

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

O.A. NO. 1035 OF 2024

IN THE MATTER OF: -

S. K. Pandey

...Applicant

Versus

State of U.P. And Ors.

...Respondents

N.D.O.H.: 18.02.2026

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Filed by: -

Place: New Delhi

Date: 13.02.2026



S. K. Pandey

(Applicant-in-Person)

SBA/P-3/T-5, 1303/1403

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WRITTEN ARGUMENTS ON BEHALF

OF APPLICANT-IN-PERSON

MOST RESPECTFULLY SHOWETH: -

1. That the Applicant is a resident of Group Housing-04 (GH-04), namely Sunbreeze-I (SBA-I), forming part of the BBD Integrated Township, commonly known as BBD Green City, situated at Ayodhya Road, Lucknow, Uttar Pradesh – 226028. After residing in the said project for more than one year, the Applicant personally observed blatant and continuing violations of environmental norms within GH-04 as well as the integrated township. The standards prescribed under Schedule-I of the Environment (Protection) Rules, 1986, framed under the Environment (Protection) Act, 1986, relating to emission and discharge of environmental pollutants, have not been ensured at any stage.
2. The Applicant observed that no Sewage Treatment Plant (STP) of approved capacity has been constructed. Initially, as per Respondent No. 3 (SEIAA) Environmental Clearance (EC/NOC) dated 22.11.2012, the Project Proponent was required to construct a 6.5 MLD STP in phased manner,

consistent with the Respondent No. 2 (UPPCB) NOC dated 08.02.2012. Subsequently, due to enhanced construction, increased dwelling units and increased human population, the STP capacity was revised to 9.5 MLD under the revised DPR and EC dated 12.09.2018. Despite these binding approvals, no such STP has been constructed till date. EC dated 22.11.2012 is annexed in OA 1346/2024 as ANNEXURE A/4, EC 12.09.2018 is annexed in OA 1346/2024 as ANNEXURE A/10 and application preferred by Project Proponent dated 18.07.2018 is annexed in OA 1346/2024 as ANNEXURE A/9.

3. The Applicant further observed that no Solid Waste Disposal (SWD) facility has been constructed and no Rain Water Harvesting (RWH) system has been provided in GH-04 Sunbreeze-I Apartments, despite the same being clearly provided for in the approved LDA maps bearing Permit No. 34223 dated 03.01.2013 and Permit No. 42693 dated 20.05.2015.
4. Even under the illegally compounded map bearing Permit No. 42977 dated 18.10.2018, provision for Rain Water Harvesting, 10% green area and plantation of 218 trees was reflected. However, none of these stipulated conditions were ensured by the Project Proponent during the course of construction. In collusion with officials of the Lucknow Development Authority (LDA), Completion Certificates were obtained without compliance of the mandatory requirements. Pertinently, a provisional/conditional Completion Certificate was granted for Towers 9 – 12 in GH-04 on 26.11.2018 and thereafter a conditional Completion Certificate was granted for Towers 1 – 8 in GH-04 on 30.12.2021. Significantly, there exists no provision under the applicable Building Bye-Laws of LDA, read in consonance with the Uttar Pradesh Apartments (Promotion of Construction, Ownership and Maintenance) Act, empowering

LDA to issue such conditional Completion Certificates. Despite this, the said certificates were issued without ensuring even 10% green area (as against 15% in the approved map) and in the absence of an operational STP, Rain Water Harvesting system, Solid Waste Disposal (SWD), solar lighting and plantation of 218 trees. The LDA approved maps of 2013 is annexed in OA 1346/2024 as ANNEXURE A/5 & 2015 is annexed in OA 1346/2024 as ANNEXURE A/6, the Compounded Map dated 11.10.2018 is annexed in OA 1346/2024 as ANNEXURE A/11. and the Provisional / Conditional Certificates dated 26.11.2018 concerning Tower 9 – 12 in project GH-04 is annexed in OA 1346/2024 as ANNEXURE A/12(Colly.). Conditional Completion Certificate dated 30.12.2021 concerning Tower 1 – 8 in project GH-04 is annexed in OA 1346/2024 as ANNEXURE A/14.

5. The height of the DG set vents has not been provided as per prescribed norms and continues to pollute the atmosphere. These violations have been specifically confirmed in the Joint Committee Report headed by CPCB dated 09.12.2024, as well as by Respondent No. 2 (UPPCB) in its submissions, including page 136 paragraphs 2 and 3 of its letter dated 27.08.2024 and further reiterated after the Joint Committee Report at page 141 paragraph 2 of UPPCB letter dated 11.02.2025.
6. The total cost of the project was declared as ₹1311.17 Crores, as per the letter dated 09.04.2012 issued by the State Expert Appraisal Committee (SEAC) to the Project Proponent, annexed as Annexure - 1 of Respondent No. 3 at page 308 of the record.
7. The Applicant submits that as on date, there is no valid Environmental Clearance in existence with effect from 31.12.2023, yet construction activities are continuing within the township in blatant violation of

environmental norms and in violation of Condition No. 35 of the SEIAA EC dated 12.09.2018.

8. The Project Proponent has itself admitted in its reply dated 17.09.2025, at page 188, that drainage construction activities were carried out from 05.04.2025 to 30.06.2025. The Project Proponent has further admitted that a school namely ADS School has been constructed and has started operations from April 2025. These activities are further aggravating pollution, as untreated water is being discharged into a nala, which flows directly into River Gomti and thereafter into River Ganga.
9. Despite repeated complaints, no action has been taken by Respondents No. 1, 2, 3 or 4, nor by Lucknow Development Authority, which is the custodian of city development.
10. The Project Proponent has committed the following violations of the SEIAA NOC dated 22.11.2012, which mandated inter alia 30% green area, 5 MLD STP during construction phase, SWD, RWH, DG set vent height compliance, solar lighting and plantation of trees.
11. The General Conditions violated include Condition Nos. 9, 13, 14, 19, 21, 29, 35, 48, 55, 60 and 69. The Specific Conditions violated include Condition Nos. 5, 7 and 9.
12. Under the revised SEIAA EC dated 12.09.2018, which mandated 30% green area, 9.5 MLD STP during construction phase, SWD, RWH, DG set vent compliance, solar lighting and plantation, the Project Proponent has violated General Condition Nos. 9, 13, 14, 19, 29, 34, 46, 53, 58 and 67 and Specific Condition Nos. 6, 9, 10 and 18.

13. The violations are so blatant and large-scale that even the construction of the proposed 9.5 MLD STP has not commenced till January 2026, i.e., after lapse of more than 13 years from the first EC dated 22.11.2012.
14. Photographs dated 25/26.01.2026 show open discharge of untreated excreta and effluents flowing into a nala, which flows into River Gomti and further into River Ganga at a distance of approximately 15–20 kilometres. By non-construction of the approved STP, the Project Proponent is continuously polluting the holy River Ganga. Photographs dated 25.01.2026 - 26.01.2026 of drainage pipe & nala discharge is annexed herewith as **ANNEXURE-A/1(Colly.)**.
15. The green area of 15% shown in GH-04 under the LDA approved map is nil on ground, in direct violation of Specific Condition No. 9 of the SEIAA EC dated 12.09.2018. Local building bye-laws cannot supersede the Environmental Clearance issued under the EIA Notification, 2006, which is a Central statutory instrument. Advertisements showing claims of 100 acres of green area by Project proponent is annexed and marked herewith as **ANNEXURE-A/2**.
16. The local authority cannot compound green area requirements in the name of compounding, nor can it dilute EC conditions. For Category-B projects, Environmental Clearance is mandatory and its terms cannot be altered, modified or violated by State or local authorities.
17. The Applicant submits that the green area requirement stipulated under the Environmental Clearance dated 12.09.2018, particularly Specific Condition No. 9, mandates maintenance of green area as committed by the Project Proponent at the time of appraisal. The green area shown as 15% in GH-04

under the LDA approved map is non-existent on ground, which stands in direct violation of the said EC condition.

18. The Applicant submits that local building bye-laws or development authority regulations cannot supersede or dilute the Environmental Clearance granted under the EIA Notification, 2006, which flows from the Environment (Protection) Act, 1986, a Central legislation. The Local Authority has no power to compound or reduce green area requirements mandated under EC, nor can such compounding override statutory environmental safeguards.
19. The Applicant further submits that for Category-B projects, Environmental Clearance is mandatory and its terms and conditions cannot be altered, modified, or violated by State or local authorities under the guise of local bye-laws or compounding permissions.
20. The Applicant submits that the Ministry of Environment and Forests, Government of India, vide EIA Notification, 2006 (S.O. 1533(E) dated 14.09.2006), does not prescribe a fixed percentage of green area in the main text. However, for projects requiring prior Environmental Clearance, including building and township projects exceeding 20,000 sq. m. or 50 hectares respectively, green cover requirements are imposed as binding conditions during appraisal by SEIAA or EAC.
21. Typically, a green cover of around 33% of the plot area is insisted upon through the Environmental Management Plan submitted in Form-1 / Form-1A, for purposes of pollution mitigation, rainwater harvesting integration and ecological balance. Even if some projects refer to 30% green area, the condition once imposed becomes binding and enforceable.

22. The Applicant submits that in case of conflict between State laws (such as UP Building Bye-laws or LDA regulations) and Central environmental legislation, the Central law prevails as per Article 254 of the Constitution of India, environment being a subject on the Concurrent List. This position has been consistently upheld by the Hon'ble Supreme Court and this Hon'ble Tribunal.
23. The Applicant submits that the reply filed by Respondent No. 1 is stereotyped, mechanical and devoid of application of mind, despite being filed by a senior Government department. The reply fails to address the core issues raised in OA No. 1035/2024 and OA No. 1346/2024 concerning gross violations of Environmental Clearances dated 22.11.2012 and 12.09.2018 by the Project Proponent, in collusion with Respondents No. 2, 3 and LDA.
24. Instead of initiating deterrent action against the Project Proponent and erring officials, Respondent No. 1 merely relies upon internal correspondence and limited action taken with respect to an illegal 250 KLD STP, which has no nexus with compliance of the EC conditions dated 22.11.2012 and 12.09.2018.
25. Respondent No. 1 has failed to furnish any reply or Action Taken Report with respect to its own letter dated 11.09.2025 (Annexure at page 427) addressed to Respondents No. 2, 3 and 4. No directions were issued by Respondent No. 1 to cancel or revoke the ECs despite confirmed violations recorded in the Joint Committee Report dated 09.12.2024 and UPPCB letters dated 27.08.2024 and 11.02.2025.
26. The Applicant submits that Respondent No. 2, UPPCB, has miserably failed in its supervisory and monitoring duties in respect of Environmental NOC, EC compliance and Consents granted to the Project Proponent. Such failure

is in violation of the constitutional obligations flowing from the Directive Principles of State Policy.

27. For issuance of the first EC dated 22.11.2012, UPPCB had issued its NOC dated 08.02.2012, valid for three years, mandating monthly appraisal of STP, SWD, RWH and green area development on the 10th of every month. Conditions mentioned at points 2, 3, 7, 10, 13 and 14 of the UPPCB NOC dated 08.02.2012 were grossly violated by the Project Proponent, yet no action was taken by UPPCB for nearly ten years (2012–2022). UPPCB NOC dated 08.02.2012 is annexed in OA 1346/2024 as ANNEXURE A/2 and CTO dated 25.04.2023 is annexed and marked herewith as **ANNEXURE A/3**.
28. Had UPPCB enforced its own monitoring conditions, the blatant violations committed by the Project Proponent could have been prevented. Instead, UPPCB illegally granted Consent to Operate dated 25.04.2023 for an illegal 250 KLD STP constructed in the basement in January 2023, without approval in LDA sanctioned maps and in violation of EC conditions 53 and 54.
29. It is submitted that the grant of Consent to Operate dated 25.04.2023 by Respondent No. 2 (UPPCB) is wholly arbitrary and contrary to its own statutory mandate. The said CTO was issued despite clear and admitted violations of the conditions stipulated in the UPPCB NOC dated 08.02.2012, which required compliance with STP construction, green area development, rain water harvesting systems and other environmental safeguards. No Sewage Treatment Plant of the approved capacity under the DPR and Environmental Clearances was constructed. Instead, an unauthorized 250 KLD STP, not reflected in the approved LDA maps and wholly inadequate vis-à-vis the sanctioned project capacity, was relied upon for the purpose of

obtaining the CTO. Further, the DG sets were operating without compliance of prescribed vent height norms, and neither functional Rain Water Harvesting systems nor the mandated green area were developed on ground. Despite these continuing violations, the CTO dated 25.04.2023 was granted, demonstrating complete non-application of mind and regulatory failure. Similarly, the Lucknow Development Authority issued Completion Certificates without ensuring compliance with mandatory environmental conditions, including construction of the approved STP, installation of RWH systems, and development of the stipulated green area. The issuance of Completion Certificates in the absence of foundational environmental infrastructure reflects serious dereliction of statutory duty and prima facie collusion with the Project Proponent.

30. The CTO dated 25.04.2023 itself contains conditions which stand admittedly violated, including compliance with EC conditions, reuse of treated wastewater, DG set emission norms and installation of in-house SWD facilities. Joint Committee Report dated 09.12.2024 (page 36, para 2(xviii)) records that DG set vent height is insufficient and no log books are maintained.
31. The Joint Committee further confirmed at page 37 that the 250 KLD STP was handed over on 06.02.2023, while Completion Certificates were issued by LDA in November 2018 and December 2021, clearly establishing collusion between UPPCB, LDA and the Project Proponent.
32. Respondent No. 3 has attempted to restrict its reply to procedural aspects of grant of ECs dated 22.11.2012 and 12.09.2018, claiming absence of a monitoring mechanism. This stand is contrary to Para-10 of the EIA Notification, 2006, which mandates submission and public disclosure of half-yearly compliance reports.

33. SEIAA has statutory power under the Environment (Protection) Act, 1986 to revoke or cancel Environmental Clearance in case of non-compliance. This position has been admitted by UPPCB itself in OA No. 1346/2024 at page 247, para 8.
34. While issuing the second EC dated 12.09.2018, SEIAA failed to verify the ground status of the project. On one hand, the Project Proponent submitted applications dated 12.04.2018, 25.05.2018, 28.06.2018 and 07.08.2018 claiming construction stage, while on the other hand, on 18.07.2018, the Project Proponent applied to LDA for issuance of Completion Certificate and compounding, admitting that construction of Towers 9–12 had already been completed.
35. This contradiction establishes that the EC dated 12.09.2018 was granted as a paper formality, despite actual construction being completed in violation of EC norms and approved maps. No concrete action has been taken by SEIAA despite repeated complaints and despite MoEF letter dated 02.05.2025 seeking Action Taken Report. MoEF letter dated 02.05.2025 is annexed and marked herewith as **ANNEXURE-A/4**.
36. The Project Proponent, in its reply, has effectively admitted violations of EC dated 22.11.2012 and 12.09.2018, as raised in OA No. 1035/2024 and confirmed by the Joint Committee Report dated 09.12.2024.
37. While falsely claiming compliance, the Project Proponent admits that STP has not been constructed as per EC and that orders have merely been placed for 1000 KLD STP, RWH and solar lights in the reply filed by Project Proponent dated 17.09.2025 at para no. 7. The Project Proponent further

admits that plantation and green area development is still “in process”, despite approvals dating back to 2013 and 2015.

38. The Joint Committee Report and its conclusions at pages 43–44 categorically establish violations relating to STP, RWH, DG sets, green belt and SWD. Had statutory authorities acted diligently, pollution of River Ganga could have been prevented. Joint Committee Report dated 09.12.2024 .
39. Allegations of forum shopping or blackmail made against the Applicant are baseless and false. The issues raised pertain strictly to environmental violations under Schedule-I of the Environment (Protection) Rules, 1986 and have been fully vindicated by the Joint Committee Report dated 09.12.2024 which is already on record as filed by CPCB.
40. The Applicant has pursued the matter despite facing a fatal attack on 15.03.2025 for raising environmental issues. Furthermore, UPPCB has itself initiated apt criminal proceedings under Sections 43/44 of the Water Act bearing Case No. 6842/2024 dated 27.11.2024 before Chief Judicial Magistrate, Lucknow, U.P. against Project Proponent and the same is pending adjudication. Also, benami proceedings and property attachment against the Project Proponent further demonstrate the Applicant’s bona fides.
41. The Project Proponent has failed to construct the approved 4099 sq. meter Solid Waste Disposal facility as per DPR dated 26.09.2017 bearing permit no. 42719. No segregation of garbage is being done, as recorded in the Joint Committee Report dated 09.12.2024. DPR dated 26.09.2017 bearing permit no. 42719 is annexed in OA 1346/2024 as ANNEXURE A/1.

42. The compost pit signage shown by the Project Proponent is a mere eye-wash, placed outside the township boundary near a stadium with no vehicular access. GPS-tagged photographs annexed on record confirm the same. GPS-tagged photograph of fake compost pit is annexed and marked herewith as **ANNEXURE-A/5**.
43. The Applicant submits that the commencement and operation of ADS School within the township, in the absence of a functional Sewage Treatment Plant of the approved capacity and without compliance of mandatory Environmental Clearance conditions, has significantly increased sewage generation and environmental load within the project area. The additional discharge arising from the school is further burdening the already untreated flow entering the adjoining nala, which ultimately drains into River Gomti and thereafter into River Ganga. In the absence of foundational pollution control infrastructure, permitting continued operation of the said institution amounts to allowing ongoing environmental degradation and renders the statutory safeguards under the Environment (Protection) Act, 1986 illusory.
44. The present case reflects systemic failure of statutory authorities and collusion with the Project Proponent, resulting in continuous pollution of River Gomti and River Ganga, destruction of green areas and violation of environmental laws.

PRAYER

In view of the above, the Applicant-in-Person respectfully prays for immediate cessation of illegal activities, demolition of illegal structures, revocation of ECs,

imposition of environmental compensation, cancellation of Completion Certificates by LDA and such other orders as this Hon'ble Tribunal may deem fit.

Filed by: -

Place: New Delhi

Date: 13.02.2026



S. K. Pandey

(Applicant-in-Person)

SBA/P-3/T-5, 1303/1403

Sunbreeze – 1, BBD Green City

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Uttar Pradesh – 226 028

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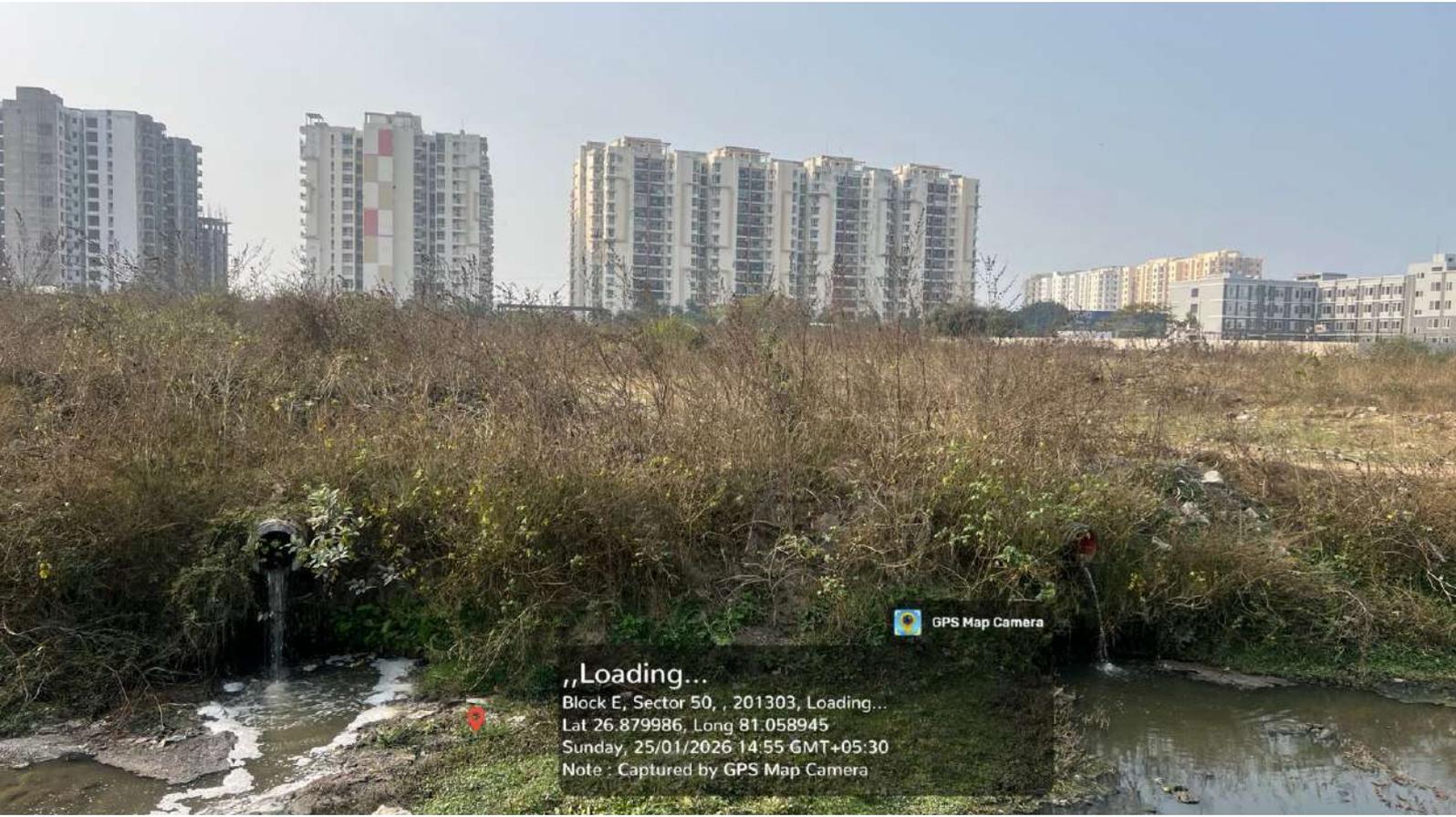
E-mail: sba1.bbdgreencitylko@gmail.com

ANNEXURE A/1(Colly.)



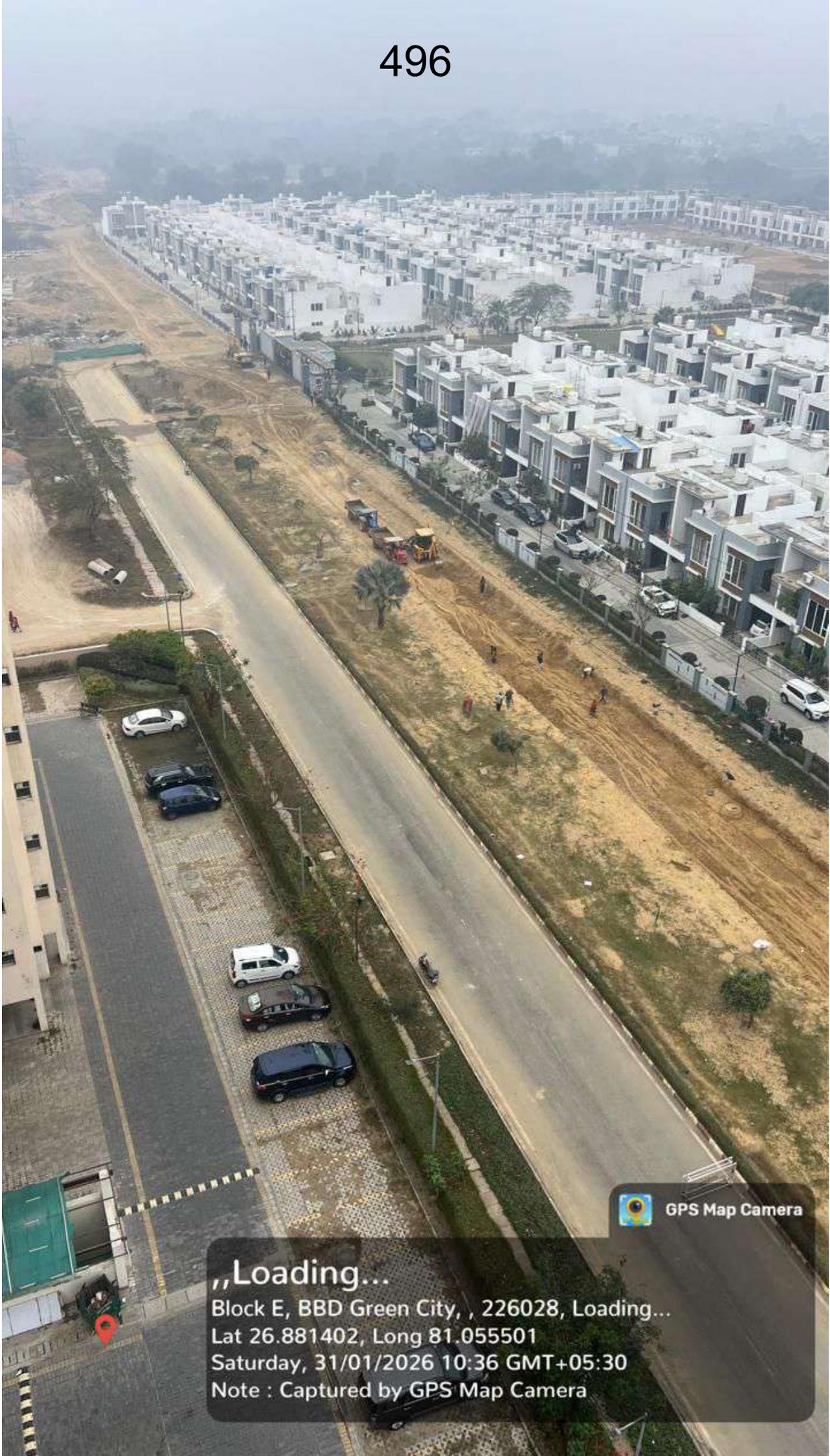
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Note: Captured by GPS Map Camera

GPS Map Camera



GPS Map Camera

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Sunday, 25/01/2026 14:55 GMT+05:30
Note : Captured by GPS Map Camera



 GPS Map Camera

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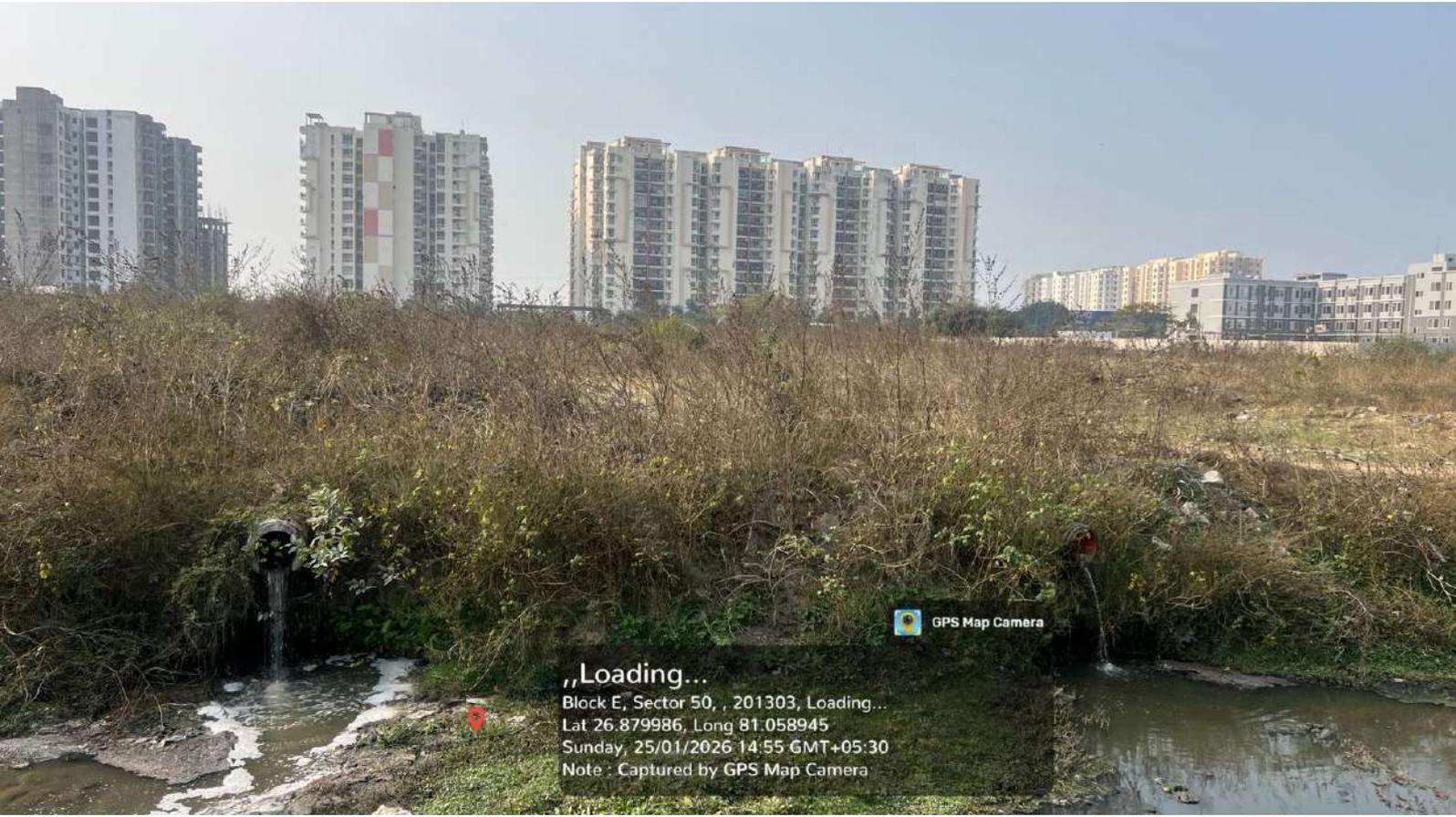
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Powered by NoteCam



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Accuracy: 3.062 m
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Powered by NoteCam



 GPS Map Camera

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Note : Captured by GPS Map Camera



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Powered by NoteCam



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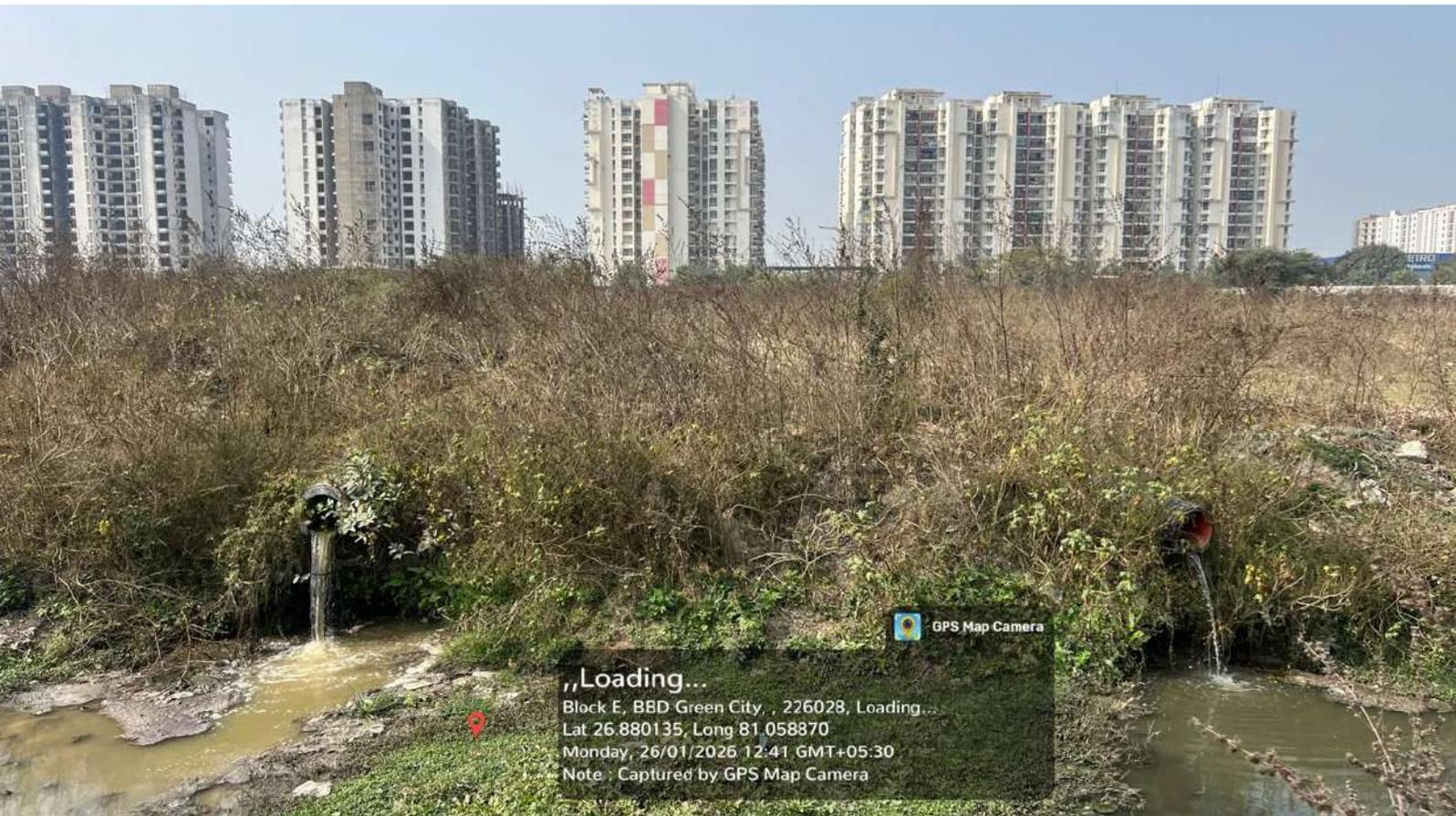


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23

13 Feb 2025 at 09:52:15







505
ANNEXURE A/2

25

WELCOME TO

BBD GREEN CITY

+91-9696333555 +91 522 6659500



380 Acre Township with 100 Acres of Lush Green Area



Dr Akhilesh Das Gupta International School



Metro Cash and Carry



PNB Bank with ATM



BCCI Approved Cricket Stadium



Mall In Front of Main Gate



Multi Tier Security



Optic Fibre Network for Each Home



Proposed International Standard Township Club



Hospital Facility



24x7 Public Transport Facility



Large Size Commercial Spaces

LDA APPROVED

RERA REGISTERED

PROMOTER RERA NO. : UPRERAPRM1196
website : www.up-rera.in

Gary Se Gaurav

#KheloIndiaAtBBD



500

**ANNEXURE A/3
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.in, Website: www.uppcb.com

177917/UPPCB/Lucknow(UPPCBRO)/CTO/both/LUCKNOW/2023

Date: 25/04/2023

To,

M/s

MS VIRAJ CONSTRUCTION PVT LTD

Sunbreeze-1 at BBD Green City, village- Shahpur, Sarai Sheikh and Semra, District- Lucknow, U.P.

**Application Id-
19893505**

Consolidated Consent to Operate and Authorisation hereinafter referred to as the CCA (Consolidated Consent & authorization) (Fresh) under Section-25 of the Water (Prevention & Control of Pollution) Act, 1974 and under Section-21 of the Air (Prevention & Control of Pollution) Act, 1981

CCA is hereby granted to **MS VIRAJ CONSTRUCTION PVT LTD** located at **Sunbreeze-1 at BBD Green City, village- Shahpur, Sarai Sheikh and Semra, District- Lucknow, U.P.** subject to the provisions of the **Water Act, Air Act** and the orders that may be made further and subject to following terms and conditions :-

1. This CCA **MS VIRAJ CONSTRUCTION PVT LTD** granted for the period from 25/04/2023 to 31/12/2023 and valid for manufacturing of following products.

S No	Product	Quantity	Unit
1	Group Housing Project	NA	Metric Tonnes/Day

2. Conditions under Water(Prevention and Control of Pollution) Act -1974 as amended :-

(i) The daily quantity of effluent discharge (KLD) :-

Kind of Effluent	Quantity(KLD)	Treatment facility	Discharge point
Domestic	250 KLD	STP	Horticulture

(ii) Trade Effluent Treatment and Disposal :-The applicant shall operate Effluent Treatment Plant consisting of primary/secondary and tertiary treatment as is required with reference to influent quantity and quality.

In case of stoppage of functioning of ETP, production has to be stopped immediately and this Board has to be intimated by fax/phone/email with a report in this regard to be dispatched immediately.

(iii) The treated effluent shall be recycled to the maximum extent and should be reused within the premises for gardening etc. Quality of the treated effluent shall meet to the following general and specific standards as prescribed under Environment (Protection) Rules, 1986 and applicable to the unit from time-to-time :-

Industrial Effluent Quality Standard

S.No.	Parameter	Standard
-------	-----------	----------

(iv) Sewage Treatment and Disposal :- The applicant shall provide comprehensive STP as is required with reference to influent quantity and quality. In case of stoppage of functioning of STP, production has to be stopped immediately and this Board has to be intimated by fax/phone/email with a report in this regard to be

dispatched immediately.

(v) The treated sewage shall be reused in gardening as far as possible. The STP shall be maintained continuously so as to achieve the quality of the treated sewage to the following standards.

S No.	Parameters	Standards
1	pH	5.5-9.0
2	BOD (mg/L)	20 mg/l
3	TSS (mg/L)	50 mg/l
4	Fecal Coliform (MPN/100ml)	1000 MPN/100ml

3. Conditions under Air (Prevention and Control of Pollution) Act -1981 as amended :-

i) The applicant shall use following fuel and install a comprehensive control system consisting of control equipment as required with reference to generation of emissions and operate and maintain the same continuously so as to achieve the level of pollutants to the following standards.

Air Pollution Source Details

S No.	Air Pollution Source	Type of fuel	Stack no	Control Device	Height of Stack
1	750 KVA DG set	Diesel	1	Particulate Matter	as per norms
2	365 KVA DG set	Diesel	1	Particulate Matter	as per norms

Emission Quality Standards

S No.	Stack no	Parameters	Standards
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In case of stoppage of functioning of air pollution control equipment, production has to be stopped immediately and this Board has to be intimated by fax/phone/email with a report in this regard to be dispatched immediately

(ii) The unit will not use any type of restricted fuel.

iii) Noise from the D.G. Set and other source(s) should be controlled by providing an acoustic enclosure as is required for meeting the ambient noise standards for night and day time as prescribed for respective areas/zones (Industrial, Commercial, Residential, Silence) which are as follows :-

Day time : from 6.00 a.m. to 10.00 p.m., Night time: from 10.00 p.m. to 6.00 a.m.

Standards for Noise level in db(A) Leq	Industrial Area		Commercial Area		Residential Area		Silence Zone	
	Day Time	Night Time	Day Time	Night Time	Day Time	Night Time	Day Time	Night Time
	75	70	65	55	55	45	50	40

4. Essential documents to be submitted by the Industry/Unit as Applicable :-

(i) Environment Statement in Form-V of Environment (Protection) Rules, 1986.

(ii) Quarterly compliance report of the CCA, photograph of ETP/APCs/Waste Storage Area.

5. Competent Authority reserves the right to change/modify/add any time any condition of this CCA.

6. Unit has to comply with the following specific & general conditions. Non compliance of any provision of this CCA and provisions of the Water Act, Air Act and Hazardous and Other Wastes (Management and

ansboundary Movement) Rules, 2016 will result in legal action under the aforesaid Acts and Rules.

7. In compliance to the G.O 1011/81-7-2021-09 (Writ)/2016 dated.13.10.2021 issued by Department of Environment, Forest and Climate Change, Uttar Pradesh. You are directed to develop Miyawaki Forest as per the SOP available at URL:-<http://www.upecp.in/TrainingSession.aspx> for ensuring timely compliance of this direction, you are hereby directed to submit a bank guarantee with minimum validity of one year of the amount equivalent to the sum of initial consent fees (Air and Water) or Rs. 50,000/- (Rs. Fifty Thousand Only) whichever is more, within 30 days from the date of issuance of this certificate. In case of non-compliance of this direction, your consent will be revoked by the Board.

8. If the unit uses the ground water and requires the permission from SGWA/CGWA for water abstraction then the industry will have to obtain No objection certificate for abstraction of ground water. It will be the responsibility of the industry to comply with the various conditions of the NOC obtained from the competent authority and submit to the Board, within 3 months time failing which CTO will be revoked.

General Conditions:-

1. The applicant shall get analysed the samples of effluent/emission/hazardous wastes at least once in a three month from the laboratory recognized by the MoEF and shall report to the UPPCB.
2. The applicant shall however, not without the prior consent of the Board bring into use any new or altered outlet for the discharge of effluent or gases emission or sewage waste from the unit.
3. Treated Industrial waste water and domestic waste water shall be disposed jointly at one disposal point. The applicant shall provide discharge measurement equipment at final disposal point.
4. The applicant shall strictly comply with conditions of this CCA and submit compliance report of stipulated conditions within 30 days of receipt of this CCA. If at any point of time, it is found that the industry is not complying with stipulated conditions or any further direction/instruction issued by the Board, legal action shall be initiated against the applicant.
5. The applicant shall maintain good house keeping. All valves/pipes/sewer/drains etc. must be leak-proof
6. The industry shall provide uninterrupted entry to the STP/ETP inlet and outlet points, Air Pollution Control equipment and stack for smooth sampling/monitoring of efficiency of pollution control systems.
7. The industry shall provide Inspection Book at the time of inspection to the Board's officials.
8. Whenever due to any accident or other unforeseen act or event, such emission occurs or is apprehended to occur in excess of standards laid down, such information shall be reported to the Board's offices and all other concerned offices. In case of failure of pollution control equipment, the production process connected to it shall be stopped with immediate effect.
9. The industry shall operate in a manner so that all emissions be emitted through designated chimney/stack only.
10. In case of any damage to the agriculture productivity, human habitation etc. by the operation of industry, it shall be imperative to stop production in the industry with immediate effect and such information shall be reported to Board's offices. The industry shall be liable to pay compensation also in such cases as decided by the Competent Authority.
11. The applicant shall apply before the 60 days of expiry of CCA or any change in production types/ production capacity/manufacturing process/capacity enhancement etc. or any change in effluent discharge point or emission point
12. The Board reserves the right to revoke/add/modify any stipulated condition issued along with CCA, as may be necessary.

Specific Conditions:-

1. This consent is valid for M/s Viraj Construction Pvt. Ltd., Sunbreeze-1 at BBD Green City, village-Shahpur, Sarai Sheikh and Semra, District- Lucknow for township T1 to T12 Tower, Basement G+14, Swimming pool, Club, Building and Residential Flats-776.

2. The PP shall ensure to obtain NOC in case of any changes, enhancement etc. in the proposed capacity/area of the project.
3. The unit shall ensure to operate and maintained Sewage Treated Plant (250 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.
4. The PP shall comply with the conditions of Environmental Clearance issued by SEIAA.
5. The unit shall ensure to comply the conditions mentioned in CTE dated 08.02.2012 issued by the Board.
6. The PP shall ensure to submit treated water analysis report conducted by any NABL accredited lab shall be submitted on quarterly basis.
7. The unit shall ensure to obtain permission from U.P. State Ground Water Department for withdrawal of ground water within 03 months and submit it to the Board.
8. 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.
9. Generated hazardous waste shall be stored temporarily in the unit premises and disposed off through authorized TSDF after obtaining the authorization from the Board.
10. 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.
11. 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)
12. The PP shall ensure that treated waste water recycle, reused for cooling of DG sets and gardening maximum.
13. Ambient air quality of the area shall be monitored on quarterly basis and report be submitted to the Board.
14. Noise and emission level from the DG sets installed of 750 KVA and 365 KVA capacities shall be within the prescribed norms.
15. The unit shall ensure to establish Miyawaki forest, as per the GO no. 1011/81-7-2021-09(writ)/2016 dated 13.10.2021 of Deptt. of Environment, forest and Climate Change.
16. The project proponent shall ensure to install in house solid waste processing facility.

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17. If closure order is issued by CPCB or UPPCB against any defaulting 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.

RAM
KARAN
Chief Environmental Officer,
Circle-5, UPPCB.

Digitally signed by
RAM KARAN
Date: 2023.05.11
19:03:52 +05'30'

Copy to:

Regional Officer, UPPCB, Lucknow.

RAM
KARAN
Chief Environmental Officer,
Circle-5, UPPCB.

Digitally signed by
RAM KARAN
Date: 2023.05.11
19:04:29 +05'30'

File No. IA-L-11011/3/2025-IA-I

Government of India

Ministry of Environment, Forest and Climate Change
(I.A. - Compliance and Monitoring Division)



Indira Paryavaran Bhavan
Jor Bagh Road, Aliganj
New Delhi-110 003
Dated: 02nd May, 2025

To,

The Member Secretary,
State Environment Impact Assessment Authority (SEIAA),
Directorate of Environment, Vineet Khand,
Gomti Nagar, Lucknow
Email: sharmaajay09@yahoo.com

Subject: Original Application No.1346 of 2024 in the matter titled 'Lal Bachan Rai. v. Environment, Forest and Climate Change Department, Govt of UP and Ors.' pending before the NGT (PB) - reg.

Sir,

This is in reference to the above-cited court matter concerning the alleged violations of Environmental Clearance (EC) conditions by M/s Viraj Construction Pvt. Ltd. for the project titled "BBD Green City Integrated Township", located at Village Shahpur, Sarai Sheikh & Semra, District Lucknow, Uttar Pradesh. The Applicant has contended that the Project Proponent has undertaken construction activities in contravention of the conditions specified in the ECs dated 22.11.2012 and 12.09.2018, thereby adversely affecting the local flora and fauna and significantly disturbing the daily lives of the residents.

2. In view of the foregoing, SEIAA, Uttar Pradesh is requested to take immediate and appropriate action in the matter and submit an action taken report to the Ministry at the earliest.
3. Considering the court matter, timely response to the above is solicited.

This issues with the approval of the Competent Authority.

Yours Faithfully,

Pankaj Verma

(Pankaj Verma)
Scientist 'F'

Email: Pankaj.verma@nic.in
Tel: 011-20819270 (O)

Copy to:

- (i) Deputy Director General of Forests (C), Ministry of Environment, Forest and Climate Change, Integrated Regional Office Kendriya Bhawan, 5th Floor, Sector 'H', Aliganj, Lucknow - 226020.

ANNEXURE A/5



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Sunbreeze1 BBDGreen <sba1.bbdgreencitylko@gmail.com>

Service of Written Arguments in O.A. No. 1035 of 2024

1 message

Sunbreeze1 BBDGreen <sba1.bbdgreencitylko@gmail.com>

Fri, Feb 13, 2026 at 4:00 PM

To: bhanwar jadon <bhanwar09jadon@gmail.com>, priyanka swami <advpriyankaswami@gmail.com>, amit.shukla@lexweb.in, office@vsalegal.in

Recipients,

Please find attached the written arguments in O.A. No. 1035 of 2024 pending adjudication before Hon'ble NGT on 18.02.2026.

This constitutes service.

 **WA - 1035.pdf**
5240K