

548

तार : पर्यावरण

GRAM : PARYAVARAN

उत्तर प्रदेश प्रदूषण नियंत्रण बोर्ड लखनऊ

UTTAR PRADESH POLLUTION CONTROL BOARD LUCKNOW

क्षेत्रीय कार्यालय

Regional Office



सन्दर्भ सं०

Ref. No.

548 रिट याचिका-218/24

दिनांक

Dated: 24-7-24

सेवा में,

To,

The Registrar General,  
Principal Bench,  
Hon'ble National Green Tribunal,  
Copernicus Marg, New Delhi-110001

**Sub- Regarding Verification Report/Reply in the matter of O.A. No. 10/2023 In Re: Puja Kumar Rai V/s M/s Ansal API & Ors. passed by Hon'ble NGT, New Delhi dated 31.05.2024**

Sir,

In compliance to the order dated 31.05.2024 passed by this Hon'ble National Green Tribunal in the matter O.A. No. 10/2023 (I.A. No. 800/2023), Puja Kumar Rai V/s M/s Ansal API & Ors., the Verification Report/Reply of U.P. Pollution Control Board, Lucknow is hereby attached with a request to put up before the Hon'ble National Green Tribunal, Principal Bench, New Delhi for kind perusal and consideration..

**Enclosure:-As above**

Your's Sincerely

(Dr. Umesh Chandra Shukla)  
Regional Officer

**Copy to:**

1. Chief Environmental Officer (Circle-5), UPPCB, Lucknow in reference of letter No. H14504/C-5/154/OA No 10/24 dated 23/07/2024.
2. Law Officer-I, UPPCB, Lucknow.
3. Shri Arvind Kumar, Advocate for UPPCB.

Regional Officer

Verification Report/Reply  
To the Affidavit dated 29.05.2024 filed by the  
Ansal API(Sushant Golf City, Lucknow)  
**In Original Application No. 10/2023**  
In the matter of  
Puja Kumar Vs M/s Ansal API

Order by  
Hon'ble National Green Tribunal  
(Order dated 31th May, 2024)

**Verification Report/Reply in Compliance to the Direction issued by the Hon'ble National Green Tribunal in Original Application No. 10/2023(I.A. No. 630/2023), Puja Kumar V/s Ansal API vide order dated 31.5.2024**

**Background:-**

That the Hon'ble National Green Tribunal, Principal Bench, New Delhi, hereinafter referred as Hon'ble Tribunal, vide its order dated 31.05.2024 passed following directions:-

- “.....1. An additional Affidavit has been filed by Respondent No.1 giving dates of issue of Consent to Operate and Environmental Clearance and their validity period. He has also said that during the period when consent or Environmental Clearance was not operating. Proponent had not undertaken any construction activities.
2. Let the facts stated in the affidavit dated 29.05.2024 be verified and reply be filed by Uttar Pradesh Pollution Control Board within one month.
3. List this matter on 01.08.2024. ....”

**Verification Report/Reply of Uttar Pradesh Pollution Control Board is as under:-**

1. That the contents of the para-1 and 2 of the affidavit filed by the Project Proponent needs no reply.
2. That in reply to the para-3 of the affidavit filed by the Project Proponent the verification status is mentioned below in tabulated format:

S. No.	Particular	Date of Issuance	Validity	Verification Report/Reply
1	First CTO	26/05/2014	15/04/2014 to 31/12/2015	As per office record the CTO has been issued to M/s Ansal API on dated 26/05/2014 and valid up to 31.12.2015.
2	Second CTO [Note-	18/02/2019	05/11/2018 to	As per office record the CTO has been issued to M/s Ansal API on dated 18/02/2019 and

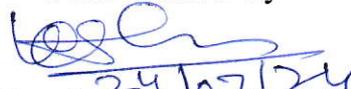
	Renewal was done after a 4-year gap, Fees for the same paid 04.02.2019 amounting to on Rs. 2,50,000 each for Air and Water).		31/12/2020	valid up to 31.12.2020.
3	Third CTO renewal	27/08/2021	24/03/2021 to 31/12/2022	As per office record the CTO has been issued to M/s Ansal API on dated 27/08/21 and valid up to 31.12.2022.
4	Fourth CTO renewal [Note- Penalty impose for period of 01/01/2023 - 31/12/2023 ]	01/02/2024	01/02/2024 to 31/12/2024	As per office record the CTO has been issued to M/s Ansal API on dated 01/02/24 and valid up to 31.12.2024.  UPPCB vide letter dated 31.01.2024 has imposed the Environmental Compensation of Rs. 1,24,50,000/- (Rupees One Crore Twenty-Four Lakhs Fifty Thousand Only ) against the unit for violation of the Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981 for operation of the STPs of 150 KLD and 05 MLD without prior renewal of CTO.

3. That in reply to the para-4 of the affidavit filed by the Project Proponent it is stated that the contents mentioned are related to the Ministry of Environment, Forest and Climate Change, Govt of India.
4. That in reply to the para-5 and 6 of the affidavit filed by the Project Proponent it is stated that the contents mentioned are related to the SEAC/SEIAA, Government of Uttar Pradesh.
5. That in reply to the para-7 and 8 of the affidavits filed by the Project Proponent it is stated that the contents are related to the record, hence no verification/reply is required.
6. That in reply to the para-9 of the affidavit filed by the Project Proponent before this Hon'ble Tribunal it is stated that the better knowledge of the contents as mentioned is with the Project Proponent, hence no verification/reply is required.

Further, it is to mention here that Uttar Pradesh Pollution Control Board vide letter dated 31.01.2024 has imposed the Environmental Compensation of Rs. 1,24,50,000/- (Rupees One Crore Twenty-Four Lakhs Fifty Thousand Only ) against the unit which is not deposited by the unit. UPPCB vide its letter dated 18.7.2024 has sent letter to District Magistrate Lucknow for recovery of Environmental Compensation of Rs. 1,24,50,000/- (Rupees One Crore Twenty-Four Lakhs Fifty Thousand Only) from M/s Ansal Properties and Infrastructure Ltd., IInd Floor, Sector-D, Sushant Golf City, Sultanpur Road, Lucknow. The copy of the Letter dated 18.7.2024 is attached herewith as **Annexure No.-1..**

The above Verification report /Reply of Uttar Pradesh Pollution Control Board is submitted before Hon'ble Tribunal for kind perusal and consideration.

Your's Sincerely

  
(Dr. Umesh Chandra Shukla)  
Regional Officer,  
Lucknow

553 Annexure - 1



उत्तर प्रदेश प्रदूषण नियंत्रण बोर्ड  
UTTAR PRADESH POLLUTION CONTROL BOARD



संदर्भ संख्या- H14295 /सी-5/ जल-80/24

दिनांक 18/07/24

To,

The Collector,  
District-Lucknow

M 9415005000

**Subject: Regarding collecting/recovery of Environmental Compensation imposed on M/s Ansal Properties and Infrastructure Ltd., II<sup>nd</sup> Floor, Sector-D, Sushant Golf City, Sultanpur Road, Lucknow.**

Please refer the Hon'ble National Green Tribunal, New Delhi order dated 30.10.2023, in the matter of O.A. no. 10/2023 (IA no. 630/2023) Pooja Kumar V/s State of U.P. & Others. The relevant excerpt of the aforesaid order is as follows-

".....10. The Joint Committee is directed to submit its report to this Tribunal and send copy of the same to the Project Proponent and the concerned authorities within one month by e-mail at [judicial-ngt@gov.in](mailto:judicial-ngt@gov.in) preferably in the form of searchable PDF/OCR Supported PDF and not in the form of Image PDF....."

In compliance of the above Hon'ble NGT order the joint committee comprising official of CIMAP Lucknow, IIM Lucknow, MoEF Lucknow, CPCB Lucknow, ACM Lucknow and UPPCB Lucknow conducted joint visit of Sushant Golf City on 29.11.2023. The joint committee has made recommendation that UPPCB may take action against the PP for violation of the Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981 for construction without necessary permission (CTE and CTO) and also violation of previous consent conditions.

Considering above recommendation of joint committee Uttar Pradesh Pollution Control Board vide letter dated 15.12.2023 has issued show cause notice to the unit for imposition of Environmental Compensation at the rate of Rs. 37,500/-. Subsequently Uttar Pradesh Pollution Control Board vide letter dated 31.01.2024 has imposed the Environmental Compensation of Rs. 1,24,50,000/- (Rupees One Crore Twenty Four Lakh Fifty Thousand only) against M/s Ansal Properties and Infrastructure Ltd., II<sup>nd</sup> Floor, Sector-D, Sushant Golf City, Sultanpur Road, Lucknow for a defaulting period of 01.01.2023 to 28.11.2023 for violation of the Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981 for operation of the STPs of 150 KLD and 05 MLD without prior renewal of CTO. The copy of the Letter dated 15.12.2023 and 31.01.2024 is being attached herewith for your reference. As per the office record, the amount of the environmental compensation has not deposited by the said unit.

The sum of Rs. 1,24,50,000/- (Rupees One Crore Twenty Four Lakh Fifty Thousand only) is payable in account of Environment Compensation from M/s Ansal Properties and Infrastructure Ltd., II<sup>nd</sup> Floor, Sector-D, Sushant Golf City, Sultanpur Road, Lucknow.

**The Name and Address of the Authorized Person of the concerned unit is as follows:**

Shri Abisak Kumar Vasisth, Vice President (M/s Ansal Properties and Infrastructure Ltd., II<sup>nd</sup> Floor, Sector-D, Sushant Golf City, Sultanpur Road, Lucknow).

You are hereby requested to recover the same and deposit it into payment gateway (URL: <https://erp.eshiksa.net/DirectFeesv3/UPPCB>).

Payment gateway के Homepage के dropdown में निम्नवत् विशिष्ट सूचना का चयन करें-

- |   |   |                 |
|---|---|-----------------|
| 1. Nature of Pollution / प्रदूषण की प्रकृति             | - | Water Pollution |
| 2. Regional offices / क्षेत्रीय कार्यालय                | - | Lucknow         |
| 3. EC imposed in compliance / अनुपालन में ईसी लगाया गया | - | UPPCB           |

Enclosure-As above.

Yours Sincerely,

  
(Sanjeev Kumar Singh)  
Member Secretary

Copy to:-Regional Officer, Uttar Pradesh Pollution Control Board, Lucknow for information and necessary action.

  
Member Secretary