

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,  
PRINCIPAL BENCH, NEW DELHI  
Original Application No. 165 OF 2025

IN THE MATTER OF:

Kishan Lal & Ors.

Applicant

Vs.

State of Uttar Pradesh & Ors.

Respondents

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1.	<b>Reply</b> on Behalf of Central Pollution Control Board (CPCB) in compliance to Hon'ble NGT order dated 24.04.2025 in O.A No 165/2025.	
2.	<b>Annexure I-</b> A Copy of Hon'ble NGT Order dated 24.04.2025 in OA No 165/2025.	
3.	<b>Annexure-II-</b> A copy of joint committee report dated 22.07.2025.	



(Filed by Adv. Atif Suhrawardy)  
On behalf of the Central Pollution Control Board

Place: Delhi

Dated: 07.08.2025

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI  
IN  
ORIGINAL APPLICATION NO. 165/2025**

**IN THE MATTER:**

Kishan Lal & Anr.

Applicants

Vs.

State of Uttar Pradesh & Ors.

Respondents

**REPLY ON BEHALF OF RESPONDENT NO. 6, CENTRAL POLLUTION  
CONTROL BOARD (CPCB)**

1. That, Hon'ble National Green Tribunal vide order dated 24.04.2025 has sought the response/reply of respondents in the instant matter. The Central Pollution Control Board (hereinafter referred to as CPCB) is respondent no. 6 in the matter and thereby, the present reply is made in the instant Original Application, i.e., Original Application No. 165/2025 titled Kishan Lal & Anr. Versus State of Uttar Pradesh & Ors. (hereinafter referred to as OA) in succeeding paragraphs. A copy of the order dated 24.04.2025 of the Hon'ble NGT is marked and annexed herein as **ANNEXURE-I**.
2. That, at the outset, the answering respondent denies all claims, contentions, allegations, and averments against the answering respondent i.e. CPCB in the referred OA contrary to anything stated or submitted in this reply. Nothing in the OA may be deemed to have been accepted or admitted by the answering Respondent for want of a specific denial or on the ground of non-traverse, save any averment which has been expressly admitted hereinafter.



3. That, the CPCB is constituted under the Water (Prevention and Control of Pollution) Act, 1974. It performs the functions under the Water (Prevention and Control of Pollution) Act, 1974, the Air (Prevention and Control of Pollution) Act, 1981, and the Environment (Protection) Act, 1986.
4. The issues raised in the present OA under reference are with regard to construction activities being carried out in violation of environmental law/norms, circulars and notifications issued from time to time by the concerned authorities of Central Government and State Government on the area earmarked as green land by respondent no. 2 i.e. M/s SMV Agencies Private Limited Consortium in Integrated Township at Village Shahpur Bamheta, NH-24, District Ghaziabad, UP.

**PRELIMINARY SUBMISSIONS: -**

5. In the context of dust from construction/building materials, it is submitted that the Construction and Demolition Waste Management Rules, 2016 (hereinafter referred to as "C&D WM Rules, 2016") has been notified in March 2016 by the Central Government. In the said Rules, the duties of the various stakeholders are prescribed for effective implementation of the Rules.

In pursuant to sub-rule 1(a) of Rule 10 of the C&D W M Rules, 2016, the guideline titled "Environmental Management of C&D Wastes" was prepared by CPCB in March 2017, and the copy was uploaded on the Website of CPCB, available at <https://cpcb.nic.in/openpdffile.php?id=UmVwb3J0RmlsZXMvNTUyXzE1MTEyNjQwMTVfbWVkaWFwaG90bzQ2OTAucGRm>.



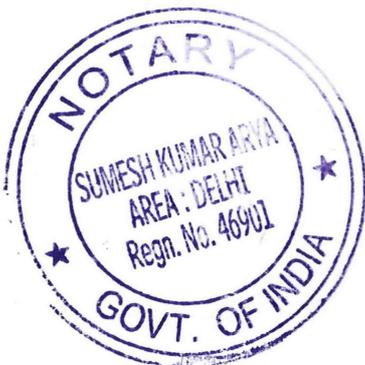
The CPCB also prepared 'Guidelines on dust mitigation measures in handling construction material and C&D wastes (November, 2017)' Copy of the same is available at:

<https://cpcb.nic.in/openpdffile.php?id=UmVwb3J0RmlsZXMvNTYxXzE1MTE5MzMzMzJfbWVkaWFwaG90bzEyNjcxLnBkZg==>

6. That, with reference to illegal extraction of groundwater, it is humbly submitted that

- i. The Consolidated Guidelines of Central Ground Water Authority to Regulate and Control Ground Water Extraction in India [MoJS Notification dated 24.09.2020 with Amendment Notification dated 29.03.2023] be followed for extraction of ground water.
- ii. In Uttar Pradesh, ground water extraction is regulated under Uttar Pradesh Ground Water Management & Regulation Act 2019 and Uttar Pradesh Ground Water Management & Regulation Rules, 2020. Uttar Pradesh State Ground Water Management & Regulatory Authority, Ground Water Department, Uttar Pradesh, District Ground Water Management Council, Block Panchayat Ground Water Management Committees and Municipal Water Management Committees are concerned authorities/Departments/ committees for implementation of Uttar Pradesh Ground Water Management & Regulation Act 2019 and Uttar Pradesh Ground Water Management & Regulation Rules, 2020

7. That, in the context of cutting/felling of trees, this answering respondent humbly submits that:



- i. In the Forest area, the trees are protected in accordance with the Indian Forest Act, 1927.
  - ii. For the regulation of felling of trees outside forests, the Uttar Pradesh Protection of Trees Act, 1976 is applicable. Uttar Pradesh Forest Department is concerned department in Uttar Pradesh for implementation of Indian Forest Act, 1927 and Uttar Pradesh Protection of Trees Act, 1976.
8. In context of requirement of Environmental Clearance (hereinafter referred to as "EC"), it is submitted that, the Clause 2 of the Environmental Impact Assessment Notification, 2006 (hereinafter referred to as EIA Notification, 2006) provides for the Requirements of prior EC and as per the above mentioned clause, the projects or activities which are falling under the category 'A' of the Schedule of the EIA Notification, 2006; the project proponent shall obtain the EC from the Ministry of Environment, Forest and Climate Change (hereinafter referred to as 'MoEF&CC') and the projects which are falling under the 'B' category of the Schedule of the EIA Notification, 2006; the project proponent shall obtain EC from the State Environment Impact Assessment Authority (hereinafter referred to as 'SEIAA') before carrying out the construction works.
9. That, in context of consent required to be obtained by the projects and various units/components of the project, it is humbly submitted that the State Pollution Control Boards/Pollution Control Committees are the concerned authorities to grant Consent (Consent to Establish/Consent to Operate) under the Water Act, 1974 and the Air Act, 1981 in their respective jurisdiction of State/Union Territory and to ensure the compliance of conditions of consent and prescribed environmental standards.



10. That, to ascertain the correct factual position and the extent of violation of environmental norms in the matter under reference, Hon'ble Tribunal vide order dated 24.04.2025 appointed a joint committee comprising of representative of Member Secretary, Central Pollution Control Board (CPCB); Regional Office, MoEF&CC, Lucknow and District Magistrate, Ghaziabad and the Joint Committee was directed to submit its report within six weeks. As per the order, the District Magistrate, Ghaziabad, was directed to act as Nodal agency. In compliance with the Order, CPCB participated as a Member of the Joint Committee.

#### PARAWISE REPLY

11. That, the averments made in Paragraph No. 1 are with regard to the statement and purpose for filing the present OA by the applicant, which are matters of records and need no comments from this answering respondent. 12. That, the averments made in Paragraph Nos. 1 to 55 under the heading "FACTS OF THE CASE" are about the applicant, respondents and the facts in the matter i.e. carrying out construction activities in violation of environmental laws/norms and various notifications by respondent no. 2 i.e. M/s SMV Agencies Private Limited Consortium in Integrated Township at Village Shahpur Bamheta, NH24, District Ghaziabad, UP. It is also alleged that at construction site, illegal cutting of trees, illegal extracting ground water, improper treatment of sewage and its discharge and inaction on representations made by the applicants to the authorities. In this context, submissions made at paragraphs nos. 5 to 9 of this instant reply affidavit are reiterated and the same are not repeated for the sake of brevity.



12. Further, as CPCB was member, in Joint Committee constituted by Hon'ble NGT. In view of this, it is submitted that, inspection has been carried out by Joint committee on 28.05.2025 and District Magistrate (nodal agency in this matter) will file the Joint committee report.
13. That, the averments made in Paragraph Nos. A to Y under the heading "GROUNDS" are with regard to Grounds raised by the applicant for filing the present O.A. It is humbly submitted that the submissions made in the preceding paragraphs are reiterated and not repeated for the sake of brevity.
14. That, the averments made in Paragraphs under the Headings "Limitation" clause may be adjudicated by the Hon'ble Tribunal in light of facts and circumstances placed for kind perusal of the Hon'ble Tribunal. Hence, no comments are required from this Answering Respondent.
15. That, in light of the above submissions, this Answering Respondent No. 6, i.e., CPCB, undertakes that it shall abide by any order(s) or direction(s) passed by this Hon'ble Tribunal in the present Original Application.

*Sharandeep*

(Sharandeep Singh)  
Scientist 'E'

Central Pollution Control Board (CPCB)

शरणदीप सिंह / Sharandeep Singh  
वैज्ञानिक 'ई' / Scientist 'E'  
केंद्रीय प्रदूषण नियंत्रण बोर्ड  
Central Pollution Control Board  
(पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार)  
(Mo Environment, Forest & Climate Change, Govt. of India)  
परिवेश भवन, पूर्वी अर्जुन नगर, दिल्ली-110032  
Parivesh Bhawan, East Arjun Nagar, Delhi-110032



**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI  
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**IN THE MATTER:**

Kishan Lal & Anr.

Applicants

Vs.

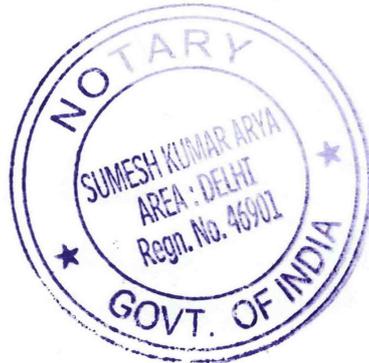
State of Uttar Pradesh & Ors.

Respondents

**AFFIDAVIT**

I, Sharandeep Singh, aged about 45 years in the capacity of Scientist-E, having office at the Delhi, Central Pollution Control Board, Parivesh Bhawan, East Arjun Nagar, Delhi, the Respondent no. 6, do hereby solemnly affirm and sincerely state on oath as follows: -

1. That, I, the deponent herein is the authorized representative to represent the CPCB, the Respondent No. 6 in the present case, and as such, I am well conversant with the facts and circumstances of the present case on the basis of the information derived from the official records, and hence, I am competent to verify, sign and swear this affidavit on behalf of the Respondent CPCB.
2. That, the accompanying reply may be read part and parcel of the present affidavit.
3. That, the accompanying reply has been drafted and filed under my instructions and authority the contents thereof are true and correct on the basis of the records maintained during ordinary course of business of CPCB and available records and documents and the contents of the same are read over and explained to me and are not repeated herein for the sake of brevity.



*Sharandeep*

**DEPONENT**

**शरणदीप सिंह / Sharandeep Singh**  
**वैज्ञानिक 'ई' / Scientist 'E'**  
**केंद्रीय प्रदूषण नियंत्रण बोर्ड**  
**Central Pollution Control Board**  
(पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार)  
(Mo Environment, Forest & Climate Change, Govt. of India)  
परिवेश भवन, पूर्वी अर्जुन नगर, दिल्ली-110032  
Parivesh Bhawan, East Arjun Nagar, Delhi-110032

## VERIFICATION

Verified at New Delhi on this day of **07 AUG 2025** that the contents of the above reply are correct and true on the basis of the records of the case as mentioned in the day-to-day affairs of the CPCB. Nothing has been concealed therefrom or mis-stated.



DEPONENT

शरणदीप सिंह / Sharaandeep Singh  
 वैज्ञानिक 'ई' / Scientist 'E'  
 केंद्रीय प्रदूषण नियंत्रण बोर्ड  
 Central Pollution Control Board  
 (पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार)  
 (M/o Environment, Forest & Climate Change, Govt. of India)  
 परिवेश भवन, पूर्वी अर्जुन नगर, दिल्ली-110032  
 Parivesh Bhawan, East Arjun Nagar, Delhi-110032



ATTESTED TRUE COPY

NOTARY PUBLIC, DELHI  
 GOVT. OF INDIA

07 AUG 2025

ATTESTED

NOTARY PUBLIC, DELHI  
 GOVT. OF INDIA

Item No. 03

Court No. 1

**BEFORE THE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI**

Original Application No. 165/2025

Kishan Lal &amp; Anr.

Applicant(s)

Versus

State of Uttar Pradesh &amp; Ors.

Respondent(s)

Date of hearing: 24.04.2025

**CORAM: HON'BLE MR. JUSTICE PRAKASH SHRIVASTAVA, CHAIRPERSON  
HON'BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER  
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER**

Applicant: Ms. Neelam Rathore, Mr. Amar Nath, Mr. Brijesh Jha & Ms. Pooja Gill,  
Advs. for Applicant

**ORDER**

1. In this original application (OA), applicant has raised the complaint against construction activities being done by respondent no.2 in Integrated Township at Village Shahpur Bamheta, NH-24, District Ghaziabad, UP.
2. Allegation of the applicant is that project of respondent no.2 falls under Clause 8(b) of Environment Impact Assessment (EIA) Notification, 2006 as the DPR reveals that layout plan is on an area of 300 acres.
3. Complaint of the applicant is that respondent no.2 has not obtained the environmental clearance in terms of the EIA Notification, 2006 nor it has got the Consent To Establish (CTE) and Consent To Operate (CTO).
4. Applicant has also alleged that respondent no.2 is raising the construction on the area earmarked as green and that it is over-exploiting ground water without proper permission.

5. Learned Counsel for the applicant during argument has referred to the photographs on page 48 onwards and has submitted that respondent no.2 is discharging the effluents in the nearby area which is creating health hazard to the local residents. She has further submitted that representation annexure-C was filed by the applicant to the concerned authorities but no action has been taken. In support of her submission, she has also placed reliance upon the map on page no.63.
6. The OA raises substantial issue relating to compliance of environmental norms.
7. Issue notice to the respondents for filing their response/reply by way of affidavit before the Tribunal at least one week before the next date of hearing through e-filing. If any respondent directly files the reply without routing it through his advocate, then the said respondent will remain virtually present to assist the Tribunal.
8. The Applicant is directed to serve the respondents and file affidavit of service atleast one week before the next date of hearing.
9. To ascertain the correct factual position at the ground level, we also appoint a joint committee comprising of representative of Member Secretary, Central Pollution Control Board (CPCB); RO, MoEF&CC, Lucknow and District Magistrate, Ghaziabad. District Magistrate, Ghaziabad will act as coordinative agency.
10. Joint committee will visit the site, ascertain the extent of violation of environmental norms by respondent no.2, if any, and also find out if respondent no.2 has requisite environmental clearances and submit the report before the Tribunal within six weeks.

11. A copy of this order be forwarded to members of the joint committee by email for compliance.

12. List on 08.08.2025.

Prakash Shrivastava, CP

Arun Kumar Tyagi, JM

Dr. A. Senthil Vel, EM

April 24, 2025  
Original Application No. 165/2025  
JG..

## JOINT COMMITTEE REPORT IN THE MATTER OF

Original Application No. 165/2025

Titled as

Shri Kishan Lal & Anr Vs State of Uttar Pradesh & Others

### 1. Background:

Hon'ble NGT, Principal Bench, New Delhi was pleased to pass the order dated 24.04.2025 in the matter Original Application No. 165/2025 titled as Shri Kishan Lal & Anr Vs State of Uttar Pradesh & Others and directed to visit the site, ascertain the extent of violation of environmental norms by respondent no.2, in Integrated Township at Village Shahpur Bamheta, NH-24, District Ghaziabad, UP.

Relevant para of the Hon'ble NGT order is as below: -

**Para 07:** *“Issue notice to the respondents for filing their response/reply by way of affidavit before the Tribunal at least one week before the next date of hearing through e-filing. If any respondent directly files the reply without routing it through his advocate, then the said respondent will remain virtually present to assist the Tribunal”.*

**Para 08:** *“The Applicant is directed to serve the respondents and file affidavit of service atleast one week before the next date of hearing”.*

**Para 09:** *“To ascertain the correct factual position at the ground level, we also appoint a joint committee comprising of representative of Member Secretary, Central Pollution Control Board (CPCB); RO, MoEF&CC, Lucknow and District Magistrate, Ghaziabad. District Magistrate, Ghaziabad will act as coordinative agency”.*

**Para 10:** *“Joint committee will visit the site, ascertain the extent of violation of environmental norms by respondent no.2, if any, and also find out if respondent no.2 has requisite environmental clearances and submit the report before the Tribunal within six weeks”.* **(A copy of the order of Hon'ble NGT is annexed as Annexure No. A)**

In compliance with said order, the following members have been nominated from their respective departments:

*Ami 2  
22/5* *Danish  
24/07/2025* *h*

- Shri Danish Meena, Scientist C, Central Pollution Control Board (CPCB), New Delhi, representative of the Member Secretary, CPCB.
- Shri Arun Dixit, SDM, Ghaziabad, Uttar Pradesh, representative of District Magistrate (DM) Ghaziabad, Uttar Pradesh.
- Dr A.K. Gupta, Scientist 'E', Ministry of Environment, Forest and Climate Change (MoEF&CC), RO, Lucknow, representative of the Regional Office, MoEF&CC, Lucknow.

## 2. Inspection of the Joint Committee:

A joint inspection of the site was carried out on 28.05.2025 by the joint committee. During the visit, the following officials were also present, along with committee members to the joint committee:

- Shri Anshul Sharma, Environmental Manager, UPPCB-RO, Ghaziabad
- Shri Shaskant Varshney, GM Project, Jaipuria Sunrise Greens
- Shri Ashwani Kumar Singh, Project Manager, Jaipuria Sunrise Greens

## 3. Observation during site inspection

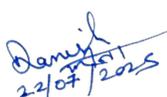
- 3.1 As per the record, the project proponent (PAs) obtained the first Environmental Clearance (EC) on 30.09.2011 for the development of the integrated township "Jaipuria Sunrise Greens" for a 300-acre project land, out of which 180 acres of land had already been acquired and 120 acres were under possession. The DPR designed on the 300-acre land has already been approved by the Ghaziabad Development Authority (GDA), letter dated 29.11.2006. The Development agreement was made between the project proponent and GDA on 13.02.2007. **(Copy of EC is attached as Annexure B)**
- 3.2 PAs have obtained consent to establish (CTE) vide letter no. F95604/C-1/NOC/G-733/2012 dated 02.12.2011 for the development of 3699 residential flats, 2321 residential plots, a community center, and an institutional area on a total area of the project 1214047.50 m<sup>2</sup> (180 acres) **(Copy of CTE is attached as Annexure C)**
- 3.3 PAs have obtained approval from the Ghaziabad Development Authority (GDA) vide letter no. 17/MR/2014 dated 20.09.2014, which is valid for five years. **(Copy of GDA letter is attached as Annexure D)**
- 3.4 The map of the above project has been approved by the Ghaziabad Development Authority (GDA) vide letter no. 65/zone-5/2014-15 dated 02.05.2014, which has been further extended by GDA vide letter no.407/MT/Z-5/20 dated 17.11.2020, from 01.07.2019 to 30.06.2022.

*Anil*  
22/5

*Danish*  
22/07/2025

*A*

- 3.5 PAs have obtained expansion EC on 11.06.2018 for 279.415 acres, out of which 37.72 acre as green belt, 83.7 acres area allocated to the plotted area, 29.878 acres for group housing, 6.19 acres for LIC/EWS, 86412 m<sup>2</sup> for institutional/service/community area, 43367 meter<sup>2</sup> for commercial activity, 730 m<sup>2</sup> kiosk area, 67.435 m<sup>2</sup> for internal roads. **(Copy of EC 2018 is attached as Annexure E)**
- 3.6 It has been found that the expansion project was recommended by SEAC-UP on 24.12.2016 and SEIAA-UP considers this project to grant EC on 17.05.2018, 29.05.2018 without due diligence of Ministry circulars J-11011/618/2010-IA-II (I) dated 30.05.2012 and J-110316/2010-IA-II (Part) dated 07.09.2017. **(Copy of the circular attached Annexure F & G)**
- 3.7 GDA issued completion certificate (CC) vide letter no. 152/Pravartan zone -5/2023 dated 16.12.2023 and for 60 shops vide letter no. 26/Pravartan zone -5 dated 03.12.2024. **(Copy of EC is attached as Annexure H)**
- 3.8 It has been found that the PAs have obtained building height approval vide letter no. Air HQ/S 17726/4/ATS (Ty BM-MMLXXVII) dated 05.06.2015 to M/s SMV Agencies Pvt Limited, Noida for 90-meter height group grouping at plot no. GH-02. **(Copy of permission of AII is attached as Annexure I)**
- 3.9 It has been found that the PAs have sold out various FSI to construct group housing within the project land. The details of each FSI, its plot area, buildup area, date of agreement etc, and the status of the project are tabulated in **Tables A, B, and C**.
- 3.10 As the buildup area of each FSI is more than 20,000 sq meters, which attracts the provision of the EIA notification, 2006, and its amendment for obtaining prior Environmental Clearance from SEIAA-UP/MOEF before the start of the construction, but EC is not obtained for individual projects.
- 3.11 The Joint Committee has observed that no individuals project in the township have obtained CTE from the UPPCB before the start of the construction.
- 3.12 The Joint Committee has observed that all individuals FSIs have at least one bore well on their allotted land, which are operational. These bore wells have been operated without obtaining groundwater abstraction permission from the competent authority.
- 3.13 Nodal officer, District Ground Water Council, has inspected the township on 23.06.2025; the inspection report is enclosed. According to the report, the township is situated in the Rajapur block, which is classified as an overexploited block by the CGWB. Six bore wells are installed in the township without valid permission, and currently, 976 KLD of groundwater is being illegally withdrawn in the township. **(Copy of the inspection report is annexed as Annexure J)**


- 3.14 The joint committee observed continuous overflow of groundwater from the basement, which was being used for construction purposes.
- 3.15 The joint committee has observed that all individual FSIs have yet to obtain a CTO from the UPPCB, even though maximum towers have been found operational with around 60% occupancy.
- 3.16 The joint committee has observed that FSIs have not yet provided a dual plumbing facility in the project.
- 3.17 The joint committee has observed that FSIs have not yet provided a solar power-mediated lighting system in the common area of the project.
- 3.18 The joint committee has observed that FSIs have not yet developed the required green belt within the allotted area. The green belt developed by all FSI is not as per the GDA plan, EC condition etc.
- 3.19 The joint committee has observed that Project Proponent is not segregating and storing the waste generated by them in three separate streams, namely bio-degradable, non-biodegradable, and domestic hazardous wastes. During the visit in Ruchira Sapphire, it was observed that mixed MSW is being sent to the garbage room through the shaft. However, FSIs have developed a system for the collection of the MSW waste. Collected waste has been handed over to a local authorized vendor for further disposal.
- 3.20 During inspection, it was found that the Project proponent has not taken adequate safety measures, construction is in progress in the adjacent plot, and no barricading/boundary wall is provided between the operational project and under under-construction project.
- 3.21 The joint committee has observed that the project (M/s Jaipuria Sunrise) has applied for groundwater abstraction permission vide application no. GZBD0525RIF0255 dated 21.05.2025 and GZBD0525RIF0256 dated 20.05.2025, which were filed just after the first hearing of the matter (**Copy of the groundwater Application is attached as annexure K & L**).
- 3.22 During inspection, it was observed that construction waste was found dumped without segregation. The unit is not fulfilling clause 4(2) of the Construction and Demolition Waste Management Rules, 2016. Further unit has not provided any information regarding C&D Waste management in the township, and the unit has not obtained approval of the waste management plan from the local authority.
- 3.23 Project proponent is not complying the CAQM direction no 13 for Building Construction projects above 500 sq m in Uttar Pradesh. Only one project, Ruchira Sapphire, is registered on the dust portal.
- 3.24 The joint committee have taken various photographs during inspections which is attached as **Annexure-M**.

**Table: A: Name of the FSIs and their area and date of Agreement**

SN	Name of FSI	Area in Acres	Plot area in sq meters	Built-up area (as submitted by PP)	Date of agreement
1	Rise by M/s Rise Project Pvt Ltd	2.82	11412.14	37433.58	13.7.15
2	Divyansh by M/s Divyansh Homes Pvt Limited	3.50	14168	181573.344	31.12.14
3	Arocon by M/s Arocon Real Estate Private Limited	1.75	7087	168154.336	30.1.2015
4	Ruchira by M/s Pavitra	1.75	7084	169169.309	17.12.14
5	Amaatra by M/s SB Landcon	0.745	-	-	14.1.15
6	Golden Gate by M/s Parakh Infrastructure Pvt Limited	1.27	5176	160854.772	28.1.15
7	Ratandeeep Infrastructure Pvt limited	-	3542	-	08.1.15
8	Wallrock Infrahome Pvt Limited	-	7084	-	21.1.15

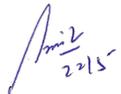




Table B: Infrastructure Status of township projects.

SN	Name of FSI project	Towers	Configuration	Total flats	Status	DG sets (in KVA)	Bore-well (nos.)
1	Golden Gate by M/s Parakh Infrastructures Pvt Limited	2 (K1 & K2)	2B +G +19	228	Operational	2X320	1
2	Ruchira by M/s Pavitra Conbuild Pvt. Limited	2 (A1 & A2) & 60 Shops	2B +G+23	306	Operational	1X320 1X 160	1
3	Ratandeep Infrastructure Pvt Limited	S2	--	On hold			
4	Amaatra by SB Landcon Pvt Limited	1 (S1)	2B+G+22	154	Under construction		1
5	Wallrock Infrahome Pvt Limited	A3 & A4	--	On hold			
6	Divyansh by M/s Divyansh Homes Pvt Limited	4 (D1, D2, D3, D4)	D1=2B+G+13 D2=2B+G+23 D3=2B+G+22 D4=2B+G+10	603	Operational D5 is under construction	2 X 380 1 X 750	1
7	Arocon by M/s Aarocon real estate private limited,	1 (R1)	2B+G+19	304	Operational	1X750 2X320	1
8	Rise Organic homes by M/s Rise projects pvt ltd	10	9 (2B + G + 19) 1 (2B + G +17)	980	Operational	3X320	1

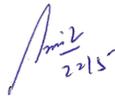
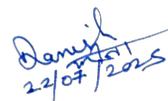
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Table C: Status of Statutory Approvals

SN	Name of FSI project	GDA Approval	Structural Stability Certificate	AAI approval for height#	Fire NOC	Completion Certificate (CC) by GDA
1.	Golden Gate by M/s Parakh Infrastructures Pvt Limited in plot GH02	Dated: 05/07/2022	Not obtained	Letter ref no. Air HQ/S 17726/4/ATS (Ty BM-MMLXXVII) Dated 05 June 2015 & NOC ID SAFD/NORTH/B/0216 21/529020, Dated: 24/02/2021	Not obtained	Letter ref no. 152/प्रवर्तन जोन-5/2023 Dated 16/12/2023
2.	Ruchira by M/s Pavitra Conbuild Pvt. Limited in plot GH02	Dated: 05/07/2022	Letter ref no. EQD/RND/ODP L-SMVA/75 Dated: 23/05/2014 & From CE CON Engg, dated: 16/03/2024	Letter ref no. Air HQ/S 17726/4/ATS (Ty BM-MMLXXVII) Dated 05 June 2015 & NOC ID SAFD/NORTH/B/0216 21/529020, Dated: 24/02/2021	Letter ref no. UPFS/2023/10 1093/GZB/G HAZIABAD/5 965/JD Dated: 27/11/2023 and valid up to 1.12.2028	Letter ref no. 26/प्रवर्तन जोन-5/2024 Dated 03/12/2024, Letter ref no. 04/प्रवर्तन जोन-5/2024 Dated 28/11/2024
3.	Ratandeep Infrastructure Pvt Limited in plot G2	On hold				
4.	Amaatra by SB Landcon Pvt Limited in plot GH02	Dated: 05/07/2022	Not obtained	Letter ref no. Air HQ/S 17726/4/ATS (Ty BM-MMLXXVII) Dated 05 June 2015 & NOC ID SAFD/NORTH/B/0216 21/529020, Dated: 24/02/2021	Not obtained	Under construction





5.	Wallrock Infrahome Pvt Limited		--	----		
6.	Divyansh by M/s Divyansh Homes Pvt Limited in plot GH02	Dated 05/07/2022	Letter ref no. EQD/RND/ODP L-SMVA/75 Dated: 23/05/2014	Letter ref o. Air HQ/S 17726/4/ATS (Ty BM-MMLXXVII) Dated 05 June 2015 & NOC ID SAFD/NORTH/B/0216 21/529020, Dated: 24/02/2021	Not obtained	Letter ref no. 95/प्रवर्तन जोन-5/2023 Dated 04/12/2023
7.	Arocon by M/S AROCON REAL ESTATE PRIVATE LIMITED, in plot GH02	Dated 05/07/2022	Letter ref no. EQD/RND/ODP L-SMVA-II/405, Dated 03/11/2014	Letter ref no. Air HQ/S 17726/4/ATS (Ty BM-MMLXXVII) Dated 05 June 2015 & NOC ID SAFD/NORTH/B/0216 21/529020, Dated: 24/02/2021	Not obtained	Letter ref no. 95/प्रवर्तन जोन-5/2023 Dated 04/12/2023
8.	Rise Organic Homes by M/S RISE PROJECTS PVT LTD in plot GH01	Dated: 19/06/2020	Letter ref no. DRD/CE/RSJ-152/22-23 Dated: 26/12/2022##	Not obtained	Provisional fire NOC obtained vide letter no. UPFS/2020/19 874/GZB/GH AZIABAD/145 4/CFO Dated: 24/06/2020,	Letter ref no. 1104/प्रवर्तन जोन-5/2023 Dated 19/08/2023

# AAI approval obtained by M/s SMV Agencies Pvt Limited only for plot no. GH02.

## Structural stability certificate obtained with the name of M/s SMV Agencies Pvt Limited .

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- 3.25 The joint committee observed that the PAs have deployed two movable mist guns on site for controlling the fugitive emissions.
- 3.26 The joint committee observed that the all FSIs has not follow the Green Building Concept suggested by India Green building council.
- 3.27 The joint committee observed that compliance with the safety procedure, norms and guidelines as outlined in the National Building Code, 2005 has not been complied on site.
- 3.28 The joint committee observed that none of the FSIs obtained ISO: 14001 certificate so far.
- 3.29 The joint committee observed that smoke meters has not been installed as warning measures for accidental fires.
- 3.30 The joint committee observed that none of the FSIs obtained fire NOC, except, M/s Rise Project Private limited (Rise Organic homes), who has obtained only provisional fire NOC dated 24.06.2020.
- 3.31 The joint committee observed that none of the FSIs project properly constructed the rainwater harvesting structure within their allotted area.
- 3.32 The joint committee observed that STP in individual housing plants is in operation without a valid CTO. Currently, 05 STPs having capacities of 160 KLD, 200 KLD, 380 KLD, 275 KLD, 530 KLD are installed in Golden Gate, Ruchira, Divyansh, Arocon, Rise Organic Home, respectively. Earlier, UPPCB officials carried out an inspection of these STPs on 14.05.2025 and took samples from these STPs. The summarized results are tabulated below:

**Table: D**

S.N	Name of Project	Capacity of STP & Technology	Result of sample analysis	Remarks
1	Divyansh Onyx	380 KLD MBBR	pH 7.6 BOD 58 COD 348	Not complying
2	Rise Organic Homes	530 KLD MBBR	pH 7.8 BOD 64 COD 380	Not complying
3	Golden Gate	150 KLD MBBR	pH 7.4 BOD 18 COD 124	Not complying
4	Ruchika Sapphire	200 KLD MBBR	Sampling not done by UPSPCB	STP not in operation.
5	Arocon	240 KLD MBBR	pH 7.6 BOD 62 COD 350	Not complying
6	Plotted colony	100 KLD MBBR	Sampling not done by UPSPCB	STP not in operation. Discharge in dasna drain

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#### 4. Finding/Analysis of the Joint Committee:

Based on observation during inspection and subsequent documents received from PP, the findings of the Joint Committee are briefed below:

- 4.1 As stated above that the first CTE was granted in 2011, which is valid for 5 years, i.e., up to 2015. The construction work conducted from 2015 onwards was done without valid consent to establish (CTE), which is attracting Environmental Compensation (EC) as per the Hon'ble NGT order and UPPCB Guideline.
- 4.2 As observed, the majority of the multistory towers constructed by the six FSI in this project are found operational. As per information collected during the visit, it has been operational since 2022-23 onwards without obtaining consent to operate (CTO) from the UPPCB, which has again attracted Environmental Compensation (EC) as per the Hon'ble NGT order and UPPCB Guidelines.
- 4.3 As observed, the first EC of the project was granted for the development of the integrated township "Jaipuria Sunrise Greens" in a 300-acre land. Out of that 180 acres of land under possession and 120 acres of land is in the process acquisition. It is nowhere mentioned about the further configuration (Group Housing etc) etc.
- 4.4 However, the first CTE granted by UPPCB in 2011 to the above project categorically mentioned 3699 flats, 2321 plots, a community center, and an institutional area, without mentioning the build-up area of the flats, the community center, and the institutional area. All such breakup was not mentioned in the Environmental Clearance accorded by SEIAA/SEAC-UP in 2011.
- 4.5 As observed, the highest multistory building configuration is G+23 story, required building height clearance from the Airport Authority of India (AAI). As per the GDA-approved map of the multistory building, it has been mentioned by the authority that the "**height clearance from Hindon Airport will be obtained before the start of the construction**".
- 4.6 As observed that the treated water has been disposed of in the Bamheta Nala without valid permission.
- 4.7 As observed that the FSI has been come in existence in 2014-15, however, structural stability certificate has been obtained in 2024 for Ruchira by M/s Pavitra and in 2022 for Rise by M/s Rise project Pvt limited.
- 4.8 As observed that the building height approval from airport authority of India of the individual FSI has not been obtained. It has obtained by M/s SMV agencies Pvt Limited for GH02 plot only. As the M/s SMV agencies Pvt limited has sold the plot to various FSIs for construction of the multistory building and commercial activity, which indicates that construction done in plot GH01 by M/s Rise project Pvt limited for G+19 story without AAI approval.
- 4.9 As observed that the M/s SMV agencies Pvt Limited apply for CTE renewal with Application No: 32052717 Dated: 23/05/2025 and fresh CTO application with

Application No: 32258441 dated: 03/06/2025 and Application No: 32311271 dated: 06/06/2025, which is pending with UPPCB. Both the application were filed just after the first hearing of the matter

## 5. Recommendation :

- 5.1 In light of the above, it has been found that the buildup area of all FSIs is more than 20,000 sq meters, which attracts the provision of the EIA notification, 2006, and its amendment for obtaining prior Environmental Clearance from SEIAA-UP/MOEF before the start of the construction, but EC is not obtained for individual projects and considered as a violation under the EPA Act, 1986.
- 5.2 Joint committee observed various non-compliances of the EC 2018 conditions. MOEF & CC/SEIAA-UP can take further action as deemed fit under the EPA Act, 1986.
- 5.3 In light of the above, UPPCB can calculate Environmental Compensation (EC) for the period during which the projects mentioned have carried out construction activity without a valid CTE.
- 5.4 In light of the above, UPPCB can calculate Environmental Compensation (EC) for the period during which the projects mentioned above are under operation without a valid CTO from UPPCB.
- 5.5 In light of the above, UPPCB can calculate Environmental Compensation (EC) for discharge of untreated sewage from the occupancy certificate issued to the project till the grant of a valid CTO from UPPCB.
- 5.6 In light of the above, SEIAA/SEAC-UP can re-appraise the expansion project for which EC has been accorded in 2018 without proper due diligence of the EIA notification 2006 and its subsequent amendment and its related circular dated 2012 & 2017, and also communicate to MOEF&CC for debarment of the consultant involved in it.
- 5.7 In light of the above, Ghaziabad Development Authority (GDA) can take suitable credible action against the builders to construct the multistory building without obtaining height approval from the Airport Authority of India (AAI).
- 5.8 In light of the above, Uttar Pradesh Groundwater (Management & Regulation) Act, 2019, and its subsequent amendment in 2020 can take suitable credible action against all FSI (builders) for unauthorized bore wells operated in their project land without required permission.
- 5.9 In light of the above, UPPCB can submit an application form by which first consent to established (CTE) was granted to project in which it was categorically mentioned 3699 flats, 2321 plots, a community center, and an institutional area, without mentioning the build-up area of the flats, the community center, and the institutional area.
- 5.10 In light of the above, local administration takes suitable action against those FSI's (Golden Gate, Amaatra, Divyansh, Arocon, Rise only obtained provisional in 2020),

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which are operating the project without valid Fire NOC under Uttar Pradesh Fire Service Act, 2005.

- 5.11 In light of the above, Ghaziabad Development Authority (GDA) can take suitable credible action against the builders to construct & operate the multistory building without obtaining a structural stability certificate.
- 5.12 In light of the above, UPPCB can calculate environmental compensation for violations of direction no 76 concerning DG sets and direction no 13 concerning building construction projects issued by CAQM.

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List Of Annexure:		
Number	Content	Pages
A.	Hon'ble NGT Order dated 24.04.2025	3
B.	Copy of EC dated 30.09.2011	5
C.	Copy of CTE dated 02.12.2011	4
D.	Copy of GDA approval dated 20.09.2014	4
E.	Copy of expansion EC dated 16.06.2018	8
F.	Copy of Ministry circular dated 2012	1
G.	Copy of Ministry circular dated 2017	2
H.	Copy of completion certificate	6
I.	Copy of All approval for GH02	3
J.	Copy of Ground water Inspection Report	8
K.	Copy of Bore well application dated 21.05.2025	4
L.	Copy of Bore well application dated 20.05.2025	4
M.	Photograph taken during Joint inspection	6

Name of the Committee members	Signature
Dr. A.K. Gupta, Scientist, E Ministry of Environment, Forest and Climate Change, Regional Office, Lucknow.	
Shri Arun Dixit SDM Ghaziabad, Uttar Pradesh	
Shri Danish Meena, Scientist C Central Pollution Control Board (CPCB), New Delhi	
Dated: 22.07.2025	