



PARIVESH 1.0, AGENDA No.165.51

Proposal No.	SIA/OR/INFRA2/451679/2023
File No.	451679/517-INFRA2/11-2023
Date of application	07.11.2023
Project Type	New proposal for EC coming under violation category as building already constructed
Category	B1
Project/Activity including Schedule No.	8(b) Area Development Project
Name of the Project	Proposal for Environmental Clearance of M/s. XIM University for Construction of New Hostel Block Building of XIM University Bhubaneswar over a built-up area of existing campus is having total built-up area 1,68,230 sqm. (Existing-1,44,160.0 sqm. + proposed built-up area 24,077.0 sqm) over plot an area-2,22,575.40 sqm. / 55 acres at Plot No. 12(A), Nijigada Kurki, Harirajpur, Dist- Puri of Sri Basant Kumar Mohanty- Violation EC
Name of the company/Organization	Basant Kumar Mohanty, Administrative Officer
Location of Project	Plot No. 12(A), Nijigada Kurki, Harirajpur, Dist- Puri
Date of issue of ToR	15.09.2023
Name of Consultant	M/s Centre for Envotech & Management Consultancy Pvt. Ltd, Bhubaneswar

1. **Proposal in brief:** The highlights of the proposal as ascertained from the application and as revealed from proceedings/discussion held during the meeting of SEIAA, are given as under.
 - i) This proposal is for Environmental Clearance of M/s. XIM University for Construction of New Hostel Block Building of XIM University Bhubaneswar over a built-up area of existing campus is 144160.0 sqm at No. 12(A), Nijigada Kurki, Harirajpur, Dist- Puri of Sri Basant Kumar Mohanty.
 - ii) Category: The project falls under category "B" or activity 8(b): Township & Area Development Projects under EIA Notification dated 14th September 2006 as amended from time to time.
 - iii) Project details: Earlier, the project proponent had applied for Environment Clearance to SEIAA on 15.09.2014 for 1,44,160.0 sqm Built up Area and the SEAC presentation was held on 29.11.2014. But as per the Gazette of India, Notification dt. 22nd Dec., 2014; Educational Institutes having less than 1,50,000 sq. mtrs. of buildup area are exempted from obtaining Environmental Clearance. So other project is exempt from obtaining Environment Clearance. Now, they have planned to increase the built-up area from 1,44,160.0 sqm to 1,68,237.0 sqm due to Construction of a New Hostel Block. Hence, they are applying herewith for Environment Clearance.
 - iv) Statutory clearances: Terms of Reference (TOR) under violation category has been granted by SEIAA, Odisha vide proposal no. SIA/OR/MIS/76437/2022, dated 15.09.2023.
 - v) BDA has approved the building plan for Hostel Block vide letter no. 4308/BDA, Bhubaneswar, dated 06.02.2023. BDA has approved the building plan for existing project vide letter no. 15450/BDA, Bhubaneswar, dated 30.04.2022. NOC From IDCO for Water Supply vide letter no. IDCO/BCD-II/900, Dated 18.07.2012.
 - vi) Location and Connectivity – The campus is located in the Village- Kurki, Mouza- Nijigarh under Pipli Block, Puri District of Odisha. The Geographical coordinate of the project site is: Latitude - 20° 09' 22.18" N & Longitude - 85° 45' 59.36" E. The site falls in the Survey of India toposheet no. 73H/12 & 73H/16. The site is located about 13.8 kms away from the Baramunda Bus Stand and 11.5 kms from the Biju Patnaik

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International Airport, Bhubaneswar. Bhubaneswar railway station is approximately 14.7 kms from the campus. Sundarapada-Jatani road is passing near by the project site.

- vii) The site is coming under Bhubaneswar Development Authority (BDA).
- viii) The total plot area = 2,22,575.40 sqm/55 Acre (Existing- 35 Acre and Additional- 20). Total Built up Area = 1,68,237.0 sqm (Existing- 1,44,160.0 sqm and Additional- 24,077.0 sqm)
- ix) The Building Area Details of the Project in tabulated form

Particular	Existing	Proposed	Total
Plot Area	1,41,169.0 sqm (35 Acre)	81,406.4 sqm (20 Acre)	2,22,575.40 sqm (55 acre)
Ground Coverage	31,389.0 sqm (14.10%)	2,781.0 sqm (1.25%)	34,165.3 sqm (15.35%)
Total Built up Area	1,44,160.0 sqm	24,077.0 sqm	1,68,237.0 sqm
FAR	0.63	0.11	0.74
Maximum Height	--	--	28.35 m
Road & Paved Area	--	--	47,187.1 sqm
Basement Parking	1,050.0 sqm	--	1,050.0 sqm
Stilt Parking	1,538.0 sqm	--	1,538.0 sqm
Surface Parking	55,438.0 sqm	11,862.0 sqm	67,300.0 sqm
Total Parking Area	58,026.0 sqm	11,862.0 sqm	69,888.0 sqm
Green Belt Area	29,075.0 sqm	44,848.0 sqm	73,923 sqm (33.2% of the plot area)
Power/Electricity Requirement & Sources	3420.0 KW Source: TPCODL	---	3420.0 KW Source: TPCODL
No. of DG sets	4x250 KVA, 2x500 KVA, 2x1010 KVA, 1x125 KVA, 1x62.5 KVA	--	4x250 KVA, 2x500 KVA, 2x1010 KVA, 1x125 KVA, 1x62.5 KVA
Fresh Water requirement & Sources	192.0 KLD Source: IDCO Supply	81.0 KLD Source: IDCO Supply	273.0 KLD Source: IDCO Supply
Sewage Treatment Plant	STP – 300 KLD	STP – 250 KLD	STP – 550 KLD

- x) Water requirement: Fresh make up of 273.0 m³/day will be required for the project which will be sourced from IDCO Water Supply. Total waste water generated from the institutional building is 353.4 KLD which is treated in STP of Capacity 550 KLD. Rain Water harvested through 82 nos. of Rain Water recharging pits & also rain water is harvested through Rain Water Harvesting Pond.

Sl. No.	Description	Total Population	Per Capita Consumption(ltr/day)		Water Requirement (KLD)		
					Domestic	Flushing	Total
1.	Institutional	3000 nos.	Fresh (90)	Flushing (45)	270.0	135.0	405.0
2.	Floating	600 nos.	Fresh (5)	Flushing (10)	3.0	6.0	9.0

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TOTAL	273.0	141.0	414 0
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Details	Water (KLD)
Water requirement for domestic purpose	273.0
Wastewater generated from domestic use (@ 80 % of domestic water requirement)	218.4
Water requirement for Flushing Purpose	135.0
Wastewater generated from Flushing (@ 100 % of flushing requirement)	135.0
Total Wastewater generated	218.4+135 = 353.4 KLD
Sewage Treatment Plant Capacity	550 KLD (0.55 MLD)
STP Loss (5 % of wastewater generation)	17.7
Recycled water form STP @ 95 % of wastewater generated	335.7

- xi) Power requirement: Total Power requirement of the building is 3420.0 KW, Source is TPCODL, 4x250 KVA, 2x500 KVA, 2x1010 KVA, 1x125 KVA, 1x 62.5 KVA DG Sets are provided. Total 620.0 KW Solar Power Generation which is 5% of total power required in project.

Power Requirement	3420.0 KW
Source	TPCODL of Odisha State Electricity Board
Backup Power	4x250 KVA, 2x500 KVA, 2x1010 KVA, 1x125 KVA, 1x62.5 KVA
Solar Power	620 Solar Panel installed at Campus

- xii) Rain Water Harvesting: Total 4584 cum Rain Water is harvested through 82 nos. of recharge pits & one 60,000 cum Rain Water Harvesting Pond.
- xiii) Parking Requirement: Total parking area provided is 69706.0 Sq.mt. and total 2780 nos. of ECS and location of parking area is Basement, Stilt & Open.

Parking Area Provided			
Basement Parking	--	--	1,050.0 sqm
Stilt Parking	--	--	1,538.0 sqm
Surface Parking	--	--	67,300.0 sqm
Total Parking	--	--	69,888.0 sqm
Equivalent car space Provided			
	Area (sqm)	Area/EC S	
Basement Parking	1,050	32	33 ECS
Stilt Parking	1,538	28	55 ECS



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Surface Parking	67,300	25	2,692 ECS
Total Parking Provided			2,780 ECS

- xiv) Fire fighting Installations: Fire Fighting will be provided as per NBC Norms.
- xv) Green Belt Development: Green belt is developed over an area of 73923 sqm which is 33.2% of the total plot area. Total 4440.0 nos. of plants to be planted and 3 tier plantation.
- xvi) Solid Waste Management: Solid waste generated and its management.

Solid Waste Generation

Description of waste	Total no. of population	Per capita generation of waste in kg/day	Quantity of waste generate (in kg/day)
Institutional Building	3000	0.45	1350.0
Road Sweeping	600	0.15	90.0
STP sludge		--	40.0
TOTAL SOLID WASTE GENERATED			1480.0 kg/d ay

- xvii) Project cost: The estimated project cost is 15.0 Crores and cost for EMP is 2.62 Crores.
- xviii) Violation penalty: The Penalty Provisions as per Notification F. No. 22-21/2020-IA.III, dated 07.07.2021 is 1% of the total project cost. The cost assessment related to environmental degradation and its remediation as stated above would be: Rs. 7,20,000/-

Table: Total Budgetary Allocation

Sr. No.	Description	Estimated Cost (Rs.)
1.	Estimated cost of damage/remediation with respect to ecological aspects	7,20,000.00
2.	Community resource augmentation plan	1,50,000.00
	Net Expenditure:	8,70,000.00

- xix) Environment Consultant: The Environment consultant M/s Centre for Envotech & Management Consultancy Pvt. Ltd, Bhubaneswar along with the proponent made a presentation on the proposal before the Committee.
- xx) The Committee observed the followings;
- a) Cost proposed for Remediation Plan, Community Resource Augmentation Plan for Damage Assessment is Rs. 8,70,000.00/- (Rupees eight lakhs seventy thousand only).
 - b) Cost of assessment of Environmental / Ecological damage due to violation is Rs. 7,20,000.00/- (Rupees Seven lakhs and twenty thousand only).
 - c) Total cost towards Remediation Plan, Natural Resource Augmentation Plan for Damage Assessment & assessment of Environmental / Ecological damage is Rs. 8,70,000.00/- (Rupees eight lakhs seventy thousand only) for which the proponent has to submit Bank guarantee with the State Pollution Control Board, Odisha prior to the grant of Environmental Clearance.
 - d) Total cost of the project is Rs. 15.01 Crores as certified by Chartered Accountant and 1% of the project cost is Rs.15,01,758.
 - e) Total penalty to be paid by the proponent as per SoP of MoEF & CC, Govt. of India dtd. 07.07.2021 for violation is (1% of the project cost) = Rs.15,01,758.
 - f) This is an educational institution and they have not started any activity from which they will gain profit.

Hence the annual turnover in this case is zero.

- g) There is no information available with the SEAC, if the State Govt. has initiated legal action against the project proponent under the provisions of section 19 of the Environment (Protection) Act, 1986,
xxi) Any deficiencies/omission have been noticed in the above documents- Nil

2. Whether SEAC recommended the proposal – Yes, the proposal was placed in SEC meeting held on 02.12.2023 and the SEAC recommended for grant of Environmental Clearance for the project valid for a period of 10 years with the following specific conditions in terms of the provisions of the MoEF&CC, Govt. of India notification dated 14th March, 2017 in addition to the conditions stipulated as per **Annexure – B. However, EC to be issued to the proponent after State Government file legal case against the project proponent under the provisions of section 19 of the Environment (Protection) Act, 1986.**
- a) The Project Proponent shall submit a Bank Guarantee (BG) of an amount of Rs. 8,70,000.00/- (Rupees eight lakhs seventy thousand only) towards Remediation Plan, Natural Resource Augmentation Plan & Community Augmentation Plan for Damage Assessment & assessment of Environmental / Ecological damage with the State Pollution Control Board, Odisha prior to the grant of Environmental Clearance.
- b) The proponent shall deposit separately (other than BG) an amount of Rs.15,01,758 towards the penalty for violation as per SoP of MoEF & CC, Govt. of India dtd. 07.07.2021.
- c) The bank guarantee shall be released after successful implementation of the EMP, followed by recommendations of the SEAC, Odisha and approval of the regulatory authority (i.e. SEIAA, Odisha).
- d) The project proponent shall make adequate arrangement for environmental monitoring post construction phase.
3. The proposal was placed in 146th SEIAA meeting held on 11.12.2023. The Authority perused the recommendation of SEAC and decided that EC shall be considered on compliance of the following:
- a) The State Govt. to file legal case against the PP under the provision of Section 19 of the EP Act 1986.
- b) The PP to submit the compliance report from the MoEF&CC Regional Office, Bhubaneswar to ensure sustainable environmental management in pursuance of OM No. F.No. 19-2/2013-IA-III dated 09.06.2015 read with Notification No. SO. 3252 (E) of 22nd December, 2014 under EIA Notification, 2006.
- e) The Project Proponent shall submit a Bank Guarantee (BG) for an amount of Rs. 8,70,000.00/- (Rupees eight lakhs seventy thousand only) towards Remediation Plan, Natural Resource Augmentation Plan & Community Augmentation Plan for Damage Assessment & assessment of Environmental / Ecological damage with the State Pollution Control Board, Odisha prior to the grant of Environmental Clearance. The bank guarantee shall be released after successful implementation of the EMP, followed by recommendations of the SEAC, Odisha and approval of the regulatory authority (i.e. SEIAA, Odisha).
- f) The proponent shall deposit separately (other than BG) an amount of Rs.15,01,758 towards the penalty for violation as per SoP of MoEF & CC, Govt. of India dtd. 07.07.2021.
4. Now, the PP has submitted bank guarantee (BG) & Penalty amount. The RO, MoEF & CC, BBSR has submitted the certified EC compliance report through SEIAA, Odisha Email on 06.02.2024.
5. The proposal was placed in 155th SEIAA meeting held on 09.02.2024. The Authority noted that the PP has submitted the application as per MoEF & CC, Govt. of India office Memorandum (O.M.) dt. 07.07.2021 and subsequent clarification dtd. 28.01.2022 regarding the SOP for identification and handling of violation cases under EIA Notification 2006.

In the meantime, 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 Memorandum dated 7th July 2021 and 28th January 2022 issued by MoEF & CC, which has been communicated vide Mo.EF & CC OM No. F. No.-IA3-3/4/2024-IA.III [E 230791] dt. 08.01.2024.

In view of this and after detailed deliberation, the Authority decided that grant of EC including transfer of EC in cases involving violation is not permissible until further orders of Hon'ble Supreme Court.

Hence, the application is deferred for further consideration.

Decision of Authority: Rejected

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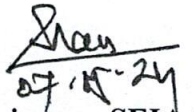


Member Secretary, SEIAA

APPROVED BY



Member, SEIAA



Chairman, SEIAA