

**BEFORE THE NATIONAL GREEN TRIBUNAL
SITTING AT NEW DELHI**

MEMORANDUM OF APPLICATION

(Under Sec. 18(1) read with Sec. 14 ,15, 16 and 17 of the National
Green Tribunal Act, 2010)

**O.A. NO. 569 OF 2022
(Earlier Appeal No.35/2022)**

IN THE MATTER OF:

SATENDRA PANDEY

..... APPELLANT

VERSUS

MINISTRY OF ENVIRONMENT,
FORESTS AND CLIMATE CHANGE
AND OTHERS

..... RESPONDENTS

PAPER BOOK

REPLY ON BEHALF OF RESPONDENT No.5

Compilation-I

(FOR INDEX KINDLY SEE INSIDE)

PALLAVI PRATAP

Advocate for the Respondent No.5

ENROL NO. UP/1246/2010

A-90, LGF South Ex-II, New Delhi

Mob: 9999990078

Email: pallavipratap@hotmail.com

**BEFORE THE NATIONAL GREEN TRIBUNAL
SITTING AT NEW DELHI**

MEMORANDUM OF APPLICATION

(Under Sec. 18(1) read with Sec. 14 ,15, 16 and 17 of the National
Green Tribunal Act, 2010)

**O.A. NO.569 OF 2022
(Earlier Appeal No.35/2022)**

SATENDRA PANDEY

..... APPELLANT

VERSUS

MINISTRY OF ENVIRONMENT,
FORESTS AND CLIMATE CHANGE
AND OTHERS

..... RESPONDENTS

INDEX

<u>Sl. No.</u>	<u>Particulars</u>	<u>Pages</u>
-----------------------	---------------------------	---------------------

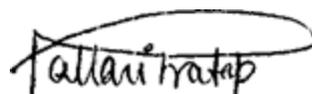
COMPILATION I

- | | | |
|----|------------------------------------|--------|
| 1. | Reply of the Respondent No.5. | 1-20 |
| 2. | Affidavit in support of the Reply. | 21-22 |
| 3. | Vakalatnama. | 23-23A |



RESPONDENT No.5

New Delhi
Dated: 03.10.2022

Through 
(Pallavi Pratap)

Counsel for Respondent No.5
Enrol No. UP/1246/2010
Phone No. - +9199999990078
Email - pallavipratap@hotmail.com
Address: A-90, LGF, SOUTH EX-II,
New Delhi

**BEFORE THE NATIONAL GREEN TRIBUNAL
SITTING AT NEW DELHI**

MEMORANDUM OF APPLICATION

(Under Sec. 18(1) read with Sec. 14 ,15, 16 and 17 of the National
Green Tribunal Act, 2010)

**O.A. NO.569 OF 2022
(Earlier Appeal No.35/2022)**

IN THE MATTER OF:

SATENDRA PANDEY

..... APPELLANT

VERSUS

MINISTRY OF ENVIRONMENT,
FORESTS AND CLIMATE CHANGE
AND OTHERS

..... RESPONDENTS

REPLY ON BEHALF OF THE RESPONDENT NO. 5

MOST RESPECTFULLY SHOWETH:

The respondent no. 5 above named most respectfully showeth
as under:-

1. That the answering Respondent has been impleaded as respondent no. 5 in the above noted Original Application *vide* order dated 29.07.2022 passed by this Hon'ble Tribunal.
2. That the Appellant had filed the Appeal No.35/2022, which has now been converted by the order of the Hon'ble

Tribunal dated 29.07.2022 into an Original Application No.569 of 2022

3. That by the order dated 29.07.2022 passed by this Hon'ble Tribunal it has held that the Appeal filed by the Appellant does not satisfy the requirement for vitiating the EC granted in favour of the answering respondent, yet the Hon'ble Tribunal has converted the appeal into an Original Application stating that the construction raised by the answering respondent in violation of the EIA Notification raises a substantial question of law, whereas this Hon'ble Tribunal if was prima facie satisfied that the EC granted to the answering respondent does not stand vitiated then it could have left it open for the appellant to initiate other proceedings so advised as per law, rather than converting the appeal into an Original Application.
4. That before submitting a para wise objection to this Original Application (Appeal), the respondent seeks leave of this Hon'ble Tribunal to submit relevant facts for the adjudication of this present Original Application (Appeal).

EFFORT OF EXTORTION BY COUNSEL FOR APPELLANT

5. That it is very crucial to apprise this Hon'ble Tribunal that the counsel representing the appellant has been taking the recourse of the environmental law for his personal financial gains and the present appeal, has been filed concealing material facts for the sole purpose of blackmailing and extortion of the respondent no. 5.

6. That it is respectfully submitted that the counsel for the appellant earlier intimated the respondent no. 5 that the file will be cleared in 15 days if he was paid and he would not harass, instead support the project. As the illegal demands were refused by the respondent no. 5, he then threatened the respondent no. 5 stating that they will now suffer, as he knows the whole system and knows how to manipulate the same. True copy of the folder containing video and voice recording of conversation taken by Project Proponent management of the incident included in the Pen Drive along with a certificate in compliance with the Section 65 B of the Indian Evidence Act 1872 is annexed herewith as **Annexure No. R-1.**

7. That the counsel for the appellant has also been threatening the respondent no. 5 in the past stating that he is powerful enough to stop issuance of all the permissions and

approvals and that all the officials were afraid of him and it's only him who can spoil the project of respondent no. 5 from getting the clearance, unless he is paid as demanded.

8. That it is only after receiving numerous threats from the counsel of the appellant, the respondent no. 5 had to lodge an FIR for extortion and threat, in pursuance to which the counsel for the appellant along with his two associates was arrested and are now released on bail. True copy of the FIR No. 0122 dated 02/02/2022 lodged at Thana Gomti nagar Lucknow (Uttar Pradesh) has been annexed herewith as **Annexure no. R-2.**

9. That in relation to the threats of extortion and blackmailing, the respondent no. 5 *vide* letter dated 21.02.2022 also addressed to the Chairman of Bar Council of Uttar Pradesh regarding the misdeeds of the counsel of the appellant. True copy of the letter dated 21.02.2022 addressed to the Chairman, Bar Council of Uttar Pradesh has been annexed herewith as **Annexure no. R-3.**

INCORRECT FACTS

10. That the appellant has filed the Appeal and has deliberately mislead this Hon'ble Tribunal to believe that the construction

of basements and columns was carried out and further alleging that presently the construction is in full swing at the site whereas it is blatant falsehood to misguide this Hon'ble Tribunal.

11. That it is humbly submitted that a thorough inspection was carried out earlier by a committee comprising of the Office of District Magistrate Lucknow, Office of UPPCB and the Office of LDA, which was done on 09.05.2022, where after another inspection is proposed by office of the District Magistrate, Lucknow which is within 3 months of the earlier report. It would be in the interest of justice that faith and trust is placed on the officers of the department, and to wait for the first inspection report instead of calling for multiple inspections and duplicating the process. It would not be out of place to state here that by duplicating the process the same would be never ending. . True copy of inspection report dated 23.05.2022 (Ref No.263/GF-258/2022) has been annexed herewith as **Annexure No. R-4**.
12. That the respondent no. 5 is running an existing multiplex and a commercial complex building in the name of Fun Republic Mall which was established in the year 2006 and for the same the consent to establish has been obtained

vide letter no: F57611/C-5/NOC-342/2006/8 dated 22.03.2006. True copy of the CTE no: F57611/C-5/NOC-342/2006/8 dated 22.03.2006 has been annexed herewith as **Annexure no. R-5**.

13. That the existing establishment is having regular consent to operate u/s 21/22 of the Air (Prevention and control of Pollution) Act, 1981 and a consent to operate u/s 25/26 of the Water (Prevention and control of Pollution) Act, 1974 from UPPCB and the current consent was valid up to 31.12.2023. True copy of the consent to operate dated 06.06.2022 has been annexed herewith as **Annexure no. R-6**.
14. That the proposed expansion in question is a construction project which on expansion falls under schedule 8(a) of the EIA Notification dated 14th September 2006 and the said project is to be done on the existing land of which the respondent no. 5 is a lessee.
15. That the aforesaid project is a simple expansion of just 1223 sq mts in ground area of existing operating mall in city of Lucknow on the existing land which is just 7.6% of the total plot area. The Respondent No. 5 proposed only to

construct extra 6678 sq mtrs having 4 basements in order to enhance the mall entertainment and retail area.

16. That for the aforementioned small expansion proposal, Environmental Clearance was received after 342 days and project is stalled now for more than 15 months with no construction work being undertaken due to multiple unwanted and frivolous complaints, for perceptible reasons as detailed herein.
17. That the proposed expansion project seeks to ameliorate the socio-economic condition by providing increased employment opportunities due to the project and aesthetic beauty of the area will also be improved due to the development of the landscape. Further, the said project will also increase State's revenue by way of GST and other taxes. True copy of the presentation for Environmental Clearance has been annexed as **Annexure no. R-7.**
18. That the Consent to Establish, (hereinafter referred to as CTE for the sake of brevity), for the aforesaid proposed expansion was granted to the applicant-respondent no. 5 on 04.11.2020 which had expressly mentioned that all permissions had to be obtained prior to CTO. True copy of

the consent to establish dated 04.11.2020 has been annexed herewith as **Annexure no. R-8**.

19. That, in the proposed expansion site (location) there were existing structures which were raised on the said land in accordance with the then existing laws. Therefore, without raising any additional construction, the respondent no. 5 dismantled and relocated the water tanks and STP present on the proposed expansion area (as they were old) and the same can be ascertained from the drawings of internal plans. That the respondent no. 5 only upgraded the water tanks/STP (as mandated in CTE dated 04.11.2020) as the earlier ones were 15 years old and further for the safety of the excavation soil, retaining walls had to be made during excavation and is not connected to construction of the new excavation to accommodate four underground basements. There was no new construction on the proposed expansion site despite having obtained the CTE. True copy of the approved plans showing the old STP in the questioned/expansion area has been annexed herewith as **Annexure no.R-9**.
20. That post procurement of CTE, any organization planning for construction has to wade through appointing contractors,

construction related agencies, costs and organising funds and if presuming that by the time any construction could commence, the country went through complete lockdown as a result of the Covid-19 pandemic and no work was possible from April 21 to June 21. It is humbly submitted that there is no construction activity since 1st July 2021, i.e. for last 15 months since the Respondent No. 5 was directed to stop work till EC clearance.

21. That at this juncture it is pertinent to state here that the Hon'ble Supreme Court in the case of ***Pahwa Plastics Pvt. Ltd. and Another Versus Dastak NGO and Others*** as reported in **2022 SCC OnLine SC 362** has opined that the 1986 Act does not prohibit ex post facto EC and some relaxations and even grant of ex post facto accordance with law, in strict compliance with Rules, Regulations, EC in Notifications and/or applicable orders, in appropriate cases, where the projects are in compliance with environment norms, is not impermissible. Further, ex post facto clearances and/or approvals cannot be declined with pedantic rigidity, regardless of the consequences of stopping the operations. The Hon'ble Supreme Court further observed that a unit contributing to the economy of the

country and providing livelihood to hundreds of people, which has been set up pursuant to requisite approvals from the concerned statutory authorities, and has applied for ex post facto EC, should not be closed down for the technical irregularity of want of prior environmental clearance, pending the issuance of EC, even though it may not cause pollution and/or may be found to comply with the required norms.

22. That further, the Hon'ble Supreme Court in **Electrosteel Steels Limited versus Union of India and Others** as reported in **2021 SCC OnLine SC 1247**, observed that the Hon'ble Supreme Court cannot be oblivious to the economy or the need to protect the livelihood of hundreds of employees and others employed in the units and dependent on the units in their survival.
23. That the respondent no. 5 seeks leave of this Hon'ble Tribunal to submit the paragraph-wise reply of the Original Application (Appeal) as under:
24. That in reply to the contents of paragraph number 1 of the original application (appeal) it is respectfully submitted that the intention of the applicant is to cover up the extortion and the FIR registered against the counsel of the appellant and

that it is for this sole reason he has refrained from making respondent no. 5 a party to this present original application (appeal).

25. That in reply to the contents of paragraph number 2 of the original application (appeal) it is respectfully submitted that an appeal for the same is filed by the appellant which is pending at District Court, Lucknow against members of SEIAA. True copy of the appeal has been annexed herewith as **Annexure no. R-10.**
26. That in reply to the contents of paragraph number 3 of the original application (appeal) it is respectfully submitted that the filling of a caveat is not mandatory for Government Orders.
27. That in reply the contents of paragraph number 4 of the original application (appeal) it is respectfully submitted that he counsel representing the appellant has been taking the recourse of the environmental law for his personal financial gains and the present appeal, has been filed concealing material facts for the sole purpose of blackmailing and extortion of the respondent no. 5, and thus the appellant under the guise of a social worker is threatening and extorting the respondent no. 5.

28. That in reply the contents of paragraph number 5 of the original application (appeal) it is respectfully submitted that the CTE issued had expressly mentioned that all permissions had to be obtained prior to CTO.
29. That the contents of paragraph number 6 of the original application (appeal) need no reply as it pertains to the appellant's manoeuvre of sending legal notices to UPPCB.
30. That in reply the contents of paragraph number 7 of the original application (appeal) it is respectfully submitted that the procurement of Environmental Clearance is a long process and as such the preparation of the same takes months. Further, the respondent no. 5 had no knowledge of the legal notice as the same was not addressed to the respondent no. 5. It is further respectfully submitted that the State of Uttar Pradesh was in complete lockdown from the period of April 2021 to May 2021, hence, the Environmental Clearance could have been only presented in the month of June 2021, which itself was a highly limited month due to the imposition of the partial lockdown. Further, the allegations that the construction and the erection of pillars were made are false and baseless. It is humbly submitted that even the pictures produced by the appellant are the

same as submitted by the Respondent No.5 and it tallies with report provided after the site inspection.

31. That in reply the contents of paragraph number 8 of the original application (appeal) it is respectfully submitted that respondent no. 5 had no intent to start construction without due permissions, hence they applied for CTE and EC. It is further submitted that post procurement of CTE, due to complete lockdown as a result of the Covid-19 pandemic and Covid restrictions from April 2021 to June 2021, no construction work could have been possible.
32. That the contents of paragraph number 9 of the original application (appeal) needs no reply as it pertains to sending of notice by appellant to Additional Chief Conservator of Forest Regional Office, Lucknow.
33. That in reply the contents of paragraph number 10 of the original application (appeal) it is respectfully submitted that, in the proposed expansion site there were structures present that were raised on the said land and were approved for services of water tanks and STP. Therefore, without raising any construction the applicant-respondent no. 5 dismantled and relocated the water tanks and STP present on the proposed expansion area as they were old

and the same can be ascertained from the drawings of internal plans. That the applicant-respondent no. 5 only upgraded the water tanks as the earlier ones were 15 years old. That further, there was no construction which had to be stopped and the proposed expansion site is in the same condition as it was prior to one year ago.

34. That in reply the contents of paragraph number 11 of the original application (appeal) it is respectfully submitted that an application for prior Environmental Clearance was applied for by the respondent no. 5 and the same was granted.
35. That in reply the contents of paragraph number 12 of the original application (appeal) it is respectfully submitted that the respondent no. 5 was asked to tender an affidavit with photographs of the site along with google images, which were submitted as per requirements. The proposed expansion site is in same condition as it was when photographs were submitted. Even the photographs submitted by the appellant do not exhibit any new construction. That further, the dismantling done is an internal task as per conditions of CTE which can be verified

from the drawings and visit to the location by the concerned officials.

36. That in reply to the contents of paragraph number 13 of the original application (appeal) it is respectfully submitted that the respondent no. 5 had submitted the EC on 29th June 2021 and appellant is referring to the order F.No. 22-21/2020-IA.III dated 07.07.2021 which is post submission of the EC application, which is not applicable in the present case. That the respondent no. 5 seeks the permission of this Hon'ble Tribunal to bring on record the amended order F.No.IA3-22/19/2021-IA.III (E164361) dated 20.09.2021 wherein it is *inter alia* mentioned that if CTE has been issued and EC has not been issued, the project proponent can make a request, considering which the Competent Authority may grant EC, thereafter CTO can be considered. In the present expansion project of respondent no. 5, there is no applicability of CTO as project has not even started. That the appellant's insistence on alleged violation is only because of the refusal on the part of respondent no. 5 to pay to his counsel ransom and further, there is no violation as on 29th June 22 when EC was applied. It is pertinent to mention that even in order F.No.

22-21/2020-IA.III dated 07.07.2021, the remedy was to pay 1% of the new construction cost which would have been insignificant for us to save or avoid as is being alleged and is baseless. It is further submitted that the proposed land in question is within the premises of operating mall in the city and the same cannot in anyway have any impact on environment even when the same would be expanded in future therefore the allegations of the appellant are baseless. True copy of the order dated 20.09.2021 has been annexed herewith as **Annexure no.R-11.**

37. That the contents of paragraph number 14 of the original application (appeal) needs no reply.
38. That the contents of paragraph number 15 of the original application (appeal) needs no reply.
39. That in reply the contents of paragraph number 16 of the original application (appeal) it is respectfully submitted that the respondent no. 5 presented its case before the MoEFCC and also brought to their notice all facts and the *modus operandi* being followed by the counsel of the appellant, and requested for review as would have been fair and just.

40. That the contents of paragraph number 17 of the original application (appeal) needs no reply. It is humbly submitted that MoEFCC issued letter dated 07.01.22 wherein it is mentioned *inter alia* that Considering the provisions of the Environment Protection Notification, 1986 and the related order, the Respondent No. 5 be given immediate relief. True copy of the order issued MoEFCC dated 07.01.22 has been annexed herewith as **Annexure no.R-12.**
41. That in reply the contents of paragraph number 18 of the original application (appeal) it is respectfully submitted that the respondent no. 5 were subjected to another inspection and the site was demonstrated by the respondent no. 5 to concerned officials as it was. Further, the appellant has mentioned that "*the report submitted by Regional Officer to MS SEIAA dated 16.4.2022* is manipulative and ambiguous. That when the construction site was disputed, why no photographs were attached from the inspection site to prove the report. It is humbly submitted that to doubt the committee formed and to doubt LDA's expertise as regards their drawings of the site /city landscape or construction knowledge, demonstrates questionable intention on part of the appellant. It is humbly submitted that in the Minutes of

613th meeting of the SEIAA held on 31.05.2022, reference to inspection report dated 23.05.2022 is made as also to the clarification dated 20.9.2021 issued by the Ministry of Environment, that if CTE has been issued and EC has not been issued, the project proponent can make a request, considering which the Competent Authority may grant EC, thereafter CTO can be considered. Further, SEIAA agreed with the recommendations of the SEAC to grant the prior Environmental Clearance to the proposed project along with all the general and specific conditions as suggested by the SEAC. Additionally, SEAC imposed additional specific conditions as detailed therein. True copy of the minutes SEIAA held on 31.05.2022 has been annexed herewith as **Annexure no. R-13.**

42. That the contents of paragraph number 19 of the original application (appeal) are fabricated and hence are denied as stated. It is further submitted that there is no new construction on the proposed expansion site despite having obtained the CTE and the site as on date remains unchanged as per photographs submitted earlier.
43. That the contents of paragraph number 20 of the original application (appeal) needs no reply.

44. That in reply the contents of paragraph number 21 of the Original Application (appeal) are denied as stated and it is respectfully submitted that the counsel for the appellant earlier intimated the respondent no. 5 that the file will be cleared in 15 days if he was paid and he would not harass, instead support the project. As the illegal demands were refused by the respondent no. 5, he then threatened the respondent no. 5 stating that they will now suffer, as he knows the whole system and knows how to manipulate the same. The copy of the folder containing video and voice recording of conversation taken by Project Proponent management of the incident included in the Pen Drive along with a certificate in compliance with the Section 65 B of the Indian Evidence Act 1872 is already annexed as Annexure No.R-1.
45. In view of these glaring facts, it is the respectful submission of the answering Respondent No. 5, that the claim of the appellant cannot be sustained and deserves to be dismissed outright with exemplary costs, so as to dissuade such motivated claims from being made in the future
46. For the foregoing reasons, none of the prayers/reliefs prayed by the appellants deserve to be granted. It is the

respectful submission of the Respondent No. 5 that the present application filed before this Hon'ble Tribunal deserves to be dismissed with exemplary costs.

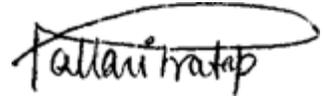
(A) Pass any such other order or orders as this Hon'ble Tribunal may deem fit in the facts and circumstances of the case.



RESPONDENT No.5

Place: New Delhi
Dated: 03.10.2022

Through



(Pallavi Pratap)

Advocate

Counsel for Respondent No.5

Phone No. - +9199999990078

Email - pallavipratap@hotmail.com

Address: A-90, LGF SOUTH EX-II,
New Delhi

BEFORE THE NATIONAL GREEN TRIBUNAL
SITTING AT NEW DELHI

MEMORANDUM OF APPLICATION

(Under Sec. 18(1) read with Sec. 14, 15, 16 and 17 of the National
Green Tribunal Act, 2010)

O.A. NO.569 OF 2022
(Earlier Appeal No.35/2022)

IN THE MATTER OF:

SATENDRA PANDEY

..... APPELLANT

VERSUS

MINISTRY OF ENVIRONMENT,
FORESTS AND CLIMATE CHANGE
AND OTHERS

..... RESPONDENTS

AFFIDAVIT

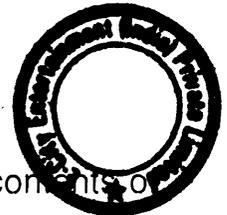
I, Rupesh Kumar Garg aged about 47 years, Son of Gobind Ram Garg, T5 Iconic-2501, M3M The Marina Near Superatech Apartment, Sector 68, Badshahpur, Gurgaon, Haryana-122101, presently at New Delhi, do hereby solemnly affirm and declare as under:-

1. That I am the authorised signatory of the Respondent No.5 and as such I am conversant with the facts of the case and thus competent to affirm this affidavit.
2. That I have read the contents of the accompanying reply including from pages 1 to 46 and have understood the same.



3. That the facts stated therein are true and correct to the best of my knowledge and belief and nothing material has been suppressed.
4. That I have instructed my Advocate and the reply has been prepared by my Advocate on my instructions as stated above.
5. That the Annexures filed herewith are true and correct copies/ English translations of their respective originals.

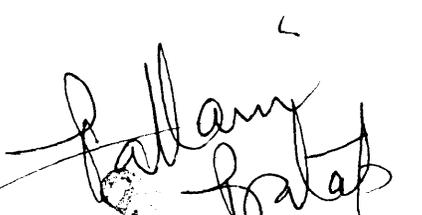

DEPONENT



VERIFICATION

I above named deponent do hereby verify that the contents of the above affidavit are true and correct to the best of my knowledge and belief and nothing material has been concealed there from.

Verified at New Delhi on 29th day of Sept., 2022.

~~ATTESTED~~

DIPENDRA K. SHARMA
NOTARY PUBLIC
RK. ROAD, GATE NO. 1
SURRENDER COURT
29.09.22



DEPONENT





**BEFORE THE NATIONAL GREEN TRIBUNAL
SITTING AT NEW DELHI
MEMORANDUM OF APPLICATION
O.A. NO. 569 OF 2022
(Earlier Appeal No.35/2022)**

**IN THE MATTER OF:
SATENDRA PANDEY**

..... APPELLANT

VERSUS

**MINISTRY OF ENVIRONMENT,
FORESTS AND CLIMATE CHANGE
AND OTHERS**

..... RESPONDENTS

VAKALATNAMA

I/We I, Rupesh Kumar Garg, authorised signatory of the Respondent No.5 E-City Entertainment (India) Pvt. Ltd. in the above Original Application do hereby appoint and retain

PALLAVI PRATAP

Advocate for the Respondent No.5
UP/1246/2010
A-90, LGF South Ex-II, New Delhi
Mob: 9999990078
Email: pallavipratap@hotmail.com

To act and appear for me/us in the above Application/Appeal and on my/our behalf to conduct and prosecute (or defend) or withdraw the same and all proceedings that may be taken in respect of any application connected with the same or any decree or order passed therein, including proceedings in taxation and application for Review, to file and obtain return of documents and receive money on my/our behalf in the said Petition/Appeal and to represent me/us and to take all necessary steps on my/our behalf in the above matter. I/We agree to ratify all acts done by the aforesaid advocate on record in pursuance of this authority

Dated 29TH day of Sept., 2022

Accepted & Identify:

PALLAVI PRATAP
Advocate

Respondent No.5

MEMO OF APPEARANCE

To
The Registrar
National Green Tribunal
New Delhi

Sir,

Please enter my appearance for the above-named Appellant(s)/ Petitioner (s)/ Respondent (s) in the above mentioned matter

Dated 29TH day of Sept., 2022.

The address for service of the said Advocate is:



**PALLAVI PRATAP
ADVOCATE FOR RESPONDENT NO.5
A-90, LGF SOUTH EX-II, NEW DELHI
MOB: 9999990078
EMAIL: pallavipratap@hotmail.com**

CERTIFIED TRUE COPY OF THE RESOLUTION PASSED AT THE MEETING OF THE BOARD OF DIRECTORS OF E-CITY ENTERTAINMENT (INDIA) PRIVATE LIMITED HELD ON TUESDAY, 13TH SEPTEMBER 2022 AT THE REGISTERED OFFICE OF THE COMPANY AT PLOT NO. 844/4, SHAH INDUSTRIAL ESTATE, OFF NEW LINK ROAD, ANDHERI (WEST), MUMBAI – 400053.

Authority to Mr. Rupesh Garg, Authorised Representative of the Company, to appear before the National Green Tribunal sitting at New Delhi and execute reply, affidavits, Vakalatnama and other documents as may be required in the matter of the O.A. NO.569 OF 2022 (Earlier Appeal No.35/2022) filed by Satendra Pandey, wherein the Company is impleaded as Respondent No. 5:

“**RESOLVED THAT** Mr. Rupesh Garg, authorized representative of the Company to appear before the National Green Tribunal sitting at New Delhi and execute reply, affidavits, Vakalatnama and other documents, as may be required in the matter of the O.A. NO.569 OF 2022 (Earlier Appeal No.35/2022) filed by Satendra Pandey, wherein the Company is impleaded as Respondent No. 5.

RESOLVED FURTHER THAT Mr. Rupesh Garg, Authorised Representative of the Company, be and is hereby severally authorised to do all or any of the following acts, deeds, matters, things in his absolute discretion as they may deem fit and proper:

- a) To cause filing of reply in the appropriate NGT in the aforesaid matter;
- b) To sign all Vakalatnamas, reply, Written Statements, Notice of Motion, Applications, Pleadings, Appeals, Petitions, Documents, Summons, Declarations, Rejoinders, Appeals, Affidavits, Indemnity, Bond, Counter Indemnity and any other writings and documents;
- c) To engage advocates and if considered necessary, also engage services of Counsel(s), declare and file all pleadings, reports, and sign and issue public advertisements and notices;
- d) To make any alterations / changes to the applications and all documents and writings as stated above may be directed by the Court(s);
- e) To do all acts and things as may be considered necessary and expedient in relation thereto.

RESOLVED FURTHER THAT all acts, things, deeds and matters done by Mr. Rupesh Garg Authorized Representative of the Company, shall be binding on the Company and the Board agrees to ratify the same;

RESOLVED FURTHER THAT a certified true copy of the resolution be produced before the concerned authorities for their record and information.”

Date: 13.09.2022

Place: Mumbai

**Certified True Copy
For E-City Entertainment (India) Private Limited**

Pratik Mehta

**Mr. Pratik Mehta
Director
DIN: 01902887**



**BEFORE THE NATIONAL GREEN TRIBUNAL
SITTING AT NEW DELHI**

MEMORANDUM OF APPLICATION

(Under Sec. 18(1) read with Sec. 14 ,15, 16 and 17 of the National
Green Tribunal Act, 2010)

**O.A. NO. 569 OF 2022
(Earlier Appeal No.35/2022)**

IN THE MATTER OF:

SATENDRA PANDEY

..... APPELLANT

VERSUS

MINISTRY OF ENVIRONMENT,
FORESTS AND CLIMATE CHANGE
AND OTHERS

..... RESPONDENTS

PAPER BOOK

REPLY ON BEHALF OF RESPONDENT No.5

Compilation-II

(FOR INDEX KINDLY SEE INSIDE)

PALLAVI PRATAP

Advocate for the Respondent No.5

ENROL NO. UP/1246/2010

A-90, LGF South Ex-II, New Delhi

Mob: 9999990078

Email: pallavipratap@hotmail.com

**BEFORE THE NATIONAL GREEN TRIBUNAL
SITTING AT NEW DELHI**

MEMORANDUM OF APPLICATION

(Under Sec. 18(1) read with Sec. 14 ,15, 16 and 17 of the National
Green Tribunal Act, 2010)

**O.A. NO.569 OF 2022
(Earlier Appeal No.35/2022)**

SATENDRA PANDEY

..... APPELLANT

VERSUS

MINISTRY OF ENVIRONMENT,
FORESTS AND CLIMATE CHANGE
AND OTHERS

..... RESPONDENTS

INDEX

COMPILATION II

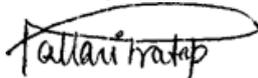
<u>S.NO.</u>	<u>PARTICULARS</u>	<u>PAGES</u>
1.	<u>Annexure No. R-1</u> True copy of the folder containing video and voice recording of conversation taken by Project Proponent management of the incident included in the Pen Drive.	24
2.	<u>Annexure No.R-2</u> True copy of the FIR No. 0122 dated 02/02/2022 lodged at Thana Gomti Nagar Lucknow (Uttar Pradesh).	25-31
3.	<u>Annexure No.R-3</u> True copy of the letter dated 21.02.2022 addressed to the Chairman, Bar Council of Uttar Pradesh.	32-34
4.	<u>Annexure No.R-4</u> True copy of inspection report dated 23.05.2022 (Ref No.263/GF-258/2022).	35-37

5. **Annexure No.R-5** 38-41
True copy of the CTE no: F57611/C-5/NOC-342/2006/8 dated 22.03.2006.
6. **Annexure No.R-6** 42-44
True copy of the consent to operate dated 06.06.2022.
7. **Annexure No.R-7** 45-114
True copy of the presentation for Environmental Clearance.
8. **Annexure No.R-8** 115-118
True copy of the consent to establish dated 04.11.2020.
9. **Annexure No.R-9** 119
True copy of the approved plans showing the old STP in the questioned/expansion area.
10. **Annexure No.R-10** 120-181
True copy of the Appeal.
11. **Annexure No.R-11** 182-183
True copy of the order dated 20.09.2021.
12. **Annexure No.R-12** 184-185
True copy of the order issued MoEFCC dated 07.01.22.
13. **Annexure No.R-13** 186-196
True copy of the minutes SEIAA held on 31.05.2022
14. Affidavit of compliance with the Section 65 B of the Indian Evidence Act 1872. 197-207

Place: New Delhi
Dated: 03.10.2022

Through


RESPONDENT No.5



(Pallavi Pratap)

Counsel for Respondent No.5

ENROL NO. UP/1246/2010

Phone No. - +9199999990078

Email - pallavipratap@hotmail.com

Address: A-90, LGF, SOUTH EX-II, New Delhi

ANNEXURE R-1

True copy of the folder containing video and voice recording of conversation taken by Project Proponent management of the incident included in the Pen Drive IS ATTACHED HEREWITH.

25 ANNEXURE R-2

N.C.R.B (एन.सी.आर.वी)
I.I.F.-I (एकीकृत जाँच फार्म -I)

FIRST INFORMATION REPORT

(Under Section 154 Cr.P.C.)
प्रथम सूचना रिपोर्ट
(धारा 154 दंड प्रक्रिया संहिता के तहत)

1. District (जिला): लखनऊ पूर्वी (कमिश्नरेट लखनऊ)

P.S. (थाना): गोमतीनगर

Year (वर्ष): 2022

FIR No.(प्र.सू.रि. सं.): 0122

Date & Time of FIR(प्र.सू.रि. की दिनांक/समय): 02/02/2022 18:33

2. S.No. (क्र.सं.)	Acts (अधिनियम)	Sections (धारा(एँ))
1	भा दं सं 1860	384
2	भा दं सं 1860	506

3.(a) Occurrence of offence (अपराध की घटना) :

1. Day
(दिन):

Date From
(दिनांक से):

Date To
(दिनांक तक):

Time Period
(समय अवधि):

Time From
(समय से):

Time To
(समय तक):

(b) Information received at P.S. (थाना जहां सूचना प्राप्त हुई):

Date
(दिनांक):

02/02/2022

Time (समय): 18:33 बजे

(c) General Diary Reference (रोजनामचा संदर्भ):

Entry No.
(प्रविष्टि सं.):

055

Date & Time
(दिनांक और समय):

02/02/2022 18:33 बजे

4. Type of Information (सूचना का प्रकार): लिखित

5. Place of Occurrence (घटनास्थल):

- Direction and distance from P.S. दक्षिण - पश्चिम, Beat No.
1. (a) (थाना से दूरी और दिशा): 03 किमी (बीट सं.):
(b) Address फन रिपब्लिक माल गोमतीनगर, लखनऊ
(पता):

- (c) In case, outside the limit of this Police Station, then
(यदि थाना सीमा के बाहर है तो):

Name of P.S. District(State)
(थाना का नाम): (ज़िला (राज्य)):

6. Complainant / Informant (शिकायतकर्ता/सूचनाकर्ता):

- (a) Name (नाम): श्री विकल्प सक्सेना मैनेजर आपरेशन
(b) Father's/Husband's Name (पिता / पति का नाम)
(c) Date/Year of Birth (जन्म तिथि / वर्ष): 1984
(d) Nationality (राष्ट्रीयता): भारत
(e) UID No. (यूआईडी सं.):
(f) Passport No. (पासपोर्ट सं.):
Date of Issue (जारी करने की तिथि):
Place of Issue (जारी करने का स्थान):

- (g) Id details (Ration Card, Voter ID Card, Passport, UID No., Driving License, PAN)

S.No.(क्र.सं.)	Id Type (पहचान पत्र का प्रकार)	Id Number (पहचान संख्या)
1		

- (h) Address (पता):

S.No. (क्र.सं.)	Address Type (पता का प्रकार)	Address (पता)
1	वर्तमान पता	फन रिपब्लिक माल, गोमतीनगर, लखनऊ पूर्वी (कमिश्नरेट लखनऊ), उत्तर प्रदेश, भारत
2	स्थायी पता	फन रिपब्लिक माल, गोमतीनगर, लखनऊ पूर्वी (कमिश्नरेट

2 | स्थायी पता | लखनऊ, उत्तर प्रदेश, भारत

(i) Occupation (व्यवसाय):

(j) Phone number (दूरभाष सं.):

Mobile (मोबाइल सं.): 91-9628522999

7. Details of known/suspected/unknown accused with full particulars

(ज्ञात / संदिग्ध / अज्ञात अभियुक्त का पूरे विवरण सहित वर्णन):

Accused More Than (अज्ञात आरोपी एक से अधिक हों तो संख्या):

S.No. (क्र.सं.)	Name (नाम)	Alias (उपनाम)	Relative's Name (रिश्तेदार का नाम)	Present Address (वर्तमान पता)
1	अरविंद कुमार राय			1. इलाहाबाद, प्रयागराज, उत्तर प्रदेश, भारत
2	मनोज गोयल			1. गोमतीनगर, गोमतीनगर, लखनऊ पूर्वी (कमिश्नरेट लखनऊ), उत्तर प्रदेश, भारत
3	शैलेश जयसवाल			1. अज्ञात, अज्ञात

8. Reasons for delay in reporting by the complainant/informant

(शिकायतकर्ता / सूचनाकर्ता द्वारा रिपोर्ट देरी से दर्ज कराने के कारण):

9. Particulars of properties of interest (संबन्धित सम्पत्ति का विवरण):

S.No. (क्र.सं.)	Property Category (संपत्ति श्रेणी)	Property Type (सम्पत्ति का प्रकार)	Description (विवरण)	Value (In Rs/-) (मूल्य (रु में))

10. Total value of property (In Rs/-)-सम्पत्ति का कुल मूल्य(रु)

11. Inquest Report / U.D. case No., if any (मृत्यु समीक्षा रिपोर्ट / यू.डी. प्रकरण सं., यदि कोई हो):

S.No. UIDB Number

12. First Information contents (प्रथम सूचना तथ्य):

नकल तहरीर हिन्दी वादी टाइपशुदा : दिनांक - 02/02/2022 सेवा मे, श्रीमान थानाध्यक्ष महोदय थाना - गोमतीनगर, जनपद- लखनऊ। विषय - एडवोकेट अरविंद कुमार राय (मोबाइल- 9793027778), इलाहाबाद, उनके सहयोगी क्रमशः मनोज गोयल (मोबाइल- 9582558310) लखनऊ एवं शैलेश जैसवाल (मोबाइल- 9415433818/8874376550) लखनऊ, के द्वारा जबरन रंगदारी, ब्लैकमेल एवं उत्पीड़न करने के बारे में प्रथिमिकी दर्ज करने के सम्बन्ध में। महोदय, सानुरोध अवगत कराना चाहता हूँ कि मैं विकल्प सक्सेना, मैनेजर आपरेशन-फन रिपब्लिक माल चलाने वाली कम्पनी ई-सिटी एंटरटेनमेंट प्राइवेट लिमिटेड लखनऊ का प्रतिनिधित्व करता हूँ और आपके समक्ष श्री अरविन्द राय एवं उनके साथियों के कृत्यों के जबरन रंगदारी, ब्लैकमेल एवं उत्पीड़न विषय में अवगत कराना चाहता हूँ। हमारे माल परिसर में एक छोटी सी विस्तार परियोजना में निर्माण कार्य होना है जिसके लिए हमको ई.सी. (नई विस्तार परियोजना के लिए पर्यावरण मंजूरी) जिसके लिए 29 जून 2021 को उत्तर प्रदेश प्रदुषण नियंत्रण बोर्ड में आवेदन प्रस्तुत किया गया था। 1) हमें पता चला कि अधिवक्ता श्री अरविंद राय ने हमारी परियोजना के अनुमोदन पर प्रश्न उठाते हुए उत्तर प्रदेश प्रदुषण नियंत्रण बोर्ड के सभी अधिकारियों को एक कानूनी पत्र भेजा है, इसलिए हमने हमारे सलाहकार एवं परियोजना प्रमुख श्री गिरीश पांडे जी को श्री राय से बात करने और श्री राय की प्रोजेक्ट से परेशानी जानने के लिए उनसे बात करने के लिए कहा। श्री राय ने श्री गिरीश पांडे से लखनऊ में उनसे मिलने के लिए कहा। 2) श्री पांडे ने श्री राय से 15 जुलाई 2021 को लखनऊ में गोमती नगर में स्थित उनके सहयोगी श्री मनोज गोयल के घर पर मुलाकात की। लेकिन उनके सहयोगी श्री मनोज गोयल ने श्री पांडे से कहा कि श्री पांडे को सीधे श्री राय के साथ पैसे से निपटाना चाहिए क्योंकि यह सब पैसे के बारे में ही है। 3) लखनऊ में मुलाकात के बाद श्री गिरीश पांडेय ने फिर अरविन्द राय जी को फोन किया तो श्री राय ने कहा कि उनके सहयोगी शैलेश जयसवाल जी से बात कर लीजिये शैलेश जी को फोन करने पर उन्होंने गिरीश पांडेय जी से कहा कि वह बिना पैसे के बात नहीं करते इस पर गिरीश पांडेय जी ने दान स्वरूप अपने निजी खाते से उन्हें 21000/- रुपए देने कि बात कही। दिनांक 21 जुलाई 2021 को श्री राय के खाते में पैसे दिए। उसके उपरांत श्री राय के द्वारा यह आश्वासन दिया गया कि उनका प्रोजेक्ट के खिलाफ कोई विवाद नहीं है और अब वो इस केस को आगे नहीं बाएंगे। (खाता विवरण का SMS संलग्न) 4) 5 अगस्त 2021 को, ई.सी. के लिए हमारे निजी तौर पर सलाहकार श्री मनोज गर्ग ने श्री गिरीश पांडे को फोन किया और बताया कि श्री अरविंद कुमार राय ने उन्हें फोन किया और हमारे मामले को खतरे में डालने की धमकी दी। उन्होंने धमकाया कि वह श्री गर्ग का लाइसेंस रद्द करवा देंगे। उन्होंने श्री गर्ग को यह भी संकेत दिया कि पैसे से मामला सुलझ सकता है। (आडिओ रिकार्डिंग संलग्न) 5) श्री गिरीश पांडे ने 6 अगस्त 2021 को श्री राय से बात की, उन्होंने यह उल्लेख किया कि उन्होंने इसी तरह क्रास रिपब्लिक माल नोएडा और कुछ अन्य से पैसे निकाले थे।

श्री राय द्वारा आश्वासन दिया गया कि जिस दिन पैसा दिया जाएगा, वह हमारे मामले से हट जायेंगे और हमें अनुमति प्राप्त करने में सहायता करेंगे। (आडिओ रिकार्डिंग संलग्न 6) श्री अरविंद कुमार राय ने अपने सहयोगी के फोन नंबर दिए, श्री मनोज गोयल (मोबाइल-9582558310) जिसने 6 अगस्त 2021 को श्री गिरीश पांडे को निर्देश दिया कि वे 50 लाख रुपये के हस्तांतरण करें। बाद में एक अन्य व्यक्ति श्री शैलेश जायसवाल (मोबाइल - 9415433818/ 8874376550) ने श्री गिरीश पांडे को न्यूनतम भुगतान के रूप में नकद 25 लाख रुपये की मांग की। (आडिओ रिकार्डिंग संलग्न 7) श्री गिरीश पांडे ने फिर से श्री राय से 8 अगस्त 2021 को बात की और कहा कि हम किसी को नकद रुपये नहीं देते हैं और यदि कोई ट्रस्ट हो, का नाम और बैंक खाते का विवरण मांगा। पूरी बातचीत श्री राय को व्यस्त रखने और हमारी परियोजना को अनावश्यक नुकसान से बचाने के इरादे से की गई थी। (आडिओ रिकार्डिंग संलग्न 8) इसके बाद हमने पैसे देने से मना कर दिया तब हमें यह ज्ञात हुआ कि वे विभाग के लोगो को धमकी भरे पत्र लिख रहे हैं और हमारे प्रोजेक्ट को पास न करने के लिए धमका रहे हैं। उन्होंने हमसे कहा कि वह अब यह सुनिश्चित करेंगे कि हमें ई.सी. न मिले। 9) दिनांक 2 सितम्बर 2021 को हमने इ मेल व अन्य प्रपत्रों द्वारा पर्यावरण सम्बंधित अधिकारियों को श्री अरविन्द राय के कृत्यों का विवरण दे दिया। (संलग्न - ईमेल 2 सितम्बर 2021) अतः श्रीमान जी से विनम्र निवेदन है कि उक्त मामले की गंभीरता को देखते हुए इस प्रार्थनापत्र पर प्रथिमिकी दर्ज करके शीघ्र उचित कारवाही करें। महान कृपा होगी। संलग्न: आडियो एवं वीडियो रिकार्डिंग की पेन ड्राइव।, ोन का काल लाग एवं whatsapp पे चैटिंग के स्क्रीनशाटा, उत्तर प्रदेश राज्य पर्यावरण प्रभाव आकलन प्राधिकरण को ईमेल द्वारा भेजी गई शिकायत एवं जानकरी पत्र की प्रति। ह0 अपठनीय (विकल्प सक्सेना) मैनेजर आपरेशन फन रिपब्लिक माल गोमतीनगर लखनऊ 226010 मोव - 9628522999 (अधिकृत हस्ताक्षरकर्ता) ई-सिटी एंटरटेनमेंट प्राइवेट लिमिटेड। HM कृ0 अभियोग पंजीकृत करें। Sd SHO 2.2.22। नोट : का0 7860 मो0 आशिक थाना गोमतीनगर, पुलिस कमिश्नरेट लखनऊ दिनांक 02.02.2022।



13. Action taken: Since the above information reveals commission of offence(s) u/s as mentioned at Item No. 2.

(की गयी कार्यवाही : चूंकि उपरोक्त जानकारी से पता चलता है कि अपराध करने का तरीका मद सं. 2 में उल्लेख धारा के तहत है |)

(1) Registered the case and took up the investigation: (प्रकरण दर्ज किया गया और जांच के लिए लिया गया):

or
(या)

(2) Directed (Name of I.O.) Arun Kumar Mishra Rank SI (Sub-Inspector)
(जांच अधिकारी का नाम): (पद):

No. 872412417 to take up the Investigation
(सं.): (को जांच अपने पास में लेने के लिए निर्देश दिया गया) or (या)

(3) Refused investigation due to (जांच के लिए):

or (के कारण इंकार किया या)

(4) Transferred to P.S. District
(थाना): (ज़िला):
on point of jurisdiction (को क्षेत्राधिकार के कारण हस्तांतरित) .

F.I.R. read over to the complainant / informant, admitted to be correctly recorded and a copy given to the complainant / informant free of cost.
(शिकायतकर्ता / सूचनाकर्ता को प्राथमिकी पढ़ कर सुनाई गयी, सही दर्ज हुई माना और एक कॉपी निशुल्क शिकायतकर्ता को दी गयी |)

R.O.A.C.(आर. ओ .ए .सी.)

N.C.R.B (एन.सी.आर.बी)
I.I.F.-I (एकीकृत जाँच फार्म -I)

14 Signature/Thumb impression of the
complainant / informant.(शिकायतकर्ता /
सूचनाकर्ता के हस्ताक्षर / अंगूठे का निशान):

15 Date and time of dispatch to the court
(अदालत में प्रेषण की दिनांक और समय):

Sabish
21/2/22

Signature of Officer in charge,

Police Station

(थाना प्रभारी के हस्ताक्षर)

Name KESHAV KUMAR

Rank I (Inspector)

No. 012070145



[Handwritten signature]

ANNEXURE R-3

Date: 26/01/22

To

Chairman

Bar Council Uttar Pradesh , Allahabad

SUBJECT – THREAT OF EXTORTION AND BLACKMAIL BY ADVOCATE ARVIND KUMAR RAI (MOBILE-9793027778) , Chamber No-159-A, New Building High court Allahabad -211001

FILED BY COMPANY – FUN REPUBLIC EXTENSION C/O E-CITY ENTERTAINMENT INDI A PVT LTD

Dear Sirs /UP BAR COUNCIL

It is with extreme distress and having no other choice left , I , Vikalp Saxena ,hereby representing the company E-City Entertainment running a successful mall Fun Republic ,have to inform you on some acts by one of your member lawyer Mr Arvind Rai based at Prayagraj , Uttar Pradesh .

We felt were not necessary to be informed earlier and tried to let it go as our main objective is to work . But for last 6 months or so , he has been insistent on harassing us by affecting our government permissions and trying to affect our business .He is pressurising by calling , smsing and threatening by writing to key officials in UPCCB so as they don't clear our project .

His main issue is we have refused to pay him money, which he asked us to pay .

We have been advised by lawyer community that such lawyers who are using the profession to blackmail business houses and extort money should be informed to your esteemed council .

- We sincerely pray that such activists, who pretend to act as crusaders for good governance but are in fact there to create more damage than good as they raise unnecessary doubts on the credibility of the learned qualified senior Government authorities, when in fact they are actually manipulating the system to blackmail and extort money illegally and in an unjustified manner, who should be blacklisted.
- We suspect that we might not be the only victims as similar modus operandi may have been used earlier to extort illegal gratifications, hence his complaints if any, be examined with suspicion and veracity be checked before acting thereon. As our project is very small and there is no fault in our applications and supporting document, he would not be able to extract money or gratification from us.
- We are hence sending this application to the Bar council of Uttar Pradesh to debar Mr. Rai from practicing as a lawyer and not to defame the legal profession by his illegal means.

We have all video recordings of him and his associates who called us for extortion and threats in last one month .

Kindly let us know for any help and assistance in the matter .

With kind regards

Authorised signatory

E-CITY ENTERTAINMENT PRIVATE LIMITED.



We state in the brief the events which transpired with lawyer Mr Arvind kumar Rai and our consultant for Project Mr Girish Pande who is handling the permissions for project

- 1 Our EC (Environment Clearance for new extension project)was presented on 30th June 21 and principally approved as an ideal project in Stage 1 and sent for approval to Authority. We came to know that Lawyer Arvind Rai sent a legal letter to all officials questioning our approvals . We felt that the same is alright as everyone has right to ask questions and we answered all queries to concerned officials as we had done no wrong . But we were told that he creates issues and uses his legal profession to threaten officials and businesses, so that we decided to talk to him and Our project Head Mr Girish Pande , decided to call him
- 2 Mr Pande called him to understand what the issue he has .He told him that he is crusader for Environment and corruption .Mr Pande told him that in this case , neither is there any corruption nor any environment default as its small extension project in existing mall so what is his issue .He told him that meet him at Lucknow when he visits .
- 3 Mr Pande met him at Lucknow In July at his associate Manoj Goyals House in Gomti Nagar . He himself asked that if his daughter can be appointed in company and he might visit Mumbai so we have to arrange his stay . But his associate Manoj Goyal told Mr Pande that Mr Pande is not understanding the talks and told him Mr rai is basically.... (an abusive word)and He should straight settle money with him as its about money. Mr Pande avoided all that talk and pleasantly met him and left and told him not to create issues where there are none and we have done nothing wrong so we don't feel that we have to ask for any favour from any .
- 4 On 5th August 2021, our external consultant Mr.Manoj Garg for EC called our Project and operations head Girish Pande(Mobile -8097582897) and told that Lawyer Mr. Arvind Kumar Rai called him and was threatening to jeopardize our case, by writing to all officials that for the project EC cannot be cleared as he proposed to file case against all corrupt practices and illegal ways who would then revoke his (Mr Gargs) license as he was presenting our case. He also threatened our consultant Garg that he will make sure that EC would not be given and informed Garg that we should talk to Mr. Arvind Kumar Rai, failing which he would initiate action. He also hinted him that money can settle the issue so he should tell us to talk to him .
- 5 Girish Pande spoke to Lawyer Rai on 6th August 2021, when he informed that though he had assured that he will not raise any issues, yet he was raising funds on behalf of a trust/charitable /public forum; his target was to collect Rs. 4 crores; and if contributions were not made he would ensure that people close to him would raise issues, unless the money was paid to persons indicated by him; he also mentioned that he had followed similar process and had extracted money from Cross Republic Mall Noida and some others; and that he had in the past sought consideration either by land transfer or money payment from similarly placed mall owners. At the same time Mr. Arvind Kumar Rai also demanded Rs. 50 Lakhs from us, as his charges not to initiate any action as threatened, unless he is paid. He wanted all money in cash . Mr. Arvind Kumar Rai knows very well that the EC might be given anytime to our project and we have not committed any violations. He assured that the day money is given , he will withdraw from our case and help us getting the permissions.We did not believe him but wanted to find his intentions ahead and talk so we can have some proofs of his intention .
- 6 Lawyer Rai gave phone numbers of his associate in extortion , the contact Mr. Manoj Goyal (Mobile -9582558310)to whom our Head Project and operations Girish Pande should speak and directed that they should coordinate for money transfer upto Rs. 50 lacs; later another



person Shailesh Jaiswal (Mobile – 9415433818/ 8874376550)called to negotiate on 50 lacs and demanded Rs. 25 lacs as minimum payment in cash which was refused. During the phone calls with representatives of Lawyer Rai, it was categorically told that we are a company we do not deal in cash and insisted on talking to Mr. Rai, to which were informed that Mr. Rai would talk later but he would not negotiate the monetary aspect.

- 7 Mr. Girish Pande again talked to Mr. Rai on 8th August and told we don't give cash to any and sought the name of the trust and bank account details in which money, if any, could be transferred, if found authentic, legal and for a justified cause, which he agreed. The whole conversation was made with intent to keep Mr. Rai occupied and avoid unnecessary damage to our project. Mr. Rai informed that he would give the name of the trust and bank account number on 9th August 2021. We for record wanted account number and he gave us .We refused any cash though he was insistent on cash and wanted to give different accounts to us .But Mr Pande insisted we can only oay for good cause and it has to be trust and all white.The idea was to find what Lawyer Rai us upto as it was clear he is corrupt and not a lawyer by acts.
- 8 Post this , we told him categorically that you are blackmailing and trying to extort money and as a company we will not be intimidated by these tactics . He told us that he would now make sure that we don't get EC,he has been after this case since then threatening department and writing to all concerned at one time or another .
- 9 We have come to know that now he has put criminal case against officials and our consultant at Lucknow court for reviewing and being connected with our case .There is no basis of the cases and letters .
- 10 We had stopped interacting with him now but he would always misuse his being a lawyer and if we don't inform you , he will be harassing us in future too .



तार : पर्यावरण

GRAM PARYAVARAN

उत्तर प्रदेश प्रदूषण नियंत्रण बोर्ड लखनऊ

UTTAR PRADESH POLLUTION CONTROL BOARD LUCKNOW

क्षेत्रीय कार्यालय
Regional Office

सन्दर्भ सं०

Ref. No. 263/G.F-258/2022

सेवा में,

दिनांक 23/5/22
Dated :

सदस्य सचिव,
एस0ई0आई0ए0ए0 कार्यालय निदेशक,
पर्यावरण, निदेशालय,
उ0प्र0 विनीत खण्ड-1, गोमती नगर,
लखनऊ

विषय:- Expansion of Multiplex and Commercial Complex Building [Fun Republic] at Khasra No- 103 (Part), 105 (Part), 105 (Part), 106 (Part), 116 (Part), 117 (Part), 117 (Part), 118 (Part), 199 (Part), Bhikhamnagar, Gomti Nagar, Lucknow, Shri Vikas Katoch, M/s E-City Entertainment (India) Pvt-Ltd- File No- 6414/Proposal No- SIA/ UP/ MIS/217388/2021 की जांच आख्या के संबंध में।

महोदय,

उपरोक्त विषयक अपने पत्र संख्या-1077/पर्या0/6414/2021 दिनांक 15/03/2022 का संदर्भ ग्रहण करने का कष्ट करें। उक्त के सम्बन्ध में अवगत कराना है कि उपरोक्त प्रस्ताव पर राज्य स्तरीय पर्यावरण प्रभाव निर्धारण प्राधिकरण, उ0प्र0 की बैठक दिनांक 07.02.2022 में विचार कर निम्नवत् निर्णय लिया गया है :-

SEIAA gone through the letter of Dr. Preeti Tripathi, Scientist-C, IRO, MoEFCC Lucknow dated 07.01.2022 regarding the above project. SEIAA noted that para 13(II) of SoP dated 07.07.2021 for identification and handling of violation cases issued by MoEFCC states that- "The Central Pollution Control Board, all State Pollution Control Board and All Union Territory Pollution Control Committee shall identify cases of violation under their respective jurisdiction, report such cases to the Ministry or State/Union Territory level Environmental Impact Assessment Authority, as the case may be and also revoke CTO, if granted to the unit after giving an opportunity of being heard."

Hence in light of above SoP SEIAA opined to constitute a committee comprising of 1- Representative of UPPCB nominated by MS, UPPCB, 2- Representative of District Administration nominated by DM, Lucknow and 3- Representative of SEAC-2 nominated by Chairman SEAC-2 to submit a factual report.

उपरोक्त प्रस्ताव पर 03 सदस्यीय समिति गठित की गई है जिसमें समिति में जिलाधिकारी महोदय, लखनऊ द्वारा जिला प्रशासन की तरफ से प्रतिनिधि अपर नगर मजिस्ट्रेट-2, लखनऊ, डा0 राम करन, क्षेत्रीय अधिकारी, उ0प्र0 प्रदूषण नियंत्रण बोर्ड, लखनऊ तथा लखनऊ विकास प्राधिकरण, लखनऊ से नामित अधिकारी श्री जहरुद्दीन, अधीक्षण अभियन्ता द्वारा उक्त इकाई Expansion of Multiplex and Commercial Complex Building [Fun Republic] at Khasra No- 103 (Part), 105 (Part), 105 (Part), 106 (Part), 116 (Part), 117 (Part), 117 (Part), 118 (Part), 199 (Part), Bhikhamnagar, Gomti Nagar, Lucknow, Shri Vikas Katoch, M/s E-City Entertainment (India) Pvt Ltd का स्थलीय निरीक्षण दिनांक 09/05/2022 को किया गया। उक्त इकाई की स्थलीय निरीक्षण आख्या एवं निरीक्षण के समय लिये गये फोटोग्राफ्स इस पत्र के साथ संलग्न कर आपके अवलोकनार्थ एवं अग्रिम आवश्यक कार्यवाही हेतु सादर प्रेषित है।

सलग्नक:-यथोपरि।

भवदीय


(डा0 राम करन)
क्षेत्रीय अधिकारी

प्रतिलिपि:-निम्नलिखित को सूचनार्थ सादर प्रेषित।

1. जिलाधिकारी महोदय, लखनऊ।
2. निदेशक, पर्यावरण निदेशालय, उ0प्र0, विनीत खण्ड-1, गोमती नगर, लखनऊ।
3. मुख्य पर्यावरण अधिकारी (वृत्त-5), उ0प्र0 प्रदूषण नियंत्रण बोर्ड, लखनऊ।

क्षेत्रीय अधिकारी

Expansion of Multiplex and Commercial Complex Building (Fun Republic) at Khasra No-103 (Part), 105 (Part), 105 (part), 106 (Part), 116 (Part), 117 (Part), 118 (Part), 199 (Part), Bhikhamnagar, Gomti Nagar, Lucknow, Shri Vikas Katoch, M/s E-City Entertainment (India) Pvt. Ltd. File No-6414/Proposal No-SIA/UP/MIS/217388/2021 के सम्बन्ध में।

उपरोक्त विषयक सदस्य सचिव सचिव SEIAA के पत्र सं०-1077/पर्या०/6414/2021 दिनांक 15.3.2022 एवं 1128/पर्या०/SEIAA/6414/2021 दिनांक 31.03.2022 के क्रम में पर्यावरणीय स्वीकृति हेतु उपरोक्त प्रस्ताव पर राज्य स्तरीय पर्यावरण प्रभाव निर्धारण प्राधिकरण, उ०प्र० की बैठक दिनांक 07.02.2022 में विचार कर निम्नवत् निर्णय लिया गया है:-

SEIAA gone through the letter of Dr. preeti Tripathi, Scientist-C, IRO, MOEFCC Lucknow dated 07.01.2022 regarding the above project. SEIAA noted that para 13(II) of SOP dated 07.07.2021 for identification and handling of violation cases issued by MOEFCC states that-"The Central Pollution Control Board, all state Pollution Control Board and All Union Territory Pollution Control Committee shall identify cases of violation under their respective jurisdiction, report such cases to the Ministry or State/ Union Territory level Environmental Impact Assessment Authority, as the case may be and also revoke CTO, if granted to the unit after giving an opportunity of being heard."

Hence in light of above SOP SEIAA opined to constitute a committee comprising of 1- Representative of UPPCB nominated by MS, UPPCB, 2- Representative of District Administration nominated by DM, Lucknow and 3- Representative of SEAC-2 nominated by Chairman SEAC-2 to submit a factual report.

प्राधिकरण के उक्त आदेश के अनुपालन में उक्त प्रकरण की जांच हेतु निम्नवत् 03 सदस्यीय समिति गठित की गयी है। गठित जांच समिति में निम्नलिखित सदस्य/अधिकारी उपस्थित थे :-

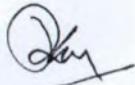
1. जिलाधिकारी, लखनऊ द्वारा नामित अपर नगर मजिस्ट्रेट-2, लखनऊ।
2. श्री जहीरुद्दीन, अधीक्षण अभियन्ता, लखनऊ विकास प्राधिकरण, लखनऊ।
3. डा० राम करन, क्षेत्रीय अधिकारी, उ०प्र० प्रदूषण नियंत्रण बोर्ड, लखनऊ।

उपरोक्त गठित सदस्यों द्वारा Expansion of Multiplex and Commercial Complex Building (Fun Republic) at Khasra No-103 (Part), 105 (Part), 105 (part), 106 (Part), 116 (Part), 117 (Part), 118 (Part), 199 (Part), Bhikhamnagar, Gomti Nagar, Lucknow, Shri Vikas Katoch. M/s E-City Entertainment (India) Pvt. Ltd. का निरीक्षण दिनांक 09.05.2022 को किया गया। जांच के समय इकाई प्रतिनिधि के रूप में श्री गिरीश पांडे (यूनिट हेड) एवं श्री देवेन्द्र सिंह (उप प्रबन्धक टेक्निकल) उपस्थित थे। इकाई प्रतिनिधि द्वारा बताया गया प्रस्तावित परियोजना स्थल, जिसे पहले पार्किंग व एस०टी०पी० तथा वाटर टैंक के रूप में इस्तेमाल किया जाता था, का निरीक्षण किया गया और टीम द्वारा व्यक्तिगत रूप से देखा गया। यद्यपि परियोजना स्थल पर निरीक्षण के समय स्थल पर लगभग 5 से 7 फिट की रिटेनिंग वाल तीन तरफ बनी पायी गयी तथा स्थल पर जहां मिट्टी की खुदाई की गयी वहां पर सी०एण्ड डी० वेस्ट (डेबरिस) अल्प मात्रा में एकत्रित पाया गया, कोई निर्माण गतिविधि नहीं पाई गयी परन्तु परियोजना प्रस्तावक द्वारा बिना पूर्व पर्यावरणीय स्वीकृति प्राप्त किये कार्य प्रारम्भ कर दिया गया। निरीक्षण के समय लिये गये फोटोग्राफ संलग्न। इस परियोजना का लखनऊ विकास प्राधिकरण द्वारा स्वीकृत मैप सं०-MAP20180226204735610 दिनांक 11.01.2019 के अनुसार कुल भूखण्ड क्षेत्रफल 16007.46 वर्गमी० तथा कुल बिल्ट अप क्षेत्रफल पूर्व में संचालित भाग में प्रस्तावित बिल्टअप क्षेत्रफल 6677.71 वर्गमी० को सम्मिलित करते हुए 38406.32 वर्गमी० है, जबकि परियोजना प्रस्तावक द्वारा क्षेत्रीय कार्यालय, उ०प्र० प्रदूषण नियंत्रण बोर्ड को उपलब्ध करायी गयी, ले-आउट मैप के अनुसार प्रस्तावित एक्सपेन्शन 6503 वर्गमी० टोटल बिल्टअप एरिया आफ्टर एक्सपेन्शन एरिया 38406.32 वर्गमी० तथा टोटल प्लॉट एरिया 15000 वर्गमी० बताया गया था। प्रस्तावित क्षमता विस्तारीकरण क्षेत्रफल 6503 वर्गमी० के दृष्टिगत बोर्ड द्वारा दिनांक 04.11.2020 को सी०टी०ई० कतिपय शर्तों के साथ निर्गत किया गया था, जिसे शिकायतकर्ता की लीगल नोटिस दिनांक 05.07.2020 के दृष्टिगत दिनांक 09.07.2021 को निरस्त कर दिया गया। ई०आई०ए० अधिसूचना, 2006 (यथासंशोधित) के अनुसार यह परियोजना (8ए) कैटेगरी-बी बिल्डिंग/कान्सट्रक्शन परियोजना के अन्तर्गत आच्छादित

होती है। M/s E-City Entertainment (India) Pvt. Ltd. द्वारा परियोजना प्रस्ताव Expansion of Multiplex and Commercial Complex Building (Fun Republic) at Khasra No-103 (Part), 105 (Part), 105 (part), 106 (Part), 116 (Part), 117 (Part), 118 (Part), 199 (Part), Bhikhamnagar, Gomti Nagar, Lucknow, दिनांक 29.06.2021 को पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार के ऑनलाइन पोर्टल के माध्यम से पर्यावरणीय स्वीकृति हेतु आवेदन प्रस्तुत किया गया।

दिनांक 16.02.2019 के निर्माण के लिये लखनऊ विकास प्राधिकरण, लखनऊ परमिट द्वारा विस्तार के लिये नई अनुमोदित योजनाओं से सम्बन्धित कोई निर्माण नहीं था। श्री विकल्प सक्सेना C/o ई-सिटी एंटरटेनमेन्ट दिनांक 30.07.2021 द्वारा इसी के लिये दिये गये हलफनामे के अनुसार कोई नवनिर्माण नहीं किया गया है केवल पूर्व में स्थित निर्माणों यथा पार्किंग, एस0टी0पी0 व अण्डर ग्राउण्ड टैंक को तोड़ा गया है तथा एक्सकेवेशन किया गया है। पुराने एस0टी0पी0 और भूमिगत पानी की टंकी से सम्बन्धित कुछ विध्वंस अपशिष्ट देखा गया, जो सी0टी0ई0 दिनांक 04.11.2020 की शर्तों के अनुसार नहीं है। पुराने पार्किंग क्षेत्र में से ध्वस्त किये गये अण्डर ग्राउण्ड पानी के टैंक व एस0टी0पी0 के स्थान पर रेडीमेड वाटर टैंक पुराने बेसमेन्ट में तथा आधुनिक एस0टी0पी0 रेडीमेड प्लान्ट अन्य खुले क्षेत्र में संचालित पाया गया। परियोजना के नये विस्तार क्षेत्र को लखनऊ विकास प्राधिकरण, लखनऊ द्वारा चार बेसमेन्ट, एक लोअर ग्राउण्ड फ्लोर, एक अपर ग्राउण्ड फ्लोर व 4 लेवल अप के साथ स्वीकृत और अनुमोदित किया गया है। नई एस0टी0पी0/पानी की टंकियों का निर्माण दिनांक 04.11.2021 के विस्तार के लिये सी0टी0ई0 की शर्तों के अनुसार किया गया है और मौजूदा पुराने मॉल परिसर में संचालित पाया गया। शापिंग मॉल द्वारा सक्षम प्राधिकारियों से सी0टी0ई0 एवं खनन अनुमति प्राप्त की गयी थी। परियोजना प्रस्तावक द्वारा दिनांक 29.06.2021 को ई0सी0 हेतु आवेदन किया गया था। संदर्भित किये जा रहे उल्लंघन के लिये पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय भारत सरकार द्वारा एस0ओ0पी0 दिनांक 07.07.2021 को जारी किया गया था, जो कि परियोजना प्रस्तावक के ई0सी0 आवेदन दाखिल करने के बाद का है। पर्यावरण मंत्रालय का संशोधित आदेश (F-No-IA3-22/19/2021-IA-iii CE164361) दिनांक 20.09.2021 निर्दिष्ट करता है कि ऐसे मामलों में, जहां एक पार्टी को सी0टी0ई0 दिया गया है और ई0सी0 प्राप्त नहीं किया गया है ऐसे मामलों में परियोजना प्रस्तावक द्वारा आवेदन कर सकता है और कम्पीटेन्ट अथॉरिटी द्वारा परियोजना की ई0सी0 प्राप्त करने के उपरान्त सी0टी0ओ0 पर विचार/नवीनीकरण किया जायेगा।

अतः उपरोक्त तथ्यों को दृष्टिगत रखते हुए ईकाई की पर्यावरणीय स्वीकृति के सम्बन्ध में नियमानुसार उचित निर्णय लिये जाने की संस्तुति सहित आख्या आपके अवलोकनार्थ एवं अग्रिम आवश्यक कार्यवाही हेतु सादर प्रस्तुत है।



(डा0 राम करन)
क्षेत्रीय अधिकारी



अपर नगर मजिस्ट्रेट-2,
लखनऊ।



(जहीरुद्दीन)
अधीक्षण अभियन्ता



उत्तर प्रदेश प्रदूषण नियंत्रण बोर्ड

'पिकप भवन' तृतीय तल, बी-ब्लॉक, विभूति खण्ड,
गोगती नगर, लखनऊ

संदर्भ संख्या

F57011

डी-5 1102-342/2006/01

दिनांक 22-3-06

सेवा में,

मे0

इंजीनियरिंग एण्ड एन्वियनमेंट इंजीनियरिंग,

अपो जिट, पर्यावरण भवन,

निकट- एल्टिडको ग्रीन,

गोगती नगर, लखनऊ।

विषय : पर्यावरणीय प्रदूषण की दृष्टि से / नई इकाई की स्थापना हेतु / कार्यरत इकाई की उत्पादन क्षमता में
विस्तार / संशोधनों के नवीनीकरण हेतु अनापत्ति प्रमाण पत्र निर्गमन

महोदय,

कृपया उपरोक्त विषयक अपने आवेदन पत्र दिनांक 17-01-06 का संदर्भ लें। आपके आवेदन पर विचार किया गया है तथा कृपया अवगत हो कि उद्योग को पर्यावरणीय प्रदूषण के दृष्टिकोण से निम्नलिखित विशिष्ट शर्तों एवं सामान्य शर्तों (संलग्नक) के समुचित अनुपालन के साथ सशर्त अनापत्ति स्वीकृत की जाती है।

1. अनापत्ति प्रमाण-पत्र निम्नलिखित विशिष्ट विवरणों के लिए ही निर्गत किया जा रहा है :-

(क) स्थल : अपो जिट पर्यावरण भवन,

निकट एल्टिडको ग्रीन, गोगती नगर, लखनऊ।

(ख) उत्पादन : गल्टी प्लेवरा की स्थापना

इंजीनियरिंग एण्ड एन्वियनमेंट / कार्य निर्गमन

(ग) मुख्य कच्चे माल : निर्माण कार्य हेतु प्रयुक्त होने वाली सामग्री

(घ) औद्योगिक उत्स्रवाह की मात्रा : घरेलू उत्स्रवाह 160 लिट्रोलीटर प्रतिदिन

(ङ) प्रयुक्त ईंधन : डीजल- 270 लीटर/ घंटा
डीजेलीयुम सेट हेतु

उपर्युक्त विषय वस्तु में किसी भी प्रकार से परिवर्तन करने पर पुनः अनापत्ति प्रमाण-पत्र प्राप्त करना आवश्यक होगा।

2. उद्योग में सभी आवश्यक यंत्र, संयंत्र, हरित पेंटिका, उत्स्रवाह शुद्धिकरण संयंत्र तथा वायु प्रदूषण नियंत्रण व्यवस्था की स्थापना में की गयी प्रगति रिपोर्ट इस कार्यालय में प्रत्येक माह की दसवीं तारीख तक निरंतर प्रेषित करें।
3. उद्योग इकाई में परीक्षण उत्पादन तब तक प्रारम्भ नहीं करें जब तक कि वह बोर्ड से जल एवं वायु अधिनियमों के अन्तर्गत सहमति प्राप्त न कर लें। जल एवं वायु सहमति प्राप्त करने हेतु इकाई ने उत्पादन प्रारम्भ करने की तिथि से कम से कम 2 माह पहले निर्धारित सहमति आवेदन पत्रों को उत्पादन पूर्व प्रथम आवेदन का उल्लेख करते हुए इस कार्यालय में अवश्य ही जमा कर दिया जाए। यदि उद्योग उपरोक्त का अनुपालन नहीं करता है तो उक्त अधिनियमों के वैधानिक प्राविधानों के अन्तर्गत उद्योग के विरुद्ध बिना किसी पूर्व सूचना के विधिक कार्यवाही की जा स

घरेलू उत्प्रेषण, जिसकी मात्रा 160. लि०मी० से अधिक नहीं होगी। सेप्टिक टैंक एवं सोक पिट के माध्यम से बोर्ड द्वारा निर्धारित मानकों के अनुरूप शुद्धिकृत कर निस्तारित किया जाए।

- 6- प्रदूषण नियंत्रण हेतु प्रस्तावित शुद्धिकरण संयंत्र तथा निर्माण कार्य आपूर्ति के लिये दिये गए आदेश की प्रति इस कार्यालय में दिनांक 25-04-06 तक अवश्य प्रस्तुत की जाए।
- 7- आवासीय योजना में निस्तारित घरेलू उत्प्रेषण के शुद्धिकरण हेतु दिये गये प्रस्ताव/ धमता के अनुसार एस०टी०पी० स्थापित किये जायेंगे तथा शोधन के पश्चात् उत्प्रेषण को प्लम्बिंग, लैण्ड स्टेकिंग हेतु प्रयोग किया जायेगा। उत्प्रेषण का निस्तारण परिसर से बाहर शून्य हो।
- 8- प्रत्येक डी०जी० सेट पर एक्वास्टिक एन्कलोजर/ ध्वनि रोधक संयंत्र एवं 45 मी० उंची चिमनी की व्यवस्था की जाये जिससे ध्वनि/ वायु प्रदूषण निर्धारित मानकों से अधिक न हो।
- 9- प्रस्तावित योजना के परिसर में कम से कम 33 प्रतिशत क्षेत्रफल में अनिवार्य रूप से घुक्षारोपड़ किया जाये।
- 10- प्रस्तावित परियोजना के अन्तर्गत पूर्ण रूप से रूफ वाटर हार्वेस्टिंग की व्यवस्था किया जान अनिवार्य होगा।
- 11- मल्टीप्लेक्स से निकलने वाले वेस्ट के निस्तारण हेतु समुचित व्यवस्था किया जाये।
- 12- घरेलू सानिटाई वेस्ट के निस्तारण हेतु समुचित व्यवस्था करना होगा एवं इसका प्रस्ताव एक माह में प्रेषित करे।
- 13- ध्वनि प्रदूषण हेतु सभी डी०जी० सेट में साइलेन्सर की व्यवस्था किया जाये।
- 14- मल्टीप्लेक्स के संचालन से पूर्व बोर्ड से सहमति प्राप्त करना अनिवार्य होगा।
- 15- उपरोक्त सभी शर्तों का अनुपालन करना सुनिश्चित करे, अन्यथा बोर्ड में जमा बैंक गारण्टी जमा कर ली जायेगी।

कृपया ध्यान दें कि उपर्युक्त लिखित विशिष्ट शर्तों एवं सामान्य शर्तों का प्रभावी एवं संतोषजनक अनुपालन न करने पर बोर्ड द्वारा निर्गत अनापत्ति प्रमाण-पत्र निरस्त कर दिया जाएगा। बोर्ड का अधिकार सुरक्षित है कि अनापत्ति की शर्तों में संशोधन किया जाय अथवा निरस्त कर दिया जाय। उपर्युक्त विशिष्ट एवं सामान्य शर्तों के सम्बन्ध में उद्योग द्वारा इस कार्यालय में दिनांक 25-04-06 तक प्रथम अनुपालन आख्या अवश्य प्रेषित की जाए। अनुपालन आख्या नियमित प्रेषित की जाए अन्यथा अनापत्ति निरस्त कर दी जाएगी।

भवदीय
~~डा. श्री 0 एम 0 भट्ट~~
 सदस्य सचिव

पृष्ठांकन सं.

/एन. ओ. सी.

तद दिनांक

प्रतिलिपि :

1. महाप्रबन्धक, जिला उद्योग केन्द्र : लखनऊ
2. उपकर अधिकारी, उ. प्र. प्रदूषण नियंत्रण बोर्ड, लखनऊ।
3. क्षेत्रीय अधिकारी, उ. प्र. प्रदूषण नियंत्रण बोर्ड : लखनऊ
4. _____

मुख्य पर्यावरण अधिकारी



UTTAR PRADESH POLLUTION CONTROL BOARD
Building. No TC-12V Vibhuti Khand, Gomti Nagar, Lucknow-226010

Phone:0522-2720828,2720831, Fax:0522-2720764, Email: info@uppcb.com, Website: www.uppcb.com

CONSENT ORDER

Ref No. -
145536/UPPCB/Lucknow(UPPCBRO)/CTO/water/LUCKNOW/2021

Dated : 03/06/2022

To ,

Shri VIKALP SAXENA

M/s E CITY ENTERTAINMENT INDIA PRIVATE LIMITED

Fun Republic Mall, Khasra no 103, 104, 105, 106, 116, 117, 118, 119, Bhikhampur,
Gomtinagar, Lucknow ,LUCKNOW,226010
LUCKNOW

Sub : Consent under Section 25/26 of The Water (Prevention and control of Pollution) Act, 1974 (as amended) for discharge of effluent to M/s. E CITY ENTERTAINMENT INDIA PRIVATE LIMITED

Reference Application No :14489128

Dated :03/06/2022

1. For disposal of effluent into water body or drain or land under The Water (Prevention and control of Pollution) Act,1974 as amended (here in after referred as the act) M/s. E CITY ENTERTAINMENT INDIA PRIVATE LIMITED is hereby authorized by the board for discharge of their industrial effluent generated through ETP for irrigation/river through drain and disposal of domestic effluent through septic tank/soak pit subject to general and special conditions mentioned in the annexure ,in reference to their foresaid application .
2. This consent is valid for the period from 01/01/2022 to 31/12/2023 .
3. In spite of the conditions and provisions mentioned in this consent order UP Pollution Control Board reserves its right and powers to reconsider/amend any or all conditions under section 27(2) of the Water (Prevention and Control of Pollution) Act, 1974 as amended .

This consent is being issued with the permission of competent authority .

For and on behalf of U.P. Pollution Control Board

Chief Environmental Officer, Circle-5, UPPCB.

Enclosed : As above
(condition of consent):

Copy to: Regional Officer, UPPCB, Lucknow.

Chief Environmental Officer, Circle-5, UPPCB.

U.P. POLLUTION CONTROL BOARD, LUCKNOW

Annexure to Consent issued to M/s.E CITY ENTERTAINMENT INDIA PRIVATE LIMITED vide

Consent Order No. 14489128/ Water

Dated : 03/06/2022

CONDITIONS OF CONSENT

1. This consent is valid only for the approved production capacity of Mall (Restaurant and Multiplex) in existing premises.
2. The quantity of maximum daily effluent discharge should not be more than the following :

Effluent Discharge Details			
S.No	Kind of Effluent	Maximum daily discharge, KL/day	Treatment facility and discharge point
1	Domestic	160 KLD	STP

3. Arrangement should be made for collection of water used in process and domestic effluent separately in closed water supply system. The treated domestic and industrial effluent if discharged outside the premises, if meets at the end of final discharge point, arrangement should be made for measurement of effluent and for collecting its sample. Except the effluent informed in the application for consent no other effluent should enter in the said arrangements for collection of effluent. It should also be ensured that domestic effluent should not be discharged in storm water drain .
- 4(a) The domestic effluent should be treated in treatment plant so that the should be in conformity with the following norms dated treated effluent .

Domestic Effluent		
S.No	Parameter	Standard
1	Quantity of Discharge	Achieve the stranded specified in the notification issued by MoEF & CC vide GSR 1265 (E) dated 13-10-2017 in the time period as specified in the notification

- 4(b). The industrial effluent should be treated in treatment plant so that the treated effluent should be in conformity with the following norms. .

Industrial Effluent		
S.No	Parameter	Standard

5. Effluent generated in all the processes, bleed water, cooling effluent and the effluent generated from washing of floor and equipments etc should be treated before its disposal with treated industrial effluent so that it should be according to the norms prescribed under The Environment (Protection) Act,1986 or otherwise mandatory .
6. The other pollutant for which norms have not been prescribed, the same should not be more than the norms prescribed for the water used in manufacturing process of the industry .
7. The method for collecting industrial and domestic effluent and its analysis should be as per legal Indian standards and its subsequent amendments/standards prescribed under The Environment (Protection) Act, 1986.
8. The treated domestic and industrial effluent be mixed (as per the provisions of Condition No. 2) and disposed of on one disposal point. This common effluent disposal point should have arrangement for flow meter/V Notch for measuring effluent and its log book be maintained .
9. The Unit will file the renewal application at least 2 months prior to the expiry of this Order.

Specific Conditions:

1. This consent is valid for Mall (Restaurant and Multiplex) in existing premises.
2. The unit shall ensure to operate the installed Sewage Treated Plant (capacity of 300 KLD) in such a manner so that it can achieve the standard specified in the notification issued by Ministry of Environment , Forest & Climate Change vide GSR 1265 (E) dated 13-10-2017 in the time period as specified in the notification & treated water shall be used in flushing/horticulture/cooling etc.
3. The unit shall ensure to compliance the conditions mentioned in NOC of UP Ground Water Department for abstraction of ground water which is valid upto 19.06.2026.
4. The Order issued by Hon'ble Courts/Hon'ble NGT, MoEF & CC, Central Pollution Control Board, U.P. Pollution Control Board, shall be complied with.
5. Generated hazardous waste shall be stored temporarily in the unit premises and disposed off through authorized TSDF after obtaining the authorization from the Board.
6. The unit shall make provisions for rain water harvesting.
7. The treated sewage shall be reused for flushing, cooling and irrigation purpose. Only the surplus sewage shall be discharged in to sewer line with prior permission of competent authority.
8. Sludge generated from STP shall be utilized for composting and manure.
9. The unit shall submit the Environment Statement to the Board on or before 30th September of every year.
10. The unit shall maintain logbook to record daily electricity consumption in STP.
11. Water meters shall be installed at all sources of water supply in the premises/industry and timely send water meter reading on quarterly basis.
12. The unit shall be operated in such a way so that it does not affect the surrounding environment and population.
13. The unit shall submit the latest copy of Audited Balance Sheet/C.A. Certificate (Fixed Assets+ Current Assets - Current Liabilities) so that the Consent fee payable by the industry may be verified.
14. Water meters shall be installed at all sources of water supply in the premises and timely send water meter reading on quarterly basis.
15. The unit shall comply with the provisions of, Environment (Protection) Act 1986, Water (Prevention and Control of Pollution) Act, 1974 as amended, Air (Prevention and Control of Pollution) Act, 1981 as amended, Plastic Waste Management Rules 2016, E- Waste (Management) Rules 2016, Solid Waste Management Rules 2016 & Hazardous and other Waste (Management and Transboundary Movement) Rules 2016 (Whichever is applicable)
16. The unit shall develop green belt as per the Protocol attached with Board's office order H 16405 /220/2018/02 dated 16-2-2018, which is available on the Board's website- www.uppcb.com.
17. If closure order is issued by CPCB or UPPCB against the unit, then CTO issued earlier will remain suspended during the closure period and after ensuring the compliance and after revocation of closure order, the CTO will automatically be effective from the date of issuance of closure order revocation, with additional conditions mentioned in the closure revocation order.

Issued with the permission of competent authority .

**For and on behalf of U.P. Pollution Control Board .
Chief Environmental Officer, Circle-5, UPPCB.**



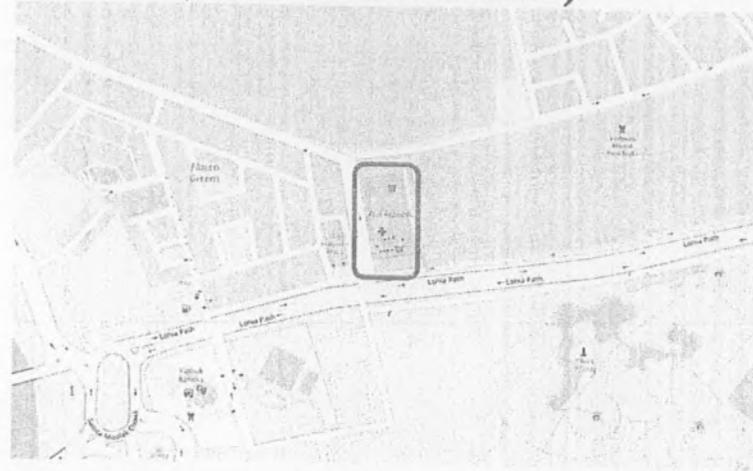
M/s E-CITY ENTERTAINMENT (INDIA) PVT.LTD.,

WELCOMES

STATE LEVEL EXPERT APPRAISAL COMMITTEE, UTTAR PRADESH
PRESENTATION FOR ENVIRONMENTAL CLEARANCE

OF

PROPOSED EXPANSION OF MULTIPLEX & COMMERCIAL COMPLEX BUILDING
(FUN REPUBLIC)



Khasra No. -103 (Part), 104 (Part), 105 (Part), 106 (Part), 116 (Part), 117 (Part), 118 (Part), 199 (Part),
Bikhamnagar, Gomti Nagar, Lucknow, Uttar Pradesh

Total Plot Area 16007.46 sq.m (3.96 acres) Built up Area: 61199.120 sq.m.,

PROPOSAL NO. : SIA/UP/MIS/217388/2021, Schedule 8(a); Category (B₂)

APPLICANT:

M/s E-CITY ENTERTAINMENT (INDIA) PVT.LTD,
At Khasra No. -103 (Part), 104 (Part), 105 (Part), 106 (Part), 116
(Part), 117 (Part), 118 (Part), 199 (Part), Bikhamnagar, Gomti
Nagar, Lucknow, Uttar Pradesh

ENVIRONMENT CONSULTANT

ENVIRONMENTAL & TECHNICAL RESEARCH CENTRE

ADDRESS: 4/57, VIPUL KHAND, GOMTI NAGAR,

UTTAR PRADESH

NABET CERTIFICATE NO.: NABET/EIA/1922/IA0050

QCI ACCREDITATION CERTIFICATE OF CONSULTANT




Quality Council of India
National Accreditation Board for
Education & Training

CERTIFICATE OF ACCREDITATION

Environmental and Technical Research Centre
4/57, Vipul Khand, Gomti Nagar, Lucknow, Uttar Pradesh-226010

Accredited as Category - A organization under the QCI-NABET Scheme for Accreditation of EIA Consultant Organizations: Version 3 for preparing EIA/EMP reports in the following sectors:

Sl. No	Sector Description	Sector (as per)		Cat.
		NABET	MoEFCC	
1.	Mining of minerals - Opencast mining only	1	1 (a) (i)	B
2.	Thermal power plants	4	1 (d)	B
3.	Metallurgical industries (ferrous & non-ferrous)	8	3 (a)	B
4.	Cement plants	9	3 (b)	A
5.	Distilleries	22	5 (g)	A
6.	Sugar Industry	25	5 (j)	B
7.	Building and construction projects	38	8 (a)	B
8.	Townships and Area development projects	39	8 (b)	B

Note: Names of approved EIA Coordinators and Functional Area Experts are mentioned in IA AC Minutes dated October 24, 2019 on QCI-NABET website.

The Accreditation shall remain in force subject to continued compliance to the terms and conditions mentioned in NABET's letter of accreditation bearing no. QCI/NABET/ENV/ACO/19/1116 dated November 8, 2019. The accreditation needs to be renewed before the expiry date by Environmental and Technical Research Centre, Lucknow following due process of assessment.


 Sr. Director, NABET
 Dated: November 8, 2019

Certificate No.
 NABET/EIA/1922/IA0050

Valid till
 August 18, 2022

For the updated List of Accredited EIA Consultant Organizations with approved Sectors please refer to QCI-NABET website.

Environment Consultant:
Environmental & Technical Research Centre

Project Proponent:
M/S E-City Entertainment (India) Pvt. Ltd. , Fun Republic

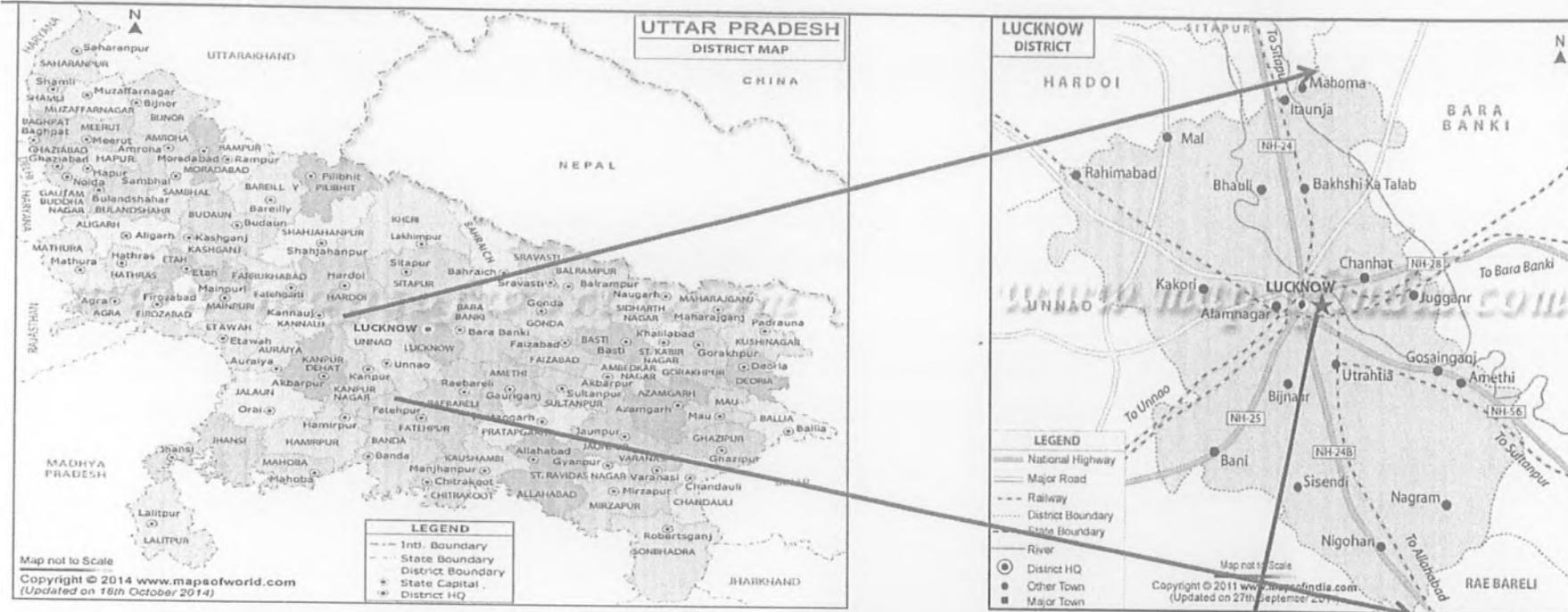
INTRODUCTION

- ❖ Existing Multiplex and commercial complex building has obtained consent to establish vide letter no : F57611/C-5/NOC-342/2006/8 dated 22.03.2006 and established in year 2007.
- ❖ Existing establishment is having regular consent to operate from UPPCB and current consent is valid upto – 31.12.2021.
- ❖ Now, E-City Entertainment (India) Pvt. Ltd., is proposing expansion of Multiplex and commercial complex building (Fun Republic) at Khasra no – 103 (Part), 104(Part), 105 (Part), 106 (Part), 116(Part) , 117(Part), 118(Part), 199 (Part), Bhikhamnagar, Gomtinagar Nagar, Lucknow.
- ❖ Proposed expansion will be done on existing land which is already under the ownership of E-City Entertainment (India) Pvt. Ltd.
- ❖ The project is a construction project falls under schedule 8(a); as per EIA notification dated 14th September 2006 and its amended.
- ❖ Existing built up area of the project is 46038.650 sqm. After proposed expansion built up area will be 61199.120 sqm. The project having 1 exiting Block on 8th Floor and second proposed block on 4th floor.
- ❖ Development of greenbelt has been planned over an area of 1622.64 sq. m (10.13% of the plot area).

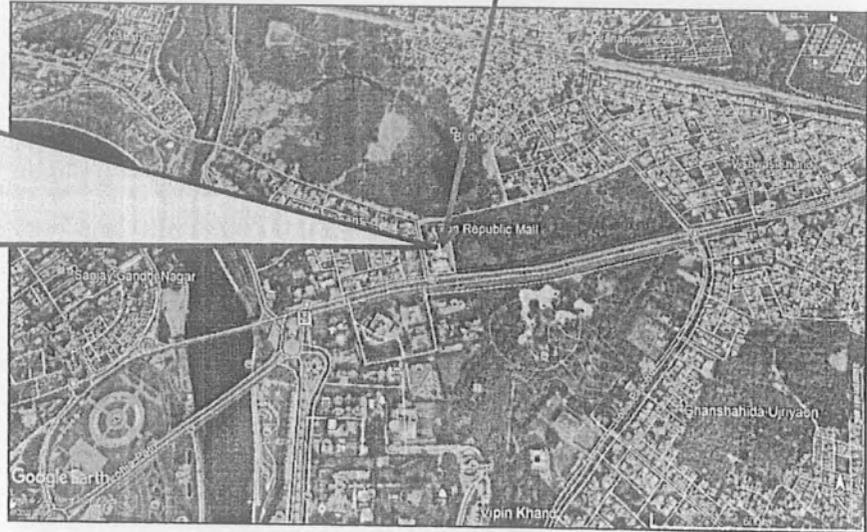
Environment Consultant:
Environmental & Technical Research Centre

Project Proponent:
M/S E-City Entertainment (India) Pvt. Ltd. , Fun Republic

LOCATION MAP



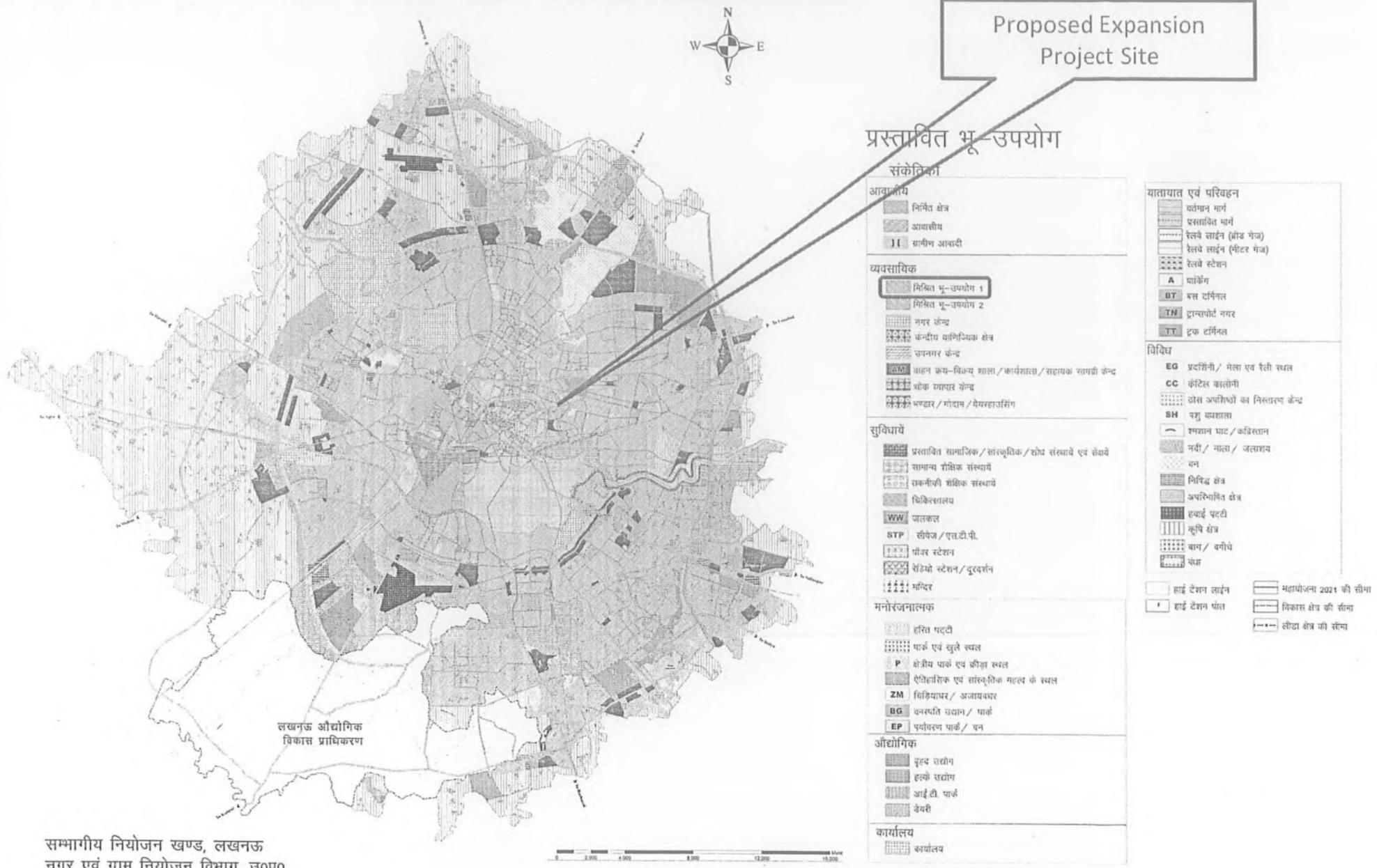
**M/s E-City Entertainment (India) Pvt.Ltd.
(Fun Republic Mall)**
at Khasra no – 103 (Part), 104(Part), 105 (Part),
106 (Part), 116(Part), 117(Part), 118(Part), 199
(Part), Bhikhamnagar, Gomtinagar Nagar,
Lucknow,U.P.



Environment Consultant:
Environmental & Technical Research Centre

Project Proponent:
M/S E-City Entertainment (India) Pvt. Ltd. , Fun Republic

LOCATION OF SITE ON MASTER PLAN



सम्भागीय नियोजन खण्ड, लखनऊ
नगर एवं ग्राम नियोजन विभाग, उ०प्र०

Environment Consultant:
Environmental & Technical Research Centre

Project Proponent:
M/S E-City Entertainment (India) Pvt. Ltd., Fun Republic

PROJECT LOCATION



Project Location Map

PROJECT NAME : Expansion Existing Multiplex and commercial Complex Building (Fun Republic)

LOCATION : Bikhamnagar, Gomtinagar Nagar, Lucknow, Uttar Pradesh

PROJECT PROPONENT : M/s E-City Entertainment (India) Pvt Ltd.

SCALE



Legend

 Project Site



PREPARED BY :



Environmental & Technical Research Centre
Address : Vishwas Khand,
Gomtinagar, Lucknow (UP)

Environment Consultant:
Environmental & Technical Research Centre

Project Proponent:
M/S E-City Entertainment (India) Pvt. Ltd. , Fun Republic

ENVIRONMENT SENSITIVITY – 10 & 15 KM

Sr. No	Connectivity & Site Surroundings		
	Description		Distance and Direction
1.	Nearest Railway Station	Charbagh Railway Station	5.42 km towards South West
2.	Nearest Airport	Chaudhary Charan Singh , Amausi Airport, Lucknow	13.45 km towards South West
3.	Nearest Village	Nehru Enclave Eldeco Greens Vipul Khand Sanjay Gandhi Nagar	0.41 km towards North East 0.30 km towards North West 0.62 km towards South 0.82 km towards West
4.	State Boundary	-	There is no state Boundary with in the study area.
5.	Nearest Highway/Roads	NH -28 Lohia Road NH-24 Nh-56 C	Adjacent to the project site in the South direction. 0.83 Km in the South direction. 3.79 Km towards West. 3.68 Km towards South West
6.	Water Bodies	Gomti River Sharda Sahayak Canal Buffer Lake Kathauta Tal	0.49 km towards West 9.56 km towards South East 1.30 km towards West 5.78 km towards in East
7.	Nearest School & College	CMS School Semrock Pre School Annie Basent Collage of Egg & Management Avadh Girls Degree Collage.	1.83 km towards North 1.56 km towards North 2.97 km towards East 3.09 km towards South West
8.	Nearest Hospital	Satya hospital St. Joseph Hospital Goel Hospital	1.05 km towards North East 1.71 km towards South East 1.34 km towards North
9.	Reserved forests/ Sanctuaries	Kukrail Reserve Forest Musabagh Reserve Forest	3.90 km towards North. 9.95 Km towards North West
10.	Wetlands	Ekana Wetland	6.87 km towards South East

Environment Consultant:
Environmental & Technical Research Centre

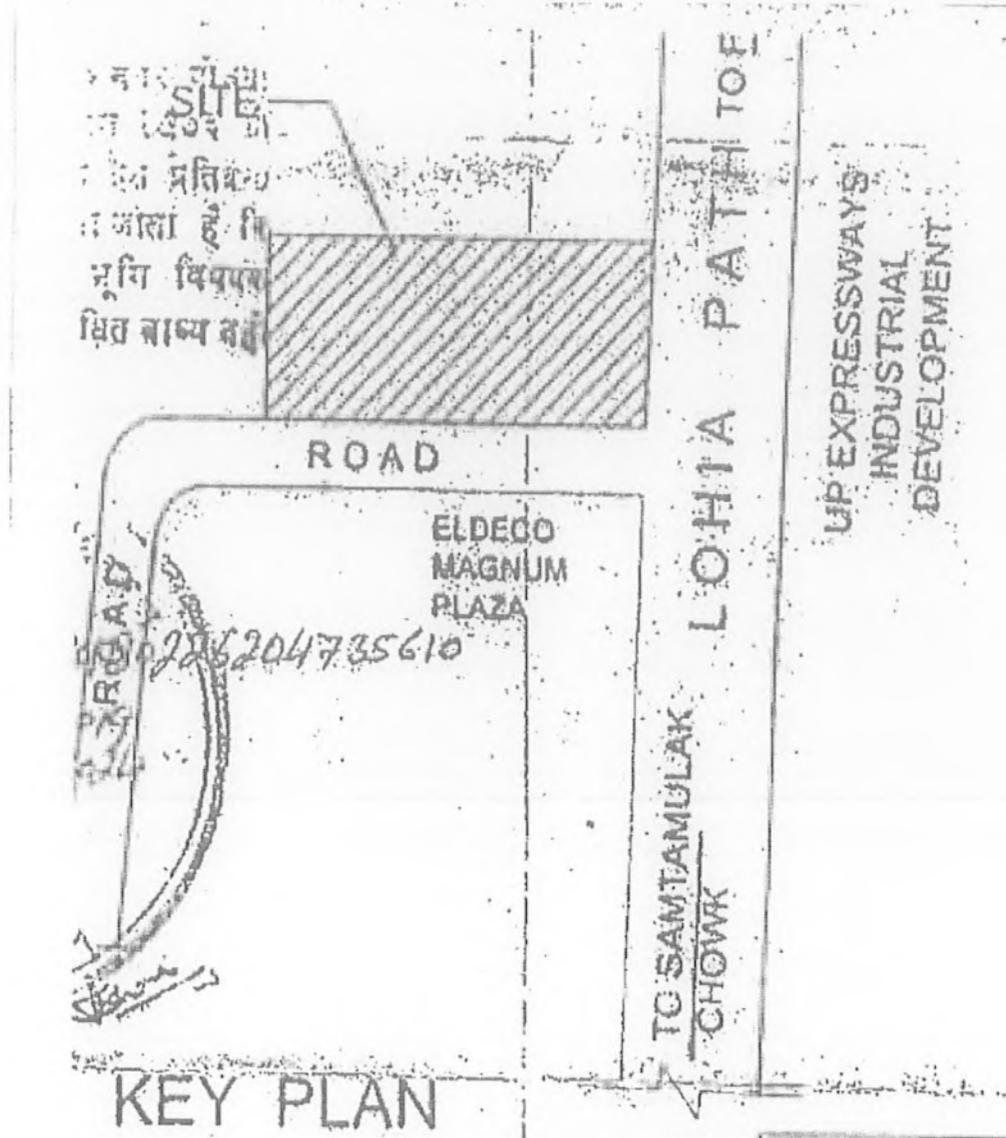
Project Proponent:
M/S E-City Entertainment (India) Pvt. Ltd. , Fun Republic

STATUS OF APPROVALS AND NOCs

S. No.	Particular	Status
1.	Layout Approval	Obtained From Lucknow Development Authority,
2.	Permission for Water Abstraction	Obtained from Ground water Department, Uttar Pradesh
3.	Fire NOC	Obtained from Fire Department, Lucknow
4.	Existing Establishment CTO (Air and Water)	Obtained from UPPCB, Lucknow
5.	Structural Certificate	Obtained from IIT Roorkee
6.	Source of treated water for construction phase	Treated water from STP and CSTP will be the primary source of water requirement during construction phase and incase of shortage of water, water tankers will be procured from local market to cater the need of water supply.
7.	Power Assurance	Obtained from Uttar Pradesh Power Corporation Limited

KEY PLAN

KEY PLAN



Environment Consultant:
 Environmental & Technical Research Centre

Project Proponent:
 M/S E-City Entertainment (India) Pvt. Ltd. , Fun Republic

Handwritten signature or mark.

APPROVAL LETTER FROM LDA



LUCKNOW DEVELOPMENT AUTHORITY, UTTAR PRADESH

VIPIN KHAND GOMTI NAGAR, LUCKNOW

PERMIT TO BUILD WITHIN THE DEVELOPMENT AUTHORITY, AREA LUCKNOW

PRINT DATE - 16-02-/2019

FILE NO.NR-48/AA/M.CELL

WARD :

SCHEME: GOMTI NAGAR

PERMIT NO. : MAP-20180226204735610

PROPERTY : 103P TO 106P,
116P TO 119P BHIKAMPUR

SITE OF : COMMERCIAL

NAME : M/S E-CITY ENTERTAINMENT(INDIA) PVT. LTD.

ADDRESS : FUN REPUBLIC MALL, GOMTI NAGAR,
LUCKNOW

Sanction vide order dated 11/01/2019 of prescribed Authority permission to build granted as per sanctioned building plan enclosed Subject the conditions mentioned on it and if noted below.

Date of Validity : 10/01/2024

Restriction if required : पृष्ठ भाग पर अंकित प्रतिबन्धों का पालन करना होगा।

Signature of Competent Authority (BHAWAN)
Under the U.P.

Environment Consultant:
Environmental & Technical Research Centre

Project Proponent:
M/S E-City Entertainment (India) Pvt. Ltd., Fun Republic

प्रतिबन्ध-

- भू-स्वामित्व, चौहददी तथा भूमिवाद-विवाद के सम्बन्ध में प्राधिकरण की कोई जिम्मेदारी नहीं होगी।
- अग्निशमन विभाग एवं मनोरंजन कर विभाग द्वारा प्राप्त प्रोविजनल अनापत्ति की शर्तों का पालन होगा।
- स्ट्रक्चरल ड्राईंग डिजायन के अनुसार निर्माण करने की पूर्ण जिम्मेदारी विकासकर्ता की होगी।
- मौके पर नियमानुसार वृक्षारोपण कराना अनिवार्य है।
- यह स्वीकृति मात्र प्रस्तावित भाग पर मल्टीप्लेक्स निर्माण एवं उपयोग हेतु मान्य है।
- पार्किंग क्षेत्र में किसी भी प्रकार का निर्माण अनुमत्य नहीं होगा।
- निर्माण आरम्भ करने की सूचना निर्धारित प्रपत्र पर निर्माण आरम्भ करने से पूर्व देना होगा।
- यदि भविष्य में किसी विभाग की कोई देयता निकलती है तो मांगे जाने पर अविलम्ब जमा करना होगा।
- मौके पर स्वीकृति सम्बन्धी विवरण अंकित एक सूचना पट्ट लगाना अनिवार्य है।
- नेशनल बिल्डिंग कोड के प्राविधानों के अन्तर्गत ढांचागत सुरक्षा व्यवस्था का पालन करना होगा।
- निर्माण पूर्ण करने के पश्चात प्राधिकरण से पूर्णता प्रमाण पत्र प्राप्त करना अनिवार्य है तदोपरान्त भवन के उपयोग आदि की अनुमति दी जायेगी।
- निर्माण अवधि में लेबर एक्ट तथा नेशनल एक्ट तथा नेशनल सेफटी काउंसिल के प्राविधानों का पालन करना होगा।
- विकलांग, दृष्टिबाधित व आशक्त व्यक्तियों के भवन में आवगमन हेतु शासनादेश के अनुसार प्राविधानों का पालन अनिवार्य है।
- पूर्व स्वीकृत मानचित्र परमिट सं0-22388 एवं 33054 पर अंकित समस्त प्रतिबन्धों का पालन करना होगा।
- बेसमेंट का निर्माण आरम्भ करने से पूर्व खनन विभाग की अनापत्ति प्राप्त करना अनिवार्य है। बेसमेंट निर्माण के समय यदि किसी भी प्रकार की क्षति होती है तो उसकी समस्त जिम्मेदारी निर्माणकर्ता की होगी।
- रूप टापर सोलर फोटो वोल्टाईक पावर प्लान्ट की स्थापना भवन के कुर्सी क्षेत्रफल के न्युनतम 25 प्रसेण्ट रूफटाप एरिया पर अनिवार्य रूप से की जायेगी।
- भू-स्वामी यह सुनिश्चित करेगा कि स्थल पर किसी प्रकार के गड्ढे न हों तथा उसमें जल-भराव न हो, यदि ऐसा पाया जाता है तो उसका भवन मानचित्र निरस्त कर दिया जायेगा।
- स्माग की समस्या के दृष्टिगत निर्माण स्थल के चारों तरफ ग्रीन जाली लगायी जाये व निर्माण सामग्री के पास या तो जल छिड़काव की व्यवस्था की जाये अथवा त्रिपाल आदि से ढक कर रखा जाये।
- यदि भूखण्ड के सम्बन्ध में आवेदक द्वारा किसी भी प्रकार का तथ्य छिपाने का प्रमाण पाया जाता है तो उ0 प्र0 नगर नियोजन एवं विकास अधिनियम - 1973 की धारा-15 (9) के अन्तर्गत मानचित्र निरस्तीकरण की कार्यवाही की जायेगी।

GWD WATER NOC FOR BOREWELL -1

6/30/2021

DownloadRegCertificate



GROUND WATER DEPARTMENT
(Namami Gange & Rural Water Supply Department)
Ministry of Jal Shakti
Government of Uttar Pradesh



Form 8 (C)

[See Rule 8(1)]

AUTHORIZATION/ NO-OBJECTION CERTIFICATE FOR SINKING OF NEW WELL FOR INDUSTRIAL/ COMMERCIAL/ INFRASTRUCTURAL OR BULK USER OF GROUND WATER

[Under Section 14 of the Uttar Pradesh Ground Water Management and Regulation
Act, 2019.]

AUTHORIZATION/ NO-OBJECTION CERTIFICATE NO: NOC010876

VALID UP TO : 19/06/2026

(UIS10(1) of the Uttar Pradesh Ground Water Management and Regulation Act, 2019)

Registration No.: 202103000058

Name of the Owner	VIKALP SAXENA		
Designation पद	Manager	Company Name कंपनी का नाम	E City Entertainment (India) Pvt Limited
Company Address कंपनी का पता	Bhikhampur, Fun Republic Mall, Tehsil Sadar, Distt	Authorization Letter प्राधिकार पत्र	Download
Address of the Applicant	Fun Republic Mall, Khasra No 103, 104, 105, 106, 116, 117, 118 and 119 of village - Bhikhampur, Gornti Nagar, Lucknow	Application Form Serial No.	LKNW0321NIF0007
Date of Submission	03/03/2021	Specimen Signature	
Location Particulars			
District	Lucknow	Block	LUCKNOW SADAR (N.K.)

Environment Consultant:
Environmental & Technical Research Centre

DownloadRegCertificate

Plot No./Khasra No.	103,104,106,116 complete details attach	Municipality/Corporation	Lucknow Nagar Nigam
Ward No./Holding No.			45
Particular of the Existing Well and Pumping Device			
Date of Construction/Sinking of the Well	01/04/2006		
Type of Well	Tube Well/Boring	Depth of the Well (In meter)	60.00
Purpose of well	Infrastructural	Assembly Size (For Tube Well)	
Strainer Position (For Tube Well)			
Type of Pump Used	Submersible	H.P. of the Pump	7.50
Operational Device	Electric Motor	Rate of Withdrawal (m3/hr.)	18.00
Date of Energization (In Case of Electric Pump)		01/04/2006	
Maximum Allowable Rate of Withdrawal (m3/hr.):	18.00	Maximum Allowable Running Hours Per Day:	4.00
Maximum Allowable Annual Extraction of Ground Water:			26280

This No-Objection certificate authorizes the owner applicant (user) to sink a well in the location specified at Sl. (2) for extraction of ground water at a rate not exceeding that as shown at Sl. (3), for Running Hours per day as shown at Sl. (3k), and for maximum allowable annual extraction of ground water as shown at Sl. (3k) and is valid subject to the observance of the conditions stated overleaf.

GENERAL CONDITIONS:

- In case of any change of ownership of the proposed well, fresh authorization has to be obtained.
- No change of location, design, rate of withdrawal and pumping device in respect of the proposed well as indicated at Sl. (2) and (3) of this certificate shall be made without prior permission of the Competent Authority. Any deviation in this regard shall lead to cancellation of this authorization.
- For the purpose of measuring and recording the quantity of ground water extracted, every said user shall affix digital water flow meters (conforming to BIS/ IS standards) having telemetry system in the abstraction structure, which record rate and quantum of extraction, at outlet of pumping devices and it shall be presumed that the quantity recorded by the meter has been extracted by the said user, until the contrary is proved. The rate of extraction of ground water from the well as shown in item 3(k) shall not exceed to the recorded rate from water meters.
- The concerned Authority reserves the right to stop extraction of ground water from the well due to quality hazards or any other reasons, if the situation so demands.
- In case of any change of ownership of the existing well, fresh registration has to be obtained.
- No change of location, design, rate of withdrawal and pumping device in respect of the existing well as indicated at Sl. (2) and (3) of this certificate shall be made without prior permission of the Competent Authority. Any deviation in this regard shall lead to cancellation of this registration.

upgdwonline.in/apps/ApplicationForm/DownloadRegCertificate?RegistrationID=kpa1pSb4Y=

2/4

Project Proponent:
M/S E-City Entertainment (India) Pvt. Ltd., Fun Republic

GWD WATER NOC FOR BOREWELL -2

59

3/30/2021

DownloadRegCertificate



GROUND WATER DEPARTMENT
(Namami Gange & Rural Water Supply Department)
Ministry of Jal Shakti
Government of Uttar Pradesh



Form 8 (C)

[See Rule 8(1)]

**AUTHORIZATION/ NO-OBJECTION CERTIFICATE FOR SINKING
OF NEW WELL FOR INDUSTRIAL/ COMMERCIAL/
INFRASTRUCTURAL OR BULK USER OF GROUND WATER**
[Under Section 14 of the Uttar Pradesh Ground Water Management and Regulation
Act, 2019.]

**AUTHORIZATION/ NO-OBJECTION CERTIFICATE NO:
NOC044953**

VALID UP TO : 19/06/2026

{UIS10(1) of the Uttar Pradesh Ground Water Management and Regulation Act, 2019}

Registration No.: 202103000063

Name of the Owner	VIKALP SAXENA		
Designation पद	Manager	Company Name कंपनी का नाम	E City Entertainment (India) Pvt Limited
Company Address कंपनी का पता	Bhikhampur, Fun Republic Mall, Tehsil Sadar, Distt	Authorization Letter प्राधिकार पत्र	Download
Address of the Applicant	Fun Republic Mall, Khasra No 103, 104, 105, 106, 116, 117, 118 and 119 of village - Bhikhampur, Gomti Nagar, Lucknow	Application Form Serial No.	LKNW0321NIF0008
Date of Submission	03/03/2021	Specimen Signature	
Location Particulars			
District	Lucknow	Block	LUCKNOW SADAR (N.K.)

Environment Consultant:
Environmental & Technical Research Centre

6/30/2021

DownloadRegCertificate

Plot No./Khasra No.	103,104,106,116 complete details attach	Municipality/Corporation	Lucknow Nagar Nigam
Ward No./Holding No.			45
Particular of the Existing Well and Pumping Device			
Date of Construction/Sinking of the Well	15/12/2006		
Type of Well	Tube Well/Boring	Depth of the Well (In meter)	60.00
Purpose of well	Infrastructural	Assembly Size(For Tube Well)	
Strainer Position (For Tube Well)			
Type of Pump Used	Submersible	H.P. of the Pump	7.50
Operational Device	Electric Motor	Rate of Withdrawal (m ³ /hr.)	18.00
Date of Energization (In Case of Electric Pump)		01/04/2006	
Maximum Allowable Rate of Withdrawal (m ³ /hr.):	18.00	Maximum Allowable Running Hours Per Day:	5.00
Maximum Allowable Annual Extraction of Ground Water:			32850

This No-Objection certificate authorizes the owner applicant (user) to sink a well in the location specified at Sl. (2) for extraction of ground water at a rate not exceeding that as shown at Sl. (3j), for Running Hours l day as shown at Sl. (3k), and for maximum allowable annual extraction of ground water as shown at Sl. (3k) and is valid subject to the observance of the conditions stated overleaf.

GENERAL CONDITIONS:

- In case of any change of ownership of the proposed well, fresh authorization has to be obtained.
- No change of location, design, rate of withdrawal and pumping device in respect of the proposed well as indicated at SL (2) and (3) of this certificate shall be made without prior permission of the Competent Authority. Any deviation in this regard shall lead to cancellation of this authorization
- For the purpose of measuring and recording the quantity of ground water extracted, every said user shall affix digital water flow meters (conforming to BIS/ IS standards) having telemetry system in the abstraction structure, which record rate and quantum of extraction, at outlet of pumping devices and it shall be presumed that the quantity recorded by the meter has been extracted by the said user, until the contrary is proved. The rate of extraction of ground water from the well as shown in item 3(k) shall not exceed to the recorded rate from water meters
- The concerned Authority reserves the right to stop extraction of ground water from the well due to quality hazards or any other reasons, if the situation so demands
- In case of any change of ownership of the existing well, fresh registration has to be obtained.
- No change of location, design, rate of withdrawal and pumping device in respect of the existing well as indicated at Sl. (2) and (3) of this certificate shall be made without prior permission of the Competent Authority. Any deviation in this regard shall lead to cancellation of this registration

uowdonline in/aos/ApplicationForm/DownloadRegCertificate?RegistrationID=R9ifUvkRTI=

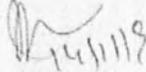
2/4

Project Proponent:
M/S E-City Entertainment (India) Pvt. Ltd. , Fun Republic

उत्तर प्रदेश फायर सर्विस मुख्यालय,
 बगुर्थ/बंगल तह.इन्डिया मवन अशोक मार्ग लखनऊ-226001
 पत्रसंख्या-UPFS/2019/1499/LCK/LUCKNOW/36/JD दिनांक-12.01.19
 दिनांक-जनवरी 14, 2019

प्रारूप-घ
औपबन्धिक(प्रोविजनल) अनापत्ति प्रमाण-पत्र

उप निर्देशक, फायर सर्विस परिक्षेत्र, लखनऊ/अयोध्या को संस्तुति आख्या संख्या-UPFS/2019/1499/LCK/LUCKNOW/36/JD दिनांक-12.01.19, मुख्य अग्निशमन अधिकारी, लखनऊ की संस्तुति आख्या संख्या-UPFS/2019/1499/LCK/LUCKNOW/36/JD दिनांक-10.01.19 तथा अग्निशमन अधिकारी गौमतीनगर, लखनऊ की आख्या दिनांक-04.01.19 के आधार पर प्रमाणित किया जाता है कि मेसर्स ई-सिटी इन्टरटेनमेन्ट (इन्डिया) प्रा.लि. द्वारा खसरा संख्या-103पी से 108पी एवं 116पी से 119पी भीखमपुरा, रिंग रोड गौमतीनगर, लखनऊ पर प्रस्तावित भवन के विस्तार हेतु प्रस्तुत मानचित्र जिसमें भवन की तल्लो की संख्या लोवर भूतल व 04 तल एवं बेसमेन्ट की संख्या चार है। जिसकी ऊंचाई-30.00 मीटर तथा प्लॉट एरिया-16007.46 वर्गमीटर है। भवन का अधिमोम मेसर्स ई-सिटी इन्टरटेनमेन्ट (इन्डिया) प्रा.लि. द्वारा किया जायेगा। इनके द्वारा अग्नि निवारण एवं अग्नि सुरक्षा के सम्बन्ध प्रविधानों का समायोजन एनबीओसी एवं तत्सम्बन्धी भारतीय मानक ब्यूरो के आईएसओ मानकों की संस्तुतियों के अनुरूप किया गया है। इस भवन को प्रोविजनल अनापत्ति प्रमाण पत्र (एनबीओसी की अधिमोम श्रेणी) (डी-6) मॉल कम मल्टीफ्लूइड्स के अन्तर्गत इस शर्त के साथ दिया जा रहा है कि प्रस्तावित भवन में सभी भागों का अनुपालन किया जायेगा तथा भवन के निर्माण के पश्चात् भवन के अधिमोम से पूर्व अग्नि सुरक्षा प्रमाण पत्र (fire Safety certificate) प्राप्त किया जायेगा।


 (जे.के. सिंह)
 संयुक्त निर्देशक(अग्नि/बजट)
 फायर सर्विस मुख्यालय उ०१०
 लखनऊ।

- प्रतिलिपि- उप निर्देशक, फायर सर्विस परिक्षेत्र, लखनऊ/अयोध्या को उनके पत्र संख्या-UPFS/2019/1499/LCK/LUCKNOW/36/JD दिनांक-12.01.19 के सन्दर्भ में उपरोक्तानुसार अनुपालनार्थ।
- 2- मुख्य अग्निशमन अधिकारी लखनऊ को उनके पत्र संख्या-UPFS/2019/1499/LCK/LUCKNOW/36/JD दिनांक-10.01.19 के सन्दर्भ में उपरोक्तानुसार अनुपालनार्थ।
 - 3- अग्निशमन अधिकारी गौमतीनगर को उनके संस्तुति आख्या दिनांक-04.01.19 के सन्दर्भ में उपरोक्तानुसार अनुपालनार्थ।
 - 4- अधिशारी अधियक्षा मानचित्र सेल, लखनऊ विकास प्राधिकरण, लखनऊ को उनके पत्र संख्या-एनआर-48/एए मा०सेल/18 दिनांक-26.11.18 के सन्दर्भ में आवश्यक कार्यवाही हेतु।

EXISTING CTO (AIR AND WATER)



U.P. Pollution Control Board

CONSENT ORDER

Ref No. - 79675/UPPCB/Lucknow(UPPCBRO)/CTO/air/LUCKNOW/2019

Dated : 10/06/2020

To ,

Shri DEVENDRAPRATAP SINGH
M/s E CITY ENTERTAINMENT INDIA PVT LTD
Opposite _ Paryatan Bhawan Industrial Area Gomti Nagar Lucknow,LUCKNOW,226001
LUCKNOW

Sub : Consent under section 21/22 of the Air (Prevention and control of Pollution) Act, 1981 (as amended) to M/s. E CITY ENTERTAINMENT INDIA PVT LTD

Reference Application No. 6995652

Dated : 10/06/2020

1. With reference to the application for consent for emission of air pollutants from the plant of M/s E CITY ENTERTAINMENT INDIA PVT LTD. under Air Act 1981. It is being authorised for said emissions, as per the standards, in environment, by the Board as per enclosed conditions .
2. This consent is valid for the period from 01/01/2020 to 31/12/2021 .
3. In spite of the conditions and provisions mentioned in this consent order UP Pollution Control Board reserves its right and powers to reconsider/amend any or all conditions under section 21 (6) of the Air (Prevention and Control of Pollution) Act, 1981 as amended.
This consent is being issued with the permission of competent authority .

For and on behalf of U.P. Pollution Control Board

Digitally signed by Pramod Kumar Agarwal
Date: 2020.06.10 11:44:14 +05'30'

Chief Environmental Officer, Circle-S, UPPCB.

Enclosed : As above
(condition of consent):

Copy to: Regional Officer, ROUPPCB, Lucknow.

Digitally signed by Pramod Kumar Agarwal
Date: 2020.06.10 11:44:14 +05'30'

Chief Environmental Officer, Circle-S, UPPCB.



U.P. Pollution Control Board

CONSENT ORDER

Ref No. - 79677/UPPCB/Lucknow(UPPCBRO)/CTO/water/LUCKNOW/2019

Dated : 10/06/2020

To ,

Shri DEVENDRAPRATAP SINGH
M/s E CITY ENTERTAINMENT INDIA PVT LTD
Opposite _ Paryatan Bhawan Industrial Area Gomti Nagar Lucknow,LUCKNOW,226001
LUCKNOW

Sub : Consent under Section 25/26 of The Water (Prevention and control of Pollution) Act, 1974 (as amended) for discharge of effluent to M/s. E CITY ENTERTAINMENT INDIA PVT LTD

Reference Application No :6995671

Dated :10/06/2020

1. For disposal of effluent into water body or drain or land under The Water (Prevention and control of Pollution) Act,1974 as amended (here in after referred as the act) M/s. E CITY ENTERTAINMENT INDIA PVT LTD is hereby authorized by the board for discharge of their industrial effluent generated through ETP for irrigation/river through drain and disposal of domestic effluent through septic tank/soak pit subject to general and special conditions mentioned in the annexure ,in refrence to their foresaid application .
2. This consent is valid for the period from 01/01/2020 to 31/12/2021 .
3. In spite of the conditions and provisions mentioned in this consent order UP Pollution Control Board reserves its right and powers to reconsider/amend any or all conditions under section 27(2) of the Water (Prevention and Control of Pollution) Act, 1974 as amended .
This consent is being issued with the permission of competent authority .

For and on behalf of U.P. Pollution Control Board

Digitally signed by Pramod Kumar Agarwal
Date: 2020.06.10 11:21:48 +05'30'

Chief Environmental Officer, Circle-S, UPPCB Lucknow.

Enclosed : As above
(condition of consent):

Copy to: Regional Officer, ROUPPCB, Lucknow.

Digitally signed by Pramod Kumar Agarwal
Date: 2020.06.10 11:21:48 +05'30'

Chief Environmental Officer, Circle-S, UPPCB Lucknow.

Environment Consultant:
Environmental & Technical Research Centre

Project Proponent:
M/S E-City Entertainment (India) Pvt. Ltd. , Fun Republic

STRUCTURAL SAFETY CERTIFICATE



भारतीय प्रौद्योगिकी संस्थान रुड़की
INDIAN INSTITUTE OF TECHNOLOGY ROORKEE

सिविल अभियांत्रिकी विभाग
DEPARTMENT OF CIVIL ENGINEERING
रुड़की - 247667, उत्तराखण्ड, भारत
ROORKEE-247 667, UTTARAKHAND, INDIA
Fax / फैक्स: 01332-275568, 273560
Tele / टेली : 01332-284319, 285219
E-mail/ई-मेल: civil@iitr.ac.in

CED/BS/Consl./2019

To whomsoever it may concern

This is to certify that the structural analysis, design and detailing of the proposed Fun Republic Mall, Lucknow, U.P., shall be carried out to complete compliance with the requirements of the Indian Standards, IS 456:2000, IS 1893 (Part 1):2016, IS 13920:2016. Upon its completion, the analysis, design and detailing of the building which will be submitted to the undersigned by the structural designer shall be reviewed and where ever required, revisions to the structural analysis, design and drawings shall be recommended to the structural designer of the building. The structural designer shall confirm compliance with the required revisions and provisions of the aforesaid codes following which the structural design and drawings shall be approved.

As of now, the Design Basis Report and the submission drawings of the above building are being presented for completion of administrative formalities. The Good-For-Construction drawings shall be submitted after completion of the above process.


(Bhupinder Singh)

Dr. Bhupinder Singh
Professor
Department of Civil Engineering
Indian Institute of Technology Roorkee
Roorkee 247 667 Uttarakhand, INDIA

Environment Consultant:
Environmental & Technical Research Centre

Project Proponent:
M/S E-City Entertainment (India) Pvt. Ltd. , Fun Republic

PROJECT OVERVIEW

Facilities	<ul style="list-style-type: none"> • Multiplex • Commercial Complex • Office
No. of Building Blocks	Their will be two blocks (One existing block & One Proposed Block)
Basements	4 No in proposed block
Floor	In Existing block 8 th Floor and proposed block 4 th Floor.
Total Plot Area	16007.46 sq.m.
Proposed FAR Area after expansion	38406.32 sq.m.
Non FAR Area after expansion	22778.80 sq.m.
Built-up Area after expansion	61199.120 sq.m.
Total Parking Proposed	733 ECS proposed against requirement of 728 ECS
Total Project Cost	40 Crores
Energy Conservation	16 % of total demand energy saving by adopting different energy conservation measures.
Maximum Height	Approx.26 m
Proposed Landscape Area	1622.64 sqm (@ 10.13% of the plot area)

Environment Consultant:
Environmental & Technical Research Centre

Project Proponent:
M/S E-City Entertainment (India) Pvt. Ltd. , Fun Republic

PROJECT OVERVIEW

Salient features of the Project	
Power Requirement & Source	Existing Power Requirement will be – 2850 (Including Multiplex and commercial Shopping) After expansion power requirement will be 3820 KVA which will be tapped from the concerned Electricity board
Power Backup	Backup of Existing DG sets will be used 1250 KVA (3 Nos.) + 750 KVA (1 No.)=4500 KVA
Water Requirement & Source	Fresh Water: 103 KLD (Borewell) Reuse of treated effluent as received from the STP: 113 KLD. Total Water Requirement: 216 KLD
Sewage treatment & Disposal	The waste water generated from shopping mall and multiplex (i.e. 185 KLD) would be treated in the STP capacity 300 KLD. Recycled water shall be used after tertiary treatment i.e 113 KLD water for flushing & Horticulture
The solid waste generated	1404.38 kg/Day-Municipal waste & 0.8 kg/day –Horticulture waste will be generated , segregated and disposed as per solid waste management Rules 2016 through approved agency for handling & disposal solid waste.
Connectivity	The proposed site is well connected with road , rail and air network. It is part of Gomti Nagar, Lucknow . Gomti Nagar railway Station: 2.74 Km , NH-28-1.47 km. The nearest Airport Chaudhary Charan Singh Airport, Amausi , Lucknow: 14.09 Km

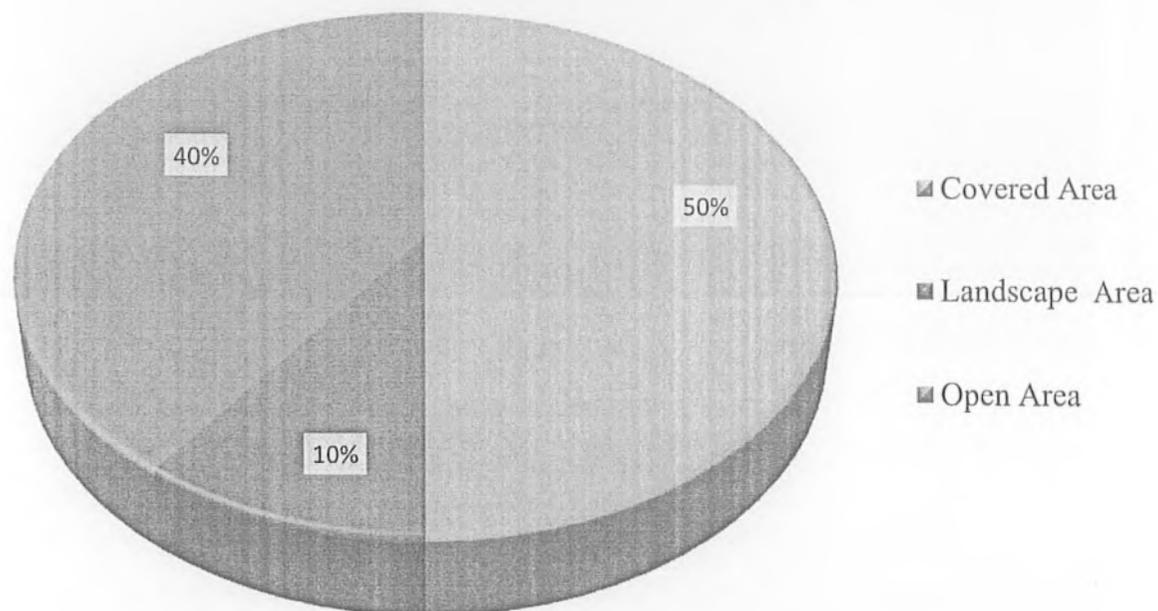
Environment Consultant:
Environmental & Technical Research Centre

Project Proponent:
M/S E-City Entertainment (India) Pvt. Ltd. , Fun Republic

LAND USE

S.No	Land Use	Area (Sqm)	Area (%)
1	Covered Area	8003.73	40
2	Landscape Area	1622.64	10
3	Open Area	6380.79	50
	Total	16007.16	100

Land Use Breakup



Environment Consultant:
Environmental & Technical Research Centre

Project Proponent:
M/S E-City Entertainment (India) Pvt. Ltd. , Fun Republic

AREA STATEMENT

S.No	Particulars	Existing Detail	Proposed Detail	Total after expansion
A	Total Land	16007.46 m ²	No Change	16007.46 m ²
B	Permissible Land Coverage (@ 50% of Plot Area)	8003.73 m ²	No Change	8003.73 m ²
C	Achieved Ground Coverage (@40.6% of the plot area)	5282.46 m ²	1223.36 m ²	6505.82 m ²
D	Total Permissible FAR (Including purchasable FAR @ 2.65)	42019.58 m ²	-	42019.58 m ²
E	Total Proposed FAR	31728.61 m ²	6677.71 m ²	38406.32 m ²
F	Non FAR Area (Basement +Mumty/Machine room + Fire room)	14296.04 m ²	8482.76 m ²	22778.80 m ²
G	Number of basement	02 Nos.	04 nos.	06 (02+04) Nos
H	Basement Area	1481.8 m ²	8388.5 m ²	22570.3 m ²
I	Required Parking	480 ECS	248 ECS	728 ECS
J	Proposed Parking	480 ECS	253 ECS	733 ECS
K	Required Landscape Area	1600 m ²	-	1600 m ²
L	Proposed Landscape Area	1622.64 m ²	-	1622.64 m ²
M	Total Buildup Area	46038.650 m ²	15160.47 m ²	61199.120 m ²

Environment Consultant:
Environmental & Technical Research Centre

Project Proponent:
M/S E-City Entertainment (India) Pvt. Ltd. , Fun Republic

TOTAL POPULATION AFTER EXPANSION

Construction Phase: Since local labors will be engaged during construction phase, alteration to the existing demographic profile of the area is not anticipated.

Operation Phase: The total population of the project after expansion will be 9362 which include staff & visitor population.

S. No	Population	Number of Population Existing	Number of Population Proposed Expansion
1	LG & UG Ground Floor Retail	3511	849
a	Visitors@ 90 %of total	3160	764
b	Staff @ 10 % of total	351	85
2	First to 2nd Floor Retail	1756	443
a	Visitors @ 90 % of total	1580	399
b	Staff @ 10% of total	176	44
3	Cinema Fixed seats	1200	560
4	Restaurant	244	-
a	Visitors@ 90% of total	220	-
b	Staff @ 10 % of total	24	-
5	Food Court	324	-
a	Visitors	324	-
b	Staff	50	-
6	Staffs & Security	60	40
7	Office Area	-	596
a	Staff @ 90% of total	-	536
b	Visitors @ 10 % of total	-	60
	Total	6874	2488

WATER AND WASTE WATER

0.1/2-7

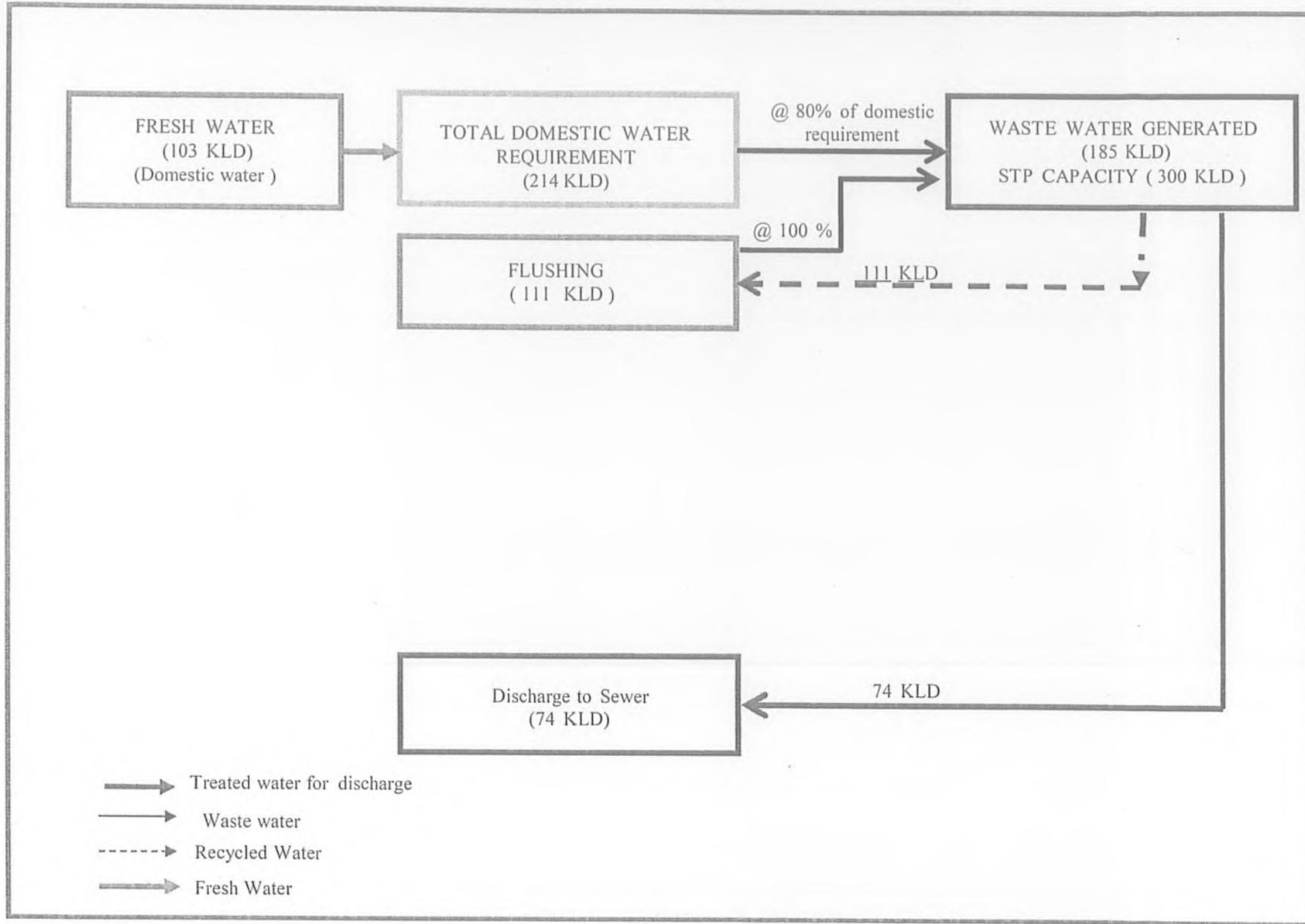
WATER REQUIREMENT

The total quantity of water requirement for the proposed Shopping mall with multiplex building is 216 KLD out of which the Fresh Water requirement of 103 KLD would be met from the Bore wells. 185 KLD waste water will be generated from the project which shall be treated in a Sewage Treatment Plant of capacity 300 KLD. Recycled water as received from STP after tertiary treatment i.e. 111 KLD water for flushing and 2 KLD water for the horticulture uses. Detailed Water Supply Plan & Sewerage Layout Plan are enclosed as 7 respectively.

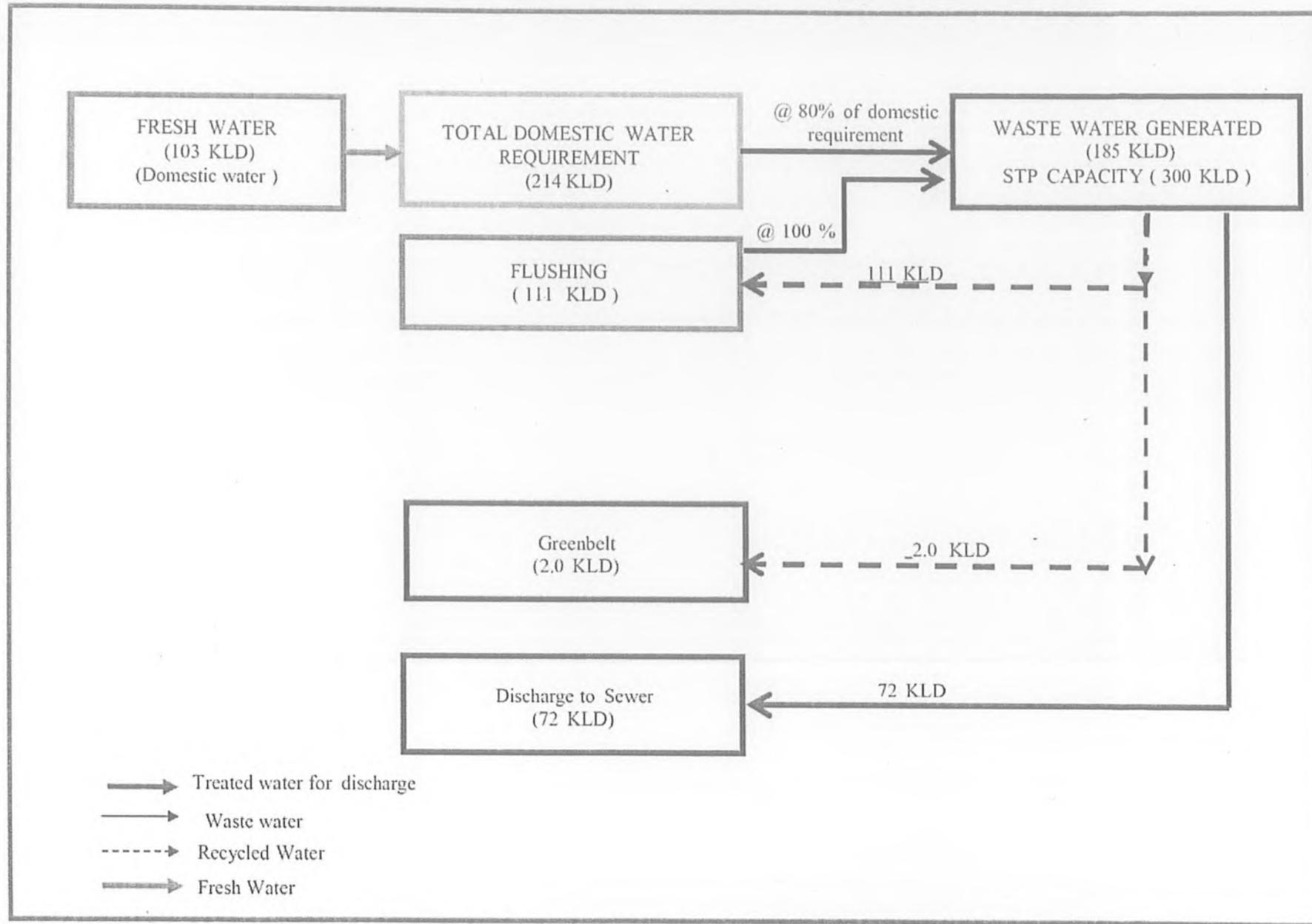
(WATER /WASTE WATER DETAILS)

Water/Waste Water details	
Fresh water	103 KLD
Flushing	111 KLD
Horticulture/Landscape	2.0 KLD
Total Water Requirement	216 KLD
Waste water	185 KLD
Source of Water : Bore well	

WATER BALANCE (DURING MONSOON)



WATER BALANCE (DURING NON-MONSOON)

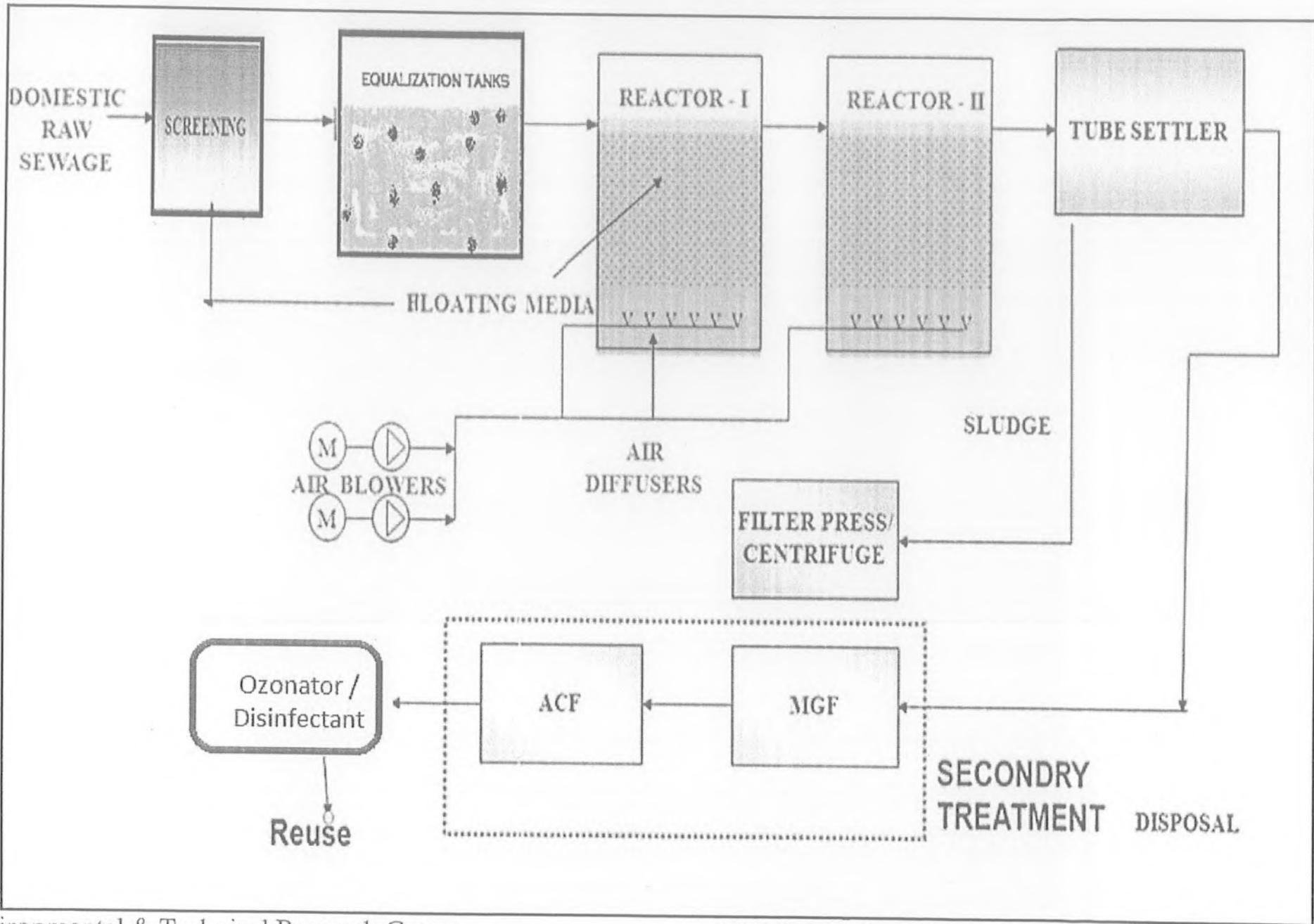


WASTEWATER TREATMENT & DISPOSAL

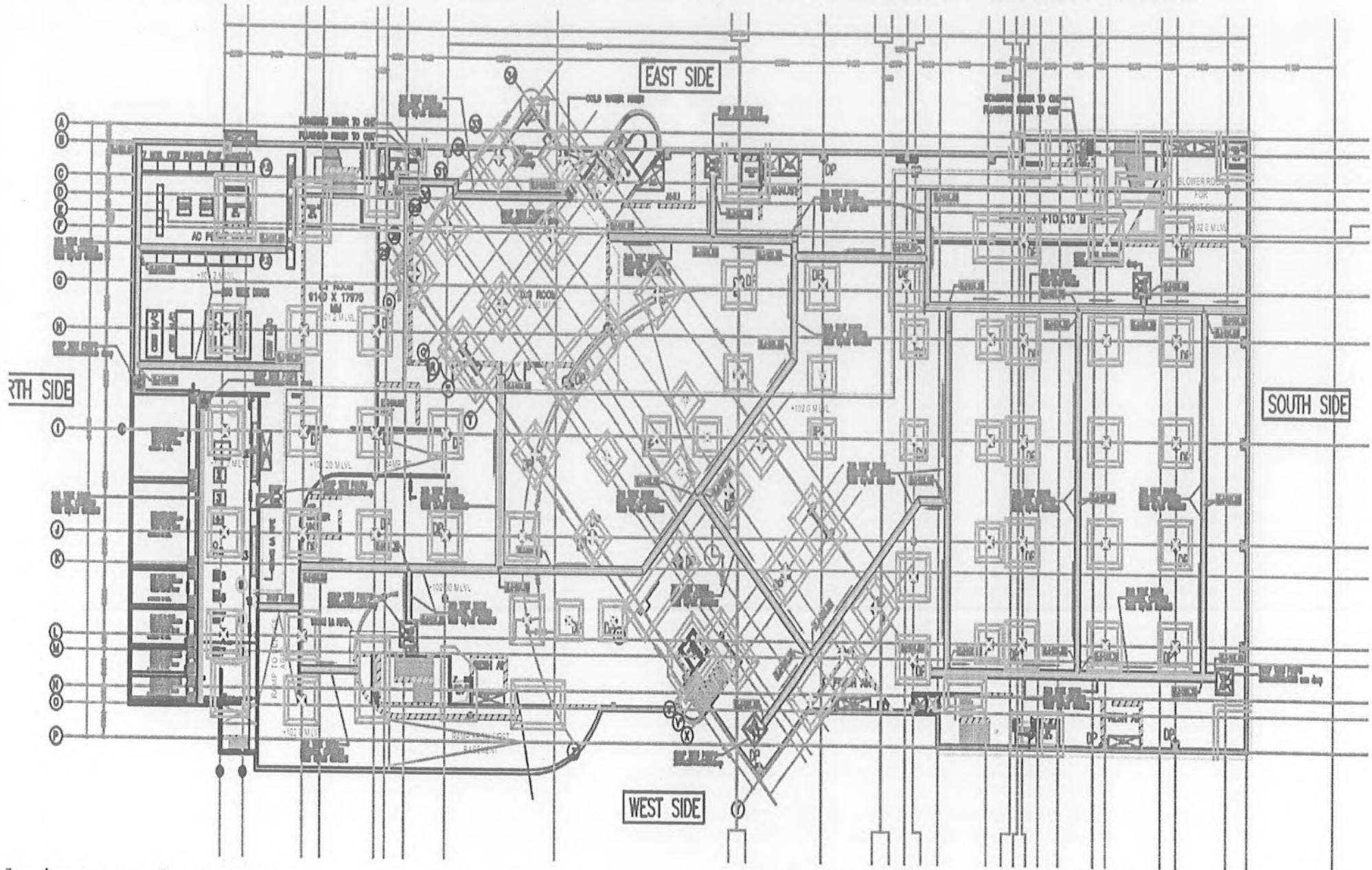
Operation Phase: The waste water generated from shopping mall and multiplex (i.e. 185 KLD) would be treated in the STP capacity 300 KLD. Recycled water shall be used after tertiary treatment i.e. 113 KLD water for flushing & Horticulture.

S.NO	PARAMETER	QUALITY OF INLET WASTEWATER	QUALITY OF OUTLET WASTEWATER
1	pH	6.5 - 8.5	5.5-9
2	BOD ₅	Upto 300-350 mg/L	Less than 10 mg/L
3	COD	Upto 450-525 mg/L	Less than 20 mg/L
4	Suspended Solids	Upto 400 mg/L	Less than 20 mg/L
5	Oil & Grease	Upto 50 mg/L	Below the detectable limit

FLOW DIAGRAM OF STP PROCESSING



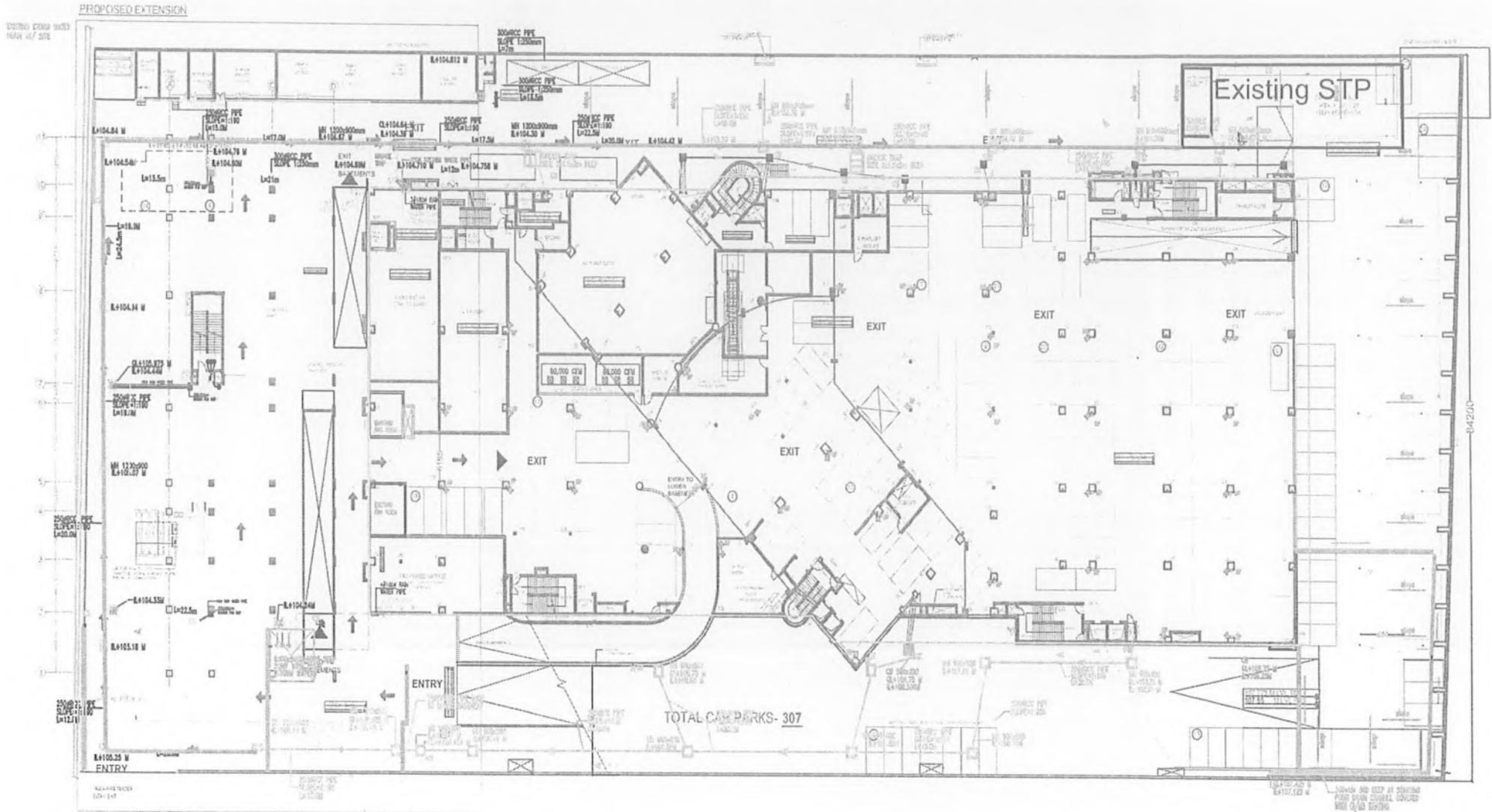
WATER SUPPLY & DUAL PLUMBING LAYOUT



Environment Consultant:
Environmental & Technical Research Centre

Project Proponent:
M/S E-City Entertainment (India) Pvt. Ltd. , Fun Republic

SEWER PLAN WITH STP LOCATION



Environment Consultant:
Environmental & Technical Research Centre

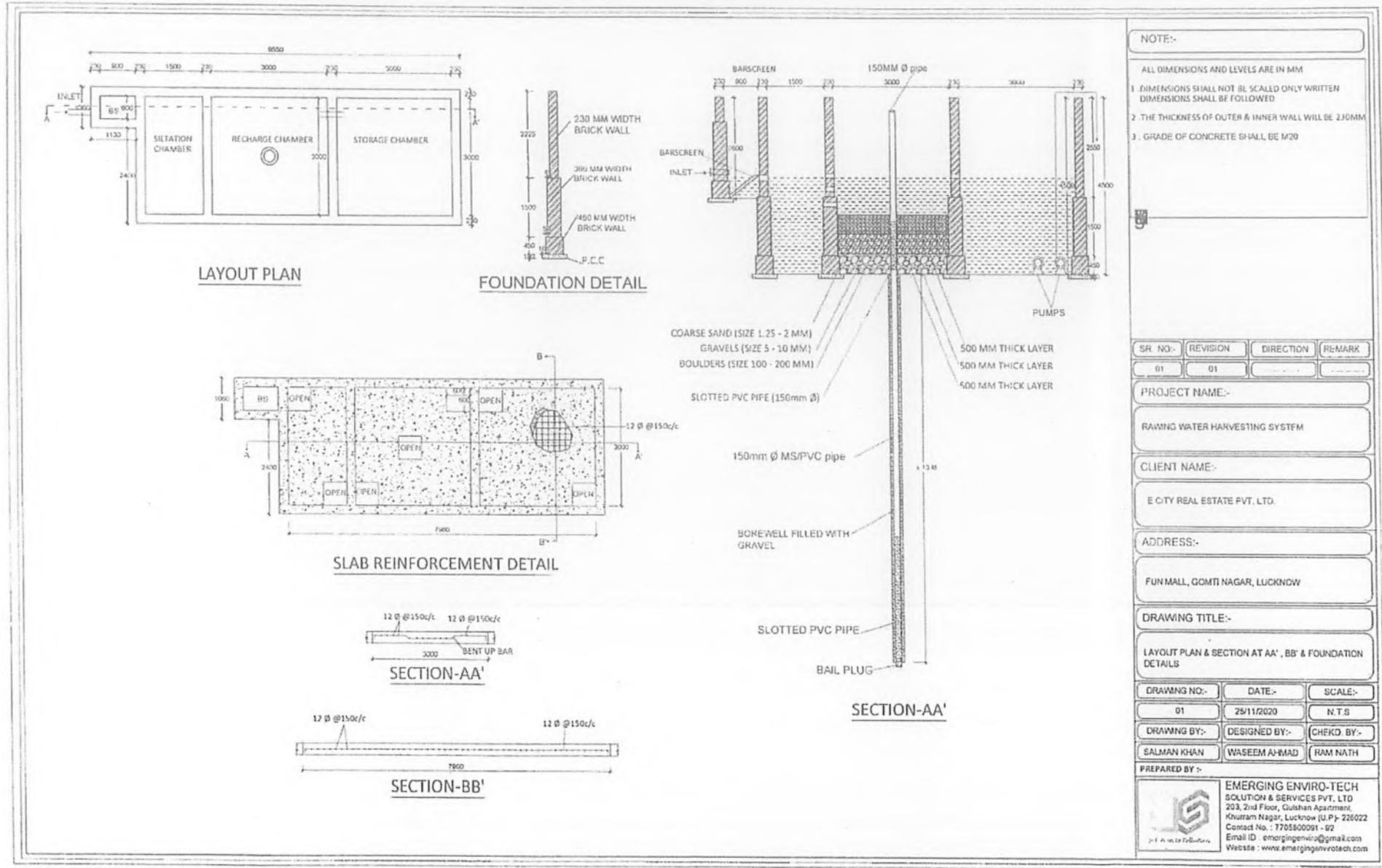
Project Proponent:
M/S E-City Entertainment (India) Pvt. Ltd. , Fun Republic

RAINWATER HARVESTING CALCULATIONS

- Rain water harvesting has been designed as per guidelines of CGWA.
- 02 No rain water harvesting structure will be provided considering peak hourly rainfall has been considered as 30 mm/hr.
- At the bottom of shaft, a filter media is provided to avoid choking of the recharge well.
- Rain water from the recharge structure will permeate through filter media and undergoes further filtration, before it joins the water table.

S N	Particular	Area (m ²)	Run-off coefficient	Peak Rainfall Intensity (m/hr)	Run-off (m ³ /hr)
1	Roof Area	8003.73	0.9	0.03	216.100
2	Green Area	1622.64	0.2	0.03	9.725
Total Run-off in m ³ /hr					225.82
4	Considering the retention time of 20 min.; the run off to be harvested, will be				75.27
5	Effective Volume (considering single bores in the pit) = 3 m x 3 m x 4.5 m				40.5
7	Total capacity of a pit				40.5
8	No. of rain water harvesting pits required				75.27 / 40.5 = 1.85
	No. rainwater harvesting pits required				~ 2

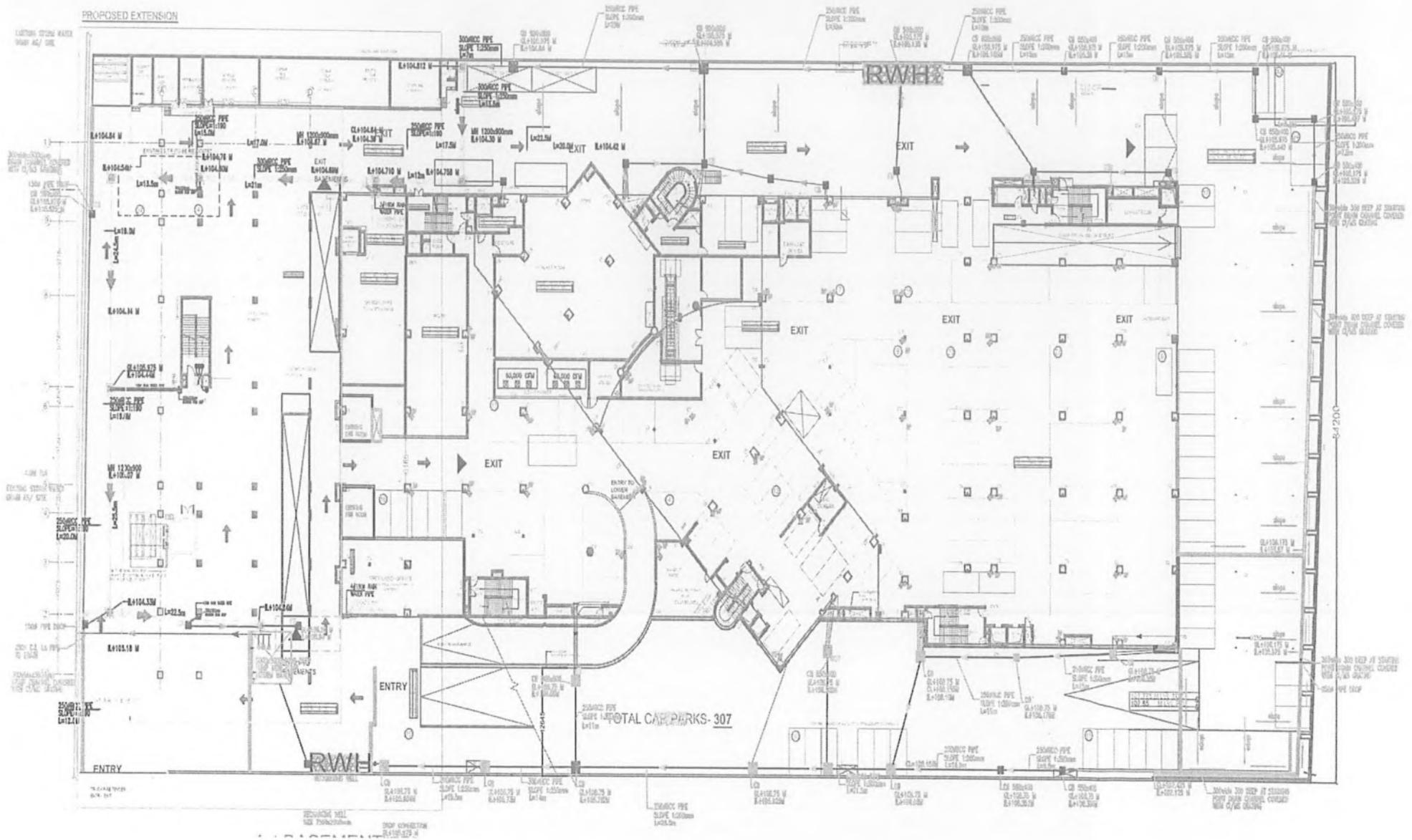
RAINWATER HARVESTING SYSTEM



Environment Consultant:
Environmental & Technical Research Centre

Project Proponent:
M/S E-City Entertainment (India) Pvt. Ltd. , Fun Republic

STORM WATER LINE WITH RWHP PIT

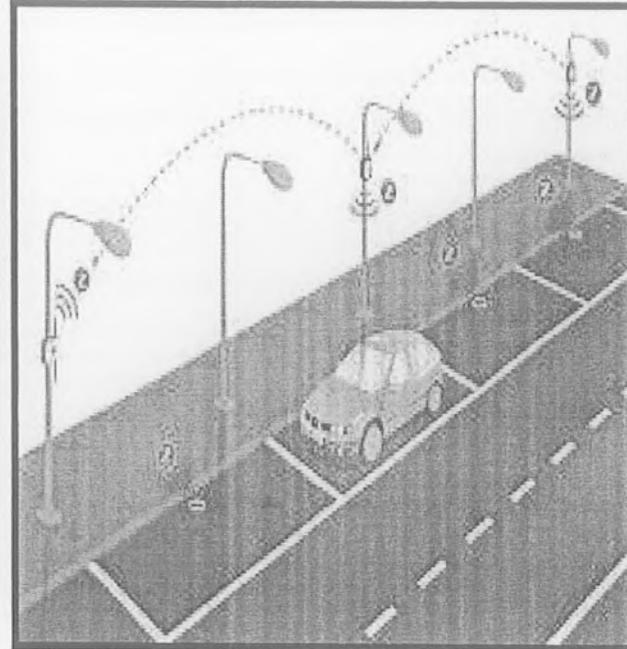


Environment Consultant:
Environmental & Technical Research Centre

Project Proponent:
M/S E-City Entertainment (India) Pvt. Ltd. , Fun Republic

RAIN WATER HARVESTING MAINTENANCE PLAN

S. No.	Maintenance Task	Frequency Task
1	Inspect and clean filters and screens, and replace as needed.	Every 3-6 months
2	Inspect and clean debris from gutters, downspouts, first flush devices and roof washers.	Every 3-6 months
3	Inspect and clean debris from roof or other collection surfaces.	Every 3-6 months
4	Inspect for and repair leaks.	Every 3-6 months
5	Inspect all components, including backflow prevention systems.	Annually
6	Inspect and clear debris from cisterns and verify operation	Annually
7	Maintenance requirements specific to rain barrels : <ul style="list-style-type: none"> • Inspect rain barrels twice per year and after major storms • Inspect screens and remove debris • Inspect spigots, downspouts, and rain leaders, and clean place as and when required 	Twice a year



ROAD AND PARKING DETAILS

Handwritten signature or initials

PARKING DETAILS

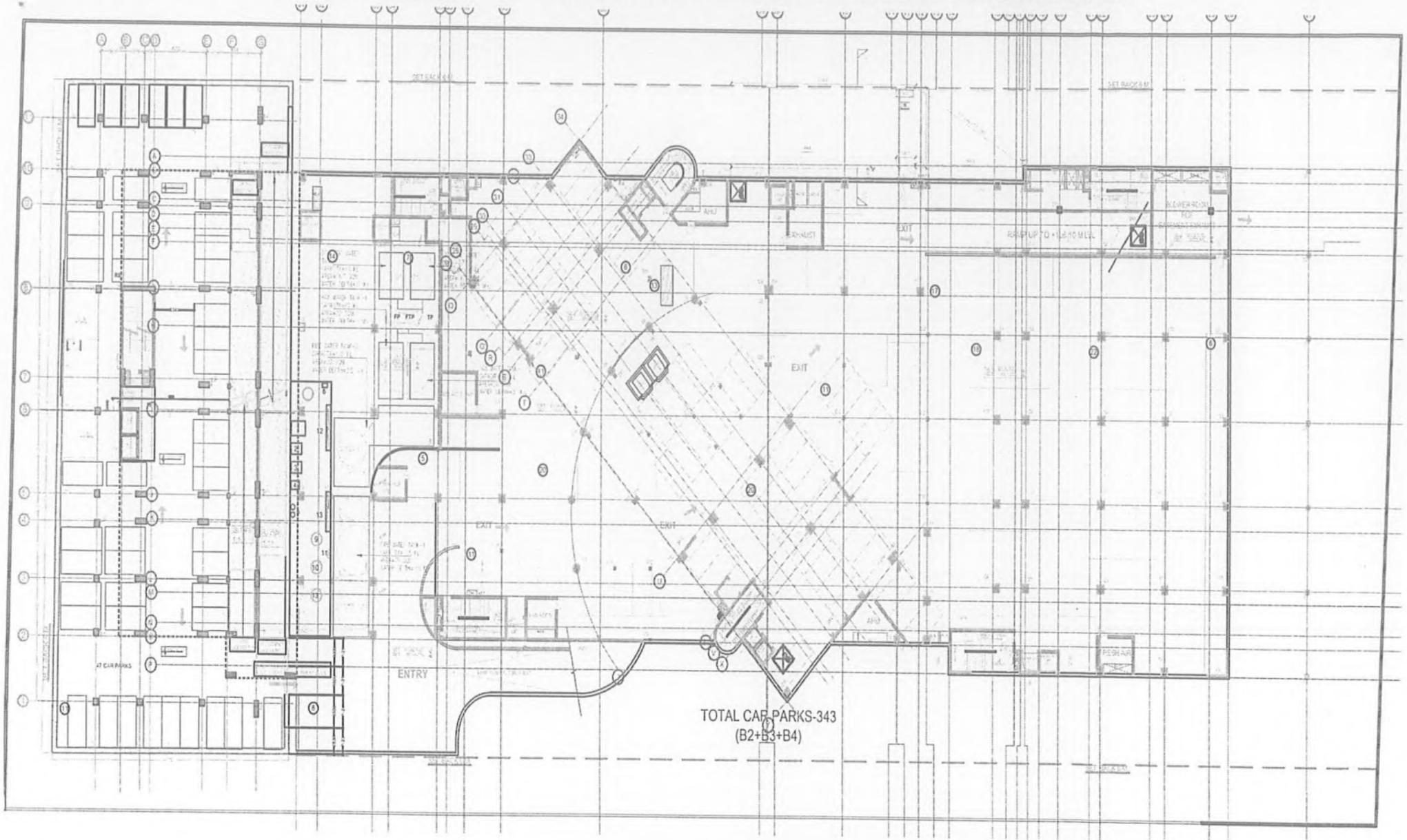
- ❑ **Internal Road** – Project has 6.0 meters wide road within the premises. Roads will be designed as per Lucknow Development Authority Bye-laws and NBC norms which will be adequately wide to facilitate smooth traffic flow and fire tender movement.
- ❑ **External Road** – 24 meters wide in the East direction and 60 meter road in South direction.
- ❑ **Entry/exits provided in the Building Premises** – 2 entry and exit points has been proposed in the East direction in the project for smooth flow of traffic.
- ❑ **Parking Details** – The total parking proposed is 733 ECS against the requirement of 728 ECS.
- ❑ **Total Parking area proposed** : 22570.3 m² (04 Basements)

S. No	Parking Required (As Per Bye Laws)	ECS
1	Car parking required for shop & office	98 Nos.
2	Car parking required for (Audi 638 Seats)	638/10=64 Nos.
	Total car parking required	162+86=248 nos
	Parking Provided	
3	Car parking provided in 1 st basement	27 Nos.
4	Car parking provided in 2 st basement	50 Nos.
5	Car parking provided in 3 st basement	50 Nos.
6	Car parking provided in 4 st basement	51 Nos.
7	Car parking in the open space	75 Nos.
	Total Car Parking Provided	253 Nos.

Environment Consultant:
Environmental & Technical Research Centre

Project Proponent:
M/S E-City Entertainment (India) Pvt. Ltd. , Fun Republic *

PARKING PLAN WITH TRAFFIC CIRCULATION IN LOWER BASEMENT

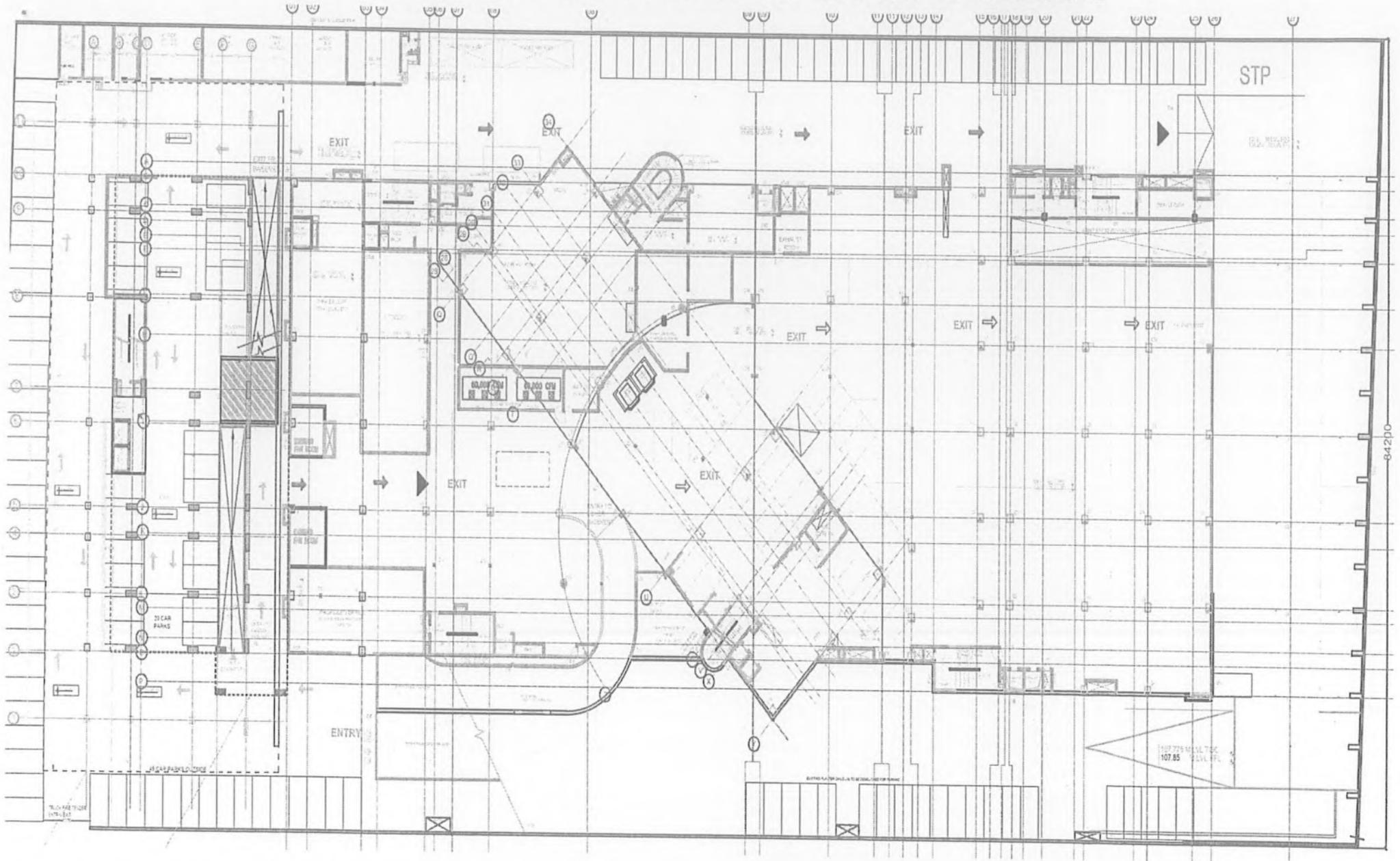


Handwritten signature or initials.

Environment Consultant:
Environmental & Technical Research Centre

Project Proponent:
M/S E-City Entertainment (India) Pvt. Ltd. , Fun Republic

PARKING PLAN WITH TRAFFIC CIRCULATION IN UPPER BASEMENT

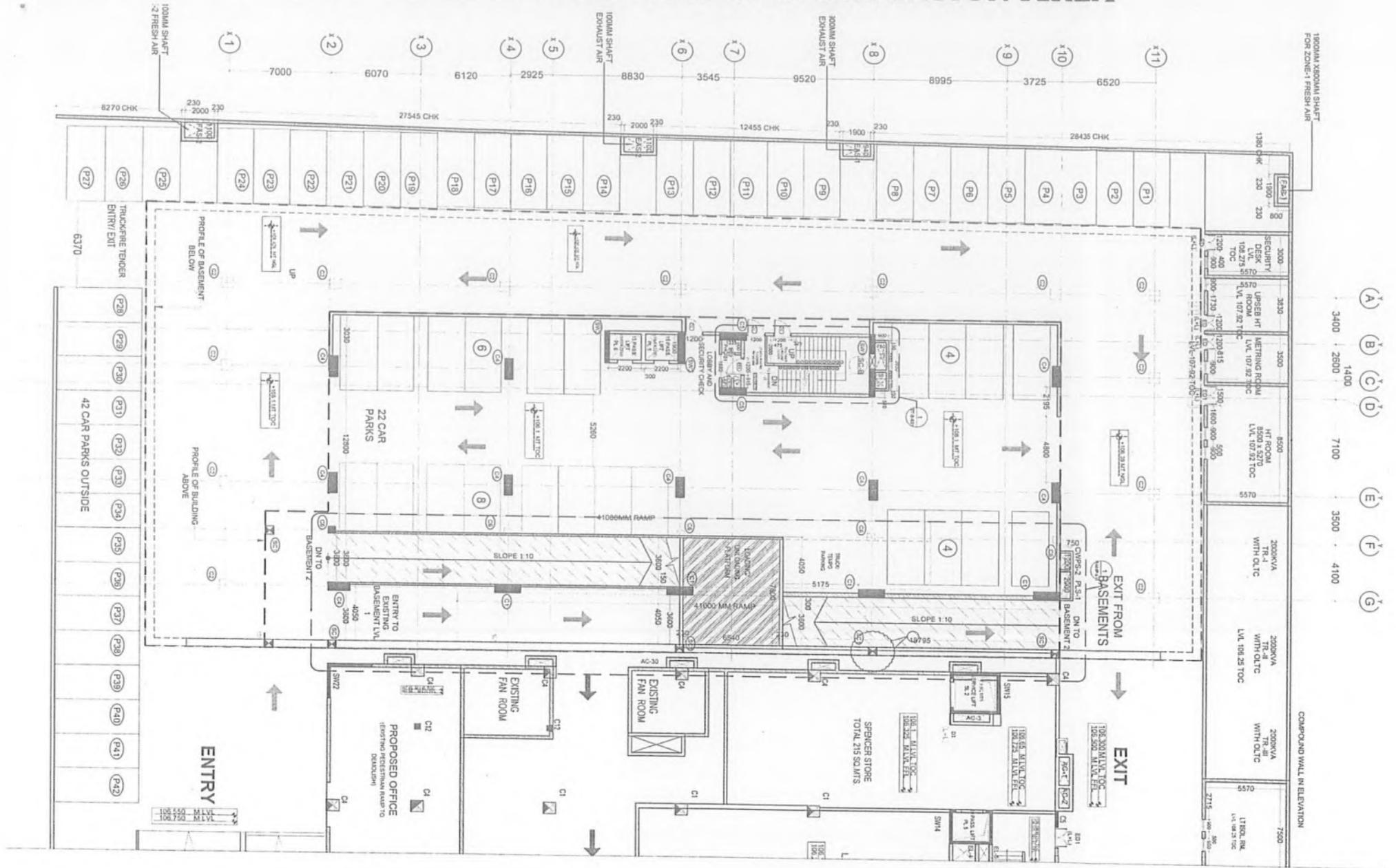


Environment Consultant:
Environmental & Technical Research Centre

Project Proponent:
M/S E-City Entertainment (India) Pvt. Ltd., Fun Republic

Handwritten signature or initials

PARKING PLAN WITH TRAFFIC CIRCULATION IN EXTENSION AREA



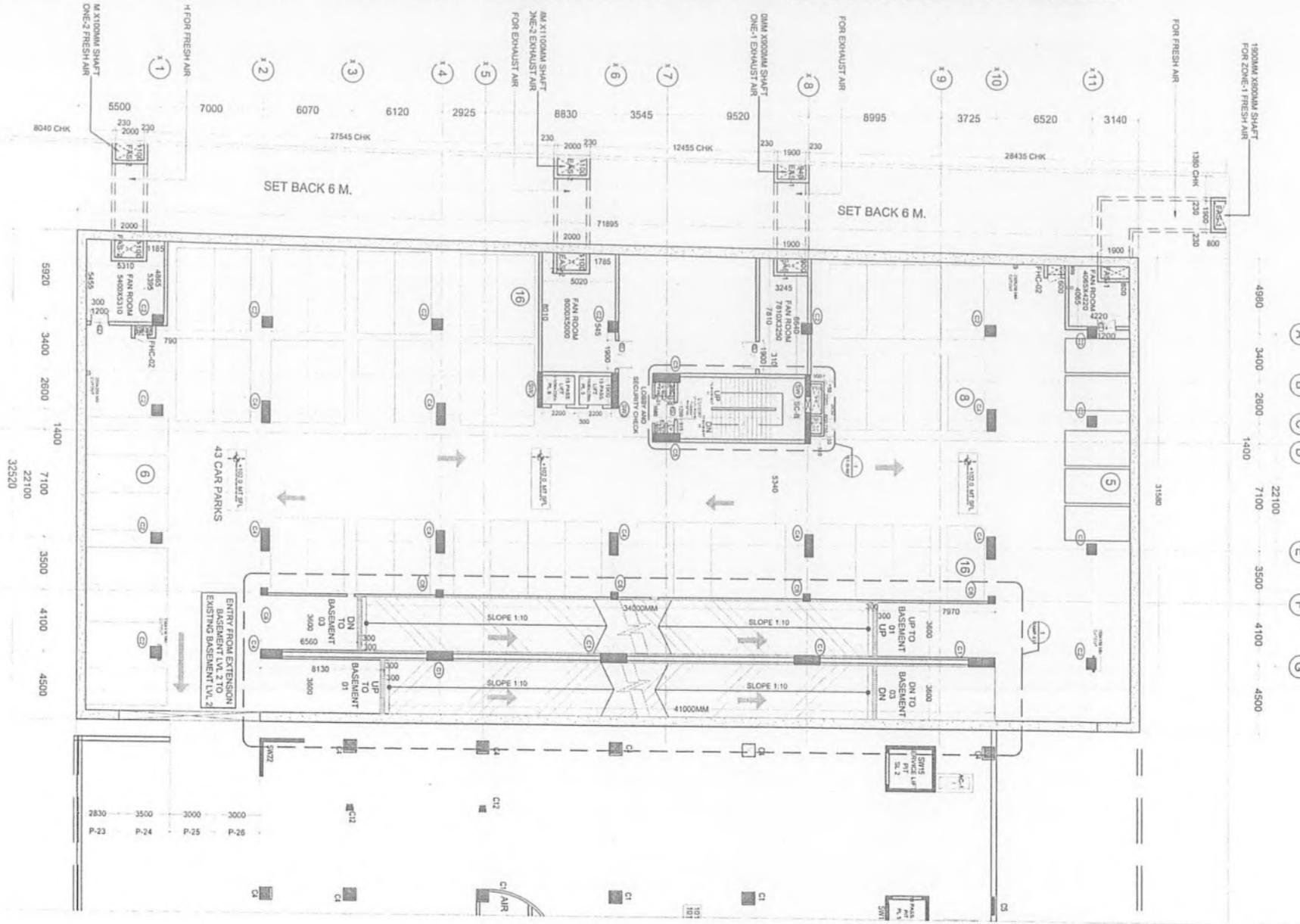
Handwritten signature or initials.

Environment Consultant:
Environmental & Technical Research Centre

Project Proponent:
M/S E-City Entertainment (India) Pvt. Ltd., Fun Republic

1st Basement

PARKING PLAN WITH TRAFFIC CIRCULATION IN EXTENSION AREA



Handwritten signature or initials.

Environment Consultant:
 Environmental & Technical Research Centre

Project Proponent:
 M/S E-City Entertainment (India) Pvt. Ltd. , Fun Republic

2nd Basement



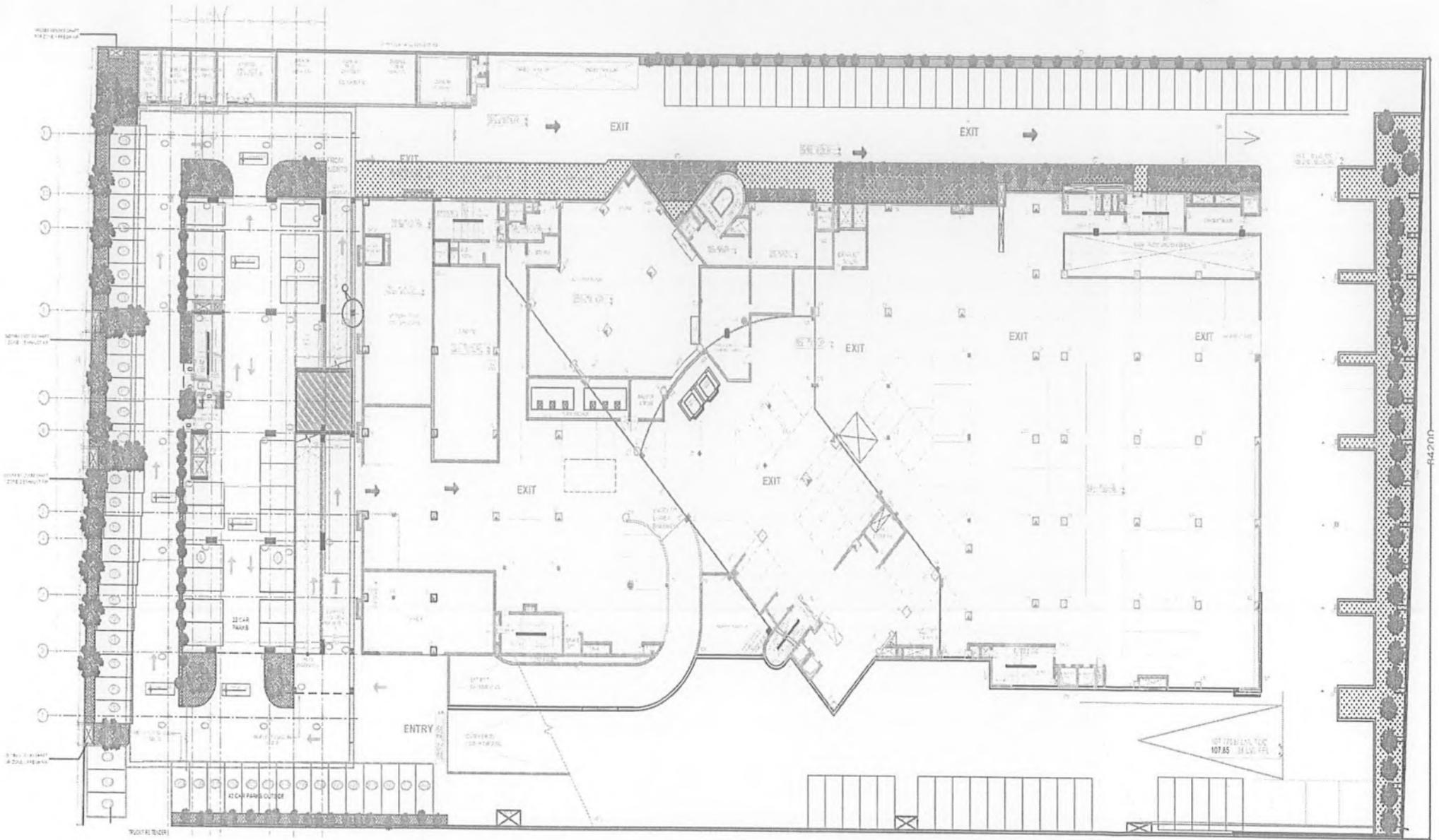
GREEN BELT DEVELOPMENT

Handwritten signature or initials.

LANDSCAPE PLAN AREA

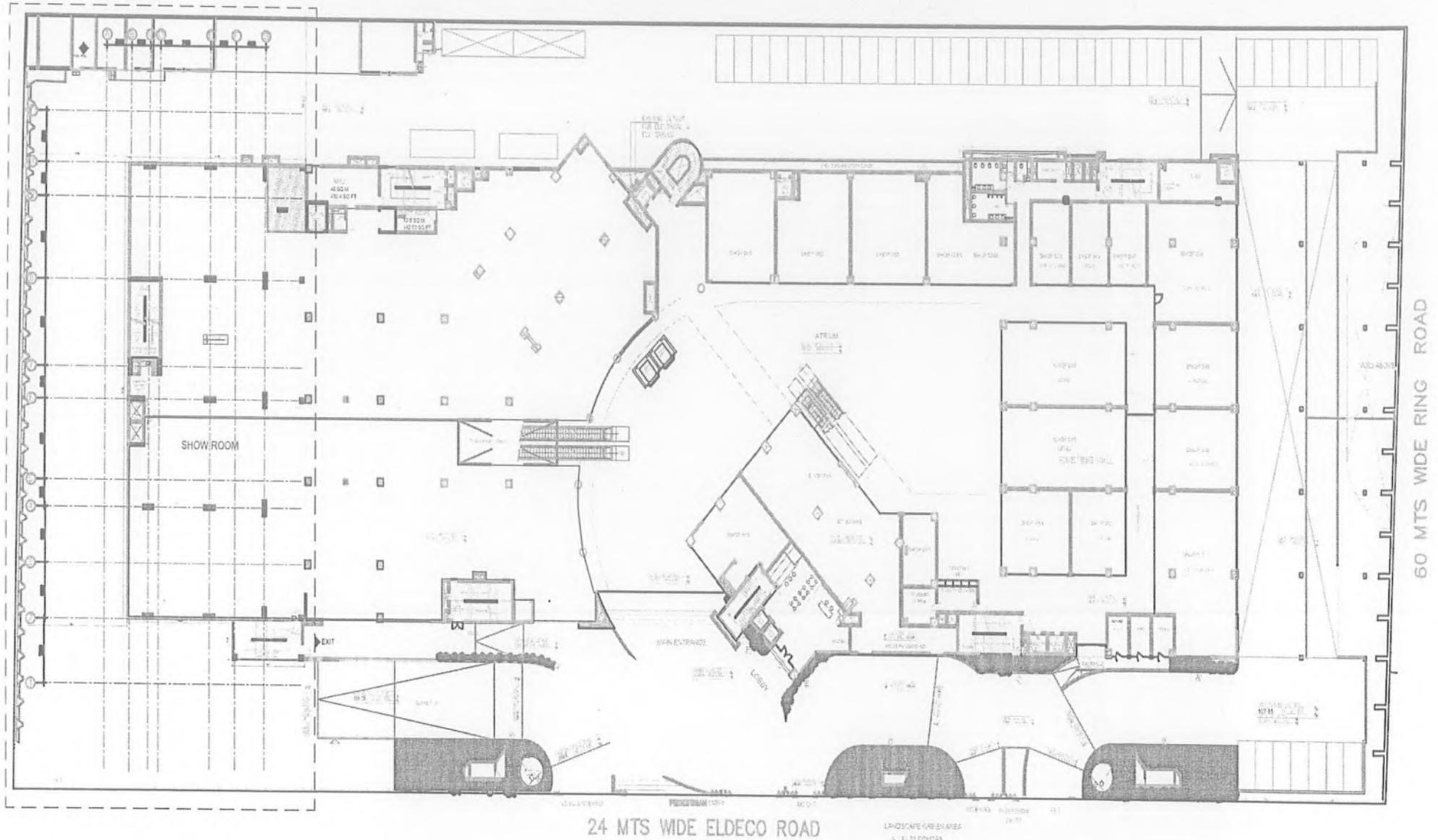
- ❖ Increasing vegetation in the form of greenbelt is one of the preferred methods to mitigate air pollution. Plants serve as a sink for pollutants, reduce the flow of dust and reduce noise pollution.
- ❖ As per CPCB norms it is proposed to develop plantation of species effective in absorption of expected pollutants at site. Parks will also be developed by the management.
- ❖ As per the plan, three tier greenbelt will be developed along the boundary of the project area.
- ❖ Green area proposed is 1622.64 Sqm against the requirement of 1600.7 sqm.
- ❖ More than 10 % of the plot area will be kept in the form of green area.
 - Soft Green Area : 1182.43 Sqm
 - Hard Green Area : 440.21 Sqm
 - Total Green Area : 1622.64 Sqm
- ❖ Number Tree Plantation required : 20 Nos (One tree Per 80 Sqm).
- ❖ Number of Tree proposed : 28 Nos

LANDSCAPE PLAN (1ST BASEMENT PLAN)



Handwritten signature or initials

LANDSCAPE PLAN (LOWER GROUND FLOOR)

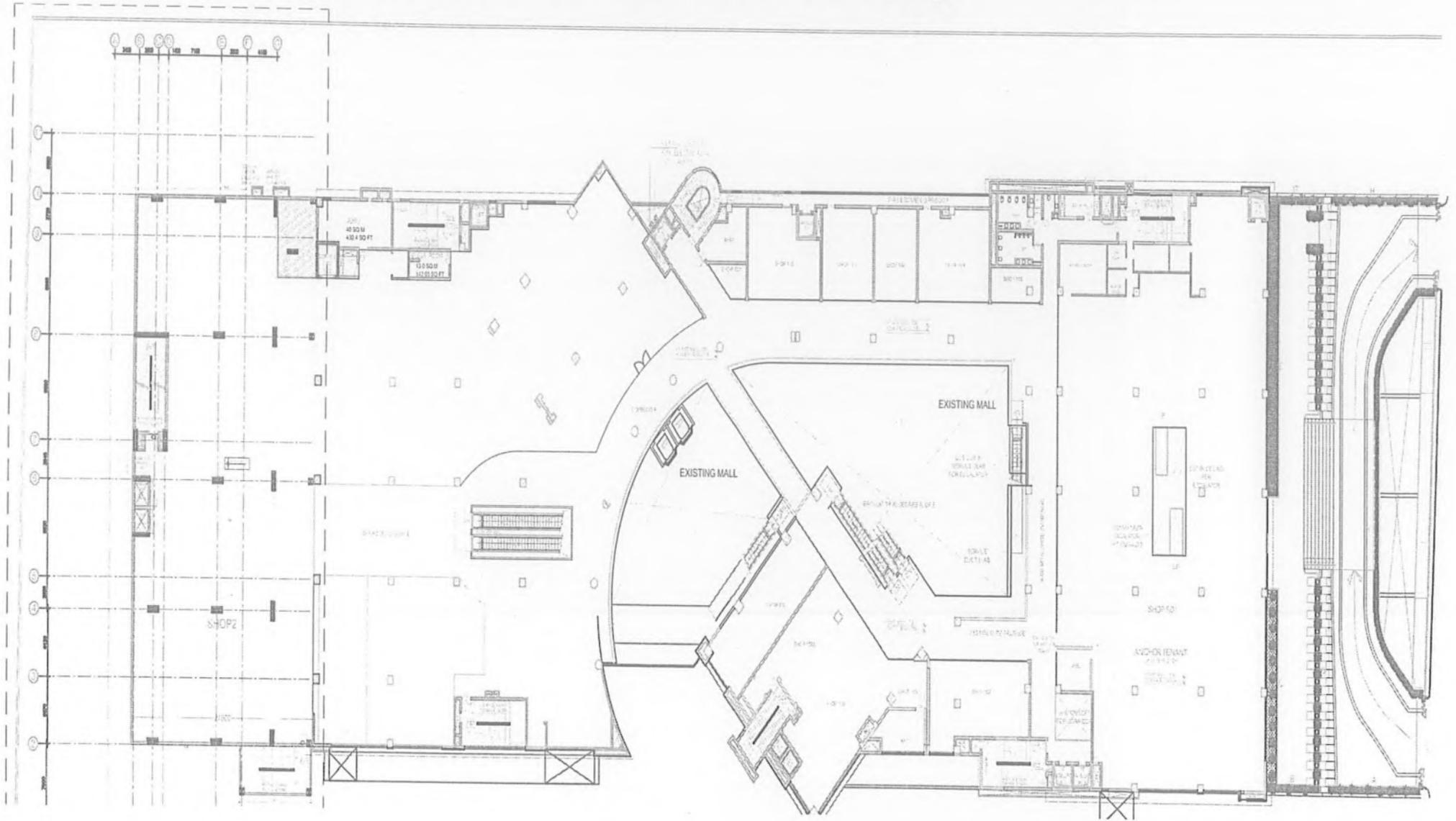


Environment Consultant:
Environmental & Technical Research Centre

Project Proponent:
M/S E-City Entertainment (India) Pvt. Ltd. , Fun Republic

[Handwritten signature]

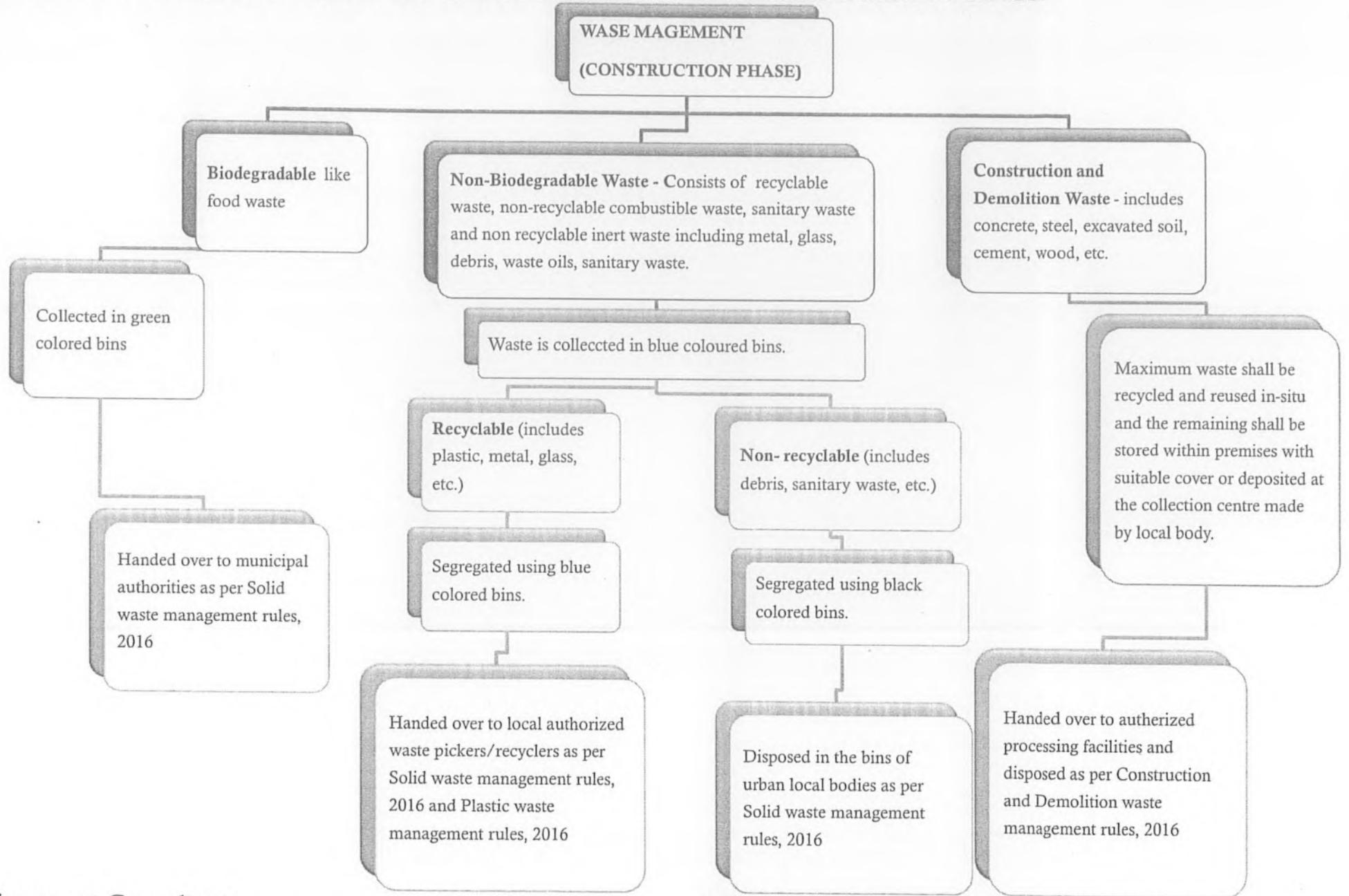
LANDSCAPE PLAN (UPPER GROUND FLOOR)



Environment Consultant:
Environmental & Technical Research Centre

Project Proponent:
M/S E-City Entertainment (India) Pvt. Ltd. , Fun Republic

WASTE GENERATION & DISPOSAL – CONSTRUCTION PHASE



SOLID AND HAZARDOUS WASTE



Handwritten signature or mark.

SOLID WASTE ESTIMATION- OPERATION

Sr. No.	Particular	Existing & Proposed Occupancy	Area (in acres)	Waste Generated per kg/day	Waste Generation (kg)
1	Total population	9362	-	0.15	1404.3
2	Landscape Area		0.4009	0.2 kg/acre/day	0.08018
Total					1404.38

(Source: For Waste Collection, Chapter 3, Table 3.6, Page no. 49, Central Public Health & Environment Engineering Organization, Ministry of Urban Development, (Government of India, May 2000)

Total Solid Waste Generation = 1404.38 Kg/day (1404.38 + 18.5 kg/day STP sludge)

COMPOSITION OF SOLID WASTE

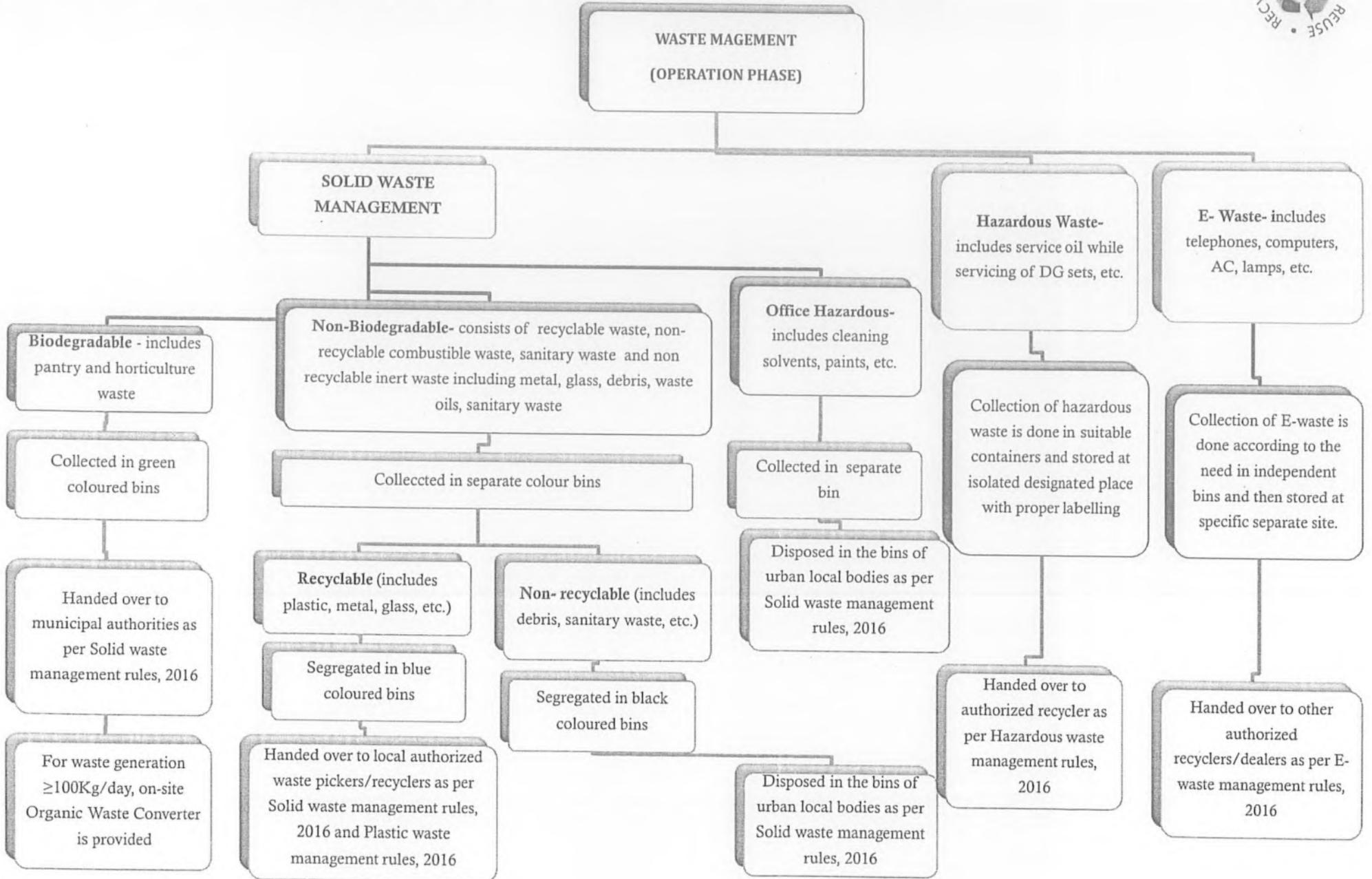
Sr. No.	Type of Waste	Quantity of Waste Kg/Day
1	Total Waste	1404.38
2	Bio-degradable Waste(@60 % of the domestic waste)	842.58
3	Recyclable Waste (@30% of the domestic waste)	421.31
4	Inert Waste(@10 % of the domestic waste)	140.43
5	Hazardous Waste Generation (DG Waste Oil)	0.5

CONSTRUCTION WASTE MANAGEMENT MEASURES

For the management of construction waste, the Construction & Demolition Waste Management Rules, 2016 will be followed:

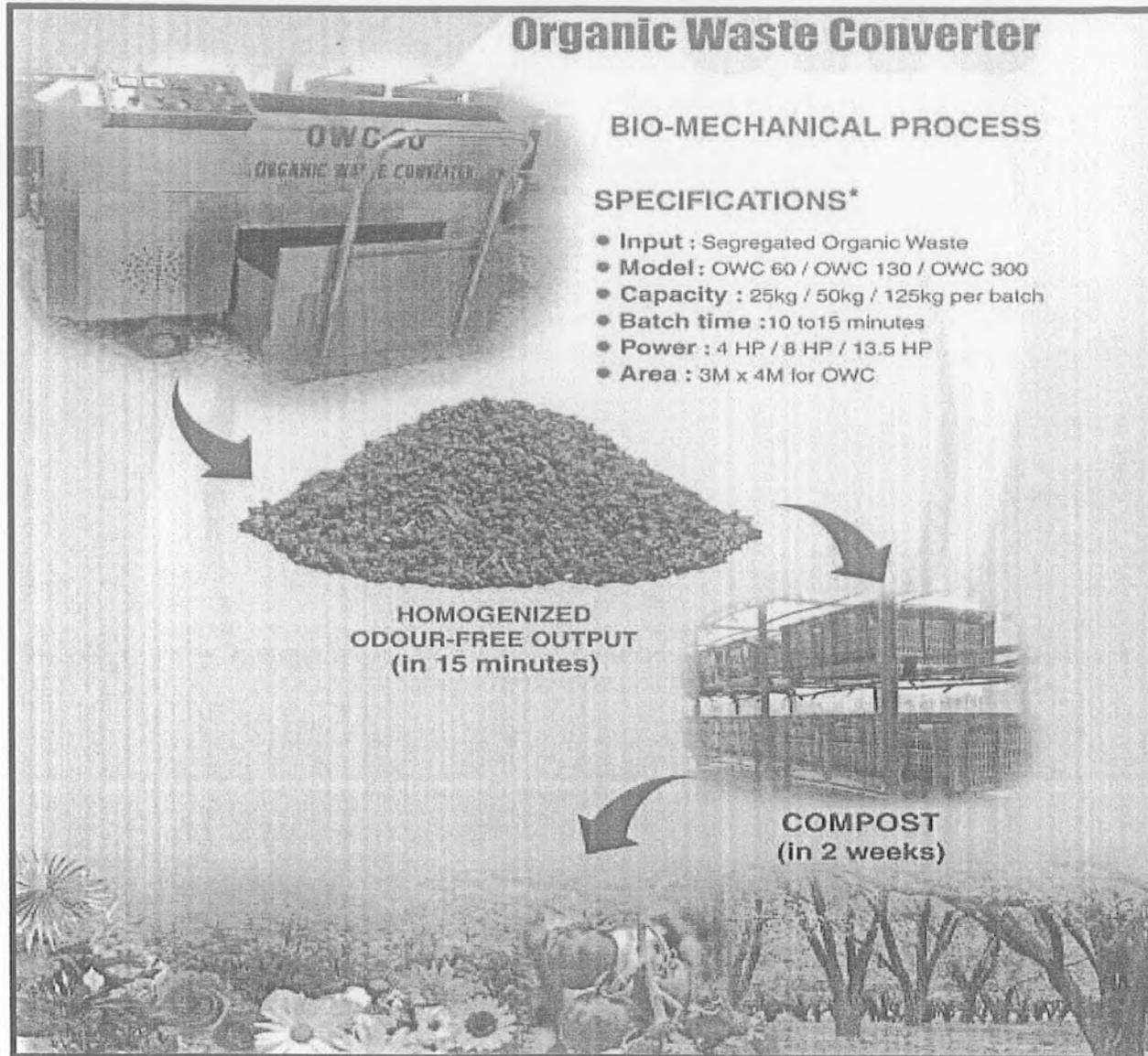
- Construction yards will be proposed for storage of construction materials.
- The excavated material such as topsoil and stones will be stacked for reuse during later stages of construction.
- Excavated top soil will be stored in temporary constructed soil bank and will be reused for landscaping.
- Remaining soil shall be utilized for refilling / road work / rising of site level at locations etc.
- Broken bricks can be used for refilling or for manufacturing debris paver blocks or debris blocks.
- Mortar reused in making Granular Sub Base (GSB) layer of pavement.
- Steel, Wood, Broken glass and Plastics will be send to authorized Processing facility

WASTE MANAGEMENT- OPERATION PHASE



Handwritten mark or signature on the right margin.

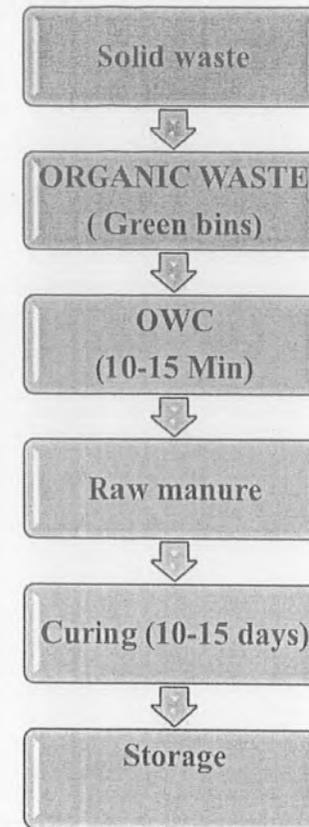
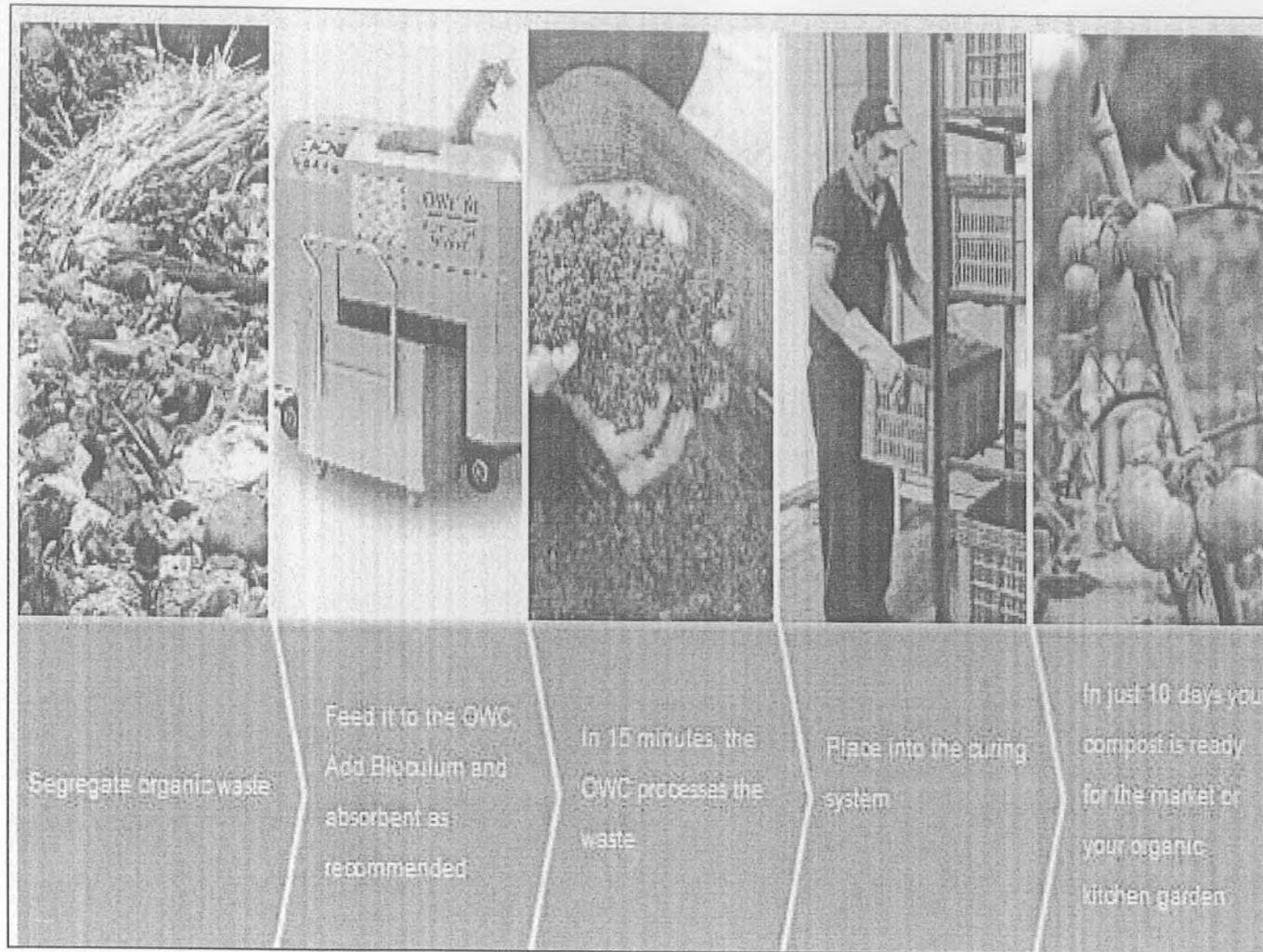
ORGANIC WASTE CONVERTER DIAGRAM



Environment Consultant:
Environmental & Technical Research Centre

Project Proponent:
M/S E-City Entertainment (India) Pvt. Ltd. , Fun Republic

PROCESS FLOW DIAGRAM OF OWC



Environment Consultant:
Environmental & Technical Research Centre

Project Proponent:
M/S E-City Entertainment (India) Pvt. Ltd. , Fun Republic

PROCESS FLOW DIAGRAM OF OWC

- Biodegradable waste generated is 60 % of the total waste generated = 842.58 kg/day
- Bio-degradable waste will be converted to compost through organic waste Converter.
- **15 % of the total feed to organic waste converter will be converted to manure.**
- **Total Biodegradable Waste generated = 842.58 kg/day**
- **Total amount of Manure generated = 126.38 kg/day**
- Organic Waste Composter - 500 (Dim. 4.0 m × 3.0 m) is proposed to be used for composting waste 126.38 kg/day & it requires electricity of about 03 HP.
- A room will be allocated for Manure storage from which everyone will be allowed to take manure.

PROPOSED E-WASTE MANAGEMENT MEASURES

Electrical and Electronic Waste generation from the project will be moderate as the proposed project for multiplex and shopping complex. Basic electronic equipment shall be installed like Lighting, computers, printer along with the necessary items like lightening etc. Role of collection and segregation will lie with the staff allocated by the Environment cell. Awareness will be created for the staff for proper collection of the waste from the source level.

Management of E-Waste includes following steps:

i) Collection

ii) Storage

iii) Disposal

i) Collection : Collection of E-waste like CDs, electronic equipment, CFL, Tube lights will be done in separate bins, provided 1 at each floor. Other E-wastes like Computers, Laptops, Computer parts, server related accessories etc will be collected separately and record for the same needs to be maintained. These waste shall be collected and sent to the Storage facility as per the requirement of the generator of waste.

ii) Storage: Separate space shall be provided for storage of E-waste on the site.

iii) Disposal: Disposal of the waste shall be done by recycler authorized by the State Pollution control board. While handing over the waste Manifest copy (Form-VI) shall be given by the transporter and the same shall be kept in records. Return to UP PCB will be filed before 30th June every year for the financial year in form III and internal records shall be made in Form II for the waste collected and disposed by the project.

Note: Waste on which EPR will be applicable, will be managed accordingly.

'Extended Producer Responsibilities (EPR)' means responsibilities of any producer of electrical or electronic equipment, for their products beyond manufacturing until environmentally sound management of their end-of-life products.

PROPOSED HAZARDOUS WASTE MANAGEMENT MEASURES

For the management of hazardous and other wastes, the Hazardous and Other Wastes (Management & Trans boundary Movement) Rules, 2016 will be followed:

- Prevention, Minimization, Reuse, Recycling, Recovery, utilization including co-processing and Safe disposal.
- Leak proof and non reacting containers for storing the hazardous material.
- Safe and environmentally sound handling of hazardous wastes generated.
- The hazardous and other wastes shall be transported to an authorized actual user or to an authorized disposal facility in accordance with the provisions of the applicable rules.
- Take steps to prevent accidents and limit their consequences on human beings and the environment; and
- Provide persons working in the site with appropriate training, equipment and the information necessary to ensure their safety.
- Store the hazardous and other waste for a period not exceeding 90 days and shall maintain a record of sale, transfer, storage, re-cycling, recovery, pre-processing, co-processing and utilization of such wastes and make these records available for inspection.
- The utilization of hazardous and other wastes as a resource or after pre-processing either for co-processing or for any other use, including within the premises of the generator (if it is not part of the process), shall be carried out only after obtaining authorization from State Pollution Control Board in respect of waste on the basis of standard operating procedure or guidelines provided by Central
- Manifest system (Movement Document) for hazardous and other waste to be followed.

FIRE & SAFETY MANAGEMENT

Adequate firefighting arrangements will be provided in the proposed project. The firefighting arrangements provided in the proposed project are given below:

- Provision of separate fire hydrant system .
- There is provision of firefighting pumps.
- There is provision of sprinkler system.
- There is provision of CO₂ extinguishing system for transformer room and other critical areas.
- Provision of Hand held fire extinguishers.
- Provision of Fire protection system.

FIRE FIGHTING DESIGN CODES

- Fire Mock drill will be conducted regarding the fire fighting arrangement during operation phase. Smoke detector will be provided and fire fighting system has been designed considering the following codes, manual and guidelines;
- Standard codes :
- National Building Code of India (NBC);
- As per requirement of fire officer/local fire approving authorities; and
- As per Indian Standard Code for Fire Protection (IS Codes)
- The fire resistance rated materials like concrete, vermiculite etc as per IS-15103:2002
- Electrical installations from fire safety point of view shall comply with IS- 1646:1997
- Code of practice for Installation and maintenance of internal fire hydrants and hose reels
- Code of practice for protection of building and allied structures during lightning
- Fire-Water Connections –
- Firewater inlet & outlet connections will be provided to the water storage tanks;
- External main fire ring will be provided. This external fire ring will be separated from the Sprinkler Main Systems;
- All flow switches, test valves, drain pipes etc. will be provided as per NFPA guidelines on the sprinkler system;
- All pump installation and arrangements will be in accordance with IRI guidelines and NFPA-20;
- All pumps and accessories and electrical controllers will be as per UL/FM lists, tested, approved and certified; and
- By-pass arrangements will to be provided with NRV & gate valve and bulk flow meter on the discharge header of each pump to check the duties of pumps.

Environment Consultant:

Environmental & Technical Research Centre

Project Proponent:

M/S E-City Entertainment (India) Pvt. Ltd. , Fun Republic

FIRE FIGHTING DESIGN CODES

IS : 2190	Selection, installation and maintenance of first aid fire extinguishers – Code of practice.
IS : 2871	Specification for branch pipe, universal, for fire fighting purposes.
IS : 2878	Specification for fire extinguishers, carbon dioxide type (portable and trolley mounted).
IS : 3844	Code of practice for installation and maintenance of internal fire hydrants and hose reel on premises.
IS : 5290	Specification for landing valves.
IS : 5714	Specification for coupling, branch pipe, nozzle, used in hose reel tubing for fire fighting.
IS : 8423	Specification for controlled percolation type hose for fire fighting.
IS : 10658	Specification for higher capacity dry powder fire extinguisher (trolley mounted).
IS : 11460	Code of practice for fire safety of libraries and archives buildings.
IS : 1309	External hydrant systems – Provision and maintenance – Code of practice.
IS : 5514 (Parts 1 to 7)	Reciprocating internal combustion engines : Performance.
IS : 15105	Code of Installation of Automatic Sprinkler System
IS : 3844	Code of Installation of Internal Fire Hydrants

FIRE FIGHTING DESIGN CODES

NBC – 2016	National Building Code 2016 - part IV
NFPA : 13	Standards on Automatic Sprinkler System
IS : 636	Non-percolating flexible fire fighting delivery hose.
IS : 884	Specification for first aid hose reel for fire fighting.
IS : 901	Specification for couplings, double male and double female, instantaneous pattern for fire fighting.
IS : 902	Suction hose couplings for fire fighting purposes.
IS : 903	Specification for fire hose delivery couplings, branch pipe, nozzles and nozzle spanner.
IS : 904	Specification for 2-way and 3-way suction collecting heads for fire fighting purposes.
IS : 907	Specification for suction strainers, cylindrical type for fire fighting purposes.
IS : 908	Specification for fire hydrant, stand post type.
IS : 909	Specification for underground fire hydrant, sluice valve type.
IS : 910	Specification for portable chemical foam fire extinguisher.
IS : 933	Specification for portable chemical foam fire extinguisher.
IS : 1648	Code of practice for fire safety of building (general) : Fire fighting equipment and its maintenance.
IS : 2171	Specification for portable fire extinguishers dry powder (cartridge type)

POWER REQUIREMENT

Parameters	Operation Phase
Existing Power Requirement	2850 KVA
Proposed power requirement after expansion	3820 KVA (970 KVA for expansion)
Supply by	State Electricity Board.
Back-up power supply	1250 KVA (3 No.s)+750 KVA (1 No.)= 4500 KVA No addiitonal DG set will be install
Stack Height of Existing DG set	7.0 Meter above roof top.
Energy Conservation	16 % Energy Saving by adopting different energy conservation measures.

EXISTING AND PROPOSED ELECTRICAL SERVICES

S.No	Description	Existing Establishment	Expansion	Remarks
1.	Maximum Demand	2850 KVA	970 KVA	33kV connection is installed
2.	City Power Connection	5000 KVA	No addition	No enhancement is proposed and only critical load for both building will be backed up. Thus, there shall be no change in installed transformer capacity.
3.	Transformer	3 No 2000 KVA	No addition	
4.	DG set	3 No 1250 KVA 1 No 750 KVA	No addition	No addition in capacity is required.
5.	UPS	1 No 40 KVA	No addition	Only Atrium lighting is on UPS

WATER QUALITY- IMPACT & MITIGATION MEASURES

SOURCE	MANAGEMENT / MITIGATIVE MEASURES
A) DURING CONSTRUCTION PHASE	
1. Source: Treated water from STP / CSTP 2. Approx. Water Demand: 6 KL 3. Waste water Generation: 4 KLD	1. The site drainage is planned in such a way that there is no accumulation of wastewater within the project premises or in the vicinity of the site. 2. Mobile type sulabh shauchalayas to be provided for construction laborers.
B) DURING OPERATION PHASE	
1. Source: Borewell 2. Total Water Demand = 216 KLD Domestic water = 214 KLD Horticulture = 2 KLD 3. Wastewater Generation = 185 KLD	1. Existing STP of 300 KLD is will be utilize to treat wastewater. 2. Treated sewage to be used for Horticulture, DG cooling & flushing. 3. Use of Water efficient fixtures to conserve water.

Environment Consultant:
Environmental & Technical Research Centre

Project Proponent:
M/S E-City Entertainment (India) Pvt. Ltd. , Fun Republic

AIR QUALITY- IMPACT & MITIGATION MEASURES

POTENTIAL IMPACT AREAS	MITIGATION MEASURES
CONSTRUCTION PHASE	
Fugitive Dust Emission due to Construction Activities	<ul style="list-style-type: none"> ➤ Anti Smog Gun ➤ Regular Water Sprinkling was done through out the construction phase ➤ Wheel wash arrangement were provided at site.
Gaseous Pollution due to vehicular movement	<ul style="list-style-type: none"> ➤ Only PUC certified vehicle were deployed during construction phase
Gaseous Pollution due to fuel consumption in Heavy earth moving machines and DG set	<ul style="list-style-type: none"> ➤ Good quality of fuel, proper stack height and regular maintenance of the machineries were help in reduction of emission rate.
OPERATION PHASE	
Emission due to DG set operation as power back-up	<ul style="list-style-type: none"> ➤ Stack height as per CPCB guidelines for wider dispersion of plume ➤ Use of Low sulphur content fuel
Effect due to paved surfaces.	<ul style="list-style-type: none"> ➤ Grass paving is done at all the open surface excluding landscape road & paved area.

NOISE MANAGEMENT

Impacts	Mitigation Measures
Construction Phase	
Increase in noise levels due to construction activities	<ul style="list-style-type: none"> • Proper maintenance of construction equipment & vehicles • Use of PPEs like ear muff/plugs for construction workers • Proper maintenance of construction machines • Provision of silencer to modulate padding / noise isolators at equipment / machinery used for construction. • Construction will be done only during day time. • PUC certified vehicle are only allowed. • Compliance of conditions as per statutory authority
Operation Phase	
Impacts due to operation of DG sets and traffic generated due to the project	<ul style="list-style-type: none"> • DG sets provided with in built acoustic enclosure • DG sets provided with exhaust mufflers • Plantation to act as noise barriers

The noise control measures will comply the Noise Pollution (Regulation & Control Rules, 2000 & Amendments)

SOIL QUALITY-IMPACT & MANAGEMENT

POTENTIAL IMPACT AREAS	MITIGATION MEASURES
CONSTRUCTION PHASE	
Contamination of soil from handling and storage of oil and lubricants, construction wastes during construction activities	<ul style="list-style-type: none"> ➤ Proper storage of oil and lubricants in drums and kept in paved and lined surface with dyke and spill collection pit. ➤ Sell to CPCB/MoEFCC authorized vendors only.
Soil pollution due to garbage dumping in open areas and spillage of hazardous wastes	Composting of biodegradable wastes and used as manure in landscaping. Hazardous wastes will be sold to approved vendors only
OPERATION PHASE	
Soil erosion due to increment of paved areas.	Proper landscaping provided for the management of soil and increment of landscaping area.
Soil pollution due to garbage, street sweeping waste and dust paint cans used oil and lead batteries.	Waste disposed at waste dumping site. Used oil , paint cans shall be sold to approved vendors only.

Environment Consultant:
Environmental & Technical Research Centre

Project Proponent:
M/S E-City Entertainment (India) Pvt. Ltd. , Fun Republic

RISK ASSESSMENT & DISASTER MANAGEMENT

HAZARDS ASSOCIATED WITH ACTIVITIES (DURING CONSTRUCTION & OPERATION)	CONTROL/MITIGATION MEASURES
ABSENCE OF PERSONAL PROTECTIVE EQUIPMENT: • Lack of adequate footwear - head protection - hearing/eye protection - respiratory protection - gloves - goggles.	• HEAD/FACE - footwear - hearing/eye - skin - respiratory protection provided - training - maintenance.
DEFECTIVE OR WRONG HAND TOOLS: • Wrong tool - defective tool - struck by flying debris - caught in or on - missing guards - carbon monoxide - strains and sprains - dust.	• RIGHT TOOL FOR THE JOB - used properly - good condition/ maintenance guards - isolation - eye/face protection - flying debris controlled.
ELECTRICITY: • Electrocution - overhead/underground services- any leads damaged or poorly insulated - temporary repairs - no testing and tagging - circuits overloaded - non use of protective devices.	• Leads good condition and earthed - no temporary repairs - no exposed wires - good insulation - no overloading - use of protective devices - testing and tagging -no overhead/ underground services .

ENVIRONMENTAL MONITORING PLAN - CONSTRUCTION PHASE

Source	Monitoring Location	Parameters to be Monitored	Frequency
Ambient Air Quality	At 1 location at boundary of the project site.	PM _{2.5} , PM ₁₀ , SO ₂ , NO ₂ , CO	Once in a season March to May and once in the season October to February.
Ambient Noise	At 1 location at boundary of the project site.	Day and night equivalent noise level	Once in a season March to May and once in the season October to February.
Ground water	At 1 location nearest to the project site.	As per standards	Once in a season March to May and once in the season October to February.
Soil	At 1 location outside the project site.	As per standards	Once in a season March to May and once in the season October to February.

Environment Consultant:
Environmental & Technical Research Centre

Project Proponent:
M/S E-City Entertainment (India) Pvt. Ltd. , Fun Republic

ENVIRONMENTAL MONITORING PLAN - OPERATION PHASE

Source	Monitoring Location	Parameters to be Monitored	Frequency
DG set emissions	DG stacks	PM, SO ₂ , NO ₂	Twice in a year or as per requirement of SPCB
DG set noise	At 0.5 m distance from enclosure	Noise level	Twice in a year or as per requirement of SPCB
STP	Inlet and Outlet	pH, BOD, Suspended Solid, Oil & Grease	Twice in a year or as per requirement of SPCB
Ambient Air Quality	At 1 locations	PM _{2.5} , PM ₁₀ , SO ₂ , NO ₂ , CO	Once in each non-monsoon season or as per requirement of SPCB
Ambient Noise	At 1 locations	Day and night equivalent noise level	Once in a season or as per requirement of SPCB
Ground water	At 1 location nearest to the project site.	As per standards	Once in a season or as per requirement of SPCB

Environment Consultant:
Environmental & Technical Research Centre

Project Proponent:
M/S E-City Entertainment (India) Pvt. Ltd. , Fun Republic

.....Thank You

U
1/1/27



UTTAR PRADESH POLLUTION CONTROL BOARD

Building, No TC-12V Vibhuti Khand, Gomti Nagar, Lucknow-226010

Phone:0522-2720828,2720831, Fax:0522-2720764, Email: info@uppcb.com, Website: www.uppcb.com

Validity Period :07/09/2020 To 06/09/2025

Ref No. - 95023/UPPCB/Lucknow(LAB)/CTE/LUCKNOW/2020

Dated:- 04/11/2020

To ,

Shri DEVENDRAPRATAP SINGH

M/s E CITY ENTERTAINMENT INDIA PVT LTD

Opposite _ Paryatan Bhawan Industrial Area Gomti Nagar Lucknow,LUCKNOW,226001
LUCKNOW

Sub : Consent to Establish for New Unit/Expansion/Diversification under the provisions of Water (Prevention and control of pollution) Act, 1974 as amended and Air (Prevention and control of Pollution) Act, 1981 as amended.

Please refer to your Application Form No.- 8593140 dated - 13/05/2020. After examining the application with respect to pollution angle, Consent to Establish (CTE) is granted subject to the compliance of following conditions :

1. Consent to Establish is being issued for following specific details :

A- Site along with geo-coordinates :

B- Main Raw Material :

Main Raw Material Details		
Name of Raw Material	Raw Material Unit Name	Raw Material Quantity
STP	Metric Tonnes/Day	300

C- Product with capacity :

Product Detail	
Name of Product	Product Quantity
STP	300

D- By-Product if any with capacity :

By Product Detail			
Name of By Product	Unit Name	Licence Product Capacity	Install Product Capacity
na	Metric Tonnes/Day	0	0

2. Water Requirement (in KLD) and its Source :

Source of Water Details		
Source Type	Name of Source	Quantity (KL/D)

3. Quantity of effluent (In KLD) :

Effluent Details	
Source Consumption	Quantity (KL/D)

4. Fuel used in the equipment/machinery Name and Quantity (per day) :

Fuel Consumption Details		
Fuel	Consumption(tpd/kld)	Use

5. For any change in above mentioned parameters, it will be mandatory to obtain Consent to Establish again. No further expansion or modification in the plant shall be carried out without prior approval of U.P. Pollution Control Board.
- For any change in above mentioned parameters, it will be mandatory to obtain Consent to Establish again. No further expansion or modification in the plant shall be carried out without prior approval of U.P. Pollution Control Board.
2. You are directed to furnish the progress of Establishment of plant and machinery, green belt, Effluent Treatment Plant and Air pollution control devices, by 10th day of completion of subsequent quarter in the Board.
3. Copy of the work order/purchase order, regarding instruction and supply of proposed Effluent Treatment Plant/Sewerage Treatment Plant /Air Pollution control System shall be submitted by the industry till 06/09/2025 to the Board.
4. Industry will not start its operation, unless CTO is obtained under water (Prevention and control of Pollution) Act, 1974 and Air (Prevention and control of Pollution)Act, 1981 from the Board.
5. It is mandatory to submit Air and Water consent Application,complete in all respect, four months before start of operation, to the U.P. Pollution Control Board.
6. Legal action under water (Prevention and control of Pollution) Act, 1974 and Air (Prevention and Control of Pollution) Act,1981 may be initiated against the industry With out any prior information,in case of non compliance of above conditions.

Specific Conditions:



1. This Consent to Establish is being granted to M/s E City Entertainment India Pvt. Ltd., for expansion of Mall, Multiplex (70 shops, 02 Restaurant, 01 Food court and 04 Multiplex) in the existing premises, total plot area is 15000 sqm and proposed built-up area is 70000 square feet to be established at Opposite Paryatan Industrial Area, Gomti Nager, Lucknow.
2. The project shall comply with the provisions of Environment (Protection) Act 1986, Water (Prevention and Control of Pollution) Act, 1974 as amended, Air (Prevention and Control of Pollution) Act, 1981 as amended, Plastic Waste Management Rules 2016, E- Waste (Management) Rules 2016, Solid Waste Management Rules 2016 & Hazardous and other Waste (Management and Transboundary Movement) Rules 2016 (Whichever is applicable).
3. The project shall comply with the provisions of Construction and Demolition Waste Management Rules, 2016.
4. The proposed health care facility in the project shall comply with the provisions of Bio Medical Waste Management Rules, 2016.
5. At the project site a display board size 4x6 feet shall be installed to display the provisions of Construction and Demolition Rules 2016.
6. Project shall dispose the hazardous waste through authorized recyclers/TSDF.
7. The PP shall ensure to install Sewage Treatment Plant (STP) of capacity of 300 KLD in such a manner so that it can achieve the standard specified in the notification issued by Ministry of Environment, Forest & Climate Change vide GSR 1265 (E) dated 13-10-2017 in the time period as specified in the notification & treated water shall be totally used in flushing/horticulture/cooling etc and no waste water shall be discharged outside the premises in to the nearby sewer line.
8. Project shall develop proper green belt and rain water harvesting system as per Authority guidelines. For the development of the green belt the guidelines issued vide Board office order no. H10405/220/2018/02 Dt. 16-02-2018 shall be complied.
9. The project proponent shall make provisions for organic waste converter and adequate land arrangements for Vermi Composting.
10. The Order issued by Hon'ble Courts/Hon'ble NGT, MoEF & CC, Central Pollution Control Board, U.P. Pollution Control Board shall be complied with.
11. The project proponent shall install stack with acoustic enclosures as per prescribed norms on the 3X1250 KVA, 750 KVA DG sets for achieving the norms.
12. Project shall not start gaseous emission & sewage generation without obtaining CTO (Air and Water) from the Board.
13. The project proponent shall submit the NOC of CGWA for extracting ground water within three months.
14. All construction shall be started after approval from Concerned Development Authority.
15. The dust emission from the construction sites shall be completely controlled and all precautions will be taken in that behalf.
16. All approach roads & in campus roads should be sprinkled with water to suppress the dust emission.
17. The project shall ensure to put tarpaulin scaffolding around the area of construction and the building for effective and efficient control of dust emission generated during construction of the project.
18. Storage of any construction material particularly sand shall not be done on any space outside the project area.
19. The construction material of any kind stored on site shall be fully covered in all respect so that it



does not disperse in the air in any form. The dust emission from the construction sites shall be completely controlled and all precautions will be taken in that behalf.

20. All the construction material & debris shall be carried in trucks or vehicles which are fully covered and protected so as to ensure that the construction debris or construction material does not get dispersed into the air or atmosphere in any form whatsoever.

21. The project shall ensure to provide the proper Wind breaking wall constructed around the construction site.

22. In case of installation of hotmix/ready mixes plant, the prior permission shall be obtained from the Board.

23. Fixing of sprinklers and creation of green air barriers shall be done to control fugitive dust emission and improve environment. Compulsory use of wet jet in grinding and stone cutting shall be practiced.

24. The Unit shall ensure to submit a bank guarantee of Rs 5,07,200/- in favour of the Board incorporating the condition no. 01 to 23 within 15 days for ensuring the compliance of conditions.

Please note that consent to Establish will be revoked, in case of, non compliance of any of the above mentioned conditions. Board reserves its right for amendment or cancellation of any of the conditions specified above. Industry is directed to submit its first compliance report regarding above mentioned specific and general conditions till 04/12/2020 in this office. Ensure to submit the regular compliance report otherwise this Consent to Establish will be revoked.

Pramod Kumar
Agarwal

Digitally signed by Pramod Kumar
Agarwal
Date: 2020.11.04 19:51:15 +05'30'

Chief Environmental Officer (CEO-5), UPPCB, Lucknow.

Dated:- 04/11/2020

Copy To -

Regional Officer, ROUPPCB, Lucknow.

Pramod Kumar
Agarwal

Digitally signed by Pramod
Kumar Agarwal
Date: 2020.11.04 19:51:43 +05'30'

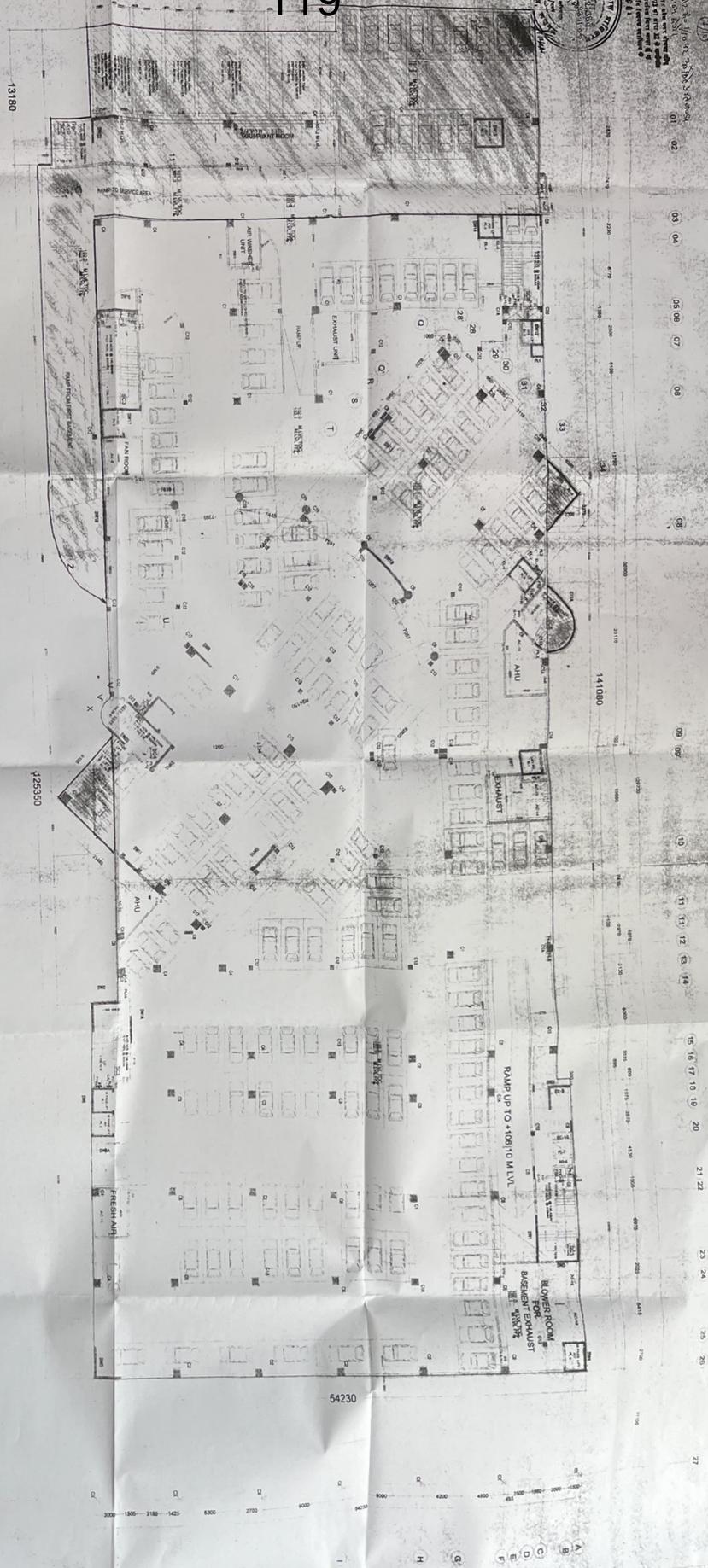
Chief Environmental Officer (CEO-5), UPPCB, Lucknow.



ANNEXURE R-9 119



1/2005
 No. 119
 Sri Lanka
 Professional Engineer's Seal
 Date: 2005



REVISIONS

1. TYPING COVERED AREA + 747.24 SQ. MTR
 2. SCHEDULED COVERED AREA + 811.77 SQ. MTR
 3. COVERED AREA + 124.17 SQ. MTR

Handwritten signature and date: 2005

PROJECT TITLE
FAMILY ENTERTAINMENT CENTRE @ DISCOM FOR ECITY ENTERTAINMENT PVT. (P) LTD.

JOB TITLE
SECOND BASEMENT COMPOUNDING PLAN

SIGNATURE OF OWNER
 SIGNATURE OF STRUCTURAL CONSULTANT

ARCHITECT:
ARUN MATHIAS
 5189, NO. 5, SUNBETH ROAD, SOCC PVT. LTD. SUMATRA
 MADURA OFF. TANKONAN TRAVE (W) 42008

SIGNATURE OF ARCHITECT
 SRI LANKA ARCHITECTS ASSOCIATION
 No. 119

SCALE: EQ:1/400-023
 DATE: 2-05-2005

Annexure R-10

H.C.J. Form No. 26 Part IX

पृच्छा
कथन (जारी)

पृष्ठ

17/11/22

जावेद ईद 29/11/22

3/12/22

जावेद - 6/12/22

जावेद - 10/12/22

18/12/22

22/12/22 - अ. परिशिष्ट

उत्पत्ति

24/12/22

मालूम हुआ कि एसे

3415462848

अ 36 सिस्टम

जावेद की वृत्त का पता

वैकल्पिक रूप से

24/12/2022
जावेद
जावेद
जावेद

समक्ष मुख्य न्यायिक दण्डाधिकारी लखनऊ

लिखित तर्क / बहस

इन (IN)

आपराधिक परिवाद संख्या

2021

थाना गोमती नगर, लखनऊ ।

सत्येन्द्र कुमार पाण्डेय पुत्र श्री कमल कुमार पाण्डेय, निवासी ग्राम-कंजिया,
पोस्ट-अटरामपुर जनपद प्रयागराज, 229412

बनाम —

- 1- डॉ हरिकेश बहादुर सिंह अध्यक्ष राज्य पर्यावरण मूल्यांकन समिति सं० 2
 - 2- डॉ अमित लाल हलदर सदस्य राज्य पर्यावरण मूल्यांकन समिति सं० 2
 - 3- डॉ दिनेश्वर प्रसाद सिंह सदस्य राज्य पर्यावरण मूल्यांकन समिति सं० 2
 - 4- तंजार उल्लाह खान सदस्य राज्य पर्यावरण मूल्यांकन समिति सं० 2
 - 5- प्रोफेसर जसवंत सिंह सदस्य राज्य पर्यावरण मूल्यांकन समिति सं० 2
 - 6- डॉ शिवओम सिंह सदस्य राज्य पर्यावरण मूल्यांकन समिति सं० 2
- उपरोक्त सभी का पता पर्यावरण निदेशालय, डॉ भीमराव अम्बेदकर भवन,
विनीत खण्ड - 1, गोमती नगर, लखनऊ - 226010
- 7- मनोज गर्ग नैबेट एक्रीडेटेड कंसलटेंट पता 4/57, विपुल खण्ड,
गोमती नगर, लखनऊ - 226010

..... विपक्षी गण,

अन्तर्गत धारा - 15, 16 एवं 17 पर्यावरण संरक्षण अधिनियम 1986



1. यह कि परिवादी ने माननीय के न्यायालय में दिनांक 8 नवम्बर 2021 को उपरोक्त परिवाद दाखिल किया है।
2. यह कि अगले दिन दिनांक 9 नवम्बर 2021 को दोपहर बाद जब केस सुनवाई हेतु पुकारा गया तब श्रीमान जी ने कहा कि पर्यावरण संरक्षण अधिनियम 1986 के अन्तर्गत यह प्रथम मामला है जो मेरे समक्ष आया है अतः आप पर्यावरण संरक्षण अधिनियम 1986 और पर्यावरण संरक्षण नियमावली 1986 से संबंधित पुस्तक मुझे दे दीजिए मैं अध्ययन करके इसमें आदेश पारित करूँगा और मामले को दिनांक 15 नवम्बर 2021 को आदेश हेतु सूचीबद्ध कर दिया गया, परन्तु श्रीमान जी द्वारा कोई आदेश पारित नहीं किया गया।
3. यह कि परिवादी ने अपने स्थानीय अधिवक्ता (लखनऊ) से सम्पर्क किया और निर्देशित किया कि श्रीमान जी से यथाशीघ्र आदेश पारित करने हेतु अनुरोध करे परन्तु कोई आदेश श्रीमान जी द्वारा पारित नहीं किया गया।
4. यह कि मैं अरविन्द कुमार राय अधिवक्ता स्वयं दिनांक 29-11-21 को परिवादी संग मेन्शन/वर्णित करने हेतु श्रीमान जी के सम्मुख उपस्थित हुआ और बहस/तर्क किया। श्रीमान जी ने मुझे आवस्त किया कि लंच बाद आदेश देखा लीजिएगा परन्तु मामले को पुनः दिनांक 6 दिसम्बर 2021 तक सुनवाई हेतु स्थगित कर दिया गया।



5. यह कि उपरोक्त मामले में मैं दो बार प्रयागराज से लखनऊ बहस हेतु जा चुका हूँ अतः अब लिखित बहस दाखिल कर रहा हूँ।
6. यह कि श्रीमान जी द्वारा दिनांक 3-12-21 को जूनियर अधिवक्ता के समक्ष पुनः वही दो प्रश्न उठाए गये— (क) परिवाद के प्रथम पृष्ठ पर अभियुक्तों के नाम के समक्ष पदनाम नहीं लिखा गया है। इसके उत्तर में श्रीमान जी से निवेदन है कि परिवाद का संलग्नक संख्या 5 पृष्ठ संख्या 44 का अवलोकन करें। वहाँ पर सभी अभियुक्तगणों के समक्ष उनके पदनाम का वर्णन है।
- (ख) श्रीमान जी द्वारा कहा गया कि अभियुक्तगण लोकसेवक हैं अतः धारा 197 सी.आर.पी.सी से संरक्षित हैं। इसके उत्तर में मेरा निवेदन है कि यद्यपि अभियुक्तगण संख्या 1 से लगायत 6 तक भा0द0सं0 की धारा 21 के अन्तर्गत लोकसेवक हैं परन्तु उन्हें धारा 197 सी0आर0पी0सी0 का संरक्षण प्राप्त नहीं होगा क्योंकि उपरोक्त अभियुक्तगण कम संख्य 1से 6 तक राज्यपाल या राष्ट्रपति द्वारा अपने पद पर नियुक्त नहीं किये जाते न ही पदच्युति किये जाते हैं। यह सुस्थापित विधि है कि धारा 197 सी0आर0पी0सी0 का संरक्षण उन्हीं लोकसेवकों को प्राप्त होगा जो उपरिवर्णित ढंग से नियुक्त या पदच्युति किये जाते हैं। कृपया माननीय उच्चतम न्यायालय द्वारा पारित निर्णय/ आदेश K.CH.Prasad Vs.



Smt. J. Vanalatha Devi and others, (1987) 2 SCC 52
 Dated 10 February का परिशीलन करें। उपरोक्त निर्णय को
 नवीनतम वाद CRIMINAL APPEAL NO. 744 of
 2019 (arising out of SLP(CRL.) NO. 11070 of
 2018) S. K MIGLANI VERSUS STATE NCT OF
 DELHI में माननीय सर्वोच्च न्यायालय द्वारा पुनः दोहराया गया।
 श्रीमान जी के परिशीलन हेतु K.CH.Prasad Vs. Smt. J.
 Vanalatha Devi and others, (1987) में पारित निर्णय का
 प्रासंगिक भाग निम्नांकित उद्धृत किया जा रहा है:-

“6. It is very clear from this provision that this section is attracted only in cases where the public servant is such who is not removable from his office save by or with the sanction of the Government. It is not disputed that the appellant is not holding a post where he could not be removed from service except by or with the sanction of the government. In this view of the matter even if it is held that appellant is a public servant still provisions of section 197 are not attracted at all.”



7. यह कि पर्यावरण अधिनियम 1986 एक विशेष अधिनियम है जिसमें संज्ञान लेने कि प्रक्रिया अधिनियम की धारा 19 (b) सपटित पर्यावरण संरक्षण नियमावली की धारा 11 में वर्णित है श्रीमान जी के दयालुता पूर्ण परिशीलन हेतु अधिनियम की धारा 19 (b) सपटित पर्यावरण संरक्षण नियमावली की धारा 11 अग्राकिंत उद्धृत की जा रही है :-

19. Cognizance of offences.-No court shall take cognizance of any offence under this Act except on a complaint made by-

(a) the Central Government or any authority or officer authorized in this behalf by that Government;

or

(b) any person who has given notice of not less than sixty days, in the manner prescribed, of the alleged offence and of his intention to make a complaint, to the Central Government or the authority of officer authorized as aforesaid.

Environment (protection) rules, 1986

11.Manner of giving notice.- The manner of giving notice under clause (b) of Section 19 shall be as follows, namely;-

- (1) The notice shall be in writing in Form IV.
- (2) The person giving notice may send notice to,-
 - (a) if the alleged offence has taken place in a Union territory-
 - (A) the Central Board; and
 - (B) Ministry of Environment and Forests (represented by the Secretary to the Government of India);
 - (b) if the alleged offence has taken place in a State;
 - (A) the State Board; and
 - (B) the Government of the State (represented by the Secretary to the State Government in charge of environment); and
 - (C) the ministry of Environment and Forests (represented by the Secretary to the Government of India);



(3) The notice shall be sent by registered post acknowledgement due; and

(4) The period of sixty days mentioned in clause (b) of Section 19 of the Environment (protection) Act, 1986 shall be reckoned from the date it is first received by one of the authorities mentioned above.

8 यह कि पर्यावरण संरक्षण अधिनियम 1986 की धारा 24 अधिनियम को अध्यारोही प्रभाव देती है—

24. Effect of other laws.- (1) Subject to the provisions of subsection (2); the provisions of this Act and the rules or orders made therein shall have effect notwithstanding anything inconsistent therewith contained in any enactment other than this Act.

(2) Where any act or omission constitutes an offence punishable under this Act and also under any other Act then the offender found guilty of such offence shall be liable to be punished under the other Act and not under this Act.

9- यहाँ यह भी उल्लिखित करना महत्त्वपूर्ण है कि पर्यावरण संरक्षण अधिनियम 1986 की धारा 15, 16 एवं 17 के अन्तर्गत वर्णित अपराध किसी भी सर्वोच्च/ निम्न अधिकारी /कर्मचारी यथा— मुख्यसचिव, अपर मुख्यसचिव, जिलाधिकारी, उपजिलाधिकारी, तहसीलदार, नायबलहसीलदार,

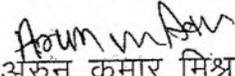
कानूनगो, लेखपाल, सदस्य सचिव, प्रदूषण नियंत्रण बोर्ड, क्षेत्रीय अधिकारी प्रदूषण नियंत्रण बोर्ड, मुख्य चिकित्सा अधिकारी या किसी अन्य अधिकारी/कर्मचारी द्वारा कारित किया जाता है तो उस अपराध का संज्ञान पर्यावरण संरक्षण अधिनियम 1986 की धारा 19(b) सपठित नियमावली की धारा 11 में बताई गयी विधि, जो उपरिवर्णित की गयी है के अनुसार ही लिया जायेगा। अतः अभियुक्तगणों को धारा 197 का लाभ विधितः नहीं मिलेगा।

प्रार्थना

अतः माननीय न्यायालय/ श्रीमान ज्जी से विनम्र प्रार्थना है कि उपरोक्त वर्णित लीगल प्रोपोजीशन के आधार पर प्रार्थी द्वारा दाखिल परिवाद को दर्ज रजिस्टर हेतु आदेशित करे और यथाशीघ्र 202 के बयान हेतु सूचीबद्ध करें।

दिनांक : 10-12-2021

अधिवक्तागण


अरुन कुमार मिश्रा


अरविन्द कुमार राय



समक्ष मुख्य न्यायिक दण्डाधिकारी लखनऊ कक्ष संख्या

आपराधिक परिवाद संख्या 2021

थाना गोमती नगर, लखनऊ ।

अनुक्रमणिका

इन

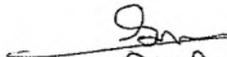
सत्येन्द्र कुमार पाण्डेय पुत्र श्री कमल कुमार पाण्डेय, निवासी
ग्राम-कंजिया, पोस्ट-अटरामपुर जनपद प्रयागराज, 229412

बनाम

1- डॉ हरिकेश बहादुर सिंह आदि

क्र०स०	पार्टीकुलर्स/सत्यप्रतिलिपि	दिनांक	संलग्नक	पृष्ठ संख्या
1.	परिवाद			1-9
2.	शपथ पत्र	—		9-A
3.			1	10-12
4.			2	13-20
5.			3	21-30
6.			4	31-42
7.			5	43-48
8.	वकालतनामा एच आर सिंह			49-50

दिनांक -08/11/2021


परिवादी

(सत्येन्द्र कुमार पाण्डेय)

जरिये अधिवक्ता

Arum Mishra Adv
E No 1717/2002

एडवोकेट रोल नं० -

130

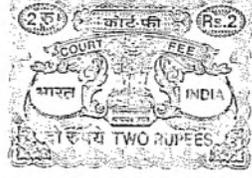
Cri Misc Case 6276/2021

समक्ष मुख्य न्यायिक दण्डाधिकारी लखनऊ



आपराधिक परिवाद संख्या

2021



सत्येन्द्र कुमार पाण्डेय पुत्र श्री कमल कुमार पाण्डेय, निवासी ग्राम-कंजिया,
पोस्ट-अटरामपुर जनपद प्रयागराज, 229412परिवादी

बनाम

- 1- डॉ हरिकेश बहादुर सिंह
- 2- डॉ अमित लाल हलदर
- 3- डॉ दिनेश्वर प्रसाद सिंह
- 4- तंजार उल्लाह खान
- 5- प्रोफेसर जसवंत सिंह
- 6- डॉ शिवओम सिंह

उपरोक्त सभी का पता पर्यावरण निदेशालय, डॉ भीमराव अम्बेदकर भवन, 1-
विनीत खण्ड, गोमती नगर, लखनऊ - 226010

7- मनोज गर्ग नैवेट एक्रीडेटेड कंसलटेंट पता 4/57, विपुल खण्ड, गोमती
नगर, लखनऊ - 226010 विपक्षीगण.

अन्तर्गत धारा-15,16,17 पर्यावरण संरक्षण अधि० 1986

थाना-गोमती नगर, लखनऊ।

परिवाद अन्तर्गत धारा-200 दण्ड प्रक्रिया संहिता

उपरोक्त नामित परिवादी सशपथ निम्नलिखित निवेदन करता है:-

1- यह कि परिवादी एक समाजसेवी है और पर्यावरण सेना नामक संगठन का
जिला अध्यक्ष प्रयागराज है।

2- यह कि परिवादी एक अन्य पंजीकृत ट्रस्ट करप्शन फ्री नेशन नामक संगठन
का मण्डल प्रभारी प्रयागराज है।

नपा के पूर्व सीएमओ, स्वच्छता निरीक्षक की सजा यथावत, अपील हुई खारिज

भास्कर ब्यूरो | सीधी

नगर पालिका सीधी के तत्कालीन सीएमओ एवं स्वच्छता निरीक्षक को न्यायालय द्वारा मुनाफा एवं एक-एक वर्ष के सश्रम कारावास एवं 10-10 हजार रूपये के अर्थदंड की सजा को यथावत रखा गया है। प्रथम अपर सत्र न्यायालय के तृतीय अतिरिक्त अपर सत्र न्यायाधीश ने अपील को खारिज कर दिया है। पूर्व सीएमओ एवं स्वच्छता निरीक्षक को नगरीय ठोस अपशिष्ट प्रबंधन नियम का पालन नहीं करने और नियमों की अवहेलना प्रमाणित पाए जाने पर सजा सुनाई गई थी।

बताया गया है कि तृतीय अतिरिक्त अपर सत्र न्यायाधीश द्वारा प्रकरण क्रमांक सीआरए 02/2021 एवं सीआरए 03/2021 न्यायालय में प्रस्तुत अपील को 20 सितम्बर 2021 को खारिज करते हुये सीजेएम न्यायालय सीधी द्वारा अपराधिक प्रकरण क्रमांक आरसीटी 839/2015 में पारित

आदेश 12 जनवरी 2021 को यथावत रखा गया है। यह प्रकरण क्षेत्रीय कार्यालय सप्र प्रदूषण नियंत्रण बोर्ड रीवा, सीधी द्वारा नगरीय ठोस अपशिष्ट नियम 2000 के नियम 4 एवं पर्यावरण अधिनियम 1986 की धारा 15 के तहत तत्कालीन मुख्य नगर पालिका अधिकारी सीधी मकबूल खान एवं इंद्रभान सिंह परिहार सेवानिवृत्त स्वच्छता निरीक्षक नगर पालिका परिषद सीधी के विरुद्ध प्रकरण दायर किया गया था। जिसमें न्यायालय द्वारा नगरीय ठोस अपशिष्ट प्रबंधन नियम का समुचित पालन नहीं किये जाने एवं नियमों की अवहेलना प्रमाणित पाये जाने पर दण्डादेश पर्यावरण संरक्षण अधिनियम 1986 की धारा 15 में अपीलार्थियों को एक-एक वर्ष का सश्रम कारावास एवं 10-10 हजार रुपये अर्थदण्ड को यथावत रखकर अपील खारिज की गयी है। इस प्रकरण पर क्षेत्रीय अधिकारी रीवा, सीधी एवं बोर्ड के विद्वान अधिवक्ता रामगोपाल गुप्ता द्वारा पेशी की गयी है।

3- यह कि पर्यावरण संरक्षण अधिनियम 1986 के अन्तर्गत जारी EIA Notification दिनांक 14 सितम्बर (पर्यावरण प्रभाव मूल्यांकन) के अनुसार कोई भी निर्माण कार्य यदि उसका निर्मित क्षेत्र 20000 वर्ग मीटर से अधिक है तो उसे निर्माण प्रारम्भ करने के पूर्व पर्यावरण स्वच्छता प्रमाण पत्र (EC) लेना अनिवार्य है

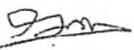
4- यह कि माननीय न्यायालय के परशीलन हेतु पर्यावरण प्रभाव मूल्यांकन सन् 2006 का प्रासंगिक भाग निम्नवत उद्धृत है :-

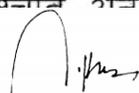
पूर्व पर्यावरणीय अनापत्ति की आपेक्षाएं (ई.सी.) :-

निम्नलिखित परियोजनाओं या क्रियाकलापों के लिए, परियोजना प्रबंधन द्वारा भूमि को अभिप्राप्त करने के सिवाय, कोई सन्ननिर्माण कार्य या भूमि तैयार करने से पूर्व उक्त अनुसूची में प्रवर्ग 'ख' के अन्तर्गत आने वाले विषयों के लिए संबंधित विनियामक प्राधिकरण से, जिससे अनुसूची में 'क' के अन्तर्गत आने वाले विषयों के लिए इसके पश्चात् केन्द्रीय सरकार में पर्यावरण एवं वन मंत्रालय कहा गया है, और राज्य स्तर पर राज्य पर्यावरण समाघात निर्धारण प्राधिकरण कहा गया है, पूर्व पर्यावरणीय अनापत्ति अपेक्षित होगी जब परियोजना या क्रियाकलाप आरम्भ किया जाता है।

(i) इस अधिसूचना की अनुसूची में सूचीबद्ध सभी नयी परियोजनाएं या क्रियाकलाप ;

(ii) इस अधिसूचना की अनुसूची में सूचीबद्ध विद्यमान परियोजनाओं या क्रियाकलापों, संबंधित क्षेत्र के लिए अर्थात् परियोजनाओं या क्रियाकलापों के लिए जो विस्तार या आधुनिकीकरण के पश्चात् अनुसूची में दी गयी अधिकतम





सीमाओं को पार कर लेते हैं क्षमता में परिवर्धन सहित विस्तार या अधुनिकीकरण ;

- (iii) विनिर्दिष्ट रेन्ज से परे अनुसूची में सम्मिलित किसी विद्यमान विनिर्माण युनिट में उत्पाद मिश्रण में कोई परिवर्तन।

8 - भवन/संननिर्माण परियोजनाएं/क्षेत्र विकास परियोजनाएं और शहरीकरण

8 (क)	नगर एवं संननिर्माण परियोजनाएं	20000 वर्ग मीटर के निर्मित क्षेत्र < 150000 वर्ग मीटर के निर्मित क्षेत्र #	# आवृत निर्माण के लिए निर्मित क्षेत्र आकाश की ओर खुली सुविधाओं की दशा में यह क्रियाकलाप क्षेत्र भी होगा
8 (ख)	नगरीय और क्षेत्र विकास परियोजनाएं	> 50000 वर्ग मीटर क्षेत्र को सम्मिलित करते हुए और या निर्मित क्षेत्र > 150000 वर्गमीटर ++	++8 (ख) के अन्तर्गत सभी परियोजनाओं को ख 1 प्रवर्ग के अनुसार विनिर्दिष्ट किया जायेगा।

5 - यह कि पर्यावरण अधिनियम के अन्तर्गत जारी EIA नोटिफिकेशन दिनांक 14 सितम्बर 2006 के अनुसार कोई भी निर्माण यदि उसका निर्मित क्षेत्र 20000 वर्ग मीटर से अधिक है तो उसे निर्माण प्रारम्भ करने के पूर्व पर्यावरण स्वच्छता प्रमाण पत्र (E.C.) लेना अनिवार्य है।

6- यह कि अभियुक्त गण ने पर्यावरण संरक्षण अधिनियम 1986 कि धारा 15,16,17 का उल्लंघन करते हुए ई०सी०टी० इंटरटेनमेन्ट इण्डिया (रिपब्लिक फन मॉल) पता पर्यटन भवन के सामने औद्योगिक क्षेत्र गोमती

नगर लखनऊ को पर्यावरण स्वच्छता प्रमाण पत्र प्रदान करने हेतु दिनांक 30-07-2021 को संस्तुति प्रदान कर दिया है यह कि माननीय न्यायालय परिसीलन हेतु पर्यावरण संरक्षण अधिनियम 1986 की धारा 15,16,17 निम्नवत उद्धृत की जा रही है:-

धारा 15 अधिनियमों तथा नियमों, आदेशों और निदेशों के उपबन्धों के उल्लंघन के लिए शास्ति- (1) जो कोई इस अधिनियम के उपबन्धों या इसके अधीन बनाये गये नियमों या निकाले गये आदेशों या दिये गये निदेशों में से किसी का पालन करने में असफल रहेगा या उल्लंघन करेगा वह ऐसी प्रत्येक असफलता या उल्लंघन के संबंध में कारावास से, जिसकी अवधि 5 वर्ष तक हो सकेगी, या जुर्माने से, जो एक लाख रुपये तक का हो सकेगा, या दोनों से, और यदि ऐसी असफलता या उल्लंघन चालू रहता है तो अतिरिक्त जुर्माने से, जो ऐसी प्रथम असफलता या उल्लंघन के लिए दोष सिद्ध के पश्चात् ऐसे प्रत्येक दिन के लिए जिसके दौरान असफलता या उल्लंघन चालू रहता है, पाँच हजार रुपये तक हो सकेगा, दण्डनीय होगा।

(2) यदि उपधारा (1) निर्दिष्ट असफलता या उल्लंघन दोष सिद्ध की तारीख के पश्चात्, एक वर्ष की अवधि से आगे भी चालू रहता है तो अपराधी, कारावास से, जिसकी अवधि 7 वर्ष तक हो सकेगी, दण्डनीय होगा।

धारा 16- कंपनियों द्वारा अपराध -(1) जहाँ इस अधिनियम के अधीन कोई अपराध किसी कंपनी द्वारा किया गया है वहाँ प्रत्येक व्यक्ति जो उस अपराध किये जाने के समय उस कंपनी के कारबार के संचालन के लिए उस कंपनी का सीधे भारसाधक और उसके प्रति उत्तरदायी था और साथ ही वह कंपनी भी, ऐसे अपराध के दोषी समझे जाएँगे और

तदनुसार अपने विरुद्ध कार्यवाही किये जाने और दण्डित किये जाने के भागी होंगे:

परन्तु इस उपधारा की कोई बात किसी ऐसे व्यक्ति को इस अधिनियम के अधीन उपबन्धित किसी दण्ड का भागी नहीं बनायेगी, यदि वह यह साबित कर देता है कि अपराध उसकी जानकारी के बिना किया गया था या उसने ऐसे अपराध के किये जाने का निवारण करने के लिए सब सम्यक तत्परता बरती थी।

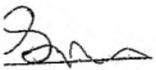
(2) उपधारा (1) में किसी बात के होते हुए भी, जहाँ इस अधिनियम के अधीन कोई अपराध किसी कंपनी द्वारा किया गया है और यह साबित हो जाता है कि वह अपराध कंपनी के किसी निदेशक, प्रबंधक, सचिव या अन्य अधिकारी की सहमति या मौनानुकूलता से किया गया है या उस अपराध का किया जाना उसकी किसी उपेक्षा के कारण माना जा सकता है वहाँ ऐसा निदेशक, प्रबंधक, सचिव या अन्य अधिकारी उस अपराध का दोषी समझा जायेगा और तदनुसार अपने विरुद्ध कार्यवाही किये जाने और दण्डित किये जाने का भागी होगा।

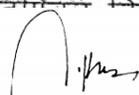
स्पष्टीकरण - इस धारा के प्रयोजनों के लिए, -

(क) "कंपनी" से कोई निगमित निकाय अभिप्रेत है और इसके अन्तर्गत फर्म या व्यष्टियों का अन्य संगम है; तथा

(ख) फर्म के संबंध में, "निदेशक" से उस फर्म का भागीदार अभिप्रेत है।

धारा 17. सरकारी विभागों द्वारा अपराध—(1) जहाँ इस अधिनियम के अधीन कोई अपराध सरकार के किसी विभाग द्वारा किया गया है वहाँ विभागाध्यक्ष उस अपराध का दोषी समझा जायेगा और तदनुसार अपने विरुद्ध कार्यवाही किये जाने और दण्डित किये जाने का भागी होगा:—





परन्तु इस धारा कि कोई बात किसी विभागाध्यक्ष को दण्ड का भागी नहीं बनायेगी, यदि वह यह साबित कर देता है कि अपराध उसकी जानकारी के बिना किया गया था या उसने ऐसे अपराध के किये जाने का निवारण करने के लिए सब सम्यक तत्परता बरती थी।

(2) उपधारा (1) में किसी बात के होते हुए भी, जहाँ इस अधिनियम के अधीन कोई अपराध किसी विभागाध्यक्ष द्वारा किया गया है और यह साबित हो जाता है कि वह अपराध विभागाध्यक्ष से भिन्न किसी अधिकारी की सहमति या मौनानुकूलता से किया गया है या उस अपराध का किया जाना उसकी किसी उपेक्षा के कारण माना जा सकता है वहाँ ऐसा अधिकारी भी उस अपराध का दोषी समझा जाएगा और तदनुसार अपने विरुद्ध कार्यवाही किये जाने का और दण्डित किये जाने का भागी होगा।

7- यह कि ई०सी०टी० इंटरटेनमेंट इण्डिया प्राइवेट लिमिटेड (रिपब्लिक फन मॉल) पर्यावरण भवन औद्योगिक क्षेत्र, गोमती नगर लखनऊ के सामने स्थित है।

यह कि उपरोक्त प्रोजेक्ट को पूर्व स्वच्छता प्रमाण पत्र प्राप्त किये बिना ही उत्तरप्रदेश प्रदूषण नियंत्रण बोर्ड द्वारा CTE (निर्माण हेतु सहमति) दिनांक 4-11-2020 को प्रदान कर दी गयी।

8- यह कि इनवायरमेंट इम्पैक्ट एससेमेंट (पर्यावरण प्रभाव मूल्यांकन) 14-6-2006 के अनुसार यदि निर्मित भवन का क्षेत्रफल 20000 वर्गमीटर से अधिक है तो बिना पूर्व पर्यावरण स्वच्छता प्रमाण पत्र के CTE (निर्माण हेतु सहमति) नहीं प्रदान किया जा सकता।




9- यह कि यहाँ यह उल्लेख करना महत्त्वपूर्ण है कि इस संदर्भ में एक लीगल नोटिस दिनांक 24-06-2021 को परिवादी के अधिवक्ता द्वारा (CEO-5) मुख्य पर्यावरण अधिकारी खण्ड 5 लखनऊ को भेजी गयी और निवेदित किया गया कि आप अपने द्वारा अवैध रूप से जारी CTE को निरस्त करने की कृपा करें लेकिन कोई ध्यान नहीं दिया गया।

मुख्य पर्यावरण अधिकारी खण्ड 5 लखनऊ को दिनांक 24-06-2021 को भेजी गयी लीगल नोटिस की छायाप्रति संलग्नक संख्या- 1 के रूप में संलग्न की जा रही है।

10- यह कि परिवादी ने अपने अधिवक्ता द्वारा पुनः दिनांक 5-07-2021 को अतिरिक्त मुख्य वन संरक्षक को विधिक सूचना CTE निरस्त करने और अवैध हो रहे निर्माण को रोकने के लिए दिया।

11- यह कि परिवादी द्वारा उपरोक्त विधिक सूचना की प्रतिलिपि अन्य उच्चाधिकारियों को भी अवैध हो रहे निर्माण के फोटोग्राफ के साथ भेजी यथा-

1- मेम्बर सेक्रेटरी यू०पी० पॉलियुशन कंट्रोल बोर्ड लखनऊ

2- चेयरमैन SEIAA यू०पी० लखनऊ

3- चेयरमैन SEAC (i) & (ii) यू०पी० लखनऊ

4- सेक्रेटरी MOEF & CC नई दिल्ली

अतिरिक्त मुख्य वन संरक्षक को भेजी गयी विधिक सूचना दिनांक 5-07-2021 की छायाप्रति संलग्नक संख्या -2 के रूप में संलग्न की जा रही है।

12- यह कि परिवादी के अधिवक्ता द्वारा भेजी गयी द्वितीय लीगल नोटिस का संज्ञान लेते हुए क्षेत्रीय अधिकारी/मुख्य पर्यावरण अधिकारी उत्तरप्रदेश प्रदूषण नियंत्रण बोर्ड लखनऊ ने अपने द्वारा अवैध रूप से

जारी CTE निरस्त कर दिया और अवैध हो रहे निर्माण को रुकवा दिया यह कि इस बीच दिनोंक 29-06-2021 को उपरोक्त प्रोजेक्ट प्रोपोनेंट द्वारा अपने नेबेट एकीडेटेड कंसलटेंट श्री मनोज गर्ग द्वारा मिथ्या शपथ पत्र देते हुए पर्यावरण स्वच्छता प्रमाण पत्र (EC) हेतु, पर्यावरण निदेशालय लखनऊ को आवेदन कर दिया गया।

13- यह कि पर्यावरण संरक्षण अधिनियम 1986 के अर्न्तगत जारी स्टैंडर्ट ऑपरेटिव प्रोसीजर (SOP) दिनोंक 9-07-2021 के अनुसार यदि कोई निर्माण बिना पूर्ववर्ती पर्यावरण स्वच्छता प्रमाण पत्र प्राप्त किये आरम्भ कर दिया जाता है तो उसे पर्यावरण स्वच्छता प्रमाण पत्र लेने हेतु (Violation case) अतिलंघन के रूप में आवेदन करना चाहिए। भारत सरकार के पर्यावरण, वन एवं जलवायु परिवर्तन विभाग द्वारा जारी (SOP) स्टैंडर्ट ऑपरेटिव प्रोसीजर की दिनोंक 9-07-2021 की छायाप्रति संलग्नक संख्या -3 के रूप में संलग्न की जा रही है।

14- यह कि अतिलंघन मामले के रूप में आवेदन करने के लिए सम्पूर्ण प्रोजेक्ट कास्ट का एक प्रतिशत पेनाल्टी/अर्थदण्ड के रूप में जमा करने के पश्चात् ही राज्य पर्यावरण प्राक्लन समिति द्वारा विचार किया जाना चाहिए।

15 - यह कि परिवादी द्वारा अवैध हो रहे निर्माण के फोटोग्राफ के साथ पर्यावरण निदेशालय लखनऊ के संबंधित प्राधिकारियों को सूचना दे दी गयी थी और उसमें निवेदित किया गया था कि उपरोक्त प्रोजेक्ट को वालेटर केस के रूप में एक प्रतिशत पेनाल्टी/अर्थदण्ड के साथ ही विचारित किया जाय।




16 - यह कि (SEAC-2) राज्य पर्यावरण प्राक्लन समिति ने परिवादी के द्वारा सप्रमाण भेजी गयी नोटिस को अनदेखा करते हुए स्वच्छता प्रमाण पत्र हेतु दिनांक 30-07-2021 को संस्तुति प्रदान कर दी गयी।

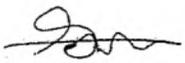
दिनांक 30-07-2021 का उपरोक्त प्रोजेक्ट के संदर्भ में SEAC-2 के द्वारा जारी की गयी संस्तुति/मिनट्स की छायाप्रति संलग्नक संख्या -4 के रूप में संलग्न की जा रही है।

17 - यह कि परिवादी द्वारा पर्यावरण अधिनियम 1986 की धारा 19 (b) सपठित पर्यावरण नियमावली की धारा 11 के अर्न्तगत 60 दिन की लिखित सूचना दिनांक 23-08-2021 जरिये पंजीकृत पावती के साथ डाक द्वारा भेजी गयी।

18- यह कि उपरोक्त लिखित सूचना दिनांक 25-08-2021 और दिनांक 31-08-2021 को संबंधित अधिकारियों को प्राप्त हो गयी।
दिनांक 23-08-2021 को पंजीकृत डाक की रसीद और दिनांक 25/31-08-2021 को संबंधित अधिकारियों को प्राप्ति रसीद सामूहिक रूप से संलग्नक संख्या -5 के रूप में संलग्न की जा रही है।

19 - यह कि अभियुक्त गण ने पर्यावरण संरक्षण अधिनियम 1986 की धारा 15,16,17, का अपराध कारित किया है।

20 - यह कि माननीय न्यायालय को उपरोक्त अपराध के विचारण का क्षेत्राधिकार प्राप्त है।




प्रार्थना

अतः श्रीमान जी से विनम्र निवेदन है कि अभियुक्त संख्या 1 से लेकर 7 तक को सम्मन/तलब किया जाय और उपरोक्त आपराधिक कृत्य के लिए विधि अनुसार दण्डित किया जाय।

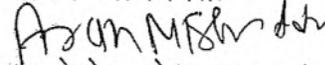
स्थान-लखनऊ :-

दिनांक -08/11/2021

परिवादी

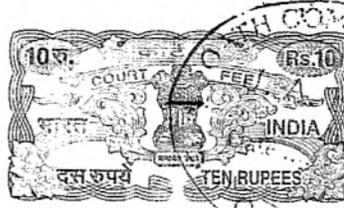

(सित्येन्द्र कुमार पाण्डेय)

जरिये अधिवक्ता


एडवोकेट रोल न० -1717/2021



न्यायालय श्रीमान मुख्य न्यायिक मजिस्ट्रेट
महोदय, लखनऊ।



सतेन्द्र कुमार पाण्डेय

.....वादी

बनाम.

डॉ० हरिकेश बहादुर व अन्य

.....विपक्षीगण

परिवाद पत्र के समर्थन में शपथ पत्र

मैं शपथी सत्येन्द्र कुमार पाण्डेय आयु लगभग 38 वर्ष पुत्र श्री कमल कुमार पाण्डेय, निवासी-ग्राम कंजिया, पोस्ट-अटरामपुर जनपद-प्रयागराज उ०प्र० शपथ पूर्वक निम्न बयान करता हूँ:-

1. यह कि शपथी उपरोक्त परिवाद पत्र में परिवादी है इसलिए परिवाद पत्र के समस्त तथ्यों से भली भांति अवगत है।
2. यह कि वाद पत्र के पैरा 1 लगायत तक मेरे निजी जानकारी में सत्य एवं सही है व पैरा नं०-...३... से १.९तक के कथन रिकार्ड के आधार पर तथा पैरा नं०.19 । ...२.०...के तथ्य विधिक सलाह के आधार सत्य है।

लखनऊ

दिनांक-08.11.2021

शपथी

सत्यापन

मैं शपथी उपरोक्त सत्यापित करता हूँ कि शपथ पत्र की धारा-1 लगायत 2 तक मेरे निजी जानकारी में सत्य एवं सही है।

आज दिनांक-08.11.2021को अपने हस्ताक्षर बनाकर शपथ पत्र को सत्यापित किया।

लखनऊ

दिनांक-08.11.2021

शपथी

संलग्नक (1)

समक्ष मुख्य न्यायिक दण्डाधिकारी लखनऊ कक्ष संख्या

आपराधिक परिवाद संख्या

2021

थाना गोमती नगर, लखनऊ ।

अनुक्रमणिका

इन

सत्येन्द्र कुमार पाण्डेय पुत्र श्री कमल कुमार पाण्डेय,
निवासी ग्राम-कंजिया, पोस्ट-अटरामपुर जनपद
प्रयागराज, 229412

बनाम

1- डॉ हरिकेश बहादुर सिंह आदि



From :- Arvind Kumar Rai
 Advocate High Court Allahabad/
 National Green Tribunal, New Delhi
 Chamber No:-159-A New Building
 High Court Allahabad -211001
 Mob. No. 9793027778

Dated:24/06/2021

To,
 The Chief Environmental Officer (CEO-5) UPPCB Lucknow
 Building No. TC-12V Vibhuti Khand, Gomti Nagar,
 Lucknow U.P. -226010

**SUBJECT: - Regarding Illegal issuance of CTE for Project E City
 Entertainment India Pvt Ltd**

LEGAL NOTICE

To the Respected CEO-5 Lucknow U.P. Pollution Control Board.
 As a legal Adviser of an NGO Paryavaran Sena, I am notifying you as follows:-

1. That I have acknowledged through official website ocmms.nic.in that you have granted CTE for Project E city Entertainment India Pvt Ltd located at Opposite Paryatan Bhawan Industrial Area Gomtinagar Lucknow 226001 on dated 04.11.2020.
2. That, according to the project proponent total area of the plot is 15000 sqm and he asked for expansion of 70000sqft approximately 6503sqm.
3. It is an incomplete CTE for any Expansion project as it does not declare previous project details over which expansion is proposed.
4. The CTE states that the project shall comply with EP Act provisions, yet it does not care to find out in its details that after proposed expansion the project will be covered under EIA notification 2006 and will be obliged to seek environmental clearance before starting any construction work.
5. That it is pertinent to mention here that existing project built up area is about 18000sqm and asking for expansion of approximately 6503 sqm. in this way total built up area will be above 20000sqm, if he will make three storey building the built up area of the expanded project will be 19500sqm in this way total built up area will be approximately 37000 sqm.
6. That EIA Notification 2006 issued under EP ACT 1986, clearly states as under "*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; (iii) Any change in product - mix in an existing manufacturing unit included in Schedule beyond the specified range."

7. That you have granted CTE without prior Environment Clearance which is against the Statutory Provision of EP Act 1986.
8. That at the time of granting CTE you have not clubbed the existing project built up area deliberately for an ulterior motive.
9. That it is an intentional violation of EP act 1986 by issuing an incomplete and insufficient CTE and CTO without mentioning and assessing about complete project details after proposed expansion and to help Project Proponent in avoiding EC requirements
10. That illegal act of Construction is still going on without the environment clearance which is totally against the law.
11. That kindly Cancel/Revoke the CTE granted by you and restrain the illegal construction forthwith, otherwise I would be compelled to knock on the door of NGT.

Annexures :- I CTO WATER

II CTO AIR

III CTE

Copy :- 1. Regional Officer UPPCB Lucknow

2. Environment Director Lucknow

Regards,


Arvind Kumar Rai
(Advocate)NGT

संलग्नक (2)

समक्ष मुख्य न्यायिक दण्डाधिकारी लखनऊ कक्ष संख्या

आपराधिक परिवाद संख्या

2021

थाना गोमती नगर, लखनऊ ।

अनुक्रमणिका

इन

सत्येन्द्र कुमार पाण्डेय पुत्र श्री कमल कुमार पाण्डेय,
निवासी ग्राम-कंजिया, पोस्ट-अटरामपुर जनपद
प्रयागराज, 229412

बनाम

1- डॉ हरिकेश बहादुर सिंह आदि



From :- Arvind Kumar Rai
Advocate High Court Allahabad/
National Green Tribunal, New Delhi
Chamber No:-159-A New Building High Court
Allahabad -211001
Mob. No. 9793027778

Dated: 05.07.2021

To,
The Additional Chief Conservator of Forest (C)
Ministry of Environment, Forest & Climate Change
Regional office (CZ) kendriya Bhawan 5th Floor, Sector -H Aliganj
Lucknow U.P.- 226020
Email:- roc.z.lko-mef@nic.in

Subject:- Regarding restrain to illegal construction going on without Prior Environment Clearance

LEGAL NOTICE

To the Respected Additional Chief Conservator of Forest (C) Regional Office Lucknow.

As a legal Adviser of an NGO Paryavaran Sena, I am notifying you as follows:-

1. That I have acknowledged through official website ocmms.nic.in that CTE for Project E city Entertainment India Pvt Ltd located at Opposite Paryatan Bhawan Industrial Area Gomtinagar Lucknow 226001 has been granted on dated 04.11.2020 by Chief Environmental Officer Circle 5.
2. That according to the project proponent total area of the plot is 15000 sqm and he asked for expansion of 70000sqft approximately 6503sqm.
3. That it is an incomplete CTE for any Expansion project as it does not declare previous project details over which expansion is proposed.
4. That the CTE states that the project shall comply with EP Act provisions, yet it does not care to find out in its details that after proposed expansion, the project will be covered under EIA notification 2006 and will be obliged to seek environmental clearance before starting any construction work.




5. That it is pertinent to mention here that existing project built up area is about 18000sqm and asking for expansion of approximately 6503 sqm, in this way total built up area will be above 20000sqm, if he will make three storey building the built up area of the expanded project will be 19500sqm in this way total built up area will be approximately 37000 sqm.
6. That EIA Notification 2006 issued under EP ACT 1986, clearly states as under "*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; (iii) Any change in product - mix in an existing manufacturing unit included in Schedule beyond the specified range.*"
7. That at the time of granting CTE, CEO circle -5 U.P. Pollution Control Board Lucknow have not clubbed the existing project built up area deliberately.
8. That it is an intentional violation of EP act 1986 by issuing an incomplete and insufficient CTE and CTO without mentioning and assessing about complete project details after proposed expansion and to help Project Proponent in avoiding EC requirements.
9. That it is important to mention here that I have sent a legal notice to CEO-5 & Regional Officer U.P. Pollution Control Board Lucknow as well as Director of Environment Directorate on dated 24 June 2021 through email as well as reg  ost.

10. That thereafter project proponent has applied for Environment Clearance on dated 29 June 2021.
11. That illegal act of Construction is still going on without the prior Environment Clearance which is totally against the EIA Notification 2006 which is issued under EP Act 1986.
12. That it is noteworthy Project Proponent has constructed Basement without prior Environment clearance which is an offence under section 15 of EP Act 1986 for kind perusal Section 15 of EP Act 1986 is being quoted :- *PENALTY FOR CONTRAVENTION OF THE PROVISIONS OF THE ACT AND THE RULES, ORDERS AND DIRECTIONS. (1) Whoever fails to comply with or contravenes any of the provisions of this Act, or the rules made or orders or directions issued thereunder, shall, in respect of each such failure or contravention, be punishable with imprisonment for a term which may extend to five years with fine which may extend to one lakh rupees, or with both, and in case the failure or contravention continues, with additional fine which may extend to five thousand rupees for every day during which such failure or contravention continues after the conviction for the first such failure or contravention.*
- (2) If the failure or contravention referred to in sub-section (1) continues beyond a period of one year after the date of conviction, the offender shall be punishable with imprisonment for a term which may extend to seven years.*
13. That I am sorry to say this no action has been taken by the officials informed regarding illegal construction which is still going on, in this way the officials are also committing an offence under section 17 of EP Act 1986, Section 17 of EP Act is quoted here for kind perusal :- *17. OFFENCES BY GOVERNMENT DEPARTMENTS.- (1) Where an offence under this Act has been committed by any Department of Government, the Head of the Department shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly. Provided that nothing contained in this section*




shall render such Head of the Department liable to any punishment if he proves that the offence was committed without his knowledge or that he exercise all due diligence to prevent the commission of such offence.

(2) Notwithstanding anything contained in sub-section (1), where an offence under this Act has been committed by a Department of Government and it is proved that the offence has been committed with the consent or connivance of, or is attributable to any neglect on the part of, any officer, other than the Head of the Department, such officer shall also be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

14. That Section 3 Clause 2 Sub clause (X) empowers the authority inspection of any premises, plant, equipment, machinery, manufacturing or other processes, materials or substances and giving, by order, of such directions to such authorities, officers or persons as it may consider necessary to take steps for the prevention, control and abatement of environmental pollution.

15. That Clause 3 of Section 3 states as follows:- (3) The Central Government may, if it considers it necessary or expedient so to do for the purpose of this Act, by order, published in the Official Gazette, constitute an authority or authorities by such name or names as may be specified in the order for the purpose of exercising and performing such of the powers and functions (including the power to issue directions under section 5) of the Central Government under this Act and for taking measures with respect to such of the matters referred to in sub-section (2) as may be mentioned in the order and subject to the supervision and control of the Central Government and the provisions of such order, such authority or authorities may exercise the powers or perform the functions or take the measures so mentioned in the order as if such authority or authorities had been empowered by this Act to exercise those powers or perform those functions or take such measures.




16. That be pleased to Restrain the illegal construction forth with, and penalize the project proponent who has constructed Basement illegally without prior Environment Clearance, otherwise I would be compelled to knock on the door of NGT. Section 28 of the NGT Act 2010 states as follows:- **28 Offences by Government Department :-** (1) *Where any Department of the Government fails to comply with any order or award or decision of the Tribunal under this Act, the Head of the Department shall be deemed to be guilty of such failure and shall be liable to be proceeded against for having committed an offence under this Act and punished accordingly:*

Provided that nothing contained in this section shall render such Head of the Department liable to any punishment if he proves that the offence was committed without his knowledge or that he exercised all due diligence to prevent the commission of such offence.

(2) Notwithstanding anything contained in sub-section (1), where an offence under this Act has been committed by a Department of the Government and it is proved that the offence has been committed with the consent or connivance of, or is attributable to any neglect on the part of any officer, other than the Head of the Department, such officer shall also be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

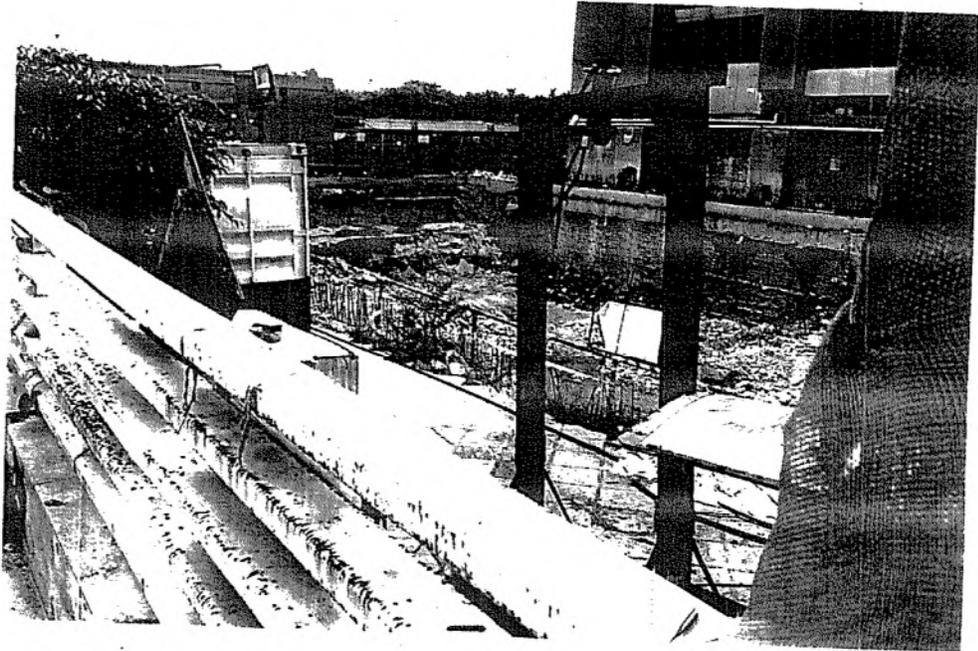
Copy:-

1. Member Secretary U.P. Pollution Control Board Lucknow.
2. Chairman SEIAA U.P. Lucknow.
3. Chairman SEAC I & II U.P. Lucknow.
4. Secretary MoEF&CC New Delhi.

Regards.


Arvind Kumar Rai
(Advocate)NGT





[Handwritten signature]

[Handwritten signature]



[Handwritten signature]

[Handwritten signature]

संलग्नक (3)

समक्ष मुख्य न्यायिक दण्डाधिकारी लखनऊ कक्ष संख्या

आपराधिक परिवाद संख्या

2021

थाना गोमती नगर, लखनऊ ।

अनुक्रमणिका

इन

सत्येन्द्र कुमार पाण्डेय पुत्र श्री कमल कुमार पाण्डेय,
निवासी ग्राम-कंजिया, पोस्ट-अटरामपुर जनपद
प्रयागराज, 229412

बनाम

1- डॉ हरिकेश बहादुर सिंह आदि



F. No. 22-21/2020-IA.III
 Government of India
 Ministry of Environment, Forest and Climate Change
 Impact Assessment Division

Indira Paryavaran Bhawan
 Jor Bagh Road, Aliganj
 New Delhi - 110003
 sujit.baju@gov.in

Date: 7th July, 2021Office Memorandum

Subject: Standard Operating Procedure (SoP) for Identification and handling of violation cases under EIA Notification 2006 in compliance to order of Hon'ble National Green Tribunal in O.A. No.34/2020 WZ - Regarding.

The Ministry had issued a notification number S.O.804(E), dated the 14th March, 2017 detailing the process for grant of Terms of Reference and Environmental Clearance in respect of projects or activities which have started the work on site and/or expanded the production beyond the limit of Prior EC or changed the product mix without obtaining Prior EC under the EIA Notification, 2006.

2. This Notification was applicable for six months from the date of publication i.e. 14.03.2017 to 13.09.2017 and further based on court direction from 14.03.2018 to 13.04.2018.

3. Hon'ble NGT in Original Application No. 287 of 2020 in the matter of Dastak N.G.O. Vs Synochem Organics Pvt. Ltd. & Ors. and in applications pertaining to same subject matter in Original Application No. 298 of 2020 in Vineet Nagar Vs. Central Ground Water Authority & Ors., vide order dated 03.06.2021 held that "(...) **for past violations, the concerned authorities are free to take appropriate action in accordance with polluter pays principle, following due process**".

4. Further, the Hon'ble National Green Tribunal in O.A No. 34/2020 WZ in the matter of Tanaji B. Gambhire vs. Chief Secretary, Government of Maharashtra and ors., vide order dated 24.05.2021 has directed that "**...a proper SoP be laid down for grant of EC in such cases so as to address the gaps in binding law and practice being currently followed. The MoEF may also consider circulating such SoP to all SEIAAs in the country**".

5. Therefore, in compliance to the directions of the Hon'ble NGT a Standard Operating Procedure (SoP) for dealing with violation cases is required to be drawn. The Ministry is also seized of different categories of 'violation' cases which have been

pending for want of an approved structural/procedural framework based on 'Polluter Pays Principle' and 'Principle of Proportionality'. It is undoubtedly important that action under statutory provisions is taken against the defaulters/violators and a decision on the closure of the project or activity or otherwise is taken expeditiously.

6. In the light of the above directions of the Hon'ble Tribunal and the issues involved, the matter has accordingly been examined in detail in the Ministry. A detailed SoP has accordingly been framed and is outlined herein. The SoP is also guided by the observations / decisions of the Hon'ble Courts wherein principles of proportionality and polluters pay have been outlined.

7. Relevant Court Cases on the issue: It is noted that while deciding issues related to violations of the Environment Protection Act, 1986 on account of running the project/activity without prior environmental clearance or in excess of capacity allowed in such clearances, **the Hon'ble courts have, *inter-alia*, deliberated on various facets involving 'violation' cases and have enunciated principles of 'Proportionality' and 'Polluter Pays' in various decisions viz. Industrial Council for Enviro-Legal Action Vs Union of India (the Bichhri village industrial pollution case) (1996 SCC [3] 212); Alembic Pharmaceuticals Ltd. Vs Rohit Prajapati & Ors. (C.A. No. 1526 of 2016, order dated 1.4.2020) and Hindustan Copper Limited Vs Union of India in (W.P. (C) No. 2364 of 2014, order dated 28.11.2014). The salient extracts of the judgements are as under:**

Issue 1: Proposal for grant of Environmental Clearance in violation cases - to be considered on merits:

i. Hon'ble High Court of Jharkhand in the matter of Hindustan Copper Limited Vs Union of India in W.P. (C) No. 2364 of 2014, vide order dated 28.11.2014

Held: "(...) action for alleged violation would be an independent and separate proceeding and therefore, consideration of proposal for environment clearance cannot await initiation of action against the project proponent."

"(...) the proposal of the petitioner company for environmental clearance must be examined on its merits, independent of any proposed action for the alleged violation of the environmental laws."

ii. Hon'ble Madras High Court in the matter of Puducherry Environment Protection Association Vs The Union of India in W.P. No. 11189 of 2017, vide order dated 13.10.2017

Held "27. The question is whether an establishment contributing to the economy of the country and providing livelihood to hundreds of people should be closed down only because of failure to obtain prior environmental clearance, even though the establishment may not otherwise be violating

pollution laws or the pollution, if any, can conveniently and effectively be checked. The answer necessarily has to be in the negative."

"29. It is reiterated that protection of environment and prevention of environmental pollution and degradation are non-negotiable. At the same time, the Court cannot altogether ignore the economy of the Nation and the need to protect the livelihood of hundreds of employees employed in projects, which as stated above, otherwise comply with or can be made to comply with norms."

Issue 2: Environmental Clearance – Prospective & not ex-post facto:

Hon'ble Supreme Court in the matter of Common Cause Vs Union of India in W.P. (C) No. 114 of 2014, vide order dated 2.8.2017

Held: "(...) an EC will come into force not earlier than the date of its grant."

Issue 3: 'Principles of Proportionality' – to be applied:

Hon'ble Supreme Court in the matter of Alembic Pharmaceuticals Ltd. Vs Rohit Prajapati & Ors. in C.A. No. 1526 of 2016, vide order dated 1.4.2020

Held: "(...) this Court must take a balanced approach which holds the industries to account for having operated without environmental clearances in the past without ordering a closure of operations. The directions of the NGT for the revocation of the ECs and for closure of the units do not accord with the principle of proportionality"

Issue 4: 'Polluter pays' principle &

& Issue 5: Costs for remedial measures implicit in Sections 3 & 5 of Environment (Protection) Act, 1986.

Hon'ble Supreme Court in the matter of Indian Council for Enviro- Legal Action Vs Union of India (the Bichhri village industrial pollution case) in (1996 SCC [3] 212)

Held:

a) The Central Government is empowered to take all measures and issue all such directions as are called for the above purpose. The said powers will include giving directions ... and also the power to impose the cost of remedial measures on the offending industry and utilize the amount so recovered for carrying out remedial measures.....

b) *Levy of costs required for carrying out remedial measures is implicit in Sections 3 and 5 which are couched in very wide and expansive language. Sections 3 and 5 of the Environment (Protection) Act, 1986, apart from other provisions of Water and Air Acts, empower the Government to make all such directions and take all such measures as are necessary or expedient for protecting and promoting the 'environment', which expression has been defined in very wide and expansive terms in Section 2 (a) of the Environment (Protection) Act. This power includes the power to prohibit an activity, close an industry, direct to carry out remedial measures, and wherever necessary impose the cost of remedial measures upon the offending industry.*

c) *The question of liability of the respondents to defray the costs of remedial measures can also be looked into from accepted universally sound principle, viz., the "Polluter Pays" Principle. "The polluter pays principle demands that the financial costs of preventing or remedying damage caused by pollution should lie with the undertakings which cause the pollution, or produce the goods which cause the pollution".*

8. Legal provisions:

i. The Environment (Protection) Act, 1986 mandates the Central Government to take all measures as it deems necessary or expedient for the purpose of protecting and improving the quality of the environment and preventing, controlling and abating environmental pollution (reference sub-section (1) of Section 3 of Environment (Protection) Act, 1986). Further, clause (xiv) of sub-section (2) of Section 3 of the Environment (Protection) Act, 1986 specifies that the measures stipulated under sub-section (1) of Section 3 of the Environment (Protection) Act 1986 includes 'such other matters as the Central Government deems necessary or expedient for the purpose of securing effective implementation of the provisions of this Act'.

ii. Further, notwithstanding anything contained in any other law but subject to the provisions of the Environment Protection Act, 1986, Section 5 of the Environment (Protection) Act, 1986, provides that the Central Government may, in the exercise of powers and performance of Central Government functions under the said Act, issue directions in writing to any person, officer or any authority and such person, officer or authority shall be bound to comply with such directions.

9. Definition of Violation and Non-compliance:

The Standard Operating Procedure (SoP) considers 'Violation' & 'Non-compliance' from the following perspective:

i. "Violation" means cases where projects have either started the construction work or installation or excavation, whichever is earlier, on site or have expanded the production capacity and / or project area beyond the limit specified in the Environmental Clearance (Prior-EC) without obtaining Prior-EC or change of scope without prior approval from the Ministry.

ii. "Non-compliance" means non-compliance of terms and conditions prescribed by the Regulatory Authority in the Prior Environment Clearance accorded to the project.

10. Standard Operating Procedure - Guiding Principles:

i. Without prejudice to any other consequences, **action has to be initiated under section 15 read with section 19 of The Environment (Protection) Act, 1986 against all violations.**

ii. Projects not allowable/permissible, for grant of EC, as per extant regulations: **To be demolished.**

iii. Projects allowable/permissible, if prior EC had been taken as per extant regulations: **To be closed until EC is granted (if no prior EC has been taken) or to revert to permitted production level (in case prior EC has been granted).**

iv. **Polluter pays:** Violators to pay for violation period - proportionate to the scale of project and extent of commercial transaction.

v. Setting up a mechanism for reporting of violation to the regulatory authority(ies).

11. SOP for dealing with the violation cases:

Step 1: Closure or Revision

Sl no.	Status of EC	Actions
1	If no prior EC has been taken	Order to close its operation
2.	If prior EC is available for existing/old unit	Order to revert the activity/production to permissible limits.
3.	If prior EC was not required for earlier production level but is now required	Restrict the activity/production to the extent to which prior EC was not required.

Step 2: Action under Environment (Projection) Act, 1986

Action under section 15 read with section 19 of the Environment (Protection) Act, 1986 shall be initiated against the violators.

Step: 3: Appraisal under EIA Notification, 2006

The permissibility of the project shall be examined from the perspective of whether such activity/project was at all eligible for the grant of prior EC.

A. If not permissible:

i. The project shall be **ordered for the demolition/closure after issuing show cause notice and providing an opportunity of hearing.**

*Ex. If a red industry is functioning in a CRZ-I area which means that the activity was, in the first place, not permitted at the time of commencement of project. Therefore, the activity is not permissible and therefore it shall be **closed & demolished.***

ii. Respective regulatory authorities shall issue directions under section 5 of the Environment (Protection) Act, 1986 for ~~such~~ closure & demolition of the project/activity.

B. If permissible:

i. As per extant regulations at the time of scoping, if it is viewed that the project activity is otherwise permissible, Terms of Reference (TOR) shall be issued with directions to complete the impact assessment studies & submit Environmental Impact Assessment (EIA) report & Environmental Management Plan (EMP) in a time bound manner.

ii. Such cases of violation shall be subject to appropriate

- (a) Damage Assessment
- (b) Remedial Plan and

(c) Community Augmentation Plan by the Central level Sectoral Expert Appraisal Committees or State/Union Territory Level Expert Appraisal Committees, as the case may be.

iii. The Competent Authority shall issue directions to the project proponent, under section 5 of the Environment (Protection) Act, 1986 on case to case basis mandating payment of such amount (as may be determined based on Polluters Pay principle) and undertaking activities relating to Remedial Plan and Community Augmentation Plan (to restore environmental damage caused including its social aspects).

iv. Upon submission of the EIA & EMP report, the project shall be appraised by the Central Sectoral Expert Appraisal Committees or the State/Union Territory Level Expert Appraisal Committees, as the case may be, as if it was a new proposal. If, on examination of the EIA/EMP report, the project is considered permissible for operation as per extant regulations, the requisite Environmental Clearance shall be issued **which shall be effective from the date of issue.**

v. However, during appraisal after examination if it is found that even though the project may be permissible but not environmentally sustainable in its present

form/configuration/features then the project shall be directed to be **modified so that the project would be environmentally sustainable.**

vi. If, however, it is not considered appropriate to issue EC, the project shall be directed to be **demolished/ closed. If such proposal is a case of expansion, the project shall be directed to revert back to the extent of activity for which EC had been granted earlier or to revert back to the extent of activity for which EC was not required (as the case may be).**

vii. Central Sectoral Expert Appraisal Committees or the State/Union Territory Level Expert Appraisal Committees, as the case may be, may insist upon public hearing to be conducted for such categories of projects for which the EIA Notification 2006, as amended from time to time, requires the public hearing to be conducted.

viii. The project proponent will be required to **submit a bank guarantee equivalent to the amount of Remediation Plan and Natural & Community Resource Augmentation Plan with Central / the State Pollution Control Board (depending on whether it is appraised at Ministry or by SEIAA).** The quantification of such liability will be recommended by Expert Appraisal Committee and finalized by Regulatory Authority. The bank guarantee shall be deposited prior to the grant of environmental clearance and will be released after successful implementation of the Remediation plan and Natural & Community Resource Augmentation Plan.

Note - The activities, as per above clauses, shall be undertaken simultaneously wherever feasible. Environmental Clearance, if granted, to such projects or activities, after due appraisal of EIA/EMP report, **shall be effective only from the date of issuance of such clearance** and shall be subject to compliance of obligations towards Damage Assessment, Remedial Plan & Community Augmentation Plan, etc. finalized in each case.

12. Penalty provisions for Violation cases and applications:

a. For new projects:

- i. **Where operation has not commenced:** 1% of the total project cost incurred up to the date of filing of application along with EIA/EMP report; [Ex: Rs.1 lakh for project cost of Rs.1 Cr]
- ii. **Where operations have commenced without EC:** 1% of the total project cost incurred up to the date of filing of application along with EIA/EMP report **PLUS** 0.25% of the total turnover during the period of violation. [Ex: For Rs.100 Cr project cost and Rs.100 Cr total turnover, the penalty shall be Rs.1 Cr + Rs. 0.25 Cr = Rs.1.25 Cr]

b. **For expansion projects:**

- i. **Where operation/production with expanded capacity has not commenced:**
1% of the project cost, attributable to the expansion, incurred up to the date of filing of application along with EIA/EMP report.
- ii. **Where operation/ production with expanded capacity have commenced:**
1% of the project cost (attributable to the expansion activity) incurred upto the date of filing of application along with EIA/EMP report PLUS 0.25% of the total turnover (attributable to the expanded activity/capacity) involved during the period of violation.

12.1. Without prejudice to obligation as per (a) & (b) above, where the project or activity is considered for appraisal as above & the project proponent fails to provide required information or requisite documents or complete the requisite study for the purpose of EIA/EMP reports or does not furnish such reports within such period, as specified by the appraisal committee, without reasonable cause, it shall be inferred that the project proponent is not serious enough and the project or activity shall be directed to be demolished / closed.

12.2. The percentage rates, as above, shall be halved if the project proponent *suo-moto* reports such violations without such violations coming to the knowledge of the Government either on inquiry or complaint.

12.3. The penalty, as above, shall be in addition to liability for carrying out various remedial measures which shall be worked out based on the damage assessment for quantifying the environmental damage caused due to unauthorized project activity [as per Step 3 enumerated above].

13. Identification of Violation cases:

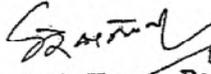
With a view to protecting the environment and to expeditiously bring violators into a regulatory regime so as to prevent & control environment damage caused by such violation & to determine whether operation of such projects is permissible and to take action stipulated under Section 15 of the Environment (Protection) Act, 1986 for contravention of the provisions of the said Act, Rules, orders and directions, it is expedient to also identify the cases of violation, examine and appraise such projects so as to refrain them from causing further environmental damage and also to compensate for causing damage to the environment. Therefore, in exercise of the powers conferred under Section 5 of the Environment (Protection) Act, 1986, the Central Government hereby directs that:-

- i. State Pollution Control Boards & Union Territory Pollution Control Committees, before grant or renewal of Consents under Water(Prevention & Control of Pollution) Act, 1974 & Air (Prevention& Control of Pollution) Act, 1981, shall ensure that the project proponents applies for or possess valid Prior

Environmental Clearance in terms of extant EIA Notification and shall not grant or renew CTO (Consent to Operate) unless Environment Clearance (if applicable) has been obtained.

- ii. The Central Pollution Control Board, all State Pollution Control Boards and all Union Territory Pollution Control Committees shall identify cases of violation under their respective jurisdiction, report such cases to the Ministry or State/Union Territory Level Environmental Impact Assessment Authority, as the case may be and also revoke CTO, if granted to the unit after giving an opportunity of being heard.
- iii. The Central Pollution Control Board, all State Pollution Control Boards and all Union Territory Pollution Control Committees shall expeditiously examine the references, received from public and other bodies, relating to violations and take necessary steps as per (ii) above.

14. This is issued with the approval of the Competent Authority.


(Dr. Sujit Kumar Bajpayee)
Joint Secretary (IA)

To

1. Chairperson/Member Secretary of Central Pollution Control Board
2. Chairperson/Member Secretaries of all the SEIAAs/SEACs
3. Chairman/Members of all the Expert Appraisal Committees
4. Chairman/Members of all the State Pollution Control Boards and Union Territory Pollution Control Committees

Copy for information:

1. PS to Hon'ble Minister for Environment, Forest and Climate Change
2. PS to Hon'ble MoS for Environment, Forest and Climate Change
3. PPS to Secretary(EF&CC)
4. PPS to AS(RS) / AS (RA)/ AS (UD)/ JS(JT) / JS (MP)/ JS (NPG)
5. All the officers of IA Division
6. Website of MoEF&CC/PARIVESH/Guard file

Copy (by email) also forwarded to the Registrar, NGT, in compliance to instruction given in O.A No. 34/2020 WZ in the matter of Tanaji B. Gambhire vs. Chief Secretary, Government of Maharashtra and ors.(order dated 24.05.2021).

संलग्नक (4)

समक्ष मुख्य न्यायिक दण्डाधिकारी लखनऊ कक्ष संख्या

आपराधिक परिवाद संख्या

2021

थाना गोमती नगर, लखनऊ ।

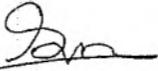
अनुक्रमणिका

इन

सत्येन्द्र कुमार पाण्डेय पुत्र श्री कमल कुमार पाण्डेय,
निवासी ग्राम-कंजिया, पोस्ट-अटरामपुर जनपद
प्रयागराज, 229412

बनाम

1- डॉ हरिकेश बहादुर सिंह आदि





Minutes of 554th SEAC Meeting Dated 30/07/2021

30. Name of QCI Accredited Consultant with QCI No and period of validity.	Cognizance Research India Pvt Ltd. 1922, validity= 03-02-2022
31. Any litigation pending against the project or land in any court	No
32. 36. Details of 500 m Cluster Map & certificate issued by Mining Officer	Yes, 985/ Khanij M M C- 30
33. Details of Lease Area in approved DSR	Yes, Page No. 54 Sl. No. 48
34. Proposed CER cost	Rs 1,90,000/-
35. Proposed EMP cost	Rs 6,51,388/-
36. Length and breadth of Haul Road	Length: 0.872 km, width: 6 m
37. No. of Trees to be Planted	440 plants

5. The mining would be restricted to unsaturated zone only above the phreatic water table and will not intersect the ground water table at any point of time.
6. The mining operation will not be carried out in safety zone of any bridge or embankment or in eco-fragile zone such as habitat of any wild fauna.
7. There is no litigation pending in any court regarding this project.
8. The project proposal falls under category-1(a) of EIA Notification, 2006 (as amended).

RESOLUTION AGAINST AGENDA NO-11

The committee discussed the matter and recommended grant of environmental clearance for the project proposal along with general and specific conditions as annexed at Annexure-2 to these minutes.

12. Expansion of Multiplex and Commercial Complex Building (Fun Republic) at Khasra No.- 103 (Part), 105 (Part), 105 (Part), 106 (Part), 116 (Part), 117 (Part), 117 (Part), 118 (Part), 199 (Part), Bhikharnagar, Gomti Nagar, Lucknow., Shri Vikas Katoch, M/s E-City Entertainment (India) Pvt. Ltd. File No. 6414/Proposal No. SIA/UP/MIS/217388/2021

The committee noted that Shri Arvind Kumar Rai, Advocate, Hon'ble High Court, Allahabad/Hon'ble NGT, New Delhi sent a legal notice via email on 24/06/2021 to CEO5, UP Pollution Control Board, Lucknow and Regional Officer, UP Pollution Control Board, Lucknow and on 05/07/2021 to The Additional Chief Conservator of Forest, Ministry of Environment, Forest & Climate Change, Regional Office (CZ), Lucknow for Project "E-City Entertainment India Pvt. Ltd." located at Opposite Paryatan Bhawan Industrial Area, Gomti Nagar, Lucknow. Copy of these notices has been sent to Chairman, SEIAA UP, Lucknow and Chairman, SEAC I & II, UP, Lucknow.

In his complaint Shri Arvind Kumar Rai has claimed that Consent to Establish (CTE) has been issued to "E-City Entertainment India Pvt. Ltd." located at Opposite Paryatan Bhawan Industrial Area, Gomti Nagar, Lucknow on 04/11/2020 by CEO5, UP Pollution Control Board, Lucknow which is illegal as it has been issued before obtaining Environment Clearance (EC) for project expansion.

He has mentioned that the existing built up area of the project is about 18000 sqm and proposed expansion of the project is approximately 6503 sqm. After proposed expansion, the total built-up area of the project will be more than 20,000 sqm and Environmental Clearance (EC) is required for the project as per EIA Notification 2006. He has claimed that the Project Proponent has constructed Basement without getting prior Environment clearance which is an offence under section 15 of EP Act, 1986 and considering these facts, the CTE issued to "E-City Entertainment India Pvt. Ltd." located at Opposite Paryatan Bhawan Industrial Area, Gomti Nagar, Lucknow should be revoked.

Minutes of 554th SEAC Meeting Dated 30/07/2021

While assessing the application of "E-City Entertainment India Pvt. Ltd., Lucknow" for granting prior Environmental Clearance for project expansion, the committee went through the legal notice and observed that Shri Arvind Kumar Rai has claimed that M/s E-City Entertainment India Pvt. Ltd., Lucknow has started the construction work of expansion project without getting the prior Environmental Clearance. The committee noted that the project proponent M/s E-City Entertainment India Pvt. Ltd. has submitted an affidavit to SEAC-2 dated 30/07/2021 clearly mentioning that till date they have not started any construction activity at the proposed expansion site. The project proponent submitted the site photographs mentioning the date, time and geo-coordinates of the site in support of no construction affidavit. The committee also observed that issuance of CTO/CTE comes under the purview of UP Pollution Control Board, Lucknow and they are the only competent authority to grant/reject or revoke the CTO/CTE.

In view of above, the committee, after in depth discussion, opined that the affidavit, photographs and Google images submitted by the project proponent does not shows any construction activities on the proposed site. Committee further opined that the complaint has been submitted with some misunderstanding and without proper scrutiny of facts.

A presentation was made by the project proponent along with their consultant M/s Environmental & Technical Research Centre. The proponent, through the documents submitted and the presentation made informed the committee that:-

1. The environmental clearance is sought for Expansion of Multiplex and Commercial Complex Building (Fun Republic) at Khasra No.- 103 (Part), 105 (Part), 105 (Part), 106 (Part), 116 (Part), 117 (Part), 117 (Part), 118 (Part), 199(Part). Bhikhamnagar, Gomti Nagar, Lucknow, U.P., M/s E-City Entertainment (India) Pvt. Ltd.
2. Existing built up area of the project is 46038.650 sqm. After proposed expansion built up area will be 61199.120 sqm. The project having 01 exiting Block on 8th Floor and second proposed block on 4th floor.
3. Salient features of the project:

Facilities	Multiplex Commercial Complex Office
No. of Building Blocks	There will be two blocks (One existing block & One Proposed Block)
Basements	4 No in proposed block
Floor	In Existing block 8 th Floor and proposed block 4 basement + GF+ 4 th Floor.
Total Plot Area	16007.46 sq.m.
Proposed FAR Area after expansion	38406.32 sq.m.
Non FAR Area after expansion	22778.80 sq.m.
Built-up Area after expansion	61199.120 sq.m.
Total Parking Proposed	733 ECS proposed against requirement of 728 ECS
Total population after expansion	9362 persons
Total Project Cost	40 Crores
Energy Conservation	16 % of total demand energy saving by adopting different energy conservation measures.
Maximum Height	Approx. 26 m
Proposed Landscape Area	1622.64 sqm (@ 10.13% of the plot area) Number of proposed tree is to be planted : 28
Soil Excavation	23883.8 Cubic Meter
Power Requirement & Source	Existing Power Requirement will be – 2850 (Including Multiplex and commercial Shopping) After expansion power requirement will be 3820 KVA which will be tapped from the concerned Electricity board

Minutes of 554th SEAC Meeting Dated 30/07/2021

Power Backup	Backup of Existing DG sets will be used 1250 KVA (3 Nos.) + 750 KVA (1 No.)=4500 KVA
Water Requirement & Source	Fresh Water: 103 KLD (Borewell) Reuse of treated effluent as received from the STP: 113 KLD. Total Water Requirement: 216 KLD
Sewage treatment & Disposal	The waste water generated from shopping mall and multiplex (i.e. 185 KLD) would be treated in the STP capacity 300 KLD. Recycled water shall be used after tertiary treatment i.e 113 KLD water for flushing & Horticulture
The solid waste generated	1404.38 kg/Day-Municipal waste & 0.8 kg/day -Horticulture waste will be generated , segregated and disposed as per solid waste management Rules 2016 through approved agency for handling & disposal solid waste.
Rain water harvesting pits	02 pits
Connectivity	The proposed site is well connected with road , rail and air network. It is part of Gomti Nagar, Lucknow. Gomti Nagar railway Station: 2.74 Km , NH-28-1.47 km. The nearest Airport Chaudhary Charan Singh Airport, Amausi , Lucknow: 14.09 Km

4. Land use details:

S.No	Land Use	Area (Sqm)	Area (%)
1	Covered Area	8003.73	40
2	Landscape Area	1622.64	10
3	Open Area	6380.79	50
	Total	16007.16	100

5. Comparative area details:

S.No	Particulars	Existing Detail	Proposed Detail	Total after expansion
A	Total Land	16007.46 m ²	No Change	16007.46 m ²
B	Permissible Land Coverage (@ 50% of Plot Area)	8003.73 m ²	No Change	8003.73 m ²
C	Achieved Ground Coverage (@40.6% of the plot area)	5282.46 m ²	1223.36 m ²	6505.82 m ²
D	Total Permissible FAR purchasable FAR @ 2.65)	(Including 42019.58 m ²	-	42019.58 m ²
E	Total Proposed FAR	31728.61 m ²	6677.71 m ²	38406.32 m ²
F	Non FAR Area (Basement +Mumty/Machine room + Fire room	14296.04 m ²	8482.76 m ²	22778.80 m ²
G	Number of basement	02 Nos.	04 nos.	4 Nos in proposed block and 02 nos in existing block
H	Basement Area	1481.8 m ²	8388.5 m ²	22570.3 m ²
I	Required Parking	480 ECS	248 ECS	728 ECS
J	Proposed Parking	480 ECS	253 ECS	733 ECS
K	Required Landscape Area	1600 m ²	-	1600 m ²
L	Proposed Landscape Area	1622.64 m ²	-	1622.64 m ²
M	Total Buildup Area	46038.650 m ²	15160.47 m ²	61199.120 m ²

6. The total quantity of water requirement for the proposed Shopping mall with multiplex building is 216 KLD out of which the Fresh Water requirement of 103 KLD would be met from the Bore wells. 185 KLD waste water will be generated from the project which shall be treated in a Sewage Treatment Plant of capacity 300 KLD. Recycled water as received from STP after tertiary treatment i.e. 111 KLD water for flushing and 2 KLD water for the horticulture uses.

7. Parking details:

S. No	Parking Required (As Per Bye Laws)	ECS

Minutes of 554th SEAC Meeting Dated 30/07/2021

1	Car parking required for shop & office	98 Nos.
2	Car parking required for (Audi 638 Seats)	638/10=64 Nos.
	Total car parking required	162+86=248 nos
	Parking Provided	
3	Car parking provided in 1 st basement	27 Nos.
4	Car parking provided in 2 nd basement	50 Nos.
5	Car parking provided in 3 rd basement	50 Nos.
6	Car parking provided in 4 th basement	51 Nos.
7	Car parking in the open space	75 Nos.
	Total Car Parking Provided	253 Nos.

8. The project proposal falls under category-8(a) of EIA Notification, 2006 (as amended).

RESOLUTION AGAINST AGENDA NO-12

The committee discussed the matter and recommended grant of environmental clearance on the proposal as above alongwith following conditions:

- I. Charging points for electrical vehicle should be provided in suitable places.
- II. Organic waste convertor should be installed.
- III. The solid waste generated should be properly collected and segregated on site.
- IV. Noise monitoring station should be installed on site.
- V. Energy conservation measures like installation of LEDs/CFLs for the lighting the areas outside the building should be integral part of the project design and should be in place before project commissioning. Use LEDs and CFLs 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 panels may be done to the extent possible.
- VI. Statutory compliance:
 1. The project proponent shall obtain all necessary clearance/ permission from all relevant agencies including town planning authority before commencement of work. All the construction shall be done in accordance with the local building byelaws.
 2. The approval of the Competent Authority shall be obtained for structural safety of buildings due to earthquakes, adequacy of firefighting equipment etc as per National Building Code including protection measures from lightening etc.
 3. The project proponent shall obtain forest clearance under the provisions of Forest (Conservation) Act, 1986, in case of the diversion of forest land for non-forest purpose involved in the project.
 4. The project proponent shall obtain clearance from the National Board for Wildlife, if applicable.
 5. The project proponent shall obtain Consent to Establish / Operate under the provisions of Air (Prevention & Control of Pollution) Act, 1981 and the Water (Prevention & Control of Pollution) Act, 1974 from the concerned State Pollution Control Board/ Committee.
 6. The project proponent shall obtain the necessary permission for drawl of ground water / surface water required for the project from the competent authority.
 7. A certificate of adequacy of available power from the agency supplying power to the project along with the load allowed for the project should be obtained.
 8. All other statutory clearances such as the approvals for storage of diesel from Chief Controller of Explosives, Fire Department, Civil Aviation Department shall be obtained, as applicable, by project proponents from the respective competent authorities.

Minutes of 554th SEAC Meeting Dated 30/07/2021

9. The provisions of the Solid Waste (Management) Rules, 2016, e-Waste (Management) Rules, 2016, and the Plastics Waste (Management) Rules, 2016 shall be followed.
 10. The project proponent shall follow the ECBC/ECBC-R prescribed by Bureau of Energy Efficiency, Ministry of Power strictly.
- VII. Air quality monitoring and preservation
1. Notification GSR 94(E) dated 25.01.2018 of MoEF&CC regarding Mandatory Implementation of Dust Mitigation Measures for Construction and Demolition Activities for projects requiring Environmental Clearance shall be complied with.
 2. A management plan shall be drawn up and implemented to contain the current exceedance in ambient air quality at the site.
 3. The project proponent shall install system to carryout Ambient Air Quality monitoring for common/criterion parameters relevant to the main pollutants released (e.g. PM10 and PM25) covering upwind and downwind directions during the construction period.
 4. Diesel power generating sets proposed as source of backup power 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. The location of the DG sets may be decided with in consultation with State Pollution Control Board.
 5. Construction site shall be adequately barricaded before the construction begins. 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, murrum and other construction materials prone to causing dust pollution at the site as well as taking out debris from the site.
 6. Sand, murrum, loose soil, cement, stored on site shall be covered adequately so as to prevent dust pollution.
 7. Wet jet shall be provided for grinding and stone cutting.
 8. Unpaved surfaces and loose soil shall be adequately sprinkled with water to suppress dust.
 9. 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.
 10. The diesel generator sets to be used during construction phase shall be low sulphur diesel type and shall conform to Environmental (Protection) prescribed for air and noise mission standards.
 11. The gaseous emissions from DG set shall be dispersed through adequate stack height as per CPCB standards. Acoustic enclosure shall be provided to the DG sets to mitigate the noise pollution. Low sulphur diesel shall be used. The location of the DG set and exhaust pipe height shall be as per the provisions of the Central Pollution Control Board (CPCB) norms.
 12. For indoor air quality the ventilation provisions as per National Building Code of India.
- VIII. Water quality monitoring and preservation
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, 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.

Minutes of 554th SEAC Meeting Dated 30/07/2021

2. Buildings shall be designed to follow the natural topography as much as possible. Minimum cutting and filling should be done.
3. Total fresh water use shall not exceed the proposed requirement as provided in the project details.
4. The quantity of fresh water usage, water recycling and rainwater harvesting shall be measured and recorded to monitor the water balance as projected by the project proponent. The record shall be submitted to the Regional Office, MoEF&CC along with six monthly Monitoring reports.
5. A certificate shall be obtained from the local body supplying water, specifying the total annual water availability with the local authority, the quantity of water already committed, the quantity of water allotted to the project under consideration and the balance water available. This should be specified separately for ground water and surface water sources, ensuring that there is no impact on other users.
6. 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.
7. Installation of dual pipe plumbing for supplying fresh water for drinking, cooking and bathing etc and other for supply of recycled water for flushing, landscape irrigation car washing, thermal cooling, conditioning etc. shall be done.
8. Use of water saving devices/ fixtures (viz. low flow flushing systems; use of low flow faucets tap aerators etc) for water conservation shall be incorporated in the building plan.
9. Use of water saving devices/ fixtures (viz. low flow flushing systems; use of low flow faucets tap aerators etc) for water conservation shall be incorporated in the building plan.
10. Water demand during construction should be reduced by use of pre-mixed concrete, curing agents and other best practices referred.
11. The local bye-law provisions on rain water harvesting should be followed. If local byelaw provision is not available, adequate provision for storage and recharge should be followed as per the Ministry of Urban Development Model Building Byelaws, 2016. Rain water harvesting recharge pits/storage tanks shall be provided for ground water recharging as per the CGWB norms.
12. 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.
13. All recharge should be limited to shallow aquifer.
14. No ground water shall be used during construction phase of the project.
15. Any ground water dewatering should be properly managed and shall conform to the a approvals and the guidelines of the CGWA in the matter. Formal approval shall be taken from the CGWA for any ground water abstraction or dewatering.
16. The quantity of fresh water usage, water recycling and rainwater harvesting shall be measured and recorded to monitor the water balance as projected by the project proponent. The record shall be submitted to the Regional Office, MoEF&CC along with six monthly Monitoring reports.
17. Sewage shall be treated in the STP with tertiary treatment. The treated effluent from STP shall be recycled/re-used for flushing, AC make up water and gardening. As proposed, not related water shall be disposed in to municipal drain.
18. No sewage or untreated effluent water would be discharged through storm water drains.

Minutes of 554th SEAC Meeting Dated 30/07/2021

19. Onsite sewage treatment of capacity of treating 100% waste water to be installed. The installation of the Sewage Treatment Plant (STP) shall be certified by an independent expert and a report in this regard shall be submitted to the Ministry before the project is commissioned for operation. 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 statutory norms notified by Ministry of Environment, Forest and Climate Change. Natural treatment systems shall be promoted.
 20. Periodical monitoring of water quality of treated sewage shall be conducted. Necessary measures should be made to mitigate the odor problem from STP.
 21. Sludge from the onsite sewage treatment, including septic tanks, shall be collected, conveyed and disposed as per the Ministry of Urban Development, Centre Public Health and Environmental Engineering Organization (CPHEEO) Manual on Sewerage and Sewage Treatment Systems, 2013.
- IX. Noise monitoring and prevention:
1. Ambient noise levels shall conform to residential area/commercial area/industrial area/silence zone both during day and night as per Noise Pollution (Control and Regulation) Rules, 2000. Incremental pollution loads on the ambient air and noise quality shall be closely monitored during construction phase. Adequate measures shall be made to reduce ambient air and noise level during construction phase, so as to conform to the stipulated standards by CPCB / SPCB.
 2. Noise level survey shall be carried as per the prescribed guidelines and report in this regard shall be submitted to Regional Officer of the Ministry as a part of six-monthly compliance report.
 3. Acoustic enclosures for DG sets, noise barriers for ground-run bays, ear plugs for operating personnel shall be implemented as mitigation measures for noise impact due to ground sources.
- X. Energy Conservation measures
1. 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.
 2. Outdoor and common area lighting shall be LED.
 3. 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. Wall, window, and roof u-values shall be as per ECBC specifications.
 4. Energy conservation measures like installation of CFLs/ LED for the lighting the area outside the building should be integral part of the project design and should be in place before project commissioning.
 5. 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.
 6. Solar power shall be used for lighting in the apartment to reduce the power load on grid. Separate electric meter shall be installed for solar power. 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.

Minutes of 554th SEAC Meeting Dated 30/07/2021

XI. Waste Management :

1. A certificate from the competent authority handling municipal solid wastes, indicating the existing civic capacities of handling and their adequacy to cater to the M.S.W. generated from project shall be obtained.
2. Disposal of muck during construction phase shall not create any adverse effect on the neighboring 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.
3. Separate wet and dry bins must be provided in each unit and at the ground level for facilitating segregation of waste. Solid waste shall be segregated into wet garbage and inert materials.
4. Organic waste compost/ Vermiculture pit/ Organic Waste Converter within the premises with a minimum capacity of 0.3 kg /person/day must be installed.
5. All non-biodegradable waste shall be handed over to authorized recyclers for which a written tie up must be done with the authorized recyclers.
6. Any hazardous waste generated during construction phase, shall be disposed off as per applicable rules and norms with necessary approvals of the State Pollution Control Board.
7. 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 Fly Ash bricks, hollow bricks, AACs, Fly Ash Lime Gypsum blocks, Compressed earth blocks, and other environment friendly materials.
8. Fly ash should be used as building material in the construction as per the provision of Fly Ash Notification of September, 1999 and amended as on 27th August, 2003 and 25th January, 2016. Ready mixed concrete must be used in building construction.
9. Any wastes from construction and demolition activities related thereto shall be managed so as to strictly conform to the Construction and Demolition Rules, 2016.
10. Used 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.

XII. Green Cover:

1. No tree can be felled/transplant unless exigencies demand. Where absolutely necessary, tree felling shall be with prior permission from the concerned regulatory authority. Old trees should be retained based on girth and age regulations as may be prescribed by the Forest Department. Plantations to be ensured species (cut) to species (planted).
2. A minimum of 1 tree for every 80 sqm of land should be planted and maintained. The existing trees will be counted for this purpose. The landscape planning should include plantation of native species. The species with heavy foliage, broad leaves and wide canopy cover are desirable. Water intensive and/or invasive species should not be used for landscaping.
3. Where the trees need to be cut with prior permission from the concerned local Authority, compensatory plantation in the ratio of 1:10 (i.e. planting of 10 trees for every 1 tree that is cut) shall be done and maintained. Plantations to be ensured species (cut) to species (planted). Area for green belt development shall be provided as per the details provided in the project document.
4. 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.

Minutes of 554th SEAC Meeting Dated 30/07/2021

XIII. Transport:

1. A comprehensive mobility plan, as per MoUD best practices guidelines (URDPFI), shall be prepared to include motorized, non-motorized, public, and private networks. Road should be designed with due consideration for environment, and safety of users. The road system can be designed with these basic criteria.
 - a. Hierarchy of roads with proper segregation of vehicular and pedestrian traffic.
 - b. Traffic calming measures.
 - c. Proper design of entry and exit points.
 - d. Parking norms as per local regulation.
2. 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 be operated only during non-peak hours.
3. A detailed traffic management and traffic decongestion plan shall be drawn up to ensure that the current level of service of the roads within a 05 kms radius of the project is maintained and improved upon after the implementation of the project. This plan should be based on cumulative impact of all development and increased habitation being carried out or proposed to be carried out by the project or other agencies in this 05 Kms radius of the site in different scenarios of space and time and the traffic management plan shall be duly validated and certified by the State Urban Development department and the P.W.D./ competent authority for road augmentation and shall also have their consent to the implementation of components of the plan which involve the participation of these departments.

XIV. Human health issues :

1. 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.
2. For indoor air quality the ventilation provisions as per National Building Code of India.
3. Emergency preparedness plan based on the Hazard identification and Risk Assessment (HIRA) and Disaster Management Plan shall be implemented.
4. Provision shall be made for the housing of construction labour within the site with all necessary infrastructure and facilities such as fuel for cooking, mobile 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.
5. Occupational health surveillance of the workers shall be done on a regular basis.
6. A First Aid Room shall be provided in the project both during construction and operations of the project.

XV. Corporate Environment Responsibility:

1. The project proponent shall comply with the provisions contained in this Ministry's OM vide F.No. 22-65/2017-IA.III dated 1st May 2018, as applicable, regarding Corporate Environment Responsibility.
2. The company shall have a well laid down environmental policy duly approved by the Board of Directors. The environmental policy should prescribe for standard operating procedures to have proper checks and balances and to bring into focus any infringements/deviation/violation of the

Minutes of 554th SEAC Meeting Dated 30/07/2021

environmental / forest / wildlife norms / conditions. The company shall have defined system of reporting infringements / deviation / violation of the environmental / forest / wildlife norms / conditions and / or shareholders / stake holders. The copy of the board resolution in this regard shall be submitted to the MoEF&CC as a part of six-monthly report.

3. A separate Environmental Cell both at the project and company head quarter level, with qualified personnel shall be set up under the control of senior Executive, who will directly to the head of the organization.
4. Action plan for implementing EMP and environmental conditions along with responsibility matrix of the company shall be prepared and shall be duly approved by competent authority. The year wise funds earmarked for environmental protection measures shall be kept in separate account and not to be diverted for any other purpose. Year wise progress of implementation of action plan shall be reported to the Ministry/Regional Office along with the Six Monthly Compliance Report.

XVI. Miscellaneous:

1. The project proponent shall prominently advertise it at least in two local newspapers of the District or State, of which one shall be in the vernacular language within seven days indicating that the project has been accorded environment clearance and the details of MoEFCC/SEIAA website where it is displayed.
2. The copies of the environmental clearance shall be submitted by the project proponents to the Heads of local bodies, Panchayats and Municipal Bodies in addition to the relevant offices of the Government who in turn has to display the same for 30 days from the date of receipt.
3. The project proponent shall upload the status of compliance of the stipulated environment clearance conditions, including results of monitored data on their website and update the same on half-yearly basis.
4. The project proponent shall submit six-monthly reports on the status of the compliance of the stipulated environmental conditions on the website of the ministry of Environment, Forest and Climate Change at environment clearance portal.
5. The project proponent shall submit the environmental statement for each financial year in Form-V to the concerned State Pollution Control Board as prescribed under the Environment (Protection) Rules, 1986, as amended subsequently and put on the website of the company.
6. The project proponent shall inform the Regional Office as well as the Ministry, the date of financial closure and final approval of the project by the concerned authorities, commencing the land development work and start of production operation by the project.
7. The project authorities must strictly adhere to the stipulations made by the State Pollution Control Board and the State Government.
8. The project proponent shall abide by all the commitments and recommendations made in the EIA/EMP report, commitment made during Public Hearing and also that during their presentation to the Expert Appraisal Committee.
9. No further expansion or modifications in the plant shall be carried out without prior approval of the Ministry of Environment, Forests and Climate Change (MoEF&CC).
10. Concealing factual data or submission of false/fabricated data may result in revocation of this environmental clearance and attract action under the provisions of Environment (Protection) Act, 1986.

Minutes of 554th SEAC Meeting Dated 30/07/2021

11. The Ministry may revoke or suspend the clearance, if implementation of any of the above conditions is not satisfactory.
 12. The Ministry reserves the right to stipulate additional conditions if found necessary. The Company in a time bound manner shall implement these conditions.
 13. The Regional Office of this Ministry shall monitor compliance of the stipulated conditions. The project authorities should extend full cooperation to the officer (s) of the Regional Office by furnishing the requisite data / information/monitoring reports.
 14. The above conditions shall be enforced, inter-alia under the provisions of the Water (Prevention & Control of Pollution) Act, 1974, the Air (Prevention & Control of Pollution) Act, 1981, the Environment (Protection) Act, 1986, Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016 and the Public Liability Insurance Act, 1991 along with their amendments and Rules and any other orders passed by the Hon'ble Supreme Court of India / High Courts and any other Court of Law relating to the subject matter.
 15. Any appeal against this EC shall lie with the National Green Tribunal, if preferred, within a period of 30 days as prescribed under Section 16 of the National Green Tribunal Act, 2010.
13. "Building Stone (Khanda, Gitti- Boulder) Mine" Project at Arazi No.-288, Khand No.-03, at Village- Majhol, Tehsil- Charkhari, District- Mahoba, U.P., M/s Ekta Construction Leased Area -0.809 ha. File No. 6306/Proposal No. SIA/UP/MIN/202776/2021

A presentation was made by the project proponent along with their consultant M/s Globus Environment Engineering Services. The committee discussed the matter and directed the project proponent to submit following information:

1. Revised Environment Management Plan.
2. Revised CER plan.
3. Revised plantation plan with identification of green belt, type and number of plants/trees and their location in consultation with forest department should be submitted.

The matter shall be discussed after getting the above information on prescribed portal.

(Dr. Harikesh Bahadur Singh)
Chairman, SEAC-2

(Dr. Amrit Lal Haldar)
Member, SEAC-2

(Dr. Dineshwar Prasad Singh)
Member, SEAC-2

(Tanzar Ullah Khan)
Member, SEAC-2

(Prof. Jaswant Singh)
Member, SEAC-2

(Dr. Shiv Om Singh)
Member, SEAC-2

(Ashish Tiwari)
Member-Secretary, SEAC-1 & 2

संलग्नक (5)

समक्ष मुख्य न्यायिक दण्डाधिकारी लखनऊ कक्ष संख्या

आपराधिक परिवाद संख्या

2021

थाना गोमती नगर, लखनऊ ।

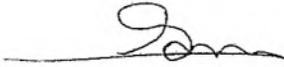
अनुक्रमणिका

इन

सत्येन्द्र कुमार पाण्डेय पुत्र श्री कमल कुमार पाण्डेय,
निवासी ग्राम-कंजिया, पोस्ट-अटरामपुर जनपद
प्रयागराज, 229412

बनाम

1- डॉ हरिकेश बहादुर सिंह आदि



From :- Satyendra Pandey Village - Kanjhia, Post- Atrampur
District- Prayagraj 229412, through my Counsel,

Arvind Kumar Rai
Advocate High Court Allahabad/
National Green Tribunal, New Delhi
Chamber No:-159-A, New Building
High Court Allahabad 211001
Mob. No. 9793027778

To

1. Member Secretary, U.P. Pollution Control Board Lucknow
2. Additional Chief Secretary Environment & Forest Lucknow
3. Secretary MoEF & CC, New Delhi

This Notice is being given in the pursuance of the Legal Notice Dated 23.06.2021

Notice U/s 19 (b) of the Environment Protection Act 1986.

Whereas, an offence under (Environment Protection) Act, 1986 has been committed/ is being committed by the

- I. Chairman & Members of SEAC 2 Lucknow
- II. Director, Directorate of Environment Lucknow
- III. Concerned Consultant

I/we hereby give Notice of 60 days U/s 19(b) of (Environment Protection) Act, 1986, of my/ our intention to file a complaint in the court against :-

- I. Chairman & Members of SEAC 2 Lucknow, namely Dr. Harikesh Bahadur Singh (Chairman), & Members - Dr. Armit Lal Haldar, Dr. Dineshwar Prasad Singh, Tanzar Ullah Khan, Prof. Jaswan Singh, Dr. Shiv Om Singh. Address- Directorate of Environment Paryavaran Bhawan, 1- Vinay Khand Gomtinagar Lucknow 226010
- II. Director, Directorate of Environment Lucknow namely Ashish Tripathi Address- Directorate of Environment Paryavaran Bhawan, 1- Vinay Khand Gomtinagar Lucknow 226010
- III. Concerned Consultant namely Manoj Garg Director of NIS Environmental and Technical Research Center Lucknow address- 457, Vipul Khand, Gomtinagar, Lucknow

For Violation of Section 15 & 17 of the (Environment Protection) Act, 1986.

The Project of E city Entertainment India Pvt Ltd located at Opposite Paryatan Bhawan Industrial Area Gomtinagar Lucknow 226001 filed for an EC on dated 29.06.2021 as File No. 6414 in normal course whereas it is a case of violation, it was kept on agenda on dated 30.07.2021 and was appraised by the SEAC-2, in spite of the fact that they were aware of the fact that it is a case of violation through the legal notice dated 24.06.2021

In support of my/ our notice, I am/ we are enclosing the Following Documents as evidence of proof of violation of (Environment Protection) Act, 1986.

Enclosure:

a. Legal Notice dated 24.06.2021

Place : Prayagraj

Date: 23.08.2021

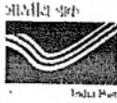
Regards,



Arvind Kumar Rai
(Advocate)



Sign In Register



You are here Home >> Track Consignment

Track Consignment

* Indicates a required field.

* Consignment Number

RU024859195IN

RU024859195IN INR02385924859195
 AL ALAHABAD KTY HO (211000)
 Counter No:8,23/08/2021,12:38
 To:ADDITIONAL CH,MANOJ SINGH
 PIN:226001, Lucknow GPO
 From:ARVIND KUMAR RAI,
 Wt:70gms
 Amt:30.00(Cash)
 Track on www.indiapost.gov.in
 (Dial 18003448888) (Wear Mask, Stay Safe)



Quick help

Track More

Booked At	Booked On	Destination Pincode	Tariff	Article Type	Delivery Location	Delivery Confirmed On
Allahabad Kty HO	23/08/2021 12:38:34	226001	30.00	Registered Letter	Lucknow GPO	25/08/2021 16:36:26

Event Details For : RU024859195IN

Current Status : Item Delivery Confirmed

Date	Time	Office	Event
25/08/2021	16:36:26	Lucknow GPO	Item Delivery Confirmed
25/08/2021	09:47:46	Lucknow GPO	Out for Delivery
25/08/2021	07:56:33	Lucknow GPO	Item Received
25/08/2021	05:20:27	Lucknow RMS CRC	Item Dispatched
25/08/2021	04:49:44	Lucknow RMS CRC	Item Bagged
25/08/2021	01:09:49	Lucknow RMS CRC	Item Received
24/08/2021	06:38:53	Mail Agency Allahabad RMS	Item Dispatched
24/08/2021	06:35:38	Mail Agency Allahabad RMS	Item Received
24/08/2021	05:04:16	Allahabad RMS L1R	Item Dispatched
24/08/2021	03:37:04	Allahabad RMS L1R	Item Bagged
23/08/2021	21:10:52	Allahabad RMS L1R	Item Received
23/08/2021	18:59:56	Mail Agency Allahabad RMS	Item Dispatched
23/08/2021	18:47:55	Mail Agency Allahabad RMS	Item Received
23/08/2021	17:12:54	Allahabad Kty HO	Item Dispatched
23/08/2021	15:35:09	Allahabad Kty HO	Item Bagged
23/08/2021	12:38:34	Allahabad Kty HO	Item Booked

Sign In Register



You are here Home >> Track Consignment

Track Consignment

* Indicates a required field.

* Consignment Number

RU024859213IN

Track More

RU024859213IN IN:6285024859213
 R. ALLAHABAD KTY HO (211002)
 Counter No:8, 23/08/2021, 12:38
 TELEPOST SECRETARY,
 PIN:226010, Gomti Nagar SO
 From:ANIND KUMAR RAI..
 Wt:33gms
 Amt:30.00(Cash)
 <Track on www.indiapost.gov.in>
 <Dial 18002666868> <Wear Masks, Stay Safe>



Quick help

Booked At	Booked On	Destination Pincode	Tariff	Article Type	Delivery Location	Delivery Confirmed On
Allahabad Kty HO	23/08/2021 12:38:34	226010	30.00	Registered Letter	Gomti Nagar SO	25/08/2021 13:23:14

Event Details For : RU024859213IN

Current Status : Item Delivery Confirmed

Date	Time	Office	Event
25/08/2021	13:23:14	Gomti Nagar SO	Item Delivery Confirmed
25/08/2021	09:47:13	Gomti Nagar SO	Out for Delivery
25/08/2021	07:58:25	Gomti Nagar SO	Item Received
25/08/2021	05:54:30	Lucknow RMS CRC	Item Dispatched
25/08/2021	05:16:00	Lucknow RMS CRC	Item Bagged
25/08/2021	01:09:49	Lucknow RMS CRC	Item Received
24/08/2021	06:38:53	Mail Agency Allahabad RMS	Item Dispatched
24/08/2021	06:35:38	Mail Agency Allahabad RMS	Item Received
24/08/2021	05:04:16	Allahabad RMS L1R	Item Dispatched
24/08/2021	03:37:04	Allahabad RMS L1R	Item Bagged
23/08/2021	21:10:52	Allahabad RMS L1R	Item Received
23/08/2021	18:59:56	Mail Agency Allahabad RMS	Item Dispatched
23/08/2021	18:47:55	Mail Agency Allahabad RMS	Item Received
23/08/2021	17:12:54	Allahabad Kty HO	Item Dispatched
23/08/2021	15:35:09	Allahabad Kty HO	Item Bagged
23/08/2021	12:38:34	Allahabad Kty HO	Item Booked

[Handwritten signatures]

Sign In Register

▼ A अ हिन्दी ॐ २



RU024859200IN INR:2285024859200
 At ALLAHABAD KTY NO 02110003
 Counter No:8, 23/08/2021, 12:38
 To: SECRETARY MEF AND CO.,
 PIN:110003, Lodi Road HO
 From: AGENT HUMAN RAI
 Net: 3000
 Amt: 30.00 (Cash)
 (Track on www.indiapost.gov.in)
 (Dial 18002666000) (Wear Mask, Stay Safe)



You are here Home >> Track Consignment

Track Consignment

* Indicates a required field.

* Consignment Number

RU024859200IN

Quick help

Track More

Booked At	Booked On	Destination Pincode	Tariff	Article Type	Delivery Location	Delivery Confirmed On
Allahabad Kty HO	23/08/2021 12:38:34	110003	30.00	Registered Letter	Lodi Road HO	31/08/2021 17:10:29

Event Details For : RU024859200IN

Current Status : Item Delivery Confirmed

Date	Time	Office	Event
31/08/2021	17:10:29	Lodi Road HO	Item Delivery Confirmed
31/08/2021	12:50:07	Lodi Road HO	Out for Delivery
31/08/2021	11:48:15	Lodi Road HO	Item Received
28/08/2021	18:28:31	MA RMS Bhawan	Item Dispatched
28/08/2021	16:43:31	Delhi RMS Bhawan CRC L1R	Item Dispatched
28/08/2021	14:35:09	Delhi RMS Bhawan CRC L1R	Item Bagged
28/08/2021	13:09:29	Delhi RMS Bhawan CRC L1R	Item Received
24/08/2021	23:58:34	Delhi Rs TMO	Item Dispatched
24/08/2021	22:30:02	Delhi Rs TMO	Item Received
24/08/2021	09:46:56	Mail Agency Allahabad RMS	Item Dispatched
24/08/2021	07:31:27	Mail Agency Allahabad RMS	Item Received
24/08/2021	02:48:59	Allahabad RMS L1R	Item Dispatched
24/08/2021	01:58:17	Allahabad RMS L1R	Item Bagged
23/08/2021	21:10:52	Allahabad RMS L1R	Item Received
23/08/2021	18:59:56	Mail Agency Allahabad RMS	Item Dispatched
23/08/2021	18:47:55	Mail Agency Allahabad RMS	Item Received
23/08/2021	17:12:54	Allahabad Kty HO	Item Dispatched
23/08/2021	15:35:09	Allahabad Kty HO	Item Bagged
23/08/2021	12:38:34	Allahabad Kty HO	Item Booked


भारत सरकार
Government of India


सलेंद्र कुमार पाण्डेय
Salendra Kumar Pandey
जन्म तिथि / DOB 12/02/1983
पुरुष / Male



8099 9683 0418

आधार - आम आदमी का अधिकार


भारतीय विशिष्ट पहचान प्राधिकरण
Unique Identification Authority of India

पता: आरम्भ: कमल कुमार पाण्डेय
79, कजिया, अट्रामपुर उर्फ
नवाबगंज, इलाहाबाद, अट्रामपुर,
उत्तर प्रदेश, 229412

Address: S/O. Kamal Kumar Pandey, 79,
Kanjak, Atrampur Uri Nawabganj,
Allahabad, Atrampur, Uttar Pradesh,
229412

8099 9683 0418

 **1847**
1800 300 1847

 **help@uidai.gov.in**

 **www.uidai.gov.in**

[Handwritten Signature]

[Handwritten Signature]

F. No. IA3-22/19/2021-IA.III [E 164361]
Government of India
Ministry of Environment, Forest and Climate Change
(Impact Assessment Division)

Indira Paryavaran Bhawan
Aliganj, Jorbagh Road
New Delhi-110 003

Dated: 20th September, 2021

ORDER

Sub: Directions under Section 5 of the Environment (Protection) Act, 1986 to not grant or renew CTO unless Environment Clearance, as applicable, has been obtained – regarding.

Whereas, prior Environmental Clearance is a statutory requirement for project/activities covered in the schedule of the EIA Notification 2006, issued under section 3 of the Environment (Protection) Act, 1986.

2. And whereas, obtaining the consents under Water (Prevention & Control of Pollution) Act, 1974 & Air (Prevention & Control of Pollution) Act, 1981 is mandatory for all industrial units in Red, Orange and Green categories.

3. And whereas, the grant of EC and Consents are requirements under different statutes and are not inter-dependent and can be carried out as a parallel process.

4. And whereas, many a times it has been observed that while industrial units are in possession of valid 'Consent to Establish' (CTE)/ 'Consent to Operate' (CTO) issued by State Pollution Control Boards (SPCBs)/ UT Pollution Control Committees (UTPCC), however, they have not obtained the Environmental Clearance (EC), even though it was required as per provisions of EIA Notification 2006.

5. And whereas, it has been observed that this situation is arising because majority of the SPCBs/ UTPCCs are issuing CTE/CTO to projects without ascertaining the applicability of prior EC to projects/ activities, resulting in an avoidable situation of closure for even those industries also who seek to carry out their activities following due procedure.



6. Now therefore, in exercise of powers conferred by section 5 of the Environment (Protection) Act, 1986 (29 of 1986), the Central Government, hereby directs that all SPCB/UTPCC shall:

- i. Ascertain the applicability of EIA Notification at the time of grant/renewal of CTE and stipulate appropriate condition for obtaining Environmental Clearance (EC), if applicable, before construction/commencement of project/activity.
- ii. Ensure that the project proponent possesses a valid Prior EC in terms of the extant EIA Notification, if applicable, at the time of grant/renewal of CTO and no CTO shall be granted or renewed unless EC, if applicable, has been obtained.

7. This is issued with the approval of the Competent Authority.


 (A K Agrawal)
 Director

To

Chairmen of all State/UT Pollution Control Boards and Pollution Control Committees

Copy for information to:

1. PS to Hon'ble Minister for Environment, Forest and Climate Change
2. PS to Hon'ble MoS (EF&CC)
3. PPS to Secretary (EF&CC)
4. PPS to AS(RA)/JS(SKB)
5. Chairman of all the Expert Appraisal Committees
6. Chairperson/Member Secretaries of all the SEIAAs/SEACs
7. All the Officers of IA Division, MOEFCC
8. Website MoEF&CC/ Guard file.





भारत सरकार
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
एकीकृत क्षेत्रीय कार्यालय, लखनऊ
Ministry of Environment, Forest & Climate Change
Integrated Regional Office, Lucknow



केन्द्रीय भवन पंचम तल सेक्टर एच अलीगंज लखनऊ 226024
Kendriya Bhawan, 5th Floor, Sector-H, Aliganj, Lucknow-226024, Telefax-2326696
Email: roc.lko-mef@nic.in

पत्रांक संख्या- II/Env/Comp/UP/14/90/450

Speed post
दिनांक-07.01.2022

सेवा में,

निदेशक,
पर्यावरण निदेशालय, उ.प्र.,
विनीत खण्ड-1, गोमती नगर, लखनऊ।

विषय:- Expansion of Multiplex and Commercial Complex Building (Fun Republic) at Khasra No. 103 (Part), 105 (Part), 106 (Part), 116 (Part), 117 (Part), 118 (Part), 199 (Part), Bhikham nagar, Gomti Nagar, Lucknow, M/s E-City Entertainment (India) Pvt. Ltd. द्वारा पर्यावरण (संरक्षण) अधिनियम, 1986/ पर्यावरण प्रभाव मूल्यांकन अधिसूचना के प्राविधानों के उल्लंघन के संबंध में।

संदर्भ:- पत्रांक संख्या:/पर्या0/एस0ई0आई0ए0ए0/6414/2021 दिनांक: 13.12.2021 तथा परियोजना प्रयोक्ता पत्र सं0- शून्य दिनांक 08.12.2021

महोदय,

उक्त विषय के संबंध में मुझे निम्न बिंदुओं को अवगत कराने का आदेश हुआ है, जो निम्नवत् है-

1. M/s E-City Entertainment (India) Pvt. Ltd. द्वारा परियोजना प्रस्ताव Expansion of Multiplex and Commercial Complex Building (Fun Republic) at Khasra No. 103 (Part), 105 (Part), 106 (Part), 116 (Part), 117 (Part), 118 (Part), 199 (Part), Bhikhamnagar, Gomti Nagar, Lucknow दिनांक 29.06.2021 को पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार के ऑनलाइन पोर्टल के माध्यम से पर्यावरणीय अनापत्ति हेतु आवेदन प्रस्तुत किया गया। इस परियोजना का कुल क्षेत्रफल 16,700.46 वर्ग मी० तथा कुल बिल्ट-अप क्षेत्रफल 61,199.120 वर्ग मी० है। ई0आई0ए0 अधिसूचना, 2006 (यथासंशोधित) के अनुसार यह परियोजना कैटेगरी-बी (8ए) "बिल्डिंग/कॉन्स्ट्रक्शन परियोजना" के अंतर्गत आच्छादित होती है।
2. आपकी प्रेषित सूचना के अनुसार प्रकरण पर समिति की 554वीं बैठक दिनांक 30.07.2021 में विचार-विमर्श करते हुए परियोजना प्रस्ताव को पूर्व पर्यावरणीय क्लीयरेंस हेतु कतिपय शर्तों के साथ संस्तुति प्रदान की गयी। SEAC की 554 वीं बैठक में निम्न निर्णय लिए गए-

"In view of above, the committee, after in depth discussion, opined that the affidavit, photographs and Google image submitted by the project proponent does not shows any construction on the proposed site. Committee further opined that the complaint has been submitted with some misunderstanding and without proper scrutiny of facts."

3. तदोपरान्त सन्दर्भित प्रकरण पर एस.ई.आई.ए.ए., उ०प्र० द्वारा अपनी 487वीं बैठक, दिनांक 03.09.2021 में विचार-विमर्श करते हुए परियोजना प्रस्तावक को परियोजना से संबंधित कतिपय सूचनाएं उपलब्ध कराये जाने के निर्देश दिये गये। परियोजना प्रस्तावक द्वारा पत्र दिनांक 22.09.2021 के माध्यम से एस.ई.आई.ए.ए. को वांछित सूचनाएं उपलब्ध करायी गयी।
4. एकीकृत क्षेत्रीय कार्यालय, पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, लखनऊ द्वारा पत्रांक-II/Env/comp/UP/14/90/166 दिनांक 22.09.2021 के माध्यम से अवगत कराया गया कि परियोजना स्थल का भौतिक निरीक्षण किया तथा पाया गया कि परियोजना प्रस्तावक द्वारा बिना पूर्व-पर्यावरण अनापत्ति प्राप्त किए प्रारंभ कर दिया गया व परियोजना प्रस्तावक के विरुद्ध पर्यावरण संरक्षण अधिनियम, 1986 के अंतर्गत कार्यवाही किये जाने का अनुरोध किया गया है। उल्लेखनीय है कि 554वीं बैठक में शिकायत पर चर्चा हुई थी अर्थात् निदेशालय को शिकायत की पूर्व जानकारी थी।
5. एस.ई.आई.ए.ए., उ०प्र० द्वारा अपनी 497वीं कार्यालय, पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय

04.10.2021 में एकीकृत क्षेत्रीय
दिनांक 22.09.2021 पर विचार

करते हुए निम्नवत् निर्णय लिया गया: "SEIAA noted that Integrated Regional Office, MoEF&CC, Lucknow vide letter F.No. II/Env/Comp/14/90/166, dated 22/09/2021 has brought forward irregularities being committed by PP. Hence, SEIAA opined that the Secretariat shall refer the matter to Department of Environment, UP to initiate the prosecution proceedings against the project proponent under Environment (Protection) Act, 1986."

6. पर्यावरण निदेशालय ने अपने पत्र दिनांक 16.12.2021 द्वारा SEAC की 554वीं बैठक में प्रस्तुतिकरण के समय परियोजना प्रस्तावक ने अपने पत्र दिनांक 30.07.2021 द्वारा "No Construction Affidavit" प्रस्तुत किया था।
7. प्रयोक्ता द्वारा उत्तर प्रदेश प्रदूषण नियंत्रण बोर्ड से दिनांक 04.11.2020 को "Consent to Establish" भी प्राप्त कर ली गयी थी अर्थात् प्रयोक्ता को दिनांक 04.11.2020 से ही अपनी परियोजना प्रारंभ करने की अनुमति प्राप्त हो गयी थी तथा पर्यावरण अनापत्ति हेतु दिनांक 30.07.2021 को 554वीं बैठक में पूर्व पर्यावरणीय क्लीयरेंस हेतु कतिपय शर्तों के साथ संस्तुति भी प्रदान की गयी।
8. इस कार्यालय को एडवोकेट श्री अरविन्द कुमार राय का लीगल नोटिस दिनांक 05.07.2021 को प्राप्त हुआ, जिसकी कापी MS, UPPCB; Chairman, SEIAA; Chairman SEAC I & II को भी थी एवं उसके तुरंत बाद Consent to Establish को दिनांक 09.07.2021 को निरस्त कर दिया गया।
9. इसके अतिरिक्त उ० प्र० प्रदूषण नियंत्रण बोर्ड द्वारा जारी CTE निरस्त पत्र तथा परियोजना प्रयोक्ता द्वारा Form-1 में दिए गए मौजूदा तथा विस्तार परियोजना के कुल क्षेत्रफल तथा निर्माण कार्य क्षेत्रफल में भिन्नता पायी गयी। जबकि परियोजना प्रयोक्ता ने लखनऊ विकास प्राधिकरण द्वारा स्वीकृत ले-आउट मैप CTE आवेदन के समय जमा किया था, जिसका विवरण निम्न प्रकार से है:-

S.No.	Area defined	As per UPPCB CTE Revoke Letter	As per Details submitted by PPs in Form-1 & Approved lay out plan
1.	Built up Area	31,728 Sq.m.	46038.65 Sq.m
2.	Proposed Expansion Area	6503 Sq.m.	15160.47 Sq.m
3.	Total Built-up expansion Area	38406.32 Sq.m.	61199.120 Sq.m
4.	Total Plot Area	15,000 Sq.m.	16007.46 Sq.m

10. पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय के पत्र के O.M. संख्या File No. 22-21/2021-IA.III दिनांक 07.07.2021 के पृष्ठ संख्या 5 में पर्यावरण क्लीयरेंस हेतु किए गए Violation को परिभाषित किया गया है। उपरोक्त तथ्यों तथा आपके कार्यालय द्वारा प्रेषित पत्रों से स्पष्ट है कि प्रयोक्ता द्वारा निर्धारित अवधि में अपने अभिलेखों को सक्षम स्तर पर प्रेषित करते हुए आवेदन किया था। संस्तुति के बाद भी पर्यावरणीय क्लीयरेंस करने में विलंब किया गया, Consent to Establish भी पर्यावरणीय क्लीयरेंस के पूर्व निर्गत किया गया जिसको बाद में निरस्त किया गया। ये सभी तथ्य एक दूसरे के विरोधाभासी हैं। कृपया विधिसम्मत तरीके से मंत्रालय द्वारा परिचालित विभिन्न आदेशों के दृष्टिगत पर्यावरण संरक्षण अधिनियम, 1986 के अंतर्गत प्रयोक्ता को तत्काल राहत प्रदान करने पर विचार किया जाए।

o/c

भवदीया
प्रीति त्रिपाठी
07.01.22
(डॉ. प्रीति त्रिपाठी)
वैज्ञानिक-'सी'

प्रतिलिपि:-

1. सदस्य सचिव, उ० प्र०, प्रदूषण नियंत्रण बोर्ड, टीसी, -12 वी, विभूति खण्ड गोमतीनगर, लखनऊ-226010.
2. श्री गिरीश पाण्डेय, सी.ई.ओ., मे० फन रिपब्लिक मॉल, पर्यटन भवन के सामने, इण्डस्ट्रीयल एरिया, गोमती नगर, लखनऊ, उ.प्र.-226016।

o/c

प्रीति त्रिपाठी
07.01.22
(डॉ. प्रीति त्रिपाठी)
वैज्ञानिक-'सी'

ENVIRONMENTAL
CLEARANCE

Government of India
Ministry of Environment, Forest and Climate Change
(Issued by the State Environment Impact Assessment
Authority(SEIAA), Uttar Pradesh)

To,

The GM
 ECITY ENTERTAINMENT PVT LTD
 Fun Republic Mall, Near Eldeco Greens, Gomtinagar -226010

Subject: Grant of Environmental Clearance (EC) to the proposed Project Activity under the provision of EIA Notification 2006-regarding

Sir/Madam,

This is in reference to your application for Environmental Clearance (EC) in respect of project submitted to the SEIAA vide proposal number SIA/UP/MIS/217388/2021 dated 29 Jun 2021. The particulars of the environmental clearance granted to the project are as below.

- | | |
|---|---|
| 1. EC Identification No. | EC22B038UP159888 |
| 2. File No. | 6414 |
| 3. Project Type | New |
| 4. Category | B2 |
| 5. Project/Activity including Schedule No. | 8(a) Building and Construction projects |
| 6. Name of Project | Proposed expansion of Multiplex and commercial complex building Project (Fun Republic) at Khasra no – 103 (Part), 104(Part), 105 (Part), 106 (Part), 116(Part) , 117(Part), 118(Part), 199 (Part), Bhikhamnagar, Gomtinagar Nagar, Lucknow |
| 7. Name of Company/Organization | ECITY ENTERTAINMENT PVT LTD |
| 8. Location of Project | Uttar Pradesh |
| 9. TOR Date | N/A |

The project details along with terms and conditions are appended herewith from page no 2 onwards.

Date: 08/06/2022

(e-signed)
Member Secretary
Member Secretary
SEIAA - (Uttar Pradesh)

Note: A valid environmental clearance shall be one that has EC identification number & E-Sign generated from PARIVESH. Please quote identification number in all future correspondence.

This is a computer generated cover page.

PARIVESH

*(Pro-Active and Responsive Facilitation by Interactive,
 and Virtuous Environmental Single-Window Hub)*





State Level Environment Impact Assessment Authority, Uttar Pradesh

Directorate of Environment, U.P.

Vineet Khand-1, Gomti Nagar, Lucknow- 226010

E-Mail- doeuplko@yahoo.com, seiaaup@yahoo.com

Phone no- 0522-2300541

Reference- MoEFCC Proposal no- SIA/UP/MIS/217388/2022 & SEIAA, U.P File no- 6414

Sub: Environmental Clearance for Proposed Expansion of Multiplex and Commercial Complex Building (Fun Republic) at Khasra No.- 103 (Part), 105 (Part), 105 (Part), 106 (Part), 116 (Part), 117 (Part), 117 (Part), 118 (Part), 199(Part), Bhikhamnagar, Gomti Nagar, Lucknow, U.P., M/s E-City Entertainment (India) Pvt. Ltd.

Dear Sir,

This is with reference to your application / letter dated 29-06-2021, 29-07-2021, 30-07-2021, 01-09-2021, 22-09-2021, 04-10-2021, 09-12-2021 on above mentioned subject. The matter was considered by SEAC in meeting held on 30-07-2021 and SEIAA in meeting held on 31-05-2022.

A presentation was made by the project proponent along with their M/s Environmental & Technical Research Centre to SEAC on 30-07-2021

Project Details Informed by the Project Proponent and their Consultant

The project proponent, through the documents and presentation gave following details about their project –

1. The environmental clearance is sought for Expansion of Multiplex and Commercial Complex Building (Fun Republic) at Khasra No.- 103 (Part), 105 (Part), 105 (Part), 106 (Part), 116 (Part), 117 (Part), 117 (Part), 118 (Part), 199(Part), Bhikhamnagar, Gomti Nagar, Lucknow, U.P., M/s E-City Entertainment (India) Pvt. Ltd.
2. Existing built up area of the project is 46038.650 sqm. After proposed expansion built up area will be 61199.120 sqm. The project having 01 exiting Block on 8th Floor and second proposed block on 4th floor.
3. Salient features of the project:

Facilities	Multiplex Commercial Complex Office
No. of Building Blocks	There will be two blocks (One existing block & One Proposed Block)
Basements	4 No in proposed block
Floor	In Existing block 8 th Floor and proposed block 4 basement + GF+ 4 th Floor.
Total Plot Area	16007.46 sq.m.
Proposed FAR Area after expansion	38406.32 sq.m.
Non FAR Area after expansion	22778.80 sq.m.
Built-up Area after expansion	61199.120 sq.m.
Total Parking Proposed	733 ECS proposed against requirement of 728 ECS
Total population after expansion	9362 persons
Total Project Cost	40 Crores
Energy Conservation	16 % of total demand energy saving by adopting different energy conservation measures.
Maximum Height	Approx.26 m
Proposed Landscape Area	1622.64 sqm (@ 10.13% of the plot area) Number of proposed tree is to be planted : 28

Soil Excavation	23883.8 Cubic Meter
Power Requirement & Source	Existing Power Requirement will be – 2850 (Including Multiplex and commercial Shopping) After expansion power requirement will be 3820 KVA which will be tapped from the concerned Electricity board
Power Backup	Backup of Existing DG sets will be used 1250 KVA (3 Nos.) + 750 KVA (1 No.)=4500 KVA
Water Requirement & Source	Fresh Water: 103 KLD (Borewell) Reuse of treated effluent as received from the STP: 113 KLD. Total Water Requirement: 216 KLD
Sewage treatment & Disposal	The waste water generated from shopping mall and multiplex (i.e. 185 KLD) would be treated in the STP capacity 300 KLD. Recycled water shall be used after tertiary treatment i.e 113 KLD water for flushing & Horticulture
The solid waste generated	1404.38 kg/Day-Municipal waste & 0.8 kg/day –Horticulture waste will be generated , segregated and disposed as per solid waste management Rules 2016 through approved agency for handling & disposal solid waste.
Rain water harvesting pits	02 pits
Connectivity	The proposed site is well connected with road , rail and air network. It is part of Gomti Nagar, Lucknow. Gomti Nagar railway Station: 2.74 Km , NH-28-1.47 km. The nearest Airport Chaudhary Charan Singh Airport, Amausi , Lucknow: 14.09 Km

4. Land use details:

S.No	Land Use	Area (Sqm)	Area (%)
1	Covered Area	8003.73	40
2	Landscape Area	1622.64	10
3	Open Area	6380.79	50
	Total	16007.16	100

5. Comparative area details:

S.No	Particulars	Existing Detail	Proposed Detail	Total after expansion
A	Total Land	16007.46 m ²	No Change	16007.46 m ²
B	Permissible Land Coverage (@ 50% of Plot Area)	8003.73 m ²	No Change	8003.73 m ²
C	Achieved Ground Coverage (@40.6% of the plot area)	5282.46 m ²	1223.36 m ²	6505.82 m ²
D	Total Permissible FAR (Including purchasable FAR @ 2.65)	42019.58 m ²	-	42019.58 m ²
E	Total Proposed FAR	31728.61 m ²	6677.71 m ²	38406.32 m ²
F	Non FAR Area (Basement +Mumty/Machine room + Fire room	14296.04 m ²	8482.76 m ²	22778.80 m ²
G	Number of basement	02 Nos.	04 nos.	4 Nos in proposed block and 02 nos in existing block
H	Basement Area	1481.8 m ²	8388.5 m ²	22570.3 m ²
I	Required Parking	480 ECS	248 ECS	728 ECS
J	Proposed Parking	480 ECS	253 ECS	733 ECS
K	Required Landscape Area	1600 m ²	-	1600 m ²

L	Proposed Landscape Area	1622.64 m ²	-	1622.64 m ²
M	Total Buildup Area	46038.650 m ²	15160.47 m ²	61199.120 m ²

6. The total quantity of water requirement for the proposed Shopping mall with multiplex building is 216 KLD out of which the Fresh Water requirement of 103 KLD would be met from the Bore wells. 185 KLD waste water will be generated from the project which shall be treated in a Sewage Treatment Plant of capacity 300 KLD. Recycled water as received from STP after tertiary treatment i.e. 111 KLD water for flushing and 2 KLD water for the horticulture uses.

7. Parking details:

S. No	Parking Required (As Per Bye Laws)	ECS
1	Car parking required for shop & office	98 Nos.
2	Car parking required for (Audi 638 Seats)	638/10=64 Nos.
	Total car parking required	162+86=248 nos
	Parking Provided	
3	Car parking provided in 1 st basement	27 Nos.
4	Car parking provided in 2 st basement	50 Nos.
5	Car parking provided in 3 st basement	50 Nos.
6	Car parking provided in 4 st basement	51 Nos.
7	Car parking in the open space	75 Nos.
	Total Car Parking Provided	253 Nos.

8. The project proposal falls under category-8(a) of EIA Notification, 2006 (as amended).

Based on the recommendations of the State Level Expert Appraisal Committee Meeting (SEAC) held on 30-07-2021 the State Level Environment Impact Assessment Authority (SEIAA) in its Meeting held 31-05-2022 and decided to grant the environmental clearance for the above project proposal alongwith following conditions:

- I. Charging points for electrical vehicle should be provided in suitable places.
- II. Organic waste convertor should be installed.
- III. The solid waste generated should be properly collected and segregated on site.
- IV. Noise monitoring station should be installed on site.
- V. Energy conservation measures like installation of LEDs/CFLs for the lighting the areas outside the building should be integral part of the project design and should be in place before project commissioning. Use LEDs and CFLs 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 panels may be done to the extent possible.
- VI. Statutory compliance:
 1. The project proponent shall obtain all necessary clearance/ permission from all relevant agencies including town planning authority before commencement of work. All the construction shall be done in accordance with the local building byelaws.
 2. The approval of the Competent Authority shall be obtained for structural safety of buildings due to earthquakes, adequacy of firefighting equipment etc as per National Building Code including protection measures from lightening etc.
 3. The project proponent shall obtain forest clearance under the provisions of Forest (Conservation) Act, 1986, in case of the diversion of forest land for non-forest purpose involved in the project.
 4. The project proponent shall obtain clearance from the National Board for Wildlife, if applicable.
 5. The project proponent shall obtain Consent to Establish / Operate under the provisions of Air (Prevention & Control of Pollution) Act, 1981 and the Water (Prevention & Control of Pollution) Act, 1974 from the concerned State Pollution Control Board/ Committee.
 6. The project proponent shall obtain the necessary permission for drawl of ground water / surface water required for the project from the competent authority.

7. A certificate of adequacy of available power from the agency supplying power to the project along with the load allowed for the project should be obtained.
8. All other statutory clearances such as the approvals for storage of diesel from Chief Controller of Explosives, Fire Department, Civil Aviation Department shall be obtained, as applicable, by project proponents from the respective competent authorities.
9. The provisions of the Solid Waste (Management) Rules, 2016, e-Waste (Management) Rules, 2016, and the Plastics Waste (Management) Rules, 2016 shall be followed.
10. The project proponent shall follow the ECBC/ECBC-R prescribed by Bureau of Energy Efficiency, Ministry of Power strictly.

VII. Air quality monitoring and preservation

1. Notification GSR 94(E) dated 25.01.2018 of MoEF&CC regarding Mandatory Implementation of Dust Mitigation Measures for Construction and Demolition Activities for projects requiring Environmental Clearance shall be complied with.
2. A management plan shall be drawn up and implemented to contain the current exceedance in ambient air quality at the site.
3. The project proponent shall install system to carryout Ambient Air Quality monitoring for common/criterion parameters relevant to the main pollutants released (e.g. PM10 andPM25) covering upwind and downwind directions during the construction period.
4. Diesel power generating sets proposed as source of backup power 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. The location of the DG sets may be decided with in consultation with State Pollution Control Board.
5. Construction site shall be adequately barricaded before the construction begins. 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, murrum and other construction materials prone to causing dust pollution at the site as well as taking out debris from the site.
6. Sand, murrum, loose soil, cement, stored on site shall be covered adequately so as to prevent dust pollution.
7. Wet jet shall be provided for grinding and stone cutting.
8. Unpaved surfaces and loose soil shall be adequately sprinkled with water to suppress dust.
9. 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.
10. The diesel generator sets to be used during construction phase shall be low sulphur diesel type and shall conform to Environmental (Protection) prescribed for air and noise mission standards.
11. The gaseous emissions from DG set shall be dispersed through adequate stack height as per CPCB standards. Acoustic enclosure shall be provided to the DG sets to mitigate the noise pollution. Low sulphur diesel shall be used. The location of the DG set and exhaust pipe height shall be as per the provisions of the Central Pollution Control Board (CPCB) norms.
12. For indoor air quality the ventilation provisions as per National Building Code of India.

VIII. Water quality monitoring and preservation

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, 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.
2. Buildings shall be designed to follow the natural topography as much as possible. Minimum cutting and filling should be done.

3. Total fresh water use shall not exceed the proposed requirement as provided in the project details.
4. The quantity of fresh water usage, water recycling and rainwater harvesting shall be measured and recorded to monitor the water balance as projected by the project proponent. The record shall be submitted to the Regional Office, MoEF&CC along with six monthly Monitoring reports.
5. A certificate shall be obtained from the local body supplying water, specifying the total annual water availability with the local authority, the quantity of water already committed, the quantity of water allotted to the project under consideration and the balance water available. This should be specified separately for ground water and surface water sources, ensuring that there is no impact on other users.
6. 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.
7. Installation of dual pipe plumbing for supplying fresh water for drinking, cooking and bathing etc and other for supply of recycled water for flushing, landscape irrigation car washing, thermal cooling, conditioning etc. shall be done.
8. Use of water saving devices/ fixtures (viz. low flow flushing systems; use of low flow faucets tap aerators etc) for water conservation shall be incorporated in the building plan.
9. Use of water saving devices/ fixtures (viz. low flow flushing systems; use of low flow faucets tap aerators etc) for water conservation shall be incorporated in the building plan.
10. Water demand during construction should be reduced by use of pre-mixed concrete, curing agents and other best practices referred.
11. The local bye-law provisions on rain water harvesting should be followed. If local byelaw provision is not available, adequate provision for storage and recharge should be followed as per the Ministry of Urban Development Model Building Byelaws, 2016. Rain water harvesting recharge pits/storage tanks shall be provided for ground water recharging as per the CGWB norms.
12. 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.
13. All recharge should be limited to shallow aquifer.
14. No ground water shall be used during construction phase of the project.
15. Any ground water dewatering should be properly managed and shall conform to the a approvals and the guidelines of the CGWA in the matter. Formal approval shall be taken from the CGWA for any ground water abstraction or dewatering.
16. The quantity of fresh water usage, water recycling and rainwater harvesting shall be measured and recorded to monitor the water balance as projected by the project proponent. The record shall be submitted to the Regional Office, MoEF&CC along with six monthly Monitoring reports.
17. Sewage shall be treated in the STP with tertiary treatment. The treated effluent from STP shall be recycled/re-used for flushing, AC make up water and gardening. As proposed, not related water shall be disposed in to municipal drain.
18. No sewage or untreated effluent water would be discharged through storm water drains.
19. Onsite sewage treatment of capacity of treating 100% waste water to be installed. The installation of the Sewage Treatment Plant (STP) shall be certified by an independent expert and a report in this regard shall be submitted to the Ministry before the project is commissioned for operation. 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 statutory norms notified by Ministry of Environment, Forest and Climate Change. Natural treatment systems shall be promoted.



20. Periodical monitoring of water quality of treated sewage shall be conducted. Necessary measures should be made to mitigate the odor problem from STP.
21. Sludge from the onsite sewage treatment, including septic tanks, shall be collected, conveyed and disposed as per the Ministry of Urban Development, Centre Public Health and Environmental Engineering Organization (CPHEEO) Manual on Sewerage and Sewage Treatment Systems, 2013.

IX. Noise monitoring and prevention:

1. Ambient noise levels shall conform to residential area/commercial area/industrial area/silence zone both during day and night as per Noise Pollution (Control and Regulation) Rules, 2000. Incremental pollution loads on the ambient air and noise quality shall be closely monitored during construction phase. Adequate measures shall be made to reduce ambient air and noise level during construction phase, so as to conform to the stipulated standards by CPCB / SPCB.
2. Noise level survey shall be carried as per the prescribed guidelines and report in this regard shall be submitted to Regional Officer of the Ministry as a part of six-monthly compliance report.
3. Acoustic enclosures for DG sets, noise barriers for ground-run bays, ear plugs for operating personnel shall be implemented as mitigation measures for noise impact due to ground sources.

X. Energy Conservation measures

1. 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.
2. Outdoor and common area lighting shall be LED.
3. 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. Wall, window, and roof u-values shall be as per ECBC specifications.
4. Energy conservation measures like installation of CFLs/ LED for the lighting the area outside the building should be integral part of the project design and should be in place before project commissioning.
5. 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.
6. Solar power shall be used for lighting in the apartment to reduce the power load on grid. Separate electric meter shall be installed for solar power. 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.

XI. Waste Management :

1. A certificate from the competent authority handling municipal solid wastes, indicating the existing civic capacities of handling and their adequacy to cater to the M.S.W. generated from project shall be obtained.
2. Disposal of muck during construction phase shall not create any adverse effect on the neighboring 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.
3. Separate wet and dry bins must be provided in each unit and at the ground level for facilitating segregation of waste. Solid waste shall be segregated into wet garbage and inert materials.
4. Organic waste compost/ Vermiculture pit/ Organic Waste Converter within the premises with a minimum capacity of 0.3 kg /person/day must be installed.
5. All non-biodegradable waste shall be handed over to authorized recyclers for which a written tie up must be done with the authorized recyclers.

6. Any hazardous waste generated during construction phase, shall be disposed off as per applicable rules and norms with necessary approvals of the State Pollution Control Board.
7. 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 Fly Ash bricks, hollow bricks, AACs, Fly Ash Lime Gypsum blocks, Compressed earth blocks, and other environment friendly materials.
8. Fly ash should be used as building material in the construction as per the provision of Fly Ash Notification of September, 1999 and amended as on 27th August, 2003 and 25th January, 2016. Ready mixed concrete must be used in building construction.
9. Any wastes from construction and demolition activities related thereto shall be managed so as to strictly conform to the Construction and Demolition Rules, 2016.
10. Used 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.

XII. Green Cover:

1. No tree can be felled/transplant unless exigencies demand. Where absolutely necessary, tree felling shall be with prior permission from the concerned regulatory authority. Old trees should be retained based on girth and age regulations as may be prescribed by the Forest Department. Plantations to be ensured species (cut) to species (planted).
2. A minimum of 1 tree for every 80 sqm of land should be planted and maintained. The existing trees will be counted for this purpose. The landscape planning should include plantation of native species. The species with heavy foliage, broad leaves and wide canopy cover are desirable. Water intensive and/or invasive species should not be used for landscaping.
3. Where the trees need to be cut with prior permission from the concerned local Authority, compensatory plantation in the ratio of 1:10 (i.e. planting of 10 trees for every 1 tree that is cut) shall be done and maintained. Plantations to be ensured species (cut) to species (planted). Area for green belt development shall be provided as per the details provided in the project document.
4. 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.

XIII. Transport:

1. A comprehensive mobility plan, as per MoUD best practices guidelines (URDPFI), shall be prepared to include motorized, non-motorized, public, and private networks. Road should be designed with due consideration for environment, and safety of users. The road system can be designed with these basic criteria.
 - a. Hierarchy of roads with proper segregation of vehicular and pedestrian traffic.
 - b. Traffic calming measures.
 - c. Proper design of entry and exit points.
 - d. Parking norms as per local regulation.
2. 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 be operated only during non-peak hours.
3. A detailed traffic management and traffic decongestion plan shall be drawn up to ensure that the current level of service of the roads within a 05 kms radius of the project is maintained and improved upon after the implementation of the project. This plan should be based on cumulative impact of all development and increased habitation being carried out or proposed to be carried out by the project or other agencies in this 05 Kms radius of the site in different scenarios of space and time and the traffic management plan shall be duly validated and certified by the State Urban Development department and the P.W.D./ competent authority for road augmentation

and shall also have their consent to the implementation of components of the plan which involve the participation of these departments.

XIV. Human health issues :

1. 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.
2. For indoor air quality the ventilation provisions as per National Building Code of India.
3. Emergency preparedness plan based on the Hazard identification and Risk Assessment (HIRA) and Disaster Management Plan shall be implemented.
4. Provision shall be made for the housing of construction labour within the site with all necessary infrastructure and facilities such as fuel for cooking, mobile 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.
5. Occupational health surveillance of the workers shall be done on a regular basis.
6. A First Aid Room shall be provided in the project both during construction and operations of the project.

XV. Corporate Environment Responsibility:

1. The project proponent shall comply with the provisions contained in this Ministry's OM vide F.No. 22-65/2017-IA.III dated 1st May 2018, as applicable, regarding Corporate Environment Responsibility.
2. The company shall have a well laid down environmental policy duly approved by the Board of Directors. The environmental policy should prescribe for standard operating procedures to have proper checks and balances and to bring into focus any infringements/deviation/violation of the environmental / forest / wildlife norms / conditions. The company shall have defined system of reporting infringements / deviation / violation of the environmental / forest / wildlife norms / conditions and / or shareholders / stake holders. The copy of the board resolution in this regard shall be submitted to the MoEF&CC as a part of six-monthly report.
3. A separate Environmental Cell both at the project and company head quarter level, with qualified personnel shall be set up under the control of senior Executive, who will directly to the head of the organization.
4. Action plan for implementing EMP and environmental conditions along with responsibility matrix of the company shall be prepared and shall be duly approved by competent authority. The year wise funds earmarked for environmental protection measures shall be kept in separate account and not to be diverted for any other purpose. Year wise progress of implementation of action plan shall be reported to the Ministry/Regional Office along with the Six Monthly Compliance Report.

XVI. Miscellaneous:

1. The project proponent shall submit within the next 3 months the details of solar power plant and solar electrification details within the project.
2. The project proponent shall ensure to plant broad leaf trees and their maintenance. The CPCB guidelines in this regard shall be followed.
3. The project proponent shall submit within the next 3 months the details on quantification of year wise CER activities along with cost and other details. CER activities must not be less 2% of the project cost. The CER activities should be related to mitigation of Environmental Pollution and awareness for the same.
4. The project proponent shall submit within the next 3 months the details of estimated construction waste generated during the construction period and its management plan.
5. The project proponent shall submit within the next 3 months the details of segregation plan of MSW.

6. The project proponent shall ensure that waste water is properly treated in STP and maximum amount should be reused for gardening flushing system and washing etc. For reuse of water for irrigation sprinkler and drip irrigation system shall be installed and maintained for proper function. Part of the treated sewage, if discharged to sewer line, shall meet the prescribed standards for the discharge.
7. Under any circumstances untreated sewage shall not be discharged to municipal sewer line.
8. The project proponent will ensure that proper dust control arrangements are made during construction and proper display board is installed at the site to inform the public the steps taken to control air pollution as per the Construction and Demolition Waste Management Rules.
9. The project proponent shall install micro solar power plants, toilets in nearby villages, public place or school from CER fund of the project for which E.C is granted in addition to and water harvesting pits and carbon sequestration parks / designed ecosystems.
10. A certificate from Forest Department shall be obtained that no forest land is involved and if forest land is involved the project proponent shall obtain forest clearance and permission of Central and State Government as per the provisions of Forest (conservation) Act, 1980 and submit before the start of work.
11. If the proposed project is situated in notified area of ground water extraction, where creation of new wells for ground water extraction is not allowed, requirement of fresh water shall be met from alternate water sources other than ground water or legally valid source and permission from the competent authority shall be obtained to use it.
12. Provision for charging of electric vehicles as per the guidelines of GoI / GoUP should be submitted within the next 3 months.
13. The project proponent shall prominently advertise it at least in two local newspapers of the District or State, of which one shall be in the vernacular language within seven days indicating that the project has been accorded environment clearance and the details of MoEFCC/SEIAA website where it is displayed.
14. The copies of the environmental clearance shall be submitted by the project proponents to the Heads of local bodies, Panchayats and Municipal Bodies in addition to the relevant offices of the Government who in turn has to display the same for 30 days from the date of receipt.
15. The project proponent shall upload the status of compliance of the stipulated environment clearance conditions, including results of monitored data on their website and update the same on half-yearly basis.
16. The project proponent shall submit six-monthly reports on the status of the compliance of the stipulated environmental conditions on the website of the ministry of Environment, Forest and Climate Change at environment clearance portal.
17. The project proponent shall submit the environmental statement for each financial year in Form-V to the concerned State Pollution Control Board as prescribed under the Environment (Protection) Rules, 1986, as amended subsequently and put on the website of the company.
18. The project proponent shall inform the Regional Office as well as the Ministry, the date of financial closure and final approval of the project by the concerned authorities, commencing the land development work and start of production operation by the project.
19. The project authorities must strictly adhere to the stipulations made by the State Pollution Control Board and the State Government.
20. The project proponent shall abide by all the commitments and recommendations made in the EIA/EMP report, commitment made during Public Hearing and also that during their presentation to the Expert Appraisal Committee.
21. No further expansion or modifications in the plant shall be carried out without prior approval of the Ministry of Environment, Forests and Climate Change (MoEF&CC).
22. Concealing factual data or submission of false/fabricated data may result in revocation of this environmental clearance and attract action under the provisions of Environment (Protection) Act, 1986.



23. The Ministry may revoke or suspend the clearance, if implementation of any of the above conditions is not satisfactory.
24. The Ministry reserves the right to stipulate additional conditions if found necessary. The Company in a time bound manner shall implement these conditions.
25. The Regional Office of this Ministry shall monitor compliance of the stipulated conditions. The project authorities should extend full cooperation to the officer (s) of the Regional Office by furnishing the requisite data / information/monitoring reports.
26. The above conditions shall be enforced, inter-alia under the provisions of the Water (Prevention & Control of Pollution) Act, 1974, the Air (Prevention & Control of Pollution) Act, 1981, the Environment (Protection) Act, 1986, Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016 and the Public Liability Insurance Act, 1991 along with their amendments and Rules and any other orders passed by the Hon'ble Supreme Court of India / High Courts and any other Court of Law relating to the subject matter.
27. Any appeal against this EC shall lie with the National Green Tribunal, if preferred, within a period of 30 days as prescribed under Section 16 of the National Green Tribunal Act, 2010.

Concealing factual data and information or submission of false/fabricated data and failure to comply with any of the conditions stipulated in the Prior Environmental Clearance attract action under the provision of Environmental (Protection) Act, 1986.

This Environmental Clearance is subject to ownership of the site by the project proponents in confirmation with approved Master Plan for Lucknow. In case of violation; it would not be effective and would automatically be stand cancelled.

The project proponent has to ensure that the proposed site is not a part of any no-development zone as required/prescribed/identified under law. In case of the violation this permission shall automatically deemed to be cancelled. Also, in the event of any dispute on ownership or land use of the proposed site, this Clearance shall automatically deemed to be cancelled.

Further project proponent has to submit the regular 6 monthly compliance report regarding general & specific conditions as specified in the E.C. letter and comply the provision of EIA notification 2006 (as Amended).

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 Environment (Protection) Act, 1986, the Public Liability (Insurance) Act, 1991 and EIA Notification, 2006 including the amendments and rules made thereafter.

Copy, through email, for information and necessary action to –

1. **The Principal Secretary, Department of Environment, Forest and Climate Change, Government of Uttar Pradesh, Lucknow (email – soenvups@rediffmail.com)**
2. **Joint Secretary, Ministry of Environment, Forest and Climate Change, Government of India, 3rd Floor, Prithvi-Block, Indira Paryavaran Bhawan, Jor Bagh Road, New Delhi-110003 (email – sudheer.ch@gov.in)**
3. **Deputy Director General of Forests (C), Integ rated Regional Office, Ministry of Environment, Forest and Climate Change, Kendriya Bhawan, 5th Floor, Sector "H", Aliganj, Lucknow – 226020 (email – roc.lko-mef@nic.in)**
4. **District Magistrate Lucknow.**
5. **Member Secretary, Uttar Pradesh Pollution Control Board, TC-12V, Paryavaran Bhawan, Vibhuti Khand, Gomti Nagar, Lucknow-226010 (email – ms@uppcb.com)**
6. **Copy to Web Master for uploading on PARIVESH Portal.**
7. **Copy for Guard File.**

(Ajay Kumar Sharma)
Member Secretary, SEIAA



Directorate of Environment, U.P.

Vineet Khand-1, Gomti Nagar, Lucknow - 226 010

Phone : 91-522-2300 541, Fax : 91-522-2300 543

E-mail : doeuplko@yahoo.com

Website : www.seiaaup.com

Minutes of the 613th Meeting of the State Level Environment Impact Assessment Authority, UP (SEIAA) held on 31.05.2022

The meeting of 613th State Level Environment Impact Assessment Authority, UP (SEIAA) was held on-line on 31.05.2022 at the Directorate of Environment. The following were present in the meeting:-

1. Dr. Rajiv Kumar Garg	Chairman, SEIAA, U.P
2. Shri Paras Nath	Member, SEIAA, U.P
3. Shri Ajay Kumar Sharma	Member Secretary, SEIAA, U.P

Agenda A- Transfer

1. **Transfer of EC for River Sand/Morrum Mining at Khand No./Gata No.-1129, Village- Dikauli, Tehsil- Garautha, District- Jhansi, U.P., (Leased Area-12.140 Ha) File No. 4127/Proposal No. (SIA/UP/ MIN /73466/2018)**

SEIAA gone through the undated letter of Shri Ram Singh regarding the above project. SEIAA noted that this application is for second transfer and there is huge variation in production capacity. The EC was granted for 1,83,000 m³ per annum whereas new LOI is for 18,000 m³ for six months. Hence SEIAA opined to reject the application for transfer and the project proponent may apply for new EC along with duly approved mining plan.

2. **Transfer of EC Proposed River Bed Sand/Morrum Mining from Betwa River for M/s Chaudhary Traders at Khand No.- 23/8 , Village-Bhedi Kharaka, Tehsil- Sarila, District- Hamirpur.,U.P. Sanctioned Lease Area- 24.291 ha, Effective Area- 21.401 haFile No. 4074/Proposal No. (SIA/UP/MIN /72934/2018)**

SEIAA gone through the application dated 15.04.2022 regarding the above subject. SEIAA noted that the application is made for 1,94,304 m³ for six months. SEIAA opined that the project proponent/consultant shall submit replenishment report or a certificate from DGM that the above quantity is available for mining.

3. Transfer of EC for Sand Mine on Betwa River at Gata No. 01, 319, Village - Tharro, Garautha, JHANSI., M/s A.D. Agro Foods Pvt. Lt, (Leased Area-20.234 Ha) File No. 4002/Proposal No. SIA/UP/MIN/269490/2022

SEIAA gone through the letter of M/S Riddhi Siddhi Housing Pvt. Ltd. dated 12.04.2022 regarding the above project. SEIAA noted that there is huge variation in production capacity. The EC was granted for 3,04,000 m³ per annum whereas new LOI is for 30,500 m³ for six months. Hence SEIAA opined to reject the application for transfer and the project proponent may apply for new EC along with duly approved mining plan.

4. Transfer of the EC for the Short Term Lease of Sand/morrum mining project at Bagen River, Gata no. 218/1, 234, village- Mamsi Bujurg, Tehsil- rajapur, District- Chitrakoot. Area- 1.959 ha. File No. 92/Proposal No. SIA/UP/MIN/272075/2022.

SEIAA gone through the letter of project proponent dated 10.05.2022 regarding the above project. SEIAA opined that the project proponent shall submit NOC, in the form of an affidavit, from the transferor.

Agenda B-Replies

1. Granite Gitti, Khanda, Boulders & Pahari Red Morrum Mining at Khasra No./Plot No.- 2131/3, Village- RauliKalyanpur, Tehsil- Karwi, District- Chitrakoot., Shri Arvind Kumar Mishra, Area -2.6313 ha., File No. 5624/Proposal No. SIA/UP/MIN/40307/2019

SEIAA noted that the above project was taken in its 591st meeting in which SEIAA opined that the project proponent shall submit a letter from competent authority or under his approval. The project proponent has submitted his reply vide undated letter. Hence SEIAA In light of discussion held in SEIAA meeting no. 597 dated 05.05.2022. SEIAA opined to accept the recommendation of SEAC-1 and grant EC to the said project along with all the general and specific conditions as suggested by the SEAC-1 adding following specific condition as follows:-

1. Validity period of this EC is 5 year from the date of issue as the Lol has been issued for a period of 5 year or co-terminus with the validity of current mine plan or current lease period whichever is earlier. After this period the EC will become null and void.
2. Directions/suggestions given during public hearing and commitment made by the project proponent should be strictly complied.
3. A certificate from Forest Department shall be obtained that no forest land is involved in mining or as a route and if forest land is involved the project proponent shall obtain forest clearance and permission of Central and State Government as per the provisions of Forest (conservation) Act, 1980 and submit before the start of work.
4. The mining lease holders shall, after ceasing mining operations, undertake re-grassing the mining area and any other area which may have been disturbed due to their mining activities and restore the land to a condition which is fit for growth of fodder, flora fauna etc.
5. Three tier green shelter belt of 7.5m width should be developed on the periphery of mine lease area. Local and native species should be planted in consultation with Forest/Horticulture Department/Agriculture University.

Minutes of the 613rd Meeting of the SEIAA held on 31.05.2022

6. Plan for using the mine void for productive use in consultation with local administration and gram-panchayat.
7. If the proposed project is situated in notified area of ground water extraction, where creation of new wells for ground water extraction is not allowed, requirement of fresh water shall be met from alternate water sources other than ground water or legally valid source and permission from the competent authority shall be obtained to use it.
8. Project Proponent should submit action plan for carrying out plantation at least @1,000 plants / ha of lease area. In this case, PP should prepare a plan, duly approved either by Forest Department or Horticulture Department, for planting at least 3,000 plants, either on government land or community land, within a periphery of 5 km from the boundary of the lease area along with provision for maintenance for 5 years. Survival of plants should not be less than the survival rate notified by Uttar Pradesh Forest Department otherwise it will be treated as violation of EC condition
9. In consultation with District Environment Authority or an Authority nominated by concerned DM, project proponent will prepared a conservation and management plan for rejuvenation and management of water bodies having total surface area of more than 15 ha. Funds for the same will be kept in a separate bank account and six monthly compliance status will be presented by project proponent before the nominated authority in the District.
10. Department of Geology and Mines, Government of Uttar Pradesh and / or concerned district administration, before releasing the security deposit to Project Proponent will ensure that Project Proponent has fully complied with the EC conditions. Non-compliance, if any, should be reported to UPSPCB for appropriate legal action and recovery of compensation.
11. Any application for transfer of this EC, during its validity period unless it is cancelled by a competent authority, has to be necessarily accompanied with status of compliance of EC conditions duly certified by IRO, MoEFCC, GoI, Lucknow.
12. Number of mining projects are coming up in district. Department of Geology & Mines, GoUP to carry out regional EIA-EMP report including carrying capacity of environmental components to assess the capacity to further bear the pollution load for such areas within a period of 1 year and submit the same to SEIAA, UP for evaluation.
13. Department of Geology & Mines, GoUP in consultation with UPSPCB will establish required number of CAAQMS in district within a period of one year and submit geo-referenced map of these stations along with data. Details of existing CAAQMS, if any, be submitted within a period of three months.
14. Large number of mining projects are ongoing as well as new mining leases are coming up in the district. A reference be sent to DGM and MS, SPCB for preparing mitigation plan for controlling air pollution in the district especially in mining areas.
15. If the air quality deteriorates due to mining, then District Administration & Directorate of Mining should ensure that mining be stopped immediately. Adequate measures be taken for restoring air quality and mining should commence only when air quality attains the prescribed standards.



Minutes of the 613rd Meeting of the SEIAA held on 31.05.2022

2. Building Stone (Khanda, Boulder, Bailast (Gitti) & Pahadi Red Morram) at Gata No. - 841 Mi (Khand No.- 03), Village-Paswara, Tehsil-Mahoba, District-Mahoba, Shri Anil Kumar Singh, M/s APCO Infratech Pvt. Ltd., Area:4.0 File No. 6789/Proposal No. SIA/UP/MIN/70431/2021

SEIAA gone through the letter dated 13.05.2022 of the project proponent requesting to amend the address in the issued LOI. SEIAA gone through the file and documents and agreed with the request to amend the issued ToR as below:-

Corresponding address as mentioned in issued ToR	Corresponding address as per the submitted documents
Shri Rashmeet Singh Malhotra, Village-tomda, Tehsil- Sikheda, Distt.- Narsinghpur, M.P.	Director- Shri Anil Kumar Singh S/O Late Krishan Prasad Singh, Add.- N-9 vibhuti Khand, Gomati Nagar, Lucknow

3. Building Stone (Khanda, Gitty, Boulder) & Red Morrum Mining, Village -Saipur, Tehsil-karwi, Chitrakoot., M/s Rakesh Kumar Mishra Contractor and Supplier Area- 1.2145 hectares. File No. 6739/Proposal No. SIA/UP/MIN/194138/2021

SEIAA noted that the above project was taken in its 601st meeting in which SEIAA opined that the project proponent shall submit the document regarding the inclusion of this area in DSR, either under the signature of competent authority or issued with the approval of competent authority. The project proponent has submitted his reply vide undated letter. SEIAA agreed with the recommendations of the SEAC to grant the prior Environmental Clearance to the proposed project along with all the general and specific conditions as suggested by the SEAC but the SEIAA replaces the specific condition regarding cluster certificate as "If in future during the progressive mining this lease area becomes part of cluster i.e. area equal to or more than 5 ha., limited to B-1 category, then additional conditions based on the EIA conducted by the concerned lease holders shall be imposed and joint EMP shall be implemented. The lease holder shall mandatorily follow all the imposed conditions otherwise it will amount to violation of E.C. conditions. If the certificate related to cluster provided by the competent authority is found false or incorrect then punitive actions as per the law shall be initiated against the authority issuing the cluster certificate" and adding following conditions:-

1. Validity period of this EC is 5 year from the date of issue as the Lol has been issued for a period of 5 year or co-terminus with the validity of current mine plan or current lease period whichever is earlier. After this period the EC will become null and void.
2. A certificate from Forest Department shall be obtained that no forest land is involved in mining or as a route and if forest land is involved the project proponent shall obtain forest clearance and permission of Central and State Government as per the provisions of Forest (conservation) Act, 1980 and submit before the start of work.
3. The mining lease holders shall, after ceasing mining operations, undertake re-grassing the mining area and any other area which may have been disturbed due to their mining

Minutes of the 613rd Meeting of the SEIAA held on 31.05.2022

- activities and restore the land to a condition which is fit for growth of fodder, flora fauna etc.
4. Three tier green shelter belt of 7.5m width should be developed on the periphery of mine lease area. Local and native species should be planted in consultation with Forest/Horticulture Department/Agriculture University.
 5. Plan for using the mine void for productive use in consultation with local administration and gram-panchayat.
 6. If the proposed project is situated in notified area of ground water extraction, where creation of new wells for ground water extraction is not allowed, requirement of fresh water shall be met from alternate water sources other than ground water or legally valid source and permission from the competent authority shall be obtained to use it.
 7. Project Proponent should submit action plan for carrying out plantation at least @1,000 plants / ha of lease area. In this case, PP should prepare a plan, duly approved either by Forest Department or Horticulture Department, for planting at least 2,000 plants, either on government land or community land, within a periphery of 5 km from the boundary of the lease area along with provision for maintenance for 5 years. Survival of plants should not be less than the survival rate notified by Uttar Pradesh Forest Department otherwise it will be treated as violation of EC condition.
 8. In consultation with District Environment Authority or an Authority nominated by concerned DM, project proponent will prepared a conservation and management plan for rejuvenation and management of water bodies having total surface area of more than 10 ha. Funds for the same will be kept in a separate bank account and six monthly compliance status will be presented by project proponent before the nominated authority in the District.
 9. Department of Geology and Mines, Government of Uttar Pradesh and / or concerned district administration, before releasing the security deposit to Project Proponent will ensure that Project Proponent has fully complied with the EC conditions. Non-compliance, if any, should be reported to UPSPCB for appropriate legal action and recovery of compensation.
 10. Any application for transfer of this EC, during its validity period unless it is cancelled by a competent authority, has to be necessarily accompanied with status of compliance of EC conditions duly certified by IRO, MoEFCC, GoI, Lucknow.
 11. Number of mining projects are coming up in district. Department of Geology & Mines, GoUP to carry out regional EIA-EMP report including carrying capacity of environmental components to assess the capacity to further bear the pollution load for such areas within a period of 1 year and submit the same to SEIAA, UP for evaluation.
 12. Department of Geology & Mines, GoUP in consultation with UPSPCB will establish required number of CAAQMS in district within a period of one year and submit geo-referenced map of these stations along with data. Details of existing CAAQMS, if any, be submitted within a period of three months.
 13. Large number of mining projects are ongoing as well as new mining leases are coming up in the district. A reference be sent to DGM and MS, SPCB for preparing mitigation plan for controlling air pollution in the district especially in mining areas.

Minutes of the 613rd Meeting of the SEIAA held on 31.05.2022

14. If the air quality deteriorates due to mining, then District Administration & Directorate of Mining should ensure that mining be stopped immediately. Adequate measures be taken for restoring air quality and mining should commence only when air quality attains the prescribed standards.
4. म० राष्ट्रीय हरित प्राधिकरण में दायर OA no. 249/2021 व 251/2021 दलजीत सिंह बनाम उ०प्र० सरकार के आदेश दिनांक 11.05.2022 के पालन के बारे में।
SEIAA gone through the letter of Shri Daljeet Singh dated 13.05.2022 regarding the above subject. SEIAA opined to refer the letter to DM, Saharanpur and Director Geology mining for necessary action.
5. Building Stone (Khanda, Gitti& Boulder) Mine at Gata No.-1073, (Khanda No.-04), at Village-Jarar, Tehsil-Naraini, Banda., M/s Malhotra Brothers, Area -2.0 ha. File No. 5498/4835/Proposal No. SIA/UP/MIN/50598/2019
SEIAA gone through the letter of the project proponent dated 22.05.2022 regarding factual report received from DM, Banda. SEIAA noted that there is reduction in lease area and change of geo-coordinates. Hence SEIAA opined to refer the letter to Director, Geology & mining for necessary action.
6. Soil Mining at Khasra No. 205, 176, 197, Village- Dhanaikheda, Tehsil & District- Sitapur, Shri Arjit Shukla Ramraj, Area - 3.035 ha. File No. 6970/Proposal No. SIA/UP/MIN/260295/2022
SEIAA noted that the above project was taken in its 602nd meeting in which SEIAA opined that the project proponent shall submit notarized agreement between the owner and the project proponent, certified lease map and details of alternative site, since Soil is proposed for agriculture land. The project proponent has submitted his reply vide undated letter. SEIAA noted that the reply submitted is not complete. Duly certified lease map and the details of alternative site has not been submitted. Hence SEIAA opined that the project proponent shall submit the same.
7. Expansion of Multiplex and Commercial Complex Building [Fun Republic] at Khasra No-103 (Part), 105 (Part), 105 (Part), 106 (Part), 116 (Part), 117 (Part), 117 (Part), 118 (Part), 199 (Part), Bhikhamnagar, Gomti Nagar, Lucknow, Shri Vikas Katoch, M/s E-City Entertainment (India) Pvt- Ltd- File No- 6414/Proposal No- SIA/ UP/ MIS/217388/2021 के सम्बन्ध में।
SEIAA noted that SEAC-2 in its 554th meeting dated 30.07.2021 recommended grant of environmental clearance on the proposal. SEIAA in its 487th meeting dated 03.09.2021 opined that the project proponent must submit CTE/CTO granted at the time of establishment. Further SEIAA in its 497th meeting dated 04.10.2021 noted that Integrated Regional Office, MoEFCC, Lucknow vide letter F.No. II/Env/comp/UP/14/90/166 dated 22.09.2021 has brought forward certain irregularities being committed by PP. Hence, SEIAA opined that the secretariat shall refer the matter to Department of Environment, UP to initiate the prosecution proceedings against the project proponent under Environment

Minutes of the 613rd Meeting of the SEIAA held on 31.05.2022

(Protection) Act 1986. In 561st SEIAA meeting dated 07.02.2022 letter received from Dr. Preeti Tripathi, Scientist-C, IRO, MoEFCC Lucknow dated 07.01.2022 regarding the above project. SEIAA noted that para 13(ii) of SoP dated 07.07.2021 for identification and handling of violation cases issued by MoEFCC states that- "The Central Pollution Control Board, all State Pollution Control Board and All Union Territory Pollution Control Committee shall identify cases of violation under their respective jurisdiction, report such cases to the Ministry or State/Union Territory level Environmental Impact Assessment Authority, as the case may be and also revoke CTO, if granted to the unit after giving an opportunity of being heard."

In light of SoP dated 07.07.2021, SEIAA opined to constitute a committee comprising of 1-Representative of UPPCB nominated by MS, UPPCB, 2- Representative of District Administration nominated by DM, Lucknow and 3- Representative of SEAC-2 nominated by Chairman SEAC-2 to submit a factual report. Chairman SEAC-2 vide e-mail dated 16.03.2022 informed that the matter of expansion of commercial complex was placed in 554th meeting of SEAC-2 dated 30.07.2021 and the committee unanimously recommended for grant of EC. During the presentation PP has submitted affidavit that no new construction has taken place. Therefor there is no need to nominate SEAC-2 member for site inspection. Hence Member Secretary SEIAA nominated a representative of Vice Chairman, LDA vide letter no. 1128/parya/SEIAA/6414 /2021 dated 31.03.2022.

Committee constituted for inspection of M/S E-City entertainment comprised of ACM-2 Lucknow nominated by DM, Superintending Engineer Civil nominated by LDA and regional officer, UPPCB Lucknow nominated by Member Secretary UPPCB. The inspection report was submitted by regional Officer UPPCB to MS SEIAA vide letter no. 98/G.F-258/22 dated 16.04.2022 which is as below:-

".....दिनांक 16/02/2019 के निर्माण के लिए लखनऊ विकास प्राधिकरण लखनऊ, परमिट द्वारा विस्तार के लिए नई अनुमोदित योजनाओं से संबंधित कोई निर्माण नहीं था। श्री वि कल्प सक्सेना c/o ई-सिटी एंटरटेनमेंट दिनांक 30 जुलाई 2021 द्वारा इसी के लिए दिए गए हलफनामे के अनुसार कोई नव निर्माण नहीं किया गया है केवल पूर्व में स्थित निर्माणों यथा पार्किंग एस0टी0पी0 व अण्डरग्राउण्ड टैंक को तोड़ा गया है तथा एक्सकेवेशन किया गया है। पुराने पार्किंग क्षेत्र में से ध्वस्त किये गये अण्डरग्राउण्ड पानी के टैंक व एस0टी0पी0 के स्थान पर रिडिमेड वाटर टैंक पुराने बेसमेन्ट में तथा आधुनिक एस0टी0पी0 रिडिमेड प्लान्ट अन्य खुले क्षेत्र में संचालित पाया गया। परियोजना के नये विस्तार क्षेत्र को लखनऊ विकास प्राधिकरण लखनऊ द्वारा 4 बेसमेंट, 1 लोवर ग्राउण्ड फ्लोर, 1 अपर ग्राउण्ड फ्लोर व 4 लेवल अप के साथ स्वीकृत और अनुमोदित किया गया है। नई एस0टी0पी0/ पानी की टंकियों का निर्माण दिनांक 04/11/2021 के विस्तार के लिए सी0टी0ई0 की शर्तों के अनुसार किया गया है और मौजूदा मॉल परिसर में संचालित पाया गया। शापिंग माल द्वारा सक्षम प्राधिकारियों से सी0टी0ई0 एवं खनन अनुमति प्राप्त की गई थी। परियोजना प्रस्तावक द्वारा 29

AR

Minutes of the 613rd Meeting of the SEIAA held on 31.05.2022

जून 2021 को EC हेतु आवेदन किया गया था। संदर्भित किए जा रहे उल्लंघन के लिए पर्यावरण, वन एवं जलवायु परितर्वन मंत्रालय भारत सरकार द्वारा एसओपीओ 7 जुलाई 2021 को जारी किया गया था जो कि परियोजना प्रस्तावक के EC आवेदन दाखिल करने के बाद का है। पर्यावरण मंत्रालय का संशोधित आदेश (F-No-IA3-22/19/2021-1A-iiiCE164361) दिनांक 20 सितंबर 2021 निर्दिष्ट करता है कि ऐसे मामलों में, जहां एक पार्टी को CTE दिया गया है और EC प्राप्त नहीं किया गया है ऐसे मामलों में परियोजना प्रस्तावक द्वारा आवेदन कर सकता है और कम्पीटेन्ट अथॉरिटी द्वारा परियोजना की ईओसीओ प्राप्त करने के उपरान्त ही CTO पर विचार/नवीनीकरण किया जायेगा।”

SEIAA agreed with the recommendations of the SEAC to grant the prior Environmental Clearance to the proposed project along with all the general and specific conditions as suggested by the SEAC. In addition to the conditions imposed by SEAC the SEIAA added following additional specific conditions:-

- 1- The project proponent shall submit within the next 3 months the details of solar power plant and solar electrification details within the project.
- 2- The project proponent shall ensure to plant broad leaf trees and their maintenance. The CPCB guidelines in this regard shall be followed.
- 3- The project proponent shall submit within the next 3 months the details on quantification of year wise CER activities along with cost and other details. CER activities must not be less 2% of the project cost. The CER activities should be related to mitigation of Environmental Pollution and awareness for the same.
- 4- The project proponent shall submit within the next 3 months the details of estimated construction waste generated during the construction period and its management plan.
- 5- The project proponent shall submit within the next 3 months the details of segregation plan of MSW.
- 6- The project proponent shall ensure that waste water is properly treated in SIP and maximum amount should be reused for gardening flushing system and washing etc. For reuse of water for irrigation sprinkler and drip irrigation system shall be installed and maintained for proper function. Part of the treated sewage, if discharged to sewer line, shall meet the prescribed standards for the discharge.
- 7- Under any circumstances untreated sewage shall not be discharged to municipal sewer line.
- 8- The project proponent will ensure that proper dust control arrangements are made during construction and proper display board is installed at the site to inform the public the steps taken to control air pollution as per the Construction and



Minutes of the 613rd Meeting of the SEIAA held on 31.05.2022

Demolition Waste Management Rules.

- 9- The project proponent shall install micro solar power plants, toilets in nearby villages, public place or school from CER fund of the project for which E.C is granted in addition to and water harvesting pits and carbon sequestration parks / designed ecosystems.
- 10- A certificate from Forest Department shall be obtained that no forest land is involved and if forest land is involved the project proponent shall obtain forest clearance and permission of Central and State Government as per the provisions of Forest (conservation) Act, 1980 and submit before the start of work.
- 11- If the proposed project is situated in notified area of ground water extraction, where creation of new wells for ground water extraction is not allowed, requirement of fresh water shall be met from alternate water sources other than ground water or legally valid source and permission from the competent authority shall be obtained to use it.
- 12- Provision for charging of electric vehicles as per the guidelines of GoI / GoUP should be submitted within the next 3 months.

**Assistant Nodal/Nodal Officer
SEIAA, UP**

MoM prepared by Secretariat in consultation with
Chairman & Members on the basis of decisions
taken by SEIAA during the meeting.



**(Ajay Kumar Sharma)
Member-Secretary
SEIAA**

**(Paras Nath)
Member
SEIAA**

**(Dr. Rajiv Kumar Garg)
Chairman
SEIAA**

**BEFORE THE NATIONAL GREEN TRIBUNAL
SITTING AT NEW DELHI**

MEMORANDUM OF APPLICATION

(Under Sec. 18(1) read with Sec. 14 ,15, 16 and 17 of the National
Green Tribunal Act, 2010)

**O.A. NO.569 OF 2022
(Earlier Appeal No.35/2022)**

IN THE MATTER OF:

SATENDRA PANDEY

..... APPELLANT

VERSUS

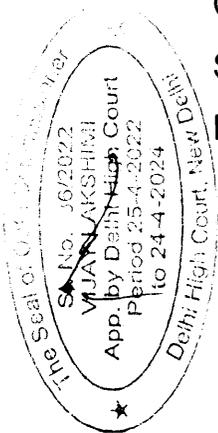
**MINISTRY OF ENVIRONMENT,
FORESTS AND CLIMATE CHANGE
AND OTHERS**

..... RESPONDENTS

AFFIDAVIT UNDER SECTION 65B OF INDIAN EVIDENCE ACT

I, Rupesh Kumar Garg aged about 47 years, Son of Gobind Ram Garg, T5 Iconic-2501, M3M The Marina Near Superatech Apartment, Sector 68, Badshahpur, Gurgaon, Haryana-122101, presently at New Delhi, do hereby solemnly affirm and declare as under:-

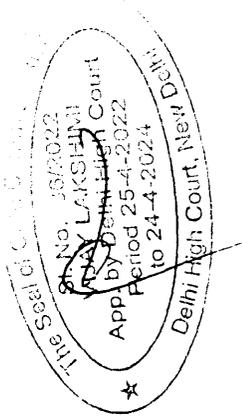
1. That I am the authorised signatory of the Respondent No.5 and as such I am conversant with the facts of the case and thus competent to affirm this affidavit.
2. I state that I am the owner of the computer/laptop.
3. Further, the computer/laptop used by me are functioning normally at all times. It is respectfully submitted that the counsel for the appellant earlier intimated the respondent no. 5 that the file will be cleared in 15 days if he was paid and he would not harass, instead support the project. As the illegal



demands were refused by the respondent no. 5, he then threatened the respondent no. 5 stating that they will now suffer, as he knows the whole system and knows how to manipulate the same. The folder containing video and voice recording of conversation taken by Project Proponent management of the incident included in the Pen Drive.

4. Accordingly, I am making this present affidavit to certify that the folder containing video and voice recording of conversation taken by Project Proponent management of the incident included in the Pen Drive annexed along with the present Reply are a 'true copy'/reproduction of the electronic record which was regularly used by me in the ordinary course of activities. I further state that at all times the computer /laptop utilized by me is operating properly and there is no distortion in the accuracy of the contents of the folder containing video and voice recording and the accompanying attachments.

5. The above affidavit, therefore, in the facts and circumstances of the case, is sufficient compliance of Section 65B of the Evidence Act.

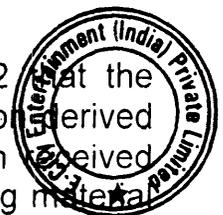


PALLAVI
VERIFICATION:

29 Sept 2022

[Signature]
DEPONENT

Verified at New Delhi on 29TH day of Sept., 2022 at the contents of the above affidavit are based on the information derived from the records and also on the basis of the information received and believed to be correct. No part of it is false and nothing material has been concealed or suppressed therefrom.



I S/o D/o / W/o *[Signature]*
Verified by Ms. *Pallavi*
do hereby solemnly affirm before
on 29/9/22 Si. No. 10
true and correct of my knowledge

[Signature]
DEPONENT

Oath Commissioner, New Del *[Signature]*

