

BEFORE THE NATIONAL GREEN TRIBUNAL, PRINCIPAL BENCH AT NEW Delhi

Original Application No. ___ 881_____of 2022

BETWEEN:

Rajinder Krishan Sharma IFS (Retd) & Applicants
 anr Applicants

Versus

Union of India & Ors. Respondents

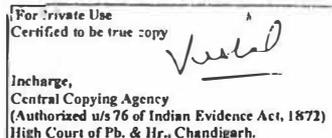
Subject: Submission of Additional Documents as Per Order of Honorable NGT

INDEX FOR ADDITIONAL DOCUMENTS

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ANNEXURE-A-1

IN THE HIGH COURT FOR THE STATES OF PUNJAB &
HARYANA AT CHANDIGARH.

CRM-M-34200-2012

RAJ SINGH GEHLOT Petitioner.
Versus
STATE OF HARYANA & ANOTHER Respondents.

I N D E X

S. NO.	PARTICULARS	DATED	PAGES	COURT FEE
1.	EXEMPTION APPLICATION	23.10.2012	01-02	3.00
3.	PETITION U/S 482 Cr.P.C.	23.10.2012	03-16	3.00
4.	COMBINED AFFIDAVIT	15.10.2012	17	
5.	ANNEXURES			
P-1	COMPLAINT	14.05.2008	18-19	2.00
P-2	NOTIFICATION	02.12.1981	20-39	13.00
P-3	ORDER	21.08.2008	40-41	2.00
P-4	REVENUE RECORDS		42-86	29.00
P-5	LICENSES		87-134	31.00
P-6	DETAILS OF KHASRA NUMBERS		135	1.00
P-7	LICENSES		136-141	5.00
P-8	SANCTIONED PLAN	06.05.1996	142-156	8.00
P-9	CERTIFICATE	10.01.2002 02.03.2005	157-160	8.00
P-10	REPORT	14.05.2008	161-162	2.00
6.	POWER OF ATTORNEY	23.10.2012	163	3.00
→	TOTAL COURT FEE AFFIXED			93.00 ✓

Chandigarh

AMAN PAL

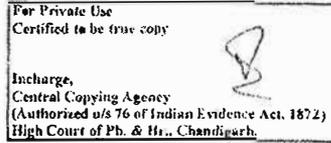
DHARUV KAPUR

SURESH KUMAR
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PHHC, Chandigarh

ADVOCATES

Dated: 23.10.2012, COUNSELS FOR THE PETITIONERS

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-01-

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA AT

CHANDIGARH

Cem 65264/n
CRM-M-34280...../2012

RAJ SINGH GEHLOT

...PETITIONER

VERSUS

STATE OF HARYANA & ANR.

...RESPONDENTS

APPLICATION UNDER SECTION 482 OF THE CODE OF CRIMINAL PROCEDURE, 1973 FOR EXEMPTION FROM FILLING THE CERTIFIED AND TYPED COPIES OF ANNEXURES AND MORE LEGIBLE COPIES OF THE SAME.

MOST RESPECTFULLY SHOWETH:-

1. That the Applicant / Petitioner is filling the accompanying petition in the present case. That the contents of the accompanying petition may be read as part and parcel of the present application and the same are not being repeated herein for the sake of brevity.
2. That the Petitioner / Applicant is filling photocopies of certified copies of the annexures / documents alongwith the present petition and which may taken on record in the interest of justice.
3. That the Petitioner / Applicant undertakes to file said certified copy as and when directed by this Hon'ble Court.
4. That the present application is filed bonafide and may be allowed in the interest of justice.

PRAYER

UNDER THE ABOVE STATED FACTS AND CIRCUMSTANCES, IT IS, THEREFORE, MOST RESPECTFULLY PRAYED THAT THIS HON'BLE COURT MAY KINDLY BE PLEASED TO:

- (a) pass an order, for exemption from filling of certified and typed copies of annexures / documents and permission from filling legible copies of annexures / documents in that behalf.

For Private Use
Certified to be true copy
Incharge,
Central Copying Agency
(Authorized u/s 76 of Indian Evidence Act, 1872)
High Court of Pb. & Hr., Chandigarh.

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(b) pass any other and further orders, which
this Hon'ble Court may deem fit and
proper in the interest of justice.

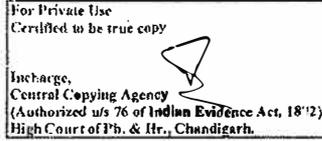
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Note: Combined affidavit is attached.

PALCE: CHANDIGARH

DATED: 23.10.12

Aman Pal *Dhruv Kapur*
[AMAN PAL & DHRUV KAPUR]
ADVOCATES
COUNSELS FOR THE PETITIONER
ENRL. No. P-820/2007,



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IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-34200 OF 2012

RAJ SINGH GEHLOT, S/O LATE SHRI NIHAL SINGH,
AMBIENCE ISLAND, NH-8, GURGAON, HARYANA

...PETITIONER

VERSUS

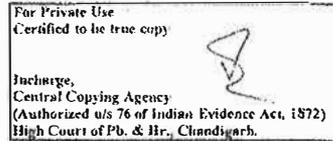
1. STATE OF HARYANA
2. RANGE FOREST OFFICER
OFFICE OF DEPUTY CONSERVATOR FOREST,
GURGAON - SOHNA ROAD,
GURGAON

...RESPONDENTS

PETITION UNDER SECTION 482 OF THE CODE OF
CRIMINAL PROCEDURE, 1973 FOR QUASHING OF
COMPLAINT BEARING NO. 810 OF 2008^{Pr-21-08-08} TITLED AS
"RANGE FOREST OFFICER VS. RAJ SINGH
GEHLOT" PENDING BEFORE THE COURT OF MS.
YASHIKA, HCS(JUDICIAL), PRESIDING OFFICER /
SEC / FARIDABAD, HARYANA AGAINST THE
PETITIONER FOR COMMITTING OFFENCE
PUNISHABLE UNDER SECTIONS 32-33 OF THE
INDIAN FOREST ACT AND QUASHING OF ALL
CONSQUENTIAL PROCEEDINGS ARISING OUT OF
THE SAID COMPLAINT

MOST RESPECTFULLY SHOWETH:-

1. That the present petition is being filed under section 482 of the Code of Criminal Procedure, 1973, [hereinafter referred as to "Cr.P.C."], whereby invoking the inherent jurisdiction of this Hon'ble Court for quashing of complaint bearing no. 810 of 2008^{Pr-21-08-08} titled as "Range Forest Officer vs. Raj Singh Gehlot" pending before the court of Ms. Yashika, HCS(Judicial), Presiding Officer / SEC / Faridabad, Haryana whereby the proceedings has been initiated against the Petitioner for



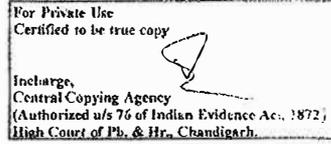
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committing offence punishable under sections 32 - 33 the Indian Forest Act, 1927 [hereinafter referred as to "the Act"] and all consequential proceedings arising out of the said complaint. True copy of complaint bearing no. 810 of 2008 is annexed herewith as **Annexure - P/1**.

2. That the Respondent filed a complaint bearing no. 810 of 2008 before the concerned court of Faridabad, Haryana on the allegations that on May 14, 2008, during an inspection it was found that behind Ambience Mall, a land admeasuring 380 meters length and 16 meters width, has been usurped by Ambience Island and Lagoon Apartments. Further alleged that a building has been constructed on an area of 6080 sq. meters of area, which is a direct violation of FCA, 1980 and IFA 1927.
3. That the Respondent is relying on notification bearing no. S.O. 251/C.A.16/27/S/29/81 dated 02.12.1981 for attracting provisions of the Indian Forest Act. Pertinent to mention that the said notification was issued under section 29 of the Act. True copy of the notification dated 02.12.1981 is annexed herewith as **Annexure - P/2**.
4. That the learned Trial Court, vide its order dated 21.08.2008 was pleased to issue summons against the Petitioner for committing offence, punishable under section 32 - 33 of the Act. True copy of order dated 21.08.2008 is annexed herewith as **Annexure - P/3**
5. That the correct and admitted facts, which are vital and necessary for disposal of the present case and can be looked into by this Hon'ble Court while deciding the subject matter, are stated herein below:-

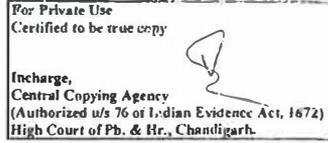
- i. That M/s. Ambience Developers & Infrastructures Private Limited, a Company incorporated under the Companies Act, 1956, having its registered office at L-4, Green Park Extension, New Delhi-110 016 has developed Lagoon Residential Apartment Complex is constructed on plot no.29 at Ambience Island Integrated Township, NH-8, Gurgaon, Haryana.



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- ii. Various companies of Ambience Group including the aforesaid company own and possess 132.06 acres of land in Village Nathupur, District Gurgaon on National Highway – 8, adjacent to Delhi – Gurgaon border. Copy of revenue records evidencing the ownership and possession of Ambience Group of Companies are annexed herewith as **Annexure – P/4 (Colly)**.
- iii. The said entire 132.06 acres of land is duly licensed for the development of integrated Ambience Island Township including Ambience Island Lagoon Apartments on basis of various licenses and lay out planes being issued and approved by the Director, Town & Country Planning (DTCP), Haryana, Chandigarh under the provisions of Haryana Development and Regulation of Urban Areas Act of 1975 and the rules framed thereunder and the Punjab Scheduled Roads and Controlled Areas Restriction of Unregulated Development Act, 1983 and the rules thereunder. True copies of the licenses issued DTCP, Haryana Chandigarh are annexed herewith as **Annexure – P/5 (Colly)**.
- iv. That as regards the development/construction of Ambience Island Lagoon Apartments complex is concerned, it is submitted that 22.98 acres of land was acquired by M/s. HLF Enterprises Private Limited through its promoter and then Director Mr. A L Seth in the year 1992 from the then respective owners of the land. True copies of details of khasra numbers of 22.98 acres of land is annexed herewith as **Annexure – P/6**.
- v. Out of the said 22.98.acres of land, M/s HLF Enterprises Private Limited applied for issuance of license to develop a residential group housing colony on 18.98 acres of land and hotel on balance 4 acres of land. The DTCP, Haryana, Chandigarh issued license no. 19 of 1993 dated 09.07.1993 for development of a Group Housing Colony on 18.98 acres and License No. 12 of 2002 for development of Hotel on 4 acres of



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land. True copies of licenses bearing no. 19 of 1993 and 12 of 2002 are annexed herewith as **Annexure - P/7**.

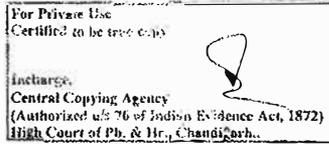
- vi. On the basis of license no. 19/1993, M/s. Ambience Developers & Infrastructures Private Limited developed a group housing complex viz. Ambience Island Lagoon Apartments complex comprising of 345 dwelling units besides other areas after getting building plans sanctioned for DTCP, Haryana, Chandigarh. True copy of sanctioned memo no. 6903 dated 06.05.1996 issued by DTCP, Haryana, Chandigarh is annexed herewith as **Annexure - P/8**.
- vii. M/s. Ambience Developers & Infrastructures Private Limited got the layout plans and building plans approved from DTCP, Haryana, Chandigarh in the year 1995-1996 for development of the said Lagoon Apartments Complex on 10.98 acres. In accordance of the layout plans and building plans, approved by the DTCP, Haryana, Chandigarh, the development of Lagoon Residential Apartment Complex was carried out and the completion certificate was obtained from the DTCP, Haryana, Chandigarh on 10.01.2002. Later on the fresh building plans were also got sanctioned for additional area and occupation certificate for the same was obtained on 02.03.2005. True copies of occupation certificate and completion certificate are annexed herewith as **Annexure - P/9 (Colly)**.
- viii. That CWP No.2147 of 2012, titled as "*Ambience Lagoon Apartments and Residents Welfare Association vs. State of Haryana & Ors*" is pending before this Hon'ble High Court wherein the aforesaid M/s. Ambience Developers & Infrastructures Private Limited has been impleaded as Respondent No.9. That in this writ petition, in the month of August 2012, the Petitioner therein which is a residents welfare association, has filed a copy of the complaint bearing no. 810 of 2008 under sections 32 and 33 of the Indian Forest Act, 1927 titled as "*Range Forest Officer vs. Raj Singh Gehlot*" which is

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pending before the court of Mr. Rajender Singh Dhanda,
Presiding Officer/SEC/Faridabad, Haryana.

6. That the present Petitioner being aggrieved by the prosecution initiated by the Range Forest Officer in total non-compliance and contravention of provisions of law prefers the present petition for quashing of complaint bearing no. 810 of 2008 titled as "Range Forest Officer vs. Raj Singh Gehlot" pending before the court of Mr. Rajender Singh Dhanda, Presiding Officer/SEC/Faridabad, Haryana whereby the proceedings has been initiated against the Petitioner for committing offence punishable under sections 32 - 33 of the Act and all consequential proceedings arising out of the said complaint, inter-alia on the following grounds:
- a. Because the Learned Trial Court, while issuing the impugned order transcended its limitation, provided in the law and infact exceeded jurisdiction to issue summons against the present Petitioner, without doing any inquiry as to who is the owner and in possession of the land, because in the facts and circumstances of the present case it is any one of the Ambience Group of Companies who might be the Owner of the land in question.
 - b. Because the Petitioner does not hold any land in his personal capacity and the Ambience Lagoon Residential Apartment Complex has been developed by M/s. Ambience Developers & Infrastructures Private Limited. It is stated that a summoning order cannot be passed against the Director of a Company, without issuance of any summons to the very Company, which owns the lands in question. The aforesaid act of issuance of summoning order only against the petitioner herein, especially when in the revenue records the land is owned by Ambience Group of Companies is illegal and bad in law.
 - c. Because the Ld. Trial Court failed to appreciate that summoning of an accused in a criminal case is a serious matter. Criminal law



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cannot be set into motion as a matter of course. It is not that the Magistrate is a silent spectator for summoning of the accused. Magistrate has to carefully scrutinize the evidence / documents brought on record to find out the truthfulness of the allegations or otherwise and then examine if any offence is *prima facie* committed by all or any of the accused. In the facts and circumstances of the present case it is clear that the Magistrate has not applied his mind while entertaining the impugned complaint and passing the summoning order because the Damage report dated 14.05.2008 says that on inspection being done by the Range Forest Officer it was found that Lagoon Apartments and Ambience Island has been constructed / built on Nathupur Bandh a land owned by the government. However, the Ld. Trial Court failed to appreciate that there is no reason of whatsoever nature given as to why the aforesaid alleged inspection was done more than 7 years after the building was constructed. The aforesaid action of the Range Forest Officer of allegedly claiming in his Damage Report that that the construction has been done on Forest Land is not just hopelessly time barred but is also hit by the Law Of Estoppel.

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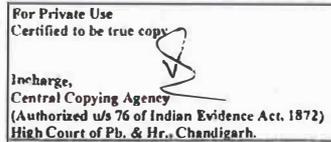
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d. Because the Ld. Trial Court has passed the summoning order dated 21.08.2008, without application of mind, which is evident from the fact that there has been a non compliance of Section 202 of Cr.P.C, which mandatorily requires that where the alleged accused lives beyond the jurisdiction of the Ld. Court, than in all those cases the Magistrate has to mandatorily hold an enquiry and get the summon served on the address where the accused lives or carrying on business for gain. That in the facts and circumstances of the present case also the accused admittedly is beyond the jurisdiction of the Ld. Trial Court, still the Ld. Magistrate does not ensure compliance of Section 202 of Cr.P.C.

e. Because the development of Ambience Lagoon Residential Apartments Complex was commenced in the year 1995 -1996 and the same was partly completed in the year 2002 i.e. on 10.01.2002 and inhabited since that date and as per the allegations in the impugned complaint, the alleged damage report was obtained only on 14.05.2008 after lapse of 13 years and this fact, evidently, proves that the alleged complaint is barred by limitation and

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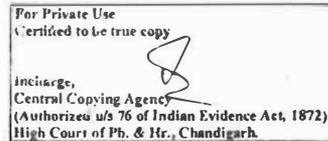
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hopelessly belated and the same has been filed with malice motive and filed at the behest of and in collusion with the Petitioner's competitor's.

f. Because the summoning order has been passed without application of mind solely relying upon a Damage Report dated 14.05.2008 prepared by the Range Forest Officer. It is stated and submitted that aforesaid report has not just been made without any inquiry and survey been conducted as to which all lands are alleged to have been illegally acquired by the petitioner, but also aforesaid report has been passed after a lapse of more than 7 years, from the date of construction of Lagoon Apartments on the land in question.

g. Because as per the complaint of the Range Forest Officer the Lagoon Apartments have been constructed on Nathupur Bandh which is Government land, and in pursuance of which notice and later summons have been issued to the petitioner herein, however the Ld. Trial Court failed to appreciate that firstly, the petitioner is only the director of the company which owns the land and therefore the summons if any should have been issued to the company rather than to the petitioner in his individual capacity.

h. Because admittedly the alleged affected land has been described as Nathupur Bund in the alleged complaint and further the alleged complaint does not specifically states the extent of alleged forest protected land such as khasra numbers, revenue estate in order to ascertain the allegations of the Respondent in the subject complaint. The Ld. Trial Court went on to summon the accused for offences committed under the Indian Forest Act, 1927, on the basis of a report dated 14.05.2008 submitted by the Range Forest Officer pursuant to which a notice was being issued to the petitioner herein by the Range Forest Officer. At this juncture it becomes utmost important to bring to the kind notice of this Hon'ble Court that the very report dated 14.05.2008 which is the foundation / basis of the issuance of the impugned summoned order has been passed without any application of mind, and the aforesaid fact stands proved from the bare perusal of the report because the report does not provide as to which Khasra nos. or which portion of land has been allegedly been usurped by the present petitioner.



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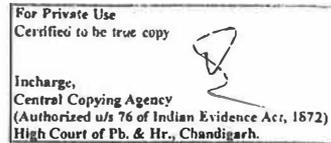
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i. Because the Ld. Trial Court failed to appreciate that the report which is relied upon while passing the impugned summoning order states that the land which is alleged to have been usurped by the present petitioner is behind Ambience Mall and Lagoon Apartments have been constructed on them, however the aforesaid fact is incorrect as Lagoon Apartments is situated on the west of Ambience Mall and no part of the Lagoon Apartments is situated behind Ambience Mall. The aforesaid action of passing an order on the basis of a report received which itself is incorrect clearly shows total non-application of mind while passing the impugned order.

j. Because the Ld. Trial Court erred in entertaining the complaint filed against the present petitioner for prosecution under sections 32 and 33 of the India Forest Act, 1927, in violation of the provisions of the Act and further erred in passing the impugned summoning order. It is submitted that the Ld. Trial Court failed to appreciate that for any prosecution to commence against an accused under section 33 of the Act, it is incumbent on the prosecuting agency to enquire as to whether State Government has issued any notification under section 30 for Reserving Trees etc. However, in the facts and circumstances of the present case the Ld. Trial Court has passed the summoning order without application of mind and without appreciating that a complaint has been preferred against the present petitioner alleging contravention of notification issued under section 30 of the Act, but as per the factual situation in the present case there is no notification till date issued by the state government under section 30 of the Act. Therefore, issuance of summons against the present petitioner for contravention of sections 32 and 33 of the Indian Forest Act, 1927 is illegal and bad in law as the same is based on a presumption that there exists a notification under section 30 of the Indian Forest Act.

J1. Because admittedly the impugned order does not contain any reason for issuance of summon against the Petitioner for committing offence punishable under section 32- 33 of the Act, hence the said order is against the settled principle of law for issuance of summons against the Petitioner.

k. Because the impugned complaint is based only on the alleged damage report dated 14.05.2008, and except this alleged report, there is no other document, filed by the Respondent for issuance of the summons against the



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Petitioner, hence evidently the said alleged report is not sufficient for passing of the impugned orders in the impugned complaint. True copy of damage report is annexed herewith and marked as **Annexure - P/10**.

l. Because even otherwise, the punishment provided under section 33 of the Act for imprisonment may extend to six months and the alleged offence has been allegedly been committed in year 2001 when the Lagoon Apartments was constructed and possession of the apartments was handed over to different apartment owners and therefore the limitation to prosecute the petitioner expires way back in year 2002.

m. Because even otherwise, the alleged offence under section 33 of the Act is not a continuing offence, hence the limitation of taking any cognizance in the said provision expires within six months from the date of alleged offence, hence no complaint or any other proceedings can be initiated for committing offence under the provision of the Act.

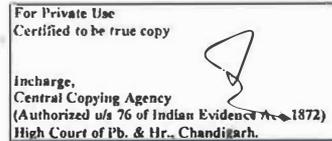
n. Because as per section 468 of Cr.P.C. the cognizance for committing the alleged offence can be taken within six months from the alleged cause of action and further in the present case, the alleged cause of action is when the building was constructed in 2001 and which specifically expired on 2002 and hence no cognizance can be taken upon the alleged offence.

o. Because the DTCP, Haryana minutely scrutinizes the land records not only with respect to ownership and possession over the land for which license application is filed by the person concerned but also restriction if any applicable on such land before issuing any licenses for the development under the provisions of Haryana Development and Regulation of Urban Areas Act, 1975 and the rules framed therein and the Punjab Scheduled Roads and Controlled Areas Restriction of unregulated Development Act, 1963 and the rules framed thereunder. That the DTCP, Haryana would not have issued any license in respect of any land, which would have been the land of the protected forest as defined under section 2 of Act.

p. Because no land out of the aforesaid Ambience Lagoon Apartments Complex or any part of 132.6 acres of land of the

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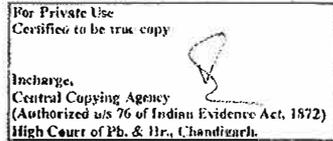


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entire integrated township has been declared as the protected forest under the provisions of the Indian Forest Act, 1927 at any point of time as alleged.

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- q. Because under section 29 of the Act, State Government may by notification declare any land owned by the Government or private land on which the State Government has proprietor rights over the produce from the said land as the protected forest. Therefore, a sine-qua non of section 29 of the act is that the land must be government land or a land on which state government has right over the produce of a private land and hence there cannot be notification under section 29 of the Act in respect to the land, owned by M/s. Ambience Group of Companies as the aforesaid land never belonged to the government at any stage and there is no document on record to show that the land was ever acquired by the government under the Land Acquisition Act. It is stated and brought to the kind notice of this Hon'ble Court that the petitioner herein has annexed jamabandis and revenue records, which make it crystal clear that the lands in question were never owned by the government at any point of time and it stands registered in the name of Ambience Group of Companies as Owners.
- O
- r. Because the Respondent has not complied with the provisions of section 29 of the Act before issuing the alleged notification, whereby the area of Nathupur Bund was declared to be protected forest. Because as per section 29, the nature of rights of government and private persons in or over the forest land or waste land comprised therein have been inquired into and recorded at a survey or a settlement. In the facts and circumstances of the present case no inquiry of survey admittedly has not been carried out, because had that been done it would have been crystallized that the lands in question are not government lands and are owned in revenue records by the Ambience Group of Companies.
- s. Because on the basis of inspection and copy of revenue and government records, it is stated that there is no mention of



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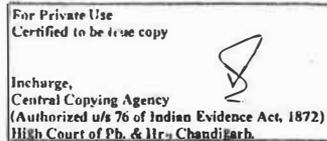
existence of any forest or plantation on the aforesaid land on which the Ambience Lagoon Apartment Complex has been constructed.

- t. Because as per revenue records, kept with State Government, the land at time of acquisition by the respective group companies including the above-said company M/s. Ambience Developers & Infrastructures Private Limited has been in cultivating possession of the then owners of the land.
- u. Because there is no dispute qua the rights and titles of the land, on which Ambience Lagoon Residential Apartments has been constructed and hence the impugned complaint is liable to be quashed in the interest of justice.
- v. Because the Petitioner cannot be held to be liable for the alleged offences even as per provisions of the Act.
- w. Because the impugned order is not just bad in law but has also been passed without application of mind which is evident from the fact that the alleged damaged report has been prepared without carrying out any inspection or survey as regards the ownership of the land, moreover even the land on which the bund was alleged to have been situated has not been clearly defined or demarcated or any khasra numbers of the aforesaid lands have been detailed in the damage report, which forms the basis of the impugned summoning order.
- x. Because the subject complaint has been filed with malafide, maliciously and ulterior motive for wreaking vengeance on the petitioner herein a view to spite them due to personal grudge of the competitors.
- y. Because the Respondent No.2 has initiated the proceedings against the Petitioners with malafide intentions and ulterior motives.

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z. Because the impugned order dated 21.08.2008 is incorrect, illegal and improper.

aa. Because the impugned order dated 21.08.2008 has been passed without any application of mind and ought to be set aside.

bb. Because the impugned order dated 21.08.2008 has been passed in a casual and perfunctory manner without due application of judicial mind.

cc. Because as there is no case made out against the Petitioner at all and further if the said proceeding is allowed to proceed against the Petitioner, it will not just cause unnecessary harassment to the Petitioner for no fault of him, but shall also lay down a bad precedent, as the impugned direction passed is bad in law.

dd. Because the aforesaid complaint filed by the Respondent is nothing but an abuse of the process of law as there is no case made out against the Petitioner, which is evident from the perusal of the above-mentioned facts and the documents attached with the present Petition. Hence, it would be befitting to secure the end of the justice, the said direction is quashed.

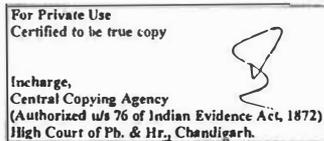
ee. Because this Hon'ble Court has inherent power to interfere with the proceedings of the lower Court at any stage thereof, if it finds that the process of law is being abused.

ff. Because the documents, relied by the Petitioner are public documents of impeccable character and can be looked into by this Hon'ble Court while deciding the present petition.

7. That the Petitioner craves the leave of the Hon'ble Court to urge further additional grounds as may be available to the Petitioner at the time of arguments.

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8. That the Petitioner has no other available alternative remedy but to file the subject petition before this Hon'ble Court.
9. Further, no other and/or similar petition has been filed by the Petitioner before this Court or before any other and/or is otherwise pending adjudication.

PRAYER

IN THE PREMISES AND IN THE LIGHT OF THE FACTS AND CIRCUMSTANCES OF THE PRESENT CASE, IT IS RESPECTFULLY PRAYED THAT THIS HON'BLE COURT MAY GRACIOUSLY BE PLEASED TO:-

- (a) Pass an order, thereby quashing of complaint bearing no. 810 of 2008 titled as "Range Forest Officer vs. Raj Singh Gehlot" pending before the court of Mr. Rajender Singh Dhanda, Presiding Officer / SEC / Faridabad, Haryana whereby the proceedings has been initiated against the Petitioner for committing offence punishable under sections 32 - 33 of the Indian Forest Act, 1927;
- (b) Pass an order, thereby quashing summoning order dated 21.08.2008 passed in complaint bearing no. 810 of 2008 titled as "Range Forest Officer vs. Raj Singh Gehlot" pending before the court of Mr. Rajender Singh Dhanda, Presiding Officer / SEC / Faridabad, Haryana whereby the proceedings has been initiated against the Petitioner for committing offence punishable under sections 32 - 33 of the Indian Forest Act, 1927;
- (c) Pass an order, whereby for quashing all consequential proceedings arising out of the

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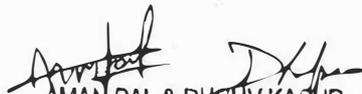
complaint bearing no. 810 of 2008 titled as "Range Forest Officer vs. Raj Singh Gehlot" pending before the court of Mr. Rajender Singh Dhanda, Presiding Officer / SEC / Faridabad, Haryana and in that behalf;

(d) pass an order, whereby staying the proceedings of the complaint bearing no. 810 of 2008 titled as "District Forest Officer vs. Raj Singh Gehlot" pending before the court of Mr. Mahavir Singh, Presiding Officer / SEC / Faridabad, Haryana whereby the proceedings has been initiated against the Petitioner for committing offence punishable under sections 32 - 33 of the Indian Forest Act, 1927 and all consequential proceedings arising out of the said complaint and in that behalf;

(e) Pass such other or further order(s) as this Hon'ble Court may deem fit and proper in the facts and circumstances of the present case.

Place: Chandigarh

Dated: 2.3.10.12.


 AMAN PAL & DHROUV KAPUR

ADVOCATES

COUNSELS FOR THE PETITIONER.

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High Court of Pb. & Hr., Chandigarh.

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IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA AT

CHANDIGARH

CRM-M-34200...../2012

RAJ SINGH GEHLOT

...PETITIONER

VERSUS

STATE OF HARYANA & ANOTHER

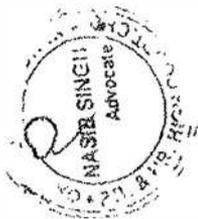
...RESPONDENTS

AFFIDAVIT

Affidavit of Shri Raj Singh Gehlot, s/o late Shri Nihal Singh, L-4, Green Park Extension, New Delhi - 110016, do hereby solemnly affirm and declare as under:-

1. That I am the Petitioner in the subject petition and hence fully competent to swear and affirm the present affidavit.
2. That the accompanying petition under section 482 of Cr.P.C., on behalf of the Petitioner, is drafted under my instructions and the contents of the same are true and correct, based upon my knowledge and belief. That nothing material is concealed therefrom. That the legal averments contained therein are true upon advice received and believed to be true.
3. That the certified copies of the annexures are not readily available with the petitioner and also not typed. However, true photocopies of the same are annexed herewith for kind perusal of the Hon'ble Court.

D



PALCE: CHANDIGARH

DATED: 23.10.12

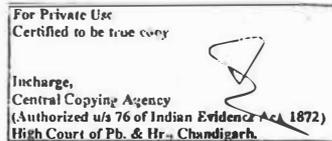
VERIFICATION

DEPONENT

Verified at Chandigarh on this day of October, 2012, that the contents of the above affidavit are true upon my knowledge and that nothing material been concealed therefrom.

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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ANNEXURE - A.2

CRM No. 34200 of 2012

Raj Singh Gehlot s/o Late Shri Nihal SinghPetitioner

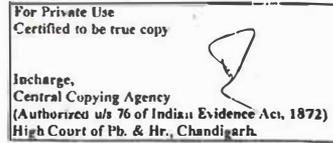
Versus

State of Haryana and others.Respondents

**REPLY OF HARISH KUMAR WALIA, HFS DIVISIONAL FOREST
OFFICER, GURGAON ON BEHALF OF THE RESPONDENT Nos. 2**

I, Harish Kumar Walia, H.F.S presently posted as Divisional Forest Officer, Gurgaon Forest Division do hereby solemnly affirm and state as under:

1. That I am working as, Divisional Forest Officer, Gurgaon Forest Division In Haryana State .
2. That I say and submit that I am authorized to file reply to the above Petition, filed by the Petitioner mentioned above.
3. That I have perused the relevant records pertaining to the subject matter of the petition, and on the basis of the information derived from the same, I am making the instant affidavit on behalf of the answering respondents. I deny the correctness of each and every contention, statement, allegation and/or averment which is in any way contrary to or inconsistent with any statement and/or submission made in written statement, as if it were specifically traversed. I further say and submit that any omission to deal with any statement, contention, allegation and/or averment made in this Petition,



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should not be treated as an admission thereof. I seek the liberty of this Hon'ble Court to file a further affidavit, if required and/or so directed.

2
164**MOST RESPECTFULLY SHOWETH:****PRELIMINARY SUBMISSIONS**

1. That the Sikanderpur-Nathupur Bundh is a protected forest vide notification no: S.O 251/C.A.16/27/S.29/81 dated 2nd December, 1981 (Annexure-R1). Accordingly the provisions of Indian Forest Act, 1927 and Forest Conservation Act, 1980 are applicable on the said land. As per Forest Conservation Act 1980, prior approval of Central Government is necessary to take up any non forestry activity in the forest land.
2. That in the present case, the petitioner, had cleared an area of 380 m X 16m of Sikanderpur-Nathupur Bundh, which is a notified Protected Forests and Ambience Lagoon Apartments was constructed by clearing this stretch of protected forests and the forest land in question is still being used for non -forestry purpose and thus the offence is of still continuing.
3. That this violation came to the notice of Forest department on 14 /5 /2008 and a damage report, which is a forest offence report, was issued against the petitioner/offender for committing the said offence.
4. That consequent up on issuing the forest offence report/damage report a notice was issued to the petitioner/offender and subsequently , a complaint was filed

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 High Court of Pb. & Hr., Chandigarh.

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in the Ld Special Environment Court for prosecuting the petitioner for the commission of the forest offence.

5 That permission taken from any other department expect from forest department or Central Govt. in immaterial under Indian Forest Act 1927 and Forest conservation Act 1980.

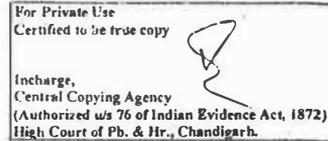
PRELIMINARY OBJECTIONS:

1. That petitioner has violated forest laws and has been rightly booked by the respondent department for committing the forest offence and thereafter a complaint was filed in the Ld Special Environment Court and the same may not be quashed.

PARA WISE REPLY ON MERITS:

1. That the contents of para 1 of the petition are admitted as a matter of record.
2. That the Sikanderpur-Nathupur Bundh is a protected forest vide notification no: S.O 251/C.A.16/27/S.29/81 dated 2nd December, 1981 (Annexure-R1). Accordingly the provisions of Indian Forest Act, 1927 and Forest Conservation Act, 1980 are applicable in the said land. As per Forest Conservation Act 1980, prior approval of Central Government is necessary to take up any non forestry activity in the forest land.

That in the present case, the petitioner, had cleared an area of 380 m X 16m of Sikanderpur-Nathupur Bundh, which is a notified Protected Forests and undertook construction on this stretch of protected forests. The satellite imagery of Google for the year 2000, of the Sikanderpur Nathupur bundh is hereby annexed as Annexure R-2, which clearly shows Sikanderpur-Nathupur Bundh as a continuous linear feature with linear arrays of trees on both sides, running across the



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land in question. The Longitudinal section of the Sikanderpur-Nathupur Bundh as obtained from the Department of Irrigation, State of Haryana, is also hereby annexed as Annexure R -3, which reveals that the total length of this bundh/Protected forests is 9500 feet which is 2.895 Kilometers. The length of the bundh measured from the satellite imagery also reveals that the length of this bundh is 2.87 kms, which clearly proves that the feature shown in the imagery is nothing other than Sikanderpur-Nathupurbundh.

The answering respondent would like to place on record the satellite imagery of google for the year 2002 as Annexure R-4 which reveals that the bundh /protected forests in question, is broken and structures have been erected by the petitioner at the cleared site .A mere perusal of Annexures R-3 and R-4 also reveals that there existed no building on the bundh in 2000 but the same can be clearly seen in the imagery of 2002. Even today , the Bundh / Protected Forests exists outside the boundary of these structures which form a part of Ambience Lagoon Apartments, on both sides and photographs proving the same are hereby annexed as Annexure R-5.

Thus by clearing a notified protected forests, the petitioner

has violated the section 32(a) and 32(g) of Indian Forest Act,1927

which is as under:-

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Section 32. Power to make rules for protected forests- The State Government may make rules to regulate the following matters, namely:-

(a) the cutting, sawing, conversion and removal of trees and timber, and the collection, manufacture and removal of forest-produce, from protected forests;

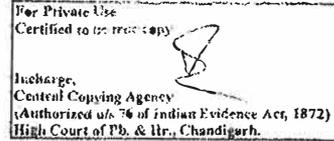
(b) the clearing and breaking up of land for cultivation or other purposes in such forests;

Adding to this, the petitioner has also violated the section 2(ii) of Forest Conservation Act, 1980 which is as under:-

Section 2. Restriction on the dereservation of forests or use of forest land for non-forest purpose.-

Notwithstanding anything contained in any other law for the time being in force in a State, no State Government or other authority shall make, except with the prior approval of the Central Government, any order directing,-

(i) that any reserved forest (within the meaning of the expression "reserved forest" in any law for the time being in force in that State) or any portion thereof, shall cease to be reserved;



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- (ii) that any forest land or any portion thereof may be used for any non-forest purpose;
- (iii) that any forest land or any portion thereof may be assigned by way of lease or otherwise to any private person or to any authority, corporation, agency or any other organization not owned, managed or controlled by Government;
- (iv) that any forest land or any portion thereof may be cleared of trees which have grown naturally in that land or portion, for the purpose of using it for reforestation.

Thus by destroying and clearing the protected forest and undertaking construction, and thereby affecting a forest area of 380 X 16 square meters, the petitioner has committed the forest offence which attracts the penalties mentioned under Section 33(a) and (c) of Indian Forest Act, 1927 which is as under:-

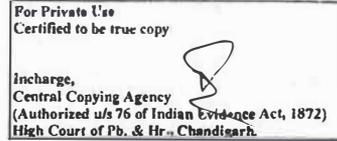
Section 33. Penalties for acts in contravention of notification under section 30 or of rules under section 32. -

(1) Any person who commits any of the following offences,

namely:-

(a) fells, girdles, lops, taps or burns any tree reserved under section 30, or

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7/6/81

(b) contrary to any prohibition under section 30, breaks up or clears for cultivation or any other purpose any land in any protected forest;

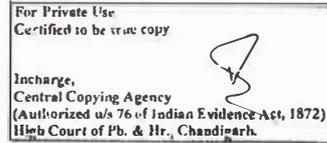
shall be punishable with imprisonment for a term which may extend to one year, or with fine which may extend to thousand rupees, or with both.

The forest offence committed by the petitioner also attracts penalty imposed under section 3A of Forest Conservation Act, 1980 which is as under:-

Section 3A. Penalty for contravention of the provision of the Act. -

Whoever contravenes or abets the contravention of any of the provisions of section 2, shall be punishable with simple imprisonment for a period which may extend to fifteen days.

3. That the contents of the para are admitted to the extent that bundh in question is a protected forests vide notification no: S.O 251/C.A.16/27/S.29/81 dated 2nd December, 1981 upon which provisions of Indian Forest Act, 1927 and Forest Conservation Act, 1980 are applicable
4. That the contents of para number 4 are admitted as a matter of record.
5. (i) That the contents of para 5 (i) and (ii) are denied for want of knowledge.



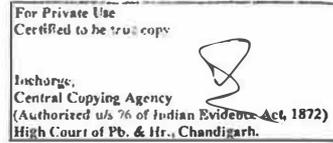
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(iii) That it is hereby submitted that vide letter number 136-141 dated 15/5/2012 issued by the office of answering respondent to the District Town Planner, Gurgaon. The office of the District Town Planner, Gurgaon vide endorsement number 7315 dated 9/8/2012 in reference to letter number 136-141 dated 15/5/2012 issued by the office of answering respondent informed the Forest Department that in the field report pertaining to license number 19 of 18.98 acres, it is written that there exists a bundh on the land. True typed copy of the letter issued by District Town Planner and the true translated copy of the field note are hereby annexed as **Annexure R-6** and **Annexure R-7** respectively. It is pertinent here to mention that Annexure P-8 of the petition also states that it was vide license number 19 of 1993, group housing complex Ambience Island Lagoon Apartments complex was developed. The respondent department is yet to get any intimation regarding the further action taken by the department of Town and country planning in this case.

H. S. Sonu

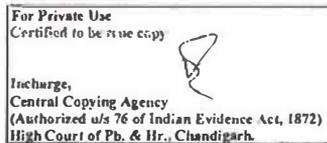
(iv) to (viii) That the contents of the para are denied for want of knowledge.

6. That the petitioner was rightly booked for violation of various provisions of forest laws and complaint has been rightly filed in the Ld Special Environment Court.



- a & b.** That the petitioner being the director of Ambience Group of Companies has been rightly booked for the above mentioned violations.
- c.** That the petitioner has violated Laws of land by encroaching and clearing a protected forests and thus the answering respondent has rightly booked the offender/petitioner for violating forest laws, when the offence had come to the notice of the answering respondent.
- d.** That the petitioner/offender has committed the offence which falls within the jurisdiction of the Ld trial court.
- e.** That the said offence was booked when it had come the notice of the respondent department and subsequently without any delay, the case was sent for prosecution in the Ld Special Environment Court. Further, it is also hereby submitted that the issue raised in the para on limitation period is not applicable as the offence committed by the petitioner is of continuing nature as the forest land is still being used for non-forestry purpose.
- f.** That the said damage report was issued against the petitioner/offender after thorough enquiry and it was issued when the violation had come to notice of the Forest department.
- g.** That the complaint states that the petitioner has violated forest laws by clearing protected forests and thus has rightly been issued damage report followed by filing a complaint against the offender/petitioner in the Ld Special Environment Court for committing the aforementioned forest offences.

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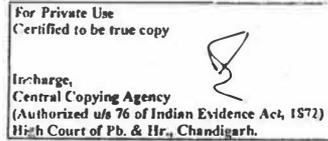
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h. That vide notification no: S.O 251/C.A.16/27/S.29/81 dated 2nd December, 1981 (Annexure-R1), the said bundh has been declared as a Protected forests. The ownership of the said bundh vests with Irrigation department and the land plan, Sajra and such other details of Khasra numbers are available with Irrigation department and the same are not available with the Forest Department . That with the help of GIS (Geographical Information System) technology, the Khasra numbers through which the said bundh is passing, were found out. The methodology adopted was as under:

1. The sajra of the village Sikanderpur-Nathupur obtained from the Revenue department was scanned.
2. The scanned sajra was geo-referenced which is essentially a process by which position of sajra is geospatially fixed in reference to geographical coordinate system. When data from different sources need to be combined and then used in a GIS application, it becomes essential to have a common referencing system for overlaying of different maps.
3. The geo-referenced sajra was superimposed on satellite imagery /google imagery to make out the khasra numbers through which bundh is passing. The imagery over which sajra of village Sikanderpur-Nathupur is superimposed is hereby annexed as Annexure R-8 which will throw light on the methodology employed.

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That the relevant portion of the Annexure R-8 pertaining land in question is highlighted for clarity and annexed as



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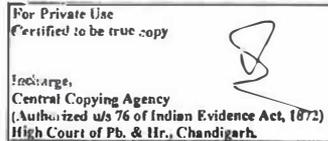
Annexure R-9 which clearly reveals that the bundh is passing through the Khasra numbers 531, 535 and 533.

That the Khasra numbers of the land on which Ambience Lagoon Apartments are constructed as shown in **Annexure P-6** submitted by the petitioner/offender along with the petition, read with para 5 v and 5 vi of the petition are the following, 2/2/21, 3, 527, 528, 529, 530, 531, 532, 533, 534 and 535.

From the comparison of these khasra numbers obtained from Annexure R-9 and the Khasra numbers given in Annexure P-6, it is clear that the land bearing khasra numbers 531, 533 and 535 forms a part of the bundh and also part of the land on which Ambience lagoon apartment was constructed. This again reinforces the fact that the bundh /protected forests was cleared illegally and Ambience lagoon Apartments was constructed on the said forest land.

- i. That the contents of the para are denied being wrong.
- j. That even in the absence of such notification it is deemed to have all the restrictions imposed by section 32-33 of IFA, 1927 in force. Adding to this the petitioner has not only violated the provisions of IFA, 1927 but also section 2 of Forest Conservation Act, 1980 by diverting forest area for non forestry purpose without availing the prior permission of Central Government.
- j1. That the petitioner was rightly summoned for violations of provisions of IFA, 1927.
- k. That the contents of para are denied being wrong as the damage report is the forest offence report which forms the

Annexure



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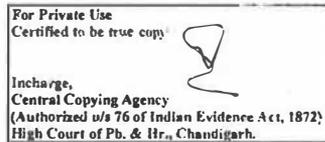
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basis of any complaint pertaining to any forest offence and the Ld Court has rightly summoned the petitioner for the commission of the said offence.

- i. That the contents of para are denied being wrong as the punishment provided under section 33 is imprisonment which may extend up to one year or a fine up to 1000 rupees or both . Further it is also submitted that the offence was booked when it had come to the notice of the respondent department.
- m. That the contents of the para are denied being wrong. The petitioner/offender had violated provisions of various forest laws by clearing protected forests and erecting buildings over the cleared forests and thereby forest land was used for non - forestry purpose and the violation is thus still continuing. As the forest land is even today used for the non-forestry purpose.
- n. That the limitation period is not applicable in this case as the forest land is still being used for non-forestry purpose and thus the offence is of continuing nature.
- o. That it is hereby submitted that District Town Planner, Gurgaon vide endorsement number 7315 dated 9/8/2012 in reference to letter number 136-141 dated 15/5/2012 issued by the office of answering respondent requesting revoking the licenses issued to Ambience Enterprises Limited , had informed the Forest Department that in the field report of license number 19 of 18.98 acres sent by the office of District Town Planner, Gurgaon, it was written that there exists a bundh on the land over which the building is to be constructed. True

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typed copy of the letter issued by District Town Planner as well as the True translated copy of the field note is hereby annexed as **Annexure R-6** and **Annexure R -7** respectively. It is pertinent to mention here that the petitioner has given details of the license issued by Department of Town and Country Planning for Ambience Island Lagoon Apartments along with the petition in the form of **Annexure P-8** as license number 19 of 18.98 acres. This again clearly reveals that the said apartment was raised over Sikanderpur-Nathupur Bundh ; which is a protected forests.

- p. That the Sikanderpur-Nathupur Bundh is a protected forest vide notification no: S.O 251/C.A.16/27/S.29/81 dated 2nd December, 1981 (**Annexure-R1**) and a portion of the said bundh was cleared and Ambience lagoon apartments was constructed on the cleared forest land.
- q. That the Hon'ble Supreme Court in the case titled T .N. Godavarman Thirumulpad Vs Union of India ,in it's order dated 12/12/1996 held the following "The term 'forest land' occurring in section 2 will not only include "forests" as understood in the dictionary sense but also an area recorded as forests in the government record irrespective ownership. This is how it has to be understood for the purpose of section 2 of the Act. The provisions enacted in the Forest Conservation Act 1980 for the conservation of forests and the matters connected there with must apply clearly to all forests so understood irrespective of the ownership or classification thereof."

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Further In this regard Hon'ble Supreme court, in its order dated 6/7/2011 in the T.N. Godavarman Thirumulpad vs Union of India & ors, Hon'ble Court has issued guidelines which is as stated below

"Completion of the exercise undertaken by each state/UT govt in compliance of this court's order dated 12.12.1996 wherein interalia each state / UT government was directed to constitute an expert committee to identify areas which are 'forest' and the areas which were earlier forests but stand degraded ,denuded and cleared ,culminating in preparation of Geo-referenced district forest maps containing the details of location and boundary of each plot of land that may be defined as "forest" for the purpose of the Forest (Conservation) Act 1980.

Thus the Sikanderpur -Nathupur bundh which is a protected forests as per the notification of Government of Haryana is a recorded forests and it is immaterial with whom the ownership of the land In question vests with, the said land is a 'forest land' where in provisions of forest laws are applicable .

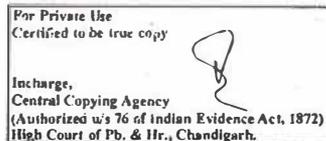
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- r. That the Hon'ble Supreme Court has made it clear that the term 'forest land' occurring in section 2 of Forset Conservation Act,1980 ,would not only include "forests" as understood in the dictionary sense but also an area recorded as forests in the government record irrespective ownership. Thus Sikanderpur --Nathupur Bundh being a protected forests is a recorded government forest and ownership of the same is immaterial.

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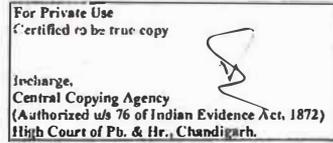


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- s. That the contents of the para are denied being wrong as even today on the either side of the boundary of the Ambience lagoon apartments, Sikanderpur-Nathupur Bundh , which is a protected forests ,can be clearly seen with the portion in between cleared off, for constructing Ambience Lagoon Apartments.
- t. That the contents of the para are denied for want of knowledge.
- u. That the apartment in question was constructed on a protected forests after clearing the same.
- v. That the petitioner being the owner of the said apartments which was constructed by clearing the protected forests is liable for the forest offence committed.
- w. That the contents of the para are denied being wrong as the said damage report was rightly issued against the petitioner/offender. The Khasra numbers of the bundh in question obtained using GIS technology clearly reveals that the apartments in question is constructed over the protected forests after clearing it.
- x to ff. That the contents of the paras are denied being wrong.
7. That the para pertains to petitioner's plea for allowing to raise additional grounds at the time of arguments.
8. That the contents of para are denied being wrong.
9. That the contents of the para are denied for want of knowledge.

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PRAYER CLAUSE:

The last para is the prayer clause, wherein in the premises aforesaid, it is humbly submitted that the Petition does not have any merit and the Petitioner has not made out any case for intervention of this Hon'ble Court. The Petition is, therefore, liable to be dismissed *in limine* and petitioner be directed to face the trial in the Ld Trial Court.

Dated: 03.06.2014
Place: Gurgaon

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Respondent
Divisional Forest Officer,
Gurgaon

Verification

Verified that the contents of para 1 to 4 of preliminary submissions, para number 1 of preliminary objections and para number 1 to 9 para wise reply of reply are true and correct to the best of my knowledge and derived from the official record. No part of it is false and nothing material has been kept concealed therein.

Handwritten Signature

Dated: 03.06.2014
Place: Gurgaon.

Handwritten Signature
Respondent
Divisional Forest Officer,
Gurgaon



450

वन विभाग, हरियाणा सरकार

कार्यालय:- उप वन संरक्षक, गुरुग्राम

वन परिसर, सोहना रोड़, गुरुग्राम, दूरभाष -0124-2322057 E-mail: dfogurgaon1@gmail.com

दस्तावेज संख्या:- 1096-61

दिनांक:- 08/09/2023

सेवा में,

श्री आर०के० शर्मा, रिटायर्ड,
भा०व०से०,
मकान नं० B 45 सैक्टर 9, सूर्य विहार,
गुरुग्राम- 122001
मो० 9999239179

ANNEXURE-A-3

विषय:- Request for Information under right to information Act-2005.

संदर्भ:- आपका प्रार्थना पत्र दिनांक 06.09.2023

उपरोक्त विषय के संबंध में आपको सूचित किया जाता है कि आप द्वारा मांगी गई सूचना के एवज में 111 पेज बनते हैं जिनकी राशि 2 रु प्रति पेज के हिसाब से 222/-रु की राशि का पोस्टल ऑर्डर इस कार्यालय में जमा करवाने का कष्ट करें ताकि मांगी गई सूचना आपको उपलब्ध करवाई जा सके।


राज्य जन सूचना अधिकारी कम
उप वन संरक्षक,
गुरुग्राम।



451

वन विभाग, हरियाणा सरकार

कार्यालय:- उप वन संरक्षक, गुरुग्राम

वन परिसर, सोहना रोड़, गुरुग्राम, दूरभाष -0124-2322057 E-mail: dfogurgaon1@gmail.com

क्रमांक:- 10 97

दिनांक:- 11/09/2023

सेवा में,

श्री आर०के० शर्मा, रिटायर्ड,
भा०व०से०,
मकान नं० B 45 सैक्टर 9, सूर्य विहार,
गुरुग्राम- 122001
मो० 9999239179

विषय:- Request for Information under right to information Act-2005.

संदर्भ:- आपका प्रार्थना पत्र दिनांक 06.09.2023

उपरोक्त विषय के संबंध में संदर्भांकित प्रार्थना पत्र द्वारा मांगी गई सूचना इस पत्र के साथ संलग्न करके (जिसके 111 पेज बनते हैं) आपको आवश्यक कार्यवाही हेतु प्रेषित है।
संलग्न/उपरोक्त।


राजेंद्र कुमार सूचना अधिकारी कम
उप वन संरक्षक,
गुरुग्राम।

वन विभाग, हरियाणा सरकार
कार्यालय उप वन संरक्षक, गुडगांव
वन परिसर, सोहना रोड, नजदीक न्यायालय परिसर, गुडगांव, दूरभाष-0124-2322057.

क्रमांक: 581-C

दिनांक: 5/8/15

सेवा में,

वन संरक्षक,
दक्षिणी परिमण्डल,
गुडगांव।

विषय:-

Diversion of 0.4486 hac. of forest land for road access by M/s Ambience Developers & Infrastructure Pvt. Ltd, along NH-8, at Village-Nathupur in Distt. Gurgaon

उपरोक्त विषय के सम्बन्ध में नवीनतम हिदायतों अनुसार, आनलाईन प्रस्ताव पर नोडल आफिसर हरियाणा, पंचकूला के स्वीकार करने उपरांत प्रयोक्ता एजेन्सी से प्राप्त प्रस्ताव पर एफ0सी0ए0 1980 के तहत कार्यवाही करते हुये स्वीकृती हेतु निम्न विवरण अनुसार 5 प्रतियों में भेजा जाता है।

1. प्रस्ताव में कुल 0.4486 हैक्ट0 सुरक्षित वन भूमि का उपयोग किया जाएगा।
2. प्रस्ताव को इंटरनेट पर अपलोड कर दिया गया है। (FP/HR/OTHERS/13983/2015)
3. प्रस्तावित भूमि पर कोई वृक्ष प्रभावित नहीं होता है।
4. प्रयोक्ता एजेन्सी द्वारा एफ0सी0ए0 1980 के प्रावधानों की उल्लंघना की गई है, जिसकी क्षति रिपोर्ट चाक करके पी0सी0 केस बनाकर माननीय पर्यावरण न्यायालय, फरीदाबाद के विचाराधीन है।
5. क्षति-पूर्ति पौधारोपण का कार्य Sarbasirpur Reserve Forest में करवाया जायेगा।
6. प्रस्ताव की 5 मूल प्रतियां साथ संलग्न है।

संलग्न/उपरोक्त

पृ0 क्रमांक/ 582-C

दिनांक/ 5/8/15

एक प्रति M/s Ambience Developers & Infrastructure Pvt. Ltd, L-4, Green Park Extension, New Delhi-110016 को सूचनार्थ प्रेषित है।

उप वन संरक्षक,
गुडगांव।

उप वन संरक्षक,
गुडगांव।

Divisional Forest Officer
Gurgaon Forest Division

CHECK-LIST
OF
DOCUMENTS/INFORMATION REQUIRED FOR PROPOSAL FOR DIVERSION OF
FOREST LAND FOR NON FORESTRY USE UNDER FOREST (CONSERVATION)
ACT, 1980

FOR STAGE-I APPROVALS

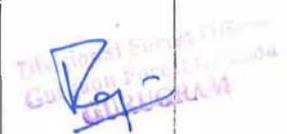
I Documents/Information Required for All Proposals

S.No.	Name of the Document (s)	Provided or Not	If not Provided Why?	Page Number
1	Check-list of the project proposal	YES		1-11
2	Demand letter of the project authority/ applicant, if submitted.	YES		13-15
3	Main application form from Part-I to V as prescribed in the Rules under the FCA with all its columns duly filled up and signed by the competent authority with date, place and official seal. All the information in Part-I of Form-A including item-wise breakup of the forest area required, must be given in the form itself by expanding the columns	YES		17-39
4	Detailed note on the project. It must include the information regarding the number of villages and number of persons to be benefited from the project including employment generation.	YES		41
5	Map of the project site/forest area required clearly showing forest boundaries and adjoining areas with their land use in distinct colours in 1:50000 or any suitable scale on original Survey of India topo sheet. If the area is very small, in addition to above, an index map may be submitted showing forest boundaries and a location map on a larger scale with land use of the area required duly signed by DFO/CF concerned.	YES		43
6	Layout plan of project site approved by competent authority. In case of linear diversion of forest land, linear map or a diagrammatic map of the project site should be enclosed.	YES	Google image	45 47-49
7	Statement showing the details of forest area involved i.e. Survey No. /Coupe No. / Compartment No., etc., and item-wise breakup of the forest area proposed for diversion duly signed by DFO (<i>in the prescribed format</i>).	YES		51
8	Statement showing the details of non-forest area involved in the proposal (<i>in the prescribed format</i>).	YES		53
9	Certificate from the Collector/Deputy Commissioner that no alternative suitable non-forest land is available for the project in question.		NA	
10	Justification for locating the project in forest area to be submitted by User Agency and countersigned by DFO.	YES		55

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Divisional Forest Officer
Gurgaon Forest Division
GURUGRAM

11	Certificate for minimum use of forest land to be submitted by the User Agency, giving details of area and trees involved in the alternatives examined and reasons for their rejection duly countersigned by DFO (<i>in the prescribed format</i>).	YES		57
12	Undertaking by the User Agency to bear the cost of compensatory afforestation duly counter signed by the DFO (<i>in the prescribed format</i>).	YES		59
13	Undertaking by the User Agency to pay the Net Present Value (NPV) of the forest land involved duly countersigned by DFO (<i>in the prescribed format</i>). Undertaking by the User Agency to pay the Additional Net Present Value (NPV), if any, of the forest land involved duly countersigned by DFO (<i>in the prescribed format</i>) as decided at a later date as per the decision of the Supreme Court.	YES		61
14	A certificate from the competent authority in the State in the prescribed (<i>vide MoEF letter No. 11-9/98-FC (pt.) dated 5th July 2013</i>) format that all forest rights under the Forest Rights Act, 2006 have been settled in respect of the forest area proposed for diversion, wherever applicable. In case, the process for settlement of rights under FRA has not been initiated, grant of stage-I approval under the FCA to the proposal will be considered only if a certificate from the competent authority concerned, clearly stating that the process for settlement of rights under the FRA has not been initiated along with evidences supporting that settlement of rights under the FRA will be initiated and completed before the final approval, is enclosed with the proposal (<i>vide F. No. 11-179/2012-FC Dated: December 20, 2013.</i>)		NA	
15	Species-wise and girth class-wise enumeration list and abstract of trees (<i>abstract to be given at the end of the list</i>) standing on the forest area in question neatly typed or computerized and duly signed by DFO.		NA	
16	Site inspection report of the forest area involved in the project proposal by the DFO concerned or higher level forest officer in prescribed format (<i>in the prescribed format</i>).	YES		63
17	Details of non-forest land/degraded forest area identified for compensatory afforestation viz. Survey No./ Compartment No./Khasra No./Khatoni No., Village, Tehsil, District, etc., along with map in appropriate scale showing the boundaries of adjoining forest areas with their use in distinct colours (<i>in the prescribed format</i>).	YES		65-67
18	Detailed scheme for compensatory afforestation on identified non-forest area/ degraded forest area, as the case may be, at prevalent wage rates duly signed by DFO and countersigned by the CF concerned.	YES		69-71

	The CA scheme must include all the technical details, details of work schedule, total financial outlay and proposed monitoring mechanism (<i>in the prescribed format</i>).			5
19	Certificate from the DFO, that non-forest land selected for compensatory afforestation is in a compact block and contiguous to forest area or in close proximity of forest area and suitable from the management and protection point of view.	YES		73
20	Suitability certificate from the Divisional Forest Officer that the land identified for compensatory afforestation is suitable for raising plantation (<i>in the prescribed format</i>).	YES		75
21	Certificate from the Chief Secretary regarding non-availability of non-forest land in the state for raising compensatory afforestation, wherever applicable. This certificate will be based on the certificate signed by the DFO and Deputy Commissioner/Collector of the district concerned about non-availability of such non-forest land.		NA	
22	In case of proposal which requires entry/exit through Protected Forest strips along roads/railway lines/canals, the following information/documents must be given :- a) No Objection Certificate (NOC) of the land owning agency i.e. NHAI/PWD, Railways or Canal/ Irrigation Department b) Change of Land Use certificate from Town and Country Planning/ any other competent authority.		NA	
23	For the projects involving forest land for construction of buildings/right of way for buildings, the built-up area, details of DG sets to be installed, and raw materials to be used (<i>in case of industries</i>) should be clearly mentioned.		NA	
24	Status of clearance under Environment (Protection) Act, 1986, wherever required.	YES		91-117
25	NOC of the State Pollution Control Board for establishment of the project, wherever required.		NA	
26	Detailed scheme for rehabilitation of project affected persons, wherever required.		NA	
27	Detailed Catchment Area Treatment Plan, wherever required. The CAT Plan should be prepared on the basis of actual survey of area and its classification in various categories requiring different engineering/afforestation and other treatments in phased manner.		NA	
28	Detailed Reclamation Plan, wherever required. It should be realistic exhaustive and complete in all respects along with relevant maps in distinct colours. It should also include the details of back filling, afforestation and execution of such works, wherever required.		NA	

29	Cost benefit analysis as per the guidelines issued under forest (Conservation) Act, 1980 in prescribed format, wherever required.		NA	
30	Any other information/documents necessary for giving clarifications on the project, may be specified and attached.		NA	
II Documents/Information Required for Proposals for Roads, Railway Lines, Canals and Transmission Lines				
31	The following information/documents must be given :- a) Length and width of Road/Railway line/ Canal/ Transmission line passing through forest and non forest area. b) In case of expansion of already existing road/railway line/canal, linear plan clearly showing in distinct colours the already existing road (<i>from beginning to end</i>), the width of the proposed road/railway line/canal to be expanded, and the remaining width of the Protect Forest strip, if any, which would be left after expansion. c) In case of transmission line, the following details may also be given :- i) Number of towers to be erected both in forest and non forest area. ii) Width of the right of way for transmission line.	NA		
III Documents/Information Required for Proposals for Hydro Electric Projects				
32	The following information/document must be given :- a) Component-wise total area requirement b) Copy of Memorandum of Understanding c) Copy of Techno-Economic Clearance d) Copy of Implementation Agreement e) NOC from Irrigation and Public Health Department f) NOC from Fisheries Department g) Authorization to the applicant by the Project Authority		NA	
IV Documents/Information Required for Proposals for Mining				
33	The following information/documents must be given I New Proposals a) Certificate from the competent authority like District Mining Officer/Geologist, regarding non-availability of the same mineral/ore in the nearby non-forest area. b) Estimated reserve of each mineral/ore in the forest area and non-forest area. c) Total area demanded and extent of forest area involved in the proposed mining lease shown in distinct colours on relevant maps.			

	<p>d) Proposed period of mining lease.</p> <p>e) Minimum distance of the proposed site from Wildlife Sanctuary and National Park.</p> <p>f) A copy of the mining plan duly approved by IBM, Nagpur.</p> <p>g) Phased reclamation plan of the project area.</p> <p>h) Copy of lease deed/agreement entered into with the district authorities.</p> <p>i) The details of Safety Zone Area for the mining as per para 4.7 of the guidelines. The undertaking from the project authority to bear the cost of fencing of safety zone area and afforestation over one and half times of degraded forest area. The details of safety zone to be ascertained by the competent authority viz. Indian Bureau of Mines/ Deptt., of Geology and Mining of the State Government.</p> <p>II) In case of renewal of Mining Lease</p> <p>a) A brief profile of the lessee/ company should be submitted giving details of their existing mining leases in the State with their capacity of production, the present level of average annual production, location of these pits and the status of reclamation of forest land that are exhausted of minerals.</p> <p>b) Complete details of existing or proposed leases in that particular forest area with their present status should be indicated on the Survey of India Topo-sheet in appropriate scale</p> <p>c) The State Government shall forward the complete proposal to the RO/MoEF at least six months prior to the expiry of the existing lease. In case of any delay, a details report elaborating the causes of delay shall be forwarded along with the proposal.</p> <p>d) A resolution of Gram Panchayat/ Local Body of the area endorsing the proposal that the project is in the interest of the people living in and around the proposed forest land.</p>		NA	9
V	Documents/Information Required for Proposals for Retail Outlets of an Oil Companies			
34	<p>The following information/ documents must be given :-</p> <p>a) Copy of letter of intent issued by the oil Company.</p> <p>b) Site selection certificate as per Govt. of India guidelines. The DFO should certify the distance between two retail outlets on either side of the outlet in question.</p> <p>c) Layout plan showing dimensions of proposed approach road for entry and exit with clear area calculations.</p>		<p>Divisional Officer Corporate Affairs GURGAON</p> <p><i>Reje</i></p>	

	<p>d) Map clearly indicating the directions of the road leading from....to.....</p> <p>e) The area calculations for the curves should invariably be given in the layout plan.</p> <p>f) NOC from. NHAI/PWD/Urban or local body.</p> <p>g) NOC from Town and Country Planning/ local body.</p> <p>h) Certificate by User Agency to the effect that no High Tension line passing above the proposed site duly countersigned by DFO.</p> <p>i) A Certificate by User Agency to the effect that no LP Gas godown is located near the proposed site duly countersigned by DFO.</p>		<p>NA</p>	
--	---	--	-----------	--

Date 04/08/2015

Place Gurgaon

[Signature]
 Dy. Conservator of Forests,
 Gurgaon Forest Division
 GURGAON

[Signature]

Countersigned by
 Conservator of Forests

Date.....

Place: - Gurgaon.

[Signature]
 Dy. Conservator of Forests,
 Gurgaon Forest Division
 GURGAON



Ambience Developers & Infrastructure Pvt. Ltd.

AMBIENCE
the new standard

To

Date: 15.07.2015

The Dy. Conservator of Forest
Gurgaon, District
Haryana

Sub: Request for diversion of 4486 sq.mtr. of forest land for internal roads/services to Integrated Township – Ambience Island, NH-8, Gurgaon, Haryana being developed on 132.06 acres of licenced land owned by ambience Developers & Infrastructure Pvt. Ltd. and other Ambience Group Companies.

Sir,

This has reference to our subject application for diversion of 4486 sq. mtr. of forest land which has the following detail:-

Length of Bandh : 283 mtr

Width of Bandh : 15.85 mtr

Khasra No. involved in Bandh : 526, 534, 533, 535, 536

Total area of the Bandh : 4486 sq. mtr. for which diversion is to be applied.

Documents Enclosed:-

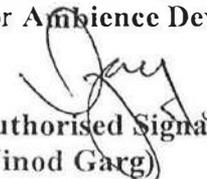
1. Checklist Serial no. 04,08,1011,12,13
2. Google location along with latitude and longitude
3. Layout
4. Licence Copy
5. Survey of India sheet
6. Resolution

You are requested to kindly issue NOC at the earliest.

Thanking you,

Yours faithfully,

For **Ambience Developers & Infrastructure Pvt. Ltd.**

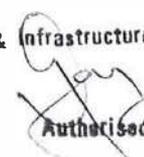

Authorised Signatory
(Vinod Garg)


Divisional Forest Officer
Gurgaon Forest Division
HARYANA

Encl: as above

Copy to : Conservator of Forest, Gurgaon

Ambience Developers & Infrastructure Pvt. Ltd.


Authorised Signatory

Ambience Developers & Infrastructure Pvt. Ltd.



AMBIENCE
the new standard

CERTIFIED TRUE COPY OF THE RESOLUTION PASSED BY THE BOARD OF DIRECTORS OF M/S AMBIENCE DEVELOPERS & INFRASTRUCTURE PVT. LTD. IN THEIR MEETING HELD ON 25.06.2015 AT L-4, GREEN PARK EXTENSION, NEW DELHI-110016.

“RESOLVED THAT Sh. Vinod Garg, Authorised Signatory of the Company, be and is hereby authorized to sign and file the application to Dy. Conservator of Forest, Forest Deptt., Gurgaon for diversion of 4486 sq.mtr. of forest land for internal roads/services to Integrated Township – Ambience Island, NH-8, Gurgaon, Haryana being developed on 132.06 acres of licenced land owned by the company and other Ambience Group Companies.

FURTHER RESOLVED THAT Sh. Vinod Garg, Authorised Signatory of the Company, be and is hereby authorized to swear any affidavit, to sign any undertaking or any other documents/papers to be submitted alongwith the said application or to do any other act for the diversion of forest land admeasuring 4486 sq.mtr. from Dy. Conservator of Forest, Forest Deptt., Gurgaon.”

 Signature of Mr. Vinod Garg attested

Ambience Developers & Infrastructure Pvt. Ltd.

Authorised Signatory

**Certified True Copy
 For Ambience Developers & Infrastructure Pvt. Ltd.**


 Director


 Divisional Forest Officer
 Gurgaon Forest Division
 GURUGRAM

7/23/2015

Report Part 1

FORM - A

Form for seeking prior approval of Central Government under section 2 of the Forest(Conservation) Act,1980
for Diversion of fresh forest area

PART - I

(To be filled up by User Agency)

A. General Details**A-1. Project Details**

- (i). Proposal No. : FP/HR/Others/13983/2015
- (ii). Name of Project for which Forest Land is required : Ambience Island, NH 8, Gurgaon
- (iii). Short narrative of the proposal and Project/scheme for which the forest land is required : Diversion of forest Land
- (iv). State : Haryana
- (v). Category of the Project : Others
- (vi). Shape of forest land proposed to be diverted : Linear
- (vii). Estimated cost of the Project(Rupees in lacs) : 75
- (viii). Total Area of Forest Land proposed for diversion(in ha.): 0.4486
- (ix). Non-Forest Land required for this project(in ha.): 53
- (x). Total period for which the forest land is proposed to be diverted(in years): NIL

A-2. Details of User Agency

- (i). Name : AMBIENCE DEVELOPERS & INFRASTRUCTURE PVT LTD
- (ii). Address1 : Ambience Island, NH 8, Gurgaon
- (iii). Address2 : NIL
- (iv). State : Haryana

Ambience Developers & Infrastructure Pvt, Ltd.**Authorised Signatory**

ggg

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7/23/2015

Report Part 1

(v). District : Gurgaon

(vi). Pin : 122001

(vii). Landmark : Ambience Mall

(viii). Email address : amit.chaudhary@ambiencegroup.in

(ix). Landline Telephone No. : 26196284

(x). Fax No. : NIL

(xi). Mobile No. : 8130696108

(xii). Website (if any) : NIL

(xiii). Details of Proposals seeking prior approval of Central Government under the Act for diversion of forest land submitted by the User Agency in the past

List of proposal submitted in Past							
S.no	Proposal Status.	Proposal No.	Moef File No.	Area Proposed for Diversion(Ha.)	Area Diverted(Ha.)	Date of In-Principle Approval	Date of Final Approval
NIL							

(xiv). Legal status of User Agency : Private

A-3. Details of Person Making Application

(i). First Name: Vinod

(ii). Middle Name: NIL

(iii). Last Name: Garg

(iv). Gender: Male

(v). Designation: President

(vi). Address 1: L - 4,

(vii). Address 2: Greenpark Extension

(viii). State: Delhi


Divisional Forest Officer
Gurgaon Forest Division

Ambience Developers & Infrastructure Pvt. Ltd.


Authorised Signatory

SP

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7/23/2015

Report Part 1

(ix). District: South

(x). Tehsil: Hauz Khas

(xi). Pin: 110016

(xii). Landmark: behind OBC Bank

(xiii). Email Address: amit.chaudhary@ambiencegroup.in

(xiv). Landline Telephone No.: 26191394

(xv). Fax No.: NIL

(xvi). Mobile No.: 8130696108

(xvii). Copy of documents in support of the competence/authority of the person making this application to make application on behalf of the User Agency: **B. Details of land required for the Project**

B-1. Details of proposal seeking prior approval of Central Government under the Act for diversion of forest land for the Project already submitted in the past

(i). Whether any proposal seeking prior approval of Central Government under the Act for diversion of forest land required for the project has been submitted in the past? : No

B-2. Details of forest land proposed to be diverted

B-2.1 Details of Divisions involved

Details of Divisions involved			
S.no	Division Name	Forest Land(ha.)	Non-Forest Land(ha.)
1.	Gurgaon	0.4486	53

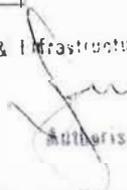

 Divisional Forest Officer
 Gurgaon Forest Division
 GURUGRAM

B-2.2 Details of Districts involved

District wise breakup			
S.no	District Name	Forest Land(ha.)	Non-Forest Land(ha.)
1.	Gurgaon	0.4486	53

B-2.3 Village wise breakup

Villages wise breakup			
S.no	Village	Forest Land(ha.)	Non-Forest Land(ha.)
1	Nathupur	0.4486	53



 Authorised Signatory

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7/23/2015

Report Part 1

B-2.4 Component wise breakup

Component wise breakup			
S.no	Component	Forest Land(ha.)	Non-Forest Land(ha.)
1	1	0.4486	53

C. Maps of forest land proposed to be diverted

Segment wise details			
Segments	Segment Area(in ha.)	Kml File of Segments	
1.	0.4486	 View File	

Division 1. : Gurgaon

(i). Area of forest land proposed to be diverted(in ha.) : 0.4486

(ii). : Linear

(b). No. of Segments : One

(iii). Copy of Survey of India Toposheet indicating boundary of forest land proposed to be diverted:


(iv). Scanned copy of the Geo-referenced map of the forest land proposed to be diverted prepared by using GPS or Total Station: 

D. Justification for locating the Project in forest land and details of alternatives examined:

- (i). Copy of note containing justification for locating the Project in forest land: 
- (ii). Whether a copy of map indicating location of alternative examine is required to be provided: No
- (a). Reason for not providing such map N/A

Regi
 Divisional Forest Officer
 Gurgaon Forest Division
 GURUGRAM

E. Employment likely to be generated

- (i). Whether the Project is likely to generate employment?: Yes
- (ii). Permanent/Regular Employment(Number of persons): 25
- (iii). Temporary Employment(Number of person-days): 20

F. Displacement of People due to the Project, if any

SP

Signature
 Authorized Signatory

49

7/23/2015

Report Part 1

(i). Whether Project involves displacement?: No

G. Details of Cost-Benefit analysis for the Project

(i). Whether the Project requires Cost-Benefit analysis?: No

H. Status of Environmental Clearance

(i). Whether the Project requires Clearance under the Environment (Protection) Act 1986 ?
: Yes

(a). Status of the Environmental Clearance to the Project: EC obtained

(b). Environmental Clearance File No.: DEH/09/SEIAA/263

(c). Copy of Environmental Clearance to the Project: 

(d). Date of grant of Environmental Clearance to the Project: 01 May 2009

I. Status of Wildlife Clearance

(i). Whether the Project or a part thereof is located in any Protected Area or their Eco sensitive zone? : No

J. Applicability of special provisions governing Scheduled Areas

(i). Whether the Project or a part thereof is located in a Scheduled Area? : No

K. Status of settlement of rights under the Forest Rights Act, 2006 on the forest land proposed to be diverted

(i). Whether the process for settlement of Rights under the Forest Rights Acts 2006 on the forest land proposed to be diverted has been completed? : No

L. Details of land identified for Compensatory Afforestation

(i). Whether non-forest or Revenue forest land is required to be provided by User Agency?:
NIL

(ii). Whether the area of non-forest land or Revenue forest land required to be provided by User Agency for raising Compensatory Afforestation is less than area of forest land proposed to be diverted ? : NIL

(iii) . Reason for not providing Non-Forest Land: NIL

Per
Divisional Forest Officer
Gurgaon Forest Division
GURUGRAM

SP

[Signature]
Authorised Signatory

7/23/2015

Report Part 1

Additional information Details

Documents		
S.No	Documents	Remarks
1		D. T.P License from District Town Planner, Gurgaon, Haryana

Print page

Ambience Devalopars & Infrastructure Pvt. Ltd.

Authorised Signatory

CIS

Dy. Conservator of Forest
Gurgaon Forest Division
GURUGRAM

Divisional Forest Officer
Gurgaon Forest Division
GURUGRAM

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Full Title of the Project: Diversion of 0.4486 Hac. of forest Land for road access to Integrated Township-Ambience Island, NH-8, Gurgaon, Haryana Being developed on 132.06 acres of licensed land owned by Ambience Developers & Infrastructure Pvt. Ltd. and Other Ambience Group Companies

File No. :

FP/HR/OTHERS/13983/2015

Date of Proposal:

PART – II

(To be filled by the concerned Deputy Conservator of Forests)

7.	Location of the project / Scheme :	Diversion of 0.4486 Hac. of forest Land for road access to Integrated Township-Ambience Island, NH-8, Gurgaon, Haryana Being developed on 132.06 acres of licensed land owned by Ambience Developers & Infrastructure Pvt. Ltd. and Other Ambience Group Companies
(i)	State / Union Territory	Haryana State
(ii)	District	Gurgaon
(iii)	Forest Division	Gurgaon Forest Division
(iv)	Area of forest land proposed for diversion (in ha.)	0.4486 Hec.
(v)	Legal status of forest	Protected Forest
(vi)	Density of vegetation	No Density
(vii)	Species-wise (scientific names) and diameter class-wise enumeration of trees (to be enclosed. In case of irrigation / hydel projects enumeration at FRL, FRL-2 meter & FRL-4 meter also to be enclosed.)	No
(viii)	Brief note on vulnerability of the area to erosion	No erosion at all
(ix)	Approximate distance of proposed site for diversion from boundary of forest.	The Proposed site for diversion involves the entire width of the Protected Bundh.
(x)	Whether forms part of National Park, wildlife sanctuary, biosphere reserve, tiger reserve, elephant corridor, etc. (If so, the details of the area and comments of the Chief Wildlife Warden to be annexed).	No
(xi)	Whether any rare/ endangered / unique species of flora and fauna found in the area – if so details to be enclosed.	No
(xii)	Whether any protected archaeological / heritage site / defense establishment or any other important monument is located in the area. If so, the details thereof with NOC from competent authority, if required.	No
8.	Whether the requirement of forest land as proposed by the user agency in col. 2 of Part-I is unavoidable and barest minimum for the project. If no, recommended area item-wise with details of alternatives examined.	The user agency requires Forest area for construction of road access & integrated Township. The use of the Forest land is bare minimum and is unavoidable.

[Signature]
 Divisional Forest Officer
 Gurgaon Forest Division
 GURGAON

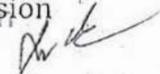
9.	Whether any work in violation of the Act has been carried out (Yes/No). If Yes, details of the same including period of work have done, action taken on erring officials. Whether work in violation is still in progress.	Yes, Damage report no. <u>29065/291</u> dated. <u>14.05.2008</u> was issued and case in Environment Court, PC No. <u>7-G/2008-09</u> was filed. 31
10.	Details of compensatory Afforestation Scheme	
(i)	Details of non forest area / degraded forest area identified for compensatory Afforestation, its distance from adjoining forest, number of patches, size of each path.	Attached (Check List No.17)
(ii)	Map showing non-forest / degraded forest area identified for compensatory Afforestation and adjoining forest boundaries.	Attached (Check List No.17)
(iii)	Detailed compensatory Afforestation scheme including species to be planted, implementing agency, time schedule, cost structure, etc.	Attached (Check List No. 18)
(iv)	Total financial outlay for compensatory Afforestation scheme	Attached (Check List No. 18)
(v)	Certificates from competent authority regarding suitability of area identified for compensatory Afforestation and from management point of view. (To be signed by the concerned Deputy Conservator of Forests).	Attached (Check List No. 20)
11.	Site inspection report of the DCF (to be enclosed) especially highlighting facts asked in col. 7 (xi, xii), 8 and 9 above.	Attached (Check List No. 16)
12.	Division / District profile :	
(i)	Geographical area of the district	2760 Sq. Kms.
(ii)	Forest area of the district	6572.17 Hectares
(iii)	Total forest area diverted since 1980 with number of cases	130.4219 Hec.
(iv)	Total compensatory Afforestation stipulated in the district/division since 1980 on. a) Forest land including penal compensatory Afforestation b) Non-Forest land	225.915 Hectares 25.5571 Hectares
(v)	Progress of compensatory Afforestation as on (date) a) forest land b) Non-forest land	207.1524 Ha. 10.548 Ha.
13.	Specific recommendations of the DCF for acceptance or otherwise of the proposal with reasons.	(i) No threat to any endangered/unique species of flora and fauna found in the area. (ii) No threat to any protected archaeological/heritage site/defence establishment or any other important monument located in the area. It is stated that the user agency has violated the FC Act, 1980 by constructing premises on the protected forest land. A damage report no. <u>29065/291</u> dated <u>14.05.2008</u> was issued and case in Environment Court, PC No. <u>7-G/2008-09</u> was filed. The User Agency moved to Hon'ble High Court of Punjab and Haryana

Divisional Officer
Garrison Police Division
GULSHAN

		<p>and filed WP No. <u>34200/2012</u> to quash the proceedings in Environment Court. Meanwhile the user agency has applied for diversion of <u>0.4486 Sgm.</u> of area.</p> <p>Without prejudice to the ongoing case in the Hon'ble High Court the FCA case has been processed and is recommended for appropriate action by the Higher Authorities.</p>
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Dated: - 04/08/2015

Place: - Gurgaon.


 Dy. Conservator of Forests, 
 Gurgaon Forest Division
 GURGAON 


 Divisional Forest Officer
 Gurgaon Forest Division
 GURUGRAM

Full Title of the Project: Diversion of 0.4486 Hac. of forest Land for road access to Integrated Township-Ambience Island, NH-8, Gurgaon, Haryana Being developed on 132.06 acres of licensed land owned by Ambience Developers & Infrastructure Pvt. Ltd. and Other Ambience Group Companies

File No. :

FP/HR/OTHERS/13983/2015

Date of Proposal:

PART – III

(To be filled by the concerned Conservator of Forests)

14.	Whether site, where the forest land involved in located has been inspected by concerned. Conservator of Forests (Yes/ No). If yes, the date of inspection and observations made in form of inspection note to be enclosed.	
15.	Whether the concerned Conservator of Forests agree with the information given in Part-B and the recommendations of Deputy Conservator.	
16.	Specific recommendation of concerned Conservator of Forests for acceptance or otherwise of the proposal with detailed reasons	

Signature

Name:

Official Seal

Dated :-

Place :-

Full Title of the Project: Diversion of 0.4486 Hac. of forest Land for road access to Integrated Township-Ambience Island, NH-8, Gurgaon, Haryana Being developed on 132.06 acres of licensed land owned by Ambience Developers & Infrastructure Pvt. Ltd. and Other Ambience Group Companies

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File No. : FP/HR/OTHERS/13983/2015
 Date of Proposal: _____

PART - IV

(To be filled by the Nodal Officer or Principal Chief Conservator of Forests or Head of Forest Department)

17.	Detailed opinion and specific recommendation of the State Forest Department for acceptance of otherwise of the proposal with remarks.	
	(Whether giving opinion, the adverse comments made by concerned Conservator of Forests or Deputy Conservator of Forests should be categorically reviewed and critically commented upon)	

Signature
 Name & Designation:

(Official Seal)

Dated: -

Place: -

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Full Title of the Project: Diversion of 0.4486 Hac. of forest Land for road access to Integrated Township-Ambience Island, NH-8, Gurgaon, Harvana Being developed on 132.06 acres of licensed land owned by Ambience Developers & Infrastructure Pvt. Ltd. and Other Ambience Group Companies

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File No. : FP/HR/OTHERS/13983/2015
Date of Proposal: _____

PART - V

(To be filled in by the Secretary in charge of Forest Department or by any other authorised officer of the State Government not below the rank of an Under - Secretary)

18.	<p>Recommendation of the State Government :</p> <p>(Adverse comments made by any officer or authority in Part - B or Part - C or Part - D above should be specifically commented upon)</p>	
-----	--	--

Signature
Name & Designation:

(Official Seal)

Dated :-

Place :-

Full Title of the Project. : Request for diversion of 4486 sq.mtr. of forest land for internal roads/services to Integrated Township – Ambience Island, NH-8, Gurgaon, Haryana being developed on 132.06 acres of licenced land owned by Ambience Developers & Infrastructure Pvt. Ltd. and other Ambience Group Companies.

File No. : _____
Date of proposal : _____

CHECK LIST SERIAL No.:04
DETAILED NOTE ON THE PROJECT

M/s Ambience Developers & Infrastructure Pvt. Ltd. and other Ambience Group Companies are developing an Integrated Township - Ambience Island on 132.06 acres of land in special zone and in the revenue estate of Village Nathupur, Tehsil & Distt. Gurgaon on left side of NH-8, Near Delhi Gurgaon Border, Haryana. The entire 132.06 acres is the licenced land and zoning plan of Integrated Township - Ambience Island has been approved on the basis of various licences issued to M/s Ambience Developers & Infrastructure Pvt. Ltd. and Ambience Group Companies vide Memo no.15933 dated 09.11.2004.

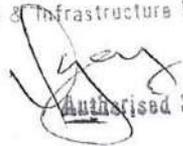
It has been stated that 4486 sq.mtr. of area which falls within km 24-25 on left side of NH-8 (near Delhi Gurgaon Border) and passes through Ambience Island is the area of protected forest/bund area. We are approaching the Dy. Conservator of Forest, Forest Deptt., Gurgaon for the diversion of this forest land admeasuring 4486 sq.mtr.

For Ambience Developers & Infrastructure Pvt. Ltd.

Ambience Developers & Infrastructure Pvt. Ltd.
(Vinod Garg)
Authorised Signatory

Ambience Developers & Infrastructure Pvt. Ltd.

Authorised Signatory

Ambience Developers & Infrastructure Pvt. Ltd.

Authorised Signatory

Place : New Delhi
Date : 14.07.2015

CS

Dy. Conservator of Forest
Gurgaon Forest Division
GURUGRAM
JK


Divisional Forest Officer
Gurgaon Forest Division
GURUGRAM

Full Title of the Project: Diversion of 0.4486 Hac. of forest Land for road access to Integrated Township-Ambience Island, NH-8, Gurgaon, Haryana Being developed on 132.06 acres of licensed land owned by Ambience Developers & Infrastructure Pvt. Ltd. and Other Ambience Group Companies

File No. :

FP/HR/OTHERS/13983/2015

Date of Proposal:

CHECK LIST SERIAL NUMBER: -07

STATEMENT SHOWING DETAILS OF FOREST AREA

PROPOSED FOR DIVERSION

Sr. No	District	Division	Range/Tehsil/Village	Khasra/Survey or Compartment Number of KM Stone	Forest Area proposed for Diversion (Ha.)	Legal Status of Forest Area	Remarks
1	2	3	4	5	6	7	8
1	Gurgaon	Gurgaon	Range: Gurgaon Tehsil:- Gurgaon	NH-8, Gurgaon GPS Reading E 28 30 14" N 77 06 02" E 28 30 13.5" N 77 06 02" E 28 30 05" N 77 06 60" E 28 30.5 4" N 77 06 03"	0.4486 Hac.	Protected Forest/ Bundh	

Dated: - 09/08/2015

Place: - Gurgaon.

Divisional Forest Officer
Gurgaon Forest Division
GURUGRAM

Dy. Conservator of Forest
Gurgaon Forest Division
GURUGRAM

Full Title of the Project. : Request for diversion of 4486 sq.mtr. of forest land for internal roads/services to Integrated Township – Ambience Island, NH-8, Gurgaon, Haryana being developed on 132.06 acres of licenced land owned by Ambience Developers & Infrastructure Pvt. Ltd. and other Ambience Group Companies. 53

File No. : _____
Date of proposal : _____

CHECK LIST SERIAL No.:08

Statement showing details of non-forest area
Involved in the proposal

S. No.	District	Division	Range/ Tehsil/ Village	Khasra / Survey or compartment number of Km stone	Non forest area involved in the proposal (Ha)	Present land use	Remarks
1	2	3	4	5	6	7	8
	Gurgaon	Gurgaon	Gurgaon/ Gurgaon /Nathupur	The said 4486 sq.mtr. land fall within Km 24-25 on left side of NH-8, Near Delhi Gurgaon Border and passes through Ambience Island, NH-8, Gurgaon, Haryana.	Ambience Island is being developed on 132.06 acres of land for which various licences have been granted by the Director General, Town & Country Planning (DGTCP), Haryana, Chandigarh as per detail enclosed. Zoning plans of the entire 132.06 acres of land is also approved by DGTCP, Haryana, Chandigarh. Copies of licences and approval letter for zoning plan are enclosed herewith. It has been stated that 4486 sq.mt. (0.4486 Hac.) of area is protected Forest Area and the entire balance area is non forest area.	Internal roads and services to Ambience Island, NH-8, Gurgaon.	-

For Ambience Developers & Infrastructure Pvt. Ltd.

Ambience Developers & Infrastructure Pvt. Ltd,

(Vinod Garg)
Authorised Signatory

Authorised Signatory

Ambience Developers & Infrastructure Pvt. Ltd.

Authorised Signatory

Place : New Delhi
Date : 14.07.2015

Divisional Forest Officer
Gurgaon Forest Division
GURURAM

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Full Title of the Project : Request for diversion of 4486 sq.mtr. of forest land for internal roads/services to Integrated Township – Ambience Island, NH-8, Gurgaon, Haryana being developed on 132.06 acres of licenced land owned by Ambience Developers & Infrastructure Pvt. Ltd. and other Ambience Group Companies.

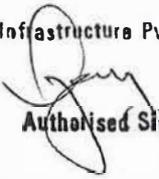
File No. : _____
Date of proposal : _____

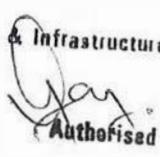
CHECK LIST SERIAL NO: 10

JUSTIFICATION FOR LOCATING THE PROJECT IN FOREST AREA

Ambience Island on 132.06 acres of land is part of duly approved Special Zone of 260 acres which is part of Gurgaon Development Plan. The Ambience Island already has Five Star Deluxe Hotel, two Residential Apartment Complexes and a shopping mall. In order to provide internal road and services in this Ambience Island, the diversion of said 4486 sq.mtr. is required which is the bare minimum protected forest area required for the development of road and services to the Integrated Township – Ambience Island on 132.06 acres of land. The colony on its completion would generate employment for over 25000 persons apart from meeting the housing requirements.

For Ambience Developers & Infrastructure Pvt. Ltd.

Ambience Developers & Infrastructure Pvt. Ltd.

Authorised Signatory

Ambience Developers & Infrastructure Pvt. Ltd.

Authorised Signatory

(Vinod Garg)
Authorised Signatory

Place : New Delhi
Date : 14.07.2015





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Full Title of the Project. : Request for diversion of 4486 sq.mtr. of forest land for internal roads/services to Integrated Township – Ambience Island, NH-8, Gurgaon, Haryana being developed on 132.06 acres of licenced land owned by Ambience Developers & Infrastructure Pvt. Ltd. and other Ambience Group Companies.

File No. : _____
Date of proposal : _____

CHECK LIST SERIAL NO: 11

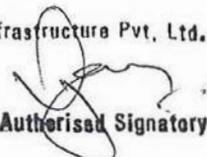
CERTIFICATE FOR MINIMU USE OF FOREST LAND

This is to certify that the forest area involved in the proposal is unavoidable and barest minimum i.e. 0.4486 Hac. which is proposed diversion.

For Ambience Developers & Infrastructure Pvt. Ltd.

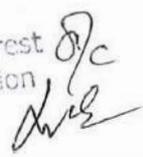
Ambience Developers & Infrastructure Pvt. Ltd.

(Vinod Garg)
Authorised Signatory

Ambience Developers & Infrastructure Pvt. Ltd.

Authorised Signatory


Authorised Signatory

Place : New Delhi
Date : 14.07.2015


Dy. Commissioner of Forest
Gurgaon Forest Division
GURGAON


Attested.


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Ambience Developers & Infrastructure Pvt. Ltd.

Full Title of the Project. : Request for diversion of 4486 sq.mtr. of forest land for internal roads/services to Integrated Township – Ambience Island, NH-8, Gurgaon, Haryana being developed on 132.06 acres of licenced land owned by Ambience Developers & Infrastructure Pvt. Ltd. and other Ambience Group Companies

File No. : _____
 Date of proposal : _____

CHECK LIST SERIAL NO: 12
UNDERTAKING FOR PAYMENT OF COST OF COMPENSATORY AFFORESTATION

I, Vinod Garg on behalf of M/s Ambience Developers & Infrastructure Pvt. Ltd. and other Ambience Group Companies having their registered office at L-4, Green Park Extension, New Delhi, do hereby, undertake to pay the entire amount for compensatory afforestation in lieu of 0.4486 Hec. forest area diverted for development of internal road & services to the colony named-Ambience Island on NH-8, Gurgaon, Haryana as per prevailing wage rates at the time of undertaking the plantation activities.

For Ambience Developers & Infrastructure Pvt. Ltd.

Ambience Developers & Infrastructure Pvt. Ltd.

(Vinod Garg)
 Authorised Signatory

Authorised Signatory

Place : New Delhi
 Date : 14.07.2015

C/S
 Div. Co. of Forest
 Gurgaon

Division
 Gurgaon
 GURGAON

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AMBIENCE
the new standard

Ambience Developers & Infrastructure Pvt. Ltd.

Full Title of the Project. : Request for diversion of 4486 sq.mtr. of forest land for internal roads/services to Integrated Township – Ambience Island, NH-8, Gurgaon, Haryana being developed on 132.06 acres of licenced land owned by Ambience Developers & Infrastructure Pvt. Ltd. and other Ambience Group Companies.

File No. : _____
Date of proposal : _____

CHECK LIST SERIAL NO: 13

UNDETAKEING FOR PAYMENT OF NET PRESENT VALUE OF FOREST AREA

It is to certify that I, Vinod Garg on behalf of M/s Ambience Developers & Infrastructure Pvt. Ltd. and other Ambience Group Companies having their registered office at L-4, Green Park Extension, New Delhi, have applied for diversion of 0.4486 Hac. forest land for the development of internal road/other developments in the colony namely Ambience Island on 132.06 acres of land at NH-8, Gurgaon, Haryana and that I hereby, undertake to pay the Net Present Value (NPV) of the above forest land and in case of any upward revision of rates of NPV then I pay the amount of differential NPV.

For Ambience Developers & Infrastructure Pvt. Ltd.

(Vinod Garg)
Authorised Signatory

Place : New Delhi
Date : 14.07.2015

Ambience Developers & Infrastructure Pvt, Ltd.

(Signature)
Authorised Signatory

C/S
Vinod
Dy. Commissioner of Forest
Gurgaon District
GURGAON

(Signature)
Division of Forest
Gurgaon District
GURGAON

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Full Title of the Project: Diversion of 0.4486 Hec. of forest land for access to Integrated Township-Ambience Island, NH-8, Gurgaon, Haryana Being developed on 132.06 acres of reserved land owned by Ambience Developers & Infrastructure Pvt. Ltd. and Other Ambience Group Companies 63

File No. : FP/HR/OTHERS/13983/2015

Date of Proposal: _____

CHECK LIST SERIAL NUMBER: - 16

SITE INSPECTION REPORT NOT BELOW THE RANK OF DCF

(For the Forest land to be diverted under FCA)

1. A proposal has been received by this office from M/s Ambience Developers & Infrastructure Pvt. Ltd, L-4, Green Park Extension, New Delhi-110016 for diversion (under FCA-1980) of 0.4486 hec. of forest land for non-forestry purpose. The project envisages the use of forest land for access to the Diversion of forest land for internal Road/services to Integrated Township, Ambience Island, NH-8, Gurgaon at Village-Nathupur, in Distt. Gurgaon. The site inspection of the land involved in the proposal has been done by me on date 04.08.2015.
2. On inspection of the site, it is found that the land required by the user agency is a protected Forest/Bundh measuring 0.4486 hec.
3. The requirement of forest land as proposed by the User agency in Col. 2 of part-I is unavoidable as it has been already utilized by the user agency for which damage report has been issued. Detail already be given in Column No. 13 of Part-II of the proposal. Since, the site has been commercially constructed which may not now be reclaimed. Therefore may be considered as **Barest Minimum**.
4. Whether any rare/endangered/unique species of flora and fauna are found in the area. If so the details thereof. **NO (As it is a Violation Case)**
5. Whether any protected archaeological/heritage site/deface establishment or any other important monument is located in the area. If so, the details thereof with NOC from the competent authority. **NO**
6. (a) The user agency has violated the provisions of Forest (Conservation) Act, 1980 and work has been completed without proper sanction.
- (b) It has been found that the user agency has not violated the Forest (Conservation) Act, 1980 Indian Forest Act, 1927/any other forest Act.

It is stated that the user agency has violated the FC Act, 1980 by constructing premises on the protected forest land. A damage report no. 29065/291 dated 14.05.2008 was issued and case in Environment Court, FC No. 7-G/2008-09 was filed. Damage report was issued for 6080 Sqm. but the user agency has applied for diversion of 0.4486 Hectare of area.

Dated : 09/08/2015

Place: - Gurgaon.

Dy. Conservator of Forests,

Forest Division
Dy. Conservator of Forest
Gurgaon Forest Division
GURGAON

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Full Title of the Project: Diversion of 0.4486 Hac. of forest Land for road access to Integrated Township-Ambience Island, NH-8, Gurgaon, Haryana Being developed on 132.06 acres of licensed land owned by Ambience Developers & Infrastructure Pvt. Ltd. and Other Ambience Group Companies

File No. : FP/HR/OTHERS/13983/2015
Date of Proposal: _____

CHECK LIST SERIAL NUMBER: - 17

LOCATION MAP

Location Map of Degraded Forest Area identified for Compensatory Afforestation in lieu of proposal for diversion of **0.4486 Hec.** of forest land for **internal road/services** to **Integrated Township-Ambience Island, NH-8, Gurgaon at Village-Nathupur, in Distt. Gurgaon.**

Tehsil: - Gurgaon

District: - Gurgaon

Forest Division: - Gurgaon

Forest Range: - Gurgaon

Block No. /Compt No. /Survey No.: **Sarbasirpur Reserve Forest**

Area to be afforested: - **1122 plants will be planted**

Map attached for Compensatory Afforestation

Date: 04/08/2015

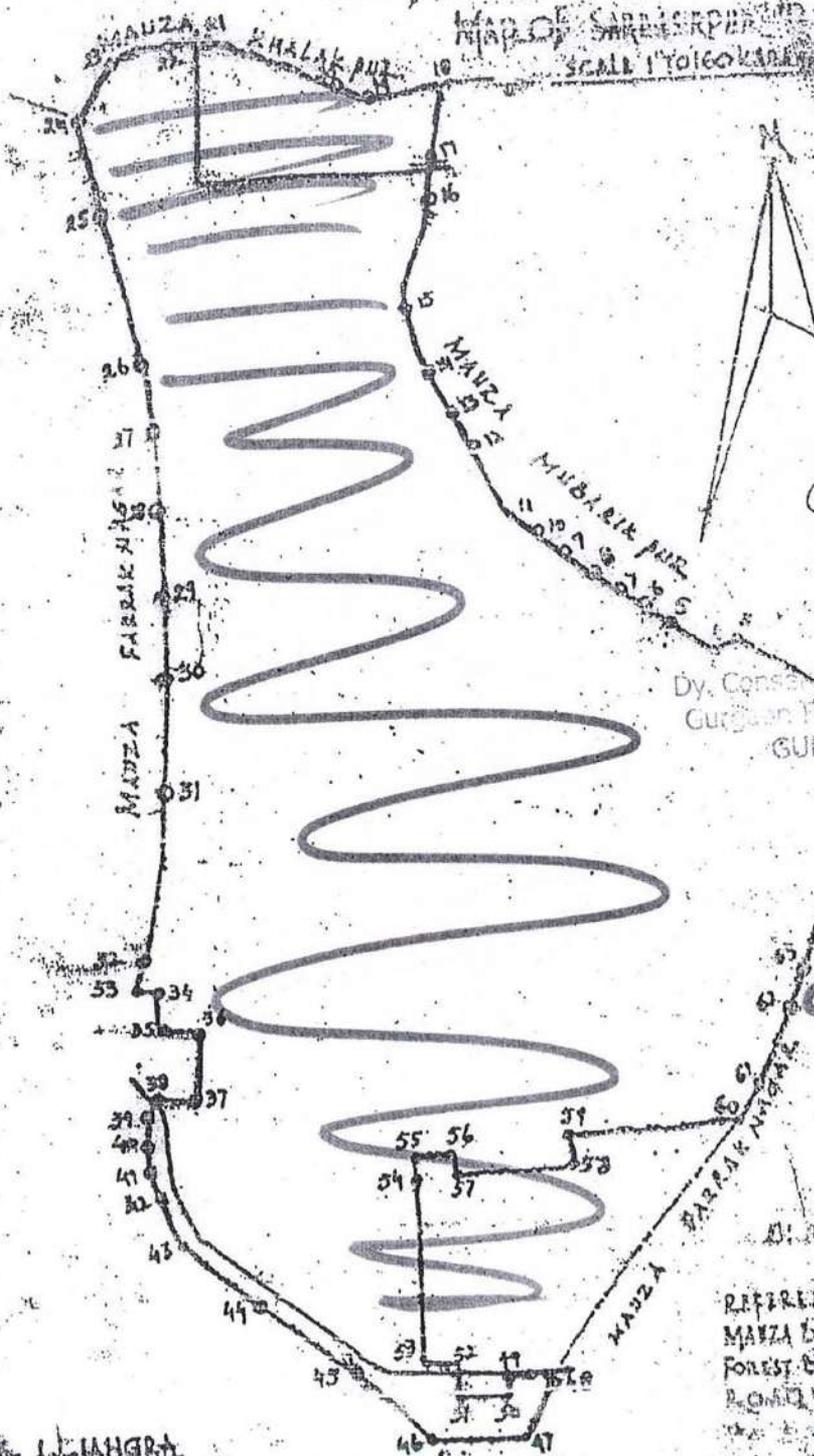
Place: Gurgaon.

Dy. Conservator of Forest
 Dy. Conservator of Forests,
Forest Division

Division
 Gurgaon Forest
 GURGAON

DEVELOPMENT DEPARTMENT
(FORESTS)

THE 24th January, 1949.



Dy. Conservator of Forests
Gurgaon Forest Division
GURGAON

CASIE

REFERENCES
MAUZA BOUNDARY
FOREST BOUNDARY
P.O. NO. 11/49

DR. J. L. JAIN
20-1-49
DRAWN

(1) Comm. 88/10/49 for Encl. 1/1/49

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Full Title of the Project: Diversion of 0.4486 Hac. of forest Land for road access to Integrated Township-Ambience Island, NH-8, Gurgaon, Haryana Being developed on 132.06 acres of licensed land owned by Ambience Developers & Infrastructure Pvt. Ltd. and Other Ambience Group Companies

File No. :

FP/HR/OTHERS/13983/2015

Date of Proposal:

CHECK LIST SERIAL NUMBER: - 18

“SCHEME FOR COMPENSATORY AFFORESTATION

Detail scheme for Compensatory Afforestation in lieu of proposal for diversion of 0.4486 Hec. of forest land for internal roads/services to Integrated Township-Ambience Island, NH-8, Gurgaon at Village-Nathupur, in Distt. Gurgaon.

1. Details of degraded forest land/non-forest land: -

District: -Gurgaon Tehsil: Gurgaon
 Forest Division: - Gurgaon Range: Gurgaon
 Block/Compt/Survey No.: - Sarbasirpur Reserve Forest
 Area to be Afforested:- 1122 Plants will be planted
 GPS Reading N 28 27 24.76 E 76 48 34.73 N 28 27 59.98 E 76 48 21.66
 N 28 27 43.20 E 76 48 34.32

2. Description of the Area:-

- Whether the site selected for Compensatory Afforestation is a land bank (Yes or No):- **the site selected for Compensatory Afforestation is not a land bank.**
- If the CA site is other than the land bank, reasons are given:-**There is no land bank in District Gurgaon. Plantation will be carried out in Sarbasirpur Reserve Forest.**
- In case of Non-Forest area identified for CA, then what is the distance of CA site from adjoining forest boundary: - **CA will be carried out in Sarbasirpur Reserve Forest.**
- d) Soil type: - **Arid brown soil with texture varies from sandy loam to clay.**
- Topography:-
 - a. Hilly/Undulating/Plain **Plain**
 - b. Slope: - Steep/Medium/Gentle **Gentle**
- f) Whether the area is bearing any root stock of vegetation:- **No**

3. Plantation Model:-

Copy of the approved Compensatory Afforestation Scheme/Model showing component wise physical and financial break up is as under:

4. Schedule of Plantation Programme:-

Detail of year wise break-up of requirements of funds is as under:-

The Plantation is calculated for **Tall Plants** norms at 4m X 4m spacing and 250 plants per RKM and it is approved by the PCCF, Haryana's letter No. D-X-66-/1605-25 dated 06.06.2012. The wage rate's of Gurgaon Forest Division has been revised at Rs.300/- per day as under:-

Sr. No.	Year	Cost norm per plant
1	1 st Year Plantation	303/-
2	2 nd Year Maintenance	200/-
3	3 rd Year Maintenance	111/-
4	4 th Year Maintenance	55/-
5	5 th Year Maintenance	60/-
6	6 th Year Maintenance	66/-
7	7 th Year Maintenance	73/-
	Total Cost.	968/-

Divisional
Gurgaon Forest
GURGAON
Ver

31



484
 STATE INFORMATION COMMISSION, HARYANA.
 SCO NO. 70-71 (1ST FLOOR), SECTOR 8-C, CHANDIGARH-160009.
 TELEPHONE NO. 0172-2783621, 2720115, FAX No. 0172-2783834.
 Email : ussichry@yahoo.co.in, Website : www.cicharyana.gov.in

No. 4700 /SCIC/2020/3-IA

To

- 1 | Public Information Officer O/o Advocate General, Punjab & Haryana High Court, Chandigarh. Email id. supdt.rti-phc@aij.gov.in
- 2 | State Public Information Officer-cum-Superintendent, Forest Protection Department, South Circle, Gurugram.
- 3 | First Appellate Authority O/o Advocate General, O/o Punjab & Haryana High Court, Chandigarh. Email id. supdt.rti-phc@aij.gov.in
- 4 | Col (Retd.) Subhash Talwar, F 803, Ambience Lagoon NH8, Behind Ambience Mall, Gurugram, Haryana -122002. (M)-9810004536. Email id:- talwar40@gmail.com.

Dated Chandigarh the 22/5/ 2020

Subject In Appeal Case No. 2394 of 2020 of the RTI Act, 2005 - Col (Retd.) Subhash Talwar, Gurugram V/s Punjab & Haryana High Court, Chandigarh.

Dis to attend the case in RTI along with an affidavit

This is in continuation of this Commission's letter No. 4700/SCIC/2020/3-IA dated 05.05.2020 on the subject cited above.

The Commission heard the matter on 08.05.2020 and passed following directions:-

"In view of lockdown, due to COVID - 19, none is present to make submission in this case. To afford the parties an opportunity to make submissions, The Commission has decided to adjourn the case to 10.06.2020 at 11.00 AM (in the Commission's office)." Accordingly, both the parties are advised to attend hearing as per schedule mentioned above.

Deputy Registrar,
for State Information Commission
Haryana

R.T.I. dt 8/6/20

Enclt no _____ Dated _____

D.R.O. 19.05.2020
ACol

A copy is forwarded to DFO, Gurugram. He is directed to attend the C.D.C. on the date (Self or by subdt.) alongwith complete record/information.

DRAFTS-2020 (Superordinate letter written)

Consent at: _____
South Circle, _____

JL

69

CA and Penal CA with New cast norms

485

S.No.	Description	Total Area	Rate	Total Amount (Rs.)
A	Net Present Value of Forest Land to be diverted	0.4486	Rs. 8.87 Lacs/Ha.	397908.00
B	Compensatory Afforestation Charges	No. of Plants		
1	1st Year Plantation	897	171/- Per Plant	153387.00
2	2nd Year Plantation	897	52/- Per Plant	46644.00
3	3rd Year Plantation	897	44/- Per Plant	39468.00
4	4th Year Plantation	897	48/- Per Plant	43056.00
5	5th Year Plantation	897	62/- Per Plant	55614.00
6	6th Year Plantation	897	68/- Per Plant	60996.00
7	7th Year Plantation	897	75/- Per Plant	67275.00
8	8th Year Plantation	897	48/- Per Plant	43056.00
9	9th Year Plantation	897	44/- Per Plant	39468.00
10	10th Year Plantation	897	48/- Per Plant	43056.00
	Total Plantation			592020.00
C	Supervisory/Overhead/Miscellaneous Charges	10% On the total CA Charges		59202.00

Penal Additional Compensatory Afforestation Scheme

S.No.	Description	Total Area	Rate	Total Amount (Rs.)
D	Compensatory Afforestation Charges	No. of Plants		
1	1st Year Plantation	8970	171/- Per Plant	1533870.00
2	2nd Year Plantation	8970	52/- Per Plant	466440.00
3	3rd Year Plantation	8970	44/- Per Plant	394680.00
4	4th Year Plantation	8970	48/- Per Plant	430560.00
5	5th Year Plantation	8970	62/- Per Plant	556140.00
6	6th Year Plantation	8970	68/- Per Plant	609960.00
7	7th Year Plantation	8970	75/- Per Plant	672750.00
8	8th Year Plantation	8970	48/- Per Plant	430560.00
9	9th Year Plantation	8970	44/- Per Plant	394680.00
10	10th Year Plantation	8970	48/- Per Plant	430560.00
	Total Plantation			5920200.00
	As the Scheme is site Specific Barbed wire will not be charged.			
E	Site Specific requirements for plantation Aravalli Hill's (area closed under Section 4&5 of PLPA 1900)			
1	Peripheral Trenches 1M*1M*200 in the Aravalli Areas			769200.00
2	Loose Stone Wall 200x1.25x0.75			2874380.00
3	Clearing of Mesquite stumps including pruning of Singled shoots in first year X 2			33540.00
4	Kikar Sowing in Peripheral Trench			256960.00
4 (a)	First Clearing and spacing of Kikar Sowing			169360.00
4 (b)	Line Sowing of Kikar Seeds			42340.00
	Total Site Specific Requirement Charge (D)			4145780.00
F	Felling Charges Volume=	0	Rs.1200/- per m3	0.00
G	Exigency Charges 3% of the Total Cost of (A+B+C+D+E+F)			333453.00
	GRAND TOTAL (A+B+C+D+E+F+G) TO BE DEPOSITED IN CAMPA FUND			11448563.00

Divisional Forest Officer
Gurgaon Forest Division
Gurgaon

7/3

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E-mail sent on
15-2-2016

OFFICE OF
PRINCIPAL CHIEF CONSERVATOR OF FORESTS, HARYANA
VAN BHAWAN, C- 18, SECTOR- 6, PANCHKULA
HARYANA

Tel: +91 172 2563861 Fax: +91 172 2583158, E-mail: csfepanchkula@gmail.com

No.: 8693-6713

Dated: 15-02-2016

To
All Divisional Forest Officers (Territorial)
Haryana

Sub: Partial modification of Communication on Compensatory afforestation under Forest (Conservation) Act, 1980 and CAMPA guidelines - Reg.

Ref: Lr. No. 4612-32-CA dated 02.11.2015 issued by the Office of Principal Chief Conservator of Forests, Haryana.

In partial modification of the communication Lr. No. 4612-32-CA dated 02.11.2015 issued by the Office of Principal Chief Conservator of Forests, Haryana, it has now been decided that while now preparing the proposals for diversions of forest lands under FCA 1980, the following points shall be taken into consideration while formulating the CA proposals.

- (i) The minimum number of plants should be ten times the number of trees being removed or at the rate of one thousand plants per hectare, equivalent to double the forest area being diverted, subject to a minimum of 20 plants. The cost of afforestation should include tree guards/barbed wire fencing in urban areas.
- (ii) It should be ensured that the CA proposal includes site specific costs required for successful implementation of CA and there is consequently no need to provide for only soil and moisture conservation works earlier prescribed.
- (iii) Felling charges should be as per the prevalent SOR of production wing of Haryana Forest Department.
- (iv) In case of violations, a penal provision for the imposition of 10 times the cost of the CA shall be imposed.
- (v) For each plant damaged, double the number of tall plants (TP) should be planted as additional CA, in addition to the proposed CA. Besides that, no cost for the damaged plants should be recovered.

This issues with the directions of Principal Chief Conservator of Forests, Haryana.

S. Jayaram
15/2
Nodal Officer and Conservator of Forests (FCA)
For: Principal Chief Conservator of Forests
Haryana, Panchkula

Endst. No: 6714-17

Dated: 15-02-2016

A copy is forwarded to all Conservator of Forests (Territorial) for information and necessary action.

Patwar
16/2/16

S. Jayaram
15/2
Nodal Officer and Conservator of Forests (FCA)
For: Principal Chief Conservator of Forests
Haryana, Panchkula

1712-C
16-2-2016

Divisional Forest Officer
Gurgaon Forest Division
GURUGRAM

Area to be diverted: 0.4486 Hec **487**
 Area to be planted (One/two/ten times the diverted area) = 1122 Plants. (4x4)
 No. of trees to be felled = Nil
 No. of Plants to be damaged = Nil
 Number of Plants to be planted (@ 1000 Plant per Hec.) = 1122 Plants

S.No.	Description	Rate	Total amount (Rs.)
(A)	Net Present Value of Forest Land to be diverted = 0.4486 Hec.	Rs. 8.87 Lacs/ha.	397908-00
(B)	Compensatory Afforestation Charges	No. of Plants	
1	1 st Year Plantation	1122	303/- Per Plant
2	2 nd Year Maintenance	1122	200/- Per Plant
3	3 rd Year Maintenance	1122	111/- Per Plant
4	4 th Year Maintenance	1122	55/- Per Plant
5	5 th Year Maintenance	1122	60/- Per Plant
6	6 th Year Maintenance	1122	66/- Per Plant
7	7 th Year Maintenance	1122	73/- Per Plant
8	Barbed wire fencing charge = 2.50 RKM	Rs.103000 per km	257500-00
	Total charges of (B above)		1231396-00
(C)	Supervisory/Overhead/Miscellaneous Charges	10% on the total CA charges	123140-00
	TOTAL C.A Charge (B+C)		1354536-00
(D)	Felling charges Volume = Nil	Rs.900/- per m ³	0-00
(E)	Plantation damage charges. = Nil	Rs. 600/- per plant	0-00
(F)	Exigency Charges 3% of the Total Cost of C.A. (B+C)		40636-06
	GRAND TOTAL (A+B+C+D+E+F) to be deposited in CAMPA fund		1793080-00

5. Technical details:-

Technical details of Compensatory Afforestation Scheme are as follows:-

- General Details: - Plantation will be done in Sarbasirpur Reserve Forest in District, Gurgaon.
- Spacing: - 4m X 4m T.P. Planting
- Species: - Shisham etc.
- Plantation Method: - Pit Plantation
- Soil and Moisture Conservation Works: - Nil
- Protection (Fencing, Watch man, People's Participation etc.): - fencing
- Proposed Monitoring Mechanism: - Checking of plantation works will be RFO, DCF, CF, and DCF (M&E)
- Any other information: - Nil

Dated: 04/08/2015

Place: - Gurgaon

Divisional Forest Officer
 Gurgaon Forest Division
 GURUGRAM

Dy. Conservator of Forests,
 Gurgaon Forest Division
 Forest Division
 GURUGRAM

75

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Full Title of the Project: Diversion of 0.4486 Hac. of forest Land for road access to Integrated Township-Ambience Island, NH-8, Gurgaon, Haryana Being developed on 132.06 acres of licensed land owned by Ambience Developers & Infrastructure Pvt. Ltd. and Other Ambience Group Companies

File No. : FP/HR/OTHERS/13983/2015
Date of Proposal: _____

CHECK LIST SERIAL NUMBER: 19
Certificate from the DFO that non-forest land selected for compensatory afforestation

This is to certify that 1122 plants will be planted in Sarbasirpur Reserve Forest in Distt. Gurgaon. The land identified for Compensatory Afforestation is a Reserve Forest.

Dated. 04/08/2015

Place: - Gurgaon

[Signature]
 Dy. Conservator of Forests,
 Gurgaon Forest Division,
 GURUGRAM

[Signature]
 Divisional Forest Officer
 Gurgaon Forest Division
 GURUGRAM

Full Title of the Project: Diversion of 0.4486 Hac. of forest Land for road access to Integrated Township-Ambience Island, NH-8, Gurgaon, Haryana Being developed on 132.06 acres of licensed land owned by Ambience Developers & Infrastructure Pvt. Ltd. and Other Ambience Group Companies 75

File No. : FP/HR/OTHERS/13983/2015
Date of Proposal: _____

CHECK LIST SERIAL NUMBER: - 20

"LAND SUITABILITY CERTIFICATE BY DFO CONCERNED"

This is to certify that **1122 Plants** will be planted in **Sarbasirpur Reserve Forest** in Gurgaon District. The said area is a **Reserve Forest**. The land identified for **Compensatory Afforestation** is suitable for plantation from management point of view and is free from all sorts of encumbrances and encroachment.

Dated. 04/08/2015

Place: - Gurgaon

Dy. Conservator of Forests,
Gurgaon Forest Division
GURGAON

Divisional Officer
Gurgaon Forest Division
GURGAON

77

REN. 76/08-09

रिपोर्ट क्षति नं.

क्रम संख्या 15

Book No. 291

Sr. No.

29065

वन विभाग हरियाणा मण्डल

गुडगांव

रिपोर्ट नं.

29065

291

सेवा में,

परिक्षेत्र अधिकारी

गुडगांव

परिक्षेत्र

गुडगांव

श्रीमान जी,

आज तिथि

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मास

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साल

2008

को जंगल का दौरा किया गया और निम्नलिखित नुकसान पाया।
 दौरान गस्त जाया गया कि बांधु कु मध्य पर
 EMBIENCE-MALL के विरुद्ध EMBIENCE IS-
 LAND LAGUN APARTMENT द्वारा उपरोक्त
 क्षेत्र 380 मी. लम्बा व 16 मी. चौड़ा क्षेत्र अपने
 क्षेत्र में लेकर जंगल विनाश उगरी का कार्य
 किया हुआ है जिसका कुल क्षेत्रफल 6080 वर्ग
 मीटर (अर्ध बीघा) पर R.C.M. 1980 व B.F.A
 1927 की सीधी उल्लंघना है।

मूलजिम का नाम

राज सिंह गहलोत

EMBIENCE IS-LAND LAGUN APPT.

पिता का नाम

जाति

M.H.W. 8 W.M. 24-25 L/SIDE गजद्वारा

संख्या

मौका/पर/नहीं/पकड़ा गया

विल्ली बाइर गुडगांव

[Signature]
 Divisional Forest Officer
 Gurgaon Forest Division
 GURGAON

हरेका वन रक्षक

[Signature]

[Signature]

[Signature]

[Signature]

Range Forest Officer
Gurgaon

Dy. Conservator of Forest
Gurgaon Forest Division
GURGAON

7/8

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FORM LC-V
(See Rule-12)
Haryana Government
Town and Country Planning Department

Licence No. 13. of 2004

- 1- This licence has been granted under the Haryana Development & Regulation of Urban Areas Act, 1975 & the Rules 1976 made thereunder to M/s. Sara Estates Pvt Ltd L-4, Green Park Extension, New Delhi-110016 for setting up of a integrated colony comprising of Group Housing and Commercial use at village Nathupur, District Gurgaon.
- 2- The particulars of the land wherein the aforesaid integrated colony is to be set up are given in the Schedule annexed hereto and duly signed by the Director, Town and Country Planning, Haryana, Chandigarh.
- 3- The licence is granted subject to the following conditions:
 - a) That the Integrated colony comprising of Group Housing and Commercial use is laid out to conform to the approved layout plan and development works are executed according to the designs and specifications shown in the approved plan.
 - b) That the conditions of the agreements already executed are duly fulfilled and the provisions of Haryana Development and Regulations of Urban Areas Act, 1975 and the Rules 1976 made thereunder are duly complied with.
 - c) That the demarcation plan of the integrated colony area is submitted before starting the development works in the colony and for the approval of zoning plan.
 - d) That the land forming part of restricted/green belt along National Highway will be transferred free of cost to the Government and no construction will be raised in the said restricted/green belt along National Highway.
- 4- That the licence will not give any advertisement for sale of shops/offices/floor area in commercial colony before the approval of layout plan/building plans.
- 5- The licence is valid upto 4-2-2009.

Dated Chandigarh
The 5-2-2004

Kee
(N.C. WADHWA)
Director, Town and Country Planning,
Haryana, Chandigarh.
M. Chaudhary

Endst. No. 5DP-2004/ 1344

Dated:- 5-2-2004

A copy along with a copy of schedule of land is forwarded to the following for information and necessary action:-

- 1- M/s. Sara Estates Pvt Ltd. L-4, Green Park Extension, New Delhi-110016 along with a copy of agreement LC-IV and Bilateral agreement.
- 2- Chief Administrator, HUDA, Panchkula
- 3- Addl. Director, Urban Estates, Haryana, Panchkula.
- 4- Chief Engineer, HUDA, Panchkula.
- 5- Superintending Engineer, HUDA, Gurgaon along with a copy of agreement.
- 6- Land Acquisition Officer, Gurgaon.
- 7- Senior Town Planner, Gurgaon.
- 8- Senior Town Planner(Enf), Chandigarh.
- 9- District Town Planner, Gurgaon along with a copy of agreement.
- 10- Accounts Officer O/o Director, Town and Country Planning, Haryana, Chandigarh.

DA/As above

Ambience Developers & Infrastructure Pvt. Ltd.

[Signature]
Authorised Signatory

Ambience Developers & Infrastructure Pvt. Ltd.

[Signature]
Authorised Signatory

[Signature]
District Town Planner(Hq)JS
For: Director, Town and Country Planning,
Haryana, Chandigarh.

[Signature]
Divisional Forest Officer
Gurgaon Forest Division
GURUGRAM

TO BE READ LICENCE No. 13 of 2004

Detail of land owned by M/s. Sara Estate Pvt Ltd Village Nathupur District Gurgaon.

Village	Khasra No.	Area B B B	Share	Area taken B B B	
Nathupur	536	3-18			
	537	0-18			
	538	1-6			
	541	1-5			
	543	0-18			
	544	2-12			
	562	1-12			
	563	1-2			
	564	0-14			

			14-5		14-5
	539	0-7			
	540	1-7			
	542	1-12			
	545	1-7			
	546	0-16			
	561	2-0			

		7-9	1/3	2-9-13	
			.Total	16-14-13 Or 10.46 Acs	

Ambience Developers & Infrastructure Pvt. Ltd.

Authorized Signatory

Town and Country Planning
Haryana, Chandigarh

Ambience Developers & Infrastructure Pvt. Ltd.

Authorized Signatory

Divisional Forest Officer,
Gurgaon Forest Division

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FORM LC-V.
(See Rule-12)
Haryana Government
Town and Country Planning Department

Licence No. 14 of 2004

- 1- This licence has been granted under the Haryana Development & Regulation of Urban Areas Act, 1975 & the Rules 1976 made thereunder to M/s. Alankar Apartments Pvt Ltd L-4, Green Park Extension, New Delhi-110016 for setting up of a integrated colony comprising of Group Housing and Commercial use at village Nathupur, District Gurgaon.
- 2- The particulars of the land wherein the aforesaid integrated colony is to be set up are given in the Schedule annexed hereto and duly signed by the Director, Town and Country Planning, Haryana, Chandigarh.
- 3- The licence is granted subject to the following conditions:
 - a) That the Integrated colony comprising of Group Housing and Commercial use is laid out to conform to the approved layout plan and development works are executed according to the designs and specifications shown in the approved plan.
 - b) That the conditions of the agreements already executed are duly fulfilled and the provisions of Haryana Development and Regulations of Urban Areas Act, 1975 and the Rules 1976 made thereunder are duly complied with.
 - c) That the demarcation plan of the integrated colony area is submitted before starting the development works in the colony and for the approval of zoning plan.
 - d) That the land forming part of restricted/green belt along National Highway will be transferred free of cost to the Government and no construction will be raised in the said restricted/green belt along National Highway.
- 4- That the licence will not give any advertisement for sale of shops/offices/floor area in commercial colony before the approval of layout plan/building plans.
- 5- The licence is valid upto 4/2/2009.

Dated Chandigarh
The 5-2-2004

(N.C. WADHWAN)
Director, Town and Country Planning,
Haryana, Chandigarh.
N. Chami

Endst. No. 5DP-2004/ 1354

Dated:- 5-2-2004

A copy along with a copy of schedule of land is forwarded to the following for information and necessary action:-

- 1- M/s. Alankar Apartments Pvt Ltd, L-4, Green Park Extension, New Delhi-110016 along with a copy of agreement LC-IV and Bilateral agreement.
- 2- Chief Administrator, HUDA, Panchkula
- 3- Addl. Director, Urban Estates, Haryana, Panchkula.
- 4- Chief Engineer, HUDA, Panchkula.
- 5- Superintending Engineer, HUDA, Gurgaon along with a copy of agreement.
- 6- Land Acquisition Officer, Gurgaon.
- 7- Senior Town Planner, Gurgaon.
- 8- Senior Town Planner(Enf), Chandigarh.
- 9- District Town Planner, Gurgaon along with a copy of agreement.
- 10- Accounts Officer ●/o Director, Town and Country Planning, Haryana, Chandigarh.

DA/As above

Ambience Developers & Infrastructure Pvt. Ltd.

Authorised Signatory

District Town Planner(Hq)JS
For: Director, Town and Country Planning,
Haryana, Chandigarh.
N. Chami

Divisional Forest Officer
Gurgaon Forest Division
GURUGRAM

TO BE READ LICENCE NO. 14 OF 2004

Detail of land owned by M/s. Alankar Apartments Pvt Ltd Village Nathupur District Gurgaon.

Village	Khasra No.	Area B B B	Share	Area taken B B B
Nathupur	577	7-3		
	578	7-2		
	579	0-3		
	580	0-2		
	582	5-5		
	583	0-5		
	584	0-13		
	585	0-4		
	586	5-10		
	587	1-12		
	588	1-15		
	589	0-6		
	433	0-9		
	435	0-9		
	448	2-6		
	449	0-5		
	450	1-0		
	526	9-1		

		43-10		43-10 OR 27-19 Acs

Ambience Developers & Infrastructure Pvt. Ltd.

[Signature]
Authorised Signatory

[Signature]
Town and Country Planning
Haryana, Chandigarh.
[Signature]

Ambience Developers & Infrastructure Pvt. Ltd.

[Signature]
Authorised Signatory

[Signature]
Divisional Forest Officer
Gurgaon Forest Division
GURUGRAM

Form LC-V
(See Rule 12)

HARYANA GOVERNMENT
TOWN AND COUNTRY PLANNING DEPARTMENT

Licence No. 19 of 1993.

1. This Licence has been granted under the Haryana Development and Regulation of Urban Areas Act, 1975 and the Rules made thereunder to M/S H.L.F. Enterprises Pvt. Ltd. 16-B Community Centre, Basant lck, Vasant Vihar, New Delhi. Colony for setting up of a residential Group Housing colony at Village Nathupur Tehsil & District Gurgaon.

2. The particulars of land wherein the aforesaid colony is to be set up are given in the schedule annexed hereto and duly signed by the Director, Town & Country Planning, Haryana.

The Licence is granted ^{subject} to the conditions :-

- That the colony is laid out to conform to the approved layout plan and development works are executed according to the designs and specifications shown in the approved plan accompanying this licence.
- That the conditions of the agreements already executed are duly fulfilled and the provisions of Haryana Development and Regulation of Urban Areas Act, 1975 and Rules made there under are duly complied with.
- That the demarcation plan of the colony area is submitted before starting the development works in the colony and for approval of the zoning plan.

This licence is valid upto 8th July 1995.

BHASKAR CHATTERJEE
Director, Town & Country Planning,
Haryana, Chandigarh.

Dated: 15-7-93

Divisional Engineer
Gurgaon
CHANDIGARH

9-7-1993

File No. SDP.93/9/46

A copy alongwith a copy of schedule of land is forwarded to following for information and necessary action:-

- M/S H.L.F. Enterprises Pvt. Ltd, 16-B Community Centre, Basant lck, Vasant Vihar, New Delhi.
- Chief Administrator, HUDA, Manimajra, U.T, Chandigarh.
- Addl. Director, Urban Estate, Haryana, Manimajra, U.T. Chandigarh.
- Chief Engineer, HUDA, Manimajra, U.T, Chandigarh.
- Land Acquisition Officer, Gurgaon.
- Senior Town Planner, Enforcement, Panchkula.
- District Town Planner, Gurgaon.
- Accounts Officer, U/O D.T.C.P. Haryana, Chandigarh.

Ambience Developers & Infrastructure Pvt. Ltd.

Authorized Signatory

TO BE READ WITH LICENCE NO. 198/1993

DETAILS OF LAND OF M/S H.L.F. ENTERPRISES PVT. LTD.

<u>Land Of Village</u>	<u>Khasra No.</u>	<u>Area</u>
Nathupur	3 min North	B - B - B 0 - 12
	529 South-West	3 - 13
	523	7 - 11
	534	6 - 19
	530	0 - 16
	531	7 - 18
	532	0 - 08
	533	0 - 02
	527	0 - 05
	535	1 - 15
	2/2/1	0 - 08 - 11
		<hr/> 30 - 7 - 11 <hr/>

Ambience Developers & Infrastructure Pvt Ltd.

Or 18.98 Acres

Authorised Signatory

DIRECTOR
Town & Country Planning
Hwy 13, Chandigarh &
Stu

Divisional Officer
Gurgaon Forest Division
GURGRAM

Ambience Developers & Infrastructure Pvt. Ltd.

Authorised Signatory

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GOVERNMENT OF HARYANA
STATE ENVIRONMENT IMPACT ASSESSMENT AUTHORITY
DEPARTMENT OF ENVIRONMENT, HARYANA
SCO NO. 1-3, SECTOR-17-D, CHANDIGARH.

No. DEH/09/SEIAA/ 203

Dated:.....11/5/09.....

To

✓ M/S Ambience Developers & Infrastructure Pvt.Ltd.
 L-4, Green Park Extension.
 New Delhi.

Subject: **EC for residential Project "Caltriona" located on NH-8, Situated in the revenue estate of village Nathpur, Teh. & Distt. Gurgaon, Haryana.**

Dear Sir,

This has reference to your application No. nil Dated 04.02.08 and subsequent letter dated 04.02.08 addressed to Director (IA) division MOEF-GOI, the same was transferred to SEIAA on 30.06.08. and its subsequent letter dated 08.02.09. seeking prior environmental clearance for the above project under the EIA Notification, 2006. The proposal has been appraised as per prescribed procedure in the light of provisions under the EIA Notification, 2006 on the basis of the mandatory documents enclosed with the application viz., Form-1, Form1-A & Conceptual Plan and the additional clarifications furnished in response to the observations of the State Expert Appraisal Committee (SEAC) constituted by MOEF, GOI vide their Notification 21.4.2008, in its meetings held on 13.03.09 and awarded "Gold" grading to the project.

[2] It is, interalia, noted that the project involves construction of proposed Group Housing Project on a plot area of 36510 sq. mt. The total built up area is 63892 Sq.Mts comprising of 10 nos. of towers of heights 29.9 mts. The total water requirement will be 286 cubic mtrs per day out of which 166 cubic mtrs. will be fresh water supply met out from municipal supply. The total waste water generation will be 175 cubic mtrs which will be treated in the STP having capacity of 1.5MLD and treated water will be recycled/reused for HVAC, horticulture, flushing etc. and there will be zero discharge outside the boundary. Total solid waste generation will be 0.71 Mt per/day. The collected solid waste would be segregated and transported to a Govt. designated waste disposal site. The power requirement is 2750 KVA which will be supplied by Dakshin Haryana Vidyut Vitran Nigam Ltd. The total parking spaces proposed are for 939 ECS. Total cost of the project is Rs. 300 crores.

[3] The State Expert Appraisal Committee, Haryana after due consideration of the relevant documents submitted by the project proponent and additional clarification furnished in response to its observations have recommended the grant of environmental clearance for the project mentioned

Divisional Officer
 Gurgaon Forest Division
 GURGAON

Ambience Developers & Infrastructure Pvt. Ltd.

Authorised Signatory

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above subject to compliance with the stipulated conditions. Accordingly, the State Environment Impact Assessment Authority hereby accords necessary environmental clearance for the project under Category 8(a) of EIA Notification 2006 subject to the strict compliance with the specific and general conditions mentioned below:-

PART A- SPECIFIC CONDITIONS:-

Construction Phase:-

- [i] A first aid room as proposed in the project report will be provided in both during construction and operation of the project.
- [ii] Adequate drinking water and sanitary facilities should be provided for construction workers at the site. Provision should be made for mobile toilets. Open desiccation by the labourers strictly prohibited. The safe disposal of waste water and solid wastes generated during the construction phase should be ensured.
- [iii] All the topsoil excavated during construction activities should be stored for use in horticulture/land scape development within the project site.
- [iv] Disposal of muck during construction phase should not create any adverse effect on the neighboring communities and be disposed taking the necessary precautions for general safety and health aspects of people, only in approved sites with the approval of competent authority.
- [v] Construction spoils, including bituminous material and other hazardous materials, must not be allowed to contaminate watercourses and the dump sites for such material must be secured so that they should not leach into the ground water and any hazardous waste generated during construction phase, should be disposed off as per applicable rules and norms with necessary approval of the Haryana State Pollution Control Board.
- [vi] The diesel generator sets to be used during construction phase should be low sulphur diesel type and should conform to Environment (protection) Rules prescribed for air and noise emission standards.
- [vii] The diesel required for operating DG sets shall be stored in underground tanks and if required, clearance from Chief Controller of Explosives shall be taken.
- [viii] Ambient noise levels should conform to residential standards both during day and night. Incremental pollution loads on the ambient air and noise quality should be closely monitored during construction phase. Adequate measures should be made to reduce ambient air and noise level during construction phase, so as to conform to the stipulated standards.
- [ix] Fly ash should be used as building material in the construction as per the provisions of Fly Ash Notification of September, 1999 and amended as on 27th August, 2003.
- [x] Ready mixed concrete must be used in building construction.

Divisional Forest Officer
 Geology & Forest Division
 GURUGRAM

Ambience Developers & Infra Pvt. Ltd.

Authorised Signatory

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- [xi] Storm water control and its re-use as per CGWB and BIS standards for various applications.
 - [xii] Water demand during construction should be reduced by use of pre-mixed concrete, curing agents and other best practices referred.
 - [xiii] Permission from Competent Authority for supply of water shall be obtained prior to construction/operation of the project.
 - [xiv] Roof should meet prescriptive requirement as per Energy Conservation Building Code by using appropriate thermal insulation material to fulfill requirement.
 - [xv] Opaque wall should meet prescriptive requirement as per Energy Conservation Building Code which is proposed to be mandatory for all air conditioned spaces while it is aspirational for non-air-conditioned spaces by use of appropriate thermal insulation material to fulfill requirement.
 - [xvi] The approval of the competent authority shall be obtained for structural safety of the building due to earthquake, adequacy of fire fighting equipments, etc. as per National Building Code including protection measures from lightening etc. If any forest land is involved in the proposed site, clearance under Forest Conservation Act shall be taken from the competent Authority.
 - [xvii] The project proponent will use the water for construction phase through tankers. However, this area does not fall under the dark category as declared by CGWA and will be using the water of the already existing two tubewells for construction/ operation phase till the water is supplied by the Local Authority/HUDA.

Operation Phase:

- [i] The STP be installed for the treatment of the sewage generated to the prescribed standards including odour and treated effluent will be recycled to achieve zero discharge. The STP should be installed at the farthest place in the project area.
- [ii] Separation of the gray and black water should be done by the use of dual plumbing line. Treatment of 100% gray water by decentralized treatment should be done ensuring that the recirculated water should have BOD maximum 10 pm and the recycled water will be used for flushing, gardening and HVAC makeup and DG set cooling.
- [iii] For disinfections of the treated waste water ultra violet radiation or ozonization should be used.
- [iv] The solid waste generated should be properly collected and segregated. Wet garbage should be composted and dry/ inert solid waste should be disposed off to be approved sites for land filling after recovering recyclable material.
- [v] Diesel power generating sets proposed as source of back up power for lifts, common area illumination and for domestic use should be of enclosed type and conform to rules made under the Environment (Protection) Act, 1986. The location of the DG sets should be in the


 Divisional Forest Officer
 Gurgaon Forest Division
 GURUGRAM

assessment as promised by the project proponent with appropriate stack height i.e above the roof level as per the CPCB norms. The diesel used for DG sets should be of low sulphur contents (maximum 0.25%).

- [vi] Ambient Noise level should be controlled to ensure that it does not exceed the prescribed standards both within and at the boundary of the Proposed Commercial Complex.
- [vii] The project proponent should maintain at least 15% as green cover area for tree plantation especially all around the periphery of the project and on the road sides preferably with local species so as to provide protection against particulates and noise. The open spaces inside the plot should be preferably landscaped and covered with vegetation/grass.
- [viii] Weep holes in the compound walls shall be provided to ensure natural drainage of rain water in the catchments area during the monsoon period.
- [ix] Rain water harvesting for roof run-off and surface run-off, as plan submitted should be implemented. Before recharging the surface run off, pre-treatment must be done to remove suspended matter, oil and grease. The bore well for rainwater recharging should be kept at least 5 mts. Above the highest ground water table and project proponent should made efforts to utilized the water run off by constructing the water harvesting structure simultaneously wherever feasible.
- [x] The ground water level and its quality should be monitored regularly in consultation with Central Ground Water Authority.
- [xi] There should be no traffic congestion near the entry and exist points from the roads adjoining the proposed project site. Parking should be fully internalized and no public space should be utilized.
- [xii] A report on the energy conservation measures conforming to energy conservation norms finalize by Bureau of Energy Efficiency should be prepared incorporating details about building materials & technology, R & U Factors etc and submit to the IA Division of Environment Department, Haryana in three months time.
- [xiii] Energy conservation measures like installation of CFLs/TFLs for the lighting the areas outside the building should be integral part of the project design and should be in place before project commissioning. Use CFLs and TFLs should be properly collected and disposed off/sent for recycling as per the prevailing guidelines/rules of the regulatory authority to avoid mercury contamination. Use of solar panels may be done to the extent possible.
- [xiv] The solid waste generated should be properly collected and segregated as per the requirement of the MSW Rules, 2000. The project proponent will subject the solid waste generated from the complex to the following process with in the complex site .
- Segregation into bio/degradable and non bio/degradable solid waste
 - In situ composting of the bio/degradable waste at the compost pits
 - Transportations of non bio/degradable waste to an authorized dumping site/ solid waste management plan.

Reg
Divisional Forest Officer
Gurgaon Forest Division
GURUGRAM

Ambience Developers & Infrastructure Pvt. Ltd.

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- (xv) The provision of the solar water heating system shall be as per the norms specified by HAREDA and shall be made operational in each building block.
- (xvi) The project will be operationalized only after completion of infrastructure including supply of water by HUDA or with the permission of the CGWA for using ground water from the tubewell.

PART-B. GENERAL CONDITIONS:

- (i) The environmental safeguards contained in the EIA/EMP Report should be implemented in letter and spirit.
- (ii) Six monthly compliance reports should be submitted to the HSPCB and Regional Office, MOEF, GOI, Northern Region, Chandigarh and a copy to the Regulatory Authority of Haryana.
- [iii] The project proponent will send one copy of the EMP Report to Additional Director, Regional Office, MOEF, GOI, Sector 31, Chandigarh and to the Chairman, Haryana State Pollution Control Board, Panchkula for their reference.
- [iv] The SEIAA, Haryana reserves the right to add additional safeguard measures subsequently, if found necessary. Environmental Clearance granted will be revoked if it is found that false information has been given for getting approval of this project.
- [v] All other statutory clearances such as the approvals for storage of diesel from Chief Controller of Explosives, Fire Department, Civil Aviation Department, Forest Conservation Act, 1980 and Wildlife (Protection) Act, 1972, PLPA, 1900; Forest Act, 1927 etc. shall be obtained, as applicable by project proponents from the respective authorities.
- [vi] These stipulations would be enforced among others under the provisions of Water (Prevention and Control of Pollution) Act, 1974, the Air (Prevention and control of Pollution) Act, 1981, the Environment (Protection) Act, 1986, the Public Liability (Insurance) Act, 1991, Forest Conservation Act, 1980 and EIA Notification, 2006

Divisional
Gangotri Forest Division
GHARUJHAR

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[vii] The Project proponent will not violate any judicial orders/pronouncements issued by the Hon'ble Supreme Court/High Courts:

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 Member Secretary,
 State Level Environment Impact
 Assessment Authority, Haryana,
 Chandigarh.

Endst. No. DEH/09/SEIAA/

Dated:.....

A copy of the above is forwarded to the following:

1. The Additional Director (IA Division), MOEF, GOI, CGO Complex, Lodi Road, New Delhi.
2. The Regional officer, Ministry of Environment & Forests, Govt. of India, Sector 31, Chandigarh.
3. The Chairman, Haryana State Pollution Control Board, Pk1.

Member Secretary,
 State Level Environment Impact
 Assessment Authority, Haryana,
 Chandigarh.

Ambience Developers & Infrastructure Pvt. Ltd.

Authorised Signatory

Divisional Forest Officer
 Gurgaon Forest Division
 GURGAON

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GOVERNMENT OF HARYANA
STATE ENVIRONMENT IMPACT ASSESSMENT AUTHORITY HARYANA
Bay No: 55-58, Prayatan Bhawan, Sector-2, PANCHKULA.

No. SEIAA/HR/2010 702

Dated: 1-9-10

To

M/S Ambience Developers & Infrastructure Pvt. Ltd.
L-4, Green Park Extension,
New Delhi. 110016

Subject: Environmental Clearance for proposed corporate office Tower
(Commercial) village- Nathupur, Ambience Island, NH-8,
Gurgaon.

Dear Sir,

This has reference to your Application No. Nil dated 23.04.2010 received in the office of MS, SEIAA on 23.04.2010 and subsequent letters dated 07.05.2010 & 05.06.2010 seeking prior environmental clearance for the above project under the EIA Notification, 2006. The proposal has been appraised as per prescribed procedure in the light of provisions under the EIA Notification, 2006 on the basis of the mandatory documents enclosed with the application viz., Form-1, Form-1-A & Conceptual Plan and the additional clarifications furnished in response to the observations of the State Expert Appraisal Committee (SEAC) constituted by MOEF, GOI vide their Notification 21.4.2008, in its meeting held on 10.06.2010 awarded "Gold" grading to the project.

[2] It is interalia, noted that the project involves the construction for proposed corporate office Tower (Commercial) village- Nathupur, Ambience Island, NH-8, Gurgaon, Haryana, on a plot area of 23500 sqmt. The Total proposed built-up area for the proposed project will be 72290 sqmt. The proposed building will comprise of 4 Basements and 1 stilt for parking. The height of the building will be 29 meters and NOC from Airport Authority is awaited. The total

Ambience Developers & Infrastructure Pvt. Ltd.

Authorized Signatory

Divisional Engineer
Gurgaon Region
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fresh water requirement will be 49 KLD which will be met from HUDA. The quantity of waste water generated from the project activity will be about 79 KLD which will be treated in the existing STP by primary, secondary and tertiary treatment. The capacity of existing STP is 1500 KLD. The entire treated water will be recycled back and utilized for horticulture, cooling of DG; flushing etc leading to zero discharge. Total solid waste generation will be 674 kg per day which will be disposed off as per Solid Waste Management & Handling Rules. The project proponent has proposed to use bio-degradable waste for composting within the project area. The power requirement is 4350 KVA which will be supplied by DHBVN. The total parking spaces proposed are for 1276 ECS. Total cost of the project is Rs. 108 crores.

[3] The State Expert Appraisal Committee, Haryana after due consideration of the relevant documents submitted by the project proponent and additional clarification furnished in response to its observations have recommended the grant of environmental clearance for the project mentioned above subject to compliance with the stipulated conditions. Accordingly, the State Environment Impact Assessment Authority hereby accords necessary environmental clearance for the project under Category 8(a) of EIA Notification 2006 subject to the strict compliance with the specific and general conditions mentioned below:-

PART A-

SPECIFIC CONDITIONS:-

Construction Phase:-

- [1] A first aid room as proposed in the project report will be provided in both during construction and operation phase of the project.

Key
Divisional Forest Officer
Gurgaon Forest Division
GURGAON

Ambience Developers & Infrastructure Pvt. Ltd.

[Signature]
Authorised Signatory

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- (ii) Adequate drinking water and sanitary facilities should be provided for construction workers at the site. Provision should be made for mobile toilets. Open defecation by the labourers is strictly prohibited. The safe disposal of waste water and solid wastes generated during the construction phase should be ensured.
- (iii) All the topsoil excavated during construction activities should be stored for use in horticulture/landscape development within the project site.
- (iv) Disposal of muck during construction phase should not create any adverse effect on the neighboring communities and be disposed taking the necessary precautions for general safety and health aspects of people, only in approved sites with the approval of competent authority.
- (v) Construction spoils, including bituminous material and other hazardous materials, must not be allowed to contaminate watercourses and the dump sites for such material must be secured so that they should not leach into the ground water and any hazardous waste generated during construction phase, should be disposed off as per applicable rules and norms with necessary approval of the Haryana State Pollution Control Board.
- (vi) The diesel generator sets to be used during construction phase should be of low sulphur diesel type and should conform to Environment (Protection) Rules prescribed for air and noise emission standards.
- (vii) The diesel required for operating DG sets shall be stored in underground tanks and if required, clearance from Chief Controller of Explosives shall be taken.
- (viii) Ambient noise levels should conform to the commercial standards both during day and night. Incremental pollution loads on the ambient air and noise quality should be closely monitored during construction phase. Adequate measures should be taken to reduce ambient air and noise level during construction phase, so as to conform to the stipulated standards.
- (ix) Fly ash should be used as building material in the construction as per the provisions of Fly Ash Notification of September 1999 and amended as on 27th August 2003.
- (x) Ready mixed concrete must be used in building construction.
- (xi) Storm water control and its re-use as per CGWB and BIS standards for various applications should be ensured.

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Divisional Forest Officer
Gurgaon Forest Division
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- [xii] Water demand during construction should be reduced by use of pre-mixed concrete, curing agents and other best practices referred.
- [xiii] Permission from Competent Authority for supply of water shall be obtained prior to operation of the project.
- [xiv] Roof should meet prescriptive requirement as per Energy Conservation Building Code by using appropriate thermal insulation material to fulfill requirement.
- [xv] Opaque wall should meet prescriptive requirement as per Energy Conservation Building Code which is proposed to be mandatory for all air conditioned spaces while it is aspirational for non-air-conditioned spaces by use of appropriate thermal insulation material to fulfill requirement.
- [xvi] The approval of the competent authority shall be obtained for structural safety of the building due to earthquake, adequacy of fire fighting equipments, etc. as per National Building Code including protection measures from lightning etc. If any forest land is involved in the proposed site, clearance under Forest Conservation Act shall be obtained from the competent Authority.
- [xvii] The project proponent will use water for construction phase through tankers.
- [xviii] The project proponent will construct rain water harvesting pits @ 1 pit per acre.
- [ixx] The PP will start construction only after getting permission of the Airport Authority.

Operation Phase:

- [i] The STP shall be installed for the treatment of the sewage generated to the prescribed standards including odour and treated effluent will be recycled to achieve zero exit discharge. The STP should be installed at the remotest place in the project area.
- [ii] Separation of the grey and black water should be done by the use of dual plumbing line. Treatment of 100% grey water by decentralized treatment should be done ensuring that the re-circulated water should have BOD maximum up-to 10 ppm and the recycled water will be used for flushing, gardening and DG set cooling and running of fountain in the water body.
- [iii] For disinfections of the treated wastewater ultra violet radiation or ozonization should be used.

Div. *Key*
Gurgaon
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- [iv] The solid waste generated should be properly collected and segregated. Bio-degradable waste will be decomposed at site and dry/ inert solid waste should be disposed off to approved sites for land filling after recovering recyclable material.
- [v] Diesel power generating sets proposed as source of back up power for lifts, common area illumination and for domestic use should be of enclosed type and conform to rules made under the Environment (Protection) Act, 1986. The location of the DG sets should be in the basement as promised by the project proponent with appropriate stack height i.e above the roof level as per the CPCB norms. The diesel used for DG sets should be of low sulphur contents (maximum 0.25%).
- [vi] Ambient Noise level should be controlled to ensure that it does not exceed the prescribed standards both within and at the boundary of the Proposed Commercial Complex.
- [vii] The project proponent should maintain at least 20% as green cover area for tree plantation especially all around the periphery of the project and on the road sides preferably with local species so as to provide protection against particulates and noise. The open spaces inside the plot should be preferably landscaped and covered with vegetation/grass.
- [viii] Weep holes in the compound front walls shall be provided to ensure natural drainage of rain water in the catchments area during the monsoon period.
- [ix] Rain water harvesting for roof run-off and surface run-off, as per plan submitted should be implemented. Before recharging the surface run off, pre-treatment through sedimentation tanks must be done to remove suspended matter, oil and grease. The bore well for rainwater recharging should be kept at least 5 mts. above the highest ground water table.
- [x] The ground water level and its quality should be monitored regularly in consultation with Central Ground Water Authority.
- [xi] There should be no traffic congestion near the entry and exit points from the roads adjoining the proposed project site. Parking should be fully internalized and no public space should be utilized.
- [xii] A report on the energy conservation measures conforming to energy conservation norms finalized by Bureau of Energy Efficiency should be prepared incorporating details about building materials & technology, R & U Factors etc and submit to the SEIAA, Haryana in three months time.

Res
 Divisional Forest Officer
 Gurgaon Forest Division
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- [xiii] Energy conservation measures like installation of CFLs/TFLs for lighting the areas outside the building should be integral part of the project design and should be in place before project commissioning. Used CFLs and TFLs should be properly collected and disposed off/sent for recycling as per the prevailing guidelines/rules of the regulatory authority to avoid mercury contamination. Use of solar panels must be adopted to the maximum extent possible for energy conservation.
- [xiv] The solid waste generated should be properly collected and segregated as per the requirement of the MSW Rules, 2000 and as amended from time to time. The bio-degradable waste should be composted by vermi-composting at the site ear marked within the project area and dry/inert solid waste should be disposed off to the approved sites for land filling after recovering recyclable material.
- [xv] The provision of the solar water heating system shall be as per norms specified by HAREDA and shall be made operational in each building block.
- [xvi] The project proponent will use the water from the already existing tube wells for domestic purposes only after getting permission from CGWA or will use water supply from HUDA, which ever is earlier during operation phase.
- [xvii] The traffic plan and the parking plan proposed by the PP should be adhered to meticulously with further scope of additional parking for future requirement. There should be no traffic congestion near the entry and exit points from the roads adjoining the proposed project site. Parking should be fully internalized and no public space should be used.

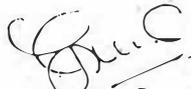
PART-B. GENERAL CONDITIONS:

- [i] The environmental safeguards contained in the EIA/EMP Report should be implemented in letter and spirit.
- [ii] Six monthly compliance reports should be submitted to the HSPCB and Regional Office of MOEF, GOI, Northern Region, Chandigarh and a copy to the SEIAA Haryana, Panchkula.
- [iii] The SEIAA, Haryana reserves the right to add additional safeguard measures subsequently, if found necessary. Environmental Clearance granted will be revoked if it is found that false information had been given for getting approval of this project.

[Signature]
 Divisional Forest Officer
 Gurgaon Forest Division
 GURUGRAM

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- [iv] All other statutory clearances such as the approvals for storage of diesel from Chief Controller of Explosives, Fire Department, Civil Aviation Department, Forest Conservation Act, 1980 and Wildlife (Protection) Act, 1972, PLPA, 1900, Forest Act, 1927 etc. shall be obtained, as applicable, by project proponent from the respective authorities prior to construction of the project.
- [v] The Project proponent will not violate any judicial orders/pronouncements issued by the Hon'ble Supreme Court/High Courts.



Member Secretary,
State Level Environment Impact
Assessment Authority, Haryana, Panchkula.



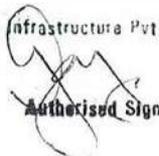
Endst. No. SEIAA/HR/2010

Dated:.....

A copy of the above is forwarded to the following:

1. The Additional Director (IA Division), MOEF, GOI, CGO Complex, Lodhi Road, New Delhi.
2. The Regional office, Ministry of Environment & Forests, Govt. of India, Sector 31, Chandigarh.
3. The Chairman, Haryana State Pollution Control Board, Pk1.

Ambience Developers & Infrastructura Pvt. Ltd.



Authorised Signatory

Member Secretary,
State Level Environment Impact
Assessment Authority, Haryana, Panchkula.


Divisional Forest Officer
Gurgaon Forest Division
GURUGRAM

GOVERNMENT OF HARYANA
STATE ENVIRONMENT IMPACT ASSESSMENT AUTHORITY HARYANA
 Bay No. 55-58, Prayatan Bhawan, Sector-2, PANCHKULA.

Telephone No. 0172-2565232

Website: www.seiaahry.in

No. SEIAA/HR/2011

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Dated: 20-4-11

CORRIGENDUM

Attention is invited to the SEIAA Haryana Environment Clearance Letter No. SEIAA / HR/ 2010 /702 dated 01.09.2010 issued for construction of Proposed corporate office Tower (Commercial) village- Nathupur, Ambience Island, NH-8, Gurgaon, Haryana by M/S Ambience Developers & Infrastructure Pvt. Ltd. L-4, Green Park Extension, New Delhi.110016

The following correction may be incorporated in the Environment Clearance letter of the company:

For:

Para No.[2].

[i]The Total proposed built-up area for the proposed project will be 72290 sqmt.

[ii]The power requirement is 4350 KVA which will be supplied by DHBVN.

Read:

Para No.[2].

[i]The Total proposed built-up area for the proposed project will be 79290 sqmt.

[ii]The power requirement is 4350 KW which will be supplied by DHBVN.

(Signature)
 Member Secretary,
 SEIAA Haryana

To

✓ M/S Ambience Developers & Infrastructure Pvt. Ltd.
 L-4, Green Park Extension, New Delhi.110016

(Signature)
 Divisional Officer
 Gurgaon Forest Division
GURUGRAM

Endst. No. SEIAA/HR/2011

Dated:.....

A copy of the above is forwarded to the following:

1. The Additional Director (IA Division), MOEF, GOI, CGO Complex, Lodhi Road, New Delhi.
2. The Regional officer, Ministry of Environment Forests, Govt. of India, Sector 31, Chandigarh.
3. The Chairman, Haryana State Pollution Control Board, Pkl.

Ambience Developers & Infrastructure Pvt. Ltd.

(Signature)
 Authorised Signatory

Member Secretary,
 SEIAA Haryana

कार्यालय

वन संरक्षक, दक्षिणी परिमंडल, गुडगांव
वन विभाग, हरियाणा सरकार,

वन परिसर, सोहना रोड़, नजदीक न्यायालय परिसर, गुडगांव, दूरभाष/फैक्स - 0124-2320981

क्रमांक: -

दिनांक: -

सेवामें: - नॉडल आफिसर एवं वन संरक्षक, एफ.सी
कार्यालय प्रधान मुख्य वन संरक्षक, हरि
पंचकुलां।विषय: - Diversion of 0.4486 hac. of forest land for access to M/s Ambience
Developers & Infrastructure Pvt. Ltd. along NH-8 at vill. Nathupur, under
Forest Division & Distt. Gurgaon, Haryana.विषयांकित प्रस्ताव वन मण्डल अधिकारी, गुडगांव ने प्रयोक्ता एजेन्सी के अनुरोध पर
एफ.सी.ए 1980 के तहत निम्न विवरण अनुसार स्वीकृति हेतु भेजा है: -

1. उक्त प्रस्ताव में 0.4486 हे० वन भूमि प्रयोग की जायेगी।
2. प्रस्तावित केस में कोई वृक्ष बाधक नहीं है।
3. इसकी प्रतिपूर्ति में व.म.अ. गुडगांव ने चेक लिस्ट-18 के अनुसार कुल 1793080/- ₹ की राशि की स्कीम बनाई गई है।
4. प्रयोक्ता एजेन्सी द्वारा एफ.सी.ए 1980 की उलंघना की गई है। यूजर एजेन्सी के विरुद्ध डी०आर० नं० 29065/291 दिनांक 14.5.2008 चाक की गई है। विशेष पर्यावरण न्यायालय में पी०सी० नं० 74/2008-09 दायर किया हुआ है।
5. क्षतिपूर्ति पोधारोपण आर०एफ० सर बसीरपुर में किया जाना प्रस्तावित है।

अतः प्रस्ताव तीन प्रतियों में संलग्न आपकी सेवा में आगामी आवश्यक कार्यवाही हेतु
प्रेषित है।

संलग्न/प्रस्ताव।

वन संरक्षक दक्षिणी परिमंडल
गुडगांव।

पृ०क्रमांक

D-111-43/2015/1521-22

दिनांक

7/8/2015

एक प्रति :-

1. मुख्य वन संरक्षक, सुरक्षा-2, हरि., गुडगांव को प्रस्ताव की प्रति सहित सूचनार्थ प्रेषित है।
2. व.म.अ. गुडगांव को उनके पत्रांक 581 दिनांक 5.8.2015 के संदर्भ में सूचनार्थ प्रेषित है।

Partwar
10/8/15898C
10/8/15वन संरक्षक दक्षिणी परिमंडल,
गुडगांव।

कार्यालय
प्रधान मुख्य वन संरक्षक, हरियाणा,
वन विभाग, हरियाणा सरकार,

सी-18, वन भवन, सेक्टर 6, पंचकुला, दूरभाष/फैक्स +91 172 2563988, 2563861, E-mail: cffcpanchkula@gmail.com

क्रमांक: प्रशा-डी-तीन-6381/

दिनांक:

सेवा में

प्रधान सचिव, हरियाणा सरकार,
वन विभाग ।

विषय: Diversion of 0.4486 ha. of forest land for access to Integrated Township M/s Ambience Developers & Infrastructure Pvt. Ltd. along NH 8, at Village Nathupur, under forest division and District Gurgaon, Haryana.

Online Proposal No. FP/HR/Others/13983/2015.

वन संरक्षक, दक्षिणी परिमण्डल, गुड़गांव ने M/s Ambience Developers & Infrastructure Pvt. Ltd., L-4, Green Park Extension, New Delhi के अनुरोध पर उक्त प्रस्ताव वन संरक्षण अधिनियम 1980 के अधीन स्वीकृति हेतु भेजा है । इस प्रस्ताव में 0.4486 है० वन भूमि प्रभावित होगी तथा कोई वृक्ष बाधक नहीं है ।

इसकी प्रतिपूर्ति में वन मण्डल अधिकारी, गुड़गांव ने 537020/- रुपये प्रतिपूर्ति पौधारोपण चार्जिज व 397908/- रुपये नेट प्रेजेंट वैल्यु आफ फॉरेस्ट लेण्ड, 161111/- रुपये अदर चार्जिज कुल 951039/- रुपये की राशि की स्कीम बनाई है । यह राशि प्रयोक्ता एजेंसी से प्राप्त की जानी है । भारत सरकार की स्वीकृति उपरान्त प्रतिपूर्ति पौधारोपण की राशि से सरबसीरपुर आरक्षित वन में 900 पौधे लगवाए जाएंगे । इस प्रस्ताव में वन संरक्षण अधिनियम 1980 की उल्लंघना की गई है जिसके कारण प्रयोक्ता एजेंसी पर 10 गुणा पैनल्टी लगाने की सिफारिश की जाती है ।

प्रस्ताव का अवलोकन कर लिया गया है जिसका संक्षिप्त विवरण निम्न तालिका में अंकित है :-

1. Type of the PROPOSAL	For access to integrated township.
2. Name of the user agency	M/s Ambience Developers & Infrastructure Pvt. Ltd.
3. District	Gurgaon
4. Particulars of forests	
Name of Forest Area / Re ach	
(i) Forest area involved (ha.)	0.4486ha.
(ii) Legal Status (Protected/Res.WL)	P.F.
(iii) Layout plan of the project site	At page No. 45
(iv) Location map of the project site	At page No. 43
5. Whether Felling required (Yes or No)	No
If yes, the total number of trees/U.S.trees to be felled / plants to be destroyed.	-
6. NOC from PWD (B&R) and DTP	At page No. 79-89
7. Compensatory Afforestation	

12/11/2015
Gurgaon
HARYANA

(i) Plantation site (area to be planted)	Sarbasirpur R.F.	
(ii) No. of plants to be planted.	900	
(iii) C.A. scheme	At page No. 69-71	
(iv) Area suitability certificate for CA	At page No. 75	
(v) Description of amount to be deposited	Item	Amount
	C.A.	537020
	N.P.V.	397908
	Felling Charges	0
	Plantation Damage Charges	0
	Other Charges	16111
	G.Total	9,51,039
8. Whether any violation of the F.C.Act.	Yes	
9. Site Inspection Report by the DFO	At page No. 63	
10. Recommendation of DFO	At page No. 29-33	
11. Recommendation of CF	At Page No. 35.	
12. Recommendation of PCCF	At Page No. 37	
13. Proforma for Recommendation of Govt.	At Page No. 39	

अतः उक्त प्रस्ताव दो प्रतियों में संस्तुति उपरान्त भारत सरकार की स्वीकृति हेतु संलग्न प्रेषित है ।

संलग्न/उपरोक्त ।

[Signature]
प्रधान मुख्य वन संरक्षक, हरियाणा,
पंचकुला ।

पृ0कमांक: प्रशा-डी-तीन-6381/3490-92 दिनांक: 31/8/15

एक प्रति :-

1. वन संरक्षक, दक्षिणी परिमण्डल, गुड़गांव को प्रेषित है ।
2. व0म0अ0, गुड़गांव को भेजकर लिखा जाता है कि वर्तमान दैनिक मजदूरी की दर 224/- के अनुसार सी0ए0 स्कीम को संशोधित कर दिया गया है जिसकी प्रति संलग्न है ।
3. M/s Ambience Developers & Infrastructure Pvt. Ltd., L-4, Green Park Extension, New Delhi को प्रेषित है ।

[Signature]
प्रधान मुख्य वन संरक्षक, हरियाणा,
पंचकुला ।

[Signature]
Division
Gurgaon Forest
CHUDHARY

Ambience Developers & Infrastructure Pvt. Ltd.
Dated : 20.12.2013
To
**The Deputy Conservator of Forest
 Sohna Road,
 Gurgaon**
Sub. : Request for diversion of stated Forest Land admeasuring 6080 sq.mtr. (380 mtr. x 16 mtr.) falling in Integrated Township – Ambience Island on 132.06 acres of licenced land, left side on NH-8, Gurgaon, Haryana.

Respected Madam,

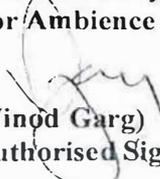
It has reference to your letter NO.2972-G dated 05.12.2013 in response to our request letter dated 25.10.2013 for diversion of stated Forest Land admeasuring 6080 sq.mtr. (380 mtr. x 16 mtr.) falling in Integrated Township – Ambience Island on 132.06 acres of licenced land, left side on NH-8, Gurgaon, Haryana. In this regard, it is submitted that the stated 6080 sq.mtr. (380 mtr. x 16 mtr.) as part of 132.065 acraes of land for which zoning was duly approved by the Director, Town & Country Planning, Haryana, Chandigarh vide Memo No.15933 dated 09.11.2014, copy of which is enclosed herewith for your kind perusal and ready reference.

It is submitted that the various licences have been granted by the Director, Town & Country Planning, Haryana, Chandigarh to the Ambience Developers & Infrastructure Pvt. Ltd. (previously known as HLF Enterprises Pvt. Ltd.) and other Ambience Group Companies for the development of residential & commercial Projects on the said land of 132.06 acres. The said licences are the permissions/NOC for the development of residential & commercial Projects in the respective licenced land. We are enclosing herewith copy of licence No.13 of 2004, licence No.14 of 2004 and licence No.19 of 1993 for your kind perusal and ready reference where the said stated 6080 sq.mtr. (380 mtr. x 16 mtr.) of land have been considered to be passing through in our application dated 25.10.2013. We are also approaching the irrigation department for their NOC as desired by your esteemed office. It is relevant to submit that our submissions as above are without predudice to our submissions and rights in reply dated 5th June, 2012 and our petition vide No.CRM-M-34200-2012 for quashing of proceeding by the Forest Deptt. filed by us in Hon'ble High Court of Punjab & Haryana.

We hope you would find the above in order. However, in case your esteemed office requires any further information/details/documents, in this regard kindly let us know for compliance.

Thanking you,

Yours faithfully

For Ambience Developers & Infrastructure Pvt. Ltd.


 (Vinod Garg)
 Authorised Signatory

Encl. : As above

 Patwar
 7/4/14

 51.2
 7/4/14



 Divisional Forest Officer
 Gurgaon Forest Division
 GURUGRAM

From

The Director,
Town and Country Planning,
Haryana, Chandigarh.

To

M/s Ambience Infrastructure Pvt. Ltd.,
L-4, Green Park Extension,
New Delhi - 110 016

Memo No. 15933 Dated: - 9-11-04

Subject: -

Approval of zoning plan of integrated township "Ambience Island" measuring 132.065 acres in Special Zone of Gurgaon being developed by M/s Ambience Infrastructure Pvt. Ltd. and its Associates companies.

Reference: -

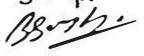
Your letter dated 25.10.2004 on the subject noted above.

Please find enclosed herewith a copy of approved zoning plan of the above said integrated township "Ambience Island" bearing Drawing No. DTCP-817 Dated 3.11.2003 for necessary action.


District Town Planner (HQ) JS,
For Director, Town and Country Planning,
Haryana, Chandigarh.

Endst. No.

Dated: -



A copy is forwarded to the following for information and necessary action.

1. Senior Town Planner, Gurgaon alongwith a copy of approved zoning plan.
2. District Town Planner, Gurgaon.

Divisional Forest Officer
Gurgaon Forest Division
GURUGRAM

District Town Planner (HQ) JS,
For Director, Town and Country Planning,
Haryana, Chandigarh.

FORM LC-V
(See Rule-12)
Haryana Government
Town and Country Planning Department

Licence No. 13.

of 2004

- 1- This licence has been granted under the Haryana Development & Regulation of Urban Areas Act, 1975 & the Rules 1976 made thereunder to M/s. Sara Estates Pvt Ltd L-4, Green Park Extension, New Delhi-110016 for setting up of a integrated colony comprising of Group Housing and Commercial use at village Nathupur, District Gurgaon.
- 2- The particulars of the land wherein the aforesaid integrated colony is to be set up are given in the Schedule annexed hereto and duly signed by the Director, Town and Country Planning, Haryana, Chandigarh.
- 3- The licence is granted subject to the following conditions:
 - a) That the Integrated colony comprising of Group Housing and Commercial use is laid out to conform to the approved layout plan and development works are executed according to the designs and specifications shown in the approved plan.
 - b) That the conditions of the agreements already executed are duly fulfilled and the provisions of Haryana Development and Regulations of Urban Areas Act, 1975 and the Rules 1976 made thereunder are duly complied with.
 - c) That the demarcation plan of the integrated colony area is submitted before starting the development works in the colony and for the approval of zoning plan.
 - d) That the land forming part of restricted/green belt along National Highway will be transferred free of cost to the Government and no construction will be raised in the said restricted/green belt along National Highway.
- 4- That the licence will not give any advertisement for sale of shops/offices/floor area in commercial colony before the approval of layout plan/building plans.
- 5- The licence is valid upto 4-2-2009.

Dated Chandigarh
The 5-2-2004

¹⁰⁰²
(N.C. WADHWA)
Director, Town and Country Planning,
Haryana, Chandigarh.
M. Chand

Endst. No. 5DP-2004/ 1344

Dated:- 5-2-2004

A copy along with a copy of schedule of land is forwarded to the following for information and necessary action:-

- 1- M/s. Sara Estates Pvt Ltd. L-4, Green Park Extension, New Delhi-110016 along with a copy of agreement LC-IV and Bilateral agreement.
- 2- Chief Administrator, HUDA, Panchkula
- 3- Addl. Director, Urban Estates, Haryana, Panchkula.
- 4- Chief Engineer, HUDA, Panchkula.
- 5- Superintending Engineer, HUDA, Gurgaon along with a copy of agreement.
- 6- Land Acquisition Officer, Gurgaon.
- 7- Senior Town Planner, Gurgaon.
- 8- Senior Town Planner(Enf), Chandigarh.
- 9- District Town Planner, Gurgaon along with a copy of agreement.
- 10- Accounts Officer O/o Director, Town and Country Planning, Haryana, Chandigarh.

DA/As above


District Town Planner(Hq)JS
For: Director, Town and Country Planning,
Haryana, Chandigarh.
M. Chand

Divisional
Gurgaon Fore.
GURUGRAM

TO BE READ LICENCE No. 13 of 2004

Detail of land owned by M/s. Sara Estate Pvt Ltd Village Nathupur District Gurgaon.

Village	Khasra No.	Area B B B	Share	Area taken B B B	
Nathupur	536 /	3-18			
	537 /	0-18			
	538	1-6			
	541	1-5			
	543	0-18			
	544	2-12			
	562	1-12			
	563	1-2			
	564	0-14			

			14-5		14-5
	539		0-7		
	540		1-7		
	542		1-12		
545		1-7			
546		0-16			
561		2-0			

		7-9	1/3	2-9-13	

			.Total	16-14-13	
				Or 10.46 Acs	

keo
Town and Country Planning
Haryana, Chandigarh.

Chhote

Devi
Divisional Forest Officer,
Gurgaon Forest Division
GURUGRAM

FORM LC-V
(See Rule-12)
Haryana Government
Town and Country Planning Department

Licence No. 14 of 2004

- 1- This licence has been granted under the Haryana Development & Regulation of Urban Areas Act, 1975 & the Rules 1976 made thereunder to M/s. Alankar Apartments Pvt Ltd L-4, Green Park Extension, New Delhi-110016 for setting up of a integrated colony comprising of Group Housing and Commercial use at village Nathupur, District Gurgaon.
- 2- The particulars of the land wherein the aforesaid integrated colony is to be set up are given in the Schedule annexed hereto and duly signed by the Director, Town and Country Planning, Haryana, Chandigarh.
- 3- The licence is granted subject to the following conditions:
 - a) That the Integrated colony comprising of Group Housing and Commercial use is laid out to conform to the approved layout plan and development works are executed according to the designs and specifications shown in the approved plan.
 - b) That the conditions of the agreements already executed are duly fulfilled and the provisions of Haryana Development and Regulations of Urban Areas Act, 1975 and the Rules 1976 made thereunder are duly complied with.
 - c) That the demarcation plan of the integrated colony area is submitted before starting the development works in the colony and for the approval of zoning plan.
 - d) That the land forming part of restricted/green belt along National Highway will be transferred free of cost to the Government and no construction will be raised in the said restricted/green belt along National Highway.
- 4- That the licence will not give any advertisement for sale of shops/offices/floor area in commercial colony before the approval of layout plan/building plans.
- 5- The licence is valid upto 4/2/2009.

Dated Chandigarh
The 5-2-2004

(N.C. WADHWA)
Director, Town and Country Planning,
Haryana, Chandigarh.
N. Chamal

Endst. No. 5DP-2004/ 1354

Dated:- 5-2-2004

A copy along with a copy of schedule of land is forwarded to the following for information and necessary action:-

- 1- M/s. Alankar Apartments Pvt Ltd. L-4, Green Park Extension, New Delhi-110016 along with a copy of agreement LC-IV and Bilateral agreement.
- 2- Chief Administrator, HUDA, Panchkula
- 3- Addl. Director, Urban Estates, Haryana, Panchkula.
- 4- Chief Engineer, HUDA, Panchkula.
- 5- Superintending Engineer, HUDA, Gurgaon along with a copy of agreement.
- 6- Land Acquisition Officer, Gurgaon.
- 7- Senior Town Planner, Gurgaon.
- 8- Senior Town Planner(Enf), Chandigarh.
- 9- District Town Planner, Gurgaon along with a copy of agreement.
- 10- Accounts Officer O/o Director, Town and Country Planning, Haryana, Chandigarh.

DA/As above

District Town Planner(Hq)JS
For: Director, Town and Country Planning,
Haryana, Chandigarh.
N. Chamal

Divisional Forest Officer
Gurgaon Forest Division
GURUGRAM

TO BE READ LICENCE NO. 14 OF 2004

Detail of land owned by M/s. Alankar Apartments Pvt Ltd Village Nathupur District Gurgaon.

Village	Khasra No.	Area B B B	Share	Area taken B B B
Nathupur	577	7-3		
	578	7-2		
	579	0-3		
	580	0-2		
	582	5-5		
	583	0-5		
	584	0-13		
	585	0-4		
	586	5-10		
	587	1-12		
	588	1-15		
	589	0-6		
	433	0-9		
	435	0-9		
	448	2-6		
	449	0-5		
450	1-0			
526	9-1			
		43-10		43-10 OR 27-19 Acs

less
Town and Country Planning
Haryana, Chandigarh
Chaitan

Ray
Division
Gurgaon Forest Dept.
GURUGRAM

Form LC-V
(See Rule 12)

HARYANA GOVERNMENT
TOWN AND COUNTRY PLANNING DEPARTMENT

Licence No. 19 of 1993.

1. This Licence has been granted under the Haryana Development and Regulation of Urban Areas Act, 1975 and the Rules made thereunder to M/S H.L.F. Enterprises Pvt. Ltd. 16-B Community Centre, Basant Lok, Vasant Vihar, New Delhi Colony for setting up of a residential Group Housing colony at Village Nathupur Tehsil & District Gurgaon.

2. The particulars of land wherein the aforesaid colony is to be set up are given in the schedule annexed hereto and duly signed by the Director, Town & Country Planning, Haryana.

The Licence is granted ^{subject} to the conditions :-

- That the colony is laid out to conform to the approved layout plan and development works are executed according to the designs and specifications shown in the approved plan accompanying this licence.
- That the conditions of the agreements already executed are duly fulfilled and the provisions of Haryana Development and Regulation of Urban Areas Act, 1975 and Rules made there under are duly complied with.
- That the demarcation plan of the colony area is submitted before starting the development works in the colony and for approval of the zoning plan.

This licence is valid upto 8th July 1993.

BHASKAR CHATTERJEE
Director, Town & Country Planning,
Haryana, Chandigarh.

Divisional Forest Officer
Gurgaon Forest Division
GURUGRAM

9-7-1993

Sl. No. SDP.93/9/46

Dated: - 15-7-93

A copy alongwith a copy of schedule of land is forwarded to following for information and necessary actions:-

- M/S H.L.F. Enterprises Pvt. Ltd, 16-B Community Centre, Basant Lok, Vasant Vihar, New Delhi.
- Chief Administrator, HUDA, Manimajra, U.T. Chandigarh.
- Addl. Director, Urban Estate, Haryana, Manimajra, U.T. Chandigarh.
- Chief Engineer, HUDA, Manimajra, U.T. Chandigarh.
- Land Acquisition Officer, Gurgaon.
- Senior Town Planner, Enforcement, Panchkula.
- District Town Planner, Gurgaon.
- Accounts Officer, U/O D.T.C.P. Haryana, Chandigarh.

Ambience Developers & Infrastructure Pvt. Ltd.

135
AMBII
 the n

229.7
 17-9-15

Dated: 14.0

To,

The Principal Secretary,
 Government of Haryana,
 Forest Department, Haryana,
 Chandigarh.

CFFD
 18/9

Sub. : Request for not to charge penalty in our request for diversion of 4486 sq.mtr. of forest land for internal road/services to Integrated Township – Ambience Island, NH-8, Gurgaon, Haryana being developed on 132.06 acres of licenced land owned by Ambience Developers & Infrastructure Pvt. Ltd. and other Ambience Group Companies.

Respected Sir,

with reference to the subject, it is submitted that the applicant company M/s Ambience Developers & Infrastructure Pvt. Ltd. and Ambience Group Companies are the owner of 132.065 acres of land at Ambience Island, NH-8, Gurgaon, Haryana. The land is registered in the name of the applicant company and Ambience Group companies. Also the office of the Director General, Town & Country Planning Haryana, Chandigarh has issued the licences for the development of residential and commercial colonies.

It has been stated that 4486 sq.mtr. of area which falls within 24-25 on left side of NH-8 (near Delhi Gurgaon Border) and passes through Ambience Island is the area of protected forest/bund area. It is relevant to add that the forest land or vacant land can be notified as forest land if the Govt. has proprietary rights. However, as submitted hereinabove, the applicant company and the group companies are the registered owner of the land stated to be forest land/ bund area. However, at the advice of senior officials of your esteemed deptt. we have approached the Dy. Conservator of Forest, Forest Deptt., Gurgaon for the diversion of this forest land admeasuring 4486 sq.mtrs.

As submitted hereinabove, Ambience Developers & Infrastructure Pvt. Ltd. and the Ambience Group Companies are the registered owner of all the 132.065 acres of land including 4486 sq.mtrs. of land stated to be forest/bund land, we humbly request your esteemed office to kindly not to charge any penalty while allowing diversion of said 4486 sq.mtr. of land.

We hope your esteemed office would find the above in order and sympathetically consider our request. However, in case your esteemed office requires any further information/details/documents, in this regard kindly let us know for compliance.

Thanking you,

Yours faithfully

For Ambience Developers & Infrastructure Pvt. Ltd.

(Vinod Garg)
 Authorised Signatory

Divisional Officer
 Gurgaon Forest Division
 GURGAON

Ambience Developers & Infrastructure Pvt. Ltd.



Date: 16.05.2016

To,

The Principal Secretary,
Govt. of Haryana,
Deptt. of Forest
Chandigarh.

Sub: Request for Diversion of 4486 sq.mtr. of forest land for internal road / services to Integrated Township – Ambience Island, NH-8, Gurgaon.

Ref.: Our letter dated 14.09.2015 (copy enclosed).

Respected Sir,

Vide our letter dated 14.09.2015 we have requested the government to allow us to divert 4486 sq.mtr. of land inspite of the fact that we own the said 4486 sq.mt. of land keeping in view to resolve the controversy amicably. During the course of proceedings in response to our said letter dated 14.09.2015, PCCF, Haryana, Panchkula was kind enough to issue the letter bearing no. NT/D-III-6381/4344 dated 10.0.2015 wherein it was stated that the said land measuring 4486 sq.mtr. owned by Ambience Group of Companies comprising in Khasra No. 526, 533, 534, 535 and 536 in respect which the proposal for the diversion was submitted is not the part of Nathupur Secunderpur Bandh. In the same letter the office of Principal Chief Conservator of Forests (PCCF), Haryana, issued the directions to DFO, Gurgaon to withdraw the prosecution case no. 7G/08-09 with the permission of Hon'ble Court. But after issuance of above mentioned letter by PCCF, Haryana Panchkula, DFO Gurgaon has raised some objections on it and the issue got prolonged and thus not only our request to allow diversion of land but also withdrawal of abovesaid case got considerably delayed.

However, in furtherance to the policy of the company to resolve the controversy specially with Government Department amicably without resorting to confrontation/litigation, we again humbly request you to process our request for diversion of our said 4486 sq.mtr. of land claimed by the Deptt. as forest land for development of internal roads, services and other development of the integrated township on 132.06 acres of land in terms of licences granted by the Director General, Town & Country Planning (DGTCP), Haryana, Chandigarh. It is pertinent to submit that the said land of 4486 sq.mtr. is :-

- i) Completely owned by us since years and is duly registered and mutated in our name. Copy of sale deed and mutation is enclosed herewith for your kind perusal and record.
- ii) Not and has never been owned by the Government.
- iii) No plantation of whatsoever nature has ever been done thereon and at present also there is no forest or plantation thereon.
- iv) Duly licenced by the DGTCP, Haryana, Chandigarh after considering and verify our ownership to the land.
- v) It is in the middle of the integrated township and diversion is required for development of roads, services and other amenities for public use.

It is further submitted that the Company shall pay the compensation against the challan filed by the Forest Department before the Environment Court, Faridabad, and for that the Government of Haryana may kindly take a decision to withdraw the ongoing case no. 7G/08-09 in the Special Environment Court, Faridabad. The Company on its part shall withdraw CRM No. 34200 of 2012 pending adjudication before the Hon'ble Punjab and Haryana High Court, Chandigarh after that which will facilitate the end of litigation with Forest Department.

Patwari
19/5/16

341-g
23/5/2016

Divisional
Gurgaon Forest Division
GURGAON
Cont....2/

:: 2 ::

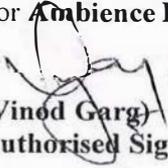
It is also relevant to submit that the M/s Sara Estate Pvt. Ltd. and M/s Alankar Apartments Pvt. Ltd. group companies of Ambience, have also applied for issuing of clarification of the Forest Department in respect of its land comprising in Khasra Nos. 536, 537, 538, 541, 543, 544, 562, 563 and 564 total measuring 14 Bigha 5 Biswa and 2/3rd share in Khasra No. 539, 540, 542, 545, 546, 561 total measuring 4 Bigha 19 Biswa and 7 Biswansi and Khasra no. 448, 449, 526 total measuring 11 Bigha and 12 Biswa, in the revenue estate of Village Nathupur, Tehsil & District Gurgaon, Haryana. It may please be noted that any of the above mentioned Khasra Nos. are not claimed to be the part of Nathupur Sikanderpur Bandh in damage report and challan filed by the forest deptt. in the Environment Court, Faridabad as well as in the written statement filed by the DFO, Gurgaon in CRM No. 34200 of 2012, before the Hon'ble Punjab & Haryana High Court Chandigarh. It is however, pertinent to note that Khasra No. 531, 533, 535 are claimed as part of Nathupur Secunderpur Bandh according to the version of Shri Harish Walia, DFO, Gurgaon in his written statement and also in the submission by DFO, Gurgaon in response to the letter no. 4344 dated 16.10.2015 against which representation was submitted on behalf of the company in your esteemed office.

In the light of above, it is also requested that the necessary directions may kindly be issued to DFO, Gurgaon for issuance of the clarifications as sought for as the same is sine qua non for the settlement of all the disputes with the department.

Thanking you,

Yours faithfully,

For **Ambience Developers & Infrastructure Pvt. Ltd.**


(Vinod Garg)
Authorised Signatory

- Encls.: 1) Letter dated 14.09.2015
2) Copy of sale deed
3) Copy of mutation
4) Copy latest Girdawari & Jamabandi
5) Copy of licences issued by DGTCP, Haryana, Chandigarh
6) Damage Report No. 29065/291 dated 14.05.2008
7) Written Statement of the DFO, Gurgaon in CRM No. 34200/2012
8) Copy of Challan issued by Environment Court, Faridabad

Copy To:

- 1) The Office of PCCF, Haryana, Panchkula
- 2) The Conservator of Forests, Gurgaon,
- 3) Deputy Conservator of Forests, Gurgaon


Divisional Forest Officer
Gurgaon Forest Division
GURUGRAM

Ambience Developers & Infrastructure Pvt. Ltd.



Dated: 14.09.2015

To,

The Principal Secretary,
Government of Haryana,
Forest Department, Haryana,
Chandigarh.

Sub. : Request for not to charge penalty in our request for diversion of 4486 sq.mtr. of forest land for internal road/services to Integrated Township – Ambience Island, NH-8, Gurgaon, Haryana being developed on 132.06 acres of licenced land owned by Ambience Developers & Infrastructure Pvt. Ltd. and other Ambience Group Companies.

Respected Sir,

With reference to the subject, it is submitted that the applicant company M/s Ambience Developers & Infrastructure Pvt. Ltd. and Ambience Group Companies are the owner of 132.065 acres of land at Ambience Island, NH-8, Gurgaon, Haryana. The land is registered in the name of the applicant company and Ambience Group companies. Also the office of the Director General, Town & Country Planning Haryana, Chandigarh has issued the licences for the development of residential and commercial colonies.

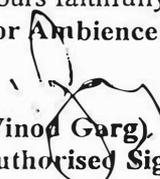
It has been stated that 4486 sq.mtr. of area which falls within 24-25 on left side of NH-8 (near Delhi Gurgaon Border) and passes through Ambience Island is the area of protected forest/bund area. It is relevant to add that the forest land or vacant land can be notified as forest land if the Govt. has proprietary rights. However, as submitted hereinabove, the applicant company and the group companies are the registered owner of the land stated to be forest land/ bund area. However, at the advice of senior officials of your esteemed deptt. we have approached the Dy. Conservator of Forest, Forest Deptt., Gurgaon for the diversion of this forest land admeasuring 4486 sq.mtrs.

As submitted hereinabove, Ambience Developers & Infrastructure Pvt. Ltd. and the Ambience Group Companies are the registered owner of all the 132.065 acres of land including 4486 sq.mtrs. of land stated to be forest/bund land, we humbly request your esteemed office to kindly not to charge any penalty while allowing diversion of said 4486 sq.mtr. of land.

We hope your esteemed office would find the above in order and sympathetically consider our request. However, in case your esteemed office requires any further information/details/documents, in this regard kindly let us know for compliance.

Thanking you,

Yours faithfully
For Ambience Developers & Infrastructure Pvt. Ltd.


(Vinod Garg)
Authorised Signatory


Divisional Forest Officer
Gurgaon Forest Division
GURUGRAM

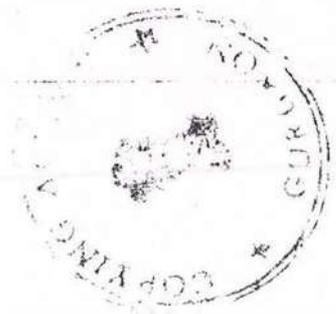
ANNEXURE - A - 6

8-0861 - PIRI VESICIC 2014

3	1-9-08 3-12	✓	1000	5/25
59	1-53 2-2	✓	1000	3/58
60	26-55 1-1	✓	3000	1/66
62	51-85 1-2	✓	2000	
77	4-37 2-2	✓	2000	
82	0-20-3 4-1	✓	2000	
84	9-85 3-15	✓	2000	
92	3-79 0-3	✓	2000	
143	89-80 5-11	✓	2000	
145	4-85 0-7	✓	2000	
151	9-2-33 4-3	✓	2000	

2 photo

14/11/2014 14/11/2014 14/11/2014



ATTESTED
21-12-15

पटवारी कार्यालयी फार्म नं० 10

जमाबन्दी गांव

गाव/डंड

तहसील

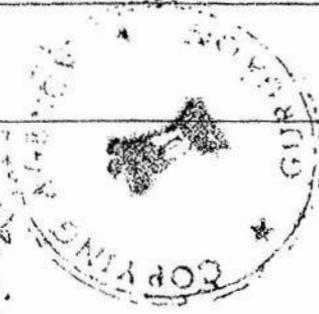
जिला

Dist

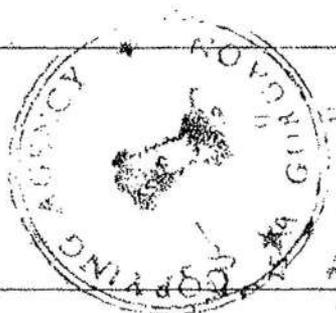
साल

1980-81

1	2	3	4	5	6	7	8	9	10	11	12	
खेत या जमाबन्दी नंबर	खेत नंबर	नाम तरफ या पत्नी और जमा सहित नंबरदार का नाम	विवरण सहित मासिक का नाम	विवरण सहित कायदाकार का नाम	कौ, या सिवाक अथ	नंबर खसरा या नकल	अथ कौ या नंबर	र और सहा अथ अथ	विस्त या कौ या अथ	माय और सहा अथ अथ	सहित माय	अभिव्यक्ति
129 गाव	355 गाव	राम ब	राम राम	राम राम	कौ, या सिवाक अथ	164	10-3 6-8	र और सहा अथ अथ गाव या मुद्रा या अथ अथ	विस्त या कौ या अथ	माय और सहा अथ अथ		अभिव्यक्ति
		राम राम	राम राम	राम राम		161	6-9	र और सहा अथ अथ	विस्त या कौ या अथ	माय और सहा अथ अथ		
		राम राम	राम राम	राम राम		178	6-9	र और सहा अथ अथ	विस्त या कौ या अथ	माय और सहा अथ अथ		



201	4-5 6-32 ✓ 9-2 5-22 ✓ 11-2 6-21 ✓	210	2-2 5-5 ✓ 4-2 5-21 ✓	311	1-16 7-35 ✓ 4-12 11-11 ✓ 9-2 11-11 ✓	352	1-16 7-35 ✓ 4-12 11-11 ✓ 9-2 11-11 ✓	359	2-15 4-17 ✓ 9-2 11-11 ✓	379	1-17 11-11 ✓ 9-2 11-11 ✓	380	1-17 11-11 ✓ 9-2 11-11 ✓	386	1-17 11-11 ✓ 9-2 11-11 ✓	386	1-17 11-11 ✓ 9-2 11-11 ✓
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ATTEST:
EXAMINER

(10696-MOP)-230-DLR-Item No. 1-H.G.T.B. Press, Panchajanya

जमावन्दी गांव

गांधीपुर

तहसील

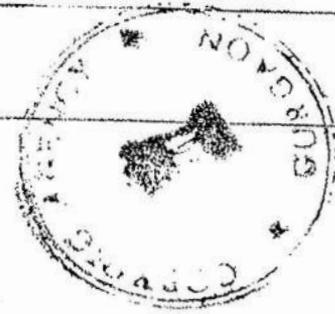
जिला

Meerut

साल

1980-81

1	2	3	4	5	6	7	8	9	10	11	12
		नाम तरफ या पत्नी और जमा महिला संख्या का नाम	विवरण सहित मालिक का नाम	विवरण सहित काश्तकार का नाम	किसी भी प्रकार का किराया	बंद कर और मसुदा का खर्च का मास	बंद कर और मसुदा का खर्च का मास	बंद कर और मसुदा का खर्च का मास	किराया का प्रकीर्ण का मास	बंद कर और मसुदा का खर्च का मास	
124	358	बनारस राम प्रसिदा	बनारस राम प्रसिदा	बनारस राम प्रसिदा		388	1-1-80	1000-000			
		महेश प्रसाद	महेश प्रसाद	महेश प्रसाद		390	1-1-80	1000-000			
		महेश प्रसाद	महेश प्रसाद	महेश प्रसाद		433	1-1-80	1000-000			
		महेश प्रसाद	महेश प्रसाद	महेश प्रसाद		435	1-1-80	1000-000			
		महेश प्रसाद	महेश प्रसाद	महेश प्रसाद		474	1-1-80	1000-000			



✓
521 5-15-35-37

~~11/11~~
~~4-8-35-23~~
~~10-11-35-11~~
~~1-7~~

✓
522 4-35-14
6-12

~~11/11~~
~~11/11~~

✓
523 1-35-3
5-7

~~11/11~~
~~11/11~~

✓
525 8-79
14-8
3-11

~~11/11~~
~~11/11~~

✓
526 3-66
1-9

~~11/11~~
~~11/11~~

✓
528 1-9-86
11-11

~~11/11~~
~~11/11~~



9-12-11
11/11

पटवारी कानूनशा काय नं 0 10

जमाबन्दी गांव

तहसील

जिला

साल

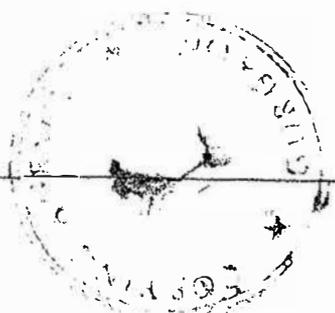
नाथूर

Patel

1900-8

1	2	3	4	5	6	7	8	9	10	11	12
खेती या जमाबन्दी नंबर	खेती नंबर	नाम तरफ या पत्नी और जमा सहित नम्बरदार का नाम	विवरण सहित मालिक का नाम	विवरण सहित काश्तकार का नाम	कृ. या विचार्ज. अथवा साधन का नाम	नंबर खसत या मूल्य और कीचड़ का मूल्य	रकबा और तिसरा कुम्हा	रकबा और तिसरा कुम्हा का मूल्य का मूल्य का अंश	हिसा या विकतदार का मूल्य और साठ का अंश	माल और तिसरा कुम्हा सहित मूल्य	प्रतिमुक्ति
629	35	रामा देवी	रामा देवी	रामा देवी	कृ. या विचार्ज. अथवा साधन का नाम	629	1-78-35	रामा देवी का मूल्य का अंश	हिसा या विकतदार का मूल्य और साठ का अंश	माल और तिसरा कुम्हा सहित मूल्य	प्रतिमुक्ति
535	35	रामा देवी	रामा देवी	रामा देवी	कृ. या विचार्ज. अथवा साधन का नाम	535	1-75-78	रामा देवी का मूल्य का अंश	हिसा या विकतदार का मूल्य और साठ का अंश	माल और तिसरा कुम्हा सहित मूल्य	प्रतिमुक्ति
535	35	रामा देवी	रामा देवी	रामा देवी	कृ. या विचार्ज. अथवा साधन का नाम	535	1-75-5	रामा देवी का मूल्य का अंश	हिसा या विकतदार का मूल्य और साठ का अंश	माल और तिसरा कुम्हा सहित मूल्य	प्रतिमुक्ति
535	35	रामा देवी	रामा देवी	रामा देवी	कृ. या विचार्ज. अथवा साधन का नाम	535	1-75-5	रामा देवी का मूल्य का अंश	हिसा या विकतदार का मूल्य और साठ का अंश	माल और तिसरा कुम्हा सहित मूल्य	प्रतिमुक्ति
535	35	रामा देवी	रामा देवी	रामा देवी	कृ. या विचार्ज. अथवा साधन का नाम	535	1-75-5	रामा देवी का मूल्य का अंश	हिसा या विकतदार का मूल्य और साठ का अंश	माल और तिसरा कुम्हा सहित मूल्य	प्रतिमुक्ति

530



जमावन्दी गांव

मण्डल

तहसील

जिला

Patna

साल

1980-81

1	2	3	4	5	6	7	8	9	10	11	12
		नाम तरह या पत्नी और जमा मजिद नम्बरदार का नाम	विवरण महित मालिक का नाम	विवरण महित काश्तकार का नाम	किसी भी प्रकार का अर्थ	कर योग्य या मजिद	कर योग्य क्षेत्र का क्षेत्र नाम				
129	858	श्रीमान राम प्रसाद झा	श्रीमान राम प्रसाद झा			712	748 2-5	54 3/4			
		श्रीमान राम प्रसाद झा	श्रीमान राम प्रसाद झा			720	6-5	53-38			
		श्रीमान राम प्रसाद झा	श्रीमान राम प्रसाद झा			555	6-1	61-79			
		श्रीमान राम प्रसाद झा	श्रीमान राम प्रसाद झा			444	2-3	54-1			
		श्रीमान राम प्रसाद झा	श्रीमान राम प्रसाद झा			524	2-3	54-1			
		श्रीमान राम प्रसाद झा	श्रीमान राम प्रसाद झा			524	2-3	54-1			

DETAILS OF TOTAL 22.98 ACRES OF LAND

Khasra no.	Licence No.19 of 1993 dated 08.07.1993 for the development of group housing colony on 10.98 acres of land			Licence No.8 of 2001 dated 16.10.2001 for the development of commercial colony on 8 acres of land			Total 18.98 acres			Licence No.12 of 2002 dated 05.06.2002 for the development of Hotel, Recreational & Entertainment Complex on 4 acres of land			Total 22.98 acres		
	Bigha	Biswa	Biswansi	Bigha	Biswa	Biswansi	Bigha	Biswa	Biswansi	Bigha	Biswa	Biswansi	Bigha	Biswa	Biswansi
2/2/1	0	8	11				0	8	11				0	08	1
3	0	12	0				0	12	0	3	0	0	3	12	0
527				0	5	0	0	5	0				0	05	0
528				7	11	0	7	11	0				7	11	0
529	1	16	0	1	17	0	3	13	0	3	8	0	7	01	0
530	0	4	0	0	12	0	0	16	0				0	16	0
531	5	8	0	2	10	0	7	18	0				7	18	0
532	0	8	0				0	8	0				0	08	0
533	0	2	0				0	2	0				0	02	0
534	6	18	0	0	1	0	6	19	0				6	19	0
535	1	15	0				1	15	0				1	15	0
Total	17	11	11	12	16	0	30	7	11	6	8	0	36	15	1
Total (in Acre)	10.98 acres			8 acres			18.98 acres			4 acres			22.98 acres		

ANNEXURE-A-6

For Private Use
Certified to be true copy
Incharge,
Central Copying Agency
(Authorized u/s 76 of Indian Evidence Act, 1872)
High Court of Pb. & Hr., Chandigarh.

CRM-M_34200_2012_PAPER_BOOK 01-Feb-2020 at 11:57

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM No. 34200 of 2012

Raj Singh Gehlot s/o Late Shri Nihal SinghPetitioner

Versus

State of Haryana and others.Respondents

Submission of notification of section 30 under Indian Forest Act, 1927 issued by Govt. of Haryana On dated 22.11.1985.

As per directions issued by Hon'ble High Court of Punjab and Haryana on dated 06.08.2015 a true typed copy of Notification No. S.O.113/C.A.16/27/S.30/85 dated 22.11.1985 under section 30 of Indian Forest Act, 1927 is annexed as annexure R-1.

Dated : 4-09-2015
Place: Gurgaon

Respondent
Divisional Forest Officer,
Gurgaon.

No.28/Rks/Complaint

Date:30-01-2020

From,

Rajinder Krishan Sharma IFS (Retd),
B-45, Surya Vihar, Opp Sector-4, Gurgaon,
Haryana

To,

Shri Manohar Lal Khattar,
Hon. Chief Minister,
Haryana

Subject: Regarding illegal withdrawal of Prosecution case No. 7G/08-09 filed in the Hon. Environment Court, Faridabad for damage report (DR) No. 29065 dated 14-05-2008 issued against Mr. Raj Singh Gehlot.

Reference: ACS Forest letter no. 4846 FT-5-2015-4852 dated 31-03-17 and PCCF Office letter no. NT/D-III-6381/4344 dated 16-10-15 and PCCF Office letter no. Admn-D-III-6381/6164 dated 19-01-16.

Dear Sir,

Hoping to find you in the best of your health and spirits I Rajinder Krishan Sharma IFS (Retd), take this opportunity to write to you and to bring to your kind notice an issue of great environmental importance connected with the Forest Department of Haryana. The main issues involved are as under.

1. That Nathupur Village is situated in the Arravalli Belt of Gurgaon Dist. of Haryana and is prone to heavy floods during the rainy season. To cope with the heavy floods through Nathupur Drain emanating from hills, the Govt. of Haryana had constructed a flood protection Bundh in the name of Nathupur Bundh more than 50 years ago across the Nathupur Drain covering Nathupur Sikanderpur Lands up to Delhi Border.
2. That the Govt. of Haryana declared this Nathupur Bundh as a notified protected forest, notified vide Govt. of Haryana notification no. S.O 251/C.A.16/27/S.29/81 dated 02-12-1981 so as to raise forest plantations on this bundh and provide full protection against floods by invoking powers of

the Indian Forest Act 1927 under Chapter IV of the Act by declaring as protected forest. Provisions of Indian Forest Act and the Forests Conservation Act 1980 are applicable to this area whereby diversion of this forest land for non forestry purposes is prohibited.

3. That the damage report bearing no. 29065 dated 14-05-2008 was issued against Mr. Raj Singh Gehlot of Gurgaon for violating the provisions of Indian Forest Act 1927.
4. That the Prosecution Case no. 7G/0809 was filed against him as per provision of Indian Forest Act 1927 and other Act. That the special environment court Faridabad initiated criminal proceedings against the accused person as per process of law.
5. That Mr. Raj Singh Gehlot filed a CRM no. 34200 of 2012 in the High Court for getting criminal proceedings against him initiated by Special Environment Court Faridabad quashed. The Govt. of Haryana dully responded against this and filed return statement through Divisional Forest Officer Gurgaon and represented by Advocate General Haryana.
6. That the proceedings against the accused in the High Court of Punjab and Haryana through CRM no. 34200 of 2012 were proving detrimental to the interest of the accused as per proceedings.
7. That in the meantime the accused Mr. Raj Singh Gehlot, submitted a regular proposal to the forest department of Haryana for regularization of the violations reported against him vide damage report no. 29065 dated 14-05-2008 and prosecution case no. 7G/0809 of Special Environment Court Faridabad that this proposal bearing no. FR/HR/Others/13983/2015 submitted by Shri Raj Singh Gehlot was dully processed through the DFO Gurgaon and submitted to PCCF Haryana for onward submission to Govt. of India for approval as per section 2 of the Forest Conservation Act 1980.
8. That in the meantime the political equations changed to the favour of the accused Raj Singh Gehlot through the Forest Minister of Haryana.
9. That the accused person through his company representative filed a representation on behalf of M/S Ambience Developer and Infrastructure Pvt. Ltd was submitted to Principal Secretary Forests Haryana. This representation was forwarded to PCCF Haryana vide PS Forest and wildlife letter no. 2797 dated 17-09-15.
10. That principal Chief Conservator of Forest Haryana in the name of Sh. SS Jattan, IFS, decided this representation vide his office letter no. NT/D-III-6381 dated 4344 dated 16-10-15 and addressed to Divisional Forest Officer Gurgaon directing there in that the damage report (DR) no. 29065 dated 14-05-08 against Mr. Raj Singh Gehlot is here by cancelled and the DFO Territorial Gurgaon was directed to withdraw the prosecution case no.

7G/0809 with the permission of the Environment Court Faridabad. The PCCF Haryana also cancelled the FCA case no. FR/HR/others/13983/2015 submitted by M/S Ambience Developer and Infrastructure Pvt. Ltd on the ground that no forest land was involved.

11. That aggrieved by this above order of PCCF Haryana, the Divisional Forest Officer Gurgaon vide her letter dated 13-11-15 represented to CF South Circle Gurgaon and CCF Gurgaon for appropriate action in this matter against the illegality involved in the facts submitted by the accused company and decision taken by PCCF Haryana and rectification of the same.
12. That the Govt. of Haryana through Principal Secretary to Govt. of Haryana Forest Department vide there memo no. 4346-FT-1-2015/649 dated 15-01-16 conveyed the following bold and genuine decision to the Principal Chief Conservator of Forest Haryana.

With reference to your U.O. No. PS/PCCF/291 dated 05-01-15 regarding withdrawal of prosecution case No. 7G/008-09 filed in the Environment Court Faridabad, the Government has decided that letter no. NT/D-III-6381/4344 dated 16-10-15 issued by Dr. S.S Jattan, the then PCCF, Haryana be withdrawn as the same being illegal, irregular and based on insufficient facts. Therefore, you are requested to issue the order of withdrawal of the said letter and apprise the office of the Advocate General, Haryana and the Hon. High Court about the decision with regard to CRM no. 34200 of 2012 in the matter of Raj Singh Gehlot vs. State of Haryana and Ors. You are further requested to revive the proposal submitted by M/S Ambience Developer and Infrastructure Pvt. Ltd for diversion of forest land for non-forestry use under the Forest (Conservation) Act, 1980 in Gurgaon Forest Division.

13. That in compliance with above orders of the Govt. the PCCF Haryana vide her office letter no. Admn/D-III-6381/6164 dated 19-01-16 issued the withdrawal of office letter no. NT/D-III-6381-4344 dated 16-10-15 accordingly. This way the accused were liable to legal action in this matter as per process of law.
14. That the accused persons were offended by the decision of the Govt. and mounted strong pressure on the Govt. for the withdrawal of the case from the environment court to avoid strictures and adverse decision from the Punjab and Haryana High Court.
15. That the Govt. of Haryana Buckled under pressure of the accused, decided vide Additional Chief Secretary, Forest Department letter no. 4346-FT-5-2015/4852 dated 31-03-17 that the letter no. NT/D-III-6381/4344 dated 16-

10-2015 be restored and letter no. Admn-D-III-6381/6164 dated 19-01-16 be withdrawn. Also that Hon. High Court of Punjab and Haryana be informed that the Forest Department would not like to continue with the proceedings in CRM no. 34200 of 2012.

16. That the PCCF Haryana, in compliance with the above orders of the Govt. vide his order no. NT/D-III-6381/81 dated 12-04-17 ordered as under.
 - (i) Letter No. NT/D-III-6381/4344 dated 16-10-2015 is restored and letter no. Admn-D-III-6381/6164 dated 19-01-16 is withdrawn.
 - (ii) DFO, Gurugram is directed to issue appropriate orders in the case of M/s Alankar Apartments Pvt. Ltd. and M/s Sara Estate Pvt. Ltd. as these two cases were linked by DFO with decision of this issue.

That this case was subsequently withdrawn by the Divisional Prosecutor, Gurugram Forest Division from the Special Environment Court at the instance of the Deputy Conservator of Forests Gurugram and the case was dismissed as withdrawn by the Special Environment Court Faridabad vide its orders dated 23-05-17 accordingly.

17. That the Govt. of Haryana decisions to order withdrawal of the case against Mr. Raj Singh Gehlot from Special Environment Court Faridabad is not commensurate with legal merit and facts of this case and of the Govt. of Haryana's own orders no. 4346-FT-1-2015/649 dated 15-01-16 cited at Para no. 12 above. This order of the Govt. of Haryana is totally illegal, irregular and based on unsubstantiated facts and is based on extraneous considerations other than legal or administrative. That the accused persons are very powerful and resourceful business entity having considerably high political and financial stakes. That the accused persons have violated the environmental obligations ruthlessly without fear of law and the law enforcement agencies.
18. That the Govt. of Haryana had similarly ordered the withdrawal of the case/complaint no.508/9 and 509 titled DFO Mewat V/s Awtar Singh pending in the special Environment Court Faridabad vide this order no. 1785-FT-1-2013/8195 dated 23-05-13 conveyed through additional Chief Secretary Govt. of Haryana Forest Department to PCCF Haryana against Awtar singh Badana MP.
19. That the Govt. of Haryana had also similarly ordered withdrawal of criminal case against Mr. KP Singh, Owner of DLF limited and Sanjay Mahra Manager DLF Limited in a case registered by damage report no. 20912/210 dated 27-09-2007 under Gurgaon Forest Division in case titled DFO V/s KP Singh and Sanjay Mehra which was pending adjudication before the Special Environment Court Faridabad. DFO Gurgaon requested the withdrawal of

criminal case against Mr. KP Singh under extraneous considerations without any legal merit whatsoever for considerations other than legal or administrative. DLF limited is a powerful and resourceful business entity has indulge in ruthless and reckless violation of environmental obligations the environment court dismissed the case against this powerful business entity as withdrawn by DFO Gurgaon vide its orders dated 30-03-09.

20. That the applicant is a retired Indian Forest Service Officer and is settled in Gurgaon. Inspired by the Hon. Supreme Court of India's observations in Indian Council for enviro legal V/s Union of India and others SCC 1996 that voluntary organizations should com-forward to take up environment issues so that powerful and resourceful people don't get away with law, I have dared to write to you to take legal action against these accused entities in respect of the environmental violations committed by them against this society and restore the criminal cases against them and to allow the case to proceed as per process of law. That the accused persons have already admitted their fault of violating environmental obligations as recorded in the damage report issued again them. This has become a dangerous precedent with the political dispensations to give illegal benefits to violators of environmental obligations as part of financial impropriety and it must be stopped hence forth with in the interest of our future generations so that we can enjoy a neat and clean environment on sustainable basis.

I sincerely hope that the Govt. of Haryana under your leadership will not buckle under political and external pressure and will act strongly against all violators of environmental obligations by breaking the criminal nexus amongst the powerful and resourceful big businesses, bureaucrats and political entities in Haryana.

It is humbly submitted that the damage report no. DR. 29065 dated 14-05-08 issued again Mr. Raj Singh Gehlot is revived and the FCA case FR/HR/Others/13983/2015 submitted by M/s Ambience Developer and Infrastructure be revived as per process of law for regularizing the diversion of forest land for non forestry purposes in terms of offence recorded vide damage report no. 29065 dated 14-05-2008. That the offence against the accused stands established as per facts submitted by DFO Gurgaon to CRM. 24200 of 2012 with the High Court of Punjab and Haryana. The Govt. of Haryana letter no. 4346-FT-1-2015/649 dated 15-01-16 may be restored accordily.

Original record file of this case may please be summoned from the office of Additional Chief Secretary (Forests) Haryana/PCCF Haryana to arrive at fare decision.

Thanking you in anticipation.

Yours Faithfully,

Date:
Gurgaon
Ph. No. 9999239159

Rajinder Krishan Sharma IFS (Retd)
B-45, Surya Vihar, Opp Sector-4, Gurgaon
Haryana

----- Forwarded Message -----

From: "RAJINDER KRISHAN SHARMA" <rakrish53@yahoo.com>

To: "cm@hry.nic.in" <cm@hry.nic.in>

Sent: Fri, Dec 3, 2021 at 3:03 PM

Subject: Subject .Complaint

Please find attached the communication for your kind perusal and necessary action in public interest for the safeguard of our environment.

Thanking you sir.

Rajinder Krishan Sharma

Shared from WPS Office:

<https://kso.page.link/wps>

Sent from Yahoo Mail on Android

Show less



rajind....docx

No .28/Rks/Complaint/21 dated 04.12.21

From,

Rajinder Krishan Sharma IFS (Retd),
B-45, Surya Vihar, Opp Sector-4, Gurgaon,
Haryana

To,

Shri, Manohar lal Khattar,
Hon. Chief Minister,
Haryana

Subject: Regarding illegal withdrawal of Prosecution case No. 7G/08-09 filed in the Hon. Environment Court, Faridabad for damage report (DR) No. 29065 dated 14-05-2008 issued against Mr. Raj Singh Gehlot.

Reference: ACS Forest letter no. 4846 FT-5-2015-4852 dated 31-03-17 and PCCF Office letter no. NT/D-111-6381/4344 dated 16-10-15 and PCCF Office letter no. Admn-D-111-6381/6164 dated 19-01-16.

Dear Sir,

Hoping to find you in the best of your health and spirits I Rajinder Krishan Sharma IFS (Retd), take this opportunity to write to you and to bring to your kind notice an issue of great environmental importance connected with the Forest Department of Haryana. The main issues involved are as under.

1. That Nathupur Village is situated in the Aravalli Belt of Gurgaon Dist. of Haryana and is prone to heavy floods during the rainy reason. To cope with the heavy floods through Nathupur Drain emanating from hills, the Govt. of Haryana had constructed a flood protection Bundh in the name of Nathupur Bundh more than 50 years ago across the Nathupur Drain covering Nathupur Sikanderpur Lands up to Delhi Border.
2. That the Govt. of Haryana declared this Nathupur Bundh as a notified protected forest, notified vide Govt. of Haryana notification no. S.O 251/C.A.16/27/S.29/81 dated 02-12-1981 so as to raise forest plantations on this bundh and provide full protection against floods by invoking

powers of the Indian Forest Act 1927 under Chapter IV of the Act by declaring as protected forest. Provisions of Indian Forest Act and the Forests Conservation Act 1980 are applicable to this area whereby diversion of this forest land for non forestry purposes is prohibited.

3. That the damage report bearing no. 29065 dated 14-05-2008 was issued against Mr. Raj Singh Gehlot of Gurgaon for violating the provisions of Indian Forest Act 1927.
4. That the Prosecution Case no. 7G/0809 was filed against him as per provision of Indian Forest Act 1927 and other Act. That the special environment court Faridabad initiated criminal proceedings against the accused person as per process of law.
5. That Mr. Raj Singh Gehlot filed a CRM no. 34200 of 2012 in the High Court for getting criminal proceedings against him initiated by Special Environment Court Faridabad quashed. The Govt. of Haryana dully responded against this and filed return statement through Divisional Forest Officer Gurgaon and represented by Advocate General Haryana.
6. That the proceedings against the accused in the High Court of Punjab and Haryana through CRM no. 34200 of 2012 were proving detrimental to the interest of the accused as per proceedings.
7. That in the meantime the accused Mr. Raj Singh Gehlot, submitted a regular proposal to the forest department of Haryana for regularization of the violations reported against him vide damage report no. 29065 dated 14-05-2008 and prosecution case no. 7G/0809 of Special Environment Court Faridabad that this proposal bearing no. FR/HR/Others/13983/2015 submitted by Shri Raj Singh Gehlot was dully processed through the DFC) Gurgaon and submitted to PCCF Haryana for onward submission to Govt. of India for approval as per section 2 of the Forest Conservation Act 1980.
8. That in the meantime the political equations changed to the favour of the accused Raj Singh Gehlot through the Forest Minister of Haryana.
9. That the accused person through his company representative filed a representation on behalf of M/S Ambience Developer and Infrastructure Pvt. Ltd was submitted to Principal Secretary Forests Haryana. This

representation was forwarded to PCCF Haryana vide PS Forest and wildlife letter no. 2797 dated 17-09-15.

10. That principal Chief Conservator of Forest Haryana in the name of Sh. SS Jattan, IFS, decided this representation vide his office letter no. NT/D-III6381 dated 4344 dated 16-10-15 and addressed to Divisional Forest Officer Gurgaon directing there in that the damage report (DR) no. 29065 dated 1405-08 against Mr. Raj Singh Gehlot is hereby cancelled and the DFC) Territorial Gurgaon was directed to withdraw the prosecution case no. 7G/0809 with the permission of the Environment Court Faridabad. The PCCF Haryana also cancelled the FCA case no. FR/HR/0thers/13983/2015 submitted by M/S Ambience Developer and Infrastructure Pvt. Ltd on the ground that no forest land was involved.
11. That aggrieved by this above order of PCCF Haryana, the Divisional Forest Officer Gurgaon vide her letter dated 13-11-15 represented to CF South Circle Gurgaon and CCF Gurgaon for appropriate action in this matter against the illegality involved in the facts submitted by the accused company and decision taken by PCCF Haryana and rectification of the same.
12. That the Govt. of Haryana through Principal Secretary to Govt. of Haryana Forest Department vide there memo no. 4346*T-1-2015/649 dated 15-01-16 conveyed the following bold and genuine decision to the Principal Chief Conservator of Forest Haryana.

With reference to your U.O. No. PS/PCCF/291 dated 05-01-15 regarding withdrawal of prosecution case No. 7G/008-09 filed in the Environment Court Faridabad, the Government has decided that letter no. NT {D-III6381/4344 dated 16-10-15 issued by Dr. S.S Jattan, the then PCCF, Haryana be withdrawn as the same being illegal, irregular and based on insufficient facts. Therefore, you are requested to issue the order of withdrawal of the said letter and apprise the office of the Advocate General, Haryana and the Hon. High Court about the decision with regard to CRM no. 34200 of 2012 in the matter of Raj Singh Gehlot vs. State of Haryana and Ors. You are further requested to revive the proposal submitted by M/S Ambience Developer and Infrastructure Pvt. Ltd for diversion

of forest land for non-forestry use under the Forest (Conservation) Act, 1980 in Gurgaon Forest Division.

13. That in compliance with above orders of the Govt. the PCCF Haryana vide her office letter no. Admin/D-III-6381/6164 dated 19-01-16 issued the withdrawal of office letter no. NT/D-III-6381-4344 dated 16-10-15 accordingly. This way the accused were liable to legal action in this matter as per process of law.
14. That the accused persons were offended by the decision of the Govt. and mounted strong pressure on the Govt. for the withdrawal of the case from the environment court to avoid strictures and adverse decision from the Punjab and Haryana High Court.
15. That the Govt. of Haryana Buckled under pressure of the accused, decided vide Additional Chief Secretary, Forest Department letter no. 4346-FT-52015/4852 dated 31-03-17 that the letter no. NT/D-111-6381/4344 dated 16-10-2015 be restored and letter no. Admn-D-III-6381/6164 dated 19-01-16 be withdrawn. Also that Hon. High Court of Punjab and Haryana be informed that the Forest Department would not like to continue with the proceedings in CRM no. 34200 of 2012.
16. That the PCCF Haryana, in compliance with the above orders of the Govt. vide his order no. NT/D-III-6381/81 dated 12-04-17 ordered as under.
 - (i) Letter No. NT/D-111-6381/4344 dated 16-10-2015 is restored and letter no. Admn-D-III-6381/6164 dated 19-01-16 is withdrawn.
 - (ii) DFO, Gurugram is directed to issue appropriate orders in the case of M/S Alankar Apartments Pvt. Ltd. and M/S Sara Estate Pvt. Ltd. as these two cases were linked by DFO with decision of this issue.

That this case was subsequently withdrawn by the Divisional Prosecutor, Gurugram Forest Division from the Special Environment Court at the instance of the Deputy Conservator of Forests Gurugram and the case was dismissed as withdrawn by the Special Environment Court Faridabad vide its orders dated 23-05-17 accordingly.

17. That the Govt. of Haryana decisions to order withdrawal of the case against Mr. Raj Singh Gehlot from Special Environment Court Faridabad is not commensurate with legal merit and facts of this case and of the Govt. of Haryana's own orders no. 4346-FT-1-2015/649 dated 15-01-16 cited at Para no. 12 above. This order of the Govt. of Haryana is totally illegal, irregular and based on unsubstantiated facts and is based on extraneous considerations other than legal or administrative. That the accused persons are very powerful

and resourceful business entity having considerably high political and financial stakes. That the accused persons have violated the environmental obligations ruthlessly without fear of law and the law enforcement agencies.

18. That the Govt. of Haryana had similarly ordered the withdrawal of the case/complaint no.508/9 and 509 titled DFO Mewat v/s Awtar Singh pending in the special Environment Court Faridabad vide this order no. 1785*T-1-2013/8195 dated 23-05-13 conveyed through additional Chief Secretary Govt. of Haryana Forest Department to PCCF Haryana against Awtar Singh Badana MP.
19. That the Govt. of Haryana had also similarly ordered withdrawal of criminal case against Mr. KP Singh, Owner of DLF limited and Sanjay Mahra Manager DLF Limited in a case registered by damage report no. 20912/210 dated 27-09-2007 under Gurgaon Forest Division in case titled DFO v/s KP Singh and Sanjay Mehra which was pending adjudication before the Special Environment Court Faridabad. DFO Gurgaon requested the withdrawal of criminal case against Mr. KP Singh under extraneous considerations without any legal merit whatsoever for considerations other than legal or administrative. DLF limited is a powerful and resourceful business entity has indulge in ruthless and reckless violation of environmental obligations the environment court dismissed the case against this powerful business entity as withdrawn by DFO Gurgaon vide its orders dated 30-03-09.
20. That the applicant is a retired Indian Forest Service Officer and is settled in Gurgaon. Inspired by the Hon. Supreme Court of India's observations in Indian Council for enviro legal v/s Union of India and others SCC 1996 that voluntary organizations should com-forward to take up environment issues so that powerful and resourceful people don't get away with law, I have dared to write to you to take legal action against these accused entities in respect of the environmental violations committed by them against this society and restore the criminal cases against them and to allow the case to proceed as per process of law. That the accused persons have already admitted their fault of violating environmental obligations as recorded in the damage report issued again them. This has become a dangerous precedent with the political dispensations to give illegal benefits to violators of environmental obligations as part of financial impropriety and it must be stopped hence forth with in the interest of our future generations so that we can enjoy a neat and clean environment on sustainable basis.
I sincerely hope that the Govt. of Haryana under your leadership will not buckle under political and external pressure and will act strongly against all violators of environmental obligations by breaking the criminal nexus

amongst the powerful and resourceful big businesses, bureaucrats and political entities in Haryana.

It is humbly submitted that the damage report no. DR. 29065 dated 14-0508 issued against Mr. Raj Singh Gehlot is revived and the FCA case FR/HR/Others/13983/2015 submitted by M/S Ambience Developer and Infrastructure be revived as per process of law for regularizing the diversion of forest land for non forestry purposes in terms of offence recorded vide damage report no. 29065 dated 14-05-2008. That the offence against the accused stands established as per facts submitted by DFC) Gurgaon to CRM. 24200 of 2012 with the High Court of Punjab and Haryana. The Govt. of Haryana letter no. 4346*T-1-2015/649 dated 15-01-16 may be restored accordily.

Original record file of this case may please be summoned from the office of Additional Chief Secretary (Forests) Haryana/PCCF Haryana to arrive at fair decision.

This is also brought to your kind notice that the part of THIS NOTIFIED FOREST land is also the subject matter of enquiry by CBI AS PER ORDERS OF HONOURABLE HIGH COURT OF PB&HRY IN A CASE TITLED RAJSINGH GEHLOT V/S STATE OF HARYANA where buildings were ordered to be demolished for violating the provisions of Haryana Town and country planning act .

Thanking you in anticipation.

Yours Faithfully,

Date:04.12.2021

RajinderKrishanSharma

Gurgaon

B-45, Surya Vihar, Opp

Sector-4, Gurgaon

Ph.No.

Haryana

9999239159



548

RAMESH SHAH & ASSOCIATES

Chartered Accountants

ANNEXURE-A-9

TO WHOMSOEVER IT MAY CONCERN

This is to certify that the company M/s HLF Enterprises Pvt. Ltd. was owned and controlled by Sh. A.L. Seth and Sh. Rajeev Seth and their associates upto June, 1994 when it was acquired by way of acquisition of 100% equity of the said company by Sh. Raj Singh Gehlot and his associates of Ambience Group.

Further certified that the name of the company M/s HLF Enterprises Pvt. Ltd. had been changed over the years and finally it is converted to M/s Ambience Developers & Infrastructure Pvt. Ltd. having office at L-4, Green Park Extension, New Delhi.

Further certified that the company M/s HLF Enterprises Pvt. Ltd. had acquired 22.98 acres of land during the year 1991-92 and have obtained Licence No.19 of 1993 dated 09.07.1993 to set up Group Housing Colony on 18.98 acres and change of land use to set up hotel and cultural complex on 4 acres of land in 1994.

Further certified that on acquisition of company the Ambience Group has carried out the construction and development of Group Housing Complex on 10.98 acre by the name Ambience Lagoon Residential Apartment Complex and Commercial Complex by the name Ambience Mall on 8 acres and the Leela Ambience Five Star Deluxe Hotel on 4 acres of land.

Further certified that the above information is true and correct to the best of our knowledge and on the basis of the documents filed with Registrar of Companies, NCT of Delhi and Haryana and the Director Town & Country Planning, Haryana, Chandigarh produced before us for verification and requisite information/explanation given thereon.



For Ramesh Shah & Associates
Chartered Accountants

(Ramesh Shah)
Prop.

Place : New Delhi
Dated : 29.09.2020

UDIN : 20086636AAAABy5265

D-51, HAUZ KHAS, NEW DELHI - 110016
TEL : 91 - 11 - 40195547
E - mail : rameshshah.ca@gmail.com

MINISTRY OF ENVIRONMENT & FORESTS

NOTIFICATION

ANNEXURE-A-10New Delhi, the 7th May 1992

(Under Section 3(1) and 3(2) (v) of the Environment Protection Act, 1986 and rule 5 (3) (d) of the Environment (Protection) Rules, 1986 restricting certain activities in specified area of Aravalli Range, which are causing Environmental Degradation in the Region.

S.O. 319 (E) - Whereas a Notification under section 3 (1) and section 3 (2) (v) of the Environment (Protection) Act, 1986 (29 of 1986) inviting objections against restricting certain activities in specified area of Aravalli Range which are causing Environmental Degradation in the Region was published in the Gazette of India, Part II-Section 3 Sub-section (ii) vide S. O. 25 (E) dated 9th January, 1992;

And whereas all objections received have been duly considered by the Central Government;

Now, therefore, in exercise of the powers conferred by sub-section (1) and clause (v) of sub-section (2), of section 3 of the Environment (Protection) Act, 1986 (29 of 1986), read with rule 5 of the Environment (Protection) Rules, 1986, the Central Government hereby prohibits the carrying on of the following process and operations, except with its prior permission, in the areas specified in the Table appended to this Notification:

- (i) Location of any new industry including expansion modernisation;
- (ii)
 - (a) All new mining operations including renewals of mining leases.
 - (b) Existing mining leases in sanctuaries/national Park and areas covered under Project Tiger and/or
 - (c) Mining is being done without permission of the competent authority.
- (iii) Cutting of trees;
- (iv) Construction of any clusters of dwelling units, farms houses, sheds, community centres, information centres and any other activity connected with such construction (including roads a part of any infrastructure relating thereto);
- (v) Electrification (laying of new transmission lines).

2. Any person who desires to undertake any of the above mentioned processes or operations in the said areas, shall submit an application to the Secretary, Ministry of Environment and Forests, New Delhi, in the attached application form (Annexure) specifying, inter alia, details of the area and the proposed process or operation. He shall also furnish an Environment Impact Statement and an Environmental Management Plan along with the application and such other information as may be required by the Central Government for considering the application.
3. The Central Government in the Ministry of Environment and Forests shall, having regard to the guidelines issued by it from time to time for giving effect to the provisions of the said Act, grant permission within a period of three months from the date of receipt of the application or where further information has been asked for from the applicant, within a period of three months from the date of the receipt of such information, or refuse permission within the said time on the basis of the impact of the proposed process or operation on the environment in the said area.
4. For seeking permission under this Notification, an application in the prescribed form (see Annexure), duly filled in, may be submitted to the Secretary, Ministry of Environment and Forests, Paryavaran Bhavan, CGO Complex, Lodi Road, New Delhi.

[No. 17/1/91-PL/IA]
R. RAJAMANI, Secy.

TABLE

Areas where carrying on of processes and operations without permission is prohibited

- (i) all reserved forests, protected forests or any other area shown as "forest in the land records maintained by the State Government as on the date of this notification in relation to Gurgaon District of the State of Haryana and the Alwar District of the State of Rajasthan.
- (ii) All areas shown as: -
 - (a) Gair Mumkin Pahar, or
 - (b) Gair Mumkin Rada, or
 - (c) Gair Mumkin Behed, or
 - (d) Banjad Beed, or
 - (e) Rundh.

in the land records maintained by the State Government as on the date of this notification in relation to Gurgaon district of the State of Haryana and the Alwar district of the State of Rajasthan.

- (iii) all areas covered by notifications issued under section 4 and 5 of the Punjab Land Preservation Act, 1900, as applicable to the State of Haryana in the district of Gurgaon up to the date of this Notification.
- (iv) all areas of Sariska National Park and Sariska Sanctuary notified under the Wildlife (Protection) Act, 1972 (53 of 1972).

ANNEXURE

APPLICATION FORM

1. (a) Name & address of the project proposed:
 (b) Location of the project:
 Name of the Place:
 District, Tehsil:
 Location Map:
 (c) Alternate sites examined and the reasons for the site proposed:
2. Objectives of the project:
3. (a) Land Requirement:
 Agriculture land:
 Other (specify):
 (i) Topography of the area indicating gradient, aspect & altitude.
 (ii) Erodability classification of the proposed land.
 (c) Pollution sources existing within 10 km. Radius.
 (d) Distance of the nearest National Park/Sanctuary/Biosphere Reserve/Monuments/heritage site/Reserve Forest:
 (e) Rehabilitation plan for Quarries/borrow areas :
 (f) Green belt plan.
 (g) Compensatory afforestation plan.
4. Climate & Air Quality*:
 (a) Wind rose at site:
 (b) Max. /Min./Mean annual temperature.

- (c) Ambient air quality data:
 - (d) Nature & concentration of emission of SPM, Gases (CO, CO₂, SO₂, NO, etc.) from the project:
5. ** (a) Water balance at site surface and ground water availability and demand:
 (b) Lean season water availability:
 (c) Water source to be tapped with details of competing users (Rivers, lake, Ground, Public supply):
 (d) Water Quality:
 (e) Changes observed in quantity and quality of water in the last 15 years and present charging and extraction details:
 (f) (i) Quantum of waste water to be released with treatment details:
 (ii) Quantum & Quality of water in the receiving water body:
 (iii) Quantum of waste water to be released on land and the type of land:
6. Solid Wastes:
 (a). Nature & quantity of solid wastes generated:
 (b). Solid waste disposal method:
7. Noise & vibrations:
 (a) Sources of noise & vibrations:
 (b) Ambient noise level:
 (c) Noise & vibration control measures proposed:
 (d) Subsidence problem, if any, with control measures:
8. Power requirement indicating source of supply; complete environmental details to be furnished separately, if captive power unit proposed:
9. Total labour force to be deployed with details of:
 - Endemic health problems in the area.
 - Health care system proposed:
10. (a) Number of families and population to be displaced :
 (b) Rehabilitation Master Plan:
11. Risk assessment report:
12. (a) Environmental Impact Assessment Report :
 (b) Environmental Management Plan: Prepared as per Guidelines of MEF issued from time to time.
 (c) Detailed Feasibility Report:
 (d) Proposal for diversion of Forestland under Forest (Conservation) Act, 1980 including Benefit Cost analysis.

13. Recommendations of the State Pollution Control Board and/or the State Department of Environment & Forests.

Signature of the Applicant
Along with name, date and
full Postal address.

*Data may be obtained from India Meteorological Department and State Pollution Control Board.

**Ground water Board and the Irrigation Deptt. May be contacted for data.

N.B.

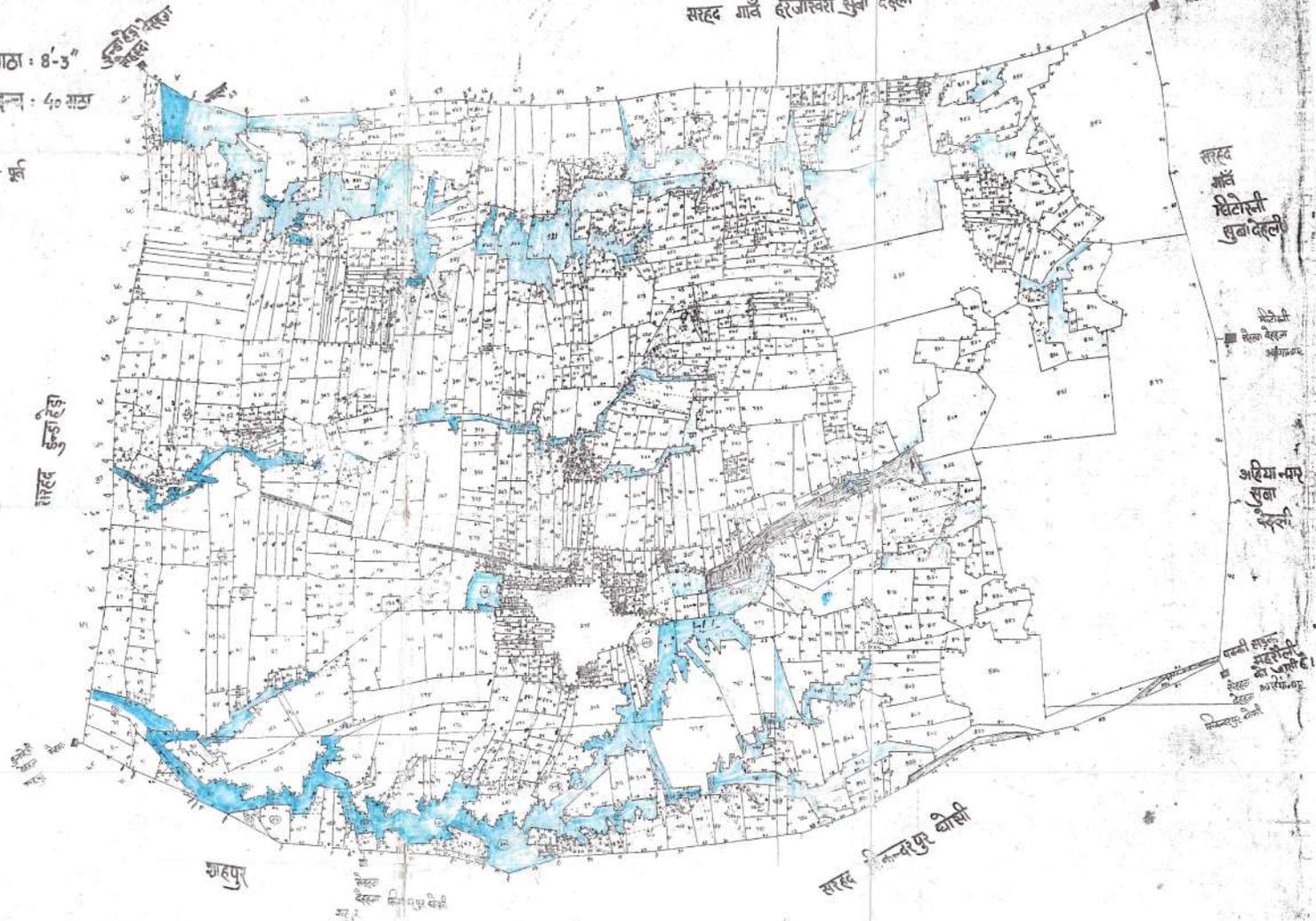
- A. Item Nos. 3(c), 4, 5, 6, 7, 8, 9, 10, 12 (b) and 12 (c) are not applicable to cutting of trees.
- B. Item Nos. 3(c), 4, 7, 11 are not applicable to construction of cluster of dwelling units, farm sheds, community centre and any other activity connected with such construction including roads.
- C. Item Nos. 3(b), 3(c) (3e), 3(f), 4, 5, 6, 7, 9, 12(a) & 12(b) are not applicable to electrification.
- D. All items to be furnished in case of mining, industry, thermal power, transport projects.
- E. Notwithstanding the above, any item(s) considered not applicable may be so indicated along with reasons.

अक्स रीजरा गाँव नाथुपुर हदबंदर नम्बर 67 चाई तहसीरा व तहसील व जिला गुजरावली साल 1951-52.

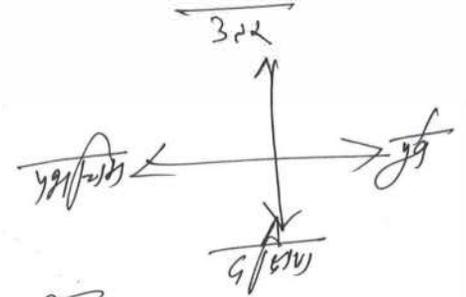
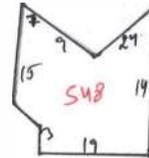
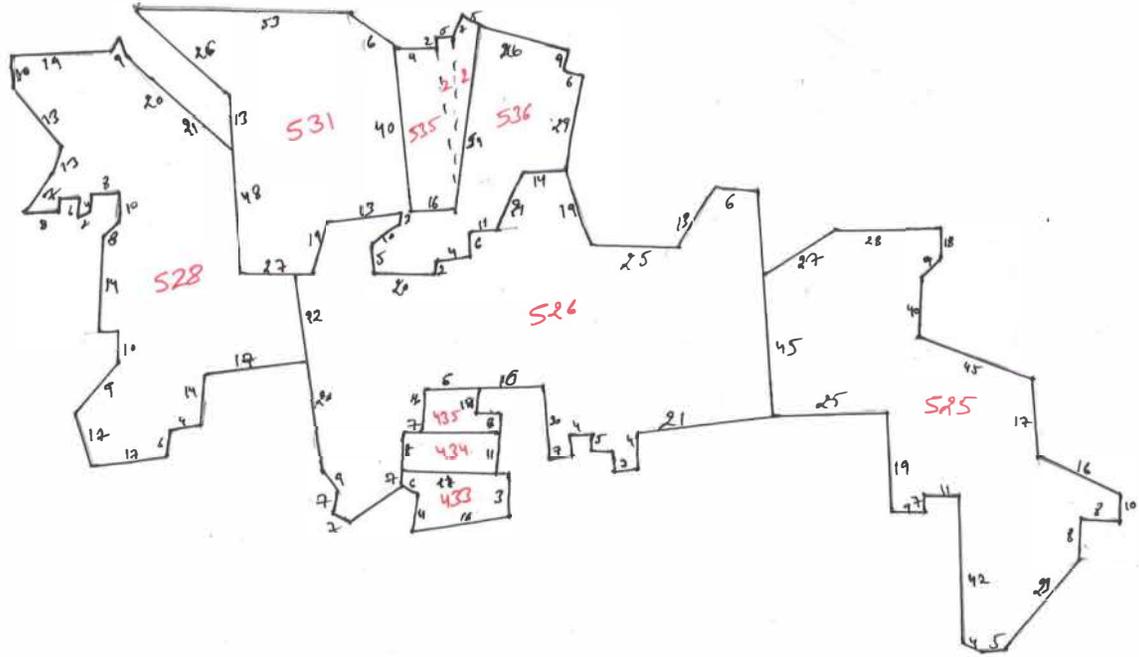
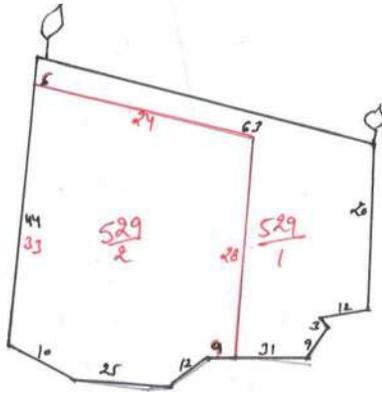
सरहद गाँव हरजीस्वरी मुजा देहली

पैमाना : एक गज : 8-3"

एक इंच : 40 गज



MAP of Nathupur Village depicting Nathupur Drain indicated in blue

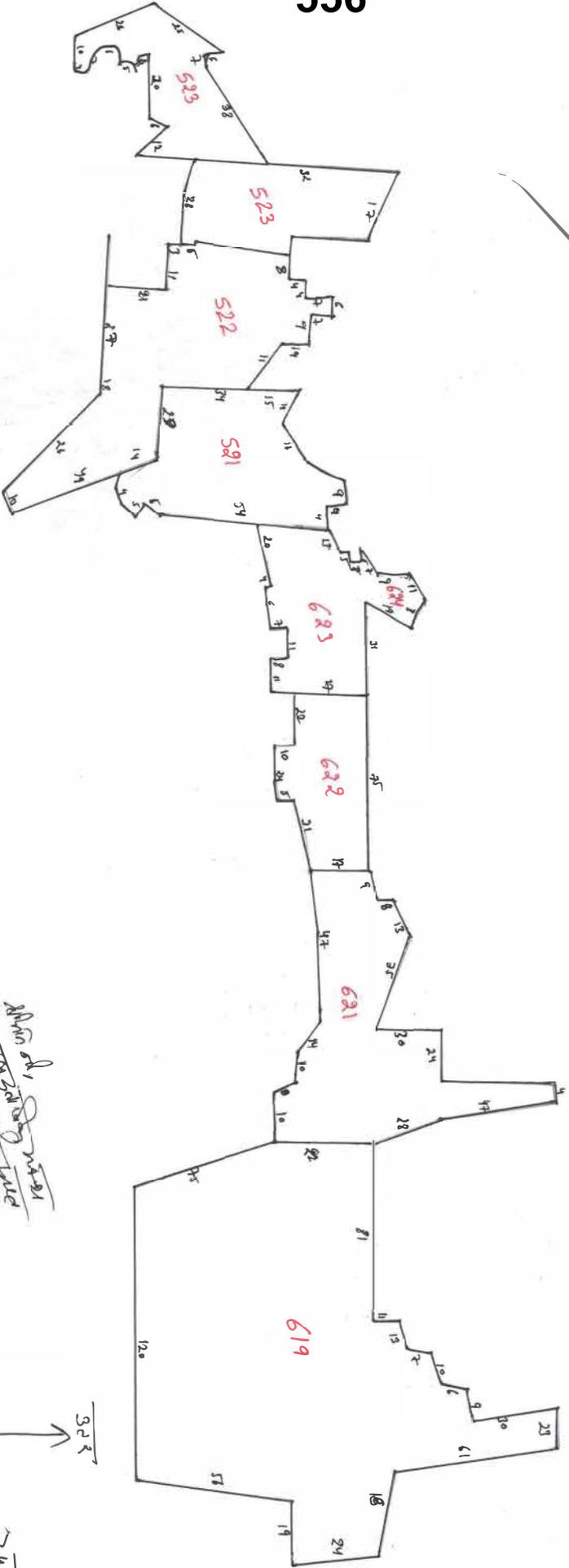


Handwritten notes in Hindi, possibly indicating directions or specific details related to the maps.

Handwritten text on the left margin, possibly a reference or note.

ਸਰਕਾਰੀ ਖੇਤਰਾਂ ਵਿੱਚ ਸਿੱਕਾ ਗਿਣਤੀ ਦੇ ਆਧਾਰ 'ਤੇ (67) ਖੇਤਰਾਂ ਦੇ ਖੇਤਰ - ਖੇਤਰ

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ਖੇਤਰਾਂ ਦੇ ਖੇਤਰਾਂ ਵਿੱਚ ਸਿੱਕਾ ਗਿਣਤੀ ਦੇ ਆਧਾਰ 'ਤੇ ਖੇਤਰ - ਖੇਤਰ

ਸਰਕਾਰੀ ਖੇਤਰਾਂ ਵਿੱਚ ਸਿੱਕਾ ਗਿਣਤੀ ਦੇ ਆਧਾਰ 'ਤੇ ਖੇਤਰ - ਖੇਤਰ

ਖੇਤਰਾਂ ਦੇ ਖੇਤਰਾਂ ਵਿੱਚ ਸਿੱਕਾ ਗਿਣਤੀ ਦੇ ਆਧਾਰ 'ਤੇ ਖੇਤਰ - ਖੇਤਰ

ਖੇਤਰਾਂ ਦੇ ਖੇਤਰਾਂ ਵਿੱਚ ਸਿੱਕਾ ਗਿਣਤੀ ਦੇ ਆਧਾਰ 'ਤੇ ਖੇਤਰ - ਖੇਤਰ

DETAILS OF KHASRA NUMBERS OF NATHUPUR DRAIN WITH REFERENCE TO AMBIENCE DEVELOPERS AND INFRASTRUCTURE PVT LTD