

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,
PRINCIPAL BENCH AT NEW DELHI**

MEMORANDUM OF APPEAL

APPEAL NO. 11 OF 2023

IN THE MATTER OF:

Vineet Sinha

...Appellant

Versus

Union of India & Ors.

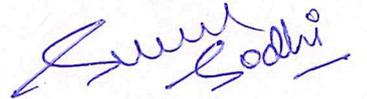
...Respondents

INDEX

S NO.	Particulars	Page No.
1.	Reply on behalf of Respondent Nos. 9 - M/s Express Builders & Promoters Pvt. Ltd.	3-22
2.	ANNEXURE R-1 True copy of the response dated 20.03.2021 submitted by the answering Respondent to the Police Station, Barakhamba Road	23-24
3.	ANNEXURE R-2 True copy of the order dated 27.08.2021 passed by the Ld. RERA in NCR144/03/71962/2021	25-27
4.	ANNEXURE R-3 True copy of the order dated 23.09.2021 passed by the Hon'ble High Court of Delhi in W.P. (C) No. 5660/2021	28-
5.	ANNEXURE R-4 True copy of the order dated 09.02.2023 passed by the Hon'ble High Court of Delhi in W.P. (Crl.) No. 1019/2021	29-30

6.	ANNEXURE R-5 True copy of the order dated 15.02.2023 passed by the Ld. State Consumer Disputes Redressal Commission, New Delhi in Consumer Complaint No. 15/2023	31-
7.	ANNEXURE R-6 True copy of the order dated 02.12.2022 passed by the Hon'ble Supreme Court of India in Civil Appeal No. 8421/2022	32-33
8.	ANNEXURE R-7 True copy of the Sanction Site Plan dated 26.07.2011	34-
9.	ANNEXURE R-8 True copy of the Consent to Establish dated 22.05.2013 issued on behalf of U.P. Pollution Control Board	35-38
10.	ANNEXURE R-9 True copy of the Consent to Operate Order dated 01.03.2018 issued on behalf of U.P. Pollution Control Board	39-41
11.	Proof of Service	42

Through



VSA LEGAL
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32, Ground Floor, Uday Park
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Dated: **22**.09.2023
Place: New Delhi

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,
PRINCIPAL BENCH AT NEW DELHI**

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APPEAL NO. 11 OF 2023

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**REPLY ON BEHALF OF RESPONDENT NOS. 9 - M/S EXPRESS
BUILDERS & PROMOTERS PVT. LTD.**

MOST RESPECTFULLY SHOWETH:

1. The present Reply is being filed on behalf of Respondent No. 9 i.e. M/s Express Builders & Promoters Pvt. Ltd. (hereinafter '*answering Respondents*') to the Appeal preferred on behalf of the Appellant u/s 16 of the National Green Tribunal Act, 2016.
2. The Appellant has preferred the said Appeal against the validity of amendment of Environment Clearance (hereinafter '*EC*') dated 19.09.2011 granted on 24.03.2023 by Respondent No.3 upon the recommendation of Respondent No.4 dated 22.12.2022 and EC dated 28.04.2023 issued to the answering Respondent in respect of housing society, namely 'Express

Zenith' at Plot No. GH-2A, Sector 77, Noida, District Gautam Budh Nagar, Uttar Pradesh.

3. The present Reply is through Mr. Pankaj Goel, S/o Late Sh. J.B. Goel, who is the Authorized Representative of the answering Respondent and is duly authorized in this regard vide Board Resolution dated 23.08.2023.
4. That at the outset, the answering Respondent denies all the facts, averments and contents made by the Appellant in the captioned Appeal as the same are completely false and frivolous. All the averments made in the Appeal are vehemently and categorically denied, unless specifically admitted hereinafter.
5. The present Reply is not a paragraph-wise Reply to the captioned Appeal and the answering Respondent seeks liberty of this Hon'ble Tribunal to file a detailed para-wise reply as and when the same is necessitated.
6. It is submitted that the averments made herein under are without prejudice to the rights of the answering Respondent as available to it under law.

PRELIMINARY OBJECTIONS-**A. THE APPELLANT LACKS LOCUS STANDI BEFORE THIS HON'BLE TRIBUNAL**

7. It is submitted that the Appellant is not an aggrieved person as per Section 16 of the National Green Tribunal Act, 2010 and lacks *locus standi* to prefer the said Appeal before this Hon'ble Tribunal.
8. The Appeal does not raise any substantial question relating to environment and the Appellant has simply alleged that the answering Respondent is constructing the said housing society in gross violation of environment law and he is a sufferer to the said illegalities, which in reality is false, frivolous and devoid of any merits.
9. The Appellant merely states that he is concerned for the environmental safety, water resources, sustainable development and green peace. However, the Appellant has failed to disclose any significant particulars about any contribution made by him towards environment protection and there is no tangible material which would show that he has credentials as experts in the field of construction and development of housing projects.

10. The Appellant's self-proclaimed status as environmentalist is of no avail. There is no record to show that the Appellant has ever raised any issue regarding the environment or socio-economic adverse impact on the past.
11. In fact, in reality the Appellant is a black mailer, who has instituted multiple litigations, particularly against the answering Respondents before various forums and lost in all such other previous attempts. The Appellant is solely making attempts to settle personal scores with the answering Respondent.
12. Reliance is place on a case titled as '*Ayubkhan Noorkhan Pathan vs. State of Maharashtra*' reported in (2013) 4 SCC 465, whereby the Hon'ble Supreme Court of India held as follows-

"10. A "legal right", means an entitlement arising out of legal rules. Thus, it may be defined as an advantage, or a benefit conferred upon a person by the rule of law. The expression, "person aggrieved" does not include a person who suffers from a psychological or an imaginary injury; a person aggrieved must, therefore, necessarily be one whose right or interest has been adversely affected or jeopardised."

13. It is evident that the Appellant does not possess a history of environmental advocacy, nor has he previously initiated any applications or appeals in support of any cause. The present litigation against the respondent appears to be driven by ulterior motives, namely, a deliberate intent to vex, create disruptions, and potentially engender prejudice. Therefore, the said appeal is liable to be dismissed at exemplary costs.

B. ANTECEDENTS OF THE APPELLANT-

14. The Appellant by preferring the said appeal is misusing the proceedings under NGT to settle his personal vendetta with the answering Respondent.
15. The Appellant, with the sole intention of harassing the answering Respondents, has initiated multiple proceedings in the past before various forums such as Hon'ble High Court of Delhi, Real Estate Regulatory Agency and even filed police complaints and eventually failed in all forums.
16. Initially, at the time of booking a unit in the project of the answering Respondent, the Appellant filed a false police complaint seeking directions to register a sale deed in his name without making requisite payment towards the stamp duty. The answering Respondent, filed its response and the

concerned police official refused to register an FIR since the complaint was preferred on false and frivolous grounds. True copy of the response dated 20.03.2021 submitted by the answering Respondent to the Police Station, Barakhamba Road is annexed herewith and marked as **ANNEXURE R-1**. (Pages 23 to 24)

17. Thereafter, the Appellant preferred a complaint dated 13.03.2021 against the answering Respondent before the Ld. RERA on false and frivolous grounds that the answering Respondent is not registering the sale deed. The Ld. RERA directed the Appellant to pay the stamp duty and get the sale deed registered in his name. True copy of the order dated 27.08.2021 passed by the Ld. RERA in NCR144/03/71962/2021 is annexed herewith and marked as **ANNEXURE R-2**. (Pages 25 to 27)

18. The Appellant thereafter preferred the following Petitions before the Hon'ble High Court of Delhi against the answering Respondents seeking registration of Sale Deed in his favor-

- i. W.P. (C) No. 5660/2021 titled as '*Vineet Sinha Advocate vs. Union of India & Ors*', which was dismissed as withdrawn vide order dated 23.09.2021. True copy of the

order dated 23.09.2021 passed by the Hon'ble High Court of Delhi in W.P. (C) No. 5660/2021 is annexed herewith and marked as **ANNEXURE R-3. (Page No. 28 to —)**

- i. W.P. (Crl) No. 1019/2021 titled as '*Vineet Sinha Advocate vs. Union of India & Ors*', which was disposed of as satisfied vide order dated 09.02.2023. True copy of the order dated 09.02.2023 passed by the Hon'ble High Court of Delhi in W.P. (Crl) No. 1019/2021 is annexed herewith and marked as **ANNEXURE R-4. (Pages 29 to 30)**

19. The Appellant also preferred a false Consumer Complaint No. 15 of 2023 before the Ld. State Consumer Disputes Redressal Commission, New Delhi seeking frivolous directions/compensation against the answering Respondent herein. The Ld. State Commission issued Notice on the said Complaint vide order dated 15.02.2023. True copy of the order dated 15.02.2023 passed by the Ld. State Consumer Disputes Redressal Commission, New Delhi in Consumer Complaint No. 15/2023 is annexed herewith and marked as **ANNEXURE R-5. (Pages 31 to —)**

20. It is submitted that the previous litigations filed by the Appellant were for registration sale deed in his favor which was only pending due to non-payment of stamp duty by the Appellant. However, upon payment of stamp duty on 08.09.2021, the registration of the Sale Deed was duly done in the Appellant's favor on 23.10.2021.
21. Despite the above, the Appellant showcasing his personal vendetta preferred an Original Application bearing No. 245/2021 before this Hon'ble Tribunal, on false allegations of violation of EC and the same was disposed of by this Hon'ble Tribunal *vide* order dated 28.09.2022.
22. Subsequently, the answering Respondents preferred Civil Appeal bearing No. 8421/2022 against order dated 28.09.2022 before the Hon'ble Supreme Court of India. Notice on the said appeal was issued to the Respondents therein *vide* order dated 02.12.2022 and the same is pending adjudication before the Hon'ble Supreme court. True copy of the order dated 02.12.2022 passed by the Hon'ble Supreme Court of India in Civil Appeal No. 8421/2022 is annexed herewith and marked as **ANNEXURE R-6. (Page No. 32 to 33)**

23. The present Appeal is also one such case of the Appellant's personal vendetta. The Appellant, by profession a legal practitioner, is leveraging his authority and using the realm of legal proceedings to settle his personal animosity with the answering Respondents.
24. Reliance is placed on a case titled as '*State of Uttar Pradesh & Ors. vs. Uday Education & Welfare Trust & Ors.*' reported in 2022 SCC Online SC 1469, whereby the Hon'ble Supreme court has held that before a litigant is permitted to knock the doors of justice and seek orders, which might ultimately affect the employment of thousands, the credentials and *bonafides* of such litigant's must be tested and ensured by this Hon'ble Tribunal.

**C. AMENDMENT OF ENVIRONMENTAL CLEARANCE GRANTED
AFTER CONSIDERATION ALL THE NECESSARY
REQUIREMENTS**

25. It is relevant to mention that the answering Respondents obtained EC from Respondent No. 3 on 19.09.2011 for its building plan dated 26.07.2011.
26. Thereafter, the answering Respondents *vide* an application in updated Form 1 sought amendment of EC as per the

requirements of the EIA Notification No. S.O.1533 dated 14.09.2006, issued by the Ministry of Environment and Forests, Government of India.

27. Subsequently, Respondent No. 4 *vide* Minutes of its 373rd Meeting dated 27.11.2018 and Respondent No. 3 *vide* Minutes of its 250th Meeting dated 10.12.2018 directed the answering Respondents to submit compliance report in previous EC conditions and photographs with date and time along with monitoring data, require for analysis before grant of amendment of EC dated 19.09.2011.
28. The Respondent No. 4 *vide* Minutes of its 712th Meeting dated 22.12.2022, held that the Hon'ble Supreme Court by way of its order dated 02.12.2022 passed in Civil Appeal No. 8421/2022, directed the authorities to examine and decide the application made by the answering Respondents herein for EC on merits without being influenced by the order dated 28.09.2022 passed by this Hon'ble Tribunal in Original Application No. 245/2021.
29. In compliance with the above, a presentation was made by the answering Respondents along with their consultant M/s Ind Tech House Consult, which informed the Respondent No. 4 that

the answering Respondents are strictly following the rules, regulations and other instructions of QCI/NABET.

30. Further, the Respondent No. 4 recorded that the answering Respondents pointed out two errors inadvertently included in the EC dated 19.09.2011-

i. Instead of 2B+G+19 the EC letter mentioned 2B+G+18. The height of the building was correctly mentioned as 60 m in EC

ii. The name of Project Proponent has been wrongly mentioned as Express Builders Pvt. Ltd. instead of Express Builders and Promoters Pvt. Ltd.

31. The Respondent No. 4 further recorded the construction of 1 additional floor is within the approved building height i.e. 60 m which is in conformity of the EC letter and the name of the Project Proponent was merely a typographical error.

32. It is relevant to submit that the committee i.e. Respondent No. 4 duly examined and discussed in depth the file and documents submitted by the answering Respondents along with order dated 02.12.2022 passed by the Hon'ble Supreme Court of

India. Only after a detailed discussion the recommendation for grant of amendment of EC was given by Respondent No. 4.

33. Thereafter, on Respondent No. 4's perusal, consideration and recommendation, the Respondent No. 3 vide Minutes of its 709th Meeting dated 24.03.2023, held that it agrees with the recommendation of Respondent No. 4 to grant amendment of EC letter.

34. Consequently, the Respondent No. 3, with the recommendation of Respondent No. 4 granted amendment of EC vide letter No. 15/Parya/SEIAA/439/2022 dated 28.04.2023, which is well within its scope and power granted to it. The case of the Appellant therefore must fail on the ground that all relevant factors which are to be considered while ascertaining the fate of an application for amendment of Environmental Clearance have been considered by SEIAA and SEAC. Other than bald and generic allegations the present appeal lists out no factors which ought to have been considered and have not been considered by the statutory authorities.

35. The Appellant *vide* the Appeal has alleged that the EC dated 19.09.2011 was in the name of M/s Express Builders Pvt. Limited and not to the answering Respondents. It is relevant to

state that the letter granting EC has inadvertently mentioned 'Express Builders Pvt. Ltd.' instead of 'Express Builders and Promoters Pvt. Ltd.'. The project in question is under the management of Express Builders and Promoters Pvt. Ltd. which purchased the land.

36. All the permissions and consent obtained by the answering Respondents are in favor of 'Express Builders and Promoters Pvt. Ltd.'. A bare perusal of the Sanction Site Plan dated 26.07.2011, Consent to Establish dated 22.05.2013 & Consent to Operate Order dated 01.03.2018 issued on behalf of U.P. Pollution Control Board as well as Fire NOC dated 07.07.2011 reveals that all the permissions granted are in the favor of 'Express Builders and Promoters Pvt. Ltd.' True copy of the Sanction Site Plan dated 26.07.2011 is annexed herewith and marked as **ANNEXURE R-7. (Page No. 34 to —)**. True copy of the Consent to Establish dated 22.05.2013 issued on behalf of U.P. Pollution Control Board is annexed herewith and marked as **ANNEXURE R-8. (Page No. 35 to 38)**. True copy of the Consent to Operate Order dated 01.03.2018 issued on behalf of U.P. Pollution Control Board is annexed herewith and marked as **ANNEXURE R-9. (Page No. 39 to 41)**

37. It is submitted that the Company by the name of Express Builders Pvt. Ltd. is a non-existent entity as admittedly, was converted into a public limited company on 30.11.1993 and became 'Express Builders Ltd. i.e. Respondent No. 10 herein. However, the said company has no involvement whatsoever in the management of the project.
38. The name 'Express Builders Pvt. Ltd.' on the EC dated 19.09.2011 was merely a typographical error, and after considering the same, the amendment application was allowed by Respondent No. 3 with the recommendation of Respondent No. 4.
39. It is pertinent to mention that the answering Respondents have been conducting their operations within the boundaries of the said EC without any complaints being raised in that regard till date.
40. The Appellants casual approach in levying accusations against the answering Respondent's, who have been conducting business activities since 1980, showcases an ulterior motive driven by malicious interest on the part of the Appellant. This Hon'ble Tribunal must thoroughly assess the underlying intent behind the present Appeal.

D. NO VIOLATION OF ENVIRONMENTAL LAWS BY THE ANSWERING RESPONDENTS

41. It is pertinent to state that the Hon'ble High Court of Allahabad vide order dated 30.05.2018 passed in W.P. (C) No. 19614/2018 granted stay on the construction by answering Respondents. Therefore, in compliance of the same, no construction was carried out since 2018 i.e. after the expiry of EC which was initially up to 5 years but validity of the same was extended by 2 years i.e. till 2018.
42. Further, this Hon'ble Tribunal vide order dated 18.10.2021 passed in Original Application No. 245/2021, considered it appropriate to form a Joint Committee comprising CPCB, SPCB, SEIAA and NOIDA, for verification of allegations against the answering Respondents. The said Joint Committee report can be found at Page No. 155 of the Appeal.
43. Even though reliance cannot be placed on the said report since the same was not signed/accepted by the NOIDA authority, in arguendo, a bare perusal of the same establishes that the answering Respondents have been fully compliant of the EC conditions.

44. It should be noted that no violation of environmental conditions has been conclusively established or proven. The issue concerning any purported violations is currently *sub judice* before the Hon'ble Supreme Court of India in Civil Appeal No. 8421/2022 and it falls within the jurisdiction of the Supreme Court to determine whether any such violations have occurred.
45. In view of the fact that the Hon'ble Supreme Court directed the authorities to examine and decide the application made by the answering Respondents on merits without being influenced by the order dated 28.09.2022 passed by this Hon'ble Tribunal in Original Application No. 245/2021. The Respondent No. 3 considered all the relevant provisions of the Notification bearing No. S.O. 1533 (E) dated 14.09.2006 while granting amendment of EC dated 19.09.2011.
46. Without prejudice to the above, it is submitted that the entire case of the Appellant appears to be that the answering Respondent violated conditions of EC by raising an extra floor beyond permissible floors as per the EC. The said contention was decided by this Tribunal in favor of the Appellant and now the issue is pending before the Supreme Court. The case of the answering Respondent is that the said error inadvertently crept

in while grant of the EC as it should have been 2B+G+19 instead of 2B+G+18 since the height of the building was not being compromised. The amendment application has been examined by Respondent No. 4, pursuant to which the same has been allowed by Respondent No. 3, wherein the inadvertent errors have been rectified.

47. Be that as it may, it is now for the Hon'ble Supreme Court to decide upon the said issue. While the case of the answering Respondent could have fallen under both amendment and expansion of EC in order to avoid any confusion or ambiguity the answering Respondent has obtained both amendment and expansion since a few dwelling units have been added in the project. The authorities have considered the applications in accordance with law which merit no interference.
48. The Appellant, who lacks both knowledge and experience in environmental law and the construction business, has made unsubstantiated allegations against the answering Respondents. The determination of these allegations is pending adjudication before the Hon'ble Supreme Court, the Appellant does not possess the authority to assert violations against the answering Respondent.

49. It is submitted that there is no violation of EC conditions on the part of the answering Respondents as wrongly alleged by the Appellant herein.
50. Without prejudice to the case of the answering Respondents on merits, it is prayed that the present Appeal preferred on behalf of the Appellant be dismissed with exemplary costs.

Through



VSA LEGAL
Counsels for Respondent Nos. 9 & 10
32, Ground Floor, Uday Park
South Extension Part-II
New Delhi- 110049
Email: office@vsalegal.in
Contact: +91-9953309080

Dated: 22.09.2023
Place: New Delhi

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL, PRINCIPAL
BENCH AT NEW DELHI
MEMORANDUM OF APPEAL
APPEAL NO. 11 OF 2023**

IN THE MATTER OF:

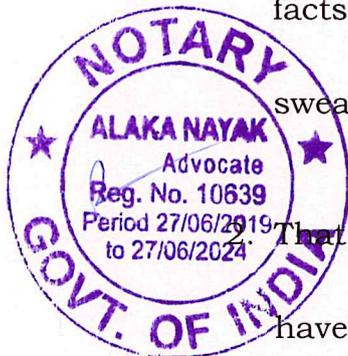
Vineet Sinha ...Appellant
Versus
 Union of India & Ors. ...Respondents

AFFIDAVIT

I, Shri Pankaj Goel, S/o Shri J.B. Goel, aged about 48 years old, R/o-B-177, Greater Kailash-I, New Delhi, presently at New Delhi, do hereby solemnly affirm and declare as under-

1. That I am the Authorized Representative of Respondent No. 9-M/s Express Builder and Promoters Pvt. Ltd. in the abovementioned matter and such I am well conversant with the facts and circumstances of the case and hence competent to

swear and sign the present Affidavit.

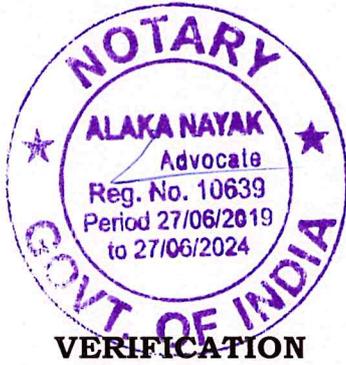


That the Reply has been drafted as per my instructions. That I have read over and understood the contents of the same, and the facts thereof are true and correct to the best of my knowledge and belief, and as per the records maintained with the

21 SEP 2023

Respondent No. 9 Company. No part of the same is false, and nothing material has been concealed therefrom.

3. That the annexures filed are true/translated copies of their respective originals.



21 SEP 2023

For Express Builders & Promoters (P) Ltd.

DEPONENT

I, the above-named deponent, do hereby solemnly affirm and verify that the contents of the foregoing affidavit are true to my knowledge and belief. No part of the same is false and nothing material has been concealed therefrom.

Tanya
I identified the deponent who has signed in my presence.

21 SEP 2023

Verified at New Delhi on this the 21 day of September, 2023

For Express Builders & Promoters (P) Ltd.

DEPONENT

CERTIFIED THAT THE DEPONENT
Shri/Smt./Km.....
S/o, W/o R/o.....
Identified by Shri/Smt.....
Has solemnly affirmed before me at
Delhi on..... as Sl. No.....
That the contents of the affidavit which
have been read & explained to him/her
are true & correct to his/her knowledge

21 SEP 2023

NOTARY

**Regd. Office :**

810, Surya Kiran Building,
19, Kasturba Gandhi Marg,
Connaught Place, New Delhi - 110001
Tel.: 2375 2430
CIN NO. U70109DL2010PTC204656

Date: 20.03.2021

To,
The Concerned Officer
Police Station,
Barakhamba Road, New Delhi

Sub: Inquiry in the matter of complaint filed by Vineet Sinha, purchaser of apartment no. FG-001 in Block F Express Zenith, Sector 77, Noida from us.

Dear Sir,

The brief facts of the above matter are enlisted below:-

1. The complainant vide application dated 15.08.2020 booked apartment no. FG-001 in Block F Express Zenith, Sector 77, Noida. The complainant approached us through the channel partner Deepak Sharma at our Noida site office to whom as per trade practice commission has been paid. The booking has been made by the complainant on 15.08.2021 at the site office, Express Zenith Plot GH-02A, Sector 77, Noida.
2. Allotment letter dated 08.09.2020 (copy enclosed) was executed by both the parties and the possession was handed over vide letter dated 28.09.2020 (copy enclosed). The complainant dealt only with our sales staff and CRM staff and has never met any of the Director during the entire transaction. Since the broker was involved, the transaction happened largely through the broker.
3. The complainant after making full payment requested for the possession of the apartment without making the payment towards registration charges and stamp duty. The complainant requested the company vide its letter dated 28.09.2020, that the complainant is facing extreme financial crises and could not proceed with the registration process. Considering the request of the complainant the company handed over the possession without registration (copy enclosed)
4. Further the complainant has given a letter and an affidavit stating that due to shortage of fund and personal reasons the possession should be given without registration (copy enclosed).
5. It is pertinent to mentioned here that the complaint has neither paid the registration charges nor have paid the stamp duty for the registration of the apartment till date. Reference is made to clause 50 of the allotment letter which clearly states that the responsibility of payment of stamp duty and registration charges lies with the Allottees. The said clause is reproduced here in below:-

"The Stamp Duty, Registration fees and other charges for execution of the deed of Conveyance/ Lease deed or any other deed or document with respect to transfer of right, title and interest in the Apartment shall be payable by the Allottee(s) within the time specified by the Company"

6. It is also relevant to mention here that the registration of the above apartment shall be a tripartite document between Noida Authority, Builder and the Buyer. We are willing to execute the document as and when the complainant pays the stamp duty and registration

(Signature)

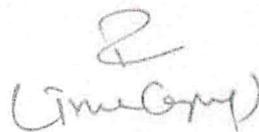
charges as per law and Noida Authority is willing to execute the document. The complainant has to liaison with the Noida Authority for execution of the document.

7. The complainant has already filed a complaint no. NCR144/03/71962/2021 dated 13.03.2021 to Uttar Pradesh Real Estate Regulatory Authority (UPRERA). We have communicated to UPRERA that we are willing to execute the registration of Tripartite Sub Lease Deed, provided the complainant pays the stamp duty and registration charges which he has been avoiding by giving frivolous reasons.

You are requested to kindly close the complaint and take strict action against the complainant in the interest of justice.

Regards,


Director


(Signature)

उ०प्र० भू-सम्पदा विनियामक प्राधिकरण, क्षेत्रीय कार्यालय, गौतमबुद्धनगर।

पीठ-2

उपस्थिति :- श्री बलविन्दर कुमार, सदस्य

क्रम सं०	शिकायत संख्या	शिकायतकर्तागण	यूनिट सं०	धनराशि रु./-
1.	NCR144/03/71962/2021	विनीत सिंहा	F-001	84,75,500/-
2.	NCR144/03/72601/2021	पंकज सिंह बजेली	D806	69,03,120/-

बनाम

एक्सप्रेस बिल्डर्स एंड प्रोमोटर्स प्रा० लि०

शिकायतकर्ता विनीत सिंहा के साथ 01 अन्य शिकायतकर्ता द्वारा विपक्षी के विरुद्ध वाद योजित किया गया है। इन दोनों शिकायतों के तथ्य समान हैं और एक समान साक्ष्य हैं। यह दोनों शिकायतें **Express Zenith (Phase 2, Tower B and C)** परियोजना से सम्बन्धित है। अतः एक ही निर्णय से इनका निस्तारण किया जा रहा है। शिकायत सं० NCR144/03/71962/2021 विनीत सिंहा अग्रणी वाद रहेगा।

प्रस्तुत शिकायत प्रार्थना पत्र शिकायतकर्ता द्वारा विपक्षी के विरुद्ध रजिस्ट्री/सेल डीड निष्पादित कराने जाने हेतु संस्थित किया गया है।

संक्षेप में शिकायतकर्ता का कथन है कि उनके द्वारा विपक्षी की परियोजना " **Express Zenith (Phase 2, Tower B and C)**" में यूनिट सं० F-001 बुक किया गया था। उक्त यूनिट की कुल कीमत 84,75,449/- रुपये के सापेक्ष उनके द्वारा समय-समय पर किश्तों के आधार पर 84,75,500/-

रुपये का भुगतान किया गया। शिकायतकर्ता का कहना है कि विपक्षी का नोएडा विकास प्राधिकरण के साथ बकाया धनराशि को लेकर विवाद चल रहा है। अतः शिकायतकर्ता द्वारा रजिस्ट्री/सेल डीड निष्पादित कराने हेतु अनुरोध किया गया है।

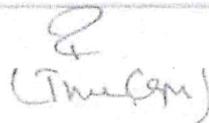
शिकायतकर्ता की ओर से अपने कथन के समर्थन में ऑफर ऑफ पोजेशन दिनांक 09.09.2020, पोजेशन लैटर दिनांक 28.09.2020, ऋण स्वीकृति पत्र, आवंटन पत्र आदि की छायाप्रतियां दाखिल की गयी हैं।

विपक्षी द्वारा जवाब दाखिल करते हुए कहा गया है कि नोएडा विकास प्राधिकरण से वर्ष 2015 में सी.सी प्राप्त किया जा चुका है एवं परियोजना रेरा लागू होने से पूर्व ही पूर्ण की जा चुकी थी, जिस कारण से रेरा को सम्बन्धित वाद की सुनवाई का क्षेत्राधिकार नहीं है। विपक्षी द्वारा जवाब में यह भी अंकित किया गया है कि शिकायतकर्ता द्वारा अभी तक स्टाम्प ड्यूटी का भुगतान नहीं किया गया है।

उभयपक्ष को सुना व पत्रावली का अवलोकन किया।

पत्रावली के अवलोकन से यह विदित है कि शिकायतकर्ता द्वारा विपक्षी की परियोजना में यूनिट बुक की गयी थी, जिसके लिए विपक्षी द्वारा शिकायतकर्ता को कब्जा दिया जा चुका है, परन्तु शिकायतकर्ता के यूनिट की रजिस्ट्री निष्पादित नहीं करायी गयी है। विपक्षी द्वारा दाखिल किये गये साक्ष्यों से यह भी विदित होता है कि दिनांक 03.11.2015 को विपक्षी द्वारा परियोजना का अधिभोग प्रमाण पत्र प्राप्त किया जा चुका है। विपक्षी द्वारा यह भी अवगत कराया गया है कि शिकायतकर्ता द्वारा स्टाम्प ड्यूटी का भुगतान नहीं किया जा रहा है। ऐसी स्थिति में विपक्षी को आदेशित किया जाता है कि नोएडा विकास प्राधिकरण से रजिस्ट्री कराये जाने के सम्बन्ध में स्वीकृति प्राप्त करने के उपरांत

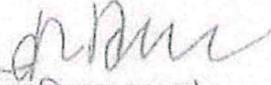



(Time)

3 माह के अन्दर शिकायतकर्तागण की रजिस्ट्री निष्पादित कराना सुनिश्चित करें। तद्दानुसार शिकायतकर्ता की शिकायत का निस्तारण किया जाता है।

1. इस आदेश की एक-एक प्रति सम्बंधित पत्रावलियों पर रखी जाये।
आदेश पोर्टल पर अपलोड किया जाये।

दिनांक :- 27/08/2021


(बलविन्दर कुमार)
(सदस्य)

उ०प्र० भू-सम्पदा विनियामक प्राधिकरण


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Annexure R-3

S-6

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(C) 5660/2021, CM APPL. 17642/2021 (interim direction) &
CM APPL. 22300/2021 (additional document)
VINEET SINHA ADVOCATE Petitioner

Through Petitioner in person.

versus

UNION OF INDIA & ORS. Respondents

Through Mr.Abhay Prakash Sahay, CGSC
with Mr.Mannu Singh, Mr.Kunal Dhawan &
Mr.Swayamprabha, Advs.
Mr.Rahul Malhotra, Adv. for R-5

CORAM:
HON'BLE MS. JUSTICE REKHA PALLI

ORDER
23.09.2021

%

1. The petitioner, who appears in person, submits that instead of pressing the present petition he will initiate appropriate proceedings in accordance with law. He, therefore, seeks leave to withdraw the present petition.
2. The petition alongwith pending applications is, accordingly, dismissed as withdrawn with liberty as prayed for.
3. It is, however, made clear that this Court has not expressed any opinion on the merits of the petitioner's claim.

REKHA PALLI, J

SEPTEMBER 23, 2021/kk

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Annexure R-4

\$~12

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(CRL) 1019/2021, CRL.M.A. 10059/2021, CRL.M.A. 7148/2022
VINEET SINHA, ADVOCATE Petitioner

Through: Petitioner in person

versus

UNION OF INDIA & ORS. Respondents

Through: Mr. Ripu Daman Bhardwaj, CGSC
Mr. Amol Sinha, ASC CRL for State
with Mr. Kshitiz Garg, Mr. Rahul
Kochar, Ms. Chavi Lazarus, Advs.
with SI Parveen Rathee, PS
Barakhamba Road
Mr. Mridul Jain, Spl. PP with Ms.
Ruby Sharma, Ms. Vedika Rattan,
Ms. Neha Goel, Advs.**CORAM:****HON'BLE MR. JUSTICE JASMEET SINGH****ORDER**

%

09.02.2023**W.P.(CRL) 1019/2022 & CRL.M.A. 8009/2021**

This is a petition seeking registration of the FIR against the builders, namely Express Builders and Promoters Private Limited.

It is stated by Mr. Sinha, learned ASC that in the present case as far as the petitioner is concerned, his grievance is satisfied pursuant to orders by UP RERA, as the builder has executed sale deed in his favour.

However, he states that the issue flagged by the petitioner are in the nature of PIL because the builder above named has not cleared the dues of Noida Authority and hence has not been able to register sale deeds for



numerous home buyers.

The petitioner is at liberty to file an appropriate PIL in this regard.

While granting the liberty to the petitioner to file the PIL, the present petition along with the pending applications, if any, are disposed of as having been satisfied.

JASMEET SINGH, J

FEBRUARY 9, 2023/dm

Click here to check corrigendum, if any


True copy

330

DAILY ORDER
STATE COMMISSION DELHI
Complaint Case No. CC/15/2023

31
Annexure R-5

VINEET SINHA & ANR.

Vs.

EXPRESS BUILDERS AND
PROMOTERS PVT. LTD. &
ORS.

BEFORE:

PRESENT:

Dated : 15 Feb 2023

Order

Item No. 32

VINEET SINHA VS EXPRESS BUILDERS AND PROMOTERS PVT. LTD.

15.02.2023

Present : Mr. Vineet Sinha, complainant in person

C-15/23

The complaint has been filed wherein the consideration amount paid is more than Rs. 50 lakhs i.e. Rs. 84,75,450/- as per Para 4(xxviii) of the complaint.

Issue notice to the Opposite Party through registered post and speed post. A copy of complaint be also sent along with the notice.

The Complainant may also send notice to the Opposite Party via Whatsapp and E-mail. This is in addition to the already existing modes of service in order to ensure an expeditious process.

Learned Counsel for the complainant is directed to file an affidavit affirming the email address & whatsapp no. of the opposite party under Rule 12 of the Delhi Courts Service of Processes by Courier, Fax and Electronic Mail Service (Civil Proceedings), Rules 2010.

Notice be given *dasti* also and the complainant will ensure that the copy of the complaint is also annexed with the notice. The Complainant shall thereafter, file an affidavit stating that the service has been affected on the OP.

List the matter on 08.09.2023.

(Justice Sangita Dhingra Sehgal)

President

(Pinki)

Member (Judicial)

J.P. Agrawal

Member (General)

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S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

CIVIL APPEAL NO(S). 8421/2022

M/S EXPRESS BUILDERS AND PROMOTERS PVT. LTD. APPELLANT(S)

VERSUS

UNION OF INDIA & ORS. RESPONDENT(S)

(IA No. 172694/2022 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT, IA No. 172696/2022 - EXEMPTION FROM FILING O.T., IA No. 179553/2022 - PERMISSION TO APPEAR AND ARGUE IN PERSON, IA No. 172695/2022 - STAY APPLICATION)

Date : 02-12-2022 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJIV KHANNA
HON'BLE MR. JUSTICE M.M. SUNDRESH

For Appellant(s) Mr. Nikhil Nayyar, Sr. Adv.
Mr. Devashish Chauhan, Adv.
Mr. Shreyas Lalit, Adv.
Mr. Sanjay Kumar, Adv.
Mr. Apoorv Agarwal, Adv.
Ms. Charchika Yadav, Adv.
Mr. Paras Mithal, Adv.
Ms. Charu Ambwani, AOR

For Respondent(s) Mr. Vineet Sinha, Caveator-in-person.

UPON hearing the counsel the Court made the following
O R D E R

Issue notice, returnable in the month of February, 2023.

Notice has been accepted by respondent no.6 (Vineet Sinha), who appears in-person and is on caveat. He is at liberty to file counter affidavit/reply within four weeks.

Signature valid

Digitally signed by
NIRAL A MITTAL
Date: 2022.12.05
10:43:54 IST
Reason:

In the meanwhile, subject to the appellant depositing

Rs.5,00,00,000/- (Rupees Five Crores Only) in the Registry of this

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Court within six weeks from today, there will be stay of the direction requiring the appellant to deposit Rs.15 Crores as damages.

The authorities will examine and decide the application made by the appellant for environment clearance within a period of 30 days from the date of communication of this order. The application would be examined on merits without being influenced by the impugned order, which is now the subject matter of challenge before this Court.

The deposit once made, will be converted into an interest bearing fixed deposit receipt for a period of 12 months, renewable on an auto renewal basis. The deposit would abide by the further orders of this Court.

(POOJA SHARMA)
COURT MASTER (SH)

(KAMLESH RAWAT)
COURT MASTER (NSH)



SITE PLAN / AREA CALCULATION

FAIR AREA CALCULATIONS		50 MT
1	Plot area	21,700.00
2	Permissible FAIR (27%)	5867.50
3	27% of 21,700.00	5867.50
4	Permissible Ground Coverage 35 %	8141.25
5	30% of 21,700.00	6510.00
6	Total Proposed Ground Coverage (22.207%)	5305.322
7	Proposed FAIR Achieved	5305.321
8	Area of COMMERCIAL	568.90
9	Permissible 15 % Additional FAIR	875.125
10	Proposed 15 % Additional FAIR	514.308
11	Density Calculations	
12	Permissible Density 1450 (30% or + 5% per floor)	826.1725
13	Total Population	
14	2.7 x 1450 (30% or + 5%) + 1750.25 to 3750.25	
15	Total dwelling units	
16	Standard size of Family 4.5 Persons	
17	Total population ÷ 4.5 = Total dwelling units	
18	10 Permissible Dwelling Units (30% or + 5%)	308 - 835
19	Proposed Dwelling Units	854
20	11 Proposed Population	3416
21	12 Proposed Density	1574.124
22	13 Area of Basement-1	18,401.561
23	14 Area of Basement-2	10,633.962
24	15 No. of C.G. required for residential	547.745
25	16 car parking provided in open	50 CARS
26	17 car parking provided in basement-1	500 CARS
27	18 car parking provided in basement-2	300 CARS
28	19 total car parking provided	850 CARS
29	20 Types of Trees Required	251
30	21 Types of Trees Proposed	300

FAIR Calculations		Area	Volume	Weight
1	Ground Floor	21,700.00	21,700.00	21,700.00
2	Basement-1	18,401.561	18,401.561	18,401.561
3	Basement-2	10,633.962	10,633.962	10,633.962
4	Basement-3	10,633.962	10,633.962	10,633.962
5	Basement-4	10,633.962	10,633.962	10,633.962
6	Basement-5	10,633.962	10,633.962	10,633.962
7	Basement-6	10,633.962	10,633.962	10,633.962
8	Basement-7	10,633.962	10,633.962	10,633.962
9	Basement-8	10,633.962	10,633.962	10,633.962
10	Basement-9	10,633.962	10,633.962	10,633.962
11	Basement-10	10,633.962	10,633.962	10,633.962
12	Basement-11	10,633.962	10,633.962	10,633.962
13	Basement-12	10,633.962	10,633.962	10,633.962
14	Basement-13	10,633.962	10,633.962	10,633.962
15	Basement-14	10,633.962	10,633.962	10,633.962
16	Basement-15	10,633.962	10,633.962	10,633.962
17	Basement-16	10,633.962	10,633.962	10,633.962
18	Basement-17	10,633.962	10,633.962	10,633.962
19	Basement-18	10,633.962	10,633.962	10,633.962
20	Basement-19	10,633.962	10,633.962	10,633.962
21	Basement-20	10,633.962	10,633.962	10,633.962
22	Basement-21	10,633.962	10,633.962	10,633.962
23	Basement-22	10,633.962	10,633.962	10,633.962
24	Basement-23	10,633.962	10,633.962	10,633.962
25	Basement-24	10,633.962	10,633.962	10,633.962
26	Basement-25	10,633.962	10,633.962	10,633.962
27	Basement-26	10,633.962	10,633.962	10,633.962
28	Basement-27	10,633.962	10,633.962	10,633.962
29	Basement-28	10,633.962	10,633.962	10,633.962
30	Basement-29	10,633.962	10,633.962	10,633.962
31	Basement-30	10,633.962	10,633.962	10,633.962
32	Basement-31	10,633.962	10,633.962	10,633.962
33	Basement-32	10,633.962	10,633.962	10,633.962
34	Basement-33	10,633.962	10,633.962	10,633.962
35	Basement-34	10,633.962	10,633.962	10,633.962
36	Basement-35	10,633.962	10,633.962	10,633.962
37	Basement-36	10,633.962	10,633.962	10,633.962
38	Basement-37	10,633.962	10,633.962	10,633.962
39	Basement-38	10,633.962	10,633.962	10,633.962
40	Basement-39	10,633.962	10,633.962	10,633.962
41	Basement-40	10,633.962	10,633.962	10,633.962
42	Basement-41	10,633.962	10,633.962	10,633.962
43	Basement-42	10,633.962	10,633.962	10,633.962
44	Basement-43	10,633.962	10,633.962	10,633.962
45	Basement-44	10,633.962	10,633.962	10,633.962
46	Basement-45	10,633.962	10,633.962	10,633.962
47	Basement-46	10,633.962	10,633.962	10,633.962
48	Basement-47	10,633.962	10,633.962	10,633.962
49	Basement-48	10,633.962	10,633.962	10,633.962
50	Basement-49	10,633.962	10,633.962	10,633.962
51	Basement-50	10,633.962	10,633.962	10,633.962
52	Basement-51	10,633.962	10,633.962	10,633.962
53	Basement-52	10,633.962	10,633.962	10,633.962
54	Basement-53	10,633.962	10,633.962	10,633.962
55	Basement-54	10,633.962	10,633.962	10,633.962
56	Basement-55	10,633.962	10,633.962	10,633.962
57	Basement-56	10,633.962	10,633.962	10,633.962
58	Basement-57	10,633.962	10,633.962	10,633.962
59	Basement-58	10,633.962	10,633.962	10,633.962
60	Basement-59	10,633.962	10,633.962	10,633.962
61	Basement-60	10,633.962	10,633.962	10,633.962
62	Basement-61	10,633.962	10,633.962	10,633.962
63	Basement-62	10,633.962	10,633.962	10,633.962
64	Basement-63	10,633.962	10,633.962	10,633.962
65	Basement-64	10,633.962	10,633.962	10,633.962
66	Basement-65	10,633.962	10,633.962	10,633.962
67	Basement-66	10,633.962	10,633.962	10,633.962
68	Basement-67	10,633.962	10,633.962	10,633.962
69	Basement-68	10,633.962	10,633.962	10,633.962
70	Basement-69	10,633.962	10,633.962	10,633.962
71	Basement-70	10,633.962	10,633.962	10,633.962
72	Basement-71	10,633.962	10,633.962	10,633.962
73	Basement-72	10,633.962	10,633.962	10,633.962
74	Basement-73	10,633.962	10,633.962	10,633.962
75	Basement-74	10,633.962	10,633.962	10,633.962
76	Basement-75	10,633.962	10,633.962	10,633.962
77	Basement-76	10,633.962	10,633.962	10,633.962
78	Basement-77	10,633.962	10,633.962	10,633.962
79	Basement-78	10,633.962	10,633.962	10,633.962
80	Basement-79	10,633.962	10,633.962	10,633.962
81	Basement-80	10,633.962	10,633.962	10,633.962
82	Basement-81	10,633.962	10,633.962	10,633.962
83	Basement-82	10,633.962	10,633.962	10,633.962
84	Basement-83	10,633.962	10,633.962	10,633.962
85	Basement-84	10,633.962	10,633.962	10,633.962
86	Basement-85	10,633.962	10,633.962	10,633.962
87	Basement-86	10,633.962	10,633.962	10,633.962
88	Basement-87	10,633.962	10,633.962	10,633.962
89	Basement-88	10,633.962	10,633.962	10,633.962
90	Basement-89	10,633.962	10,633.962	10,633.962
91	Basement-90	10,633.962	10,633.962	10,633.962
92	Basement-91	10,633.962	10,633.962	10,633.962
93	Basement-92	10,633.962	10,633.962	10,633.962
94	Basement-93	10,633.962	10,633.962	10,633.962
95	Basement-94	10,633.962	10,633.962	10,633.962
96	Basement-95	10,633.962	10,633.962	10,633.962
97	Basement-96	10,633.962	10,633.962	10,633.962
98	Basement-97	10,633.962	10,633.962	10,633.962
99	Basement-98	10,633.962	10,633.962	10,633.962
100	Basement-99	10,633.962	10,633.962	10,633.962
101	Basement-100	10,633.962	10,633.962	10,633.962
102	Basement-101	10,633.962	10,633.962	10,633.962
103	Basement-102	10,633.962	10,633.962	10,633.962
104	Basement-103	10,633.962	10,633.962	10,633.962
105	Basement-104	10,633.962	10,633.962	10,633.962
106	Basement-105	10,633.962	10,633.962	10,633.962
107	Basement-106	10,633.962	10,633.962	10,633.962
108	Basement-107	10,633.962	10,633.962	10,633.962
109	Basement-108	10,633.962	10,633.962	10,633.962
110	Basement-109	10,633.962	10,633.962	10,633.962
111	Basement-110	10,633.962	10,633.962	10,633.962
112	Basement-111	10,633.962	10,633.962	10,633.962
113	Basement-112	10,633.962	10,633.962	10,633.962
114	Basement-113	10,633.962	10,633.962	10,633.962
115	Basement-114	10,633.962	10,633.962	10,633.962
116	Basement-115	10,633.962	10,633.962	10,633.962
117	Basement-116	10,633.962	10,633.962	10,633.962
118	Basement-117	10,633.962	10,633.962	10,633.962
119	Basement-118	10,633.962	10,633.962	10,633.962
120	Basement-119	10,633.962	10,633.962	10,633.962
121	Basement-120	10,633.962	10,633.962	10,633.962
122	Basement-121	10,633.962	10,633.962	10,633.962
123	Basement-122	10,633.962	10,633.962	10,633.962
124	Basement-123	10,633.962	10,633.962	10,633.962
125	Basement-124	10,633.962	10,633.962	10,633.962
126	Basement-125	10,633.962	10,633.962	10,633.962
127	Basement-126	10,633.962	10,633.962	10,633.962
128	Basement-127	10,633.962	10,633.962	10,633.962
129	Basement-128	10,633.962	10,633.962	10,633.962
130	Basement-129	10,633.962	10,633.962	10,633.962
131	Basement-130	10,633.962	10,633.962	10,633.962
132	Basement-131	10,633.962	10,633.962	10,633.962
133	Basement-132	10,633.962	10,633.962	10,633.962
134	Basement-133	10,633.962	10,633.962	10,633.962
135	Basement-134	10,633.962	10,633.962	10,633.962
136	Basement-135	10,633.962	10,633.962	10,633.962
137	Basement-136	10,633.962	10,633.962	10,633.962
138	Basement-137	10,633.962	10,633.962	10,633.962
139	Basement-138	10,633.962	10,633.962	10,633.962
140	Basement-139	10,633.962	10,633.962	10,633.962
141	Basement-140	10,633.962	10,633.962	10,633.962
142	Basement-141	10,633.962	10,633.962	10,633.962
143	Basement-142	10,633.962	10,633.962	10,633.962
144	Basement-143	10,633.962	10,633.962	10,633.962
145	Basement-144	10,633.962	10,633.962	10,633.962
146	Basement-145	10,633.962	10,633.962	10,633.962
147	Basement-146	10,633.962	10,633.962	10,633.962
148	Basement-147	10,633.962	10,633.962	10,633.962
149	Basement-148	10,633.962	10,633.962	10,633.962
150	Basement-149	10,633.962	10,633.962	10,633.962
151	Basement-150	10,633.962	10,633.962	10,633.962
152	Basement-151	10,633.962	10,633.962	10,633.962
153	Basement-152	10,633.962	10,633.962	10,633.962
154	Basement-153	10,633.962	10,633.962	10,633.962
155	Basement-154	10,633.962	10,633.962	10,633.962
156	Basement-155	10,633.962	10,633.962	10,633.962
157	Basement-156	10,633.962	10,633.962	10,633.962
158	Basement-157	10,633.962	10,633.962	10,633.962
159	Basement-158	10,633.962	10,633.962	10,633.962
160	Basement-159	10,633.962	10,633.962	10,633.962
161	Basement-160	10,633.962	10,633.962	



उत्तर प्रदेश प्रदूषण नियंत्रण बोर्ड
पिकप भवन तृतीय तल, बी-ब्लॉक, विभूति खण्ड,
गोमती नगर लखनऊ

35

Annexure R-8

संदर्भ संख्या..... F24644 सी-1/एन/एन0ओ0सी0-896/2013

दिनांक..... 22-5-13

सेवा में,

ग्रुप हाउसिंग प्रोजेक्ट "एक्सप्रेस जेनिथ"

मै0 एक्सप्रेस बिल्डर्स एण्ड प्रोमोटर्स प्रा0 लि0,

प्लॉट नं0-2ए, सेक्टर-77, नोएडा, गौतमबुद्धनगर।

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

महोदय,

कृपया उपरोक्त विषयक अपने आवेदन पत्र दिनांक..... 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 स्वीकृत की जाती है।

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

(क) स्थल.....प्लॉट नं0-02ए, सेक्टर-77, नोएडा, गौतमबुद्धनगर।.....

(ख) उत्पादनप्रस्तावित 21700 वर्गमीटर भूमि क्षेत्रफल, बिल्डअप एरिया-94477.568 वर्गमीटर पर आवासीय कालोनी का निर्माण।.....

(Signature)

ग) मुख्य कच्चे माल.....बिल्डिंग मैटेरियल.....

(घ) औद्योगिक उत्प्रवाह की मात्रा.....शून्य.....

(ड.) प्रयुक्त ईंधन.....500 केवीए के 04 डी0जी0सेट

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 पट्टिका, उत्प्रवाह शुद्धिकरण संयंत्र तथा वायु प्रदूषण नियंत्रण व्यवस्था 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 हुये इस कार्यालय में अवश्य ही जमा कर दिया जाये। 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 सकती है।
4. उद्योग में परीक्षण उत्पादन के पूर्व हमारे क्षेत्रीय कार्यालय द्वारा इकाई का निरीक्षण सुनियोजित किया जाये।
5. घरेलू उत्प्रवाह, जिसकी मात्रा..... से अधिक नहीं होगी। सेप्टिक टैंक एवं सोक पिट के माध्यम से बोर्ड द्वारा निर्धारित मानकों के अनुरूप शुद्धिकृत कर निस्तारित किया जाये।
6. प्रदूषण नियंत्रण हेतु प्रस्तावित शुद्धिकरण संयंत्र तथा निर्माण कार्य अपूर्ति के लिये दिये गये आदेश की प्रति इस कार्यालय में दिनांक.....तक अवश्य प्रस्तुत की जाये।

(True Copy)

- ७- ग्रुप हाउसिंग प्रोजेक्ट "एक्सप्रेस जेनिथ मै0 एक्सप्रेस बिल्डर्स एण्ड प्रोमोटर्स प्रा0 लि0, नोएडा प्लाट नं0-2ए, सेक्टर-77, नोएडा, गौतमबुद्धनगर द्वारा प्रस्तावित २१७०० वर्गमीटर भूमि क्षेत्रफल, बिल्टअप क्षेत्रफल ६४४७७.५६८ वर्गमीटर पर आवासीय कालोनी का निर्माण किया जायें।
- ८- संस्था द्वारा प्रस्तावानुसार २५४ के०एल०डी० उत्प्रवाह में से १२८ के०एल०डी० उत्प्रवाह के शुद्धिकरण हेतु १५४ के०एल०डी० क्षमता का एस०टी०पी० का निर्माण करें एवं शुद्धिकृत उत्प्रवाह को सिंचाई, डी०जी० कूलिंग में तथा फ्लरिंग हेतु प्रयोग किया जायें। शेष उत्प्रवाह १२६ केएलडी का निस्तारण सीवर लाइन में प्राधिकरण द्वारा एसटीपी के माध्यम से किये जाने हेतु किया जायेगा। प्राधिकरण द्वारा उत्प्रवाह शोधित नहीं किये जाने की स्थिति में आवासीय इकाईयों का आबंटन से पूर्व पूर्ण क्षमता का एसटीपी स्थापित किया जाना होगा।
- ९- संस्था द्वारा शुद्धिकरण व्यवस्थाओं हेतु अलग से डी०जी०सेट स्थापित करें तथा उक्त हेतु अलग से विद्युत मीटर स्थापित करें।
- १०- सालिड वेस्ट मैनेजमेंट एम०एस०डब्ल्यू० रूल्स-२००० के प्राविधानों के अनुसार किया जायें।
- ११- समस्त प्रस्तावित डी०जी०सेट पर ध्वनि रोधक व्यवस्थाओं के साथ साथ प्रस्तावानुसार धिनी भी स्थापित की जायें।
- १२- संस्था प्रस्तावानुसार रेन वाटर हार्वेस्टिंग व्यवस्था स्थापित करें।
- १३- संस्था नियमानुसार कम से कम ३३ प्रतिशत कुल प्रस्तावित क्षेत्रफल का हरित पट्टिका के रूप में विकसित करें।
- १४- संस्था द्वारा पर्यावरण एवं वन मंत्रालय, भारत सरकार/स्टेट इन्वायरमेंट इम्पेक्ट असेसमेंट अथॉरिटी से पर्यावरणीय क्लियरेंस प्राप्त किया जायें।
- १५- यह अनापत्ति प्रमाण पत्र की वैधता पाँच वर्ष या बैंक गारण्टी की वैधता तिथि से एक वर्ष कम जो पूर्व हो मान्य होगी।
- १६- यह अनापत्ति प्रमाण पत्र अन्य विभागों तथा मा० न्यायालयों/नेशनल ग्रीन ट्रिब्यूनल के द्वारा समय-समय पर पारित आदेशों/स्वीकृतियों के अधीन होगी।
- १७- उद्योग द्वारा किसी भी परिस्थिति में उत्प्रवाह परिसर के बाहर भूमि पर तथा परिसर के अन्दर रिवोरिंग द्वारा जमीन के अन्दर नहीं डाला जायेगा।
- १८- संस्था को निर्गत बैंक गारण्टी पत्रांक- एफ-२०१७१/एन०ओ०सी०-८६६/२०१३, दिनांक १४.३.१३ का अक्षरशः अनुपालन करना सुनिश्चित करें, अनुपालन न करने की दशा में संस्था द्वारा प्रेषित बैंक गारण्टी बोर्ड के पक्ष में अवमुक्त की जा सकती है, जिसकी पूर्ण जिम्मेदारी स्वयं संस्था के जिम्मेदार पदाधिकारियों की होगी।

b
(TmGm)

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 जायेगा। बोर्ड का अधिकार सुरक्षित है कि अनापत्ति की शर्तों में संशोधन किया जाये अथवा निरस्त कर दिया जाये। उपर्युक्त विशिष्ट एवं सामान्य शर्तों के सम्बन्ध में उद्योग द्वारा इस कार्यालय में दिनांक..... तक प्रथम अनुपालन आख्या अवश्य प्रेषित की जाये। अनुपालन आख्या नियमित प्रेषित की जाये अन्यथा अनापत्ति निरस्त कर दी जायेगी।

भवदीय


सदस्य सचिव

पृष्ठांकन सं०

एन०ओ०सी०

तद दिनांक

प्रतिलिपि :

1. महाप्रबन्धक, जिला उद्योग केन्द्र गौतमबुद्धनगर.....
2. उपकर अधिकारी, उ०प्र० प्रदूषण नियंत्रण बोर्ड, लखनऊ ।
3. क्षेत्रीय अधिकारी, उ०प्र० प्रदूषण नियंत्रण बोर्ड :मोएडा.....


मुख्य पर्यावरण अधिकारी

वृत्त-1


(One Copy)

Annexure R-9

39



U.P. Pollution Control Board

CONSENT ORDER

Ref No. -
4672/U.P.PCB/Noida(U.P.PCBRO)/CTO/water/NOI
DA/2017

Dated : 01/03/2018

To ,

M/S Mr Pankaj Goel
Express Builders & Promoters Pvt. Ltd.
Group Housing Project "Express Zenith" at Plot No. 02A, Sector-77, Noida, U.P.
NOIDA

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. Express Builders & Promoters Pvt. Ltd.

Reference Application No :216234

Dated :01/03/2018

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. Express Builders & Promoters 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 reference to their foresaid application .
2. This consent is valid for the period from 16/02/2018 to 31/12/2019 .
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 .

RAJEEV UPADHYAY
Digitally signed by
RAJEEV UPADHYAY
Date: 2018.03.01
15:23:47 +05'30'

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

CEO

Enclosed : As above
(condition of consent):

Copy to: RO UPPCB NOIDA

RAJEEV UPADHYAY
Digitally signed by
RAJEEV UPADHYAY
Date: 2018.03.01
15:24:01 +05'30'

CEO

(Inu Gm)

U.P. POLLUTION CONTROL BOARD, LUCKNOW

Annexure to Consent issued to M/s. Express Builders & Promoters Pvt. Ltd. vide

Consent Order No. 216234/ Water

Dated : 01/03/2018

CONDITIONS OF CONSENT

1. This consent is valid only for the approved production capacity of GROUP HOUSING PROJECT.
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	320KLD	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

- 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
1	Total Suspended Solids	20
2	BOD	10
3	COD	50
4	Oil & Grease	10
5	Quantity of Discharge	320KLD

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 .

Specific Conditions:

P
(In Charge)

1. Project shall provide the NOC from Central Ground Water Authority for extracting ground water within 03 month.
2. Project shall comply the provisions of EP Act, 1986, Water (Prevention and Control of Pollution) Act, 1974 as amended, Air (Prevention and Control of Pollution) Act, 1981 as amended.
3. Project shall dispose the hazardous waste through authorized recyclers/TSDF and comply the provisions of Hazardous and Other Wastes (Management and Trans-boundary Movement) Amendment Rules, 2016
4. Treated sewage shall be used for irrigation/gardening purposes as much as possible.
5. Project shall comply the provisions of notification dt. 07-10-2016 of Ministry of Water Resources, River Development and Ganga Conservation, GOI.
6. Project shall comply the order passed by Hon'ble NGT time to time.
7. This consent is valid for the present constructed area of project.
8. Project shall comply the conditions imposed in the previous NOC/Consent.
9. Project shall send the records of energy meter reading installed on STP and Flow meter reading regularly on quarterly basis.

Issued with the permission of competent authority .

RAJEEV
UPADHYAY

Digitally signed by
RAJEEV UPADHYAY
Date: 2024.05.29
11:24:23 +05'30'

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

CEO

(True Copy)



Proof of Service

Reply on behalf of the Respondent No. 9 in the case titled 'Vineet Sinha vs. UOI & Ors.' in Appeal No. 11/2023

1 message

Office Vsalegal <office@vsalegal.in>

Fri, Sep 22, 2023 at 3:59 PM

To: vineetadvocate@gmail.com, secy-moef@nic.in, deouplko@yahoo.com, ccb.cpcb@nic.in, chairman@uppcb.in, feedback@uppcb.com, ceo@noidaauthorityonline.com, fshq@nic.in

Dear Sir/ Ma'am,

Please find attached copy of the Reply on behalf of Respondent No. 9 & 10 in the abovcaptioned matter.

Kindly treat this email as due service of the same.

--

Office of VSA Legal

Counsels for the Respondent No. 9 & 10

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