

2007

BEFORE THE NATIONAL GREEN TRIBUNAL NEW DELHI
ORIGINAL APPLICATION NO. 10 OF 2023

IN THE MATTER OF:

Puja Kumar

Applicant

Versus

Ansai API & Ors.

Respondents

I N D E X

Sr. No.	Particulars	Pages
1.	Response Affidavit on behalf of the Respondent No.3	
2.	Annexure R-1 Copy of the covering letter dated 27.10.2023	
3.	Annexure R-2 A true copy of the letter dated 06.04.2023	
4.	Annexure R-3 True copy of the Map showing the Green Belt	

New Delhi

Dated: 26.04.2025

MUKESH VERMA

Advocate for the respondent No. 3/ LDA

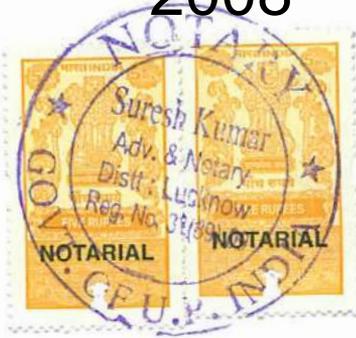
Chamber No. 50,

Supreme Court of India,

M. 9810108098

Email: mveradv@gamil.com

2008



BEFORE THE NATIONAL GREEN TRIBUNAL NEW DELHI

ORIGINAL APPLICATION NO.10 OF 2023

IN THE MATTER OF:

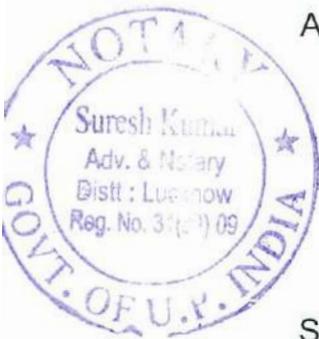
Puja Kumar

Applicant

Versus

Ansal API & Ors.

Respondents



RESPONSE AFFIDAVIT ON BEHALF OF RESPONDENT NO. 3

I, Gyanendra Verma, aged about 55 years, working as Additional Secretary, Lucknow Development Authority, Vipin Khand, Gomti Nagar, Lucknow, do hereby solemnly affirm and states as under;

1. That in my official capacity as mentioned above, I am well conversant with the facts and circumstances of the present case, hence competent to swear this response.
2. That this Hon'ble Tribunal vide orders dated 19.02.2025 & 27.03.2025 directed to file proper status report / response to the Original Application No. 10 of 2023.
3. That it would be in the interest of preventing litigation explosion that this Hon'ble Tribunal may pass any other order/orders as this Hon'ble Tribunal may deem fit and proper in the facts and circumstances of the case of the present case.

Sworn and Verified
before me
9/5/4/25
SURESH KUMAR
Advocate & Notary Public
817/175KA/14, Near Major Devi Das Marg
Niwaiganj, Chowk, Lucknow

4. That in compliance of the order dated 19.02.2025 & 27.03.2025 the respondent No. 3 are filing the following status report:

- i. It is respectfully Submitted that the State of Uttar Pradesh vide Policy dated 22.11.2003 came up with a policy to promote development of Hi-Tech Townships with worldclass infrastructure, high quality of life and environmental stability. The Government Order dated 22.11.2003 was subsequently revised vide Government Order dated 01.07.2004 and the township was conceived on Lucknow-Sultanpur Road at the outskirts of Lucknow, which is now known as Sushant Golf City. Thereafter, the proposal was submitted by Respondent No. 1 to develop Township and the Hi-Power Committee on 21.05.2005 accorded its approval for development of Hi-Tech Township to Respondent.
- ii. It is stated that initially, Respondent No. 1 had proposed to develop 1765 acres of land for the Hi-Tech Township (Phase-I).
- iii. That the Respondent No. 1 submitted the Detailed Project Report ("DPR") to answering respondent on 27.04.2006 which was approved by the Hi-Power Committee on 21.02.2007. The conceptual layout was also approved with DPR for Phase-I, i.e. for area of 1765 acres.
- iv. The DPR is pre-requisite to apply for EC, which was applied after the approval of DPR on 21.02.2007 and was obtained on 06.06.2007. The Development Agreements dated 18.11.2006, 10.05.2007 and 27.11.2009 were



Sworn and Verified
before me
Suresh Kumar
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Advocate & Notary Public
437/175KA/14, Near Majar Devi Das Marg
Niwajganj, Chowk, Lucknow

←

entered between Respondent and Lucknow Development Authority for the following areas: i) DAI for 639.55 acres approved on 18.11.2006. ii) DA2 for 407.95 acres approved on 10.05.2007. iii) DA3 for 717 .5 acres approved on 27.11.2008.

- v. It is pertinent to mention that the requisite land where the Township was to be developed was to be acquired by Respondent by purchasing from farmers/ owners. The Gram Sabha land was to be acquired by LDA and thereafter the same was to be handed over/ transferred to Respondent No. 1 for development.
- vi. It is stated that pursuant to Government Order dated 17.09.2007, the extension of Township was permitted hence Respondent No.1 proposed the extension of Township for further 1765 acres. Thus, the proposed area of Township became 3530 acres with extension. Thereafter, a second DPR was presented by the Respondent No.1 for extended area only on 09.02.2010 which was approved on 18.05.2010 by the Lucknow Development Authority and thereafter, subsequent Development Agreement's for extended period was executed on 20.08.2010 and 26.04.2010 (DA4 and DA5). After the approval of DPR for the extension of the Hi-Tech Township, the Respondent again applied for EC which was obtained on 09.06.2011.
- vii. The parent Hi tech township admeasuring 1765 acres with further extension of 1765 acres (i.e. 3350 acres) was further stood extended by 2935 acres to cover up a vast



Sworn and Verified
before me
25/4/25
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area of 6465 acres in 2015. This significant surge in area of township necessitated a comprehensive DPR and eventually acquisition of the said land as a consequence thereto. Thus, in September 2015, layout for DA No. 1 to 5 were revised making potential alterations to Township structure and development plans.

viii. In a High Power Committee ("HPC") meeting held on 13.08.2019, it was decided to advise the developers of HiTech Township to reduce and contain their development area so as to complete the ongoing township projects at the earliest. It is stated that the Respondent faced land availability issues, project approval delays, encroachment by Landowners, introduction of Ring Road, issues with Awas Vikas regarding Barauna Land and other unavoidable circumstances. The Respondent thereafter proposed to reduce the area of Hi-Tech Township to approximately 4655.18 acres in line with Government Order dated 07.04.2021. Although the developer proposed to develop 6465 acres but was developing only 3530 acres. The balance 2953 acres area added to the township was to be developed under the last and final phase. The Respondent thus, because of the problems faced by the Respondent at the ground level proposed for reduction of area from pre-approved area of 6465 acres to 4655.18 acres.

ix. The Respondent No.1/ Ansal API filed a revised DPR on 18.06.2021 before Lucknow Development Authority. It is submitted that the said revised DPR was approved on 20.10.2022 and was communicated to the Respondent



Sworn and Verified
before me
Suresh Kumar
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Advocate & Notary Public
447/175KA/14, Near Major Devi Das Marg
Niwajanj, Chowk, Lucknow

[Signature]

No.1. Thus, the project growth has gone through turbulences and fluctuations as stated hereinabove, altering of boundaries of old and revised DPR's, approved and revised layout of township. The Covering Letter dated 06.04.2023 issued by Executive Engineer, LDA to the Respondent No.1 is annexed as **ANNEXURE R-1**.

- x. That the Respondent No.1 has completed the Phase-I of the project comprising of 80% of 1765 acres. It is stated that the respondent No.1 could not completed balance area of 20% as per statement made by the Respondent No. 1 that he faced difficulties in procuring and securing land from the Villagers or through Gram Sabha through the Authority. The Phase-II comprising of first extension of 1765 acres of land, the Respondent No.1 has been able to achieve approximately 10-15% of the same.



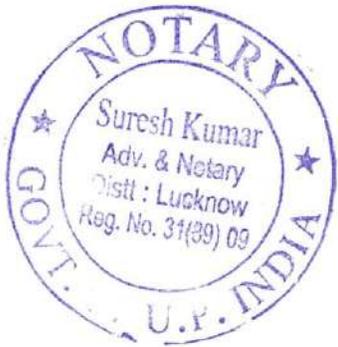
It is stated that the said township has huge shopping mall, hospitals, clinics, medical centre, banquet halls, ample parking space, gated community with proper fencing, boundary walls, security guards, many big schools, hotels, adequate plantation, trees, sewer lines, jogging track, golf course, big playground in every sector.

- xi. It is pertinent to mention herein that the Respondent No.1 layout plan expired in March 2017 and thereafter, in 2017, no construction was carried out by the Respondent No.1 at the Township.

(Handwritten signature/initials)

Sworn and Verified
before me
(Handwritten signature)
SURESH KUMAR
Advocate & Notary Public
17/175KA/14, Near Majar Devi Das Marg
Miwajganj, Chowk, Lucknow

- xii. The Lucknow Development Authority vide its letter dated 27.10.2021 requested the Principal Secretary Housing and City Development Authority, U.P. Government, Lucknow to carry out some correction in regard of DA-1 to DA-4, DA-5 of M/s Ansal Properties and Infra. Ltd. It is pertinent to point out here that despite above information the respondent No. 1 has failed to complete the project till date. A true copy letter dated 27.10.2021 issued by Lucknow Development Authority is ANNEXRUE R-2.
- xiii. It is stated that after the First DPR which was approved on 21.02.2007 for 1765 acres (being the Net Area) and the second DPR was approved for first extension on 18.05.2010, for the extended area of Township admeasuring 1765 acres of land.
- xiv. That as per policy/rules and regulation of the Lucknow Development Authority/Respondent No.3 it is mandatory that under DPR there is a provision for 15% area to be maintained as Greenbelt. The said provisions has been fulfilled by the Respondent No.1/PP. The Greenbelt has been maintained by the Respondent No.1 in the periphery of the developed portions of the Township. The open spaces inside the plotted area have been suitably landscaped and covered with vegetation. The Respondent No.1 has planted 32,638 trees between the years 2007 to 2019 and 20,970 shrubs from 2007 to 2019. It is stated that the landscape green areas are being maintained by the Respondent No.1 by entering into Annual Maintenance Contract with the nurseries as admitted by Respondent



Sworn and Verified
before me

9/5/25
SURESH KUMAR

Advocate & Notary Public
117/175KA/14, Near Major Devi Das Marg
Niwaiganj, Chowk, Lucknow

No.1. The true copy of Map showing the greenbelt area of project is annexed as **ANNEXURE R-3**.

5. That this Hon'ble Tribunal may take on record the Response affidavit on behalf of Respondent No. 3/LDA along with the annexures in the interest of justice.
6. That the Annexures are true/ translated copies of their respective originals.


DEPONENT

VERIFICATION:-

Verified at Lucknow, on this 25 day of April, 2025, that the contents of the above status report/ response are true and correct to the best of my knowledge and belief and no part of it is false and nothing material has been concealed therefrom.




DEPONENT

Sworn and Verified
before me

SURESH KUMAR
Advocate & Notary Public
17/175KA/14, Near Major Devi Das Marg
Niwajganj, Chowk, Lucknow

2015

लखनऊ विकास प्राधिकरण, लखनऊ

प्रेषक, उपाध्यक्ष, लखनऊ विकास प्राधिकरण, नवीन भवन, विपिन खण्ड, गोमती नगर, लखनऊ। संख्या-२१३१/VC/GE/HTG/2021 दिनांक- २७/१०/२०२१	सेवा में, प्रमुख सचिव, आवास एवं शहरी नियोजन विभाग, उत्तर प्रदेश शासन, लखनऊ।
विषय-हाईटेक टाउनशिप नीति तथा हाईटेक टाउनशिप से संबंधित उच्च स्तरीय समिति के कार्य क्षेत्र में संशोधन विषयक।	

महोदय,

कृपया शासन द्वारा दिये गये मौखिक निर्देशो के क्रम में अवगत कराना है कि वांछित सूचना पूर्व में लखनऊ विकास प्राधिकरण के पत्र सं०-३०७/उपा०/२०२१, दिनांक ०१.०९.२०२१ द्वारा प्रेषित की जा चुकी है। पुनः वांछित सूचना निर्धारित प्रारूप पर संलग्न कर प्रेषित की जा रही है।
संलग्नक-उपरोक्तानुसार।

भवदीय,

(अक्षय त्रिपाठी)
उपाध्यक्ष

2016

लखनऊ विकास प्राधिकरण

मानचित्र, निरीक्षण, नगरीय प्रभार तथा विलम्ब शुल्क की गणना हेतु विकसित क्षेत्र के निर्धारण के लिए हाईटेक टाउनशिप के अन्तर्गत मूलभूत भौतिक एवं समाजिक अवस्थापना सुविधाओं के विकास कार्यों का विवरण सुलभ सन्दर्भ हेतु निम्नवत् प्रेषित है-

मेसर्स अंसल प्रापर्टीज एण्ड इन्फ्रा लि0:

DA-1 to DA-4 2571-15 Ave

क.सं.	अवस्थापना सुविधा का विवरण	अवश्यकता (यूनिट/संख्या)	विकसित (यूनिट/संख्या)	पूर्णांक	प्राप्तांक
1.	भौतिक अवस्थापना				
(i)	सड़क निर्माण	139.42	127.1	20	18.23
(ii)	विद्युतीकरण (स्ट्रीट लाईट व ट्रान्सफार्मर्स इत्यादि सहित)	341.35	237.12	20	13.89
(iii)	सीवरज का कार्य	140.936	123.45	10	8.75
(iv)	पार्क एवं कीड़ा स्थल (रेनवाटर हार्वेस्टिंग सहित)	146	83	8	4.59
(v)	जलापूर्ति (ट्यूबवेल एवं ओवर हेड टैंक सहित)	240.99	210	5	4.35
(vi)	ड्रिनेज	141.03	115.4	5	4.09
(vii)	ग्राम विकास		पूर्ण	2	2
2.	समाजिक अवस्थापन (भूखण्ड के रूप में)				
(i)	नर्सरी/प्राइमरी/जूनियर/हाईस्कूल	299	159	2	1.06
(ii)	कम्यूनिटी सेन्टर	24	22	2	1.83
(iii)	सुविधाजनक दुकानें	16	6	2	0.67
(iv)	स्वास्थ्य केन्द्र/नर्सिंग होम	46	29	2	1.26
(v)	पुलिस चौकी	16	12	1	0.75
(vi)	उप डाकघर	1	1	1	1
3.	समानुपातिक ई0डब्लू0एस0 एवं एल0आई0जी0 भवनों का निर्माण	6996	3380	10	4.83
4.	उच्च स्तरीय अवस्थापना सुविधाएं (योजना स्तर)				
(i)	एस0टी0पी0 का निर्माण	25	5	2	0.4
(ii)	विद्युत सब स्टेशन का निर्माण (400 के.वी./220 के.वी.)	2 (1-400 के.वी. 1-220 के.वी.)	2 (पूर्व में अनुमोदित ले-आउट में प्रस्तावित 400/220 के.वी. सब स्टेशन को उत्तर प्रदेश पावर ट्रान्समिशन कार्पोरेशन के अनुरोध पर डी0ए0-6 एरिया में चिन्हित किया गया है।)	2	2
(iii)	इण्टर कालेज/उच्च स्तरीय शैक्षणिक संस्थाएं	38	17	2	0.89
(iv)	सेक्टरल शापिंग सेन्टर	13	5	2	0.77
(v)	पुलिस स्टेशन	1	1	1	1
(vi)	फायर स्टेशन	1	1	1	1
				100	73.36

2017

लखनऊ विकास प्राधिकरण

मेसर्स अंसल प्रापर्टीज एण्ड इन्फा० लि०:

DA-5 958.85Acm'

क्र.सं.	अवस्थापना सुविधा का विवरण	अवश्यकता (यूनिट / संख्या)	विकसित (यूनिट / संख्या)	पूर्णांक	प्राप्तांक
1.	भौतिक अवस्थापना				
	(i) सड़क निर्माण	61.359	8.46	20	2.75
	(ii) विद्युतीकरण (स्ट्रीट लाइट व ट्रान्सफार्मर्स इत्यादि सहित)	108.65	4.25	20	0.78
	(iii) सीवरेज का कार्य	70.04	11.45	10	1.63
	(iv) पार्क एवं कीड़ा स्थल (रेनवाटर हार्वेस्टिंग सहित)	66	1	8	0.12
	(v) जलापूर्ति (ट्यूबवेल एवं ओवर हेड टैंक सहित)	52.36	6.05	5	0.57
	(vi) ड्रेनेज	85.310	9.55	5	0.55
	(vii) ग्राम विकास			2	—
2.	समाजिक अवस्थापन (भूखण्ड के रूप में)				
	(i) नर्सरी/प्राइमरी/जूनियर/हाईस्कूल	100	0	2	—
	(ii) कम्प्यूनिटी सेन्टर	4	0	2	—
	(iii) सुविधाजनक दुकानें	0	0	2	—
	(iv) स्वास्थ्य केन्द्र/नर्सिंग होम	5	0	2	—
	(v) पुलिस चौकी	8	0	1	—
	(vi) उप डाकघर	12	0	1	—
3.	समानुपातिक ई०डब्लू०एस० एवं एल०आई०जी० मवनों का निर्माण	0	0	10	—
4.	उच्च स्तरीय अवस्थापना सुविधाएं (योजना स्तर)				
	(i) एस०टी०पी० का निर्माण	2	0	2	—
	(ii) विद्युत सब स्टेशन का निर्माण (400 के.वी./220 के.वी.)	5	0	2	—
	(iii) इण्टर कालेज/उच्च स्तरीय शैक्षणिक संस्थाएं	7	0	2	—
	(iv) सेक्टरल शापिंग सेन्टर	7	0	2	—
	(v) पुलिस स्टेशन	2	0	1	—
	(vi) फायर स्टेशन	1	1	1	—
				100	6.40

उपरोक्त के अतिरिक्त नवीन प्रस्तावित योजना क्षेत्रफल 4689.79 एकड़ में से 1159.71 एकड़ क्षेत्र में न तो विकास अनुबन्ध निष्पादित है और न ही विकास कार्य हुआ है।

लखनऊ विकास प्राधिकरण

मानचित्र, निरीक्षण, नगरीय प्रभार तथा विलम्ब शुल्क की गणना हेतु विकसित क्षेत्र
के निर्धारण के लिए ग्रेडिंग सिस्टम

हाईटेक टाउनशिप के अन्तर्गत मूलभूत भौतिक एवं समाजिक अवस्थापना सुविधाओं के विकास के उपरान्त किसी भी क्षेत्र को विकसित निर्धारित करने हेतु निम्नवत् ग्रेडिंग सिस्टम अपनाया जायेगा:-

मे0 गर्व बिल्डटेक प्रा0लि0:-

क.सं.	अवस्थापना सुविधा का विवरण	अवश्यकता (यूनिट/संख्या)	विकसित (यूनिट/संख्या)	पूर्णांक	प्राप्तांक
1.	भौतिक अवस्थापना				
	(i) सड़क निर्माण	30.88 KM	15.60 KM	20	10
	(ii) विद्युतीकरण (स्ट्रीट लाइट व ट्रान्सफारमर्स इत्यादि सहित)	101.65 KM	51.55 KM	20	10
	(iii) सीवरज का कार्य	30 KM	25 KM	10	8
	(iv) पार्क एवं कीड़ा स्थल (रेनवाटर हर्वेस्टिंग सहित)	323492 sq.mt.	46850 sq.mt.	8	1
	(v) जलापूर्ति (ट्यूबवेल एवं ओवर हेड टैंक सहित)	2	1	5	2.0
	(vi) ड्रेनेज	32 KM	16.67 KM	5	2.5
	(vii) ग्राम विकास	1	1	2	1.0
2.	सामाजिक अवस्थापन (भूखण्ड के रूप में)				
	(i) नर्सरी/प्राइमरी/जूनियर/हाईस्कूल	90	61	2	1.0
	(ii) कम्यूनिटी सेन्टर	4	3	2	1.5
	(iii) सुविधाजनक दुकानें	-	-	2	0
	(iv) स्वास्थ्य केन्द्र/नर्सिंग होम	6	4	2	1
	(v) पुलिस चौकी	6	-	1	-
	(vi) उप डाकघर	10	-	1	-
3.	समानुपातिक ई0डब्लू0एस0 एवं एल0आई0जी0 नवनों का निर्माण	3208	720 Under construction	10	3
4.	उच्च स्तरीय अवस्थापना सुविधाएं (योजना स्तर)				
	(i) एस0टी0पी0 का निर्माण	6	-	2	-
	(ii) विद्युत सब स्टेशन का निर्माण	1	-	2	-
	(iii) इण्टर कालेज/उच्च स्तरीय शैक्षणिक संस्थाएं	10	6	2	1
	(iv) सेक्टरल शापिंग सेन्टर	-	-	2	-
	(v) पुलिस स्टेशन	2	-	1	-
	(vi) फायर स्टेशन	N/A	N/A	1	-
				100	42



2019
23

ANNEXURE R-2

लखनऊ विकास प्राधिकरण, लखनऊ।

प्रेषक,

अधिशाली अभियन्ता,
(हा०/इंटी० सेल)
लखनऊ विकास प्राधिकरण,
प्रोमती नगर, लखनऊ।

संख्या: 3932/EE/HTIG/2023

दिनांक: 06/11/2023

सेवा में,

मेसर्स अंसल प्रापर्टीज एण्ड इन्फा० लि०
द्वितीय तल, शॉपिंग स्क्वायर-2,
सेक्टर-डी, सुशान्त गॉल्फ सिटी,
सुल्तानपुर रोड,
लखनऊ-226030

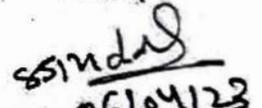
विषय:- उ०प्र० शासन की हाईटेक टाउनशिप नीति के अधीन चयनित विकासकर्ता मेसर्स अंसल प्रापर्टीज एण्ड इन्फा० लि० द्वारा प्रस्तुत डी०पी०आर० के निर्गत के सम्बन्ध में।

महोदय,

कृपया उपरोक्त विषयक प्राधिकरण बोर्ड की 173वीं बैठक दिनांक 09.05.2022 की मद संख्या-12 एवं 175वीं बोर्ड बैठक दिनांक 27.09.2022 के मद संख्या-2 के विषय संख्या-12 पर प्रदत्त अनुमोदन एवं उपाध्यक्ष महोदय की स्वीकृति दिनांक 20.10.2022 के अनुपालन में डी०पी०आर० पत्र के साथ संलग्न कर प्रेषित है। हाईटेक टाउनशिप नीति के अनुसार प्रश्नगत डी०पी०आर० से विक्रय एवं विकास के अधिकार प्राप्त नहीं होंगे।

संलग्नक: उपरोक्तानुसार।

भवदीय,


06/11/23
अधिशाली अभियन्ता,
(हा०/इंटी० सेल)

