

This Documents has been registered  
at Serial No. 597 R.D.S  
this day of 05<sup>th</sup> September 2024



**BEFORE THE NATIONAL GREEN TRIBUNAL,  
PRINCIPAL BENCH, NEW DELHI.**

Original Application no. 161 of 2023

In the matter of

Rana Iqbal Singh Jolly & Ors.

.....Applicants

Versus

State of Punjab & Ors.

.....Respondents

Affidavit of Er. Rajeev Gupta, Senior Environmental Engineer, Punjab  
Pollution Control Board, Patiala in compliance of order dated 22.08.2024.

**Respectfully Showeth:**

1. That the above-mentioned case is pending before the Hon'ble National Green Tribunal for adjudication. The Hon'ble Tribunal after consideration of the matter has raised certain queries with regard to the grant of consent to the Hermitage Farm by passing an order dated 22.08.2024 and the concerned officer has been directed to explain the aspects by filing an affidavit. The present affidavit is being filed by the





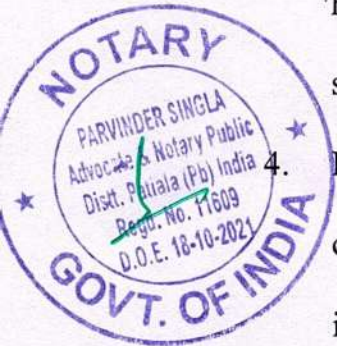
officer concerned mentioning therein the details as per mandate of the order dated 22.08.2024.

2. That the Board has granted consent to operate u/s 25 /26 of the Water (Prevention & Control of Pollution) Act, 1974 for discharge of effluent on 8.7.2024 valid upto 30.9.2025 to "The Hermitage Farm A Unit of Orchid Space Design Llp, Village Karoran, Tehsil Kharar, Karoran Baddi Road, District SAS Nagar" with certain conditions as mentioned therein. A copy of consent to operate granted under the Water (Prevention & Control of Pollution) Act, 1974 is enclosed herewith as **Annexure - A.**

Similarly, consent to operate u/s 21 of the Air (Prevention & Control of Pollution) Act, 1981 has been granted to the project proponent for discharge of emissions on 8.7.2024 valid upto 30.9.2025 with certain conditions as mentioned therein and a copy of the same is enclosed herewith as **Annexure-B.**

3. That it is relevant to mention here that though the Hermitage Farm is an open space farm without any constructed building (except two office rooms) but is carrying out marriage functions and other social gatherings at the premises of the farm. During the marriage functions, social gatherings and other functions, there is a generation of wastewater from toilets and kitchen, Municipal Solid Waste including Plastic Waste and emissions from the DG sets installed at the premises. Besides that,

loudspeakers / DJ systems are also used during the functions, which generates noise. Keeping in view these activities, the Hermitage Farm has been considered by the Board at par with the marriage palaces where such functions are performed.



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4. It is pertinent to mention here that the marriage palaces are being considered by the Punjab Pollution Control Board as orange category of industry in accordance with the categorization of industries made by the Central Pollution Control Board and adopted by the Punjab Pollution Control Board. Hence, the consent to operate to the Hermitage Farm has been granted under the provisions of the Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981 considering the activities of the farm house at par with the orange category of industries.

5. That after the issuance of directions by the Board for closure of the farm, the project proponent has given a representation dated 11.03.2024 addressed to the Senior Environmental Engineer of the Board wherein it is mentioned that the applicant has since withdrawn the application for grant of CLU for open marriage palace, as such, no cause of action survives, as the applicant now owns only a farm, where no commercial activity is being undertaken. It was further mentioned in the representation that the applicant is fully complying with all the requirements of Punjab Pollution Control Board and willing to comply

with any other requirements, if asked. In view of the representation given by the project proponent, following condition was imposed in the consent letter.

*'The Project proponent shall not carry out any commercial activity as per assurance given by it through undertaking under any circumstances.'*

A copy of the representation dated 11.03.2024 given by the project proponent is enclosed herewith as Annexure-C.

That after the grant of consent to operate by the Board, the project proponent has given another representation dated 11.07.2024 contesting the condition imposed by the Board not to carry out any commercial activity in the farm land. It was mentioned in the representation that on the directions of the Hon'ble National Green Tribunal, the project proponent was allowed to organize marriage parties or such like social functions (commercial activities) on grant of consent to operate. The order dated 08.12.2023 of the Hon'ble National Green Tribunal passed in the above mentioned case was reproduced as under :

*'8. However, it is clarified that nothing in this interim order shall bar respondent no. 8 from organizing marriage party or such like social functions in the premises in question on grant of CLU / EC/ CTE / CTO, as the case may be, in accordance with the terms and conditions thereof and the environmental norms.'*



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7. The project proponent in the representation dated 11.07.2024 has admitted the fact relating to carrying out of social gatherings and marriage functions at the farmland. The relevant contents of the representation dated 11.07.2024 are reproduced as under :



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*'The very essence of the entire litigation before NGT as well as proceeding before the Punjab Pollution Control Board (PPCB) is that we have continuously admitted that we are carrying out marriage functions and other social gathering and we intend to continue with the same and we are willing to comply with the required compliances in regard to the Punjab Pollution Control Board norms, by way of obtaining the Consent to Operate (CTO) as it was already functional and a fully developed project.'*

8. That considering the background of the case and representation of the project proponent, the consent condition relating to the commercial activity was withdrawn by the Board by issuing corrigendum no. 2399 dated 02.08.2024. However, other suitable conditions remained unchanged. It is clarified that the consent to operate to the project proponent under the provisions of Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981 has been granted by the Board only from pollution angle and the project proponent has to obtain relevant permission from the concerned departments including the Forest Department and Greater Mohali Area Development Authority under the relevant laws. It was also made clear

*[Handwritten signature]*



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in the consent letters that if any dispute in future arises with regard to ownership of land and for the construction raised thereon then the consent to operate granted by the Board will not be a deciding factor. As the farmland has been used as an open marriage palace, a condition has been imposed that the project proponent shall not raise any construction on the farmland without the permission from the concerned department, and that the project proponent shall not conduct any late-night function on the farm land without the prior permission of the District Administration. The suitable conditions relating to the disposal of Municipal Solid Waste have also been imposed in the consent letters. A copy of the Board letter no. 2399 dated 02.08.2024 is enclosed herewith as **Annexure-D**.

9. That it is further relevant to mention here that the Hermitage Farm is registered under the Punjab Farm Tourism Scheme 2021 by the Punjab Heritage and Tourism Promotion Board vide certificate no. PHTPB/FT/2021/34 dated 04.10.2021 and the Hermitage Farm has got permission for extraction of ground water from the Punjab Water and Regulation Authority vide permission no. PWRDA/1/07/2023/L1/84 dated 05.07.2023. In view of these facts of the case and the fact that marriage functions, social gathering and other functions are being carried out at the farmland, the consent to operate under the provisions of the Water (Prevention & Control of Pollution) Act, 1974 and Air

(Prevention & Control of Pollution) Act, 1981 has been granted to the Hermitage Farms to regulate the activities being carried out by the project proponent in the open farm land in the form of marriage parties, social gathering and other functions from pollution angle.

10. That the aspects mentioned in the order dated 22.08.2024 have been clarified in compliance to the directions of the Hon'ble Tribunal. The affidavit is submitted in compliance to order dated 22.08.2024 for kind consideration of the Hon'ble Tribunal.



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Date: 5.9.2024

Place: Patiala

**Verification:**

Verified that the contents of para no. 1 to 10 of the above affidavit are true and correct to my knowledge and belief as derived from the official record. No part of the above affidavit is false and nothing material has been kept concealed therein.

Date: 5.9.2024

Place: Patiala.

The Contents of this affidavit document have been read over to the deponent He/She has accepted the true & correct.

**ATTESTED**  
*Parvinder Singla*  
 (PARVINDER SINGLA)  
 Advocate & Notary Public  
 Patiala (Pb.) India

05 SEP 2024

**DEPONENT**  
**(Er. Rajeev Gupta)**  
 Senior Environmental Engineer,  
 Punjab Pollution Control Board,  
 Patiala.

**DEPONENT**  
**(Er. Rajeev Gupta)**  
 Senior Environmental Engineer,  
 Punjab Pollution Control Board,  
 Patiala



**PUNJAB POLLUTION CONTROL BOARD**  
 Zonal Office-1, Vatavaran Bhawan, Nabha Road, Patiala - 147001  
 Website:- www.ppcb.gov.in



<b>Office Dispatch No :</b>	<b>Registered/Speed Post</b>	<b>Date:</b>
<b>Industry Registration ID:</b> 023SAS642688		<b>Application No :</b> 25690868

To,  
**Saurabh Gupta**  
 House No 826, Sector 2 , Panchkula, Haryana  
 Panchkula,Haryana-134109

**Subject: Grant of 'Consent to Operate' an outlet u/s 25/26 of Water (Prevention & Control of Pollution) Act, 1974 for discharge of effluent.**

With reference to your application for obtaining 'Consent to Operate' an outlet for discharge of the effluent u/s 25/26 of Water (Prevention & Control of Pollution) Act, 1974, you are, hereby, authorized to operate an industrial unit for discharge of the effluent(s) arising out of your premises subject to the Terms and Conditions as mentioned in this Certificate.

**1. Particulars of Consent to Operate under Water Act, 1974 granted to the industry**

<b>Consent to Operate Certificate No.</b>	CTOW/Fresh/SAS/2024/25690868
<b>Date of issue :</b>	08/07/2024
<b>Date of expiry :</b>	30/09/2025
<b>Certificate Type :</b>	Fresh

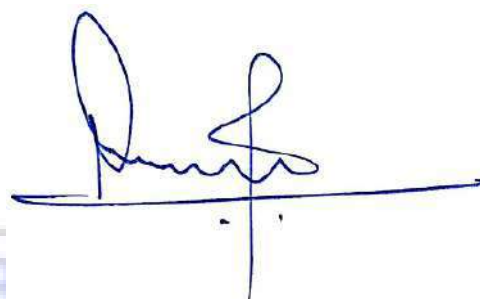
**2. Particulars of the Industry**

<b>Name &amp; Designation of the Applicant</b>	Saurabh Gupta, (Partner)
<b>Address of Industrial premises</b>	The Hermitage Farm A Unit Of Orchid Space Design Llp, Village Karoran, Tehsil Kharar, Karoran Baddi Road, District Sas Nagar, Kharar,Sas Nagar-160103
<b>Capital Investment of the Industry</b>	206.01 lakhs
<b>Category of Industry</b>	Orange
<b>Type of Industry</b>	2999-Miscellaneous (Orange)
<b>Scale of the Industry</b>	Small
<b>Office District</b>	Sas Nagar
<b>Consent Fee Details</b>	Water Consent Fee - Rs. 33600/- vide UTR no. 33544256041DC dated 5/9/2023, Rs. 26400/- vide R. no. 177519773 dated 18/5/2024 and Rs. 66700/- vide R. no. 460075436 dated 3/5/2024 Air Consent Fee - Rs. 25700/- vide UTR no. 33544203011DC dated 5/9/2023, Rs. 67700/- vide R. no. 150822425 dated 3/5/2024 and Rs. 28800/- vide R. no. 475463347 dated 18/5/2024
<b>Raw Materials(Name with quantity per day)</b>	Not Applicable being Farm House
<b>Products (Name with quantity per day)</b>	Farm House @ 1 no.

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The Hermitage Farm A Unit Of Orchid Space Design Llp,Village Karoran, Tehsil Kharar, Karoran Baddi Road, District Sas Nagar,Kharar,Sas Nagar,160103

<b>By-Products, if any,(Name with quantity per day)</b>	---NIL---
<b>Details of the machinery and processes</b>	As per details mentioned in the Application no. 25690868
<b>Details of the Effluent Treatment Plant</b>	Domestic Effluent @ 22.0 KLD- After treatment in STP of Capacity 25 KLD, treated wastewater @ 22 KLD will be utilized onto land for plantation in an area of about 6.6 acres inside the premises
<b>Mode of Disposal</b>	Domestic Effluent @ 22.0 KLD- After treatment in STP of Capacity 25 KLD, treated wastewater @ 22 KLD will be utilized onto land for plantation in an area of about 6.6 acres inside the premises
<b>Standards to be achieved under Water(Prevention &amp; Control of Pollution) Act, 1974</b>	Effluent Standards as Prescribed by the PPCB/ CPCB and MoEF&CC from time to time



09/07/2024

**(Rajeev Gupta)**  
Environmental Engineer

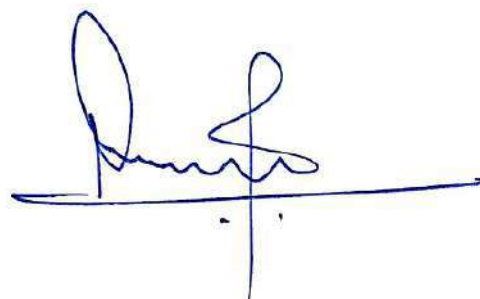
For &amp; on behalf

of

**(Punjab Pollution Control Board)****Endst. No.:****Dated:**

A copy of the above is forwarded to the following for information and necessary action please:

- 1) Environmental Engineer, Punjab Pollution Control Board, Regional Office, SAS Nagar



09/07/2024

**(Rajeev Gupta)**  
Environmental Engineer

For &amp; on behalf

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## TERMS AND CONDITIONS

### A. GENERAL CONDITIONS

1. This consent is not valid for getting power load from the Punjab State Power Corporation Limited or for getting loan from the financial institutions.
2. The industry shall apply for renewal/further extension in validity of consent atleast two months before expiry of the consent.
3. The industry shall ensure that the effluent discharging through the authorized outlet shall confirm to the prescribed standards as applicable from time to time.
4. The industry shall plant minimum of three suitable varieties of trees at the density of not less than 1000 trees per hectare all along the boundary of the industrial premises.
5. The achievement of the adequacy and efficiency of the effluent treatment plant/pollution control devices/re-circulation system installed shall be the entire responsibility of the industry.
6. The industry shall ensure that the Hazardous Wastes generated from the premises are handled as per the provisions of the Hazardous Wastes(Management, Handling and Trans boundary Movement) Rules, 2008 as amended time to time , without any adverse effect on the environment, in any manner
7. The responsibility to monitor the effluent discharged from the authorized outlet and to maintain a record of the same rests with the industry. The Board shall only test check the accuracy of these reports for which the industry shall deposit the samples collection and testing fee with the Board as and when required.
8. The industry shall submit balance sheet of every financial year to the concerned Regional Office by 30th June of every year.
9. The industry shall submit a yearly certificate to the effect that no addition/up-gradation/ modification/modernization has been carried out during the previous year otherwise the industry shall apply for the varied consent.
10. During the period beginning from the date of issuance and the date of expiration of this consent, the applicant shall not discharge floating solids or visible foam.
11. Any amendments/revisions made by the Board in the tolerance limits for discharges shall be applicable to the industry from the date of such amendments/revisions.
12. The industry shall not change or alter the manufacturing process(es) so as to change the quality and/or quantity of the effluents generated without the written permission of the Board.
13. Any upset conditions in the plant/plants of the factory, which is likely to result in increased effluent and/or result in violation of the standards lay down by the Board shall be reported to the Environmental Engineer, Punjab Pollution Control Board of concerned Regional Office immediately failing which any stoppage and upset conditions that come to the notice of the Board/its officers, will be deemed to be intentional violation of the conditions of consent.
14. The industry shall provide terminal manhole(s) at the end of each collection system and a manhole upstream of final outlet (s) out of the premises of the industry for measurement of flow and for taking samples.
15. The industry shall for the purpose of measuring and recording the quantity of water consumed and effluent discharged, affix meters of such standards and at such places as approved by the Environmental Engineer, Punjab Pollution Control Board of the concerned Regional Office.
16. The industry shall maintain record regarding the operation of effluent treatment plant i.e. record of quantity of chemicals and energy utilized for treatment and sludge generated from treatment so as to satisfy the Board regarding regular and proper operation of pollution control equipment.
17. The industry shall provide online monitoring equipment<sup>s</sup> for the parameters as decided by concerned Regional Office with the effluent treatment plant/air pollution control devices installed, if applicable.
18. The pollution control devices shall be interlocked with the manufacturing process of the industry.
19. The authorized outlet and mode of disposal shall not be changed without the prior written permission of the Board.
20. The industry shall comply with the conditions imposed by the SEIAA / MOEF in the environmental clearance granted to it as required under EIA notification dated 14/9/06, if applicable.
21. The industry shall obtain and submit Insurance cover as required under the Public Liability Insurance Act, 1991.
22. The industry shall not use any unauthorized out-let(s) for discharging effluents from its premises. All unauthorized outlets, if any, shall be connected to the authorized outlet within one month from the date of issue of this consent.

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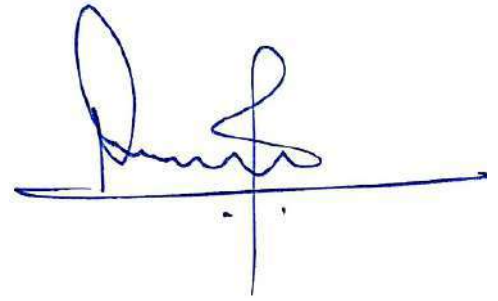
23. The industry shall make necessary arrangements for the monitoring of effluent being discharged by the industry and shall monitor its effluents:-
  - (i) Once in Year for Small Scale Industries.
  - (ii) Four in a Year for Large/Medium Scale Industries.
  - (iii) The industry will submit monthly reading/ data of the separate energy meter installed for running of effluent treatment plant/re-circulation system to the concerned Regional Office of the Board by the 5th of the following month.
24. The industry shall provide electromagnetic flow meters at the source of water supply, at inlet/outlet of effluent treatment plant within one month and shall maintain the record of the daily reading and submit the same to the concerned Regional Office by the 5th of the following month.
25. The Board reserves the right to revoke this consent at any time in case the industry is found violating any of the conditions of this consent and/or the provisions of Water (Prevention & Control of Pollution) Act, 1974 as amended from time to time.
26. The issuance of this consent does not convey any property right in either real or personal property, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of Central, State or Local Laws or Regulations.
27. The consent does not authorize or approve the construction of any physical structures or facilities for undertaking of any work in any natural watercourse.
28. Nothing in this consent shall be deemed to neither preclude the institution of any legal action nor relieve the applicant from any responsibilities, liabilities or penalties to which the applicant is or may be subjected under this or any other Act.
29. The industry shall make necessary and adequate arrangements to hold back the effluent in case of failure of septic tank.
30. The diversion or bye pass of any discharge from facilities utilized by the applicant to maintain compliance with the terms and conditions of this consent is prohibited except.
  - (i) Where unavoidable to prevent loss of life or some property damage or
  - (ii) Where excessive storm drainage or run off would damage facilities necessary for compliance with terms and conditions of this consent. The applicant shall immediately notify the consent issuing authority in writing of each such diversion or bye-pass.
31. The industry shall ensure that no water pollution problem is created in the area due to discharge of effluents from its industrial premises.
32. The industry shall comply with the code of practice as notified by the Government/ Board for the type of industries where the siting guidelines/ code of practice have been notified.
33. Solids, sludge, filter backwash or other pollutant removed from or resulting from treatment or control of waste waters shall be disposed off in such a manner to prevent any pollutants from such materials from entering into natural water.
34. The industry shall re-circulate the entire cooling water and shall also re-circulate/reuse to the maximum extent the treated effluent in processes
35. The industry shall make necessary and adequate arrangements to hold back the effluent in case of failure of re-circulation system/ effluent treatment plant.
36. The industry shall make proper disposal of the effluent so as to ensure that no stagnation occurs inside and outside the industrial premises during rainy season and no demand period.
37. Where excessive storm water drainage or run off, would damage facilities necessary for compliance with terms and conditions of this consent, the applicant shall immediately notify the consent issuing authority in writing of each such diversion or bye-pass.
38. The industry shall submit a detailed plan showing therein the distribution system for conveying waste-water for application on land for irrigation along with the crop pattern for the year.
39. The industry shall ensure that the effluent discharged by it is toxicity free.
40. The industry shall not irrigate the vegetable crops with the treated effluents which are used/ consumed as raw.
41. Drains causing oil & grease contamination shall will be segregated. Oil & grease trap shall be provided to recover oil & grease from the effluent.

42. The industry shall establish sufficient number of piezometer wells in consultation with the concerned Regional Office, of the Board to monitor the impact on the Ground Water Quantity due to the industrial operations, and the monitoring shall be submitted to the Environmental Engineer of the concerned Regional Office by the 5th of every month.
43. The industry shall ensure that its production capacity & quantity of trade effluent do not exceed the quantity mentioned in the consent and shall not carry out any expansion without the prior permission/NOC of the Board.

## B. SPECIAL CONDITIONS

- 1) The project proponent shall not carry out any commercial activity as per assurance given by it through undertaking under any circumstances.
- 2) The consent to operate is being only granted from pollution angle and the project proponent has to obtain relevant permission from the concerned departments including the Forest Department and GMADA under the relevant laws. If any dispute in future arises with regard to ownership of the land for the construction raised thereon, then the consent to operate granted by the Board will not be a deciding factor.
- 3) The project proponent shall provide mechanical composter within one month and shall submit report to Punjab Pollution Control Board.
- 4) The project proponent shall ensure that there are no usages of single use plastic-thermocool disposable items such as water bottles/ water pouches/ water cups, plates, forks, spoons, straw etc. and single use decorating material made of plastic-thermocool or any other non- biodegradable material in the premises.
- 5) The project proponent shall properly handle and manage the solid wastages as per the provisions of the Municipal Solid Waste Rules 2016 and ensure that the solid waste is segregated and disposed of in an environmentally sound manner.
- 6) The project proponent shall use loudspeakers within permissible decibel limits as given in Noise Pollution Regulation and Control Rules, 2000 till 10:00 pm so that no nuisance is caused to the public.
- 7) In case the promoter fails to comply with the provisions of the Water (Prevention and Control of Pollution) Act, 1974, the Air (Prevention and Control of Pollution) Act, 1981, the Environment (Protection) Act, 1986 and/or any other environmental law applicable to the project and Rules, Circulars and Directions issued by the Board from time to time, action as deemed fit shall be taken against the promoter.
- 8) The project proponent shall not raise any construction on the farm land without the permission of the concerned departments.
- 9) The project proponent shall obtain the necessary permission from the District Administration if any function is to be held at the farm land.
- 10) As the project proponent has undertaken that the farm land is not being used for commercial purpose, the project proponent shall not conduct any late-night function on the farm land without the prior permission of the District Administration.
- 11) The project proponent shall devise the ways & means to minimize the generation of all kind of wastes through REDUCE, REUSE and RECYCLE activities. The generated waste, if any, shall be properly handled and managed as per the provisions of the Municipal Solid Waste Rules 2016 in an environmentally sound manner.
- 12) The project proponent shall develop the vermicomposting/ composting to manage the biodegradable solid waste. The project proponent not throw, burn or bury any solid wastes in open, outside premises or in drain/ water bodies.
- 13) The project proponent shall ensure that there are no usages of plastic carry bags and single use plastic/ thermocol disposable items such as water bottles/ water pouches/ water cups, plates, forks, spoons, straw etc. and single use decorating material made of plastic-thermocool or any other non-biodegradable material in the premises.
- 14) The project proponent shall perform/ promote its Corporate Environment Responsibility (CER) activities as well as use of alternatives of single use plastics (SUP) and awareness to discourage use of plastic.
- 15) The project proponent shall carry out awareness and activities for the themes/ action points identified under Mission LIFE (Lifestyle for the Environment) by Ministry of Environment, Forests and Climate Change given at the website (<http://missionlife-moefcc.nic.in>).

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09/07/2024

**(Rajeev Gupta)**  
**Environmental Engineer**

*For & on behalf*

*of*

**(Punjab Pollution Control Board)**





**PUNJAB POLLUTION CONTROL BOARD**  
 Zonal Office-1, Vatavaran Bhawan, Nabha Road, Patiala – 147001  
 Website:- www.ppcb.gov.in



<b>Office Dispatch No :</b>	<b>Registered/Speed Post</b>	<b>Date:</b>
<b>Industry Registration ID:</b> 023SAS642688		<b>Application No :</b> 25690845

**To,**  
 Saurabh Gupta  
 House No 826, Sector 2 , Panchkula, Haryana  
 Panchkula,Haryana-134109

**Subject:** Grant of 'Consent to Operate' u/s 21 of Air (Prevention & Control of Pollution) Act, 1981 for discharge of emissions arising out of premises.

With reference to your application for obtaining 'Consent to Operate' u/s 21 of Air (Prevention & Control of Pollution) Act, 1981, you are hereby, authorized to operate an industrial unit for discharge of the emission(s) arising out of your premises subject to the Terms and Conditions as mentioned in this Certificate.

**1. Particulars of Consent to Operate under Air Act, 1981 granted to the industry**

<b>Consent to Operate Certificate No.</b>	CTOA/Fresh/SAS/2024/25690845
<b>Date of issue :</b>	08/07/2024
<b>Date of expiry :</b>	30/09/2025
<b>Certificate Type :</b>	Fresh

**2. Particulars of the Industry**

<b>Name &amp; Designation of the Applicant</b>	Saurabh Gupta, (Partner)
<b>Address of Industrial premises</b>	The Hermitage Farm A Unit Of Orchid Space Design Llp, Village Karoran, Tehsil Kharar, Karoran Baddi Road, District Sas Nagar, Kharar,Sas Nagar-160103
<b>Capital Investment of the Industry</b>	206.01 lakhs
<b>Category of Industry</b>	Orange
<b>Type of Industry</b>	2999-Miscellaneous (Orange)
<b>Scale of the Industry</b>	Small
<b>Office District</b>	Sas Nagar
<b>Consent Fee Details</b>	Water Consent Fee - Rs. 33600/- vide UTR no. 33544256041DC dated 5/9/2023, Rs. 26400/- vide R. no. 177519773 dated 18/5/2024 and Rs. 66700/- vide R. no. 460075436 dated 3/5/2024  Air Consent Fee - Rs. 25700/- vide UTR no. 33544203011DC dated 5/9/2023, Rs. 67700/- vide R. no. 150822425 dated 3/5/2024 and Rs. 28800/- vide R. no. 475463347 dated 18/5/2024

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<b>Raw Materials (Name with Quantity per day)</b>	<i>Not Applicable being a Farm House</i>
<b>Products (Name with Quantity per day)</b>	<i>Farm House @ 1 no.</i>
<b>By-products, if any, (Name with Quantity per day)</b>	<i>---NIL---</i>
<b>Details of the machinery and process</b>	<i>As per details mentioned in the Application no. 25690845</i>
<b>Quantity of fuel required (in TPD) and capacity of boilers/ Furnace/Thermo heater etc.</b>	<i>Two no. DG Sets of Capacity 125 KVA and 25 KVA - Fuel as HSD @ 12 Litre/ day and 3 Litre/ day</i>
<b>Type of Air Pollution Control Devices to be installed</b>	<i>Two no. DG Sets of Capacity 125 KVA and 25 KVA - Equipped with canopies</i>
<b>Stack height provided with each boiler/thermo heater/Furnace etc.</b>	<i>Two no. DG Sets of Capacity 125 KVA and 25 KVA - Adequate stack height of 3 m above roof level each</i>
<b>Sources of emissions and type of pollutants</b>	<i>Two no. DG Sets of Capacity 125 KVA and 25 KVA - SO<sub>x</sub>, NO<sub>x</sub> &amp; SPM</i>
<b>Standards to be achieved under Air(Prevention &amp; Control of Pollution) Act, 1981</b>	<i>Emissions Standards as Prescribed by the PPCB/ CPCB and MoEF&amp;CC from time to time</i>



08/07/2024

**(Rajeev Gupta)**  
**Environmental Engineer**

For &amp; on behalf

of

**(Punjab Pollution Control Board)****Endst. No.:****Dated:**

A copy of the above is forwarded to the following for information and necessary action please:

- 1) Environmental Engineer, Punjab Pollution Control Board, Regional Office, SAS Nagar

08/07/2024

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**(Rajeev Gupta)**  
**Environmental Engineer**  
*For & on behalf*  
*of*  
**(Punjab Pollution Control Board)**



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## TERMS AND CONDITIONS

### A. GENERAL CONDITIONS

1. This consent is not valid for getting power load from the Punjab State Power Corporation Ltd. or for getting loan from the financial institutions.
2. The industry shall apply for renewal /extension of consent at least two months before expiry of the consent.
3. The industry shall not violate any of the norms prescribed under the Air (Prevention & Control of Pollution) Act, 1981, failing which, the consent shall be cancelled / revoked.
4. The achievement of adequacy and efficiency of the air pollution control devices installed shall be the entire responsibility of the industry
5. The authorized fuel being used shall not be changed without the prior written permission of the Board.
6. The industry shall not discharge any fugitive emissions. All gases shall be emitted through a stack of suitable height, as per the norms fixed by the Board from time to time.
7. The industry shall provide port-holes, platforms and/or other necessary facilities as may be required for collecting samples of emissions from any chimney, flue or duct or any other outlets.

#### Specifications of the port-holes shall be as under:-

- i) The sampling ports shall be provided atleast 8 times chimney diameter downstream and 2 times upstream from the flow disturbance. For a rectangular cross section the equivalent diameter ( $D_e$ ) shall be calculated from the following equation to determine upstream, downstream distance:-  

$$D_e = 2 LW / (L+W)$$
 Where L= length in mts. W= Width in mts.
  - ii) The sampling port shall be 7 to 10 cm in diameter
8. The industry shall put display Board indicating environmental data in the prescribed format at the main entrance gate.
  9. The industry shall discharge all gases through a stack of minimum height as specified in the following standards laid down by the Board.

#### (i) Stack height for boiler plants

S.NO.	Boiler with Steam Generating Capacity	Stack heights
1.	Less than 2 ton/hr.	9 meters or 2.5 times the height of neighboring building which ever is more
2.	More than 2 ton/hr. to 5 ton/hr.	12 meters
3.	More than 5 ton/hr. to 10 ton/hr	15 meters
4.	More than 10 ton/hr. to 15 ton/hr	18 meters
5.	More than 15 ton/hr. to 20 ton/hr	21 meters
6.	More than 20 ton/hr. to 25 ton/hr.	24 meters
7.	More than 25 ton/hr. to 30 ton/hr.	27 meters
8.	More than 30 ton/hr.	30 meters or using the formula $H = 14 Q_g^{0.3}$ or $H = 74 (Q_p)^{0.24}$ Where $Q_g$ = Quantity of SO <sub>2</sub> in Kg/hr. $Q_p$ = Quantity of particulate matter in Ton/day.

**Note : Minimum Stack height in all cases shall be 9.0 mtr. or as calculated from relevant formula whichever is more.**

**(ii) For industrial furnaces and kilns, the criteria for selection of stack height would be based on fuel used for the corresponding steam generation.**

**(iii) Stack height for diesel generating sets:**

Capacity of diesel generating set	Height of the Stack	
0-50 KVA	Height of the building	+ 1.5 mt
50-100 KVA	-do-	+ 2.0 mt.
100-150 KVA	-do-	+ 2.5 mt.
150-200 KVA	-do-	+ 3.0 mt.
200-250 KVA	-do-	+ 3.5 mt.
250-300 KVA	-do-	+ 3.5 mt.

**For higher KVA rating stack height H (in meter) shall be worked out according to the formula:**

$$H = h + 0.2 (KVA)^{0.5}$$

where h = height of the building in meters where the generator set is installed.

10. The pollution control devices shall be interlocked with the manufacturing process of the industry to ensure its regular operation.
11. The existing pollution control equipment shall be altered or replaced in accordance with the directions of the Board, and no pollution control equipment or chimney shall be altered or as the case may be erected or re-erected except with the prior approval of the Board.
12. The industry will provide canopy and adequate stack with the D.G sets so as to comply with the provision of notification No GSR-371 E dated 17-5-2002(amended from time to time) issued by MOEF under Environment (Protection) Act, 1986.
13. The Govt. of Punjab, Department of Science, Technology & Environment vide its notification no.4/46/92-3ST/2839 dt. 29/12/1993 has put prohibition on the use of rice husk as fuel after 1.4.1995 except the following:-  
**In the form of briquettes and use of rice husk in fluidized bed combustion. So the industry shall make the necessary arrangement to comply with the above notification.**
14. The industry shall submit balance sheet of every financial year to the concerned Regional Office by 30th June of every year
15. That the industry shall submit a yearly certificate to the effect that no addition / up-gradation/ modification/ modernization has been carried out during the previous year otherwise the industry shall apply for the varied consent.
16.
  - a) The industry shall ensure that at any time the emission do not exceed the prescribed emissions standards laid down by the Board from time to time for such type of industry /emissions.
  - b) The industry shall ensure that the emissions from each stack shall conform to the following emission standards laid down by the Board in respect of the Industrial Boilers.

Steam Generating capacity A.	Required particulate matter B.	
<i>Area upto 5 Km from Other than 'A' class Other than the periphery of I and Class-II town</i>		
<i>Less than 2 ton/hr.</i>	800 mg/NM3	1200 mg/NM3
<i>2 ton to 10 ton/hr.</i>	500 mg/NM3	1000 mg/NM3
<i>Above 10 ton to 15 ton/hr</i>	350 mg/NM3	500 mg/NM3
<i>Above 15 ton/hr</i>	150 mg/NM3	150 mg/NM3

All emissions normalized to 12% carbon dioxide.

17. The industry shall ensure that the Hazardous Wastes generated from the premises are handled as per the provisions of the Hazardous Waste (Management, Handling and Transboundary Movement) Rules, 2008, without any adverse effect on the environment, in any manner.
18. The air pollution control equipments shall be kept at all time in good running condition and;

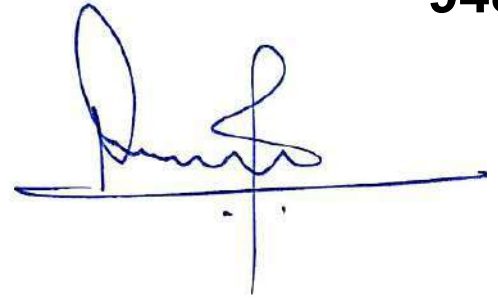
- (i) All failures of control equipments.
  - (ii) The emissions of any air pollutant into the atmosphere in excess of the standards lay down by the Board occurring or being apprehended to occur due to accident or other unforeseen act or event. 'Shall be intimated through fax to the concerned Regional Office as well as to the Director of Factories, Punjab, Chandigarh as required under rule 10 of the Punjab State Board for the Prevention and Control of Air Pollution Rules, 1983'.
19. The industry shall plant minimum of three suitable varieties of trees at the density of not less than 1000 trees per hectare all along the boundary of the industrial premises.
  20. The industry shall submit a site emergency plan approved by the Chief Inspector of Factories, Punjab as applicable.
  21. The industry shall comply with the conditions imposed by the SEIAA/MOEF in the Environmental Clearance granted to it as required under EIA notification dated 14/9/06, if applicable.
  22. The industry shall make necessary arrangements for the monitoring of stack emissions and shall get its emissions analyzed from lab approved / authorized by the Board:-
    - (i) Once in Year for Small Scale Industries.
    - (ii) Twice/thrice/four time in a Year for Large/Medium Scale Industries.
  23. The industry shall maintain the following record to the satisfaction of the Board :-
    - (i) Log books for running of air pollution control devices or pumps/motors used for it.
    - (ii) Register showing the result of various tests conducted by the industry for monitoring of stack emissions and ambient air.
    - (iii) Register showing the stock of absorbents and other chemicals to be used for scrubbers.
  24. The industry will install the separate energy meter for running pollution control devices and shall maintain record with respect to operation of air pollution control device so as to satisfy the Board regarding the regular operation of air pollution control device and monthly reading / record may be sent to the Board by the fifth of the following month.
  25. The industry shall provide online monitoring system as applicable, for in stack emission and shall maintain the record of the same for inspection of the Board Officers.
  26. The Board reserves the right to revoke the consent granted to the industry at any time, in case the industry is found violating the provisions of Air (Prevention & Control of Pollution) Act, 1981 as amended from time to time.
  27. The industry shall comply with any other conditions laid down or directions issued in due course by the Board under the provisions of the Air (Prevention & Control of Pollution) Act, 1981.
  28. Nothing in this consent shall be deemed to neither preclude the institution of any legal action nor relieve the applicant from any responsibilities, liabilities or penalties to which the applicant is or may be subjected to under this or any other Act.
  29. Any amendments/revisions made by the Board/CPCB/MOEF in the emission/stack height standards shall be applicable to the industry from the date of such amendments/revisions.
  30. The industry shall dispose off its solid waste generated by the burning of fuel in an Environmentally Sound Manner within the premises/outside as approved by the Board, to avoid public nuisance and air pollution problem in the area.
  31. The industry shall ensure that no air pollution problem or public nuisance is created in the area due to the discharge of emissions from the industry.
  32. The industry shall provide adequate arrangement for fighting the accidental leakage/discharge of any air pollutant/gas/ liquids from the vessels, mechanical equipment's etc, which are likely to cause environmental pollution.
  33. The industry shall not change or alter the manufacturing process(es) and fuel so as to change the quality/quantity of emissions generated without the prior permission of the Board.
  34. The industry shall earmark a land within their premises for disposal of boiler ash in an environmentally sound manner, and / or the industry shall make necessary arrangements for proper disposal of fuel ash in a scientific manner and shall maintain proper record for the same, if applicable.
  35. The industry shall obtain and submit Insurance cover under the Public Liability Insurance Act, 1991.
  36. The industry shall provide proper and adequate air pollution control arrangements for control emission from its fuel handling area, if applicable.

37. The industry shall comply with the code of practice as notified by the Government/Board for the type of industries where the siting guidelines / Code of Practice have been notified.
38. The industry shall not cause any nuisance/traffic hazard in vicinity of the area
39. The industry shall ensure that the noise & air emission from D.G. sets do not exceed the standards prescribed for D.G. sets by the Ministry of Environment & Forests, New Delhi.
40. The industry shall ensure that there will not be significant visible dust emissions beyond the property line
41. The industry shall provide adequate and appropriate air pollution control devices to contain emissions from handling, transportation and processing of raw material & product of the industry.
42. The Industry shall ensure that its production capacity does not exceed the capacity mentioned in the consent and shall not carry out any expansion without the prior permission / NOC of the Board.

**B. SPECIAL CONDITIONS**



- 1) The project proponent shall not carry out any commercial activity as per assurance given by it through undertaking under any circumstances.
- 2) The consent to operate is being only granted from pollution angle and the project proponent has to obtain relevant permission from the concerned departments including the Forest Department and GMADA under the relevant laws. If any dispute in future arises with regard to ownership of the land for the construction raised thereon, then the consent to operate granted by the Board will not be a deciding factor.
- 3) The project proponent shall provide mechanical composter within one month and shall submit report to Punjab Pollution Control Board.
- 4) The project proponent shall ensure that there are no usages of single use plastic-thermocool disposable items such as water bottles/ water pouches/ water cups, plates, forks, spoons, straw etc. and single use decorating material made of plastic-thermocool or any other non- biodegradable material in the premises.
- 5) The project proponent shall properly handle and manage the solid wastages as per the provisions of the Municipal Solid Waste Rules 2016 and ensure that the solid waste is segregated and disposed of in an environmentally sound manner.
- 6) The project proponent shall use loudspeakers within permissible decibel limits as given in Noise Pollution Regulation and Control Rules, 2000 till 10:00 pm so that no nuisance is caused to the public.
- 7) In case the promoter fails to comply with the provisions of the Water (Prevention and Control of Pollution) Act, 1974, the Air (Prevention and Control of Pollution) Act, 1981, the Environment (Protection) Act, 1986 and/or any other environmental law applicable to the project and Rules, Circulars and Directions issued by the Board from time to time, action as deemed fit shall be taken against the promoter.
- 8) The project proponent shall not raise any construction on the farm land without the permission of the concerned departments.
- 9) The project proponent shall obtain the necessary permission from the District Administration if any function is to be held at the farm land.
- 10) As the project proponent has undertaken that the farm land is not being used for commercial purpose, the project proponent shall not conduct any late-night function on the farm land without the prior permission of the District Administration.
- 11) The project proponent shall devise the ways & means to minimize the generation of all kind of wastes through REDUCE, REUSE and RECYCLE activities. The generated waste, if any, shall be properly handled and managed as per the provisions of the Municipal Solid Waste Rules 2016 in an environmentally sound manner.
- 12) The project proponent shall develop the vermicomposting/ composting to manage the biodegradable solid waste. The project proponent not throw, burn or bury any solid wastes in open, outside premises or in drain/ water bodies.
- 13) The project proponent shall ensure that there are no usages of plastic carry bags and single use plastic/ thermocol disposable items such as water bottles/ water pouches/ water cups, plates, forks, spoons, straw etc. and single use decorating material made of plastic-thermocool or any other non-biodegradable material in the premises.
- 14) The project proponent shall perform/ promote its Corporate Environment Responsibility (CER) activities as well as use of alternatives of single use plastics (SUP) and awareness to discourage use of plastic.
- 15) The project proponent shall carry out awareness and activities for the themes/ action points identified under Mission LiFE (Lifestyle for the Environment) by Ministry of Environment, Forests and Climate Change given at the website (<http://missionlife-moefcc.nic.in>).



08/07/2024

**(Rajeev Gupta)**  
**Environmental Engineer**

*For & on behalf*

*of*

**(Punjab Pollution Control Board)**



Date: 11-03-2024.

To

Sr. Environmental Engineer  
Punjab Pollution Control Board  
Zonal Office-1, Vatavaran Bhawan,  
Nabha Road, Patiala

**Subject:-** Directions u/s 33-A of the Water (Prevention and Control of Pollution) Act, 1974 as amended in 1988 to M/s The Hermitage, Vill. Karoran, Tehsil Kharar, Distt. SAS Nagar.

Sir,

Please refer to your Letter No.12502 dated 01-03-2024 (**Copy enclosed Annexure A-1**), whereby the following directions have been issued directing compliance by us. In this connection we wish to reiterate that 'The Hermitage' is merely a **Farm** & not a **Project**. The following submissions are being made for your kind consideration with a humble request justifying an appropriate and needful review of the directions:-

**PRELIMINARY SUBMISSIONS:**

- A. The bare perusal of the communication dated 01.03.2024 issued by your kind office goes to show that the same, inter-alia, has been issued relying upon and is based upon the application being *O.A. No.161 of 2023 titled as Rana Iqbal Singh Jolly & Ors. Vs. State of Punjab & Ors.* and the order dated 14.03.2023 passed therein.

It is also submitted that the directions passed in Annexure A-1 dated 01.03.2024 has been passed on the wrong premise that the undersigned-applicant was operating or wish to operate an industrial unit. It is an admitted fact, as borne out from the records, that the undersigned-applicant was only renting out its farm land to third parties for holding marriage functions and that too seasonal and in no

case ever involved itself in catering services including seeking licenses to serve alcohol or operating any kitchen for food etc. in the said farm land.

B. In this connection, you are kindly requested to please take into due consideration the following underlying facts which are as follows:

- (i). The applicants namely Shri Rana Iqbal Singh Jolly & Ors. in their O.A. No.161 of 2023 filed before the Hon'ble NGT, P.B., New Delhi on 19.02.2023 despite being fully aware have consciously and calculatedly concealed the pendency of proceedings before the Hon'ble High Court of Punjab & Haryana at Chandigarh and also the various and repeated orders passed by the Hon'ble High Court covering the subject-matter of grant of sanctions/NOCs, permissions and approvals of building plans etc. as per the applicable development/zoning plans of the area in question which is also the case in hand including the orders dated 28.05.2014 passed in CWP No.22756 of 2013 and Orders dated 28.04.2016, 04.05.2016 and 06.05.2016 passed in CACP No.13 of 2016. You are also fully aware of the various and repeated orders passed by the Hon'ble High Court in the subsequently filed COCP No.1503 of 2023 titled as **GRAM PANCHAYAT BARI KARORAN VS VIKAS GARG, IAS & ORS.** alleging deliberate, conscious and willful defiance, disobedience and flagrant violation of the operative, binding and subsisting orders passed by the Hon'ble High Court by the concerned department of the Govt. of Punjab causing grave, acute and gross inconvenience, hardships and serious prejudice to the bonafide residents of the area. At the very outset, the very act of gross, deliberate and apparent concealment of the above

proceedings and the various/repeated orders passed by the Hon'ble High Court by the applicants disentitles the applicants to seek any relief/indulgence from the Hon'ble NGT, P.B., New Delhi and the O.A. itself is liable to be dismissed with exemplary costs. It is also pertinent to mention that the Applicants-Rana Iqbal Singh Jolly and other related persons are next door neighbors who have for their vested, malafide and ulterior motives/intents filed the O.A. No.161 of 2023 for unnecessarily harassing the under-signed without any justified or reasonable cause as has been duly made out and demonstrated in the reply filed by the under-signed before the Hon'ble NGT, P.B., Delhi.

- (ii). The undersigned/applicant would most humbly request your goodself to kindly consider and appreciate that solely on account of the defiant and impermissible acts and conducts, exhibited and resorted to by concerned departments, under the State of Punjab, who have been shifting blame upon each other and ultimately not complying with the various and repeated orders of the Hon'ble High Court. It is a matter duly borne on record that in none of the cases pertaining the village Nayagaon, Karoran, Kansal, Naddha or even in any of the adjoining villages/areas, as verily believed by the applicant/undersigned, any requisite, valid, lawful sanction, permission, NOCs or any CTE/CTO etc. has been issued by the concerned departments including by your department for any of marriage palaces, numerous farm-houses and the largest 'Marriage Palace Venue comprising 3 Marriage Palace' in Forest Hill Resort etc. for holding any marriage/social functions/events which are otherwise being held on a regular basis. In case your

goodself disputes, you are kindly requested to provide the details where any such CTE/CTO, CLUs/permissions/NOCs etc. have been issued.

- (iii). Significantly, your goodself while filing the status report dated 02.11.2023 before the Hon'ble NGT, P.B., New Delhi have duly admitted the pendency of the issues with respect to grant of approvals, sanctions, permissions and NOCs etc. by the concerned departments under the Govt. of Punjab and further reiterated that the issue of violations/show cause notices issued in respect of identically situated Forest Hill Resort, as per the legal opinion obtained by the PPCB on the subject, the matter / initiation of coercive measures have been put in abeyance making it subject to the decision of the Hon'ble High Court in the pending contempt proceedings.
- (iv). As far as the applicants/undersigned is concerned it is respectfully submitted that it has taken all diligent steps in the matter for compliance with the applicable norms/laws and in that respect has obtained requisite permission/NOCs from the (i) Punjab Water Regulation and Development Authority for extraction of ground water on 05.07.2023 (**Annexure A-2**), (ii) Provisional NOC from Punjab Fire Services (**Annexure A-3**), (iii) NOC of Forest Department (**Annexure A-4**), (iv) Report dated 11.08.2023 of the Forest range Officer, SAS Nagar, Punjab addressed to the Forest Division Officer, SAS Nagar, stating that land of the applicant/undersigned does not fall under the jurisdiction of Forest Department and the requisite NOC from the Department of

Forests and Wildlife Preservation, Punjab is not required in terms of the communication dated 23.10.2023. The applicant has even filed the application for grant of the requisite CLU from the office of the Senior Town Planner, SAS Nagar on 09-08-2023 who however, in terms of the communication dated 18.09.2023 sought to deny the same and subsequently upon the COCP No.3086 of 2023 in CWP No.22756 of 2013 having been filed by the applicant/undersigned on 03.10.2023 alleging utter disregards/defiance and disobedience exhibited by the concerned officials and upon notices having been issued, the concerned Senior Town Planner, SAS Nagar has chosen to withdraw the letter dated 18.09.2023 vide its letter dated 15.11.2023.

- (v). It is also pertinent to mention that absolutely no violation of any environmental norms/laws much less any specific instances showing any such violations in the case of the applicant/undersigned has been pointed/made out much less established except for bald averments either by Rana Iqbal Singh Jolly and other applicants in O.A. No.161 of 2023 filed before the Hon'ble NGT, P.B., Delhi or by any of the official Respondents in their replies/responses filed therein, still the undersigned is being unnecessarily harassed and prejudiced for no fault of its for the reasons best known to the officials. It is worth mentioning that the applicant-undersigned has complied all environmental norms in as much as besides other compliances, the undersigned has (i) Installed green generator sets which are CPCB compliant in all respects, (ii) Installation of three septic tanks of 2000 cubic feet and two of 1000 cubic feet respectively, (iii) Composting Bins of requisite standards for

composting of solid waste generated at the premises have been installed as per environmental norms, (iv) No effluent sewerage/waste water is discharged into the soil or in the river/seasonal rivulet but are used for horticulture purposes for existing plantation, (v) No kitchen (no cooking facility) is provided in the premises and solely of extraordinary circumstances for heating, chimney of standard specification has been installed, (vi) No permanent construction has been raised at site, (vii) No Air Pollution or Water Pollution is caused, (viii) No norms relating to light or noise have been violated nor any specific instances made out which clearly goes on show that all environmental norms have been and are being strictly adhered to.

- (vi). It is also pertinent to mention that the Hon'ble High Court in the COCP No.3086 of 2023 in CWP No.22756 of 2013 filed by the applicant-undersigned and further considering the communications dated 11.08.2023 issued by the SDM, Kharar being an order under Section 133 Cr.P.C. directing the undersigned to stop all its activities and the communication dated 19.10.2023 issued by the Ld. Asstt. Excise Commissioner, the Hon'ble High Court has been pleased to direct stay of operation and implementation of the letter dated 19.01.2023 and order dated 11.08.2023. It is thus submitted that the present communication issued by your goodself besides being prejudicial, onerous and one-sided is also not justified and fair in as much as in the same set of facts and circumstances and in case of Forest Hill Resort and other farm land like Sukoon & Surjeet Bagh etc. being rented out for marriage functions, no such coercive measures have been directed and further the prejudicial orders/directions contained in the present

communication is also in the teeth of the order dated 05.10.2023 and 20.10.2023 passed by the Hon'ble High Court in COCP No.3086 of 2023 in CWP No.22756 of 2013 filed by the applicant-undersigned.

- (vii). Your goodself are thus requested to kindly take into account the above facts and circumstances and appropriately consider the same and based upon the due consideration of the same the undersigned-applicant verily believes that your goodself would be pleased to withdraw the communication under reply while dispensing justice in the matter.

Without prejudice to the above submissions and while replying upon the same, the undersigned-applicant herein below submits its response to the communication under reply as under:

**1. That the project proponent to take all necessary steps to close down its operations and stop forthwith discharging effluents into sewer/ onto land for stagnation/ inland surface water/ irrigation or through any mode.**

a) It is submitted that all activities in the 'Farm' have already been stopped as per the directions of the Deputy Commissioner, SAS Nagar.

b) No effluents have ever been discharged in the 'Farm', in the sewer (as no sewerage system exists in the area)

c) no effluents have ever been discharged in the 'Farm', on the land as the farm is known for the pristine beauty and meticulous cleanliness and upkeep.

d) no effluents have ever discharged in the 'Farm' for stagnation/ inland surface water/ irrigation etc.

**2. That the project proponent shall stop forthwith discharging any effluent from its premises or through any mode.**

Since no effluents are being produced in the 'Farm' in view of complete stoppage of all activities, hence, there is no question of discharging any effluents from our premises or through any other method. Only the activity of irrigating the lush green gardens and thousands of plants, shrubs and trees is being undertaken. In case, the irrigation to the plants is also stopped, it will cause immense damage to the environment and the flora and fauna of such a large chunk of land, spread over 11 Acres, which is a proud heritage of this area. (Pictures of the lush green Farm enclosed as Annexure A-5)

**3. That the project proponent will immediately stop its all activities and will not restart the same unless all adequate water pollution control measures are taken and it obtains prior consent to operate under the provisions of the Water (Prevention & Control of Pollution) Act, 1974.**

The undersigned had duly applied for all permissions to Pollution Control Board, after complying with all the norms.

(A) Application Form for consent to operate u/s 25/26 & the Water (Prevention & Control of Pollution) Act, 1974 was submitted vide Industry ID No. 023SAS642688 on 15/09/2023.

(B) Application for obtaining Consent to Establish (NOC) u/s 21 of the Air (Prevention & Control of Pollution) Act, 1981 was duly submitted vide Industry ID-023SAS642688 dated 15/09/2023.

The same is pending for want of CLU, grant of which is a sub-judice matter, pending with Hon'ble Punjab & Haryana High Court, in the contempt Petition No. **CM-14864-CII-2023 IN COCP-1502-2023 AND CM-14865-CII-2023 IN COCP-1105-2023 GRAM PANCHAYAT BARI KARORAN VS VIKAS GARG, IAS & ORS..**

However, as per your directions, all activities at the 'Farm' have already been stopped and all the requirements of the Punjab Pollution Control Board have been meticulously complied with, as per details given below:-

**1. Compositing bins have been installed. (Photo attached as Annexure A-6)**

2. Only the green and silent Gen sets have been installed and the height of exhaust pipes have been raised, as per the requirements of Punjab Pollution Control Board **(Picture attached as Annexure A-7)**
3. Three septic tanks have been constructed, since the inception of the farm, with a combined capacity of 4000 Cubic feet.
  - a) 1 septic tank is of 2000 cubic feet of capacity **(drawing enclosed as Annexure A-8)**
  - b) 1 septic tank of 1000 cubic feet of capacity for personal usage bathroom has been installed.
  - c) 1 Septic tank of 1000 cubic feet capacity for staff bathroom.

As per the norms for all farms /farm houses, where sewerage system does not exist, we have constructed three septic tanks with a combined capacity of 4000 cubic feet

4. **That the Punjab State Power Corporation Ltd. authorities shall disconnect the supply of electricity available to the project proponent.**

A suitable representation, along with various court orders, in view of the matter being sub-judice, has already been made. Copy of the representation is enclosed as **Annexure A-9.**

5. **That the DG sets installed by the project proponent shall be sealed.**

It is humbly submitted that in view of the onset of summer season and frequent power cuts, any sealing of DG sets (which are fully Pollution norms compliant) shall result in irreversible damage to 11 acres of lush green farm, with thousands of flowering plants, evergreen plants, exotic shrubs and trees, which will be a huge loss to the environment. It will go against the mandate of the Pollution Control Board to preserve and further improve the environment, for which vegetation is the most effective method.

**(A).** It is further submitted that, as per the letter written to the Forest Hill Resort No. 7918 dated 13.10.2023 **(Copy Enclosed as Annexure A-10)**, submitted by the Punjab Pollution Control Board to NGT, the following was decided by the Chairman of the Punjab Pollution Control Board:-

“Environmental Engineer, Punjab Pollution Control Board, Regional Office, SAS Nagar informed that building plans of the project

has not been yet approved by the concerned department and the matter in this regard is pending in the Hon'ble Punjab & Haryana High Court. He also informed that the project for which it has applied for obtaining consent to operate under the Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981 does not cover under the ambit of EIA notification dated 14/9/2006.

After hearing the officers of the Board and the representative of the project proponent, the Chairman of the Board decided as under.

1) Environmental Engineer, Punjab Pollution Control Board, Regional Office, SAS Nagar shall obtain legal opinion from the SLO of the Board and thereafter take further action in the matter with regard to grant of consent to operate to the project proponent under the Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981.

2) Environmental Engineer, Punjab Pollution Control Board, Regional Office, SAS Nagar shall return the application of the project proponent for obtaining consent to operate under the Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981 as the matter is pending in the Hon'ble Punjab and Haryana High Court."

The same was submitted before the Hon'ble National Green Tribunal on 02.11.2023.

(B). It is submitted that the matter under reference, based on which a relief has been given to Forest Hill Resort, is common for all residents of Village Nayagaon, as the same relates to a contempt Petition No. **CM-14864-CII-2023 IN COCP-1502-2023 AND CM-14865-CII-2023 IN COCP-1105-2023 GRAM PANCHAYAT BARI KARORAN VS VIKAS GARG, IAS & ORS** filed by Gram Panchayat, Bari Karoran (Nayagaon) in which the Hon'ble High Court passed the following orders on 12.10.2023 (Copy of the order attached as Annexure A-11):

"Accordingly, respondent No. 1 i.e. present Additional Chief Secretary-cum-Financial Commissioner, Forest Department, Punjab, respondent No. 2 i.e. present Principal Chief Conservator

of Forests, SAS Nagar (Mohali) and respondent No. 4 i.e. present Principal Secretary, Local Govt., Punjab are prima facie held guilty of violation the orders of this Court as well as undertaking given by them before the Court.

Before fixing a date of pronouncing the order on quantum of sentence, they are given time till the next date of hearing to purge the contempt."

(C). Subsequently, the undersigned also filed a Contempt Petition in Hon'ble Punjab & Haryana High Court, on 03.10.2023 (Copy enclosed as **Annexure A-12**). The Hon'ble Court was pleased to pass the following order on 05.10.2023 which is reproduced hereunder (Copy of Order enclosed as **Annexure A-13**):-

**"Notice of motion for 28.11.2023.**

**Till the next date of hearing, no coercive action shall be taken against the petitioner"**

(D). Another application was moved by the undersigned on 20.10.2023, before the Hon'ble Court and the Hon'ble Court was pleased to pass the following order (copy of order & Annexures are enclosed as **Annexure A-14**):

"In the meantime, the operation and implementation of letter dated 19.10.2023 and order dated 11.08.2023 shall remain stayed."

The case is now listed for 12.08.2024 and the interim orders continue to operate in the meantime.

It is submitted that the Honb'le Punjab & Haryana High Court, was pleased to pass the above order, in our favour, in view of its earlier order passed in the contempt petition filed by the Gram Panchayat, Bari Karoran. It is, therefore, requested that similar relief should be extended to us also which has been granted to the Forest Hill Resort, which has held almost 300 weddings in the ongoing season, in 3 marriage palaces, working on the premises without obtaining CLU & Consent to operate & Consent to establish

as mentioned in Punjab Pollution Control Board Letter No. 7918 dated 13.10.2023, submitted before N.G.T. Forest Hill Resort is located in the same area and same village and is governed by the same laws. It is further submitted that Forest Hill Resort (3 Marriage Palaces working on the premises have been outsourced to the biggest Marriage Palace chain of Tri-city namely 'Amaltas') is holding night functions extending upto 4.0 A.M. in the morning with loud music/noise. 80% of the functions being held are night functions, but they still have been extended the benefit of matter being sub-judice, while denying the same to us although we are very much part of the same Gram Panchayat.

(E). It is further submitted that the undersigned has requested the office of your goodself about details of permissions/approvals, under RTI, granted to some of the commonly known Venues for holding Marriages/social functions, in area of Punjab, around Chandigarh, in the vicinity of Village Nayagaon. **(Copy of RTI Application enclosed as Annexure A-15)**

It is requested that the required information may please be provided at the earliest, to help identify all such venues holding Marriage/Social Functions without the requisite permissions and whether similar 'Coercive' action has been initiated against them.

(F). It is further stated that the undersigned has since withdrawn the application for grant of CLU for Open Marriage Palace **(copy enclosed as Annexure A-16)**. As such, no cause of action survives, as the undersigned now owns only a 'Farm', where no commercial activity is being undertaken. It is also submitted that we are fully complying with all the requirements of Punjab Pollution Control Board and are willing to comply with any other requirement, if asked.

961 (G). Any 'Coercive' action, by way of disconnection of electricity supply or sealing of DG sets shall be contrary to the letter and spirit of the orders passed by the Hon'ble High Court in COCP No.3086 of 2023 in CWP No.22756 of 2013 filed by the applicant-undersigned and would result in 'Contempt' of Hon'ble Punjab & Haryana High Court orders restraining any 'coercive' action against us.

(H). It will also cause a huge damage to the environment, by way of destruction of 11 acre of lush green gardens with thousands of plants, in absence of water supply, despite our stoppage of all non-farming activities and full compliance of norms of Punjab Pollution Control Board. Since we are not seeking CLU and wish to maintain the Hermitage Farm as a farm only, we are willing to comply with any directions in regards to Pollution / environment norms, for maintenance of a lush green farm, without any permanent construction.

(I). The Hermitage Farm is registered under Punjab Farm Tourism Scheme 2021 by Punjab Heritage and Tourism Promotion Board vide their Certificate No.PHTPB/FT/2021/34 dated 04-10-2021 (Copy enclosed as **Annexure A-17**).

(J). The Hermitage Farm has got permission for extraction of ground water from Punjab Water Regulation and Development Authority vide Permission Number PWRDA/1/07/2023/L1/84 dated 5-7-2023 (Copy enclosed as **Annexure A-18**)

It is also respectfully submitted that the Govt. of Punjab has time and again come out with regularization policy, the latest being, 18.10.2023, where on payment of charges of the regularization fees mentioned therein, farm lands such as that of the undersigned-applicant are eligible for regularization.

The only question, I fervently appeal, is to consider whether we want to destroy the most Pristine Oasis of Nature, with lush green Gardens & large water bodies & thus destroy Nature and Environment, by the proposed 'Coercive' action or we want to preserve & promote the 'Oasis' by supporting & encouraging the promoters of lush Green Gardens, who are completely committed to spreading the Green Cause at a huge personal cost.

Submitted for your kind consideration with humble request to kindly re-consider & withdraw the onerous and prejudicial directions under reference, as it will result in complete de-gradation of nature over 11 Acres of lush green Farm and lead to immense damage to environment as the land will revert to sand dunes, which it was till 2018, as nature cannot survive without water. Hundreds of birds will also be adversely affected due to destruction of Green Cover as the numerous water bodies constructed by us, at the Farm, are the only source of water for Peacocks & thousands of other birds of the area during the summer season.

for Orchid Space Designs LLP

  
Partner

**Saurabh Gupta**

Partner

Orchid Space Designs LLP

**The Hermitage Farm**, Village Karoran,  
Tehsil Kharar, District SAS Nagar

Mobile 9592911000, 9592700000

Copy to :-

1. Chairman, Punjab Pollution Control Board,  
Vatavaran Bhawan, Head Office, Nabha Road, Patiala.
2. Chief Engineer, Punjab Pollution Control Board,  
Nabha Road, Patiala.
3. ✓ S.E. (Ropar Division), Punjab Pollution Control,  
Nabha Road, Patiala
4. Environmental Engineer, Punjab Pollution Control Board  
Regional Office, SAS Nagar.

for Orchid Space Designs LLP

  
Partner

**Saurabh Gupta**

Partner

Orchid Space Designs LLP

**The Hermitage Farm**, Village Karoran,  
Tehsil Kharar, District SAS Nagar

Mobile 9592911000, 9592700000



# ਪੰਜਾਬ ਪ੍ਰਦੂਸ਼ਣ ਰੋਕਥਾਮ ਬੋਰਡ

ਕੋਲਲ ਦਫ਼ਤਰ-1, ਵਾਤਾਵਰਣ ਭਵਨ, ਨਾਕਾ ਰੋਡ, ਮੁਕਿਆਲਾ-147001



**LIFE**  
Lifestyle for  
Environment

Phone no. 0175-2301182

ਨੰਬਰ 12502

e-mail : ppcbsee\_zp1@yahoo.com

ਮਿਤੀ 11/3/24

REGISTERED

To

The Hermitage,  
Vill. Karooran, Tehsil Kharar,  
Distt. SAS Nagar

Subject:

Directions u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 as amended in 1988 to M/s The Hermitage, Vill. Karooran, Tehsil Kharar, Distt. SAS Nagar

Whereas it is mandatory on the part of the project proponent to obtain the 'consent to establish' (NOC) of the Board as required u/s 25/26 of the Water (Prevention & Control of Pollution) Act, 1974 and u/s 21 of the Air (Prevention & Control of Pollution) Act, 1981 before establishment of an industrial unit.

And whereas, it is also mandatory on the part of the project proponent to obtain the consent of the Board as required u/s 25/26 of the Water (Prevention & Control of Pollution) Act, 1974 to operate an outlet, for discharge of effluents from its industrial premises.

And whereas, it is also mandatory on the part of the project proponent to install adequate and appropriate effluent treatment facilities, so as to ensure that the concentration of various pollutants in the wastewater discharged from the premises of the industry, is within the permissible limits prescribed by the Board.

And whereas, the project proponent has failed to apply for obtaining consent to establish/ operate of the Board as required under the Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981.

And whereas, an application OA no. 161 of 2023 titled as Rana Iqbal Singh Jolly v/s State of Punjab and others was filed in Hon'ble NGT regarding noise pollution by the Hermitage, village Karooran, Tehsil Kharar by organizing functions/ Marriages. Hon'ble NGT in its order dated 14.03.2023 directed to visit the site by constituting a joint committee with direction to submit report within 02 months. Accordingly, the joint committee comprising of SDM Kharar, DFO Mohali, DTP GAMDA, EO M.C Naya Gaon, CPCB and PPCB vide order no. ADC(UD)/2023/143 dated 09.05.2023 was constituted by ADC (UD) Mohali.

And whereas, the site of M/s The Hermitage, Village Karooran, Tehsil Kharar, District SAS Nagar was visited by the joint committee on 12.05.2023 and contacted Sh. Sanjay Gupta, Prop. During visit, it was observed as under:

- 1) The representative informed that first function was held here in Feb. 2020 and it was his daughter's marriage function. Thereafter, COVID-19 happened and the functions started in 2022 only. He further informed that they have three lawns and they give these on rent for one day and are not providing any catering/decoration services and clients are holding functions / marriages in The Hermitage on their own. There are about 50 functions happening in one year i.e. during winter season only as they have not provided any kind of shed/air conditioners for rainy / summer seasons. The clients themselves are required to obtain necessary permission from the concern Department for serving liquor. He further informed that they are paying GST for the functions / marriages being held here.
- 2) The Hermitage is located outside the limits of Municipal Council, Naya Gaon.
- 3) The Hermitage has not built any permanent structure and has constructed two rooms for office purpose, 2 no. toilets, 2 no. dressing rooms/changing rooms, 1 no. cabana, 2 no. kitchens and 3 no. lawns.
- 4) On the day of visit no function was being held in the farm house.
- 5) The Hermitage has also installed 2 no. DG sets of capacities 125 KVA and 25 KVA as backup of electricity in case of power failure. Hence, the possibility of organizing function(s) cannot be ruled out.
- 6) The Department of Town and country Planning has not issued any change of land use to The Hermitage because no such activity like carrying out functions / marriages is allowed here.
- 7) No permission for playing DJ / Loud Speakers is obtained by The Hermitage ever from SDM Office, Kharar.
- 8) The Hermitage has never obtained for consent to establish (NOC) / consent to operate under Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981 as required from pollution angle from the Board.
- 9) The Hermitage has installed one Borewell. No permission has been obtained from The Punjab Water Regulation and Development Authority (PWRDA) under Punjab Water Resources (Management Regulation) Act, 2020 for abstraction of groundwater.

10) The Hermitage has not provided any ETP/STP for the treatment of wastewater generated from kitchen and toilets. The representative informed that they have provided soakage pits.

And whereas, it is evident that the proprietor is operating its unit without the valid consent to establish/ operate of the Board as required under the Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981.

And whereas, the matter was considered by the Competent Authority and it has been decided to issue notice u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 for proposing closure of the project after affording an opportunity of personal hearing, due to aforesaid. Therefore, the project proponent was served notice u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 alongwith an opportunity of personal hearing before the Chairman of the Board with the following directions:

- 1) Environmental compensation shall be imposed on the project proponent as damage to the Environment.
- 2) The prop. shall stop all the activities at the site with immediate effect and stop forthwith discharging any effluent/ wastewater into sewer/ inland surface water/ onto land or through any other mode.
- 3) The PSPCL authorities shall disconnect the electric connection for this project or any of its components, with immediate effect.

And whereas, but neither hearing was attended by project proponent nor submitted by reply. Accordingly, project proponent was afforded another opportunity of personal hearing to 19/7/2023 and same was informed to the project proponent vide Board's letter no. 4799-4810 dated 12/7/2023.

And whereas, the representative of the project proponent attended the hearing and submitted the written reply, which was taken on record. He informed during hearing that only lawns have been developed to organize functions and no kitchen has been provided in the said premises. Further, two toilets have also been constructed and septic tank has been provided for the treatment of wastewater generated from said toilets. He also informed that it has applied for obtaining CLU of the said project. He assured that the movement CLU will be issued, CTE/ CTO under the Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981 will be applied to the Board and till that no function will be organized in the said premises till 31/10/2023 so that no damage to the environment can be caused.

And whereas, after hearing, the Chairman of the Board decided that:

- 1) The project proponent shall not carry out any function without obtaining consent to establish/ operate as required under the Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981 under any circumstances and will obtain consent to establish/ consent to operate of the Board under the Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981 of the Board.
- 2) Environmental Engineer, Punjab Pollution Control Board, Regional Office, SAS Nagar shall visit the site and check the adequacy of septic tank installed by the project proponent for treatment wastewater and disposal arrangements of treated wastewater made by the project proponent.
- 3) Environmental Engineer, Punjab Pollution Control Board, Regional Office, SAS Nagar shall identify other such projects and initiate action under the provisions of the Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981.
- 4) EE, RO, SAS Nagar shall check the contentions of the owner of the lawns w.r.t. water pollution and solid waste disposal arrangement in Naya Gaon and report the same separately.

And whereas, the proceedings of the hearing were conveyed to industry with a copy to Regional Office, SAS Nagar vide Board's letter no. 5458-59 dated 28/7/2023 for compliance.

And whereas, to verify the compliance of the hearing decisions made by the project proponent, the site of the project was visited by officer of the Board 4/8/2023 and it was observed as under:

- 1) There was no function being held during the visit.
- 2) The Hermitage has provided 2 no. tanks underneath common toilets (for ladies & gents) and all the domestic effluent collected is in these tanks. The size of tank under ladies toilets is about 2.5' x 9' x 6' and of tank under gents toilets is about 2.5' x 9' x 9'. However, these are only collection tanks and not septic tanks as claimed by the project proponent during the personal hearing. Further, there is no outlet of these tanks and the representative informed that the wastewater is got lifted through mobile tankers and is disposed of to unknown locations.
- 3) There is no oil & grease trap provided for arresting oil & grease from washing of utensils etc. in service kitchens. The representative informed that this wastewater is used in irrigation of lawns and other plantation within premises.
- 4) The project proponent has not provided any septic tank for treatment wastewater.

And whereas, the project proponent is not complying with the decisions of the personal hearing held before the Chairman of the Board on 19/7/2023 and failed to obtain consent to establish/ operate from the Board as required under the Water (Prevention & Control of Pollution) Act, 1974.

And whereas, a complaint was received from the O/o Deputy Commissioner, SAS Nagar regarding the project proponent is carrying out function in its premises without obtaining any permission from the Office of Deputy Commissioner, SDM Kharar as well as PPCB.

And whereas, the project proponent has not submitted CLU issued by Competent Authority in the O/o Environmental Engineer, Punjab Pollution Control Board, Regional Office, SAS Nagar. Further, the project proponent doesn't have liquor license from the Competent Authority and is continuously holding functions in violation of order of NGT as well as directions issued by the Board.

And whereas, the project proponent is violating the decisions of the personal hearing given before the Chairman of the Board on 19/7/2023 as well as not complying with the orders passed by Hon'ble National Green Tribunal in OA no. 161 of 2023 titled as Rana Iqbal Singh Jolly v/s State of Punjab and others.

And whereas, after considering all the aspects of the case, the Competent Authority of the Board is of the view that it is a fit case to issue directions by invoking the provisions of Section 33-A of the Water (Prevention & Control of Pollution) Act, 1974.

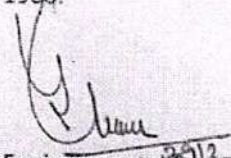
And whereas, it has been now decided by the Competent Authority of the Board to issue directions u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 to the project proponent.

Now, therefore, the Competent Authority of the Board in exercise of the powers conferred upon it u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 and after thoroughly examining the case of the project proponent, has decided to issue the following directions:

- 1) That the project proponent to take all necessary steps to close down its operations and stop forthwith discharging effluents into sewer/ onto land for stagnation/ inland surface water/ irrigation or through any mode.
- 2) That the project proponent shall stop forthwith discharging any effluent from its premises or through any mode.
- 3) That the project proponent will immediately stop its all activities and will not restart the same unless all adequate water pollution control measures are taken and it obtains prior consent to operate under the provisions of the Water (Prevention & Control of Pollution) Act, 1974.
- 4) That the Punjab State Power Corporation Ltd. authorities shall disconnect the supply of electricity available to the project proponent.
- 5) That the DG sets installed by the project proponent shall be sealed.

In case of failure to comply with the above said directions, you are liable for action u/s 41 of the Water (Prevention & Control of Pollution) Act, 1974 as amended in 1988.


This issue with the approval of the Chairman of the Board.

  
Sr. Environmental Engineer  
for and on behalf of the  
Punjab Pollution Control Board

Endst. no. \_\_\_\_\_

Dated \_\_\_\_\_

A copy of the above is forwarded to the Environmental Engineer, Punjab Pollution Control Board, Regional Office, SAS Nagar for information and necessary action. He is requested to request to visit the site of the industry immediately to seal both the DG sets installed by the project proponent to rule out possibility of its operation and also make the compliance of said directions.

  
Sr. Environmental Engineer  
for and on behalf of the  
Punjab Pollution Control Board



**PUNJAB WATER REGULATION AND DEVELOPMENT AUTHORITY**  
 seo 149-152, Sector 17 c, Chandigarh – 160017  
**PERMISSION FOR EXTRACTION OF GROUNDWATER**  
 (Under The Punjab Groundwater Extraction And Conservation Directions, 2023)


Unit ID:	Permission Number:	Date of Grant of Permission	Valid up to
1370701259	PWRDA/L/07/2023/L1/84	05.07.2023	04.07.2026

1	Name of Unit:	The Hermitage Farm By Orchid Space Designs LLP	
2	Activity of Unit:	Other (Farm Stay Registered Under Punjab Heritage and Tourism Promotion Board, Certificate No. PHTPB/FT/2021/34)	
3	Address/Location of Unit:	Karoran-Baddi Road, Village Karoran	
		District SAS Nagar	PIN: 160103
4	Assessment Area (Block):	Majri	Status: Green
5	District	SAS Nagar	
6	Head Office Address:	Regd. Office : SCO 118-119-120, Sector 34, Chandigarh 160022 Corporate Office:- DSS 8, 1 <sup>st</sup> Floor, Sector 2, Panchkula (Haryana) 134109	
	Email	osdindia@gmail.com	
	Phone/Mobile No.	9592700000	9592911000
7	Project Status:	Existing	
8	No. of Existing Tube-Wells	No. of Proposed Tube-Wells	Total Number of Tube-Wells Permitted
	01	00	01
9	Volume of Ground Water Permitted to be Extracted(m <sup>3</sup> /month)	Fresh	Brackish/Saline
		1500	-

Note: This permission is granted in terms of the Punjab Groundwater Extraction and Conservation Directions, 2023 notified on 27<sup>th</sup> January, 2023 under section 15 of the Punjab Water Resources (Management and Regulation) Act, 2020 and is subject to the conditions given overleaf.

Dated: 05.07.2023  
Place: Chandigarh



  
 Navanot Singh A.O.L-1  
 Sub Divisional Officer  
 Punjab Water Regulation and Development Authority  
 Chandigarh.



**Punjab Fire Services**  
( KHARAR MUNICIPAL COUNCIL )  
**FIRE SAFETY CERTIFICATE**  
**ਫਾਇਰ ਸੇਫਟੀ ਪਮਾਣ ਪੱਤਰ**



NOC No: PB-FN-2023-08-07-057766

NOC Type: PROVISIONAL

Dated: 7/8/2023

Certified that the THE HERMITAGE FARM, VILLAGE KARORAN (HB NO 352), TEHSIL KHARAR, DISTT MOHALI at HB NO 352, VILLAGE KARORAN, Kharar, Mohali, 133301, has been inspected by the fire officer. This site is vacant/ under construction and is accessible to fire brigade. As per proposed drawing, building is to be constructed with 0 basements and 1 (Upper floor). Fire department has examined the fire safety layout plan/drawing and found it fit for occupancy of Group F Business subdivision F1 (as per NBC).

Issued on 7/8/2023 at KHARAR MUNICIPAL COUNCIL

ਤਸਦੀਕ ਕੀਤਾ ਜਾਂਦਾ ਹੈ ਕਿ THE HERMITAGE FARM, VILLAGE KARORAN (HB NO 352), TEHSIL KHARAR, DISTT MOHALI, HB NO 352, VILLAGE KARORAN, Kharar, Mohali, 133301, ਦੀ ਫਾਇਰ ਅਫਸਰ ਵੱਲੋਂ ਪਤਤਾਲ ਕੀਤੀ ਗਈ। ਇਸ ਸਮੇਂ ਇਹ ਜਗਾ ਖਾਲੀ/ ਉਸਾਰੀ ਅਧੀਨ ਹੈ ਅਤੇ ਫਾਇਰ ਬ੍ਰਿਗੇਡ ਦੀ ਪਹੁੰਚ ਦੇ ਅੰਦਰ ਹੈ। ਲੇਆਊਟ ਪਲਾਨ/ ਡਰਾਇੰਗ ਮੁਤਾਬਕ 0 ਬੇਸਮੈਂਟ ਅਤੇ 1 ਮੰਚਿਲ ਹਨ। ਫਾਇਰ ਵਿਭਾਗ ਵੱਲੋਂ ਜਮਾ ਕਰਵਾਏ ਗਏ ਫਾਇਰ ਸੇਫਟੀ ਲੇਆਊਟ ਪਲਾਨ/ ਡਰਾਇੰਗ ਨੂੰ ਖੋਖਿਆ ਗਿਆ ਅਤੇ ਬਿਲਡਿੰਗ ਕੋਡ ਅਨੁਸਾਰ ਇਮਾਰਤ / ਬਿਲਡਿੰਗ ਨੂੰ Group F Business subdivision F1 (ਐਨ. ਬੀ. ਸੀ. ਦੇ ਅਨੁਸਾਰ) ਦੀ ਆਬਾਦੀ ਲਈ ਯੋਗ ਪਾਇਆ ਗਿਆ।

KHARAR MUNICIPAL COUNCIL ਵਿਖੇ ਜਾਰੀ ਕਰਨ ਦੀ ਮਿਤੀ 7/8/2023.

Provisional NOC is issued subject to following conditions:

ਪ੍ਰੋਵੀਜ਼ਨਲ ਐਨ.ਓ.ਸੀ ਹੇਠ ਲਿਖਿਆ ਸ਼ਰਤਾਂ ਦੇ ਆਧਾਰ ਤੇ ਜਾਰੀ ਕੀਤਾ ਜਾਂਦਾ ਹੈ।

1. Occupant/Owner must install/provide fire safety arrangements as per submitted fire layout plan/drawing during construction.  
ਕਾਰਜਕਾਰ/ਮਾਲਕ ਵੱਲੋਂ ਜਮਾਂ ਕਰਵਾਏ ਗਏ ਲੇਆਊਟ ਪਲਾਨ/ਡਰਾਇੰਗ ਅਨੁਸਾਰ ਫਾਇਰ ਸੇਫਟੀ ਦੇ ਪਬੰਧ ਕਰਨੇ ਲਾਜ਼ਮੀ ਹੋਣਗੇ।
2. Occupant/Owner must obtain the final NOC from fire department on completion of building construction before occupancy.  
ਕਾਰਜਕਾਰ/ਮਾਲਕ ਵੱਲੋਂ ਇਸ ਪ੍ਰੋਜੈਕਟ ਦੀ ਉਸਾਰੀ ਉਪਰੰਤ ਫਾਇਰ ਸੇਫਟੀ ਸਬੰਧੀ ਫਾਇਰ ਐਨ.ਓ.ਸੀ ਲੈਣਾ ਹੋਵੇਗਾ।
3. Fire department may ask for additional arrangements (if necessary) after the completion of construction of building.  
ਫਾਇਰ ਵਿਭਾਗ ਵੱਲੋਂ ਬਿਲਡਿੰਗ ਦੀ ਉਸਾਰੀ ਦਾ ਕੰਮ ਮੁਕੰਮਲ ਹੋਣ ਤੋਂ ਫਾਇਰ ਸੇਫਟੀ ਦਾ ਵਾਧੂ ਪ੍ਰਬੰਧ (ਜੇਕਰ ਲੋੜ ਹੋਵੇ) ਕਰਨ ਲਈ ਕਿਹਾ ਜਾ ਸਕਦਾ ਹੈ।
4. During construction, fire safety arrangements should be provided as per requirements of NBC.  
ਐਨ.ਬੀ.ਸੀ ਅਨੁਸਾਰ ਬਿਲਡਿੰਗ ਦੀ ਉਸਾਰੀ ਸਮੇਂ ਫਾਇਰ ਸੇਫਟੀ ਦੇ ਲੋੜੀਂਦੇ ਪ੍ਰਬੰਧ ਕਰਨੇ ਜ਼ਰੂਰੀ ਹੋਣਗੇ।
5. In case of any change/alteration in the building plan, owner/occupant must re-apply for the provisional certificate.  
ਜੇਕਰ ਕਾਰਜਕਾਰ/ਮਾਲਕ ਵੱਲੋਂ ਕੋਈ ਵੀ ਤਬਦੀਲੀ ਕੀਤੀ ਜਾਂਦੀ ਹੈ ਤਾਂ ਦੁਬਾਰਾ ਤੇ ਪ੍ਰੋਵੀਜ਼ਨਲ ਐਨ.ਓ.ਸੀ ਲਈ ਅਪਲਾਈ ਕਰਨਾ ਪਵੇਗਾ।
6. Fire department reserves the right to withdraw this issued certificate, if any change in fire/building layout plan is made without notice to fire department.

ਜੇਕਰ ਕਾਰਜਕਾਰ/ਮਾਲਕ ਵੱਲੋਂ ਕਿਸੇ ਵੀ ਤਬਦੀਲੀ ਕੀਤੀ ਜਾਂਦੀ ਹੈ ਤਾਂ ਦੁਬਾਰਾ ਤੇ ਪ੍ਰੋਵੀਜ਼ਨਲ ਐਨ.ਓ.ਸੀ ਲਈ ਅਪਲਾਈ ਕਰਨਾ ਪਵੇਗਾ।

\* Above Details cannot be used as ownership proof.

ਉਪਰੋਕਤ ਵਰਤਾਈ ਗਈ ਜਾਣਕਾਰੀ ਨੂੰ ਮਾਲਕਾਨਾ ਦੇ ਸਬੂਤ ਵਜੋਂ ਨਹੀਂ ਵਰਤਿਆ ਜਾਵੇਗਾ।

This is digitally created certificate, no signature are needed.



A-4

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ਦਫ਼ਤਰੀ ਮਿਤਰ ਅਭਿਯੰਤਰ,  
 ਸਾਹਿਬਜ਼ਾਦਾ ਅਜੀਤ ਸਿੰਘ ਨਗਰ  
 DIVISIONAL FOREST OFFICER,  
 SAHIBZADA AJIT SINGH NAGAR  
 DEPARTMENT OF FORESTS AND WILDLIFE PRESERVATION, PUNJAB,  
 6B Floor, FOREST COMPLEX, SEC-48,  
 SAHIBZADA AJIT SINGH NAGAR  
 Email ID: [ahsanagar@punjab.gov.in](mailto:ahsanagar@punjab.gov.in)  
 ਫੋਨ ਨੰ. 0172-2298300

ਨੰਬਰ/ ਐਚ ਐਸ ਡੀ ਡੀ/1980/ 5296

ਮਿਤੀ 23/07/2023

ਸੇਵਾ ਵਿਖੇ,

Sh. Sourabh Gupta,  
 Partner,  
 M/s Orchid Space Designs LLP,  
 R/o H. No. 826, Sector 2, Panchkula,  
 Haryana.

Subject: Regarding grant for NOC.

ਰਵਾਨਾ:- ਆਪ ਦਾ ਪੱਤਰ ਮਿਤੀ 24.07.2023.

ਉਪਰੋਕਤ ਵਿਸ਼ੇ ਤੇ ਹਵਾਲੇ ਅਧੀਨ ਪੱਤਰ ਦੇ ਸਬੰਧ ਵਿੱਚ ਵੱਡੇ ਖੇਤਰ ਅਫਸਰ, ਐਸ ਏ ਐਸ ਨਗਰ ਵੱਲੋਂ ਆਪਣੇ ਪੱਤਰ ਨੰ. 225 ਮਿਤੀ 06-09-2023 ਰਾਹੀਂ ਉਕਤ ਥਾਂ ਦਾ ਖੇਤਰ ਦੇਖ ਕੇ ਅਤੇ ਇਸ ਦਫ਼ਤਰ ਦੇ ਵਿਕਾਸ ਅਨੁਸਾਰ ਆਪ ਨੂੰ ਡਿੱਖਿਆ ਜਾਂਦਾ ਹੈ ਕਿ ਆਪ ਵੱਲੋਂ ਪਿਛ ਕਰੋੜ ਹਦਾਫ਼ ਨੰ. 352 ਰਾਹੀਂ ਖਰੀਦੀ ਜ਼ਮੀਨ ਐਸ ਏ ਐਸ ਨਗਰ ਦੇ ਦਫ਼ਤਰ ਵਿੱਚ ਮੌਜੂਦ ਮਾਲ ਵਿਕਾਸ ਅਨੁਸਾਰ ਖਸਰਾ ਨੰ. 83//26, 27, 28, 30, 31, 32, 33/1, 34, 35/1, 36, 37, 97//26/2 ਖੀ ਐਲ ਐਸ ਡੀ ਡੀ 1900 ਦੀ ਧਾਰਾ 4 ਅਤੇ 5 ਵਿੱਚੋਂ ਸਾਡਮ ਡੀ-ਲਿਸਟ ਹੋ ਚੁੱਕੇ ਹਨ। ਜਦੋਂ ਕਿ ਖਸਰਾ ਨੰਬਰ 83//39 ਦੇ ਖੂਲਾ ਖੇਤਰ 80 ਕਨਾਲ 11 ਮਰਲੇ ਵਿੱਚੋਂ 51 ਕਨਾਲ 11 ਮਰਲੇ ਡੀ-ਲਿਸਟ ਹੋ ਚੁੱਕੇ ਹਨ। ਖਸਰਾ ਨੰ. 83//39/1 ਦਾ ਡਕੂਮੈਂਟ ਨੰਬਰ 83//39/1 ਦਾ ਡਕੂਮੈਂਟ ਨੰਬਰ 39/578/2005- ਐਫ ਟੀ-3/6087 ਮਿਤੀ 13-08-2010 (ਕਾਪੀ ਨੰਬਰ) ਰਾਹੀਂ ਖੀ ਐਲ ਐਸ ਡੀ ਡੀ 1900 ਦੀ ਧਾਰਾ 4 ਅਤੇ 5 ਵਿੱਚੋਂ ਡੀ-ਲਿਸਟ ਹੋ ਚੁੱਕੇ ਹਨ। ਡੀ-ਲਿਸਟ ਹੋਏ ਹਕੂਮੀ ਮੁੱਖ ਸਕੱਤਰ, ਪੰਜਾਬ ਜੀ ਦੀ ਪ੍ਰਧਾਨਗੀ ਹੇਠ ਮਿਤੀ 26-04-2010 (ਕਾਪੀ ਨੰਬਰ) ਨੂੰ ਹੋਈ ਸੈਟਿੰਗ ਵਿੱਚ ਨਵੇਂ ਤੌਰੇ ਵੱਲੋਂ ਅਨੁਸਾਰ "The administration of area delisted from PLPA, are vested with the Department of Local Government and Department of Town Planning" ਇਸ ਸਬੰਧੀ ਪ੍ਰਧਾਨਗੀ ਸਬੰਧਤ ਵਿਭਾਗ ਆਪੋ ਪ੍ਰਾਪਤ ਕਰ ਲਈ ਜਾਂਦੇ।

ਇਸੇ ਇਹ ਦੱਸਣਾ ਹੋਵੇਗਾ ਕਿ ਖਸਰਾ ਨੰ. 83//29 ਅਤੇ 97//26/1 ਦਾ ਸਾਡਮ ਡਕੂਮੈਂਟ ਖੀ ਐਲ ਐਸ ਡੀ ਡੀ 1900 ਦੀ ਧਾਰਾ 4 ਅਧੀਨ ਬੰਦ ਹਨ ਅਤੇ ਇਸ ਵੇਲੇ ਹਕੂਮੀ ਵਿੱਚ ਕੋਈ ਵੀ ਸਕੱਤਰੀ ਕਾਰਨ ਤੋਂ ਪਹਿਲਾਂ Forest Conservation Act, 1980 ਤਹਿਤ ਪ੍ਰਧਾਨਗੀ ਹੇਠੀ ਬਣਦੀ ਹੈ। ਉਕਤ ਸਬੰਧੀ ਆਪ ਨੂੰ ਡਿੱਖਿਆ ਜਾਂਦਾ ਹੈ ਕਿ ਖੀ ਐਲ ਐਸ ਡੀ ਡੀ 1900 ਦੀ ਧਾਰਾ 4 ਅਤੇ 5 ਅਧੀਨ ਬੰਦ ਹਕੂਮੀ ਸਬੰਧੀ ਇਹ ਕੋਈ ਸਿਰਫ਼-ਸਿਰਫ਼ ਸਕੱਤਰੀ ਕਾਰਨ ਨਹੀਂ ਦਿੱਤਾ ਜਾਂਦਾ।

ਉਕਤ ਤੋਂ ਇਲਾਵਾ ਜੰਗਲੀ ਜੀਵ ਖੇਤਰ ਦੇ ਅਧੀਨ ਜਮੀਨਾਂ ਅਤੇ ਜੰਗਲੀ ਜੀਵ ਸਬੰਧੀ ਖੋਜ ਅਨੁਸਾਰ ਹੋਰ ਕੋਈ ਵੀ ਸਿਰਫ਼-ਸਿਰਫ਼ ਸਕੱਤਰੀ ਕਾਰਨ ਸਬੰਧਤ ਵਿਭਾਗ ਦੀ ਅਧਿਕਾਰੀ ਤੋਂ ਵੱਖਰੇ ਤੌਰ ਤੇ ਪ੍ਰਾਪਤ ਕੀਤਾ ਜਾਂਦੇ।

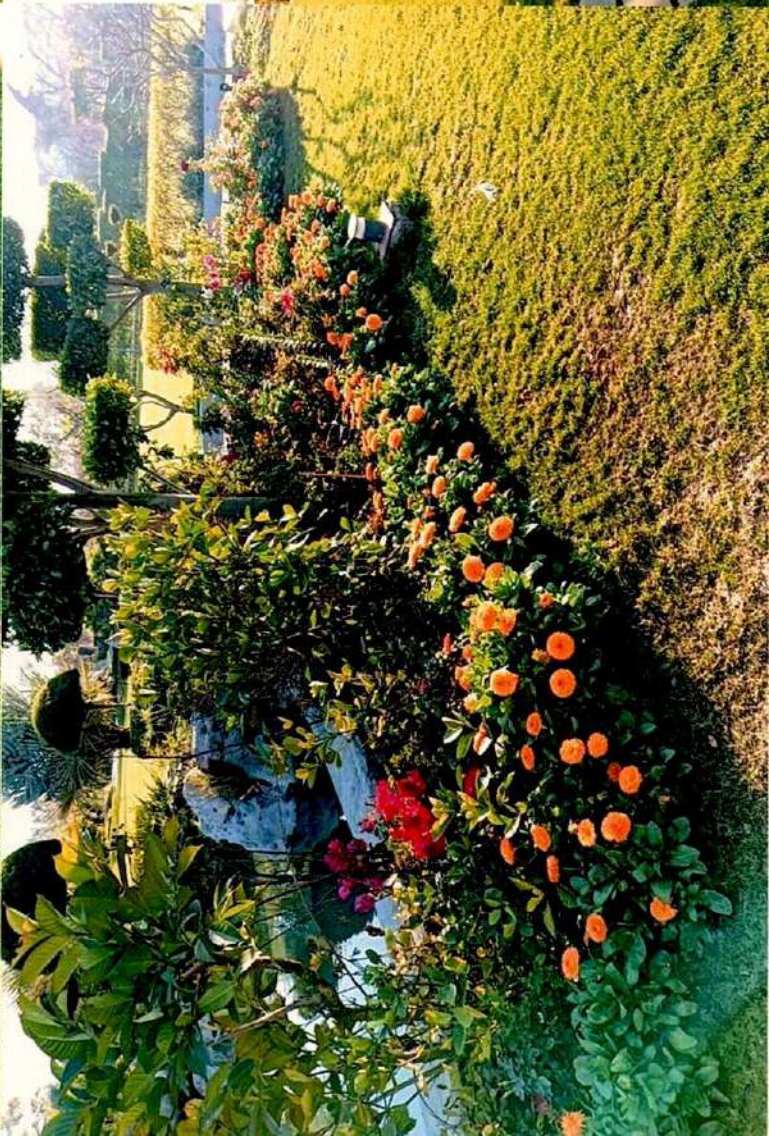
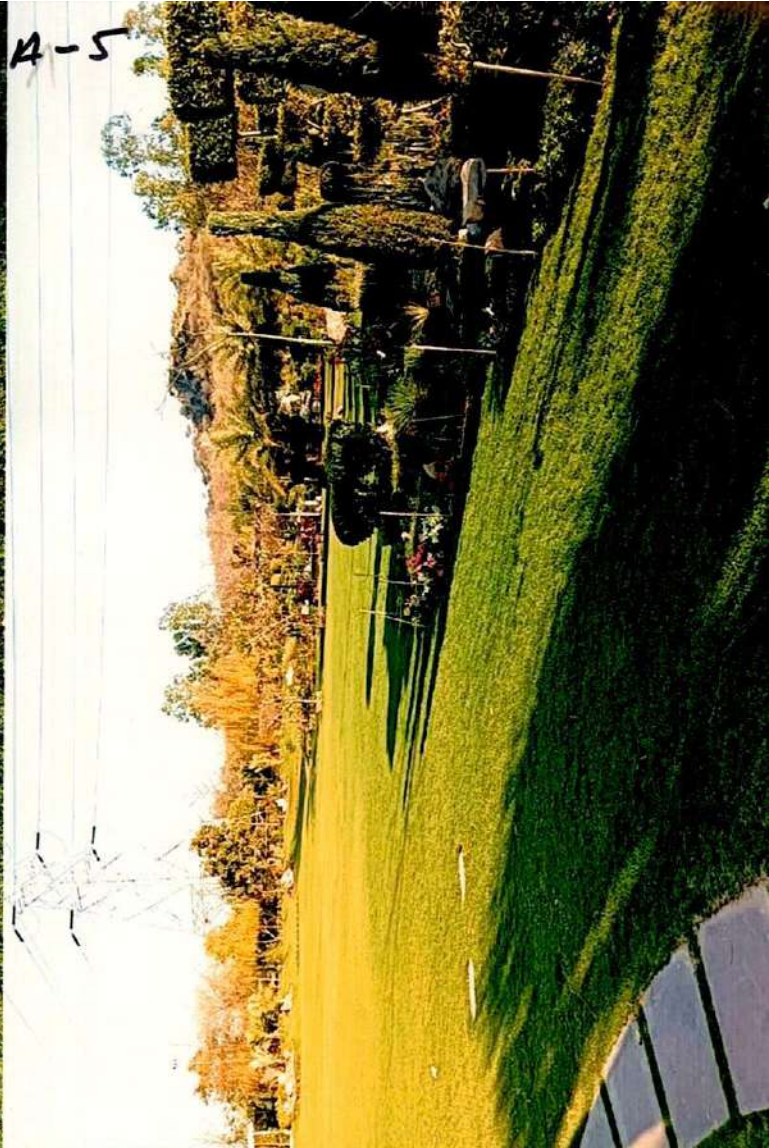
ਦਫ਼ਤਰੀ ਮਿਤਰ ਅਭਿਯੰਤਰ,  
 ਸਾਹਿਬਜ਼ਾਦਾ ਅਜੀਤ ਸਿੰਘ ਨਗਰ

ਮਿਤਰ ਨੰਬਰ ਨੰ:

ਮਿਤੀ:

ਕਾਪੀ ਵੱਲ ਡਿੱਖ ਅਫਸਰ, ਐਸ ਏ ਐਸ ਨਗਰ ਨੰ. 225 ਮਿਤੀ 06-09-2023 ਦੇ ਰਵਾਨੇ ਵਿੱਚ ਇਸ ਕੋ ਡਿੱਖਿਆ ਜਾਂਦਾ ਹੈ, ਕਿ ਉਪਰੋਕਤ ਖੇਤਰ ਵਿੱਚ ਖੀ ਐਲ ਐਸ ਡੀ ਡੀ 1900 ਦੀ ਧਾਰਾ 4 ਅਧੀਨ ਬੰਦ ਪ੍ਰਧਾਨਗੀ ਹੇਠ ਵੱਡੇ ਖੇਤਰ ਸਬੰਧੀ ਖਸਰਾ ਅਨੁਸਾਰ ਖੀ ਐਲ ਐਸ ਡੀ ਡੀ 1900 ਦੀ ਧਾਰਾ 4 ਅਧੀਨ ਬੰਦ ਪ੍ਰਧਾਨਗੀ ਨੂੰ ਵੱਡੇ ਖੇਤਰ ਨਾ ਵਰਤਣ ਦਿੱਤਾ ਜਾਂਦੇ।

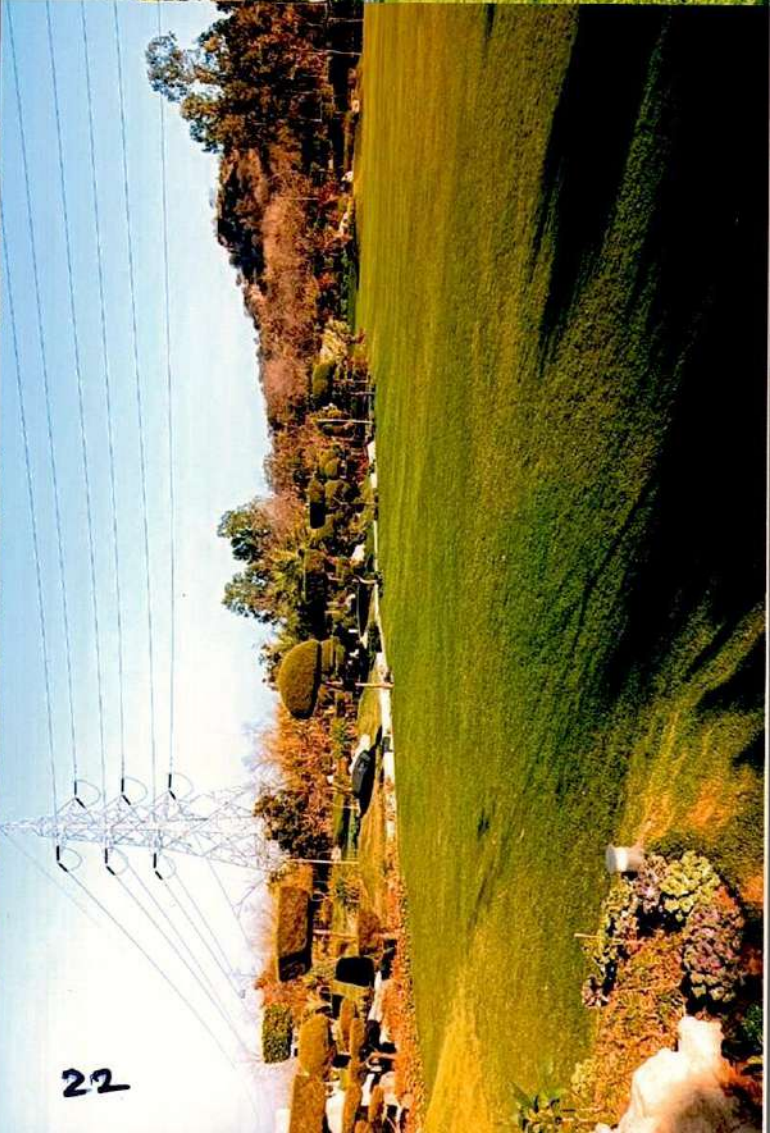
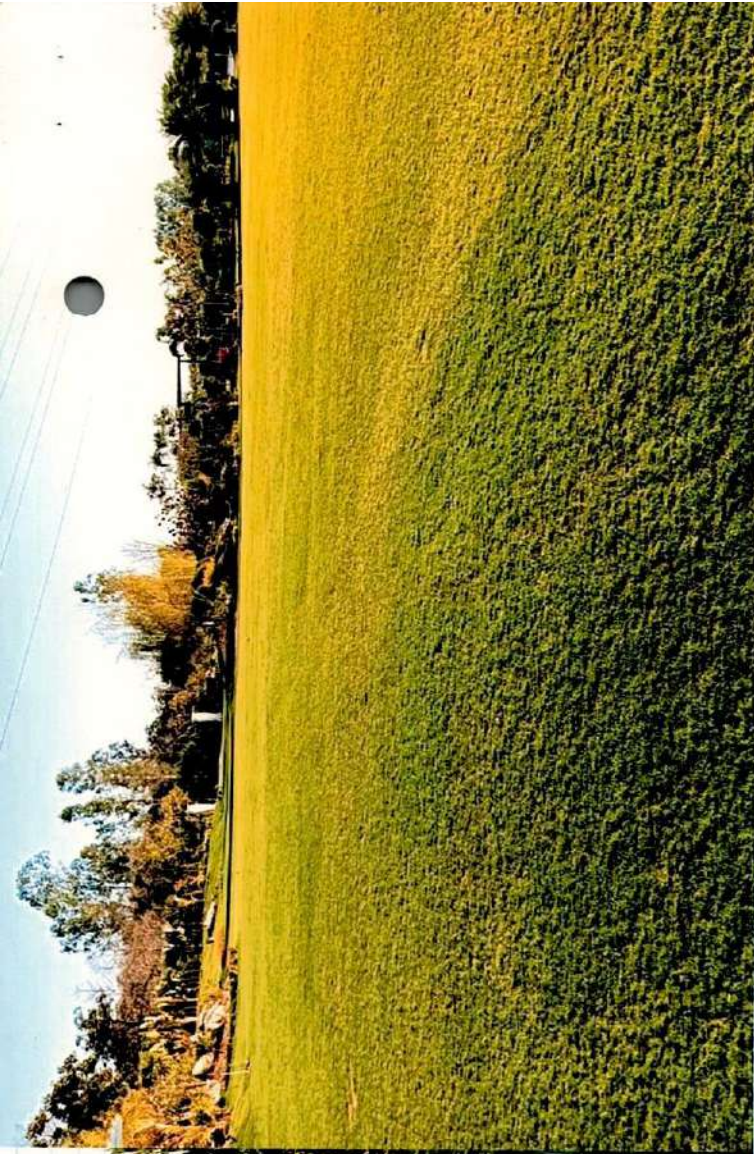
ਦਫ਼ਤਰੀ ਮਿਤਰ ਅਭਿਯੰਤਰ,  
 ਸਾਹਿਬਜ਼ਾਦਾ ਅਜੀਤ ਸਿੰਘ ਨਗਰ



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A-5

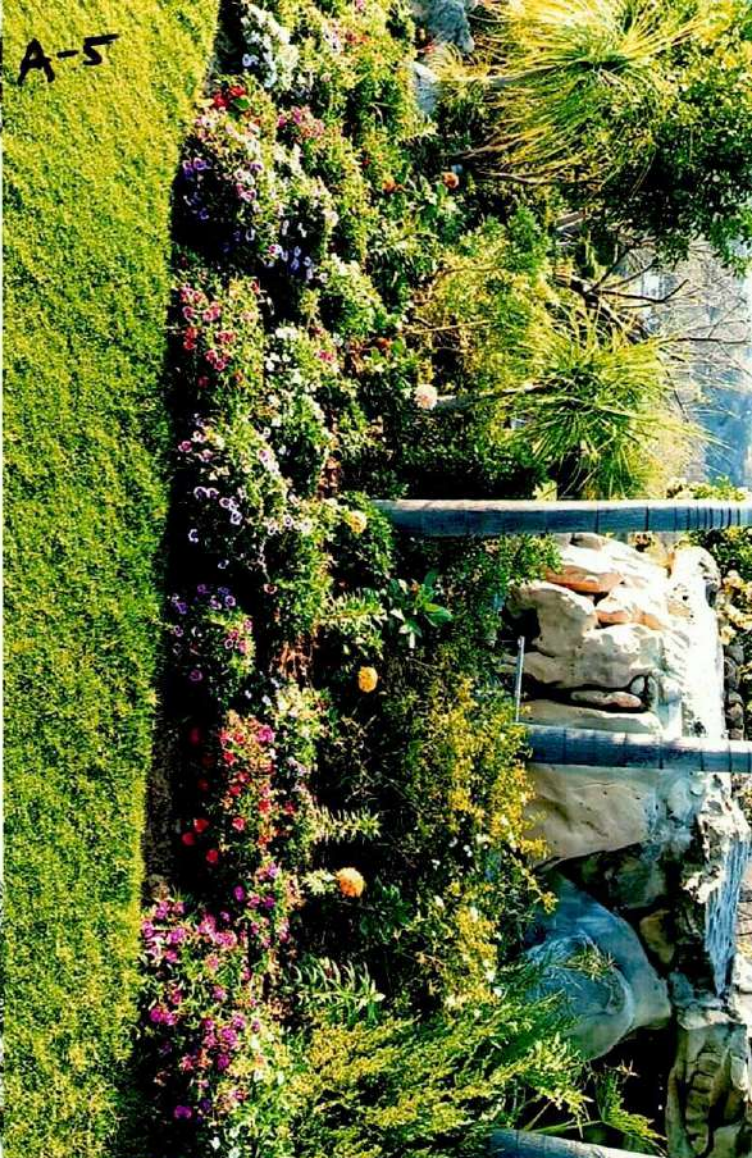
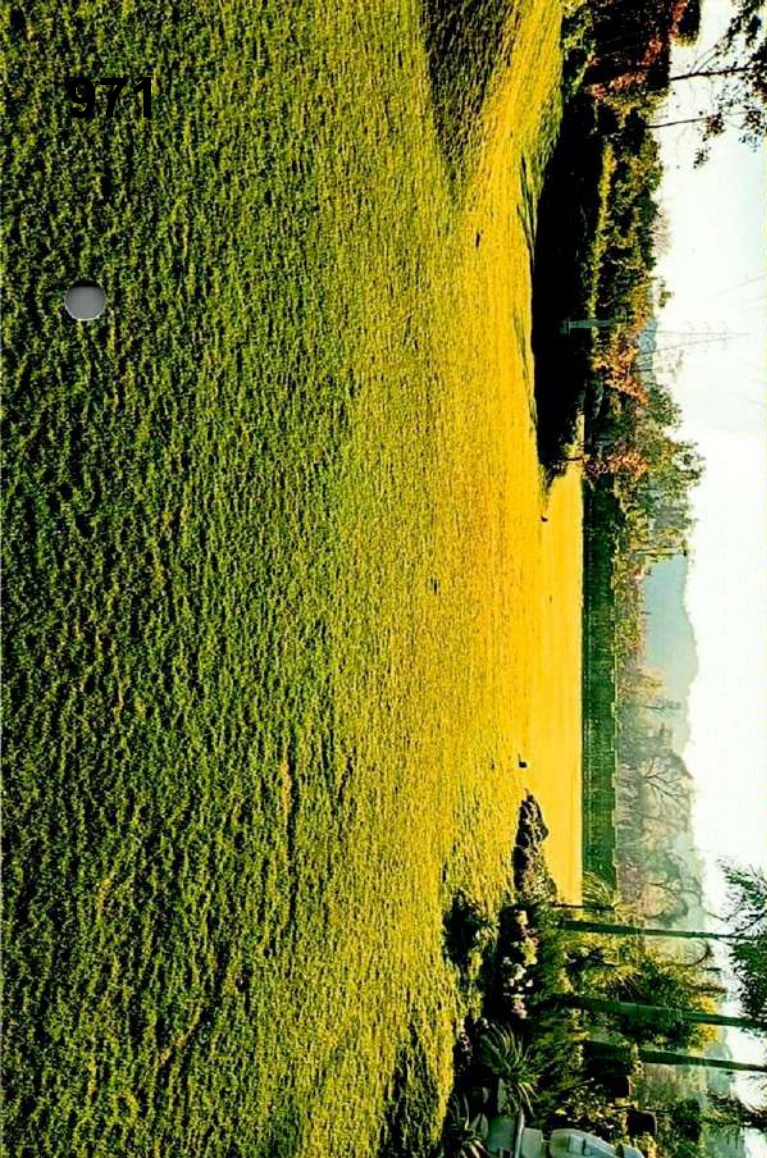
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A-5

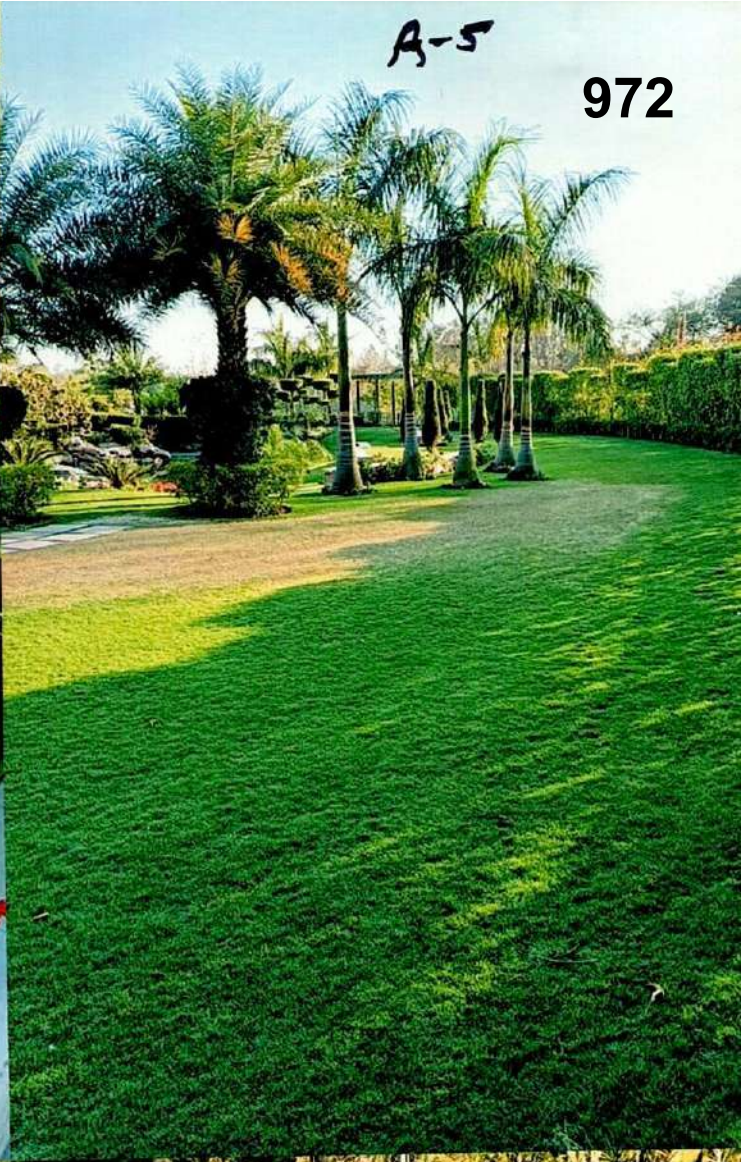
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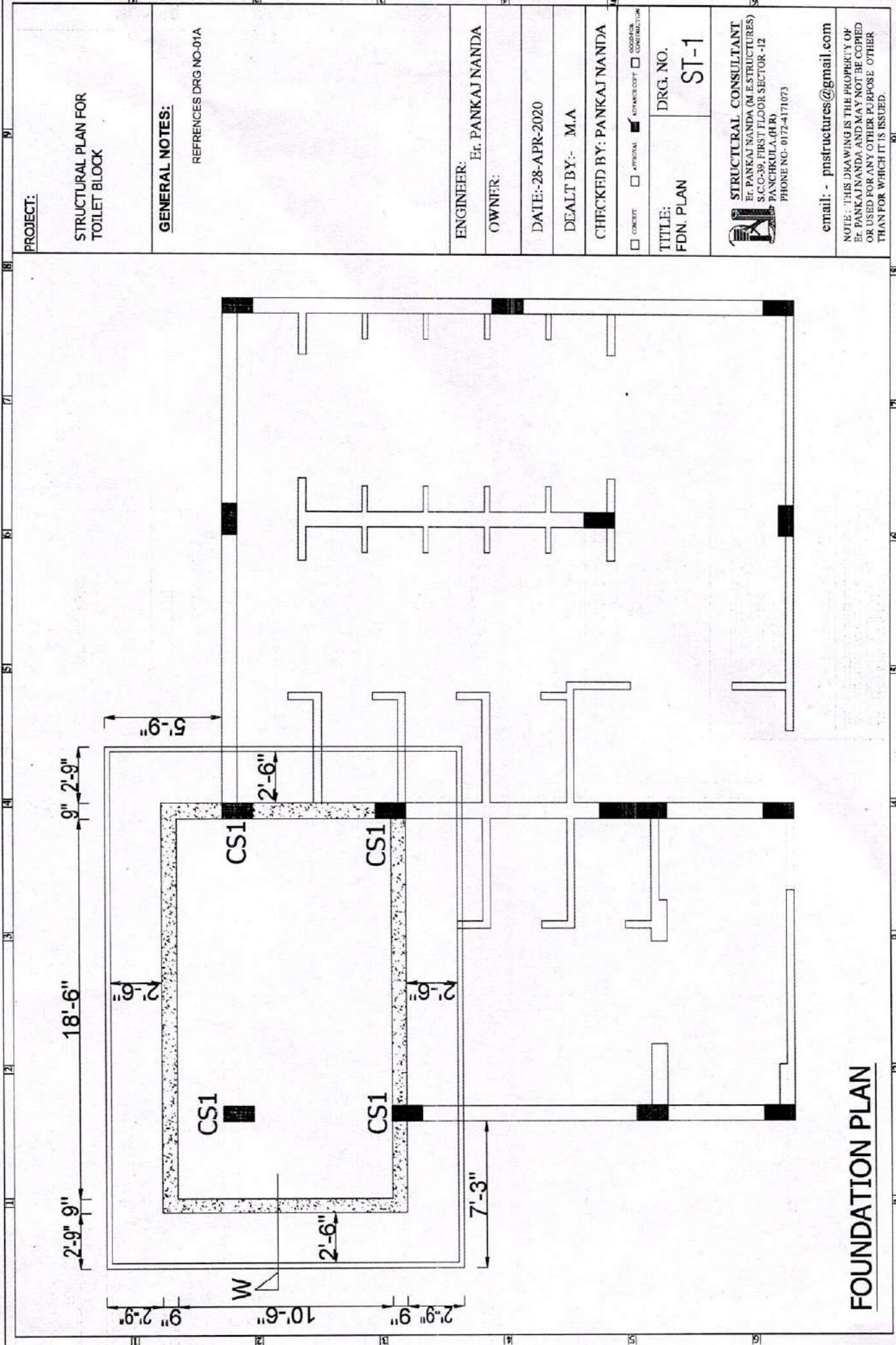


A-6



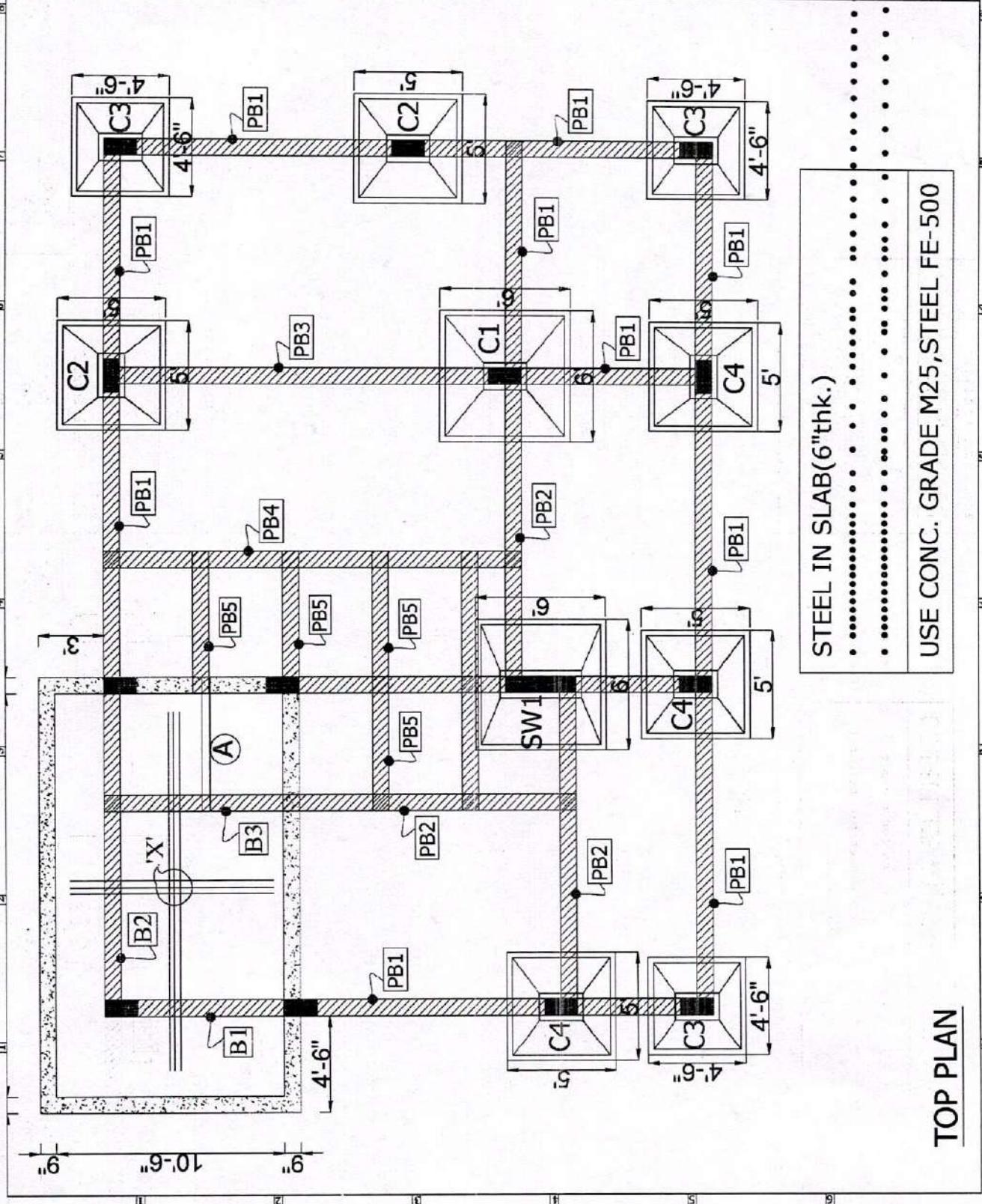
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A-9

<b>PROJECT:</b> STRUCTURAL PLAN FOR TOILET BLOCK	
<b>GENERAL NOTES:</b> REFERENCES DRG NO-01A	
<b>ENGINEER:</b> Ee. PANKAJ NANDA	<b>OWNER:</b>
<b>DATE:</b> -28-APR-2020	<b>DEALT BY:-</b> M.A
<b>CHECKED BY:</b> PANKAJ NANDA	
<input type="checkbox"/> CONCRETE <input type="checkbox"/> APPROVAL <input checked="" type="checkbox"/> ADVANCE DPT <input type="checkbox"/> WORKING	<b>DRG. NO.</b> ST-2
<b>TITLE:</b> FDN. PLAN	
<b>STRUCTURAL CONSULTANT:</b> Ee. PANKAJ NANDA (M.E. STRUCTURES) S.C.C-39, FIRST FLOOR SECTOR -12 PANCHKULA (H.R.) PHONE NO. 0172-4171073 email: - pnstructures@gmail.com	
NOTE: THIS DRAWING IS THE PROPERTY OF Ee. PANKAJ NANDA AND MAY NOT BE COPIED OR USED FOR ANY OTHER PURPOSE OTHER THAN FOR WHICH IT IS ISSUED.	



TOP PLAN

To

Date: 11-03-2024

The Chief Engineer (Distribution-South),  
Punjab State Power Corporation Ltd.,  
Patiala

**Subject:-** Directions u/s 33-A of the Water (Prevention and Control of Pollution) Act, 1974 – M/s The Hermitage, Vill. Karoran, Tehsil Kharar, Distt. SAS Nagar.

Sir,

Please refer to letter Endst. No. 12507 dated 1.3.24 (copy enclosed As **Annexure A-1**) on the above cited subject written by Sr. Environmental Engineer, Punjab Pollution Control Board. In this regard following submissions are made for your kind consideration:-

1. The matter regarding various activities at "**The Hermitage**" is sub-judice as the undersigned had applied for CLU and obtained all the required NOCs as per details below (Copies enclosed as **Annexure A-2**):-
  - i. NOC from Fire Department
  - ii. NOC from Forest Department
  - iii. Letter of Drainage Department

However, the concerned department was not considering application for grant of CLU, which is a pre-requisite for any permission from Punjab Pollution Control Board, on the grounds that commercial activities are not allowed on the de-listed land (**Copy enclosed as Annexure A-3**). In this regard Gram Panchayat, Bari Karoran had filed Contempt Petitions **CM-14864-CII-2023 IN COCP-1502-2023 AND CM-14865-CII-2023 IN COCP-1105-2023 GRAM PANCHAYAT BARI KARORAN VS VIKAS GARG, IAS & ORS.** The Hon'ble Court was pleased to pass the following order:-

"Accordingly, respondent No. 1 i.e. present Additional Chief Secretary-cum-Financial Commissioner, Forest Department, Punjab, respondent No. 2 i.e. present Principal Chief Conservator of Forests, SAS Nagar (Mohali) and respondent No. 4 i.e. present Principal Secretary, Local Govt., Punjab are prima facie held guilty of violation the orders of this Court as well as undertaking given by them before the Court.

Before fixing a date of pronouncing the order on quantum of sentence, they are given time till the next date of hearing to purge the contempt."

The copy of the order dated 12.10.2023 is enclosed as **Annexure A-4**.

2. Subsequently, the undersigned also filed a Contempt Petition on 03.10.2023 (Copy enclosed as **Annexure A-5**). The Hon'ble Punjab & Haryana High Court was pleased to pass the following order on 05.10.2023, which is reproduced hereunder (Copy of the Order enclosed as **Annexure A-6**):-

**"Notice of motion for 28.11.2023.**

**Till the next date of hearing, no coercive action shall be taken against the petitioner"**

3. Another application was moved by the undersigned on 20.10.2023, before the Hon'ble Contempt Court and the Hon'ble Court was pleased to pass the following order (**copy of the order & Annexures are enclosed as Annexure A-7**):

"In the meantime, the operation and implementation of letter dated 19.10.2023 and order dated 11.08.2023 shall remain stayed."

The case is now listed for 12.08.2024 and the interim orders continue to operate in the meantime.

4. It is further submitted that the undersigned has since withdrawn the application for the grant of CLU for establishing "Open Marriage Palace" (copy enclosed as **Annexure A-8**). The undersigned does not intend, at present, to pursue the matter regarding the Open Marriage Palace and no commercial activity or marriage functions are taking place at the Farm.
5. The 'Hermitage Farm', is not a 'Project' but merely a 'Farm', with no permanent structures. Lush green lawns and thousands of very expensive plants have been planted and nurtured for last more than six years, which requires constant upkeep, maintenance and irrigation. No Commercial activities are undertaken at the Farm & only Floriculture & Horticulture related activities are conducted.
6. The undersigned has regularly paid all electricity bills in time & have never defaulted in regards to the same. There is no outstanding of the electricity department towards the undersigned.
7. A copy of the letter written to Punjab Pollution Control Board for withdrawal of their communication, under reference, is enclosed as **Annexure A-9**.
8. In case any "Coercive" action by disconnecting the electricity supply is initiated, it will not only the amount to 'Contempt' of Hon'ble High Court's orders dated 5.10.2023 and 20.10.2023 but also result in complete destruction of lush green flora & fauna of the farm, as no water supply shall function and the plants shall die in view of the onset of summer season, which requires irrigation twice everyday. Since the temperature is rising sharply, any stoppage of water supply on account of disconnection of electricity supply shall result in huge loss and destruction of the environment, for which we have worked very hard. (photographs of the farm enclosed as **Annexure A-10**)

The only question, I fervently appeal, is to consider whether we want to destroy the most Pristine Oasis of Nature, with lush green Gardens & large water bodies & thus destroy Nature and Environment, by the proposed

'Coercive' action or we want to preserve & promote the 'Oasis' by supporting & encouraging the promoters of lush Green Gardens, who are completely committed to spreading the Green Cause at a huge personal cost.

In view of the above submissions, it is requested that no 'coercive' action should be initiated without clearance / consent of Hon'ble Punjab and Haryana High Court, which is seized of the contempt matters, both of Gram Panchayat, Bari Karoran and the undersigned.

for Orchid Space Designs LLP



Partner

**Saurabh Gupta**

Partner

Orchid Space Designs LLP

**The Hermitage Farm**, Village Karoran,  
Tehsil Kharar, District SAS Nagar

Mobile 9592911000, 9592700000

Copy to :-

1. The Deputy Chief Engineer (Operation),  
Punjab State Power Corporation Ltd.  
SAS Nagar
2. Sr. Environmental Engineer  
Punjab Pollution Control Board  
Zonal Office-1, Vatavaran Bhawan,  
Nabha Road, Patiala -147001
3. The Environmental Engineer,  
Punjab Pollution Control Board,  
Regional Office, SAS Nagar

for Orchid Space Designs LLP



Partner

**Saurabh Gupta**

Partner

Orchid Space Designs LLP

**The Hermitage Farm**, Village Karoran,  
Tehsil Kharar, District SAS Nagar

Mobile 9592911000, 9592700000



Phone no. 0175-2301182

ਨੰਬਰ 7148

# ਪੰਜਾਬ ਪ੍ਰਦੂਸ਼ਣ ਰੋਕਥਾਮ ਬੋਰਡ

ਕੇਨਲ ਦਫਤਰ-1, ਵਾਤਾਵਰਣ ਭਵਨ, ਨਾਭਾ ਰੋਡ, ਪਟਿਆਲਾ-147001

Proceedings (Autosaved - 2023)



**LIFE**  
Lifestyle for  
Environment

e-mail : ppcbsee\_zp1@yahoo.com

ਮਿਤੀ 13/10/22

REGISTERED

To

M/s Forest Hill Resort,  
Vill. Karoran, Adjoining Naya Gaon,  
Tehsil Kharar, Distt. SAS Nagar

Subject:

Proceedings of the personal hearing given to M/s Forest Hill Resort, Vill. Karoran, Adjoining Naya Gaon, Tehsil Kharar, Distt. SAS Nagar u/s 33-A of the Water (Prevention and Control of Pollution) Act, 1974 as amended in 1988 by the Chairman of the Board on 21/9/2023

The following were present:

From Board's side:

Er. G.S. Majithia, Member Secretary  
Er. Harbir Singh Multani, Chief Environmental Engineer (P)  
Er. Lavneet Kumar Dubey, Senior Environmental Engineer (ZP-1)  
Er. Rajeev Kumar Gupta, Environmental Engineer (ZP-1)  
Er. G.D. Garg, Environmental Engineer (RO)

From industry side:

Sh. Naginder Rao, GM (Projects)

The officers of the Board brought out that the project proponent failed to apply for obtaining consent to establish/ consent to operate of the Board as required under the Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981.

The site of the project was visited by officer of the Board on 29/11/2021 and it was observed that:

1. The project proponent has constructed restaurant, two banquet Halls and Golf Course and some plots in an area of approximately more than 100 acres land.
2. The project proponent has also installed STP near the main gate of the project and same was not in operation. The STP was found lying defunct and physical appearance shows that it was not in operation since long time.
3. The project proponent has not installed any composter or solid waste management system within the premises. Some quantity of solid waste was found thrown in the Nallah passing within the premises.
4. The project proponent has failed to show any document w.r.t NOC/ Consent to operate of the Board.

The project proponent was served show cause notice for violation of the provisions the Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981 vide Board's letter no. 431-32 dated 10/1/2022 alongwith an opportunity of personal hearing by the Senior Environmental Engineer, Zonal Office-I, Patiala of the Board on 8/2/2022. But the project proponent has neither attended the hearing nor submitted any reply w.r.t. show cause notice issued to it.

The effluent treatment plant was found defunct condition and untreated effluent was being discharged onto land plantation.

The project proponent was ~~526~~ issued notice to issue directions u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 vide Board's letter no. 2001-02 dated 24/3/2022 along with an opportunity of personal hearing before the Chairman of the Board on 11/4/2022. After hearing, it was decided as under:

1. The project proponent shall apply for consent to establish (NOC) for the complete project area.
2. The project proponent shall operate the STP regularly and efficiently so as to achieve the prescribed standards.
3. The project proponent shall use the entire treated wastewater onto land for plantation/irrigation and shall not discharge it into any drain/water body at any time.
4. The Environmental Engineer, Regional Office, SAS Nagar shall process the 'consent to establish' / (NOC) application of the project on merits.
5. The project proponent may also develop the vermi-composting to manage the biodegradable solid waste, Project proponent shall not throw, burn or bury any solid wastes in open, outside premises or in drain / water bodies.
6. The project proponent shall promote use of alternatives of single use plastics (SUP) and awareness to discourage use of plastic, through their Corporate Environment Responsibility (CER) activities, (See attached banner).
7. The project proponent shall ensure that there are no usages of single use plastic-thermocool disposable items such as water bottles/ water pouches/ water cups, plates, forks, spoons, straw etc. and single use decorating material made of plastic-thermocool or any other non-biodegradable material in the premises.

The project proponent has applied for obtaining consent to operate under the provisions of the Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981 through OCMMS.

The consent to operate applied under Water (Prevention & Control of Pollution) Act, 1974 was refused vide Board's letter no. CTOW/Fresh/SAS/2022/18754315 dated 14.10.2022 and consent to operate under Air (Prevention & Control of Pollution) Act, 1981 was refused vide Board's letter no. CTOA/Fresh/SAS/2022/18754290 dated 14/10/2022 due to various observations mentioned therein.

The project proponent failed to obtain consent to operate under the provisions of the Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981 till date.

The site of the project was visited by officer of the Board on 6/7/2023 and it was observed as under:

1. The restaurant was in operation during visit.
2. The project proponent is having one restaurant with lawn seating capacity 150 seats, the two cottages, 7 cottages (2 rooms each) are under renovation, two banquets, 12 holes golf course.
3. The project proponent has installed a STP of cap. 100 KLD and aeration was in operation. No flow was at outlet of STP was observed due to low domestic effluent generation.
4. The representative of the project informed that property has developed about 46 acres of land out of 365 acres and about 35-40 marriage functions are being held in a year.
5. The representative of project proponent was advised to obtain permission from PWRDA.

The project proponent has failed to comply with the decisions of the personal hearing given by the Chairman of the Board on 11.04.2022 and operating its unit without obtaining consent to operate under the provisions of the Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981. Thus, violating the provisions of the Water Act, 1974 intentionally & deliberately. It was decided to afford an opportunity of show cause/ personal hearing before taking further action under the Water Act, 1974.

Therefore, the project proponent was served notice to issue directions u/s 33-A of the Water (Prevention and Control of Pollution) Act, 1974 vide Board's letter no. 6882-83 dated 5/9/2023 before the Chief Environmental Engineer (P) of the Board on 14/9/2023 with the following proposed directions:

- 1) That the industry shall take all necessary steps to close down its operations and stop forthwith discharging any effluents/ wastewater into sewer/ into storm water drain/ inland surface water/ onto land for stagnation/ irrigation or through any mode.
- 2) That the industry will immediately stop its activities and will not restart the same unless all necessary water pollution control measures are taken and it obtains valid consent to operate of the Board as required under the provisions of Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981.
- 3) That the Punjab State Power Corporation Ltd. authorities shall be directed to disconnect the supply of electricity available to the industry.
- 4) That the DG set installed by industry shall be sealed, if any.

Due to administrative reasons, the above mentioned hearing has been postponed to 21/9/2023.

Sh. Naginder Rao, GM (Projects) of the industry attended the hearing and submitted written reply, which was taken on record. He informed during hearing that the project proponent has already applied for consent to operate under the Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981 for 46 acres of land. He also informed that the matter with regard to approval building plans of the project is pending in the Hon'ble Punjab and Haryana High Court.

Environmental Engineer, Punjab Pollution Control Board, Regional Office, SAS Nagar informed that building plans of the project has not been yet approved by the concerned department and the matter in this regard is pending in the Hon'ble Punjab & Haryana High Court. He also informed that the project for which it has applied for obtaining consent to operate under the Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981 does not cover under the ambit of EIA notification dated 14/9/2006.

After hearing the officers of the Board and the representative of the project proponent, the Chairman of the Board decided as under:

- 1) Environmental Engineer, Punjab Pollution Control Board, Regional Office, SAS Nagar shall obtain legal opinion from the SLO of the Board and thereafter take further action in the matter with regard to grant of consent to operate to the project proponent under the Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981.
- 2) Environmental Engineer, Punjab Pollution Control Board, Regional Office, SAS Nagar shall return the application of the project proponent for obtaining consent to operate under the Water

(Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981 as the matter is pending in the Hon'ble Punjab and Haryana High Court.

You are, therefore, requested to comply with the aforesaid decisions of the personal hearing.

*Op*  
13/1/2023  
Environmental Engineer  
for & on behalf of the  
Punjab Pollution Control Board

Encl. no. 7919

Dated 13/1/2023

A copy of the above is forwarded to the Environmental Engineer, Punjab Pollution Control Board, Regional Office, SAS Nagar. He is requested to verify the compliance made by the project proponent and shall submit further report and recommendations.

*Op*  
13/1/2023  
Environmental Engineer  
for & on behalf of the  
Punjab Pollution Control Board

Annexure R2/12



(Longitude: 30.801904, Latitude: 76.813929)

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

**COCP-1502-2023 (O&M)  
Reserved on: 09.10.2023  
Pronounced on: 12.10.2023**

Gram Panchayat, Bari Karoran

...Petitioner

Versus

**Vikas Garg, IAS, Additional Chief Secretary-cum-Financial  
Commissioner, Forest Department, Punjab and others**

...Respondents

**CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN**

Present: Mr. Ashish Aggarwal, Sr. Advocate with  
Mr. Govind Chauhan, Advocate,  
Mr. Vishal Pundir, Advocate,  
Ms. Aashna Aggarwal, Advocate  
for the petitioner.

Mr. Kamaldip Singh Sidhu, Advocate  
for applicant-proposed petitioner No.2  
(in CM-18234-CII-2023).

Mr. Ayush Sarna, AAG, Punjab.

Ms. Anu Chatrath, Sr. Advocate with  
Ms. Divya Sharma, Advocate  
for respondent No.6-GMADA.

\*\*\*\*\*

**ARVIND SINGH SANGWAN, J.**

On 18.05.2023, while issuing notice of motion, following order  
was passed: -

*"The petitioner alleges non-compliance of the order dated*

28.05.2014 passed in CWP No.22756 of 2013 and further for non-compliance of the orders dated 28.04.2016, 04.05.2016 and 06.05.2016 passed in CACP No.13 of 2016.

Learned senior counsel for the petitioner has argued that the Gram Panchayat, Village Bari Karoran, District Mohali, filed the aforesaid CWP No.22756 of 2013, for the larger interest of the inhabitants living in the revenue estate of the said village as they were facing great difficulty due to lack of civic amenities affecting their rights and the petitioner also prayed for quashing the two notifications No.39/578/2005-Ft-III/6087 and 39/578/2005-Ft-III-6085, both dated 13.08.2010 (Annexures P-2 and P-3, respectively) to the extent that they impose unnecessary restrictions with regard to the use of the land so de-notified under the Punjab Land Preservation Act, 1900.

Learned senior counsel for the petitioner has submitted that vide aforesaid notification dated 13.08.2010, the land measuring 265.59 hectares cultivated and habitated area of Village Nada were closed under Sections 4 and 5 of the Punjab Land Preservation Act, 1900, comprised in Khasra numbers as detailed in Annexure-1 of the land. Learned counsel for the petitioner has referred to the notification dated 13.08.2010 (Annexure P-2). The operative part of the same, reads as under:-

“5. (a) Whereas in compliance of the orders of the Hon’ble Supreme Court of India dated 9.9.2005, Ministry of Environment and Forests, Government of India vide F.No.8-19/2006-FC dated 16<sup>th</sup> March 2006 conveyed in-principle approval to de-list 65,670.26 ha. Cultivated and habitation areas closed under Punjab Land Preservation Act, 1900 from the list of forest areas for bonafide agricultural use and other livelihood needs subject to the

*following conditions:*

i) *The State Government shall ensure that no commercial activity is permitted on such de-listed land.*

ii) *The de-listed land shall be used only for bona fide use for agriculture and for sustaining the livelihood of the people/owner of the land.*

iii) *A detailed list of such lands showing the land use and status of such land before 25.10.1980 and after that, upto 12.12.1996, shall be furnished to this Ministry before final approval."*

(b) *Ministry of Environment and Forests, Government of India vide F.No.8-19/2006-FC dated 10<sup>th</sup> August, 2006 conveyed approval for delisting of 707.70 ha (265.59 ha. in Nada Village and 442.11 ha. in Karoran village) cultivated and habitation area closed under PLPA, 1900 from the list of forest areas subject to the following conditions:*

i) *The State Government shall ensure that no commercial activity is permitted on such de-listed land.*

ii) *The de-listed land shall be used only for bona fide use for agriculture and for sustaining the livelihood of the people/owner of the land.*

iii) *No further part compliance will be entertained in respect of remaining area/villages/districts.*

6. *Therefore, keeping in view the above, the Governor of Punjab is pleased to delist/denotify the land measuring 265.59 ha. cultivated and habitation area of*

*Village Nada closed under PLPA, 1900 comprised in the Khasra numbers as detailed in Annexure-1 and also from the list of forest areas as contained in Annexure-G enclosed with the affidavit dated 21.2.1997 of the State Government in Hon'ble Supreme Court of India in Writ Petition (Civil) No.202 of 1995. Consequently, the restrictions, regulations and prohibitions imposed under Section 4 & 5 of PLPA, 1900 shall cease to be applicable in the delisted areas.*

*7. The above deletion is subject to final judgments in Civil Appeal no.4682-4683 of 2005 of B.S. Sandhu vs. Government of India and others, Civil Appeal No.4798 of 2005 of Bhartiya Kisan Union TH Vice President vs State of Punjab and others, Civil Appeal No.4799-4800 of 2005 of Suresh Sharms and others vs B.S. Sandhu and others, Special Leave Petition (Criminal) No.7647 of 2009 with Criminal Misc. No.17535 of 2009 of Harsh Kumar Sharma vs Central Bureau of Investigation & others pending before Hon'ble Supreme Court of India.*

*8. This de-listed area will be administered in accordance with the decisions taken in the meeting held under Chairmanship of Worthy Chief Secretary, Punjab, on 26.4.2010 as contained in the proceedings issued vide Punjab Government Memo No.39/578/2005-Forest-3/2945 dated 4.5.2010 (copy enclosed in the Annexure-II)."*

*Learned senior counsel for the petitioner has submitted that thereafter when CWP No.22756 of 2013 was filed, this Court vide order dated 14.08.2014, disposed of the writ petition. The operative part of the said order, reads as under:-*

*"In a nutshell, the ratio of the judgment of the Hon'ble Supreme Court is that whether a land is a forest land or not would depend on the land records and merely because the land is notified under Section 3 of the PLPA would not ipso facto make it forest land. The second limb is that the land has to be recorded as forest land as on 25.10.1980 irrespective of its classification or ownership.*

*If we may say, the complete ground reality has changed in view thereof and learned Additional Advocate General cannot dispute the proposition that an exercise would have to be carried out by the State Government now to identify such land as is forest land as per the revenue record which he claims would take some time. He, however, states that insofar as the main notifications are concerned, which are predicated on the notification(s) under the PLPA, there would have to be segregation of land between forest land and non forest land.*

*The aforesaid course of action is something which cannot be disputed even by learned senior counsel for the petitioner who submits that the impugned notifications would only apply to such of the land which would be forest land. It is his case that the land in question, involved in the present proceedings, is not forest land, an aspect which would have to be verified by the State Government.*

*We, thus, dispose of the writ petition in the following agreed terms:*

*(i) It is for the State Government to proceed to identify the forest land in terms of the parameters laid down by the Hon'ble Supreme Court in Civil Appeal*

Nos.4682- 4683 of 2005 titled as *B.S. Sandhu vs. Government of India and others*, decided on 21.5.2014 based on the revenue record and the test laid therein;

(ii) The notifications would in substance apply only in case the land in question is forest land in the revenue record;

(iii) Insofar as land of the petitioner is concerned, the aforesaid exercise be carried out to take a call on whether what is alleged by the petitioner, i.e., it is not forest land is correct or not and a reasoned decision be communicated to the petitioner on or before 03.07.2014, as prayed by learned Additional Advocate General;

(iv) If the land in question is not forest land, then appropriate development works as per the Final Master Plan and Notified Area Committee of Naya Gaon should be undertaken as the claim is that the ground reality is really pathetic on account of all development works having stopped; and

(v) The directions already contained in the order dated 4.3.2014 for action qua construction unauthorisedly carried out on a proposed road and clearance of garbage would be implemented on or before 03.07.2014 with visible photographs.

The petition accordingly stands disposed of.

List for compliance on 11.07.2014.”

Learned senior counsel for the petitioner has further argued that when no action was taken, the contempt petition was filed in which certain directions were issued and against three CACP No.13, 14, 15 of 2016, were filed, in which on 28.04.2016, the following order was passed:-

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*“Learned Senior counsel Sh. Puneet Bali, appearing for the caveator in CACP-13-2016 in COCP-831-2015 submits referring to certain affidavits filed by the officers concerned that they have demarcated 1092 acres of non-forest land which are found to be cultivable and habitable. They have in fact undertaken to develop the above extent of land. It is his submission that without prejudice to their stand taken in the contempt as well as in the appeal, if the above extent of land is developed in terms of the master plan and other Rules regulating the development within the reasonable time line fixed by this Court, he is prepared to even withdraw the main contempt petition in COCP-831-2015. That apart he will not have any objection for reading down the main observations made by the Hon'ble Single Bench in connection with the conduct of the officers concerned and the proposed contempt contemplated by the Single Bench in the order dated 01.04.2016. Learned Senior counsel Mr.A.K.Chopra, appearing for the caveators in CACP-15-2016 in COCP-1808-2015 submits that if it is verified and reported that a draft notification has already been issued including the entire lands in village Karoran and Nada and the same is acted upon the caveators in the above proceedings are prepared to withdraw the main contempt petition in COCP-1808-2015 itself.*

*Learned Additional Advocate General Mr. Vinod Bhardwaj seeks some time to get instructions from the State as regards the above concessions made by the counsel appearing for the respective caveators.*

*Mr. Tejender Pal Singh, Mr. Vikas Partap, IAS and*

*Mr. K.B.S.Sidhu shall be present on 29.04.2016 at 10:00 AM to assist the Court.*

*Mr. Vishayjeet Khanna, IAS who has been directed to be present in the Court to face the contempt by the Single Bench is exempted from appearing till the disposal of this appeal.*

*Post the matter on 29.04.2016.*

*Copy of the order be given to A.G. Punjab under signature of the Special Secretary.*

*A photocopy of this order be placed in the file of connected cases."*

*In CACP No.13 of 2016, again on 04.05.2016, the following order was passed:-*

*"Heard the submissions made by Sh. Ashok Aggarwal, Advocate General, Punjab for the appellants and Sh. Puneet Bali, Senior Counsel for the respondents.*

*Sh. K.S. Sidhu, IAS, ACS (Revenue), Sh. Vishwajeet Khanna, IAS, F.C. (Forest), Government of Punjab, Sh. Vikas Pratap, IAS, Secretary to Government of Punjab, Department of Local Government, Sh. D.S. Mangat, IAS, D.C., SAS Nagar and Sh. Paramjeet Singh, IFS were present in the Court. During the course of hearing, Sh. Vishwajeet Khanna, IAS, F.C. (Forest), Government of Punjab, Sh. Vikas Pratap, IAS, Secretary to Government of Punjab, Department of Local Government and Sh. D.S. Mangat, IAS, Deputy Commissioner, SAS Nagar swore to their individual affidavits and the same have been placed on record.*

***It is found that out of 1092 acres of land identified and demarcated as non-forest area by the State of***

*Punjab, approximately 588 acres of land which squarely fall within the Revenue Estate of village Karoran form part of Nagar Panchayat, Nayagaon. The remaining 504 acres of land are found to be non-forest area.*

*Learned Advocate General, Punjab appearing for the appellants submitted that as there was no Master Plan to develop the above 504 acres of land which also do not fall under the forest area, the individuals concerned may develop their respective lands subject to the laws which are applicable for such development. In this context, it is noticed that the Bench, while disposing of the main writ petition, observed that the notifications issued by the State would in substance apply only in case the land in question has been classified as forest land in the Government records.*

*In the light of the above observations, we are of the considered view that the restrictions imposed will not apply to 1092 acres of land identified as non-forest area, which, in fact, forms part of the notification issued on 30.08.2010 by the Department of Forest and Wild Life Preservation, State of Punjab.*

*We noticed that a direction has been issued in the order passed by the Bench on 28.05.2014 that the State shall, in terms of the order dated 04.03.2014, remove unauthorized construction put up on the proposed road and clear the garbage on or before 03.07.2014.*

*Of course, the learned Advocate General for the State of Punjab submitted that affidavits of the officers concerned have already been filed bringing to the notice of the Court that the above direction has been complied*

with. But Sh. Puneet Bali, Senior Counsel for the respondents brought to our notice that unauthorized construction on the proposed road are still in existence as the same have not been cleared. That apart, it is his submission that road running over there has not been properly metalled.

*In the light of the affidavits filed by Sh. Vishwajeet Khanna, IAS, F.C. (Forest), Government of Punjab, Sh. Vikas Pratap, IAS, Secretary to Government of Punjab, Department of Local Government and Sh. D.S. Mangat, IAS, Deputy Commissioner, SAS Nagar and the consent expressed by the appellants for scrupulously adhering to the directions issued by the Court on 28.05.2014, learned Senior Counsel for the respondents submitted that the main contempt petition COCP No.831 of 2015 be listed before this Court itself for final disposal in the light of the agreed terms.*

*Sh. Vikas Pratap, IAS, Secretary to Government of Punjab, Department of Local Government shall file an affidavit setting out reasonable time frame for compliance of the directions issued by the Bench on 28.05.2014. We have proposed to disposed of the main COCP without prejudice to the rights of the parties and the appeal filed their against. The appearance of other officers who were present in the Court except Sh. Vikas Pratap, IAS, Secretary to Government of Punjab, Department of Local Government is dispensed with.*

*In the light of above, the registry is directed to list the main COCP No.831 of 2015 with this appeal for final disposal in the light of the agreed terms of the parties*

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*after obtaining necessary permission from the Hon'ble the Acting Chief Justice on 06.05.2016."*

*It is submitted that subsequently in terms of the undertaking given by the respondents, the petitions were disposed of on 06.05.2016 with liberty to submit the representations.*

*Learned senior counsel for the petitioner has referred to the affidavit filed by the Deputy Commissioner, S.A.S. Nagar, Mohali, Financial Commissioner and the Secretary to Government of Punjab, Department of Local Government, wherein all the three respondents have categorically stated as under:-*

*"1. That 1092 acres of land situated in Village Karoran, which was delisted vide Notification No.39/578/2005-Ft-III/6087 and 39/578/2005-Ft-III/6085 dated 13.08.2010 has been identified and demarcated. The demarcation report has already been submitted before this Hon'ble Court by way of affidavit dated 30.09.2015 of Shri Tejinderpal Singh Sidhu, IAS, then Deputy Commissioner, Sahibzada Ajit Singh Nagar."*

*It is submitted that despite a lapse of long period, the respondents have not issued any fresh notification or corrigendum with regard to 1092 acres of land, which is declared to non-forest land.*

*Notice of motion.*

*Mr. Ayush Sarna, AAG, Punjab, who is present in the Court, accepts notice on behalf of the respondents/State.*

*Notice be issued to the remaining respondents for 24.05.2023.*

*The respondents are directed to file a specific affidavit*

*regarding the non-compliance and willful disobedience of the order passed by the Writ Court as well as the undertaking given before the contempt bench, failing which they will remain present before this Court on the next date of hearing.*

*Process dasti, as well.*

*Liberty is also granted to the petitioner to serve the respondents through e-mail."*

**Thereafter, on 24.05.2023, following order was passed: -**

*"On request of learned senior counsel, respondent No. 6 is deleted from the array of parties of this petition.*

*In compliance with the previous order, separate affidavits of the Principal Secretary to Govt. of Punjab, Local Government as well as Divisional Forest Officer, SAS Nagar are filed today in Court.*

*As per affidavit of the Divisional Forest Officer, SAS Nagar, a reference is made to the notification dated 02.02.2018 to submit that in the schedule, it is stated that the area, which is closed under Section 4 of the Punjab Land Preservation Act, 1900, is defined by giving the area as well as details/khasra numbers.*

*In the affidavit, filed by the Principal Secretary to Govt. of Punjab, Local Government, it is stated that as per information supplied by the Executive Officer, Municipal Council, Naya Gaon (Annexure R/1-1), the Forest Department has provided the details bifurcating the forest and non-forest area and some development works are being carried out in the non-forest areas, however, both the affidavits are silent about the notification dated 02.02.2018 giving details of khasra numbers, which are declared as non-forest area under the said Act and are*

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*measuring about 1092 acres, as per affidavit of the Divisional Forest Officer, SAS Nagar.*

*Learned senior counsel for the petitioner further submits that since the residents of the village are facing continuous problems due to the fact that as and when any application is moved for undertaking development work or getting water connection or electricity connection etc., all the departments concerned refer to the notifications dated 13.08.2010 (Annexures P-2 and P-3) to submit that in both the notifications, the description of 1092 acres of land, which is excluded from forest area, is not given and that can be done only by issuing a corrigendum by the authorities concerned.*

*Let a fresh compliance affidavit limited to the extent of issuance of a corrigendum regarding 1092 acres of non-forest area be filed by respondent No. 1-Additional Chief Secretary-cum-Financial Commissioner, Forest Department, Punjab on or before the next date of hearing, failing which, he shall remain present in person before this Court on the next date of hearing.*

*Since a sufficient time has already passed and the petitioner has to file repeated litigation, let this case be again listed on 01.06.2023."*

On the adjourned date i.e. 01.06.2023, affidavit of the Financial Commissioner, Govt. of Punjab, Department of Forest & Wildlife Preservation, Punjab was filed and again the case was adjourned to 07.07.2023. The operative part of the order dated 01.06.2023 reads as under:-

*"...Today, affidavit of Financial Commissioner, Department of Forest and Wildlife Preservation, Punjab along with corrigendum/draft notification has been filed. The draft corrigendum reads as under: -*

*“Whereas the area mentioned in the Schedule of the notification of Village Nada (11B No.350) oand Karoran (HB No.352) were delisted/de-notified from the list of forest area as contained in Annexure-G enclosed with the affidavit dated 21.02.1997 of the State Government in Hon’ble Supreme Court of India in Writ Petition (Civil) No.202 of 1995 vide Notification No.39/578/2005-Ft-111/6085 dated 13.08.2010 and No.39/578/2005-Ft-111/6087 dated 13.08.2010 respectively.*

*2. Whereas in the Para 6 of the said notification mentioned that the restriction, regulation and prohibition imposed under Section 4 & 5 of Punjab Land Preservation Act 1900 shall cease to be applicable in the delisted area.*

*3. Whereas the Hon’ble High Court in COCP 1502 of 2023 directed to issue a corrigendum regarding 1092 acres.*

*4. Now, therefore in compliance to the above said directions and in continuation of the Notification No.39/1/2018/FT-111/1157844 dated 02.02.2018 it is clarified that the restriction, regulation and prohibition imposed under Section 4 & 5 of PLPA shall not be applicable in the delisted area comprised in the Khasra numbers as detailed in the Annexure-I of the Notification issued vide No.39/578/2005-Ft-111/6085 dated 13.08.2010 and No.39/578/2005-Ft-111/6087 dated 13.08.2010.”*

*Learned senior counsel for the petitioner submits that again in para No.4 of the corrigendum, it is only stated that restriction, regulation and prohibition imposed under Sections 4 & 5 of PLPA shall not be applicable in the delisted area*

*comprised in khasra numbers qua 1092 acres, however, nothing is stated that the Urban Local Department is also issuing similar corrigendum.*

*Learned State counsel, on instructions, has submitted that this draft notification will apply to the entire area of 1092 acres in terms of the directions given by this Court vide order dated 28.04.2016, 04.05.2016 and 06.05.2016 passed in CACP-13, 14, 15 & 16-2016, which were passed in compliance of the previous order dated 28.05.2014 passed in CWP-22756-2013, as upheld by the Hon'ble Supreme Court.*

*In view of the undertaking given on behalf of the State, it is clear that draft notification will apply not only with regard to exemption regarding restriction, regulation and prohibition imposed under Sections 4 & 5 of PLPA, but will also apply to the Forest Department for grant of No Objection Certificate.*

*Since the three conditions imposed in 2010 notification, as reproduced above, already stands quashed in terms of the previous order passed by the writ Court as well as undertaking given before the contempt appellate Court, all the respondents including Local Govt. Department will be bound by the corrigendum and any act done by the said department in defiance of the corrigendum/draft notification will be termed as a willful disobedience of the orders of this Court, to be issued by both the departments in strict compliance of the order passed by this Court.*

*In view of the above, all the respondent departments will not raise any objection regarding providing civil amenities to the land owners like sanctioning of site plans, releasing of water connections/electricity connections and development of basic amenities.*

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*List again on 07.07.2023."*

On the adjourned date i.e. 07.07.2023, short reply by way of affidavit of Principal Secretary, Department of Local Govt., Punjab as well as status report by way of affidavit of Deputy Commissioner, U.T. Chandigarh were filed, in which again similar stand was taken that a notification is issued by the Department of Forest and Wildlife Preservation, Punjab that restriction, regulation and prohibition imposed under Sections 4 & 5 of PLPA shall not be applicable. Noticing the fact that an objection was seriously raised on behalf of the petitioner that no correct notification/corrigendum was issued regarding omitting three conditions, as noticed above, it was observed in the order that the respondents are taking the directions of the writ Court in a casual manner and are not adhering the majesty of law and Principal Secretary, Department of Local Govt., Punjab was directed to remain present on the next date of hearing i.e. 11.08.2023.

In the meantime, CM-12522-CII-2023 was filed and Department of Forest and Wildlife, Punjab was also directed to file the affidavit. On the next date of hearing i.e. 11.08.2023, following order was passed: -

*"In response to previous order, Principal Secretary to Govt. of Punjab, Local Govt. Department filed his affidavit with regard to compliance of the order regarding three conditions, operative part of which reads as under:-*

*"In view of the decision dated 28.05.2014 in Civil Writ Petition No.22756 of 2013 regarding notification No.39/578/2005-Ft-III/6087 dated 13.08.2010 and 39/578/2005-Ft-III/6085 dated 13.08.2010 issued by the*

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*Department of Forest and Wildlife Protection, Punjab, affidavit filed by Financial Commissioner, Forest in CACP No.13 of 2013 in COCP No.831 of 2015, List of Khasra numbers and Map regarding forest and non-forest area sent to you by Divisional Forest Officer, SAS Nagar vide letter No.2348 dated 13.06.2017 and Notification No.39/01/2023-FT-6/4800 dated 03.07.2023 issued by the Department of Forest and Wildlife Protection, Punjab, action may be taken for approval of Building Plans for the area of village Nada and village Karoran which has been de-listed/de-notified under PLPa 1900 and is non-forest area.*

*Apart from this, the reference received from Chief Wildlife Warden Punjab vide No.3771 dated 21.07.2023 is sent to you for information and necessary action with a clarification that Master Plan Naya Gaon, Municipal Building Byelaws, eco-sensitive zone/catchment area and the ongoing litigation regarding shamalat area may be kept in view while taking necessary action."*

*Learned senior counsel for the petitioner has referred to the letter dated 21.07.2023 attached with the reply, vide which the Govt. of Punjab, Department of Forest and Wildlife has directed the Director, Local Govt. Department, Punjab as under:-*

*"Apart from the above you are also informed that as per the guidelines of the Government of India unless an Eco-Sensitive Zone is notified around a resort, until then, only an area of 10 kilometers from the boundary of the Sanctuary is to be considered as Eco-Sensitive Zone.*

*This is for your information."*

*It is submitted that the observation made above that an area of 10 kilometers from the boundary of Sanctuary is to be considered as Eco-Sensitive Zone, is against the mandate of the judgment of the Hon'ble Supreme Court in T.N. Godavarman Thirumulpad Vs. Union of India and others, 2023 (6) Scale 760, wherein it is observed as under: -*

*"58. It is further to be noted that on the date of filing of the present application, final notifications have been issued in respect of 474 Protected Areas whereas draft notifications have been issued in respect of 102 Protected Areas. 73 proposals are pending. As already discussed hereinabove, this Court has already found the said Guidelines to be reasonable and has accepted the same. The Court has also accepted the view of the Standing Committee of the NBWL that uniform guidelines may not be possible in respect of each Sanctuary or National Park for maintaining ESZs. Though the Court has observed that a minimum width of one kilometre in ESZ ought to be maintained, in paragraph 56.6 of the order dated 3<sup>rd</sup> June 2022 (supra) itself, it has observed that minimum width of the ESZ may be diluted in overwhelming public interest but for that purpose the State or Union Territory concerned is required to approach Central Empowered Committee (CEC) and MoEF & CC. It has further observed that both these bodies shall give their respective recommendations before this Court and on that basis, the Court should pass appropriate order.*

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xxxx

*60. Insofar as the restriction on mining is concerned, we are of the considered view that it has been*

*the consistent view of this Court that the mining activities within an area of one kilometre of the boundary of the Protected Areas will be hazardous for the wildlife. Though in the case of Goa Foundation (supra), the said directions were issued in respect of State of Goa, we find that such directions need to be issued on Pan-India basis."*

*Learned senior counsel thus submits that the letter dated 14.07.2023 refers to an area of one kilometer, whereas in the letter dated 21.07.2023, it is from the boundary of Sanctuary, to be considered as Eco-Sensitive Zone, which is contrary to the observations made by the Hon'ble Supreme Court in T.N. Godavarman Thirumulpad's case (supra).*

*Learned State counsel, on instructions from the Principal Secretary to Govt. of Punjab, Local Govt. Department, who is present in the Court, submits that office of Director, Local Govt. Department, Punjab has issued strict direction to the Executive Officer, Municipal Council, Naya Gaon and GMADA to implement the said directions for sanctioning of plans taking one kilometer from Eco-Sensitive Zone and in case, same are not followed, necessary action will be taken against the erring officials.*

*On the face of it, affidavits filed by the DC, Chandigarh, Executive Officer, Municipal Council, Naya Gaon, Chief Engineer Drainage, Water Resources Department, Punjab and DC, SAS Nagar (Mohali) are factually incorrect, therefore, notice of show cause is issued to them, as to why they have not complied with the directions.*

*List again on 15.09.2023.*

*In the meantime, fresh compliance affidavit of Financial Commissioner, Govt. of Punjab, Department of Forest & Wildlife*

*Preservation, Punjab as well as GMADA be filed, stating therein that a fresh corrigendum/notification is issued that three conditions will not be applicable.*

*Local Commissioner will also submit the periodical report, after every two months, on the fee payable by the petitioner.*

*Personal appearance of Principal Secretary to Govt. of Punjab, Local Govt. Department is exempted.*

*A photocopy of this order be placed on the file of connected case."*

Again on 23.08.2023, with reference to para Nos.57 & 61 of **T.N. Godavarman Thirumulpad Vs. Union of India and others, 2023 (3) KLT 144**, it was observed that learned State counsel will clarify as to whether from eco-sensitive zone, area is 100 meter or 01 kilometer or 10 kilometer, as observed in the letter relied upon by the respondents.

Today, CM-18234-CII-2023 is filed on behalf of one Lakhveer Singh for being impleaded as party-petitioner No.2.

The applicant has submitted that he is a practising Advocate in this Court and has purchased 05 marlas of plot situated in the revenue estate of Village Karoran and mutation was sanctioned in his favour. When he started construction of his house, he approached the office of Executive Officer, Municipal Committee, Naya Gaon for sanctioning of the site plan, but it was refused verbally on the ground that there is no order of the State Govt. to sanction the site plan. Even the application filed by the applicant for providing electric connection was declined on the ground that first of all,

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NOC is to be taken. Similarly, Department of Water Supply and Sanitation, SAS Nagar also refused to provide water supply connection to the applicant, therefore, it is submitted that the applicant is also aggrieved against action of the respondents.

Since learned senior counsel for the petitioner has no objection, application is allowed and applicant Lakhveer Singh son of Sh. Binder Singh is impleaded as petitioner No.2 and is permitted to address the arguments at this stage.

As the case is listed for final arguments, the learned senior counsel for the petitioner has reiterated his arguments, as noticed above. He laid much emphasis on the prayer made in CWP-22756-2013, which reads as under: -

***“Civil Writ Petition under Article 226/227 of the Constitution of India for issuance of a writ in the nature of certiorari for quashing the notifications No.39/578/2005-Ft-111/6087 and 39/578/2005-Ft-111/6085, both dated 13.08.2010 (Annexures P-8 and P-9) to the extent that they impose unnecessary restrictions with regard to the use of the land so de-notified under the Punjab Land Preservation Act, 1900;***

*Further to issue a writ in the nature of Certiorari quashing the letters dated 16.03.2006 and 10.08.2006 (Annexures P-10 and P-11) to the extent that they impose unnecessary restrictions over de-notified land as the same is the*

*prerogative of the State Government under entry 18 list 2 schedule 7 of the Constitution of India.*

*Further to issue a writ in the nature of mandamus directing the respondents to accept the building plans and after scrutiny of the same, sanction the said building plans of the inhabitants of the area as per the final Master Plan – 2021 of the Notified Area Committee, Naya Gaon, which has been issued on 02.01.2009 (Annexure P-6), in order to secure planned growth of the area of Naya Gaon;*

*Further to issue a writ in the nature of mandamus directing the respondents to ensure implementation of the Final Master Plan – 2021 A.D. (Annexure P-6), which provides for a road from PGI, Chandigarh to village Kaimbala, passing through villages Karoran and Kansal and a road from Khuda Ali Sher to Kaimbala side as per the Map (Annexure P-14) of the Master Plan and marked as point “A to C”;*

*Further to issue a writ in the nature of mandamus directing the respondents to de-notify the remaining area falling in the revenue estate of villages Karoran and Nada, from the list of forest areas and consequently, remove the restrictions, regulations and prohibitions imposed under Section 4 & 5 of the Punjab Land Preservation Act, 1900 and to direct the respondents to provide basic amenities to the residents by*

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*making the N.A.C. functional by developing the area within their jurisdiction as also to make the area habitable with all basic amenities of roads, sewerage, electricity etc. etc."*

Learned senior counsel has submitted that while disposing of the writ petition, as many as 05 directions were issued, which are not being complied with. Learned senior counsel has referred to the notification dated 13.08.2010 and as per Clause 5, in compliance of the order of the Hon'ble Supreme Court dated 09.09.2005 and notification of the Ministry of Environment and Forests, Govt. of India dated 16.03.2006, approval to delist 65,670.26 hect. cultivated and habitation areas closed under Punjab Land Preservation Act, 1900 from the list of forest areas for bonafide agricultural use and other livelihood were subject to three conditions, as noticed above. It is argued that main thrust was for considering the bonafide agricultural use and other livelihood. It is submitted that the respondents are taking this decision of the Govt. itself in a very casual manner. Reliance is also placed on Clause 6 of this notification, wherein the Governor of Punjab had delisted/de-notified the land measuring 265.59 ha. in Village Nada as closed under PLPA, 1900 as per list attached with the notification as Annexure G and it is specifically held that "Consequently, the restrictions, regulations and prohibitions imposed under Section 4 & 5 of PLPA, 1900 shall cease to be applicable in the delisted areas". Learned senior counsel has again submitted that even this part of the Govt.'s own decision is openly flouted by the respondents.

The next argument raised by learned senior counsel for the petitioner is that when CACP-13, 14 & 15-2016 were filed, it was observed that a draft notification to withdraw three conditions has already been issued including the land in Villages Karoran and Nada, as per the order dated 28.04.2016. Again on adjourned date, considering the affidavits filed by the then Financial Commissioner (Forest), Govt. of Punjab, Secretary to Govt. of Punjab, Department of Local Govt. and Deputy Commissioner, SAS Nagar to scrupulously adhering to the directions dated 28.05.2014 (*qua which the present contempt petition is filed*), the case was adjourned to 06.05.2016 and finally, on 06.05.2016, the contempt appeals were disposed of in view of the affidavits of predecessors of the respondents. It is further submitted that not only this, in order to misguide the Court, in the affidavit dated 06.07.2023 filed by the Principal Secretary to Govt. of Punjab, Local Govt. Department, a letter dated 21.07.2023 was attached, however, its translation is not attached and only the translated copy of another letter dated 09.08.2023 was attached as Annexure R-4 with the said affidavit, in which there is a reference to the aforesaid letter dated 21.07.2023 issued by the Chief Wildlife Warden, Punjab regarding some clarification of the Master Plan of Naya Gaon, Municipal Building Byelaws, eco-sensitive zone etc.

Learned senior counsel has placed on record the translated copy of the letter dated 21.07.2023 attached as Annexure A-4 along with CM-14864-CII-2023. For a reference, this letter dated 21.07.2023 is reproduced as under: -

*"In relation to the above subject and the letter under reference, you are hereby informed that 100 meters area of Punjab surrounding Sukhna Wildlife Sanctuary as Eco-Sensitive Zone has been forwarded to the Government of India vide Government letter No.34/02/2023/FT-5/824 dated 9.2.2013. Pursuant to Government of India letter No.11/20/2018-ESZ dated 7.6.2023 this office vide letter No.3672 dated 12.07.2023 from the State Government dated 9.2.2023 as 100 meters of Punjab around Sukhna Wildlife Sanctuary. The proposal sent to declare the Eco-Sensitive Zone has also been confirmed. According to which the case of Sukhna Wildlife Sanctuary is covered under the judgment of the Hon'ble Supreme Court dated 26.04.2023.*

*Apart from the above you are also informed that as per the guidelines of the Government of India unless an Eco-Sensitive Zone is notified around a resort, until then, only an area of 10 kilometers from the boundary of the Sanctuary is to be declared as Eco-Sensitive Zone.*

*This is for your information."*

Learned senior counsel has argued that in the first part, though it is mentioned that it is 100 meters area surrounding Sukhna Wildlife Sanctuary as Eco-Sensitive Zone, however, without any basis, in the last line of this letter, it is mentioned that area is 10 kilometers. It is submitted that

just to create a confusion and to frustrate the order of the writ Court, this has been mentioned, though in the judgment of the Hon'ble Supreme Court in **T.N. Godavarman Thirumulpad's** case (supra), it is clearly observed in para No.61 that earlier directions in para No.56.1 of the order dated 03.06.2022 were modified and clarified that direction would not applicable to Eco-Sensitive Zone in respect of which a draft and final notification has been issued by MoEF & CC and in respect of the proposals, which were received by the Ministry. It is submitted that this matter is pending for the last many years and proposal was of 100 meters only, which now the respondents, in order to frustrate the order of the writ Court, have stated it to be 10 kilometers.

It is next argued that it is clear from the record that after quashing of the conditions mentioned in para No.5 of the notification dated 13.08.2010 by the writ Court, no fresh notification was issued either by the Department of Forests and Wildlife Preservation, Punjab or by the Department of Local Govt., Punjab, therefore, a totally false case has been set up that it is 10 kilometers as Eco-Sensitive Zone from the Sukhna Wildlife Sanctuary, which is even contrary to the observations made by the Hon'ble Supreme Court in **T.N. Godavarman Thirumulpad's** case (supra).

Learned State counsel has argued that the State Govt. is adhering to the notifications regarding prohibited area/wildlife sanctuaries. It is submitted that as per judgment of the Hon'ble Supreme Court, since only the draft proposal has been passed, which has not attained finality, therefore, they

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are following operative part of the order in para No.66.

Learned State counsel submits that in order to maintain uniformity, initially it was proposed that eco-sensitive zone will be for 100 meters, however, later on, a draft corrigendum was issued with regard to declaration of non-forest area. It is submitted that in the corrigendum, though it is stated that provisions of Sections 4 & 5 of PLPA shall not be applicable, however, it is not clarified that persons having their house etc. like applicant/petitioner No.2 will get site plan sanctioned by the competent authority as well as electricity connection and water connection also from competent authority. It is further submitted that as per letter dated 03.07.2023, it is the Local Govt. Department to see as to whether the Forest Department, Punjab has formulated any scheme or not.

Learned State counsel has referred to the letter dated 09.08.2023 filed along with affidavit of Principal Secretary to Govt. of Punjab, Local Govt. Department, to submit that necessary clarification with regard to non-application of PLPA is made by the Director. It is submitted that in **T.N. Godavarman Thirumulpad's** case (supra), it is held that while giving environmental and forest clearances for project activities in ESZ and other areas outside the protected areas, Union of India and State Governments as well as U.T. Governments will follow provisions contained in the office memorandum dated 17.05.2022, which provides that project/activity covered under the schedule of EIA notification and located within 10 km of National Park or Sanctuary shall require prior consideration of National Board of

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Wildlife/Standing Committee for National Board of Wildlife. Learned senior counsel has also referred to office memorandum dated 17.05.2022 to submit that the State Govt. is acting as per the State notification, therefore, no further clarification is required. Reliance is also placed on the notification dated 03.07.2023, wherein it is stated that restriction, regulation and prohibition imposed under Sections 4 & 5 of PLPA shall not be applicable in the delisted area.

Learned State counsel has further referred to affidavit of Financial Commissioner, Department of Forest and Wildlife Preservation, Punjab dated 14.09.2023, wherein a notification dated 03.07.2023 is attached as Annexure R-1/1. The operative of the said notification reads as under: -

*"4. Now, therefore in compliance to the above said directions and in continuation of the Notification No.39/1/2018/FT-1/1157844 dated 02.02.2018, it is clarified that the restriction, regulation and prohibition imposed under Sections 4 & 5 of PLPA shall not be applicable in the delisted area comprised in Khasra numbers as detailed in the Annexure-1 of the Notification issued vide No.39/578/2005-Ft-111/6085 dated 13.08.2010 and No.39/578/2005-Ft-111/6087 dated 13.08.2010.*

*5. This notification is issued with prior approval of the competent authority."*

Lastly, reliance is placed on the proceedings dated 26.04.2010 held under the Chairmanship of Chief Secretary, Punjab regarding exclusion

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of 56,047.65 ha area under cultivation and habitation closed under PLPS, 1900 of Ropar, Hoshiarpur, Nawanshahr, SAS Nagar (Mohali) and Gurdaspur from the list of forest areas. This is the notification, in which aforesaid three conditions were imposed, which were challenged in the main writ petition, wherein a statement was made on behalf of State of Punjab that three conditions will not be applicable.

Learned senior counsel for respondent No.6-GMADA has submitted that in fact, GMADA is following guidelines of the State Govt. and has not taken any decision on its own.

Similar stand is taken on behalf of U.T. Chandigarh and submits that no contempt is made out against U.T. Chandigarh.

In reply, learned senior counsel for the petitioner has placed on record some additional documents, which are taken on record as Mark 'A' (colly.), as they are not disputed by State counsel. The contents of the letter dated 09.02.2023 issued by the Additional Chief Secretary, Department of Forest and Wildlife Preservation, Punjab, informing the Govt. of India, Ministry of Environment, Forests & Climate Change, under the heading 'declaration of Eco-Sensitive Zone around Sukhna Wildlife Sanctuary for areas falling in the State of Punjab'. With reference to the order dated 03.06.2022 passed by the Hon'ble Supreme Court regarding minimum width of 01 km of the Eco-Sensitive Zone, it is recommended as under: -

*"In view of Para 1, if the width of Eco-Sensitive Zone is kept as 1 km, it will affect the thickly populated villages of Karoran,*

*Naya Gaon, Nada and Kansal. Resultantly, agricultural areas, hospitals, schools/colleges, religious places, factories, government/private institutions and general population of these villages will be very severely affected. The details of these affected areas are as follows:*

Sr. No.	Name of village	Wood based industry	Agri-culture	Religious place	Hospital	School	Shops	Hotel	Houses	Estimated population
1.	Karoran	-	50 acre	3	1	2	300	4	2225	9250
2.	Naya Gaon	-	-	1	-	-	250	-	1100	4400
3.	Nada	-	-	1	-	-	20	-	300	1200
4.	Kansal	-	-	3	1	-	200	-	1753	8765
	<b>Total</b>		<b>50 acre</b>	<b>8</b>	<b>2</b>	<b>2</b>	<b>770</b>	<b>4</b>	<b>5378</b>	<b>23615</b>

*And if the width of Eco-Sensitive Zone is kept as 100 mtr., it will affect only two villages Karoran and Kansal. The details of the areas to be affected in these two villages are as follows:*

Sr. No.	Name of village	Wood based industry	Agri-culture	Religious place	Hospital	School	Shops	Hotel	Houses	Estimated population
1.	Karoran	-	-	-	-	-	-	-	7	30
2.	Kansal	-	-	1	1	-	20	-	35	132
	<b>Total</b>			<b>1</b>	<b>1</b>		<b>20</b>		<b>42</b>	<b>162</b>

*It is clear from the above that if the width of the Eco-Sensitive Zone is kept as one kilometer in the area of Punjab adjacent to the Sukhna Wildlife Sanctuary, then due to the dense population of these concerned villages, many commercial institutions, religious places and agricultural areas (Table-1) will be affected and if the width of the Eco-Sensitive Zone is kept at 100 meters then as per Table-II very few people will be affected and Eco-Sensitive Zone area can be protected and managed with less issues involving general public.*

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*Keeping in view the above and agreeing with the recommendation of the Principal Chief Conservator of Forests (HoFF), Punjab, it is recommended that an Eco-Sensitive Zone of 100 meters in the area of Punjab adjacent to the Sukhna Wildlife Sanctuary be declared, in overwhelming public interest."*

In pursuance thereof, vide letter dated 12.07.2023, Chief Wildlife Warden, Punjab also informed the Ministry of Environment, Forests & Climate Change, Govt. of India that proposal to declare 100 meters area of Punjab surrounding Sukhna Wildlife Sanctuary as Eco-Sensitive Zone as sent by ACS (Forests) on 09.02.2023 is confirmed, in overwhelming public interest. Operative part of this letter reads as under: -

*"With respect to your letter under reference on the subject cited above, it is informed that the Additional Chief Secretary, Govt. of Punjab, Department of Forests & Wildlife Preservation vide his letter No.34/02/2023-FT-5/824 dated 09.02.2023 had sent the proposal to the Government of India, MoEF&CC to declare only 100 meters area of Punjab surrounding Sukhna Wildlife Sanctuary as Eco-Sensitive Zone.*

*It is also informed that as directed by Joint Director, MoEF&CC vide their letter No.25/03/2015-ESZ-RE dated 24.02.2023, the same proposal had also been sent to Central Empowered Committee for comments vide this office No.602*

dated 26.04.2023.

*In compliance of the Hon'ble Supreme Court of India order dated 26.04.2023, it is requested that the proposal to declare 100 meters area of Punjab surrounding Sukhna Wildlife Sanctuary as Eco-Sensitive Zone sent vide ACS (Forests) letter No.34/02/2023/FT-5/824 dated 09.02.2023 is hereby confirmed, in overwhelming public interest."*

Reliance is also placed on another letter dated 07.06.2023 issued by the Ministry of Environment, Forests & Climate Change, Govt. of India addressed to all the Chief Secretaries of all the State Governments/UT Administrations regarding finalization and revised proposals in terms of the judgment of the Hon'ble Supreme Court in T.N. Godavarman Thirumulpad's case (supra). As per ESZ proposals, vide letter dated 29.06.2022, at Sr. No.53 & 54, extent of area is referred to as 100 meter and with regard to status of publication of the draft, it is stated that it is yet to be published.

After hearing learned counsel for the parties, following undisputed facts emerge for consideration: -

- (a) CWP-22756-2013 was filed praying for quashing of the notifications dated 13.08.2010 to the extent that same are imposing unnecessary restrictions with regard to use of the land so notified under PLPA, with a further prayer to quash the earlier letters dated 16.03.2006 and 10.08.2006 to same extent. The writ

petition was disposed of on 28.05.2014 with the following five conditions: -

*“(i) It is for the State Government to proceed to identify the forest land in terms of the parameters laid down by the Hon’ble Supreme Court in **Civil Appeal Nos.4682-4683 of 2005** titled as **B.S. Sandhu vs. Government of India and others, decided on 21.5.2014** based on the revenue record and the test laid therein;*

*(ii) The notifications would in substance apply only in case the land in question is forest land in the revenue record;*

*(iii) Insofar as land of the petitioner is concerned, the aforesaid exercise be carried out to take a call on whether what is alleged by the petitioner, i.e., it is not forest land is correct or not and a reasoned decision be communicated to the petitioner on or before 03.07.2014, as prayed by learned Additional Advocate General;*

*(iv) If the land in question is not forest land, then appropriate development works as per the Final Master Plan and Notified Area Committee of Naya Gaon should be undertaken as the claim is that the ground reality is really pathetic on account of all development works having stopped; and*

*(v) The directions already contained in the order dated 4.3.2014 for action qua construction unauthorisedly carried out on a proposed road and clearance of garbage would be implemented on or before 03.07.2014 with visible photographs."*

Thereafter, said judgment was upheld upto the Hon'ble Supreme Court in the order dated 14.08.2014 passed in SLP (C) No.16646 of 2014.

- (b) The petitioners filed contempt petition, wherein certain directions were issued and thereafter, the respondent-State filed three CACP-13, 14 & 15-2016, in which directions were issued on 28.04.2016, 04.05.2016 and 06.05.2016. In all the orders, the undertaking given by the Advocate General, Punjab was recorded that restrictions imposed will not apply to 1092 acres of land identified as non-forest area, which, in fact, forms part of the notification dated 13.08.2010 issued by the Department of Forests and Wildlife Preservation, Punjab. Reference was also made to the affidavits filed by the then Financial Commissioner, Govt. of Punjab, Department of Forests and Wildlife Preservation, Secretary to Government of Punjab, Department of Local Government as well as Deputy Commissioner, SAS Nagar to scrupulously adhering to the directions dated 28.05.2014 issued by the writ Court. The aforesaid contempt appeals were

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finally disposed of in view of undertaking given by the respondents.

- (c) The petitioner, thereafter, served advance notice of contempt to the respondents for not adhering to the directions of the writ Court as well as own undertaking given before the Bench, where the contempt appeals were pending. A perusal of the notification dated 13.08.2010 shows that it was observed that in terms of the order of the Hon'ble Supreme Court dated 09.09.2005 and the order dated 16.03.2006 of the Ministry of Environment and Forests, Govt. of India, 65,670.26 ha cultivated and habitation areas closed under PLPA from the list of forest areas for bonafide agricultural use and other livelihood were required subject to three conditions referred to above, qua which the main dispute stands settled upto the Hon'ble Supreme Court vide subsequent order dated 14.08.2014 passed in SLP (C) No.16646 of 2014. This notification is addressed to all the concerned departments of Punjab including Department of Revenue and Rehabilitation, Rural Development and Panchayat Department, Department of Local Govt., Housing Urban and Development Department, Industries and Commerce Department, PWD (B&R) and Principal Chief Conservator of Forests, therefore, it was well within the knowledge of all the concerned officers of the respondents.

- (d) A period of 09 years has lapsed since 28.05.2014, when the order was passed by the writ Court and similarly, a long period of about 07 years has lapsed, when the orders were passed in CACPs based on undertaking given by the Advocate General, Punjab, on the basis of different affidavits filed by the respondents.
- (e) On the face of it, conduct of the respondents despite being given repeated time to comply with the directions, not only amounts to willful disobedience, but also reflects the adamant mind so much so that some of the subsequent communications are contrary to own undertaking given before the Court and also in not issuing the correct corrigendum despite the undertaking given before this Court. Repeated affidavits filed by all the respondents also reflects that they are trying to put the burden on each other instead of adhering to and comply with the directions of the Court and many citizens are facing great hardship as noticed above.

Accordingly, respondent No.1 i.e. present Additional Chief Secretary-cum-Financial Commissioner, Forest Department, Punjab, respondent No.2 i.e. present Principal Chief Conservator of Forests, SAS Nagar (Mohali) and respondent No.4 i.e. present Principal Secretary, Local Govt., Punjab are prima facie held guilty of violating the orders of this Court as well as undertaking given by them before the Court.

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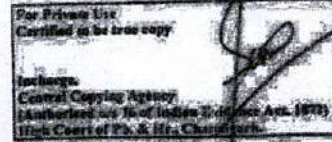
Before fixing a date for pronouncing the order on quantum of sentence, they are given time till the next date of hearing to purge the contempt.

List again on 20.11.2023.

A copy of this order be sent to the Chief Secretary, Govt. of Punjab immediately, with a direction to file his compliance affidavit on or before the date fixed.

[ ARVIND SINGH SANGWAN ]  
JUDGE

12.10.2023  
*vishnu*



CCCP 3086 2023 MEMO OF PARTIES 16-Oct-2023 at 15:55

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

**C.O.C.P. NO. 3086 OF 2023**

**IN C.W.P. NO. 21756 OF 2013**

**MEMO OF PARTIES**

**Saurabh Gupta** aged 38 years son of Sanjiv Gupta, partner of M/s Orchid Space Designs LLP, resident of Village Bari Karonan, Tehsil Kharar, District SAS Nagar, Mohali and also resident of House No. 826, Sector 2, Panchkula (Mobile No. 982700000, Aadhar No. 567 822 2211)

**...Petitioner**

**Versus**

1. **Shri Vikas Garg**, Financial Commissioner-cum-Chief Secretary, Forest Department, Punjab, Civil Secretariat, Chandigarh.
2. **Shri Ajoy Kumar Sinha**, Principal Secretary, Housing Urban and Development Department, Punjab, Civil Secretariat, Chandigarh.
3. **Shri Rajinder Kumar**, Senior Town Planner, PUDA Bhawan, 7<sup>th</sup> Floor, A-Block, Sector 62, SAS Nagar.
4. **Shri Ajoy Sharma**, Principal Secretary, Department of Local Government, Punjab, Civil Secretariat, Chandigarh.
5. **Smt. Aashika Jain**, Deputy Commissioner, SAS Nagar, Mohali.

**...Respondents**

**CHANDIGARH  
DATED: 03.10.2023**

*Vishal*  
*Aashika*  
**(VISHAL PUNDE) (AASHIKA AGGARWAL)  
ADVOCATES  
COUNSEL FOR THE PETITIONER**



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CCCP 3044 2013 MEMO OF DECISION 01-Oct-2017 at 15:58

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Petition under Sections 10 and 12 of the Contempt of Courts Act, 1971 read with Article 215 of the Constitution of India for initiating contempt proceedings against the respondents and for punishing them for intentionally and willfully violating and disobeying the order dated 28.05.2014 (Annexure I-1) passed by this Hon'ble court in CWP No. 22756 of 2013 and further for non-compliance of the orders dated 28.04.2016, 04.05.2016 and 06.05.2016 (Annexure I-5) passed in CACP No. 13 of 2016 by this Hon'ble Court and further for non-compliance of the orders passed in the pending Contempt Petition; and further directing the respondents not to take any coercive steps against the petitioner during the pendency of the present petition before this Hon'ble Court.

**RESPECTFULLY SHOWETH:**

3. That the petitioner is approaching this Hon'ble Court for initiating proceedings for willful and flagrant violation of the orders of this Hon'ble Court passed in CWP No. 22756 of 2013 and in this regard, a copy of the order/

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COCP-3086-2023

SAURABH GUPTA  
VS  
VIKAS GARG AND ORS.

Present : Mr. Ashish Aggarwal, Sr. Advocate with  
Mr. Vishal Pundir, Advocate  
for the petitioner.

\*\*\*\*\*

Notice of motion for 28.11.2023.

Till the next date of hearing, no coercive action shall be taken  
against the petitioner.

05.10.2023  
Waseem Ansari

( ARVIND SINGH SANGWAN )  
JUDGE

CM-19916-CII-2023 in COCP-3086-2023

SAURABH GUPTA  
VS.  
VIKAS GARG AND ORS.

Present : Mr. Ashish Aggarwal, Sr. Advocate with  
Ms. Aashna Aggarwal, Advocate  
for the applicant-petitioner.

\*\*\*\*\*

Learned senior counsel for the applicant-petitioner submits that despite the direction issued by this Court on 05.10.2023 that no coercive action shall be taken against the petitioner, the respondents have now issued a letter dated 19.10.2023 and has also passed an order on 11.08.2023 directing the petitioner to stop all the activities.

Learned senior counsel further submits that on the face of it, the aforesaid letter and order are in violation of the order passed by this Court.

Notice of the application.

Mr. Ayush Sarna, AAG, Punjab, who is present in Court, accepts notice of the application on behalf of the respondents and seeks some time to get instructions.

List again on 28.11.2023, the date already fixed in the main case.

In the meantime, the operation and implementation of letter dated 19.10.2023 and order dated 11.08.2023 shall remain stayed.

20.10.2023

*Muskan Ansari*

( ARVIND SINGH SANGWAN )  
JUDGE

Office of sub divisional Magistrate Kharar, Distt S.A.S Nagar  
Pb TEL 0160 2280222 Email ID sdm.Kharar@gmail.com

No 1339

Date 11/08/2023

ORDER U/S 133 C.R.P.C

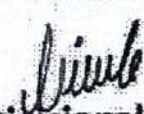
Whereas, Honourable NGT has passed an order in OA no. 161 of 2023 titled Rana Iqbal Singh & ors versus State of Punjab & ors ""10.

The District Magistrate and the Senior Superintendent of Police, Mohali are also directed to take appropriate steps to ensure that no marriage party or such like social function takes place in the premises in question."

Accordingly, the matter was put up before Deputy Commissioner, SAS Nagar and accordingly, the orders received through noting file are reproduced as under :

"Order of NGT be implemented. EO & SDM Kharar to ensure. ADC (UD) to monitor.

So I hereby order that Naib tehsildar Majri , DSP-1 city Mohali and EO Naya gaon will ensure that no function is to be held at Hermitage Park, Karoran and also to inform SDM Kharar incase any function takes place. Incase , Any function is held at Hermitage , legal action will be taken against owners of hermitage. This order will remain in effect till next contrary orders of Judicial court.

  
Sub Divisional Magistrate  
Kharar

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OFFICE OF THE ASSISTANT EXCISE COMMISSIONER, ROPAR RANGE,  
ROPAR  
SECTOR-69, MOHALI.

Tel: (0) +91 172 2216703

Email: [acxropar.range@punjab.gov.in](mailto:acxropar.range@punjab.gov.in)

Through E-Abkari Website/ Whatsapp

To

Shri Krishan Kumar S/o Nath Ram,  
Village Kansal, Nayagaon,  
SAS Nagar, Mohali.  
Mobile: 9028020012

No. 509

Dated: 19.10.2023

**Subject:** - Permission to serve liquor (L-50A) application on E-Abkari Website of Shri. Krishan Kumar for ring ceremony function on 19.10.2023 at The Hermitage, Nayagaon, Mohali.

**Reference:** Application Id No. PSL/13/2023-24/102019 dated 17.10.2023

**Memo**

Your application for Permission to serve liquor (L-50A) for ring ceremony function proposed to be organised on 19.10.2023 at The Hermitage, Nayagaon, Mohali has been examined and in this regard the order dated 30.06.2023 of Hon'ble National Green Tribunal (NGT) Principal Bench, New Delhi delivered in application no. 161/2023 titled as Rana Iqbal Singh Jolly & others Vs State of Punjab & Others is worth mentioning and the operative part of the same is reproduced below:-

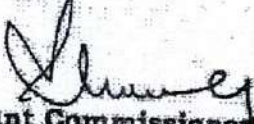
9. *In view of the factual position duly verified by the Joint Committee that respondent no. 8 has not obtained requisite permissions as mentioned therein and mandate in Section 20 of the National Green Tribunal Act, 2010 requiring this Tribunal to apply precautionary principle and also the provisions made in Section 19 (1) (i) of the National Green Tribunal Act, 2010 empowering this Tribunal to require any person to cease and desist from committing or causing any violation of any enactment specified in Schedule I thereof, respondent no. 8 is directed to desist from organizing any marriage party or such like social function in the premises in question till further order to the contrary.*

10.

The District Magistrate and the Senior Superintendent of Police, Mohali are also directed to take appropriate steps to ensure that no marriage party or such like social function takes place in the premises in question.

In above orders The Hon'ble National Green Tribunal has directed the respondent no. 8 i.e. The Hermitage Marriage Palace, Nayagaon, Mohali to desist from organizing any marriage party or such like social function in the premises in question till further order to the contrary and at the same time has also directed District Magistrate and the Senior Superintendent of Police, Mohali to take appropriate steps to ensure that no marriage party or such like social function takes place in the premises in question.

In view of above and in compliance to the directions of the Hon'ble National Green Tribunal you are requested to submit 'No Objection Certificate' (NOC)/ Clearance for above said function from District Magistrate Mohali and Senior Superintendent of Police, Mohali so that your application can be decided in time accordingly.

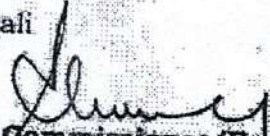
  
Assistant Commissioner (Excise)  
Ropar Range, Ropar

dated 19/10/2023

Endst. No. 510-511

A copy of the above is forwarded for information and necessary action at the earliest as the function is scheduled to be organised on today i.e 19.10.2023 (evening) please.

1. Deputy Commissioner, SAS Nagar, Mohali
2. Senior Superintendent of Police, SAS Nagar, Mohali

  
Assistant Commissioner (Excise)  
Ropar Range, Ropar

A-15

Encl POEB

D.

23/2/24

FORM 'A'  
{See rule 3 (1)}

To,

The Public Information Officer  
Assistant Public Information Officer  
**Punjab Pollution Control Board**  
SAS Nagar.

(1) Full name of the applicant:

Saurabh Gupta, Partner, Orchid Space Designs LLP

(2) Address

DSS 8, Sector 2, Panchkula, Mobile 9592911000

(3) Parties of information required

(i) Subject matter of information:- **Information pertaining to CTE/CTO u/s 25/26 of the Water (Prevention & Control of Pollution) Act, 1974 and u/s 21 of the Air (Prevention & Control of Pollution) Act, 1981 and Licenses Regarding Venues for Marriages & Social functions gatherings in areas in District, SAS Nagar Mohali, Punjab.**

(ii) The period to which the information relates: **2021-2022, 2022-2023 2023-2024**

(iii) Description of the information required \*\*\* **Attached as Annexure A**

(iv) Whether information is required by post or in person ("the actual postal charges shall be included in additional fees) **In Person**

(v) In case by post (Ordinary Registered or Speed Post) **N.A.**

Place:

Date:

Signature of the applicant

- \* Broad category of the subject to be indicated (such as grant/Government land/Service matters/Licenses etc.)
- \*\* Relevant period for which information is required to be indicated.
- \*\*\* Specific details of the information are required to be indicated.

**ACKNOWLEDGEMENT**

Received your application dated \_\_\_\_\_ vide Dairy No. \_\_\_\_\_ dated \_\_\_\_\_

Signatures of Public Information  
Officer /Assistant Public  
Information Officer.

Encl: 1 PO No. 185801 Dated 23-2-2024 of No. 100/-



## Annexure A

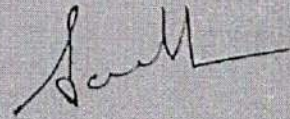
## (iii) Description of the information required:-

Kindly provide me the following information under RTI Act 2005.

1. Total number of Environmental Clearances applied, granted and granted particularly with respect to Issuance of CTE/CTO u/s 25/26 of the Water (Prevention & Control of Pollution) Act, 1974 and u/s 21 of the Air (Prevention & Control of Pollution) Act, 1981 for the period 2021-2022; 2022-2023; 2023-2024 in respect of the following:-
  - i. Marriage Palaces
  - ii. Farm Houses,
  - iii. Clubs
  - iv. Resorts
  - v. Public Places
  - vi. Parks
  - vii. Any other Venues

Falling in the District S.A.S. Nagar, Mohali, Punjab.
2. Please provide the names / list of persons or entities seeking / applying for grant Consent to Establish (CTE)/ Consent to Operate (CTO) u/s 25/26 of the Water (Prevention & Control of Pollution) Act, 1974 and u/s 21 of the Air (Prevention & Control of Pollution) Act, 1981 for the periods 2021-2022; 2022-2023; 2023-2024, status thereof i.e. whether granted, withheld or refused with date and time and validity thereof village wise and area wise in District S.A.S Nagar, Mohali, Punjab
3. Please provide the list and details of all Show Cause notices / action initiated by PPCB, SAS Nagar, Punjab for any violations of the provisions of Air/Water / Noise Pollution under the Environment Protection Act 1986 for the periods 2021-2022; 2022-2023; 2023-2024 in the area of District S.A.S Nagar, Mohali, Punjab.
4. Kindly provide the details of environmental clearances-permissions / Sanctions / Consent granted for the periods 2021-2022; 2022-2023; 2023-2024 under the Environment Protection Act, 1986; Consent to Establish (CTE)/ Consent to Operate (CTO) u/s 25/26 of the Water (Prevention & Control of Pollution) Act, 1974 and u/s 21 of the Air (Prevention & Control of Pollution) Act, 1981 with respect to the following:-
  1. Forest Hill Resort, Nayagaon, District SAS Nagar
  2. (a) Aquaspace (b) Sevan Haven (c) Club House, Forest Hill Resort, Nayagaon Dist. SAS Nagar
  3. Sukoon, Karoran-Baddi Road, Dist. SAS Nagar.
  4. Surjeet Bagh, New Chandigarh, District SAS Nagar
  5. Mohinder Bagh, District SAS Nagar
  6. Pirzada /Baikunt Farm District SAS Nagar
  7. Bal Farms, Chhoti Bari Parachh, District SAS Nagar
  8. AKM, Chandigarh-Patiala Road, District SAS Nagar
  9. Cops Canopy, Karoran-Baddi Road, District SAS Nagar

10. Dhillon Farm (Dashmesh Nagar), Nayagaon District SAS Nagar
11. Ekam Farm (Govind Nagar), Nayagaon District SAS Nagar
12. R.A. Farm (Shivalik Vihar), Nayagaon District SAS Nagar
13. Green Valley Farm, Karoran-buddi Road District SAS Nagar
14. The Alcaza, Karoran-Baddi road District SAS Nagar
15. Darshan Bagh District SAS Nagar
16. Olive Green, District SAS Nagar
17. Mejie Farms (majra jiswan) District SAS Nagar
18. Makkad Farm, Tribune chowk- Zirakpur Road, Dist. SAS Nagar
19. Bagh E Fursat, Kharar-Kurali Road, Dist. SAS Nagar
20. Grand Alishan, Landran District SAS Nagar
21. The Palace Banquet Hall, Kakrali, District SAS Nagar
22. The Grand Orient Resort, Ramgarh-Derabassi Road, Dist. SAS Nagar
23. Arzoo Resorts & Convention Center, Bir Pir Machhalia
24. Grand Imperial, Kharar-Landran Road, Dist SAS Nagar
25. Sharon Resort, Zirakpur-Patiala highway, Dist. SAS Nagar
26. Bhullar Resort, Zirakpur, Nabha Dist. SAS Nagar



(Saurabh Gupta)  
Partner  
Orchid Space Designs LLP



To

Date:- 28-02-2024

✓ The Senior Town Planner,  
District SAS Nagar,  
PUDA Bhawan, Sector 62  
SAS Nagar, Mohali, Punjab.

Subject:- **Withdrawal of Application for grant of CLU for "Open Marriage Palace".**  
Sir,

Please refer to our Application No. 965 dated 09-08-2023 for grant of CLU for "Open Marriage Palace" (Copy attached as Annexure A-1). Now, we wish to withdraw our request / application for grant of "Open Marriage Palace" on our land in Village Karoran/Nayagaon, District SAS Nagar, as the land in question has since been sold /transferred in the name of individuals. In view of the fact that we are no more owner and also not in possession of the said land, we can not proceed further in this matter.

It is, therefore, requested that the file submitted for grant of CLU may please be returned to us on our registered office address i.e. DSS No. 8, 1<sup>st</sup> Floor, Sector 2, Panchkula (Haryana) and the matter may be closed in regards to us.

With regards,

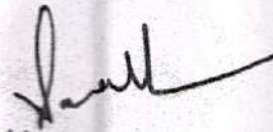
for Orchid Space Designs LLP

  
Partner

Saurabh Gupta  
Partner  
Orchid Space Designs LLP  
The Hermitage Farm, Village Karoran,  
Tehsil Kharar, District SAS Nagar  
Mobile 9592911000, 9592700000

Copy to :-

1. The District Town Planner, PUDA Bhawan, Sector 62, SAS Nagar (Mohali) for information & Necessary action.
2. The Deputy Commissioner, District SAS Nagar for information & necessary action.
3. SDM, Kharar, District SAS Nagar for information & necessary action.



Saurabh Gupta  
Partner  
Orchid Space Designs LLP  
The Hermitage Farm, Village Karoran,  
Tehsil Kharar, District SAS Nagar  
Mobile 9592911000, 9592700000

Orchid Space Designs LLP  
DSS 8, 1<sup>st</sup> Floor, Sec. 2, Panchkul  
osdlindia@gmail.com  
Contact no. 9592911000, 9592700000

*Recd*  
*28/2/24*



# PUNJAB HERITAGE AND TOURISM PROMOTION BOARD

## Certificate of Registration

SCHEME Punjab Farm Tourism-2021 (Gold category)

Certificate No: PHTPB/FT/2021/34

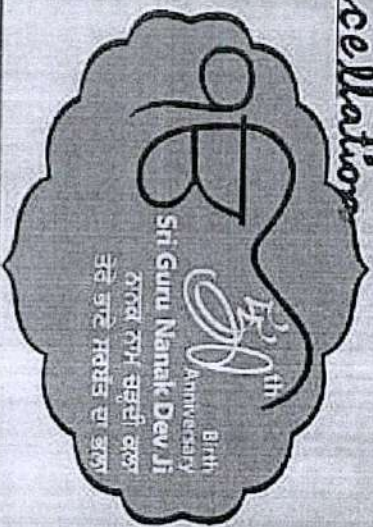
Dated: 04/10/2021

This is to certify that "The Hermitage Farm" is owned by Sh. Savabh Gupta

located at District S.A.S. Nagar Resident of \_\_\_\_\_

Karwan - Baddi Road, Nayagan is approved by PUNJAB HERITAGE AND TOURISM PROMOTION BOARD.

This certificate is valid upto till Cancellation



*Maw*  
Chief Executive Officer



# ਪੰਜਾਬ ਪ੍ਰਦੂਸ਼ਣ ਰੋਕਥਾਮ ਬੋਰਡ

ਜੇ.ਐਲ. ਟਾਊਨ-1, ਟਾਊਨ ਫਾਰਮ ਕਰੋਰਨ, ਨਾਰਾ ਰੋਡ, ਪਟਿਆਲਾ-147001



Phone no. 0175-2301182

ਨੰਬਰ 2399

e-mail : ppcbsee\_zp1@yahoo.com

ਮਿਤੀ 28/24

REGISTERED

To

The Hermitage Farm-A Unit of Orchid Space Design LLP"  
Vill. Karoran, Tehsil Kharar, Karoran-Baddi Road,  
Distt. SAS Nagar

**Subject:** Corrigendum regarding consent to operate granted u/s 25/26 of the Water (Prevention & Control of Pollution) Act, 1974 and u/s 21 of the Air (Prevention and Control of Pollution) Act, 1981

**Reference:** Board's letter no. 1944-45 (Water) and no. 1946-47 (Air) and project proponent request letter dated 11/7/2024

This is with reference to the consent to operate granted u/s 25/26 of the Water (Prevention & Control of Pollution) Act, 1974 vide no. CTOW/Fresh/SAS/2024/25690868 dated 8/7/2024 and the Air (Prevention and Control of Pollution) Act, 1981 vide no. CTOA/Fresh/SAS/2024/25690845 dated 8/7/2024, valid upto 30/9/2025, subject to the certain/ special conditions mentioned therein.

In the above mentioned certificates, condition no. 1 i.e. "The project proponent shall not carry out any commercial activity as per assurance given by it through undertaking under any circumstances" stands removed in the both the certificates. Further condition imposed at Sr. no. 10 may be substituted that (10) The project proponent shall not conduct any late night function on the farm land without the prior permission of the District Administration.

All other contents shall remain unchanged. This letter shall remain appended with the original consent vide no. CTOW/Fresh/SAS/2024/25690868 dated 8/7/2024 under the Water (Prevention and Control of Pollution) Act, 1974 and vide no. CTOA/Fresh/SAS/2024/25690845 dated 8/7/2024 under the Air (Prevention and Control of Pollution) Act, 1981 issued to the industry respectively.

This issues with the approval of the Competent Authority of the Board.

  
Environmental Engineer  
for & on behalf of the  
Punjab Pollution Control Board

Endst. no. 2400

Dated 28/24

A copy of the above is forwarded to the Environmental Engineer, Punjab Pollution Control Board, Regional Office, SAS Nagar for information and further necessary action.

  
Environmental Engineer  
for & on behalf of the  
Punjab Pollution Control Board