conditioning. lighting and mechanical systems? Provide technical details. Provide details of the transformers and motor efficiencies. lighting intensity and air-conditioning load assumptions? Are you using CFC and HCFC free chillers? Provide specifications.

9.8. What are the likely effects of the building activity in altering the micro-climates? Provide a self assessment on the likely impacts of the proposed construction on creation of heat island & inversion effects?

For & behalf of Arya Erectors India Private Limited
Managing Director

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9.9. What are the thermal characteristics of the building envelope? (a) roof; (b) external walls; and (c) fenestration? Give details of the material used and the U-values or the R values of the individual components.

9.10. What precautions & safety measures are proposed against fire hazards? Furnish details of emergency plans.

9.11. If you are using glass as wall material provides details and specifications including emissivity and thermal characteristics.

9.12. What is the rate of air infiltration into the building? Provide details of how you are mitigating the effects of infiltration.

9.13. To what extent the non-conventional energy technologies are utilised in the overall energy consumption? Provide details of the renewable energy technologies used.

For & behalf of Arya Erectors India Private Limited
Anil Kumar Sarogi
Managing Director

**10. Environment Management Plan**

The Environment Management Plan would consist of all mitigation measures for each item wise activity to be undertaken during the construction, operation and the entire life cycle to minimize adverse environmental impacts as a result of the activities of the project. It would also delineate the environmental monitoring plan for compliance of various environmental regulations. It will state the steps to be taken in case of emergency such as accidents at the site including fire.

**APPENDIX III**

**(See paragraph 7**

**GENERIC STRUCTURE OF ENVIRONMENTAL IMPACT ASSESSENT DOCUMENT**

| S.NO | EIA STRUCTURE | CONTENTS |
|---|---|---|
| 1. | Introduction | • Purpose of the report<br>• Identification of project & project proponent<br>• Brief description of nature, size, location of the project and its importance to the country, region<br>• Scope of the study – details of regulatory scoping carried out (As per Terms of Reference) |
| 2. | Project Description | • Condensed description of those aspects of the project (based on project feasibility study), likely to cause environmental effects. Details should be provided to give clear picture of the following:<br>• Type of project<br>• Need for the project<br>• Location (maps showing general location, specific location, project boundary & project site layout) |

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| | | • Size or magnitude of operation (incl. Associated activities required by or for the project<br>• Proposed schedule for approval and implementation<br>• Technology and process description<br>• Project description. Including drawings showing project layout, components of project etc. Schematic representations of the feasibility drawings which give information important for EIA purpose<br>• Description of mitigation measures incorporated into the project to meet environmental standards, environmental operating conditions, or other EIA requirements (as required by the scope)<br>• Assessment of New & untested technology for the risk of technological failure |
| 3. | Description of the Environment | • Study area, period, components & methodology<br>• Establishment of baseline for valued environmental components, as identified in the scope<br>• Base maps of all environmental components |
| 4. | Anticipated Environmental Impacts & Mitigation Measures | • Details of Investigated Environmental impacts due to project location, possible accidents, project design, project construction, regular operations, final decommissioning or rehabilitation of a completed project<br>• Measures for minimizing and / or offsetting adverse impacts identified<br>• Irreversible and Irretrievable commitments of environmental components<br>• Assessment of significance of impacts (Criteria for determining significance, Assigning significance)<br>• Mitigation measures |
| 5. | Analysis of Alternatives (Technology & Site) | • In case, the scoping exercise results in need for alternatives:<br>• Description of each alternative<br>• Summary of adverse impacts of each alternative<br>• Mitigation measures proposed for each alternative and<br>• Selection of alternative |

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| | | |
|---|---|---|
| 6. | Environmental Monitoring Program | • Technical aspects of monitoring the effectiveness of mitigation measures (incl. Measurement methodologies, frequency, location, data analysis, reporting schedules, emergency procedures, detailed budget & procurement schedules) |
| 7. | Additional Studies | • Public Consultation<br>• Risk assessment<br>• Social Impact Assessment. R&R Action Plans |
| 8. | Project Benefits | • Improvements in the physical infrastructure<br>• Improvements in the social infrastructure<br>• Employment potential –skilled; semi-skilled and unskilled<br>• Other tangible benefits |
| 9. | Environmental Cost Benefit Analysis | If recommended at the Scoping stage |
| 10. | EMP | • Description of the administrative aspects of ensuring that mitigative measures are implemented and their effectiveness monitored, after approval of the EIA |
| 11 | Summary & Conclusion (This will constitute the summary of the EIA Report ) | • Overall justification for implementation of the project<br>• Explanation of how, adverse effects have been mitigated |
| 12. | Disclosure of Consultants engaged | • The names of the Consultants engaged with their brief resume and nature of Consultancy rendered |

For & On behalf of Arya Erectors India Private Limited
(Managing Director)

**APPENDIX III A**
**(See paragraph 7)**

**CONTENTS OF SUMMARY ENVIRONMENTAL IMPACT ASSESSMENT**

The Summary EIA shall be a summary of the full EIA Report condensed to ten A-4 size pages at the maximum. It should necessarily cover in brief the following Chapters of the full EIA Report: -

1. Project Description
2. Description of the Environment
3. Anticipated Environmental impacts and mitigation measures
4. Environmental Monitoring Programme
5. Additional Studies
6. Project Benefits
7. Environment Management Plan

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## APPENDIX IV

(See paragraph 7)

### PROCEDURE FOR CONDUCT OF PUBLIC HEARING

1.0 The Public Hearing shall be arranged in a systematic, time bound and transparent manner ensuring widest possible public participation at the project site(s) or in its close proximity District -wise, by the concerned State Pollution Control Board (SPCB) or the Union Territory Pollution Control Committee (UTPCC).

2. 0 **The Process:**

2.1 The Applicant shall make a request through a simple letter to the Member Secretary of the SPCB or Union Territory Pollution Control Committee, in whose jurisdiction the project is located, to arrange the public hearing within the prescribed statutory period. In case the project site is extending beyond a State or Union Territory, the public hearing is mandated in each State or Union Territory in which the project is sited and the Applicant shall make separate requests to each concerned SPCB or UTPCC for holding the public hearing as per this procedure.

2.2 The Applicant shall enclose with the letter of request, at least 10 hard copies and an equivalent number of soft (electronic) copies of the draft EIA Report with the generic structure given in Appendix III including the Summary Environment Impact Assessment report in English and in the local language, prepared strictly in accordance with the Terms of Reference communicated after Scoping (Stage-2). Simultaneously the applicant shall arrange to forward copies, one hard and one soft, of the above draft EIA Report along with the Summary EIA report to the Ministry of Environment and Forests and to the following authorities or offices, within whose jurisdiction the project will be located:

(a) District Magistrate/s
(b) Zila Parishad or Municipal Corporation
(c) District Industries Office
(d) Concerned Regional Office of the Ministry of Environment and Forests

2.3 On receiving the draft Environmental Impact Assessment report, the above-mentioned authorities except the MoEF, shall arrange to widely publicize it within their respective jurisdictions requesting the interested persons to send their comments to the concerned regulatory authorities. They shall also make available the draft EIA Report for inspection electronically or otherwise to the public during normal office hours till the Public Hearing is over. The Ministry of Environment and Forests shall promptly display the Summary of the draft Environmental Impact Assessment report on its website, and also make the full draft EIA available for reference at a notified place during normal office hours in the Ministry at Delhi.

2.4 The SPCB or UTPCC concerned shall also make similar arrangements for giving publicity about the project within the State/Union Territory and make available the Summary of the draft Environmental Impact Assessment report (Appendix III A) for inspection in select offices or public libraries or panchayats etc. They shall also additionally

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make available a copy of the draft Environmental Impact Assessment report to the above five authorities/offices viz, Ministry of Environment and Forests, District Magistrate etc.

**3.0 Notice of Public Hearing:**

3.1 The Member-Secretary of the concerned SPCB or UTPCC shall finalize the date, time and exact venue for the conduct of public hearing within 7(seven) days of the date of receipt of the draft Environmental Impact Assessment report from the project proponent, and advertise the same in one major National Daily and one Regional vernacular Daily. A minimum notice period of 30(thirty) days shall be provided to the public for furnishing their responses;

3.2 The advertisement shall also inform the public about the places or offices where the public could access the draft Environmental Impact Assessment report and the Summary Environmental Impact Assessment report before the public hearing.

3.3 No postponement of the date, time, venue of the public hearing shall be undertaken, unless some untoward emergency situation occurs and only on the recommendation of the concerned District Magistrate the postponement shall be notified to the public through the same National and Regional vernacular dailies and also prominently displayed at all the identified offices by the concerned SPCB or Union Territory Pollution Control Committee;

3.4 In the above exceptional circumstances fresh date, time and venue for the public consultation shall be decided by the Member –Secretary of the concerned SPCB or UTPCC only in consultation with the District Magistrate and notified afresh as per procedure under 3.1 above.

**4.0 The Panel**

4.1 The District Magistrate or his or her representative not below the rank of an Additional District Magistrate assisted by a representative of SPCB or UTPCC, shall supervise and preside over the entire public hearing process.

**5.0 Videography**

5.1 The SPCB or UTPCC shall arrange to video film the entire proceedings. A copy of the videotape or a CD shall be enclosed with the public hearing proceedings while forwarding it to the Regulatory Authority concerned.

**6.0 Proceedings**

6.1 The attendance of all those who are present at the venue shall be noted and annexed with the final proceedings.

6.2 There shall be no quorum required for attendance for starting the proceedings.

6.3 A representative of the applicant shall initiate the proceedings with a presentation on the project and the Summary EIA report.

6.4 Every person present at the venue shall be granted the opportunity to seek information or clarifications on the project from the Applicant. The summary of the public

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hearing proceedings accurately reflecting all the views and concerns expressed shall be recorded by the representative of the SPCB or UTPCC and read over to the audience at the end of the proceedings explaining the contents in the vernacular language and the agreed minutes shall be signed by the District Magistrate or his or her representative on the same day and forwarded to the SPCB/UTPCC concerned.

6.5 A Statement of the issues raised by the public and the comments of the Applicant shall also be prepared in the local language and in English and annexed to the proceedings.

6.6 The proceedings of the public hearing shall be conspicuously displayed at the office of the Panchyats within whose jurisdiction the project is located, office of the concerned Zila Parishad, District Magistrate ,and the SPCB or UTPCC . The SPCB or UTPCC shall also display the proceedings on its website for general information. Comments, if any, on the proceedings which may be sent directly to the concerned regulatory authorities and the Applicant concerned.

7.0 **Time period for completion of public hearing**

7.1 The public hearing shall be completed within a period of 45 (forty five) days from date of receipt of the request letter from the Applicant. Therefore the SPCB or UTPCC concerned shall sent the public hearing proceedings to the concerned regulatory authority within 8(eight) days of the completion of the public hearing .The applicant may also directly forward a copy of the approved public hearing proceedings to the regulatory authority concerned along with the final Environmental Impact Assessment report or supplementary report to the draft EIA report prepared after the public hearing and public consultations.

7.2. If the SPCB or UTPCC fails to hold the public hearing within the stipulated 45(forty five) days, the Central Government in Ministry of Environment and Forests for Category 'A' project or activity and the State Government or Union Territory Administration for Category 'B' project or activity at the request of the SEIAA, shall engage any other agency or authority to complete the process, as per procedure laid down in this notification.

**APPENDIX –V**
**(See paragraph 7)**

**PROCEDURE PRESCRIBED FOR APPRAISAL**

1. The applicant shall apply to the concerned regulatory authority through a simple communication enclosing the following documents where public consultations are mandatory: -

- Final Environment Impact Assessment Report [20(twenty) hard copies and 1 (one) soft copy)]
- A copy of the video tape or CD of the public hearing proceedings
- A copy of final layout plan (20 copies)
- A copy of the project feasibility report (1 copy)

2. The Final EIA Report and the other relevant documents submitted by the applicant shall be scrutinized in office within 30 days from the date of its receipt by the concerned Regulatory Authority strictly with reference to the TOR and the inadequacies noted shall be communicated electronically or otherwise in a single set to the Members of the EAC

For & behalf of Arya Erectors India Private Limited
Managing Director

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/SEAC enclosing a copy each of the Final EIA Report including the public hearing proceedings and other public responses received along with a copy of Form -1or Form 1A and scheduled date of the EAC /SEAC meeting for considering the proposal .

3. Where a public consultation is not mandatory and therefore a formal EIA study is not required, the appraisal shall be made on the basis of the prescribed application Form 1 and a pre-feasibility report in the case of all projects and activities other than Item 8 of the Schedule .In the case of Item 8 of the Schedule, considering its unique project cycle , the EAC or SEAC concerned shall appraise all Category B projects or activities on the basis of Form 1, Form 1A and the conceptual plan and stipulate the conditions for environmental clearance . As and when the applicant submits the approved scheme /building plans complying with the stipulated environmental clearance conditions with all other necessary statutory approvals, the EAC /SEAC shall recommend the grant of environmental clearance to the competent authority.

4. Every application shall be placed before the EAC /SEAC and its appraisal completed within 60 days of its receipt with requisite documents / details in the prescribed manner.

5. The applicant shall be informed at least 15 (fifteen) days prior to the scheduled date of the EAC /SEAC meeting for considering the project proposal.

6. The minutes of the EAC /SEAC meeting shall be finalised within 5 working days of the meeting and displayed on the website of the concerned regulatory authority. In case the project or activity is recommended for grant of EC, then the minutes shall clearly list out the specific environmental safeguards and conditions. In case the recommendations are for rejection, the reasons for the same shall also be explicitly stated.

For & on behalf of Arya Erectors India Private Limited
Authorised Signatory
(Managing Director

## APPENDIX VI

(See paragraph 5)

## COMPOSITION OF THE SECTOR/ PROJECT SPECIFIC EXPERT APPRAISAL COMMITTEE (EAC) FOR CATEGORY A PROJECTS AND THE STATE/UT LEVEL EXPERT APPRAISAL COMMITTEES (SEACs) FOR CATEGORY B PROJECTS TO BE CONSTITUTED BY THE CENTRAL GOVERNMENT

1. The Expert Appraisal Committees (EAC(s) and the State/UT Level Expert Appraisal Committees (SEACs) shall consist of only professionals and experts fulfilling the following eligibility criteria:

**Professional:** The person should have at least (i) 5 years of formal University training in the concerned discipline leading to a MA/MSc Degree, or (ii) in case of Engineering /Technology/Architecture disciplines, 4 years formal training in a professional training course together with prescribed practical training in the field leading to a B.Tech/B.E./B.Arch. Degree, or (iii) Other professional degree (e.g. Law) involving a total of 5 years of formal University training and prescribed practical training, or (iv) Prescribed apprenticeship/article ship and pass examinations conducted by the concerned professional association (e.g. Chartered Accountancy ),or (v) a University degree , followed by 2 years of formal training in a University or Service Academy (e.g. MBA/IAS/IFS). In selecting the individual professionals, experience gained by them in their respective fields will be taken note of.

**Expert:** A professional fulfilling the above eligibility criteria with at least 15 years of relevant experience in the field, or with an advanced degree (e.g. Ph.D.) in a concerned field and at least 10 years of relevant experience.

**Age:** Below 70 years. However, in the event of the non-availability of /paucity of experts in a given field, the maximum age of a member of the Expert Appraisal Committee may be allowed up to 75 years

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2. The Members of the EAC shall be Experts with the requisite expertise and experience in the following fields /disciplines. In the event that persons fulfilling the criteria of "Experts" are not available, Professionals in the same field with sufficient experience may be considered:

- **Environment Quality Experts**: Experts in measurement/monitoring, analysis and interpretation of data in relation to environmental quality
- **Sectoral Experts in Project Management**: Experts in Project Management or Management of Process/Operations/Facilities in the relevant sectors.
- **Environmental Impact Assessment Process Experts**: Experts in conducting and carrying out Environmental Impact Assessments (EIAs) and preparation of Environmental Management Plans (EMPs) and other Management plans and who have wide expertise and knowledge of predictive techniques and tools used in the EIA process
- **Risk Assessment Experts**
- **Life Science Experts in floral and faunal management**
- **Forestry and Wildlife Experts**
- **Environmental Economics Expert with experience in project appraisal**

3. The Membership of the EAC shall not exceed 15 (fifteen) regular Members. However the Chairperson may co-opt an expert as a Member in a relevant field for a particular meeting of the Committee.

4. The Chairperson shall be an outstanding and experienced environmental policy expert or expert in management or public administration with wide experience in the relevant development sector.

5. The Chairperson shall nominate one of the Members as the Vice Chairperson who shall preside over the EAC in the absence of the Chairman /Chairperson.

6. A representative of the Ministry of Environment and Forests shall assist the Committee as its Secretary.

7. The maximum tenure of a Member, including Chairperson, shall be for 2 (two) terms of 3 (three) years each.

8. The Chairman / Members may not be removed prior to expiry of the tenure without cause and proper enquiry.

For & behalf of Arya Erectors India Private Limited
Managing Director

Printed by the Manager, Govt. of India Press, Ring Road, Mayapuri, New Delhi-110064
and Published by the Controller of Publications, Delhi-110054

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E. No. SEIAA.07/2013/10
Government of Assam
State Environment Impact Assessment Authority (SEIAA)
Bamunimaidam, Guwahati – 781021

Dated 21st January, 2014

To,

M/s Arya Erectors India Pvt. Ltd.
503, K.P. Enclave, Sohagpur,
Rehabari, Guwahati – 781008.

Subject: Environmental Clearance for construction of Arya Smart Living at Abhaypur, North Guwahati, Assam by M/s Arya Erectors India Pvt. Ltd. – Reg.

Sir,

This has reference to your application No. Nil dtd 26/6/2012 and subsequent letters seeking prior Environmental Clearance for the procedure in the lights of provisions under the EIA Notification, 2006 and subsequent amendments on the basis of the mandatory documents enclosed with the application viz., Form 1, Form 1A and the additional clarifications furnished in response to the observations of the Expert Appraisal Committee constituted by the competent authority in its meeting held on 19th September, 2012 and subsequently, recommend the proposal by SEAC on 17/7/ 2013 for issue of Environmental Clearance for the project.

2. It is interalia, noted that the project involves the construction of Arya Smart Living at Abhaypur, North Guwahati on a plot area of 38,106 sq. m. The total construction built up area proposed for the project is 62,133.036 sq. m. The Podium area 2886 sq.m. The paved area is 12989.4 sq.m. The building foot print area is 12709.6 sq.m. The basement area 5791.636 sq.m. The Green belt area is 7484.96 sq.m. The complex will have Villas- Type A 08 units, Type B 08 units, Type C 108 units, Apartment units 156, Shops 6 and Retail outlet 4. The total water requirement of the project is estimated to be about 286.63 KLD. The capacity of STP is 230 KLD. The treated water will be used 194 KLD and for Flushing 91 KLD. There will be no discharged of waste water. Total solid waste generation for the project will be 1.13 Tones per day. The power requirement is 2385.17 KW. Total car parking proposed 516 nos. The total cost of the project is Rs. 72.2 Cores.

3. The Expert Appraisal Committee, Ministry of Environment & Forest, Govt. of India after due consideration of the relevant documents submitted by the project proponent and additional clarifications furnished in response to its observations, have recommended for the grant of Environmental Clearance for the project mentioned above. Accordingly, SEIAA, Assam hereby accord necessary Environmental Clearance for the above project as per the provisions of Environmental Impact Assessment Notification, 2006 and its subsequent amendments, subject to strict compliance of the terms and conditions as follows:-

## PART – A. SPECIFIC CONDITIONS

I. Construction Phase

(i) The storm water drainage shall be worked out after analyzing the contour levels of the site and the surrounding area and the capacity of storm water drainage.

(ii) Provision shall be made for the housing of construction labour within the site with all necessary infrastructure and facilities such as fuel for cooking, toilets , mobile STP, safe drinking water, medical health care, crèche, etc. The housing may be in the form of temporary structures to be removed after the completion of the project.

(iii) A First Aid Room shall be provided in the project both during construction and operation of the project.

Member Secretary
SEIAA, Assam



For & behalf of Arya Erectors India Private Limited
Anil Kumar Sajnani
(Managing Director)

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(iv) All the topsoil excavated during construction activities should be stored for use in horticulture/ landscape development within the project site.

(v) Disposal of muck during construction phase should not create any adverse effect on the neighbouring communities and be disposed taking the necessary precautions for general safety and health aspects of people, only in approved sites with the approval of competent authority.

(vi) Soil and ground water samples shall be tested to ascertain that there is no threat to ground water quality by leaching of heavy metals and other toxic contaminants.

(vii) Construction spoils, including bituminous material and other hazardous materials, must not be allowed to contaminate watercourses and the dump sites for such material must be secured so that they should not leach into the ground water.

(viii) Any hazardous waste generated during construction phase, should be disposed off as per applicable rules and norms.

(ix) The diesel generator sets and concrete mixture to be used during construction phase should be low sulphur diesel type and should conform to Environment (Protection) Rules prescribed for air and noise emission standards.

(x) The diesel required for operating DG sets shall be stored in underground tanks and if required, clearance from Chief Controller of Explosives shall be taken.

(xi) Fly ash should be used as building material in the construction as per the provisions of Fly Ash Notification of September, 1999 and amended as on 27th August, 2003 subject to availability of the same.

(xii) Ready mixed concrete must be use in building construction.

(xiii) Vehicles hired for bringing construction material to the site should be in good condition and should have a pollution check certificate and should conform to applicable air and noise emission standards and should be operated only during non-peak hours.

(xiv) Ambient noise level should conform to residential standards both during day and night. Incremental pollution loads on the ambient air and noise quality should be closely monitored during construction phase. Adequate measures should be made to reduce ambient air and noise level during construction phase, so as to conform to the stipulated standards by CPCB.

(xv) Storm water control and its re-use as per CGWB and BIS standards for various applications be maintained.

(xvi) Water demand during construction should be reduced by use of pre-mixed concrete, curing agents and other best practices referred.

(xvii) Permission for ground water use shall be obtained from the competent Authority prior to construction/operation of the project.

(xviii) Separation of grey and black water should be done by the use of dual plumbing line for separation of grey and black water.

(xix) Fixtures for showers, toilet flushing and drinking should be of low flow either by use of aerators or pressure reducing devices or sensor based control.

(xx) Use of glass may be reduced by upto 40% to reduce the electricity consumption and load on air-conditioning. If necessary, use high quality low E value glass.

(xxi) Roof should meet prescriptive requirement as per Energy Conservation Building Code by using appropriate thermal insulation material to fulfill requirement.

(xxii) Opaque wall should meet prescriptive requirement as per Energy Conservation Building Code which is proposed to be mandatory for all air-conditioned spaces while it is aspirational for non-air-conditioned spaces by use of appropriate thermal insulation material to fulfill requirement.

For & behalf of Arya Erectors India Private Limited
(Managing Director)

Member Secretary
SEIAA, Assam

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(xxiii) The approval of the competent authority shall be obtained for structural safety of the building due to earthquake, adequacy of fire fighting equipments, etc. as per National Building Code including protection measures from lightening etc.

(xxiv) Regular supervision of the above and other measures for monitoring should be in place all through the construction phase, so as to avoid disturbance to the surroundings.

(xxv) Under the provisions of Environment (Protection) Act, 1986, legal action shall be initiated against the project proponent if it is found that construction of the project has been started without obtaining environmental clearance.

For & behalf of Arya Erectors India Private Limited

Managing Director

## II. Operation Phase

(i) The installation of the Sewage Treatment Plant (STP) should be certified by an independent expert and a report in this regard should be submitted to the SEIAA before the project is commissioned for operation. Treated effluent emanating from STP shall be recycled/ reused to the maximum extent possible. Treatment of 100% grey water by decentralized treatment should be done. Zero discharge criteria should be mt as agreed.

(ii) The solid waste generated should be properly collected and segregated. Wet garbage should be composted and dry/ inert solid waste should be disposed off to the approved sites for land filling after recovering recyclable material.

(iii) Diesel power generating sets proposed as source of power during operation phase should be of enclosed type and conform to rules made under the Environment (Protection) Act, 1986. The height of stack of DG sets should be equal to the height needed for the combined capacity of all proposed DG sets. Use of low sulphur diesel is obligatory. The location of the DG sets may be decided suitably without disturbance to the public.

(iv) Noise should be controlled to ensure that it does not exceed the prescribed standards. During night time the noise levels measured at the boundary of the building shall be restricted to the permissible levels to comply with the prevalent regulations.

(v) The peripheral green belt of 3 mtrs. Width shall be developed all around the plot area and density preferably with local species along the periphery of the plot shall be raised so as to provide protection against particulates and noise.

(vi) Weep holes in the compound walls shall be provided to ensure natural drainage of rain water in the catchment area during the monsoon period.

(vii) Rain water harvesting for roof run-off and surface run-off should be implemented. Before recharging the surface run off, pre-treatment must be done to remove suspended matter, oil and grease. The bore well for rainwater recharging should be kept at least 5 mts. above the highest of ground water table.

(viii) The ground water level and its quality should be monitored regularly.

(ix) Traffic congestion near the entry and exit points from the roads adjoining the proposed project site must be avoided. Parking should be fully internalized and no public space should be utilized. Width of the internal road should be 7 mt. and 9 mts. in the project area.

(x) A report on the energy conservation measures confirming to energy conservation norms finalized by Bureau of Energy Efficiency should be prepared incorporating details about building materials & technology, R & U Factors, etc. and submit to the SEIAA in three months time.

(xi) Energy conservation measures like installation of CFLs/TFLs for the lighting the areas outside the building should be integral part of the project design. Use CFLs and TFLs should be properly collected and disposed off/ sent for recycling as per the prevailing guidelines/rules of the regulatory authority to avoid mercury contamination. Use of solar energy should be incorporated for illumination of common areas, lighting for garden and street lighting in addition to provision for solar water heating. Energy saving should be achieved up to 20% as committed.

Member Secretary
SEIAA, Assam



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(xii) Central air-conditioning energy efficient system having at least 3 stars rating of BEE may be provided for the proposed project.

(xiii) Efforts may be made to use solar energy to the maximum extent possible.

(xiv) Adequate measures should be taken to prevent odour problem from solid waste processing plant and STP.

(xv) The building should have adequate distance between them to allow movement of fresh air and passage of natural light, air, and ventilation.

(xvi) The emergency evacuation plan should be implemented as stated.

For & behalf of Arya Erectors (India Private Limited
Managing Director

## PART – B. GENERAL CONDITIONS

1. The project proponent shall also submit six monthly reports on the status of compliance of the stipulated EC conditions including results of monitored data (both in hard copies as well as by e-mail) to the SEIAA/ Regional Office of MoEF.

2. The SEIAA while monitoring the implementation of environmental safeguards should be given full cooperation, facilities and documents/ data during inspection by the project proponent.

3. In the case of any change(s) in the scope of the project, the project would require a fresh appraisal by the SEIAA.

4. The SEIAA reserves the right to add additional safeguard measures subsequently, if found necessary, and to take action including revoking of the environment clearance under the provisions of the Environmental (Protection) Act, 1986, to ensure effective implementation of the suggested safeguard measures in a time bound and satisfactory manner.

5. All other statutory clearances such as the approvals for storage of diesel from Chief Controller of Explosives, Fire Department, Forest Conservation Act, 1980 and Wildlife (Protection) Act, 1972, etc. shall be obtained, as applicable by project proponents from the respective competent authorities.

6. These stipulations would be enforced among others under the provisions of Water (Prevention and Control of Pollution) Act, 1974, the Air (Prevention and Control of Pollution) Act, 1981, the Environmental (Protection) Act, 1986, the Public Liability (Insurance) Act, 1991 and EIA Notification, 2006.

7. The project proponent should advertise in at least two local Newspapers widely circulated in the region, one which shall be in the vernacular language informing that the project has been accorded Environmental Clearance and copies of clearance letters are available with the SEIAA, Assam. The advertisement should be made within 10 days from the date of receipt of the Clearance letter and a copy of the same should be forwarded to the SEIAA, Assam.

8. Environmental clearance is subject to final order of the Hon'ble Supreme Court of India in the matter of Goa Foundation Vs. Union of India in Writ Petition (Civil) No. 460 of 2004 as may be applicable to this project.

9. The proponent shall upload the status of compliance of the stipulated EC conditions, including results of monitored data on their website and shall update the same periodically. It shall simultaneously be sent to the SEIAA and Regional Office of MoEF. The criteria pollutant levels namely $PM_{10}$, $PM_{2.5}$, $SO_2$, $NO_x$, etc. (ambient levels as well as stack emission) or critical sectoral parameters, indicated for the project shall be monitored and a record be maintained for the public domain.

Member Secretary
SEIAA, Assam



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10. The environmental statement for each financial year ending 31st March in Form-V as is mandate to be submitted by the project proponent to the SEIAA and State Pollution Control Board as prescribed under the Environmental (Protection) Rules, 1986, as amended subsequently and shall also be sent to the respective Regional Offices of MoEF by e-mail.

11. This Environmental Clearance is valid for a period of Five Years from the date of issue.

*Yours faithfully,*

Member Secretary
SEIAA, Assam

**Member Secretary**
**SEIAA, Assam**
**Bamunimaidam, Guwahati-21**

For & behalf of Arya Erectors (India Private Limited)
Managing Director

Memo No. SEIAA/07/2013/10

Dated 21st January, 2014.

Copy to the :-

1) Principal Secretary / Secretary to Govt. of Assam, Environmental & Forest Department, Dispur, Guwahati-6 for favour of information.
2) PCCF, Forest Department, Govt. of Assam, Rehabari, Guwahati-8 for kind information.
3) Regional Office, MoEF, Govt. of India, Low-u-sib, Lumbatngen, Near MTC Workshop, Shillong-793021 for favour of information.

Sd/- Member Secretary
SEIAA, Assam
Bamunimaidam, Guwahati-21

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No. 23/3/2007-IA.III
**Government of India**
**Ministry of Environment & Forests**
(IA Division)

Paryavaran Bhavan,
C.G.O. Complex, Lodi Road,
New Delhi-110003.
Telefax: 24362434

Dated the 5th February, 2008

For & behalf of Arya Erectors India Private Limited
Managing Director

**CIRCULAR**

**Sub: EIA Notification, 2006 – Consideration of Proposals of Construction Sector – Procedure - Regarding.**

The EIA Notification, 2006 issued vide SO 1533(E) dated 14th September, 2006 provides for submission of approved scheme / building plan in respect of construction sector (item 8(a) and 8(b) of the schedule to the Notification) before environmental clearance is granted to such projects. Since, there is a delay by the project proponents in submitting the building plan for obtaining environmental clearance, it is brought to the attention of all concerned that henceforth the environmental clearance will be accorded only after the submission of approved scheme / building plans complying with the environmental conditions. In the first stage, the Environment Impact Assessment Authority (EIAA) would consider the proposal based on the Form-1, 1A and conceptual plan. Based on which, EIAA would indicate the conditions to be complied with for according environmental clearance. Thereafter, the project proponents, after the approval of the schemes/building plans and compliance of environmental conditions shall seek environmental clearance from the Impact Assessment Authority.

This issues with the approval of the Competent Authority.

(S.K. Aggarwal)
Director

1. Member Secretaries of all the State / UT Level Environment Impact Assessment Authorities.
2. Secretary (Environment) of all the States / UTs.
3. Member Secretary of all State Pollution Control Board / Pollution Control Committees.
4. All the Officers of IA Division, MoEF.
5. PPS to Secretary (E&F)
6. PPS to AS (JM)
7. PS to MOS(E)
8. Guard File.

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**REAL ESTATE REGULATORY AUTHORITY, ASSAM**
**JAWAHAR NAGAR, N.H.-37**
**GUWAHATI- 781022**

**ORDER**
**13.06.2022**

**1. Complaint petition**

Dr Ganesh Chandra Das, Buyer of villa no.A6 and Padum Deori, Buyer of villa no D84 of Arya Smart Living , North Guwahati Jointly submitted a petition dated 27.12.2021 alleging the following:

a. The promoters have occupied the building without obtaining the occupancy certificate from the competent authority and he has allowed the buyer to occupy the building even after rejection of occupancy due to unauthorized construction.

b. There is a misrepresentation in declaration of total land with respect to the total land with respect to the land shown for obtaining building construction permission from the competent authority (GMDA). As per information provided by GMDA, there are a total plot area of 28 Bighas 4 Lecha covered by Dag No. 884, 885,889, 890 and Patta no. 198 where the competent authority had granted the building construction vide NOC no. GMDA/BP/2214/26112012/56 dated 25.06.2013.

c. It is clear from the sanctioned site plan and landscape plan that the total plot area is 38106 square meter( 28 bigha 4 lecha. Out of which phase I of the project covers an area of 31744 square meter (approx 23 bigha 4 lecha under NOC no. GMDA/BP/2214/26112012/156 dated 25.06.2013. The phase II of the project covers a plot area of 6362 square meter( approx 5 Bigha).

d. The promoter had declared only 19 bigha 4 lecha as project area for phase I.

**2. Joint field inspection**

After perusal of the petition, the Authority directed the Registrar and Town Planner, RERA to conduct a joint inspection along with the land records staff of North Guwahati Circle to ascertain the details of the project area.

The team conducted joint inspection on 20.05.2022 in presence of both the parties and submitted report on 26.05.2022. From the joint Inspection report the following came to light:

Arya Erectors India Pvt. Ltd took up the following Real Estate Projects falling under jurisdiction of three different Authorities.

For & behalf of Arya Erectors India Private Limited
(Managing Director)



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(a) **Project area under GMDA**

I. Project area as stated in the Application Form-(a) Dag No.884, 885, 889, 890 and Patta no. 198 situated at Revenue Village Abhaypur= 14 Bigha 0 katha 4 Lecha
(b) Dag No.884, 885, 889, 890 and Patta no. 198 situated at Revenue Village Abhaypur= 5 Bigha 0 katha 0 Lecha
Total(a+b)= 19 bigha 4 lecha

II. Registration fees paid- Rs2,54, 275/-

III. NOC for building Construction- Issued vide No. GMDA/BP/2214/26112012/156 dated 25.06.2013 by CEO, GMDA.

IV. No. and Date of Registration Certificate issued by RERA- ASSAM/RERA/2017/64/68 dated 17.07. 2021.

For & behalf of Arya Erectors India Private Limited
Managing Director

(b) **Project area under Rudreswar Gaon Panchayat**

I. Project area as stated in the Application Form-4Bigha 4 Katha 11 Lecha covered by Dag No. 885, 889, 890 and Patta no. 198 situated at Revenue Village Abhaypur

II. Registration fees paid- Rs. 65,725/-

III. NOC for building Construction- Issued vide No. RGP/791/NOC/2004-05/17/81 dated 05.05.2018 by President, Rudreswar Gaon Panchayat against 885, 889, 890 and Patta no. 198 situated at Revenue Village Abhaypur.

IV. No. and Date of Registration Certificate issued by RERA- No. ASSAM/RERA/2017/261/191/30 dated 19.10. 2020.

(c) **Project area under North Guwahati Municipal Board**

I. Project area- 2( two) Bighas under Dag No. 764, Patta No. 271 situated at revenue village North Guwahati town.

II. NOC for building Construction- Issued vide No. NGTC/NOC/2013-14/1742 dated 18.12.2013 by Chairman, North Guwahati Town Committee.

III. No. and Date of Registration Certificate issued by RERA – **Application for registration not submitted.**

(d) **Total area of land standing in the name of Arya Erectors India Pvt. Ltd as per Land records**

( i) As per Chitha copy and Jamabandl copy of revenue village Abhaypur KP no. 198, the Arya Erectors India Pvt. Ltd is the landholder of the following area as mentioned against each dag;-



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Dag No 884- 19 Bigha 0 katha 9 Lecha

Dag No. 885- 0 Bigha 01 Katha 11 Lecha

Dag No. 889- 03 Bigha 02 Katha 0 Lecha

Dag No. 890- 05 bigha 01 Katha 4 Lecha

**Total** **28 Bigha 0 katha 4 Lecha**

For & behalf of Arya Erectors India Private Limited

(Managing Director

(ii) As per Chitha copy and Jamabandi copy of revenue village North Guwahati Town KP no. 271, the Arya Erectors India Pvt. Ltd is the landholder of the following area as mentioned against the dag no. 764.

Dag No 764- **02 Bigha 0 katha 0 Lecha.**

Total area of land held by the Arya Erectors India Pvt. Ltd at Abhaypur and North Guwahati town under the project- **30 bigha 0 katha 04 Lecha( 28B-0 K- 04 lecha + 2 B-0 K-0 L)**

(e) **Status in the Field – Observation**

During joint visit , it is seen that the project is being implemented in the entire area of **30 Bigha 0 Katha 4 Lecha** (28Bigha 0 katha 4 Lecha of Abhaypur village plus 2 Bigha 0 katha 0 Lecha of North Guwahati town). However,the promoter has not yet submitted application for registration of the project being implemented at revenue village North Guwahati town over an area of 2 bigha covered by Dag No. 764 and KP No. 271 and also balance part of the project under GMDA measuring 4 Bigha 13 Lecha.

(f) **Status of payment of registration fees**

**Project part under Rudreswar Gaon Panchayat**

a. Project area - 0 4 Bigha 04 katha 11 Lecha( 6569.58 sqm)
b. Registration fees due – Rs. 65,695.80
c. Registration fees paid – Rs. 65, 725.00
d. **Excess payment-** Rs. 29.20

**Project part under GMDA**

a. Project area as per land records & Status in the field- 23 Bigha 0 Katha 13 Lecha( 30947.94 sqm)
b. Registration fees due-Rs. 3,09,479.40
c. Registration fees paid- Rs. 2,54,275.00
d. **Less payment- Rs.55,204.40**



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The representatives of the promoter Sri Amarendra Mazumdar, Shri Ram Krishna Pradhan, Sri Amitabh Sarma and representative of the GMDA Shri D. Kalita, TP were also heard on 13.06.2022 on the following issues:

i. Less payment of Registration fees showing less project area against NOC issued by GMDA.
ii. Non-submission of application for registration against NOC issued by North Guwahati Town committee (Now North Guwahati M.B.)
iii. Occupancy certificate.
iv. Extension of project completion period of the Project under GMDA

For & behalf of Arya Erectors India Private Limited
Managing Director

The representatives of the promoter stated that they are ready to pay the balance amount of registration fees against the project under GMDA as it falls under the project area and to submit application for registration against NOC issued by North Guwahati town Committee along with prescribed fees as soon as possible.

Regarding extension of project completion period also the promoter will submit application in prescribed form.

The representative of the GMDA stated that no occupancy certificate has been issued to the promoter due to deviations in the approved plan. He mentioned that the promoter had constructed some structures which were not approved by GMDA. A part of the structure which was approved by North Guwahati M.B. has been constructed on the site earmarked by GMDA as open area in the approved drawing/plan. It was also brought to the notice of the Authority that Occupancy certificate has already been issued by North Guwahati MB against the project approved by them.

In view of above, and after careful consideration of the records at hand, the Authority hereby directs the promoter as follows:

a. To deposit the balance amount of registration fees of Rs.55, 204.40 against the project under GMDA within 10( ten) days.
b. To submit application for registration of project under North Guwahati Town within 10( ten) days.
c. To apply for extension of registration certificate implemented against NOC issued by GMDA along with all requisite documents and fees within 15( fifteen) days. Non compliance will attract provisions of Section 61 of the Act.
d. CEO, GMDA and the Executive Officer of North Guwahati M.B. to take a joint meeting with the promoter for examining the deviations made in the approved plan by the



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promoter within a month & take action as per existing provisions of law with intimation to this Authority.

e. Show cause notice be issued against the promoter for not providing complete information while registering the project against NOC issued by GMDA.

f. Show cause notice also be issued against the promoter for not registering the project against NOC issued by North Guwahati Town Committee (Now North Guwahati MB).

This disposes the petition dated 27.12.2021.

sd/-
(T.Y.Das)
Chairperson

Dated. 13.06.2022

For & behalf of Arya Erectors India Private Limited
Managing Director

Memo No. ASSAM/RERA/2017/64

Copy for information and necessary action to:

1. M/S Arya Erectors India Private Ltd. 503, KP Enclave, Sohagpur, Rehabari, Guwahati-08.
2. The CEO, Guwahati Metropolitan Development Authority, Bhangagarh, Guwahati-05.
3. The E.O. North Guwahati MB.
4. The Registrar i/c, RERA, Assam.
5. Dr. Ganesh Chandra Das, Buyer of villa no A6, Arya Smart Living, North Guwahati GSM (Complainant) (M.No- 9864040244)
6. Shri Padum Deori, Buyer of Villa No. D84, Arya Smart Living, North Guwahati (Complainant) (M.No- 96893200563)

Registrar i/c
Real Estate Regulatory Authority
Assam

NOTARY GOVERNMENT OF INDIA
Jnanajit Sarma
Guwahati
Regd. No.- 42046
Expiry Dt.- 20/02/2030



11 JUL 2025

12

# OFFICE OF THE GUWAHATI METROPOLITAN DEVELOPMENT AUTHORITY
## STATFED BUILDING, BHANGAGARH, GUWAHATI-781005

Website: www.gmda.assam.gov.in
E-mail: ceogmdaghy@gmail.com
Tel: 0361- 2529650,
0361- 2529824
Fax: 0361-2529991

NO. GMDA/UC/17/2023/78 Dated 10- 02.2023

From : Kausar J. Hilaly, ACS
Chief Executive Officer
Guwahati Metropolitan Development Authority
Bhangagarh – 5

To : 1. Sri Anil Kr Sarma, Managing Director
M/S Arya Erectors India (P) Ltd,
503, KP Enclave, Suhagpur, Rehabari,
Guwahati – 781008

2. Dr Ganesh Ch Das & Mrs Sumana Das
Villa No-A-6, Arya Smart Living, Abhaypur, North Guwahati,
Guwahati-781030.

For & behalf of Arya Erectors India Private Limited
Kumar Sarma
(Managing Director

Sub: Show Cause Notice issued under Section 87 & 88 of Guwahati Metropolitan Development Authority Act, 1985.

Whereas you have purchased/ occupied or carried out development of building villa No A- 6 and land within the Guwahati Metropolitan Area covered by the Master Plan and Zoning Regulation, in the manner and at the place as specified in schedule below, in deviation of the sanctioned plan issued vide NOC No. GMDA/BP/2214/2012012/156 dated Guwahati 25.06.2013 of GMDA and thereby contravened the provision of Section 24 & 25 of the GMDA Act, 1985.

Whereas it appeared from field visit and detailed report submitted by the builder, the existing construction is carried out in deviation from earlier approved plan as mentioned below.

Now, therefore, you are hereby directed as per Section 87 of the GMDA to stop forthwith the unapproved construction and show cause to the undersigned within 10 (Ten) days of receiving this notice, why the approved building should not be demolished under Section 88 (1) or seal the premises of unauthorized erection or work in which such work is being carried out or completed under Section 88(4).

Your reply must reach this office within 10 (Ten) days of service of this notice failing which GMDA will free to go ahead with demolition of unapproved building construction or seal the premises.

Manner of Development/Construction:

1. A water tank constructed over the headroom.
2. Front balcony roof RCC slab extended
3. M.S. & wooden structure constructed on terrace and balcony over the garage.

Place of development / Construction:
Villa No-A-6, Arya Smart Living, Abhaypur, North Guwahati, Dist: Kamrup, Guwahati-781030.

Yours faithfully,

(Kausar J. Hilaly, ACS)
Chief Executive Officer
Guwahati Metropolitan Dev. Authority
Bhangagarh, Guwahati -5

Chief Executive Officer
Guwahati Metropolitan Dev. Authority

Memo No. GMDA/UC/17/2023/78 -A Dated: 10.02.2023
Copy to:

1. The Secretary, RERA, for information and necessary action.
2. The President, Arya Smart Living Group Housing Co-operative Society. Arya Smart living, Abhaypur, North Guwahati, Mouza Silasinduri Ghopa, Dist: Kamrup Assam, for information and necessary action.
3. Office file.

Chief Executive Officer
Guwahati Metroloitan Dev. Authority
Bhangagarh: Guwahati-5

NOTARY
Jnanajit Sarma
Guwahati
Regd. No.- 42846
Expiry Dt.-
20/02/2030
GOVERNMENT OF INDIA

11 JUL 2025

A

# OFFICE OF THE GUWAHATI METROPOLITAN DEVELOPMENT AUTHORITY
## STATFED BUILDING, BHANGAGARH, GUWAHATI-781005

Website: www.gmda.assam.gov.in
E-mail: ceogmdaghy@gmail.com
Tel: 0361- 2529650,
0361- 2529824
Fax: 0361-2529991

NO. GMDA/UC/17/2023/90 Dated :20.02.2023

From : Kausar J. Hilaly, ACS
Chief Executive Officer
Guwahati Metropolitan Development Authority
Bhangagarh – 5

To : Sri Anil Kr Sarma, Managing Director
M/S Arya Erectors India (P) Ltd.
503, KP Enclave, Suhagpur, Rehabari,
Guwahati – 781008

2. Mr Brojen Dutta & Mrs Rashmi Dutta
Villa No- D 22, Arya Smart Living, Abhaypur, North Guwahati,
Guwahati-781030.

For & behalf of Arya Erectors India Private Limited
Managing Director

Sub: Show Cause Notice issued under Section 87 & 88 of Guwahati Metropolitan Development Authority Act, 1985.

Whereas you have purchased/ occupied or carried out development of building villa No D 22 and land within the Guwahati Metropolitan Area covered by the Master Plan and Zoning Regulation, in the manner and at the place as specified in schedule below, in deviation of the sanctioned plan issued vide NOC No. GMDA/BP/2214/26112012/156 dated Guwahati 25.06.2013 of GMDA and thereby contravened the provision of Section 24 & 25 of the GMDA Act, 1985.

Whereas it appeared from field visit and detailed report submitted by the builder, the existing construction is carried out in deviation from earlier approved plan as mentioned below.

Now, therefore, you are hereby directed as per Section 87 of the GMDA to stop forthwith the unapproved construction and show cause to the undersigned within 10 (Ten) days of receiving this notice, why the approved building should not be demolished under Section 88 (1) or seal the premises of unauthorized erection or work in which such work is being carried out or completed under Section 88(4).

Your reply must reach this office within 10 (Ten) days of service of this notice failing which GMDA will free to go ahead with demolition of unapproved building construction or seal the premises.

Manner of Development/Construction:

1. Construction of second floor with MS structure.
2. Mezzanine area covered with MS structure.
3. Parking area blocked by making steps.
4. Back side wash area ie gap between two buildings covered with MS Structure.

Place of development / Construction:
Villa No- D 22, Arya Smart Living, Abhaypur, North Guwahati, Dist: Kamrup, Guwahati-781030.

Yours faithfully,

(Kausar J. Hilaly, ACS)
Chief Executive Officer
Guwahati Metropolitan Dev. Authority
Bhangagarh, Guwahati -5

Chief Executive Officer
Guwahati Metropolitan Dev. Authority

Memo No. GMDA/UC/17/2023/90 -A Dated: 20.02.2023

Copy to:
1. The Secretary, RERA, for information and necessary action.
2. The President, Arya Smart Living Group Housing Co-operative Society. Arya Smart living, Abhaypur, North Guwahati, Mouza Silasinduri Ghopa, Dist: Kamrup Assam, for information and necessary action.
3. Office file.

Chief Executive Officer
Guwahati Metroloitan Dev. Authority
Bhangagarh, Guwahati-5

NOTARY
Jnana Sarma
Guwahati
Regd. No.- 42846
Expiry Dt.-
20/02/2030
GOVERNMENT OF INDIA

11 JUL 2025

**OFFICE OF THE GUWAHATI METROPOLITAN DEVELOPMENT AUTHORITY**
**STATFED BUILDING, BHANGAGARH, GUWAHATI-781005**

Website: www.gmda.assam.gov.in
E-mail: ceogmdaghy@gmail.com

Tel: 0361-2529650,
0361-2529824
Fax: 0361-2529991


NO. GMDA/UC/17/2023/100 Dated :20.02.2023

From : Kausar J. Hilaly, ACS
Chief Executive Officer
Guwahati Metropolitan Development Authority
Bhangagarh – 5

To : 1. Sri Anil Kr Sarma, Managing Director
M/S Arya Erectors India (P) Ltd.
503, KP Enclave, Suhagpur, Rehabari,
Guwahati – 781008

2. Mr Ravi Dey & Mrs Prity Mandal Dey
Villa No- D 39, Arya Smart Living, Abhaypur, North Guwahati,
Guwahati-781030.

For & behalf of Arya Erectors India Private Limited
Anil Kumar Sarma
Managing Director

Sub: Show Cause Notice issued under Section 87 & 88 of Guwahati Metropolitan Development Authority Act, 1985.

Whereas you have purchased/ occupied or carried out development of building villa No D 39 and land within the Guwahati Metropolitan Area covered by the Master Plan and Zoning Regulation, in the manner and at the place as specified in schedule below, in deviation of the sanctioned plan issued vide NOC No. GMDA/BP/2214/26112012/156 dated Guwahati 25.06.2013 of GMDA and thereby contravened the provision of Section 24 & 25 of the GMDA Act, 1985.

Whereas it appeared from field visit and detailed report submitted by the builder, the existing construction is carried out in deviation from earlier approved plan as mentioned below.

Now, therefore, you are hereby directed as per Section 87 of the GMDA to stop forthwith the unapproved construction and show cause to the undersigned within 10 (Ten) days of receiving this notice, why the approved building should not be demolished under Section 88 (1) or seal the premises of unauthorized erection or work in which such work is being carried out or completed under Section 88(4).

Your reply must reach this office within 10 (Ten) days of service of this notice failing which GMDA will free to go ahead with demolition of unapproved building construction or seal the premises.

Manner of Development/Construction:

1. Back side wash area ie gap between two buildings covered with MS Structure.
2. Front steps partly coved with MS structure.

Place of development / Construction:
Villa No- D 39, Arya Smart Living, Abhaypur, North Guwahati, Dist: Kamrup, Guwahati-781030.

Yours faithfully,

(Kausar J. Hilaly, ACS)
Chief Executive Officer
Guwahati Metropolitan Dev. Authority
Bhangagarh, Guwahati -5

Chief Executive Officer
Guwahati Metropolitan Dev. Authority
Dated: 20.02.2023

Memo No. GMDA/UC/17/2023/100-A
Copy to:

1. The Secretary, RERA, for information and necessary action.
2. The President, Arya Smart Living Group Housing Co-operative Society. Arya Smart living, Abhaypur, North Guwahati, Mouza Silasinduri Ghopa, Dist: Kamrup Assam, for information and necessary action.
3. Office file.

Chief Executive Officer
Guwahati Metropoloitan Dev. Authority
Bhangagarh: Guwahati-5

NOTARY
Jnanajit Sarma
Guwahati
Regd. No.- 42846
Expiry Dt.- 20/02/2030
GOVERNMENT OF INDIA

11 JUL 2025

-176-

**OFFICE OF THE GUWAHATI METROPOLITAN DEVELOPMENT AUTHORITY**
**STATFED BUILDING, BHANGAGARH, GUWAHATI-781005**
Website: www.gmda.assam.gov.in
E-mail: ceogmdaghy@gmail.com
Tel: 0361-2529850,
0361-2529824
Fax: 0361-2529991

NO. GMDA/UC/17/2023/102

Dated : 20.02.2023

From : Kausar J. Hilaly, ACS
Chief Executive Officer
Guwahati Metropolitan Development Authority
Bhangagarh – 5

To : 1. Sri Anil Kr Sarma, Managing Director
M/S Arya Erectors India (P) Ltd.
503, KP Enclave, Suhagpur, Rehabari,
Guwahati – 781008

2. Mr Sanjay Baruah
Villa No- D 41, Arya Smart Living, Abhaypur, North Guwahati,
Guwahati-781030.

For & Behalf of Arya Erectors India Private Limited
Managing Director

Sub: Show Cause Notice issued under Section 87 & 88 of Guwahati Metropolitan Development Authority Act, 1985.

Whereas you have purchased/ occupied or carried out development of building villa No D 41 and land within the Guwahati Metropolitan Area covered by the Master Plan and Zoning Regulation, in the manner and at the place as specified in schedule below, in deviation of the sanctioned plan issued vide NOC No. GMDA/BP/2214/26112012/156 dated Guwahati 25.06.2013 of GMDA and thereby contravened the provision of Section 24 & 25 of the GMDA Act, 1985.

Whereas it appeared from field visit and detailed report submitted by the builder, the existing construction is carried out in deviation from earlier approved plan as mentioned below.

Now, therefore, you are hereby directed as per Section 87 of the GMDA to stop forthwith the unapproved construction and show cause to the undersigned within 10 (Ten) days of receiving this notice, why the approved building should not be demolished under Section 88 (1) or seal the premises of unauthorized erection or work in which such work is being carried out or completed under Section 88(4).

Your reply must reach this office within 10 (Ten) days of service of this notice failing which GMDA will free to go ahead with demolition of unapproved building construction or seal the premises.

Manner of Development/Construction:

1. Back side wash area ie gap between two buildings covered with MS Structure.
2. Second floor constructed with wall and MS structure.

Place of development / Construction:
Villa No- D 41, Arya Smart Living, Abhaypur, North Guwahati, Dist: Kamrup, Guwahati-781030.

Yours faithfully,

(Kausar J. Hilaly, ACS)
Chief Executive Officer
Guwahati Metropolitan Dev. Authority
Bhangagarh, Guwahati -5

*Chief Executive Officer*
*Guwahati Metropolitan Dev. Authority*
Dated: 20.02.2023

Memo No. GMDA/UC/17/2023/102-A
Copy to:

1. The Secretary, RERA, for information and necessary action.
2. The President, Arya Smart Living Group Housing Co-operative Society. Arya Smart living, Abhaypur, North Guwahati, Mouza Silasinduri Ghopa, Dist: Kamrup Assam, for information and necessary action.
3. Office file.

Chief Executive Officer
Guwahati Metroloitan Dev. Authority
Bhangagarh: Guwahati-5

NOTARY
Jnanajit Sarma
Guwahati
Regd. No.- 42346
Expiry Dt.-
20/02/2030
GOVERNMENT OF INDIA

11 JUL 2025

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OFFICE OF THE GUWAHATI METROPOLITAN DEVELOPMENT AUTHORITY
STATFED BUILDING, BHANGAGARH, GUWAHATI-781005
Website: www.gmda.assam.gov.in
E-mail: ceogmdaghy@gmail.com
Tel: 0361- 2529650,
0361- 2529824
Fax: 0361-2529991

NO. GMDA/UC/17/2023/107 Dated :20.02.2023

From :

Kausar J. Hilaly, ACS
Chief Executive Officer
Guwahati Metropolitan Development Authority
Bhangagarh – 5

To :

1. Sri Anil Kr Sarma, Managing Director
M/S Arya Erectors India (P) Ltd.
503, KP Enclave, Suhagpur, Rehabari,
Guwahati – 781008

2. Mr Mrinmoy Borkatoky
Villa No- D 49, Arya Smart Living, Abhaypur, North Guwahati,
Guwahati-781030.

For & behalf of Arya Erectors India Private Limited
Anil Kumar Sarma
Managing Director

Sub: Show Cause Notice issued under Section 87 & 88 of Guwahati Metropolitan Development Authority Act, 1985.

Whereas you have purchased/ occupied or carried out development of building villa No D 49 and land within the Guwahati Metropolitan Area covered by the Master Plan and Zoning Regulation, in the manner and at the place as specified in schedule below, in deviation of the sanctioned plan issued vide NOC No. GMDA/BP/2214/26112012/156 dated Guwahati 25.06.2013 of GMDA and thereby contravened the provision of Section 24 & 25 of the GMDA Act, 1985.

Whereas it appeared from field visit and detailed report submitted by the builder, the existing construction is carried out in deviation from earlier approved plan as mentioned below.

Now, therefore, you are hereby directed as per Section 87 of the GMDA to stop forthwith the unapproved construction and show cause to the undersigned within 10 (Ten) days of receiving this notice, why the approved building should not be demolished under Section 88 (1) or seal the premises of unauthorized erection or work in which such work is being carried out or completed under Section 88(4).

Your reply must reach this office within 10 (Ten) days of service of this notice failing which GMDA will free to go ahead with demolition of unapproved building construction or seal the premises.

Manner of Development/Construction:

1. Second floor constructed with wall and MS structure.
2. First floor balcony all 4 sides covered by UPVC windows.
3. Additional extension of mezzanine balcony by a SS Structure by covering public road.
4. Back side wash area ie gap between two buildings covered with MS Structure.

Place of development / Construction:
Villa No- D 49, Arya Smart Living, Abhaypur, North Guwahati, Dist: Kamrup, Guwahati-781030.

Yours faithfully,

(Kausar J. Hilaly, ACS)
Chief Executive Officer
Guwahati Metropolitan Dev. Authority
Bhangagarh, Guwahati -5

*Chief Executive Officer*
*Guwahati Metropolitan Dev. Authority*

Memo No. GMDA/UC/17/2023/107-A Dated: 20.02.2023

Copy to:

1. The Secretary, RERA, for information and necessary action.
2. The President, Arya Smart Living Group Housing Co-operative Society. Arya Smart living, Abhaypur, North Guwahati, Mouza Silasinduri Ghopa, Dist: Kamrup Assam, for information and necessary action.
3. Office file.

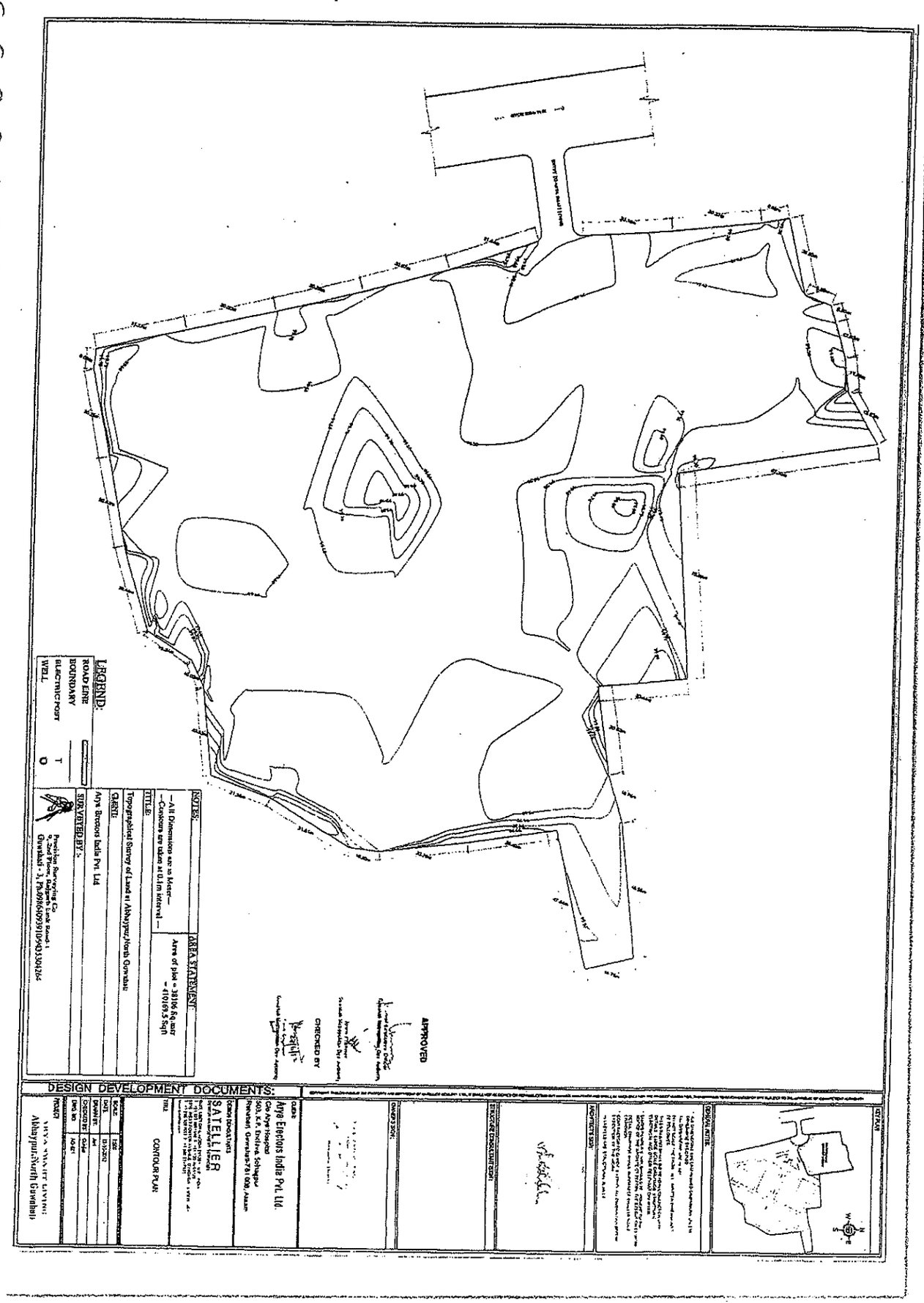
Chief Executive Officer
Guwahati Metroloitan Dev. Authority
Bhangagarh: Guwahati-5

NOTARY
Jnanaji Sarma
Guwahati
Regd. No.- 42846
Expiry Dt.-
20/02/2030
GOVERNMENT OF INDIA

11 JUL 2025

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13

# Contour Plan approved by GMDA on 27-6-2013




For & behalf of Arya Erectors India Private Limited
Managing Director

NOTARY
Jnanaj Sarma
Guwahati
Regd. No.- 42846
Expiry Dt.-
20/02/2030
GOVERNMENT OF INDIA

11 JUL 2025

SL-10

# COMPLETION REPORT

| | | |
|---|---|---|
| 1. | Name of work | : Double Laning of Lokopriya Bordoloi Road (Amingaon to Rangmahal High School) (Ch. 0.00m to Ch. 11500.00m.) Under North Guwahati State Road Division under under RIDF-XXII of NABARD under PWD for the year 2016-17, Package No. Kamrup/RIDF-XXII/10A-Nov. |
| 2. | A.A. No. & Date | : RBPC 91/2018/RI-III/62 Dtd. 11-04-2017. |
| 3. | Administrative approval Amount | : Rs. 5176.91 L |
| 4. | Technical sanction no. & date | : CE/DEV/RIDF-XXII/18/2017-18/19 Dtd. 01/06/2017. |
| 5. | (a) Tender No. | : CE/DEV/RIDF-XXII/174/8/93. |
| | (b) Tender Value | : Rs. 501301903.83 (civil works) |
| | | : Rs. 16235585.00 (Electrical works) |
| | (c) Work order No. | : CE/DEV/RIDF/226/2016-17/15 Dtd. 18/08/2017. |
| 6. | Name of Contractor | : M/S Hi-Tech Construction. |
| 7. | Date of commencement | : 18/08/2017 |
| 8. | Date of completion | : 27/7/2020. |
| 9. | Item of works with quantity | : Bill enclosed. |
| 10. | Name & signature of measuring officer: Nripen Saikia, JE (With designation) | Junior Engineer, PWD (R) Jalukbari & Hajo-Tamulpur Road Division Amingaon, Guwahati-31 |
| 11. | MB No. & Page No. | : 835 : 0 to 44 |
| 12. | (a) Up to date Bill Value | : Rs. 500291543.00 (Civil Works). |
| | | : Rs. 16235585.00 (Electrical Works). |
| | (b) Bills already submitted | : Rs. 478475122.00 (Civil Works) |
| | | : Rs. 16235585.00 (Electrical Works). |
| | (c) Passed Bill value | : Rs. 21816421.00 (Civil Works). |
| | (d) Payment already made | |
| | (e) Balance payment to be made now (Civil works only) | |

For & behalf of Arya Erectors India Private Limited
Managing Director

Certified that the work has been physically verified by me & found completed by the aforesaid contractor in all respects as per specification, drawing and other requirements.

Asstt. Executive Engineer, PWD
Jalukbari & Hajo-Tamulpur Road Division
Amingaon, Guwahati-31.

Executive Engineer, PWD
Jalukbari & Hajo-Tamulpur Road Division
Amingaon, Guwahati-31.

NOTARY
Jnanajit Sarma
Guwahati
Regd. No.- 42846
Expiry Dt.- 20/02/2030
GOVERNMENT OF INDIA

11 JUL 2025

For and on behalf of Arya Erectors India Private Limited

Managing Director

## Google Earth Images







**Date of photograph :** 3.10.2003

**Project Status :** Not initiated

No drains on either side of the road

NOTARY
Jnanajit Sarma
Guwahati
Regd. No.- 42846
Expiry Dt.-
20/02/2030
GOVERNMENT OF INDIA

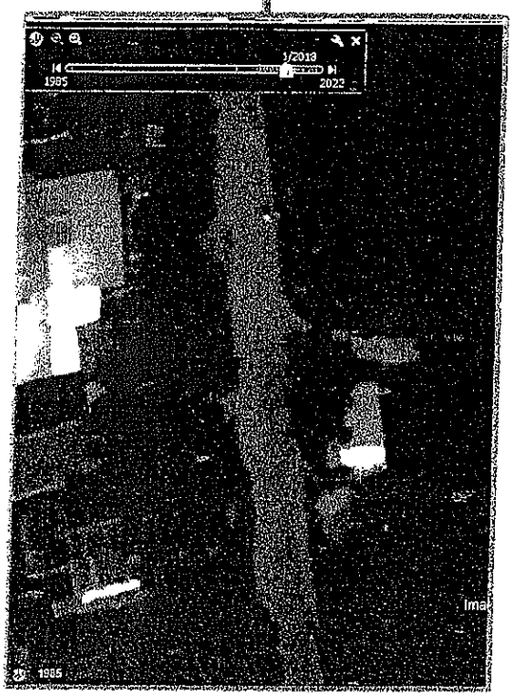
11 JUL 2025

For & on behalf of Arya Estates India Private Limited

Managing Director

## Google Earth Images




**Date of Photograph** : 1.1.2018
**Project Status :** Almost complete

No PWD drain exists on either side of the road.

NOTARY
Jnanaji Sarma
Guwahati
Regd. No.- 42846
Expiry Dt.-
20/02/2030
GOVERNMENT OF INDIA

11 JUL 2025

For & behalf of Arya Erectors
India Private Limited
Managing Director

# Google Earth Images






**Date of Photograph** : 25.10.2018
**Project Status** : Completed

PWD Road widening and Drain work started on one (opposite) side of the road only. Work on side near ASL campus yet to start.

NOTARY
Jnanajit Sarma
Guwahati
Regd. No.- 42848
Expiry Dt.- 20/02/2030
GOVERNMENT OF INDIA

11 JUL 2025

- 183

## Google Earth Photos




**Date of Photograph :**
10.03.2019
**Project Status :** Completed

PWD drain Work-In-Progress on the opposite of the road only.

For & behalf of Arya Erectors India Private Limited
Managing Director




**Date of Photograph :**
20.08.2019
**Project Status** : Completed

PWD drain Work-In-Progress on the both side of the road, incomplete status. Part of the drain at the ASL campus eb=ntry gate still not constructed.

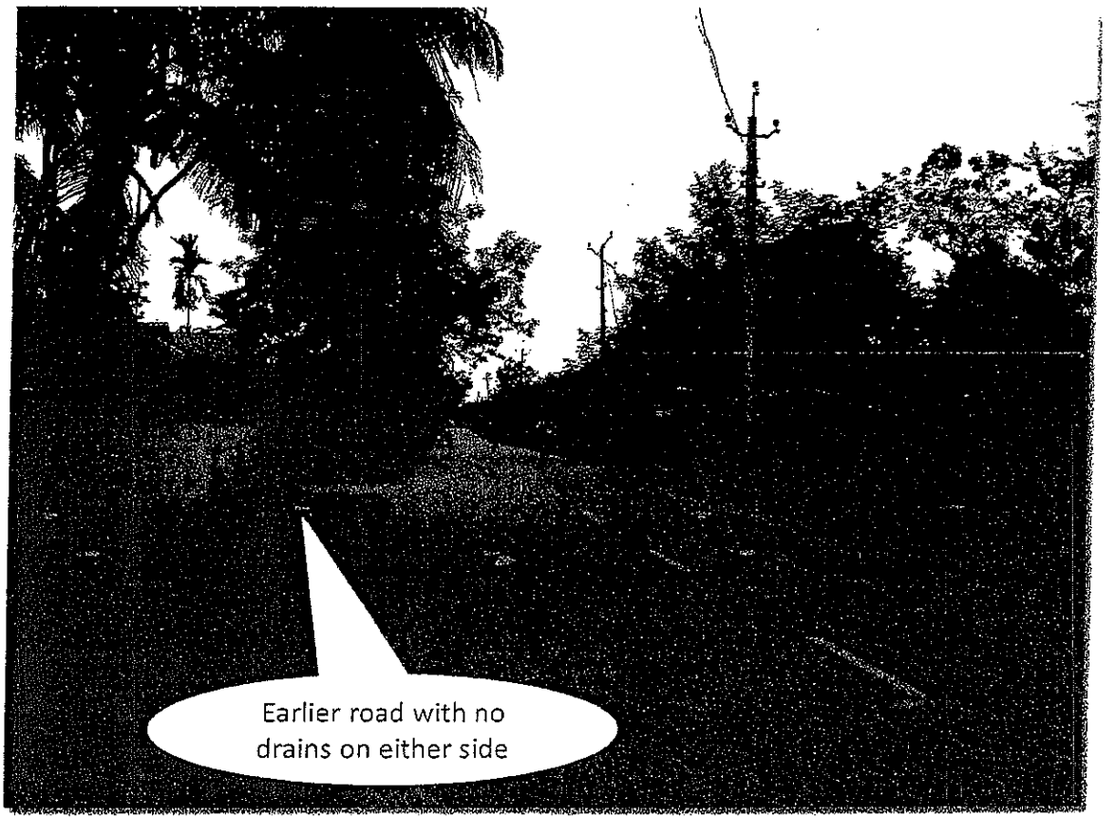
NOTARY
Jnanajit Sarma
Guwahati
Regd. No.- 42846
Expiry Dt.-
20/02/2030
GOVERNMENT OF INDIA

11 JUL 2025

-1047-

(18)

## Photos of the Road before start of the Project Arya Smart Living






For & behalf of Arya Erectors India Private Limited

Managing Director

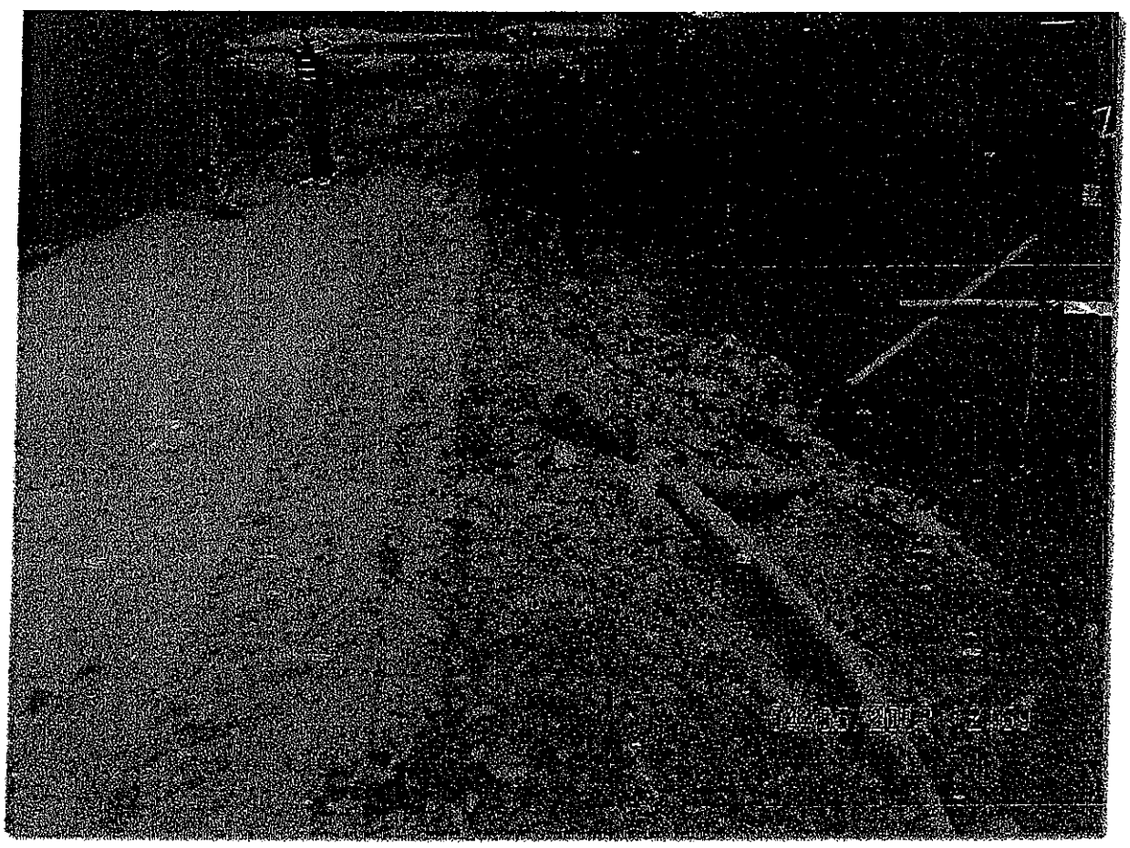
11 JUL 2025

NOTARY
Jnanaj Sarma
Guwahati
Regd. No.- 42846
Expiry Dt.-
20/02/2030
GOVERNMENT OF INDIA

-185

## Ground level of ASL campus Vs nearby surrounding areas



For & behalf of Arya Erectors India Private Limited

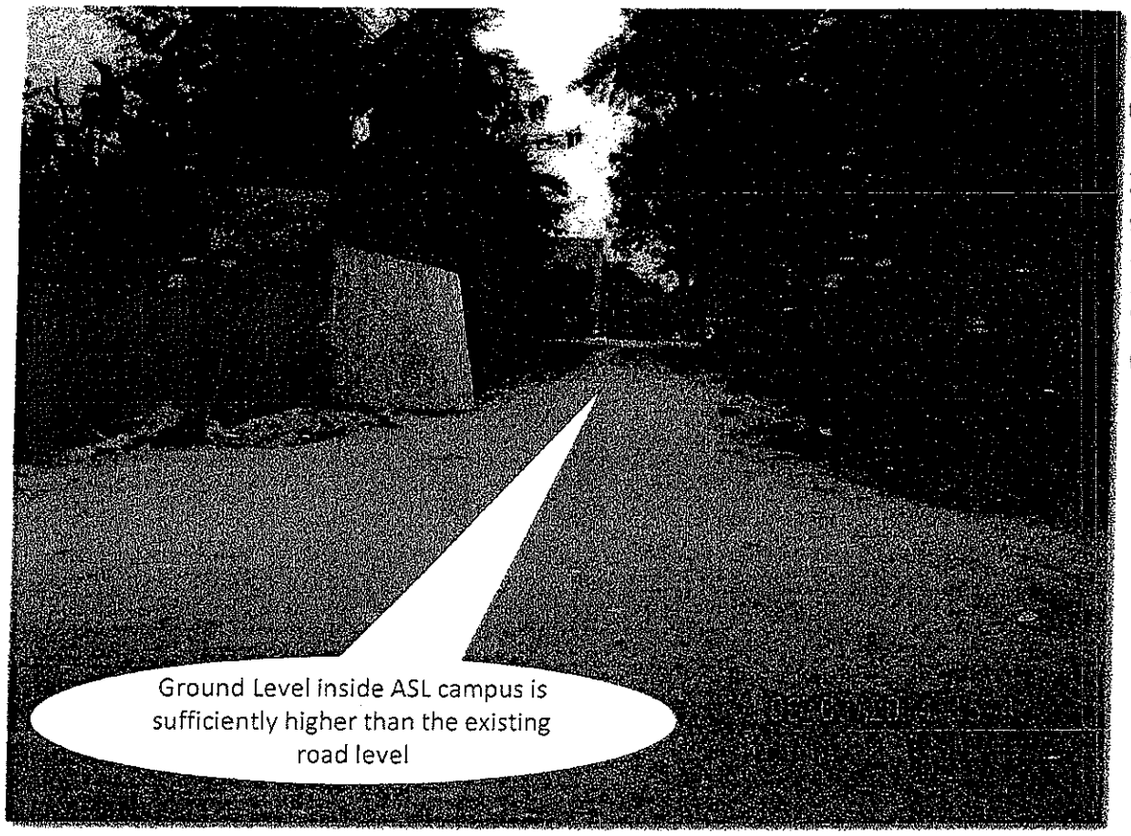
Managing Director

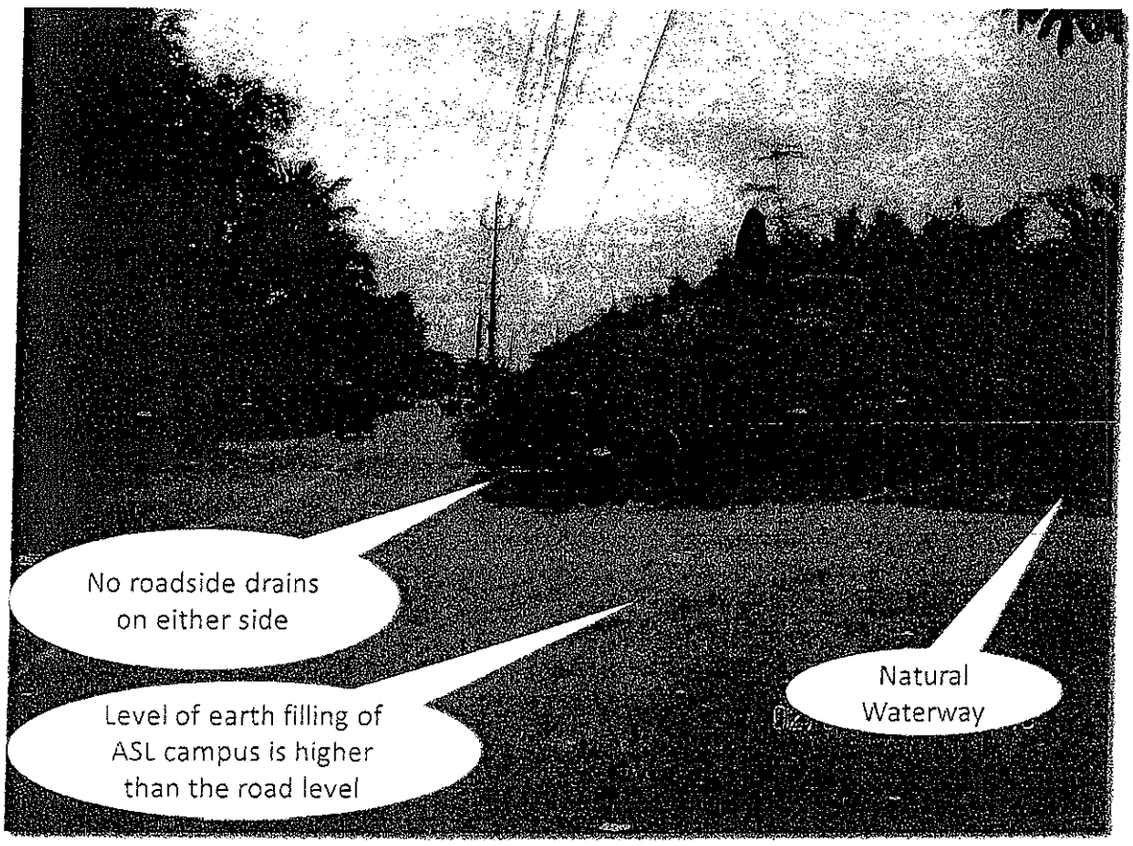
11 JUL 2025

NOTARY GOVERNMENT OF INDIA Jnanajit Sarma Guwahati Regd. No.- 42846 Expiry Dt.- 20/02/2030

-1886-

# Earth filling and ground level of ASL campus vs nearby areas



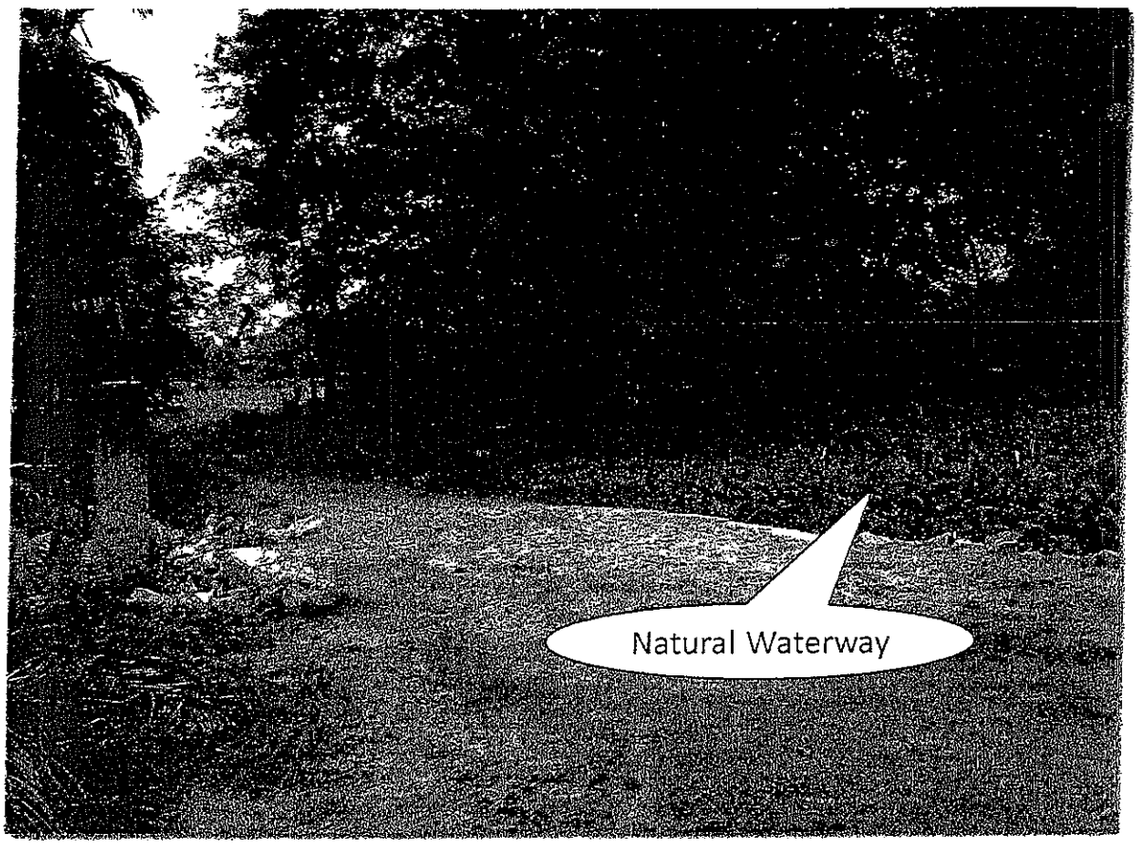



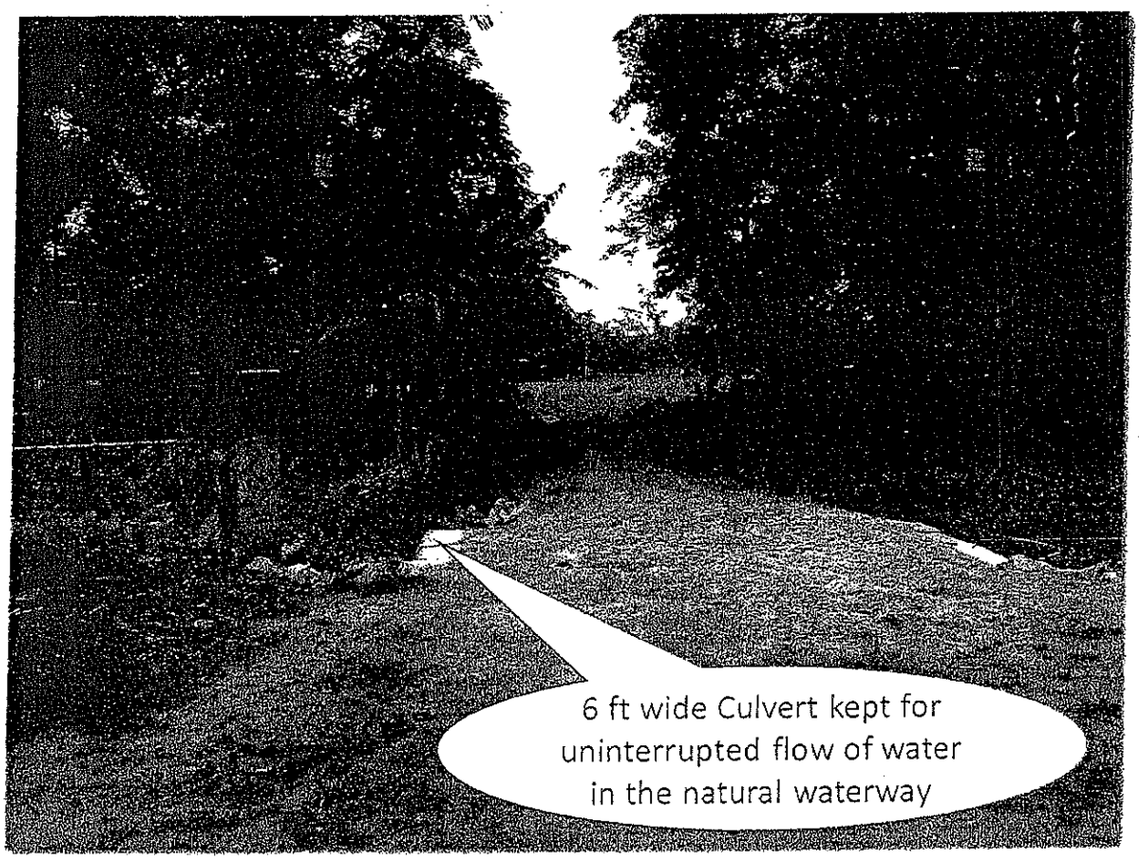

For & behalf of Arya Erectors India Private Limited
Anil Kumar Sarma
Managing Director

11 JUL 2025

NOTARY
Jnanajit Sarma
Guwahati
Regd. No.- 42846
Expiry Dt.- 20/02/2030
GOVERNMENT OF INDIA

## Photos of the entrance road to the Project Arya Smart Living after initial lad filling



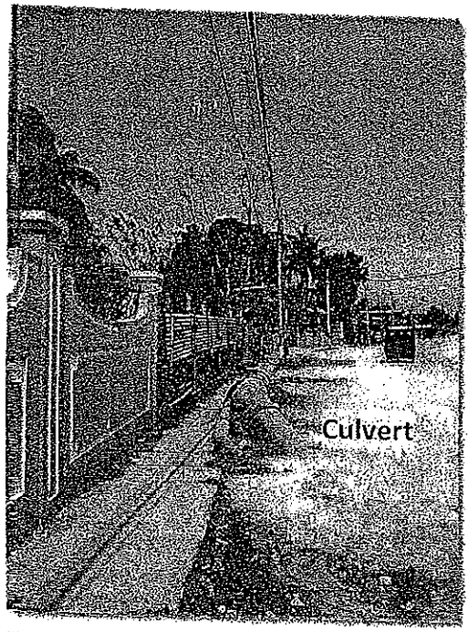

For & behalf of Arya Erectors India Private Limited

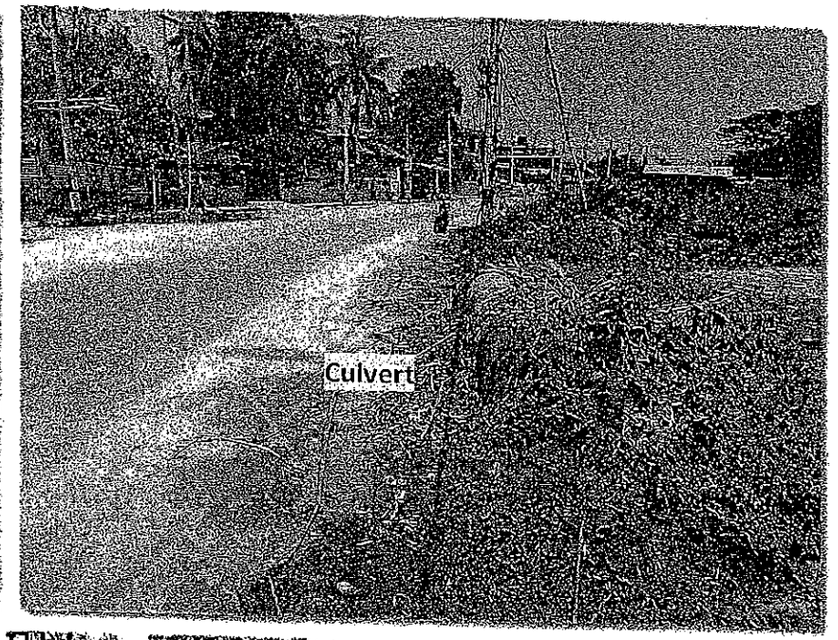
(Managing Director

11 JUL 2025

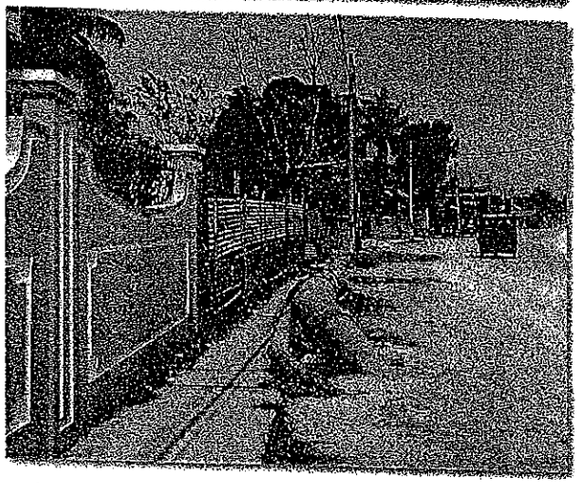
NOTARY Jnanajit Sarma Guwahati Regd. No.- 42846 Expiry Dt.- 20/02/2030 GOVERNMENT OF INDIA

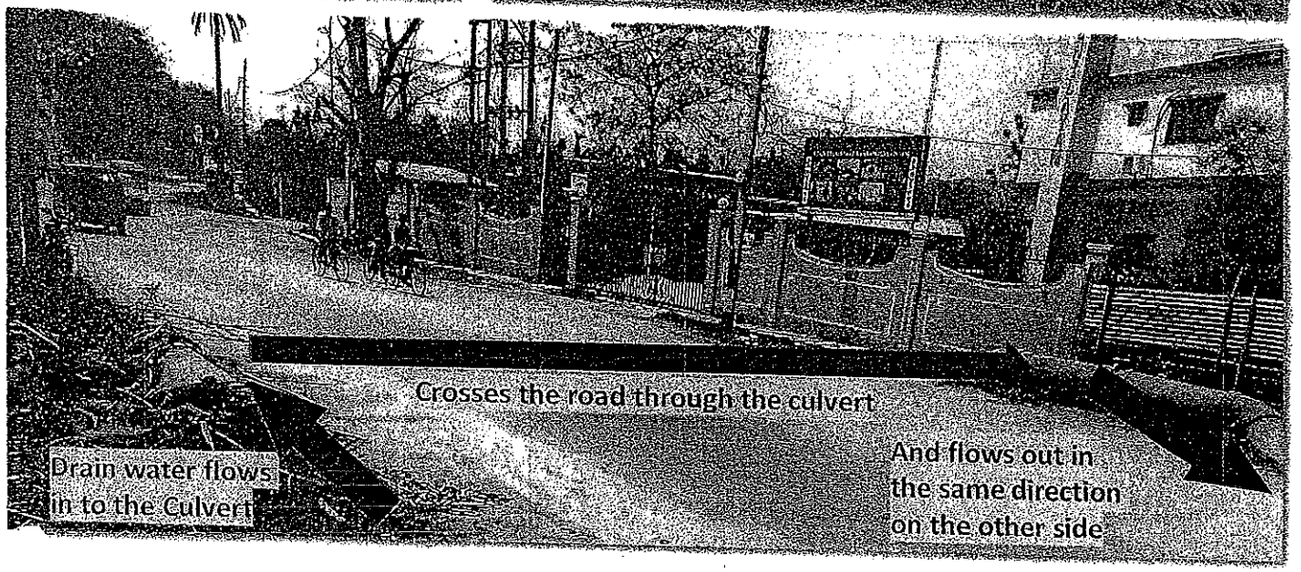
## Culvert towards Police Station side







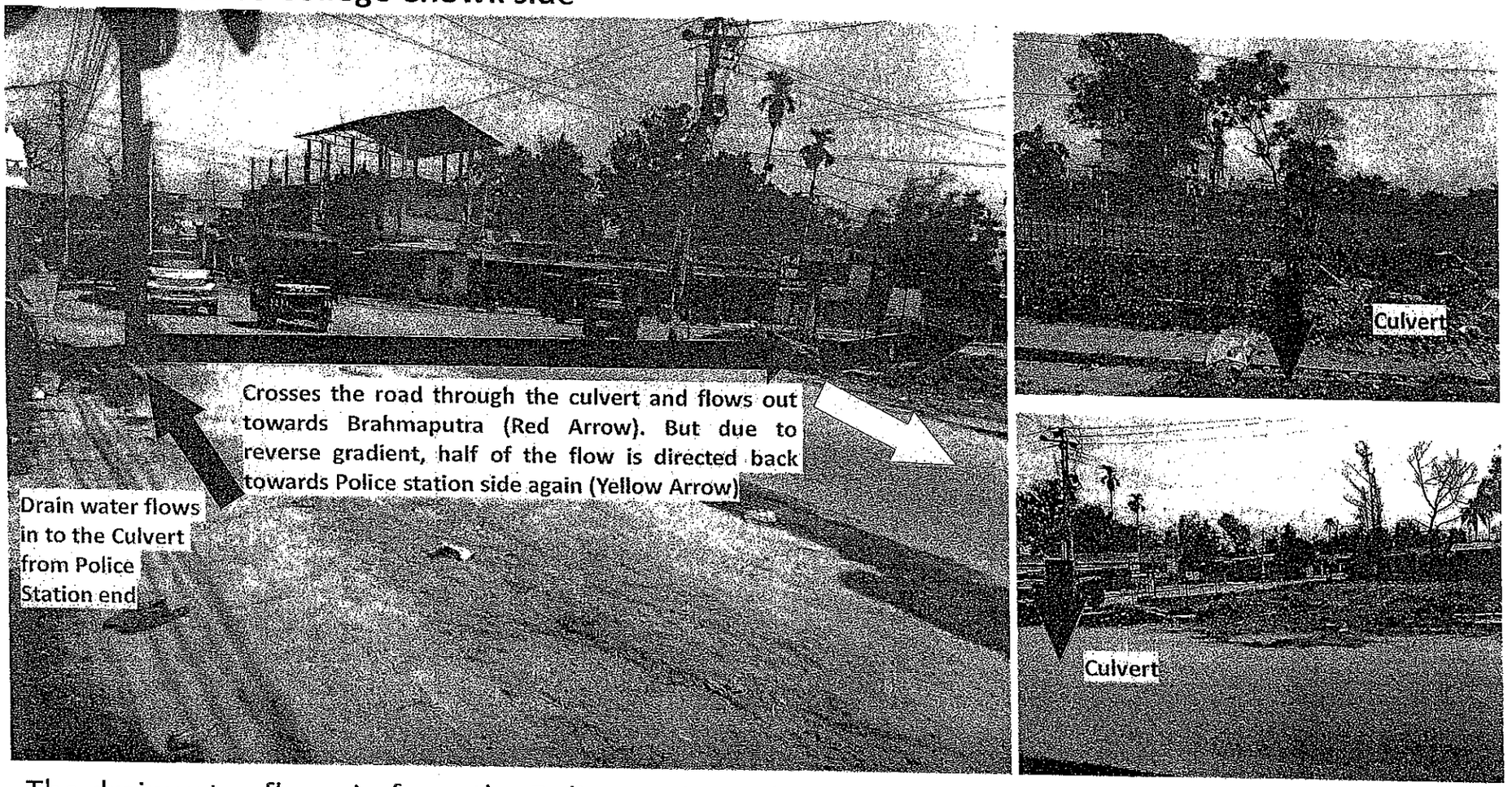

The natural waterway that flowed towards both sides of the culvert is now completely blocked.

For & behalf of Arya Erectors India Private Limited

Managing Director

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## Culvert towards College Chowk side




The drainwater flows in from the Police station side towards the college chowk, reaches the culvert, crosses the road and

For & behalf of Arya Erectors India Private Limited

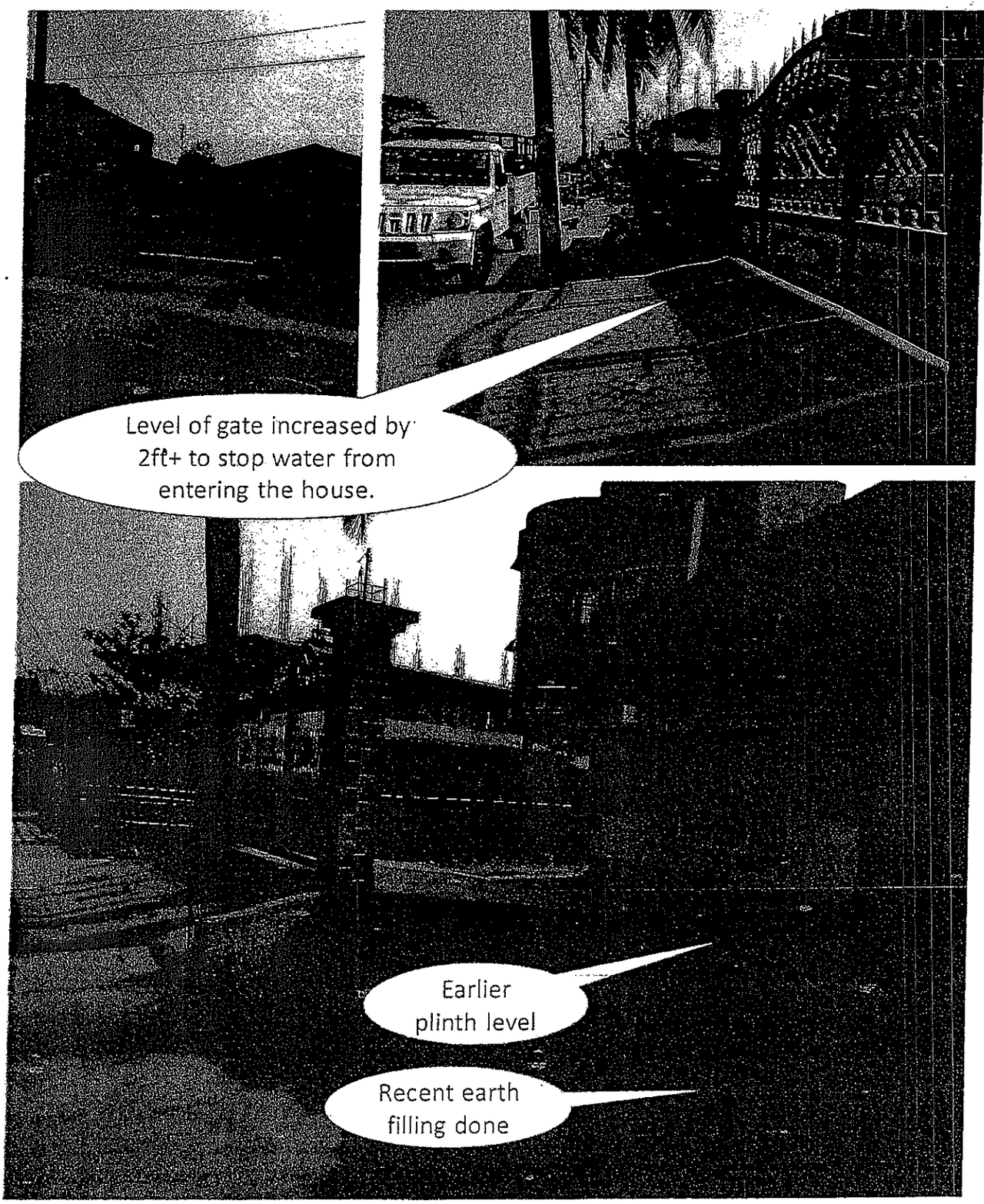
Managing Director

11 JUL 2025

GOVERNMENT OF INDIA NOTARY Jnanada Sarma Guwahati Regd. No.- 42846 Expiry Dt.- 20/02/2030

(18)

## Local Residents taking precautions against water logging



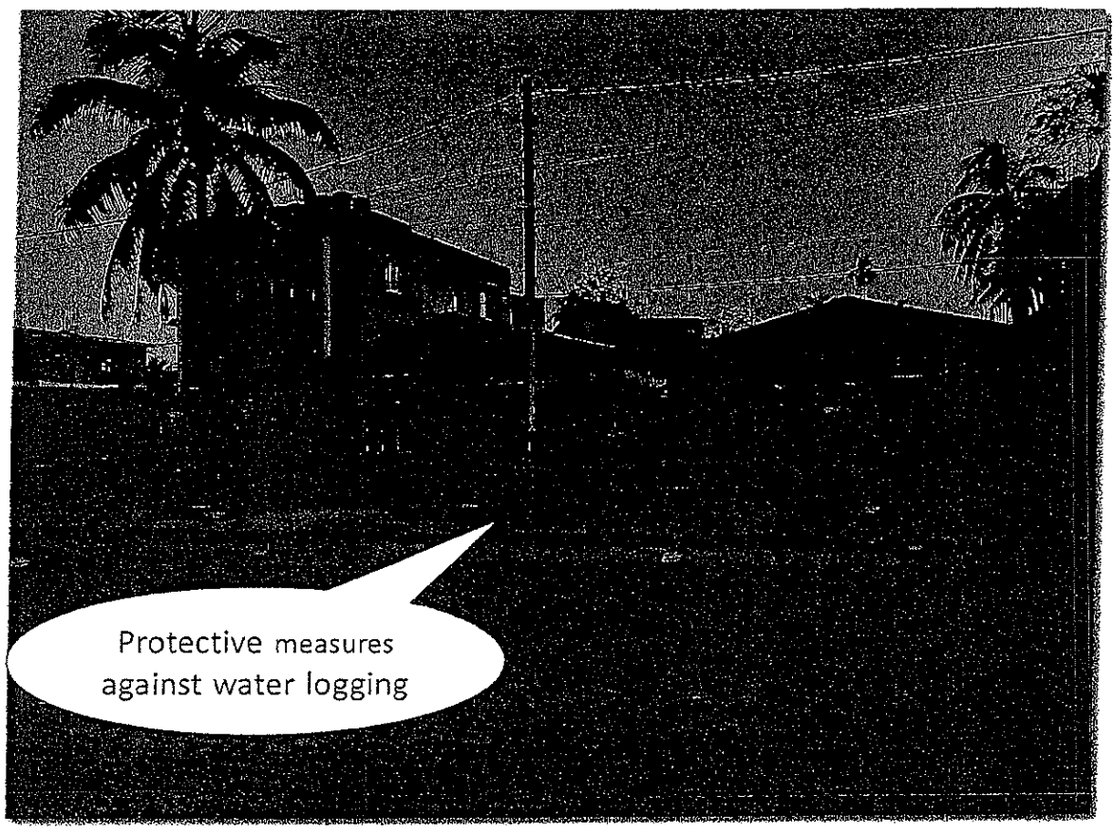

For Arya Erectors India Private Limited
Authorised Signatory / Managing Director

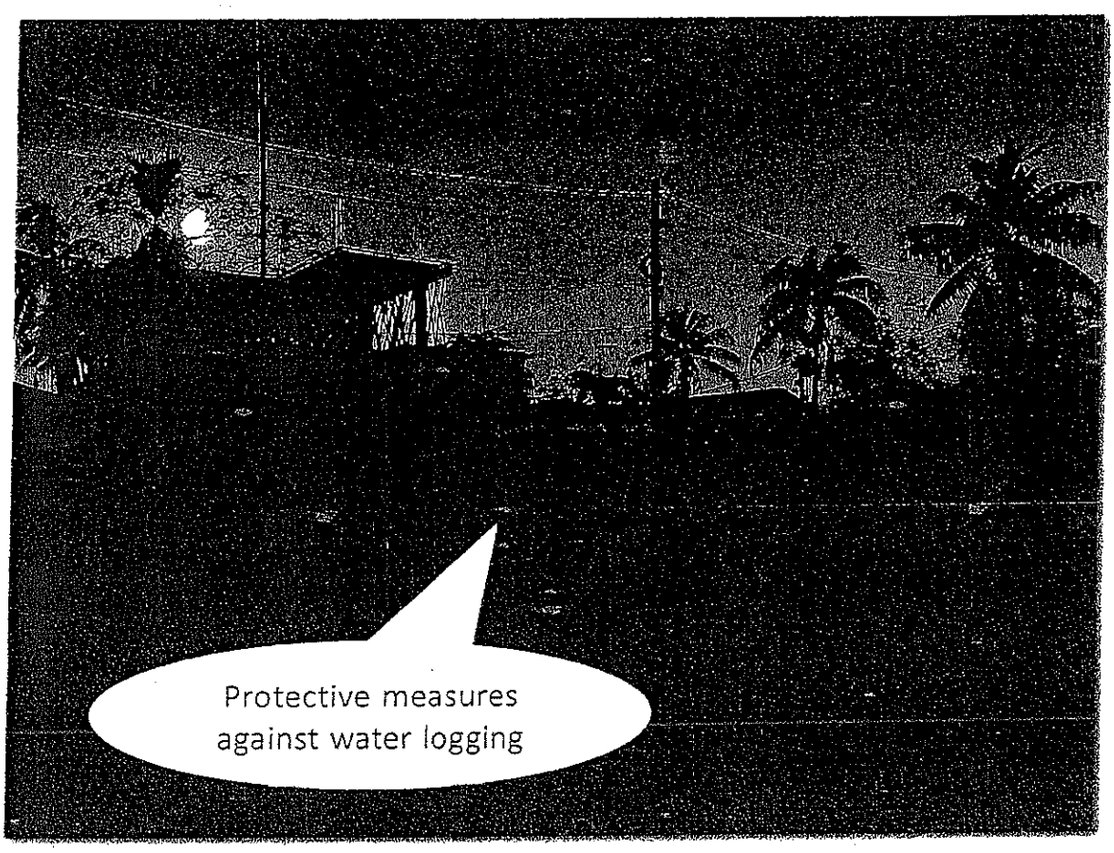
11 JUL 2025

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Jnanajit Sarma
Guwahati
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Expiry Dt.- 20/02/2030
GOVERNMENT OF INDIA

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## Local Residents taking precautions against water logging




For & behalf of Arya Erectors India Private Limited

(Managing Director

11 JUL 2025

NOTARY Jnanada Sarma Guwahati Regd. No.- 42846 Expiry Dt.- 20/02/2030 GOVERNMENT OF INDIA

ARYA ERECTORS
INDIA PRIVATE LIMITED
CIN : U70101AS2010PTC010190

Arya Erectors India Pvt. Ltd.
House No.129, 'Arya Smart Living'
Abhoypur, North Guwahati Pin-781031, As
Tel : +91 98596 66501
E-mail : aryaerectorsindia@gmc com
Web : www.aryaerectorsindia.co

Letter No. AEIPL/PWD/EE/01/20221101/145/16 Dated: 03-Nov-2022

To
The Executive Engineer,
PWD Roads, Kamrup,
Amingaon, North Guwahati

For & behalf of Arya Erectors India Private Limited
Managing Director

Subject: Issue of water logging problem at Arya Smart Living Complex, Abhoypur, North Guwahati, Assam

Sir,

This letter is to highlight you the severe problems faced due to rain water logging by the residents of 'Arya Smart Living' housing project at Abhoypur, near the North Guwahati Police Station, North Guwahati, Kamrup, Assam.

We would like to bring to your immediate notice that our project 'Arya Smart Living' was started in the year 2014 and was completed in the year 2018, post which the residents had started to occupy their villas. At that time there was no issue of water logging within the campus as all the rain water used to drain out from the campus via one big drain that was connected to the natural waterway at the front of the campus and by the side of the Amingaon-Doul Gobinda Road.

However, sometime in 2017-18, during the tenure of Mr. Annada Prasad Sarma as Executive Engineer, the construction of the PWD road, Amingaon-Doul Gobinda Road vide work order no. CE/DEV/RIDF/226/2016-17/15 dt. 18.08.2017 was started along with drain in both side of the road. The level of the drain was constructed approximately 6-8 inches higher than the level of the campus drain, leading to retention of water in the internal campus drain. Moreover, the gradient of the PWD drain in front of the Arya Smart Living complex is faulty, undulated and also the gradient was not maintained properly during construction. Because of which it leads to rain water logging problem in the entire area between College Road and North Guwahati Police Station, and more specifically in the main entrance of the 'Arya Smart Living Housing Complex'. A recent study made and published by the Civil



NOTARY Jnanajit Sarma Guwahati Regd. No.- 42846 Expiry Dt.- 20/02/2030 GOVERNMENT OF INDIA

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Engg. Dept of Indian Institute of Technology Guwahati on request from "Arya Smart Living Group Housing Co-operative Society Ltd." has revealed these faults of the roads cum drain construction works by the APWD and is specificaly mentioned in the report.

We would also like to mention that the PWD drain is blocked with construction debris from near by other houses which needs to be completely cleared so that the movement of drain water is not blocked.

We request for your immediate attention to this issue and your help to resolve the problem which is affecting the life of over 156 families living inside the campus, as well as all the residents of Abhoypur area of North Guwahati. I am attaching a few photographs of the water logged situation inside the Arya Smart Living campus as well as outside the campus for your reference (enclosed as Annexure 1).

We look forward to a quick response from your side.

Regards,

(Mr. Anil Kumar Sarma)
Managing Director,
Arya Erectors India Pvt. Ltd.

For & behalf of Arya Erectors India Private Limited
Anil Kumar Sarma
Managing Director

Enclosure:

(1) **Annexure 1.** Photographs of rain water logging inside and outside the Arya Smart Living Campus.

Copy to:

1. The Chief Engineer, Water Resources Department, Assam Water Centre, Basistha, Guwahati-781029; for favour of kind perusal and necessary action
2. The Secretary
   Arya Smart Living Group Housing Co-operative Society Ltd
   Arya Smart Living,Abhoypur, North Guwahati, Guwahati 781031

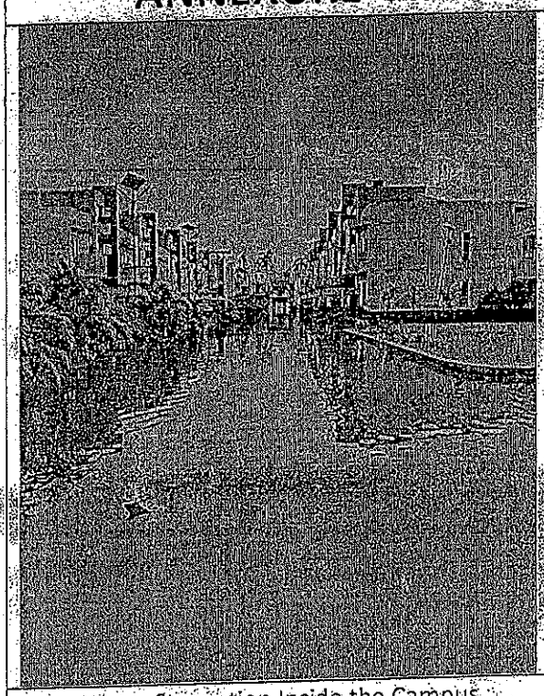
O/o Executive Engineer, PWRD, Jalukbari & Hatigaon Terminal Regd Division, Amingaon, Guwahati-31

11 JUL 2025

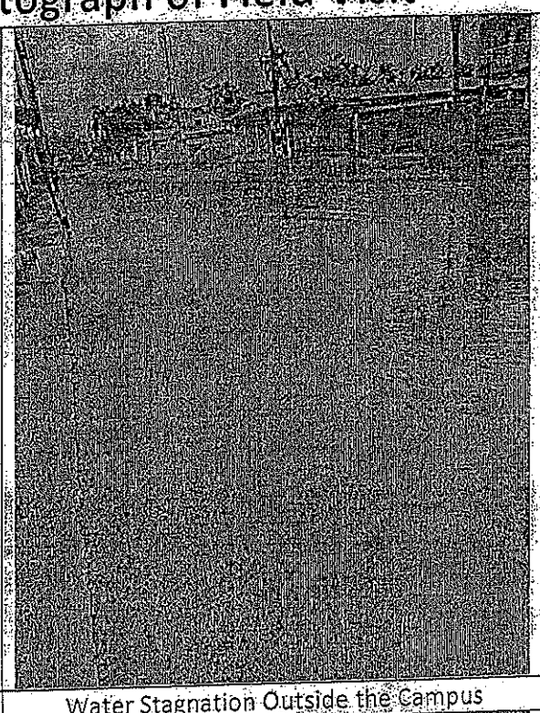
NOTARY
Jnanaj Sarma
Guwahati
Regd. No.- 42846
Expiry Dt.- 20/02/2030
GOVERNMENT OF INDIA

~~ANNEXURE-1~~

## ANNEXURE-VIII: Photograph of Field Visit



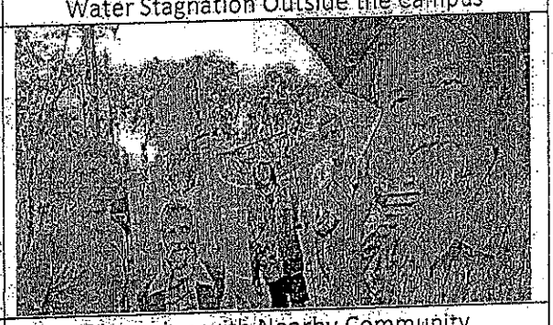
Water Stagnation Inside the Campus



Water Stagnation Outside the Campus



Inspection with Resident



Discussion with Nearby Community

For & behalf of Arya Erectors
India Private Limited
Managing Director

NOTARY
Jnanajit Sarma
Guwahati
Regd. No.- 42846
Expiry Dt.-
20/02/2030
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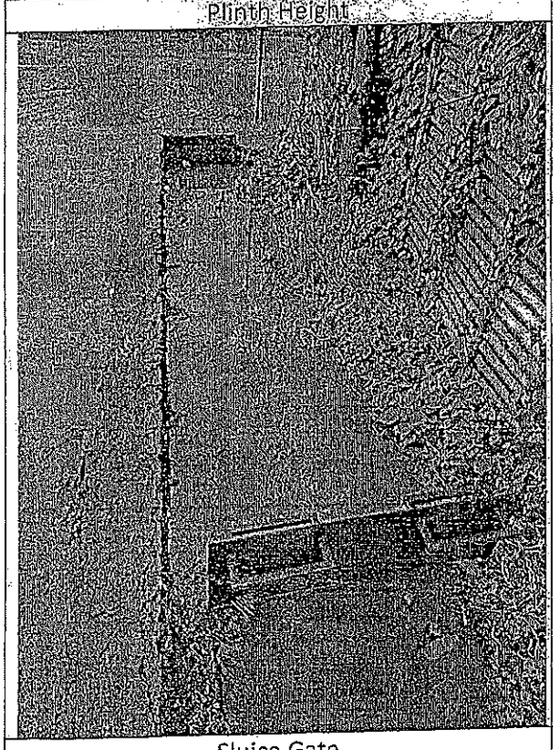
11 JUL 2025



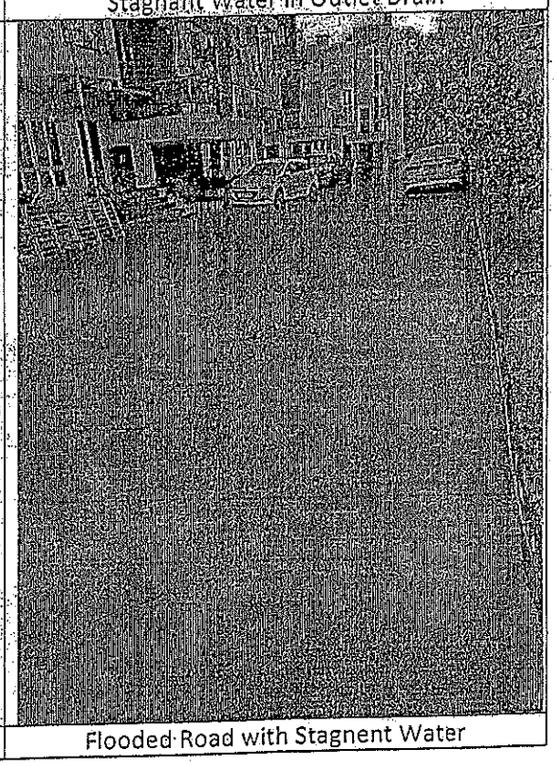
Plinth Height



Stagnant Water in Outlet Drain



Sluice Gate



Flooded Road with Stagnent Water

For & behalf of Arya Erectors
India Private Limited
Managing Director

11 JUL 2025

NOTARY
Jnanajit Sarma
Guwahati
Regd. No.- 42846
Expiry Dt.-
20/02/2030
GOVERNMENT OF INDIA

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ARYA ERECTORS
INDIA PRIVATE LIMITED
CIN : U70101AS2010PTC010190

Arya Erectors India Pvt. Ltd.
House No.123, 'Arya Smart Living'
Abhoypur, North Guwahati. Pin: 781031,
Tel : +91 98596 66501
E-mail : aryaerectorsindia@gmail.com
Web : www.aryaerectorsindia.com

For & behalf of Arya Erectors India Private Limited
Managing Director

Letter No. AEIPL/PWD/EE/01/20221101/145/16 Dated: 03-Nov-2022

To

The Executive Engineer,
PWD Roads, Kamrup,
Amingaon, North Guwahati

Subject: Issue of water logging problem at Arya Smart Living Complex, Abhoypur, North Guwahati, Assam

Sir,

This letter is to highlight you the severe problems faced due to rain water logging by the residents of 'Arya Smart Living' housing project at Abhoypur, near the North Guwahati Police Station, North Guwahati, Kamrup, Assam.

We would like to bring to your immediate notice that our project 'Arya Smart Living' was started in the year 2014 and was completed in the year 2018, post which the residents had started to occupy their villas. At that time there was no issue of water logging within the campus as all the rain water used to drain out from the campus via one big drain that was connected to the natural waterway at the front of the campus and by the side of the Amingaon-Doul Gobinda Road.

However, sometime in 2017-18, during the tenure of Mr. Annada Prasad Sarma as Executive Engineer, the construction of the PWD road, Amingaon-Doul Gobinda Road vide work order no. CE/DEV/RIDF/226/2016-17/15 dt. 18.08.2017 was started along with drain in both side of the road. The level of the drain was constructed approximately 6-8 inches higher than the level of the campus drain, leading to retention of water in the internal campus drain. Moreover, the gradient of the PWD drain in front of the Arya Smart Living complex is faulty, undulated and also the gradient was not maintained properly during construction. Because of which it leads to rain water logging problem in the entire area between College Road and North Guwahati Police Station, and more specifically in the main entrance of the 'Arya Smart Living Housing Complex'. A recent study made and published by the Civil



11 JUL 2025

NOTARY
Jnanajit Sarma
Guwahati
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Engg. Dept of Indian Institute of Technology Guwahati on request from "Arya Smart Living Group Housing Co-operative Society Ltd." has revealed these faults of the roads cum drain construction works by the APWD and is specificaly mentioned in the report.

We would also like to mention that the PWD drain is blocked with construction debris from near by other houses which needs to be completely cleared so that the movement of drain water is not blocked.

We request for your immediate attention to this issue and your help to resolve the problem which is affecting the life of over 156 families living inside the campus, as well as all the residents of Abhoypur area of North Guwahati. I am attaching a few photographs of the water logged situation inside the Arya Smart Living campus as well as outside the campus for your reference (enclosed as Annexure 1).

We look forward to a quick response from your side.

Regards,

Sd/-

(Mr. Anil Kumar Sarma)

Managing Director,
Arya Erectors India Pvt. Ltd.

For & behalf of Arya Erectors India Private Limited
Anil Kumar Sarma
Managing Director

Enclosure:

(1) **Annexure 1.** Photographs of rain water logging inside and outside the Arya Smart Living Campus.

Issuance of Letter No. AEIPL/PWD/EE/01/20221101/145/16A. Dated:03-Nov-2022

Copy to:

1. The Chief Engineer, Water Resources Department, Assam Water Centre, Basistha, Guwahati-781029; for favour of kind perusal and necessary action
2. The Secretary
   Arya Smart Living Group Housing Co-operative Society Ltd
   Arya Smart Living,Abhoypur, North Guwahati, Guwahati 781031

For & behalf of Arya Erectors India Private Limited



11 JUL 2025

NOTARY
Jnanajit Sarma
Guwahati
Regd. No.- 42846
Expiry Dt.- 20/02/2030
GOVERNMENT OF INDIA

ARYA ERECTORS
INDIA PRIVATE LIMITED
CIN : U70101AS2010PTC010190

Arya Erectors India Pvt. Ltd.
House No.123, 'Arya Smart Living'
Abhoypur, North Guwahati-Pin: 781031,
Tel : +91 98596 66501
E-mail : aryaerectorsindia@gmail.com
Web : www.aryaerectorsindia.com

Dated: 08.12.2022

To
The Executive Engineer,
PWD Roads, Kamrup,
Amingaon, North Guwahati

For & behalf of Arya Erectors India Private Limited
Anil Kumar Sarma
Managing Director

Letter No. AEIPL/PWD/EE/145/20221208/29

Subject: Follow-up letter for the issue of water logging problem at Arya Smart Living Complex, Abhoypur, North Guwahati, Assam

Ref : 1. Our letter no. AEIPL/PWD/EE/01/20221101/145/16 addressed to you dated 03.11.22

Sir,

With reference to our earlier letter addressed to you dated 03.11.2022, we would request you to kindly update us on the progress of the complaint.

As the severity of the issue is very high during the rainy season, it will be in the best interest of everybody to get the corrections done during the dry season, before the rains start.

Your positive response and action on this would be highly appreciated.

Regards,

Mr. Anil Kumar Sarma
Managing Director,
Arya Erectors India Pvt. Ltd.

Copy to:

1. The Chief Engineer, PWD (Roads), Chandmari, Guwahati 781003
2. The Secretary, Arya Smart Living Group Housing Co-operative Society Ltd., Arya Smart Living, Abhoypur, North Guwahati, Guwahati 781031

Annexure 1.
Our letter no. AEIPL/PWD/EE/01/20221101/145/16 addressed to you dated 03.11.22

EE. Dev Br. Kamrup for the E.E
Kindly do the needful
12/12/22

NOTARY
Jnanajit Sarma
Guwahati
Regd. No.- 42846
Expiry Dt.-
20/02/2030
GOVERNMENT OF INDIA

11 JUL 2025

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ARYA ERECTORS
INDIA PRIVATE LIMITED
CIN : U70101AS2010PTC010190

Arya Erectors India Pvt. Ltd.
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Tel : +91 98596 66501
E-mail : aryaerectorsindia@gmail.com
Web : www.aryaerectorsindia.com

DLC

Dated: 08.12.2022

To
The Executive Engineer,
PWD Roads, Kamrup,
Amingaon, North Guwahati

For & behalf of Arya Erectors India Private Limited
Managing Director

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Annexure 1.
Our letter no. AEIPL/PWD/EE/01/20221101/145/16 addressed to you dated 03.11.22

Received by PWRD, Kamrup & Metro Territorial Road Division, Amingaon 22-12-22

NOTARY
Jnanajit Sarma
Guwahati
Regd. No.- 42846
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20/02/2030
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E-mail : aryaerectorsindia@gmail.com
Web : www.aryaerectorsindia.com

Letter No. AEIPL/PWD/EE/01/20221101/145/19 Dated: 03-Nov-2022

To

The Executive Engineer,
Water Resources Department
Ulubari , Guwahati

Subject: Issue of rain water logging problem at Arya Smart Living Complex, Abhoypur, North Guwahati, Assam

For & behalf of Arya Erectors India Private Limited
Managing Director

Sir,

This letter is to highlight you the severe problems faced due to rain water logging by the residents of 'Arya Smart Living' housing project at Abhoypur, near the North Guwahati Police Station, North Guwahati, Kamrup, Assam.

We would like to bring to your immediate notice that our project 'Arya Smart Living' was started in the year 2014 and was completed in the year 2018, post which the residents had started to occupy their villas. At that time there was no issue of water logging within the campus as all the rain water used to drain out from the campus via one big drain that was connected to the natural waterway at the front of the campus and by the side of the Amingaon-Doul Gobinda Road.

However, sometime in 2017-18 the construction of the PWD road, Amingaon-Doul Gobinda Road vide work order no. CE/DEV/RIDF/226/2016-17/15 dt. 18.08.2017 was started along with drain in both side of the road. The level of the drain was constructed approximately 6-8 inches higher than the level of the campus drain, leading to retention of water in the internal campus drain. Moreover, the gradient of the PWD drain in front of the Arya Smart Living complex is faulty, undulated and also gradient was not maintained properly during construction. Because of which it leads to rain water logging problem in the entire area between College Road and North Guwahati Police Station, and more specifically in the main entrance of the 'Arya Smart Living Housing Complex'. A recent study made and published by the Civil Engg. Dept of Indian Institute of Technology Guwahati on request from "Arya Smart Living Group Housing Co-operative Society Ltd." has revealed these faults of the



Executive Engineer
Water Resources Division
Guwahati East W. R. Divn.

NOTARY
Jnanaji Sarma
Guwahati
Regd. No.- 42846
Expiry Dt.- 20/02/2030
GOVERNMENT OF INDIA

11 JUL 2025

roads cum drain construction works by the APWD and is specifically mentioned in the report.

I am attaching the Final Report published by the Civil Engineering Department of IITG for reference and perusal, wherein it is clearly mentioned in the findings of the study (Section 4 – Pages 20 to 22) the drain level, the inverse gradient and the blockages of the PWD drain ***(enclosed as Annexure 1).*** Also attached are some photographs of the water logged areas both inside and outside the campus so that you can get an accurate picture of the same. ***(enclosed as Annexure 2)***

We request your help & technical advice in finding out a solution to this issue, which is affecting not only residents of Arya Smart Living, but also all the residents in entire Abhoypur area. We earnestly look forward to your expert guidance and help in finding a solution.

Regards,

(Anil Kumar Sarma)
Managing Director
Arya Erectors India Pvt. Ltd.

**Enclosures:**

**(1)Annexure 1:** Final Report of the Technical Study conducted by IITG with respect to the water logging at Arya Smart Living campus, submitted in May'2022

**(2)Annexure 2:** Photographs of water logged areas both inside and outside the Arya Smart Living Campus, Abhoypur, North Guwahati

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For & behalf of Arya Erectors India Private Limited
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NOTARY
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11 JUL 2025

-29-

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Letter No. AEIPL/PWD/EE/01/20221101/145/19 Dated:03-Nov-2022

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Jnanajit Sarma
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GOVERNMENT OF INDIA

11 JUL 2025

-23-

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For & behalf of Arya Erectors India Private Limited
Anil Kumar Sarma
Managing Director

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Regards,

Sd/-

(Anil Kumar Sarma)

Managing Director
Arya Erectors India Pvt. Ltd.

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Issuance of Letter No. AEIPL/PWD/EE/01/20221101/145/19A. Dated:03-Nov-2022

Copy to:

1. The Chief Engineer, Water Resources Department, Assam Water Centre, Basistha, Guwahati-781029; for favour of kind perusal and necessary action.
2. The Secretary, Arya Smart Living Group Housing Co-operative Society Ltd, Arya Smart Living, Abhoypur, North Guwahati, Guwahati 781031

For & behalf of Arya Erectors India Private Limited
Managing Director

5/11/22



NOTARY
Jnanajit Sarma
Guwahati
Regd. No.- 42846
Expiry Dt.- 20/02/2030
GOVERNMENT OF INDIA

11 JUL 2025

-24-

ARYA ERECTORS
INDIA PRIVATE LIMITED
CIN : U70101AS2010PTC010190

Arya Erectors India Pvt. Ltd.
House No.123, 'Arya Smart Living'
Abhoypur, North Guwahati Pin: 781031,
Tel : +91 98596 66501
E-mail : aryaerectorsindia@gmail.com
Web : www.aryaerectorsindia.com

Letter No. AEIPL/PWD/EE/01/20221101/145/19 Dated:03-Nov-2022

To

The Executive Engineer,
Water Resources Department
Ulubari , Guwahati

For & behalf of Arya Erectors India Private Limited
Managing Director

Subject: Issue of rain water logging problem at Arya Smart Living Complex, Abhoypur, North Guwahati, Assam

Sir,

This letter is to highlight you the severe problems faced due to rain water logging by the residents of 'Arya Smart Living' housing project at Abhoypur, near the North Guwahati Police Station, North Guwahati, Kamrup, Assam.

We would like to bring to your immediate notice that our project 'Arya Smart Living' was started in the year 2014 and was completed in the year 2018, post which the residents had started to occupy their villas. At that time there was no issue of water logging within the campus as all the rain water used to drain out from the campus via one big drain that was connected to the natural waterway at the front of the campus and by the side of the Amingaon-Doul Gobinda Road.

However, sometime in 2017-18 the construction of the PWD road, Amingaon-Doul Gobinda Road vide work order no. CE/DEV/RIDF/226/2016-17/15 dt. 18.08.2017 was started along with drain in both side of the road. The level of the drain was constructed approximately 6-8 inches higher than the level of the campus drain, leading to retention of water in the internal campus drain. Moreover, the gradient of the PWD drain in front of the Arya Smart Living complex is faulty, undulated and also gradient was not maintained properly during construction. Because of which it leads to rain water logging problem in the entire area between College Road and North Guwahati Police Station, and more specifically in the main entrance of the 'Arya Smart Living Housing Complex'. A recent study made and published by the Civil Engg. Dept of Indian Institute of Technology Guwahati on request from "Arya Smart Living Group Housing Co-operative Society Ltd." has revealed these faults of the



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roads cum drain construction works by the APWD and is specifically mentioned in the report.

I am attaching the Final Report published by the Civil Engineering Department of IITG for reference and perusal, wherein it is clearly mentioned in the findings of the study (Section 4 – Pages 20 to 22) the drain level, the inverse gradient and the blockages of the PWD drain ***(enclosed as Annexure 1).*** Also attached are some photographs of the water logged areas both inside and outside the campus so that you can get an accurate picture of the same. ***(enclosed as Annexure 2)***

We request your help & technical advice in finding out a solution to this issue, which is affecting not only residents of Arya Smart Living, but also all the residents in entire Abhoypur area. We earnestly look forward to your expert guidance and help in finding a solution.

For & behalf of Arya Erectors India Private Limited
(Managing Director

Regards,

(Anil Kumar Sarma)
Managing Director
Arya Erectors India Pvt. Ltd.

**Enclosures:**

**(1)Annexure 1:** Final Report of the Technical Study conducted by IITG with respect to the water logging at Arya Smart Living campus, submitted in May'2022

**(2)Annexure 2:** Photographs of water logged areas both inside and outside the Arya Smart Living Campus, Abhoypur, North Guwahati

Issuance of Letter No. AEIPL/PWD/EE/01/20221101/145/19A. Dated:03-Nov-2022
Copy to:

1. The Chief Engineer, Water Resources Department, Assam Water Centre, Basistha, Guwahati-781029; for favour of kind perusal and necessary action.
2. The Secretary, Arya Smart Living Group Housing Co-operative Society Ltd, Arya Smart Living, Abhoypur, North Guwahati, Guwahati 781031

For & behalf of Arya Erectors India Private Limited



11 JUL 2025

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ARYA ERECTORS
INDIA PRIVATE LIMITED
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Arya Erectors India Pvt. Ltd.
House No.123, 'Arya Smart Living'
Abhoypur, North Guwahati Pin: 781031, As
Tel : +91 98596 66501
E-mail : aryaerectorsindia@gmail.com
Web : www.aryaerectorsindia.com

For & behalf of Arya Erectors India Private Limited
Managing Director

To
The Executive Engineer,
Water Resources Department, Ulubari, Guwahati

Dated: 08.12.2022

Letter No. AEIPL/PWD/EE/145/20221208/30

Subject: Follow up letter for issue of water logging problem at Arya Smart Living Complex, Abhoypur, North Guwahati, Assam

Ref : Our letter no. AEIPL/PWD/EE/01/20221101/145/19 addressed to you dt. 03.11.2022

Sir,

With reference to our letter to you dated 02.11.2022, I would like to request you again for your kind assistance in finding out a solution to the severe issue of waterlogging, which is affecting not only residents of Arya Smart Living, Abhoypur, North Guwahati, Assam but also all the residents in entire Abhoypur area.

As the severity of the issue is very hight during the rainy season, it will be for the benefit of all concerned that the solution is implemented during the dry seasons before the rains start. We earnestly look forward to your expert guidance and help in finding a solution.

Regards,

Mr. Anil Kumar Sarma
Managing Director
Arya Erectors India Pvt. Ltd.

Copy to:

1. The Chief Engineer, Water Resources Department, Basistha, Guwahati-781029
2. The Secretary, Arya Smart Living Group Housing Co-operative Society Ltd,

Annexure 1: Our letter to you dated 03.11.2022

Received 10/12/22

NOTARY
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Guwahati
Regd. No.- 42846
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11 JUL 2025

ARYA ERECTORS
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Arya Erectors India Pvt. Ltd.
House No.123, 'Arya Smart Living'
Abhoypur, North Guwahati. Pin: 78103
Tel : +91 98596 66501
E-mail : aryaerectorsindia@gmail.com
Web : www.aryaerectorsindia.com

To
The Executive Engineer,
Water Resources Department, Ulubari, Guwahati

Dated: 08.12.2022

For & behalf of Arya Erectors India Private Limited
Anil Kumar Sarma
Managing Director

Letter No. AEIPL/PWD/EE/145/20221208/30

Subject: Follow up letter for issue of water logging problem at Arya Smart Living Complex, Abhoypur, North Guwahati, Assam

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Regards,

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Managing Director
Arya Erectors India Pvt. Ltd.

Copy to:

1. The Chief Engineer, Water Resources Department, Basistha, Guwahati-781029
2. The Secretary, Arya Smart Living Group Housing Co-operative Society Ltd,

Annexure 1: Our letter to you dated 03.11.2022

To the Ex. Engineer, W.R. Div. East

NOTARY
Jnanajit Sarma
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11 JUL 2025

OFFICE OF THE CHAIRMAN

# NORTH GUWAHATI MUNICIPAL BOARD

GUWAHATI - 30

Ref: NGMB/MISC/2021-22/2199

Date: 06-09-2021

For & behalf of Arya Erectors India Private Limited

Managing Director

Minutes of the meeting held at club house at Arya Smart Living on 3rd September 2021 Regarding water logging problem.

A meeting in connection with the water logging problem at Abhaypur area was held at the Club House of Arya Smart Living, Abhaypur on 3rd September 2021. The meeting was convened by North Guwahati Municipal Board. The following persons were present in the meeting:

1. Sri Pranab Dutta Goswami, ACS, Additional Deputy Commissioner, Kamrup
2. Sri Debajit Sarma, Executive Engineer, North Guwahati Municipal Board
3. Sri Bharat Bhusan Sarma, Asstt. Executive Engineer, Water Resources Department
4. Sri Hirak Chanda, Asstt. Engineer, Water Resources Department
5. Sri Kailash Baishya, J.E. Jalukbari & Hajo Territorial Road Division
6. Sri Dipak Kumar Bezbaruah, Jalukbari & Hajo Territorial Road Division
7. Sri Mantu Ram Das, Water Resources Department
8. Sri Girin Changkakoti, North Guwahati Municipal Board
9. Sri Binod Boro, Lat Mandal, North Guwahati Revenue Circle
10. Sri Ram Krishna Pradhan, President, Arya Smart Living Group Housing Cooperative Society Ltd.
11. Sri Binode Chetia, Vice President, Arya Smart Living Group Housing Cooperative Society Ltd.
12. Sri Tapanjyoti Dutta, Secretary, Arya Smart Living Group Housing Cooperative Society Ltd.
13. Sri Krishna Kanta Ojah, Treasurer, Arya Smart Living Group Housing Cooperative Society Ltd.
14. Dr. Mantu Kumar Das, Arya Smart Living Group Housing Cooperative Society Ltd.
15. Dr. Imdadul Hussain, Arya Smart Living Group Housing Cooperative Society Ltd.

The meeting was presided over by Sri Pranab Dutta Goswami, ACS, Additional Deputy Commissioner, Kamrup.

At the very outset of the meeting, Mr. Ram Krishna Pradhan, President of Arya Smart Living Group Housing Cooperative Society Ltd. pointed out the overall problems at Arya Smart Living and surrounding areas due to water logging.

Mr. Debajit Sarma, Executive Engineer, NGMB and Mr. Girin Changkakati, UDA, NGMB represented the meeting as the counter part of convenor. Mr. Sarma was requested to explain about the situation and present scenario of this area. Accordingly he explained the vital points of the problem adhering the entire ULB area after newly demarcated area of 10 wards during the delimitation process. He revealed again and again to prepare a master plan for entire North Guwahati. He explained technically about the

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11 JUL 2025

-289-

(2)

topography of North Guwahati, major out lets to the river Brahmaputra along with sluice gate, preservation of the water body and inter connectivity of storm drainage with the major out lets. The points above, have been accepted by all the members present in the meeting.

After threadbare discussion the following points were noted for taking action/activities:

a) To check out the requirement of sluice gate at different exit points of the River Brahmaputra
b) Joint survey for gradient of various drains exist in Municipal Board area, During the alignment of PWD drain APDCL have to be involved under the legal advice of revenue dept.
c) A petition to be submitted to the Hon'ble MLA of Jalukbari constituency by Arya Smart Living Group Housing Cooperative Society Ltd. on behalf of residents of Abhaypur and Silsako.
d) All the corrective measures have to be checked for involving a Govt. Scheme for the greater interest of public.
e) Digging of an exit channel from the swamp (around 4 bighas) to the nearest PWD drain.
f) Convergence of multiple departments like NGMB, PWD, WRD, Revenue etc. is very essential for joint survey.
g) For all tasks to be executed, NGMB will play a pivotal role or as a nodal agency within their jurisdiction.
h) A proposal to be initiated by NGMB and to submit it to the Deputy Commissioner, Kamrup who would then delegate tasks to other concerned departments.

For & behalf of Arya Erectors India Private Limited
Managing Director

The meeting ended with a vote of thanks from the chair.

Yours Faithfully

Executive Officer
North Guwahati Municipal Board
Guwahati-30

Memo No:- NGMB/MISC./2021-22/2199 (A) Dated:- 06-09-2021

Copy To:-

1. The Addl. Deputy Commissioner, (U.D.D), Kamrup, for favour of information and necessary action.
2. The Executive Engineer, PWD, Hajo and Jalukbari – Territorial Road Division, for favour of information and necessary action.
3. The Executive Engineer, Water Resource, Guwahati East Division, for favour of information and necessary action.
4. The President/ Secretary, Arya Smart Living, for information and necessary action.

EXECUTIVE OFFICER
NORTH GUWAHATI MUNICIPAL BOARD

Executive Officer
North Guwahati Municipal Board
Guwahati-30

NOTARY
Jnanajit Sarma
Guwahati
Regd. No.- 42846
Expiry Dt.- 20/02/2030
GOVERNMENT OF INDIA

11 JUL 2025

-2X-
21

Gmail

ARYA SMART LIVING <aslsociety19@gmail.com>

# Encroachment of storm water drains

**ARYA SMART LIVING** <aslsociety19@gmail.com> Fri, Oct 11, 2024 at 3:44 PM
Bcc: Roshan Pradhan <roshanspradhan@gmail.com>, Pranab kumar dutta <pronabdutta@gmail.com>, Debashish Sarkar <sarkard427@gmail.com>, mrinmoy borkataki <dr.mrinmoyborkataki@gmail.com>, Subroto Chatterjee <csubroto150@gmail.com>, Dr Ravi Dey D39cardiac Anasthesia <ravidey75@yahoo.in>, Amitabh Sharma <amit2324sharma@gmail.com>, Jummo Geiyi <geiyijummo@gmail.com>, Ansuman Samantaray <Ansuman.Samantaray@axisbank.com>, rajeswari purkayastha <rajeswaripurkayastha@gmail.com>, binode chetia <binodec60@gmail.com>, electricitygogoi@rediffmail.com, drpulok nandy <drpuloknandy@yahoo.com>, dipti goswami <diptigoswaminandy@gmail.com>, abhay kumar <abhay1dispur@gmail.com>, mousumi hazarika <mousumi14dec@gmail.com>, rajendrasingha@yahoo.co.in, Alokesh Hazarika <drahazarika@gmail.com>, Jewel Debnath <jeweldebnath87@gmail.com>, R Deb Barma <rupalidbarman@gmail.com>, Suresh Chakravarty <dr.sureshchakravarty@gmail.com>, dr_imdad_anaes@yahoo.com, g.jalan@rediffmail.com, Jitesh Kumar Nath <jiteshkn@gmail.com>, V K SHARMA <sharma.nrm@gmail.com>, Jiten Kalita <jiten.kalita@gmail.com>, dramp_23@yahoo.co.in, debajyoti choudhury <debajyoti_choudhury2002@yahoo.co.in>, epsita.bhowmik@sbi.co.in, kalyani.kashyap@sbi.co.in, Hridayananda Boruah <hnboruah022@gmail.com>, Poresh Kumar Bora <poreshbora@gmail.com>, santosh khakhalary <santoshkhakhalary@yahoo.in>, Pradeep Kumar <beherapk61@gmail.com>, Bhaskar Barman <bhaskar279@gmail.com>, shekhar jajodia <shekhar.jajodia@gmail.com>, Nyai Rigia <nyairigia@gmail.com>, Sanjay Baruah <sanjaybar@gmail.com>, Bijoya Goswami <dr.bijoya@gmail.com>, Eshani Sarma <eshani.sarma@gmail.com>, Rahul Sarma <rahulsarma1001@gmail.com>, nirmali chetia gogoi <jngr14@gmail.com>, Ganesh Das <ganeshdas40244@yahoo.com>, Likha Tara <taralikha65@gmail.com>, Nxon Medhi <n.medhi@fairconstructionrw.com>, Krishna Hazarika Rao <khazarikarao@gmail.com>, Sandip_sarma@yahoo.com, sumnyak sumnyan <ssumnyan04@gmail.com>, bpchoudhury1smailbox@rediffmail.com, bedabrata bora <bedabrata.bora1@gmail.com>, anujsaini@live.in, hage_kojeen@rediffmail.com, Bedanta Nath <bedantanath@oilindia.in>, RAMESH CHANDRA Sarma <rameshchandrasarma853@gmail.com>, Anirudha Dutta <dipu25oct@gmail.com>, atanu hazarika <atanu.hazarika@gmail.com>, Shashanka Goswami <shashanka.goswami90@gmail.com>, Nilima Goswami <nilima.goswami1@gmail.com>, minakshigoswami44@gmail.com, Johnny Barua <drjohnnybarua@gmail.com>, dollygogoi2010@rediffmail.com, tapan dutta <tapanjyotidutta123@gmail.com>, anandsatinder@ymail.com, purnima upadhaya <punamupadhaya1980@gmail.com>, Nilutpal Dutta <nilutpaldutta@gmail.com>, Nirmaalya De <nirmaalya.de@gmail.com>, Senong Sena <senongsena@gmail.com>, Miahap Kenglang Lungchang <mklungchang@gmail.com>, Richo Sena <senaricho@gmail.com>, diganta Bhattacharya <diganta.bhattacharya9@gmail.com>, mallika bhattacharya <mallika.bhattacharya9@gmail.com>, Banani Chakravarty <mailbanani@gmail.com>, arupjyoti saikia <arupjyotisaikia@gmail.com>, Mantu Das <dasdrmantu@gmail.com>, Dipankar Bhowmick <dipankar.bhowmick@gmail.com>, Badal Dutta <badal.datta76@gmail.com>, Briz Singh <brizdanceacademy@gmail.com>, hasinazaman@gmail.com, Rama Krishna <Newarrk@gmail.com>, Sushanta Borgohain <b2sushanta@gmail.com>, Mr Krishna Kanta Ojah B2 ASL <krishnakanta.ojah@yahoo.com>, tseringphurpa1111@yahoo.co.in, ankurgogoi@yahoo.com, Ram Krishna Pradhan <pradhanramk@gmail.com>, Sidhartha697 Das31 <sidhartha697das31@gmail.com>, Abdul Razzyak <razzyak.abdul@gmail.com>, mrinal_s@iitg.ac.in, Puna Hinda <punahinda@gmail.com>, Nikunja Talukdar <btalukdar@bcplindia.co.in>, biraj hazarika <birajh@gmail.com>, sujatadeori@yahoo.com, barsha.sk@gmail.com, Mr Brojen Duuta D22 ASL <brojendutta07@gmail.com>, dnburagohain@yahoo.com, Shakuntala Mahanta <shakunmahanta@gmail.com>, sukanya@iitg.ac.in, dipak.roy65@yahoo.co.in, Promoth Kumar Modak <promothmodak13@gmail.com>, bhaskar Jt haz <bhaskarjyotihaz@gmail.com>, vksnhpc@yahoo.co.in, dinesh jain <dineshjain.sryt@gmail.com>, Runu Mahanta <runumahanta54@gmail.com>, Prasanta Deka <nituldeka@gmail.com>, poonamtayal20@gmail.com, TESAM PONGTE <Tesampongte75@gmail.com>, G Medhi <gmedhi@gmail.com>, markarbam@rediffmail.com, 1965anilkothari@gmail.com, Monmoyuri Dutta Talukdar <monmoyuridutta@gmail.com>, Rupankar Barua <rupankar.barua@gmail.com>, Sunit Kumar Nandi <sunitnandi834@gmail.com>, aks1.arya@gmail.com, hewarsudhajoshi@gmail.com, nitul Sarma <sarmanitul143@gmail.com>, Avinava Ghosh <avinava_90@hotmail.com>, Anirban Bhattacharjee <onir.bhatt@gmail.com>, deepa Jaisi <Deepajaisi@gmail.com>, Rita Pradhan <ritadpradhan@gmail.com>

Dear members,

This is to bring attention to the encroachment of storm water drainage which was notified for removal earlier too dated 26.3.2023. The same issue has been raised in The AGM. The encroachment has severely restricted the cleaning effort of the storm water drains. Hereby you are informed to remove these encroachments. PFA the pictures.

The villas which are encroaching are -

**A-3** ( Mr. Sufi Gamal Estamatur Mominin & Mrs. Hasina Zaman )

**A-5** ( Ms. Richo Sena & Mrs. Bina Sena )

For & behalf of Arya Erectors India Private Limited
Managing Director



11 JUL 2025

NOTARY
Jnanajit Sarma
Guwahati
Regd. No.- 42846
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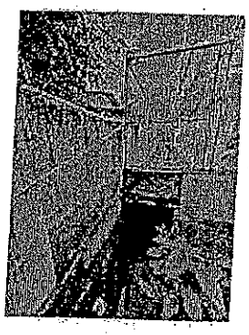
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A-6 ( Dr. Ganesh Chandra Das & Mrs. Sumana Das )
A-7 ( Mr. Phurpa Tsering )

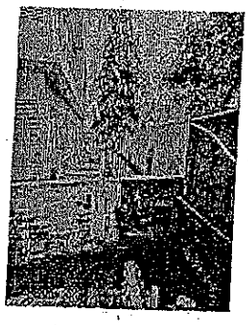
For and behalf of the Board of Directors
Ram Krishna Pradhan
President

For & behalf of Arya Erectors India Private Limited
Amit Kumar Sarma
(Managing Director

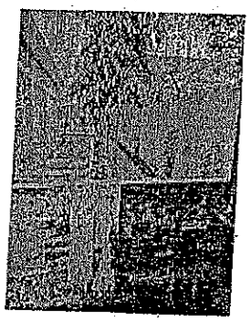
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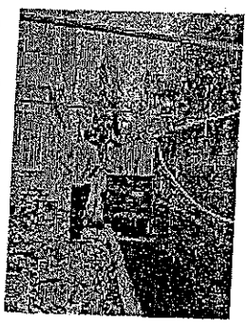
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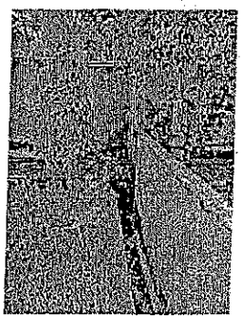
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11 JUL 2025

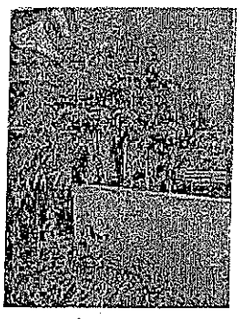
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For & behalf of Arya Erectors India Private Limited
Managing Director

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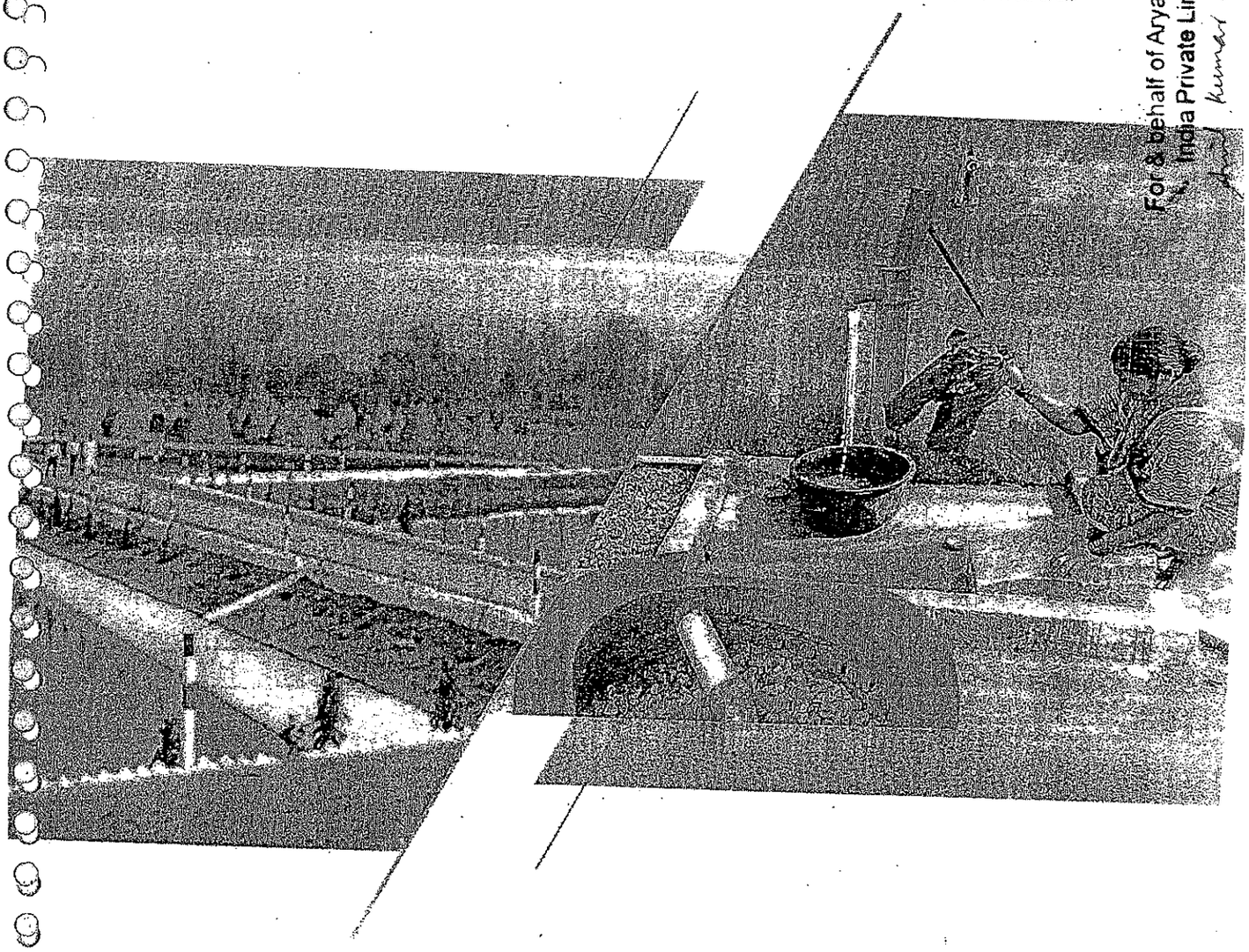
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22

पेयजल एवं स्वच्छता विभाग
जल शक्ति मंत्रालय
भारत सरकार
DEPARTMENT OF DRINKING WATER AND SANITATION
MINISTRY OF JAL SHAKTI
GOVERNMENT OF INDIA
सत्यमेव जयते

स्वच्छ भारत
एक कदम स्वच्छता की ओर

For & behalf of Arya Erectors
India Private Limited
Kumar Sharma
Managing Director



# Manual: Greywater Management

July 2021

NOTARY
Jnanada Sarma
Guwahati
Regd. No.- 42846
Expiry Dt.-
20/02/2030
GOVERNMENT OF INDIA

2025

-2X4-

## 2.1 Options for Greywater Management

### Household-level Interventions

**1. Soak Pit**

A soak pit is a dug-out pit that is filled with graded stones and gravels. The stones increase the surface area over which biological and chemical actions take place.

Installation of soak pits is also recommended near hand-pumps, stand-posts, etc. at community levels as a measure for management of the greywater generated.

**2. Leach Pit**

A leach pit is either constructed in honeycomb brick masonry with cavities in alternate layers or by stacking concrete rings having 5–6 holes in each ring.

**3. Magic Pit**

A magic pit is a covered, porous-walled chamber that allows water to slowly soak into the ground. Pre-settled effluent from a collection tank is discharged to the underground chamber.

**4. Kitchen Garden**

Greywater can be used for watering the plants in a kitchen garden. This not only solves the issue of greywater management but also reduces the demand for freshwater.

Soak-pit/leach pit/magic pit, etc. should be at a minimum distance of 1m from the twin-pits.

### Community-level Interventions

**1. Community Leach Pit**

This is a brick-lined pit constructed at a convenient place for a group of houses. The number of houses to be connected should be calculated based on the greywater discharged from each house and the space available for the community leach pit. Greywater from the houses (wastewater from kitchen, bathing and washing areas) should be carried to this pit.

**2. Waste Stabilization Pond (WSP)**

A waste stabilization pond (WSP) is a series of shallow man-made basins that facilitate digestion of organics in greywater through natural processes, within the stipulated retention time. A WSP comprises of anaerobic, facultative, and maturation ponds.

For & behalf of Arya Erectors India Private Limited
Managing Director



11 JUL 2025

NOTARY Jnanajit Barma Guwahati Regd. No.- 42846 Expiry Dt.- 20/02/2030

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For & behalf of Arya Erectors India Private Limited
Managing Director

**3. Decentralized Wastewater Treatment System (DEWATS™)**

DEWATS is a proven nature-based treatment technology suitable for wastewater treatment including greywater which works under the action of gravity, negating the requirement of any electromechanical components and hence providing the advantage of minimal maintenance. The DEWATS module for each project situation can be customized based on the different quantities and quality of incoming wastewater. DEWATS follows four stages of treatment, namely – pre-treatment, solid liquid separation, treatment of liquid component, and polishing of the effluent, which can be designed based on the characteristics of inflow water and the level of treatment required.

**4. Constructed Wetland (CW)**

A horizontal flow constructed wetland (CW) is a planted filter bed for the treatment of wastewater (e.g. greywater or blackwater). It is a large gravel and sand-filled channel that is planted with aquatic vegetation. As wastewater flows horizontally through the channel, the filtration material filters out particles and microorganisms degrade the organic bodies present.

**5. Phytorid Technology**

Phytorid is a scientifically developed systematic treatment methodology for wastewater. It combines physical, biological and chemical processes. It is a scalable technology that works on gravity and has a low electric power requirement. It is also easy to maintain.

The treatment systems mentioned above (2, 3,4 and 5) should be adopted in case 75 per cent of the population of the village cannot be covered by either individual solutions or community-level leach pit and kitchen gardens.

### Conveyance Systems

**1. Closed Drains**

These drains are preferably a trapezoidal section with a half round at the base used for conveyance of greywater from the generation source to the designated treatment unit. They are either covered with removable reinforced cement concrete (RCC) covers or Shahabad tiles or any other material recommended by the state/district administration.

**2. Small Bore Pipe System**

Small bore sewer systems are designed to receive only the liquid portion of household greywater for off-site treatment and disposal. Grit, grease and floating materials are separated from the waste flow in interceptor tanks.

## 2.2 Criteria for Selection of Appropriate Technologies

The system adopted by villages will be the key for developing greywater management infrastructure. The adopted system should be based on the existing situation and the assets villages have. Depending upon the situation, any system based on the criteria mentioned below can be adopted. A more detailed matrix has been provided in Annexure 1 for reference with an illustrative example.

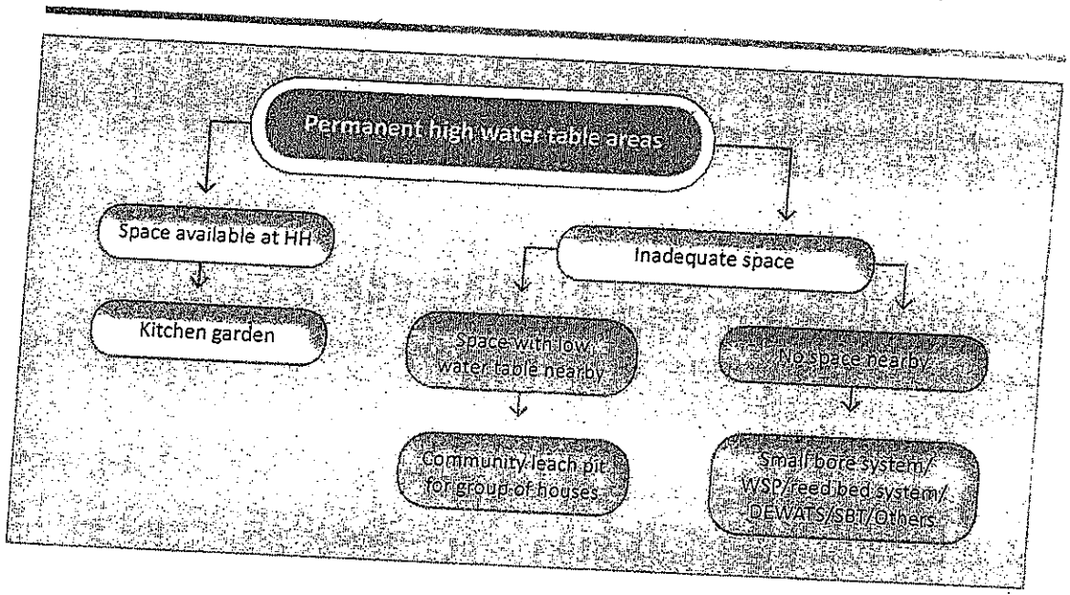


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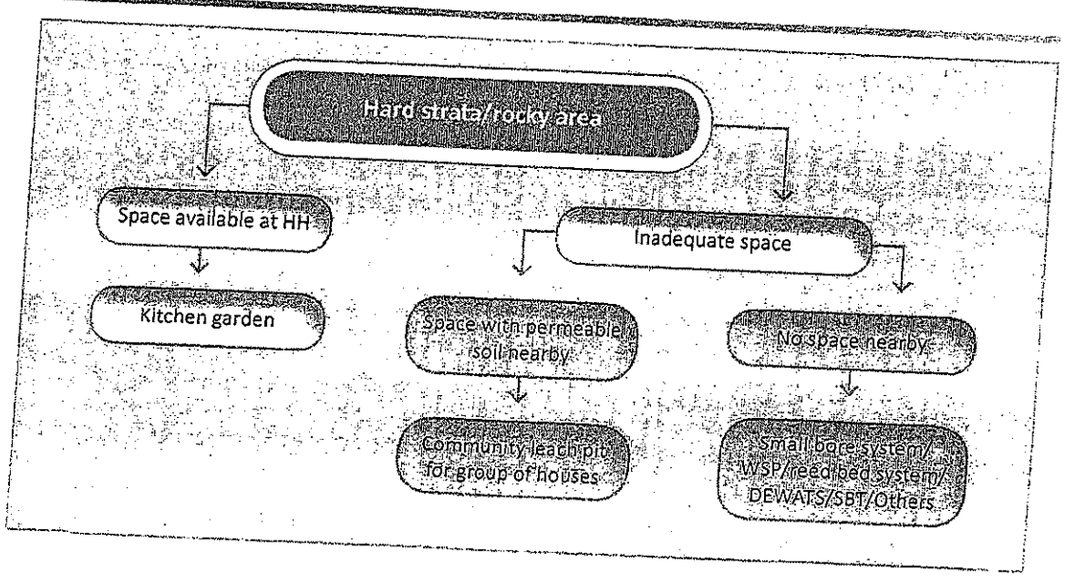
**Figure 4:** For Areas with Seasonal or Permanent High-Water Table/Waterlogged Areas/ Flood-prone Areas




Special considerations for areas with extremely low temperatures (below freezing point):

Household-level treatment technologies/interventions must be adopted. Soak pits/leach pits/magic pits need to be placed at a depth of 1–1.5 m below ground level.

**Figure 5:** For Areas with Hard Strata (Rocky Strata)




For & behalf of Arya Erectors India Private Limited
Managing Director



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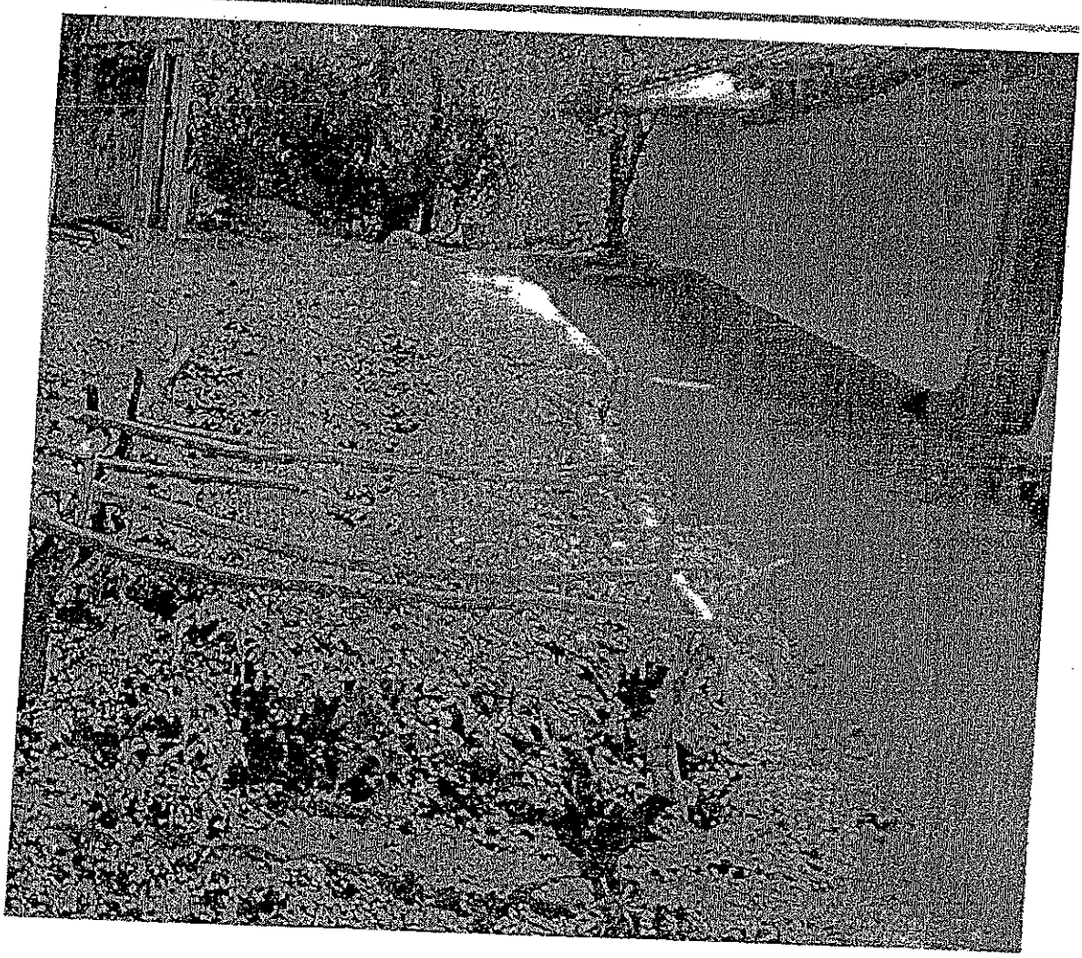
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## 3.4 Kitchen Garden

### 3.4.1. Background

The development of a kitchen garden is a good option for greywater management at the household level where adequate space is available. It not only solves the issue of greywater management, but also reduces the demand for freshwater for growing vegetables. If planned scientifically and strategically, a kitchen garden can be used to grow fresh fruits and vegetables and thus to help in providing nutrition to the entire family. However, this intervention can be adopted only when it is assured that greywater used for irrigation is not touched by any overflow from septic tanks.

**Image 5:** Kitchen Garden at the Household Level



For & behalf of Arya Erectors India Private Limited

Managing Director



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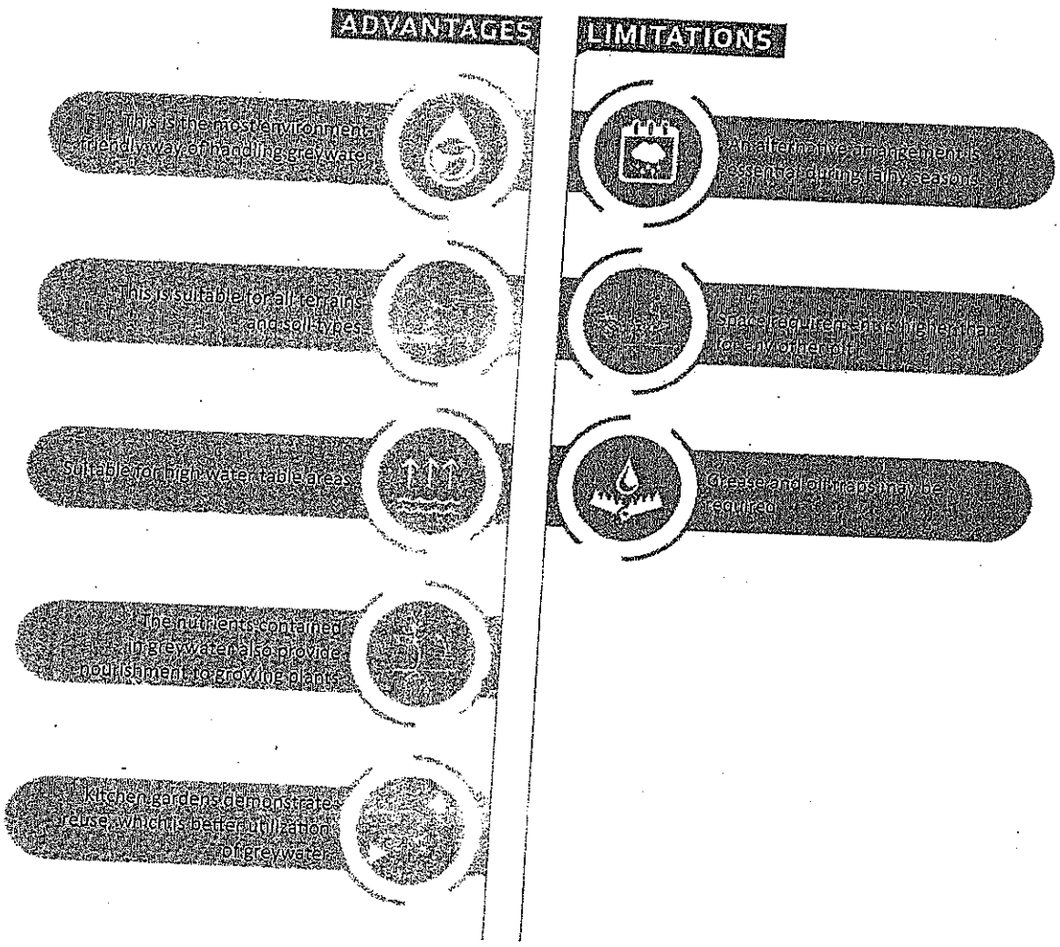
For & behalf of Arya Erectors India Private Limited
Managing Director

## 3.4.2. Feasibility

### a. Geographical Requirement

Kitchen gardens or the use of greywater for irrigation can be adopted in all regions with plants, and the watering interval chosen to suit local weather conditions.

### b. Appropriateness of the Technology




## 3.4.3 Technical Details

### a. Design, Specification and Construction

A kitchen garden should be placed near the house to avoid expenditure on pipes for carrying water. A few considerations like space availability, the quantity of greywater generated and the species of plants that can be grown, need to be considered while designing a kitchen garden at the household or



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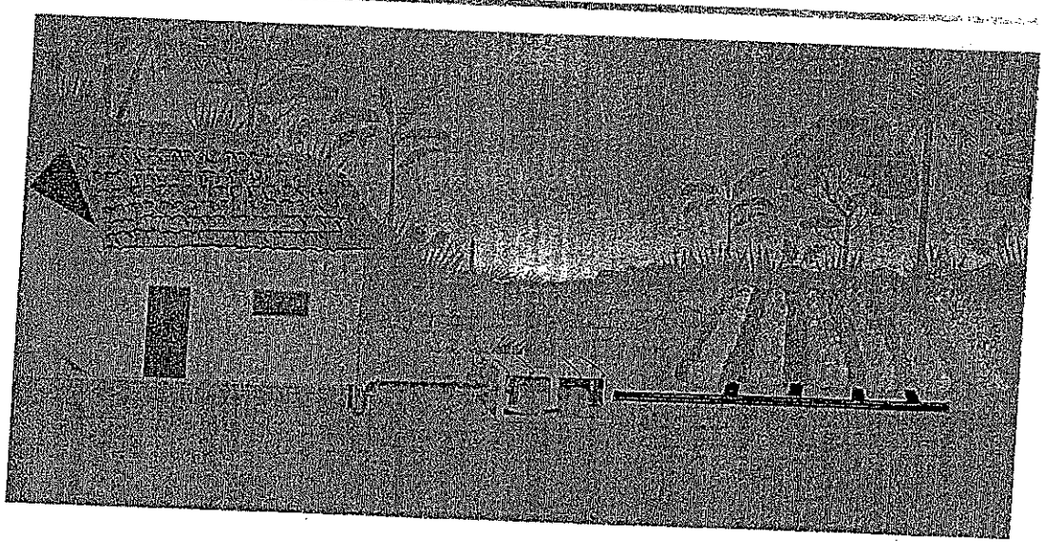
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Jnanajit Sarma
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Regd. No.- 42846
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community level. Local conditions and practices should play important roles when the kitchen garden option for greywater management is adopted. A soak pit may be established along with a kitchen garden to divert any excess water, as well as to facilitate its disposal in the monsoon.

The household greywater must pass through *nahani* traps for the removal of impurities. An additional provision of a silt chamber may be provided to remove grit and suspended solids, and oil and grease, particularly for greywater that is generated from kitchen water in which large oil production takes place. Oil and grease present in the greywater is deposited in the form of scum in the siltation chamber. This kind of chamber should only be provided when the greywater has quite a lot of oil and grease. There should be a provision for a p-trap from the silt chamber to the kitchen garden. This method ensures clean water in the kitchen garden and eliminates the nuisance of odour and the danger of mosquito breeding. The water should be made to travel through a filter strip covered with 300–450 mm of gravel before it reaches the kitchen garden.

**Figure 15:** Kitchen Garden



For & behalf of Arya Erectors India Private Limited
Managing Director



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### b. Operational Details

Greywater is applied to plants directly as it flows, or it can be stored as needed. Plants of specific species that have the ability to absorb only water and nutrients are used for this purpose. The organic impurities in the incoming water are decomposed in the soil, and act as manure, and aid in the growth of the plants.

The water requirement of plants varies according to the species, seasons, and the type of soil they grow in. All these factors should be given due importance while designing a kitchen garden. Plants like banana, papaya, drumsticks, etc. can be planted in a kitchen garden. The use of greywater should be avoided for leafy, tuberous and other underground vegetables.

### c. Operation and Maintenance

- Seeds and saplings, manure, insecticides, etc. should be arranged as per the requirement. In addition, tools and equipment for gardening are also required.
- Deposited organic matter, inert materials, salts, etc. need to be removed at regular intervals so that pores do not get clogged and there is sufficient air circulation near the root system of the plants.
- In the rainy season, greywater is not required for the kitchen garden. At that time it should be diverted and treated in other systems such as a leach pit to avoid stagnation of water and vector breeding.
- Precautions should also be taken to avoid the use of strong detergents and chemicals, because they may remain as a residue on the plants grown. If such chemicals are used, greywater must not be used to grow tubers (potato, onion, etc.).

## 3.4.4 Financial Details

The total cost required for the kitchen garden unit at the household level includes the cost of a storage tank (optional) and seeds or saplings to be used for cultivation. About 1.5–2 $m^2$ area is required for greywater management through the kitchen garden. However, the area requirement and the volume of water it can accommodate depends on the soil, local weather conditions, and the plant species being grown. Thus, the cumulative cost required for developing household-level units is Rs. 600 in addition to the cost of a soak pit, as detailed in Section 3.1.

The cost incurred can be borne by the households themselves or through MGNREGS, the 15th FC GP funds, or in convergence with other schemes.

The O&M cost is low and will be the same as is required for the maintenance of a soak pit.

For & behalf of Arya Erectors India Private Limited
Managing Director



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## CASE STUDY

**Backyard Nutritional Kitchen Gardening: A Success Story of Odisha[10]**

"Sustainable livelihood improvement through integrated freshwater aquaculture, horticulture and livestock development in Mayurbhanj, Keonjhar and Sambalpur districts of Orissa" through backyard kitchen gardening (bari) was a model proposed by the Central Horticultural Experiment Station, Bhubaneswar.

Through this model, the farmers were encouraged to cultivate diverse vegetables and fruits primarily for home consumption. They were provided with initial critical inputs and a pack of assorted seeds containing seasonal vegetables having a combination of leguminous plants, fruits, roots, and leafy vegetables such as okra, bitter gourd, ridge gourd, cowpea, cluster bean, cucumber, pumpkin, bottle gourd, snake gourd, palak/spinach, drumstick, brinjal, chilli, tomato, etc.

They were also provided with fruit crops such as papaya, banana, guava, mango, pineapple, etc. The model has been a success in several adopted villages. The collateral benefit of this model has been the empowerment of farm women through increased participation in cultivation practices in baris and earnings from selling the excess produce in local markets.

Mrs. Tikina Dehury, wife of Shri Lokanath Dehury is a successful backyard kitchen gardener from Bhatunia village of the Sadar cluster of Keonjhar district. She had studied up to class VIII and did not have any prior knowledge of kitchen gardening. Through this model, she received a vegetable seed kit for bari development. She adopted the technology and obtained 900 kg of bari vegetable produce. Out of the produce, 650 kg was consumed by her family and 250 kg was sold in the local haat, for which Mrs. Dehury earned a gross income of Rs. 11,500 in a year. She is happy to have been able to enhance the nutritional status of her family and at the same time, earn an additional income from the sale of surplus produce.



For & behalf of Arya Erectors India Private Limited
Managing Director



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Fresh Air
Waste Management Services Pvt. Ltd.

## Proforma Invoice

| | | | |
|---|---|---|---|
| **Name** | Arya Smart Living | **No.** | FR/ETP/1617/ 016 |
| **Address:** | Abhaypur, North Guwahati. | **Date:** | 20-Dec-16 |
| **TIN NO:** | 18580091685 | **Order No.** | AEI/STP/2016/91/002 |
| **PAN NO:** | AABCF4672P | **Date:** | 08-12-2016 |
| **Service Tax No** | AABCF4672PSD001 | | |
| **Account Details** | Account No 200003942813 of IndusInd Bank Guwahati | | |

**IFSC Code** INDB0000038

| Sl.No. | Description | Amount (Rs.) |
|---|---|---|
| 1 | Design and Engineering, Consultancy, Supervision, and Erection and Commissioning works | 30,000.00 |
| 2 | Supply of Machineries e.g. screening system, FRP lined aerobic system with MBBR, flux mixing with flocculation, RSF, ACF, pumps, compressor, air supply system, electrical accessories pipes and fittings etc. | 11,70,000.00 |
| | **Total** | 12,00,000.00 |
| | **Service Tax (15 % on Item no 1)** | 4,500.00 |
| | **VAT (6% on item no 2)** | 70,200.00 |
| | **Grand Total** | 12,74,700.00 |
| | **Payable as advance (30% of the Total Value)** | 3,82,410.00 |

**Rupees Three Lakhs Eighty Two Thousand Four Hundred Ten Only.**

for & behalf of Arya Erectors India Private Limited
Managing Director

**Authorised Signatory** **Received By**

1 st Floor, 535 A. T. Road (Near SBI), Bharalumukh, Guwahati-9
Telephone : +91 361 2734297 (0), Fax : +91 361 2734297
Mob. : +91 9864064319 (Director), +91 9435190238 (Customer Service)
e-mail : info @ freshairindia.com URL : http://freshairindia.com

Service Provider and Consultants for Waste Management

NOTARY
Jnanaja Sarma
Guwahati
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FORCETECH

For & behalf of Arya Erectors India Private Limited
Managing Director

**3rd Party Inspection Report :**

Type of Equipment : STP (Sewage Treatment Plant)
Inspected at : ARYA SMART LIVING
Abhaypur, North Guwahati 781030
Date of Inspection : 15.11.2018

**Physical Verification :**

| Sl No | Item | Remark |
|---|---|---|
| 1 | Flow Diagram | Found OK |
| 2 | Pumps & Motors | OK |
| 3 | Tanks & Pipes | OK |
| 4 | Electrical Equipment | OK |

**Chemical Verification :**

| Sl No. | Item | Remark |
|---|---|---|
| 1 | Bacteriological Consumables | Applied<br>Name : EM Solution |
| 2 | Disinfectant | Sodium Hypochlorite |
| 3 | Treated sample test at PCBA Authorized Laboratory | Report Found OK |

**Operational Verification :**

The STP was run continuously for 8 hours and found to functioning properly.

Inspection done by :

FORCETECH ENGINEERING GUWAHATI
Dhiman Deka
Authorised Signatory



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Regd. No.- 42846
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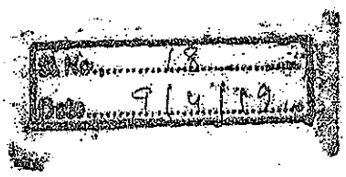



For & behalf of Arya Erectors India Private Limited
Anil Kumar Sarma
Managing Director

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## DEED OF AGREEMENT

THIS DEED OF AGREEMENT is made on this 08th day of April 2019 at Amingaon Guwahati-781031

**BETWEEN**

M/S ARYA ERECTORS INDIA PRIVATE LIMITED, a Company registered under the Companies Act, 1956, Head Office: H. No. 123, Arya Smart Living, Vill: Abhaypur, Mouza: Sila-Sindurighopa, Dist: Kamrup, Assam, PIN-781031 represented by its Managing Director, Mr. Anil Kumar Sarma, S/O Late Pabindra Nath Sarma, resident of House No.20, Happy Villa, Boloram Bora Road, Barowari, P.O. Silpukhuri, Guwahati-781003 herein with called as the "LAND OWNER & DEVELOPER" which expression unless repugnant to the context or meaning thereof shall include the Company's representatives, assign, administrators and successors in interest on ONE PART hereinafter called as FIRST PARTY.

1 Rama Krishna Newar

Banti Baishya
NOTARY, GOVT. OF ASSAM
Kamrup (Metro), Guwahati
Regd. No: KAM-22

Jnanaji Sarma
Guwahati
Regd. No.- 42846
Expiry Dt.- 20/02/2030
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**AND**

"Arya Smart Living Group Housing Cooperative Society Limited" represented by its President, Mr. Rama Krishna Newar, which includes to mean Phase-I & Phase-II of the project (In short, the name should be ASLG HSG. Coop. Soc. Ltd.), address: Arya Smart Living, Vill: Abhaypur, North Guwahati, Dist: Kamrup, Assam herein after called as SECOND PARTY (which expression unless repugnant to the context shall mean and include their heirs, executors, administrators and assigns) etc. of the SECOND PARTY.

WHEREAS the FIRST PARTY "ARYA ERECTORS INDIA PRIVATE LIMITED", was formed with the objectives to deal in real estate and housing schemes and has been undertaking Group Housing Residential schemes and Group Housing Residential project on behalf of a SOCIETY/ Association of Persons for its subscribed members on the plot of land (more particularly described in schedule 'A') owned by the FIRST PARTY for the aforementioned purpose.

**AND WHEREAS**, First Party being undisputed owner over a plot of land measuring 30 Bigha 0 Katha 4 Lecha, covered by Dag No. 1340 (19 Bigha 0 Katha 9 Lecha) of Patta No. 1113, Dag Nos. 885 (0 Bigha 1 Katha 11 Lecha), 889 (3 Bigha 2 Katha 0 Lecha) & 890 (5 Bigha 0 Katha 0 Lecha) of Patta No. 198, Dag No. 1112 (0 Bigha 1 Katha 4 Lecha) of Patta No. 1339 situated at Revenue Village-Abhaypur and Mouza – Sila Sinduri Ghopa, in the District of Kamrup (Sadar) and Dag No. 764 ( 2 Bigha 0 Katha 0 Lecha) of Patta No. 271 at Revenue Vill: North Guwahati, under Sila-Sindurighopa Mouza, in the district of Kamrup, Assam, has completed a project of housing where it (First Party) with few numbers of Villas with a total built up area of 371365 sq. ft on the plot of land mentioned in schedule 'A' after fulfilling the formalities and the said villas shall be known as **ARYA SMART LIVING**, at Abhaypur, North Guwahati.

For & behalf of Arya Erectors India Private Limited
Managing Director

For & behalf of Arya Erectors India Private Limited
Managing Director

President

Banti Baishya
Kamrup (M) Dist
Regd.No.-KAM-22
Expiry Date
22/08/2023

Banti Baishya
NOTARY GOVT. OF ASSAM
Kamrup (Metro), Guwahati
Regd. No.- KAM-22



Jnanajit Sarma
Guwahati
Regd. No.- 42846
Expiry Dt.-
20/02/2030

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**AND WHEREAS**, the First Party has agreed in favour of the Second party to use a room in the Club House of Arya Smart Living, Vill: Abhaypur, Mouza: Sila-Sindurughopa, Dist: Kamrup, Assam, as the registered office of the Second Party (more particularly described in Schedule "B") and to fix sign Board & Notice Board of the Second Party.

**AND WHEREAS**, the Second Party shall monitor and maintain the common area and common facilities which includes Front Gate, Boundary Wall, Pathway/Joggers track, Children Play area, landscape gardening, other facilities include Club House & Swimming pool, Garbage disposal plant, sewage treatment plant, water supply, generator, drainage, green area, Roads, Transformer, Electrical installation systems on common areas, Campus Security Systems, Rain Water harvesting and hostels for security.

**AND WHEREAS** it is agreed that the registered office of Arya Erectors India Pvt. Ltd. shall be exempted from payment of any charges.

**AND WHEREAS**, it is agreed that the approved persons of the Company can avail the facilities of the community hall without any charges.

**AND WHEREAS**, it is agreed that with prior notice, the Company can arrange meeting in the community hall for which no charges will be levied from the

For & behalf of Arya Erectors India Private Limited
Anil Kumar Sharma
Managing Director

For & behalf of Arya Erectors India Private Limited
Anil Kumar Sharma
Managing Director

Ramakrishna Meena

NOTARY GOVT. OF ASSAM
Banti Baishya
Kamrup (M) City
Regd.No.KAM-22
Expiry Date
22/05/2023

SCHEDULE "A"

Land measuring 30 Bigha 0 Katha 4 Lecha, covered by Dag No. 1340 (19 Bigha 0 Katha 9 Lecha) of Patta No. 1113, Dag Nos. 885 (0 Bigha 1 Katha 11 Lecha), 889 (3 Bigha 2 Katha 0 Lecha) & 890 (5 Bigha 0 Katha 0 Lecha) of Patta No. 198, Dag No. 1112 (0 Bigha 1 Katha 4 Lecha) of Patta No. 1339 situated at Revenue Village-Abhaypur and Mouza – Sila Sinduri Ghopa, in the District of Kamrup (Sadar) and Dag No. 764 ( 2 Bigha 0 Katha 0 Lecha) of Patta No. 271 at Revenue Vill: North Guwahati, under Sila-Sindurighopa Mouza, in the district of Kamrup, Assam.

9/4/19
Banti Baishya
NOTARY, GOVT. OF ASSAM
Kamrup (Metro), Guwahati
Regd. No.: KAM-22



NOTARY GOVT. OF INDIA
Jnanaji Sarma
Guwahati
Regd. No.- 42846
Expiry Dt.-
20/02/2030

'11 JUL 2019

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For & behalf of Arya Erectors India Private Limited
Managing Director

## SCHEDULE "B"

A room at the Club house of Arya Smart Living, standing over a plot of land measuring 2 Bighas covered by Dag No. 764 of K.P. Patta No. 271 of Revenue Vill: North Guwahati under Mouza: Sila-Sindurighopa in the district of Kamrup, Assam.

In witness whereof, the parties hereto have set their hands unto this agreement on 08th day of April 2019.

**Witnesses:**

1. Utkarsh Singh
S/o Late Amit Singh
Chandmari Kachari Nagar
Guwahati - 3

**FIRST PARTY**

For & behalf of Arya Erectors
India Private Limited
Managing Director

2. Umesh Das
C/o - Anajan Das
P.O & P.S - Panikhaiti
Dist - Kamrup, Assam

**SECOND PARTY**

President
ASLG HSG. Coop. Soc. Ltd.

Banti Baishya
Kamrup (M) Ghy
Regd.No.-KAM-22
Expiry Date
31/5/2023

Banti Baishya
NOTARY, GOVT. OF ASSAM
Kamrup (Metro), Guwahati
Regd. No.: KAM-22

NOTARY
Jnanada Sarma
Guwahati
Regd. No.- 42846
Expiry Dt.-
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ARYA ERECTORS
INDIA PRIVATE LIMITED
CIN : U70101AS2010PTC010190

Arya Erectors India Pvt. Ltd.
House No. 123, 'Arya Smart Living'
Abhoypur, North Guwahati, Pin-781031, Ass
Tel : +91 98596 66501
E-mail: aryaerectorsindia@gmail.com
Web: www.aryaerectorsindia.com

For & behalf of Arya Erectors
India Private Limited
Anil Kumar Sarma
Managing Director

To

Dated: 20.08.2019

The President,
Arya Smart Living Group Housing Cooperative Society Limited,
Abhaypur, North Guwahati, Assam

Sub: Handover of project related documents

Dear Sir,

Kindly find attached copies of the following documents related to the project Arya Smart Living

1. Title deeds for the total land included within the Project
2. NOC issued by GMDA for Phase 1 of the Project
3. NOC issued by Rudreswar Gaon Panchayat for Phase 2 of the Project

Kindly acknowledge receipt of the same.

Regards,
For & behalf of Arya Erectors
India Private Limited

Managing Director
Anil Kumar Sarma
Managing Director

Received
Rama Krishna Nedar
20.08.2019

NOTARY
Jnanajit Sarma
Guwahati
Regd. No.- 42846
Expiry Dt.-
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11 JUL 2025

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ANNEXURE 4

ARYA ERECTORS
INDIA PRIVATE LIMITED
CIN: U70101AS2010PTC010190

Arya Erectors India Pvt. Ltd.
House No.123, 'Arya Smart Living'
Abhoypur, North Guwahati Pin: 781031, Assa
Tel: +91 98596 66501
E-mail: aryaerectorsindia@gmail.com
Web: www.aryaerectorsindia.com

Date: 02/11/2021

For & behalf of Arya Erectors
India Private Limited
Anil Kumar Sarma
Managing Director

To
The Board of Directors
Arya Smart Living Group Housing Cooperative Society Limited
Abhaypur, North Guwahati,
P.O College Nagar, P.S Changsari,
District Kamrup 781031,
Assam

**Subject: Transfer of Common Areas**

Dear Sir,

We would like to inform that the land coming within the purview of the common area which is under the control and possession of the Arya Smart Living Group Housing Cooperative Society Limited ("Society") since the formation of the Society will be transferred by deed of conveyance/transfer deed by Arya Erectors India Private Limited to the Society within four months from the date of issuance of Occupancy Certificate by GMDA.

Please note that there will not be any consideration involved in the transfer of common area to the Society since the consideration has already been settled by way of respective sale deeds entered into by the individual buyers who are members of the Society and Arya Erectors India Private Limited.

Yours Sincerely

For Arya Erectors India Private Limited
For & behalf of Arya Erectors
India Private Limited
Managing Director

Anil Kumar Sarma
Managing Director

NOTARY
Jnanaj Sarma
Guwahati
Regd. No.- 42848
Expiry Dt.-
20/02/2030
GOVERNMENT OF INDIA

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ARYA ERECTORS
INDIA PRIVATE LIMITED
CIN: U70101AS2010PTC010190

Arya Erectors India Pvt. Ltd.
House No.123, Arya Smart Living
Abhoypur, North Guwahati, Pin 781031, Assam
Tel: +91 98559 86501
Email: aryaerectorsindia@gmail.com
Web: www.aryaerectorsindia.com

For & on behalf of Arya Erectors India Private Limited

Managing Director

To

Arya Smart Living Housing Cooperative Society Limited

Abhaypur

Guwahati 31

Dated 21st August 2019

Sub: Handing over of Diesel Generator, Sewage Treatment Plant, Transformer.

Dear Concern,

Arya Erectors India Private Limited, the developer of Arya Smart living, hereby handover the responsibility of Diesel Generator, Sewage Treatment Plant, Common Electrical Appliances and Transformer to Arya Smart Living Group Housing Cooperative Society Limited effective 1st September 2019.

Our best wishes and sincere regards.

For Arya Erectors India Private Limited.

Siddhartha Sarkar

PROJECT ENGINEER
ARYA SMART LIVING ABHOYPUR
ARYA ERECTORS (I) PVT. LTD.

Received
Rama Krishna Medhi

11 JUN 2025

NOTARY
Jnanajit Sarma
Guwahati
Regd. No.- 428/20
Expiry Dt.-
20/02/2030
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ARYA ERECTORS
INDIA PRIVATE LIMITED
CIN : U70101AS2010PTC010190

Arya Erectors India Pvt. Ltd.
House No.123, 'Arya Smart Living'
Abhoypur, North Guwahati Pin: 781031, Assam
Tel.: +91 98596 46501
E-mail: aryaerectorsindia@gmail.com
Web : www.aryaerectorsindia.com

For Arya Erectors India Private Limited

Managing Director

To

Arya Smart Living Housing Cooperative Society Limited

Abhaypur

Guwahati 31

Dated 21st Aug 2019

Sub: Handing over of Swimming Pool

Dear Concern,

Arya Erectors India Private Limited, the developer of Arya Smart living, hereby handover the responsibility of Swimming Pool (responsibility and maintenance) to Arya Smart Living Group Housing Cooperative Society Limited effective 1st September 2019.

Our best wishes and sincere regards

For Arya Erectors India Private Limited

Siddhartha Sarkar

PROJECT ENGINEER
ARYA SMART LIVING ABHOYPUR
ARYA ERECTORS (I) PVT. LTD.

NOTARY
Jnanaji Sarma
Guwahati
Regd. No.- 42846
Expiry Dt.-
20/02/2030
GOVERNMENT OF INDIA

11 JUL 2025

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ARYA ERECTORS
INDIA PRIVATE LIMITED
CIN: U70101AS2010PTC010190

Arya Erectors India Pvt. Ltd.
House No. I 23, Arya Smart Living,
Abhaypur, North Guwahati, Pin- 781031, Assam
Tel: +91 98596 66501
E-mail: aryaerectorsindia@gmail.com
Web: www.aryaerectorsindia.com

For Arya Erectors India Private Limited

(Managing Director)

To

Arya Smart Living Housing Cooperative Society Limited

Abhaypur

Guwahati-31

Dated 1st July 2019

Sub: Handing over of Security

Dear Concern,

Arya Erectors India Private Limited, the developer of Arya Smart living, hereby handover the responsibility of Security (responsibility and manpower) to Arya Smart Living Group Housing Cooperative Society Limited effective 1st August 2019.

Our best wishes and sincere regards

For Arya Erectors India Private Limited

Siddhartha Sarkar

PROJECT ENGINEER
ARYA SMART LIVING ABHOYPUR
ARYA ERECTORS (I) PVT. LTD.

Received
Rajiva Kashyap 1/7/2019

NOTARY
Jnanajit Sarma
Guwahati
Regd. No.- 42846
Expiry Dt.-
20/02/2030
GOVERNMENT OF INDIA

11 JUL 2025

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ARYA ERECTORS
INDIA PRIVATE LIMITED
CIN: U70101AS2010PTC010190

Arya Erectors India Pvt. Ltd.
House No.123, Arya Smart Living
Abhoypur, North Guwahati, Pin-781031, Assam
Tel: +91 98598 66501
E-mail: aryaerectorsindia@gmail.com
Web: www.aryaerectorsindia.com

To

Arya Smart Living Housing Cooperative Society Limited

Abhaypur

Guwahati 31

Dated 21st June 2019

Sub: Handing over of Cleaning, Grass cutting, Garbage Collection and Maintenance

Dear Concern,

Arya Erectors India Private Limited, the developer of Arya Smart living, hereby handover the responsibility of cleaning, garbage collection and grass cutting to Arya Smart Living Group Housing Cooperative Society Limited effective 26th June 2019.

Our best wishes and sincere regards

For Arya Erectors India Private Limited

Siddhartha Sarkar

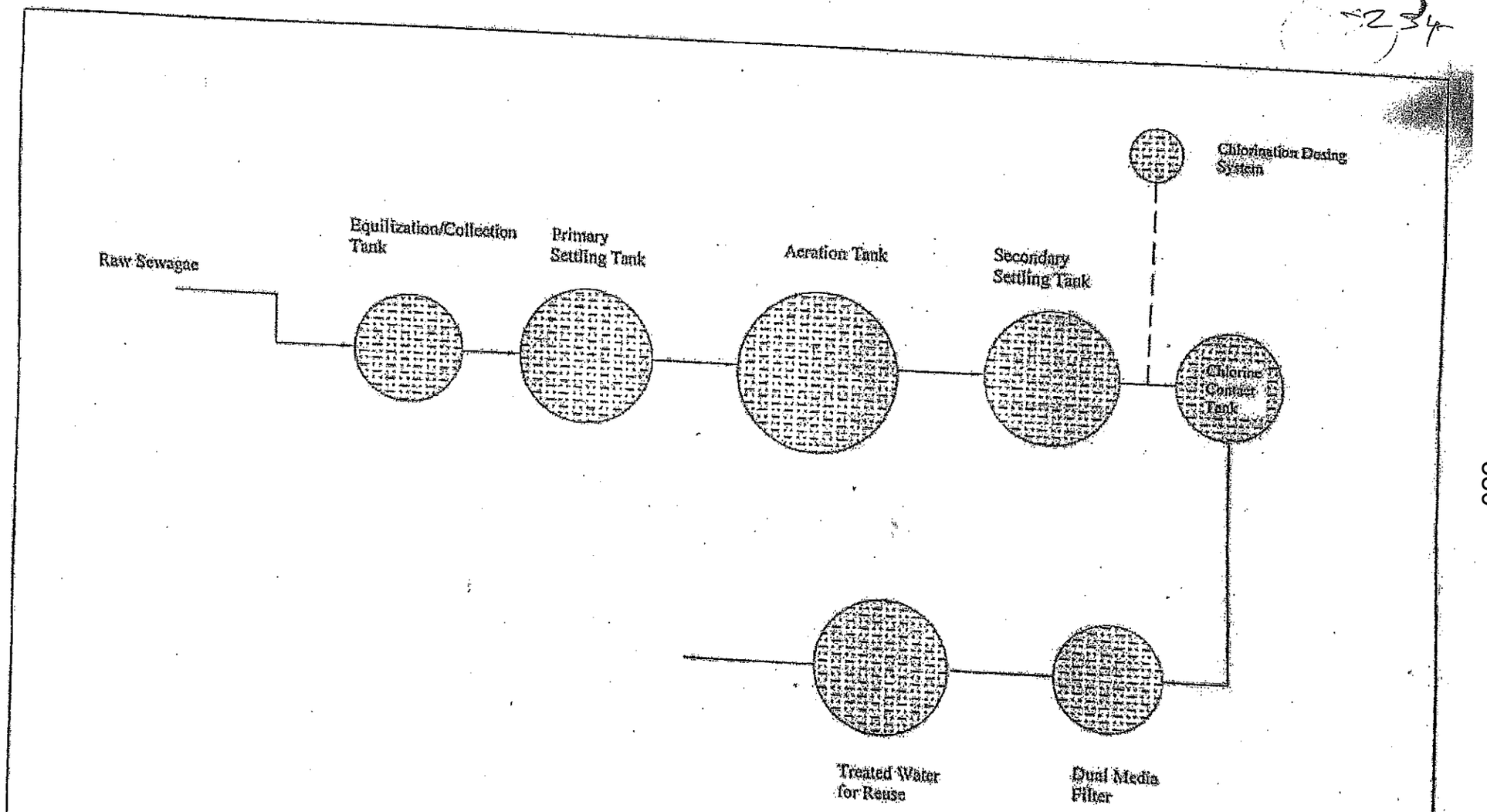
PROJECT ENGINEER
ARYA SMART LIVING ABHOYPUR
ARYA ERECTORS (I) PVT. LTD.

Received
Rekha Krishna Neelam

India Private Limited
Managing Director

NOTARY
Jnanaji Sarma
Guwahati
Regd. No.- 42846
Expiry Dt.-
20/02/2030
GOVERNMENT OF INDIA

11 JUL 2025




SEWAGE TREATMENT PLANT

For & behalf of Arya Erectors India Private Limited

Managing Director

NOTARY GOVERNMENT OF INDIA
Jnanada Sarma
Guwahati
Regd. No.- 42846
Expiry Dt.
2002/2003

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## LIST OF TREES AT ARYA SMART LIVING

| PHASE 1 | | |
|---|---|---|
| SL NO. | TREE NAME | NO. |
| 1 | BANANA TREES | MANY |
| 2 | SYZIUM | 170 |
| 3 | ARECA PALM | 113 |
| 4 | BAMBOO | 95 |
| 5 | SEWALI | 42 |
| 6 | DEBODARU | 37 |
| 7 | BAKUL | 32 |
| 8 | OTHER TREES | 23 |
| 9 | MANGO | 20 |
| 10 | NEEM | 17 |
| 11 | GUAVA | 10 |
| 12 | AZAR | 9 |
| 13 | LEMON | 9 |
| 14 | KRISHNACHURA | 9 |
| 15 | HIBISCUS | 9 |
| 16 | PINE | 6 |
| 17 | KORES TREE | 6 |
| 18 | JAMUN | 5 |
| 19 | FIDDLE LEAF | 4 |
| 20 | COCONUT | 4 |
| 21 | BOGORI | 4 |
| 22 | KHILIKHA | 4 |
| 23 | AMLOKHI | 3 |
| 24 | POMEGRANETE | 3 |
| 25 | KADAM | 3 |
| 26 | IXORA | 3 |
| 27 | TAMUL | 3 |
| 28 | FICUS | 2 |
| 29 | PLUMERIA | 2 |
| 30 | JAPANESE AZAR | 2 |
| 31 | RUBBER | 2 |
| 32 | KAMNI KANCHAN | 2 |
| 33 | BAEL TREE | 2 |
| 34 | RED & WHITE FLOWER | 2 |
| 35 | BUDDHA BAMBOO | 2 |
| 36 | FAN PALM | 1 |
| 37 | GOLDEN HAZE | 1 |
| 38 | TICOMA | 1 |
| 39 | AHOT | 1 |
| 40 | MORINGA | 1 |
| 41 | NAHOR | 1 |
| 42 | RADHA SURA | 1 |
| 43 | SAGUN | 1 |
| 44 | JACK FRUIT | 1 |
| 45 | JETUKA | 1 |
| 46 | COTTON TREE | 1 |
| 47 | CURRY LEAF | 1 |
| 48 | ELEPHANT APPLE | 1 |
| | TOTAL | 672 |

| PHASE 2 | | |
|---|---|---|
| SL NO. | TREE NAME | NO. |
| 2 | SYZIUM | 34 |
| 1 | BAKUL | 24 |
| 3 | KAMNI KANCHAN | 23 |
| 4 | NEEM | 12 |
| 5 | BOUGAN VILIA | 7 |
| 6 | PLUMERIA | 7 |
| 7 | TOGOR | 6 |
| 8 | OTHER TREES | 4 |
| 9 | FICUS | 3 |
| 10 | JACK FRUIT | 3 |
| 11 | BAEL TREES | 3 |
| 12 | NAHOR | 3 |
| 13 | AZAR | 3 |
| 14 | ARECA PALM | 2 |
| 15 | KRISHNACHURA | 2 |
| 16 | TAMUL | 2 |
| 17 | PINE | 1 |
| | TOTAL | 139 |

For & behalf of Arya Erectors India Private Limited
Managing Director

NOTARY
Jnanaj Sarma
Guwahati
Regd. No.- 42040
Expiry Dt.- 20/02/2030
GOVERNMENT OF INDIA

11 JUL 2025

ARYA ERECTORS
INDIA PRIVATE LIMITED
CIN : U70101AS2010PTC010190

Arya Erectors India Pvt. Ltd.
House No.123, 'Arya Smart Living'
Abhaypur, North Guwahati Pin: 781031, As
Tel : +91 98596 66501
E-mail : aryaerectorsindia@gmail.com
Web : www.aryaerectorsindia.com

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Date: 14/07/2022

For & on behalf of Arya Erectors India Private Limited
Managing Director

To,

The Chairman
State Environment Impact Assessment Authority (SEIAA)
Bamunimaidam, Guwahati-781021

Sub: **APOLOGY FOR NON COMPLYING TO THE INSTRUCTIONS AND FOR DELAYED SUBMISSION OF COMPLIANCE REPORTS.**

Ref. Environmental Clearance Letter **F. No. SEIAA.07/2013/10**, Dated 21st January, 2014.

Dear Sir,

We were issued the Environment Clearance in reference to the No. and date stated above for our project Arya Smart Living at Abhaypur, North Guwahati, Dist: Kamrup, Assam. As per instructions, we were supposed to submit the periodic compliance reports for the environmental clearance mentioned above. We have tried to maintain the conditions of the Environmental Clearance and also prepared the reports on timely basis. But, due to inadvertent mistake and considering the pandemic situation we were unable to submit the reports in time. **This letter is to express our sincere apology for not adhering to your instructions with regards to submission of periodic compliances of Arya Smart Living. We regret our behavior and realize that we should not have ignored the instructions given by your Authority.** This non-compliance has caused issues for the organization.

**We assure you that this will not happen next time. Thank you for putting your faith in us, and we hope you will accept our apology.**

Kindly accept the periodic compliance reports that were due from January 2014 to June 2019

With our sincerest apology and best regards.

For Arya Erectors India Pvt. Ltd.

Arya Erectors India Pvt. Ltd. Guwahati

(Amarendra Mazumdar)
Manager (Admin) cum OSD

Encl: Compliance reports for the period from January 2014 to June 2019

Received 11 nos Compliance reports from 2014 to June 19
14/7/22

14/7/22

NOTARY
Jnanajit Sarma
Guwahati
Regd. No.- 42846
Expiry Dt.- 20/02/2030
GOVERNMENT OF INDIA

11 JUL 2025

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FOR INTERNAL USE

MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE

New Delhi August, 2015

## Notification

S.O. 1533 Whereas, a draft notification **under sub-rule (3) of Rule 5 of the Environment (Protection) Rules, 1986 for imposing** certain restrictions and prohibitions on new projects or activities, or on the expansion or modernization of existing projects or activities based on their potential environmental impacts as indicated in the Schedule to the notification, being undertaken in any part of India[1], unless prior environmental clearance has been accorded in accordance with the objectives of National Environment Policy **as approved by the Union Cabinet on 18th May, 2006** and the procedure specified in the notification, by the Central Government or the State or Union territory Level Environment Impact Assessment Authority (SEIAA), to be constituted by the Central Government in consultation with the State Government or the Union territory Administration concerned under sub-section (3) of section 3 of the Environment (Protection) Act, 1986 for the purpose of this notification, was published in the Gazette of India ,Extraordinary, Part II, section 3, sub-section (ii) vide number S.O. 1324 (E) dated the 15th September ,2005 inviting objections and suggestions from all persons likely to be affected thereby within a period of sixty days from the date on which copies of Gazette containing the said notification were made available to the public;

And whereas, copies of the said notification were made available to the public on 15th September, 2005;

And whereas, all objections and suggestions received in response to the above mentioned draft notification have been duly considered by the Central Government;

Now, therefore, in exercise of the powers conferred by sub-section (1) and clause (v) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986, read with clause (d) of sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986 and in supersession of the notification number S.O. 60 (E) dated the 27th January, 1994, except in respect of things done or omitted to be done before such supersession, the Central Government hereby directs that on and from the date of its publication the required construction of new projects or activities or the expansion or modernization of existing projects or activities listed in the Schedule to this notification entailing capacity addition with change in process and or technology shall be undertaken in any part of India only after the prior environmental clearance from the Central Government or as the case may be, by the State Level Environment Impact Assessment Authority, duly constituted by the Central Government under sub-section (3) of section 3 of the said Act, in accordance with the procedure specified hereinafter in this notification.

[1]Includes the territorial waters



Managing Director
India Private Limited

NOTARY
Jnanajit Sarma
Guwahati
Regd. No.- 42846
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**FOR INTERNAL USE**

For & Behalf of Any Directors
India Private Limited
Managing Director

No reference to the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned is necessary in such cases.

**12. Operation of EIA Notification, 1994, till disposal of pending cases:**

From the date of final publication of this notification the Environment Impact Assessment (EIA) notification number S.O.60 (E) dated 27th January, 1994 is hereby superseded, except in suppression of the things done or omitted to be done before such suppression to the extent that in case of all or some types of applications made for prior environmental clearance and pending on the date of final publication of this notification, the Central Government may relax any one or all provisions of this notification except the list of the projects or activities requiring prior environmental clearance in Schedule I , or continue operation of some or all provisions of the said notification, for a period not exceeding twenty four months from the date of issue of this notification.

**[No. J-11013/---/2015-IA-II (I)]**
**JOINT SECRETARY TO THE GOVERNMENT OF INDIA**

Note: The principal rules were published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section(ii) vide notification number S.O. 1533(E), dated the 14th September, 2006 and amended vide S.O.1737(E) dated the 11th October, 2007, S.O. 3067(E) dated the 1st December, 2009, S.O.695(E) dated the 4th April, 2011, S.O.2896(E) dated the 13th December, 2012 , S.O.674(E) dated the 13th March, 2013, S.O.2204(E) dated the 19th July, 2013, S.O.2555(E) dated the 21st August, 2013, S.O.2559(E) dated the 22nd August, 2013, S.O. 2731(E) dated the 9th September, 2013, S.O. 562(E) dated the 26th February, 2014 , S.O.637(E) dated the 28th February, 2014, S.O.1599(E) dated the 25th June, 2014, S.O. 2601 (E) dated 7th October, 2014, S.O. 2600 (E) dated 9th October, 2014, S.O. 3252(E) dated 22nd December, 2014, S.O. 382 (E) dated 3rd February, 2015, S.O. 811(E) dated 23rd March, 2015, S.O. 996 (E) dated 10th April, 2015, S.O. 1142 (E) dated 17th April, 2015, S.O. 1141 (E) dated 29th April, 2015 and S.O.1834 (E) dated the 6th July, 2015.

## SCHEDULE

**(See paragraph 2 and 7)**

**LIST OF PROJECTS OR ACTIVITIES REQUIRING PRIOR ENVIRONMENTAL CLEARANCE**

| Project or Activity | | Category with threshold limit | | Conditions if any |
|---|---|---|---|---|
| | | A | B | |
| 1 | | Mining, extraction of natural resources and power generation (for a specified production capacity) | | |
| (1) | (2) | (3) | (4) | (5) |



NOTARY
Jnanajit Sarma
Guwahati
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GOVERNMENT OF INDIA

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**FOR INTERNAL USE**

For & behalf of Arya Erectors India Private Limited
Managing Director

| | | | | |
|---|---|---|---|---|
| | | | | Management Plan (EMP) was prepared and environmental clearance obtained. |
| 7(f) | Highways | i) New National High ways; and<br><br>ii) Expansion of National High ways greater than 100 km involving additional right of way or land acquisition greater than 40m on existing alignment and 60 m on re-alignment or by-passes | i) All New State Highway Projects;<br><br>ii) State Highway expansion projects in hilly terrain (above 1000 m AMSL) and or ecologically sensitive areas. | General Condition shall apply<br><br>Note:<br>Highways include expressways. |
| 7(g) | Aerial ropeways | (i)All projects located at altitude of 1000 mtr. and above;<br>(ii)All projects located in notified ecologically sensitive areas. | All projects except those covered in column (3). | General Condition shall apply |
| 7(h) | Common Effluent Treatment Plants (CETPs) | | All projects | General Condition shall apply |
| 7(i) | Common Municipal Solid Waste Management Facility (CMSWMF) | | All projects | General Condition shall apply |
| 8 | | **Building or Construction projects or Area Development projects and Townships** | | |
| 8(a) | Building and Construction projects | | ≥20000 sq.mtrs and <1,50,000 sq.mtrs. of built up area | The term "built up area" for the purpose of this Notification the built up or covered area on all the floors put together including its basement and other service areas, which |



NOTARY * Jnanaj Sarma Guwahati Regd. No.- 42646 Expiry Dt.- 20/02/2030 * GOVERNMENT OF INDIA

1 JUL 2025

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FOR INTERNAL USE

For & behalf of Arya Erectors India Private Limited
Managing Director

| | | | | |
|---|---|---|---|---|
| | | | | are proposed in the building or construction projects.<br><br>**Note 1.-** The projects or activities shall not include industrial shed, school, college, hostel for educational institution, but such buildings shall ensure sustainable environmental management, solid and liquid waste management, rain water harvesting and may use recycled materials such as fly ash bricks.<br><br>**Note-2.-** "General Conditions" shall not apply. |
| 8(b) | Townships and Area Development projects. | | Covering an area of > 50 ha and or built up area > 1,50,000 sq .mtrs | A project of Township and Area Development Projects covered under this item shall require an Environment Assessment report and be apprised as Category 'B1' Project.<br><br>**Note.-** "General Conditions" shall not apply. |

**Note:-**

**General Condition (GC):**

Any project or activity specified in Category 'B' will be appraised at the Central Level as Category 'A', if located in whole or in part within 5 km from the boundary of: (i) Protected Areas notified under the Wild Life (Protection) Act, 1972 (53 of 1972); (ii) Critically Polluted areas as notified by the Central Pollution Control Board constituted under the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974) from time to time; (iii) Eco-sensitive areas as notified under sub-section (2) of section 3 of the Environment (Protection) Act, 1986, and (iv) inter-State boundaries and international boundaries; provided that for River Valley Projects specified in item 1(c), Thermal Power Plants specified in item 1(d), Industrial Estates/ parks/complexes/areas, Export Processing Zones (EPZ), Special Economic Zones (SEZs),



NOTARY Jnanajit Sarma Guwahati Regd. No.- 42846 Expiry Dt.- 20/02/2030 GOVERNMENT OF INDIA

11 JUL 2025

Part - 30 24



For & behalf of Arya Erectors India Private Limited
Anil Kumar Sharma
Managing Director

## MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE

## NOTIFICATION

New Delhi, the 9th December, 2016

S.O. 3999(E).—Whereas, by notification of the Government of India in the erstwhile Ministry of Environment and Forests number S.O.1533 (E), dated the 14th September, 2006 issued under sub-section (1) read with clause (v) of sub-section (2) of section (3) of the Environment (Protection) Act, 1986 and clause (d) of the sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986, the Central Government directed that on and from the date of its publication, the required construction of new projects or activities or the expansion or modernisation of existing projects or activities listed in the Schedule to the said notification entailing the capacity addition with change in process or technology and or product mix shall be undertaken in any part of India only after prior environmental clearance from the Central Government or as the case may be, by the State Level Environment Impact Assessment Authority, duly constituted by the Central Government under sub-section (3) of section 3 of the said Act, in accordance with the procedure specified therein;

And whereas, the said Ministry has received suggestions for ensuring Ease of Doing Responsible Business; and streamlining the permissions for buildings and construction sector which is important for providing houses and for this purpose the scheme of Housing for all by 2022 with an objective of making available affordable housing to weaker sections in urban area has ambitious target;

And whereas clause (a) of sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986 provides that, whenever the Central Government considers that prohibition or restrictions of any industry or carrying on any processes or operation in any area should be imposed, it shall give notice of its intention to do so;

And whereas, a draft notification for making amendments in the Environment Impact Assessment Notification, 2006 issued in exercise of the powers conferred under sub-section (1) and clause (v) of sub-section (2) of section (3) of the Environment (Protection) Act, 1986 read with clause (d) of the sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986 was published, vide number S.O.1595 (E) dated the 29th April 2016, inviting objections and suggestions from all the persons likely to be affected thereby, within a period of sixty days from the date of publication of said notification in the Gazette of India;

And whereas, all objections and suggestions received in response to the above mentioned draft notification have been duly considered by the Central Government;

Now, therefore, in exercise of powers conferred by sub-section (1) and clause (v) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986), read with clause (d) of sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986, the Central Government hereby makes the following further amendments in the Environment Impact Assessment Notification, 2006 namely:-

In the said Notification,-

(I) after paragraph 13, the following paragraph shall be inserted, namely:-

"14. **Integration of environmental condition in building bye-laws.-**

(1) The integrated environmental conditions with the building permission being granted by the local authorities and the construction of buildings as per the size shall adhere to the objectives and monitorable environmental conditions as given at Appendix-XIV.

(2) The States adopting the objectives and monitorable environmental conditions referred to in sub-paragraph (1), in the building bye-laws and relevant State laws and incorporating these conditions in the approvals given for building construction making it legally enforceable shall not require a separate environmental clearance from the Ministry of Environment, Forest and Climate Change for individual buildings.

(3) The States may forward the proposed changes in their bye-laws and rules to the Ministry of Environment, Forest and Climate Change, who in turn will examine the said draft bye-laws and rules and convey the concurrence to the State Governments.

(4) When the State Governments notifies the bye-laws and rules concurred by the Ministry of Environment, Forest and Climate Change, the Central Government may issue an order stating that no separate environmental clearance is required for buildings to be constructed in the States or local authority areas.

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Jnanaji Sarma
Guwahati
Regd. No.- 42846
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(5) The local authorities like Development Authorities, Municipal Corporations, may certify the compliance of the environmental conditions prior to issuance of Completion Certificate, as applicable as per the requirements stipulated for such buildings based on the recommendation of the Environmental Cell constituted in the local authority.

(6) The State Governments where bye-laws or rules are not framed may continue to follow the existing procedure of appraisal for individual projects and grant of Environmental Clearance for buildings and constructions as per the provisions laid down in this notification.

(7) For the purpose of certification regarding incorporation of environmental conditions in buildings, the Ministry of Environment, Forest and Climate Change may empanel through competent agencies, the Qualified Building Environment Auditors (QBEAs) to assess and certify the building projects, as per the requirements of this notification and the procedure for accreditation of Qualified Building Auditors and their role as given at Appendix-XV.

(8) In order to implement the integration of environmental condition in building bye-laws, the State Governments or Local Authorities may constitute the Environment Cell (herein after called as Cell), for compliance and monitoring and to ensure environmental planning within their jurisdiction.

(9) The Cell shall monitor the implementation of the bye-laws and rules framed for Integration of environmental conditions for construction of building and the Cell may also allow the third part auditing process for oversight, if any.

(10) The Cell shall function under the administrative control of the Local Authorities.

(11) The composition and functions of the Cell are given at Appendix-XVI.

(12) The Local Authorities while integrating the environmental concerns in the building bye-laws, as per their size of the project, shall follow the procedure, as given below:

**BUILDINGS CATEGORY '1' (5,000 to < 20,000 Square meters)**

A Self declaration Form to comply with the environmental conditions (Appendix XIV) along with Form 1A and certification by the Qualified Building Environment Auditor to be submitted online by the project proponent besides application for building permission to the local authority along with the specified fee in separate accounts. Thereafter, the local authority may issue the building permission incorporating the environmental conditions in it and allow the project to start based on the self declaration and certification along with the application. After completion of the construction of the building, the project proponent may update Form 1A online based on audit done by the Qualified Building Environment Auditor and shall furnish the revised compliance undertaking to the local authority. Any non-compliance issues in buildings less than 20,000 square meters shall be dealt at the level of local body and the State through existing mechanism.

**OTHER BUILDINGS CATEGORIES (≥ 20,000 Square meters)**

The project proponent may submit online application in Form 1 A alongwith specified fee for environmental appraisal and additional fee for building permission. The fee for environmental appraisal will be deposited in a separate account. The Environment Cell will process the application and present it in the meeting of the Committee headed by the authority competent to give building permission in that local authority. The Committee will appraise the project and stipulate the environmental conditions to be integrated in the building permission. After recommendations of the Committee, the building permission and environmental clearance will be issued in an integrated format by the local authority.

The project proponent shall submit Performance Data and Certificate of Continued Compliance of the project for the environmental conditions parameters applicable after completion of construction from Qualified Building Environment Auditors every five years to the Environment Cell with special focus on the following parameters:-

(a) Energy Use (including all energy sources).

(b) Energy generated on site from onsite Renewable energy sources.

(c) Water use and waste water generated, treated and reused on site.

(d) Waste Segregated and Treated on site.

(e) Tree plantation and maintenance.

After completion of the project, the Cell shall randomly check the projects compliance status including the five years audit report. The State Governments may enact the suitable law for imposing penalties for non-compliances of the

Managing Director
India Private Limited
Erectors

NOTARY
Jnanajit Sarma
Guwahati
Regd. No.- 42840
Expiry Dt.-
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-2X3-



environmental conditions and parameters. The Cell shall recommend financial penalty, as applicable under relevant State laws for non-compliance of conditions or parameters to the local authority. On the basis of the recommendation of the Cell, the local authority may impose the penalty under relevant State laws. The cases of false declaration or certification shall be reported to the accreditation body and to the local body for blacklisting of Qualified Building Environment Auditors and financial penalty on the owner and Qualified Building Environment Auditors.

No Consent to Establish and Operate under the Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981 will be required from the State Pollution Control Boards for residential buildings up to 1,50,000 square meters.";

(II) In the Schedule, for item 8 and the entries relating thereto, the following item and entries shall be substituted, namely:-

| (1) | (2) | (3) | (4) | (5) |
|---|---|---|---|---|
| "8 | | Building / Construction projects / Area Development projects and Townships | | |
| 8 (a) | Building and Construction projects | | ≥ 20,000 sq. mtrs and < 1,50,000 sq. mtrs of built up area | The term "built up area" for the purpose of this notification is the built up or covered area on all floors put together including its basement and other service areas, which are proposed in the buildings and construction projects.<br>Note 1. The projects or activities shall not include industrial shed, universities, college, hostel for educational institutions, but such buildings shall ensure sustainable environmental management, solid and liquid and implement environmental conditions given at Appendix-XIV.<br>Note 2.-General Condition shall not apply.<br>Note 3.-The exemptions granted at Note 1 will be available only for industrial shed after integration of environmental norms with building permissions at the level of local authority. |
| 8 (b) | Townships and Area Development projects | ≥ 3,00,000 sq. mtrs of built up area or<br>Covering an area ≥ 150 ha | ≥1,50,000 sq. mtrs and < 3,00,000 sq. mtrs built up area or<br>covering an area ≥ 50 ha and < 150 ha | Note.- General Condition shall not apply". |

[F. No. 19-2/2013-IA-III (Pt.)]

MANOJ KUMAR SINGH, Jt. Secy.

Note: The principal notification was published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section(ii) vide number S.O. 1533(E), dated the 14th September, 2006 and subsequently amended vide numbers S.O.1737(E) dated the 11th October, 2007, S.O. 3067(E), dated the 1st December, 2009, S.O.695(E), dated the 4th April, 2011, S.O.2896(E), dated the 13th December, 2012 , S.O.674(E), dated the 13th March, 2013, S.O.2559(E), dated the 22nd August, 2013, S.O. 2731(E), dated the 9th September, 2013, S.O. 562(E), dated the 26th February, 2014, S.O.637(E), dated the 28th February, 2014, S.O.1599(E), dated the 25th June, 2014, S.O. 2601 (E), dated 7th October, 2014, S.O. 2600(E) dated 9th October, 2014, S.O. 3252(E) dated 22nd December, 2014, S.O. 382 (E), dated 3rd February, 2015, and S.O. 811(E), dated 23rd March, 2015, S.O. 996 (E) dated 10th April, 2015, S.O. 1142 (E) dated 17th April, 2015, S.O. 1141 (E) dated 29th April, 2015, S.O. 1834(E) dated 6th July, 2015 and S.O. 2572(E) dated 14th September, 2015, S.O. 141(E) dated 15th January, 2016, S.O. 190(E) dated 20th January, 2016, S.O. 648(E) dated 3rd March, 2016 and S.O. 2269(E) dated 1st July, 2016.

For & behalf of Arya Erectors India Private Limited
Managing Director

NOTARY
Jnanajit Sarma
Guwahati
Regd. No.- 42846
Expiry Dt.- 20/02/2030
GOVERNMENT OF INDIA

11 JUL 2025

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For & behalf of Adya Electors India Private Limited
Managing Director

## APPENDIX –XIV

## ENVIRONMENTAL CONDITIONS FOR BUILDINGS AND CONSTRUCTIONS

**(CATEGORY '1': 5,000 to less than 20,000 Square meters)**

| MEDIUM | S.N. | ENVIRONMENTAL CONDITIONS |
|---|---|---|
| Topography and Natural Drainage | 1 | The natural drain system should be maintained for ensuring unrestricted flow of water. No construction shall be allowed to obstruct the natural drainage through the site. No construction is allowed on wetland and water bodies. Check dams, bio-swales, landscape, and other sustainable urban drainage systems (SUDS) are allowed for maintaining the drainage pattern and to harvest rain water. |
| Water Conservation, Rain Water Harvesting, and Ground Water Recharge | 2 | Use of water efficient appliances shall be promoted. The local bye-law provisions on rain water harvesting should be followed.<br>If local bye-law provision is not available, adequate provision for storage and recharge should be followed as per the Ministry of Urban Development Model Building Bye-Laws, 2016.<br>A rain water harvesting plan needs to be designed where the recharge bores (minimum one recharge bore per 5,000 square meters of built up area) is recommended. Storage and reuse of the rain water harvested should be promoted. In areas where ground water recharge is not feasible, the rain water should be harvested and stored for reuse. The ground water shall not be withdrawn without approval from the Competent Authority.<br>All recharge should be limited to shallow aquifer. |
| | 2(a) | At least 20% of the open spaces as required by the local building bye-laws shall be pervious. Use of Grass pavers, paver blocks with at least 50% opening, landscape etc. would be considered as pervious surface. |
| Waste Management | 3 | Solid waste: Separate wet and dry bins must be provided in each unit and at the ground level for facilitating segregation of waste.<br>Sewage: In areas where there is no municipal sewage network, onsite treatment systems should be installed. Natural treatment systems which integrate with the landscape shall be promoted. As far as possible treated effluent should be reused. The excess treated effluent shall be discharged following the CPCB norms.<br>Sludge from the onsite sewage treatment, including septic tanks, shall be collected, conveyed and disposed as per the Ministry of Urban Development, Central Public Health and Environmental Engineering Organisation (CPHEEO) Manual on Sewerage and Sewage Treatment Systems, 2013.<br>The provisions of the Solid Waste (Management) Rules 2016 and the e-waste (Management) Rules 2016, and the Plastics Waste (Management) Rules 2016 shall be followed. |
| Energy | 4 | Compliance with the Energy Conservation Building Code (ECBC) of Bureau of Energy Efficiency shall be ensured. Buildings in the States which have notified their own ECBC, shall comply with the State ECBC.<br>Outdoor and common area lighting shall be Light Emitting Diode (LED).<br>Solar, wind or other Renewable Energy shall be installed to meet electricity generation equivalent to 1% of the demand load or as per the state level/ local building bye-laws requirement, whichever is higher.<br>Solar water heating shall be provided to meet 20% of the hot water demand of the commercial and institutional building or as per the requirement of the local building bye-laws, whichever is higher. Residential buildings are also recommended to meet its hot water demand from solar water heaters, as far as possible.<br>Concept of passive solar design that minimize energy consumption in buildings by using design elements, such as building orientation, landscaping, efficient building envelope, appropriate fenestration, increased day lighting design and thermal mass etc. shall be incorporated in the building design.<br>Wall, window, and roof u-values shall be as per ECBC specifications. |

NOTARY Jnanajit Sarma Guwahati Regd. No.- 42846 Expiry Dt.- 20/02/2030 GOVERNMENT OF ASSAM

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| Air Quality and Noise | 5 | Dust, smoke & other air pollution prevention measures shall be provided for the building as well as the site. These measures shall include screens for the building under construction, continuous dust/ wind breaking walls all around the site (at least 3 meter height). Plastic/tarpaulin sheet covers shall be provided for vehicles bringing in sand, cement, murram and other construction materials prone to causing dust pollution at the site as well as taking out debris from the site.<br>Sand, murram, loose soil, cement, stored on site shall be covered adequately so as to prevent dust pollution.<br>Wet jet shall be provided for grinding and stone cutting. Unpaved surfaces and loose soil shall be adequately sprinkled with water to suppress dust.<br>All construction and demolition debris shall be stored at the site (and not dumped on the roads or open spaces outside) before they are properly disposed. All demolition and construction waste shall be managed as per the provisions of the Construction and Demolition Waste Rules 2016. All workers working at the construction site and involved in loading, unloading, carriage of construction material and construction debris or working in any area with dust pollution shall be provided with dust mask.<br>For indoor air quality the ventilation provisions as per National Building Code of India shall be made. |
| | 5 (a) | The location of the DG set and exhaust pipe height shall be as per the provisions of the CPCB norms. |
| Green Cover | 6 | A minimum of 1 tree for every 80 square meters of land should be planted and maintained. The existing trees will be counted for this purpose. Preference should be given to planting native species. |
| | 6 (a) | Where the trees need to be cut, compensatory plantation in the ratio of 1:3 (i.e. planting of 3 trees for every 1 tree that is cut) shall be done and maintained. |

**(Category '2': 20,000 to less than 50,000 Square meters)**

| MEDIUM | S.N. | ENVIRONMENTAL CONDITIONS |
|---|---|---|
| Topography and Natural Drainage | 1 | The natural drain system should be maintained for ensuring unrestricted flow of water. No construction shall be allowed to obstruct the natural drainage through the site. No construction is allowed on wetland and water bodies. Check dams, bio-swales, landscape, and other sustainable urban drainage systems (SUDS) are allowed for maintaining the drainage pattern and to harvest rain water.<br>Buildings shall be designed to follow the natural topography as much as possible. Minimum cutting and filling should be done. |
| Water Conservation, Rain Water Harvesting, and Ground Water Recharge | 2 | A complete plan for rain water harvesting, water efficiency and conservation should be prepared.<br>Use of water efficient appliances should be promoted with low flow fixtures or sensors.<br>The local bye-law provisions on rain water harvesting should be followed. If local bye-law provision is not available, adequate provision for storage and recharge should be followed as per the Ministry of Urban Development Model Building Bye-laws, 2016.<br>A rain water harvesting plan needs to be designed where the recharge bores of minimum one recharge bore per 5,000 square meters of built up area and storage capacity of minimum one day of total fresh water requirement shall be provided. In areas where ground water recharge is not feasible, the rain water should be harvested and stored for reuse. The ground water shall not be withdrawn without approval from the Competent Authority.<br>All recharge should be limited to shallow aquifer |
| | 2(a) | At least 20% of the open spaces as required by the local building bye-laws shall be pervious. Use of Grass pavers, paver blocks with at least 50% opening, landscape etc. would be considered as pervious surface. |

For & behalf of Arya Erectors India Private Limited
Managing Director

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| Waste Management | 3 | Solid waste: Separate wet and dry bins must be provided in each unit and at the ground level for facilitating segregation of waste.<br>Sewage: Onsite sewage treatment of capacity of treating 100% waste water to be installed. Treated waste water shall be reused on site for landscape, flushing, cooling tower, and other end-uses. Excess treated water shall be discharged as per CPCB norms. Natural treatment systems shall be promoted.<br>Sludge from the onsite sewage treatment, including septic tanks, shall be collected, conveyed and disposed as per the Ministry of Urban Development, Central Public Health and Environmental Engineering Organisation (CPHEEO) Manual on Sewerage and Sewage Treatment Systems, 2013.<br>The provisions of the Solid Waste (Management) Rules 2016 and the e-waste (Management) Rules 2016, and the Plastics Waste (Management) Rules 2016 shall be followed. |
| | 3 (a) | All non-biodegradable waste shall be handed over to authorized recyclers for which a written tie up must be done with the authorized recyclers. |
| | 3(b) | Organic waste compost/ Vermiculture pit with a minimum capacity of 0.3 kg /person/day must be installed. |
| Energy | 4 | Compliance with the Energy Conservation Building Code (ECBC) of Bureau of Energy Efficiency shall be ensured. Buildings in the States which have notified their own ECBC, shall comply with the State ECBC.<br>Outdoor and common area lighting shall be LED.<br>Concept of passive solar design that minimize energy consumption in buildings by using design elements, such as building orientation, landscaping, efficient building envelope, appropriate fenestration, increased day lighting design and thermal mass etc. shall be incorporated in the building design.<br>Wall, window, and roof u-values shall be as per ECBC specifications. |
| | 4 (a) | Solar, wind or other Renewable Energy shall be installed to meet electricity generation equivalent to 1% of the demand load or as per the state level/ local building bye-laws requirement, whichever is higher. |
| | 4 (b) | Solar water heating shall be provided to meet 20% of the hot water demand of the commercial and institutional building or as per the requirement of the local building bye-laws, whichever is higher. Residential buildings are also recommended to meet its hot water demand from solar water heaters, as far as possible. |
| | 4 (c) | Use of environment friendly materials in bricks, blocks and other construction materials, shall be required for at least 20% of the construction material quantity. These include flyash bricks, hollow bricks, AACs, Fly Ash Lime Gypsum blocks, Compressed earth blocks, and other environment friendly materials.<br>Fly ash should be used as building material in the construction as per the provisions of the Fly Ash Notification of September, 1999 as amended from time to time. |
| Air Quality and Noise | 5 | Dust, smoke & other air pollution prevention measures shall be provided for the building as well as the site. These measures shall include screens for the building under construction, continuous dust/ wind breaking walls all around the site (at least 3 meter height). Plastic/tarpaulin sheet covers shall be provided for vehicles bringing in sand, cement, murram and other construction materials prone to causing dust pollution at the site as well as taking out debris from the site.<br>Sand, murram, loose soil, cement, stored on site shall be covered adequately so as to prevent dust pollution.<br>Wet jet shall be provided for grinding and stone cutting. Unpaved surfaces and loose soil shall be adequately sprinkled with water to suppress dust.<br>All construction and demolition debris shall be stored at the site (and not dumped on the roads or open spaces outside) before they are properly disposed. All demolition and construction waste shall be managed as per the provisions of the Construction and Demolition Waste Rules 2016.<br>All workers working at the construction site and involved in loading, unloading, carriage of construction material and construction debris or working in any area with |

For & behalf of Arya Erectors India Private Limited
Managing Director

Jnanajit Sarma Guwahati Regd. No.- 42846 Expiry Dt.- 20/02/2030

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| | | dust pollution shall be provided with dust mask.<br>For indoor air quality the ventilation provisions as per National Building Code of India. |
| | 5 (a) | The location of the DG set and exhaust pipe height shall be as per the provisions of the CPCB norms. |
| Green Cover | 6 | A minimum of 1 tree for every 80 sq.mt. of land should be planted and maintained. The existing trees will be counted for this purpose. Preference should be given to planting native species. |
| | 6 (a) | Where the trees need to be cut, compensatory plantation in the ratio of 1:3 (i.e. planting of 3 trees for every 1 tree that is cut) shall be done and maintained. |
| Top Soil preservation and reuse | 7 | Topsoil should be stripped to a depth of 20 cm from the areas proposed for buildings, roads, paved areas, and external services.<br>It should be stockpiled appropriately in designated areas and reapplied during plantation of the proposed vegetation on site. |
| Transport | 8 | A comprehensive mobility plan, as per MoUD best practices guidelines (URDPFI), shall be prepared to include motorized, non-motorized, public, and private networks.<br>Road should be designed with due consideration for environment, and safety of users. The road system can be designed with these basic criteria.<br>1. Hierarchy of roads with proper segregation of vehicular and pedestrian traffic.<br>2. Traffic calming measures.<br>3. Proper design of entry and exit points.<br>4. Parking norms as per local regulation. |

**(Category '3': 50000 to 150000 $m^2$)**

| MEDIUM | S.N. | ENVIRONMENTAL CONDITIONS |
|---|---|---|
| Topography and Natural Drainage | 1 | The natural drain system should be maintained for ensuring unrestricted flow of water. No construction shall be allowed to obstruct the natural drainage through the site. No construction is allowed on wetland and water bodies. Check dams, bio-swales, landscape, and other sustainable urban drainage systems (SUDS) are allowed for maintaining the drainage pattern and to harvest rain water.<br>Buildings shall be designed to follow the natural topography as much as possible. Minimum cutting and filling should be done. |
| Water conservation - Rain Water Harvesting, and Ground Water Recharge | 2 | A complete plan for rain water harvesting, water efficiency and conservation should be prepared.<br>The local bye-law provisions on rain water harvesting should be followed. If local bye-law provisions are not available, adequate provision for storage and recharge should be followed as per the Ministry of Urban Development Model Building Bye-laws, 2016.<br>A rain water harvesting plan needs to be designed where the recharge bores of minimum one recharge bore per 5,000 square meters of built up area and storage capacity of minimum one day of total fresh water requirement shall be provided. In areas where ground water recharge is not feasible, the rain water should be harvested and stored for reuse. The ground water shall not be withdrawn without approval from the Competent Authority.<br>All recharge should be limited to shallow aquifer. |
| | 2(a) | At least 20% of the open spaces as required by the local building bye-laws shall be pervious. Use of Grass pavers, paver blocks with at least 50% opening, landscape etc. would be considered as pervious surface. |
| | 2 (b) | Use of water efficient appliances should be promoted. Low flow fixtures or sensors be used to promote water conservation. |

For & behalf of Arya Erectors India Private Limited
Anil Kumar Sarma
Managing Director

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| | 2 (c) | Separation of grey and black water should be done by the use of dual plumbing system. In case of single stack system separate recirculation lines for flushing by giving dual plumbing system be done. |
| Solid Waste Management | 3 | Solid waste: Separate wet and dry bins must be provided in each unit and at the ground level for facilitating segregation of waste.<br>The provisions of the Solid Waste (Management) Rules 2016 and the e-waste (Management) Rules 2016, and the Plastics Waste (Management) Rules 2016 shall be followed. |
| | 3 (a) | All non-biodegradable waste shall be handed over to authorized recyclers for which a written tie up must be done with the authorized recyclers. |
| | 3(b) | Organic waste composter/Vermiculture pit with a minimum capacity of 0.3 kg /person/day must be installed. |
| Sewage Treatment Plant | 4 | Onsite sewage treatment of capacity of treating 100% waste water to be installed. Treated waste water shall be reused on site for landscape, flushing, cooling tower, and other end-uses. Excess treated water shall be discharged as per CPCB norms. Natural treatment systems shall be promoted.<br>Sludge from the onsite sewage treatment, including septic tanks, shall be collected, conveyed and disposed as per the Ministry of Urban Development, Central Public Health and Environmental Engineering Organisation (CPHEEO) Manual on Sewerage and Sewage Treatment Systems, 2013. |
| Energy | 5 | Compliance with the Energy Conservation Building Code (ECBC) of Bureau of Energy Efficiency shall be ensured. Buildings in the States which have notified their own ECBC, shall comply with the State ECBC.<br>Outdoor and common area lighting shall be LED.<br>Concept of passive solar design that minimize energy consumption in buildings by using design elements, such as building orientation, landscaping, efficient building envelope, appropriate fenestration, increased day lighting design and thermal mass etc. shall be incorporated in the building design.<br>Wall, window, and roof u-values shall be as per ECBC specifications. |
| | 5 (a) | Solar, wind or other Renewable Energy shall be installed to meet electricity generation equivalent to 1% of the demand load or as per the state level/ local building bye-laws requirement, whichever is higher. |
| | 5 (b) | Solar water heating shall be provided to meet 20% of the hot water demand of the commercial and institutional building or as per the requirement of the local building bye-laws, whichever is higher. Residential buildings are also recommended to meet its hot water demand from solar water heaters, as far as possible. |
| | 5 (c) | Use of environment friendly materials in bricks, blocks and other construction materials, shall be required for at least 20% of the construction material quantity. These include flyash bricks, hollow bricks, AACs, Fly Ash Lime Gypsum blocks, Compressed earth blocks, and other environment friendly materials.<br>Fly ash should be used as building material in the construction as per the provisions of the Fly Ash Notification of September, 1999 as amended from time to time. |
| Air Quality and Noise | 6 | Dust, smoke & other air pollution prevention measures shall be provided for the building as well as the site. These measures shall include screens for the building under construction, continuous dust/ wind breaking walls all around the site (at least 3 meter height). Plastic/tarpaulin sheet covers shall be provided for vehicles bringing in sand, cement, murram and other construction materials prone to causing dust pollution at the site as well as taking out debris from the site. Wheel washing for the vehicles used be done.<br>Sand, murram, loose soil, cement, stored on site shall be covered adequately so as to prevent dust pollution.<br>Wet jet shall be provided for grinding and stone cutting. Unpaved surfaces and loose soil shall be adequately sprinkled with water to suppress dust.<br>All construction and demolition debris shall be stored at the site (and not dumped on the roads or open spaces outside) before they are properly disposed. All demolition and construction waste shall be managed as per the provisions of the Construction |

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| | | and Demolition Waste Rules 2016.<br>All workers working at the construction site and involved in loading, unloading, carriage of construction material and construction debris or working in any area with dust pollution shall be provided with dust mask.<br>For indoor air quality the ventilation provisions as per National Building Code of India. |
| | 6 (a) | The location of the DG set and exhaust pipe height shall be as per the provisions of the CPCB norms. |
| Green Cover | 7 | A minimum of 1 tree for every 80 sq.mt. of land should be planted and maintained. The existing trees will be counted for this purpose. Preference should be given to planting native species. |
| | 7 (a) | Where the trees need to be cut, compensatory plantation in the ratio of 1:3 (i.e. planting of 3 trees for every 1 tree that is cut) shall be done and maintained. |
| Top Soil Preservation and Reuse | 8 | Topsoil should be stripped to a depth of 20 cm from the areas proposed for buildings, roads, paved areas, and external services. It should be stockpiled appropriately in designated areas and reapplied during plantation of the proposed vegetation on site. |
| Transport | 9 | A comprehensive mobility plan, as per MoUD best practices guidelines (URDPFI), shall be prepared to include motorized, non-motorized, public, and private networks.<br>Road should be designed with due consideration for environment, and safety of users. The road system can be designed with these basic criteria.<br>1. Hierarchy of roads with proper segregation of vehicular and pedestrian traffic.<br>2. Traffic calming measures.<br>3. Proper design of entry and exit points.<br>4. Parking norms as per local regulation. |
| Environment Management Plan | 10 | An environmental management plan (EMP) shall be prepared and implemented to ensure compliance with the environmental conditions specified in item number 1 to 9 above. A dedicated Environment Monitoring Cell with defined functions and responsibility shall be put in place to implement the EMP. The environmental cell shall ensure that the environment infrastructure like Sewage Treatment Plant, Landscaping, Rain Water Harvesting, Energy efficiency and conservation, water efficiency and conservation, solid waste management, renewable energy etc. are kept operational and meet the required standards. The environmental cell shall also keep the record of environment monitoring and those related to the environment infrastructure. |

## APPENDIX-XV

### Accreditation of Environmental Auditors (Qualified Building Auditors)

The Ministry of Environment, Forest and Climate Change (MoEFCC), through qualified agencies shall accredit the Qualified Building Environment Auditors (QBEAs). The Qualified Building Environment Auditors could be a firm / organization or an individual expert, who fulfils the requirements. The Ministry will implement this process of accreditation through Quality Council of India (QCI), National Productivity Council or any other organization identified by the Government. The organizations like Indian Green Building Council, Bureau of Energy Efficiency etc. can also be associated in the process of accreditation, training, and renewal. The environmental consultants accredited by the QCI for building sector will be qualified as QBEAs. The QBEAs will meet the following criteria. The accrediting agency can improvise on these criteria.

Qualifications of the Auditor:

a. Education: Architect (Degree or Diploma), Town Planners (Degree), Civil Engineer / Mechanical Engineer (Degree or Diploma), PG in Environmental Science or any other qualification as per the scheme of the accreditation.

Training:

b. Mandatory training to be given by the accreditation body or their approved training providers. This will be as per the scheme of the accreditation.

For M/s Barkhell Arya Erectors India Private Limited
Managing Director

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Experience:

c. At least 3 years of work experience in the related field or building sector Environment Impact Assessment consultants accredited by QCI or any other experience criteria as per the scheme of the accreditation.

Infrastructure and equipment:

d. As per the scheme of the accreditation

Renewal:

e. The accreditation will be valid for 5 years and will be renewed as per the process developed under the accreditation scheme.

Accountability/Complaint redressal mechanism: Any complaints regarding the quality of the work of QBEAs shall be made to the accreditation body. The accreditation body shall evaluate the complaint and take appropriate action including black listing or cancellation of the accreditation with wide public notice. This will be in addition to the action at the level of local authority for penalty and blacklisting. The Ministry can also take such action in case of specific complaint or feedback.

For & behalf of Aviya Infotech India Private Limited
Managing Director

## APPENDIX-XVI

**Environmental Cell at the level of Local Authority:**

An Environmental Cell shall be setup at the local authority level to support compliance and monitoring of environmental conditions in buildings. The Cell shall also provide assistance in environmental planning and capacity building within their jurisdiction. The responsibility of this cell would be monitoring the implementation of this notification and providing an oversight to the Third-Party Auditing process. The cell will operate under the local authority.

**Constitution of the cell:**

The cell will comprise of at least 3 dedicated experts in following fields:

a. Waste management (solid and liquid)

b. Water conservation and management

c. Resource efficiency including Building materials

d. Energy Efficiency and renewable energy

e. Environmental planning including air quality management.

f. Transport planning and management.

The Cell shall induct at least two outside experts as per the requirements and background of dedicated experts. Existing environmental cells at the level of local authority can be co-opted and trained for this Cell.

**Financial Support:**

An additional fee may be charged along with processing fee for building permission for integrating environmental conditions and it's monitoring. The local authority can fix and revise this additional fee from time to time. The amount of this fee shall be deposited in a separate bank account, and used for meeting the requirement of salary / emoluments of experts and running the system of online application, verifications and the Environmental Cell.

**Functions of the Cell:**

1. The cell shall be responsible for assessing and appraising the environmental concerns of the area under their jurisdiction where building activities are proposed. The Cell can evolve and propose additional environmental conditions as per requirements. These conditions may be area specific and shall be notified in advance from time to time. These additional conditions shall be approved following a due consultation process. These environmental conditions will be integrated in building permissions by the sanctioning authority.

2. Develop and maintain an online system for application and payment of fees. The Cell shall maintain an online database of all applications received, projects approved, the compliance audit report, random inspections made. The Cell shall maintain a portal for public disclosure of project details including self certification and compliance audit reports filed by the Qualified Building Environment Auditors for public scrutiny of compliance of environmental conditions by the project.

3. Monitoring the work of Environmental Audit process carried by the Qualified Building Auditors.

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4. The Cell shall review the applications; finalize the additional environmental conditions if required within 30 days of the submission of the application to the local authority.

5. The Cell shall adopt risk based random selection of projects for verifying on site for certification of QBA, compliance of environmental conditions and five yearly audit report.

6. The Cell shall recommend to the local authority for financial penalty for non-compliance of environmental conditions by the project proponent.

7. The Cell shall recommend to the accrediting body and the local authority against any Qualified Building Environment Auditor, if any lapse is found in their work.

India Private Limited
(Managing Director

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Uploaded by Dte. of Printing at Government of India Press, Ring Road, Mayapuri, New Delhi-110064
and Published by the Controller of Publications, Delhi-110054.

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AEI/MISC/2012/

Date : 4th May, 2012

To
Project Director,
Project Implementation Unit of JICA,
GMDA,
Saikia Complex, G S Road,
Srinagar, Guwahati

Sub : Request to allot drinking water in Project "Arya Smart Living"

Sir,

It is being informed that your esteemed organisation has already started a project of 70 million lpd at North Guwahati to supply drinking water from the year 2016. We are to inform you that we are proposing a residential project in village Abhaypur (near North Guwahati Police Station), under Silasundari Ghopa Mouza, North Guwahati under the name of "Arya Smart Living". The proposed project will be in an area of 28 bighas 4 lechas comprising two numbers of towers of 15 stories and 106 two storied villas. The total population including the footfalls in the mall is estimated to be about 8000 on a day. According to our calculation the total requirement of water on a daily basis will be around 565000 lts. (calculation sheets enclosed).

We are hereby requesting your good office to allot the requirement of water to our project after its completion in the year 2016. Your permission to release the required water to our project will be incorporated in our submission for getting the clearance from the Ministry of Environment & Forest, Govt.Of India.

We request you to kindly look into our prayer for the allotment of water and will issue a letter of acknowledgement and affirmation.

Thanking you,
Yours sincerely

For & behalf of Arya Erectors India Private Limited
Managing Director

Anil Kumar Sarma,
Managing Director

Enclosure :

1) Site plan of the project
2) Calculation sheets for water demand.

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# SITE LAYOUT PLAN
## ARYA SMART LIVING

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## CALCULATION ON TOTAL WATER DEMAND IN PROJECT 'ARYA SMART LIVING'

VILLA :

| House No. | No. of bed room | Max Occupancy in each room | Total water consumption @ 135 lt per day per person |
|---|---|---|---|
| A-1 | 5 | 2 | 1350 |
| A-2 | 5 | 2 | 1350 |
| A-3 | 5 | 2 | 1350 |
| A-4 | 5 | 2 | 1350 |
| A-5 | 5 | 2 | 1350 |
| A-6 | 5 | 2 | 1350 |
| A-7 | 5 | 2 | 1350 |
| A-8 | 5 | 2 | 1350 |
| B-1 | 5 | 2 | 1350 |
| B-2 | 5 | 2 | 1350 |
| B-3 | 5 | 2 | 1350 |
| B-4 | 5 | 2 | 1350 |
| B-5 | 5 | 2 | 1350 |
| B-6 | 5 | 2 | 1350 |
| B-7 | 5 | 2 | 1350 |
| B-8 | 5 | 2 | 1350 |
| C-1 | 4 | 2 | 1080 |
| C-2 | 4 | 2 | 1080 |
| C-3 | 4 | 2 | 1080 |
| C-4 | 4 | 2 | 1080 |
| C-5 | 4 | 2 | 1080 |
| C-6 | 4 | 2 | 1080 |
| C-7 | 4 | 2 | 1080 |
| C-8 | 4 | 2 | 1080 |
| C-9 | 4 | 2 | 1080 |
| C-10 | 4 | 2 | 1080 |
| C-11 | 4 | 2 | 1080 |
| C-12 | 4 | 2 | 1080 |
| C-13 | 4 | 2 | 1080 |
| C-14 | 4 | 2 | 1080 |
| C-15 | 4 | 2 | 1080 |
| C-16 | 4 | 2 | 1080 |
| C-17 | 4 | 2 | 1080 |
| C-18 | 4 | 2 | 1080 |
| C-19 | 4 | 2 | 1080 |
| C-20 | 4 | 2 | 1080 |
| C-21 | 4 | 2 | 1080 |
| C-22 | 4 | 2 | 1080 |
| C-23 | 4 | 2 | 1080 |
| C-24 | 4 | 2 | 1080 |
| C-25 | 4 | 2 | 1080 |
| C-26 | 4 | 2 | 1080 |

| House No. | No. of bed room | Max Occupancy in each room | Total water consumption @ 135 lt per day per person |
|---|---|---|---|
| C-30 | 4 | 2 | 1080 |
| C-31 | 4 | 2 | 1080 |
| C-32 | 4 | 2 | 1080 |
| C-33 | 4 | 2 | 1080 |
| C-34 | 4 | 2 | 1080 |
| C-35 | 4 | 2 | 1080 |
| C-36 | 4 | 2 | 1080 |
| C-37 | 4 | 2 | 1080 |
| C-38 | 4 | 2 | 1080 |
| C-39 | 4 | 2 | 1080 |
| C-40 | 4 | 2 | 1080 |
| C-41 | 4 | 2 | 1080 |
| C-42 | 4 | 2 | 1080 |
| C-43 | 4 | 2 | 1080 |
| C-44 | 4 | 2 | 1080 |
| C-45 | 4 | 2 | 1080 |
| C-46 | 4 | 2 | 1080 |
| C-47 | 4 | 2 | 1080 |
| C-48 | 4 | 2 | 1080 |
| C-49 | 4 | 2 | 1080 |
| C-50 | 4 | 2 | 1080 |
| C-51 | 4 | 2 | 1080 |
| C-52 | 4 | 2 | 1080 |
| C-53 | 4 | 2 | 1080 |
| C-54 | 4 | 2 | 1080 |
| C-55 | 4 | 2 | 1080 |
| C-56 | 4 | 2 | 1080 |
| C-57 | 4 | 2 | 1080 |
| C-58 | 4 | 2 | 1080 |
| C-59 | 4 | 2 | 1080 |
| C-60 | 4 | 2 | 1080 |
| C-61 | 4 | 2 | 1080 |
| C-62 | 4 | 2 | 1080 |
| C-63 | 4 | 2 | 1080 |
| C-64 | 4 | 2 | 1080 |
| C-65 | 4 | 2 | 1080 |
| C-66 | 4 | 2 | 1080 |
| C-67 | 4 | 2 | 1080 |
| C-68 | 4 | 2 | 1080 |
| C-69 | 4 | 2 | 1080 |
| C-70 | 4 | 2 | 1080 |
| C-71 | 4 | 2 | 1080 |

| House No. | No. of bed room | Max Occupancy in each room | Total water consumption @ 135 lt per day per person |
|---|---|---|---|
| C-75 | 4 | 2 | 1080 |
| C-76 | 4 | 2 | 1080 |
| C-77 | 4 | 2 | 1080 |
| C-78 | 4 | 2 | 1080 |
| C-79 | 4 | 2 | 1080 |
| C-80 | 4 | 2 | 1080 |
| C-81 | 4 | 2 | 1080 |
| C-82 | 4 | 2 | 1080 |
| C-83 | 4 | 2 | 1080 |
| C-84 | 4 | 2 | 1080 |
| C-85 | 4 | 2 | 1080 |
| C-86 | 4 | 2 | 1080 |
| C-87 | 4 | 2 | 1080 |
| C-88 | 4 | 2 | 1080 |
| C-89 | 4 | 2 | 1080 |
| C-90 | 4 | 2 | 1080 |
| C-91 | 4 | 2 | 1080 |
| C-92 | 4 | 2 | 1080 |
| C-93 | 4 | 2 | 1080 |
| C-94 | 4 | 2 | 1080 |
| C-95 | 4 | 2 | 1080 |
| C-96 | 4 | 2 | 1080 |
| C-97 | 4 | 2 | 1080 |
| C-98 | 4 | 2 | 1080 |
| C-99 | 4 | 2 | 1080 |
| C-100 | 4 | 2 | 1080 |
| C-101 | 4 | 2 | 1080 |
| C-102 | 4 | 2 | 1080 |
| C-103 | 4 | 2 | 1080 |

31320

For Arya Realtech & Infra India Private Limited
Anil Kumar Sarma
Managing Director

NOTARY
Jnanajit Sarma
Guwahati
Regd. No.- 42846
Expiry Dt.-
20/02/2030
GOVERNMENT OF INDIA

| | | | |
|---|---|---|---|
| C-28 | 4 | 2 | 1080 |
| C-29 | 4 | 2 | 1080 |
| | | | 52920 |

| | | | |
|---|---|---|---|
| C-73 | 4 | 2 | 1080 |
| C-74 | 4 | 2 | 1080 |
| | | | 48600 |

Total water demand in Villas = 132840 L

## Apartment :

### Tower A:

| | | | | | |
|---|---|---|---|---|---|
| Res. Flr 1 | 3BHK | A-1 | 4 | 2 | 1080 |
| | 3BHK | B-1 | 3 | 2 | 810 |
| | 3BHK | C-1 | 3 | 2 | 810 |
| | 3BHK | C-2 | 3 | 2 | 810 |
| | 2BHK | D-1 | 2 | 2 | 540 |
| | 2BHK | D-2 | 2 | 2 | 540 |
| Res. Flr 2 | 3BHK | A-1 | 4 | 2 | 1080 |
| | 3BHK | B-1 | 3 | 2 | 810 |
| | 3BHK | C-1 | 3 | 2 | 810 |
| | 3BHK | C-2 | 3 | 2 | 810 |
| | 2BHK | D-1 | 2 | 2 | 540 |
| | 2BHK | D-2 | 2 | 2 | 540 |
| Res. Flr 3 | 3BHK | A-1 | 4 | 2 | 1080 |
| | 3BHK | B-1 | 3 | 2 | 810 |
| | 3BHK | C-1 | 3 | 2 | 810 |
| | 3BHK | C-2 | 3 | 2 | 810 |
| | 2BHK | D-1 | 2 | 2 | 540 |
| | 2BHK | D-2 | 2 | 2 | 540 |
| Res. Flr 4 | 3BHK | A-1 | 4 | 2 | 1080 |
| | 3BHK | B-1 | 3 | 2 | 810 |
| | 3BHK | C-1 | 3 | 2 | 810 |
| | 3BHK | C-2 | 3 | 2 | 810 |
| | 2BHK | D-1 | 2 | 2 | 540 |
| | 2BHK | D-2 | 2 | 2 | 540 |
| Res. Flr 5 | 3BHK | A-1 | 4 | 2 | 1080 |
| | 3BHK | B-1 | 3 | 2 | 810 |
| | 3BHK | C-1 | 3 | 2 | 810 |
| | 3BHK | C-2 | 3 | 2 | 810 |
| | 2BHK | D-1 | 2 | 2 | 540 |
| | 2BHK | D-2 | 2 | 2 | 540 |
| Res. Flr 6 | 3BHK | A-1 | 4 | 2 | 1080 |
| | 3BHK | B-1 | 3 | 2 | 810 |
| | 3BHK | C-1 | 3 | 2 | 810 |
| | 3BHK | C-2 | 3 | 2 | 810 |
| | 2BHK | D-1 | 2 | 2 | 540 |
| | 2BHK | D-2 | 2 | 2 | 540 |
| | | | | | 0 |
| es. Flr 7 | 3BHK | A-1 | 4 | 2 | 1080 |
| | 3BHK | B-1 | 3 | 2 | 810 |
| | 3BHK | C-1 | 3 | 2 | 810 |
| | 3BHK | C-2 | 3 | 2 | 810 |
| | 2BHK | D-1 | 2 | 2 | 540 |
| | 2BHK | D-2 | 2 | 2 | 540 |
| Res. Flr 8 | 3BHK | A-1 | 4 | 2 | 1080 |
| | 3BHK | B-1 | 3 | 2 | 810 |
| | 3BHK | C-1 | 3 | 2 | 810 |
| | 3BHK | C-2 | 3 | 2 | 810 |
| | 2BHK | D-1 | 2 | 2 | 540 |

| | | | | | |
|---|---|---|---|---|---|
| Res. Flr 9 | 3BHK | A-1 | 4 | 2 | 1080 |
| | 3BHK | B-1 | 3 | 2 | 810 |
| | 3BHK | C-1 | 3 | 2 | 810 |
| | 3BHK | C-2 | 3 | 2 | 810 |
| | 2BHK | D-1 | 2 | 2 | 540 |
| | 2BHK | D-2 | 2 | 2 | 540 |
| Res. Flr 10 | 3BHK | A-1 | 4 | 2 | 1080 |
| | 3BHK | B-1 | 3 | 2 | 810 |
| | 3BHK | C-1 | 3 | 2 | 810 |
| | 3BHK | C-2 | 3 | 2 | 810 |
| | 2BHK | D-1 | 2 | 2 | 540 |
| | 2BHK | D-2 | 2 | 2 | 540 |
| Res. Flr 11 | 3BHK | A-1 | 4 | 2 | 1080 |
| | 3BHK | B-1 | 3 | 2 | 810 |
| | 3BHK | C-1 | 3 | 2 | 810 |
| | 3BHK | C-2 | 3 | 2 | 810 |
| | 2BHK | D-1 | 2 | 2 | 540 |
| | 2BHK | D-2 | 2 | 2 | 540 |
| Res. Flr 12 | 3BHK | A-1 | 4 | 2 | 1080 |
| | 3BHK | B-1 | 3 | 2 | 810 |
| | 3BHK | C-1 | 3 | 2 | 810 |
| | 3BHK | C-2 | 3 | 2 | 810 |
| | 2BHK | D-1 | 2 | 2 | 540 |
| | 2BHK | D-2 | 2 | 2 | 540 |

18360

For & behalf of Arya Erectors India Private Limited

Managing Director

NOTARY
Jnanajit Sarma
Guwahati
Regd. No.- 42846
Expiry Dt.- 20/02/2030
GOVERNMENT OF INDIA

11 JUL 2025

| | | | | |
|---|---|---|---|---|
| 2BHK | D-2 | 2 | 2 | 540 |

36720

Total water demand in Tower A = 55080

## Apartment :

### Tower B:

Res. Flr 1

| | | | | |
|---|---|---|---|---|
| 3BHK | A-1 | 4 | 2 | 1080 |
| 3BHK | B-1 | 3 | 2 | 810 |
| 3BHK | C-1 | 3 | 2 | 810 |
| 3BHK | C-2 | 3 | 2 | 810 |
| 2BHK | D-1 | 2 | 2 | 540 |
| 2BHK | D-2 | 2 | 2 | 540 |

Res. Flr 2

| | | | | |
|---|---|---|---|---|
| 3BHK | A-1 | 4 | 2 | 1080 |
| 3BHK | B-1 | 3 | 2 | 810 |
| 3BHK | C-1 | 3 | 2 | 810 |
| 3BHK | C-2 | 3 | 2 | 810 |
| 2BHK | D-1 | 2 | 2 | 540 |
| 2BHK | D-2 | 2 | 2 | 540 |

Res. Flr 3

| | | | | |
|---|---|---|---|---|
| 3BHK | A-1 | 4 | 2 | 1080 |
| 3BHK | B-1 | 3 | 2 | 810 |
| 3BHK | C-1 | 3 | 2 | 810 |
| 3BHK | C-2 | 3 | 2 | 810 |
| 2BHK | D-1 | 2 | 2 | 540 |
| 2BHK | D-2 | 2 | 2 | 540 |

Res. Flr 4

| | | | | |
|---|---|---|---|---|
| 3BHK | A-1 | 4 | 2 | 1080 |
| 3BHK | B-1 | 3 | 2 | 810 |
| 3BHK | C-1 | 3 | 2 | 810 |
| 3BHK | C-2 | 3 | 2 | 810 |
| 2BHK | D-1 | 2 | 2 | 540 |
| 2BHK | D-2 | 2 | 2 | 540 |

Res. Flr 5

| | | | | |
|---|---|---|---|---|
| 3BHK | A-1 | 4 | 2 | 1080 |
| 3BHK | B-1 | 3 | 2 | 810 |
| 3BHK | C-1 | 3 | 2 | 810 |
| 3BHK | C-2 | 3 | 2 | 810 |
| 2BHK | D-1 | 2 | 2 | 540 |
| 2BHK | D-2 | 2 | 2 | 540 |

Res. Flr 6

| | | | | |
|---|---|---|---|---|
| 3BHK | A-1 | 4 | 2 | 1080 |
| 3BHK | B-1 | 3 | 2 | 810 |
| 3BHK | C-1 | 3 | 2 | 810 |
| 3BHK | C-2 | 3 | 2 | 810 |
| 2BHK | D-1 | 2 | 2 | 540 |
| 2BHK | D-2 | 2 | 2 | 540 |

Res. Flr 7

| | | | | |
|---|---|---|---|---|
| 3BHK | A-1 | 4 | 2 | 1080 |
| 3BHK | B-1 | 3 | 2 | 810 |
| 3BHK | C-1 | 3 | 2 | 810 |
| 3BHK | C-2 | 3 | 2 | 810 |
| 2BHK | D-1 | 2 | 2 | 540 |
| 2BHK | D-2 | 2 | 2 | 540 |

Res. Flr 8

| | | | | |
|---|---|---|---|---|
| 3BHK | A-1 | 4 | 2 | 1080 |
| 3BHK | B-1 | 3 | 2 | 810 |
| 3BHK | C-1 | 3 | 2 | 810 |
| 3BHK | C-2 | 3 | 2 | 810 |
| 2BHK | D-1 | 2 | 2 | 540 |
| 2BHK | D-2 | 2 | 2 | 540 |

Res. Flr 9

| | | | | |
|---|---|---|---|---|
| 3BHK | A-1 | 4 | 2 | 1080 |
| 3BHK | B-1 | 3 | 2 | 810 |
| 3BHK | C-1 | 3 | 2 | 810 |
| 3BHK | C-2 | 3 | 2 | 810 |
| 2BHK | D-1 | 2 | 2 | 540 |
| 2BHK | D-2 | 2 | 2 | 540 |

Res. Flr 10

| | | | | |
|---|---|---|---|---|
| 3BHK | A-1 | 4 | 2 | 1080 |
| 3BHK | B-1 | 3 | 2 | 810 |
| 3BHK | C-1 | 3 | 2 | 810 |
| 3BHK | C-2 | 3 | 2 | 810 |
| 2BHK | D-1 | 2 | 2 | 540 |
| 2BHK | D-2 | 2 | 2 | 540 |

Res. Flr 11

| | | | | |
|---|---|---|---|---|
| 3BHK | A-1 | 4 | 2 | 1080 |
| 3BHK | B-1 | 3 | 2 | 810 |
| 3BHK | C-1 | 3 | 2 | 810 |
| 3BHK | C-2 | 3 | 2 | 810 |
| 2BHK | D-1 | 2 | 2 | 540 |
| 2BHK | D-2 | 2 | 2 | 540 |

Res. Flr 12

| | | | | |
|---|---|---|---|---|
| 3BHK | A-1 | 4 | 2 | 1080 |
| 3BHK | B-1 | 3 | 2 | 810 |
| 3BHK | C-1 | 3 | 2 | 810 |
| 3BHK | C-2 | 3 | 2 | 810 |
| 2BHK | D-1 | 2 | 2 | 540 |
| 2BHK | D-2 | 2 | 2 | 540 |

18360

For & behalf of Arya Erectors India Private Limited

(Managing Director

NOTARY
Jnanaj Sarma
Guwahati
Regd. No.- 42846
Expiry Dt.- 20/02/2030
GOVERNMENT OF INDIA

11 JUL 2025

36720

-254-

Total water demand in Tower B = 55080 l

Mall & Swimming pool etc.

| | | | | |
|---|---|---|---|---|
| Swimming Pool and Bath | | | lpd | |
| Shops | 90 | 4 | 72000 | .= 250000 |
| | | | | .= 72000 |

Grand Total water demand per day = 565000 l

For & behalf of Arya Erectors & India Private Limited

Managing Director

NOTARY
Jnanaj Sarma
Guwahati
Regd. No.- 42846
Expiry Dt.-
20/02/2030
GOVERNMENT OF INDIA

11 JUL 2025

-25X-
32

OFFICE OF
THE PROJECT DIRECTOR
PROJECT IMPLEMENTATION UNIT
JICA ASSISTED GUWAHATI WATER SUPPLY PROJECT
SAIKIA COMMERCIAL COMPLEX, CHRISTIAN BASTI
G. S. ROAD, GUWAHATI-781005

No.PIU/JICA/GHTY/19/PT-I/2011/68 Dated: 25th June, 2012

To

The Managing Director,
Arya Erectors India Pvt. Ltd.
Rehabari, Guwahati- 781008.

F & behalf of Arya Erectors India Private Limited
Managing Director

Sub: ***JICA Assisted GWSP (ID-P 201) – Supply of Drinking Water for "ARYA Smart Living".***

Ref.: Your Letter no. AEI/MISC/2012/ , Dtd. 04/05/2012.

Sir,

I would like to inform you that we have examined and found that the specified quality of water which has been required by "Arya Etractors India Pvt. Ltd." is within the project and project has the provision of catering to such future demand. The bulk service connection is expected to be done by 2016.

Yours faithfully,

25/6/12

Addl. Project Director
Project Implementation Unit
JICA assisted GWSP

NOTARY
Jnanajit Sarma
Guwahati
Regd. No.- 42846
Expiry Dt.-
20/02/2030
GOVERNMENT OF INDIA

11 JUL 2025

Printed from
THE TIMES OF INDIA

# Form groundwater authority by January 31: HC to Assam govt

TNN | Nov 12, 2022, 11.12 AM IST

GUWAHATI: The Gauhati HC has asked the state government to constitute the Assam state groundwater authority, as per the provisions of the existing acts and rules, by January 31 to prevent the illegal sale of groundwater in the city.

A PIL was filed by Abdul Hussain of Gorchuk and Ramij Ali of Noonmati in Guwahati earlier this year seeking the court's directions to stop the illegal sale of groundwater by private tankers in the city.

While hearing the PIL, a division bench of Chief Justice RM Chhaya and Justice Soumitra Saikia directed the state government to "implement the provisions of the Assam Ground Water Control and Regulation Act, 2012 and the Assam Ground Water Control and Regulation Rules, 2022 in letter and spirit."

The court further directed the state government, Kamrup (Metro) deputy commissioner, the Guwahati Municipal Corporation (GMC) and the Public Health Engineering (PHE) department along with the other departments concerned to "maintain a close vigil and to eradicate any illegal use of groundwater and, if necessary, to take appropriate steps as per the provisions of the 2012 Act and the 2022 Rules."

Around 30% of the total three lakh households in Guwahati have access to piped water supplied either by the GMC or the Guwahati Jal Board or the PHE department. The remaining households have to depend on private water suppliers or borewell for their daily needs.

It is pertinent to mention that the same division bench has been hearing another PIL filed by Chiriyakhana Path Jyestho Nagarik Sanstha (a senior

For & behalf of Arya Erectors
India Private Limited
Managing Director

NOTARY
Jnanaj Sarma
Guwahati
Regd. No.- 42846
Expiry Dt.-
20/02/2030
GOVERNMENT OF INDIA

11 JUL 2025

citizens' forum) on the potable water crisis in the city since September last year. Last September, the court directed the state government to file a detailed affidavit by October 27 stating its concrete plan for supplying potable water to the city residents and the time required to complete the same. In an affidavit filed on October 27, the state government stated that the greater Guwahati water project is under way and will be completed by 2024.

The project, with a capacity of around 440 million litres per day (MLD), was started a decade ago. But it has not yet been completed in any of the four zones – southeast Guwahati (construction began in 2016), southwest Guwahati (construction began in 2009), south-central Guwahati (construction began in 2011) and north Guwahati (construction began in 2011).

For & behalf of Arya Erectors
India Private Limited
Managing Director

NOTARY
Jnanajit Sarma
Guwahati
Regd. No.- 4
Expiry Dt.-
20/02/2030
GOVERNMENT OF INDIA

11 JUL 2025

# OFFICE OF THE GUWAHATI METROPOLITAN DEVELOPMENT AUTHORITY

**STATFED BUILDING, BHANGAGARH, GUWAHATI-781005**

Website: www.gmda.assam.gov.in
E-mail: ceogmdaghy@gmail.com
Tel: 0361-2529650/9824
Fax: 0361-2529991

No. GMDA/BP/2214/26112012/316

Dated : 3 .11 .2021

## Order

In pursuance to order Ref No GMDA/BP/2214/26112012/287 dated 06.10.2021 in connection to Occupancy Certificate proposal of M/S Arya Erectors Pvt Ltd., the undersigned heard Mr Ganesh Das & advocate Shri Divas Jyoti Nath representatives of Shri.Padum Deori on 22.10.2021 in presence of D. Kalita, Town Planner, GMDA, and N Deka, TPA, GMDA.

Whereas 14 nos of low rise Apartment building (upto G+2), having 124 residential units were permitted by GMDA vide BP NOC no GMDA/BP/2214/26112012/156 dated **25.06.2013** in Phase-I, at revenue village Abhaypur under Sila Sinduri Ghopa mouza covered by Dag no. 884,885,889,890 & Patta no. 198 in a plot area of 18 Bighas 4 Lecha land out of which 13 nos have been completed and a security Barrack (AT) has been constructed instead of 14th block which is not yet constructed. A Club house (Gr+1) with swimming pool at Gr Floor was permitted vide No. NGTC/NOC/2013-2014/1742 dated **15.12.2013** by North Guwahati Municipal Board at village North Guwahati Town under Mouza Sila Sinduri Ghopa covered by Dag no. 764 & Patta no. 271, on a plot area of 2 Bighas land area, adjoining the plot on which permission issued by GMDA on 25.06.2013 as mentioned earlier.

Whereas it appeared from documents and field visit that the construction of the Club house approved by North Guwahati Municipal Board mentioned above was actually undertaken on a plot combined with area of approved site of land as Phase I and part of 2 Bighas on which Club house was actually permitted. The 2 bigha of land is to be utilized for open tennis court, care taker room in addition to a part of Club house.

The undersigned examined the documents and facts placed before him and following directions are issued for further consideration of the OC proposal.

1. The triangular garden as earmarked in the approved plan at the main entrance which is obstructed by constructing a brick wall is to be removed first and kept open as per earlier approved plan.
2. A clearance report from North Guwahati Municipal Board is to be obtained in respect of the deviation vis-a-vis regularisation of the Club house, in issuing the Occupancy Certificate of the Club house, which is constructed over an area of approved site plan as per permission accorded by GMDA for Phase-I on 25.06.2013.
3. The flat owners who have occupied the building without obtaining Occupancy Certificate from this Authority are directed to vacate the premise, until all the deviations are regularised and Occupancy Certificate is issued.
4. Children Park as per approved drawing is to be restored.
5. Registration particulars of RERA and periodic compliance report submitted to MoEF against Environmental Clearance are to be furnished.
6. To submit rectified as built drawing with modification as per earlier approved drawing and directions issued after clearing the unauthorized constructions.
7. This Authority shall abide by the decision of RERA in connection to the issues of this project raised at that forum.

Yours faithfully,

(Kausar J. Hilaly, ACS)
Chief Executive Officer
Guwahati Metropolitan Development Authority
Bhangagarh, Guwahati-5.

Memo No. GMDA/BP/2214/26112012/316(A) Dated : 3 .11 .2021.

Copy forwarded to :

1. Managing Director, Arya Erectors India (P) Ltd. H No 123, Arya Smart Living, Abhaypur, North Guwahati, Dist: Kamrup, Assam, PIN-781030 for information.
2. Sri Padum Deori & Sri Ganesh Ch Das, Tribeni aparTment, Flat no 3A, 5TH floor, Madhavdev pur, Rehabari, Guwahati-08 for information.
3. The Executive Officer, North Guwahati Municipal Board, for information.
4. Office File.

Chief Executive Officer
Guwahati Metropolitan Development Authority
Bhangagarh, Guwahati-5

For Arya Erectors India Private Limited
Managing Director

NOTARY
Jnanajit Sarma
Guwahati
Regd. No.- 42846
Expiry Dt.- 20/02/2030
GOVERNMENT OF INDIA

35 ✗62

GAHC010127252020



For & behalf of Arya Erectors India Private Limited
Managing Director

# THE GAUHATI HIGH COURT
## (HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

**Case No. : WP(C)/3654/2020**

GANESH CH. DAS
S/O- LT. DIJENDRA CH. DAS, R/O- A 6, ARYA SMART LIVING, ELIGIBLE MEMBER OF ARYA SMART LIVING GROUP COOPERATIVE SOCIETY, VILL- ABHOYPUR, NORTH GUWAHATI, MOUZA- SILA SIHDERI GHUPA, DIST.- KAMRUP (R), PIN- 781031

VERSUS

THE STATE OF ASSAM AND 6 ORS.
REP. BY THE REGISTRAR OF CO-OPERATIVE SOCIETIES, ASSAM,
KHANAPARA, DIST.- KAMRUP (M), PIN- 781023, ASSAM

2:THE ASSTT. REGISTRAR OF CO-OPERATIVE SOCIETIES
ASSAM
BHANGAGARH
DIST.- KAMRUP (M)
PIN- 781008
ASSAM

3:M/S ARYA ERECTOR INDIA PVT. LTD.
A COMPANY REGD. UNDER THE COMPANIES ACT
1956
H.O.
H.NO. 123
ARYA SMART LIVING
VILL- ABHOYPUR
NORTH GUWAHATI
MOUZA- SILA SINDURI GHOPA
DIST.- KAMRUP (R)
PIN- 781031
REP. BY ITS MANAGING DIRECOR- SHRI ANIL KUMAR SARMA
S/O- LT. PABINDRA NATH SARMA

NOTARY
Jnanajit Sarma
Guwahati
Regd. No.- 42846
Expiry Dt.-
20/02/2030
GOVERNMENT OF INDIA

11 JUL 2025

-2X3-



R/O- H.NO. 20
HAPPY VILLA
BALARAM BORA ROAD
BARUWARI
P.O. SHILPOKHURI
GHY-03

4:MRINMOY BARKOTOKI
PRESIDENT (NEWLY ELECTED) OF ARYA SMART LIVING GROUP HOUSING COOPERATIVE SOCIETY LTD.
R/O- D 49 OF ARYA SMART LIVING
SITUATED AT ABHOYPUR
P/O- COLLAGE NAGAR
P.S. CHANSARI
DIST.- KAMRUP (R)
GHY- 781031

5:RAMA KRISHNA NEWAR
PAST PRESIDENT OF ARYA SMART LIVING
R/O- D 95 OF ARYA SMART LIVING GROUP CO-OPERATIVE SOCIETY LTD.
SITUATED AT ABHOYPUR
P/O- COLLAGE NAGAR
P.S. CHANSARI
DIST.- KAMRUP (R)
GHY- 781031

6:RITA PRADHAN
SECRETARY ARYA SMART LIVING GROUP COOPERATIVE SOCIETY LTD.
W/O- SHRI RAM KRISHNA PRADHAN
R/O- ARYA SMART LIVING
C-97 AT ABHOYPUR
P/O- COLLAGE NAGAR
P.S. CHANSARI
DIST.- KAMRUP (R)
GHY- 781031

7:SUBRATA CHATARJEE
THE THEN SECRETARY
ARYA SMART LIVING
D 23 OF AT ABHOYPUR
P/O- COLLAGE NAGAR
P.S. CHANSARI
DIST.- KAMRUP (R)
GHY- 78103

For & behalf of Arya Erectors India Private Limited
Managing Director

NOTARY
Jnanajit Sarma
Guwahati
Regd. No.- 42846
Expiry Dt.- 20/02/2030
GOVERNMENT OF INDIA

11 JUL 2025

For the petitioner(s) : Mr. B.K. Sen, Advocate.
For the respondent(s) : Ms. M.D. Borah, SC, Cooperation Deptt.
Mr. N. Deka, Advocate for Respondent No.3.

BEFORE
**HON'BLE MR. JUSTICE DEVASHIS BARUAH**

**O R D E R**

**11.09.2023**

For & behalf of Arya Erectors India Private Limited
Jnanajit Kumar Sarma
Managing Director

**1.** The learned counsel appearing on behalf of the Petitioner submits that taking into account that as the dispute in issue primarily lies within the jurisdiction of the competent Civil Court and/or appropriate forums but not the extraordinary jurisdiction under Article 226 of the Constitution, the Petitioner may be permitted to withdraw the instant writ petition with a liberty to approach the appropriate forum or the competent Civil Court.

**2.** Taking into account the above, the instant writ petition stands closed on withdrawal. It is made clear that the withdrawal of the instant writ petition shall not prejudice the petitioner to approach the appropriate form and/or the competent Civil Court if so permissible under the provision of law.

**JUDGE**

Comparing Assistant

NOTARY
Jnanajit Sarma
Guwahati
Regd. No.- 42846
Expiry Dt.-
20/02/2030
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**GOVERNMENT OF ASSAM**
**OFFICE OF THE DEPUTY COMMISSIONER :: KAMRUP**
**ASSAM (LAND REVENUE BRANCH)**

Letter No. NOC/07/12694/2019-9132 04/04/2019

To,

Name of Applicant : ARYA ERECTORS INDIA PRIVATE LIMITED
Fathers Name : ANIL KR SARMA, Mothers Name : NA
Address : H NO 123, ABHAYPUR

For & behalf of Arya Erectors India Private Limited
Anil Kumar Sarma
Managing Director

**Sub :- Transfer of Flat by way of Sale etc for issuance of NOC on transfer of Land/Flat for registration**

Ref :- Your Application No. NOC/07/12694/2019 Dated : 18/03/2019

**SELLER/BUILDER/FLAT OWNER**

| Sl.No. | Name of Seller/Builder/Flat Owner | Represented by | Address of Seller/Builder/Flat Owner |
|---|---|---|---|
| 1 | ARYA ERECTORS INDIA PRIVATE LIMITED | ANIL KR SARMA | ABHAYPUR |

**PATTADAR/SELLER INFORMATION**

| Sl.No. | Name of Seller/Donor/Lessor/Mortgager | Fathers/Husbands Name | Mothers Name | Present Address | Contact No. PAN/TAN |
|---|---|---|---|---|---|
| 1 | ARYA ERECTORS INDIA PRIVATE LIMITED | ANIL KR SARMA | NA | ABHAYPUR,KAMRUP | 6900523731 |

**Represented by**

| Name of Attorney Holder | Power of Attorney No. and Date | Deed Registered in |
|---|---|---|
| RAM KRISHNA PRADHAN | 256 16/08/2018 | Sub-Registrar, Amingaon |

**BUYER INFORMATION**

| Sl.No. | Name of Buyer/Donee/Lessee/Mortgagee | Fathers/Husbands Name | Mothers Name | Present Address | Contact No. PAN/TAN |
|---|---|---|---|---|---|
| 1 | GANESH CHANDRA DAS | DIJENDRA CH DAS | NA | REHABARI,KAMRUP M | 6900523731 |
| 2 | SUMANA DAS | GANESH CHANDRA DAS | NA | REHABARI,KAMRUP M | 6900523731 |

The Parties have agreed upon a total consideration of Rs.5909991.00 only. (Land Value :- 367175.00, Flat/Existibg Construction Value :- 5542816.00)

**SCHEDULE**

| Circle | Mouza | Village | Patta No. | Dag No. | Land Class | Area(Full dag/Part dag) | Flat Area |
|---|---|---|---|---|---|---|---|
| UTTAR GUWAHATI | SILA SENDURIGHOPA | ABHAIPUR | 198 KHARAJ MYADHI | 890 North : villa no A5 South : villa No A7 East : Internal Road West : Common Drain | 1M SHRENI BARI | 0.00 Bigha 1 Katha 7.77 Lessa, 3.61 Are 4000.00 | Flat with Area 5186 Share of Land 3.61Are |

PURPOSE OF USE : For Residential use Only
Presnt Land Use : Flat and land share 1 Katha 7.77 Lecha Intended Land Use : Residential purpose

1. Purpose for which the Land, the schedule is mentioned above, is proposed to be sold/transferred: Agricultural/Non-Agricultural(if for non-agricultural purpose, specify purpose) — Residential to Residential
2. Date of recommendation by the District level committee(in case of Agricultural land proposed to be transfered to non-agricultural purpose
3. Letter No. and Date of approval by the State Government(incase of agricultural land is transferred for non-agricultural purpose is more than 50 Bigha)

NOTARY Jnanajyoti Sarma Guwahati Regd. No.- 42846 Expiry Dt.- 20/02/2030 GOVERNMENT OF INDIA

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The NOC is granted for the sale/transfer of the land described above on the basis of the verification of the information and documents produced provided by the Applicant and it shall remain valid for 6(six) months from this date.
The Seller/Transferer shall be duty bound to produce any/all documents submitted alongwith the Applicantion asked for and pay the fees determine in accordance with rules/orders in force at the time of registration of the sale/transfer of the land in question.
The NOC is liable to be withdrawn at any stage before the registration of the sale deed if the information or documents furnished alongwith the information are found to be incorrect or if any relevant information is discovered to have been concealed by the applicant.

Condition :

1. The amount payable as registration fees and stamp duty for registration of documents with reference to this NOC shall be determined by the amount of actual consideration agreed upon by the seller and the purchaser or Govt. approved zonal value of land applicable toland of the concerned village whichever is higher.
2. The NOC shall be valid for 6(six) months from the date of issue.
3. This is a computer generated NOC, hence signature is not required.

Sri Munindra Nath Ngatey, ACS
ADC
KAMRUP

Memo No.NOC/07/12694/2019-9132-A

Dated 04/04/2019

Copy forwarded for information and necessary action to :-

1. The Deputy Registrar/Sr.Sub-registrar, Sub Registrar, Amingaon,KAMRUP
2. All members, Committee NOC for Immovable Property, KAMRUP .
3. Office File

Sri Munindra Nath Ngatey, ACS
ADC
KAMRUP

For & behalf of Arya Erectors India Private Limited
Managing Director

NOTARY
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Guwahati
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# ASSAM REAL ESTATE REGULATORY AUTHORITY
## JAWAHAR NAGAR, KHANAPARA
## N.H -37 (By Pass)
## Guwahati-22

For & behalf of Arya Erectors India Private Limited
Managing Director

## JUDGEMENT AND ORDER

| | | |
|---|---|---|
| Complaint Case no | : | ASSAM/ RERA/COM/2020/08/3711 |
| Complainant | : | Dr. Ganesh Ch. Das and Mrs Sumana Das both resident of 5th Floor, Tribeni Apartment, Mahadebpur, Rehabari, Guwahati-08 |
| Respondent | : | M/S Arya Erectors India Pvt Ltd. represented by its Managing Director Sri Anil Kr Sharma House No 123, Arya smart City Abhoypur, North Guwahati-31 |
| Date of Complaint | : | 08-12-2020 |
| Advocate for the Complainant: | | 1. Sri Santanu Chakraborty Advocate, Gauhati High Court |
| Advocate for the Respondent: | | 1. Sri Sujit Ghosh, Advocate, Gauhati High Court |
| Date of Judgement & Order | : | 21.09.2022 |
| Order Passed by | : | SRI GOKUL MOHAN HAZARIKA, MEMBER, RERA |

### Facts of the case

1. Dr Ganesh Das and Sumana Das both residents of the 5th floor, Tribeni Apartment, Mahadevpur, Rehabari, Guwahati-8 had entered into a Deed of Agreement for sale on 27th August 2018 with M/s ARYA ERECTORS INDIA PRIVATE LIMITED, a company registered under the Companies Act, 1956, Head office: House No 123, Arya Smart Living, Abhoypur, North Guwahati, Kamrup (Rural), North Guwahati 7810031, Assam, to purchase a villa, namely Villa no -6, Type –A Built up area 5186.00 sqft with a land

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area of 4000 sqft in their project ARYA SMART LIVING constructed in a project Area containing 19 Bighas 0 kathas 4 lechas of land covered by Dag no 884,885,889 & 890 of K.P Patta no. 198 of Revenue village Abhoypur , Noth Guwahti under Mouza: Silasundarighopa, District Kamrup, Asaam.

2. The Company is headed by its Managing Directors namely Mr Anil Kumar Sarma S/O Late Pabindra Nath Sarma, House no. 20, Happy Villa, Boloram Bora Raod, Barowari, P.O. Silpukhuri, Guwahati-781003 who is the respondent in the case .
3. Sri Ram Krishna Pradhan, Chief Executive Officer of the Company had signed the Deed of Agreement on behalf of the respondent.
4. The cost of the Villa was fixed at Rs 1,50,00000.00 (Rupees One core fifty Lakh) only @ Rs 2892.40 (approx) Per sqft and a schedule of payment was fixed as follows-

Annexure-II

Payment Schedule

| | |
|---|---|
| At the time of Booking | 5% of total sale value |
| On submission of the application (within 30 days of booking) | 15% of total sale value |
| At the time of excavation | 25% of total sale value |
| On casting of 1st floor slab | 25% of total sale value |
| On casting of 2nd floor slab | 25% of total sale value |
| 30 days prior to handing over | 5% of total sale value |

5. The construction of the building was to be completed and handed over within years of signing the Agreement i.e. 27th August 2020 As per the aforesaid agreement the registration of sale deed was to take place after getting the requisite permission from the competent

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Managing Director

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authority. subject however to force majeure circumstances, regular and timely payment by the second party etc.

6. The Complainant has paid the 100% of the total consideration amount to the Respondent as agreed as per the agreement dtd. 27.08.2018 as on 31st Oct 2019, to the respondent. On 28th November 2019, the Respondent also issued a Possession certificate dtd 28th Nov 2019, stating that it has handed over the apartment to the complain.
7. The Complainant has submitted a brief introduction on the Arya Smart Living Real Estate project to which the complaint is related vide Annexure-A of his Complainant.
8. Next, the Complainant has raised 9 (nine) number of complaints against the respondent on nine number of multiple specific grounds alongwith supporting documents and summarised the same in the annexure A-J of his petition as complaint no 1 to 9, as follows.

i) Complaint no 1: Non-disclosure of the Housing Project by the respondent. Annexure-B

ii) Complaint no 2: Non- adherence to Sanctioned Plans and Project Specification. Annexure-C

iii) Complaint no 3: Deed of Agreement dtd. 27th August 2018 as executed is not as per notified specified format. Annexure-D

iv) Complaint no 4: Inability of the Respondent to give Lawful Possession to the Complainant. Annexure-D

v) Complaint no 5 : Failure to transfer the title of the Apartment by way of registered conveyance in favour of the Complainant by the Respondent due to reason attributable on account of the Respondent. Annexure-F

vi) Complaint no 6: Failure to transfer the Title of Common Area by the Respondent to the society as per sanctioned plan approved by GMDA. Annexure-4 G

vii) Complainat no 7: Failure to take steps to award memberships to allotte in the Association of Allottee. Anexure-H

viii) Complaint no 8: Less electricity load provided against the actual electrical load requirement and consequently less number of electrical transformers installed against the sanctioned plans. Annexure-I

ix) Complaint no 9: Failure to handover the maintenance of the project by the respondent to the association of the allottees/society. Annexure – J

**The Complainant sought relief against all the nine specific complainants as follows-**

1. **Relief sought against complaint no 1:**

I) The Complainant prayed that the respondent be directed to provide certified copy of all the information and documents submitted by him to Assam, RERA under Rule 3 and 4 of the Assam RERA Rules as Public viewing of the Housing Project of the respondent under section

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34 (b) of the RE (R&D) Act, 2016 is yet to be activated by the Authority and further in pursuance of the rights conferred on the buyer (complainant) under Section 11(3) of the Real Estate (R&D) Act, 2016.

II) In case ARERA has not received any information and documents specified under Rule 3 and 4 of the Assam Real Estate (Regulation & Development) Rules from the respondent or has received inadequate information or documents or in the event, the information and documents as submitted by the Respondent under the said Assam RERA Rules is found to be false or misleading information in the hands of Assam Real Estate Regulatory Authority, then the Complainant prays that the provision of Section 59 and Section 60 should be invoked against the Respondent.

III) Provision of Section 61 of the Act should be invoked against the Respondent as he has contravened the provision of section 11(3) of the act and has made infringement on the rights of the Complainant conferred under Section 12 and 19 (1) of the Act as mentioned in paragraph no 4 to 7 of the grounds of complaint submitted vide Annexure-B of the Complainant petition.

**Interim Relief sought:** The Complainant be provided with certified copies of all the information and documents received by RERA under Rule 3 & 4 of the RE (R & D) Rules 2017

2. **Relief sought against complaint no 2:**

I) Provision of section 61 of the Act be invoked against the Respondent as the Respondent has contravened the provision of Section 14 (1) and 14 (2) of the act (a) by committing deviation against the approved sanctioned plan (b) by not making disclosure of deviation against the approved sanctioned plan to the Complainant and other allottee of the Housing Project and the respondent also has not obtained prior written consent of atleast two-third of allottees before committing the deviation against the approved sanctioned plan.

II) Provision of section 35 of the Act be invoked against the Respondent by calling for an investigation against the Respondent where the scope of investigation will be to ascertain what is the level of deviation that has been committed by the Respondent against the sanctioned plan. The Complainant also feel that there is no guarantee that the Respondent would comply with the provision of the Section 14 (2) of the Act voluntarily by obtaining written consent of atleast two-third of the Allottee of the Housing Project to regularise the deviation. Investigation under Section 35 of the Act will give an opportunity to the Complainants and other allottees of the Housing Project to enforce the provision of Section 14 (2) of the Act against the Respondent which is to obtain written consent of the two-third of them by the respondent.

For & behalf of Arya Creators India Private Limited
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**Interim Relief sought: No interim relief sought against this complaint.**

3. **Relief sought against complaint no 3 :**

I) The Complainant prays that the provision of sec 61 of the Act should be invoked against the Respondent as the Respondent has contravened the provision of Section 13 of the Act by choosing to ignore the Notified Agreement for the purpose of executing the Agreement for Sale with the Complainant.

II) The Complainant prays that the Deed of Sale for transfer of title which is pending for execution between the Complainant and the Respondent should contain all the clauses as per the Notified agreement under Rule 9 of Assam RERA rules 2017. The Respondent be directed accordingly to submit the draft Deed of Sale to the Complainant and thereafter to execute the Deed of Sale with the Complainant strictly as per the Notified Agreement under Rule 9 of the Assam RERA rules.

**Interim Relief sought: No interim relief sought**

4. **Relief sought against complaint no 4**

I) The Complainant prays that the Respondent be directed by a written order to submit occupancy Certificate at the earliest without fail so as to enable the Complainant to obtain lawful possession of the Apartment and to pave the path to facilitate the transfer of title by way of execution of Sale Deed keeping in view of the fact that for execution and registration of sale Deed, submission of Occupancy Certificate is mandatory requirement in the office of the Deputy Commissioner in line with Memorandum No 12/2021/1 dated 31st Oct 2017 issued by Revenue (Reforms) & DM Department, govt. of Assam.

II) The Provision of Section 61 of the Act be invoked against the Respondent as if it is without any doubt the Respondent has contravened the provision of Section 11 (4) (b) of the Act by failing to provide Occupancy Certificate to the Complainant till date even though the Complainant had made payment of 100% of total consideration amount one year back i.e. 31st Oct 2019 and further it has made an infringement on the rights of the complainant conferred u/s 19(10)of the Acto take lawful physical possession of the apartment.

**Interim relief sought: None**

5. **Relief sought against complaint no 5:**

I) Respondent be directed by written order to expedite the transfer of the title of the apartment in favour of the Complainant by executing a registered conveyance deed in a time bound manner as the Complainant has already made 100% payment of the consideration amount to the Respondent and there has been a delay of over on year till the date of filing the complaint which is an unreasonable delay.

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For & behalf of Arya Erectors India Private Limited

Managing Director

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II) The Complainant prays that the provision of Section 61 of the Act should be invoked against the Respondent as it is without any doubt that the Respondent has contravened the provision of Section 11 (4) (f) and section 17 of the Act by failing to execute the Registered Conveyance Deed of the apartment in favour of the Complainant though the Complainant has already made 100% payment of the consideration amount to the Respondent almost more than one year back i.e. 31st Oct 2019 and the failure to execute the said deed is basically attributable on of the Respondent as he has failed to the obtain Occupancy Certificate for the project till date.

**Interim Order if prayed for: None**

6. **Relief sought against complaint no 6:**

I) The Complainant prays that provision of Section 61 of the Act should be invoked against the respondent, as it is without any doubt that the Respondent has contravened the provision u/s 14 (1) and Section 14 (2) of the Act relating to non-adherence of approved sanctioned plan for common areas and section 11(4)(b), section 11(4)(f) and section 17 of the Act for failure to obtain Occupancy Certificate of the Housing Project and further to obtain Occupancy Certificate of the Housing Project and further failure to transfer the title of the common areas to the society.

II) The complainant prays that the provision of Section 35 of the Act be invoked against the Respondent by calling for an investigation against the Respondent where the scope of investigation will be to ascertain is the level of deviation that is being committed by the Respondent against the sanctioned plan with respect to common areas. There is no guarantee that the Respondent will comply with the provision of Section 14 (2) of the Act voluntarily by obtaining written consent of at least two-third of the Allottees of the Housing Project to regularise the deviation. Investigation under Section 35 of the Act will give an opportunity to the Complainant and other allottee of the Housing Project to enforce the provision of Section 14(2) of the Act against the Respondent which is to obtain the written consent of the two-third of the allotted by the Respondent.

**Interim relief, sought.**

The Complainant prays that the Respondent be directed by written order to declare in writing duly addressed to the society the details of the common areas and free space arising out of the sanctioned plan approved by GMDA in relation to the construction approved vide NOC no GMDA/BP/8214/26112012/156 dtd 25th June 2013 granted by GMDA and to specify the present status of the ownership alongwith the details of any

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mortgage or charge on such common areas and free space.This declaration is in greater interest of other allottees of the complainant

7. **Relief sought against complaint no 7:**

I) The Complainant prays that the Respondent be directed by a written order to submit in writing, the list of allottee including the Respondent who have paid 100% of the consideration amount towards their respective apartment to the society, and to the office of the assistant Registrar of Co- operative Societies, Guwahati by specifying that the listed allottee and the Respondent are eligible to become the member of the society or alternatively issue individual certificate to all allottees and to the complainant certifying that they are eligible to become the members of the society.

II) The Complainant prays that the Provision of Section 61 of the Act should be invoked against the Respondent as it is without any doubt that the Respondent has contravened the provision of Section 11 (4) (e) of the Act for the reasons mentioned in paragraph no 7 above (Annexure H) and with this contravention it has further contravened the provision of Section 11 (4) (f) of the Act as the Complainant is potentially being denied to hold the ownership of the common areas by way of denial of membership to the society despite the fact that out of the total consideration paid to the Respondent as per Agreement, certain proportion of the consideration in relates to common areas whose ownership rights will accrue to the society .

**Interim order, if prayed for.**

The complainant prays that the Respondent be directed by a written order to issue an individual Certificate to the Complainant within 7 days from the date of the interim order whereby the certificate shall state that the Complainant is eligible to become the member of the Society as the Complainant has fulfilled the obligation under the Agreement which is payment of 100% of the consideration as per the Agreement. Further if the Respondent fails to issue such certificate within 7 days from the date of the interim order, notice may be issued to the Respondent asking as to why not the Respondent should be called upon to refund the proportionate consideration relating to the common area to the Complainant as it has severely affected the rights of the Complainant since 31st Oct 2019 with respect to its rights conferred under the Agreement and under the Act relating to common areas. In absence of membership certificate from Society till such time, there must be a written confirmation from the Respondent that he Complainant is eligible

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to take membership certificate so as to protect his rights and interest in the common areas.

8. **Relief sought against Complaint no 8:**

I) The Complainant prays that the provision of Section 61 of the Act should be invoked against the Respondent as it is without any doubt that the respondent has contravened the provision of 11 (3) of the Act for the reasons mentioned in Paragraph no. 10 above and the provision of Section 14 (1) and Section (2) of the Act for reasons mentioned in Paragraph no. 11 above.(Anexure I) (Pages 44-48[5])

II) The complainant prays that the Respondent be directed by written order to install additional number of transformer at its own cost to meet the total electric load requirement of 2067.60 KW of the Housing Project against the present installed transformer which caters only the load capacity of 850 KW as it is obligated by Section 14 (1) of the Act to adhere to approved sanctioned plans.

Interim order, if prayed for-

The Complainant prays that the Respondent be directed by written order to immediately initiate the process of applying additional load capacity to meet the actual load requirement of 2067.60KW before APDCL and to share to the Society in writing (a) the details of application made to APDCL (b) the response of APDCL there in and (c) the time frame by when the Respondent shall install additional number of transformer.

9. **Relief Sought against Complainant no 9**

I) The Complainant prays that the provision of Section 61 of the Act should be invoked against the Respondent as the Respondent has contravened the provision of Sec 11 (4) (d) of the Act as mentioned in paragraph No. 7 above. (Grounds of Complain, Annexure J)

II) The Complainant pays that the Provision of Section 61 of the Act should be invoked against the Respondent as it is without any doubt the Respondent has contravened the provision of 11 (4) (f) read with section 17(1) and Section 17(2) of the Act, as mentioned in Paragraph No 8 above.9annexure J)

III) The Complainant prays that the Respondent be directed to declare the details of (a) common areas as per approved sanctioned plans (b) facilities and infrastructure constructed or provided as per approved sanctioned plan (c) list of other necessary documents and other title documents in relation to common facility by way of written

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communication to the society and to the Complainant within 7 days of issuance of the order so that allottees of the Housing project, members of the Society and the Respondent can verify such details and provide their objection or no objection which is in line with the rights of the Allottees as per Section 19(3) of the Act.

IV) The Complainant prays that the Respondent be directed by written order that upon obtaining confirmation from the Society, in relation to details to be declared by the Respondent as prayed in Paragraph no 11 above (complaint no 9, Relief Sought, Annexure j Page 57) execute registered conveyance deed in favour of the society for undivided proportionate title in the common areas and handover the physical possession of the common areas to the society which is in line with the rights of the Allotted as per Section 19 (11) of the Act and duties casted upon the Respondent as per Section 11(4) (f) of the Act.

V) The Complainant prays that the Respondent be directed that upon execution of the registered conveyance deed in favour of the Society for undivided proportionate title in the common areas, the Respondent and the Society to enter into an agreement for handover of the maintenance of the Housing Project of the the Society which is in line with the rights of the allotter as per Section 19 (5) of the Act.

VI) The Complainant prays that the Respondent be directed that till such time the above mentioned relief at Paragraph no 11 to 13 above is not carried out satisfactorily by the Respondent, the Respondent shall be made responsible for providing and Maintaining the essential services on reasonable charges which is in line with the duties casted upon the Respondent as per Section 11 4 (d) of the Act.

Interim order, if prayed for.

The Complainant prays that the Respondent be directed by written order to declare the details of (a) common areas as per approved sanctioned plans (b) facilities and infrastructure constructed or provided as per approved sanctioned plans (c) list of other necessary documents and other title document in relation to common facilities by way of written communication to the society and to the Respondent within 7 days of issuance if order so that the Allottee of the Housing Project, members of the Society and the Respondent can verify such interim details and provide there objection or no objection which is in line with the rights of Allotted as per Section 19 (3) of the Act.

The Complainant attached an INDEX to the Form M of his Complaint indicating there in the contents of the enclosures as follows

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| Sl No | Details of Enclosure | Reference of Enclosure | Page No. |
|---|---|---|---|
| 1. | Brief Introduction on the real estate transaction between the Complainant and the Respondent arising out of the real estate project titled "Arya Samrt Living" at Abhaypur, North Guwahati being promoted and constructed by Arya Erectors India Pivate Limited | Anexure-A | 5 - 7 |
| 2. | **ComplainNo. 1**<br>Non-disclosure of the Housing Project details by the Respondent | Annexure-A | 8 - 11 |
| 3. | **ComplainNo. 2**<br>Non-adherence to Sanctioned plan and Project Specification | Annexure-C | 12-19 |
| 4. | **Complain No. 3**<br>Deed of Agreement dated 27th August 2018 as executed is not as per notified specified format | Annexure-D | 20-22 |
| 5. | **Complain No. 4**<br>Inability of the Respondent to give Lawful Possession to the Complainant | Annexure-E | 23-28 |
| 6. | **Complain No. 5**<br>Failure to transfer the Tile of the Apartment by way of Registered Conveyance in favour of the Complainant by the Respondent due to reason attributable on Account of the Respondent | Annexure-F | 29-33 |
| 7. | **Complain No. 6**<br>Failure to Transfer the Title of Common Area by the Respondent to the Society as per sanctioned plan approved by GMDA | Annexure-G | 34-38 |
| 8. | **Complain No. 7**<br>Failure to take steps to award membership to Allotted in the Association of Allotted | Annexure-H | 39-43 |
| 9. | **Complain No.8**<br>Less electricity load provided against the actual electric load requirement and consequently less number of electrical transformer installed against the sanctioned plans | Annexure-I | 44-48 |
| 10 | **Complain No. 9**<br>Failure in the handover of the maintenance of the project by the Respondent to association of allottees/society | Annexure –J | 49-57 |
| | **Supporting documents against the above-mentioned nine number of complains** | | |
| 1. | Building construction approval GMDA/BP/2214/26112012/156 dated 25th June 213 granted by Guwahati Metropolitan Development Authority along with approved sanctioned plan | Annexure -1 | 58-64 |
| 2. | Deed of Agreement dated 27th August 2018 executed between the Complainant and the Respondent | Annexure-2 | 65-84 |
| 3. | Allotment letter dated 27th August 2018 issued by Respondent to the Complainant | Annexure-3 | 85-86 |
| 4. | Possession Certificate dated 28th November 2019 | Annexure-4 | 87 |
| 5. | Certificate of Registration and bye Law of Arya Smart Living Group Housing Co-operative Society Limited | Annexure-5 | 89-100 |

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Managing Director

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| | | | |
|---|---|---|---|
| 6. | Brochure of Housing Project | Annexure-6 | 101-119 |
| 7. | Photographs of Deviation against approved sanctioned plan | Annexure-7 | 102-121 |
| 8. | Complaint's RTI application dated 4th February 2020 and its written response | Annexure-8 | 122-125 |
| 9. | Complaint's RTI application dated 27th April 2020 and its written response by GMDA vide letter dated 29th September 2020 | Annexure-9 | 126-133 |
| 10 | Letter dated 8th February 2020 issued by GMDA to the Respondent | Annexure-10 | 134-135 |
| 11 | Letter dated 7th November 2019 issued to respondent | Annexure-11 | 136-318 |
| 12 | Email dated 24th January 2020 received from the Respondent | Annexure-12 | 139-141 |
| 13 | Email dated 26th January 2020 issued to respondent | Annexure-13 | 142-1448 |
| 14 | Letter dated 28th May 2020 issued to Respondent | Annexure-14 | 145-149 |
| 15 | Legal notice dated 6th October 2020 issued to Respondent | Annexure-15 | 150-154 |
| 16 | Office Memorandum No 12/2021/1 October 2017 issued by Revenue (reforms) & D.M. Department, Government of Assam | Annexure-16 | 155-159 |
| 17 | Electricity load determination report issued by Priya Electricals | Annexure-17 | 160-164 |
| 18 | Sanctioned Load 850 KW under HT Domestic Category by APDCL vide Letter NO CGM(D)APDCL(LAR) Arya Erectors India/2016-17 dated 28th December 2016 and further revalidated by APDCL vide letter dated 21st May 2018 | Annexure-18 | 165-167 |
| 19 | Respondent's letter dated 2nd July 2018 being application for allotment of individual meter to APDCL | Annexure-19 | 168-180 |
| 20 | Email dated 22nd July 2019 from the Respondent | Annexure-20 | 181-182 |
| 21 | Prepaid electric charges paid to APDCL | Annexure-21 | 183 |
| 22 | Load determination report dated 27th July 2020 issued by New Jyoti Electricals | Annexure-22 | 184-191 |
| 23 | Letter dated 9th August 2020 from the Society issued to Respondent | Annexure-23 | 192-193 |
| 24 | Letter dated 19th November 2020 issued by APDCL to the Complainant | Annexure-24 | 194-195 |
| 25 | Deed of Agreement dated 8th April 2019 | Annexure-25 | 196-200 |
| 26 | Letter dated 9th April 2019 issued by President of the Society to the Respondent | Annexure-26 | 201-203 |
| 27 | Letter dated 2nd February 2020 issued by President of the Society to the Respondent | Annexure-27 | 204-205 |

For & behalf of Arya Erectors India Private Limited

Managing Director

NOTARY
Jnanajit Sarma
Guwahati
Regd. No.- 428/46
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**PROCEEDINGS OF THE CASE**

1. On receipt of the Complaint petition, the RERA issued a notice upon the Respondent on 16-12-2020 namely M/S Arya Erectors India Pvt. Ltd to submit their written statement on the complaint by 15/01/2021. The Respondent sought 15 days time for filing their reply as their office staff was on leave due to Bihu holidays. Accordingly he was granted time till 30/01/2021 to file their reply. But the party again sought another 15 days time vide their letter dated 29/01/2021, on the plea that their advocate was out of station. The Authority granted them time till 15/02/2021 to submit their written statement as prayed.
2. The Respondent submitted their written statement on 10/02/2021 (Pages 211-214) alongwith three Annexures viz. Anexure-A-1, Annexure-B1 and Annexure-C-1 (Pages 215$^{c}$-236$^{c}$).
   i) Annexure A-1 is a copy of the Deed of agreement dtd 27/08/2018 signed between M/S ARYA ERECTORS INDIA PRIVATE LIMITED (Respondent) and Mrs Sumana Das daughter of Mr Samir Kanti Das wife of Dr Ganesh Chandra Das and Dr Ganesh Chandra Das son of Mr Dwijendra Chandra Das (Complainant).
   ii) Annexure B-1 is a copy of the NOC issued by the O/O Deputy Commissioner, Kamrup granting permission for Transfer of the Flat by way of sale by the respondent to the Complainants dtd 04/04/2019
   iii) Annexure C-1 is a copy of the Possession Certificate dtd 28/11/2019 of the VILLA handed over to the Complainant by the respondent which has been duly acknowledged by them.
3. A copy of the written statement of the Respondent was forwarded on 01/03/2021 to the Complainant on for his written response on the same, if any.
4. The Complainants submitted their written Response on the same on 15/03/2021 (pages 238$^{c}$-244$^{c}$)
5. The Respondent submitted their written reply on 05.04.2021 against the written response dtd. 05.03.2021 filed by the Complainant (Pages 256$^{c}$-285$^{c}$).
6. The Complainant submitted a copy of a RTI reply received by him containing a Joint Site Verification Report (Pages 292$^{c}$-293) done by the Secretary GMDA, Assistant Engineer GMDA & the Town Planning Assistant of the GMDA alongwith the dated 18-03-2021.
7. The Complainant submitted some other documents issued by the GMDA and Assam Electricity Regulatory Authority and Environment Impact Assessment Authority related to the Project Arya Smart Living on 01/12/2021 vide Pages 309$^{c}$-321$^{c}$.
8. The Ld advocate for the Respondent submitted his written argument on 08/12/2021 (Pages 322$^{c}$ & 323$^{c}$).

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9. The Respondent also made an additional written submission on 12/01/2022 containing two parts viz Part- A & Part –B (Part –A pages 327[c]-348[c] & Part-B pages 349[c]-409[c]).

10. The Complainant submitted a written Response on the above written submission of the Respondent dtd 12/01/2022 on 23/02/2022 (Pages 413[c]-416[c]).

11. The Respondent vide their petition dtd 11.03.2022 (Pages 440[c]-470[c]) sought the permission of the Real estate Regulatory Authority to implead GMDA in the case on the ground that the basic grievance of the Complainant is that though possession of the Villa pursuant to the agreement dated 27.08.2018 has been handed over to him and he has also accepted the possession without any objection, but till date no Occupancy Certificate has been provided by the Respondent and that the Respondent after completion of the project has duly applied to the GMDA for the Occupancy Certificate on 03.07.2018 but till 03.02.2020, the GMDA did not take any steps and only on 03.02.2018 a letter regarding site inspection was issued to the Respondent by the GMDA. The Complainant objected to the prayer of the Respondent for impleading GMDA in the case first verbally and through their written submission dtd 25.03.2022. The Authority after hearing both sides vide its order dtd 25.03.2022 rejected the prayer of the Respondent to implead GMDA in the case and directed the Respondent to comply with the direction issued to him by the GMDA vide its order no GMDA/BP/2214/26112012/316 dtd 03.11.2021.

12. The Complainants thereafter submitted their written Argument on 25.04.2022 and the Authority fixed the next date for final order.

## DISCUSSIONS AND FINDINGS

### (DISCUSSION OD THIS COMPLAINTS NO 1 & 2)

1. A Discussion on the Complainant no 1 & 2 are taken togrther as the alleged violations of the Act by the promoter and relief sought are similar in nature. (ANNEXUERE b &c Page 8-19[c])

1. The complainant vide his complaint no 1 at Annexure B (page 8[c]-11[c]) of his complaint submitted that he had not received the details of the Housing Project from the Respondent at the time when the Respondent had issued him the allotment letter dated 27th August 2018 (Page 86[c] Annexure 3) except the Brochure of the Housing Project. (Annexure -6)
2. The Complainant vide his complaint no 2 (Annexure C, Page 12[c]) stated that the Complainant had not received any sanctioned plans, layout plans alongwith specification approved by GMDA with reference to the building construction approval no GMDA/BP/231/2012/156 dated 25th June 2013 issued by the GMDA, at the time when the respondent had issued him

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the allotment letter dtd 27th August 2018 except the brochure of the Housing Project. Whereas the Respondent was responsible to provide them the sanction plans, including the Service plans, layout plants etc at the time of issuing of the allotment letter to him as per section 11 (3) of the Act. The Complainant had obtained the approved sanctioned plans of the Housing Project from the office of the GMDA later on his own.

3. The complainant after receipt of the sanctioned plans from the GMDA and examining the same have discovered the following inconsistencies with respect to the common areas and common facilities of the Housing Project-

   a) After entering from the main gate of the Housing Project on the left hand side, the space meant for triangular garden has been demarcated with a wall without constructing the Garden as per the approved sanctioned plan.

   b) Space earmarked for children park area has been used for construction of a Community Hall, Part of a swimming pool and club House.

   c) One number of 500 KVA transformers has been installed in the space earmarked in the Children Park area.

   d) Space earmarked for construction of apartment Villa no A-8 with approx 4185 sqft area has not been constructed. Around 1000 sqft of landspace has been included inside the boundry of Villa no A-7 and in the rest of the area, one STP, Temporary house and DG are being constructed/Installed.

   e) Against 3 numbers of transformers to be installed, only 2 number of transformers have been installed with less load capacity.

   f) In Villa D type in the Terrace floor, as per drawing plans, it shows construction provision of a Puja room alongwith a servant room but on actual construction, there is no such constructions.

   g) Total land area of the Housing Project as per approved sanctioned plan with reference to the Contour Plan, is 38106 sqmt/410169.5 sqft (28 Bighas 4 lechas). This total land area of the Housing Project is reflected correctly in the Bye Law No 2 (d) of the society; where it is being mentioned that membership will be drawn from those who have purchased villa/apartment on the land measuring 28 Bighas 0 Katha 4 Lechas but in schedule B of the Complainant's agreement, total housing project area is mentioned to be 19 Bighas Katha 4 Lechas.

4. The GMDA has also observed certain discrepancies with respect to the sanctioned plans, layout plans along with specification as approved by GMDA, at the time of processing the application of the Respondent for Occupation Certificate. Due to discrepancies observed by GMDA, GMDA is yet to issue the Occupancy Certificate to the Respondent till date. GMDA

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Authorised Signatory Director

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has also confirmed that there exist irregularities in Respondent's Occupancy Certificate application file. This aspect is confirmed by GMDA in its response to the Complainants RTI application.

5. The Complainant submitted Photograph of the deviation alongwith the RTI replies furnished to him by the GMDA vide Annexure 7,8,9 & 10 (pages 120[c]-135[c]).

Pleas of the Respondent

1. The Respondent in his written statement dated 10th Feb 2021 (pages 211[c]-214[c]) and 5th April 2021 (pages 256[c]-284[c]) did not submit complaint wise any specific reply but made a general denial and only emphasised that the case is not maintainable in law and that the Complainant is not entitled to the relief sought.

The Respondent vide his 1st Written statement dtd 10.02.2021 para 1 and para 2 submitted that this Complainant is not maintainable either in fact or in law and hence prayed for its rejection at the threshold.

Quote *"i) That this Complaint is not maintainable either in fact or in law. The Complainant entered into agreement with the respondents on 27.08.2018 while his villa was completely constructed and thereafter on being making payment of the construction amount, as per the terms of the agreement, the Complainant took possession of the Villa without there being any objection thereof. After taking over possession of the Villa thereof of by the Complainant, the respondents also took No objection from the Deputy Commissioner for transferring the same in favour of the Complainant but the Complainant did not turn up for execution of the same by paying his Court fee before the government and as such the Complaint filed by the Complainant is mis- conceived. While the permission was obtained by the respondents for construction of the project on 25th June 2013, at that point of time, the Real Estate Regulatory Act did not come into force. Apart from that as per the said GMDA provisions the Respondent completed the construction and handed over possession to the respective purchasers and most of the cases the registered deed of convenience (conveyance) took place. While project was going on at that point of time RERA Act came into effect and accordingly the respondent on 30.10.2017 filed application before this authority with all necessary documents for registration under RERA. The said application neither rejected nor granted by the RERA authority till date and as such, as on date, the construction project of the respondents where the Complainant purchased the Villa, is not registered with the RERA and apart from that, as the project has already been completed and the Complainant neither*

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*in the agreement nor at the time of taking possession objected to it and as such this complaint filed by the Complainant is liable to be rejected."*

2. *"That the contract between the Complainant and the respondent dated 27.08.2018 has already concluded and both the parties are binding on the contract which was signed between the parties. Therefore, any grievance beyond the contract agreement neither maintainoble before this Hon'ble Authority nor before any other forum and as such the Complaint petition is liable to be rejected at the threshold." (Quoted)*

The Respondent vide his 2nd written statement dtd 05.04.2021 stated

*Quote "1. That this complaint filed by the complainant is not maintainable on the ground that the Complainant took possession of the Villa as per terms and conditions of agreement with the respondents on 28.08.2018 and he had given undertaking that he got the possession of the Villa as per terms and conditions of the agreement. He has no objections to the same. Therefore the complaint filed by the complainant is liable to be rejected on the ground that the allegation which has been levelled against the answering respondents is beyond the terms of contract and as such, the complaint filed by the complainant is liable to be rejected at the threshold." (Quote closed)*

(N.B Some grammatical corrections done in the W.S. of the respondent by the Authority here and there without changing the contents)

3. The Respondent in his Written Argument dated 8th Dec 2021 (Pages 322c -323d also made only general submissions which, are found to be repetitive in nature and are as follows

<u>Regarding the Complaint no 1 (Quote)</u>

The Respondent Sheweth

1. "That with regard to the allegation made in Complaint no 1 (Annexure-B) is not correct and hereby denied. After going through the project through details, the Complainant entered into the agreement, therefore question of raising plea at this stage is not maintainable".

<u>Regarding the Complaint no 2 (Quote)</u>

2. "That with regard to the allegation made in Complaint no 2 (Annexure-C) is not correct and hereby denied. After going through the sanctioned plan and project specification detail the Complainant entered into agreement, therefore question of raising plea at this stage is not maintainable.

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Real Estate Regulatory Authority Guwahati

**1 B - FINDINGS**

1. The above General reply of the Respondent without any supporting documents/evidence proves beyond reasonable doubt that respondent had not cared to.
   i) Furnish the complete details of the Housing Project to the Complainant while signing the Sale Agreement or issuing him the allotment letter dated 27th august 2018 except the Brochure of the Housing Project.
   ii) Had not furnished copies of the Sanctioned plans, layout plans alongwith specification as approved by the GMDA. The Respondent also did not produce any evidence to prove that the above information were made available by display in the site or in the Brochure handed over to the complainant. Therefore the Respondent has violated the provision u/s 11 (3) of the Real Estate (Regulation & Development ) Act, 2016 (Herein after to be referred to as only Act).

   He is actually duty bound to provide the authenticated copies of the sanctioned pains, layout plans, alongwith specifications, approved by the competent authority to the Complainants and he has miserably failed to prove that he has adhered to the directions contained in 11(3) (a) of the Act while signing the Sale Agreement dtd 27.08.2018 or while issuing the Allotment letter to the Complainant on 28.08.2018
2. The RTI reply furnished by the GMDA to the queries of the Complainant dtd. 27.04.2020 show that the respondent has made deliberate deviations in the construction of the project for which he has also not taken the consent of the two third allottees of the Project as enjoined u/s 14 (2) (ii) of the Act. Thereby he has also violated Section 14 (1) & 14 (2) of the Act.In view of the above, the promoter is liable to be penalised u/s 61 of the Act.

For & behalf of Arya Erectors India Private Limited
Managing Director

**2. (A) Discussion on Complaint no. 3 (Annexure D, Page 20-22[c])**

1. The Complainant vide his complaint no 3 (Annexure - D Page 20[c]) para 2 has alleged that the Form and Content of the Sale Agreement dtd 27.08.2018 signed by him and the Promoter do not confirm to the model form prescribed in Annexure A (Notified Agreement) under Rule 9 of the Assam RERA Rules. He alleges that the clauses of the Agreement are totally inconsistent with the clauses of the Notified Agreement and many clauses of the Notified Agreement are missing or omitted in the signed Agreement.

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The Respondent is found silent in his written statements dtd 10.02.2021 & 05.04.2021. However the Respondent took the following plea in written argument dtd 08.12.2021 (page 322[c]) vide para 3

(Quote)

*"That with regard to allegation made in complaint no 3 (Annexure-D) is not correct and hereby denied. After going through the project detail, the Complainant entered into agreement dtd 27.08.2018 without any undue influence or coercion , therefore, question of raising plea at this stage does not maintainable. However, it is to be mentioned herein that regarding said agreement for violation of the terms of Contract by the complainant, the opposite party filed title suit no 71/2021 before Learned Civil Judge, Kamrup, Amingaon praying for cancellation of the deed of Agreement dated 27.08.2018 and the subject matter of the same is pending before the Competent Civil Court. Therefore same cannot be adjudicated before the Hon'ble Forum as because there is disputed question of fact and law has been raised before the Competent Civil Court having Jurisdiction".*

<u>2B Findings</u>

A close examination of the Deed of Agreement for sale dtd 27th August 2018, submitted by the Complainant vide Annexure-2 (page 65[c]-84[c]) which was signed jointly by the Respondent and the Complainant to sale and buy the villa no 6 Type A, Builtup area 5186.00sqft does show that the Agreement does not conform to the Annexure-A "Agreement for sale" prescribed under Rule 9 of the Assam RE (R & D) Rules, 2017.

This establishes beyond doubt that the Respondent has violated the Provisions of Section 13 of the Act as alleged by the Complainant and therefore he is liable to be penalised U/S 61 of the Act.

3 A. <u>Discussion on Complaint no. 4</u> (Annexure –E, Pages 23-28[c])

In ability of the Respondent to give lawful possession to the complainant

I) The complainant has stated that he has already paid 100% of the total consideration amount to the Respondent as on 31st October 2019. As per their Agreement, the Respondent on 28.11.2019 issued a possession Certificate dated 28th Nov 2019 to the Complainant stating that they have handed over the Apartment to him. The Possession certificate was silent whether the possession granted was based on Occupancy Certificate or not.

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II) He also submitted that as per the written confirmation from GMDA, the Respondent has not received any Occupancy Certificate for the project till date as his application is found to be suffering from many defects.

III) Complainant had written and made many communications including verbal requests to the Respondent to provide the details of the Occupancy Certificate but no Occupancy Certificate has been provided to him. Only verbal information was provided to him that they have Deemed Occupancy Status Certificate. When the Complainant cross checked the same with GMDA, they informed him that without obtaining Occupancy Certificate, no building or apartment can be occupied and that they have not issued any confirmation or certificate on Deemed Occupancy Status to the Respondent. Hence the Complainant has not been able to occupy the Apartment due to lack of the Occupancy Certificate.

IV) The Respondent made attempts to take steps for executing the Conveyance deed but the Complainant insisted that he would agree only when the Respondent furnishes the Occupancy Certificate. The respondent in Para 3,4 of his 1st written statement stated as follows..

(Quote)(page 212[c])

"3. With regard to the statements made in paragraph 1 & 2 of the Complaint being matter of records and I do not admit those statements which are borne out of records.

*4. With regards to the statements made in paragraph 3 that the respondent has not received Occupancy Certificate from the GMDA which is not to be decided by this Authority. However, it is to be mentioned here that after completion of Construction, the respondent applied for Occupancy Certificate as per GMDA Bye Law 2010 and under the said Bye Law, if permission neither granted by the GMDA within 21 days nor rejected within the said period then it will be deemed permission and under such circumstances as the respondent applied for Occupancy Certificate after completion of the construction and till date the same was not rejected and as such it is deemed Occupancy Certificate. The allegation made by the Complainant that it is mandatory regarding Occupancy Certificate is not correct as because 2014 Regulation is not applicable in the case of the respondent."* (quote closed)

His plea in the written statement dtdt 05.04.2021 (Page 256[c]) & the written argument dtd 08.012.2021 (Page 322[c]) are similar in nature.

3 B. FINDINGS

Though the Respondent has duly applied to the GMDA for issuing the Occupation Certificate for the Project "ARYA SMART LIVING" on 03.07.2018 the same has not yet been granted to

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him due to deviations in the construction of the project as can be made out from the letter no GMDA/BP/2214/26112012/276 dtd 20.03.2021 (Page 312[c]). issued to him by the GMDA

Under the circumstances, the act of issuing a Possession Certificate to the Complainant vide their allotment letter dtd 28/11/2019 is violation of Section 11 (4) (b) and 19 (10) of the Act read with clause no 7.2 of the Annexure A prescribed under Rule 9 of the Assam RE (R&D) Rules 2017 (herein after referred to as Assam RERA Rules). The respondent is therefore liable to be penalised u/s 61 of the Act.

Though the Respondent has taken the plea that as they had already applied to the GMDA for the Occupancy Certificate before issuing the Possession Certificate to the Complainant and that as GMDA has failed either to issue or reject their application within the mandatory period of 21 days prescribed u/s 11 (b) of the Guwahati Building Construction (Regulation) Act 2010, therefore their project automatically fulfils the condition for Deemed Occupancy Certificate holds no water. Because an applicant for occupancy certificate is entitled to treat itself as having the Deemed Occupancy Certificate after expiry of 21 days of the date of receipt of the completion certificate by the competent Authority provided the building has been constructed as per the approved plans, as per provisions of Section 11 (b) of the Guwahati Building Construction (Regulation) Act, 2010. The subsequent correspondence from the GMDA vide no GMDA/BP/2214/26112012/276 dtd 20.03.2021 (Page 312[c]) & No GMDA/BP/2214/26112012/316 dtd 03.11.2021 addressed to the respondent and the RTI reply furnished to the complainant Sumana Das vide No GMDA/RTI/2020/9/2 dtd 17.03.2020 (Page 125[c]) and no GMDA/RTI/2020/22/18 dtd 29.09.2020 addressed to Sri Padum Deuri & Ganesh Das (page 129[c]) amply proves that the presumption of the respondents on their having the Deemed Occupancy Certificate for the project is preposterous as he has not adhered to the sanctioned plan approved by GMDA, with their NOC for construction.

Further obtaining the Occupancy Certificate from the Competent Authority is the responsibility of the Promoter u/s 11 (4) (b) of the Real Estate (Regulation & Development) Act, 2016 and the Promoter cannot give possession or transfer the Apartments without receiving the Occupancy Certificate from the Competent Authority as enjoined vide clause no 7.2 of the model form of Agreement prescribed under Rule 9 of the Rules and Section 11 4 (b) & 17 of the Act.

As per Section 89 of the Act, the provisions of this Act shall have overriding effect not withstanding anything inconsistent therewith in another law for the time being force.

For & behalf of Arya Erectors India Private Limited

Managing Director

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Therefore it is the bounden duty of the promoter to obtain the Occupancy Certificate from the Competent Authority before offering possession and transferring of Flats to the Allotees.

4 A Complaint no 5: Failure to Transfer the Title of the Agreement by way of registered Conveyance in favour of the Complainant by the Respondent due to reasons attributable on account of the Respondent

1. The Complainant vide complaint no 5 (Annexure F, page 29-33[c]) stated that he has made 100% payment of the total consideration of the price of the Villa as per his Deed of the agreement dtd. 27th august 2018. And thereafter he has been making requests to the Respondent continuously to expedite the process of execution of the Sale Deed but till date the sale Deed is yet to be executed by the Respondent. Some of the written correspondences made by him are as follows-
   i. Letter dtd 7th Nov 2019 attached as annexure 11
   ii. Email dtd 24th January 2020 attached as annexure 12
   iii. Email dtd 26th January 2020 attached as annexure 13
2. The Complainant through his several correspondences basically insisted that the Respondent should provide him copies of all the relevant permissions and that the Respondent is obliged to statutorily obtain all the relevant permissions from the competent Authorities including the Occupancy Certificate and include their references of such permissions in the Draft Sale Deed and also insisted that the Sale Deed should include the clauses contained in the model Sale agreement prescribed vide Annexure-A as specified under Rule 9 of the Rules 2017.
3. The Complainant did not receive any single response from the Respondent nor he cared to share the Draft Sale Deed with the Complainant.
4. The Complainant issued a reminder letter on 28th May 2020 to the Respondent for transfer of the Title of the Villa no 6 Type 'A' block, stating the facts that the Respondent has failed to respond to his letters/communications cited above and has also failed to share the draft sale deed causing delay in execution of the Sale Deed and consequently the transfer of title of the Apartment alongwith the common areas has remained incomplete for reasons attributable on the negligence of the Respondent and not due to any failure from the Complainant's end. The copy of the letter is attached vide Annexure-4 (page 145[c]-149[c])
5. As the Complainant did not receive any response to his reminder letter dtd 28th May 2020, he issued a legal Notice to the Respondent on 6th Oct 2020 requesting him to take either of the following actions within 30 days of the receipt of his Legal notice.

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Action1 -Take necessary steps for execution and registration of the Sale Deed strictly in line with his letter dtd 28th May 2020

Action 2 In case he is not agreeable to the content of his letter dtd 28th May 2020, he may show cause as to why he is not agreeable to proceed with the process of execution and registration of the Sale Deed in line with his letter dtd 28th May 2020

4 B. VIEWS AND FINDNGS OF THE AUTHORITY

The respondent did not submit any specific reply to the complainant either in his W/S dtd 10.02.2021 or W/R dtdt 05.04.2021. The respondent however in his written argument dtd 08.12.2021 vide para 5 stated that – The Complainant took necessary permission twice from the Deputy Commissioner, kamrup as per the India Registration Act for execution of the deed but the complainants on this or that pretext did not co-operate to execute it. Finding no other alternative as the complainant failed to comply the terms and condition of the contract, the opposite party filed title suit no 71/2021 before the Ld Civil Judge, Kamrup, Amingaon and the subject matter of the contract is su-judice before the Competent Civil Court, therefore, the complainant cannot question the same before this Forum.

The fact of his filing the Title Suit no 71/2021 before the Ld Civil Judge, Kamrup seeking a decree for cancellation of the Deed of Agreement dtd 27.08.20218 and several other relief pertaining to the Villa/Suit land does not take away the right of the Complainant to proceed with his Complaint before the Authority u/s 31 of the Act, as the Suit has been filed by the respondent only on 28.09.2021, whereas the Complainant has filed his Complaint before RERA Authority on 08.12.2020 much before institution of the said Title Suit. Further section 79 of the Act states – " No Civil Court shall have jurisdiction to entertain any suit or proceedings in respect of any matter which the Authority or the Adjudicating officer or the Appellate Tribunal is empowered by or under this Act to determine and no injunction shall be granted by any court or other Authority in respect of any action taken in pursuance of any power conferred by or under this Act."

In view of the above, the objection of the respondent could not be sustained

From the perusal of his complaint and the relevant records, it is found that the Respondent has failed to respond to the letters/requests of the Complainant, seeking the relevant documents including the Occupancy Certificate and the Draft Sale Deed etc even though the Complainant had already made 100% payment of amount for the Villa no -6 in Block 'A' of the project "ARYA SMART LIVING". The respondent however did try to get the

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"Sale Deed" executed by obtaining the NOC from D.C Kamrup (R) without the Occupancy Certificate

The Respondent is duty bound to provide the documents sought by the Complainants, u/s 11 (4) (f), 11(3) (a) , 11 (4) (b) and 17 (1) of the Act. Section 11(4) (b) and 19 (10) with clause no 7.2 of the Annexure –A under Rule 9 do make it clear that the promoter shall offer the possession of the apartment to the Buyer only after obtaining the Occupancy Certificate from the Competent authority.

Section 17 (1) of the Act provides that registered deed of Conveyance to the Allotte must be done by the Promoter within three months from date of issue of the Occupancy Certificate.

Clause no 10 of the prescribed agreement for sale specified vide Annexure A under Rule 9 of the Rules, also casts an obligation on the Promoter to execute the Sale Deed within 3 months from the date of issuance of the Occupancy Certificate on receipt of the complete amount of the contracted price from the buyer.

Further for getting the required NOC for sale of Flat) the promoter must attach the Occupation Certificate (Sl 13) issued by the GMC/GMDA etc as the case may be as per the OM no RRG.12/2012/1 dtd 31.10.2017 of the Dept pf Revenue (Reforms) & DM Department, Govt of Assam (Annexure 19, Pages 155[c]-158[c] furnished by the Complainant)

Hence obtaining the Occupancy Certificate from GMDA was obligatory on part of the Respondent for transferring the Villa to the Complainant before approaching the DC[s] office for the NOC for sale. It is also astonishing to note as to how the DC[s] office, Kamrup [®] could ignore/ by pass such vital instructions of the Govt. while issuing the NOC for registration of Sale Deeds of any flat/unit in the project. His claim of holding the Deemed Occupancy Certificate is also preposterous because GMDA has detected several deviations in the project from the sanctioned plan in their subsequent inspection.

In view of the above by offering the possession and transfer of the Flat to the Complainant without obtaining the Occupancy Certificate from the Competent Authority, the respondent is found to have violated the directions contained in Sec 11 (4) (f) and 17 of the Act and therefore is liable to be penalised u/s 61 of the Act.

5. A Complaint no 6: Failure to transfer the title of common area by the respondent to the society as per sanctioned plan approved by the GMDA

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"The Complainant in support of his complaint no 6- Failure of the respondent to transfer the title of Common Area by the Respondent to the Society as per as sanctioned plan approved by GMDA" submitted as follows:-

1. The Apartment as purchased by the Complainant from the Respondent is based on building construction approval no GMDA/BP/2214/2611/2012/156 dtd 25th June 2013 granted by the GMDA, alongwith the corresponding sanctioned plan approved by the GMDA. As per the sanctioned plan, in relation to the construction approval dtd 25th June 2013, the total plot area is 38106 sqft, out of which, free space is 29916.40 sqft which is 57.51% of the total plot area. The free space is represented as per the sanctioned plan to be the Entry road, Drive way road, Green area, Children Park and service area relating to the space for common facilities to be constructed or to be utilised. Extract of the landscape plan as per the approved drawing plan is

| Total Plot area | 38106 sqmt | 100% |
|---|---|---|
| Zone | Area in Sqmt | percentage% |
| R. G. Area | 8257.99 | 21.7 |
| Paved Area | 9628.41 | 25.3 |
| Road | 4030.0 | 10.6 |
| Land for proposed Apartments | 6362.0 | 16.7 |
| Building Foot Print (L&A) | 9827.6 | 25.8 |
| Total | 38106.00 sqmt | 100.00 |

The Complainant has extracted the information above, from the Sanctioned Plan approved by the GMDA and annexed as Annexure-1 (pages 58-63 & Page 62[c]) to his complaint

2. As per Annexure –I of schedule-D of the Deed of Agreement dtd 27th August 2018, there is a list of facilities and amenities to be provided by the Respondent but the detail of land measurement on which such facilities and amenities shall stand is not provided. As such, common areas representing facilities and amenities as mentioned in Annexure-I of the Agreement and free space has not been defined in the Deed of the Agreement. Further none of the clause of the Agreement draws reference to Annexure-I of Schedule D of the agreement. Clause 4 and 14 of the Agreement makes a reference that common areas, remaining land saved and the right to use the common facilities shall be the property of the Respondent until construction of apartments and buildings is completed and thereafter the common areas will be transferred in the name of the society

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3. Clause 16 of the Agreement mentions that the Respondent shall within four months from the registration of the society or Association of person transfer all the rights, title and interest in the allotted part of the land by executing necessary Conveyance Deed in favour of the society (page 21[c]. The Respondent has facilitated the formation of the Housing Society called Arya Smart Living Group Housing Co-operative Society Limited (socirty') in line with clause 12 of the Agreement. The Society was registered on 10th June 2019 under Assam Co- operative Societies Act 2007 before the office of the Assistant Registrar of Co-operative Societies, Guwahati alongwith in the Bye Law of the Society. But till date, the Respondent has not transferred the common areas to the society by way of conveyance deed even though the society was formed in June 2019 and also by that time, by and large, all apartment construction was completed by the Respondent and therefore the undefined common areas i.e free space and space on which visible common facilities so exists remains the property of the Respondent till date. The Respondent without assigning any reason in writing till date either to the Complainant or the Society continues to hold the ownership of the common areas and free space arising out of the approved sanctioned plan since June 2019 till date.
4. The respondent is found silent in his written statement dtdt 10-02-2021 & 05-04-2021. However the Respondent in his written argument dtd 8th Dec 2021 vide para no 6 submitted as follows-

*"That with regard to the allegation made in complaint no 6 (Annexure-G ) is not correct and hereby denied. The common area is concerned the same has already been transferred in favour of the Arya Smart Living Co-operative society which is a registered society and all the villa owners are the members of the said Society, therefore in absence of the Society, this Hon'ble Forum cannot give finding whether the common areas were transferred or not. Society will be the best judge to answering the same, therefore the same allegation completely baseless and without iota of truth".*

5 B FINDINGS

Section 11 of the Act under the head Functions & Duties of the Promoter states that the Promoter shall (Quote)

"11 (4) (f) execute a registered conveyance deed of the apartment, plot or building, as the case may be, in favour of the allotte alongwith the undivided proportionate title in the common areas to the association of the allottess, or competent, authority, as the case may be, as provided under Section 17 of the Act"

Again Section 17 of the Act under the head Transfer of Title states as follows-

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*"17 (1) The promoter shall execute a registered conveyance deed in favour of the allottees alongwith the individual proportionate title in the common areas to the association of the allottees or the Competent Authority, as the case may be, and hand over the physical possession of the plot, apartment of building, as the case may be, to the allottes and the common areas to the association of the allottes or the competent authority, as the case may be, in a real estate project, and other title documents pertaining thereto within specified period as per sanctioned plans as provided under the local laws:*

*Provided that, in the absence of any local law, conveyance deed in favour of the allottees or the association of the allottees or the Competent Authority, as the case may be, under this section shall be carried out by the promoter within three months from date of issue of occupancy certified.*

*17 (2) After obtaining the occupancy certificate and handing over physical possession to the allottees in terms of subsection (1), it shall be the responsibility of the promoter to handover the necessary documents and plans, including common areas, to the association of the allottees or the competent authority, as the case may be, as per the local laws:*

*Provided that, in the absence of any local laws, the promoter shall handover the necessary documents and plans, including common areas to the association of the allottees or the competent authority, as the case may be within thirty days after obtaining the Completion certificate".*

Completion Certificate as per the Act Section 2 (q) "means the Completion Certificate or such other certificate, by whatever named called, issued by theh Competent Authority certifying that the real estate project has been developed according to the sanctioned plan, layout plant and specification, as approved by the competent authority under the local laws"

From the perusal of the written submissions and written arguments of both the parties it is found that (I) The respondent has enabled the formation of the Arya Smart living Housing Co- operative society in the Arya Smart Living Housing Project on 9th April 2019 as per provision of Section 11 (4) (e) of the Act and also handed over the Maintenance of the Complex to the said Society.

However, the respondent has failed to fulfil his functions and duties completely under the provision of the Act as he has not yet transferred the common areas of the project as per the sanctioned plan to the "Arya Smart Living Housing Co-operative

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Society by executing a registered Conveyance Deed as enjoined u/s 11 (4) (f) and Section 17 (1) of the Act.

Mention must be made here that the Promoter/Respondent is yet to obtain the Occupancy Certificate for the project which is a vital document that enables a promoter to Effect the transfer of the Title to the alottees and the Association of the allottes as expressly stated in section 17 of the Act. Therefore the allegations brought by the Complainant against the respondent regarding non transfer of the common Areas to the society as per the provision of the Act is probed beyond doubt as the Respondent could not provide any evidence to the contrary either in his written statement dtd 13/10.02.2021 or 05.04.2021 , the written argument dtd 08.12.2021 and his subsequent submission dtd 12.01.2022

Thus the respondent is guilty of violating the provisions of Sec 11 (4) (f) and Sec 17 of the act and therefore liable to be penalised u/s 61 of the Act.

6. A- Complaint no 7: **Failure of the respondent to take steps to award membership to the allottee in the Association of allottes-Annexure H (pages 39°-43°).**

   1. The Complainant vide complaint no Seven stated that although the Respondent has facilitated the formation of the Housing Society called Arya Smart Living Group Housing Co-operative Society Limited ("Society") in line with clause no 12 of the Agreement and whereas the society was registered on 10th June 2019 under the Assam Co-operative Societies Act in before the office of the Assistant Registrar of co-operative societies, Guwahati alongwith the Bye law of the society but till date the complainant and other allottees of the Housing Project are yet to receive their respective membership Certificate from the society. The reason for non-issuance of the membership certificate from the society is due to the confusion that has prevailed in the society as to who are eligible to become the member of the society at the behest of the Respondent.
   2. The Complainant having paid 100% of the total consideration to the Respondent has fulfilled obligation of the Agreement with respect to clause no 5 of the Agreement. Accordingly, the relevant clauses of the Agreement in relation to the society gets invoked whereby an automatic eligibility to become the member of the society arises and further clause no 19 of the Agreement requires the Complainant to undertake to be an "ipso facto" member of the society. The respondentS only condition to decide the eligibility to become the member of the society is that the Complainant must have fulfilled the obligation as per clause no 15 which relates to 100% discharge of the total consideration.

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The respondent in para 9 of his written statement dtd 10.02.2021 (Page 213-214) stated as follows

"9 . That with regard to the statement made in paragraph 8 and 9 the complaint being matter of records, however, with respect to the statement made in paragraph 10, it is completely between the Society, the Complainant and with the respondent. Apart from that in his complaint, the complainant did not make party the co-operative society i.e Arya Samrt Living Group Housing Co-operative Society Ltd, which is a statutory body and as such any allegation against the society is not maintainable in absence of the society as a party."

In view the above, the relief sought for by the complainant is liable to be rejected. The respondent in his written response/statement dtd 05-04.2021 (page 259[c]) stated as follows-

"4. That the project of the respondents so far relates to the complaint is concerned has already been completed since long in the year 2018 and handed over possession to the respective owners and the owners had formed a Co-operative Society i.e Arya Smart Living Group Housing Co-operative Society Limited registered under the Societies Registration Act and if any complaint that should be made before the appropriate authority as the society is a statutory body and in the present complaint the society is not a party and therefore the Complainant petition is liable to be rejected.

The respondent also takes the following plea in his defence in his written arguement dtd 08.12.2021 (page 323) para 7

Quote

"7. That with regard to allegation made in complaint no 7 (Annexure h) is not correct and hereby denied, Question of granting membership is not with the opposite party. It is the Authority with the registered society which has already been started functioning after formation."

6 B Findings: Section 11 (4) (e) of the Act clearly states that The Promoter shall-(Quote)

"11 (4) (e) Enable the formation of an association or society or co-operative society, as the case may be, of the allottees, or a federation of the same, under the laws applicable.

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Provided that in absence of local laws, the association of allottees by whatever name called, shall be formed within a period of three months of the majority of allottees having booked their plot or apartment or building, as the case may be, in the project".

In this particular case, Dr. Ganesh Chandra Das and Mrs Sumana Das had booked the Villa no 6 Type , Block 'A' vide their deed of Agreement dtd 27th August 2018 and was allotted the said villa to them vide the Allotment Letter no nil dtd 27.08.2018 issued by the Company of the respondent. Further he has paid up 100% of the Agreement value as on 31.10.2019. Therefore, he should have automatically been made a member of the Arya Smart Living Group Housing Co-operative Society limited (Society), immediately on the date of the formation of the society.

The fact that he had not been made a member of the Society shows that the Respondent had discriminated against the complainant and thereby violated not only the provision of sec 11 (4) (e) but also the rights of the complainants provided under Sec 11(4) (f) of the Act, as non membership of the society, deprived them from taking part in the deliberations of the society and from holding his due shares in the common areas. Hence, the Respondent is liable to be penalised u/s 61 of the Act. However the Complainant in his written argument dtd 25.04.2022 in *column 37 (g) (Prayer seeking relief Page 16 CR 509) page no 69) states that in respect of Complainant no 7, no direction arises in view of the fact that Complainant had secured membership of the Society by an order issued by the Registrar of Co-operative Societies.*

Hence grievances of the Complainants submitted through complain no 7 treated as has already been met up and is accordingly dropped.

7. **A- Complaint no 8:** The Company has provided less electricity load against the actual electricity load requirement and consequently less number of the electric transformers installed against the sanctioned plans (Annexure-I, pages 44c-48c)
   1. The complainant has submitted that as per the sanctioned drawing plan approved by the GMDA, there is provision for installation of 3 numbers of transformers (1000 KVA,1250 KVA and 1250 KVA) by the Respondent against which the Respondent has installed only 2 numbers of 500 KVA Transformer
   2. The Respondent had applied for sanction of a load of 850 KW before the APDCL based on the load determination report issued by Priya Electrical, an electrical contractor registered under APDCL. Copy of the load determination report done by Priya Electricals duly signed by the Respondent is attached as Annexure-17. The Complainant alleges that the Load Determination Report Prepared by Priya

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Electricals has not considered the connection points for each apartment unit including the Complainant's Villa No A-6

3. The Respondent was accorded approval of sanctioned load of 850 KW under HT Domestic Category by APDCL vide their letter no CGM(D)/APDCL(LAR)/Arya Erectors India/2016-17 dtd 28th Dec 2016 for which 2X500 KVA transformers were to be installed and the sanction approval for load 850 KV was revalidated by APDCL vide their letter dtd 21st May 2018 (The said letters have been attached vide Annexure-18)
4. The respondent had submitted an application to APDCL on 2nd July 2018 for allotment of individual meters in respect of 123 numbers of low rise apartments wherein there was individual allotment of 845.50 KW, out of the sanctioned load of 850 KW. Copy of the said application has been enclosed as Annexure-19. According to the same, a 11 KW load was allotted against the Complainants villa No A-6
5. The Complainant and the Society had separately carried out the Determination of load thorough a new APDCL registered electric firm namely "New Jyoti Electricals" on 20th July 2020 and the said report is enclosed as Annexure-22. A per the said report, the total load requirement of the Arya Smart Living Housing Complex, Abhoypur, North Guwahati, Kamrup(R), is 2206.9 KW. Accordingly Dr Munindra Borkataki, President of Arya Smart Living Group Housing Co-operative society ltd (ASLGHSG) vide his letter dtd 9.08.2020 (Annexure -23) has written a letter to M.D. Arya Erectors Ltd (Respondent) for installation of extra transformer at Arya Smart Living complex to fulfil the need of 2206KW of electric load for the complex.
6. The Complainant had moved APDCL individually vide his application dtd 27-10-2020 for increasing his power load from 11 KVA to 22 KVA. But the same could not be processed by APDCL due to the fact that the transformer capacity of their Housing Complex is only 1000 KVA and 850 KW of connected load is already allotted to the flats and villas of the complex by the Builder apart from non furnishing of NOC from the society/Builder, as per the reply of the APDCL received by him vide. No SDE/AESD/APDCL/LAR/Misc/2020/463 dtd 19-11-2020. (Annexure-24).

7 B- <u>FINDINGS</u>

The respondent is silent in his written reply dtd 10.02.2022 and in his written response dtd 05.04.2021 he is found only to have made a overall denial . However, the Respondent took the following plea in his written argument dtd 08.12.2021 vide para 8-

Quote (page 323)

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"That with regard to the allegation made in complaint no 8 (Annexure I) is not correct and hereby denied. With respect of Electricity connection is concerned the complaint (complainant) has already raised the same issue before the Electricity Regulatory Authority and same was rejected thereafter the Complaint (Complainant) raised the same before the Ombudsman of the Electricity Regulatory Authority, the same was also rejected and there was no substance in the complaint."

The Service Plan part of the Sanction Plan approved by GMDA vide their NOC no GMDA BP/2214/261/2012/156 dtd 25.06.2013 shows that three numbers of Transformers, 1st one with 1000 KV, the 2nd and 3rd ones with 1250 KV capacity are to be provided in the project.

But the Respondent has only provided two nos of transformers with capacity 500 KV each which is a clear violation of sec 14 (1) & 14 (2) of the Act. Non disclosure of the correct information to the complainant is also a violation of Sec 11 (3) (b) of the Act.

Hence, the respondent is liable to penalised u/s 61 of the Act.

8. A- Complaint no 9 (Annexure –J, Page 49-57[c])

Failure of the Respondent to handover the maintenance of the project to the association of allottees (Annexure-J, page 49-57[c]).The Complainant in support of his complaint no 9 has submitted as follows-

1. The society since its registration in the month of June 2019 has been carrying out the maintenance of the Housing Project based on one time contribution of fees of Rs 50,000/- from all members of the Society. The respondent had obligation to transfer the title of common areas of the Housing Project within 4 months from the date of registration of the Society as per clause 16 of the agreement. The Respondent without obtaining occupancy certificate of its Housing Project and also without transferring the title of common areas of the said project to the society has claimed that it has handed over the physical possession of the common areas and facilities thereon to the society. The claim of hand over of the maintenance of the common areas by the Respondent has been out rightly rejected in writing by the Society and the Governing body of the society.

The Complainant cited the following as for his grounds of complaint

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1. The Complainant draw the attention of the Authority to the provisions of the Act in respect of the duties and responsibilities of the Respondent to the Association of the Allottes/society of the Allottees as follows-

   I) Section 11 (4) (e) of the Act mandates the Respondent to enable the formation of the Society.

   II) Section 11 (4) (b) of the Act mandates the Respondents to obtain Occupancy Certificate and hand it over to the allottes and the association of allottees.

   III) Section 11 (4) (d) of the Act states that the Respondent shall be responsible to provide and maintain the essential services on reasonable charges till the taking over of the maintenance of the project by the Society so formed

   IV) Section 11 (4) (f) of the Act mandates the Respondent to execute a registered conveyance deed to transfer the undivided proportionate title in the common areas to the society in the manner provided under Sec 17 of the Act.

   V) Section 17 (1) of the Act mandates that the Respondent shall first execute a registered conveyance Deed in favour of the Society for the undivided proportionate title in common areas to the society and other title documents pertaining to common areas within 3 months from the date of issue of the Occupancy Certificate .

   VI) Section 17 (2) of the Act mandates that the Respondent after obtaining Occupancy Certificate and handing over the physical possession of the common areas to the allottees, shall be responsible to hand over the necessary documents and plans including the common areas to the society.

   And listed the following sequential responsibility to be carried out by the Respondent

Responsibility no 1 : Respondent must enable the formation of the society.

Responsibility no 2 : Respondent must obtain occupancy certificate from GMDA

Responsibility no 3: Within 3 months from the date of issuance of the Occupancy Certificate, the Respondent must execute a registered conveyance deed in favour of the society for undivided proportionate title in common areas.

Responsibility no 4 : After executing the above mentioned conveyance deed, the respondent must handover the Physical Possession of the common areas to the society and other title documents pertaining to common areas which means the title documents relating to common facilities standing in the common areas.

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Responsibility no 5 : After handing over the physical possession of the common areas to the Society, the Respondent must handover all necessary documents and plans to the society.

He further submitted that it is only after the above mentioned 5 numbers of responsibilities have been carried out by the Respondent, then only the Respondent can be said to have handed over the maintenance of the Housing Project to the Society or in other words it is only after the Respondent has carried out all the 5 numbers of the aforesaid responsibilities, then only the society can take over the maintenance of the Housing Project and till such time, the handover or take over is completed, section 11 (4) (d) of the Act mandates that the Respondent shall be responsible to provide and maintain the essential services on reasonable charges.

The Complainant evaluated and submitted that the Respondent has only partially fulfilled the above responsibilities viz.

Responsibility no 1 : Respondent has facilitated the formation of the society and the society has been registered on 10th June 2016

Responsibility no 2: **Respondent must obtain the Occupancy Certificate**

The respondent has failed to obtain the Occupancy Certificate from GMDA till date as it can be ascertained from the written confirmation issued by GMDA to the complainant attached as Annexure 8 & 9, issued to him as response to his RTI application. (Attached as Annexure 8 & 9 of the Complaint petition)

Responsibility no 3 : Within 3 months from the date of issuance of the Occupancy Certificate, the Respondent must execute a registered conveyance deed in favour of the society for undivided proportionate title in common areas.

The Respondent has failed to execute any registered conveyance deed in favour of society for undivided proportionate title in the common areas and moreover it has also failed to obtain Occupancy certificate.

Responsibility no 4 : After executing the above mentioned conveyance deed, the Respondent must hand over the physical possession of the common areas to the society and other title documents relating to common facilities standing in common areas.

The question of handover of the physical possession of the common areas by the Respondent to the society does not arise since the Respondent has failed to obtain Occupancy Certificate and further failed to execute any registered conveyance deed in favour of the Society for undivided proportionate title in the common areas.

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Responsibility no 5 : After handing over the physical possession of the common areas to the society, the respondent must hand over all necessary documents and plan to the society.

The Complainant stated that the Respondent has not handed over any documents and plans to the society and moreover the requirement to handover all necessary documents and plan to the society shall arise only when the Respondent carries out all the above mentioned responsibilities.

Therefore there is no doubt as can be seen from the above, that the Respondent has failed miserably to carryout the statutory responsibilities and duties to the society as required by section 11 (4) (f) Section 17 (1) and Section 17 (2) of the Act and this failure has resulted into the factual position that the common areas still stands to be the property of the Respondent which is in total violation of clause no 16 of the Agreement, where in the Respondent has undertaken the obligation to transfer the common areas to the society within 4 months from the date of registration of the society. Society was registered on 10th June 2019 and till date failure to transfer the common areas to the Society continues

He also stated that the Respondent without obtaining the Occupancy Certificate and also without executing any registered conveyance deed in favour of the society for the undivided proportionate title in the common areas had made an attempt to handover the maintenance of the Housing Project to the Society by entering into a Deed of Agreement dated 8th April 2019 which is enclosed as Annexure 25 of the Complaint petition (page 196 – 200) . The said deed of agreement required the society to monitor and maintain certain areas and facilities. The relevant clauses of the said agreement are reproduced below for reference.

*"And whereas the second party shall monitor and maintain the common area and common facilities which include Front Gate, Boundary wall, Pathway/Joggers Track, Children play area, landscape gardening, other facilities include club House & Swimming pool, Garbage Disposal plant, sewerage treatment plant, water supply, generator, drainage, green area, Roads, Transformers, Electric installation system on common areas campus Security System, rain water harvesting and hostels for security. And whereas it is agreed that the registered office of the Arya Erector India Pvt. Ltd shall be exempted from paying of any charges and whereas it is agreed that the*

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*approved person of the Company can avail the facilities of the Community hall without any charges", and whereas it is agreed with prior notice, the company can arrange meeting in the community hall for which no charges will be levied from the company." (page 52[e] & page 53[e])*

According to the Complainant the Deed of Agreement dated 8th April 2019 on whose strength the respondent had made an attempt to handover the maintenance of the Housing project to the Society suffers from the following defects--

1. Provision of the Assam Co-operative Society Act 2007 prohibits any society to enter into transaction before its incorporation or before obtaining certificate of registration.

   First, the Deed of Agreement was entered on 8th April 2019 before the registration of the society. The Society was registered on 10th June 2019 after certificate of registration was issued by the Assistant Registrar of Co-operative Societies, Guwahati under the Co-operative Society Act 2007. Copy of the Registration Certificate has been attached as Annexure 5 (Page 89-90[e])

   He also submitted that legally incorporated bodies like society cannot enter into a agreement before its incorporation and moreover Section 10 (2) of Assam Co-operative Societies Act 2007 which governs the society has put statutory restriction on the part of the society to enter into business before its incorporation. As such, the Deed of Agreement dated 8th April 2019 executed is on illegal agreement. Further the Deed of Agreement was never approved by the member of the society in the Annual General Meeting and further the President who had executed the Agreement on behalf of the society did not carry any mandate to execute such agreement as there was no resolution passed by the Governing body of the Society empowering him to execute such agreement nor the content of the Deed of Agreement was approved by the Governing body of the Society.

2. The Deed of agreement dated 8th April 2019 was never approved or agreed by the Management of the Society.

   The President of the Society who had signed the Deed of Agreement, dated 8th April 2019, i.e Mr Rama Krishna Newar had issued a letter dtd 9th April 2019 to the Managing Director of the Respondent stating that the said Deed of Agreement must be cancelled on the following mentioned grounds. Copy of the Letter dtd 9th April 2019 is enclosed as Annexure -26. The President of the

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society had cited the following grounds against the Deed of Agreement dated 8th April 2020 in his letter dtd 9th April 2019.

**Ground 1:** The Governing body of the Society has not accepted the content of the said Deed of Agreement dated 8th April 2019, when it was presented in the subsequent meeting of the Governing Body.

**Ground 2:** the Schedule of land as described in schedule A of the Deed of Agreement dated 8th April 2019 did not match with the schedule of land described in respective sale Deeds of of the apartments owners.

**Ground 3:** Common Areas in the Deed of the Agreement dtd 8th April 2019 has not been taken over by the society.

On 2nd February 2020, in a meeting held by the Governing body of the society, it had passed a further resolution that the Governing body has never accepted the Deed of Agreement dated 8th April 2019 and accordingly the letter dated 2nd February 2020 was issued to the Managing Director of the Respondent. Copy of the letter dated 2nd February 2020 is enclosed as Annexure-27 (page 204[c]-205[c]).

**It is to be noted that the Respondent has never replied to the letter of the Society i.e letter dtd 9th April 2019 and letter dated 2nd February 2020 till date.**

The Complainant reiterated that the handover attempts of the Respondent by way of the Deed of Agreement dated 8th April 2019 cannot be recognised to be correct handover as far RERA laws are concerned as RERA laws (i.e Sec 11 (4) (f) read with section 17 (1) and Section 17 (2) of the Act) makes it abundantly clear that before the handover of the maintenance of the Housing Project to the society by the Respondent is done, it must obtain Occupancy Certificate to facilitate the execution of the registered conveyance deed in favour of the society for undivided proportionate title in the common areas and thereafter handover the physical possession of the common areas to the society and other title documents pertaining to the common areas.

The Complainant also felt that signature of the President in the Deed of Agreement dated 8th April 2019 is prime facie is a forged one, as the signature of the President of the society i.e. Mr Ramakrishna Newar who had signed the Deed of Agreement dated 8th April 2019 appear to be different from his signature in the letter dated 9th April 2019. Further the Complainant stated that he would like to highlights, that the handwriting of the signature in the

For [illegible] India Private Limited
Managing Director

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Deed of Agreement dated 8th April 2019 and the hand writing of the signature of the Respondent represented by its Chief Executive officer in the Complainant's Deed of Agreement dated 27th August 2018 bears similar handwriting. Prima facie it appears to him ,that the Respondent has purportedly signed the Deed of Agreement dated 8th April 2019 on behalf of the President of the Society i.e. Mr Ram Krishna Newar. He submitted that this aspect needs a critical review and examination.

He also pointed out again that the Respondent has never replied to the letters of the society i.e letter dtd 9th April 2019 and letter dated 2nd February 2020 till date.

The Complainant submitted that.

Since from the formation of the society i.e 10th June 2019, the maintenance of the society is being carried out by the office bearers of the society out of one-time contribution of Rs 50,000/- collected from the members of the society. It is to be noted this one time contribution by the members of the society was done at the behest and request of the Respondent.

He emphasised that it is only after the 5 numbers of statutory responsibilities as mentioned in paragraph no 1 and 2 above have been carried out by the Respondent, then only the Respondent can be said to have handed over the maintenance of the Housing project of the society or in other words it is only after the Respondent has carried out the 5 numbers of said responsibilities, then only the society can take over the maintenance of the Housing Project. Till such time the handover or take over is not completed, then as per section 11 (4) (d) of the Act mandates that the Respondent shall be responsible to provide and maintain the essential services on reasonable charges.

He stated that in view of the above, it is abundantly clear that there is no handover of the maintenance of the Housing Project by the Respondent as the Respondent has failed to carry out the statutory responsibilities that is required to be fulfilled by the Respondent as mentioned in paragraph no 2 above (previous Para) before handover of the maintenance of the Housing project. Further, there is also an evidence that there is no takeover of the maintenance of the Housing Project by the Society as mentioned in point no 2 of Paragraph 5 above. Further, the attempt made by the Respondent to hand

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For M/s Adi Aryaa Liectors India Private Limited

Managing Director

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over the maintenance of the Housing Project of the Society by way of Deed of Agreement dated 8th April 219 suffers from serious legal defect as mentioned earlier and moreover this attempt of handover is defective as per RERA laws. Since the date of Registration of the society i.e. 10th June 2019 till date, the maintenance of the Housing Project has been carried out by the society which as per the provision of Section 11 (4) (d) is the duty of the Respondent. Therefore, the Respondent has grossly violated the provision of Section 11 (4) (d).

He added further that the Respondent has failed to obtain the Occupancy Certificate which is mandated by the provision Section 11 (4) (d) of the Act to obtain Occupancy Certificate and make it available to the society. The Respondent has also failed a) to execute the registered conveyance deed in favour of the society for the undivided proportionate title in the common areas b) to hand over the physical possession in the common areas to the society and other title documents pertaining to common areas which is mandated by the provisions of 11 4 (f) (read with section 17 (1) and Sec 17 (2) of the Act. Therefore, the Respondent has grossly violated the provisions of the said section of the Act and as a result it has failed to discharge it's obligation imposed on him under the Act on this account.

The respondent did not furnish any specific reply neither in his written statement std 10.02.2021 or the written response dtd 05.04.2021. However, the Respondent vide his written argument dtd 08.12.2021 para 9 stated as follows

Quote

*"9 That with regards to the allegation made in complaint no 9 (Annexure J) is not correct and hereby denied. The Common areas of the Project has already been handed over to the Society and the same are maintaining by the Society and the respective Villas where also handed over the respective purchaser, therefore, the opposite party has no role over the said project as everything has been completed in time."*

9 A- The respondent however again on 12.01.2022 made some fresh submissions having two parts –Part-A & Part-B Part_A (Pages 327$^{c}$-340$^{c}$) Part B-(Pages 349-409$^{c}$) by enclosing the minutes of (the 2nd AGM. The respondent vide Part A of his additional written submission dtd 12.01.2022 interlia vide para 3 states-(Pages 327$^{c}$-348$^{c}$)

"That out of 123 members of allotees/buyers of low rise apartments, the complainants is the only buyer who has preferred to file complain under the Act before the authority. It is to be noted that other than the Complainant, other buyers/allottees instead of preferring to file

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complain under the Act had taken a conscious path to raise matter relating to low rise apartments vis-à-vis the Respondent arising post purchase before the forum of the society. In this regard, the respondent would request the authority to consider and to take into records the proceedings of the Annual General Meeting of the society held on 26th Sept.2021 which includes minutes of the meeting, agenda and resolution passed enclosed as Annexure-A. It is to be noted that the proceedings of Annual General Meeting of any co-operative society under the Assam Co- operative Society Act, 2007 requires the approval of Registrar of Co-operative Societies and accordingly the documents enclosed as per annexure-A has been approved by the office of the Assistant Registrar of co-operative societies vide letter No CKGH.44/2009/614 dtd 26.10.2021.

That the Respondent would like to draw the attention of the Authority, certain factual matters solely based on legal documentary evidence as per Annexure-A in relation to complain raised by the Complainant before the authority which is as below-

That the members of the society in its Annual General Meeting held on 31.01.2021 had drawn attention to the Board of Directors of the Society that they had identified certain issues which is being faced by the society and they would like to know the status report of such issues. This was covered under Agenda no 8 of the Annual General Meeting and accordingly the members of the society had approved Resolution no 6 towards this. Extract of the Resolution no 6 is reproduced below for reference.

1. Agenda No 8 –issues of the Society

   Resolution no 6 – Resolved that the following issues have been identified as critical issues faced by the Society for which elected Board of Directors should address on priority basis with timeline and the current status report on the issues should be placed before the next annual General meeting

   1. Water logging due to drainage issues
   2. Electricity load allotted against the requirement with lesser capacity transformer being installed
   3. Handover of assets
   4. Transfer of common area
   5. Black topping in phase 1 against concrete topping for phase 2
   6. Delivery as per brochure
   7. Transfer of license, permit clearance and approval from various authorities
   8. Transfer of Documents and plan relating to board and maintenance assets etc
   9. Occupancy Certificate

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2. The Complainant was represented by Dr Ganesh Das in the 1st Annual General Meeting held on January, 2021 who had seconded the above resolution amongst other members of the Society.. It is to be noted that the nine number of items covered under agenda no 8 of the 1st Annual General Meeting of the Society covers almost 100% of the complaints raised by the Complainant in his complain filed under the Act before the Authority.

3. That the resolution no 6 covered under agenda no 8 of 1st Annual; General Meeting was addressed by the society in it's next 2nd Annual General Meeting held on 26th Sept.2021 under the agenda no 3 which relates to the Secretarial Report of the Society. The Secretarial Report was laid before the 2nd Annual General Meeting. Under the captioned title 'Status of Resolution against Agenda no 8 passed in the last Annual General Meeting of the Secretarial Report, the status of the issues covered under resolution no 6 of 1st Annual General Meeting was presented by way of Tabular Report. Extract of the tabular Report is reproduced below for reference –

| Item no | Item | Status Report |
|---|---|---|
| 1. | Water logging due to drainage issues | Water logging Committee as constituted by Board of Directors has engaged a third party who will submit detail project report by 22nd Nov 2021. Progress on the functioning of water logging Committee is being provided to the members regularly by email.<br><br>Board of Directors has been actively engaging various government authorities to resolve the cause of water logging arising from external areas of ASL campus including PWD drain. The response has been positive so far . Outcome from this engagement will be aligned with detailed project report for implementation. Board of Directors along with North Guwahati Municipal Board (NGMB) has been employing measures to prevent water logging and when rain fall occurs in ASL campus.<br><br>Progress on water logging will be apprised to the member by e-mail regularly |
| 2. | Electricity load allotted against the requirement with lesser capacity transformer being installed | The electricity connection was applied and obtained by Builder on behalf of all members. As per information and explanation provided to the Society, electricity load enhancement can be taken forward with involvement of consultants and APDCL. |
| 3. | Handover of assets | Society has complete physical possession of assets and infrastructure in respect Common amenities and facilities that is obligated to be provided by the Society to the members by virtue of Sale Deed of the members at Schedule C. Since June 2019 on formation of the Society, Society has been providing services to its |

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| | | |
|---|---|---|
| | | members from such amenities and facilities Society is in possession of warranty certificates and communication already established with equipment supplier for initiation of AMC<br><br>No notice has been brought to the Society that any items of asset is pending for handover. |
| 4 | Transfer of Common Area | As per provision of applicable real estate law, transfer of common area by the builder to Society needs to be completed within 3 months from the date of receipt of Occupancy Certificate by Builder. As informed, Occupancy Certificate is yet to be issued by GMDA to Builder, please refer to item no 9 for status of Occupancy Certificate. Transfer of Common area will be initiated only after Occupancy Certificate is communicated to the Society by the Builder. |
| 6. | Delivery as perbrochure | Brochure was part of arrangement between members and builder and Society is not a party to the commercial agreement between them. Therefore, Society will net be able to provide any information on this aspect |
| 7. | Transfer of license, permit clearance, and approval from various authorities | Shall be taken up with Builder upon communication of Occupancy Certificate by Builder as per item no 9 below and after transfer of Common Area as per item no 4 above |
| 8. | Transfer of documents and plans" relating to board and maintenance assets etc | Shall be taken up with Builder upon communication of Occupancy Certificate by Builder as per item no 9 below |
| 9. | Occupancy Certificate | Builder has communicated the Occupancy Certificate in respect of Building comprising of Swimming Pool and club House issued by North Guwahati Municipal Board. The details in this respect are being communicated to members by way of Agenda to AGM on 9th September 2021. We are given to understand by NGMB that one of our members have raised his objection to this OC by wayof RTI and made a request to NGMB to revoke the OC<br><br>In respect of Occupancy Certificate from GMDA, as informed by Builder, it had applied for Occupancy Certificate in 2018 before GMDA. Till date no Occupancy Certificate has been issued by GMDA. So far, no deviation in construction has been reported by GMDA as far as member individual villa's are concerned The application is pending before GMDA as some contentious issues has been raised by one of the members of the Society before GMDA bY way of RTI complain.<br><br>Society is not an applicant for obtaining Occupancy Certificate, therefore as and when Occupancy Certificate is obtained by Builder the same shall be communicated to all members for their perusal and concern. |

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4. That the Complainant was represented by Dr Ganesh Das in 2nd Annual General Meeting held on 26 September, 2021who had seconded the resolution no 1 in relation to Agenda 3 which relates to Secretarial Report of the Society amongst other members of the Society. It is to be noted that the Complainant by seconding the resolution no 1 in the 2nd Annual General Meeting has given his due acknowledgement to the issues raised by the members of the Society where those issues are similar in nature to the complains raised by the Complainant before the Authority.

5. That the Respondent would like to draw further attention of the Authority on the proceedings of the 2nd Annual General Meeting of the Society as given below

a) Resolution no 7(a)where the members had adopted Occupancy Certificate issued by North Guwahati Municipal Board for construction of Club House, Community Hall and Swimming Pool

b) Resolution no 7(c) where members had agreed to request GMDA to issue Occupancy Certificate for the project at the earliest and members have no reservation in respect of various structure of amenities and demarcation as they stand on 'as it is basis

c) Resolution no 9(a) where members have agreed to the builders (respondent) communication that common area of project will be transferred within 4 months from the date of issuance of Occupancy Certificate by GMDA

d) Resolution no 9 (b) where members have agreed to the builders (respondent)'s proposal that land and building of club house, community hall and swimming pool as mentioned under Occupancy certificate issued by North Guwahati Municipal Board will be transferred to society as common area.

e) Resolution 9 (c) where members have agreed that the stamp duty and registration cost which will arise when common areas covered under resolution no 9(a) and 9(b) is

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transferred by builder (respondent) will have to borne by the society for which such cost will be collected from each member and for this contribution by each member a share certificate willbe issued evidencingownership of common areas

That the Respondent upon having drawn attention of the Authority of the proceedings of the 2nd Annual General Meeting as per above submission, would request the Authority to consider the following scenario which is emerging

*That the Complainant had filed the complain in Form M dtd 8th December 2020. The issues raised by the Complainant in Form M was raised by others buyers/allotees also before the Society /association of such buyers/allotees on 31st January 2021 in the Society's 1st Annual General Meeting. Those buyers/allottee represent more than 99% of the overall allottee/buyer of the project. The issues raised by such buyers/allottees is nothing but the same complain filed by the Complainant before the Authority*

*Since such buyers/allottees representing 99% of the overall allottee/buyer of the project had preferred not to file complain under the Act before the Authority in respect of issues raised by them but rather choose to address the same from the platform of the. Society and where the Society being the association of allottee recognised legally under the Act, it would be pertinent for the Authority to consider following two aspects before adjudicating Form M and Form N of the Complainant*

i. *The status report of the issues raised by such buyers/allotees before the platform of their Society as per the proceedings of the 2nd Annual General Meeting of the Society and*

ii. *To ascertain the final outcome of the/issues raised by such buyers/allotees and factor before the platform of their Society*

The complainant made a counter submission on 23.02.22 (page 413[c]-416[c]) on the additional submissions of the respondent on Part A as follows

2. That with reference to the statements made in the paragraph no 1, the Complainants state that they have approached this Hon'ble Authority alleging non compliance of the sanctioned plan by the respondent in construction of the real estate project namely Arya Smart Living. The Complainant being one of the allottees in the project have the due right to approach this Hon'ble Authority in the matter of violation of Sanctioned plan and RERA Act and Rules. It is further stated that this authority may not go into the aspect that how many of the allottees have raised the grievances, on the contrary, this Hon'ble Authority may look into the merit

For & behalf of Arya Erectors India Private Limited

(Managing Director)

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of the complaint. As such the contentions of the said paragraph have no bearing on the merit of the issue. The Complainants state that it is a fact that a Housing co-operative society is formed. In the present matter, the complainant has not disputed the formation of the society and as such the activities of the society and the minutes of the society has no bearing in the present issue. It is reiterated that the present complaint is in respect of violation of the sanctioned plan by the respondent and for such misdemeanour of the respondent, the competent authority, till date has not issued the Occupancy Certificate to the respondent and their application for Occupancy Certificate has been rejected by letter dtd 20.03.2021. It would be relevant to mention herein that the Annual General Meeting of the Society is not the authority recognised by law to regularise the violation committed by the the respondent by not adhering to the sanctioned plan. As such, it is submitted that the minutes of the meeting of the AGM of the Society will not improve the case of the respondent. As per the RERA Act, only with the consent of the two third of the allottees, any changes in the sanctioned plan can be initiated and that too the said consent should be obtained prior to the proposed changes. It is further submitted that the respondent have to show before this Hon'ble Authority the fact that they have constructed the real estate project as per the sanctioned plan.

3. That the Complainants state that the statements made in paragraph no 2 no relevance in the present matter.

4. That with reference to the statement made in paragraph no 3,4,5 the Complainants reiterate that discussion, minutes of the society may not regularise the defects, violation, deviation committed by the respondents. It is further stated that the Housing Co-operative Society has been formed by the Allottees of the Real Estate Project, the Respondent being the promoter of the project is not a apart of the society. The internal discussion of the allottes in the meeting of the society, may not save the respondent from the deviation, violation committed by them in the real estate project. It would be further relevant to mention herein that, the Chief Executive officer, of the respondent has been made the President of the Co-operative Society, one of the Directors and one other share holder of the respondent has been inducted in the Board of the society, in violation of Section 37,40 of the Assam Co-operative Societies Act, 2007 and against such act, some of the allottees have already approached the appropriate authority challenging their induction. The Respondent after taking over sufficient authority in the society in the above mentioned manner is now doing the futile exercise to regularise the deviation committed by them. The other allottees not approaching this Hon'ble Authority, may not stopped this authority to consider the Complaint in form-M and form-N filed by the Complainant on its own merit.

For & behalf of Arya Erectors India Private Limited

Managing Director

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9 B Views and findings of the Authority

From perusal of the Resolution no 6 taken up by the society vide Agenda no 8 of the 1st AGM of the society held on 31.01.2021 at item no 2,3,4,5,7,8 and 9 appears to cover almost all the objection/complaints raised by the Complainants vide their complaint dtd 08.12.2020 and the minutes appear to support the contentions / complaint brought in by the Complainants before the authority.

The Authority appreciates that the common problems faced by the allottees in the Complex have been duly discussed in the AGM of the Society.

It is now for the respondent to come forward to resolve the issues raised by the Allottees in the AGM and by the Complainants before the RERA Authorities as may be binding on him.

10. A - The respondent vide his submission in part B of his additional written submission (Pages 349[c]-350[c]) alleged that the complaints filed by the Complainants both in Form –M and N under the Real Estate (Regulation & Development) Act, 2016 are pending before various authorities and cited the followings

1. Writ Petition before the Gauhati High Court Case no WP(c) 3654/2020 filed by Dr Ganesh Das
2. Complaint before GMDA filed by Dr Ganesh Das
3. Title suit No 71 of 2021 filed by Arya Erectors India Pvt Ltd before the Court of the Civil Judge, Kamrup (R) at Amingaon
4. Nine numbers of matters raised by 99% of buyers/allottees before the association of buyers/allottees.

The Complainant made the following submissionsIn respect of Part-B of the submission

1. That the Complainants deny the statement made by the respondent in the first paragraph and the respondent is put to strictest proof of the same
2. That with reference to the statement made in paragraph no 1, the Complainants stated that the writ petition being WP(c) no 3654/2020 has been preferred by the Complainant against the action of the respondent for violation of the Assam Co- Operative Societies Act 2007 and in the said case , the complainant have not assailed the deviation of the construction or violation of RERA Act.
3. That from the plain reading of the statement made in paragraph no 3, it would appear that the complaint filed before the GMDA in respect of the occupancy Certificate is under the Guwahati Building Construction (Regulation ) Act and the present complaint

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has been filed under section 31 of the RERA Act and as such the issues are different and distinct. It is sated that the Complainants have only approached the GMDA Authorities, by way of application under the Right to information Act and the Complaints filed by the the Complainants before the said authority has already been disposed of by the GMDA by order dated 03.11.2021, as such nothing in respect of the Complaints is pending before the GMDA authorities

4. That the suit being TS No 71/2021 has been filed by the respondent against the Complainants alleging violation of the Agreement to sale executed between them. The said case has no connection with the present complaint filed before this Hon'ble Authority.

5. That with reference to the statement made in paragraph no 4, it is stated that the present real estate project comprises of about 100 allottes. However till date, only 79 numbers of allottees have taken the membership of the Co-operative society of the allottess. As such, it is stoutly denied that 99 % of the allottees have raised the matter before the society. It is reiterated that the discussion, minutes of the society may not regularise the defects, violations, deviations committed by the respondent. It is further stated that the Housing Co-operative Society has been formed by the Allottees of the Real Estate Project, the respondent being the promoter of the project is not a part of the meeting of the Society. The internal discussion of the allottees in the meeting of the society may not save the respondent from the deviation, violation committed by them in the real estate project. It would be further relevant to mention herein that, the chief Executive officer, of the respondent has been made the President of the Co-operative Society, one of the Directors and one other share holder of the Respondent has been inducted in the Board of the Society, in violation of Section 37,40 of the Assam Co-operative Societies Act 2007 and against such act, some of the allottees have already approached the appropriate authority challenging their induction. The respondent after taking over sufficient authority in the society in the above mentioned manner is now do the futile exercise to regularise the deviations committed by them. The other allottes not approaching this Hon'ble Authority may not stopped this Authority to consider the Complainant in Form (M) and Form (N) by the complainant on it's own merit

6. The Complainants reiterated that the Complainants have not filed case in any court of law alleging similar grievances as have been raised in the present complaint and this Authority may proceed with the hearing of the mater.

View of the Authority-

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10 B- The submission of the Respondent that the Complainants have raised the same issues before multiple forums referred to in his additional submissions vide part B has completely been rebutted by the Complainant with cogent reasons vide his written response dtd 23.02.22 (pages 413'-416').

In view of the above, the submissions of the respondent made vide Par B of his additional written submission could not be accepted and the same has also been partially discussed while examining in the complaint no 5 above vide 4 B Views and findings of the authority in the 2nd Para

For & behalf of Arya Erectors India Private Limited
Managing Director

## ORDER

In view of the discussions and findings recorded above, the Authority issues the following directions-

1. I) The Respondent is directed to furnish the authenticated copy of all the information and documents that were submitted by him to RERA, Assam under Rule 3 and 4 of the Assam Real Estate (Regulation & Development) Rules 2017 for registration of his project namely ARYA SAMART LIVING, Abhoypur, Guwahati to the complainants. In addition, he shall also upload the same in the Assam Real Estate Regulatory Authority's website ii) A set of these documents received by RERA, Assam during the process of Registration of the respondent's above project shall be furnished to the Complainant by the Secretary, the Real Estate Regulatory, Assam under his own signature.
2. The Respondent shall obtain Occupancy Certificate from the GMDA by complying with all the directions issued to him by the GMDA vide its order no GMDA/BP/2214/26112012/316 dtd. 3rd November 2021 (page 311') or any further order or directions issued or to be issued by GMDA, GMDA being the Authority to grant the NOC for construction and the Occupancy certificate thereof in this case.
3. All the deviations that have been made by the Company/Respondent from the sanctioned plan as approved by the GMDA vide it's NOC no GMDA/BP231/2012/156 dtd 25.06.2013 during execution of the Project, without obtaining the previous consent of the two thirds of the allottees as enjoined u/s 14 (2) of the Real Estate (R&D) Act, 2016 and without subsequent approval/regularisation by the GMDA under the Guwahati Building (construction) Regulation Act 2010 and Guwahati Building Bye Laws 2014, shall be rectified immediately in compliance of Section 14 (2) of the Real Estate (R&D) Act, 2016.
4. GMDA is barred from regularisation of the deviation, found in the execution of the Project, if any, from the sanctioned plan, as approved by them vide their NOC referred to above even,

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if it is allowed under their relevant acts and rules, without obtaining prior written consent, of the two third allottes of the Project, as provided u/s 14 (2) of the Real Estate (R&D) Act 2016, as the Real Estate (R&D) Act, 2016, has an overriding effect as per provision of the Section 89 of the Act which reads as follows – Quote "89 -Act to have overriding effect " The Provision of this Act shall have effect, notwithstanding anything inconsistent therewith contained in any other law for the time being in force".

In this connection, the Authority would also like to spell out the provision of Section 88 of the Act as well, which reads as follows-

Section 88. Application of other laws not barred-

"The provisions of this Act shall be in addition to and not in derogation of the provision of any other law for the time being in force."

Thus it is clear that for any major deviations made in the construction of a building /project from the sanctioned plan, after registration of a project under RERA, the promoter must obtain the No Objection certificate/ the consent of the two thirds of the allottees before hand as per provisions of Section 14 (2) of the Act..

5. After obtaining the Occupancy Certificate from the competent authority by complying with the relevant acts and rules, the Respondent shall arrange to transfer the Villa no A-6 to Dr Ganesh Ch. Das and Mrs Sumana Das within one month of the date of receipt of the occupancy Certificate by him by executing a Registered sale Deed as per provision of Sec 17 (1) of the Act, as they have already paid 100% of the agreed price of the Villa to him as on 31st oct.2019

Further he shall handover the authenticated copies of all the relevant documents viz NOC issued by the competent Authority, Completion Certificate, Occupancy Certificate, Sanction Plan and hand over lawful possession of the Villa to the Complainant by completing all the required formalities per provisions of law.

6. Before execution of the final sale deed, a draft copy of the Sale deed shall be made available to the Complainants for their perusal and vetting too. The sale Deed shall incorporate all the salient points contained in the "Sale Agreement" prescribed vide Annexure –A under Rule 9 of the Assam Real Estate (R&D) Rules 2017 as demanded by the complainant as the Sale Agreement dtd 27.08.2018 signed between the Complainants and the respondent do not appear to be made as per the form prescribed under Rule 9 of the Assam Real Estate (R & D) Rules 2017.

7. Transfer the title of the common Area of the project to the Arya Smart Living Group Housing Co-operative Society ltd as per the sanctioned plan approved by the competent Authorities within 3 months of issuing of the Occupancy Certificate by the competent authorities as per

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Amit Kumar Sarma
(Managing Director)

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provision of Section 17 (1) of the Act. He shall shall also hand over the relevant documents relating to the project to the society as per provision of Section 17 (2) of the Act.

Further the respondent is directed to declare in writing the details of the common areas and free space arising out of the sanctioned plan approved by the GMDA in relation to the NOC no GMDA/BP/8214/26112012/156 dtd 25.06.2013 and indicate the present status of ownership alongwith the details of any mortgage or charge on such common areas and free space. He shall also provide the details of the construction facilities provided in the Project to the Society in the interest of all the allottees as sought by the Complainant vide column Relief/Interim relief sought against complaint no 6 & 9.

Till such time, the maintenance of the Housing Project shall vest with the promoter as per the provision contained in section 11 (4) (d) of the Act.

8. The respondent shall arrange to set up additional transformers as per the approved electricity service plan and take all necessary steps to make provisions for supply of adequate power to all the residents of the Housing Project by filing an application before the APDCL for the required additional power load for the project.
9. The Respondent shall take necessary steps to get his lapsed permission from the statutory authorities renewed with immediate effect including Environmental clearance as may be necessary.
10. The Authority expresses its displeasure for the failure of the Respondent to offer the membership of the Society to Gr. Ganesh Ch Das & Mrs Sumana Das from the date of formation of the society as they are allottees under the project.

Section 11(4) (e) of the Act, enjoins upon the promoter of the project *"to enable the formation of an association or society or co-operative society as the case may be, of the allottees, or a federation of the same under the laws applicable.*

*Provided that in the absence of local laws, the association of the allottees, by whatever named called, shall be formed within a period of three months of the majority of the allottees having booked their plot or apartment or building, as the* case may be, in the *project".*

In view of the above, it is the prerogative of Dr Ganesh Ch. Das & Mrs Sumana Das to become members of the Co-operative Society so formed i.e Arya Smart Living Housing Co-Operative Society from the date of its formation.

As the said co-operative Society had already been formed and registered by the Assistant Registrar of Co- operative societies, Guwahati vide no G-09/2019-20 dtd 10-06-2019; the President and the Secretary of the Society should have taken immediate steps to make Dr Ganesh Das & Mrs Sumana Das, Allottee of Villa no A-6 in the Arya Smart living

For & behalf of Arya Erectors India Private Limited
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Housing Complex, members of the society and give them the admissible shares of the society .

As the Complainant vide his written arguments dtd 25.04.2022 clause 37 (g) has stated that he has already been made a member of the society as per the order of the Asstt. Registrar of the Co-operative Societies, Assam, Bhangagarh dtd 25.01.2021 therefore this grievance of the Complainant has already been met up and no further relief as such is called for .

However, the Respondent and the President & the Secretary of the society should take due note of the same for their future reference and guidance in the matter.

11. Regarding signing of the Agreement between the society and the Respondent on 8th April 2019 before registration of the Arya Samart Living Group Housing Co-operative Society in the o/o the Asstt. Rgistrar of the Co-operative Society, Bhangagarh, Guwahati on 10th June 2019, the same can, well be said, that it was an incorrect approach of the Respondent.
However this authority is not the right forum to discuss the same including the question of determining the authenticity of the signatures of the persons signing the Agreement, therefore the Authority will not comment further on the matter.

12. As per the agreement dtd 27.08.2018 entered between the complainant and the Respondent vide Deed no 2614/2409, the Respondent was duty bound to hand over the Villa no 6 A-Block to the Complainant within 24 months of the date of agreement i.e by 27th August 2020 as he has made 100% payment of the consideration price of Rs 1.5 crore against Villa as on 31.10.2019.
But the Respondent has not been able to handover the lawful possession of the Villa to the Complainants till date though he had issued them a possession letter on 28.11.2019 (Page 279[c]) without a copy of the Occupancy Certificate and the same is yet to be lawfully registered. The Occupancy certificate of the project is pending till date, as the respondent has deviated from the sanctioned plan and has not taken any concerted steps to fulfil the Guwahati Buildings construction norms.

Therefore, the complainants are entitled to get interest from the Respondent @ SBI's Marginal rate of landing +2% on R 1.5 Crore w.e.f 28.08.2020 for every month of delay till the lawful handing over of possession of the villa to them as per provision u/s 18 1(b) of the Act and also compensation for which they may approach the Adjudicating officer of this Authority to claim compensation from the Respondent for the unusually long delay in

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lawfully handing over the Villa no A-6 to them, as per provisions of section 31 of the Act and Rule 37 of the Assam Real Estate (R&D) Rules 2017.

13. The Respondent has been found to have contravened the provision of Sect 11 (3) (a), 11 (4) (f), 12, 14 (1) & (2) and 17 (1) & 17 (2) of the Act on at least five counts as discussed vide 1B, 2B, 4B, 5B, & 7B the Discussion and Findings recorded above and therefore the Authority imposes an overall penalty of Rs 1 (one ) lakh on the Respondent u/s 61 of the Act @ Rs 20,000/-(twenty thousand) only = on each count.

14. This disposes off the Complainant no RERA/ASSM/COM/2020/08 filed by Dr Ganesh Ch. Das and Mrs Sumana Das against M/S Arya Erectors Pvt ltd.

Guwahati
21/09/2022

Sd/-
(GOKUL MOHAN HAZARIKA)
MEMBER

For & behalf of Arya Erectors India Private Limited
Managing Director

Memo No. ASSAM/ RERA/COM/2020/08/ Dated. 21.09.2022

Copy for information and necessary action to:

1. Dr. Ganesh Ch. Das and Mrs Sumana Das both resident of 5th Floor, Tribeni Apartment, Mahadebpur, Rehabari, Guwahati-08
2. M/S Arya Erectors India Pvt Ltd. represented by its Managing Director Sri Anil Kr Sharma, House No 123, Arya smart City, Abhoypur, North Guwahati-31.
3. Website i/c, RERA, Assam for uploading the above order.
4. Order Book

Registrar i/c
Real Estate Regulatory Authority
Assam

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To
The C E O .
Arya Erectors India Private Ltd .
House No -123, Arya Smart Living, Abhoypur,
P O -College Nagar, P S - Changsari,
District –Kamrup-781031, Assam

date 07-11-2019

Sub Execution of sale deed immediately in my favour in respect of villa No -6 Type – A block situated at Abhayopur, Mouza- Sila Sinduri Ghopa , North Guwahati

Sir .

This is for your kind information that I have made complete the full consideration price of Rs 1,50,00,000/-(Once crore fifty lakhs only) in respect of my said flat on 30th October 2019 and you have also asked for 50,000 for installation of electricity without producing bills so I will pay immediately with cheque after getting the electricity bill Your are further asking for cash amount of 30,000 for getting sale permission so I will pay at the time of execution/registration of sale deed and also pay Rs 50 000/- for society fee after becoming the member of the society You are requested to provide me the following on urgent basis

A Official possession as I don't have my own house
B Complete the pending works of my flat
C Official handing over of the physical possession of my flat

Preparation for making Sale deed for which you provide following documents
1 NOC from local authority

2 NOC from president and secretary of present society, mentioning all society works and handing over are completely done

3 Completion and occupancy certificate from local authority

Please treat this matter as urgent

Thanking you

Yours faithfully

Dr Ganesh Chandra Das 7/11/19

Copy to president and Secretary for information
ASL GHSG Co- operative society limited

For & behalf of Arya Erectors India Private Limited
Authorised Signatory
Managing Director

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Gmail

Arya Erectors <aryaerectorsindia@gmail.com>

## Regarding official hand over possession of Villa no A6

3 messages

**Ganesh Das** <ganeshdas40244@yahoo.com> Fri, Nov 1, 2019 at 9:08 PM
To: Arya Erectors <aryaerectorsindia@gmail.com>

To CEO
Arya Erector India Pvt Ltd
North Guwahati, Assam
Dear Sir
In ref no ASL V/201900566 villa no A6, the invoice was generated and shown 15 lakhs pending amount of basic price of villa which was transferred to A/C no 20452320000099 on 30-10-2019 by RTGS ref no BDBLR52019103000001288. The 50,000 cash to be paid for instalatiom of electricity without producing bill, so please provide me the electricity installation bill and i will pay immediately in cheque. The 30,000 cash for obtaining sale permission , I will pay at the time of making sale deed and 50,000 in cheque at the time of becoming member of the present society. So please provide me the official possession of the villa no A6 as early as possible.

Regards
Dr Ganesh Das

For & behalf of Arya Erectors India Private Limited
Managing Director

**Arya Erectors** <aryaerectorsindia@gmail.com> Sat, Nov 2, 2019 at 4:19 PM
To: Ram Krishna Pradhan <pradhanramk@gmail.com>

---------- Forwarded message ---------
From: **Ganesh Das** <ganeshdas40244@yahoo.com>
Date: Fri, Nov 1, 2019 at 9:08 PM
Subject: Regarding official hand over possession of Villa no A6
To: Arya Erectors <aryaerectorsindia@gmail.com>

To CEO
Arya Erector India Pvt Ltd
North Guwahati, Assam
Dear Sir
In ref no ASL V/201900566 villa no A6, the invoice was generated and shown 15 lakhs pending amount of basic price of villa which was transferred to A/C no 20452320000099 on 30-10-2019 by RTGS ref no BDBLR52019103000001288. The 50,000 cash to be paid for instalatiom of electricity without producing bill, so please provide me the electricity installation bill and i will pay immediately in cheque. The 30,000 cash for obtaining sale permission , I will pay at the time of making sale deed and 50,000 in cheque at the time of becoming member of the present society. So please provide me the official possession of the villa no A6 as early as possible.

Regards
Dr Ganesh Das

Sender notified by Mailtrack

**Mailtrack Reminder** <reminders@mailtrack.io> Sun, Nov 3, 2019 at 4:19 PM
Reply-To: pradhanramk@gmail.com
To: aryaerectorsindia@gmail.com

⚠ Your email to pradhanramk@gmail.com has not been opened yet. Snooze for 24H or 48H (disable)

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INDIA PRIVATE LIMITED
CIN : U70101AS2010PTC010190

Arya Erectors India Pvt. Ltd.
House No.123, 'Arya Smart Living'
Abhoypur, North Guwahati Pin: 781031, As
Tel : +91 98596 66501
E-mail : aryaerectorsindia@gmail.com
Web : www.aryaerectorsindia.com

Date: 28/11/2019

**POSSESSION CERTIFICATE OF VILLA**

**VILLA NO. A-6 IN ARYA SMART LIVING,**

**ABHAYPUR, NORTH GUWAHATI, DIST: KAMRUP, ASSAM**

This is to certify that Possession of **Villa No. A-6** having **Built-up Area** of **5186 Sq.ft.** along with land measuring **4000 Sq.ft.** situated at **Arya Smart Living,** Revenue Village: **Abhaypur,** Mouza: **Sila-Sindurighopa** in the district of **Kamrup,** Assam has been handed over on this the 28th day of November 2019 to **Mrs. Sumana Das** W/O Mr. Ganesh Das jointly with **Dr. Ganesh Das** S/O Mr. Dijendra Chandra Das both are residents of 5th Floor, Triveni Apartments, Madhabdevpur, Rehabari, P.O.- Rehabari, P.S.- Paltanbazar, Guwahati, District: Kamrup (M), Assam, Pin-781007. The allottee(s) of the said unit as per **Provisional Allotment letter dated 27/08/2018.**

For **Arya Erectors India Pvt. Ltd.**

(Ram Krishna Pradhan)

**(Ram Krishna Pradhan)**

Authorized Signatory

For & behalf of Arya Erectors India Private Limited
Amit Kumar Sajwan
Managing Director

**Acknowledgment by the Allottees**

I/We confirm and acknowledge that I/we have received the vacant and peaceful physical possession of **Villa No. A-6** having **Built-up Area of 5186 Sq.ft.** along with land measuring **4000 Sq.ft.** situated at **Arya Smart Living,** Revenue Village: **Abhaypur,** Mouza: **Sila-Sindurighopa** in the district of **Kamrup,** Assam. I/We confirm that the same is in accordance with Plans and Specifications as informed to us at the time of allotment and/ or as approved by Guwahati Metropolitan Development Authority (GMDA). I/We have no complaints or claims whatsoever against **Arya Erectors India Pvt. Ltd.** in this regard.

Sumana Das
30.11.19

Mrs. Sumana Das jointly with Dr. Ganesh Das
Allottee(s)

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# BEFORE THE ASSAM REAL ESTATE APPELLATE TRIBUNAL AT GUWAHATI

**REAT/ASSAM/APPEAL No. 12 of 2022**

M/s Arya Erectors India Pvt. Ltd .... Appellant

-versus-

Sri Ganesh Das and another .... Respondents

For & behalf of Arya Erectors India Private Limited
Managing Director

**PRESENT**

**HON'BLE MR. JUSTICE (Retd.) MANOJIT BHUYAN, CHAIRPERSON**
**SHRI ONKARMAL KEDIA, HON'BLE MEMBER (ADMINISTRATIVE)**

| | |
|---|---|
| For the appellant | : Mr. N. Deka, Advocate<br>Mr. D.K. Bhattacharyya, Advocate |
| For the respondents | : Mr. S. Chakraborty, Advocate |
| Dates of Hearing | : 07.02.2023, 10.02.2023, 03.03.2023 |
| Date of Judgment & Order | : 11.04.2023 |

## JUDGMENT AND ORDER

Shri Onkarmal Kedia, Member (A)

We have heard Mr. N. Deka, learned counsel for the appellant, assisted by Mr. D.K. Bhattacharyya, Advocate as well as Mr. S. Chakraborty, learned counsel representing the complainants/respondents.

2. This appeal is directed against the judgment and order dated 21.09.2022, passed by the Real Estate Regulatory Authority, Assam (in short, the RERA), in Case No. ASSAM/RERA/COM/2020/ 08/2711.The original records of the case were requisitioned vide order dated 03.01.2023, which were duly received by the Registry of this Tribunal. The written arguments of both the appellant and the respondents/complainants were received on 13.03.2023. On 20.03.2023, the appellant separately submitted a copy of the judgment of the Apex Court in the case of *Newtech Promoters and Developers Pvt. Ltd. vs. State of U.P. and*

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*others* reported in *2021 SCC Online SC 1044*. He stated that he had referred to this judgement in his written arguments, but had inadvertently not enclosed a copy of the judgement.

3. Facts briefly are that the respondents/complainants herein i.e. Dr. Ganesh Das and Mrs. Sumana Das had entered into an Agreement for Sale on 27.08.2018 with the appellant herein i.e. M/s Arya Erectors India Pvt. Ltd., a company registered under the Companies Act, 1956 to purchase a villa, particularly, Villa No. A-6 with built up area of 5186.00 sqft. and land area of 4000 sqft. in their real estate project called Arya Smart Living, Abhoypur, North Guwahati, constructed in a project area covering 19 Bighas 0 Kathas 4 Lechas of land. The cost of the villa was fixed at Rs.1,50,00000.00 (Rupees One Crore Fifty Lakh). The construction of the building was to be completed and handed over within 2 (two) years of execution of the Agreement, meaning by 27.08.2020. As per the aforesaid Agreement, the registration of Sale Deed was to take place after getting the requisite permission from the competent authority. The complainants/respondents paid 100% of the total consideration amount to the Builder as on 31.10.2019. The Builder had issued a Possession Certificate dated 28.11.2019 stating that he had handed over the apartment to the complainants. The Builder had applied to GMDA for Occupancy Certificate on 03.07.2018, but had not yet received the same. In course of time, the respondents/complainants raised 9 (nine) number of complaints against the Builder/Promoter on various grounds before the RERA, Assam. The RERA recorded its findings in respect of each of the complaints and passed directions. Challenging the order of the RERA, the Builder filed the instant appeal before the Assam Real Estate Appellate Tribunal (in short, the REAT). For easy understanding of the case, each complaint is being dealt with separately in the subsequent paragraphs.

4. **<u>On Complaint No. 1 : Non-disclosure of the Housing Project by the respondent.</u>**

4.1 <u>Findings of the RERA</u>: The RERA has observed that the Builder did not submit any supporting documents/evidence to prove that he had furnished the complete details of the Housing Project to the Complainant while signing the Sale Agreement dated 27.08.2018 or while issuing the allotment letter and hence, he has violated the provision under section 11(3)(a) of the *Real Estate (Regulation & Development) Act, 2016* (in short, the Act).

4.2 <u>Findings and orders of REAT</u>: Section 11(3)(a) of the Act is as follows.

> *"The promoter at the time of the booking and issue of allotment letter shall be responsible to make available to the allottee, the following information, namely:-*

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Managing Director

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*(a) sanctioned plans, layout plans, along with specifications, approved by the competent authority, by display at the site or such other place as may be specified by the regulations made by the Authority;"*

At the outset, we note that the basis of the conclusion reached by the RERA as against complaint no.1 is somewhat inexplicable. As pointed out by the appellant, it is evident from page 3 of the Agreement for Sale dated 27.08.2018 that the buyers had inspected all the documents and that plans and specifications had been made available to them. It further indicates that the plans and specifications of the villas agreed to be constructed and sold, as approved by the authority concerned, had been made available and inspected by the allottees. The said Agreement contains the signatures of the complainants as well as of the appellant. If the complainants wanted to challenge the veracity of this part of the Agreement, it was for them and not for the appellant to produce evidence to the contrary. It is well settled that one who makes an allegation has to produce evidence in support of the allegation. Hence, the finding of the RERA regarding violation of section 11(3)(a) of the Act by the Builder is not sustainable. Notwithstanding the same, the direction of the RERA to the Builder to furnish to the complainants the authenticated copies of all information and documents submitted by him to the RERA under Rule 3 and 4 of the *Assam Real Estate (Regulation & Development) Rules 2017*( in short, the Rules) for registration of the project Arya Smart Living, Abhoypur, Guwahati, as well as to upload the same on the website of Assam Real Estate Regulatory Authority and also the direction to the Secretary, RERA, Assam to furnish to the complainants a set of these documents received by RERA, Assam during the process of registration of the project, is not interfered with.

For & behalf of Arya Erectors India Private Limited
Managing Director

5. **<u>Complaint No. 2 : Non-adherence to Sanctioned Plans and Project Specifications.</u>**

5.1 <u>Findings of the RERA</u> : The RERA has observed that the RTI reply furnished by the GMDA to the queries of the complainants/respondents dated 27.04.2020 show that the builder has made deliberate deviations in the construction of the project for which he has also not taken consent of the two-third allottees of the Project. Thereby, he has also violated Section 14(1) and 14(2) of the Act.

5.2 <u>Findings and orders of REAT</u> : For ready reference, section 14(1) and 14(2) of the Act are reproduced hereinbelow :

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*"14. (1) The proposed project shall be developed and completed by the promoter in accordance with the sanctioned plans, layout plans and specifications as approved by the competent authorities.*

*(2) Notwithstanding anything contained in any law, contract or agreement, after the sanctioned plans, layout plans and specifications and the nature of the fixtures, fittings, amenities and common areas, of the apartment, plot or building, as the case may be, as approved by the competent authority, are disclosed or furnished to the person who agree to take one or more of the said apartment, plot or building, as the case may be, the promoter shall not make—*

*(i) any additions and alterations in the sanctioned plans, layout plans and specifications and the nature of fixtures, fittings and amenities described therein in respect of the apartment, plot or building, as the case may be, which are agreed to be taken, without the previous consent of that person:*

*Provided that the promoter may make such minor additions or alterations as may be required by the allottee, or such minor changes or alterations as may be necessary due to architectural and structural reasons duly recommended and verified by an authorised Architect or Engineer after proper declaration and intimation to the allottee.*

*Explanation.—For the purpose of this clause, "minor additions or alterations" excludes structural change including an addition to the area or change in height, or the removal of part of a building, or any change to the structure, such as the construction or removal or cutting into of any wall or a part of a wall, partition, column, beam, joist, floor including a mezzanine floor or other support, or a change to or closing of any required means of access ingress or egress or a change to the fixtures or equipment, etc.*

*(ii) any other alterations or additions in the sanctioned plans, layout plans and specifications of the buildings or the common areas within the project without the previous written consent of at least two-thirds of the allottees, other than the promoter, who have agreed to take apartments in such building.*

*Explanation—For the purpose of this clause, the allottees, irrespective of the number of apartments or plots, as the case may be, booked by him or booked in the name of his family, or in the case of other persons such as companies or firms or any association of individuals, etc., by whatever name called, booked in its name or booked in the name of its associated entities or related enterprises, shall be considered as one allottee only."*

For & on behalf of Arya Erectors India Private Limited
Managing Director

The reply of Guwahati Metropolitan Development Agency (in short, the GMDA) contained in letter No. GMDA/RTI/2020/9/2 dated 17.03.2020, in response to the RTI application dated 04.02.2020 of Ms Sumana Das says that the correct application (Form 27) for the Occupancy Certificate had not been submitted by the Builder till that date. In the subsequent reply of GMDA contained in letter No. GMDA/RTI/2020/22/18 dated 29.09.2020, in response to the RTI application dated 27.04.2020 of Sh. Padum Deori and Shri Ganesh Das, it shows that the Occupancy Certificate of the appellant's project was still under process. It nowhere makes mention of any violation by the Builder. However, in the letter No.

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GMDA/BP/2214/26112012/276 dated 20.03.2021 of the GMDA it is indicated that the application for the Occupancy Certificate was being rejected on the following grounds :

1. *"The area in site plan approved as triangular garden with 12.0M wide road at the main entrance has been obstructed by constructing a brick wall.*

2. *Structures like club house, swimming pool, caretaker house and security barrack are erected at the designated area for children park without any approval from GMDA."*

The above aspect shows that the Builder had not adhered to the sanctioned plans, approved by the GMDA. The appellant himself has stated that he has earmarked a total area of 1352 sq.m., which is 542 sq.m.(approx.) more than the original area earmarked for the children park. He has further stated that as per the sanctioned plan, the area of the children park, though not specifically mentioned, is around 810 sq.m. and after entering of the Club House into a portion of the same, the area is now around 663.44 sq.m. He has also admitted that he has removed the brick wall around the area at the main entrance, which had been approved for constructing a triangular garden.

For the deviations, the appellant was required to take previous consent of two-thirds of the allottees as enjoined u/s 14(2)(ii) of the Act which he did not do. Hence, RERA's finding in this regard is valid. However, RERA has ordered that all the deviations made by the Company from the sanctioned plan as approved by the GMDA without obtaining the previous consent of the two-thirds of the allottees and without subsequent approval/regularization by the GMDA be rectified immediately in compliance of Section 14 (2) of the Act. RERA has also barred the GMDA from regularization of the deviation found in the execution of the Project, if any, from the sanctioned plan as approved by them even if it is allowed under their relevant Acts and Rules, without prior written consent of the two-thirds of the allottees of the Project. The said directions of RERA appear to be putting unnecessary fetters on the powers of the GMDA. Section 14 of the Act does not require the Builder to remove a deviation which can be regularized by the competent body simply because previous consent of the two-thirds of the allottees was not taken. In such cases, remedy lies in section 61 of the Act, which provides as follows :

*"If any promoter contravenes any other provisions of this Act, other than that provided under Section 3 or Section 4, or the rules or regulations made thereunder, he shall be liable to a penalty which may extend up to five per cent of the estimated cost of the real estate project as determined by the Authority."*

For & on behalf of Arya Erectors India Private Limited
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This Tribunal is of the opinion that imposition of suitable penalty was well within the power and jurisdiction of RERA, which was done, for deviation from the sanctioned plans without having obtained prior approval of the two-thirds of the allottees. The GMDA is also permitted to proceed in the matter, as per its Acts and Rules, to deal appropriately with regard to any deviations on the part of the Builder.

**6. <u>Complaint No. 3 : Deed of Agreement dated 27th August 2018 as executed is not as per notified specified format.</u>**

6.1 <u>Findings of the RERA</u> : The RERA has concluded that the Agreement does not conform to the Annexure-A "Agreement for Sale" prescribed under Rule 9 of the Rules. RERA has ordered that the Sale Deed shall incorporate all the salient points contained in the "Sale Agreement" prescribed vide Annexure-A under Rule 9 of the Rules.

6.2 <u>Findings and orders of REAT</u> : The appellant has not questioned the finding of the RERA. However, the counsel has argued that an agreement is a bipartite act and the respondents/complainants had entered into the Agreement dated 27.08.2018 on their own volition, without any coercion or undue pressure from the appellant and that the respondents, having relied upon certain provisions of the Agreement, cannot be permitted to cry foul by relying upon certain other portion of the Agreement in the same breath or question the said Agreement.

We are of the view that the argument of the Appellant cannot be accepted. Section 13(2) of the Act provides that the Agreement for Sale shall be in such form, as prescribed. This section comes under Chapter III of the Act, which relates to the functions and duties of the Promoter. The format at Annexure-A under Rule 9 of the Rules is the prescribed form according to which the agreement for sale has to be drawn up. The appellant was duty bound to enter into the agreement with the respondents as per Annexure-A under Rule 9. By omitting to do so, he has violated the provisions of section 13(2) of the Act. Therefore, this Tribunal finds no reason to interfere with the order of the RERA on the Complaint No. 3.

**7. <u>Complaint No. 4 : Inability of the Respondent to give Lawful Possession to the Complainant.</u>**

7.1 <u>Findings of the RERA</u> : RERA has stated that as per provisions of Section 11(b) of the *Guwahati Building Construction (Regulation) Act, 2010* ( in short, the Building Act), the

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appellant is considered to have received the deemed Occupancy Certificate after expiry of 21 days, provided the building has been constructed as per the approved plans. RTI replies dated 17.03.2020 and 29.09.2020 and the subsequent correspondences dated 20.03.2021 and 03.11.2021, addressed to the Builder by the GMDA, indicates that the Builder did not adhere to the sanctioned plan, as approved by the GMDA. Therefore, the presumption that the Builder had received the deemed Occupancy Certificate is misconceived. The RERA has also observed that the Promoter cannot give possession of the apartment without receiving the Occupancy Certificate, as enjoined vide Clause 7.2 of the Model Form of the Agreement prescribed under Rule 9 of the Rules and Section 11(4)(b) & 17 of the Act. RERA has concluded that in the instant case, the act of issuing a Possession Certificate to the complainant vide letter dated 28.11.2019 is in violation of Section 11(4)(b) and 19(10) of the Act, read with Clause 7.2 of the Annexure A prescribed under Rule 9 of the Rules. The Builder is, therefore, liable to be penalized under section 61 of the Act. RERA has ordered that the Builder shall obtain Occupancy Certificate from the GMDA by complying with all the directions issued to it by the GMDA. Further, the Builder shall hand over the authenticated copies of all the relevant documents viz. the NOC issued by the competent Authority, Completion Certificate, Occupancy Certificate, Sanction Plan and hand over lawful possession of the villa to the respondents/complainants by completing all the required formalities, as per provisions of law. RERA has also stated that the respondents/complainants are entitled to get interest from the Builder at the rate of SBI's Marginal Rate of Lending + 2% on Rs.1.5 Crore with effect from 28.08.2020 for every month of delay till the lawful handing over of possession of the villa to them as per the proviso to section 18 (1) of the Act.

For & behalf of Arya Directors,
India Private Limited
Managing Director

7.2 Findings and orders of REAT : The appellant has argued that possession of the villa by the respondents is valid possession, which was handed over to them only upon their insistence. It is argued that the respondents, on one hand, have taken possession of the villa and is enjoying the same and, on the other hand, is claiming compensation on ground that the act of giving the said possession was not lawful. In this connection, the appellant has relied upon the judgment of the Apex Court in the case of *Nagubai Ammal & Ors. –vs- B. Sharma Rao & Ors.*, reported in *AIR 1956 SC 593*, wherein in at paragraph 21 the Apex Court has held that a person is not permitted to approbate and reprobate, that is, rely on a particular transaction to obtain some benefit on the basis that the said transaction is valid and, in the same breath, challenge the said transaction contending the same to be unlawful. The appellant has argued that the respondents, knowing full well of the status of the Occupancy Certificate and the stage of construction, had

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asked for possession and after taking possession they are now trying to take advantage. The appellant has further stated that Clause 9 of the NOC for construction dated 25.06.2013 indicates that if the authority fails to issue Occupancy Certificate within 2 weeks from the date of application for Occupancy Certificate, there would be no bar in occupying the said building. It is contended that in view of such stipulations it cannot be said that the possession given to the respondents is unlawful. The appellant has stated that the RERA, while directing payment of interest, has purportedly relied upon the proviso to section 18(1) of the RERA Act although the statute nowhere uses the words or phrase "lawful possession". Section 18 provides for handing over of "possession" in terms of the agreement for sale and only on failure to do so, the proviso would come into force. In the present case, the appellant was required to hand over possession within 2 years from the date of the Agreement i.e. on or before 26.08.2020 and possession admittedly was handed over on 28.11.2019. Therefore, the appellant has asserted that insertion of the word "lawful" by the RERA is bad in law.

For & behalf of Arya Erectors India Private Limited
Managing Director

It is seen that Clause 7.2 of Annexure 'A', being the Model Form of Agreement prescribed under Rule 9 of the Rules, provides as follows :

> *"The promoter, upon obtaining the occupancy certificate from the competent authority shall offer in writing the possession of the Apartment/Plot, to the Allottee in terms of this Agreement to be taken within 3 (three) months from the date of issue of such notice and the Promoter shall give possession of the Apartment/Plot to the Allottee. The promoter agrees and undertakes to indemnify the Allottee in case of failure of fulfilment of any of the provisions, formalities, documentation on part of the promoter...."*

Section 19(10) of the Act provides that :

> *"Every allottee shall take physical possession of the apartment, plot or building as the case may be, within a period of two months of the occupancy certificate issued for the said apartment, plot or building, as the case may be."*

Section 11(4)(b) of the Act, specifies that the promoter shall :

> *"be responsible to obtain the completion certificate or the occupancy certificate, or both, as applicable, from the relevant competent authority as per local laws or other laws for the time being in force and to make it available to the allottees individually or to the association of allottees, as the case may be;"*

Section 19(10) of the Act and Clause 7.2 of Annexure 'A' under Rule 9 of the Rules make it clear that prior to offering possession, the promoter must obtain the Occupancy Certificate from the competent authority. In this case, possession was offered to the complainants/respondents without the Occupancy Certificate having been obtained in the first place. Truly, the possession of the villa was not strictly as per mandate. On this, we would

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observe that although the possession of the villa given to the respondents/complainants was without the Occupancy Certificate being in place, the fact of taking possession of the villa by the respondents/complainants is not disputed. For the act of not having obtained the Occupancy Certificate prior to handing over possession of the villa, in our considered opinion, the Builder could have been penalized under section 61 of the Act instead of being imposed with payment of interest, having regard to the peculiar facts and circumstances of the case. The imposition of interest, as ordered by RERA, was unwarranted. We, therefore, interfere and set aside the direction of RERA imposing interest upon the appellant against complaint no.4. Liberty is given to the respondents/complainants, if so advised, to approach RERA for invoking the provision of section 61 of the Act.

For & behalf of Arya Erectors India Private Limited
Managing Director

**8. <u>Complaint No.5 : Failure to transfer the title of the Apartment by way of registered conveyance in favour of the Complainant by the Respondent due to reason attributable on account of the Respondent.</u>**

8.1 <u>Findings of the RERA</u> : RERA has observed that for getting the required NOC for sale of a Flat, the promoter must attach the Occupancy Certificate as per the OM No.RRG.12/2012/1 dated 31.10.2017 of the Department of Revenue (Reforms) & DM Department, Govt. of Assam. The RERA has expressed surprise over the fact that the Office of the Deputy Commissioner, Kamrup issued NOC for sale in the instant case without the Occupancy Certificate being in place. By offering the possession and transfer of the Flat to the Complainant without obtaining the Occupancy Certificate from the competent authority, the respondent is found to have violated the provisions of section 11(4)(f) and 17 of the Act and, therefore, is liable to be penalized under Section 61 of the Act. The RERA has ordered that after obtaining the Occupancy Certificate from the competent authority, the Promoter shall arrange to transfer the Villa No.A-6 to Dr. Ganesh Ch. Das and Mrs Sumana Das within one month of the date of receipt of the Occupancy Certificate by executing a registered Sale Deed as per provision of Section 17(1) of the Act. Direction was also made that before execution of the Sale Deed, a draft copy of the same be made available to the respondents/complainants for their perusal and vetting.

8.2 <u>Findings and orders of REAT</u> : Section 17 of the Act provides as follows :

> *"17. Transfer of title.-* (1) *The promoter shall execute a registered conveyance deed in favour of the allottee along with the undivided proportionate title in the common areas to the association of the allottees or the competent authority, as the case may be, and hand over the physical possession of the plot, apartment or building, as the case may*

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*be, to the allottees and the common areas to the association of the allottees or the competent authority, as the case may be, in a real estate project, and the other title documents pertaining thereto within specified period as per sanctioned plans as provided under the local laws:*

*Provided that, in the absence of any local law, conveyance deed in favour of the allottee or the association of the allottees or the competent authority, as the case may be, under this section shall be carried out by the promoter within three months from date of issue of occupancy certificate.*

*(2) After obtaining the occupancy certificate and handing over physical possession to the allottees in terms of sub-section (1), it shall be the responsibility of the promoter to handover the necessary documents and plans, including common areas, to the association of the allottees or the competent authority, as the case may be, as per the local laws:*

*Provided that, in the absence of any local law, the promoter shall handover the necessary documents and plans, including common areas, to the association of the allottees or the competent authority, as the case may be, within thirty days after obtaining the completion certificate.*"

For & behalf of Arya Erectors India Private Limited Managing Director

Section 11(4)(f) of the Act obligates the promoter to :

"*execute a registered conveyance deed of the apartment, plot or building, as the case may be, in favour of the allottee along with the undivided proportionate title in the common areas to the association of allottees or competent authority, as the case may be, as provided under section 17 of this Act;*"

The appellant has argued that he and the respondents had jointly applied for the NOC for sale, which had been granted by the Deputy Commissioner, Kamrup vide NOC dated 04.04.2019. On behalf of the appellant it is also argued that the Government Office Memorandum dated 31.10.2017 clearly states that Occupancy Certificate is required only for a flat and not for a villa. In this, we respectfully disagree with the argument advance by the appellant. The said Office Memorandum dated 31.10.2017 nowhere mentions exclusion in respect of villas. Also, section 17(1) of the Act shows that Occupancy Certificate is a pre-requisite to the offer of possession as well as execution of a conveyance deed. Therefore, the findings and order of RERA in respect of Complaint No. 5 are upheld.

9. **<u>Complaint No. 6 : Failure to transfer the Title of Common Area by the Respondent to the society as per sanctioned plan approved by GMDA.</u>**

9.1 <u>Findings of the RERA</u> : RERA has observed that the appellant Builder has not yet obtained the Occupancy Certificate, which is a vital document to effect the transfer of title to the allottees and to the association of allottees. Hence, the appellant has not yet transferred the

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common areas of the project as per the sanctioned plan to the Arya Smart Living Housing Co-operative Society by executing a registered Conveyance Deed as enjoined under section 11(4)(f) and Section 17(1) of the Act. In its order, the RERA has asked the Builder to transfer the title of the common area of the project to the Arya Smart Group Housing Co-operative Society Ltd as per the sanctioned plan approved by the competent Authorities within 3 (three) months of issue of the Occupancy Certificate by the competent authorities as per provision of Section 17(1) of the Act. Further, the Builder shall also hand over the relevant documents relating to the project to the Society as per provision of Section 17(2) of the Act. The builder has been directed to declare in writing the details of the common areas and free space arising out of the sanctioned plan and indicate the present status of ownership.

For & behalf of Arya Erectors India Private Limited
Managing Director

9.2 Findings and orders of REAT : On behalf of the appellant it is argued that Section 17(1) of the RERA Act does not provide that possession of the property is required to be handed over within a specific period after obtaining the occupancy certificate. The specific language of the said section is that the physical possession is to be handed over within a specified period as provided under the local laws. The time period of 3 (three) months from the date of issuance of occupancy certificate is mentioned in the proviso to the Section 17(1), that is, only in absence of a local law. It is submitted that there is a local law governing the transfer of immovable property in the State of Assam and the said law does not require the grant of an occupancy certificate for the sale of land and villa.

At the outset, we hold that the appellant's argument cannot be accepted. If the local law does not provide any time limit, as argued by the appellant, the time limit prescribed in Section 17(1) will be applicable in the instant case. Similarly, it cannot be argued that no Occupancy Certificate is required for transfer of title because the local law does not require the Builder to do so. Therefore, the findings and order of RERA, as far as Complaint No.6 is concerned, are upheld.

**10. Complaint No. 7: Failure to take steps to award memberships to allottee in the Association of Allottee.**

10.1 Findings of the RERA : According to the RERA, the fact that the complainant had not been made a member of the Society shows that the promoter had discriminated against the complainant and thereby violated not only the provision of Section 11(4)(e) but also the rights of the complainants provided under Section 11(4)(f) of the Act, as non-membership of the society deprived them from taking part in the deliberations of the society and from holding due

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shares in the common areas. Therefore, the Promoter is liable to be penalized under Section 61 of the Act. The RERA expressed its displeasure over the failure of the Promoter to offer the membership of the Society to Mr. Ganesh Ch. Das and Mrs Sumana Das from the date of formation of the Society, as they are allottees under the project. However, as the grievance of the Complainant has already redressed, therefore, no further relief is called for.

10.2 Findings and orders of REAT : The appellant has argued that the findings are beyond the purview of the RERA Act, in that, Section 11(4)(e) of the Act mandates the promoter only to *"enable the formation of an association or society or co-operative society as the case may be, of the allottees ..."*. The RERA Act does not cast any responsibility on the appellant to ensure that each and every allottee is inducted as a member of the society of the allottees. The appellant's argument appears to be valid. As far as Section 11(4)(f) of the Act is concerned, it provides that the Promoter shall *"execute a registered conveyance deed of the apartment, plot or building, as the case may be, in favour of the allottee along with the undivided proportionate title in the common areas to the association of allottees or competent authority, as the case may be, as provided under section 17 of this Act;"*. This Section does not appear to be applicable to the Complaint No. 7, which is regarding membership of the complainants in the Association of Allottees. Hence, the findings of the RERA, as far as this complaint is concerned, and the resultant expression of displeasure by RERA is interfered with in favour of the appellant.

For & on behalf of Arya Ventures India Private Limited
Managing Director

**11. Complaint No. 8 : Less electricity load provided against the actual electrical load requirement and consequently less number of electrical transformers installed against the sanctioned plans.**

11.1 Findings of the RERA : RERA has observed that the Service Plan, which is part of the Sanctioned Plan, as approved by the GMDA, shows that 3 (three) numbers of Transformers - 1st one with 1000 KV and the 2nd and 3rd ones with 1250 KV capacity, were to be provided in the Project. But the appellant has only provided 2 (two) numbers of Transformers with capacity of 500 KV each, which is in clear violation of Section 14(1) and 14(2) of the Act. Non-disclosure of the correct information to the complainant is also a violation of Section 11(3)(b) of the Act. Hence, the respondent is liable to be penalized under Section 61 of the Act. The RERA has directed the Promoter to arrange to set up additional Transformers as per the approved electricity service plan and take all necessary steps to make provision for supply of adequate power to all the residents of the housing Project by filing an application before the

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APDCL for the required additional power load for the project. The Builder has also been directed to take necessary steps to renew the lapsed permission from the statutory authorities with immediate effect, including environmental clearance, as may be necessary.

11.2 Findings and order of REAT : The appellant has argued that provisions of the Act cannot be applied retrospectively, inasmuch as, the appellant had applied and got the load of 3000 KW sanctioned vide sanction letter dated 03.03.2014, but the same was surrendered due to downsizing of the project. It is submitted that this aspect apparent from the letter dated 30.10.2015, which is about 3 years prior to the signing of the Agreement to Sale with the complainants/respondents and about 1 ½ years prior to the coming into force of the RERA Act. Further, that the provisions of section 14 of the Act, pertaining to the requirement of prior written approval of 2/3rd allottees, cannot be enforced in the manner as has been sought to be done in view of the settled legal proposition that any statute is prospective unless specifically made retrospective.

For & behalf of Arya Erectors India Private Limited
(Managing Director

We hold that the argument of the appellant cannot be accepted in its entirety. The sanctioned service plan has its own sanctity. If for any reason the total load was less than what was mentioned in the service plan, a revised service plan should have been submitted to the competent authority. While the requirement of prior approval cannot be applied in this case, as the load was sanctioned before the Act came into force, the appellant must ensure that adequate load is applied for and made available to the allottees. Therefore, in modification of the order passed by the RERA, we direct that the appellant will get the requirement of power assessed through a registered Electrician, with concurrence of the Association of the allottees, and take necessary action to provide additional power, if required, within a period of three months of the date of this order.

**12. Complaint No. 9 : Failure to handover the maintenance of the project by the respondent to the association of the allottees/society.**

12.1 Findings of the RERA : RERA has stated that it is for the Promoter to come forward to resolve the issues raised by the allottees in the Annual General Meeting (AGM) and by the complainants before the RERA Authorities, as may be binding on him.

12.2 Findings of REAT : This Tribunal refrains from passing any order on the findings of the RERA, inasmuch as, there is no specific direction to the appellant and also because the Association of allottees was not a party to the case.

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13. To sum up, this Tribunal orders as follows.

**Complaint No. 1** : The finding of the RERA regarding violation of Section 11(3)(a) of the Act by the appellant is set aside. However, the direction of the RERA to the Builder to furnish to the complainants the authenticated copies of all information and documents submitted by him to RERA under Rule 3 and 4 of the Rules for registration of the project as well as to upload the same on the Assam Real Estate Regulatory Authority's website and also in respect of the direction to the Secretary, RERA, Assam to furnish to the respondents/complainants a set of these documents is not interfered with.

**Complaint No. 2** : The findings of RERA are partly interfered with, as indicated in the discussion on the said Complaint No.2, however, without making any interference to the imposition of penalty.

**Complaint No. 3** : RERA's orders are upheld.

**Complaint No. 4** : Partly interfered with by granting liberty to approach RERA for reasons as recorded in the findings of REAT above. However, the RERA's order to the extent of imposing interest upon the appellant at the rate of SBI's Marginal Rate of Lending + 2% on Rs.1.5 Crore with effect from 28.08.2020 for every month of delay till the lawful handing over of possession of the villa is set aside.

**Complaint No. 5** : RERA's orders are upheld.

**Complaint No. 6** : The findings of the RERA are upheld.

**Complaint No. 7** : RERA's findings to the extent of expressing displeasure is interfered with.

**Complaint No. 8** : In modification of the order passed by the RERA, the appellant shall get the requirement of power assessed through a registered Electrician, with concurrence of the Association of the allottees and take necessary action to provide additional power, if required, within a period of three months of the date of this order.

**Complaint No. 9** : RERA's order is not interfered with.

14. The RERA has found the appellant to have contravened the provisions of Section 11(3)(a), 11 (4) (f), 12, 14(1) & 14(2) and 17 (1) & 17 (2) of the Act on at least five counts, as discussed with reference to Complaint Nos. 1& 2, 3, 5, 6 and 8. RERA has imposed an overall

For & behalf of Arya Erectors India Private Limited
Managing Director

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penalty of Rs.1 (one) lakh on the Promoter under section 61 of the Act @ Rs.20,000/- on each count. Per contra and as discussed in the preceding paragraphs, this Tribunal has upheld the findings of the RERA in respect of Complaint Nos. 2 (to the extent of imposition of penalty), 3, 5 and 6. Hence, the overall penalty of Rs.1.0 (one) lakh imposed by the RERA on the appellant is modified to Rs.80,000/- (Rupees Eighty Thousand) @ Rs.20,000/- on 4 (four) counts, as above.

**15.** Following our earlier order dated 22.11.2022, the appellant had deposited an amount of Rs.32,32,850/- (Rupees Thirty-Two Lakh Thirty-Two Thousand Eight Hundred Fifty) vide Demand Draft drawn in favour of the Assam Real Estate Appellate Tribunal. The said amount was determined by recording in paragraph 7 of our order as follows :

> *7. Considering 30% of the penalty so imposed, the pre-deposit amount on the penalty component stands at Rs.30,000/- (Rupees Thirty Thousand). Further, in working out the interest payable, we have considered the prevailing State Bank of India's Marginal Cost of Lending Rate, as available in the official website of the State Bank of India. We find that the said lending rate announced on 15/11/2022 ranges between 7.60% to 8.35% per annum. Taking the interest payable in terms of the SBI's Marginal Cost of Lending Rate at 7.60% and adding the additional 2%, which becomes 9.60% (7.60 + 2.0) per annum as per direction of RERA and Rule 17 of the Rules, the interest payable on Rs. 1.5 Crore (Rupees One Crore Fifty Lakhs) with effect from 28/08/2020 atleast until the date of filing of the instant appeal i.e. 18/11/2022, covering a period of 2 (two) years, 2 (two) months and 21 (twenty one) days, the pre-deposit amount on the interest component works out to Rs.32,02,850/- (Rupees Thirty Two Lakhs Two Thousand Eight Hundred Fifty). Thus, the total amount to be deposited by the appellant with this Tribunal in strict terms of the proviso to sub-section (5) of section 43 of the Act before the appeal can be entertained is quantified at Rs.32,02,850/- + Rs.30,000/ = **Rs. 32,32,850/-** (Rupees Thirty Two Lakhs Thirty Two Thousand Eight Hundred Fifty).*

The aforesaid amount of Rs.32,32,850/-, deposited by the appellant, has been put in the Savings Account of the Real Estate Appellate Tribunal, Assam. On final disposal of the present appeal and having regard to the findings and decision of this Tribunal, the Registry of this Tribunal shall make necessary calculation and take steps with the Canara Bank for transfer of the amount, along with interest accruing thereon, that may be refundable to the appellant after deduction of the penalty amount, to the Bank Account maintained by the appellant To facilitate the transfer, a direction is made to the appellant to furnish to this Registry, in writing, the particulars of their bank account, supported by a copy of the Pass Book, together with a cancelled cheque leaf. The respondent shall also place the original Pass Book, which has been

For & behalf of Arya Erectors India Private Limited
Managing Director

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duly issued under the signature of the competent Bank officer with seal of the Bank, for necessary verification. The Registry shall also take steps for transfer of the penalty amount with interest accruing thereon into the Bank Account of RERA, Assam.

**16.** In view of the above, the present appeal stands disposed of accordingly.

The Registry of this Tribunal shall return the original records to the Office of RERA, Assam, forthwith. Copy of this judgment and order be furnished to the counsels for the parties as well as to RERA, Assam. One copy be sent to the GMDA as well.

**MEMBER (ADMINISTRATIVE)** **CHAIRPERSON**

For & behalf of Arya Erectors India Private Limited
(Managing Director

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# REAL ESTATE REGULATORY AUTHORITY, ASSAM

Jawaharnagar, Khanapara, Guwahati-22
Email: info@reraassam.org.in

Form "C"

[See Rule 6(1)]

No. ASSAM/RERA/2017/64/68

Date: 17th July, 2021

## REGISTRATION CERTIFICATE OF PROJECT

This registration is granted under section 5 of the Real Estate (Regulation and Development) Act-2016 to the following project under project registration number: RERAA KU 122 of 2021.

Name of the project and Location: "ARYA SMART LIVING" to be set up at- Village- Abhoypur, Mouza- Sila Sinduri Ghopa, Guwahati, Assam.

Name of the Promoter: Arya Erectors India Pvt. Ltd. 503, K.P. Enclave, Sohagpur,Rehabari, Guwahati-781008, Assam.

1. This registration is granted subject to the following conditions, namely: -
   (i) The promoter shall enter into an agreement for sale with the allottees as provided in 'Annexure A'.
   (ii) The promoter shall execute and register a conveyance deed in favour of the allottee or the association of the allottees, as the case may be, of the apartment, or the common areas as per section 17.
   (iii) The Promoter shall deposit seventy percent of the amounts realized by the Promoter in a separate account to be maintained in a schedule bank to cover the cost of construction and the land cost to be used only for that purpose as per sub-clause (D) of clause (I) of sub- section (2) of section 4.
   (iv) The registration shall valid for the period commencing from 30/10/2017 and ending on 31/12/2021 unless renewed by Real Estate Regulatory Authority in accordance with Section 6 read with Rule 7 of the Act.
   (v) The promoter shall comply with the provisions of the Act and the rules and regulations made there under.
   (vi) The promoter shall not contravene the provisions of any other law for the time being in force in the area where the project is being developed.
2. If the above-mentioned conditions are not fulfilled by the Promoter, the Regulatory Authority may take necessary action against the promoter including revoking the registration granted herein, as per the Act and the rules and regulations made there under.

**NB: Applicant shall submit Occupation Certificate issued by GMDA within 31/12/21.**

For & behalf of Arya Erectors India Private Limited
Managing Director

Date: 17th July, 2021.
Place: Guwahati

Registrar i/c
Real Estate Regulatory Authority, Assam

No. ASSAM/RERA/2017/64/68

Date: 17th July, 2021

Copy to:

1. P.S to Chairperson, Real Estate Regulatory Authority, Assam for kind information.
2. P.S to Members, Real Estate Regulatory Authority, Assam for kind information.
3. Additional Chief Secretary to the Government of Assam, Urban Development Department, Dispur, Guwahati-6 for kind appraisal of the Additional Chief Secretary.
4. President, Rudreswar Gaon Panchayat, Rudreswar, North Guwahati, Kamrup, Assam.
5. The Chief Executive Officer, Guwahati Metropolitan Development Authority, Bhangagarh, Guwahati-781005.
6. Branch Manager, HDFC Bank Ltd. Amingaon.
7. Arya Erectors India Pvt. Ltd. 503, K.P. Enclave, Sohagpur,Rehabari, Guwahati-781008, Assam.
8. Guard File.

Registrar i/c
Real Estate Regulatory Authority, Assam

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# Assam Real Estate Regulatory Authority

Jawahar Nagar, Khanapara, Guwahati-22
E-mail : assamrera@gmail.com

## FORM "C"

[See Rule 6(1)]

No. ASSAM/ RERA/ 2017/261/191/3D

Date : 19th October, 2020.

## REGISTRATION CERTIFICATE OF PROJECT

This registration is granted under section 5 of the Real Estate (Regulation and Development) Act-2016 to the following project under project registration number : RERAA KU 3D of 2020

Name of the Project and Location : "Arya Smart Living" to be setup at Abhoypur, North Guwahati, Kamrup (Rural) District, Assam.

Name of the Promoter : M/s Arya Erectors India Pvt. Ltd. having its registered office at House No.123, Arya Smart Living, Abhoypur, North Guwahati-781031, Assam.

2. This registration is granted subject to the following conditions, namely

(i)The promoter shall enter into an agreement for sale with the allottees as provided in " ANNEXURE A"

(ii)The Promoter shall execute and register a conveyance deed in favor of the allottee or the association of the allottees, as the case may be, of the apartment or the common areas as per section 17.

(iii)The promoter shall deposit seventy percent of the amount realized by the promoter in a separate account to be maintained in a Schedule Bank to cover the cost of construction and the land cost to be used only for that purpose as per sub- clause (D) of clause (I) of sub-section(2) of section-4.

(iv)The registration shall be valid for a period of commencing from 26/2/2020 and ending on 31/08/2022 unless renewed by the Real Estate Regulatory Authority in accordance with section 6 read with the Rule 7 of the Act.

(v)The Promoter shall comply with the provisions of the Act. And the rules and regulations made there under.

(vi)The promoter shall not contravene the provisions of any other law for the time being in force in the area where the project is being developed.

3.If the above mentioned conditions are not fulfilled by the Promoter, the Regulatory Authority may take necessary action against the promoter including revoking the registration granted herein, as per the Act and the Rules and Regulations made there under.

Sd/-
Registrar i/c
Real Estate Regulatory Authority
Assam

Date : 19th October, 2020.
Place : Guwahati.

Memo No. ASSAM/ RERA/ 2017/261/191 -A

Date : 19th October, 2020.

Copy to :

1. P.S to Chairperson, RERA, Assam for kind information.
2. P.S to Members , RERA, Assam for kind information.
3. P.S to the Principal Secretary, Urban development Department, Dispur, Guwahati-6 for kind appraisal of the Principal Secretary.
4. The Chief Executive Officer, Guwahati Metropolitan Development Authority, Bhangagarh, Guwahati-781006.
5. The Chief Executive Officer, Zilla Parishad, Kamrup.
6. The Bank Manager Bandhan Bank, G.S Road Branch, Guwahati-1.
7. M/s Arya Erectors India Pvt. Ltd. House No.123, Arya Smart Living, Abhoypur, North Guwahati-781031, Assam.

Registrar i/c
Real Estate Regulatory Authority
Assam

For & behalf of Arya Erectors India Private Limited
Managing Director

NOTARY
Jnanaja Sarma
Guwahati
Regd. No.- 42646
Expiry Dt.- 20/02/2030
GOVERNMENT OF INDIA

11 JUL 2025

-389-

7/6/22, 12:41 PM

CLUB HOUSE

**Real Estate Regulatory Authority,Assam**
Jawaharnagar,NH-37(Near Bodoland House) Guwahati-781022, Assam
Phone : 0361-2962598
E-mail: info@reraassam.org.in

For & behalf of Arya Erectors India Private Limited
Abhijit Kumar Sarma
Managing Director

## RECEIPT OF COMPLAINTS,PROJECTS AND OTHER CORRESPONDENCES AT RERA, ASSAM RECEPTION DESK

| | |
|---|---|
| Dak Receipt ID | 4795 |
| Temp Receiving No For Project | RERA-ASM-130-2022 |
| Project Name | ARYA SMART LIVING CLUB HOUSE |
| Promoter Name | ARYA ERECTORS INDIA PRIVATE LIMITED |
| Authorized Person depositing Project Files | RUPAM SARMA |
| Authorized Person Mobile Number | 9101440484 |
| Date of Submission of Project Files | 06-07-2022 |
| Type of Document | NEW |

Signature: _____

Date: _____

Received
06/7/2022

NOTARY
Jnanajit Sarma
Guwahati
Regd. No.- 42846
Expiry Dt.-
20/02/2030
GOVERNMENT OF INDIA

11 JUL 2025

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| Club House Bills | | |
|---|---|---|
| Sl No. | Parties Name | Amount |
| 1 | SMB Bricks | 5,23,477.00 |
| 2 | Marble & Tiles Shoppe | 87,443.00 |
| 3 | Marble & Tiles Shoppe | 83,442.00 |
| 4 | Marble & Tiles Shoppe | 89,149.00 |
| 5 | Marble & Tiles Shoppe | 87,890.00 |
| 6 | KAMLESH TRADING | 93,930.00 |
| 7 | Jamanuddin Ali | 4,39,143.00 |
| 8 | Kanak Ch Nath | 2,06,652.00 |
| 9 | KANAK CHANDRA NATH | 1,95,334.00 |
| 10 | Core Entrade India Pvt Ltd | 89,400.00 |
| 11 | Mehdi Hassan | 3,17,830.00 |
| 12 | AGMO PLY & LAMINATES | 1,27,294.00 |
| 13 | Sanyeeji Rooling Bills | 6,57,711.00 |
| 14 | Gautam Steel | 3,03,659.00 |
| 15 | ANANTA TRADE CENTRE | 84,000.00 |
| 16 | ANANTA TRADE CENTRE | 2,400.00 |
| 17 | ANANTA TRADE CENTRE | 94,400.00 |
| 18 | ANANTA TRADE CENTRE | 42,148.00 |
| 19 | ANANTA TRADE CENTRE | 10,680.00 |
| 20 | ANANTA TRADE CENTRE | 2,03,652.00 |
| 21 | RS ENTERPRISE | 26,351.00 |
| 22 | SUMI NATH | 1,75,862.00 |
| 23 | SUMI NATH | 1,93,025.00 |
| 24 | PRANAB JYOTI PATHAK | 53,571.00 |
| 25 | PRANAB JYOTI PATHAK | 87,690.00 |
| 26 | TOPCEM | 1,05,000.00 |
| 27 | TOPCEM | 1,05,000.00 |
| 28 | TOPCEM | 1,05,000.00 |
| 29 | TOPCEM | 1,08,000.00 |
| 30 | TOPCEM | 36,000.00 |
| 31 | TOPCEM | 1,44,000.00 |
| 32 | TOPCEM | 1,05,000.00 |
| 33 | TOPCEM | 35,000.00 |
| 34 | TOPCEM | 1,44,000.00 |
| 35 | TOPCEM | 1,44,000.00 |
| 36 | TOPCEM | 36,000.00 |
| 37 | TOPCEM | 1,08,000.00 |
| 38 | TOPCEM | 1,46,800.00 |
| 39 | TOPCEM | 1,46,800.00 |
| 40 | ESS BioWEalth Pvt Ltd | 1,24,320.00 |
| 41 | ESS BioWEalth Pvt Ltd | 1,60,030.00 |
| 42 | Neelakantha Glass | 62,530.00 |
| 43 | Bhagwati Sai Metal Alloys | 3,76,074.00 |
| 44 | Bath Gallery | 31,607.00 |
| 45 | Bath Gallery | 8,424.00 |
| 46 | Sai Steels Pvt.Ltd | 2,45,119.00 |

for & behalf of Arya Elevators India Private Limited

Managing Director

NOTARY
Jnanajit Sarma
Guwahati
Regd. No.- 42846
Expiry Dt.- 20/02/2030
GOVERNMENT OF INDIA

-341-

| | | |
|---|---|---|
| 47 | Rohit Electricals | 96,528.00 |
| 48 | Riddhima Electricals | 2,347.00 |
| 49 | Kushal Deka | 72,803.50 |
| 50 | Kushal Deka | 1,01,748.00 |
| 51 | Kushal Deka | 1,32,370.50 |
| 52 | Kushal Deka | 51,450.00 |
| 53 | Bahadur Islam | 61,950.00 |
| 54 | Bahadur Islam | 2,30,100.00 |
| 55 | Bahadur Islam | 75,904.00 |
| 56 | Bahadur Islam | 45,135.00 |
| 57 | RAHMAN ALI | 14,868.00 |
| 58 | RASHID ALI | 30,326.00 |
| 59 | Dilip Sarkar | 23,600.00 |
| 60 | Dilip Sarkar | 47,200.00 |
| 61 | Dilip Sarkar | 47,200.00 |
| 62 | Dilip Sarkar | 16,520.00 |
| 63 | Dilip Sarkar | 33,040.00 |
| 64 | Dilip Sarkar | 42,480.00 |
| 65 | Suleman Ahmed | 11,871.00 |
| 66 | Anower Ali | 1,19,652.00 |
| 67 | Anower Ali | 32,568.00 |
| 68 | Ranju Rai | 70,000.00 |
| 69 | Ranju Rai | 1,71,608.00 |
| 70 | Ranju Rai | 10,000.00 |
| 71 | Ranju Rai | 60,000.00 |
| | TOTAL: | 83,54,106.00 |

For & behalf of Arya Erectors
India Private Limited
Jnanajit Sarma
Managing Director

NOTARY
Jnanajit Sarma
Guwahati
Regd. No.- 42846
Expiry Dt.-
20/02/2030
GOVERNMENT OF INDIA

11 JUL 2025

3X2

# ARYA ERECTORS INDIA PVT. LTD.

ABHAYPUR, NORTH GUWAHATI, DIST: KAMRUP, ASSAM

Project: ARYA SMART LIVING

Name of Supplier: SMB BRICK INDUSTRY

Period of supply: 06/04/2018 to 28/04/2018

Bill date: 02/05/2018

| Sl. No. | Date | Item | Unit | Qty | Rate | Amount |
|---|---|---|---|---|---|---|
| 1 | 06-Apr-18 | Bricks | Nos. | 2500 | 6.8 | 17000 |
| | | Bricks | Nos. | 2500 | 6.8 | 17000 |
| | | Bricks | Nos. | 2500 | 6.8 | 17000 |
| | | Bricks | Nos. | 2500 | 6.8 | 17000 |
| 2 | 10-Apr-18 | Bricks | Nos. | 2500 | 6.8 | 17000 |
| | | Bricks | Nos. | 2500 | 6.8 | 17000 |
| | | Bricks | Nos. | 2500 | 6.8 | 17000 |
| | | Bricks | Nos. | 2500 | 6.8 | 17000 |
| | | Bricks | Nos. | 2500 | 6.8 | 17000 |
| 3 | 12-Apr-18 | Bricks | Nos. | 2500 | 6.8 | 17000 |
| | | Bricks | Nos. | 2500 | 6.8 | 17000 |
| | | Bricks | Nos. | 2500 | 6.8 | 17000 |
| | | Bricks | Nos. | 2500 | 6.8 | 17000 |
| 4 | 16-Apr-18 | Bricks | Nos. | 2500 | 6.8 | 17000 |
| | | Bricks | Nos. | 2500 | 6.8 | 17000 |
| | | Bricks | Nos. | 2500 | 6.8 | 17000 |
| | | Bricks | Nos. | 2500 | 6.8 | 17000 |
| | | Bricks | Nos. | 2500 | 6.8 | 17000 |
| 5 | 19-Apr-18 | Bricks | Nos. | 2500 | 6.8 | 17000 |
| | | Bricks | Nos. | 2500 | 6.8 | 17000 |
| | | Bricks | Nos. | 2500 | 6.8 | 17000 |
| | | Bricks | Nos. | 2500 | 6.8 | 17000 |
| 6 | 22-Apr-18 | Bricks | Nos. | 2500 | 6.8 | 17000 |
| | | Bricks | Nos. | 2500 | 6.8 | 17000 |
| | | Bricks | Nos. | 2500 | 6.8 | 17000 |
| | | Bricks | Nos. | 2500 | 6.8 | 17000 |
| | | Bricks | Nos. | 2500 | 6.8 | 17000 |
| 7 | 28-Apr-18 | Bricks | Nos. | 2500 | 6.8 | 17000 |
| | | Bricks | Nos. | 2500 | 6.8 | 17000 |
| | | Bricks | Nos. | 2500 | 6.8 | 17000 |
| | | Broken Bricks | CUM | 13.477 | 1000 | 13477 |
| | | | | | Total | 523477.00 |

(Rupees five lakhs twenty three thousand four hundred seventy seven) only

For & behalf of Arya Erectors India Private Limited

Managing Director

Santa
2/5/2018
Sign. of Supplier
SMB Brick Industry
Bahgarha, Dumunichowki

Project engineer
Arya Smart Living
Abhaypur, North Guwahati

NOTARY
Jnanajit Sarma
Guwahati
Regd. No.- 42846
Expiry Dt.- 20/02/2030
GOVERNMENT OF INDIA

-3X3-

# GST INVOICE

MARBLE & TILES SHOPPEE
NEAR GOLI BHARGAV GRAND
OPP. BALAJI MANDIR, BETKUCHI,
P.O.- GUWAHATI-24 ( ASSAM )
A/C NO. 9864102838 / 94362 00226
INDUSIND BANK, BSOD1400864
GSTIN/UIN 18ALKPG0979K1ZS
State Name Assam, Code : 18
E-Mail marble.tiles2012@gmail.com

Invoice No.
MTS/2638/17-18

Dated
6-Mar-2018

Delivery Note

Supplier's Ref.

Other Reference(s)

Buyer's Order No.

Dated

Despatch Document No.

Delivery Note Date

Despatched through

Destination

Customer
**ARYA ERECTORS PRIVATE LIMITED**
GUWAHATI
GSTIN/UIN : 18AAICA9598E1Z4
PAN/IT No
State Name : Assam, Code : 18

Buyer (if other than consignee)
**ARYA ERECTORS INDIA PRIVATE LIMITED**
REHABARI
GUWAHATI
GSTIN/UIN : 18AABCN6962E1ZC
PAN/IT No : AAICA9598E
State Name : Assam, Code : 18

For Arya Erectors India Private Limited
Managing Director

| Sl No | Description of Goods | HSN/SAC | Quantity | Rate | per | Disc. % | Amount |
|---|---|---|---|---|---|---|---|
| 1 | GRANITE SLAB (POLISHED)<br>*Sadar All* | 6802 | 57.844 Sq.Mt | 1,237.88 | Sq.Mt | | 71,603.87 |
| | *HANDLING & CARRYING* | | | | | | 2,500.00 |
| | *SGST* | | | | | | 6,669.35 |
| | *CGST* | | | | | | 6,669.35 |
| | *Round Off* | | | | | | 0.43 |
| | Total | | 57.844 Sq.Mt | | | | ₹ 87,443.00 |

Amount Chargeable (in words) *E. & O.E*
Indian Rupees Eighty Seven Thousand Four Hundred Forty Three Only

| HSN/SAC | Taxable Value | Central Tax Rate | Central Tax Amount | State Tax Rate | State Tax Amount | Total Tax Amount |
|---|---|---|---|---|---|---|
| 6802 | 74,103.87 | 9% | 6,669.35 | 9% | 6,669.35 | 13,338.70 |
| Total | 74,103.87 | | 6,669.35 | | 6,669.35 | 13,338.70 |

Tax Amount (in words) : Indian Rupees Thirteen Thousand Three Hundred Thirty Eight and Seventy paise Only

*Remarks*
sadar all 622 643(g) 115+ 1 2500

Company's PAN ALEPK0979K

*Declaration*
We declare that this invoice shows the actual price of the goods described and that all particulars are true and

for MARBLE & TILES SHOPPEE

Prepared by Verified by Authorised Signatory

SUBJECT TO GUWAHATI JURISDICTION

This is a Computer Generated Invoice

NOTARY
Jnanajit Sarma
Guwahati
Regd. No.- 42846
Expiry Dt.-
20/02/2030
GOVERNMENT OF INDIA

# GST INVOICE

(TRIPLICATE FOR SUPPLIER)

This Copy does not entitle the holder a Tax Credit

| | |
|---|---|
| MARBLE & TILES SHOPPEE<br>NEAR HOTEL BHARGAV GRAND,<br>OPP. BALAJI MANDIR, BETKUCHI,<br>N.H.-37, GUWAHATI-34 ( ASSAM )<br>M.NO: 98641-02638 / 94357-06276<br>INDUSIND BANK:- 650014060671<br>SBI A/C NO:-34552559704<br>GSTIN/UIN : 18ALEPK0979K1ZO<br>State Name : Assam, Code : 18<br>E-Mail : marble.tiles2012@gmail.com | Invoice No.: MTS/2658/17-18 \| Dated: 7-Mar-2018<br>Delivery Note<br>Supplier's Ref. \| Other Reference(s)<br>Buyer's Order No. \| Dated<br>Despatch Document No. \| Delivery Note Date<br>Despatched through \| Destination: Amingaon |
| Buyer<br>ARYA ERECTORS INDIA PRIVATE LIMITED<br>REHABARI<br>GUWAHATI<br>GSTIN/UIN : 18AAICA9598E1Z4<br>State Name : Assam, Code : 18 | |

For & behalf of Arya Erectors India Private Limited

Managing Director

| Sl No. | Description of Goods | HSN/SAC | Quantity | Rate | per | Disc. % | Amount |
|---|---|---|---|---|---|---|---|
| 1 | GRANITE<br>*Sadar Ali* | 6907 | 55.106 Sq.Mt | 1,237.86 | Sq.Mt | | 68,213.51 |
| | *HANDLING & CARRYING* | | | | | | 2,500.00 |
| | *SGST* | | | | | | 6,364.22 |
| | *CGST* | | | | | | 6,364.22 |
| | *Round Off* | | | | | | 0.05 |
| | Total | | 55.106 Sq.Mt | | | | ₹ 83,442.00 |

Amount Chargeable (in words) *E. & O.E*

Indian Rupees Eighty Three Thousand Four Hundred Forty Two Only

| HSN/SAC | Taxable Value | Central Tax Rate | Central Tax Amount | State Tax Rate | State Tax Amount | Total Tax Amount |
|---|---|---|---|---|---|---|
| 6907 | 70,713.51 | 9% | 6,364.22 | 9% | 6,364.22 | 12,728.44 |
| Total | 70,713.51 | | 6,364.22 | | 6,364.22 | 12,728.44 |

Tax Amount (in words) : Indian Rupees Twelve Thousand Seven Hundred Twenty Eight and Forty Four paise Only

Company's PAN : ALEPK0979K

Company's Bank Details
Bank Name : INDUSIND BANK LTD
A/c No. : 650014060671
Branch & IFS Code : Beltola & INDB0000662

for MARBLE & TILES SHOPPEE

Authorised Signatory

Declaration
We declare that this invoice shows the actual price of the goods described and that all particulars are true and correct.

SUBJECT TO GUWAHATI JURISDICTION

This is a Computer Generated Invoice

NOTARY Jnanaji Sarma Guwahati Regd. No.- 42846 Expiry Dt.- 20/02/2030 GOVERNMENT OF INDIA

# GST INVOICE

Valid for Input Tax

(ORIGINAL FOR RECIPIENT)

| | | |
|---|---|---|
| MARBLE & TILES SHOPPEE<br>NEAR HOTEL BHARGAV GRAND,<br>OPP. BALAJI MANDIR, BETKUCHI,<br>N.H.-37, GUWAHATI-34 ( ASSAM )<br>M.NO: 98641-02836 / 94357-06276<br>INDUSIND BANK:- 650014060671<br>SBI A/C NO:-34552553704<br>GSTIN/UIN: 18ALEPK0979K1ZO<br>State Name : Assam, Code : 18<br>E-Mail : marble.tiles2012@gmail.com | Invoice No.<br>MTS/2897/17-18 | Dated<br>27-Mar-2018 |
| | Delivery Note | |
| | Supplier's Ref. | Other Reference(s) |
| | Buyer's Order No. | Dated |
| | Despatch Document No. | Delivery Note Date |
| | Despatched through | Destination |

Buyer

ARYA ERECTORS INDIA PRIVATE LIMITED
REHABARI
GUWAHATI
GSTIN/UIN : 18AAICA9598E1Z4
State Name : Assam, Code : 18

for & behalf of Arya Erectors India Private Limited
Managing Director

| Sl No. | Description of Goods | HSN/SAC | Quantity | Rate | per | Disc. % | Amount |
|---|---|---|---|---|---|---|---|
| 1 | TWISTER GREY (NANO) ,600X600 HOLLIS | 6907 | 23-0 BOX | 604.00 | BOX | | 13,892.00 |
| 2 | IVORY, 300x300 mm | 6907 | 60-0 BOX | 604.00 | BOX | | 36,240.00 |
| 3 | CERAMIC TILES<br>*FLOOR TILES* | 6907 | 22-0 BOX | 230.00 | BOX | | 5,060.00 |
| 4 | CERAMIC TILES<br>*WALL TILES* | 6907 | 81-0 BOX | 218.00 | BOX | | 17,658.00 |
| | | | | | | | 72,850.00 |
| | *HANDLING & CARRYING* | | | | | | 2,700.00 |
| | *SGST* | | | | | | 6,799.50 |
| | *CGST* | | | | | | 6,799.50 |
| | Total | | 1,104 Pcs | | | | ₹ 89,149.00 |

E. & O.E

Amount Chargeable (in words)

Indian Rupees Eighty Nine Thousand One Hundred Forty Nine Only

| HSN/SAC | Taxable Value | Central Tax | | State Tax | | Total Tax Amount |
|---|---|---|---|---|---|---|
| | | Rate | Amount | Rate | Amount | |
| 6907 | 75,550.00 | 9% | 6,799.50 | 9% | 6,799.50 | 13,599.00 |
| Total | 75,550.00 | | 6,799.50 | | 6,799.50 | 13,599.00 |

Tax Amount (in words) : Indian Rupees Thirteen Thousand Five Hundred Ninety Nine Only

Company's Bank Details
Bank Name : INDUSIND BANK LTD
A/c No. : 650014060671
Branch & IFS Code : Beltola & INDB0000662

for MARBLE & TILES SHOPPEE
Authorised Signatory

Company's PAN : ALEPK0979K

Declaration
We declare that this invoice shows the actual price of the goods described and that all particulars are true and correct.

NOTARY
Jnanajit Sarma
Guwahati
Regd. No.- 42846
Expiry Dt.-
20/02/2030
GOVERNMENT OF INDIA

# GST INVOICE

(ORIGINAL FOR RECIPIENT)

| | |
|---|---|
| **Marble & Tiles Shoppee**<br>(A Unit of Yojana Intrade Pvt Ltd)<br>Near Hotel Bhargav Grand.N.H-37, GUWAHATI:-781034<br>BETKUCHI (ASSAM)<br>GSTIN/UIN: 18AAACY3244K1Z4<br>State Name : Assam, Code : 18<br>E-Mail : MARBLE.TILES2012@GMAIL.COM | Invoice No.: MTS/2364/18-19 \| e-Way Bill No.: 841019110313 \| Dated: 14-Sep-2018<br>Delivery Note<br>Supplier's Ref. \| Other Reference(s)<br>Buyer's Order No. \| Dated<br>Despatch Document No. \| Delivery Note Date<br>Despatched through \| Destination: AMINGAON<br>Bill of Lading/LR-RR No. \| Motor Vehicle No.: AS01BC0364 |
| Buyer<br>ARYA ERECTORS INDIA PRIVATE LIMITED<br>REHABARI<br>GUWHATI<br>GSTIN/UIN : 18AAICA9598E1Z4<br>State Name : Assam, Code : 18 | |

| Sl No. | Description of Goods | HSN/SAC | Quantity | Rate | per | Disc. % | Amount |
|---|---|---|---|---|---|---|---|
| 1 | Granite Slab Polished R/BLACK | 6802 | 33.31 SQMT | 1,237.86 | SQMT | | 41,233.12 |
| 2 | TIGER WOOD (NANO) 600X600mm HOLLIS | 6907 | 20-0.00 BOX | 475.00 | BOX | | 9,500.00 |
| 3 | 5028 CITYBELL 606X606mm | 6907 | 20-0.00 BOX | 650.00 | BOX | | 13,000.00 |
| 4 | ROZA (NANO) 600X600mm HOLLIS | 6907 | 15-0.00 BOX | 550.00 | BOX | | 8,250.00 |
| | | | | | | | 71,983.12 |
| | *HANDLING & CARRAGE* | | | | | | 2,500.00 |
| | *SGST* | | | | | | 6,703.47 |
| | *CGST* | | | | | | 6,703.47 |
| | *Less : ROUND OFF* | | | | | | (-)0.06 |
| | Total | | | | | | 87,890.00 ₹ |

E. & O.E

Amount Chargeable (in words)
Eighty Seven Thousand Eight Hundred Ninety INR Only

| HSN/SAC | Taxable Value | Central Tax Rate | Central Tax Amount | State Tax Rate | State Tax Amount | Total Tax Amount |
|---|---|---|---|---|---|---|
| | 42,665.16 | 9% | 3,839.86 | 9% | 3,839.86 | 7,679.72 |
| 6802 | 31,817.96 | 9% | 2,863.61 | 9% | 2,863.61 | 5,727.22 |
| 6907 Total | 74,483.12 | | 6,703.47 | | 6,703.47 | 13,406.94 |

Tax Amount (in words) : Thirteen Thousand Four Hundred Six INR and Ninety Four paise Only

Company's Bank Details
Bank Name : INDUSLND BANK A/C(650014060671)T/L
A/c No. : 650014060671
Branch & IFS Code : BELTOLA & INDB0000650

Company's PAN : AAACY3244K

Declaration
We declare that this invoice shows the actual price of the goods described and that all particulars are true and correct.

for Marble & Tiles Shoppee
Authorised Signatory

Prepared by | Verified by

SUBJECT TO GUWAHATI JURISDICTION
This is a Computer Generated Invoice

For & behalf of Arya Erectors India Private Limited
Jnanajit Kumar Sarma
Managing Director

NOTARY
Jnanajit Sarma
Guwahati
Regd. No.- 42846
Expiry Dt.- 20/02/2030
GOVERNMENT OF INDIA

11 JUL 2025

# Tax Invoice

(ORIGINAL FOR RECIPIENT)

| | | |
|---|---|---|
| KAMLESH TRADING & MARKETING<br>H. NO 348 , BEHIND D.T.O<br>OPP.BALAJI TEMPLE<br>IH-37, GUWAHATI<br>GSTIN/UIN: 18ACRPT3332K1Z0<br>State Name : Assam, Code : 18<br>E-Mail : guwahatiktm@gmail.com | Invoice No.<br>KTM/001177/17-18 | Dated<br>3-Mar-2018 |
| | Delivery Note | Mode/Terms of Payment |
| | Supplier's Ref. | Other Reference(s) |
| Buyer<br>ARYA ELECTORS INDIA PVT LTD<br>NORTH GUWAHATI<br>GSTIN/UIN : 18AAICA9598E1Z4<br>State Name : Assam, Code : 18<br>Place of Supply : Assam | Buyer's Order No. | Dated |
| | Despatch Document No.<br>1583 | Delivery Note Date |
| | Despatched through | Destination |
| | Bill of Lading/LR-RR No. | Motor Vehicle No.<br>AS25CC8464 |
| Contact : 9707558561 | Terms of Delivery | |

| Sl No. | Description of Goods | HSN/SAC | GST Rate | Quantity | Rate | per | Disc. % | Amount |
|---|---|---|---|---|---|---|---|---|
| 1 | 800X800 DC FUTURA PINK ORIENT | 6907 | 18 % | 64-0 BOX<br>(192 PICES) | 1,220.34 | BOX | | 78,101.76 |
| | Less : CGST | | | | | | | 7,164.16 |
| | SGST | | | | | | | 7,164.16 |
| | ROUND OFF | | | | | | | (-)0.08 |
| | COLLIE & CARTAGE | | | | | | | 1,500.00 |
| | Total | | | 64-0 BOX | | | | ₹ 93,930.00 |

Amount Chargeable (in words)
INR Ninety Three Thousand Nine Hundred Thirty Only

E. & O.E

| HSN/SAC | Taxable Value | Central Tax Rate | Central Tax Amount | State Tax Rate | State Tax Amount | Total Tax Amount |
|---|---|---|---|---|---|---|
| 6907 | 79,601.76 | 9% | 7,164.16 | 9% | 7,164.16 | 14,328.32 |
| Total | 79,601.76 | | 7,164.16 | | 7,164.16 | 14,328.32 |

Tax Amount (In words) : INR Fourteen Thousand Three Hundred Twenty Eight and Thirty Two paise Only

Prev.Balance : 0.02 Dr
Bill Amt. : 93,930.00 Dr
Net Balance : 93,930.02 Dr

Company's PAN : ACRPT3332K

Declaration
We declare that this invoice shows the actual price of the goods described and that all particulars are true and

Date & Time : 3-Mar-2018 at 13:51

Company's Bank Details
Bank Name : SYNDICATE BANK
A/c No. : 73291010000717
Branch & IFS Code : PANCY BAZAR & SYNB0007329

for KAMLESH TRADING & MARKETING

for & behalf of Arya Electors India Private Limited
Managing Director

NOTARY
Jnanajit Sarma
Guwahati
Regd. No.- 42846
Expiry Dt.-
20/02/2030
GOVERNMENT OF INDIA

11 JUL 2025

~~408~~
-3~~8~~-

# INVOICE

Invoice no:- 13

Date:-10-03-2018

Materials supply/Stone,Bricks,Sand etc.

**Bayer's D etails**
Arya Erectors India Pvt. Ltd
K.P. Enclave, Suhagpur
Rehabari, Ghy – 8

GST No:-18AAICA9598EIZ4
PAN:-AAICA9598E

**Supplier/Sellers Details**
**Jamanuddin ALI**
Jalah, Changsari, Kamrup(Assam)
Pin:-781101, Cont:-8876543610

GST No:-18BENPA7405R1ZY
PAN:-BENPA7405R

For & behalf of Arya Erectors India Private Limited
Managing Director

Materials Eeceived at ARYA SMART LIVING, Abhoypur, North Guwahati, Assam.

| SL No | Date | Material Receive No. | Particulars | Quantity Cum | Rate/Cum | Amount |
|---|---|---|---|---|---|---|
| 1 | 11-02-2018 | 5875 | ¾ Down | 17.10 | 2250.00 | 38475.00 |
| 2 | 14-02-2018 | 5888 | ¾ Down | 17.10 | 2250.00 | 38475.00 |
| 3 | 16-02-2018 | 5892 | ¾ Down | 17.21 | 2250.00 | 38723.00 |
| 4 | 17-02-2018 | 5897 | ¾ Down | 17.10 | 2250.00 | 38475.00 |
| 5 | 23-02-2018 | 5917 | ½ Enchi chips | 17.55 | 1700.00 | 29835.00 |
| 6 | 23-02-2018 | 5918 | ½ Enchi chips | 17.55 | 1700.00 | 29835.00 |
| 7 | 25-02-2018 | 5927 | ½ Enchi chips | 17.21 | 1700.00 | 29257.00 |
| 8 | 01-03-2018 | 5944 | ¾ Down | 17.21 | 2250.00 | 38723.00 |
| 9 | 03-03-2018 | 5946 | ¾ Down | 17.21 | 2250.00 | 38723.00 |
| 10 | 06-03-2018 | 4659 | ¾ Down | 16.99 | 2250.00 | 38227.00 |
| 11 | 06-03-2018 | 4660 | ½ Enchi chips | 17.78 | 1700.00 | 30226.00 |
| 12 | 08-03-2018 | 4668 | ½ Down | 17.21 | 1700.00 | 29257.00 |
| | | | | | TOTAL:- | 418231.00 |
| | | | | | SGST @2.5% | 10456.00 |
| | | | | | CGST @2.5% | 10456.00 |
| | | | | | G. TOTAL:- | 439143.00 |

Rupees:- Four Lacks Thirty Nine Thousand One Hundred Forty Three Only.

15/03/2018

Checked with Supporting.
16/3/18

Chq. 002156 HDFC
Dt.: 26/3/2018
Rs 439143/-

For JAMANUDDIN ALI

Jamanuddin Ali

Authorised Signatory

NOTARY
Jnanajit Sarma
Guwahati
Regd. No.- 42846
Expiry Dt.-
20/02/2030
GOVERNMENT OF INDIA

11 JUL 2

# INVOICE

Invoice no : KCN/supply/asl/11

Date: 26.03.2018

Materials Supplied/Sold: Sand and Sand Gravel

Buyer's Details

Arya Erectors India Pvt Ltd
K.P Enclave, Suhagpur
Rehabari, Guwahati-8

GST No : 18AAICA959E1Z4
PAN : AAICA9598E

Supplier/Sellers Details

Kanak Chandra Nath
Abhaypur , Collage Nagar
North Guwahati, Assam
PIN :781031

GST No : 18ALGPN2967C1Z0
PAN: ALGPN2967C

For & behalf of Arya Erectors India Private Limited
Managing Director

Materials Received at : ARYA SMART LIVING, Abhaypur, North Guwahati, Assam Pin 781031

| Sl no | Date | Materials Received Voucher no | Quantity cum | Rate/Cum | Amount |
|---|---|---|---|---|---|
| 1 | 01.03.18 | 5941 | 17.23 | 850.00 | 14645.00 |
| 2 | 04.03.18 | 5947 | 17.35 | 850.00 | 14747.00 |
| 3 | 08.03.18 | 4664 | 17.46 | 850.00 | 14841.00 |
| 4 | 09.03.18 | 4670 | 17.35 | 850.00 | 14747.00 |
| 5 | 11.03.18 | 4672 | 17.46 | 850.00 | 14841.00 |
| 6 | 13.03.18 | 4684 | 17.46 | 850.00 | 14841.00 |
| 7 | 20.03.18 | 4695 | 17.35 | 850.00 | 14747.00 |
| 8 | 22.03.18 | 5052 | 16.77 | 850.00 | 14254.00 |
| 9 | 23.03.18 | 5055 | 16.89 | 850.00 | 14356.00 |
| 10 | 24.03.18 | 5059 | 17.23 | 850.00 | 14645.00 |
| 11 | 04.03.18 | 4654 | 20.22 | 830.00 | 16782.00 |
| 12 | 04.03.18 | 4653 | 20.10 | 830.00 | 16683.00 |
| 13 | 11.03.18 | 4675 | 20.10 | 830.00 | 16683.00 |
| | | | | Total Rs | 1,96,812.00 |
| | | | | SGST 2.5% | 4920.00 |
| | | | | CGST 2.5% | 4920.00 |
| | | | | Grand Total Rs | 2,06,652.00 |

SMART LIVING ABHO... RECEIVED ... Date ... ARYA

*(Rupees Two Lack Six Thousand Six Hundred Fifty Two only)*

NOTARY
Jnanajit Sarma
Guwahati
Regd. No.- 42846
Expiry Dt.- 20/02/2030
GOVERNMENT OF INDIA

11 JUL 2025

# INVOICE

Invoice no : KCN/supply/asl/08

Date: 08.02.2018

Materials Supplied/Sold: Sand

Buyer's Details

Arya Erectors India Pvt Ltd
K.P Enclave, Suhagpur
Rehabari, Guwahati-8

GST No : 18AAICA959E1Z4
PAN : AAICA9598E

Supplier/Sellers Details

Kanak Chandra Nath
Abhaypur , Collage Nagar
North Guwahati, Assam
PIN :781031

GST No : 18ALGPN2967C1Z0
PAN: ALGPN2967C

For & behalf of Arya Erectors India Private Limited
Managing Director

Materials Received at : ARYA SMART LIVING, Abhaypur, North Guwahati, Assam Pin 781031

| Sl no | Date | Materials Received Voucher no | Quantity cum | Rate/Cum | Amount |
|---|---|---|---|---|---|
| 1 | 20.12.17 | 7007 | 16.55 | 850.00 | ~~14070.00~~ 14067.00 |
| 2 | 21.12.17 | 7009 | 17.23 | 850.00 | 14645.00 |
| 3 | 29.12.17 | 7026 | 17.73 | 850.00 | 15070.00 |
| 4 | 30.12.17 | 7038 (R) | 15.24 | 1300.00 | 19812.00 |
| 5 | 31.12.17 | 7039 | 16.89 | 850.00 | 14357.00 |
| 6 | 02.01.18 | 7043 | 17.23 | 850.00 | 14645.00 |
| 7 | 23.01.18 | 4428 | 17.46 | 850.00 | 14841.00 |
| 8 | 24.01.18 | 4440 | 17.58 | 850.00 | 14943.00 |
| 9 | 25.01.18 | 4442 | 17.46 | 850.00 | 14841.00 |
| 10 | 02.02.18 | 4473 (R) | 15.46 | 1300.00 | 20098.00 |
| 11 | 06.02.18 | 4498 | 17.00 | 850.00 | 14450.00 |
| 12 | 06.02.18 | 4499 | 16.78 | 850.00 | 14263.00 |
| | | | | Total Rs | ~~1,86,035.00~~ 186035 |
| | | | | SGST 2.5% | ~~4650.00~~ 4651 |
| | | | | CGST 2.5% | ~~4650.00~~ 4651 |
| | | | | Grand Total Rs | ~~1,95,335.00~~ 195335 |

08-02-18

195

*(Rupees One Lack Ninety Five Thousand Three hundred Thirty ~~Five~~ only)*

Checked with supplings.
10/2/18

Ch- 002050 HDFC DK-1(2)
& 187168 + 155342

NOTARY
Jnanajit Sarma
Guwahati
Regd. No.- 42846
Expiry DL-
20/02/2030
GOVERNMENT OF INDIA

11 JUL 2025

CORE ENTRADE INDIA PRIVATE LTD.
5th Floor, PC Das Market, A.T. Road, Guwahati- 781001 (Assam)

TAX INVOICE

ARYA ERECTORS INDIA PVT LTD
503,A P Enclave,Rehabari,
Guwahati-781 008
M) 9854076646 9864152687
GSTIN/UIN 18AAICA9598E1Z4
PAN/IT No
State Name Assam, Code 18
Sale Type Project Sale
Place of Supply Assam

Invoice No. CORE/17-18/5781
Dated 8-Feb-2018
Delivery Note CORE/GP/5982
Mode/Terms of Payment
Supplier's Ref
Other References
Buyer's Order No. Ref.no.227 & 5y AKA
Dated 6-Feb-2018
Dispatch Document No.
Delivery Note Date 8-Feb-2018
Dispatched through
Destination
Bill of Lading/LR-RR No.
Motor Vehicle No. AS01 S 2865

| Description of Goods | HSN/SAC | GST Rate | Part No | Quantity | Rate | per | Disc % | Amount |
|---|---|---|---|---|---|---|---|---|
| G.I.PIPE NEZONE (M) 100mm | 7309 | 18 % | | 12 Pcs | 5,339.000 | Pcs | 30 % | 62,042.160 |
| G.I.PIPE NEZONE (M) 150mm | 7309 | 18 % | | 7 Pcs | 15,194.000 | Pcs | 30 % | 8,160.200 |
| C.I. PIPE S/S 100x1800mm | 7303 | 18 % | | 6 Pcs | 890.000 | Pcs | | 5,340.000 |
| | | | | | | | | 75,542.440 |
| ADD: LOADING CHARGES | | | | | | | | 200.000 |
| CGST | | | | | | | | 6,818.620 |
| SGST | | | | | | | | 6,818.620 |
| ROUNDING OFF (SALES) | | | | | | | | 0.320 |

09/02/18
8-02-18
5.50 pm

Total 19 Pcs ₹ 89,400.000

Amount Chargeable (in words)
Indian Rupees Eighty Nine Thousand Four Hundred Only E & O.E

| HSN/SAC | Taxable Value | Central Tax Rate | Central Tax Amount | State Tax Rate | State Tax Amount | Total Tax Amount |
|---|---|---|---|---|---|---|
| 7309 | 70,408,306 | 9% | 6,336,748 | 9% | 6,336,748 | 12,673,496 |
| 7303 | 5,354,134 | 9% | 481,872 | 9% | 481,872 | 963,744 |
| Total | 75,762,440 | | 6,818,620 | | 6,818,620 | 13,637,240 |

Amount (in words): Indian Rupees Thirteen Thousand Six Hundred Thirty Seven and Two Hundred Forty paise Only

Please make the payment through Cheque /DD payable at Guwahati Accounting Rs89,400/-

Declare
We declare that this invoice shows the actual price of the goods described and that all particulars are true and correct

Customer's Seal and Signature

Received
08/02/18

Company's Bank Details
Bank Name ICICI BANK LTD.
A/c no 054305002006
Bank's IFS Code GUWAHATI FANCY BAZAR & ICIC0000543

for CORE ENTRADE INDIA PVT LTD
Authorised Signatory

Prepared by
SUBJECT TO GUWAHATI JURISDICTION
This is Computer Generated Invoice

Verified by

For & behalf of Arya Erectors India Private Limited
Managing Director

Subject to Guwahati Jurisdiction.
Cheque cannot be taken back.
Claim shall be entertained unless submitted in writing (immediately after receipt of bill.

OUR BANKERS
STANDARD CHARTERED BANK

NOTARY
Jnanaj Sarma
Guwahati
Regd. No.- 42846
Expiry Dt.-
20/02/2030
GOVERNMENT OF INDIA

4 JUL 2025

-3X2-

# RETAIL INVOICE

| Buyer: |
|---|
| ARYA ERECTORS INDIA PVT LTD,<br>503 KP ENCLAVE,<br>SOHAGPUR,REHABARI,<br>GUWAHATI-8 ASSAM |
| GST No :18AAICA9598E1ZR |
| PAN: AAICA9598E |

Invoice No ASL/01
Date: 05.02.2018

| Seller: |
|---|
| MEHDI HASAN,<br>KAMALPUR, BAIHATA, KAMRUP<br>ASSAM PIN 781380 |
| GST No 18ABSPH5003R1Z3 |
| PAN : ABSPH5003R |

For & behalf of Arya Erectors India Private Limited
Managing Director

Materials Supplied : Wood [ HSN CODE 4407 ]

Materials Received at : ARYA SMART LIVING,
Abhaypur, North Guwahati
Assam, Pin: 7810031

| Sl No | particulars | Unit | Quantity | Rate | Amount | Remarks |
|---|---|---|---|---|---|---|
| 1 | 23.7.17... 3"x4" and 3"x5" size Wood | Cft | 1.45 | 850.00 | 1232.50 | Ref Challan no 004 |
| | | | 67.85 | 800.00 | 54280.00 | |
| | 31.7.17... 3"x5" size | Cft | 84.88 | 850.00 | 72148.00 | Ref challan no 035 |
| | 31.7.17... 3"x5" size | Cft | 91.96 | 850.00 | 78166.00 | Ref Challan no 036 |
| | 01.8.17... 3"x4" and 3"x5" size Wood | Cft | 58.26 | 850.00 | 49,521.00 | Ref challan no 038 |
| | | | 17.5 | 800.00 | 14,000.00 | |
| | | | | Total Rs | 2,69,347.50 | |
| | | | | SGST 9% | 24,241.27 | |
| | | | | CGST 9% | 24,241.27 | |

Grand Total Rs 3,17,830.04

R/O -.04

Net Payable Rs 3,17,830.00

(Rs Three Lacs Twenty-Six Thousand Sixty Five Only)

Proprietor
P.B. TIMBER
GUWAHATI

Mehdi Hasan

NOTARY
Jnanajit Sarma
Guwahati
Regd. No.- 42846
Expiry Dt.-
20/02/2030
GOVERNMENT OF INDIA

11 JUL 2018

# AGMO PLY AND FITTING

STATE : ASSAM
STATE CODE : 18

S. J. ROAD, CHABIPUL (TINALI)
ATHGOAN, GUWAHATI - 781 008 (ASSAM)
Email : agmoplyandfittings@gmail.com

☎ : 8876300824
9864929954

ORIGINAL FOR BUYER'S

## INVOICE

GSTIN 18ACAFS8269D1ZW | Invoice No. 365 Invoice Date 03/03/18

INVOICED TO
M/s. Arya Erectors India (P) Ltd.
Address : Guwahati

GSTIN 18AAJCA9598E1Z4 S/Code:

TRANSPORTER'S DETAILS
Transportation Mode
Vehilce No. :
Date of Supply :
Place of Supply :

For & On behalf of Arya Erectors India Private Limited
Authorised Signatory
Managing Director

| Sl. No | Description of Goods | HSN | GST Rate | Qty. | Unit | Rate | Total Value | Discount Amount | Taxable Value |
|---|---|---|---|---|---|---|---|---|---|
| | Hinges 5" | 8302 | 18% | 90 | PKT | 265 | 23850 | | 23850/- |
| | 4" | 8302 | 18% | 40 | PKT | 168 | 6720 | | 6720.00 |
| | Fevicol Hiper 50 Kg | 3506 | 18% | 4 | drum | 8223 | 32892 | | 32892.00 |
| | Abrodap | 4811 | 18% | 3 | Carton | 4237 | 12711 | | 12711.00 |
| | Laminates | 4823 | 18% | 89 | Pcs | 356.21 | 31703 | | 31703.00 |

Total Invoice Value (In words)
Rupees One Lakh Twenty Seven Thousand Two Hundred Ninty Four only —

| | |
|---|---|
| Total | 107876.00 |
| Cartage & etc. | |
| Total | |
| Add : CGST 9% | 9709.00 |
| Add : SGST 9% | 9709.00 |
| Add : IGST | |
| Total Amount of GST | |
| Total Invoice Value | 127294/- |
| GST Payable on Reverse Charge | |

Bank Details
INDIAN BANK
A/c No. : 998168082
Branch : ATHGAON, Guwahati -1
IFSC : IDIB000A151

Whether Tax is Payable on Reverse Charge Basis : YES / NO

| Sl. No. | HSN | Taxable Value | CGST Rate | CGST Amount | SGST Rate | SGST Amount | IGST Rate | IGST Amount |
|---|---|---|---|---|---|---|---|---|
| | 8302 | 30570 | 9% | 2752 | 9% | 2752 | | |
| | 3506 | 32892 | 9% | 2960 | 9% | 2960 | | |
| | 4811 | 12711 | 9% | 1144 | 9% | 1144 | | |
| | 4823 | 31703 | 9% | 2853 | 9% | 2853 | | |
| | TOTAL | 107876 | | | | | | |

Terms & Conditions
Goods once sold cannot be taken back.
Disputes if any subject to Guwahati Jurisdiction only

(Common Seal)

Certified that the particulars given above are true and correct
For AGMO PLY AND FITTING
Authorised Signatory

NOTARY
Jnanajyoti Sarma
Guwahati
Regd. No.- 42846
Expiry Dt.- 20/02/2030
GOVERNMENT OF INDIA

2025

# TAX INVOICE

(ORIGINAL FOR RECIPIENT)

SAIL GROUP OF INDUSTRIES

**...s nyeeji Rolling Mills (2013-16)**
...y I.I.T. Road, Gauripur, North Guwahati
...e Shine Towers 4th Floor S.J. Road
...bhath Chariali, Guwahati-08
GSTIN/UIN 18ABPFS0921G1Z2

Consignee
**Arya Erectors India Pvt. Ltd. (Rehabari)**
Rehabari
Guwahati
Assam
Assam Code 18
GSTIN/UIN 18AAICA9598E1Z4

Buyer (if other than consignee)
**Arya Erectors India Pvt. Ltd. (Rehabari)**
Rehabari
Guwahati
Assam
Assam, Code 18
GSTIN/UIN 18AAICA9598E1Z4

| | |
|---|---|
| Invoice No. | Dated |
| SSRM\126\17-18 | 26-Jul-2017 |
| Delivery Note | Mode/Terms of Payment |
| | Advance |
| Supplier's Ref | Other Reference(s) |
| SSRM/FG/177/2017-18 | Mix-Short Length Tmt |
| Buyer's Order No. | Dated |
| SSRM/FG/177/2017-18 | 25-Jul-2017 |
| Despatch Document No. | Delivery Note Date |
| Despatched through | Destination |
| BY TRUCK NO AS-01DC-5517 | Abhoypur North Guwahati |
| Terms of Delivery | |
| FOR<br>Entire Quantity of Material<br>Shall Be Lifted/delivered,<br>As the Case May Be,Dated by<br>26.07.2017 | |

For & behalf of Arya Erectors India Private Limited
Managing Director

| Sl No | Description of Goods | HSN/SAC | GST Rate | Quantity | Rate | per | Amount |
|---|---|---|---|---|---|---|---|
| 1 | Saiji TMT 500<br>SL TMT 16MM 12MM,10MM,8MM=19.980 MT | 72142090 | 18 % | 19.980 mt | 27,897.00 | mt | 5,57,382.00 |
| | *CGST (OUTPUT)* | | | | | | 50,164.38 |
| | *SGST (OUTPUT)* | | | | 9. % | | 50,164.38 |
| | *Rounded Off* | | | | | | 0.24 |
| | Total | | | 19.980 mt | | | ₹ 6,57,711.00 |

E. & O.E

Amount Chargeable (in words)
Indian Rupees Six Lakh Fifty Seven Thousand Seven Hundred Eleven Only

| HSN/SAC | Taxable Value | Central Tax Rate | Central Tax Amount | State Tax Rate | State Tax Amount |
|---|---|---|---|---|---|
| 72142090 | 5,57,382.00 | 9% | 50,164.38 | 9% | 50,164.38 |
| Total | 5,57,382.00 | | 50,164.38 | | 50,164.38 |

Tax Amount (in words) Indian Rupees One Lakh Three Hundred Twenty Eight and Seventy Six paise Only

Company's PAN : ABPFS0921G

Declaration
We declare that this invoice shows the actual price of the goods described and that all particulars are true and correct. Goods once sold will not be taken back.Payment must be made within 7 days otherwise interest will be charged @ 24 % per annum from the bill date

for Shree Sanyeeji Rolling Mills (2013-16)

Authorised Signatory

This is a Computer Generated Invoice

26-7-17
4.50 PM

NOTARY
Jnanajit Sarma
Guwahati
Regd. No.- 4284/6
Expiry Dt.- 20/02/2030
GOVERNMENT OF INDIA

11 JUL 2025

# TAX INVOICE

(ORIGINAL FOR RECIPIENT)

Gautam Steel
Room No 507 , 5th Floor, Amaze Shopping Mall
A T Road Paltanbazar Guwahati 781001 Assam
Tel No-0361-2733736 Email Gautamsteel13@gmail Com
GSTIN/UIN 18AHPPG4640J1Z2
E-Mail barshnav2062@gmail.com

Buyer
Arya Erectors India Private Ltd
Guwahati Assam
State Name Assam Code 18
GSTIN/UIN 18AAICA9598E1Z4

| Invoice No | Dated |
|---|---|
| GS/RD/17-18/ 258 | 5-Jan-2018 |
| Delivery Note | Mode/Terms of Payment |
| Supplier's Ref. | Other Reference(s) |
| Buyer's Order No | Dated |
| Despatch Document No. | Delivery Note Date |
| Despatched through | Destination |
| Terms of Delivery | |

For & behalf of Arya Erectors India Private Limited
Managing Director

| Sl No | Description of Goods | GST Rate | Quantity | Rate | per | Amount |
|---|---|---|---|---|---|---|
| 1 | TRAP0.45CG6405 | 18 % | 34 Pcs | 2,129.66 | Pcs | 72,408.48 |
| 2 | TRAP0.45CG4270 | 18 % | 2 Pcs | 1,419.92 | Pcs | 2,839.83 |
| 3 | TRAP0.45CG3813 | 18 % | 7 Pcs | 1,267.80 | Pcs | 8,874.58 |
| 4 | TRAP0.45CG2440MM | 18 % | 2 Pcs | 811.45 | Pcs | 1,622.89 |
| 5 | TRAP0.45CG4575 | 18 % | 15 Pcs | 1,521.19 | Pcs | 22,817.80 |
| 6 | TRAP0.45CG3660 | 18 % | 46 Pcs | 1,216.95 | Pcs | 55,979.67 |
| 7 | TRAP0.45CG3965MM | 18 % | 41 Pcs | 1,318.38 | Pcs | 54,053.39 |
| 8 | TRAP0.45CG4423 | 18 % | 6 Pcs | 1,470.62 | Pcs | 8,823.73 |
| 9 | VALLEY0.45CG3050 | 18 % | 6 Pcs | 615.10 | Pcs | 3,690.60 |
| 10 | RIDGE0.45CG3050 | 18 % | 30 Pcs | 615.17 | Pcs | 18,455.09 |
| 11 | SDS 55 | 18 % | 2,200 Pcs | 2.84 | Pcs | 6,245.77 |
| | | | | | | 2,55,811.83 |
| | *Loading , Freight & Packaging* | 18 % | | | | 1,525.93 |
| | *Out Put CGST@9%* | | | 9 | % | 23,160.39 |
| | *Out Put SGST@9%* | | | 9 | % | 23,160.39 |

continued

07.01.18

07.01.18

This is a Computer Generated Invoice

303655/-
Less ch.: 00/933, dt. 2.3.18 — 2,38,643/-
HDFC Dt. 5/1/18 — 10412
Ch.- 00/966 — 10412
HDFC 13/1/18 — NIL

NOTARY
Jnanajit Sarma
Guwahati
Regd. No.- 42846
Expiry Dt.-
20/02/2030
GOVERNMENT OF INDIA

11 JUL 2025

-356-

# TAX INVOICE(Page 2)

*(ORIGINAL FOR RECIPIENT)*

| | |
|---|---|
| M/s. ...al<br>...No 507 , 5th Floor Amaze Shopping Mall<br>...Road ,Pallanbazar Guwahati 781001 Assam<br>...l No-0361-2733736 Email Gautamsteel13@gmail.Com<br>GSTIN/UIN 18AHPPG4640J1ZZ<br>E-Mail baishnav2062@gmail.com | Invoice No<br>GS/RD/17-18/ 268<br>Delivery Note<br>Supplier's Ref<br>Buyer's Order No<br>Despatch Document No.<br>Despatched through<br>Terms of Delivery |
| Buyer<br>Arya Erectors India Private Ltd<br>Guwahati, Assam<br>State Name Assam, Code 18<br>GSTIN/UIN 18AAICA9598F1Z4 | Dated<br>5-Jan-2018<br>Mode/Terms of Payment<br>Other Reference(s)<br>Dated<br>Delivery Note Date<br>Destination |

For & behalf of Arya Erectors India Private Limited
Managing Director

| Sl No. | Description of Goods | GST Rate | Quantity | Rate | per | Amount |
|---|---|---|---|---|---|---|
| | *Round Off* | | | | | 0.46 |
| | Total | | 2,389 Pcs. | | | Rs 3,03,659.00 |

Amount Chargeable (in words) *E. & O.E*

INR Three Lakh Three Thousand Six Hundred Fifty Nine Only

| HSN/SAC | Taxable Value | Central Tax | | State Tax | | Total Tax Amount |
|---|---|---|---|---|---|---|
| | | Rate | Amount | Rate | Amount | |
| 2104100 | 2,49,566.06 | 9% | 22,460.94 | 9% | 22,460.94 | 44,921.88 |
| 18 | 6,245.77 | 9% | 562.12 | 9% | 562.12 | 1,124.24 |
| | 1,525.93 | 9% | 137.33 | 9% | 137.33 | 274.66 |
| Total | 2,57,337.76 | | 23,160.39 | | 23,160.39 | 46,320.78 |

Tax Amount (in words) INR Forty Six Thousand Three Hundred Twenty and Seventy Eight paise Only

Company's PAN AHPPG4640J

Declaration
We declare that this invoice shows the actual price of the goods described and that all particulars are true and correct

for Gautam Steel
Authorised Signatory
Authorised Signatory

This is a Computer Generated Invoice

05-01-18

NOTARY
Jnanajit Sarma
Guwahati
Regd. No.- 42846
Expiry Dt.- 20/02/2030
GOVERNMENT OF INDIA

11 JUL 2025

*(ORIGINAL FOR RECIPIENT)*

Dated 16-Mar-2018

**Ananta Trade Centre**
Sikaria Complex
Opp- News Live Building
Christian Basti
G.S Road
Guwahati-781005
Ph: 0361-2343038
GSTIN/UIN: 18ACZPP8709J1ZJ
State Name : Assam, Code : 18
E-Mail : anantatradecentre@yahoo.in

## Tax Invoice

Party : **Arya Erectors India Ltd.**
Guwahati
A.S.L,Abhayapur,North Guwahati
Ph-9613322979
GSTIN/UIN : 18AAICA9598E1Z4
State Name : Assam, Code : 18

| Description of Goods | HSN/SAC | Quantity | Rate | per | Disc. % | Amount |
|---|---|---|---|---|---|---|
| on Cement Putty 40kg | 32141000 | 100 pcs | 656.25 | pcs | | 65,625.00 |
| *CGST OUTPUT* | | | | | | 9,187.50 |
| *SGST OUTPUT* | | | | | | 9,187.50 |
| Total | | 100 pcs | | | | ₹ 84,000.00 |

E. & O.E

Amount Chargeable (in words)
**Indian Rupees Eighty Four Thousand Only**

| HSN/SAC | Taxable Value | Central Tax | | State Tax | | Total Tax Amount |
|---|---|---|---|---|---|---|
| | | Rate | Amount | Rate | Amount | |
| | 65,625.00 | 14% | 9,187.50 | 14% | 9,187.50 | 18,375.00 |
| 32141000 Total | 65,625.00 | | 9,187.50 | | 9,187.50 | 18,375.00 |

Tax Amount (in words) : **Indian Rupees Eighteen Thousand Three Hundred Seventy Five Only**

Company's Bank Details
Bank Name : SBI
A/c No. : 33636911371
Branch & IFS Code : G S Road & SBIN0012259

Declaration
We declare that this invoice shows the actual price of the goods described and that all particulars are true and correct.

Customer's Seal and Signature

for Ananta Trade Centre

Authorised Signatory

This is a Computer Generated Invoice

For & behalf of Arya Erectors India Private Limited
Managing Director

NOTARY * GOVERNMENT OF INDIA * Jnanajit Sarma Guwahati Regd. No.- 42846 Expiry Dt.- 20/02/2030

11 JUL 2025

C/GST17-18/3601

Dated 17-Mar-2018

**Ananta Trade Centre**
Sikaria Complex
Opp- News Live Building
Christian Basti
G.S Road
Guwahati-781005
Ph: 0361-2343038
GSTIN/UIN: 18ACZPP8709J1ZJ
State Name : Assam, Code : 18
E-Mail : anantatradecentre@yahoo.in

For & behalf of Arya Erectors India Private Limited
Managing Director

## Tax Invoice

Party : **Arya Erectors India Ltd.**
Guwahati
A.S.L,Abhayapur,North Guwahati
Ph-9613322979
GSTIN/UIN : 18AAICA9598E1Z4
State Name : Assam, Code : 18

| Description of Goods | HSN/SAC | Quantity | Rate | per | Disc. % | Amount |
|---|---|---|---|---|---|---|
| Water Paper 180 No. | 6805 | 200 pcs | 10.17 | pcs | | 2,034.00 |
| CGST OUTPUT | | | | | | 183.06 |
| Less : SGST OUTPUT | | | | | | 183.06 |
| Round Off | | | | | | (-)0.12 |
| Total | | 200 pcs | | | | ₹ 2,400.00 |

Amount Chargeable (in words) E. & O.E
Indian Rupees Two Thousand Four Hundred Only

| HSN/SAC | Taxable Value | Central Tax Rate | Central Tax Amount | State Tax Rate | State Tax Amount | Total Tax Amount |
|---|---|---|---|---|---|---|
| 6805 | 2,034.00 | 9% | 183.06 | 9% | 183.06 | 366.12 |
| Total | 2,034.00 | | 183.06 | | 183.06 | 366.12 |

Tax Amount (in words) : Indian Rupees Three Hundred Sixty Six and Twelve paise Only

Company's Bank Details
Bank Name : SBI
A/c No. : 33636911371
Branch & IFS Code : G S Road & SBIN0012259

Ch- 002219 HDFC Dt- 31/3/2018 ₹ 3291.82

Declaration
We declare that this invoice shows the actual price of the goods described and that all particulars are true and correct.

Customer's Seal and Signature

for Ananta Trade Centre

Authorised Signatory

This is a Computer Generated Invoice

NOTARY Jnanaji Sarma Guwahati Regd. No.- 42846 Expiry Dt.- 20/02/2030 GOVERNMENT OF INDIA

11 JUL 2025

*(ORIGINAL FOR RECIPIENT)*

TC/GS17-18/3575

Dated 17-Mar-2018

**Ananta Trade Centre**
Sikaria Complex
Opp- News Live Building
Christian Basti
G.S Road
Guwahati-781005
Ph: 0361-2343038
GSTIN/UIN: 18ACZPP8709J1ZJ
State Name : Assam, Code : 18
E-Mail : anantatradecentre@yahoo.in

## Tax Invoice

Party : **Arya Erectors India Ltd.**
Guwahati
A.S.L,Abhayapur,North Guwahati
Ph-9613322979
GSTIN/UIN : 18AAICA9598E1Z4
State Name : Assam, Code : 18

For & behalf of Arya Erectors India Private Limited
Managing Director

| Sl | Description of Goods | HSN/SAC | Quantity | Rate | per | Disc. % | Amount |
|---|---|---|---|---|---|---|---|
| 1 | Berger W/C Exterior Primer 20ltr | 32091090 | 40 pcs | 1,843.75 | pcs | | 73,750.00 |
| | *CGST OUTPUT* | | | | | | 10,325.00 |
| | *SGST OUTPUT* | | | | | | 10,325.00 |
| | Total | | 40 pcs | | | | ₹ 94,400.00 |

*E. & O.E*

Amount Chargeable (in words)
**Indian Rupees Ninety Four Thousand Four Hundred Only**

| HSN/SAC | Taxable Value | Central Tax | | State Tax | | Total Tax Amount |
|---|---|---|---|---|---|---|
| | | Rate | Amount | Rate | Amount | |
| 32091090 | 73,750.00 | 14% | 10,325.00 | 14% | 10,325.00 | 20,650.00 |
| Total | 73,750.00 | | 10,325.00 | | 10,325.00 | 20,650.00 |

Tax Amount (in words) : **Indian Rupees Twenty Thousand Six Hundred Fifty Only**

Company's Bank Details
Bank Name : SBI
A/c No. : 33636911371
Branch & IFS Code : G S Road & SBIN0012259

Chq 002207 HDFC
Dt: 28/3/18
Rs 2980521/-

Declaration
We declare that this invoice shows the actual price of the goods described and that all particulars are true and correct.

for Ananta Trade Centre

Customer's Seal and Signature

Authorised Signatory

This is a Computer Generated Invoice

NOTARY * Jnanajit Sarma Guwahati Regd. No.- 42846 Expiry Dt.- 20/02/2030 * GOVERNMENT OF INDIA

11 JUL 2025

Invoice No. ATC/GST-18/3585
Ref. No.

*(DUPLICATE FOR TRANSPORTER)*

Dated 17-Mar-2018

-3%-

**Ananta Trade Centre**
Sikaria Complex
Opp- News Live Building
Christian Basti
G.S Road
Guwahati-781005
Ph: 0361-2343038
GSTIN/UIN: 18ACZPP8709J1ZJ
State Name : Assam, Code : 18
E-Mail : anantatradecentre@yahoo.in

## Tax Invoice

Party : **Arya Erectors India Ltd.**
Guwahati
A.S.L,Abhayapur,North Guwahati
Ph-9613322979
GSTIN/UIN : 18AAICA9598E1Z4
State Name : Assam, Code : 18

| Sl No. | Description of Goods | HSN/SAC | Quantity | Rate | per | Disc. % | Amount |
|---|---|---|---|---|---|---|---|
| 1 | Berger BPWT Primer(417) 20ltr | 32091090 | 20 pcs | 1,222.66 | pcs | | 24,453.20 |
| 2 | Berger BP White Primer 20ltr | 32089090 | 4 pcs | 2,118.75 | pcs | | 8,475.00 |
| | | | | | | | 32,928.20 |
| | *CGST OUTPUT* | | | | | | 4,609.95 |
| | *SGST OUTPUT* | | | | | | 4,609.95 |
| | *Less : Round Off* | | | | | | (-)0.10 |
| | Total | | 24 pcs | | | | ₹ 42,148.00 |

*E. & O.E*

Amount Chargeable (in words)
**Indian Rupees Forty Two Thousand One Hundred Forty Eight Only**

| HSN/SAC | Taxable Value | Central Tax | | State Tax | | Total Tax Amount |
|---|---|---|---|---|---|---|
| | | Rate | Amount | Rate | Amount | |
| 32091090 | 24,453.20 | 14% | 3,423.45 | 14% | 3,423.45 | 6,846.90 |
| 32089090 | 8,475.00 | 14% | 1,186.50 | 14% | 1,186.50 | 2,373.00 |
| Total | 32,928.20 | | 4,609.95 | | 4,609.95 | 9,219.90 |

Tax Amount (in words) : **Indian Rupees Nine Thousand Two Hundred Nineteen and Ninety paise Only**

Company's Bank Details
Bank Name : SBI
A/c No. : 33636911371
Branch & IFS Code : G S Road & SBIN0012259

Ch. 002215 dt. 31/3/2018 A/c 32915

Declaration
We declare that this invoice shows the actual price of the goods described and that all particulars are true and correct.

Customer's Seal and Signature

for Ananta Trade Centre

Authorised Signatory

This is a Computer-Generated Invoice

For & behalf of Arya Erectors India Private Limited
Managing Director

ARYA SMART LIVING PVT. LTD. RECEIVED

ARYA ERECTORS (I) PVT. LTD. SECURITY

NOTARY Jnanajit Sarma Guwahati Regd. No.- 42248 Expiry Dt. 20/02/2030 GOVERNMENT OF INDIA

11 JUL 2025

No. ATC/GS17-18/3885

Dated 30-Mar-2018

-38/-

**Ananta Trade Centre**
Sikaria Complex
Opp- News Live Building
Christian Basti
G.S Road
Guwahati-781005
Ph: 0361-2343038
GSTIN/UIN: 18ACZPP8709J1ZJ
State Name : Assam, Code : 18
E-Mail : anantatradecentre@yahoo.in

For & behalf of Arya Erectors India Private Limited
Managing Director

## Tax Invoice

Party : **Arya Erectors India Ltd.**
Guwahati
A.S.L,Abhayapur,North Guwahati
Ph-9613322979
GSTIN/UIN : 18AAICA9598E1Z4
State Name : Assam, Code : 18

| Sl | Description of Goods | HSN/SAC | Quantity | Rate | per | Disc. % | Amount |
|---|---|---|---|---|---|---|---|
| 1 | Paint Brush 4" | 960340 | 24 pcs | 101.70 | pcs | | 2,440.80 |
| 2 | Patti 10" | 8205 | 60 pcs | 25.42 | pcs | | 1,525.20 |
| 3 | Water Paper 180 No. | 6805 | 500 pcs | 10.17 | pcs | | 5,085.00 |
| | | | | | | | 9,051.00 |
| | CGST OUTPUT | | | | | | 814.59 |
| | Less : SGST OUTPUT | | | | | | 814.59 |
| | Round Off | | | | | | (-)0.18 |
| | Total | | 584 pcs | | | | ₹ 10,680.00 |

E. & O.E

Amount Chargeable (in words)
Indian Rupees Ten Thousand Six Hundred Eighty Only

| HSN/SAC | Taxable Value | Central Tax | | State Tax | | Total Tax Amount |
|---|---|---|---|---|---|---|
| | | Rate | Amount | Rate | Amount | |
| 960340 | 2,440.80 | 9% | 219.67 | 9% | 219.67 | 439.34 |
| 8205 | 1,525.20 | 9% | 137.27 | 9% | 137.27 | 274.54 |
| 6805 | 5,085.00 | 9% | 457.65 | 9% | 457.65 | 915.30 |
| Total | 9,051.00 | | 814.59 | | 814.59 | 1,629.18 |

Tax Amount (in words) : Indian Rupees One Thousand Six Hundred Twenty Nine and Eighteen paise Only

Company's Bank Details
Bank Name : SBI
A/c No. : 33636911371
Branch & IFS Code : G S Road & SBIN0012259

Ch.-002283 3/5/2018
HDFC Bk ₹ 232825/-

Declaration
We declare that this invoice shows the actual price of the goods described and that all particulars are true and correct.

Customer's Seal and Signature

for Ananta Trade Centre

Authorised Signatory

This is a Computer Generated Invoice

ARYA ERECTORS (I) PVT. LTD. 31.3.18

NOTARY Jnanajit Sarma Guwahati Regd. No.- 42846 Expiry Dt.- 20/02/2030 GOVERNMENT OF INDIA

11 JUL 2025

Invoice No. ATC/GST17-18/3702 (ORIGINAL FOR RECIPIENT)
Ref. No.

Ananta Trade Centre
Sikaria Complex
Opp- News Live Building
Christian Basti
G.S Road
Guwahati-781005
Ph: 0361-2343038
GSTIN/UIN: 18ACZPP8709J1ZJ
State Name : Assam, Code : 18
E-Mail : anantatradecentre@yahoo.in

Dated 23-Mar-2018

# Tax Invoice

Party : Arya Erectors India Ltd.
Guwahati
A.S.L,Abhayapur,North Guwahati
Ph-9613322979
GSTIN/UIN : 18AAICA9598E1Z4
State Name : Assam, Code : 18

| Sl No. | Description of Goods | HSN/SAC | Quantity | Rate | per | Disc. % | Amount |
|---|---|---|---|---|---|---|---|
| 1 | W/C Anti Dust 6P1892 20ltr | 3209 | 37 pcs | 3,914.06 | pcs | | 1,44,820.22 |
| 2 | Wc Anti Dust 7D1631 20ltr | 3209 | 3 pcs | 4,760.94 | pcs | | 14,282.82 |
| | | | | | | | 1,59,103.04 |
| | CGST OUTPUT | | | | | | 22,274.42 |
| | SGST OUTPUT | | | | | | 22,274.42 |
| | Round Off | | | | | | 0.12 |
| | Total | | 40 pcs | | | | ₹ 2,03,652.00 |

E. & O.E

Amount Chargeable (in words)
Indian Rupees Two Lakh Three Thousand Six Hundred Fifty Two Only

| HSN/SAC | Taxable Value | Central Tax | | State Tax | | Total Tax Amount |
|---|---|---|---|---|---|---|
| | | Rate | Amount | Rate | Amount | |
| 3209 | 1,59,103.04 | 14% | 22,274.42 | 14% | 22,274.42 | 44,548.84 |
| Total | 1,59,103.04 | | 22,274.42 | | 22,274.42 | 44,548.84 |

Tax Amount (in words) : Indian Rupees Forty Four Thousand Five Hundred Forty Eight and Eighty Four paise Only

Company's Bank Details
Bank Name : SBI
A/c No. : 33636911371
Branch & IFS Code : G S Road & SBIN0012259

Declaration
We declare that this invoice shows the actual price of the goods described and that all particulars are true and correct.

Customer's Seal and Signature

for Ananta Trade Centre

Authorised Signatory

This is a Computer Generated Invoice

SMART LIVING ABHOYAPUR RECEIVED Date....

NOTARY Jnanajit Sarma Guwahati Regd. No.- 42846 Expiry Dt.- 20/02/2030 GOVERNMENT OF INDIA

11 JUL 2025

-383-

# GST INVOICE

Valid for Input Tax

(ORIGINAL FOR RECIPIENT)

| | | |
|---|---|---|
| R.S. Enterprise<br>BAIHATA CHARIALI,<br>GORESWAR ROAD<br>GSTIN/UIN 18AHKPD6921A2Z0<br>State Name Assam, Code 18 | Invoice No.<br>RSE/030/2017-18<br>Delivery Note | Dated<br>27-Feb-2018<br>Mode/Terms of Payment |
| | Supplier's Ref | Other Reference(s) |
| Buyer<br>M/S ARYA ERECTORS PVT. LTD.<br>North Guwahati<br>GSTIN/UIN 18AAICA9598E1Z4<br>State Name Assam, Code : 18 | Buyer's Order No. | Dated |
| | Despatch Document No. | Delivery Note Date |
| | Despatched through | Destination |
| | Terms of Delivery | |

| Sl No. | Description of Goods | HSN/SAC | GST Rate | Quantity | Rate | per | Amount |
|---|---|---|---|---|---|---|---|
| 1 | Asbestos Plain Sheet (BLDG.BOARD) | 6811 | 18 % | 170.00 Nos. | ₹ 131.36 | Nos. | 22,331.20 |
| | *Input CGST* | | | | | | 2,009.81 |
| | | | | | | | 24,341.01 |
| | *Input SGST* | | | | | | 2,009.81 |
| | | | | | | | 26,350.82 |
| | *Round Off* | | | | | | 0.18 |
| | Total | | | 170.00 Nos. | | | ₹ 26,351.00 |

E. & O.E

05/03/18

Amount Chargeable (in words)

INR Twenty Six Thousand Three Hundred Fifty One Only

| HSN/SAC | Taxable Value | Central Tax Rate | Central Tax Amount | State Tax Rate | State Tax Amount | Total Tax Amount |
|---|---|---|---|---|---|---|
| | 22,331.20 | 9% | 2,009.81 | 9% | 2,009.81 | 4,019.62 |
| 6811 | 22,331.20 | | 2,009.81 | | 2,009.81 | 4,019.62 |
| Total | | | | | | |

Tax Amount (in words) INR Four Thousand Nineteen and Sixty Two paise Only

Company's Bank Details
Bank Name : Indian Overseas Bank
A/c No. : 118302000000173
Branch & IFS Code : Singarpara & IOBA0001183

for R.S. Enterprise

Authorised Signatory

21/02/18

Declaration
We declare that this invoice shows the actual price of the goods described and that all particulars are true and correct

This is a Computer Generated Invoice

For & behalf of Arya India Private Limited
Managing Director

NOTARY
Jnanajit Sarma
Guwahati
Regd. No.- 42846
Expiry Dt.- 20/02/2030
GOVERNMENT OF INDIA

11 JUL 2025

# INVOICE

Invoice no: SN/supply/asl/ 17

Date: 08/01/2018 8.2.2018

Materials Supplied/ Sold : Bricks and Sandgravel

**Buyer's Details**

**Arya Erectors India Pvt Ltd**
K.P Enclave, Suhagpur
Rehabari, Guwahati-8

GST NO : 18AAICA959E1Z4
PAN : AAICA9598E

**Supplier/ Sellers Details**

**Sumi Nath**
C/O Utpal Nath, College Nagar
North Guwahati, Assam
PIN : 781031
GST NO : 18BCOPN3323G1ZI
PAN : BCOPN3323G

For & behalf of Arya Erectors India Private Limited
Managing Director

Materials Received at : **ARYA SMART LIVING**, Abhoypur, North Guwahati, Assam, Pin-781031

| Sl. No. | Date | Materials Received Voucher no | Quantity cum | Rate/ Cum | Amount |
|---|---|---|---|---|---|
| 01 | 07/01/18 | 7108 | 20.10 CM | 830/- | 16,683.00 |
| 02 | 09/01/18 | 7113 | 20.09 CM | 830/- | 16 674.00 |
| 03 | 12/01/18 | 7125 | 20.10 CM | 830/- | 16,683.00 |
| 04 | 15/01/18 | 7133 | 20.10 CM | 830/- | 16,683.00 |
| 05 | 15/01/18 | 7134 | 20.09 CM | 830/- | 16674.00 |
| 06 | 15/01/18 | 7135 | 20.22 CM | 830/- | 16,782.60 |
| 07 | 15/01/18 | 7136 | 20.10 CM | 830/- | 16 683.00 |
| 08 | 05/01/18 | 4402 Bricks | 2500 nos | 6.75 | 16,875.00 |
| 09 | 17/01/18 | 4402 4404 " | 2500 nos | 6.75 | 16,875.00 |
| 10 | 17/01/18 | 4403 " | 2500 nos | 6.75 | 16,875.00 |
| | | | | Total Rs | 1,67,487.60 |
| | | | | SGST 2.5% | 4187.19 |
| | | | | CGST 2.5% | 4187.19 |
| | | | | Grand Total Rs | 175,861.98 (HC. Cr) |

Rs One Lac Seventy five Thousand eight hundred Sixty Two only

Verified with my books

Yours faithfully 175862/-
Sumi Nath

NOTARY
Jnanajit Sarma
Guwahati
Regd. No.- 42846
Expiry Dt.- 20/02/2030
GOVERNMENT OF INDIA

# INVOICE

Invoice no: GN/supply/dst/ 18

Materials Supplied/ Sold : Bricks, Sand and Stonedust

Date: 02/02/2018

Buyer's Details

**Arya Erectors India Pvt Ltd**
K.P Enclave, Suhagpur
Rehabari, Guwahati-8

GST NO : 18AAICA959E1Z4
PAN : AAICA9598E

Supplier/ Sellers Details

**Sumi Nath**
C/O Utpal Nath, College Nagar
North Guwahati, Assam
PIN : 781031
GST NO : 18BCOPN3323G1ZI
PAN : BCOPN3323G

Materials Received at : ARYA SMART LIVING, Abhoypur, North Guwahati, Assam, Pin-781031

| Sl. No. | Date | Materials Received Voucher no | Quantity cum | Rate/ Cum | Amount |
|---|---|---|---|---|---|
| 01 | 01/02/18 | 4486 Bricks | 4000 nos | 6.75 | 27,000.00 |
| 02 | 27/01/18 | 4485 " | 4000 nos | 6.75 | 27,000.00 |
| 03 | 23/01/18 | 4429 Sand | 17.14 CM | 850/- | 14,569.00 |
| 04 | 24/01/18 | 4441 " | 17.14 CM | 850/- | 14,569.00 |
| 05 | 24/01/18 | 4433 Sand Stonedust | 20.22 CM | 830/- | 16,782.60 |
| 06 | 24/01/18 | 4434 " | 20.22 CM | 830/- | 16,782.60 |
| 07 | 01/02/18 | 4467 " | 20.10 CM | 830/- | 16,683.00 |
| 08 | 01/02/18 | 4468 " | 20.22 CM | 830/- | 16,782.60 |
| 09 | 04/02/18 | 4480 " | 20.22 CM | 830/- | 16,782.60 |
| 10 | 04/02/18 | 4478 " | 20.34 CM | 830/- | 16,882.20 |
| | | | | Total Rs | 1,83,833.60 |
| | | | | SGST 2.5% | 4,595.84 |
| | | | | CGST 2.5% | 4,595.84 |

Grand Total Rs 1,93,025.28

Rs One Lakh Ninety three thousand twenty five only

Checked with supporting bills 2/2/18

Yours faithfully

Sumi Nath

For & behalf of Arya Erectors India Private Limited
Managing Director

NOTARY
Jnanaji Sarma
Guwahati
Regd. No.- 42846
Expiry Dt.- 20/02/2030
GOVERNMENT OF INDIA

-396-

# INVOICE

Invoice no: PJP/supply/asl/10
Supplied /Sold: Ruller

Date: 24.02.18

**Buyer's Details**

Arya Erectors India Pvt. Ltd.
K.P. Enclave, Suhagpur
Rehabari, Ghy - 8

GST No.: 18AAICA9598E1Z4
PAN: AAICA9598E

**Supplier/Sellers Details**

Pranab Jyoti Pathak
Abhoypur, North Guwahati
Assam, Pin-781031

GST No.: 18APCPP6141E1Z0
PAN: APCPP6141E

For & behalf of ARYA ERECTORS INDIA PVT. LTD.
Managing Director

Ruler Received at: ARYA SMART LIVING, Abhoypur, North Guwahati, Assam, Pin - 781031

**In Details:**

7.12.17 - 1 days - 6 hrs 45 min.
4.1.18 to 13.1.18 - 10 days -
16.1.18 to 25.1.18 - 10 days -
27.1.18 to 3.2.18 - 8 days -
29 days

Total working Days = 29 days = 204 hrs. 5 min.

| | |
|---|---|
| Amount = | 51,020.00 |
| GST 5 % = | 2,551.00 |
| Grand Total Amount = | 53,571.00 |

In words: Fifty Three Thousand Five Hundred Seventy One Only.

Received
26/02/18

Ch.- 002080 - HDFC
Dt.- 26/2/2018
Rs 51020/-

Thanking you

Yours faithfully
24.2.18

NOTARY
Jnanajit Sarma
Guwahati
Regd. No.- 42846
Expiry Dt.- 20/02/2030
GOVERNMENT OF INDIA

11 JUL 2025

# INVOICE

Invoice no: PJP/supply/ash/11
Materials Supplied /Sold: Sand-Gravel

Date: 21.02.2018

**Buyer's Details**

Arya Erectors India Pvt. Ltd.
K.P. Enclave, Suhagpur
Rehabari, Ghy - 8

GST No.: 18AAICA9598E1Z4
PAN: AAICA9598E

**Supplier/Sellers Details**

Pranab Jyoti Pathak
Abhoypur, North Guwahati
Assam, Pin-781031

GST No.: 18APCPP6141E1Z0
PAN: APCPP6141E

For & behalf of Arya Erectors India Private Limited
Managing Director

Materials Received at: ARYA SMART LIVING, Abhoypur, North Guwahati, Assam, Pin - 781031

| Sl. No. | Date | Materials Received Voucher No. | Quantity Cum | Rate/Cum | Amount |
|---|---|---|---|---|---|
| 1 | 31.01.18 | 4460 | 20.10 | 830.00 | 16,683.00 |
| 2 | 31.01.18 | 4461 | 20.22 | 830.00 | 16,782.00 |
| 3 | 02.02.18 | 4472 | 20.10 | 830.00 | 16,683.00 |
| 4 | 09.02.18 | 5863 | 20.10 | 830.00 | 16,683.00 |
| 5 | 09.02.18 | 5864 | 20.10 | 830.00 | 16,683.00 |
| | | Total: | 100.62 | **Total Rs.** | **83,514.00** |
| | | | | SGST 2.5% | 2,087.00 .85 |
| | | | | CGST 2.5% | 2,087.00 .85 |
| | | | | **Grand Total Rs.** | **87,688.00** |

87689.70
(+).30
87690.00

Rupees: Eighty Seven Thousand Six Hundred Ninety Eight only.

23/02/18

Yours faithfully

22.2.18

Checked with Supporting Invr. 28/2/18

Bill - 09 Dt. 25/1/18 = 32379/-
Bill - 11 Dt. 21/1/18 = 87690/-
120069/-
Less Ch. 002101 ⇒ 60000/-
HDFC Dt 2/3/18
Balance 60069/-

NOTARY
Jnanajit Sarma
Guwahati
Regd. No.- 42846
Expiry Dt.- 20/02/2030
GOVERNMENT OF INDIA

11 JUL 2025

# Tax Invoice

## Issued under GST Act 2017

18AAFFT9130D1ZF
: 8020120744
: 26.12.2017
: Factory/Non Trade

Mode of Transport : Road Trans
Inco Terms : FOR
Name of Transporter : FASTRACK LOGISTICS&SERVICES PV
Place of Supply : NORTH GUWAHATI
Transhipment at :
L R Number : GPR/2288
Truck Number : AS01FC9884
Delivery NO. : 0080359360
PO Date :
PO Number : DEPO NON TRADE

TOPCEM CEMENTS

For & behalf of Arya Erectors India Private Limited
Managing Director

Address:
of INDIA
Guwahati
Nagaon Via Amingaon, PS Kamalpur,
Rural 781031

Line Receiver (Billed to) - 0000200092
ARYA ERECTORS INDIA P LTD
503, K.P ENCLAVE, SOHAGPUR
REHABARI, Assam
India, 781008
Assam
: 18 - Assam
: 18AAICA9598E1Z4

Details of the Consignee(Shipped to)
Name : ARYA ERECTORS INDIA P LTD
Address : KAMRUP, ASSAM
: NORTH GUWAHATI, Assam
: India, 781031
State : Assam
State Code : 18 - Assam
GSTIN : 18AAICA9598E1Z4
Eway Bill No. :

| ption of Goods | HSN | Qty. | Unit | Rate(MT) | Total | Batch | Taxable value | CGST | | SGST | | IGST | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | | | | | | Rate | Amt | Rate | Amt | Rate | Amt |
| M Cement, (IN1) | 25232930 | 300.000 | MT | 5,468.75 | 82,031.25 | 2017W52 | 82,031.25 | 14.00 % | 11,484.38 | 14.00 % | 11,484.38 | 0.00 % | 0.00 |
| | : 0.00 INR | | | | | | | | | | | | |
| ce | : 0.00 INR | | | | | | | | | | | | |
| ge and forwarding charges | : 0.00 INR | | | | | | | | | | | | |
| | | | | | 82,031.25 | | | | 11,484.38 | | 11,484.38 | | 0.00 |

Invoice Value ( In Figure ) : 105,000.00 INR
Invoice Value ( In Words ) : RUPEES ONE LAKH FIVE THOUSAND ONLY

Tax subject to Reverse charges - NO

- that the particulars given above are true and
- amount indicated represents the price actually
- that there is no flow of additional consideration
- indirectly from the buyer.
- sake get the material insured.
- sibilities accepted for pilferage in transit.
- are subject to taxes in force.
- 18% will be charged on bill, not paid on presentation
- reof upon.
- subject to Guwahati Jurisdiction.

Reference Number

For TOPCEM INDIA
TOPCEM INDIA
Authorized Signatory
Authorized Signatory

Date: 26.12.2017

ED OFFICE & WORKS : Near Gauripur Outpost, P.O. College Amingaon, P.S. Kamalpur, Dist. Kamrup Rural, Assam # 781031
+2680043 Fax. : 0361 2345419
guwahati@topcem.in Web : www.topcem.in

GUWAHATI OFFICE : Mega Plaza, 5th Floor, Christian Basti, G.S. Road Guwahati # 781005, Assam.
Tel. : 0361 2345422/23 Fax. : 0361 2345419
E-mail : guwahati@topcem.in Web : www.topcem.in

27-12-17

GOVERNMENT OF INDIA NOTARY Jnanali Sarma Guwahati Regd. No.- 42846 Expiry Dt.- 20/02/2030

11 JUL 2025

# Tax Invoice
## Issued under GST Act 2017

-30X9-

18AAFFT9130R1ZF
: 80201203
: 26.12.2017
: Factory/Non Trade

Mode of Transport : Road Trans
Inco Terms : FOR
Name of Transporter : J.K.TRANSPORT COMPANY
Place of Supply : NORTH GUWAHATI
Transhipment at :
L.R Number : JKTC/1776
Truck Number : AS25AC6402
Delivery NO. : 0080359127
PO Date :
PO Number : DEPO NON TRADE

address.
INDIA
Guwahati
Nagar Via Amingaon, PS Kamalpur,
Rural 781031

of the Receiver (Billed to) - 0000208092
: ARYA ERECTORS INDIA P LTD
: 503, K.P. ENCLAVE, SOHAGPUR
REHABARI, Assam
: India, 781008
: Assam
te Code : 18 - Assam
GSTIN : 18AAICA9598E1Z4
No. :

Details of the Consignee(Shipped to)
Name : ARYA ERECTORS INDIA P LTD
Address : KAMRUP, ASSAM
: NORTH GUWAHATI, Assam
: India, 781031
State : Assam
State Code : 18 - Assam
GSTIN : 18AAICA9598E1Z4
Eway Bill No. :

For & behalf of Arya Erectors India Private Limited
Managing Director

| Description of Goods | HSN | Qty. | Unit | Rate(MT) | Total | Batch | Taxable value | CGST | | SGST | | IGST | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | | | | | | Rate | Amt | Rate | Amt | Rate | Amt |
| TOPCEM Cement. PPC - 1 (NT) | 25232930 | 15.000 | MT | 5,468.75 | 82,031.25 | 2017W52 | 82,031.25 | 14.00 % | 11,484.38 | 14.00 % | 11,484.38 | 0.00 % | |
| Freight : 0.00 INR | | | | | | | | | | | | | |
| Insurance : 0.00 INR | | | | | | | | | | | | | |
| Packing and Forwarding charges : 0.00 INR | | | | | | | | | | | | | |
| Total | | | | | 82,031.25 | | | | 11,484.38 | | 11,484.38 | | |

Total Invoice Value ( In Figure ) 105,000.00 INR
Total Invoice Value ( In Words ) RUPEES ONE LAKH FIVE THOUSAND ONLY

Amount of Tax subject to Reverse charges - NO

Declaration
Certified that the particulars given above are true and correct and amount indicted represents the price actually charged and that there is no flow of additional consideration directly or indirectly from the buyer.
For safety sake get the material insured.
No responsibilities accepted for pilferage in transit.
All sales are subject to taxes in force.
Interest@ 18% will be charged on bill, not paid on presentation or date agreed upon.
All disputes subject to Guwahati Jurisdiction

Electronic Reference Number

For TOPCEM INDIA
TOPCEM INDIA
Authorized Signatory
Authorized Signatory

Date: 26.12.2017

REGISTERED OFFICE & WORKS : Near Gauripur Outpost, P.O. College Nagar via Amingaon, P.S. Kamalpur, Dist.- Kamrup Rural, Assam # 781031
Tel. : 0361 2689013 Fax. : 0361 2345419
E-mail : guwahati@topcem.in Web : www.topcem.in

GUWAHATI OFFICE : Mega Plaza, 5th Floor, Christian Basti, G.S. Road Guwahati # 781005 , Assam.
Tel. : 0361 2345422 23 Fax. : 0361 2345419
E-mail : guwahati@topcem.in Web : www.topcem.in

ERECTORS (I) P LTD 26 12 17

NOTARY Jnanajit Sarma Guwahati Regd. No.- 42846 Expiry Dt.- 20/02/2030 GOVERNMENT OF INDIA

11 JUL 2025

# Tax Invoice
## Issued under GST Act 2017

GSTIN 18AAFFT9136R1ZF
Invoice No : 80201203?
Invoice Date 26.12.2017
Invoice Type Factory Non Trade

Name & Address
TOPCEM INDIA
Gauripur Guwahati
PO College Nagar Via Amingaon, PS Kamalpur,
Kamrup Rural 781031

Mode of Transport : Road Trans
Incn Terms : FOR
Name of Transporter : J.K.TRANSPORT COMPANY
Place of Supply : NORTH GUWAHATI
Transhipment at :
L R Number : JKTC/1778
Truck Number : AS01GC0127
Delivery NO. : 0080359129
PO Date :
PO Number : DEPO NON TRADE

Details of the Receiver (Billed to) - 6000200092
Name: ARYA ERECTORS INDIA P LTD
Address 503, K.P. ENCLAVE, SOHAGPUR
BISHARI, Assam
India, 781008
State Assam
State Code 18 - Assam
GSTIN 18AATCA9598E1Z4
Pan No.

Details of the Consignee(Shipped to)
Name : ARYA ERECTORS INDIA P LTD
Address : KAMRUP, ASSAM
: NORTH GUWAHATI, Assam
: India, 781031
State : Assam
State Code : 18 - Assam
GSTIN : 18AATCA9598E1Z4
Eway Bill No. :

| Sr No | Description of Goods | HSN | Qty. | Unit | Rate(MT) | Total | Batch | Taxable value | CGST | | SGST | | IGST | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | | | | | | | Rate | Amt | Rate | Amt | Rate | Amt |
| 1 | TOPCEM Cement. PPC - I (NT) | 25232930 | 15.000 | MT | 5,468.75 | 82,031.25 | 2017W52 | 82,031.25 | 14.00 % | 11,484.38 | 14.00 % | 11,484.38 | 0.00 % | 0.00 |
| | Freight : 0.00 INR | | | | | | | | | | | | | |
| | Insurance : 0.00 INR | | | | | | | | | | | | | |
| | Packing and Forwarding charges : 0.00 INR | | | | | | | | | | | | | |
| | Total | | | | | 82,031.25 | | | | 11,484.38 | | 11,484.38 | | 0.00 |
| | Total Invoice Value ( In Figure ) | | | | | | | 105,000.00 INR | | | | | | |
| | Total Invoice Value ( In Words ) | | | | | | | RUPEES ONE LAKH FIVE THOUSAND ONLY | | | | | | |
| | Amount of Tax subject to Reverse charges - NO | | | | | | | | | | | | | |

Declaration
Certified that the particulars given above are true and correct and amount indicted represents the price actually charged and that there is no flow of additional consideration directly or indirectly from the buyer.
For safety sake get the material insured.
No responsibilities accepted for pilferage in transit.
All sales are subject to taxes in force.
Interest@ 18% will be charged on bill, not paid on presentation or date agreeUpon.
All disputes subject to Guwahati Jurisdiction.

Electronic Reference Number

For TOPCEM INDIA
TOPCEM INDIA
Authorized Signatory
Authorized Signatory

Date: 26.12.2017

REGISTERED OFFICE & WORKS : Near Gauripur Outpost, P.O. College Nagar via Amingaon, P.S. Kamalpur. Dist.- Kamrup Rural, Assam # 781031
Tel. : 0361 2680013 Fax. : 0361 2345419
E-mail : guwahati@topcem.in Web : www.topcem.in

GUWAHATI OFFICE : Mega Plaza, 5th Floor, Christian Basti, G.S. Road Guwahati # 781005 , Assam.
Tel. : 0361 2345422/23 Fax. : 0361 2345419
E-mail : guwahati@topcem.in Web : www.topcem.in

For & behalf of Arya Erectors India Private Limited
Managing Director

Jnanajit Sarma Guwahati Regd. No.- 428/48 Expiry Dt.- 20/02/2030

11 JUL 2025

# Tax Invoice

## Issued under GST Act 2017

GSTIN : 18AAFFT0130R1ZF
Invoice No : R02012603
Invoice Date : 05.01.2018
Invoice Type : Factory Non Trade

Mode of Transport : Road Trans
Inco Terms : FOR
Name of Transporter : FASTRACK LOGISTICS
Place of Supply : NORTH GUWAHATI
Transhipment at :
L.R Number : GPR/2480
Truck Number : AS25AC1462
Delivery NO. : 0080362747
PO Date :
PO Number : FAC N.TRADE

Name & Address
TOPCEM INDIA
Gauripur Guwahati
PO College Nagar Via Aminngaon, PS Kamalpur,
Kamrup Rural 781031

Details of the Receiver (Billed to) - 0000200092
Name : ARYA ERECTORS INDIA P LTD
Address : 503, K.P. ENCLAVE, SOHAGPUR
REHABARI, Assam
India, 781008
State : Assam
State Code : 18 - Assam
GSTIN : 18AAICA9598E1Z4
Pan No.

Details of the Consignee(Shipped to)
Name : ARYA ERECTORS INDIA P LTD
Address : KAMRUP, ASSAM
: NORTH GUWAHATI, Assam
: India, 781031
State : Assam
State Code : 18 - Assam
GSTIN : 18AAICA9598E1Z4
Eway Bill No.

| Sr. No | Description of Goods. | HSN | Qty. | Unit | Rate(MT) | Total | Batch | Taxable value | CGST | | SGST | | IGST | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | | | | | | | Rate | Amt | Rate | Amt | Rate | Amt |
| 1 | TOPCEM Cement, PPC - 1 (NT) | 25232930 | 15.000 | MT | 5,625.00 | 84,375.00 | 2018W01 | 84,375.00 | 14.00 % | 11,812.50 | 14.00 % | 11,812.50 | 0.00 % | 0.0 |
| | Freight : 0.00 INR | | | | | | | | | | | | | |
| | Insurance : 0.00 INR | | | | | | | | | | | | | |
| | Packing and Forwarding charges : 0.00 INR | | | | | | | | | | | | | |
| | Total | | | | | 84,375.00 | | | | 11,812.50 | | 11,812.50 | | 0.0 |
| | Total Invoice Value ( In Figure ) | | | | | | | 108,000.00 INR | | | | | | |
| | Total Invoice Value ( In Words ) | | | | | | | RUPEES ONE LAKH EIGHT THOUSAND ONLY | | | | | | |
| | Amount of Tax subject to Reverse charges - NO | | | | | | | | | | | | | |

Declaration
Certified that the particulars given above are true and correct and amount indicted represents the price actually charged and that there is no flow of additional consideration direc ly or indirectly fr m the buyer.
For safety sake get the material insured.
No responsibilities accepted for pilferage in transit.
All sales are subject to taxes in force.
Interest@ 18% will be charged on bill, not paid on presentation or date agreed upon.
All disputes subject to Guwahati Jurisdiction.

Electronic Reference Number

For TOPCEM INDIA
TOPCEM INDIA
Authorized Signatory
Authorized Signatory

Date: 05.01.2018

For & behalf of Arya Erectors India Private Limited
Managing Director

10 8000/-
86000/-
194000/-

REGISTERED OFFICE & WORKS : Near Gauripur Outpost, P.O. College Nagar via Aminguon, P.S. Kamalpur, Dist.- Kamrup Rural, Assam # 781031
Tel. : 0361 2680013 Fax. : 0361 2345419
E-mail : guwahati@topcem.in Web : www.topcem.in

GUWAHATI OFFICE : Mega Plaza, 5th Floor, Christian Basti, G.S. Road Guwahati # 781005 , Assam.
Tel. : 0361 2345422/23 Fax. : 0361 2345419
E-mail : guwahati@topcem.in Web : www.topcem.in

NOTARY
Jnanajit Sarma
Guwahati
Regd. No.- 42845
Expiry Dt.- 20/02/2030
GOVERNMENT OF INDIA

11 JUL 2025

# Tax Invoice

## Issued under GST Act 2017

TOPCEM

| | | | |
|---|---|---|---|
| GSTIN | 18AAIFT9130R1ZT | Mode of Transport | Road Trans |
| Invoice No | 802012660 | Inco Terms | FOR |
| Invoice Date | 07.01.2018 | Name of Transporter | FASTRACK LOGISTICS&SERVICES Pv |
| Invoice Type | Factory/Non Trade | Place of Supply : | NORTH GUWAHATI |
| | | Transhipment at : | |
| | | L R Number : | GPR/2451 |
| | | Truck Number : | AS01DC5224 |
| | | Delivery NO. : | 0080363259 |
| | | PO Date | |
| | | PO Number : | FAC N.TRADE |

Name & Address
TOPCEM INDIA
Gauripur Guwahati
PO College Nagar Via Amingaon, PS Kamalpur,
Kamrup Rural 781031

Details of the Receiver (Billed to) - 0000200092
Name : ARYA ERECTORS INDIA P LTD
Address : 503, K.P. ENCLAVE, SOHAGPUR
REHABARI, Assam
Indin, 781008
State : Assam
State Code : 18 - Assam
GSTIN : 18AAICA9598E1Z4
Pan No

Details of the Consignee(Shipped to)
Name : ARYA ERECTORS INDIA P LTD
Address : KAMRUP, ASSAM
: NORTH GUWAHATI, Assam
: India, 781031
State : Assam
State Code : 18 - Assam
GSTIN : 18AAICA9598E1Z4
Eway Bill No. :

For & behalf of Arya Erectors India Private Limited
Managing Director

| Sr. No | Description of Goods | HSN | Qty | Unit | Rate(MT) | Total | Batch | Taxable value | CGST | | SGST | | IGST | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | | | | | | | Rate | Amt | Rate | Amt | Rate | Amt |
| 1 | TOPCEM Cement, PPC - I (NT) | 25232930 | 5.000 | MT | 5,625.00 | 28,125.00 | 2018W01 | 28,125.00 | 14.00 % | 3,937.50 | 14.00 % | 3,937.50 | 0.00 % | 0.00 |
| | Freight : 0.00 INR | | | | | | | | | | | | | |
| | Insurance : 0.00 INR | | | | | | | | | | | | | |
| | Packing and Forwarding charges : 0.00 INR | | | | | | | | | | | | | |
| | Total | | | | | 28,125.00 | | | | 3,937.50 | | 3,937.50 | | 0.00 |

Total Invoice Value ( In Figure ) : 36,000.00 INR
Total Invoice Value ( In Words ) : RUPEES THIRTY SIX THOUSAND ONLY

Amount of Tax subject to Reverse charges - NO

Declaration
Certified that the particulars given above are true and correct and amount indicted represents the price actually charged and that there is no flow of additional consideration directly or indirectly from the buyer.
For safety sake get the material insured.
No responsibility accepted for pilferage in transit.
All sales are subject to tax as in force.
Interest@ 18% will be charged on bill, not paid on presentation or date agreeUpon.
All disputes subject to Guwahati Jurisdiction.

Electronic Reference Number

For TOPCEM INDIA

Authorized Signatory

Authorized Signatory

Date: 07.01.2018

REGISTERED OFFICE & WORKS Near Gauripur Outpost, P.O. College Nagar via Amingaon, P.S. Kamalpur, Dist.- Kamrup Rural, Assam # 781031
Tel : 0361 2680013 Fax : 0361 2345419
E-mail : guwahati@topcem.in Web : www.topcem.in

GUWAHATI OFFICE : Mega Plaza, 5th Floor,
Christian Basti, G.S. Road Guwahati # 781005 Assam
Tel. : 0361 2345422/23 Fax. : 0361 2345419
E-mail : guwahati@topcem.in Web : www.topcem.in

8-01-18

NOTARY
Jnanajit Sarma
Guwahati
Regd. No.- 42846
Expiry Dt.- 20/02/2030
GOVERNMENT OF INDIA

11 JUL 2025

# Tax Invoice

## Issued under GST Act 2017

TOPCEM

GSTIN : 18AAFFT9130R1ZF
Invoice No. : 802012910
Invoice Date : 11.01.2018
Invoice Type : Factory/Non Trade

Mode of Transport : Road Trans
Inco Terms : FOR
Name of Transporter : SREE GANESH ROADWAYS
Place of Supply : NORTH GUWAHATI
Transhipment at :
L R Number : SGR/2354
Truck Number : AS01CC6303
Delivery NO. : 0080364788
PO Date :
PO Number : DEPO NON TRADE

Name & Address:
TOPCEM INDIA
Gauripur Guwahati
PO. College Nagar Via Amingaon, PS Kamalpur,
Kamrup Rural 781031

**Details of the Receiver (Billed to) - 0000200092**
Name : ARYA ERECTORS INDIA P LTD
Address : 503, K P ENCLAVE, SOHAGPUR
REHABARI, Assam
India, 781008
State : Assam
State Code : 18 - Assam
GSTIN : 18AAICA9598E1Z4
Pan No.

**Details of the Consignee(Shipped to)**
Name : ARYA ERECTORS INDIA P LTD
Address : KAMRUP, ASSAM
: NORTH GUWAHATI, Assam
: India, 781031
State : Assam
State Code : 18 - Assam
GSTIN : 18AAICA9598E1Z4
Way Bill No. :

For & behalf of Arya Erectors India Private Limited
Managing Director

| Sr. No | Description of Goods | HSN | Qty | Unit | Rate(MT) | Total | Batch | Taxable value | COST | | SGST | | IGST | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | | | | | | | Rate | Amt | Rate | Amt | Rate | Amt |
| 1 | TOPCEM Cement. PPC - 1 (NT) | 25232930 | 20.000 | MT | 5,625.00 | 112,500.00 | 2018W02 | 112,500.00 | 14.00 % | 15,750.00 | 14.00 % | 15,750.00 | 0.00 % | 0 |
| | Freight | | | | 0.00 INR | | | | | | | | | |
| | Insurance | | | | 0.00 INR | | | | | | | | | |
| | Packing and Forwarding charges | | | | 0.00 INR | | | | | | | | | |
| | Total | | | | | 112,500.00 | | | | 15,750.00 | | 15,750.00 | | |

Total Invoice Value ( In Figure ) : 144,000.00 INR
Total Invoice Value ( In Words ) : RUPEES ONE LAKH FORTY FOUR THOUSAND ONLY

Amount of Tax subject to Reverse charges - NO

Declaration
Certified that the particulars given above are true and correct and amount indicted represents the price actually charged and that there is no flow of additional consideration directly or indirectly from the buyer.
For safety sake get the material insured.
No responsibilities accepted for pilferage in transit.
All sales are subject to taxes in force.
Interest@ 18% will be charged on bill, not paid on presentation or date agreeUpon.
All disputes subject to Guwahati Jurisdiction.

Electronic Reference Number

for TOPCEM INDIA

Authorized Signatory

Date: 11.01.2018

Chq 001868 HDFC Dt: 18/1/2018 ₹ 144000/-

REGISTERED OFFICE & WORKS . Near Gauripur Outpost, P.O. College Nagar via Amingaon, P.S. Kamalpur, Dist.- Kamrup Rural, Assam # 781031
Tel. : 0361 2680013 Fax. : 0361 2345419
E-mail . guwahati@topcem.in Web : www.topcem.in

GUWAHATI OFFICE : Mega Plaza, 5th Floor, Christian Basti, G.S. Road Guwahati # 781005 . Assam.
Tel. : 0361 2345422/32 Fax. : 0361 2345419
E-mail : guwahati@topcem.in Web . www.topcem.in

12-01-18
9.40 AM

NOTARY
Jnana Sarma
Guwahati
Regd. No.- 42846
Expiry Dt.- 20/02/2030
GOVERNMENT OF INDIA



11 JUL 2025

# Tax Invoice
## Issued under GST Act, 2017

-334-
-3X4-

| | |
|---|---|
| | 18AAJFT0108R4Z1 |
| Invoice No | 8020110238 |
| Invoice Date | 24.12.2017 |
| Invoice Type | Factory/Non Trade |

| | |
|---|---|
| Mode of Transport | Road Trans |
| Incoterms | FOB |
| Name of Transporter | FASTRACK LOGISTICS PV |
| Place of Supply | NORTH GUWAHATI |
| Transhipment at | |
| LR Number | GPR/2251 |
| Truck Number | AS01FC9884 |
| Vehicle Tare | 00803 9510 |
| EWB Date | |
| PO Number | FAC NON TRADE |

Name & Address
TOPCEM INDIA
Gauripur Guwahati
PO College Nagar Via Amingaon, PS Kamalpur,
Kamrup Rural 781031

**Details of the Receiver (Billed to) - 0000200092**

| | |
|---|---|
| Name | ARYA ERECTORS INDIA P LTD |
| Address | 503, K.P ENCLAVE, SOHAGPUR<br>REHABARI, Assam<br>India, 781008 |
| State | Assam |
| State Code | 18 - Assam |
| GSTIN | 18AAICA9508B1Z4 |
| Pan No | |

**Details of the Consignee(Shipped to)**

| | |
|---|---|
| Name | : ARYA ERECTORS INDIA P LTD |
| Address | : KAMRUP, ASSAM<br>: NORTH GUWAHATI, Assam<br>India, 781031 |
| State | Assam |
| State Code | 18 - Assam |
| GSTIN | 18AAICA9508B1Z4 |
| Eway Bill No. | : |

| Sl No | Description of Goods | HSN | Qty | Unit | Rate(MT) | Total | Batch | Taxable value | CGST | | SGST | | IGST | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | | | | | | | Rate | Amt | Rate | Amt | Rate | Amt |
| 1 | TOPCEM Cement PPC - I (NT) | 25232930 | 15.000 | MT | 5,468.75 | 82,031.25 | 2017W52 | 82,031.25 | 14.00 % | 11,484.38 | 14.00 % | 11,484.38 | 0.00 % | 0.00 |
| | Freight | | | | 0.00 INR | | | | | | | | | |
| | Insurance | | | | 0.00 INR | | | | | | | | | |
| | Packing and Forwarding charges | | | | 0.00 INR | | | | | | | | | |
| | Total | | | | | 82,031.25 | | | | 11,484.38 | | 11,484.38 | | 0.00 |
| | Total Invoice Value ( In Figure ) | | | | | | | 105,000.00 INR | | | | | | |
| | Total Invoice Value ( In Words ) | | | | | | | RUPEES ONE LAKH FIVE THOUSAND ONLY | | | | | | |
| | Amount of Tax subject to Reverse charges - NO | | | | | | | | | | | | | |

Declaration
Certified that the particulars given above are true and correct and amount indicted represents the price actually charged and that there is no flow of additional consideration directly or indirectly from the buyer
For safety sake get the material insured.
No responsibilities accepted for pilferage in transit.
All sales are subject to taxes in force
Interest@ 18% will be charged on bill not paid on presentation or date agreeUpon.
All disputes subject to Guwahati Jurisdiction.

Electronic Reference Number

For TOPCEM INDIA
TOPCEM INDIA
Authorized Signatory
Authorized Signatory

Date: 24.12.2017

REGISTERED OFFICE & WORKS : Near Gauripur Outpost, P.O. College Nagar via Amingaon, P.S. Kamalpur, Dist.- Kamrup Rural, Assam # 781031
Tel. : 0361 2680013 Fax. : 0361 2345419
E-mail : guwahati@topcem.in Web : www.topcem.in

GUWAHATI OFFICE : Mega Plaza, 5th Floor, Christian Basti, G.S. Road Guwahati # 781005 , Assam.
Tel. : 0361 2345422/23 Fax. : 0361 2345419
E-mail : guwahati@topcem.in Web : www.topcem.in

For & behalf of Arya Erectors India Private Limited
Managing Director

ARYA ERECTORS INDIA P LTD 24-12-17

NOTARY Jnanaji Sarma Guwahati Regd. No.- 42846 Expiry Dt.- 20/02/2030 GOVERNMENT OF INDIA

1 JUL 2025

# Tax Invoice
## Issued under GST Act 2017

| | |
|---|---|
| | 18AABCT9130B1ZF |
| e No. | 8020011920 |
| oice Date | 24.12.2017 |
| e Type | Factory/Non Trade |

| | |
|---|---|
| Mode of Transport : | Road Trans |
| Inco Terms : | FOR |
| Name of Transporter : | FASTRACK LOGISTICS&SERVICES PV |
| Place of Supply : | NORTH GUWAHATI |
| Transhipment at : | |
| L R Number | GPR/0293 |
| Truck Number | AS01JC 5224 |
| Delivery NO | 0080358593 |
| PO Date | |
| PO Number : | FAC NON TRADE |

& Address
OPCEM INDIA
pur Guwahati
College Nagar Via Amingaon, PS Kamalpur,
ap Rural 781031

Details of the Receiver (Billed to) - 0000200092
ame : ARYA ERECTORS INDIA P LTD
ss : 503, K.P ENCLAVE, SOHAGPUR
REHABARI, Assam
India, 781008
ate : Assam
Code : 18 - Assam
STIN No. : 18AAICA9598E1Z4

Details of the Consignee(Shipped to)
Name : ARYA ERECTORS INDIA P LTD
Address : KAMRUP, ASSAM
: NORTH GUWAHATI, Assam
: India, 781031
State : Assam
State Code : 18 - Assam
GSTIN : 18AAICA9598E1ZA
Eway Bill No. :

| Sr. | Description of Goods | HSN | Qty | Unit | Rate(MT) | Total | Batch | Taxable value | CGST | | SGST | | IGST | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | | | | | | | Rate | Amt | Rate | Amt | Rate | Amt |
| 1 | TOPCEM Cement, PPC - I (NT) | 25232930 | 5.000 | MT | 5,468.75 | 27,343.75 | 2017W52 | 27,343.75 | 14.00 % | 3,828.13 | 14.00 % | 3,828.13 | 0.00 % | 0.00 |
| | Freight | : | 0.00 INR | | | | | | | | | | | |
| | Insurance | : | 0.00 INR | | | | | | | | | | | |
| | Packing and Forwarding charges | : | 0.00 INR | | | | | | | | | | | |
| | Total | | | | | 27,343.75 | | | | 3,828.13 | | 3,828.13 | | 0.00 |
| | Total Invoice Value ( In Figure ) | | | | | | | 35,000.00 INR | | | | | | |
| | Total Invoice Value ( In Words ) | | | | | | | RUPEES THIRTY FIVE THOUSAND ONLY | | | | | | |
| | Amount of Tax subject to Reverse charges - NO | | | | | | | | | | | | | |

Declaration
Certified that the particulars given above are true and correct and amount indicated represents the price actually charged and that there is no flow of additional consideration directly or indirectly from the buyer.
For safety sake get home burial insured.
No responsibilities accepted for pilferage in transit.
All sales are subject to taxes in force.
Interest@ 18% will be charged on bill, not paid on presentation date agreeUpon.
All disputes subject to Guwahati Jurisdiction.

Electronic Reference Number

For TOPCEM INDIA
TOPCEM INDIA
Authorized Signatory
Authorized Signatory

Date: 24.12.2017

S/B 53/13

REGISTERED OFFICE & WORKS : Near Gauripur Outpost, P.O. College Nagar via Amingaon, P.S. Kamalpur, Dist.- Kamrup Rural, Assam # 781031
Tel : 0361 2680013 Fax. : 0361 2345419
E-mail : guwahati@topcem.in Web : www.topcem.in

GUWAHATI OFFICE : Mega Plaza, 5th Floor, Christian Basti, G.S. Road Guwahati # 781005 , Assam.
Tel. : 0361 2345422/23 Fax. : 0361 2345419
E-mail : guwahati@topcem.in Web : www.topcem.in

24-12-17 01.75 pm

NOTARY Jnanajit Sarma Guwahati Regd. No.- 42846 Expiry Dt.- 20/02/2030 GOVERNMENT OF INDIA

11 JUL 2025

For & behalf of Arya Erectors India Private Limited
Managing Director

# Tax Invoice

## Issued under GST Act 2017

| | | | |
|---|---|---|---|
| GSTIN | 18AAFFT9130R1ZF | Mode of Transport : | Road Trans |
| Invoice No. | : 802012910 | Incn Terms : | FOR |
| Invoice Date | : 11.01.2018 | Name of Transporter : | SREE GANESH ROADWAYS |
| Invoice Type | : Factory-Non Trade | Place of Supply : | NORTH GUWAHATI |
| | | Transhipment at : | |
| | | L R Number : | SGR/2354 |
| | | Truck Number | AS01CC6401 |
| | | Delivery NO | 0080364788 |
| | | PO Date | |
| | | PO Number | DEPO NON TRADE |

Name & Address
TOPCEM INDIA
Gauripur Guwahati
PO. College Nagar Via Amingaon. PS Kamalpur.
Kamrup Rural 781031

**Details of the Receiver (Billed to) - 0000200092**

| | |
|---|---|
| Name | ARYA ERECTORS INDIA P LTD |
| Address | 503, K.P. ENCLAVE, SOHAGPUR<br>REHABARI, Assam<br>India 781008 |
| State | Assam |
| State Code | 18 - Assam |
| GSTIN | 18AAICA9598E1ZA |
| Pan No. | |

**Details of the Consignee(Shipped to)**

| | |
|---|---|
| Name | ARYA ERECTORS INDIA P LTD |
| Address | KAMRUP, ASSAM<br>NORTH GUWAHATI, Assam<br>India, 781031 |
| State | Assam |
| State Code | 18 - Assam |
| GSTIN | 18AAICA9598E1ZA |
| Eway Bill No. | : |

| Sl No | Description of Goods | HSN | Qty. | Unit | Rate(MT) | Total | Batch | Taxable value | CGST | | SGST | | IGST | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | | | | | | | Rate | Amt | Rate | Amt | Rate | Amt |
| 1 | TOPCEM Cement. PPC - I (NT) | 25232930 | 20.000 | MT | 5,625.00 | 112,500.00 | 2018V02 | 112,500.00 | 14.00 % | 15,750.00 | 14.00 % | 15,750.00 | 0.00 | |
| | Freight | | | | 0.00 INR | | | | | | | | | |
| | Insurance | | | | 0.00 INR | | | | | | | | | |
| | Packing and Forwarding charges | | | | 0.00 INR | | | | | | | | | |
| | Total | | | | | 112,500.00 | | | | 15,750.00 | | 15,750.00 | | 0.00 |

Total Invoice Value ( In Figure ) 144,000.00 INR
Total Invoice Value ( In Words ) RUPEES ONE LAKH FORTY FOUR THOUSAND ONLY

Amount of Tax subject to Reverse charges - NO

**Declaration**

Certified that the particulars given above are true and correct and amount indicted represents the price actually charged and that there is no flow of additional consideration directly or indirectly from the buyer.
For safety sake get the material insured.
No responsibilities accepted for pilferage in transit.
All sales are subject to taxes in force.
Interest@ 18% will be charged on bill, not paid on presentation or date agreeUpon
All disputes subject to Guwahati Jurisdiction

Electronic Reference Number :

For TOPCEM INDIA

Authorized Signatory

Date: 11.01.2018

For & behalf of Arya Erectors India Private Limited
Managing Director

REGISTERED OFFICE & WORKS : Near Gauripur Outpost, P.O. College Nagar via Amingaon, P.S. Kamalpur, Dist.- Kamrup Rural, Assam # 781031
Tel. : 0361 2680013 Fax. : 0361 2345419
E-mail : guwahati@topcem.in Web : www.topcem.in

GUWAHATI OFFICE : Mega Plaza, 5th Floor, Christian Basti, G.S. Road Guwahati # 781005 , Assam.
Tel. : 0361 2345422/23 Fax. : 0361 2345419
E-mail : guwahati@topcem.in Web : www.topcem.in

NOTARY Jnanaji Sarma Guwahati Regd. No.- 42848 Expiry Dt.- 20/02/2030 GOVERNMENT OF INDIA

11 JUL 2025

# Tax Invoice

## Issued under GST Act 2017

N 18AAPFT9130R1ZF
voice No. : 8020144727
e Date : 03.02.2018
voice Type : Factory Non Trade

Mode of Transport : Road Trans
Inco Terms : FOR
Name of Transporter : SREE GANESH ROADWAYS
Place of Supply : NORTH GUWAHATI
Transhipment at :
L R Number : SGR/2568
Truck Number : AS01U3372
Delivery NO. : 0080374036
PO Date :
PO Number : FAC N.TRADE

me & Address:
CEM INDIA
auripur Guwahati
ollege Nagar Via Amingaon, PS Kamalpur,
amrup Rural 781031

ails of the Receiver (Billed to) - 0000200092
: ARYA ERECTORS INDIA P LTD
dress : 503, K.P. ENCLAVE, SOHAGPUR
: REHABARI, Assam
: India, 781008
: Assam
te Code : 18 - Assam
STIN : 18AAICA9598E1Z4
o. :

Details of the Consignee(Shipped to)
Name : ARYA ERECTORS INDIA P LTD
Address : KAMRUP, ASSAM
: NORTH GUWAHATI, Assam
: India, 781031
State : Assam
State Code : 18 - Assam
GSTIN : 18AAICA9598E1Z4
Eway Bill No. :

| Description of Goods | HSN | Qty. | Unit | Rate(MT) | Total | Batch | Taxable value | CGST | | SGST | | IGST | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | | | | | | Rate | Amt | Rate | Amt | Rate | Amt |
| OPCEM Cement, PPC - 1 (NT) | 25232930 | 20.000 | MT | 5,625.00 | 112,500.00 | 2018W05 | 112,500.00 | 14.00 % | 15,750.00 | 14.00 % | 15,750.00 | 0.00 % | 0.00 |
| eight | : | 0.00 INR | | | | | | | | | | | |
| Insurance | : | 0.00 INR | | | | | | | | | | | |
| ooking and Forwarding charges | : | 0.00 INR | | | | | | | | | | | |
| Total | | | | | 112,500.00 | | | | 15,750.00 | | 15,750.00 | | 0.00 |

otal Invoice Value ( In Figure ) : 144,000.00 INR
Total Invoice Value ( In Words ) : RUPEES ONE LAKH FORTY FOUR THOUSAND ONLY

Amount of Tax subject to Reverse charges - NO

eration

ertified that the particulars given above are true and
ct and amount indicted represents the price actually
harged and that there is no flow of additional consideration
ctly or indirectly from the buyer.
For safety sake get the material insured.
esponsibilities accepted for pilferage in transit.
ll sales are subject to taxes in force.
erest@ 18% will be charged on bill, not paid on presentation
r date agreeUpon.
l disputes subject to Guwahati Jurisdiction.

For TOPCEM INDIA
TOPCEM INDIA
Authorized Signatory
Authorized Signatory

Date: 03.02.2018

tronic Reference Number

Ch.- 002040 HO fa
dt.- 12/2/2018 ₹ 144000/-

ERED OFFICE & WORKS : Near Gauripur Outpost, P.O. Collego
ar via Amingaon, P.S. Kamalpur, Dist.- Kamrup Rural, Assam # 781031
0361 2680013 Fax. : 0361 2342419
ail : guwahati@topcem.in Web : www.topcem.in

GUWAHATI OFFICE : Mega Plaza, 5th Floor,
Christian Basti, G.S. Road Guwahati # 781005, Assam.
Tel. : 0361 2345422/23 Fax. : 0361 2345419
E-mail : guwahati@topcem.in Web : www.topcem.in

For & behalf of Arya Erectors India Private Limited
Managing Director

3-02-18
4.29 PM

NOTARY
Jnanajit Sarma
Guwahati
Regd. No.- 42846
Expiry Dt.- 20/02/2030
GOVERNMENT OF INDIA

11 JUL 2025

# Tax Invoice

## Issued under GST Act 2017

TOPCEM

GSTIN 18AAFFT9130R1ZF
Invoice No. : 80201561 8.
Voice Date : 15.02.2018
Invoice Type : Factory/Non Trade

Mode of Transport : Road Trans
Inco Terms : FOR
Name of Transporter : FASTPACK LOGISTICS&SERVICES PV
Place of Supply : NORTH GUWAHATI
Transhipment at :
L R Number : GPR/3083
Truck Number : AS01DC5124
Delivery NO. : 0080379086
PO Date :
PO Number : FAC N TRADE

Name & Address:
PCEM INDIA
Gauripur Guwahati
. College Nagar Via Amingaon, PS Kamalpur, Kamrup Rural 781031

**Details of the Receiver (Billed to) - 0000200092**
Name : ARYA ERECTORS INDIA P LTD
Address : 503, K.P. ENCLAVE, SOH GPUR
: REHABARI, Assam
: India, 781008
State : Assam
State Code : 18 - Assam
GSTIN : 18AAICA9598E1Z4
n No. :

**Details of the Consignee(Shipped to)**
Name : ARYA ERECTORS INDIA P LTD
Address : KAMRUP, ASSAM
: NORTH GUWAHATI, Assam
: India, 781031
State : Assam
State Code : 18 - Assam
GSTIN : 18AAICA9598E1Z4
Eway Bill No. :

For & behalf of Arya Erectors India Private Limited
Anil Kumar Sarma
Managing Director

| Sr. | Description of Goods | HSN | Qty. | Unit | Rate(MT) | Total | Batch | Taxable Value | CGST | | SGST | | IGST | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | | | | | | | Rate | Amt | Rate | Amt | Rate | Amt |
| 1 | TOPCEM Cement, PPC - 1 (NT) | 25232930 | 5.000 | MT | 5,625.00 | 28,125.00 | 2018W07 | 28,125.00 | 14.00 % | 3,937.50 | 14.00 % | 3,937.50 | 0.00 % | 0.00 |
| | Freight : 0.00 INR | | | | | | | | | | | | | |
| | Insurance : 0.00 INR | | | | | | | | | | | | | |
| | Packing and Forwarding charges : 0.00 INR | | | | | | | | | | | | | |
| | Total | | | | | 28,125.00 | | | | 3,937.50 | | 3,937.50 | | 0.00 |
| | Total Invoice Value ( In Figure ) | | | | | | | 36,000.00 INR | | | | | | |
| | Total Invoice Value ( In Words ) | | | | | | | RUPEES THIRTY SIX THOUSAND ONLY | | | | | | |
| | Amount of Tax subject to Reverse charges - NO | | | | | | | | | | | | | |

Declaration:
Certified that the particulars given above are true and correct and amount indicted represents the price actually charged and that there is no flow of additional consideration directly or indirectly from the buyer.
For safety sake get the material insured.
No responsibilities accepted for pilferage in transit.
All sales are subject to taxes in force.
Interest@ 18% will be charged on bill, not paid on presentation or date agreeUpon.
All disputes subject to Guwahati Jurisdiction.

Electronic Reference Number

For TOPCEM INDIA
TOPCEM INDIA
Authorized Signatory
Authorized Signatory

Date: 15.02.2018

Ch- 002065 HDFC
Dt- 22/2/2018
₹ 230800/-

REGISTERED OFFICE & WORKS : New Gauripur Outpost, P.O. College Nagar via Amingaon, P.S. Kamalpur, Dist.- Kamrup Rural, Assam / 781031
Tel. : 0361 2680013 Fax. : 0361 2345419
E-mail : guwahati@topcem.in Web : www.topcem.in

GUWAHATI OFFICE : Mega Plaza, 5th Floor, Christian Basti, G.S. Road Guwahati # 781005, Assam.
Tel. : 0361 2345422/23 Fax. : 0361 2345419
E-mail : guwahati@topcem.in Web : www.topcem.in

NOTARY
Jnanajit Sarma
Guwahati
Regd. No.- 42846
Expiry Dt.- 20/02/2030
GOVERNMENT OF INDIA

11 JUL 2025

# Tax Invoice

## Issued under GST Act 2017

| | | | |
|---|---|---|---|
| STIN | 18AAFFT9130R1ZF | Mode of Transport : | Road Trans |
| oice No. | 802015654 | Inco Terms : | FOR |
| nvoice Date | 16.02.2018 | Name of Transporter : | SREE GANESH ROADWAYS |
| oice Type | : Factory/Non Trade | Place of Supply : | NORTH GUWAHATI |
| | | Transhipment at : | |
| | | L R Number : | SGR/2765 |
| | | Truck Number : | AS01DC2564 |
| | | Delivery NO. : | 0080379072 |
| | | PO Date : | |
| | | PO Number : | FAC N TRADE |

e & Address:
TOPCEM INDIA
pur Guwahati
a. College Nagar Via Amingaon, PS Kamalpur,
rup Rural 781031

Details of the Consignee(Shipped to)
Name : ARYA ERECTORS INDIA P LTD
Address : KAMRUP, ASSAM
: NORTH GUWAHATI, Assam
: India, 781031
State : Assam
State Code : 18 - Assam
GSTIN : 18AAICA9598E1Z4
Eway Bill No. :

ils of the Receiver (Billed to) - 0000200092
ame : ARYA ERECTORS INDIA P LTD
ddress : 503, K.P. ENCLAVE, SOHAGPUR
: REHABARI, Assam
: India, 781008
tate : Assam
tate Code : 18 - Assam
STIN : 18AAICA9598E1Z4
o. No. :

| No | Description of Goods | HSN | Qty. | Unit | Rate(MT) | Total | Batch | Taxable value | CGST | | SGST | | IGST | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | | | | | | | Rate | Amt | Rate | Amt | Rate | Amt |
| | TOPCEM Cement, PC - I (NT) | 25232930 | 15.000 | MT | 5,625.00 | 84,375.00 | 2018W07 | 84,375.00 | 14.00 % | 11,812.50 | 14.00 % | 11,812.50 | 0.00 % | 0.00 |
| | Freight : 0.00 INR | | | | | | | | | | | | | |
| | Insurance : 0.00 INR | | | | | | | | | | | | | |
| | Packing and Forwarding charges : 0.00 INR | | | | | | | | | | | | | |
| | Total | | | | | 84,375.00 | | | | 11,812.50 | | 11,812.50 | | 0.00 |
| | Total Invoice Value ( In Figure ) | | | | | | | 108,000.00 INR | | | | | | |
| | Total Invoice Value ( In Words ) | | | | | | | RUPEES ONE LAKH EIGHT THOUSAND ONLY | | | | | | |
| | Amount of Tax subject to Reverse charges - NO | | | | | | | | | | | | | |

For TOPCEM INDIA

Authorized Signatory

Declaration
Certified that the particulars given above are true and correct and amount indicted represents the price actually charged and that there is no flow of additional consideration directly or indirectly from the buyer.
For safety sake get the material insured.
No responsibilities accepted for pilferage in transit.
All sales are subject to taxes in force.
Interest@ 18% will be charged on bill, not paid on presentation date agreeUpon.
All disputes subject to Guwahati Jurisdiction.

Authorized Signatory

Date 16.02.2018

Electronic Reference Number

REGISTERED OFFICE & WORKS : Near Gauripur Outpost, P.O. College Nagar via Amingaon, P.S. Kamalpur, Dist.- Kamrup Rural, Assam # 781031
Tel. : 0361 2680013 Fax. : 0361 2345419
E-mail : guwahati@topcem.in Web : www.topcem.in

GUWAHATI OFFICE : Mega Plaza, 5th Floor, Christian Basti, G.S. Road Guwahati # 781005 , Assam.
Tel. : 0361 2345422/23 Fax. : 0361 2345419
E-mail : guwahati@topcem.in Web : www.topcem.in

For & behalf of Arya Erectors India Private Limited
Managing Director

17-2-18

NOTARY
Jnanajit Sarma
Guwahati
Regd. No.- 42846
Expiry Dt.- 20/02/2020
GOVERNMENT OF INDIA

# Tax Invoice

## Issued under GST Act 2017

| | | | |
|---|---|---|---|
| GSTIN | 18AAEFT9130R1ZF | Mode of Transport : | Road Trans |
| Invoice No. | 80201583 | Inco Terms : | FOR |
| Invoice Date | 18.02.2018 | Name of Transporter : | SREE GANESH ROADWAYS |
| Invoice Type | Factory Non Trade | Place of Supply : | NORTH GUWAHATI |
| | | Transhipment at : | |
| | | L R Number : | SGR/2790 |
| | | Truck Number : | AS01U3372 |
| | | Delivery NO. : | 0080380172 |
| | | PO Date : | |
| | | PO Number : | DEPO NON TRADE |

Name & Address:
TOPCEM INDIA
Gauripur Guwahati
PO College Nagar Via Amingaon, PS Kamalpur,
Kamrup Rural 781031

**Details of the Receiver (Billed to) - 0000200092**
Name : ARYA ERECTORS INDIA P LTD
Address : 503, K.P. ENCLAVE, SOHAGPUR
: REHABARI, Assam
: India, 781008
State : Assam
State Code : 18 - Assam
GSTIN : 18AAICA9598E1Z4
Pan No. :

**Details of the Consignee(Shipped to)**
Name : ARYA ERECTORS INDIA P LTD
Address : KAMRUP, ASSAM
: NORTH GUWAHATI, Assam
: india, 781031
State : Assam
State Code : 18 - Assam
GSTIN : 18AAICA9598E1Z4
Eway Bill No. :

| Sr. No | Description of Goods | HSN | Qty. | Unit | Rate(MT) | Total | Batch | Taxable value | CGST Rate | CGST Amt | SGST Rate | SGST Amt | IGST Rate | IGST Amt |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 1 | TOPCEM Cement, PPC - 1 (NT) | 25232930 | 20.000 | MT | 5,734.38 | 114,687.50 | 2018W07 | 114,687.50 | 14.00 % | 16,056.25 | 14.00 % | 16,056.25 | 0.00 % | |

| | | | | |
|---|---|---|---|---|
| Freight | : | 0.00 INR | | |
| Insurance | : | 0.00 INR | | |
| Packing and Forwarding charges | : | 0.00 INR | | |
| Total | | 114,687.50 | 16,056.25 | 16,056.25 |

Total Invoice Value ( In Figure ) : 146,800.00 INR
Total Invoice Value ( In Words ) : RUPEES ONE LAKH FORTY SIX THOUSAND EIGHT HUNDRED ONLY

Amount of Tax subject to Reverse charges - NO

**Declaration**
Certified that the particulars given above are true and correct and amount indicted represents the price actually charged and that there is no flow of additional consideration directly or indirectly from the buyer
For safety sake get the material insured.
No responsibilities accepted for pilferage in transit.
All sales are subject to taxes in force.
Interest@ 18% will be charged on bill, not paid on presentation or date agreeUpon.
All disputes subject to Guwahati Jurisdiction.

Electronic Reference Number

TOPCEM INDIA
Authorized Signatory

Authorized Signatory

Date: 18.02.2018

For & behalf of Arya Erectors India Private Limited
Managing Director

REGISTERED OFFICE & WORKS : Near Gauripur Outpost, P.O. College Nagar via Amingaon P.S. Kamalpur, Dist.- Kamrup Rural, Assam # 781031
Tel. : 0361 2680013 Fax : 0361 2345419
E-mail : guwahati@topcem.in Web : www.topcem.in

GUWAHATI OFFICE : Mega Plaza, 5th Floor, Christian Basti, G.S. Road Guwahati # 781005 , Assam.
Tel. : 0361 2345422/23 Fax. : 0361 2345419
E-mail : guwahati@topcem.in Web : www.topcem.in

NOTARY Jnanajit Sarma Guwahati Regd. No.- 42846 Expiry Dt.- 20/02/2030 GOVERNMENT OF INDIA
11 JUL 2025

ANC

384

# Tax Invoice

## Issued under GST Act 2017

18AAFFT9130R1ZF
No. : 8020159989
Date : 19.02.2018
Type : Factory/Non Trade

Mode of Transport : Road Trans
Inco Terms : FOR
Name of Transporter : J.K.TRANSPORT COMPANY
Place of Supply : NORTH GUWAHATI
Transhipment at :
L.R Number : JKTC/2232
Truck Number : AS25AC0338
Delivery NO. : 0080380870
PO Date :
PO Number : FAC N.TRADE

TOPCEM

For & behalf of Arya Erectors India Private Limited
Managing Director

Address:
INDIA
Guwahati
Nagar Via Amingaon, PS Kamalpur,
Rural 781031

Receiver (Billed to) - 0000200092
: ARYA ERECTORS INDIA P LTD
: 503, K.P. ENCLAVE, SONAGPUR
: REHABARI, Assam
: India, 781008
: Assam
: 18 - Assam
: 18AAICA9598E1Z4
:

Details of the Consignee(Shipped to)
Name : ARYA ERECTORS INDIA P LTD
Address : KAMRUP, ASSAM
: NORTH GUWAHATI, Assam
: India, 781031.
State : Assam
State Code : 18 - Assam
GSTIN : 18AAICA9598E1Z4
Eway Bill No. :

| Name of Goods | HSN | Qty. | Unit | Rate(MT) | Total | Batch | Taxable value | CGST | | SGST | | IGST | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | | | | | | Rate | Amt | Rate | Amt | Rate | Amt |
| PPC Cement, (MT) | 25232930 | 20.000 | MT | 5,734.38 | 114,687.50 | 2018W08 | 114,687.50 | 14.00 % | 16,056.25 | 14.00 % | 16,056.25 | 0.00 % | 0.00 |
| | | | | 0.00 INR | | | | | | | | | |
| | | | | 0.00 INR | | | | | | | | | |
| Loading and Forwarding charges : | | | | 0.00 INR | 114,687.50 | | | | 16,056.25 | | 16,056.25 | | 0.00 |

Invoice Value ( In Figure ) : 146,800.00 INR
Invoice Value ( In Words ) : RUPEES ONE LAKH FORTY SIX THOUSAND EIGHT HUNDRED ONLY

Tax subject to Reverse charges - NO

I/We the particulars given above are true and the amount indicted represents the price actually charged and that there is no flow of additional consideration directly or indirectly from the buyer.
We have got the material insured.
All liabilities accepted for pilferage in transit.
Sale subject to taxes in force.
Interest @ 18% will be charged on bill, not paid on presentation thereupon.
All disputes subject to Guwahati Jurisdiction.

For TOPCEM INDIA
TOPCEM INDIA
Authorized Signatory
Authorized Signatory

Ch. 369558208
Dt. 31/1/2018
Rs 4,40,400/-

Date: 19.02.2018

Reference Number

HEAD OFFICE & WORKS : Near Gauripur Outpost, P.O. College Amingaon, P.S. Kamalpur, Dist.- Kamrup Rural, Assam # 781031
Tel. : 2080013 Fax. : 0361 2345419
E-mail : ...ti@topcem.in Web : www.topcem.in

GUWAHATI OFFICE : Mega Plaza, 5th Floor, Christian Basti, G.S. Road Guwahati # 781005, Assam.
Tel. : 0361 2345422/23 Fax. : 0361 2345419
E-mail : guwahati@topcem.in Web : www.topcem.in

NOTARY
Jnanen Sarma
Guwahati
Regd. No.- 42846
Expiry Dt.- 20/02/2030
GOVERNMENT OF INDIA

11 JUL 2025

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Tax Invoice

| | |
|---|---|
| ESES BIO WEALTH PVT. LTD.<br>Near Oil India Pumping Station,<br>Tarangapar, Jagiroad<br>Dist. Morigaon, Assam - 782410<br>GSTIN/UIN: 18AACCE5839N1Z3<br>CIN: U20293AS2010PTC010226<br>E-Mail: sauravsaikia.esesbiowealth@gmail.com | Invoice No. 19 \| Dated: 23rd June, 2018<br>Delivery Note \| Mode/Terms of Payment: Immediately<br>Supplier's Ref. \| Other Reference(s)<br>Buyer's Order No. \| Dated<br>Dispatch Document No. \| Delivery Note Date<br>Dispatched through: By Road \| Destination: North Guwahati<br>Terms of Delivery |
| Buyer:<br>Arya Erectors India Private Limited<br>North Guwahati.<br><br>Code- 18<br><br>GSTIN- 18AAICA9598E1Z4 | |

| Sl. | Description of Items | HSN/SAC | Quantity | Rate | Per | Amount |
|---|---|---|---|---|---|---|
| 1. | Strand Woven Bamboowood Double Leaf Door (With UV Coating) (1 Set = 2 Pcs) | 4418 | 06 | 18,500.00 | Set | 1,11,000.00 |
| | | | | | | 1,11,000.00 |
| | C.G.S.T. 6%<br>S.G.S.T. 6% | | | | | 6,660.00<br>6,660.00 |
| | Total | | | | | 1,24,320.00 |

E. &O.E.

Amount Chargeable (in words):
INR One Lakh Twenty Four Thousand Three Twenty Rupees only

| HSN/SAC | Taxable Value | Central Tax | | State Tax | |
|---|---|---|---|---|---|
| | | Rate | Amount | Rate | Amount |
| 4418 | 1,11,000.00 | 6% | 6,660.00 | 6% | 6,660.00 |
| Total: | 1,11,000.00 | | 6,660.00 | | 6,660.00 |

Tax Amount (In words) : INR Thirteen Thousand Three Hundred Twenty Rupees Only

Last and final payment

3/7/2018

Company's VAT TIN : 18140158469
Company's CST No. : 180/9936433
Company's PAN : AACCE5839N

Company's Bank Details
Bank Name : State Bank of India
Account No : 37580279247 [CC Account]
Branch & IFS Code : Jagiroad, Assam & SBIN0002408

For, ESES BIO WEALTH PVT. LTD.

Authorised Signatory

Declaration
We declare that this invoice shows the actual price of the goods described and that all particulars are true and correct.

ARYA ERECTORS (I) PVT. LTD. SECURITY DATE TIME

Ch:- 002434 HDFC
Dt:- 3/7/2018
Rs 124320/-

For & behalf of Arya Erectors India Private Limited
Anil Kumar Saikia
Managing Director

NOTARY
Jnanajit Sarma
Guwahati
Regd. No.- 42646
Expiry Dt.- 20/02/2030
GOVERNMENT OF INDIA

11 JUL 2025

Tax Invoice

Rec'd on 29/5/18 from our Site

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| | |
|---|---|
| ESES BIO WEALTH PVT. LTD.<br>Morigaon-Jagiroad PWD<br>Road, Tarangapar, Jagiroad<br>Dist. Morigaon, Assam-782410<br>GSTIN/UIN: 18AACCE5839N1Z3<br>CIN: U20298AS2010PTC010226<br>E-Mail:sauravsaikia.esesbiowealth@gmail.com | Invoice No.<br>14<br>Dated<br>29th May, 2018 |
| | Delivery Note<br>Mode/Terms of Payment:<br>Immediately |
| | Supplier's Ref.<br>Other Reference(s). |
| Buyer:<br>Arya Erectors India Private Limited<br>North Guwahati.<br><br>Code- 18<br><br>GSTIN- 18AAICA9598E1Z4 | Buyer's Order No.<br>Dated |
| | Dispatch Document No.<br>Delivery Note Date |
| | Dispatched through:<br>By Road<br>Destination:<br>North Guwahati |
| | Terms of Delivery |

| Sl No. | Description of Goods | HSN/SAC | Quantity | Rate | Per | Amount |
|---|---|---|---|---|---|---|
| 1. | Strand Woven Bamboowood Door Frame (Choukat) | 4418 | 06 | 9,450.00 | Piece | 56,700.00 |
| 2. | Strand Woven Bamboowood Batten (With UV Lamination) – [4" x 1 ½" x 7'] | 4418 | 63 | 1,368.00 | Piece | 86,184.00 |
| | | | | | | 1,42,884.00 |
| | C.G.S.T. 6% | | | | | 8,573.04 |
| | S.G.S.T. 6% | | | | | 8,573.04 |

For & behalf of Arya Erectors India Private Limited
Anil Kumar Sarma
Managing Director

29/05/18

Checked & Verified
03/6/18

Bill- 160030.00
less paid 140852.00
vide Chq. 002319 19178.00
Dt. 9/5/18

Chq. 002428 HDFC (NEFT)
Dt. 16/6/18 Rs. 19178/-

NOTARY
Jnanajit Sarma
Guwahati
Regd. No.- 42846
Expiry Dt.-
20/02/2030
GOVERNMENT OF INDIA

11 JUL 2025

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| | |
|---|---|
| ESES BIO WEALTH PVT. LTD<br>Morigaon Jagiroad PWD Road<br>Barangapar, Jagiroad<br>Dist. Morigaon, Assam-782410<br>GSTIN/UIN: 18AACCE5839N1Z3<br>CIN: U20293AS2010PTC010226<br>E-Mail: sauravsaikia.esesbiowealth@gmail.com | Invoice No.: 14<br>Dated: 29th May, 2018<br>Delivery Note:<br>Mode/Terms of Payment: Immediately<br>Suppliler's Ref.: Nil<br>Other Reference(s):<br>Buyer's Order No.: Nil<br>Dated: Nil<br>Dispatch Document No.: Nil<br>Delivery Note Date: Nil<br>Dispatched through: By Road<br>Destination: North Guwahati<br>Terms of Delivery |

For & behalf of Arya Erectors India Private Limited
Sunil Kumar Sarma
Managing Director

| Sl No. | Description of Goods | HSN/SAC | Quantity | Rate | Per | Amount |
|---|---|---|---|---|---|---|
| | | | | | | |
| | Total : | | 69 | | Piece | 1,60,030.08 |

Amount Chargeable (In words) E.&O.E.
INR One Lakh Sixty Thousand Thirty, and Eight Paisa Only

| HSN/SAC | Taxable Value | Central Tax | | State Tax | |
|---|---|---|---|---|---|
| | | Rate | Amount | Rate | Amount |
| 4418 | 1,42,884.00 | 6% | 8,573.04 | 6% | 8,573.04 |
| Total: | 1,42,884.00 | | 8,573.04 | | 8,573.04 |

Tax Amount (In words) : INR Seventeen Thousand One Hundred Fourty Six and Eight Paisa Only

Company's VAT TIN : 18140158469
Company's CST No : 18079936433
Company's PAN : AACCE5839N

**Company's Bank Details**
Bank Name : State Bank of India
Account No. : 37580279247
Branch & IFS Code : Jagiroad, Assam & SBIN0002068

Declaration
We declare that this invoice shows the actual price of the goods described and that all particulars are true and correct.

For, ESES BIO WEALTH PVT. LTD
Authorised Signatory

ESES BIO WEALTH PRIVATE LIMITED * ASSAM

2

NOTARY
Jnanajit Sarma
Guwahati
Regd. No.- 42846
Expiry Dt.- 20/02/2030
GOVERNMENT OF INDIA

11 JUL 2025

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# EELKANTHA GLASS

A. Road, Kumarpara, Panchali, Guwahati - 781001
: 98640 13245

ORIGINAL FOR RECEIPTENT

STATE : ASSAM STATE CODE :
GSTIN : 18AFRPA1488A1Z

## TAX INVOICE

Invoice No. NG/WA/17-18/ 311 Invoice Date 26-03-201

INVOICED TO
Name: M/s Arya Erectors India PVT LTD.
Address : North- Guwahati
State : Assam State Code : 18
GSTIN 1 8 A A 1 C A 9 5 9 8 E 1 Z 4

TRANSPORTER'S DETAILS
Transportation Mode: -Self-
Consignment Note No.:
Vehicle No. :
Date of Supply : 28-03-2018
Place of Supply : North- Guwahati

For & behalf of Arya Erectors India Private Limited
Authorised Signatory
Managing Director

| Sl. No | Description of Goods | HSN | UOM | Qnty / Unit SQMTR | Rate SQMTR | Taxable Value |
|---|---|---|---|---|---|---|
| 1 | 4 mm clear Glass (Assorted Size) | 7005 | | 82.6223 | 346.64 | 28640.1 |
| 2 | 4 mm Frosted Glass (Assorted Size) | 7005 | | 14.7153 | 474.35 | 6980.2 |
| 3 | 5 mm clear Glass (Assorted Size) | 7005 | | 39.6728 | 437.86 | 17371.1 |
| | Less 0.02% Discount (NET) | | | | | |
| | Rs. 0.02 x 58 Rs. 30/- | | | | | |
| | Cartage / Labour | | | | | 1 |
| | Total | | | | | 52991.5 |
| | Add : CGST @ 9% | | | | | 4769.2 |
| | Add : SGST @ 9% | | | | | 4769.2 |
| | Add : IGST @ 18% | | | | | 1 |
| | Total Amount of GST | | | | | 9538.4 |
| | ROUND OFF | | | | | 1 |
| | Total Invoice Value | | | | | 62530.0 |

Total Invoice Value (In words)
Rupees Sixty two thousand five hundred thirty only

Bank Details
UNION BANK OF INDIA
A/C NO. : 485001010036551
BRANCH : ATHGAON, GUWAHATI-01
IFSC CODE : UBIN0548502

Whether Tax is Payable on Reverse Charge Basis : YES / NO
GST Payable on Reverse Charge

Certified that the particulars given above are true and corr
For. NEELKANTHA GLA

Terms & Conditions
1. Goods once sold will not be taken back.
2. All subject to Guwahati jurisdiction

Authorised Signat

Jnana Sarma
Guwahati
Regd. No.- 42846
Expiry Dt.-
20/02/2030
NOTARY
GOVERNMENT OF INDIA

11 JUL 2018

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# GST SALES INVOICE

This Copy does not entitle the holder a Tax Credit *(DUPLICATE FOR TRANSPORTER)*

**Bhagwati Sal Metal Alloys**
A.T.Road,Gouripur North Guwahati,781031
Office:4th Floor,ARTFED COMPLEX,
A.K.AZAD ROAD,REHABARI
GUWAHATI-ASSAM,PIN-781008
GSTIN/UIN: 18AAJFB2874J1Z4
State Name : Assam, Code : 18
E-Mail : bhagwatisal@gmail.com

Buyer
Arya Erectors India Pvt. Ltd.
Abhaypur
Nort Guwahati
GSTIN/UIN : 18AAICA9598E1Z4
PAN/IT No : AAICA9598E
State Name : Assam, Code : 18
Place of Supply : Assam

| | |
|---|---|
| Invoice No. BSMA/1215/17-18 | Dated 28-Mar-2018 |
| Delivery Note | Mode/Terms of Payment |
| Supplier's Ref. | Other Reference(s) |
| Buyer's Order No. | Dated |
| Despatch Document No. 1215 | Delivery Note Date |
| Despatched through | Destination ABHAYPUR,NORTH GUWAHATI |
| Bill of Lading/LR-RR No. | Motor Vehicle No. AS-25CC/9457 |
| Terms of Delivery | |

For & behalf of Arya Erectors India Private Limited
Managing Director

| Sl No. | Description of Goods | HSN/SAC | Quantity | Rate | per | Amount |
|---|---|---|---|---|---|---|
| 1 | Extruded & Anodized Aluminium Profile Section | 76042100 | 1,193.500 Kg | 233.00 | Kg | 2,78,086.00 |
| 2 | Extruded & Anodized Aluminium Profile Section | 76042100 | 126.500 Kg | 254.00 | Kg | 32,131.00 |
| 3 | Extruded Aluminium Profile Section | 76042100 | 37.900 Kg | 224.01 | Kg | 8,490.00 |
| | | | | | | 3,18,707.00 |
| | *SGST* | | | | | 28,683.63 |
| | *Less : CGST* | | | | | 28,683.63 |
| | *Rounding Off* | | | | | (-)0.26 |
| | Total | | 1,357.900 Kg | | | ₹ 3,76,074.00 |

Amount Chargeable (in words) *E. & O.E*
Indian Rupees Three Lakh Seventy Six Thousand Seventy Four Only

| HSN/SAC | Taxable Value | Central Tax Rate | Central Tax Amount | State Tax Rate | State Tax Amount | Total Tax Amount |
|---|---|---|---|---|---|---|
| 76042100 | 3,18,707.00 | 9% | 28,683.63 | 9% | 28,683.63 | 57,367.26 |
| 76819 | | 9% | | 9% | | |
| Total | 3,18,707.00 | | 28,683.63 | | 28,683.63 | 57,367.26 |

Amount (in words) Indian Rupees Fifty Seven Thousand Three Hundred Sixty Seven and Twenty Six paise Only

Company's PAN AAJFB2874J

Declaration
We declare that this invoice shows the actual price of the goods described and that all particulars are true and correct. 2.Goods once sold will not be taken back. 3.Payment must be made within 7 days from the date of invoice otherwise interest will be charged@ 18% per annum from the invoice date

Company's Bank Details
Bank Name : BANK OF BARODA 09090200001047
A/c No : 09090200001047
Branch & IFS Code : A.T.ROAD , GUWAHATI & BARB0ATROAD

for Bhagwati Sal Metal Alloys
Authorised Signatory

SUBJECT TO GUWAHATI JURISDICTION

This is a Computer Generated Invoice

NOTARY
Jnanajit Sarma
Guwahati
Regd. No.- 42846
Expiry Dt.- 20/02/2030
GOVERNMENT OF INDIA

11 JUL 2025

219 bathrooms -387

18ABHPC7806N1ZC

INVOICE

"ORIGINAL FOR RECIPIENT"

# Bath Gallery

Ph.: 0361-2234053
90855-33444

2nd Floor, Near Catholic Church, Rukminigaon SARKAR
G.S.Road, Guwahati-781022, Assam Sikk. 97075-58561

Invoice No.: BG/17-18/ 802

Invoice Date : 03/11/2017

Reverse Charge : Yes / No

State : Assam | State Code | 18

Name : ARYA SMART LIVING

Address :

GSTIN No. :

State : | State Code |

For & behalf of Arya Smart India Private Limited
Anil Kumar Sarma
Managing Director

Order No. ..... Date ..... Transport Name .....

G.R./R.R. No. ..... Date ..... Total Pkg .....

| Sl. No. | Description of Goods | HSN Code | GST | Qnty. | Rate | Disc.% | TAXABLE AMOUNT | |
|---|---|---|---|---|---|---|---|---|
| 1 | 100% Pvc CISTERN Kerovit | 6910 | 28 | 3 | 1180 | 21.875 | 2765. | 63 |
| 2 | 234. Islash Basin | 6910 | 28 | 3 | 950 | 21.875 | 2226. | 56 |
| 3 | 305 Pedestal | 6910 | 28 | 3 | 1121 | 21.875 | 2627. | 34 |
| 4 | 112 BWC S.Trap | 6910 | 28 | 3 | 1000 | 21.875 | 2343. | 75 |
| 5 | 2100 Seat Cover | 6910 | 28 | 3 | 525 | 21.875 | 1230. | 47 |
| 6 | 151018 - Wall Mixer 3in1 | 8481 | 18 | 3 | 2860 | 15.254 | 7271. | 21 |
| 7 | 151010 Basin Mixer | 8481 | 18 | 2 | 1155 | 15.254 | 2483. | 06 |
| 8 | 910001 Angle Stop Cock | 8481 | 18 | 12 | 292 | 15.254 | 2969. | 39 |
| 9 | 550001 Over Head Shower | 3922 | 28 | 3 | 416 | 21.875 | 975. | 00 |
| 10 | 191006 Shower Arm | 8481 | 18 | 5 | 339 | 15.254 | 861. | 87 |
| | TOTAL | | | | | | | |

Total Invoice Value in Words :

..... only.

| | |
|---|---|
| TOTAL AMOUNT Before Tax | 25754.28 |
| ADD : CGST % | 2926.33 |
| ADD : SGST % | 2926.33 |
| ADD : IGST % | |
| TAX AMOUNT : GST% | 31606.94 |
| Packing Forwarding & R.O. | (+) .06 |
| G TOTAL AMOUNT AFTER TAX | 31607.00 |

E.&O.E

Our Bank Details
Bank Name : SBI Bank (Branch : Sixmile, Ghy-22)
A/C No. : 32606626284
IFS Code : SBIN0010327

TERMS & CONDITION
1. Goods once sold cannot be taken back.
2. Interest @ 24% Per Annum will be charged if not paid within 15 days
3. All Subject to Guwahati Jurisdiction.
4. Certified that the particulars given above are true and correct.

For BATH GALLERY.

Authorised Signatory

Printed by : Rumi Jumi Enterprise, Ghy-22, Sl. No.: 0101-600

NOTARY
Jnanajit Sarma
Guwahati
Regd. No.- 42846
Expiry Dt.- 20/02/2030
GOVERNMENT OF INDIA

11 JUL 20

GSTIN NO.: 18ABHPC7806N1ZC

"ORIGINAL FOR RECIPIENT"

INVOICE

# Bath Gallery

Ph.: 0361-2234053
90855-33444

2nd Floor, Near Catholic Church, Rukminigaon
G.S.Road, Guwahati-781022, Assam

For & behalf of Arya Smart India Private Limited
Managing Director

Invoice No.: BG/17-18/ 803

Invoice Date: 03/11/2017

Reverse Charge : Yes / No

State : Assam | State Code | 18

Name : ARYA SMART LIVING

Address :

GSTIN No. :

State : Assam | State Code | 18

Order No. ..... Date ..... Transport Name .....

G.R./R.R. No. ..... Date ..... Total Pkg .....

| No. | Description of Goods | HSN Code | GST | Qnty. | Rate | Disc.% | TAXABLE AMOUNT |
|---|---|---|---|---|---|---|---|
| 1 | 151025. Sink Cock | 8481 | 18 | 1 | 969 | 15.254 | 821.19 |
| 2 | 580001 - Health Faucet. | 3922 | 28 | 3 | 947 | 21.875 | 2219.53 |
| 3 | Pvc Waste Pipe | 3917 | 18 | 3 | 22 | 15.254 | 58.93 |
| 4 | Basin Rack Bolt. | 7318 | 18 | 3 | 35 | 15.254 | 88.98 |
| 5 | 870009 Waste Coupling | 7418 | 28 | 3 | 233 | 21.875 | 546.09 |
| 6 | Pvc Connection Pipe. 600mm | 3917 | 18 | 3 | 42 | 15.254 | 106.78 |
| 7 | Brass Screw. 5" | 7415 | 28 | 6 | 10 | 21.875 | 46.88 |
| 8 | 510001 Hand Shower. | 3922 | 28 | 3 | 756 | 21.875 | 1771.88 |
| 9 | Steel Sink 20x12. | 7324 | 28 | 1 | 1290 | 21.875 | 1007.81 |
| 10 | | | | | | | |
| | TOTAL | | | | | | |

Total Invoice Value in Words : .....

| | |
|---|---|
| TOTAL AMOUNT Before Tax | 6665.07 |
| ADD : CGST % ..... | 879.47 |
| ADD : SGST % ..... | 879.47 |
| ADD : IGST % ..... | |
| TAX AMOUNT : GST% ..... | 8424.01 |
| Packing Forwarding & R.O. | (-) .01 |
| G TOTAL AMOUNT AFTER TAX | 8424.00 |

E.&O.E

Our Bank Details
Bank Name : SBI Bank (Branch : Sixmile, Ghy-22)
A/C No. : 32066626284
IFS Code : SBIN0010327

TERMS & CONDITION
1. Goods once sold cannot be taken back.
2. Interest @ 24% Per Annum will be charged if not paid within 15 days
3. All Subject to Guwahati Jurisdiction.
4. Certified that the particulars given above are true and correct.

For BATH GALLERY

Authorised Signatory

Printed by : Rumi Jumi Enterprise, Ghy-22, Sl. No.: 0101-600

NOTARY
Jnanajit Sarma
Guwahati
Regd. No.- 42846
Expiry Dt.- 20/02/2030
GOVERNMENT OF INDIA

11 JUL 2025

# SANI STEELS PRIVATE LIMITED

Total Bathroom solu

CORPORATE OFFICE : 5TH FLOOR, PC DAS MARKET, A.T.ROAD, GUWAHATI-01, ASSAM, PH. : 9127(

GSTIN : 18AAECS1422K1ZF / CIN : U28994AS1996PTC004810 / PAN : AAECS1

*(ORIGINAL FOR RECIPIENT)*

Dated 17-Oct-20

Invoice No. SSPL/HO/CR/1669
Ref. No.

## Tax Invoice

Party : M/S ARYA ERECTORS INDIA PVT LTD.
A.M.ROAD
REHABARI,GUWAHATI-781008
2606665/2608263/6888
(M) 98596-66501
PAN NO.AAICA9598E
GSTIN/UIN : 18AAICA9598E1Z4
State Name : Assam, Code : 18
Place of Supply : Assam

Despatch Document No.

Through : A/C-ABHAYPUR (M)9707558561

| Sl No | Description of Goods | HSN/SAC | GST Rate | Quantity | Rate | per | Disc % | Amount |
|---|---|---|---|---|---|---|---|---|
| 1 | CPVC PIPE SUPREME 40MMx3MTR SDR-13.5 | 3917 | 18 % | 500 PCS | 1,017.00 | PCS | 60 % | 2,03,400. |
| 2 | PVC AGRI PIPE SUPREME 40MMx6KGx6MTR | 3917 | 18 % | 6 PCS | 333.00 | PCS | 48 % | 1,038. |
| 3 | PVC AGRI ELBOW SUPREME 40MM | 3917 | 18 % | 40 PCS | 24.24 | PCS | 54 % | 446. |
| 4 | PVC AGRI REDUCER SUPREME 110MMx50MMX6KG | 3917 | 18 % | 40 PCS | 85.26 | PCS | 54 % | 1,882. |
| 5 | PVC AGRI RED BUSH SUPREME 50MMx40MMX6KG | 3917 | 18 % | 40 PCS | 13.04 | PCS | 54 % | 239 |
| 6 | PVC AGRI ELBOW SUPREME 50MM | 3917 | 18 % | 10 PCS | 40.46 | PCS | 54 % | 186 |
| 7 | PVC AGRI PIPE SUPREME 50MMx6KGx6MTR | 3917 | 18 % | 2 PCS | 514.00 | PCS | 48 % | 534 |
| | | | | | | | | 2,07,728 |
| | *CGST* | | | | | | | 18,69 |
| | *SGST* | | | | | | | 18,69 |
| | *Round Off* | | | | | | | (-)( |
| | Total | | | 646 PCS | | | | ₹ 2,45,11 |

Amount Chargeable (in words)
INR Two Lakh Forty Five Thousand One Hundred Nineteen Only

| HSN/SAC | Taxable Value | Central Tax Rate | Central Tax Amount | State Tax Rate | State Tax Amount | Tota Tax Am |
|---|---|---|---|---|---|---|
| 3917 | 2,07,728.14 | 9% | 18,695.53 | 9% | 18,695.53 | 37,3 |
| | Total 2,07,728.14 | | 18,695.53 | | 18,695.53 | 37,3 |

Tax Amount (in words) : INR Thirty Seven Thousand Three Hundred Ninety One and Six paise Only

for SANI STEELS PRIVATE LIM

Authorised Si

Terms & Conditions
1. All disputes are subject to Guwahati Jurisdiction.
2. Goods once sold cannot be taken back.
3. No claims in this bill shall be entertained unless submitted in writing immediately after receipt of bill.

This is a Computer Generated Invoice

A.T. Road: 1st Floor, 5th Floor, P. C.Das Market, A.T. Road, Guwah
Ph : 94355-51982 / 97060 51962 / 9
ABC : 1st Floor, Pushpanjali Complex, Near Rajiv Bhawan, ABC
Ph : 97060 52970 /

For & behalf of Arya Erectors India Private Limited
Managing Director

Jnanaj Sarma
Guwahati
Regd. No.- 42846
Expiry Dt.-
20/02/2030

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REM17-18/1152

SUBJECT TO GUWAHATI JURISDICTION
*(ORIGINAL FOR RECIPIENT)*

Dated 31-Oct-2017

**Rohit Electricals**
Behind Moonlight Studio
A.T.Road,Guwahati-781001 .
GSTIN/UIN: 18AIIPS5056N1ZI
State Name : Assam, Code : 18
E-Mail : rohitelectricals@ymail.com

## Tax Invoice

Party : **Arya Erectors India Pvt Ltd**

GSTIN/UIN : 18AAICA9598E1Z4
State Name : Assam, Code : 18

| Sl No. | Description of Goods | HSN/SAC | GST Rate | Quantity | Rate | per | Disc. % | Amount |
|---|---|---|---|---|---|---|---|---|
| | Kei 6sq mm Copper Wire (180 Mtr) | 8544 | 28 % | 15.00 coil | 5,027.50 | coil | | 75,412.50 |
| | CGST | | | | | | | 10,557.75 |
| | SGST | | | | | | | 10,557.75 |
| | Total | | | 15.00 coil | | | | ₹ 96,528.00 |

Amount Chargeable (in words)
INR Ninety Six Thousand Five Hundred Twenty Eight Only

E. & O.E

| HSN/SAC | Taxable Value | Central Tax | | State Tax | | Total Tax Amount |
|---|---|---|---|---|---|---|
| | | Rate | Amount | Rate | Amount | |
| 8544 | 75,412.50 | 14% | 10,557.75 | 14% | 10,557.75 | 21,115.50 |
| Total | 75,412.50 | | 10,557.75 | | 10,557.75 | 21,115.50 |

Tax Amount (in words) : INR Twenty One Thousand One Hundred Fifteen and Fifty paise Only

Company's VAT TIN : 18970039721
Company's CST No. : 18289914250

Company's Bank Details
Bank Name : Andhra Bank
A/c No. : 059531100000362
Branch & IFS Code : A.T.Road & ANDB0000595

Declaration
We declare that this invoice shows the actual price of the goods described and that all particulars are true and correct.

Customer's Seal and Signature

for Rohit Electricals

Authorised Signatory

This is a Computer Generated Invoice

For & behalf of Arya Erectors India Private Limited
Managing Director

NOTARY
Jnanajit Sarma
Guwahati
Regd. No.- 42846
Expiry Dt.- 20/02/2030
GOVERNMENT OF INDIA

-3X1-

For & behalf of Arya Electricals India Private Limited
Jnanajit Sarma
Managing Director

MATERIALS RECEIVE BOOK

Rec'd on 16/11/17

Order No - 259/07/11/2017

# RIDDHIMA ELECTRICALS

A house of all Kinds of Electrical Goods.

Deals in : Anchor, RR Kabel, Maru, Legrand, Crompton, Vinay, Kolors, Surya, Switch & Electrical Accessories

Abhoypur Chowk, Opp. Rodali Club & Library, North Guwahati, Guwahati-31

☎ : 94015-66330, 86361-42739, 95087-02188

GSTIN : 18AFVPT2082B2Z3

## INVOICE

ORIGINAL FOR BUYER

Invoice No. 010 Date 07/11/2017

Name ARYA ELECTRICALS PVT. LTD.

Address Rehabari, Guwahati-08.

C/N No. ..... Date ..... by .....

GSTIN : 18AAICA9591E1Z4 State Code 18

| Description of Goods | HSN Code | Qnty. | Rate | Unit | Discount | Taxable Value | CGST Rate | CGST Amount | SGST Rate | SGST Amount | IGST Rate | IGST Amount | TOTAL |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| M.C. 19X2mm Pasto | 3917 | 20 | 46.88 | | | 936.00 | 9% | 84.24 | 9% | 84.24 | | | 1,104.48 |
| Earth Rod | 8538 | 16 | 65.8 | | | 1052.8 | 9% | 94.75 | 9% | 94.75 | | | 1,242.30 |
| | | | | | | | | | | | | | |
| | | | | | | | | | | | | | |
| | | | | | | | | | | | | | |
| | | | | | | | | | | | | | |
| | | | | | | | | | | | | | |
| | | | | | | | | | | | | | |
| | | | | | | | | | | | | | 2,346.78 |
| | | | | | | | | | | | (+) | | .22 |
| TOTAL ₹ | | | | | | | | | | | | | 2,347.00 |

(in words) Two Thousand Three hundred Forty Seven only

Payable on Reverse Charge Basis

That the Particulars given above are true and correct

E.&O.E.

RIDDHIMA ELECTRICALS

Authorised Signatory

Terms & Conditions

- Goods sold can not be taken back or exchange.
- Subject to Guwahati Jurisdiction.
- Possibility cases the moment the goods have our premises and no claim will be accepted.

Total 32,812.50 4,593.75 4,593.75

Tax Amount (in words) ...

NOTARY
Jnanajit Sarma
Guwahati
Regd. No.- 42846
Expiry Dt.-
20/02/2030
GOVERNMENT OF INDIA

11 JUL 2025

-3X2-

**KUSHAL DEKA**
Contractor, Transporter
& Order Supplier.

Mobile : 98640-40929
North Guwahati
Ghy-30

of KC-18 : KC-16 pg 2

To The Managing Director Arya Erection India Pvt Ltd

Date : 20-12-2016

Sub : Bill from JCB/Dumper

| Sl No | Date | Particulars | Hours | Rate | |
|---|---|---|---|---|---|
| 1 | 26-11-16 | JCB - 01107 | 9.20 Hr | 1050.00 | 9,660 |
| | " | JCB - 5462 | 4.30 " | " | 4515 |
| | " | Dumper - 7212 | 8.05 " | 4000.00 PER DAY | 4,020 |
| 2 | 27-11-16 | JCB - 01107 | 8.10 " | 1050 " | 8505 |
| | " | Dumper - 7212 | 8.05 " | 4000.00 " | 4000 |
| 3 | 28-11-16 | JCB - 0407 | 10.00 " | 1050.00 | 10500 |
| | " | Dumper - 7212 | 8.00 " | 4000.00 | 4000 |
| 4 | 29-11-16 | JCB - 0407 | 9.10 " | 1050.00 | 9555 |
| | " | Dumper - 7212 | 8.00 " | 4000.00 | 4000 |
| 5 | 30-11-16 | JCB - 0407 | ~~8.50~~ 8.45 | 1050.00 | ~~8925~~ 9187.50 |
| | " | Dumper - 7212 | 8.00 " | 4000.00 | 4000 |

Cheque No. 1 dtd 21/12/16 for 1 page

24.12.16

Rupees :- ~~Seventy two thousand eight hundred fifty~~ Seventy Two Thousand Eight Hundred Fifty Rupees

~~Five only~~

Kushal Deka 24/12/2016

For & behalf of Arya Erection India Private Limited
Managing Director

NOTARY
Jnanajit Sarma
Guwahati
Regd. No.- 42846
Expiry Dt.-
20/02/2030
GOVERNMENT OF INDIA

-383-

# KUSHAL DEKA

Contractor, Transporter
& Order Supplier.

Mobile : 98640-40929
North Guwahati
Ghy-30

For & behalf of Dayal Construction India Private Limited
Anil Kumar Sarma
Managing Director

Ref. KD/...

Date : 20.12.16

To The Managing Director, M/s Dayal Construction India Pvt. Ltd.
Sub : Bill for JCB & Dumpers

| SB No. | Date | Particulars | HOURS | Rate | Amount |
|---|---|---|---|---|---|
| 15 | 21-11-16 | JCB- 0407 | 6.20 Hrs | 1050 per Hr | 6650 |
| " | " | Dumper - 7212 | 6.20 " | 4000 per Day | 4000 |
| 15 | 22-11-16 | JCB- 0407 | 8.05 " | 1050.00 | 8487 |
| " | " | Dumper - 3142 | 1.30 " | 4000 per Day | |
| " | " | Dumper- 7212 | 7.50 " | " Full Day | 3917 |
| 16 | 23-11-16 | Dumper- 3142 | 7.35 " | " Full Day | 3792 |
| " | " | Dumper- 7212 | 7.30 " | " Full Day | 3757 |
| " | " | JCB- 0407 | 10.00 " | 1050.00 | 1050 |
| " | " | JCB - 5462 | 10.00 " | " | 10506 |
| 17 | 24-11-16 | JCB - 5462 | 10.40 " | " | 11200 |
| " | " | JCB - 0407 | 5.40 " | " | 5950 |
| " | " | Dumper - 3142 | 7.40 Full Day | 4000.00 | |
| " | " | Dumper 7212 | 8.10 | 4000.00 | 4080 |
| 18 | 25-11-16 | JCB- 5462 | 7.30 | 1050.00 | 7875 |
| " | " | Dumper- 7212 | 7.50 5.50 | 4000.00 | |
| " | " | Dumper - 3142 | 7.10 | " Full Day | 3583.00 4000 |
| " | " | JCB - 0407 | 5.05 | 1050.00 | 5307 |

24.12.16

20/12/2016

NOTARY
Jnanajit Sarma
Guwahati
Regd. No.- 42846
Expiry Dt.-
20/02/2030
GOVERNMENT OF INDIA

-3X4-

# KUSHAL DEKA

Contractor, Transporter
& Order Supplier

Mobile : 98640-40929
North Guwahati
City-781

For & behalf of Arya Ispat & Power India Private Limited

Managing Director

Ref. KD/ ...

Date 20-11-16

To, The Managing Director, M/s Arya Ispat & Power India Pvt. Ltd.

| Sl. No. | Date | Particulars | Hours | Rate | Amount |
|---|---|---|---|---|---|
| 1 | 11-16 | JCB — 0407 | 6.35 Hr. | 1050.00 | 6912.50 |
| 2 | 11-16 | " | " | " | " |
| 3 | 11-16 | " | 3.00 " | " | 3150.00 |
| 4 | 10-11-16 | JCB — 0407 | 9.00 " | " | 9450.00 |
| 5 | 11-11-16 | JCB — 0407 | 3.25 " | " | 3587.50 |
| 6 | 14-11-16 | JCB — 0407 | 7.15 " | " | 7612.50 |
| 7 | 15-11-16 | JCB — 5462 | 8.30 " | " | 8925.00 |
| 8 | 16-11-16 | JCB — 5462 | 6.00 " | " | 6300.00 |
| 9 | 17-11-16 | JCB — 0407 | 3.50 " | " | 4025.00 |
| 10 | " | " — 5462 | 8.50 " | " | 9350.00 |
| 11 | 18-11-16 | JCB — 5462 | 9.10 " | " | 9625.00 |
| 12 | " | " — 0407 | 8.30 " | " | 8925.00 |
| 13 | 19-11-16 | JCB — 5462 | 6.45 " | " | 7087.50 |
| 14 | " | " — 0407 | 8.00 " | " | 8400.00 |
| 15 | " | Dumper — 7212 | 5.55 | 4000 per Day | 2958.33 |
| 16 | 20-11-16 | JCB — 5462 | 8.20 | 1050.00 | 8715.00 |
| 17 | " | " — 0407 | 12.00 " | " | 12600.00 |
| 18 | 21-11-16 | JCB — 5462 | 7.05 " | " | 7402.50 |
| | | | | | 132368.00 |

Received the above bill

21/12/16

21/12/2016

Jnanajit Sarma
Guwahati
Regd. No.- 42846
Expiry Dt.-
20/02/2030

GOVERNMENT OF INDIA

11 JAN 2017

-385-

# KUSHAL DEKA

Contractor, Transporter
& Order Supplier.

Mobile : 98640-40929
North Guwahati
Ghy-36

Date. 16.12.16

Ref. S.D. bill No. 3 4 To the Managing Director for Arya Ceramics India P

Sub: [illegible] Hauling

| Date | Particulars | Hours | Rate | Amount |
|---|---|---|---|---|
| 5-10-16 | J.-B — 0407 | 7.00 Hr | 1050.00 per-Hr | 1350 |
| 12-10-16 | J.-B — 0407 | 7.00 " | " | 7350 |
| 14-10-16 | J.-B — 0407 | 4.00 " | " | 4200 |
| 16-10-16 | J.-B — 0407 | ~~8.50~~ 7.50 | " | ~~8925~~ 7875 |
| 18-10-16 | J.-B — 0407 | 8.00 | " | 8400 |
| 21-10-16 | J.-B — 0407 | ~~7.15~~ 6.35 | " | ~~7612~~ 6912 |
| 31-10-16 | J.-B — 0407 | 8.35 | " | 9012 |
| | | | | ~~53200~~ |

Rupees Fifty ~~three~~ one thousand ~~two~~ four hundred fifty only.

(Rupees Fifty one Thousand four hundred Fifty) only

24.12.16

Checked

24/12/16

Kushal Deka

26/12/2016

For & behalf of Arya Ceramics India Private Limited

Jnanajit Sarma
Managing Director

NOTARY
Jnanajit Sarma
Guwahati
Regd. No.- 42846
Expiry Dt.-
20/02/2030
GOVERNMENT OF INDIA

11 JUL 2025

-396-

Bill No : BI/17-18/ASL/008

# BILL

Date: 12-Oct-17

Name of the work: Labour Contract for Shuttering, Steel Works, Casting, Brick works and Plastering

Location: Club House (Foundation)

Bulider's Details
Arya Erectors India Pvt Ltd
K.P Enclave, Suhagpur
Rehabari, Guwahati-8
GST No : 18AAICA959E1Z4
PAN : AAICA9598E

Contractor's Details
Bahadur Islam

GST No : 18ACBPI8641J1ZF
PAN: ACBPI8641J

| Sl No | Item of works | Unit | No | Length | Quantity | Rate | Amount |
|---|---|---|---|---|---|---|---|
| 1 | Foundation | sqft | | | 500 | 105 | 52,500 |
| | | | | | | | |
| | | | | | | | |
| | | | | | | TOTAL | 52,500 |
| | | | | | | CGST 9% | 4725 |
| | | | | | | SGST 9% | 4725 |
| | | | | | | G.TOTAL | 61950 |

Rupees SixtyOne Thousand Nine Hundred Fifty Only

Checked/Verified By

(Siddhartha Sarkar)
PE,ASL, Abhaypur

Signature Of Contractor

For & behalf of Arya Erectors India Private Limited

Managing Director

GOVERNMENT OF INDIA NOTARY Jnanajyoti Sarma Guwahati Regd. No.- 428/16 Expiry Dt.- 20/02/2030

11 JUL 2025

742

-397-

For & behalf of Arya Erectors India Private Limited

Managing Director

# TAX INVOICE

Date: 13.8.2018

Bill No : BI/18-19/ASL/014

Name of the work: Labour Contract for Shuttering, Steel Works, Casting, Brick works and Plastering

Location: Club house RCC Area

Bulider's Details
Arya Erectors India Pvt Ltd
K.P Enclave, Suhaggpur
Rehabari, Guwahati-8
GST No : 18AAICA9559E1Z4
PAN : AAICA9559E

Contractor's Detalls
Bahadur Islam

GST No : 18ACBPI8641J1ZF
PAN: ACBPI8641J

| Sl No | Item of works | Unit | No | Length | Quantity | Rate | Amount |
|---|---|---|---|---|---|---|---|
| 1 | First floor | sqft | | | 3000 | 65 | 195000 |
| | | | | | | TOTAL | 195000 |
| | | | | | | CGST 9% | 17550 |
| | | | | | | SGST 9% | 17550 |
| | | | | | | G.TOTAL | 230100 |

Rupees Two lakh thirty thousand one hundred only.

Checked/Verified By

(Siddhartha Sarkar)
PF,ASL, Abhaypur

Signature Of Contractor

NOTARY
Jnanaji Sarma
Guwahati
Regd. No.- 42846
Expiry Dt.-
20/02/2030
GOVERNMENT OF INDIA

11 JUL 2025

For & behalf of Arya Erectors India Private Limited
Managing Director

# TAX INVOICE

Bill No : BI/18-19/ASL/013

Date: 13.8.2018

Name of the work: Labour Contract for Shuttering, Steel Works, Casting, Brick works and Plastering
Location: Club house RCC Area

Builder's Details
Arya Erectors India Pvt Ltd
K.P Enclave, Suhagpur
Rehabari, Guwahati-8
GST No : 18AAICA9598E1Z4
PAN : AAICA9598E

Contractor's Details
Bahadur Islam
GST No : 18ACBPI8641J1ZF
PAN: ACBPI8641J

| Sl No | Item of works | Unit | No | Length | Quantity | Rate | Amount |
|---|---|---|---|---|---|---|---|
| 1 | Foundation | sqft | | | 365 | 105 | 38325 |
| 2 | Ground floor | sqft | | | 200 | 130 | 26000 |
| | | | | | | TOTAL | 64325 |
| | | | | | | CGST 9% | 5789 |
| | | | | | | SGST 9% | 5789 |
| | | | | | | G.TOTAL | 75904 |

Rupees Seventy five thousand nine hundred four only

Checked Verified By

(Siddhartha Sarkar)
PE,ASL Abhaypur

Signature of Contractor

NOTARY
Jnanajit Sarma
Guwahati
Regd. No.- 42846
Expiry Dt.-
20/02/2030
GOVERNMENT OF INDIA

11 JUL 2025

11 JUL 2025

-399-

# BILL

Bill No : BI/17-18/ASL/0010

Date: 12-Oct-17

Name of the work: Labour Contract for Shuttering, Steel Works, Casting, Brick works and Plastering

Location: Club House

Bulider's Details
Arya Erectors India Pvt Ltd
K.P Enclave, Suhagpur
Rehabari, Guwahati-8
GST No : 18AAICA959E1Z4
PAN : AAICA9598E

Contractor's Details
Bahadur Islam

GST No : 18ACBPI8641J1ZF
PAN: ACBPI8641J

| Sl No | Item of works | Unit | No | Length | Quantity | Rate | Amount |
|---|---|---|---|---|---|---|---|
| 1 | Ground Floor Dinning Area | sqft | | | 850 | 45 | 38,250 |
| | | | | | | | |
| | | | | | | | |
| | | | | | | TOTAL | 38,250 |
| | | | | | | CGST 9% | 3442.5 |
| | | | | | | SGST 9% | 3442.5 |
| | | | | | | G.TOTAL | 45135 |

Rupees FourtyFive Thousand One Hundred ThirtyFive Only

Checked/Verified By

(Siddhartha Sarkar)
PE,ASL, Abhaypur

Signature Of Contractor

For & behalf of Arya Erectors India Private Limited.

Managing Director

GOVERNMENT OF INDIA
Regd. No.- 42846
Expiry Dt.- 20/02/2030

11 JUL 2025

745

-480-

For & behalf of Arya ... India Private Limited
Anil Kumar Sarma
Managing Director

ARYA ERECTORS INDIA PVT LTD

Arya Smart Living, Abhaypur, North Guwahati

(1)

...o : 18AAICA959E1Z4 PAN : AAICA9598E

...ME OF THE WORK : Labour contract for Earth work, soling RCC

...ME OF THE LABOUR CONTRACTOR : Rahman Ali

LOCATION : Swimming Pool DATE: 26-Aug-17

CERTIFIED BILL VALUE

| SL NO | ITEM OF WORKS | UNIT | QUANTITY | RATE | AMOUNT |
|---|---|---|---|---|---|
| 1 | Swimming Pool | sft | 210.00 | 60 | 12600 |
| | | | | Total | 12600 |
| | | | | SGST 9% | 1134 |
| | | | | CGST 9% | 1134 |
| | | | | Total Rs | 14868 |

Rupees Fourteen Thousand Eight Hundred SixtyEight Only

Prepared by

Siddhartha Sarkar
(P.E.ASL)

Checked by

Umesh Boro
(Accountant)

Approved by

Anil Kumar Sarma
(MD, AEIPL)

NOTARY
Jnanajit Sarma
Guwahati
Regd. No.- 42846
Expiry Dt.-
20/02/2030
GOVERNMENT OF INDIA

11 JUL 20...5

-481-

For & behalf of Arya Erectors India Private Limited
Anil Kumar Sarma
Managing Director

# BILL

Date: 03.3.18

Bill No : RA/17-18/ASL/00

Name of the work: Labour Contract for Door Frame Making
Location:

Bulider's Details
Arya Erectors India Pvt Ltd
K.P Enclave, Suhagpur
Rehabari, Guwahati-8

Contractor's Details
Rashid Ali

| Sl No | Item of works | Unit | Quantity | Rate | Amount |
|---|---|---|---|---|---|
| 1 | Door Frame Making | RFT | 642.5 | 40 | 25,700 |
| | | | | TOTAL | 25,700 |
| | | | | CGST 9% | 2313 |
| | | | | SGST 9% | 2313 |
| | | | | G.TOTAL | 30,326 |

Signature Of Contractor

Checked/Verified By

(Siddhartha Sarkar)
PE,ASL, Abhaypur

NOTARY
Jnanajit Sarma
Guwahati
Regd. No.- 42846
Expiry Dt.-
20/02/2030
GOVERNMENT OF INDIA

11 JUL 2025

-40K-

For & behalf of Arya Erectors India Private Limited
Anil Kumar Sarma
Managing Director

# BILL

Bill No : DS/18-19/ASL/0018

Date: 10.10.2018

Name of the work: Labour Contract for Painting & POP & PRIMER
Location : CLUB HOUSE

Billed To
Bulider's Details
Arya Erectors India Pvt Ltd
House no:123,Arya Smart Living,
kamrup(Rural )North Guwahati-781031
Assam

GST No : 18AAICA5598E1ZA
PAN : AAICA9598E

Contractor's Details
DILIP SARKAR

GST No : 18AYWPS1980M228

| Sl No | Item of works | Unit | No | Length | Quantity | Rate | Amount |
|---|---|---|---|---|---|---|---|
| 1 | External & Internal | sqft | | | 5000 | 4 | 20000 |
| | | | | | | TOTAL | 20000 |
| | | | | | | CGST 9% | 1800 |
| | | | | | | SGST 9% | 1800 |
| | | | | | | TOTAL | 23600 |

Rupees Twenty three thousand six hundred only

Checked/Verified & Received by

(Siddhartha Sarkar)
PE,ASL, Abhaypur

Dilip Sarkar
Signature Of Contractor

NOTARY
Jnanajit Sarma
Guwahati
Regd. No.- 42846
Expiry Dt.-
20/02/2030
GOVERNMENT OF INDIA

11 JUL 2025

-483-

For Arya Erectors India Private Limited
Anil Kumar Sarma
Managing Director

# BILL

Bill No : DS/18-19/ASL/0019

Date: 10.10.2018

Name of the work: Labour Contract for Painting & POP & PRIMER
Location: CLUB HOUSE

Billed To
Builder's Details
Arya Erectors India Pvt Ltd
House no:123,Arya Smart Living,
kamrup(Rural )North Guwahati-781031
Assam

GST No : 18AAICA9598E1ZA
PAN : AAICA9598E

Contractor's Details
DILIP SARKAR

GST No : 18AYWPS1980M228

| Sl No | Item of works | Unit | No | Length | Quantity | Rate | Amount |
|---|---|---|---|---|---|---|---|
| 1 | External & Internal | sqft | | | 10000 | 4 | 40000 |
| | | | | | | TOTAL | 40000 |
| | | | | | | CGST 9% | 3600 |
| | | | | | | SGST 9% | 3600 |
| | | | | | | TOTAL | 47200 |

Rupees Fourty seven thousand two hundred only

Checked/Verified & Received by

(Siddhartha Sarkar)
PE,ASL, Abhaypur

Signature Of Contractor

NOTARY
Jnanajit Sarma
Guwahati
Regd. No.- 42846
Expiry Dt.-
20/02/2030
GOVERNMENT OF INDIA

11 JUL 2025

-4X4-

For & behalf of Arya Erectors India Private Limited
Sunil Kumar Sarma
Managing Director

# BILL

Date: 18-Aug-18

DS/18-19/ASL/003

Name of the work: Labour Contract for POP & PRIMER
Location: Club House

Billed To
Builder's Details
Arya Erectors India Pvt Ltd
House no:123,Arya Smart Living,
Kamrup(Rural )North Guwahati-781031
Assam

GST No : 18AAICA9598E1Z4
PAN : AAICA9598E

Contractor's Details
DILIP SARKAR

GST No : 18AYWPS1980M228

| Sl No | Item of works | Unit | No | Length | Quantity | Rate | Amount |
|---|---|---|---|---|---|---|---|
| 1 | internal POP | sqft | | | 10000 | 4 | 40000 |
| | | | | | | TOTAL | 40000 |
| | | | | | | CGST 9% | 3600 |
| | | | | | | SGST 9% | 3600 |
| | | | | | | TOTAL | 47200 |

Rupees FourtySeven Thousand Two Hundred Only

Signature Of Contractor

Checked/Verified & Received by

(Siddhartha Sarkar)
PE,ASL, Abhaypur

NOTARY
Jnanajit Sarma
Guwahati
Regd. No.- 42846
Expiry Dt.-
20/02/2030
GOVERNMENT OF INDIA

11 JUL 2025

For & behalf of Arya Erectors India Private Limited
Managing Director

# BILL

DS/18-19/ASL/004

Date: 18-Aug-18

Name of the work: Labour Contract for POP & PRIMER
Location: Club House

Billed To
Bulider's Details
Arya Erectors India Pvt Ltd
House no:123,Arya Smart Living,
Kamrup(Rural )North Guwahati-781031
Assam

GST No : 18AAICA959E1Z4
PAN : AAICA5598E

Contractor's Details
DILIP SARKAR

GST No : 18AYWPS1980M228

| Sl No | Item of works | Unit | No | Length | Quantity | Rate | Amount |
|---|---|---|---|---|---|---|---|
| 1 | External POP | sqft | | | 3500 | 4 | 14000 |
| | | | | | | TOTAL | 14000 |
| | | | | | | CGST 9% | 1260 |
| | | | | | | SGST 9% | 1260 |
| | | | | | | TOTAL | 16520 |

Rupees Sixteen Thousand Five Hundred Twenty Only

Checked/Verified & Received by

(Siddharth Sarkar)
PE,ASL, Abhaypur

Signature of Contractor

NOTARY
Jnanajit Sarma
Guwahati
Regd. No.- 42846
Expiry Dt.-
20/02/2030
GOVERNMENT OF INDIA

11 JUL 2025

-486-

For & behalf of Arya Erectors India Private Limited
Anil Kumar Sharma
Managing Director

# BILL

Date: 18-Aug-18

DS/18-19/ASL/0012

Name of the work: Labour Contract for Painting & POP & PRIMER
Location: Club House

Billed To
Builder's Details
Arya Erectors India Pvt Ltd
House no:123,Arya Smart Living,
kamrup(Rural )North Guwahati-781031
Assam

GST No : 18AAICA9559E1Z4
PAN : AAICA9559E

Contractor's Details
DILIP SARKAR

GST No : 18AYWPS1980M228

| Sl No | Item of works | Unit | No | Length | Quantity | Rate | Amount |
|---|---|---|---|---|---|---|---|
| 1 | External POP | sqft | | | 7000 | 4 | 28000 |
| | | | | | | TOTAL | 28000 |
| | | | | | | CGST 9% | 2520 |
| | | | | | | SGST 9% | 2520 |
| | | | | | | TOTAL | 33040 |

Rupees ThirtyThree Thousand Fourty Only

Checked/Verified & Received by

(Siddhartha Sarkar)
PE,ASL, Abhaypur

Dilip Sarkar
Signature Of Contractor

NOTARY
Jnanajit Sarma
Guwahati
Regd. No.- 42846
Expiry Dt.-
20/02/2030
GOVERNMENT OF INDIA

11 JUL 11 JUL 2025

-4-

For & behalf of Arya Erectors India Private Limited
Managing Director

# BILL

DS/18-19/ASL/0013

Date: 18-Aug-18

Name of the work: Labour Contract for Painting & POP & PRIMER
Location: Club House

Billed To
Builder's Details
Arya Erectors India Pvt Ltd
House no:123,Arya Smart Living,
kamrup(Rural )North Guwahati-781031
Assam

GST No : 18AAICA9559E1Z4
PAN : AAICA9598E

Contractor's Details
DILIP SARKAR

GST No : 18AYWPS1980M2Z8

| Sl No | Item of works | Unit | No | Length | Quantity | Rate | Amount |
|---|---|---|---|---|---|---|---|
| 1 | Internal & External POP | sqft | | | 9000 | 4 | 36000 |
| | | | | | | TOTAL | 36000 |
| | | | | | | CGST 9% | 3240 |
| | | | | | | SGST 9% | 3240 |
| | | | | | | TOTAL | 42480 |

Rupees FourtyTwo Thousand Four Hundred Eighty Only

Dilip Sarkar

Checked/Verified & Receieved by

Signature Of Contractor

(Siddhartha Sarkar)
PE,ASL, Abhaypur

NOTARY
Jnanajit Sarma
Guwahati
Regd. No.- 42846
Expiry Dt.-
20/02/2030
GOVERNMENT OF INDIA

11 JUL 2025

-488-

For & behalf of Arya Erectors India Private Limited
Anil Kumar Sarma
Managing Director

## INVOICE

Bill No : SA/18-19/ASL/008 Date: 17-Aug-18

Name of the work: Labour Contract for Plumbing & Sanitary works

Location: Shower Area [ Swimming Pool ]

Builder's Details
Arya Erectors India Pvt Ltd
House no:123,Arya Smart Living,
kamrup(Rural )North Guwahati-781031
Assam

GST No : 18AAICA9598E1Z4
PAN : AAICA9598E

Contractor's Details
SULEMAN AHMED

GST No : 18AQXPA6111D1ZO

| Sl No | Item of works | Unit | No | Length | Quantity | Rate | Amount |
|---|---|---|---|---|---|---|---|
| 1 | Elocteistern | No | | | 4 | 1500 | 6000 |
| 2 | Shower arm + head | No | | | 4 | 80 | 320 |
| 3 | Conseal Stop Cock | No | | | 4 | 160 | 640 |
| 4 | Padestal Wash Basin | No | | | 2 | 650 | 1300 |
| 5 | Angle Valve | No | | | 6 | 80 | 480 |
| 6 | Bib Cock | No | | | 4 | 80 | 320 |
| 7 | 1.5x1.5 Brick Chamber | No | | | 1 | 1000 | 1000 |
| | | | | | | TOTAL | 10060 |
| | | | | | | CGST 9% | 905 |
| | | | | | | SGST 9% | 905 |
| | | | | | | TOTAL | 11871 |

Rupees Eleven Thousand Eight Hundred Seventy One

Signature Of Contractor

Checked/Verified By

(Siddhartha Sarkar)
PE, ASL, Abhaypur

NOTARY
Jnanajit Sarma
Guwahati
Regd. No.- 42846
Expiry Dt.-
20/02/2030
GOVERNMENT OF INDIA

11 JUL 2025

-489-

For & behalf of Arya Erectors India Private Limited
Anil Kumar Sarma
Managing Director

# BILL

Date: 15.5.2018

Bill No : AA/18-19/ASL/007

Name of the work: Labour Contract for Laying of Tiles, Granite and Moulding
Location Unit Club house

Bulider's Details
Arya Erectors India Pvt Ltd
K.P Enclave, Suhagpur
Rehabari, Guwahati-8
GST No : 18AAICA959E1Z4
PAN : AAICA9598E

Contractor's Details
Anowar Ali

GST No : 18BYEPA1365B1Z0
PAN: BYEPA1365B

| Sl No | Item of works | Unit | No | Length | Quantity | Rate | Amount |
|---|---|---|---|---|---|---|---|
| 1 | Laying Tiles | Sq.ft/rft | 0 | 0 | 7500 | 12 | 90000 |
| 2 | Skirting | rft | 0 | 0 | 950 | 12 | 11400 |
| | | | | | | Total | 101400 |
| | | | | | | SGST 9% | 9126 |
| | | | | | | CGST 9% | 9126 |
| | | | | | | Total Rs | 119652 |

Rupees One lakh nineteen thousand six hundred fifty two only

Checked/Verified By

(Siddhartha Sarkar)
PE,ASL, Ambaypur

Signature Of Contractor

NOTARY
Jnanajit Sarma
Guwahati
Regd. No.- 42846
Expiry Dt.-
20/02/2030
GOVERNMENT OF INDIA

11 JUL 2025

-4X-

For & behalf of Arya Erectors India Private Limited
Anil Kumar Sarma
Managing Director

# BILL

Date: 17.8.2018

Bill No : AA/18-19/ASL/015

Name of the work: Labour Contract for Laying of Tiles, Granite and Moulding
Location: Swimmimg pool deck

Bulider's Details
Arya Erectors India Pvt Ltd
K.P Enclave, Suhagpur
Rehabari, Guwahati-8
GST No : 18AAICA959F1Z4
PAN : AAICA9598E

Contractor's Details
Anowar Ali

GST No : 18BYEPA1365B1Z0
PAN: BYEPA1365B

| Sl No | Item of works | Unit | No | Length | Quantity | Rate | Amount |
|---|---|---|---|---|---|---|---|
| 1 | Swimming pool deck | Sq.ft/rft | 0 | 0 | 2300 | 12 | 27600 |
| | | | | | | Total | 27600 |
| | | | | | | SGST 9% | 2484 |
| | | | | | | CGST 9% | 2484 |
| | | | | | | Total Rs | 32568 |

Rupees Thirty two thousand five hundred sixty eight only.

Checked/Verified By

(Siddhartha Sankar)
PE,ASL, Abhaypur

Signature Of Contractor

NOTARY
Jnanajit Sarma
Guwahati
Regd. No.- 42846
Expiry Dt.- 20/02/2030
GOVERNMENT OF INDIA

11 JUL 2025

-411-

# BILL

Date: 10.10.2018

Bill No : RR/18-19/ASL/002

Name of the work: Labour contract for internal electrification

Location: Club House

Bulider's Details

Arya Erectors India Pvt Ltd

K.P Enclave, Suhagpur

Rehabari, Guwahati-8

GST No : 18AAICA959E1Z4

PAN : AAICA9598E

Contractor's Details

Ranju Rai

PAN: BWUPR8432G

| Sl No | Item of works | Unit | No | Length | Quantity | Rate | Amount |
|---|---|---|---|---|---|---|---|
| 1 | Dinning Area | Nos | | | | | 70000 |
| | | | | | | Total | 70000 |

Rupees Seventy thousand only

Checked/Verified By

(Siddhartha Sarkar)
PE,ASL, Abhaypur

Signature Of Contractor

For & behalf of Arya Erectors India Private Limited

Managing Director

GOVERNMENT OF INDIA
Jnanali Sarma
Guwahati
Regd. No.- 42646
Expiry Dt.- 20/02/2030

11 JUL 2025

757

# BILL

Bill No : RR/18-19/ASL/003

Date: 3.12.2018

Name of the work: Labour contract for internal electrification

Location: Club House [ G.Floor & First Floor, RCC ]

Bulider's Details
Arya Erectors India Pvt Ltd
K.P Enclave, Suhagpur
Rehabari, Guwahati-8
GST No : 18AAICA959E1Z4
PAN : AAICA9598E

Contractor's Details
Ranju Rai

GST No : 18BWUPR8432G1ZR
PAN: BWUPR8432G

| Sl No | Item of works | Unit | No | Length | Quantity | Rate | Amount |
|---|---|---|---|---|---|---|---|
| 1 | Internal Electrification | Nos | | | 21.108 | 8130 | 171608.04 |
| | | | | | | Total | 171608.04 |

Rupees One Lakh Seventy one thousand six hundred eight only

Checked/Verified By

(Siddhartha Sarkar)
PE,ASL, Abhaypur

Signature Of Contractor

For & behalf of Arya Erectors India Private Limited

Managing Director

GOVERNMENT OF INDIA NOTARY Jnanada Sarma Guwahati Regd. No.- 42846 Expiry Dt.- 20/02/2030

11 JUL 2025

758

-413-

# BILL

Bill No : RR/18-19/ASL/004

Date: 3.12.2018

Name of the work: Labour contract for internal electrification

Location: Club House [ G.Floor & First Floor, RCC ]

Bulider's Details

Arya Erectors India Pvt Ltd

K.P Enclave, Suhagpur

Rehabari, Guwahati-8

GST No : 18AAICA959E1Z4

PAN : AAICA9598E

Contractor's Details

Ranju Rai

PAN: BWUPR8432G

| Sl No | Item of works | Unit | No | Length | Quantity | Rate | Amount |
|---|---|---|---|---|---|---|---|
| 1 | Club House | Nos | | | 1 | 10000 | 10000 |
| | | | | | | TOTAL | 10000 |

Rupees Ten Thousand only

Checked/Verified By

(Siddhartha Sarkar)
PE,ASL, Abhaypur

Signature Of Contractor

For & behalf of Arya Erectors India Private Limited

Managing Director

759

11 JUL 2025

-414-

# BILL

Date: 3.12.2018

Bill No : RR/18-19/ASL/005

Name of the work: Labour contract for internal electrification

Location: Club House [ G.Floor & First Floor, RCC ]

Bulider's Details

Arya Erectors India Pvt Ltd

K.P Enclave, Suhagpur

Rehabari, Guwahati-8

GST No : 18AAICA959E1Z4

PAN : AAICA9598E

Contractor's Details

Ranju Rai

PAN: BWUPR8432G

| Sl No | Item of works | Unit | No | Length | Quantity | Rate | Amount |
|---|---|---|---|---|---|---|---|
| 1 | Dining Area | Nos | | | 1 | 60000 | 60000 |
| | | | | | | TOTAL | 60000 |

Rupees Sixty thousand only

Checked/Verified By

(Siddhartha Sarkar)
PE,ASL, Abhaypur

Signature Of Contractor

For & behalf of Arya Erectors India Private Limited

Managing Director

760

11 JUL 2025

GOVERNMENT OF INDIA * Jnanajit Sarma Guwahati Regd. No.- 42846 Expiry Dt.- 20/02/2030 *

ANNEXURE-'D'

ARYA ERECTORS
INDIA PRIVATE LIMITED
CIN : U70101AS2010PTC010190

Arya Erectors India Pvt. Ltd.
House No. 123, 'Arya Smart Living'
Abhoypur, North Guwahati, Pin-781031, Assam
Tel : +91 94354 84301
E-mail : aryaerectors@rediffmail.com
Web : www.aryaerectors.com

Dated the 26th February, 2025,

To

The Member Secretary,
SEIAA Assam,
Bamunimaldam, Guwahati-21

Sub : Non recipe of your communication on compliance of order dated 12.09.2024 passed by Hon'ble NGT Eastern Branch Kolkata.

Respected Sir/ Madam,

This is to inform you that we have come to know from a source that a report already with compliance order dtd. 15/02/2025 has been passed by your good office. But till date we have not received any. Kindly do the needful to help us to comply the same.

Thanking you,
Yours sincerely,

26/2/25

(Anil Kumar Sarma)
Managing Director,
Arya Erectors India Pvt. Ltd.

Office address: House No. 123, 'Arya Smart Living'
Abhoypur, North Guwahati, Pin- 781031, Assam

Copy to the:

1) The Chairman SEIAA; for favour of kind perusal and necessary action.
2) Mr. Sarat Phukan, Investigation Head , Member of SEIAA Assam; for favour of kind perusal and necessary action.

For & behalf of Arya Erectors India Private Limited
Anil Kumar Sarma
Managing Director

Jnanaji Sarma
Guwahati
Regd. No.- 42846
Expiry Dt.- 20/02/2030
GOVERNMENT OF INDIA

11 JUL 2025

Created with cam scan

ANNEXURE-'E'



Gmail

Arya Erectors <aryaerectorsindia@gmail.com>

## Non receipt of your communication on compliance of order dated 12.09.2024 passed by Hon'ble NGT Eastern Branch Kolkata.

Arya Erectors <aryaerectorsindia@gmail.com> Tue, Mar 4, 2025 at 1:03 PM
To: chmn-seiaa-as@gov.in
Cc: Sarat Phukan <saratphukan@gmail.com>, chairman@pcbassam.org
Bcc: Bijoya Goswami <dr.bijoya@gmail.com>, ANIL Kumar SARMA <aks1.arya@gmail.com>, Ram Krishna Pradhan <pradhanramk@gmail.com>

To

The Chairman - SEIAA,
Bamunimaidan, Guwahati, Assam

Sub: Non receipt of your communication on compliance of order dated 12.09.2024 passed by Hon'ble NGT Eastern Branch Kolkata.

Dear Sir,

This is to bring to your notice that we have not yet received a copy of the report by the inspection committee appointed by SEIAA in compliance to the NGT order dated 12.09.2024.
However, we have come to know from other sources that the report has been shared in a Whatsapp message dated 22.02.2025 by Mr. Padum Deori, one of the complainants and an e-mail circulated by another complainant, Dr. Ganesh Chandra Das dated 24.02.2025, in different forums.

We had written to you about the same, and had also sent our office personnel with a hard copy letter requesting you to provide us the report of the committee.
However, your office personnel had refused to even receive our letter, saying that the report was sent via email and hence they will not accept our letter of request in hard copy, asking us to only communicate in email.

I am therefore writing this email to you asking you to send us the committee's report for our study and understanding. Attached along with is the hard copy sent us to your office.

Regards,

Anil Kumar Sarma
Managing Director

Non receipt of Committee's report.pdf
1831K

For & behalf of Arya Erectors India Private Limited
Anil Kumar Sarma
Managing Director

NOTARY
Jnana Sarma
Guwahati
Regd. No.- 42846
Expiry Dt.- 20/02/2030
GOVERNMENT OF INDIA

11 JUL 2025

ANNEXURE-F

Saturday

Oh my god.
Did these people take your permission to break?.
This is a case of tresspassing a private property 1:07 pm

~ Padum +968 9520 0565

SEIAA order and report 15.02.20...
7.3 MB · PDF

SEIAA order and report 15.02.2025.pdf 6:25 pm

Requested all the members of this group to read the above order and report carefully and understand the entire logics. 6:26 pm

We can have our group members comments and opinions after 3 hrs and we can discuss about those few members who is damaging the society and instigating the owners for illegal work. after reading the order and report, it will be clarified whether the owners need to pay money for waterlogging mitigation project.
6:30 pm

~ sidharuna Das +91 7896 17 [illegible]

For & behalf of Arya Erection India Private Limited
Managing Director

NOTARY
Jnanajit Sarma
Guwahati
Regd. No.- 42046
Expiry Dt.- 20/02/2030
GOVERNMENT OF INDIA

ANNEXURE-G'



-438-

Gmail

Arya Erectors <aryaerectorsindia@gmail.com>

# Compliance of order dated 12.09.2024 passed by Hon'ble NGT Eastern Branch Kolkata in O.A No. 92/2023(EZ) in the matter of Dr. Ganesh Das & Ors. Vs. M/s Arya Erectors India Pvt. Ltd. & Ors.).-Reg.

SEIAA - ASSAM <environmentimpact14@gmail.com> Tue, Mar 4, 2025 at 1:47 PM

To: aryaerectorsindia@gmail.com

Sir,
With reference to email dated 4th March, 2025, I am enclosing the Committee's Report alongwith forwarding letter issued by SEIAA, Assam.

4 attachments

- Adobe Scan 18 Feb 2025 (2) (1).pdf 452K
- Adobe Scan 17 Feb 2025 (1).pdf 10342K
- DocScanner 30-Jan-2025 11-38 (1).pdf 6843K
- Adobe Scan 18 Feb 2025 (1) (1).pdf 373K

For & on behalf of Arya Erectors India Private Limited

Managing Director

NOTARY
Jnanaji Sarma
Guwahati
Regd. No.- 42846
Expiry Dt.- 20/02/2030
GOVERNMENT OF INDIA

11 JUL 2025

**OFFICE OF THE STATE ENVIRONMENT IMPACT ASSESSMENT AUTHORITY, ASSAM**
**MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE, GOVERNMENT OF INDIA**
**BAMUNIMAIDAM, GUWAHATI-21.**

No.SEIAA.3431/2023/412 Dated: 15. 02. 2025

From:

Smti Mauchumi Barua, ACS,
Member Secretary, SEIAA, Assam.
Bamunimaidam, Guwahati-21

To

M/s Arya Erectors India Pvt. Ltd.
Represented by its Managing Director,
503, K.P Enclave, Sohagpur,
Rehabari, Guwahati-781008
Kamrup (M).

For & behalf of Arya Erectors India Private Limited
Anil Kumar Sarma
Managing Director

Sub: Compliance of order dated 12.09.2024 passed by Hon'ble NGT Eastern Branch Kolkata in O.A No. 92/2023(EZ) in the matter of Dr. Ganesh Das & Ors. Vs. M/s Arya Erectors India Pvt. Ltd. & Ors.).-Reg.

Sir/ Madam,

In compliance of the above order passed by Hon'ble NGT Eastern Branch Kolkata, the Committee has submitted its report to the office of SEIAA, Assam on 29/01/2025 and placed the same in 30th Meeting of the SEIAA. After perusal of the observations and recommendations by the Committee, due discussion and deliberation, the SEIAA unanimously decided to send a copy of the Report to the Project Proponent.

You are, therefore, requested to comply the observations and recommendations of the Committee as suggested in the Report.

This is for your kind information and necessary action.

Yours faithfully

*Enclo: As stated above,*

*Member Secretary*
*SEIAA, Assam*
Dated: 15. 02 . 2025

Memo No.SEIAA.3431/2023/412-A

*Copy to:*

1. The Secretary to the Govt. of Assam, Environment & Forest Deptt; Dispur, Ghy-6 for kind information.
2. The Chairman, SEIAA for kind information..
3. Office copy.

*Member Secretary*
*SEIAA, Assam*

NOTARY
Jnanajit Sarma
Guwahati
Regd. No.- 42846
Expiry Dt.- 20/02/2030
GOVERNMENT OF INDIA

11 JUL 2025

-470-

**OFFICE OF THE STATE ENVIRONMENT IMPACT ASSESSMENT AUTHORITY, ASSAM**
**MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE, GOVERNMENT OF INDIA**
**BAMUNIMAIDAM, GUWAHATI-21.**

No.SEIAA.3431/2023/403 Dated: 15. 02. 2025

From:

Smti Mauchumi Barua, ACS.
Member Secretary, SEIAA, Assam.
Bamunimaidam, Guwahati-21

To

Central Ground Water Authority (CGWA), Assam
Central Ground Water Board North Eastern Region Betkuchi,
Opposite ISBT, NH-37, Guwahati,
Kamrup Metro Assam- 781005.

For & behalf of Arya Erectors India Private Limited
Managing Director

Sub: Compliance of order dated 12.09.2024 passed by Hon'ble NGT Eastern Branch Kolkata in O.A No. 92/2023(EZ) in the matter of Dr. Ganesh Das & Ors. Vs. M/s Arya Erectors India Pvt. Ltd. & Ors.).-Reg.

Sir/ Madam.

In compliance of the above order passed by Hon'ble NGT Eastern Branch Kolkata, the Committee has submitted its report to the office of SEIAA, Assam on 29/01/2025 and placed before 30th Meeting of the SEIAA. After perusal of the observations and recommendations by the Committee, due discussion and deliberation, the SEIAA unanimously decided to communicate the report with the Central Ground Water Authority (CGWA), Assam.

The aforesaid report reveals that the groundwater extraction has been done without obtaining prior mandatory consent from the office of Central Ground Water Authority (CGWA), Assam as mentioned in para-3 sub-para- (e) at page -14 & 15 of this report for taking necessary action against the project proponent if any violation is done.

This is for your kind information and necessary action.

Yours faithfully

*Enclo: As stated above,*

*Member Secretary*
*SEIAA, Assam*
Dated: 15 . 02 . 2025

Memo No.SEIAA.3431/2023/ 403 -A

*Copy to:*

1. The Secretary to the Govt. of Assam, Environment & Forest Deptt; Dispur, Ghy-6 for kind information.
2. The Chairman, SEIAA for kind information.
3. M/s Arya Erectors India Pvt. Ltd. Sohagpur, Rehabari, Guwahati-08 for kind information.
4. Office copy.

*Member Secretary*
*SEIAA, Assam*

NOTARY
Jnanada Sarma
Guwahati
Regd. No.- 42846
Expiry Dt.-
20/02/2030
GOVERNMENT OF INDIA

11 JUL 2025

Annexure-1

No. page No. 23 as per affidavit (Marking is missing)

RERA, Assam

Temp Project Id : RERA-ASM-PROJ-190-2022
Submission Date : 04-07-2022 06:20:33 AM
Applicant Type : Company
Project Type: ONGOING

For & behalf of Arya Erectors India Private Limited

Managing Director

**FORM-A**

**Part - 1**

| | |
|---|---|
| 1. Name and registered address of the company<br>(Annex a copy in Folder ) | **ARYA ERECTORS INDIA PRIVATE LIMITED**<br>**HOUSE NO. 123, ARYA SMART LIVING, ABHAYPUR, NORTH GUWAHATI, PO COLLEGE NAGAR, PS CHANGSARI, DIST KAMRUP, ASSAM, PIN-781031** |
| Phone(Landline) | **6900523731** |
| Phone(Mobile) | **6900523731** (Number Shared by Promoter in Public) |
| Email ID | **aryaerectorsindia@gmail.com** |
| Website | |
| Pan No.<br>(Annex a copy in Folder A) | **XXXX598E** |
| CIN No./Firm Registration No.<br>(Annex a copy in Folder A) | **U70101AS2010PTC010190** |

2. Managing Director/HOD/CEO:



Name : **ANIL KUMAR SARMA**

Office Address : **UZANBAZAR**

Phone (landline)

Phone (Mobile) **6900523731** (Number Shared by Promoter in Public)

Email ID **aryaerectorsindia@gmail.com**

District **KAMRUP M**

WhatsApp No.

Ward No.

Landmark

Road

Town/ Village **GUWAHATI**

Bylane

P.O. **KAHILIPARA**

NOTARY
Jnanajit Sarma
Guwahati
Regd. No.- 42846
Expiry Dt- 20/02/2030
GOVERNMENT OF INDIA

11 JUL 2025

Annexure-2

4X2

OFFICE OF THE NORTH GUWAHATI MUNICIPAL BOARD
::::NORTH GUWAHATI::::GUWAHATI-781030::::

No. NGMB/BP/2022-23/2870 Dated: 02-11-2022

## OCCUPANCY CERTIFICATE
[Under Rule 15 (a) of Building Byelaws, 2014]

To,

**SRI ANIL KUMAR SARMA,**
**Managing Director**
**Arya Erectors India Pvt. Ltd.**
H. No. 123, Arya Smart Living, Abhuypur,
North Guwahati, Dist: Kamrup,
Assam, PIN-781030

is marked as Pg. No 24 in the affidavit

For & behalf of Arya Erectors India Private Limited
Anil Kumar Sarma
Managing Director

Sir / Madam,

This is to certify that the construction of the Resi. Building- G.F.+1st floor (Part) approved vide No Objection Certificate No. NGTC/NOC/2013-14/1742 dated 16/12/2013, situated at Revenue Villages – North Guwahati Town, Mouza: Sila-Sindurighopa, Dist: Kamrup, Assam covered by Dag Nos. 764 of K. P. Patta No. 272 completed under the supervision of Technical Person- Akar Foundation, having registration No. CA/97/22284, is permitted to occupy the building based on the following-

1. Earlier Occupancy Certificate vide No. NGMB/BP/2021-22/2129 dated 31/07/2021 issued in favour of M/S Arya Erectors India Pvt. Ltd. is hereby cancelled as per order from the Chief Executive Officer, GMDA vide Order No. GMDA/P/2214/26112012/489 dated 16/09/2022.
2. Completion Certificate submitted by RTP along with as built drawings showing plot and built-up areas.
3. Completion Report in Form No. 16.
4. Certificate by Architect on Record in Form No. 17.
5. Certificate by Construction Engineer on Record in Form No. 18.
6. Certificate by Structural Engineer on Record in Form No. 19.
7. Area statement of building as per as built drawing in Form No. 20.
8. Certificate from the Chief Electrical Inspector cum Adviser, APDCL, Assam issued vide No.CEIA/SES/2017/Pt/Amingaon/33/12 & CEIA/SES/2017/Pt/Amingaon/OH/12 dated 23/08/2018.
9. N.O.C. issued vide No. FS&ES/PPP/3353/794/18 dated 11/12/2018 from the Director of Fire and Emergency Services, Assam.
10. Rain Water Harvesting provisions are existing.
11. Parking provided at Ground 6 Nos. and Open 2 Nos. is as per approved site plan.
12. Segregate and store waste generated into two separate bins, i.e. biodegradable, non-biodegradable. Handover segregated waste to be processed, treated and disposed off through composting within the premises.

One set of completion plan / as built drawing duly certified is returned herewith.

Yours faithfully

Executive Officer
North Guwahati Municipal Board
North Guwahati-30

Memo No. . NGMB/BP/2022-23/2870 (A) Dated: 02/11/2022

Copy to:-

1. The Chief Executive Officer, GMDA, Bhangagarh, Guwahati for favour of information.
2. Akar Foundation, 2nd Floor, Woodland Marriage Hall Complex, Opp. DGP Office, B.K. Kakati Road, Ulubari, Guwahati-781007
3. The Assessment Branch, N.G.M.B. for information.

Executive Officer
North Guwahati Municipal Board
North Guwahati

NOTARY Jnanajit Sarma Guwahati Regd. No.- 42846 Expiry Dt.- 20/02/2030 GOVERNMENT OF INDIA

Annexure - 2
Page No. missing
(65)
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# OFFICE OF THE CHAIRMAN
# NORTH GUWAHATI MUNICIPAL BOARD
## GUWAHATI - 30

NGMB/BP/2022-23/2916

Date 06/12/2022

To

The Secretary,
Real Estate Regulatory Authority, Assam
Jawahar Nagar, Khanapara,
Guwahati-781022

Sub: Action taken by North Guwahati Municipal Board on the order dated 16/09/2022 passed by the Chief Executive Officer, Guwahati Metropolitan development Authority.

Ref: Your letter No. Assam/RERA/2017/64/170 Dated 28/11/2022.

Sir,

With reference to the subject cited, I hereby inform you that a hearing was called by the Chief Executive Officer, Guwahati Metropolitan development Authority (GMDA) on 01/09/2022 at the office of the CEO, GMDA. And as per the order of the CEO, GMDA, dated 16/09/2022, the Occupancy Certificate issued by us to M/S Arya Erectors India Pvt. Ltd. bearing No. NGMB/BP/2021-22/2129 dated 31/07/2021 was cancelled and a fresh proposal for occupancy certificate was submitted by M/S Arya Erectors India Pvt. Ltd. for the constructed part that falls under the jurisdiction of the North Guwahati Municipal Board. Accordingly, we verified the proposal and issued a part occupancy certificate bearing No. NGMB/BP/2022-23/2870 dated 02/11/2022.

Please find enclosed a copy of earlier occupancy certificate cancellation and new part occupancy certificate issued to M/S Arya Erectors India Pvt. Ltd for your kind perusal.

Yours faithfully

Executive Officer
North Guwahati Municipal Board
Guwahati-30

Dated: 05/12/2022

Memo No. NGMB/BP/2022-23/2916(A)

Copy to:-

The Chief Executive Officer, GMDA, Bhangagarh, Guwahati for favour of information.

Executive Officer
North Guwahati Municipal Board

For & on behalf of Arya Erectors India Private Limited
Jnanajit Sarma
Managing Director

Jnanajit Sarma
Guwahati
Regd. No.- 42846
Expiry Dt.- 20/02/2030

2025

Annexure - A

Index Page No is missing -424-

No. B 1743

# OFFICE OF THE
# GUWAHATI METROPOLITAN DEVELOPMENT AUTHORITY
## GUWAHATI

### PART OCCUPANCY CERTIFICATE

(Under Clause 17 (b) of Building Bylaws of 2006)

No. GMDA/BP/2214/26112012/679 **Dated:** 21/09/2023

To,
M/S Arya Erectors India Pvt Ltd.
Sri Anil Kr Sarma, Managing Director.
H No. 123, Arya Smart Living, Abhaypur,
North Guwahati, Dist: Kamrup, Assam, Pin-781031.

Sir/Madam,

This is to certify that the construction of the residential apartment building project of villas permitted vide NOC. No. GMDA/ BP/2214/26112012/150, dated 25.06.2013 in a Patta no. 198, Dag no. 884, 885, 889, 890 situated at Revenue Village Abhaypur under Mouza- Sila Sinduri Ghopa, has been completed under the supervision of M/S Akar foundation, Guwahati-781007, Assam is hereby permitted to occupy partly completed villas with uses as mentioned below.

- Type-A: Gr+1 (No of villas 5)---Built up area of each villa 444.62 SqM (approx) including parking space for car.
- Type-B: Gr+2 (No of villas 7)---Built up area of each villa 263.72 SqM (approx) including parking space for car.
- Type-C: Gr+2 (No of villas 19)--Built up area of each villa 195.80 SqM (approx) including parking space for car.
- Type-D: Gr+1 (No of villas 33)---Built up area of each villa 152.34 SqM (approx) including parking space for car, based on the following conditions.

1. As per Completion certificates submitted by ATP dated 03.07.2018, as built drawings showing plot and built up areas.
   - Completion Report Form No. 16.
   - Certificate by Architect on record.
   - Certificate by Structural Engineer & Construction Engineer on record.
2. Load Sanctioning Letter issued vide No.CGM (D)/APDCL (LAR)/Arya Erectors India/ 2016-17, dated 28.12.2016 from the Chief General Manager (D), APDCL (LAR), Office of the Assam Power Distribution Company Ltd, Guwahati.
3. NOC issued vide no. F&ES/FEW/3362 dated 11.12.2018 from the Director Fire and Emergency Services, Assam, Guwahati.

It is here by mentioned that the residential 04 villas, as per annexed list, out of 123 villas of project (part) only is allowed for occupation. Further, you are directed to ensure the terms and conditions of the NOC issued earlier. One set of completion plan duly certified is returned herewith.

Yours faithfully,

(Arpan Singh M.P. LAS)
Chief Executive Officer
Guwahati Metropolitan Dev. Authority

For & behalf of Arya Erectors India Private Limited
Anil Kumar Sarma
Managing Director

Received
Completion Plan (Annexure attached)
for Arya Erectors India Pvt. Ltd.
21.09.2023.

NOTARY
Jnanajit Sarma
Guwahati
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Annexure-

-485-

F. No. IA3-3/4/2024-IA.III [E 230791]
Government of India
Ministry of Environment, Forest and Climate Change
(Impact Assessment Division)
*****

Indira Paryavaran Bhawan
Aliganj, Jorbagh Road
New Delhi-110 003

Dated: 8th January, 2024

For & behalf of Nayara Energy India Private Limited
Anil Kumar Sharma
Managing Director

## OFFICE MEMORANDUM

**Sub: Stay imposed by Hon'ble Supreme Court with reference to the SOP dated 7th July 2021 and OM dated 28th January 2022 – reg.**

The Ministry issued a Standard Operating Procedure (SOP) dated 7th July 2021 bearing the file number 22-21/2020-IA.III, for identification and handling of violation cases under EIA Notification 2006 in compliance to order of the Hon'ble National Green Tribunal in Appeal No. 34/2020 (WZ) titled Tanaji B. Gambhire Vs Chief Secretary, Government of Maharashtra.

2. The SoP was challenged in the Madurai Bench of the High Court of Madras in the matter W.P.(MD) No. 11757 of 2021 titled Fatima Vs Union of India and was interim stayed vide order dated 15th July 2021.

3. Subsequently, in the Order dated 9th December 2021 in the matter of Civil Appeal Nos. 7576-7577 of 2021 in Electrosteel Steels Limited Vs Union of India and Ors., the Hon'ble Supreme Court of India *inter-alia* observed the following:

> *"93. The interim order passed by the Madras High Court appears to be misconceived. However, this Court is not hearing an appeal from that interim order. The interim stay passed by the Madras High Court can have no application to operation of the Standard Operating Procedure to projects in territories beyond the territorial jurisdiction of Madras High Court. Moreover, final decision may have been taken in accordance with the Orders/Rules prevailing prior to 7th July, 2021."*

4. In this regard, the Ministry issued an OM dated 28th January, 2022 for circulating the above order of the Hon'ble Supreme Court to all the EACs and SEIAAs/SEACs. In view of the above observations of the Hon'ble Supreme Court, violation proposals



NOTARY GOVERNMENT OF INDIA
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pertaining to all the States except the State of Tamil Nadu were being appraised at the Central level and the respective SEIAAs/SEACs.

5. However, the Hon'ble Supreme Court in W.P.(C) No. 1394/2023 titled Vanashakti vs. Union of India, has stayed the operation of both the Office Memoranda dated 7th July 2021 and dated 28th January 2022 issued by this Ministry.

6. The copy of the order which is self-explanatory is enclosed herewith for necessary action.

7. This is issued with the approval of the competent authority.

8/1/12

(Sundar Ramanathan)
Scientist E

For & behalf of Arya Infrastructure India Private Limited
Managing Director

Encl: As above.

To

1. Chairperson/ Member Secretaries of all Expert Appraisal Committees
2. Chairperson/Member Secretaries of all SEIAAs/SEACs
3. All Officers of IA Division

Copy for information to

1. PS to Hon'ble MEF&CC
2. PS to Hon'ble MoS, EF&CC
3. PPS to Secretary, EF&CC
4. PPS to AS (TK)/JS (SKB)
5. Website, MoEF&CC /Guard file

NOTARY
Jnanajit Sarma
Guwahati
Regd. No.- 42846
Expiry Dt.-
20/02/2030
GOVERNMENT OF INDIA

11 JUL 2025

ITEM NO.23 COURT NO.3 SECTION PIL-W

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Writ Petition(s)(Civil) No(s). 1394/2023

VANASHAKTI Petitioner(s)

VERSUS

UNION OF INDIA Respondent(s)
(FOR ADMISSION and IA No.257416/2023-APPROPRIATE
ORDERS/DIRECTIONS )

Date : 02-01-2024 This petition was called on for hearing today.

CORAM :
HON'BLE MR. JUSTICE B.R. GAVAI
HON'BLE MR. JUSTICE SANDEEP MEHTA

For Petitioner(s) Mr. Gopal Sankaranarayanan, Sr. Adv.
Mr. Vanshdeep Dalmia, AOR
Ms. Anisha Jian, Adv.
Ms. Tanya Shrivastava, Adv.

For Respondent(s)

UPON hearing the counsel the Court made the following

O R D E R

1. Issue notice returnable in four weeks.

2. Until further orders, there shall be stay of operation of the Office Memoranda dated 7th July, 2021 and 28th January, 2022 issued by the Ministry of Environment, Forest and Climate Change.

(ASHA SUNDRIYAL)
ASTT. REGISTRAR-cum-PS

(BEENA JOLLY)
COURT MASTER (NSH)

Signature Not Verified
Digitally signed by ASHA SUNDRIYAL
Date: 2024.01.05 16:37:29 IST
Reason:

NOTARY Jnanajit Sarma Guwahati Regd. No.- 42846 Expiry Dt.- 20/02/2030 GOVERNMENT OF INDIA

11 JUL 2025

For & behalf of Vaya Green India Private Limited
Managing Director

Annexure X

ARYA ERECTORS
INDIA PRIVATE LIMITED
CIN : U70101AS2010PTC010190

Arya Erectors India Pvt. Ltd
House No.123, 'Arya Smart Living'
Abhoypur, North Guwahati Pin- 781039, Assam
Tel : +91 98596 66501
E-mail : aryaerectorsindia@gmail.com
Web : www.aryaerectorsindia.com

Submitted to DM Mrs. N Deka on 7.8.2023

Date: 14/07/2022

Compliance Report from 2014 to 2019

To,

The Chairman
State Environment Impact Assessment Authority (SEIAA)
Bamunimaidam, Guwahati-781021

For & behalf of Arya Erectors India Private Limited
Anil Kumar Sarma
Managing Director

Sub: **APOLOGY FOR NON COMPLYING TO THE INSTRUCTIONS AND FOR DELAYED SUBMISSION OF COMPLIANCE REPORTS.**

Ref. Environmental Clearance Letter **F. No. SEIAA.07/2013/10**, Dated 21st January, 2014.

Dear Sir,

We were issued the Environment Clearance in reference to the No. and date stated above for our project Arya Smart Living at Abhaypur, North Guwahati, Dist: Kamrup, Assam. As per instructions, we were supposed to submit the periodic compliance reports for the environmental clearance mentioned above. We have tried to maintain the conditions of the Environmental Clearance and also prepared the reports on timely basis. But, due to inadvertent mistake and considering the pandemic situation we were unable to submit the reports in time. **This letter is to express our sincere apology for not adhering to your instructions with regards to submission of periodic compliances of Arya Smart Living. We regret our behavior and realize that we should not have ignored the instructions given by your Authority.** This non-compliance has caused issues for the organization.

**We assure you that this will not happen next time. Thank you for putting your faith in us, and we hope you will accept our apology.**

Kindly accept the periodic compliance reports that were due from January 2014 to June 2019.

With our sincerest apology and best regards.

Received 11 nos Env. Compliance reports for 2014 to June'19

14/7/22

For Arya Erectors India Pvt. Ltd.

(Amarendra Mazumdar)
Manager (Admin) cum OSD

Encl: Compliance reports for the period from January 2014 to June 2019

14/7/22

NOTARY
Jnanada Sarma
Guwahati
Regd. No.- 42846
Expiry Dt.-
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Annexure-7

Regional Office: Kamrup
**Pollution Control Board, Assam**
*(Department of Environment & Forest: Govt. of Assam)*
Amingaon, Guwahati-31
Email: ro_kamrup@pcbassam.org

No.APCB/ROK/T-608/24-25/55 Dated Amingaon, the 26th of December, 2024

To,
M/s Arya Smart Living
ARB Road, Abhaypur, North Guwahati
Dist: Kamrup, Assam-781031

For & behalf of Arya Electronics India Private Limited
Managing Director

Sub : VIOLATION OF ENVIRONMENTAL NORMS

It has come to the notice of the Board that you have been operating your unit without obtaining valid Consent to Operate (CTO) from the Pollution Control Board, Assam since 01.04.2023. As per the provision, it is obligatory on your part to obtain mandatory consent under Section-25 of Water (Prevention & Control of Pollution) Act, 1974 & Section 21 of Air (Prevention & Control of Pollution) Act, 1981.

Subject to provision of the Section-25 of Water (Prevention & Control of Pollution) Act, 1974, no person without the previous consent of the Board shall establish or take any step to establish any industry/unit, operation or process or any treatment and disposal system or any extension or addition thereto which is likely to discharge sewage or trade effluent into a stream or well or sewer or land. Also, subject to the provisions of the Section 21 of Air (Prevention & Control of Pollution) Act, 1981, no person shall, without the previous consent of the State Board, establish or operate any industry/unit in an air pollution control area.

Therefore, in view of the above you are hereby directed to apply for necessary consent in the Pollution Control Board, Assam within 7 (seven) days from the date of receipt of this letter. Failing which Board will be bound to initiate legal actions against you under the above mentioned environmental legislations which may invite the stoppage or regulation of supply of electricity, water or any other services to your unit or all with environmental compensation fine for illegal run/operation of your unit which may please be noted.

(P.K.Dutta)
Sr.Env.Engineer cum Regional Head
Regional Office-Kamrup

Senior Environmental Engineer
Regional Office Kamrup
Pollution Control Board : Assam
Amingaon, Guwahati

Memo No.APCB/ROK/T-608/24-25/55-A Dated Amingaon, the 26th December, 2024

Copy to:
The Member Secretary, Pollution Control Board,Assam,Bamunimaidam,Guwahati-21 for favour of kind information.

(P.K.Dutta)
Sr.Env.Engineer cum Regional Head
Regional Office-Kamrup

O/C

NOTARY GOVERNMENT OF INDIA
Jnanajit Sarma
Guwahati
Regd. No.- 42846
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20/02/2030

Annexure-8

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भारत सरकार न्यायिक

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Rs.20

TWENTY RUPEES

INDIA

INDIA NON JUDICIAL

Managing Director

असम असम ASSAM

21AA 905839

DEED OF AGREEMENT

THIS DEED OF AGREEMENT is made on this 08th day of April 2019 at Amingaon Guwahati-781031

BETWEEN

M/S ARYA ERECTORS INDIA PRIVATE LIMITED, a Company registered under the Companies Act, 1956, Head Office: H. No. 123, Arya Smart Living, Vill: Abhaypur, Mouza: Sila-Sindurighopa, Dist: Kamrup, Assam, PIN-781031 represented by its Managing Director, Mr. Anil Kumar Sarma, S/O Late Pabindra Nath Sarma, resident of House No.20, Happy Villa, Boloram Bora Road, Barowari, P.O. Silpukhuri, Guwahati-781003 herein with called as the "LAND OWNER & DEVELOPER" which expression unless repugnant to the context or meaning thereof shall include the Company's representatives, assign, administrators and successors in interest on ONE PART hereinafter called as FIRST PARTY.

Directors

Anil Kumar Sarma

Rama Krishna Nedar

Jnanajit Sarma
Guwahati
Regd. No.- 42846
Expiry Dt.-
20/02/2030

AND

**"Arya Smart Living Group Housing Cooperative Society Limited"** represented by its President, Mr. Rama Krishna Newar, which includes to mean Phase-I & Phase-II of the project (In short, the name should be ASLG HSG. Coop. Soc. Ltd.), address: Arya Smart Living, Vill: Abhaypur, North Guwahati, Dist: Kamrup, Assam herein after called as SECOND PARTY (which expression unless repugnant to the context shall mean and include their heirs, executors, administrators and assigns) etc. of the SECOND PARTY.

WHEREAS the FIRST PARTY **"ARYA ERECTORS INDIA PRIVATE LIMITED"**, was formed with the objectives to deal in real estate and housing schemes and has been undertaking Group Housing Residential schemes and Group Housing Residential project on behalf of a SOCIETY/ Association of Persons for its subscribed members on the plot of land (more particularly described in schedule 'A') owned by the FIRST PARTY for the aforementioned purpose.

**AND WHEREAS**, First Party being undisputed owner over a plot of land measuring 30 Bigha 0 Katha 4 Lecha, covered by Dag No. 1340 (19 Bigha 0 Katha 9 Lecha) of Patta No. 1113, Dag Nos. 885 (0 Bigha 1 Katha 11 Lecha), 889 (3 Bigha 2 Katha 0 Lecha) & 890 (5 Bigha 0 Katha 0 Lecha) of Patta No. 198, Dag No. 1112 (0 Bigha 1 Katha 4 Lecha) of Patta No. 1339 situated at Revenue Village-Abhaypur and Mouza – Sila Sinduri Chopa, in the District of Kamrup (Sadar) and Dag No. 764 ( 2 Bigha 0 Katha 0 Lecha) of Patta No. 271 at Revenue Vill: North Guwahati, under Sila-Sindurighopa Mouza, in the district of Kamrup, Assam, has completed a project of housing where it (First Party) with few numbers of Villas with a total built up area of 371365 sq. ft on the plot of land mentioned in schedule 'A' after fulfilling the formalities and the said villas shall be known as ARYA SMART LIVING, at Abhaypur, North Guwahati.

For & behalf of Arya Erectors India Private Limited
Managing Director

For & behalf of India Private Limited
Managing Director

Banti Baishya
Kamrup (Metro)
Regd.No.-KAM-22
Expiry Date
22/05/2027
GOVT. OF ASSAM

Banki Baishya
NOTARY, GOVT. OF ASSAM
Kamrup (Metro), Guwahati
Regd. No.: KAM-22

NOTARY
Jnanajit Sarma
Guwahati
Regd.-No.- 423846
Expiry Dt.-
20/02/2030
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AND WHEREAS, the First Party has agreed in favour of the Second party to use a room in the Club House of Arya Smart Living, Vill: Abhaypur, Mouza: Sila-Sindurighopa, Dist: Kamrup, Assam, as the registered office of the Second Party (more particularly described in Schedule 'B') and to fix sign Board & Notice Board of the Second Party.

AND WHEREAS, the Second Party shall monitor and maintain the common area and common facilities which includes Front Gate, Boundary Wall, Pathway/Joggers track, Children Play area, landscape gardening, other facilities include Club House & Swimming pool, Garbage disposal plant, sewage treatment plant, water supply, generator, drainage, green area, Roads, Transformer, Electrical installation systems on common areas, Campus Security Systems, Rain Water harvesting and hostels for security.

AND WHEREAS it is agreed that the registered office of Arya Erectors India Pvt. Ltd. shall be exempted from payment of any charges.

AND WHEREAS, it is agreed that the approved persons of the Company can avail the facilities of the community hall without any charges.

AND WHEREAS, it is agreed that with prior notice, the Company can arrange meeting in the community hall for which no charges will be levied from the

For & behalf of Arya Erectors India Private Limited
Authorised Signatory
For & behalf of Arya Erectors India Private Limited
Managing Director

SCHEDULE "A"

Land measuring 30 Bigha 0 Katha 4 Lecha, covered by Dag No. 1340 (19 Bigha 0 Katha 9 Lecha) of Patta No. 1113, Dag Nos. 885 (0 Bigha 1 Katha 11 Lecha), 889 (3 Bigha 2 Katha 0 Lecha) & 890 (5 Bigha 0 Katha 0 Lecha) of Patta No. 198, Dag No. 1112 (0 Bigha 1 Katha 4 Lecha) of Patta No. 1339 situated at Revenue Village-Abhaypur and Mouza – Sila Sinduri Ghopa, in the District of Kamrup (Sadar) and Dag No. 764 ( 2 Bigha 0 Katha 0 Lecha) of Patta No. 271 at Revenue Vill: North Guwahati, under Sila-Sindurighopa Mouza, in the district of Kamrup, Assam.

Banti Baishya
NOTARY, GOVT. OF ASSAM
Kamrup (Metro), Guwahati
Regd. No.: KAM-22



Jnanaj Sarma
Guwahati
Regd. No.- 42846
Expiry Dt.-
20/02/2030

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SCHEDULE "B"

A room at the Club house of Arya Smart Living, standing over a plot of land measuring 2 Bighas covered by Dag No. 764 of K.P. Patta No. 271 of Revenue Vill: North Guwahati under Mouza: Sila-Sindurighopa in the district of Kamrup, Assam.

In witness whereof, the parties hereto have set their hands unto this agreement on 08th day of April 2019.

For & behalf of Arya Erection India Private Limited
Managing Director

**Witnesses:**

1. Pankajit Singh
S/o Late Amar Singh
Chandmari Kacha Nagar
Guwahati - 3

**FIRST PARTY**

For & behalf of Arya Erection India Private Limited
Managing Director

2. Utpal Bora
C/O - Bhojen Bora
Vill+P.O - Pamohi
Dist- Kamrup, Assam

**SECOND PARTY**

President
Ashoknagar Coop. Soc. Ltd.

Banti Baishya
Kamrup (M) Dist
Regd.No.-KAM-22
Expiry Date

9/4/19
Banti Baishya
NOTARY, GOVT. OF ASSAM
Kamrup (Metro), Guwahati
Regn. No.: KAM-22



NOTARY
Jnanajit Sarma
Guwahati
Regd. No.- 42846
Expiry Dt.-
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ARYA ERECTORS (I) PRIVATE LIMITED
CIN NO. U70101AS2010PTC010190

Arya Erectors India Pvt. Ltd.
Tel : +91-361-2850501
E-mail : aryaerectorsindia@gmail.com
Web : www.aryaerectorsindia.com

For & behalf of Arya Erectors India Private Limited
Managing Director

To,
The Secretary,
Arya Smart Living Housing Co-operative Society Limited
Guwahati

Dated 21st August 2019

Sub: Handing over of Diesel Generator, Sewage Treatment Plant, Transformer

Dear Concern,

We, Arya Erectors India Private Limited; the developer of Arya Smart living, hereby handover the responsibility of Diesel Generator, Sewage Treatment Plant, Common Electrical Appliances and Transformer to Arya Smart Living Group Housing Cooperative Society Limited effective 1st September 2019.

Our best wishes and sincere regards

For Arya Erectors India Private Limited

Siddhartha Sarkar
PROJECT ENGINEER
ARYA SMART LIVING ABHIDYAPUR
ARYA ERECTORS (I) PVT. LTD.

Received
Rana Krishna Neogi

NOTARY
Jnanajit Sarma
Guwahati
Regd. No.- 42846
Expiry Dt.- 20/02/2030
GOVERNMENT OF INDIA

11 JUL 2025

Annexure – I 485

Regional Office: Kamrup

# Pollution Control Board, Assam

(Department of Environment & Forests, Government of Assam)
Amingaon, Guwahati-31
Email: ro_kamrup@pcbassam.org

No. APCB/ROK/T-608/24-25/84

Dated: Amingaon, the 10th January, 2025

To,
President,
Arya Smart Living Group Housing Cooperative Society Limited,
Abhaypur, North Guwahati
District: Kamrup, Assam-781031

SUB: VIOLATION OF ENVIRONMENTAL NORMS

It has come to the notice of the Board that you have been operating your unit without obtaining valid Consent to Operate (CTO) from the Pollution Control Board, Assam since 01-04-2023. After recent communication with Arya Erectors Pvt. Ltd., in reply to our letter dated 26th December, 2024, they refused to apply for renewal of CTO and stated with legal proof that your Society is the current occupant of the project and CTO matters are to be handled by you. As per the latest PCBA Notification No. TECH-15011/8/2024-CCA-PCBA, dated 26th December, 2024, it is obligatory on your part to obtain mandatory consent under Section-25 of Water (Prevention & Control of Pollution) Act, 1974 and Section-21 of Air (Prevention & Control of Pollution) Act, 1981.

Subject to provision of the Section-25 of Water (Prevention & Control of Pollution) Act, 1974, no person without the previous consent of the Board, shall establish or take any step to establish any industry/unit; operation or process or any treatment and disposal system or any extension or addition thereto which is likely to discharge sewage or trade effluent into a stream or well or sewer or land. Also, subject to provisions of the Section-21 of Air (Prevention & Control of Pollution) Act, 1981, no person shall, without the previous consent of the State Board, establish or operate any industry/unit in an Air Pollution Control Area.

Hence, comprehending the above, you are hereby directed to apply for necessary consent in the Pollution Control Board, Assam within 15 (fifteen) days from the date of receipt of this letter, failing which, the Board has to initiate legal action against you under the above mention environmental legislations which may include the stoppage or regulation of supply of electricity, water or any other services to your unit which may please be noted.

Enclosed: Copy of PCBA notification (As stated above)

(P.K. Dutta)
Sr. Env. Engineer cum Regional Head
Senior Environmental Engineer
Regional Office Kamrup
Pollution Control Board : Assam
Amingaon :Guwahati-31

Memo No. : APCB/ ROK/T-608/24-25/84-A Dated: Amingaon, the 10th of January, 2025

Copy to : The Member Secretary, Pollution Control Board, Assam, Bamunimaidam, Guwahati - 21 for favour of kind information

(P.K. Dutta)
Sr. Env. Engineer cum Regional Head
Senior Environmental Engineer
Regional Office Kamrup
Pollution Control Board : Assam
Amingaon :Guwahati-31

O/C

On behalf of Arya Erectors India Private Limited
Managing Director

NOTARY
Jnanaj Sarma
Guwahati
Regd. No.- 42846
Expiry Dt.- 20/02/2030
GOVERNMENT OF INDIA

11 JUL 2025

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29-01-2025

To

The Chairman

State Environment Impact Assessment Authority (SEIAA), Assam

Guwahati

For & behalf of Arya Erectors India Private Limited
Anil Kumar Sarma
Managing Director

**Sub: Submission of the Report of the Committee constituted by SEIAA pursuant to NGT order dated September 12, 2024, in OA No. 92/2023/EZ**

Sir,

In reference to the Hon'ble National Green Tribunal's order dated September 12, 2024, in Original Application No. 92/2023/EZ and subsequent constitution of this Committee vide SEIAA Office Order bearing no. SEIAA.3431/2023/199 dated 01-10-2024, I am hereby submitting the Committee's detailed report.

The Committee has thoroughly examined all aspects as directed by NGT, including:

- Assessment of project expansion costs and environmental compensation calculation.
- Evaluation of environmental damage and required remedial measures.
- Review of compliance with EC conditions.
- Analysis of contour intervals and stormwater drainage issues.

The report contains our findings, analysis, and recommendations based on site visits, document review, and stakeholder consultations.

We request you to kindly review the report and take further necessary action as per the NGT's directions.

Yours faithfully,

29-01-2025
(SARAT PHUKAN)
Member, SEIAA, Assam

29/01/2025
(M. D. Adhikary)
Senior Environmental Scientist, PCBA

29.1.25
(DEBARAJ KALITA)
Town Planner, GMDA

29/01/25
(CHANDAN KR KATAKI)
AEE, PWRD(R), JTRD Guwahati

29/01/25
(DEEPJYOTI MEDHI)
AE, PWRD, JTRD, Guwahati

NOTARY
Jnanajit Sarma
Guwahati
Regd. No.- 42846
Expiry Dt.- 20/02/2030
GOVERNMENT OF INDIA

11 JUL 2025

# REPORT OF THE COMMITTEE CONSTITUTED BY SEIAA, ASSAM

(IN COMPLIANCE WITH NGT ORDER DATED 12-09-2024 IN O.A. No. 92/2023/EZ)

## A. BACKGROUND

This report has been prepared pursuant to the order dated 12-09-2024 passed by the Hon'ble National Green Tribunal, Eastern Zone Bench, Kolkata in Original Application No. 92/2023/EZ (Dr. Ganesh Das &Ors. Vs. M/s Arya Erectors India Pvt. Ltd. &Ors.). The assessment of violations and recommended actions are based on the following legal and regulatory framework:

1. Environment (Protection) Act, 1986 and Rules thereunder.
2. EIA Notification 2006 and its subsequent amendments.
3. MoEF&CC Office Memorandum dated 07-07-2021 regarding Standard Operating Procedure for dealing with violation cases.
4. NGT Principal Bench order in OA No. 837/2018 (Sandeep Mittal vs. MoEF&CC&Ors.).
5. Supreme Court judgment in Civil Appeal No. 2435/2019 (Keystone Realtors Pvt. Ltd. vs. Shri Anil V. Tharthare and Ors.).
6. Water (Prevention and Control of Pollution) Act, 1974.
7. PCB, Assam Notification No. TECH-15011/B/2024-CCA-PCBA, dt. 26/12/2024

## B. COMMITTEE COMPOSITION

Pursuant to the NGT order dated 12.09.2024, a five-member joint committee has been constituted by SEIAA-Assam vide order dated 01.10.2024 to submit a detailed report as per the NGT directive. The committee comprises experts from relevant fields to ensure comprehensive assessment:

1. Prof. SaratPhukan - Member, SEIAA (Chairman of the Committee) Expertise: Environmental Impact Assessment and Management
2. Shri. M. D. Adhikary - PCBA Expertise: Pollution Control and Monitoring
3. Shri Chandan Kr. Kataki, AEE, PWRD, JTRD, Guwahati-1
4. Shri Deepjyoti Medhi, AE, PWRD, JTRD,Guwahati-1
5. Shri Debaraj Kalita, Town Planner, GMDA, Guwahati

The committee's composition ensures representation of all necessary technical and regulatory expertise required for comprehensive evaluation of the environmental violations and determination of appropriate remedial measures.

## C. FIELD VISITS BY THE COMMITTEE

The committee conducted thorough site inspections and stakeholder consultations through two separate visits:

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1. First Visit (18-10-2024):
   - Meeting with representatives of M/s Arya Erectors India Pvt. Ltd and inspection of:
     - STP facility and its operational status
     - Drainage systems and flood-prone areas
     - Green belt implementation
     - Water management systems
     - Collection of relevant documentation and operational data
2. Second Visit (25-10-2024):
   - Meeting with petitioners and concerned residents for detailed assessment of:
     - Resident grievances
     - Environmental impact on daily life
     - Feasibility of proposed remedial measures

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D. KEY OBSERVATIONS BY NGT

The Hon'ble National Green Tribunal, in its order dated 12-09-2024, has made several significant observations regarding environmental violations and non-compliance by the Project Proponent. These observations form the foundation for this committee's investigation and recommendations. The Tribunal's key findings encompass both statutory violations and operational deficiencies:

1. **Project expansion without environmental clearance:** The Tribunal observed that Respondent No. 1 undertook substantial expansion of the project by incorporating an additional 2 Bighas of land and constructing additional facilities including a clubhouse and swimming pool. This expansion was executed without obtaining the mandatory Environmental Clearance, constituting a clear violation of environmental regulations. The Tribunal particularly emphasized that this action violates clause 2 and 7(ii) of the EIA Notification, 2006, which explicitly requires prior environmental clearance for any project expansion.
2. **Environmental clearance validity and operation:** The Environmental Clearance initially issued on 21-01-2014 had a validity period of five years, extending till 21-09-2019. While this was automatically extended to 20-01-2021 through regulatory provisions vide No. F.No. 22-27 /2015 -IA- III dated 12 April, 2016 , the Tribunal noted that Respondent No. 1 failed to apply for renewal thereafter. This lapse has resulted in the project operating without valid Environmental Clearance post January 2021, making any construction or operational activities during this period legally non-compliant.



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3. **Operational non-compliances:** The Tribunal identified several operational violations that directly impact environmental quality and public health:
    - The project operated without a valid Consent to Operate (CTO) after 31-03-2023.
    - Groundwater extraction was conducted without obtaining necessary permissions from the Central Ground Water Authority.
    - The Sewage Treatment Plant (STP) was found non-operational during inspection by concerned authority.
    - Significant issues were observed in the stormwater drainage system including insufficient cross sectional area of sewage drains, improper gradient and inadequate flow capacity.
    - The stormwater drains showed signs of neglect, evidenced by greyish to blackish colouration.
4. **Project modifications and scope changes:** The NGT noted significant deviations from the originally approved project scope. The Respondent No. 1 modified the development plan by converting approved apartments into villas and abandoning the planned retail outlets. Such fundamental changes in project scope, as per the NGT observation, necessitated a fresh environmental appraisal, which was not undertaken. These alterations potentially impact the overall environmental footprint of the project and require reassessment of various environmental parameters.
5. **Administrative and procedural lapses:** The NGT critically observed that SEIAA's order dated 09-05-2023, which addressed the applicants' representations, was inadequate and cursory in nature. The order failed to properly examine the grievances raised by the applicants in their representations dated 06-07-2022 and 20-10-2022. This observation highlights the need for more thorough and substantive consideration of environmental concerns raised by affected parties.
6. **Legal standing and jurisdiction:** The NGT decisively addressed preliminary objections raised by Respondent No. 1 regarding res judicata, limitation, and locus standi. In rejecting these objections, the Tribunal established important principles:
    - The applicants, as purchasers of houses/villas/flats in the project, have direct stake and standing.
    - Environmental violations create continuous cause of action.

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- The matter involves substantial environmental concerns requiring adjudication.

7. **Environmental impact assessment:** Drawing from the Supreme Court's judgment in the Keystone Realtors case, the Tribunal emphasized the fundamental principle that environmental impact assessment must precede both project execution and expansion. This observation reinforces the preventive approach in environmental protection.

**E. TASKS ORDERED FOR SEIAA, ASSAM**

The National Green Tribunal has issued the following specific directions to SEIAA, Assam:

1. Regarding joint assessment, SEIAA must collaborate with PCBA to determine the actual cost incurred in the project expansion and calculate environmental compensation at 1% of the project cost, which is to be deposited with PCBA.
2. Concerning damage assessment and remedial measures, SEIAA is tasked for working out appropriate remedial measures based on their damage assessment. They must ensure that these measures are implemented by Respondent No. 1.
3. SEIAA must undertake a fresh review of the previous representations dated 06-07-2022 and 20-10-2022. This review should result in a new, reasoned order that properly addresses the issues raised, followed by appropriate remedial action based on their findings.
4. Regarding technical compliance, SEIAA must examine compliance with specific condition at Part-A (I)(i) of the EC. This involves reviewing the analysis of contour intervals of the site and surrounding areas, as well as the capacity of stormwater drainage. Based on this examination, they must take appropriate action regarding any non-compliance.
5. On the enforcement front, SEIAA is directed to take action against Respondent No. 1 for violation of EC conditions, ensuring that principles of natural justice are followed.
6. Finally, regarding timeline and reporting, SEIAA must complete all these directed exercises within three months. They must then file an action taken report with the Registrar, NGT, Eastern Zone Bench at Kolkata. The matter may be listed for further consideration if found necessary.

**F. OBSERVATIONS AND RECOMMENDATIONS**

Based on detailed site inspections, stakeholder consultations, and technical assessments, the committee presents its findings and recommendations as follows:

**1. Expansion and scope changes of the project:**

While the Respondent No.1 argues that the additional land was registered as a separate project with its own building NOC from North Guwahati Municipal Corporation, and that the total built-up area of all three projects combined (approximately 29,750 sqm) is only about 48% of the approved

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constructed area of 62,133.036 sqm as per the EC dated 21.01.2014, this does not address two core issues:

a) The first issue relates to proceeding with construction without necessary environmental clearances. The Respondent's contention that the construction on the 2 bighas of land does not qualify for EC due to its size being only around 446 sqm, which is less than the 20,000 sqm minimum threshold, overlooks the fact that this was an addition to an existing EC-approved project requiring reappraisal. As per the NGT order dated 12.09.2024, this constitutes a violation requiring environmental compensation.

b) The second issue pertains to significant changes in the approved project scope. The Respondent has modified the development plan by converting approved apartments into villas and abandoning the planned retail outlets. As per General Condition No. 3 of the EC dated 21.01.2014, "In the case of any change(s) in the scope of the project, the project would require a fresh appraisal by the SEIAA." These fundamental changes in project scope were implemented without obtaining the mandatory fresh environmental appraisal, constituting a separate violation of EC conditions.

Both these actions - physical expansion and scope modification - have potentially altered the project's environmental footprint from what was originally assessed and approved in the EC, requiring fresh environmental impact assessment as per established legal precedents.

**2. Remedial measures**

During the field visits and after extensive consultations with stakeholders, the committee has identified comprehensive remedial measures necessary to address the environmental violations and ensure future compliances. These measures are designed to address to both immediate concerns and long-term sustainability:

**(a) Water flooding during monsoon**

The property faces significant flooding issues during monsoon, presenting a major environmental and safety concern. The committee's investigation revealed that storm waters enter the campus through multiple points including sewage canals and boundary wall openings. As the sewage canals of the ASL campus being lower than the PWD surface road side drain exist outside the campus, cannot discharge water from the campus. The current mitigation measure of using two/three water pumps has proven insufficient. A proper design for managing storm water flooding would need a very detailed study and planning.

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A professional survey conducted by Precision Surveying Co., dated 22-10-2022, has documented significant terrain differentials:

- Western boundary: Ground level 20cm higher than Phase 1 campus
- Southern boundary: 61cm higher than Phase 1 campus
- Eastern boundary: 26cm higher than Phase 1 campus
- Northeastern boundary: 26cm higher than Phase 1 campus
- PWD drain bed level near ASL campus: 16cm higher than trijunction area of ASL drain

The area surrounding the Arya Smart Living campus has undergone significant terrain modifications due to extensive construction activities in adjacent areas like upgradation of road works. The existing drainage system inside the Arya Smart Living campus requires comprehensive redesign and major rehabilitation works. This would necessitate advanced terrain mapping and hydrological assessment using modern technology.

The survey should employ drone-based LiDAR mapping combined with RTK-GPS ground control points to generate a high-resolution Digital Elevation Model (DEM) with accuracy up to 10cm. This would provide precise terrain data of both the campus and surrounding areas up to 500 meters radius, with particular attention to drainage pathways and potential water accumulation zones. The acquired data should be processed using advanced hydrological modelling software to simulate various rainfall scenarios, accounting for both regular monsoon conditions and extreme weather events. This modelling would enable the design of optimal drainage solutions calibrated to actual site conditions. While the initial cost for such a detailed survey is higher than conventional methods, it would prove cost-effective by enabling precise drainage solutions and preventing future flooding issues. Alternatively, the Respondent No. 1 may obtain suitable high-resolution LiDAR data from government agencies such as PWD or GMDA, if available, provided it meets the technical requirements for accurate hydrological modelling.

The committee recognizes that due to the ASL campus being significantly lower than the surrounding areas, a conventional gravity-based drainage system alone may not provide complete resolution to flooding issues. The hydrological modelling should therefore evaluate a comprehensive solution that integrates multiple approaches.

As the existing PWD roadside drain are designed primarily as run-off drains, the committee recommends that Respondent No. 1 should first consult with PWD regarding their future plans for stormwater management infrastructure in this area. If there is a plan from PWD to develop stormwater drainage systems in the area, the Respondent No.1 should align their drainage design accordingly and explore the possibility of developing connecting discharge drains that would

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Integrate with the planned PWD Infrastructure. This forward-looking approach would ensure that any investments in drainage infrastructure by the Respondent No. 1 would be compatible with future municipal developments.

Within the campus, the drainage system should be designed considering both regular monsoon conditions and extreme weather events. The exact specifications, locations, and designs should be determined through the hydrological modelling process. The modelling should evaluate scenarios both with and without potential future municipal stormwater infrastructure to ensure adaptability of the proposed solutions.

If the hydrological modelling indicates that gravity-based drainage solutions and integration with future municipal infrastructure would not adequately address the flooding issues, the committee recommends evaluating an engineered water management system as a last resort. This would include identifying and permanently sealing all boundary wall openings to prevent storm water inflow from outside, strategic placement of sluice gates at key drainage points that can be closed during extreme flooding events to prevent backflow, creation of a stormwater retention pond (either covered or open) at a suitable location within the campus, and installation of high-capacity pumps with backup power systems to evacuate accumulated water to external drainage networks, whenever necessary. However, this approach should only be considered after exhausting other options, as it would require significant investment in infrastructure, continuous maintenance, and reliable power backup systems to ensure functionality during critical periods.

The final design should incorporate whichever combination of these approaches proves most effective based on the hydrological modelling results, while ensuring long-term sustainability and reliability of the system.

The initial development cost for implementing any of these solutions, including the engineered water management system if required, shall be borne by Respondent No. 1. The recurring costs including regular maintenance, power consumption, equipment servicing, and other operational expenses would be the responsibility of the Residents' Society.

This committee does not have required time, budget and technical resources to do this entire study itself, and therefore, suggests SEIAA orders the Respondent No. 1, as per the NGT order, to institute entire study as mentioned above by engaging a competent public sector organization.

**(b) Green Belt non-compliance**

The Environmental Clearance dated 21.01.2014 under Part-A(II)(v) mandates development of a peripheral green belt of 3 metres width around the plot area with local species. The EC specifies a total green belt area requirement of 7,484.96 Sqm. During field inspection, the committee observed

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significant non-compliance with these conditions. The green belt is either non-existent or substantially less than the mandated 3 metres in multiple locations.

The committee's investigation has identified two major structural impediments:

1. The main sewage drain constructed inside the boundary wall partially occupies the space required for the peripheral green belt.
2. Certain residential structures have been constructed in very close proximity to the boundary wall.

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During interaction with residents, it was proposed to maintain at least one-metre width of green belt in locations where residential structures are near the boundary. They suggested construction of provision of the green belt to be on the raised bed to serve as an additional barrier against the inflow of external water.

However, even this measure may require significant engineering modifications, including relocation of the boundary sewage drain and construction of an alternative drainage system.

The committee recommends integrating green belt development with the comprehensive topographic survey and redesign of the drainage system. The viability of creating the green belt on a raised bed would be investigated during the survey and subsequent hydrological modelling. Implementation should proceed in phases:

**Phase 1 (Immediate):**

- Identify and map all available spaces suitable for green belt development.
- Establish 3-meter green belt in unencumbered areas where no structural or drainage constraints exist.
- Maintain existing green areas with proper care protocols.

**Phase 2 (Technical assessment):**

- Complete topographic survey and hydrological modelling.
- Based on modelling results, integrate modified drainage and green belt designs.
- Determine feasibility of raised bed structures and their impact on drainage.
- Prepare detailed engineering plans for drainage modifications inside the campus.
- Obtain necessary approvals for proposed modifications from the competent authority.

**Phase 3 (Implementation):**

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- Execute approved drainage system modifications.
- Construct raised bed structures if approved by hydrological assessment
- Implement 1-meter wide green belt in areas with structural constraints.
- Create compensatory plantation in identified alternative locations to achieve the mandated 7,484.96 Sqm total green area.
- Establish long-term maintenance protocols for all planted areas

(c) Non-functional STP

The Environmental Clearance dated 21-01-2014 under Operation Phase Conditions Part-A(II)(i) mandates that "The installation of the Sewage Treatment Plant (STP) should be certified by an independent expert and a report in this regard should be submitted to the SEIAA before the project is commissioned for operation. Treated effluent emanating from STP shall be recycled/reused to the maximum extent possible. Treatment of 100% grey water by decentralized treatment should be done. Zero discharge criteria should be met as agreed."

During field visits on 18-10-2024 and 25-10-2024, the committee conducted detailed inspection of the STP facility. The STP, designed with a capacity of 70 KLD, was found to be operating significantly below its intended efficiency. According to the Project Proponent's own admission, the plant operates only twice a week during night time for 2-3 hours instead of the mandatory daily operation. This intermittent operation has resulted in inadequate treatment of sewage, creating potential environmental and health hazards for the residents.

The committee's inspection revealed several critical deficiencies in the STP's operation and maintenance. The treatment units showed signs of poor maintenance with accumulated sludge and inadequate aeration. The absence of proper flow meters at inlet and outlet points makes it impossible to verify the actual volume of sewage being treated. Furthermore, no records were available regarding the quality of treated effluent or its utilization, indicating a complete absence of proper monitoring and documentation systems.

The operational staff interviewed during the inspection demonstrated insufficient understanding of the treatment process and operational requirements. No standard operating procedures were available at the site, and maintenance logs were either incomplete or non-existent. The lack of proper training and operational protocols has contributed significantly to the plant's poor performance.

Given these critical violations and their direct impact on public health and environment, the committee recommends a comprehensive rehabilitation program. The Project Proponent must

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undertake immediate repair and upgradation of the STP to ensure its proper functioning. This should include installation of proper monitoring equipment, flow meters, and automated dosing systems. A qualified operator must be appointed, and proper training should be provided to all operational staff.

The committee further recommends that an independent expert should be engaged to certify the STP's operation, as originally mandated in the EC. Regular monitoring of inlet and outlet parameters through NABL accredited laboratories should be initiated, and proper records should be maintained. The Project Proponent should submit monthly performance reports to SEIAA until stable operation is achieved, following which quarterly reports would suffice.

(d) Improper grey water and black water separation

The Environmental Clearance dated 21-01-2014 under Specific Conditions at Part-A(I)(xviii) mandates that "Separation of grey and black water should be done by the use of dual plumbing line for separation of grey and black water." During field inspections conducted on 18-10-2024 and 25-10-2024, the committee undertook a thorough assessment of the water management systems within the campus and found significant violations of this condition.

The Project Proponent has implemented the dual plumbing system only partially.

This partial implementation reflects a significant deviation from the EC requirements, which mandate comprehensive separation throughout the project. The committee observed that grey water from most residential units is being directly discharged into open drains without any treatment or separation, creating unhygienic conditions within the premises.

The situation becomes particularly problematic during monsoon periods when grey water mixes with rainwater and spreads across the open areas, exacerbating the existing flooding issues. Water samples collected from various points within the campus showed high organic content, indicating mixing of grey and black water streams. This mixing not only violates EC conditions but also nullifies the potential benefits of water recycling and reuse that could have been achieved through proper separation.

During discussions with residents, several complaints were received regarding foul odour from the drains and waterlogged areas, indicating the presence of organic matter in the grey water being discharged. The committee also noted that the absence of proper separation systems has led to increased load on the already struggling STP, affecting its performance and efficiency.

The committee recommends that the Respondent 1 must undertake comprehensive modification of the plumbing system to ensure proper separation of grey and black water streams throughout the



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campus. This modification should be integrated with the proposed drainage system redesign to ensure optimal functionality. The implementation should include installation of appropriate treatment facilities for both water streams and establishment of a proper monitoring system to ensure sustained compliance.

**3. Environmental compensation assessment**

Based on the detailed investigation of violations and following the directives of NGT and guidelines of MoEF&CC, the committee has assessed the environmental compensation under different categories of violations:

**(a) Project expansion and scope change without Environmental Clearance**

The committee confirms two distinct violations in this category:

**Physical Expansion:** Respondent No. 1 expanded the project by adding 2 bighas of land and constructing additional facilities including clubhouse and swimming pool without obtaining necessary environmental clearance. The expansion was registered as a separate project with Regulatory Estate Regulatory Authority, Assam, bearing Temp Project Id RERA-ASM-PROJ-130-2022 (Annexure-1) with submission date 04-07-2022. The estimated cost of this expansion project is documented as Rs. 148.50 Lakhs.

**Scope Modification:** The Respondent has substantially modified the project scope from the originally approved plan by:

- Converting approved apartments into villas
- Abandoning the planned retail outlets

These changes were implemented without obtaining the mandatory fresh environmental appraisal required under General Condition No. 3 of the EC.

Following the NGT's direction to levy environmental compensation at 1% of the expansion cost for the physical expansion, the committee determines the compensation amount as Rs. 1,48,500/- (Rupees one lakh forty-eight thousand five hundred only).

In light of the Hon'ble Supreme Court's stay order dated 02.01.2024 in W.P.(C) No. 1394/2023 titled Vanashakti vs. Union of India on the operation of Office Memoranda dated 7th July 2021 and 28th January 2022, the determination and imposition of environmental compensation for both the physical expansion and scope change violations will be subject to further orders of the Supreme Court.

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**(b) Operation without valid Environmental Clearance**

The Environmental Clearance dated 21.01.2014 was initially valid for five years till 21-01-2019, which was automatically extended to seven years (till 21-01-2021) through MoEF&CC Office Memorandum dated 12-04-2016. As evidenced by RTI responses dated 28-12-2020 and 13-05-2022 from SEIAA, Respondent No. 1 has not applied for extension of EC after its expiry.

The period of violation can be precisely determined based on documentary evidence. The Environmental Clearance expired on 21-01-2021.

The project has not received full occupancy certificate from Guwahati Metropolitan Development Authority (GMDA) or North Guwahati Municipal Board (NGMB) till today. The occupancy certificate bearing no. NGMB/BP/2021-22/2129 dated 31-07-2021 was cancelled by NGMB. Subsequently, NGMB issued a part occupancy certificate, bearing no. NGMB/BP/2022-23/2870 dated 02-11-2022, for the portion of the club house constructed within the approved site of 2 bighas (**Annexure-2**), as communicated to Real Estate Regulatory Authority, Assam (RERA) vide letter no. NGMB/BP/2022-23/2916 dated 06-12-2022 (**Annexure-3**). Later, GMDA has issued another part occupancy certificate vide letter no. GMDA/BP/2214/26112012/679 dated 21-08-2023 covering only 64 out of total 123 villas (**Annexure-4**). The project continues to operate without valid EC although it was expired on 22-01-2021. As of the date of this report, this constitutes a period of 48 months (from 22-01-2021 to 31-01-2025), and the violation continues.

In light of the Hon'ble Supreme Court's stay order dated 02.01.2024 in W.P.(C) No. 1394/2023 titled Vanashakti vs. Union of India on the operation of Office Memoranda dated 7th July 2021 and 28th January 2022 (**Annexure-5**), the determination and imposition of environmental compensation for operating without valid EC during this period will be subject to further orders of the Supreme Court.

**(c) Non-submission and Delayed Submission of six-monthly Compliance Reports**

The Environmental Clearance conditions under Part-B General Conditions (1) mandate regular submission of six-monthly compliance reports to SEIAA and Regional Office of MoEF&CC. The committee's examination of records reveals that the Project Proponent submitted eleven compliance reports on 14-07-2022, covering the period from January 2014 to January 2019 (**Annexure-6**). These reports, while comprehensive in coverage, were submitted after a significant delay of more than three years from their due dates. Furthermore, no compliance reports were submitted for the extended EC period from January 2019 to January 2021, during which four reports were due.

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In light of the Hon'ble Supreme Court's stay order dated 02.01.2024 in W.P.(C) No. 1394/2023 titled Vanashakti vs. Union of India on the operation of Office Memoranda dated 7th July 2021 and 28th January 2022, the determination and imposition of environmental compensation for delayed and non-submission of compliance reports will be subject to further orders of the Supreme Court.

**(d) Operation without valid Consent to Operate from PCBA**

The Pollution Control Board, Assam issued Consent to Operate (CTO) to M/S. Arya Smart Living, ARB Road, Abhayapur, North Guwahati, District- Kamrup under Section 25 of Water(Prevention and Control) 1974, and Section 21 of Air(Prevention and Control), 1981 with validity till 31-03-2023. Due to non-submission of renewal of Consent to Operate(CTO) the Board has issued a notice to the occupier vide letter no. APCB/ROK/T-608/24-25/55, dated 26th December 2024 (Annexure-7). In response to the communication with Arya Erectors Pvt. Ltd, they refused to apply for renewal of CTO and stated with legal proof that they have handed over the monitoring and maintenance the common area and common facilities of the housing project to the Housing Society in the name and style " Arya Smart Living Group Housing Co-Operative Society Limited". which include Sewage Treatment Plant(STP), DG set(2 nos) etc. (Annexure-8). Subsequently the Board has issued another notice to the President of the Housing Society vide letter no. APCB/ROK/T-608/24-25/84, dtd. 16th January,2025 with a direction to submit renewal of CTO application to the Board (Annexure-9). The compensation for CTO violation would be imposed by the PCBA at the time of CTO renewal.

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**(e) Groundwater extraction without CGWA permission**

The committee's investigation reveals that groundwater extraction has been undertaken without obtaining the mandatory permission from Central Ground Water Authority. During site inspection, it was observed that the Project Proponent has installed groundwater extraction systems for meeting the project's water requirements. The Project Proponent has explained that they did not obtain CGWA permission because: 1) they had originally planned to use municipal water supply from the JICA-GMDA project which was promised by 2016 but did not materialize, 2) water being a state subject and the Assam Ground Water Control and Regulation Rules only being approved in 2022 after project completion, 3) CGWA permission not being considered mandatory in Assam when the project started in 2013, and 4) no other similar real estate projects in Assam during that period had reportedly applied for such permission. However, regardless of these explanations, the quantum of groundwater extracted and the duration of such unauthorized extraction needs to be determined by CGWA for calculating appropriate environmental compensation as per their established guidelines.

Given the critical nature of groundwater resources and the project's location in a water-sensitive area, this violation requires separate assessment by CGWA. The committee believes it is the



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authority of the CGWA to determine the compensation amount considering factors such as the quantum of extraction, duration of violation, and the area's hydrogeological sensitivity. The SEIAA, Assam is hereby requested to intimate CGWA regarding this matter.

**(f) Summary of Environmental Compensation**

The committee has assessed potential violations related to:

1. Expansion and change of scope without EC
2. Compliance Report submissions
3. Operating without valid EC
4. CTO Violations (under PCBA jurisdiction)
5. Groundwater Extraction (under CGWA jurisdiction)

The committee notes that:

- The quantification and imposition of environmental compensation in relation to EC violations is currently subject to the Supreme Court's stay order in W.P.(C) No. 1394/2023 titled Vanashakti vs. Union of India.
- The compensation amounts cannot be finalized or demanded until further orders from the Supreme Court by the SEIAA, Assam. The final determination and payment of any compensation will be subject to applicable judicial orders and statutory provisions.
- The compensation for CTO violation would be imposed on the Respondent No. 1 at the time of renewal of CTO for which the Respondent No.1 and the Residents' Society (Arya Smart Living Group Housing Cooperative Society Limited) are already served show-cause notice by the PCBA.
- Separate assessments by CGWA regarding unauthorized groundwater extraction may proceed as per their respective statutory frameworks. The SEIAA, Assam is requested to intimate the CGWA in this matter.
- The above recommendations and actions would effectively address the the grievances raised by the petitioner in its representations dated 06-07-2022 and 20-10-2022 to the SEIAA, Assam.

**4. Implementation and monitoring framework**

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The committee, after careful consideration of all aspects of environmental violations and necessary remedial measures, recommends a comprehensive implementation and monitoring framework to ensure effective compliance and environmental protection:

**(a) Implementation timeline**

The remedial measures shall be implemented in three distinct phases:

**Immediate phase (Within 30 Days):** The Respondent no. 1 must address critical environmental and health concerns by ensuring functional operation of essential environmental infrastructure. This includes regular operation of STP with proper documentation, collection and submission of all documents related to project expansion and scope changes, implementation of green belt in unencumbered areas, and initiation of the topographic and hydrological survey process through engagement of a competent public sector organization. The Project Proponent shall submit a detailed action plan to SEIAA covering all remedial measures with specific timelines.

**Short-term Phase (1-3 months):** This phase shall focus on technical assessments and comprehensive design modifications. The Respondent no. 1 shall first explore the possibility of obtaining suitable high-resolution topographical data from PWD or other government agencies. If such data meeting the technical requirements is not available, then a fresh topographic survey (Drone based LiDAR) shall be conducted. The acquired topographical data shall be used for hydrological modelling, leading to a comprehensive drainage system redesign. Based on these studies, detailed plans shall be developed for green belt implementation and modification of the plumbing system for proper grey/black water separation. The Respondent no. 1 shall also establish proper monitoring systems and documentation protocols for all environmental parameters.

**Long-term phase (3-6 months):** This phase shall involve implementation of all major structural changes including drainage system modifications, establishment of green belt in feasible areas as per the approved plan, modification of plumbing systems to ensure proper water separation, and installation of permanent environmental monitoring infrastructure. The Respondent No. 1 shall ensure completion of all remedial measures within this timeframe.

**(b) Monitoring protocol**

The committee recommends establishment of a robust monitoring system to ensure effective implementation of remedial measures and sustained environmental compliance:

**Environmental monitoring:** The Respondent No. 1 shall establish a comprehensive environmental monitoring system covering all critical parameters. The implementation responsibilities have been clearly delineated between the Respondent No. 1 and the Residents' Society (ASL Group Housing

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Cooperative Society Ltd). While the Resident No. 1 shall be responsible for implementing all remedial infrastructure and completing required modifications, the Residents' Society shall undertake regular operational monitoring including STP operations, drainage system performance, and water quality testing through NABL accredited laboratories.

**Compliance documentation:** A systematic documentation process shall be maintained for all environmental aspects. This shall include maintenance of separate registers for each environmental component, photographic documentation with proper date and time stamps, and regular compliance status reports to regulatory authorities. Special emphasis shall be placed on documenting the implementation of remedial measures and modifications to ensure full compliance with both original EC conditions and additional requirements.

**Third-Party verification:** Independent third-party audits shall be conducted quarterly to verify compliance with both remedial measures and EC conditions. The audit scope shall cover verification of physical infrastructure modifications as well as operational compliance. The audit reports shall be submitted to SEIAA with copies to PCBA. The auditors shall be selected from a panel of approved environmental auditors with relevant expertise in construction sector environmental management.

For & behalf of Arya Ent...
India Private Limited
Managing Director

## G. CONCLUSIONS AND FINAL RECOMMENDATIONS

After thorough evaluation of all aspects of the case, the committee presents its final conclusions and recommendations for ensuring environmental compliance and protection:

### (a) Summary of environmental violations

The Project Proponent has committed multiple violations of environmental regulations and EC conditions. These include physical expansion without EC, changes in project scope without fresh appraisal, operational non-compliances, and various procedural violations. The violations have resulted in significant environmental impacts, particularly concerning water management and green belt requirements. The committee notes that while some violations occurred due to technical constraints, others resulted from inadequate environmental management systems and lack of proper monitoring.

### (b) Financial Implications

As mentioned above, the penalty for EC violations is currently subject to the Hon'ble Supreme Court's stay order in W.P.(C) No. 1394/2023 titled Vanashakti vs. Union of India and the same would be calculated by SEIAA for the periods mentioned in this report once the verdict is given by the Hon'ble Supreme Court in this matter. Additional compensations to be determined by PCBA for CTO violations at the time of CTO renewal and CGWA for groundwater extraction shall be added to this



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amount. The Respondent No. 1 shall bear all costs associated with implementation of remedial measures, including obtaining/conducting necessary technical studies and implementing drainage system modifications.

(c) Mandatory actions

**Environmental Infrastructure:**

- Immediate rehabilitation and daily operation of STP
- Implementation of proper dual plumbing system
- Development of green belt as per modified plan
- Installation of scientific drainage system based on proper hydrological assessment

**Documentation and monitoring:**

- Establishment of proper record-keeping system
- Regular environmental monitoring through accredited laboratories
- Maintenance of operational logs for all environmental infrastructure
- Regular submission of compliance reports

**Administrative requirements:**

- Payment of environmental compensation within stipulated timeframe
- Obtaining necessary permissions from CGWA
- Renewal of Consent to Operate
- Regular training of operational staff

(d) Future compliance measures

To prevent recurrence of violations and ensure sustained environmental protection, the committee recommends:

- Establishment of dedicated Environmental Management Cell
- Regular environmental audits by third-party experts
- Periodic review meetings with regulatory authorities
- Development of emergency response protocols

The implementation of these recommendations shall ensure compliance with environmental regulations while addressing the concerns raised by residents. Regular monitoring by SEIAA and other regulatory authorities will be crucial for successful implementation of these measures. Clear

For & behalf of Arya Ispat India Private Limited
Managing Director



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delineation of responsibilities between the Project Proponent and the Residents' Society is essential for long-term sustainability of these measures.

This committee requests the SEIAA, Assam to take actions early and serve notice to the Respondent No. 1 for implementing of aforesaid remedial measures.

29/01/2025
(SARAT PHUKAN)
Member, SEIAA, Assam

29/01/2025
(M. D. Adhikary)
Senior Environmental Scientist, PCBA

29.1.25
(DEBARAJ KALITA)
Town Planner, GMDA

For & behalf of Arya Erection India Private Limited
Managing Director

29/01/25
(CHANDAN KR KATAKI)
AEE, PWRD(R), JTRD Guwahati

29/1/25
(DEEPJYOTI MEDHI)
AE, PWRD, JTRD, Guwahati

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Guwahati
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Expiry Dt.-
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ANNEXURE-'H'

DISTRICT: KAMRUP

IN THE GAUHATI HIGH COURT
(The High Court of Assam, Nagaland, Mizoram and Arunachal Pradesh)

(CIVIL ORIGINAL JURISDICTION)

CAVEAT NO. 205 OF 2025

CATEGORY:
CODE:

To,

The Hon'ble Mr. Justice, Vijay Bishnoi, the Chief Justice of the Hon'ble Gauhati High Court and His Lordship's other Companion Justices of the said Hon'ble High Court.

IN THE MATTER OF:

An application under Section 148A of the Code of Civil Procedure, 1973.

- AND -

For & behalf of Arys Electronics India Private Limited
Managing Director

NOTARY
Banti Baishya
KAMRUP (M) City
Regd. No. KAM-22
Expiry Date
2/10/28
GOVT OF ASSAM

NOTARY
Jnanajit Sarma
Guwahati
Regd. No.- 42846
Expiry Dt.-
20/02/2030
GOVERNMENT OF INDIA

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**IN THE MATTER OF:**

A prospective writ petition against the order vide letter No. SEIAA.3431/2023/402 dated 15.02.2025 issued by the Member Secretary, State Environmental Impact Assessment Authority, Assam (in short "SEIAA, Assam") to M/s Arya Erectors India Pvt. Ltd., in compliance of order dated 12.09.2024 passed by the Hon'ble National Green Tribunal, Eastern Zone Bench, Kolkata in O.A No. 92/2023/EZ Dr. Ganesh Das & Ors. v. M/s Arya Erectors Pvt. Ltd. & Ors., based on the observation and recommendation of the 'Report of the Committee' constituted by SEIAA, Assam, in compliance of the aforesaid order dated 12.09.2024 of the Hon'ble NGT (EZB), Kolkata, and/or any order/s passed by SEIAA, Assam, pursuant to the said 'Report of Committee' or Hon'ble NGT (EZB), Kolkata, order dated 12.09.2024.

For & behalf of Arya Erectors India Private Limited

Anil Kumar Sarma
Managing Director

NOTARY
Bantu Baishya
KMR65 (M) Ghy
Regd. No. RAM-22
Expiry Date
22/6/26
GOVT OF ASSAM

NOTARY
Jnanaj Sarma
Guwahati
Regd. No.- 42846
Expiry Dt.-
20/02/2030
GOVERNMENT OF INDIA

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- AND –

**IN THE MATTER OF:**

1. Dr. Ganesh Das (Age – 53 years)
   S/o Sri. Dijendra Ch. Das
   R/o A-6, Arya Smart Living,
   Abhaypur, North Guwahati 781030
   District – Kamrup, Assam

**..... Caveator/**
**Prospective Respondent**

- Versus -

1. **M/s Arya Erectors Pvt. Ltd.**
   Represented by its Managing Director
   503, K.P Enclave, Sohagpur,
   Rehabari, Guwahati 781008,
   District – Kamrup (M)
   Assam

**.....Opposite Party/**
**Prospective Writ Petitioner**

The humble petition of the caveator above named:-

For & behalf of Arya Erectors India Private Limited
Managing Director

NOTARY
Bapti Baishya
KAMRUP (M) Chy
Regd. No. KAM/22
Expiry Date
27/5/28
GOVT. OF INDIA

NOTARY
Jnanajit Sarma
Guwahati
Regd. No.- 42846
Expiry Dt.-
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**MOST RESPECTFULLY SHEWETH:-**

1. That the caveator is a citizen of India and a resident of the above-mentioned locality in the state of Assam and as such he is entitled to all the rights, protections and privileges guaranteed under the Constitution of India.

2. That the caveator begs to state that the caveator is a buyer/resident of 'Arya Smart Living' township located at Abhaypur, North Guwahati, District – Kamrup, from the builder/respondent M/s Arya Erectors Pvt. Ltd. However, being aggrieved by number violations of the Environmental Clearance granted to the builder/respondent for the said township project, among other violations, the applicant along with four other buyers/residents of the said township preferred an Original Application No. 92/2023/EZ before the Hon'ble National Green Tribunal, Eastern Zone Bench, Kolkata, which was disposed of vide order dated 12.09.2024 with the following directions:

i.) Since, Respondent No. 1 has expanded the project by including an additional about 2 Bighas of land and raising additional construction of a clubhouse, swimming pool etc., without getting reappraisal of the EC dated 21.01.2014 and without getting the environmental clearance for the additional area, therefore, the Respondent No. 1 has violated clause 2 and 7(ii) of the EIA Notification, 2006 and is liable to compensate for the damage caused to environment by depositing 1% of the project cost incurred in expansion with ASPCB as environmental

For & behalf of ... India Private Limited
Anil Kumar Sharma
Managing Director

NOTARY
Bantil Baishya
KAMRUP (M) Ch.
Regd. No. KAM 22
Expiry Date
22/5/26
GOVT. OF ASSAM

NOTARY
Jnanajit Sarma
Guwahati
Regd. No.- 42846
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compensation. The SEIAA, Assam, and ASPCB will jointly workout the cost incurred in expansion of project and determine the environmental compensation.

ii.) Respondent No. 1 is also liable to carry out the remedial measures which will be worked out by SEIAA, Assam based on the damage assessment.

iii.) The order dated 09.05.2023 passed by SEIAA Assam is found to be bad in law and is hereby set aside. The SEIAA, Assam is directed to decide the representations dated 06.07.2022 and 20.10.2022 of the applicants afresh on other issues keeping in view the observations made above and take appropriate remedial action.

iv.) Since the grievance of the Applicants is that, in terms of the specific condition at Part-A (I)(i) of the EC, necessary steps to analyse the contour intervals of the site and surrounding areas and the capacity of stormwater drainage have not been taken done and steps are not taken to address the problem of waterlogging and flooding, therefore SIEAA will duly examine the issue of non-compliance of above condition and take appropriate action.

v.) The SEIAA, Assam is also directed to take action against Respondent No. 1 for violation of the EC condition by complying with the principles of natural justice.

For & behalf of Any
India Private Limited
Sunil Kumar Sarma
Managing Director

NOTARY
Benti Baishya
Kamrup (M) Dist
Regd. No. KAM 22
Expiry Date
2/2026
GOVT. OF ASSAM

NOTARY
Jnanak Sarma
Guwahati
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vi.) The ASPCB is also directed to take action for the violation of the environmental norms found on the spot and reflected in its report dated 21.11.2023.

vii.) Let the above exercise be completed by the SEIAA, Assam and ASPCB within a period of three months and an action taken report be filed before the Registrar, NGT, Eastern Zone Bench at Kolkata, immediately on completion of three months and if found necessary the matter will be listed for consideration before the Bench.

For & behalf of Arya Erectors India Private Limited
Anil Kumar Sarma
Managing Director

3. That the caveator beg to state that SEIAA, Assam vide its order dated 01.10.2024, constituted a five-member committee to deal with the directions and observations of the Hon'ble NGT (EZB), Kolkata, vide its order dated 12.09.2024 in above-mentioned O.A No. 92/2023/EZ.

The the aforesaid Committee submitted its Report with SEIAA, Assam, and thereafter the Member Secretary, SEIAA, Assam, issued order vide letter No. SEIAA.3431/2023/402 dated 15.02.2025 to M/s Arya Erectors India Pvt. Ltd., in compliance of order dated 12.09.2024 passed by the Hon'ble NGT (EZB), Kolkata, in O.A No. 92/2023/EZ, and to comply with the observations and recommendation of the Committee as suggested in the Report.

NOTARY
Bantu Baishya
Regd. No. KAM 22
Expiry Date
22/5/26
GOVT. OF ASSAM

NOTARY
Jnanajit Sarma
Guwahati
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Expiry Dt.-
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4. That the caveator now apprehend that the opposite party/prospective writ petitioner may now challenge the aforesaid order vide letter No. SEIAA.3431/2023/402 dated 15.02.2025 issued by the Member Secretary, SEIAA Assam, in compliance of order dated 12.09.2024 passed by the Hon'ble NGT (EZB), Kolkata, in O.A No. 92/2023/EZ and/or challenge the 'Report of the Committee' constituted by SEIAA, Assam, vide its letter dated 01.10.2024 and/or any order/s passed by SEIAA, Assam, pursuant to the said 'Report of the Committee' or NGT Kolkata order dated 12.09.2024.

5. That accordingly the present caveat has been preferred so that in the event of any such prospective writ petition being filed by the opposite party and/or any other party challenging the aforesaid order vide letter No. SEIAA.3431/2023/402 dated 15.02.2025 issued by the Member Secretary, SEIAA Assam, in compliance of order dated 12.09.2024 passed by the Hon'ble NGT (EZB), Kolkata, in O.A No. 92/2023/EZ and/or challenge the 'Report of the Committee' constituted by SEIAA, Assam, vide its letter dated 01.10.2024 and/or any order/s passed by SEIAA, Assam, pursuant to the said 'Report of the Committee' or NGT (EZB), Kolkata order dated 12.09.2024, so that a copy thereof may be served upon the caveator/s through their counsels affording them an opportunity of being heard before any Order/Judgment is passed in such writ petition.

For & behalf of Arya Erecto India Private Limited
Managing Director

NOTARY GOVT. OF ASSAM
Ganti Saikiya
Kamrup (M) Dist
Regd No KAM-22
Expiry Date
22/6/28

NOTARY GOVERNMENT OF INDIA
Jnanaj Sarma
Guwahati
Regd. No.- 42846
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6. That a copy of the caveat with all particulars has been served upon the opposite party/prospective appellant/s under Registered Post (A/D receipt) whereof is attached to this petition.

7. That this application is made bonafide and for the ends of justice.

It is therefore, most respectfully prayed that your Lordships may graciously be pleased to accept this caveat and be pleased to hear the caveator before any order is passed on any prospective writ petition against –

(i) the order vide letter No. SEIAA.3431/2023/402 dated 15.02.2025 issued by the Member Secretary, SEIAA Assam, in compliance of order dated 12.09.2024 passed by the Hon'ble NGT (EZB), Kolkata, in O.A No. 92/2023/EZ, and/or

For & behalf of Arya India Private Limited

Managing Director

NOTARY
Bani Baishya
Kamrup (M) Dist.
Regd. No. KAM-22
Expiry Date
27/5/28
GOVT. OF ASSAM

NOTARY
Jnanajit Sarma
Guwahati
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(ii) the 'Report of the Committee' constituted by SEIAA, Assam, vide letter dated 01.10.2024, and/or

(iii) any order/s passed by SEIAA, Assam, pursuant to the 'Report of the Committee' constituted by SEIAA, Assam, vide letter dated 01.10.2024 or the Hon'ble NGT (EZB), Kolkata order dated 12.09.2024, and/or

(iv) may be pleased to pass such further or other order(s) as to your Lordships may deem fit and proper.

And for this act of kindness, the caveator as in duty bound shall ever pray.

.....*Affidavit*

For & behalf of Arya Ecol... India Private Limited

Sunil Kumar Sarma
Managing Director

NOTARY
Bani Baishya
KAMRUP (M) Gty
Regd. No. KAM-22
Expiry Date
20/02/30
GOVT OF ASSAM

NOTARY
Jnanajit Sarma
Guwahati
Regd. No.- 42846
Expiry Dt.-
20/02/2030
GOVERNMENT OF INDIA

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**PARTICULARS**

| | | |
|---|---|---|
| 1 | Name & Address of the Caveator: | 1) Dr. Ganesh Das<br>S/o Sri. Dijendra Ch. Das<br>R/o A-6, Arya Smart Living,<br>Abhaypur, North Guwahati 781030<br>District – Kamrup, Assam |
| 2 | Name & Address of the Opposite Party/ Prospective Petitioner | 1) M/s Arya Erectors Pvt. Ltd.<br>Represented by its Managing Director<br>503, K.P Enclave, Sohagpur,<br>Rehabari, Guwahati 781008,<br>District – Kamrup (M), Assam |
| 3 | Order against which the petition is expected to be filed: | The Order vide letter No. SEIAA.3431/2023/402 dated 15.02.2025 issued by the Member Secretary, SEIAA Assam, in compliance of order dated 12.09.2024 passed by the Hon'ble NGT (EZB), Kolkata, in O.A No. 92/2023/EZ, and/or<br><br>The 'Report of the Committee' constituted by SEIAA, Assam, vide letter dated 01.10.2024, and/or any order/s passed by SEIAA, Assam, pursuant to the 'Report of the Committee' constituted by SEIAA, Assam, vide letter dated 01.10.2024 or the Hon'ble NGT (EZB), Kolkata order dated 12.09.2024 |

For & behalf of Arya Erectors India Private Limited
Managing Director

NOTARY
Bani Bandhya
KAMRUP (M) Dist
Regd. No. KAM 1/2
Expiry Date
22/5/28
GOVT. OF ASSAM

NOTARY
Jnanajit Sarma
Guwahati
Regd. No.- 42846
Expiry Dt.-
20/02/2030
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| | | |
|---|---|---|
| 4 | Nature of petition expected to be filed: | Writ Petition |
| 5 | Name & Address of Advocate for the Caveator | Sri. Vikram Rajkhowa<br>Advocate<br>Gauhati High Court<br>504, Amazing Grace Apartment<br>S.K.B Road, Dighalipukhuri(E)<br>Guwahati – 781001<br>Ph: 9954348258 |
| 6 | Postal Receipt: | Enclosed. |

For & behalf of Arya Erector
India Private Limited
Managing Director

NOTARY
Banti Baishya
KAMRUP (M) Ghy
Regd. No. 7AM-22
Expiry Date
22/5/28
GOVT. OF ASSAM

NOTARY
Jnanajit Sarma
Guwahati
Regd. No.- 42846
Expiry Dt.-
20/02/2030
GOVERNMENT OF INDIA

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## AFFIDAVIT

I, Dr. Ganesh Das, son of Sri. Dijendra Ch. Das, aged around 53 years, resident of A-6, Arya Smart Living, Abhaypur, North Guwahati 781030, in the district of Kamrup, Assam, do hereby solemnly affirm and swear as follows:

1. That I am the caveator in the instant case and as such I am fully conversant with the facts and circumstances of the case.

2. That the statements made in this affidavit and in paragraphs 1-7 are true to my knowledge, those made in paragraphs ---- being matters of record are true to my information derived there from which I believe to be true and the rest are my humble submissions before this Hon'ble Court.

3. That the mobile number in which I can be contacted is 8837489119 and if during the pendency of the proceedings there is a change in my contact number, I undertake to inform the registry of this Hon'ble Court.

4. That the annexure annexed to the petition are true copies of their originals.

**OATH**

"I swear that this declaration is true, that it conceals nothing and that no part of it is false, so help me God."

And I sign this affidavit on this 24th day of February 2025 at Guwahati.

Identified by:

Advocate's Clerk.

Deponent

For & behalf of Arya Erectors India Private Limited

Managing Director

Banti Baishya
NOTARY GOVT OF ASSAM
KAMRUP (Metro) Guwahati
Regd. No.: KAM-22

NOTARY PUBLIC - OATH COMMISSIONER
Solemnly affirmed before me this day
Identified by
this

Jnanajit Sarma
Guwahati
Regd. No.- 42846
Expiry Dt.-
20/02/2030

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Sl No. 618029

DISTRICT Kamrup (M)

# V A K A L A T N A M A

## IN THE GAUHATI HIGH COURT, AT GUWAHATI

[ THE HIGH COURT OF ASSAM, NAGALAND, MIZORAM & ARUNACHAL PRADESH ]

Sl No CE 929

GAUHATI HIGH COURT BAR ASSOCIATION WELFARE FUND GUWAHATI Rs.10/-

Cavt NO 205 OF 2025

Dr. Ganesh Das

VERSUS

M/S Arya Erectors Pvt Ltd

APPELLANT
PETITIONER

RESPONDENT
OPPOSITE-PARTY

For & behalf of Arya Erectors India Private Limited

Managing Director

Know all men by these presents that the above named Caveator Mr. V. Rajkhowa, Mr. A. J. Saikia do hereby nominate, constitute and appoint Sri/Smti..... Advocate and such of the undermentioned Advocates as shall accept this Vakalatnama to be my/our true and lawful Advocates to appear and act for me/us in the matter noted above and in connection therewith and for that purpose to do all acts whatsoever in that connection including depositing or drawing money, filing in or taking out papers, deeds of composition etc. for me/us and on my/our behalf and I/We agree to ratify and confirm all acts to be done by the said Advocates as mine/ours for all intents and purposes. In case of non-payment of the stipulated fee in full, no Advocate will be bound to appear and act on my/our behalf.

In Witness Whereof I/We here into set my/our hand on this 24th Day of Feb 2025

PRASHANTA KUMAR GOSWAMI (Sr.)
DILIP PRASAD CHALIHA (Sr.)
SMT. KUNTALA DEKA
BISHNU PRASAD
GOLAP SARMA
PRABIN KUMAR DAS
SATYENDRA PRASAD DEKA
MS. USHA BARUAH (Sr.)
NABIN CHANDRA DAS (Sr.)
ANIL KUMAR BHATTACHARYYA (Sr.)
HEM KANTA SARMA
ANUP KUMAR DAS (Sr.)
BIJON CHANDRA DAS (Sr.)
RAM LAL YADAV
ATUL CHANDRA BURAGOHAIN (Sr.)
MUYEEDUZ ZAMAN AHMED (Sr.)
RONENDRA PRASAD KAKOTI (Sr.)
JAI PRAKASH SHARMA
SAILEN KUMAR BARKATAKI
MS. BINOYA DUTTA (Sr.)
RAMESH KUMAR JAIN
PRANABANANDA PATHAK (Sr.)
DR. HAREN DAS (Sr.)
SAMSUL HUDA
CHAITANYA BARUAH (Sr.)
ATUL CHANDRA SARMA (Sr.)
NADIRUZZAMAN AHMED
GAJA NANDA SAHEWALLA (Sr.)
MS. REKHA CHAKRAVORTTY
MRS. JHARANA BORAH
DILIP KUMAR DAS (Sr.)

PRADIP KHATANIAR
MS. KALPANA YADAV
DR. BHAGAWATI PRASAD TODI (Sr.)
MRS. KALYANEE BHATTACHARYYA
AJIT KUMAR BARPUJARI
SHYAM SUNDAR SHARMA (Sr.)
SINGESHWAR PRASAD ROY
KIRAN KUMAR BHATRA
RAM PRASAD SHARMA (Sr.)
SUBHAS CHANDRA BISWAS
PARESH CHANDRA RAY MEDHI
UTPAL DAS (I)
DR. SHYAM SUNDAR HARLALKA
DINDAYAL AGARWALA
KAMAL AGARWAL (Sr.)
MD. SAMNUR ALI
VINOD KUMAR BHATRA
ARUP CHANDRA BARBORA (Sr.)
PRADIP KUMAR KALITA (Sr.)
MRS. MRINMOYEE DUTTACHOUDHURY
PROMODE CHANDRA GOSWAMI
APURBA SARMA (I)
KAMRUL H. (SALIM) CHOUDHURI (Sr.)
APURBA KUMAR HURKAYASTHA
ASHIS DAS GUPTA (Sr.)
VIJAY HANSARIA (Sr.)
BALINDRA NATH SARMA
DR. JAHAR LAL SARKAR
RAM CHANDRA SANCHATI
SISIR DUTTA (Sr.)
CHENI RAM BORAH

DR. PRADIP KUMAR GOSWAMI (I)
NILMANI SEN DEKA
MURALIDHAR SAHEWALLA
HUSSAIN ALI SARKAR
BINOD KUMAR JAIN
CHINMOY CHOWDHURY (Sr.)
SKH. NOOR MAHAMMAD
DEBESH CHANDRA CHAKRAVARTY
GIRISH MISHRA
JOGINDER SINGH (Sr.)
BHABEN BHUSAN NARZARI (Sr.)
PRAFULLA KUMAR MAHANTA
NASIMUDDIN AHMED
MANORANJAN DAS
BINOD CHANDRA PATHAK
MD. FAZLUL HAQUE LASKAR
MS. MILLIE HAZARIKA (Sr.)
SAURAV KATAKI
HAFIZ RASHID AHMED CHOUDHURY (Sr.)
BENUDHAR DAS
MRS. REETA BARBORA
PRADIP DAS
MD. MIZAZUR HAQUE RAJBHUYAN
JAHANARA BEGUM KHARBHIH
SHYAMAL SUNDER GOSWAMI
KRISHNA KANTA MAHANTA (Sr.)
JAGADISH SARMA
PRADIP SEN DEKA (Sr.)
KALYAN PRAKASH PATHAK (Sr.)
DIGANTA DAS (Sr.)
MRS. BANDANA ACHARYA

DILIP CHOUDHURY
LAKSHESWAR TALUKDAR
SHREE PRAKASH MAHANTA (Sr.)
HASIBUR RAHMAN (Sr.)
A. K. MAHESWARI
NILMONI GOSWAMI
DR. ZOII NATH SARMAH
MS. BHARATI DEVI
KARUNA KANTA DEY
GIRIJA KUMAR DUTTA
BHARADWAJ MRINAL CHOUDHURY
KUMUD BARUAH
APURBA KUMAR SHARMA (Sr.)
NAZRUL ISLAM
RAJIB BORUAH
KAMAL NAYAN CHOUDHURY (Sr.)
MRS. ABHA BHATTACHARYYA
ARANI KUMAR THAKUR
AJIT CHANDRA MAHANTA
MS. BHUMIKA CHOUDHURY
DINESH KUMAR MISRA (Sr.)
DR. ASHOK KUMAR SARAF (Sr.)
DR. RAMESH CH. BORPATRAGOHAIN (Sr.)
MD. ALI SHEIKH
GURU PADA BHOWMICK (Sr.)
PRADIP K. GOSWAMI (II)
SANJOY MITRA
MS. KALYANI DEVI
PARAMANANDA TALUKDAR
MANABENDRA NATH (Sr.)
DWIPENDRA KUMAR KOTOKY

Jhanaj Sarma
Guwahati
Regd. No.- 42846
Expiry Dt.-
28/02/2030

NOTARY GOVERNMENT OF INDIA

11 JUL 2025

ANNEXURE - I -478-

ARYA ERECTORS
INDIA PRIVATE LIMITED
CIN : U70101AS2010PTC010190

Arya Erectors India Pvt. Ltd.
House No. 123, 'Arya Smart Living'
Abhoypur, North Guwahati, Pin-781031, Assam
Tel : +91 98596 66501
E-mail: aryaerectorsindia@gmail.com
Web: www.aryaerectorsindia.com

Letter no: AEIPL/SEIAA/CH/1006/20250327/243

Date: 27.03.2025

RECEIVED
27.03.2025
Pollution Control Board, Assam
Bamunimaidam Guwahati-21

To,
The Chairman,
State Environment Impact Assessment Authority (SEIAA), Assam
Bamunimaidam, Guwahati-21, Assam

Subject: Compliance with Regulatory Framework for Implementation of suggestions received from SEIAA on 04.03.2025

Respected Sir,

With reference to the directions issued vide order dated 15.02.2025, received by us on 04.03.2024, we would like to bring the following points to your kind attention:

**Transfer of Property:**
We have submitted documentary evidence establishing that, as per the provisions of The Assam Apartments (Construction and Transfer of Ownership) Act, 2006 andThe Assam Apartments (Construction and Transfer of Ownership) Rules 2010, the villas constructed on the campus are no longer our property after the sale. Consequently, initiating any action as per your suggestions would amount to trespassing, which is legally untenable.

**Construction and Occupancy Certificate (OC):**
The villas, including Phase I, Phase II, and the clubhouse, were constructed following the NOC issued by GMDA, Rudreswar Gaon Panchayat, and NGMB. Accordingly, we applied for and obtained the required Occupancy Certificates (OCs), which were duly submitted for your reference.

**Unauthorized Constructions by Owners:**
Certain owners have undertaken unauthorized constructions, leading to the OC being categorized as a Part OC. Evidences of the same have already been submitted to you vide our submission dated 20.11.2024. Any further deviations, as suggested, cannot be permitted under any regulatory framework since these modifications or alterations were not part of the sanctioned plan.

**Environmental Clearance (EC) and Deviations:**
The circular dated 05.02.2008 specifies that EC for projects under Schedule 8(a) is issued in accordance with the sanctioned plan. The MoEF notification dated 05.05.2022 has further clarified that minor deviations in the conceptual plan do not require an amendment to the EC.

**Waterlogging and PWD Drain Construction:**
Your own report highlights that substantial ongoing constructions around the campus and the construction of a PWD drain with a higher bed have altered the original footprint, leading to waterlogging issues. We have already addressed this matter by corresponding with the PWD through a letter dated03-11-2022.

For & behalf of Arya Erectors India Private Limited
Managing Director



NOTARY
Jnana Sarma
Guwahati
Regd. No.- 42846
Expiry Dt.- 20/02/2030
GOVERNMENT OF INDIA

11 JUL 2025

-469-

**Compliance with Regulatory Authorities:**
We are bound by the applicable regulations of various authorities, including NOC, OC, RERA, and the Assam Apartments Transfer Act. Therefore, initiating any action based on your suggestions requires conformity with these regulatory frameworks.

**Lack of Recognition of Deviations:**
None of the competent authorities have identified any deviations, as all constructions were carried out per the approved plan, and the EC was granted in accordance with the same. Despite submitting documentary evidence supported by MoEF notifications and circulars, suggestions have been proposed that overlook these interconnected regulations.

**Compliance with RERA Provisions:**
Section 14(1) of the RERA Act mandates that all RERA-registered projects must be constructed in accordance with the sanctioned plan.

**Request for Guidance:**
In light of the above, we respectfully request your esteemed authority to provide guidance on how to implement the proposed suggestions while ensuring compliance with the applicable regulations of all relevant authorities.

Thank you for your attention and consideration.

Sincerely,

Sd/-

Anil Kumar Sarma
Managing Director

For & behalf of Arya Erectors
India Private Limited
Anil Kumar Sarma
Managing Director

Copy to: 1. Chairman, State Pollution Control Board, Bamunimaidam, Assam, Guwahati-21
For favour of information.

For & behalf of Arya Erectors
India Private Limited
27/3/2025
Managing Director

NOTARY
Jnanajit Sarma
Guwahati
Regd. No.- 428/16
Expiry Dt.-
20/02/2030
GOVERNMENT OF INDIA

11 JUL 2025

Gmail

Arya Erectors <aryaerectorsindia@gmail.com>

## Reminder and Request for Clarification on SEIAA Order Dated 15.02.2025—Received on 04.03.2025

Arya Erectors <aryaerectorsindia@gmail.com> Tue, May 6, 2025 at 3:12 PM
To: environmentimpact14@gmail.com
Bcc: Bijoya Goswami <dr.bijoya@gmail.com>, ANIL Kumar SARMA <aks1.arya@gmail.com>

For & behalf of Arya Erectors India Private Limited
Anil Kumar Sarma
Managing Director

Letter no. AEIPL/SEIAA/MS/1006/20250506/254 Date: 06.05.2025

To
The Member Secretary,
State Environment Impact Assessment Authority (SEIAA), Assam
Bamunimaidam, Guwahati-781021

**Subject:** Reminder and Request for Clarification on SEIAA Order Dated 15.02.2025—Received on 04.03.2025

**Ref :** Our letter no. AEIPL/SEIAA/CH/1006/20250327/243 dated 27.03.2025 addressed to the Chairman, SEIAA

Respected Madam,

I am constrained to address this representation as a reminder to my earlier communication sent on 27.03.2025, in response to SEIAA's order dated 15.02.2025, which was received by the undersigned on 04.03.2025.

The said order appears to contain certain factual inconsistencies and may involve an interpretation of statutory provisions that does not align with the established legal position. As a result, implementing the order in its present form presents considerable practical and legal difficulties.

Accordingly, a formal request was made to SEIAA to issue suitable advice or clarification on the manner in which such an untenable order is to be complied with. Till date (06.05.2025), no response has been received from your office.

In view of the above, I once again request you to kindly:

1. Take note of the issues raised in the earlier representation;
2. Provide a reasoned clarification or review of the order dated 15.02.2025, in light of the factual and legal objections submitted;
3. Treat this representation as a formal request under principles of natural justice to avoid any prejudice or coercive action on the basis of a disputed and untenable order.

I trust SEIAA will act in accordance with law and fairness by addressing this representation within a reasonable period.

Thanking You,
Yours sincerely,
Anil Kumar Sarma
Managing Director
Arya Erectors India Private Limited

NOTARY
Jnanajit Sarma
Guwahati
Regd. No.- 42846
Expiry Dt.-
20/02/2030
GOVERNMENT OF INDIA

11 JUL 2025

**Encl:**

1. Copy of SEIAA Order dated 15.02.2025
2. Copy of my earlier communication dated 27.03.2025

-481-



---------- Forwarded message ---------
From: **SEIAA - ASSAM** <environmentimpact14@gmail.com>
Date: Tue, Mar 4, 2025 at 1:47 PM
Subject: Compliance of order dated 12.09.2024 passed by Hon'ble NGT Eastern Branch Kolkata in O.A No. 92/2023(EZ) in the matter of Dr. Ganesh Das & Ors. Vs. M/s Arya Erectors India Pvt. Ltd. & Ors.).-Reg.
To: <aryaerectorsindia@gmail.com>

Sir,
With reference to email dated 4th March, 2025, I am enclosing the Committee's Report alongwith forwarding letter issued by SEIAA, Assam.

---

3 attachments

- DocScanner 30-Jan-2025 11-38 (1).pdf
  6843K
- Adobe Scan 18 Feb 2025 (1) (1).pdf
  373K
- Letter to SEIAA dtd.27.03.2025.pdf
  1466K

For & behalf of Arya Erectors India Private Limited
Managing Director

NOTARY
Jnanajit Sarma
Guwahati
Regd. No.- 42846
Expiry Dt.- 20/02/2030
GOVERNMENT OF INDIA

11 JUL 2025

ANNEXURE-J

-4X2-

FORM-A

Request for Information under Right to Information Act, 2005

For & behalf of Arya Erectors India Private Limited
Managing Director

To
The State Public Information Officer,
State Environment Impact Assessment Authority (SEIAA), Assam
Bamunimaidam, Guwahati-781021, Assam

Subject: Request for Informationregarding the official issuance and communications done by department of SEIAA Assam, regarding the order dated 15/02/2025 in reference to NGT Eastern Bench Kolkata in OA No.92/2023(EZ) order dated 12/09/2024, matter of Dr. Ganesh Chandra Das and Ors v/s M/S Arya Erectors India Pvt Ltd.

Name of the Applicant : Arya Erectors India Private Limited

Address :Registered address :House No-123, Arya Smart Living., Abhoypur, North Guwahati- 781031.
Correspondence Address : House No-20, Happy Villa, Uzanbazar,Guwahati-781003, Telephone No: 8638713519, 9101171543

Email Address :aryaerectorsindia@gmail.com

Respected Sir/ Madam,

We would like to request you to kindly provide us the following details with regards to the provisions of Right to Information Act, 2005

1. Particulars of Information:Kindly provide the name and addresses of all the parties to whom the SEIAA order dated 15.02.2025 and all relevant correspondence, issuedin relation to NGT order dated 12.09.2024 passed by Hon'ble NGT Eastern Branch Kolkata in O.A No.92/2023(EZ) in the matter of Dr. Ganesh Das & Ors. Vs. M/s Arya Erectors India Pvt. Ltd. &Ors. from the date of issuance till date, along with a copy of the such relevant correspondence.

2. Concerned Department: State Environment Impact Assessment Authority (SEIAA), Assam

3. I state that the information sought does not fall within the restriction contained in Section 4 of the Right to Information Act,2005 and to the best of my knowledge it pertains to your office.

4. A fee of Rs.10, has been deposited in your office videIndian Postal Order No 66F 753701 Dated 02/06/2025.

Signature of the Applicant
(On behalf of Arya Erectors India Private Limited)

Place : Guwahati, Assam
Date : 02/06/2025

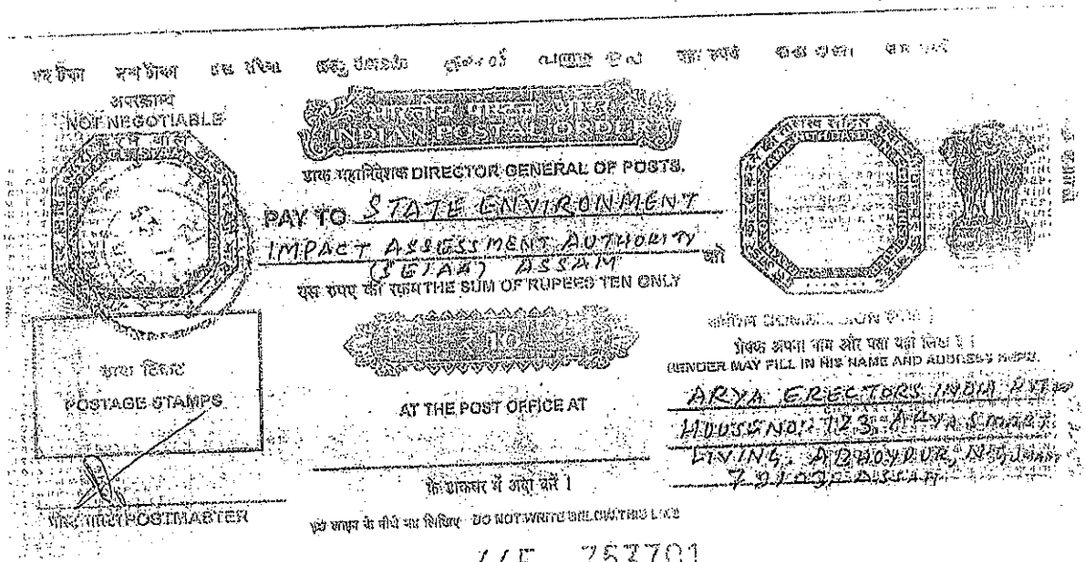
Office of the State Level Environment Impact Assessment Authority (SEIAA), Assam
RECEIVED
Date 2/6/2025

Jnanaj Sarma
Guwahati
Regd. No.- 428/46
Expiry Dt.- 20/02/2030
NOTARY
GOVERNMENT OF INDIA

11 JUL 2025

-473-

For & behalf of Arya Erection
India Private Limited
Anil Kumar Sharma
Managing Director




66F 753701

Jnanajit Sarma
Guwahati
Regd. No.- 42848
Expiry Dt.-
20/02/2030

11 JUL 2025

-484-

OFFICE OF THE STATE ENVIRONMENT IMPACT ASSESSMENT AUTHORITY, ASSAM
MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE, GOVERNMENT OF INDIA
BAMUNIMAIDAM, GUWAHATI-21.

No.SEIAA.3431/2023/402

Dated: 15. 02. 2025

From

Smti Manchumi Barua, ACS,
Member Secretary, SEIAA, Assam.
Bamunimaidam, Guwahati-21

To

M/s Arya Erectors India Pvt. Ltd.
Represented by its Managing Director.
503, K.P Enclave, Sohagpur,
Rehabari, Guwahati-781008
Kamrup (M).

For & behalf of Arya Erectors India Private Limited
Anil Kumar Sarma
Managing Director

Sub: Compliance of order dated 12.09.2024 passed by Hon'ble NGT Eastern Branch Kolkata in O.A No. 92/2023(EZ) in the matter of Dr. Ganesh Das & Ors. Vs. M/s Arya Erectors India Pvt. Ltd. & Ors.-Reg.

Sir/ Madam,

In compliance of the above order passed by Hon'ble NGT Eastern Branch Kolkata, the Committee has submitted its report to the office of SEIAA, Assam on 29/01/2025 and placed the same in 30th Meeting of the SEIAA. After perusal of the observations and recommendations by the Committee, due discussion and deliberation, the SEIAA unanimously decided to send a copy of the Report to the Project Proponent.

You are, therefore, requested to comply the observations and recommendations of the Committee as suggested in the Report.

This is for your kind information and necessary action.

Yours faithfully

*Enclo: As stated above,*

*Member Secretary*
*SEIAA, Assam*
Dated: 15. 02 . 2025

Memo No.SEIAA.3431/2023/402-A

*Copy to:*

1. The Secretary to the Govt. of Assam, Environment & Forest Deptt; Dispur, Ghy-6 for kind information.
2. The Chairman, SEIAA for kind information..
3. Office copy.

*Member Secretary*
*SEIAA, Assam*

NOTARY * Jnanajit Sarma Guwahati Regd. No.- 42846 Expiry Dt.- 20/02/2030 * GOVERNMENT OF INDIA

11 JUL 2025

ANNEXURE - K

-475-

**STATE ENVIRONMENT IMPACT ASSESSMENT AUTHORITY, ASSAM**
**MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE, GOVERNMENT OF INDIA**
**BAMUNIMAIDAM, GUWAHATI-21.**

No. SEIAA.3279/pt-I/2024/05/532 Date. 03.06.2025

From:

Smti Mauchumi Barua, ACS
The Member Secretary
State Environment Impact Assessment Authority Assam,
Bamunimaidam, Guwahati-21.

To,

M/S Arya Erectors India Pvt Ltd.
House No.123 Arya Smart Living
Abhaypur, North Guwahati-781031
Or House No .20, Happy Villa, Uzanbazar,
Guwahati-781003
Email. aryaerectorsindia@gmail.com

For & behalf of Arya Erectors India Private Limited
Anil Kumar Sarma
Managing Director

Sub: Reply to your RTI letter no. Nill dated 02.06.2025.

Sir

With reference to the above, this is to inform you that, letter no . SEIAA.3431/2023/402 dated 15.02.2025 was issued to M/s Arya Erectors India Pvt. Ltd with a copy to The Secretary to the Govt. of Assam, Environment & Forest Department, Dispur, Guwahati-06 and to the Chairman, SEIAA, Assam.

Further the report of the committee constituted by NGT, EZ Bench, Kolkata Vide order dated 12.9.2024 was also submitted to the Hon'ble NGT, Eastern Zone Bench, Kolkata, Central Ground Water Agency (CGWA) Assam and to the Chairman , Pollution Control Board, Assam (Copies enclosed).

This is for your kind information.

Enclo. As stated above

*Yours faithfully.*

*Member Secretary*
*SEIAA, Assam*
*Bamunimaidam, Guwahati -21*

NOTARY
Jnanaj Sarma
Guwahati
Regd. No.- 42846
Expiry Dt.- 20/02/2030
GOVERNMENT OF INDIA

11 JUL 2025

ANNEXTURE-L'

# ARYA ERECTORS
INDIA PRIVATE LIMITED
CIN : U70101AS2010PTC010190

Arya Erectors India Pvt. Ltd.
House No.123, 'Arya Smart Living'
Abhoypur, North Guwahati Pin: 781031, Assam
Tel : +91 98596 66501
E-mail : aryaerectorsindia@gmail.com
Web : www.aryaerectorsindia.com

For & behalf of Arya Erectors India Private Limited
Managing Director

Date: 14/07/2022

To,

The Chairman
State Environment Impact Assessment Authority (SEIAA)
Bamunimaidam, Guwahati-781021

**Sub: APOLOGY FOR NON COMPLYING TO THE INSTRUCTIONS AND FOR DELAYED SUBMISSION OF COMPLIANCE REPORTS.**

Ref. Environmental Clearance Letter F. No. SEIAA.07/2013/10, Dated 21st January, 2014.

Dear Sir,

We were issued the Environment Clearance In reference to the No. and date stated above for our project Arya Smart Living at Abhaypur, North Guwahati, Dist: Kamrup, Assam. As per instructions, we were supposed to submit the periodic compliance reports for the environmental clearance mentioned above. We have tried to maintain the conditions of the Environmental Clearance and also prepared the reports on timely basis. But, due to inadvertent mistake and considering the pandemic situation we were unable to submit the reports in time. This letter is to express our sincere apology for not adhering to your instructions with regards to submission of periodic compliances of Arya Smart Living. We regret our behavior and realize that we should not have ignored the instructions given by your Authority. This non-compliance has caused issues for the organization.

We assure you that this will not happen next time. Thank you for putting your faith in us, and we hope you will accept our apology.

Kindly accept the periodic compliance reports that were due from January 2014 to June 2019.

With our sincerest apology and best regards.

For Arya Erectors India Pvt. Ltd.

(Amarendra Mazumdar)
Manager (Admin) cum OSD

Encl: Compliance reports for the period from January 2014 to June 2019

Received 11 nos Compliance reports from 2014 to June 19

14/7/22

NOTARY
Jnanajit Sarma
Guwahati
Regd. No.- 42846
Expiry Dt.- 20/02/2030
GOVERNMENT OF INDIA

11 JUL 2025