

From,

District Magistrate,  
Lucknow.

To,

The Registrar General,  
Principal Banch,  
Hon'ble National Green Tribunal,  
New Delhi.

Letter No- 95 /रिट याचिका-124 / 2023

Dt. 24-04-2023

**Sub:- Regarding Joint Inspection report in compliance of order dated 20.02.2023 in O.A. no 896/2023, LaxmanBalyogi V/s State of Uttar Pradesh.**

Sir,

In compliance of the direction passed by Hon'ble National Green Tribunal dated 11.04.2023 on matter mentioned above, the Joint Inspection report is hereby attached with a request to put up before Hon'ble National Green Tribunal for kind perusal.

**Enclosure: As above.**

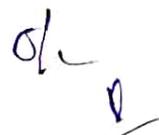
Yours Sincerely,

  
24/4/23  
District Magistrate,  
Lucknow

**Copy to:**

1. District Forest Officer, Awadh Forest, Department, Lucknow.
2. Additional District Magistrate (E), Lucknow
3. Chief Environmental Officer (C-5), UPPCB, Lucknow
4. ShriPradeep Mishra, Advocate for UPPCB.
5. Regional Officer, UPPCB, Lucknow.

  
District Magistrate,  
Lucknow



# Joint Inspection Report

(11-04-2023)

Of

**M/s Dream Green City Phase –I, Khasarwara, Banthara, Mohanlalganj Kanpur Road, Lucknow (UP)-226401 and Dream Green City Phase–II, Dhawapur, Banthara, Mohanlalganj Kanpur Road, Lucknow (UP)-226401**

Laxman Balyogi V/s State of Uttar Pradesh

(O.A. no 896/2022)

Prepared by

The joint committee of UPPCB Lucknow, DFO Lucknow and District Administration, Lucknow.

Constituted by

Hon'ble National Green Tribunal

(Order dated 20th February, 2023)

**Joint Inspection Report of M/s Dream Green City Phase –I, Khasarwara, Banthara, Mohanlalganj Kanpur Road, Lucknow (UP)-226401 and Dream Green City Phase–II, Dhawapur, Banthara, Mohanlalganj Kanpur Road, Lucknow (UP), Compliance of Direction issued by Hon'ble National Green Tribunal in case of O.A. No. 896/2022 Laxman Balyogi V/s State of Uttar Pradesh Reg.**

Hon'ble NGT, New Delhi vide order dated 20-02-2023 in the matter of O.A. No. 896/2022, Laxman Balyogi V/s State of Uttar Pradesh had directed following-

Hon'ble NGT, New Delhi in O.A. No. 896/2022 Laxman Balyogi V/s State of Uttar Pradesh has passed vide order dated 20-02-2023. The main content of the order are as follows:-

“.....3. Grievance is that real estate project is being developed in the name of Dream Green City Phase –I, Khasarwara, Banthara, Mohanlalganj, Kanpur Road, Lucknow (UP)-226401 and Dream Green City Phase–II, Dhawapur, Banthara, Mohanlalganj Kanpur Road, Lucknow (UP)-226401 by real estate developers Shri Nadim Abdul Hasan Mohd. Nayab Khalida Ajj and M/s A.K. Infra & Realty Developers Pvt. Ltd, Flat No-2, Sana Palace-2, Opp. Saharaganj mall, hazratganj, Lucknow UP. It is a big township running over 150 acres and for the said purpose they are cutting about 5000 old trees, in utter violation of environmental laws, without any requisite clearance etc. causing damage to environment and putting human and animal life in danger. It is said that some trees have already been cut and rest are in the process of cutting.

4. In our view, a substantial question relating to environment due to implementation of Scheduled Enactments under NGT Act, 2010 has arisen. However, before taking any further action in the matter, we find it appropriate to obtain a factual report for the purpose whereof we constitute a joint Committee comprising State PCB, District Forest Officer, Lucknow and District Magistrate Lucknow who shall look into the complaint, visit the site, collect relevant information and submit a factual and action taken, if any, report within two months.

5. We also direct the said Committee that in case it finds that the tree cutting activities are going on without requisite clearance / permission from the Competent Authorities, the joint Committee shall take appropriate action for stopping further cutting of trees by the Proponent without any further delay.

6. District Magistrate Lucknow shall be the nodal agency for coordination and compliance.

7. The report shall be submitted by e-mail at [judicial-ngt@gov.in](mailto:judicial-ngt@gov.in) preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF.....”



In compliance to the aforesaid direction of Hon'ble NGT, a Joint Committee comprising:-

- 1- District Forest Officer, Awadh Forest Department / U.P. State Wetland Authority, Lucknow.
- 2- Additional District Magistrate (E), Lucknow.
- 3- Assistant Environmental Engineer, Regional Office, U.P. Pollution Control Board, Lucknow.

The Joint Committee has inspected the M/s Dream Green City Phase –I, Khasarwara, Banthara, Mohanlalganj Kanpur Road, Lucknow (UP) and M/S Dream Green City Phase–II, Dhawapur, Banthara, Mohanlalganj Kanpur Road, Lucknow (UP), on dated- 11-04-2023. The details of findings of inspection are mentioned below-

#### **Observation found during Joint Inspection on dated 11-04-2023**

1. M/s Dream Green City (Phase-I) is situated at Gata Number- 88,89,94,97,98,99,104/2, 106,109a, & 110 Village- Khasarwara, Tehsil- Sarojini Nagar, District-Lucknow, which Total Area of 5.391 Hectare.
2. The M/s Dream Green City (Phase-II) is situated at Gata Number-1/1,2,3, 5sa,1sa,93, 73, 117/2, 117/3, 128, 132, 133, 139mi, 139sa, 168, 173, 175 192, 199, 200sa, 201, 202, 200sa, 304, 209a, 209sa, 232ka, 238 ,242kha, 244ka, 232kha, 234, 237sa, 235sa, 237ka, 242ka, 1312 & 1905mi, Village- Dhawapur, Tehsil- Sarojini Nagar, District-Lucknow, which Total Area of 9.6092 Hectare.
3. M/s Dream Green City (Phase-I), Village- Khasarwara, Tehsil- Sarojini Nagar, District-Lucknow and M/s Dream Green City (Phase-II), Village- Dhawapur, Tehsil- Sarojini Nagar, District-Lucknow developed by M/s A.K. Infra & Realty Developers Pvt. Ltd, Flat No-2, Sana Palace-2, Opp. Saharaganj mall, hazratganj, Lucknow UP.
4. As per Forest & Revenue Department, no trees were established on the above Gata numbers when purchase the land.
5. Land purchase for M/s Dream Green City Phase –I, Khasarwara, Banthara, Mohanlalganj, Kanpur Road, Lucknow (UP) in year 2012 and developed in year 2019.
6. The Project Proponent has done the work of selling plots by purchasing agricultural land, converting its land use from revenue department and planning Phase-1 and Phase-2 colonies for residential houses.
7. As per records submitted by the unit, at the time when the land was purchased for residential colony phase-I & II, the work of growing crops such as wheat, paddy, vegetables and other grains was done on that land. There were no



gardens and trees on the above land. The fact was verified from revenue records and by Forest Department that there were no trees on the said plats. During the inspection in phase- I, approx. 230 Asoka trees & other mixed fruit trees and in phase – II, approx. 100 mix trees were found.

8. At the time of inspection, in M/s Dream Green City (Phase-I), Village-Khasarwara, Tehsil-Sarojini Nagar, District-Lucknow, out of total 231 residential plots, houses were found built on about 70 plots in which people are living. . The domestic effluent generated from the above is disposed off through septic tank/soakpit whose overflow finally joins the nearby drain. The drain ultimately join in the River Sai after approximate 4.0 KM distance.
9. At the time of inspection, in M/s Dream Green City (Phase-II), Village-Dhawapur, Tehsil- Sarojini Nagar, District-Lucknow out of total 400 residential plots, houses were found built on about 300 plots in which people are living. . The domestic effluent generated from the above is disposed off through septic tank/soak pit whose overflow finally joins the nearby drain. The drain ultimately join in the River Sai after approximate 5.0 KM distance.
10. During the inspection, a pond is also located in Phase-2, in which rain water is collected.
11. Project Proponent has not laid sewer line and STP for treatment of Domestic effluent.
12. At the time of purchasing of the land in the year 2012 the area was not covered in Lucknow Development Authority (LDA), but it was under the jurisdiction of Lucknow Industrial Development Authority (LIDA), but PP has not obtained approval from the said authority.
13. Above unit has not obtained Consent to Establishment and Consent to Operate from the state board in compliance with the Water (Prevention and Control of Pollution) Act, 1974, and the Air (Prevention and Control of Pollution) Act, 1981.

#### **Action taken-**

Show cause notice has been issued regarding imposition of EC against the PP (M/s A.K. Infra & Realty Developers Pvt. Ltd, Flat No-2, Sana Palace-2, Opp. Saharaganj mall, hazratganj, Lucknow UP on behalf of M/s Dream Green City (Phase-I), Village- Khasarwara, Tehsil- Sarojini Nagar, District-Lucknow and M/s Dream Green City (Phase-II), Village- Dhawapur, Tehsil- Sarojini Nagar, District-Lucknow) on dated 24.04.2023 by UPPCB for in the compliance of Water (Prevention and Control of Pollution) Act, 1974 and Air (Prevention and Control of Pollution ) Act, 1981 (Letter Enclosed).



Photo gallery:

Photographs taken during inspection of the M/s Dream Green City Phase –I, Khasarwara, Banthara, Mohanlalganj Kanpur Road, Lucknow (UP) and M/S Dream Green City Phase–II, Dhawapur, Banthara, Mohanlalganj Kanpur Road, Lucknow (UP) on dated 11-04-2023

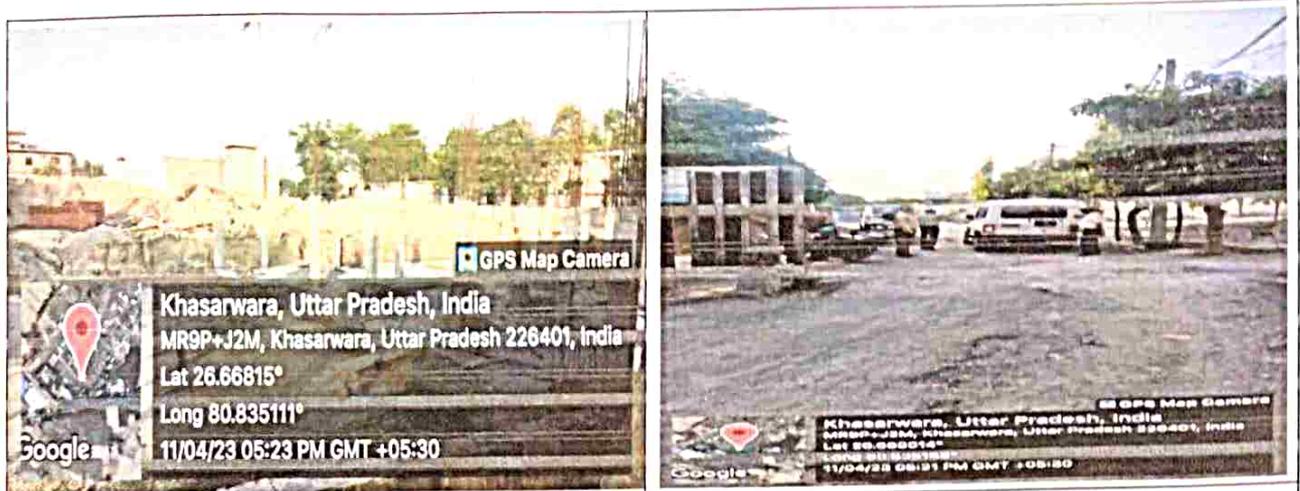


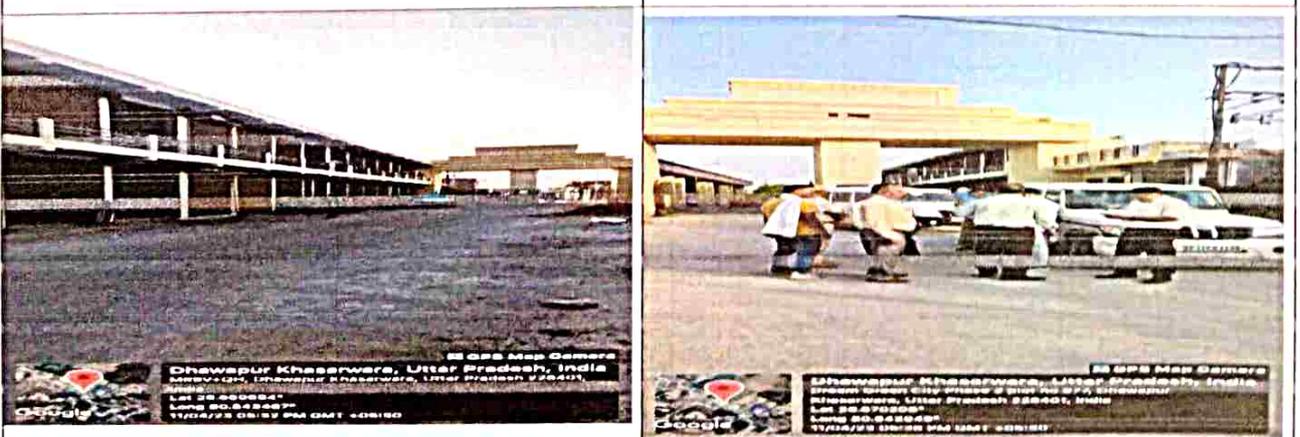
Photo 1:

Photo 2 :



Photo 3:

Photo 4:



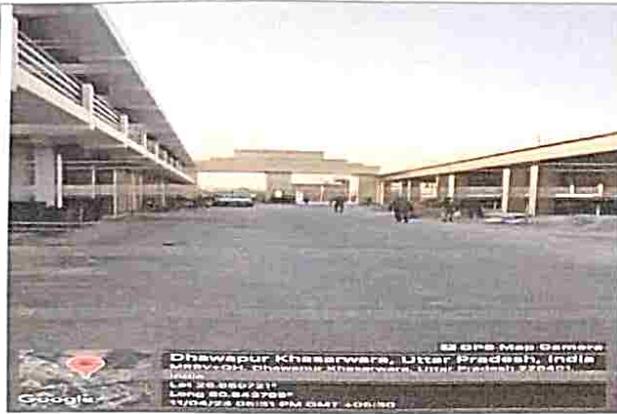


Photo 5:

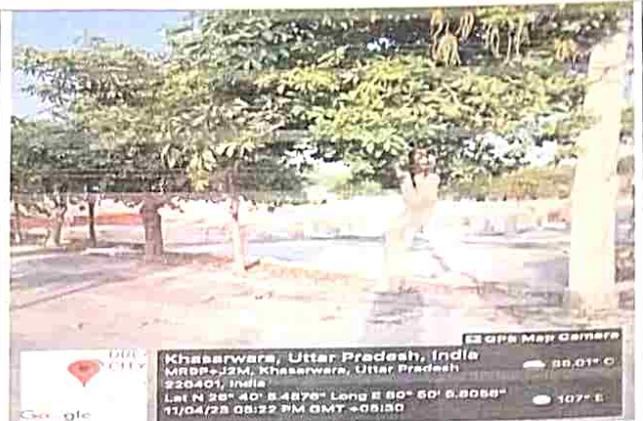


Photo 6:

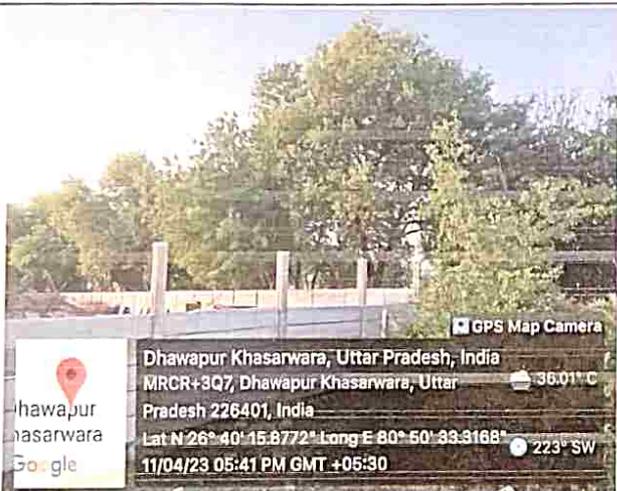


Photo 7:



Photo 8:

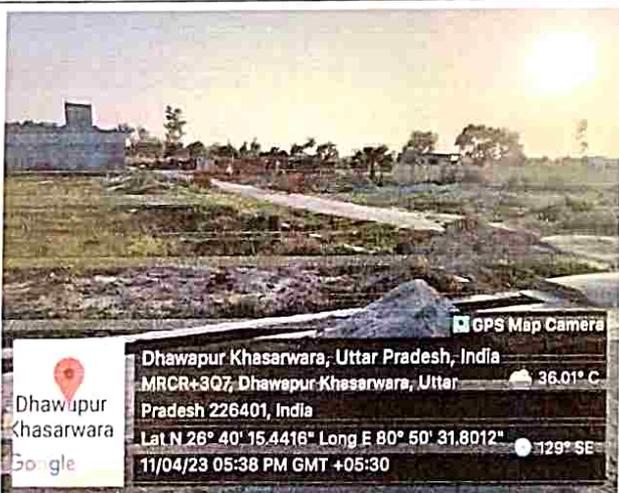


Photo 9:

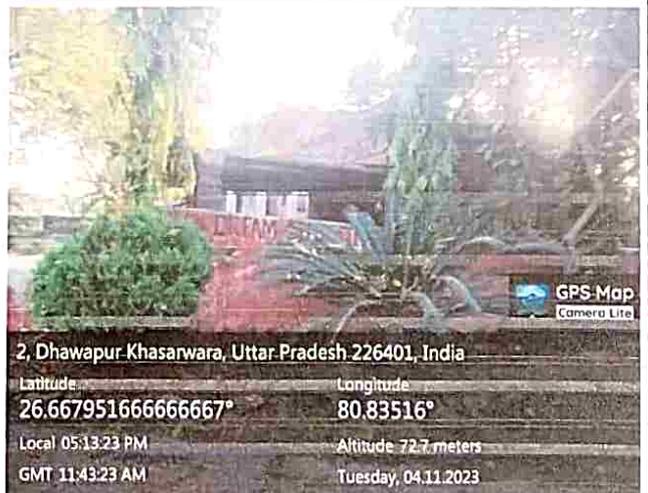


Photo 10:

*(Handwritten signature)*



Photo 11:

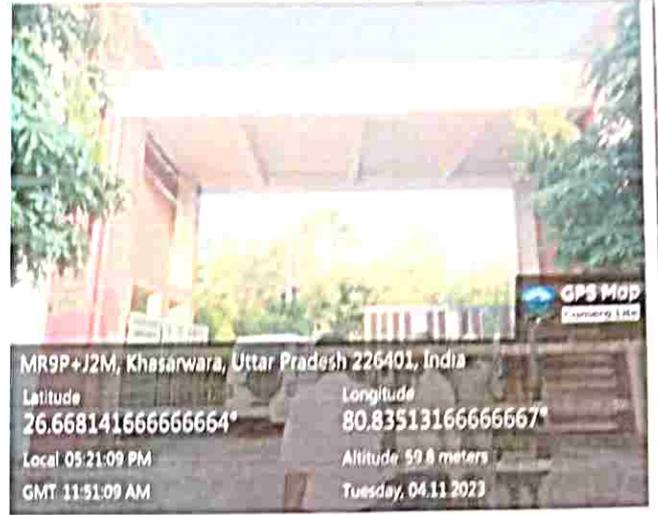


Photo 12:

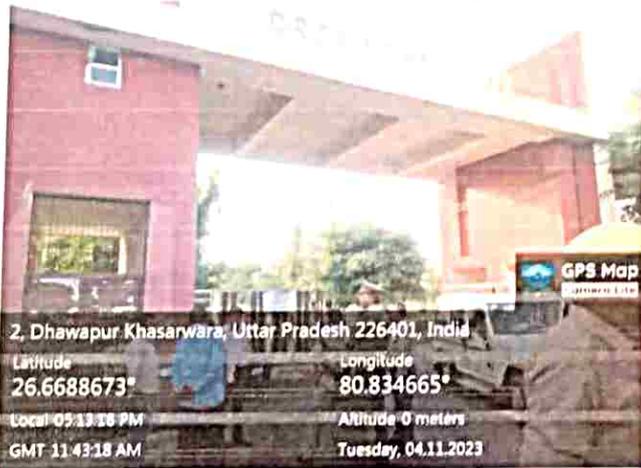


Photo 13:

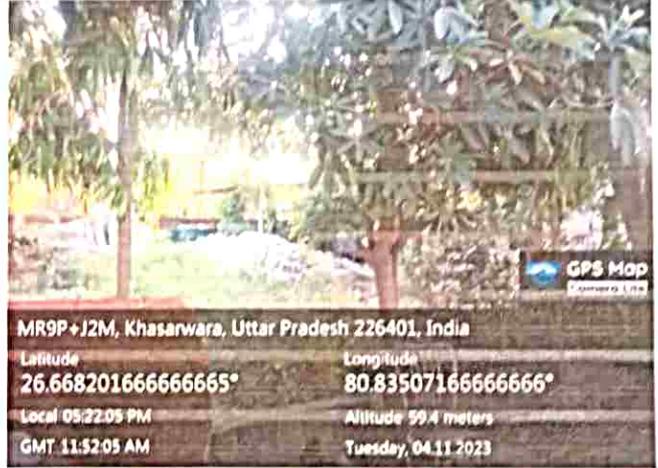


Photo 14:



Photo 15:

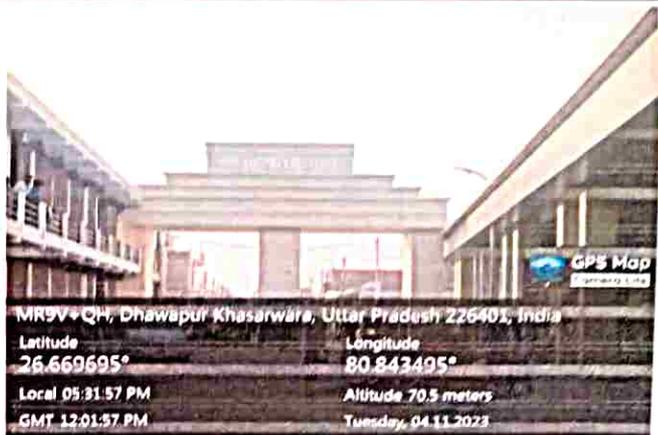


Photo 16:

**Inspection team:**

Sr. No.	Name of Inspecting Officers	Designation	Signature
1	Bipin Kumar Mishra	Additional District Magistrate(E), Lucknow	
2	Hari Lal Chaurasiya	Sub District Forest Officer, Awadh Forest Department, Lucknow	
3	Vinod Kumar	Assistant Environmental Engineer, Regional Office, U.P. Pollution Control Board, Lucknow.	