

**64**

**Compliance Report**

**As per**

**Hon'ble National Green Tribunal**

**(Order dated 08.01.2024 & 19.02.2024)**

**IN THE MATTER OF**

**Sunil Kumar Nigam V/s**

**State of Haryana**

**IN**

**Original Application No.**

**648/2023**

**Compliance Report of Hon'ble NGT order dated 08.01.2024 & 19.02.2024 in the matter of Sunil Kumar Nigam V/s State of Haryana OA No. 648/2023**

**1. Background:-**

The Complainant, an allottee of an apartment in Windchants apartment in Sector 112 Gurugram, Haryana has complained that in the Windchants Group Housing Colony project, the builder, Experion Developers Pvt Ltd., in order to earn unlawful gains, has violated existing laws pertaining to protection of environment and maintenance of Green Area.

The applicant has referred to the following violations:-

- i. Illegally constructing a high-speed Diesel Tank on the notified Green Area (30%) with concrete structure and equipment protruding above ground level near tower WT07.
- ii. Illegally constructing a Gas Bank on the notified Green Area (30%) with concrete structure and equipment protruding above ground level near tower WT07.
- iii. Reducing the sanctioned Green Area and constructing more than permissible FAR of 175 without revision of sanctioned plans.
- iv. Altering the plan and encroaching green area and reducing the number of visitor's car parking slots (ECS) around various towers including tower no. WTO7.
- v. Altering the circulation roads around residential towers including tower WTO7 in violation of norms, of having concrete black top, required to be followed for movement of fire tenders in case of fire.
- vi. Constructed STP in violation of EC conditions. The recirculated water being supplied in apartments contains fecal matter. The water is of dark colour and stinks badly.
- vii. The Promoter has failed to get water supply from Municipal Corporation. Water is being sourced from tankers which contains an alarmingly high TDS of over 450.
- viii. Possession is being offered without Consent of SPCB.
- ix. Builder illegally built 20 additional EWS units, which had to be demolished after objections by residents.
- x. The builder is extracted Ground Water without permission. The applicant has further submitted that the construction is still on going in spite of the fact that EC granted in 2012 has expired. As of now, construction is without any EC and / or CTE issued by HSPCB. The applicant has further submitted that complaints were made to the concerned statutory authorities but no action has been taken on the same.

***Hon'ble National Green Tribunal vide order dated 08.01.2024 has directed as follows:-***

*"....In view of the averments made in the application, we also consider it appropriate that a Joint Committee be constituted to verify the factual position and suggest appropriate remedial action. Accordingly, we constitute a Joint Committee comprising of representatives of the Central Pollution Control Board (CPCB), Haryana State Pollution Control Board (HSPCB) and District Magistrate, Gurugram and direct the same to*

*undertake visits to the site, look into the grievances of the applicant, associate the applicant and representative of the concerned project proponent, verify the factual position and suggest appropriate remedial action. The State PCB will be the nodal agency for coordination and compliance. Factual and Action taken Report may be submitted on or before 15.02.2024 by e-mail at judicialngt@gov.in preferably in the form of searchable PDF/OCR Supported PDF and not in the form of Image PDF.*

***Hon'ble National Green Tribunal vide order dated 19.02.2024 has directed as follows:-***

*"....Learned Counsel for respondent no. 8 seeks time to file detailed response on behalf of respondent no. 8 to the averments made in the application, interim report filed by Joint Committee vide email dated 16.02.2024 and written submissions filed by applicant vide email dated 19.02.2024. Report of the Joint Committee be filed within one month at judicialngt@gov.in preferably in the form of searchable PDF/OCR Supported PDF and not in the form of Image PDF.*

**2. Compliance of Hon'ble National Green Tribunal directions:-**

In compliance of Hon'ble NGT directions issued vide order dated 08.01.2024, Joint committee was constituted of following officers to verify the factual position and suggest appropriate remedial action:-

<b>Sr. No.</b>	<b>Name of Officer &amp; Designation</b>	<b>Representative/Nominee</b>
1.	Sh. Hitesh Kumar, IAS, Additional Deputy Commissioner, Gurugram	Deputy Commissioner, Gurugram
2.	Sh. Danish Meena, Scientist C, CPCB, New Delhi	CPCB, New Delhi
3.	Sh. Vikas Grewal , Scientist B, Gurugram Region (N)	HSPCB

The Joint Commissioner, Municipal Corporation Gurugram, The District Town Planner (Planning) Town & Country Planning Department, Gurugram, The Estate Officer-I, Haryana Shehri Vikas Pradhikaran , Gurugram, M/s Experion Developers Pvt. Ltd., Developer and Sh. Sunil Kumar Nigam, applicant were requested to attend the inspection scheduled on 13.02.2024 & applicant vide his Email dated 12.02.2024 has informed that his authorized representatives Mr. Manoj Kumar, R/o T2/302, Experion Windchants sector -112, Gurugram & Mr. Gopal Arora, R/o C-1/7 Rana Partap Bagh, Delhi shall attend the inspection alongwith joint team. Following assisted joint committee during inspection on 13.02.2024:-

<b>Sr. No.</b>	<b>Name of Officer &amp; Designation</b>	<b>Deptt.</b>
1.	Sh. Rajesh Kaushik ,District Town Planner (Planning), Gurugram	Department of Town & Country Planning, Gurugram
2.	Sh. Satya Narayan, SDE, HSVP, Gurugram	Representative of HSVP, Gurugram

3.	Sh. Anand Saini, JE, HSVP, Gurugram	HSVP, Gurugram
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Site was also visited by the Offices of DTCP, Gurugram alongwith applicant on 16.02.2024.

### 3. Observations:

On basis of inspection and the report submitted by the DTP (Enforcement), Gurugram, DTP (Planning), Gurugram & Fire Department, Gurugram. Status of the issues raised in application is tabulated below:-

Sr. No.	Violation referred by Applicant	Reply/Status
1	Illegally constructing a high-speed Diesel Tank on the notified Green Area (30%) with concrete structure and equipment protruding above ground level near tower WT07.	<p>The matter is under the jurisdiction of District Town Planning Department, Gurugram &amp; Fire Department, Gurugram.</p> <p>Diesel storage tank and Gas bank/storage tank has been installed and as per detail supplied by the Fire Department, Gurugram vide letter No. FS/DDT/2024/696 dated 15.02.2024 (<b>Annexure-1</b>) that” दमकल केंद्र अधिकारी, दमकल केंद्र, भीमनगर गुरुग्राम द्वारा मौके का निरीक्षण किया गया व नक्शो का अवलोकन किया गया व पाया गया की नक्शो में डीजल टैंक अप्रूव्ड है व एक्सप्लोसिव डिपार्टमेंट द्वारा भी पास किया गया है तथा गैस बैंक के पास फायर स्किम अनुसार फायर सिस्टम भी लगा हुआ”</p> <p>DTP (Planning), Gurugram submitted that HSD/Gas storage tank was shown in approved plan with deviation in red colour and OC was granted vide Directorate memo dated 09.03.2022.</p> <p>DTP (Enforcement), Gurugram vide letter No. GN/DTP-E/2024/6772 dated 05.04.2024 (<b>Annexure-2</b>) has submitted that:-  “High-Speed Diesel tank stand shown in the deviation /as built drawing verified by field office at the time of occupation certificate and occupation certificate granted vide memo No. ZP-95/SD(BS)/2022/6339 dated 09.03.2022 considering same drawing.  As per Haryana Building Code 2017 &amp; amendments therein and also as per approved layout plan of the said group housing society the mandatory organized Green Area required is 15% and at present the green area available at site is more than 15%”</p>
2	Illegally constructing a Gas Bank on the notified Green Area (30%) with concrete structure and equipment protruding above ground level near tower WT07.	<p>The matter is under the jurisdiction of District Town Planning Department, Gurugram.</p> <p>DTP (Planning), Gurugram has sent copy of the site plan while sending the site report vide dated 31.10.2019 duly showing the deviations.</p> <p>DTP (Enforcement), Gurugram vide letter No. GN/DTP-E/2024/6772 dated 05.04.2024 (<b>Annexure-2</b>) has submitted that:-  “Gas bank stand shown in the deviation/as built drawing verified by field office at the time of sanding site report for grant of occupation certificate and on the basis of same the occupation certificate granted vide memo no. ZP-95/SD(BS)/2022/6339 dated 09.03.2022 considering the</p>

		<p>same as verified as built drawing.</p> <p>As per Haryana Building Code 2017 &amp; amendments therein and also as per approved layout plan of the said group housing society the mandatory organized Green Area required is 15% and at present the green area available at site is more than 15%”</p>
3	<p>Reducing the sanctioned Green Area and constructing more than permissible FAR of 175 without revision of sanctioned plans.</p>	<p>The matter is under the jurisdiction of District Town Planning Department, Gurugram.</p> <p>DTP (Planning), Gurugram has sent detail of total FAR /Ground Coverage utilized at site vis-à-vis permissible.</p> <p>DTP (Enforcement), Gurugram vide letter No. GN/DTP-E/2024/6772 dated 05.04.2024 (<b>Annexure-2</b>) has submitted that:-</p> <p>“As per Haryana Building Code 2017 &amp; amendments therein and also as per approved layout plan of the said group housing society the mandatory organized Green Area required is 15% and at present the green area available at site is more than 15%”</p> <p>DTP, Enforcement, Gurugram vide email dated 20.05.2024 (<b>Anexure-3</b>) has informed that in continuation to this office memo no. 6772 Dated 05.04.2024 ,show cause notice is issued to the builder for violation in the set back of villas vide notice no.10157 Dated 20.05.2024. Further, necessary action will be taken after following due course of law.</p>
4	<p>Altering the plan and encroaching green area and reducing the number of visitor's car parking slots (ECS) around various towers including tower no. WTO7.</p>	<p>The matter is under the jurisdiction of District Town Planning Department, Gurugram.</p> <p>DTP (Planning), Gurugram has sent the detail of car parking achieved to DTP (Enforcement), Gurugram.</p> <p>DTP (Enforcement), Gurugram vide letter No. GN/DTP-E/2024/6772 dated 05.04.2024 (<b>Annexure-2</b>) has submitted that:-</p> <p>“As per Building plan granted vide memo no. 9781 dated 06.07.2012 the sanctioned surface car parking were 62 and as per the DTP report of occupation certificate (memo No. 10882 dated 31.10.2019) 75 nos. surface car parking were provided which are available at site. Moreover, site got visited by concerned Field Official and found that the number of surface visitor parking on the site are as per approved plan”.</p>
5	<p>Altering the circulation roads around residential towers including tower WTO7 in violation of norms, of having concrete black top, required to be followed for movement of fire tenders in case of fire.</p>	<p>The matter is under the jurisdiction of District Town Planning Department, Gurugram &amp; Fire Department, Gurugram.</p> <p>DTP (Planning), Gurugram submitted site plan duly showing the deviations and it has been noticed that rear side setback has been encroached.</p> <p>Deputy Director (Tech.) Fire &amp; Emergency Department, Gurugram vide letter No. FS/DDT/2024/1284 dated 27.04.2024 (<b>Annexure-4</b>) has submitted that:-</p> <p>“As per approved fire fighting scheme vide office letter No. FS/MCG/2012/2423 dated 19.09.2012 fire tender path 6.0 mtr wide hard was approved and at the time of inspection coat of green grass was found on fire tender path”.</p> <p>DTP (Enforcement), Gurugram vide letter No. GN/DTP-E/2024/6772 dated 05.04.2024 (<b>Annexure-2</b>) has submitted that:-</p> <p>“In view of the interim report of the Committee Show Cause</p>

		Notice dated 15.03.2024 was issued to the developer to remove the encroachment in setback area. The builder has submitted the reply and accordingly, site was visited by this office and found that as on date there is no unauthorized construction/encroachment around tower WT07. Further, as far as the issue pertaining to violation of fire tender path is concerned, it is submitted that around the towers there is no encroachment/ unauthorized construction obstructing fire tender path”.
6	Constructed STP in violation of EC conditions. The recirculated water being supplied in apartments contains fecal matter. The water is of dark colour and stinks badly.	As per technical specification of STP submitted by the project proponent, MBBR based Sewage Treatment Plant is designed for 475 KLD. During inspection, samples were collected and as per analysis report, issued by HSPCB’s Faridabad lab vide No. 2083 dated 19.02.2024 ( <b>Annexure-5</b> ), parameters are within the prescribed limits.
7	The Promoter has failed to get water supply from Municipal Corporation. Water is being sourced from tankers which contain an alarmingly high TDS of over 450.	Water is being supplied by GMDA through metered pipe line. GMDA vide email dated 20.05.2024 ( <b>Annexure-6</b> ) has informed that previously water was supplied through 100 mm dia pipe line at a distance of 2500 mtr through master pipe line of 800mm. Now, fresh connection is provided from 900mm dia master pipe line at 750 mtr distance through 100 mm dia pipe line commissioned on 30.04.2024.  Water supply through tankers is nil.
8	Possession is being offered without Consent of SPCB.	Project Proponent is eligible for obtaining CTO after obtaining Occupation Certificate from DTCP. Possession didn’t relate to consent of HSPCB.
9	Builder illegally built 20 additional EWS units, which had to be demolished after objections by residents.	It stands demolished.
10	The builder is extracted Ground Water without permission. The applicant has further submitted that the construction is still ongoing in spite of the fact that EC granted in 2012 has expired. As of now, construction is without any EC and / or CTE issued by HSPCB. The applicant has further submitted that complaints were made to the concerned statutory authorities but no action has been taken on the same.	During inspection no borewells found at site and no construction activity observed.

#### 4. Results and finding:-

1. Total 663 no. of units has been developed at site and about 350 units are occupied. Unit has obtained water supply connection from GMDA with flow meter and provided copy of water bill. Detail of average consumption is given below:-

June, 2023	Average 396 KLD
July, 2023	Average 621 KLD
Dec, 2023	Average 408 KLD

As per information in Environmental Clearance, fresh water requirement shall be 303 KLD which will be met from HUDA water supply. The average fresh water consumption is on higher side compare to water requirement informed in EC.

2. As per information provided in Environmental Clearance issued by SEIAA vide No. SEIAA/HR/2012/488 dated 27.12.2012 for built up area 243005 sqm & total water requirement will be 645 KLD and fresh water requirement shall be 303 KLD which will be met from HUDA water supply. The 380 KLD of waste water shall be treated in the STP of 475 KLD. 342 KLD of treated waste water shall be recycled and reused to ensure zero exit discharge. As per technical specification of STP submitted by the project proponent, MBBR based Sewage Treatment Plant is designed for 475 KLD. The maintenance of society is under RWA. As per analysis report, issued by HSPCB's lab Faridabad vide No. 2083 dated 19.02.2024, parameters are within the prescribed limits.
3. Unit has obtained CTE from the Board vide No. HSPCB/Consent/:2821213GUNOCTE254308 dated 25.09.2019 valid upto 24.09.2015, extended CTE vide No. HSPCB/Consent/ : 2821216GUNOCTE2371618 dated 19.02.2016 valid upto 24.09.2016, extended CTE vide No. HSPCB/Consent/ : 2821216GUNOCTE3224267 dated 31.08.2016 valid upto 07.02.2018 & extended vide No. HSPCB/Consent/ : 329962318GUNOCTE4959419 dated 30.01.2018 valid upto 26.12.2019 and obtained 1<sup>st</sup> CTO vide No. HSPCB/Consent/ : 329962319GUNOCTO6349727 dated 28.02.2019 valid upto 30.09.2019, CTO renewed vide No. HSPCB/Consent/ : 329962319GUNOCTO6886410 dated 27.09.2019 valid upto 30.09.2020, CTO renewed vide No. HSPCB/Consent/ : 329962320GUNOCTO7774473 dated 28.07.2020 valid upto 30.09.2022 & CTO renewed vide No. HSPCB/Consent/ : 329962322GUNOCTO26218249 dated 25.07.2022 valid upto 30.09.2023. Applied for CTO renewal vide application No. 40070021 dated 30.06.2023 which was refused vide No. HSPCB/Consent/ : 329962323GUNOCTO40070021 dated 14.08.2023 & applied for CTO renewal vide No. 47781293 dated 30.09.2023 which was again refused vide No. HSPCB/2023/47781293REFCTO00 dated 08.11.2023 & again applied for CTO renewal vide application No. 57140727 dated 17.01.2024 which was granted by the Board vide letter No. HSPCB/Consent/ : 329962324GUNOCTO57140727 dated 06.03.2024 valid upto 30.09.2024. Case for levy of Environmental Compensation for past violation (from 12.09.2023 (Date of collection of sample) to 03.11.2023 (Date of reply submitted by the unit) has already been sent to HSPCB, Head Office which is under process for finalization and will be concluded in due course of time.
4. Treated domestic effluent from STP is being partially reused for flushing & gardening and remaining is being discharged outside premises in nearby farm lands through pipe line, Although, flow meters are installed at inlet & outlet of STP but not installed at pipe line for flushing and gardening/horticulture and pipe line through which a part is being discharged outside the premises for agriculture use by the land owner. HSPCB has issued

Show Cause Notice to M/s Experion Developers Pvt Ltd. Village Chouma, Sector 112, Gurugram & President, Windchants Condominium Association, Windchants Community Centre, Windchants, sector-112, Gurugram vide this office letter dated 15.02.2024 for levy of Environmental Compensation, Environment Protection Act 1986 & Water Act, 1974. Windchants Condominium Association, Windchants Community Centre, Windchants, sector-112, Gurugram via email dated 29.02.2024 (**Annexure-7**) has submitted reply of SCN and ensure that EC conditions will be complied and excess treated water will not be discharged

5. The issues raised by applicant are under the purview of DTCP Department, Gurugram & SEIAA. DTP (Enforcement), Gurugram submitted vide letter No. GN/DTP-E/2024/6772 dated 05.04.2024 that as per Haryana Building Code 2017 & amendments therein and also as per approved layout plan of the said group housing society the mandatory organized Green Area required is 15% and at present the green area available at site is more than 15%. However, as per specific condition of operational phase in EC at Sr. No. (g) issued by SEIAA, Haryana, project proponent should maintain at least 20% as green cover area for tree plantation. The 10% open spaces inside the plot should be preferably landscaped and covered with vegetation/grass, herbs & shrubs.

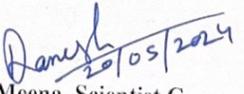
**5. Recommendations:-**

1. Project proponent to ensure compliance of EC conditions "at least 20% as green cover area for tree plantation and 10% open spaces inside the plot should be preferably landscaped and covered with vegetation/grass, herbs & shrubs or take necessary approval from SEIAA for EC amendment".
2. Project proponent to ensure compliance of specific conditions during operational phase of project including judicial use of fresh water as per Environment Clearance conditions and ensure proper treatment of waste water so as to recycle and reuse treated water for flushing, horticulture, DG cooling etc.
3. DTP may be directed to take necessary action for encroachment and violation of building plans.

The report is being submitted in light of order of Hon'ble Tribunal, please.

**Date:- 20.05.2024**

  
Vikas Grewal, Scientist 'B'  
Gurugram Region (N)

  
Danish Meena, Scientist C  
CPCB, New Delhi

  
Hitesh Kumar, IAS  
ADC, Gurugram

प्रेषक

उप निदेशक (तकनीकी),  
दमकल केन्द्र सैक्टर-29,  
गुरुग्राम।

प्रेषित

✓ Regional Office, Gurugram (N),  
Haryana Pollution Control Board,  
Vikas Sadan, Opposite New Court,  
Gurugram

क्रमांक-FS/DDT/2024/696

दिनांक 15/02/2024

विषय:- **Original application No.648 of 2023 titled as Sunil Kumar Nigam Verses State of Haryana.**

उपरोक्त विषय पर आपके कार्यालय के पत्र दिनांक 13.02.2024 के संदर्भ में।

उपरोक्त विषय के संदर्भ में लिखा जाता है कि उपरोक्त शिकायत जो कि शिकायतकर्ता द्वारा दिनांक 07.07.2023 को M/s Experion Windchants, Sector 112, Gurugram के विरुद्ध उनके द्वारा ग्रीन एरिया पर अवैध डीजल व गैस बैंक निर्मित कर किए गए अतिक्रमण बारे है।

उपरोक्त बारे अवगत करवाया जाता है कि दमकल केन्द्र अधिकारी, दमकल केन्द्र, भीमनगर, गुरुग्राम द्वारा मौके का निरीक्षण किया गया व नक्शों का अवलोकन किया गया व पाया गया कि नक्शों में डीजल टैंक अप्रुवड है व एक्सप्लोसिव डिपार्टमेंट द्वारा भी पास किया गया है तथा गैस बैंक के पास अप्रुवड फायर स्कीम अनुसार फायर सिस्टम भी लगा हुआ।

रिपोर्ट सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित है।

  
दमकल केन्द्र अधिकारी,  
कृते उप निदेशक तकनीकी,  
दमकल विभाग गुरुग्राम।

क्रमांक-FS/DDT/2024/

दिनांक

उपरोक्त की एक प्रति Additional Deputy Commissioner, Gurugram को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित है।

उपरोक्त की एक प्रति District Attorney, Municipal Corporation, Gurugram को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित है।

-sd-  
दमकल केन्द्र अधिकारी,  
कृते उप निदेशक तकनीकी,  
दमकल विभाग गुरुग्राम।

**73**  
**OFFICE OF DISTRICT TOWN PLANNER (ENFORCEMENT), GURUGRAM**  
 DEPARTMENT OF TOWN & COUNTRY PLANNING, HARYANA  
 Sector-14, HUDA COMPLEX, 3<sup>rd</sup> FLOOR, GURUGRAM, Tel-0124-2223749  
 E-mail: [dtpenf5.gurugram.tcp@gmail.com](mailto:dtpenf5.gurugram.tcp@gmail.com)

Memo No. GN/DTP-E/2024/ 6772

Dated: 05/04/2024

To The Regional Officer,  
Gurugram Region (North), Gurugram.

Sub:- Report in the matter of original application no. 648/2023 titled as Sunil Kumar  
Nigam Vs State of Haryana.

Ref:- Interim report received vide your email dated 16.02.2024 and DTP(P), Gurugram  
office memo 1325 dated 16.02.2024.

In the subjected matter, it is intimated that vide letter under reference report from this office on the issues pertaining to this office in OA No. 648/2023 is sought. Accordingly, the site got visited vis-à-vis interim report dated 16.02.2024 and the detailed comments/report on the points related to this office is as follows:-

Sr. No.	Violation referred by Applicant	Reply
1.	Illegally constructing a high-speed Diesel tank on the notified green area (30%) with concrete structure and equipment protruding above ground level near tower WT 07	High-Speed Diesel tank stand shown in the deviation / as built drawing verified by field office at the time of occupation certificate and occupation certificate granted vide memo no ZP-95/SD(BS)/2022 /6339 dated 09.03.2022 considering same drawing. - Please refer Annexure - Enf/A1 Further, as per Haryana Building Code 2017 & amendments therein and also as per approved layout plan of the said group housing society the Mandatory Organized Green Area required is 15% and at present the green area available at site is more than 15%.
2.	Illegally constructing a Gas Bank on the notified Green Area (30%) with concrete structure and equipment protruding above ground level near tower WT 07	Gas Bank stand shown in the deviation/as built drawing verified by field office at the time of sanding site report for grant of occupation certificate and on the basis of same the occupation certificate granted vide memo no ZP-95/SD(BS)/2022 /6339 dated 09.03.2022 considering the same as verified as built drawing. - Please refer Annexure - Enf/A1 Further, as per Haryana Building Code 2017 & amendments therein and also as per approved layout plan of the said group housing society the Mandatory Organized Green Area required is 15% and at present the green area available at site is more than 15%.

3.	<p>Reducing sanctioned green area and constructing more than permissible FAR of 175 without revision of sanctioned plans</p>	<p>As per Haryana Building Code 2017 &amp; amendments therein and also as per approved layout plan of said group housing society the Mandatory Organized Green Area required is 15% and at present available green area at site is more than 15%.</p>
4.	<p>Altering the plan and encroaching green area and reducing the number of visitors car parking slots (ECS) around various towers including tower no. WT 07</p>	<p>As per Building Plan granted vide memo No 9781 dated 06.07.2012 the Sanctioned Surface Car Parking were 62 and as per the DTP Report of Occupation Certificate (Memo No 10882 dated 31.10.2019) 75 Nos Surface Car Parking were provided which are available at site. Moreover, site got visited by concerned field official and found that the number of surface visitor parking on the site are as per approved plan.</p> <p>Please Refer Annexure - Enf/ A3 &amp; Enf/ A4</p>
5.	<p>Altering the circulation roads around residential towers including tower WT07 in violation of norms, of having concrete black top, required to be followed for movement of fire tenders in case of fire.</p>	<p>In view of the interim report of the Committee Show Cause Notice dated 15.03.2024 was issued to the developer to remove the encroachment in setback area. The builder has submitted the reply and accordingly, site was visited by this office and found that as on date there is no unauthorized construction /encroachment around tower WT07. Further, as far as the issue pertaining to violation of fire tender path is concerned, it is submitted that around the towers there is no encroachment / unauthorized construction obstructing fire tender path. The comments on coat of green grass over concrete top on fire tender path may be taken from fire department.</p>

The aforesaid report is forwarded for further necessary action.

Endst. No. GN/DTP-E/2024/ 6773

A copy is forwarded to W/ Additional Deputy Commissioner, Gurugram for information, please.

  
District Town Planner,  
Enforcement, Gurugram.

Dated: 05/04/2024

  
District Town Planner,  
Enforcement, Gurugram.





Gurgaon North Region Hspcb &lt;hspcbrogrn@gmail.com&gt;

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**Report in the matter of original application no. 648/2023 titled as Sunil Kumar Nigam Vs State of Haryana.**

1 message

**DTP Enforcement Gurugram** <dtpenf5.gurugram.tcp@gmail.com>

Mon, May 20, 2024 at 2:31 PM

To: Gurgaon North Region Hspcb &lt;hspcbrogrn@gmail.com&gt;, hspcbrogrs@gmail.com

Cc: ADC Gurugram &lt;adcgrg@hry.nic.in&gt;

In continuation to this office memo no. 6772 Dated 05.04.2024 sent to your office vide email dated 03.05.2024 at 5:43 PM It is intimated that show cause notice to the builder for violation in the set back of villas has been issued vide notice no.10157 Dated 20.05.2024. Further, necessary action will be taken accordingly after following due course of law.

Thanks & Regards,  
District Town Planner,  
Enforcement & Vigilance,  
Gurugram, Haryana - 122001.

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 **Sunil Kumar expersion developer (1).pdf**  
1276K

Memo No. GN/DTP-E/2024/ 6772  
 Dated: 05/04/2024

To The Regional Officer,  
 Gurugram Region (North), Gurugram.

Sub:- Report in the matter of original application no. 648/2023 titled as Sunil Kumar  
 Nigam Vs State of Haryana.

Ref:- Interim report received vide your email dated 16.02.2024 and DTP(P), Gurugram  
 office memo 1325 dated 16.02.2024.

In the subjected matter, it is intimated that vide letter under reference report from this office on the issues pertaining to this office in OA No. 648/2023 is sought. Accordingly, the site got visited vis-à-vis interim report dated 16.02.2024 and the detailed comments/report on the points related to this office is as follows:-

Sr. No.	Violation referred by Applicant	Reply
1.	Illegally constructing a high-speed Diesel tank on the notified green area (30%) with concrete structure and equipment protruding above ground level near tower WT 07	High-Speed Diesel tank stand shown in the deviation / as built drawing verified by field office at the time of occupation certificate and occupation certificate granted vide memo no ZP-95/SD(BS)/2022 /6339 dated 09.03.2022 considering same drawing. - Please refer Annexure - Enf/A1 Further, as per Haryana Building Code 2017 & amendments therein and also as per approved layout plan of the said group housing society the Mandatory Organized Green Area required is 15% and at present the green area available at site is more than 15%.
2.	Illegally constructing a Gas Bank on the notified Green Area (30%) with concrete structure and equipment protruding above ground level near tower WT 07	Gas Bank stand shown in the deviation/as built drawing verified by field office at the time of sanding site report for grant of occupation certificate and on the basis of same the occupation certificate granted vide memo no ZP-95/SD(BS)/2022 /6339 dated 09.03.2022 considering the same as verified as built drawing. - Please refer Annexure - Enf/A1 Further, as per Haryana Building Code 2017 & amendments therein and also as per approved layout plan of the said group housing society the Mandatory Organized Green Area required is 15% and at present the green area available at site is more than 15%.

3.	<p>Reducing sanctioned green area and constructing more than permissible FAR of 175 without revision of sanctioned plans</p>	<p>As per Haryana Building Code 2017 &amp; amendments therein and also as per approved layout plan of said group housing society the Mandatory Organized Green Area required is 15% and at present available green area at site is more than 15%.</p>
4.	<p>Altering the plan and encroaching green area and reducing the number of visitors car parking slots (ECS) around various towers including tower no. WT 07</p>	<p>As per Building Plan granted vide memo No 9781 dated 06.07.2012 the Sanctioned Surface Car Parking were 62 and as per the DTP Report of Occupation Certificate (Memo No 10882 dated 31.10.2019) 75 Nos Surface Car Parking were provided which are available at site. Moreover, site got visited by concerned field official and found that the number of surface visitor parking on the site are as per approved plan.</p> <p>Please Refer Annexure - Enf/ A3 &amp; Enf/ A4</p>
5.	<p>Altering the circulation roads around residential towers including tower WT07 in violation of norms, of having concrete black top, required to be followed for movement of fire tenders in case of fire.</p>	<p>In view of the interim report of the Committee Show Cause Notice dated 15.03.2024 was issued to the developer to remove the encroachment in setback area. The builder has submitted the reply and accordingly, site was visited by this office and found that as on date there is no unauthorized construction /encroachment around tower WT07. Further, as far as the issue pertaining to violation of fire tender path is concerned, it is submitted that around the towers there is no encroachment / unauthorized construction obstructing fire tender path. The comments on coat of green grass over concrete top on fire tender path may be taken from fire department.</p>

The aforesaid report is forwarded for further necessary action.

Endst. No. GN/DTP-E/2024/ 6773

A copy is forwarded to W/ Additional Deputy Commissioner, Gurugram for information, please.

  
District Town Planner,  
Enforcement, Gurugram.

Dated: 05/04/2024

  
District Town Planner,  
Enforcement, Gurugram.



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Type text here

From

Deputy Director (Tech.),  
Fire & Emergency Department,  
Gurugram.

To

Regional Officer,  
Gurugram Region (North) ,  
Haryana Pollution Control Board,  
Gurugram.

Memo No-FS/DDT/2024/ 1284

Date- 27/04/2024

Subject:-

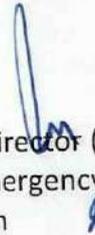
**Report in the matter of original application no- 648/2023 titled as Sunil Kumar Nigam Vs State of Haryana.**

In reference to your office letter dated 13/02/2024 and DTP (E), Gurugram letter no- GN/DTP-E/2024/6772 Dated- 05/04/2024 on the subject cited above.

The report related to Fire Department in respect to point no- 5 is as under:

Point No- 5	Reply	Remarks
Altering the circulation roads around residential towers including my tower WT07 in violation of norms, of having concrete black top, required to be followed for movement of fire tenders in case of fire.	As per approved fire fighting scheme vide office letter no- FS/MCG/2012/2423 Dated- 19/09/2012 fire tender path 6.0 mtrs wide hard was approved and at the time of inspection coat of green grass was found on fire tender path.	

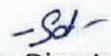
This is for your information and necessary action please.

Deputy Director (Tech,)   
Fire & Emergency Department,  
Gurugram

Endst No-FS/DDT/2024/

Date-

A copy of the above is forwarded to the District Town Planner, Enforcement, Sector-14, HUDA Complex, Gurugram for information and necessary action please.

  
Deputy Director (Tech,)  
Fire & Emergency Department,  
Gurugram



**PREVENT  
POLLUTION**

Anexure-2 **81**



TC-11156

**FORM J**  
(See Rule 36)

Report No.: -2083

Dated - February 19, 2024

I, hereby, certify that I Narender Hooda as Board Analyst, duly appointed under sub section (3) of section 53 of Water (Prevention and control of Pollution) Act, 1974(6 of 1974) received on the 13<sup>th</sup> day of February, 2024 from Sh. Hitesh Kumar, IAS, ADC, Gurugram, Sh. Danish Meena, Sc-'C', CPCB, Sh. Vikas Grewal, Sc-'B', a sample of liquid domestic effluent of M/s Experion Developers Pvt. Ltd., Village-Chouma, Sector-112, Gurugram, collected on 13.02.2024 from the Inlet & Outlet STP & Outlet of STP UF for analysis. The Sample was in a condition fit for analysis reported below:-  
I further certify that I have analyzed the afore-mentioned sample on 13/02/2024 to 19/02/2024 and declare the result of analysis to be as follow:-

Sr. No.	Parameter	Inlet of STP	Outlet of STP	Outlet of STP (UF)	Test Method
1.	pH Value at 25°C	8.44	7.09	7.19	APHA 4500 H <sup>+</sup> B (24 <sup>th</sup> Edition 2023)
2.	Conductivity $\mu$ S/cm at 25°C	4270	1210	1130	APHA 2510 B (24 <sup>th</sup> Edition 2023)
3.	Total Suspended Solids mg/l	168	12	8	APHA 2540 - D (24 <sup>th</sup> Edition 2023))
4.	B.O.D.(5 Days at 20 <sup>o</sup> C) mg/l	78	9	5	APHA 5210-C (24 <sup>th</sup> Edition 2023)
5.	Chemical Oxygen Demand mg/l	316	44	16	APHA 5220-B (24 <sup>th</sup> Edition 2023)
6.	Oil & Grease mg/l	12.8	BDL* (DL**=4)	BDL* (DL**=4)	APHA 5520-B (24 <sup>th</sup> Edition 2023)

BDL\* = Below Detection Limit

DL\*\* = Detection Limit

The condition of the seals, fastening and container on receipt was as follow:

Container had its seals found intact in order; slip on the container had the signature of the representative of the industry and the board representative.

Signed this on **19<sup>th</sup> day of February, 2024**

Haryana State Pollution Control Board Laboratory,  
Sector-16 A, Faridabad

*Narender Hooda*  
Board Analyst

To  
The Member Secretary, HSPCB, Panchkula/ Regional Office, HSPCB, Gurgaon North / M/s  
Experion Developers Pvt. Ltd., Village-Chouma, Sector-112, Gurugram

Endst. No. HSPCB/LAB/F/2024/ 10314

Dated: 19-2-24

This test report relate only to the particular sample submitted for testing



**PREVENT  
POLLUTION**

82

**FORM J**  
(See Rule 36)

Report No.:-2083

Dated - February 19, 2024

I, hereby, certify that I Narender Hooda as Board Analyst, duly appointed under sub section (3) of section 53 of Water (Prevention and control of Pollution) Act, 1974(6 of 1974) received on the 13<sup>th</sup> day of February, 2024 from Sh. Hitesh Kumar, IAS, ADC, Gurugram, Sh. Danish Meena, Sc-'C', CPCB, Sh. Vikas Grewal, Sc-'B', a sample of liquid domestic effluent of M/s Experion Developers Pvt. Ltd., Village-Chouma, Sector-112, Gurugram, collected on 13.02.2024 from the Inlet & Outlet STP & Outlet of STP UF for analysis. The Sample was in a condition fit for analysis reported below:-  
I further certify that I have analyzed the afore-mentioned sample on 13/02/2024 to 19/02/2024 and declare the result of analysis to be as follow:-

Sr. No.	Parameter	Inlet of STP	Outlet of STP	Outlet of STP (UF)	Test Method
1.	Colour	Greyish	Almost Colorless	Almost Colorless	----
2.	Odour	Foul	Almost Odourless	Almost Odourless	----
3.	Total Nitrogen mg/l	16.3	4.7	1.2	----
4.	Fecal Coliform MPN/100 ml	2700	93	19	APHA 9221-E 24 <sup>th</sup> Edition-2024

The condition of the seals, fastening and container on receipt was as follow:  
Container had its seals found intact in order; slip on the container had the signature of the representative of the industry and the board representative.  
Signed this on **19<sup>th</sup> day of February, 2024**

Haryana State Pollution Control Board Laboratory,  
Sector-16 A, Faridabad

  
Board Analyst

To

The Member Secretary, HSPCB, Panchkula/ Regional Office, HSPCB, Gurgaon North / M/s Experion Developers Pvt. Ltd., Village-Chouma, Sector-112, Gurugram

Endst. No. HSPCB/LAB/F/2024/ 10314

Dated: 19-2-24

This test report relate only to the particular sample submitted for testing

83

**GMDA****OFFICE OF THE ENGINEER-II, W/S DIVISION, INFRA-II, GMDA GURUGRAM**Email I.D:- [sde7infra.gmda@nic.in](mailto:sde7infra.gmda@nic.in)**OA NO.648/2023****Experion Windchants Sector -112 Gurugram**

- |                              |   |  |
|------------------------------|---|--|
| 1. Old water supply          | : | 100mm dia pipe from GMDA Master water supply pipe line 800mm dia |
| 2. Total length of pipe line | : | Approx. 2500 Mtr.  |

New Connection changed from another place of GMDA Master water Supply Line

- |   |   |   |
|---|---|---|
| 1. New Connection date  | : | 15-04-2024.   |
| 2. Commissioned date from pipe line                               | : | 30-04-2024.   |
| 3. Total Length   | : | 750 Mtr.  |
| 4. Size of Connection   | : | 100mm dia Pipe from GMDA Master Water Supply Pipe line 900mm dia. |
| 5. Status of water supply as on today                             | : | GMDA Water Supply released in sufficient quantity.                |
| 6. Status of Tanker Supply by GMDA filled from WTP Basai / Chandu | : | Nil   |

*Ramy*  
 20/05/24  
 Engineer - II  
 W/S Division  
 GURUGRAM



# WINDCHANTS CONDOMINIUM ASSOCIATION

Registration No. 02414

Registered Under Section 9 (1) of the Haryana Registration and Regulation of Societies Act, 1962  
 Redg office : Windchants Community Centre, Windchants, Sector-112, Gurugram Haryana. 122017

Type text here

By email

Date: 28.02.2024

To,  
 Mr Kuldeep Singh  
 Regional Officer, Gurugram Region (N)  
 For Haryana State Pollution Control Board  
 Vikas Sadan, Opposite- New Court, Gurugram  
 (email: [hspcbrogrn@gmail.com](mailto:hspcbrogrn@gmail.com))

**Sub: Show Cause Notice dated 15.2.2024 for levy of Environmental Compensation as per policy order dated 22.12.2021 of Board, Environment Protection Act 1986 & Water Act, 1974.**

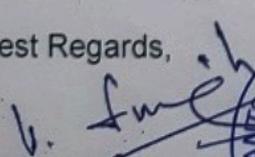
Dear Sir,

The following is submitted for your kind consideration with reference to the above mentioned show cause notice:

1. The STP is functioning properly and that all the sewage is being treated.
2. A sample collected by HSPCB recently for testing passed all the tests.
3. That the treated water is being used regularly for all flushing, horticulture and other such requirements.
4. After meeting all internal requirements, if there is any excess treated water, it is being discharged in a proper manner in the nearby fields. This is done only occasionally during monsoons and not regularly.
5. We have noted that even excess treated water is not to be discharged as per Environment Compliance requirements. Going forward, we will make all out efforts to comply with the EC requirements.

In view of the above, you are requested to Condone the minor non compliance and not levy any environmental compensation charges.

Best Regards,

  
 (Brig V S Saini)  
 President, Windchants Condominium Association



Email : [rwapresident.wca@gmail.com](mailto:rwapresident.wca@gmail.com)

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