

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

Original Application No. 6 of 2026

In the matter of:

Sanjeev Kumar

...

Applicant

Vs.

Uttarakhand Pollution Control Board & Ors. ...

Respondents

Counter Affidavit on behalf of Haridwar-Roorkee Development Authority (Respondent No.2)

Affidavit of Shri Manish Kumar Singh, aged about 46 years, S/O. Late Shri Umrao Singh, presently posted as Secretary, Haridwar-Roorkee Development Authority (HRDA) Near Tulsi Chowk, Haridwar do hereby solemnly affirm and state on oath as under:-

1. That the deponent is working as Secretary in Haridwar Roorkee Development Authority arrayed as Respondent no.2 and is well conversant with the facts of the case hence competent to swear this affidavit.
2. That at the very outset it is submitted that any averment, contention or facts mentioned in the Original Application having allegations against the Respondent no.2 may be deemed to have been denied until and unless the same are specifically admitted.

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3. That in the present Original Application, the applicant has prayed for the following relief(s) –

1. *Direct the immediate cancellation of the Consent to Establish (CTE), Consent to Operate (CTO), and Consent for Operation of Common Consent Authorization (CCA) granted to the project "Mantra Happy Homes", Haridwar, in view of persistent non-compliance and fraudulent representations made by the project proponent.*
2. *Direct the project proponent (Respondent No. 3) to undertake complete restoration of the mandatory green belt, park, and open spaces as per the sanctioned layout plan, Building Bye-Laws, and environmental norms, and to remove all unauthorised constructions and encroachments raised on the said green and open areas.*
3. *Order demolition or removal of all illegal constructions, including Flats, parking zones, clubhouse, swimming pool, and any other structures erected on the designated park/green belt land, and ensure the restoration of the site to its original ecological condition.*
4. *Direct recovery of the environmental compensation amounting to Rs.1,57,68,000, already assessed, along with additional penalties and environmental damage charges as per the "Polluter Pays" principle and in accordance with the guidelines issued by the Central Pollution Control Board (CPCB).*
5. *Impose a penalty equivalent to 10% of the total project cost, in addition to environmental restoration expenses, to deter such violations and ensure accountability of the project proponent.*
6. *Direct the closure and sealing of the project premises until all environmental and statutory compliances, including the establishment of a functional Sewage Treatment Plant (STP)*



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and restoration of open and green spaces, are duly verified and certified by the competent authorities.

7. *Order the constitution of a Joint Committee comprising representatives from the Ministry of Environment, Forest and Climate Change (MoEF&CC), Central Pollution Control Board (CPCB), and Uttarakhand Pollution Control Board (UKPCB) to assess the quantum of environmental damage, identify violations, and recommend appropriate remedial measures within a time-bound framework.*
8. *Direct the initiation of prosecution proceedings under Section 15 of the Environment (Protection) Act, 1986 and other applicable environmental laws against the project proponent and concerned officials of UKPCB, HRDA, and SEIAA-Uttarakhand found complicit in granting or maintaining illegal approvals.*
9. *Order an independent investigation, preferably by the Central Bureau of Investigation (CBI) or a Special Investigation Team (SIT), into the acts of fraud, corruption, and collusion between the project proponent and concerned regulatory authorities, to ensure transparency and accountability.*
10. *Direct compensation to affected residents and homebuyers deprivation of green space, health risks caused by environmental degradation, and loss of environmental quality, in accordance with the "Polluter Pays" and "Precautionary" principles.*

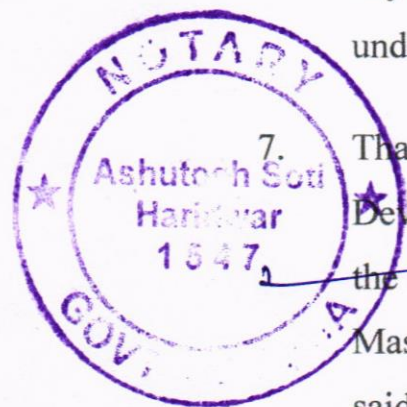
4. That it humbly submitted that the Applicant has also filed complaint before the Uttarakhand Human Rights Commission which has been registered as Case no.417/35/6/2024 with regard to the same cause of action. The said complaint is already under adjudication by the Hon'ble Commission. The



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Applicant has also filed a complaint before the RERA and pursuing the same for the same cause of action. The Applicant cannot be permitted to invoke different jurisdictions at the same time for the same cause of action.

5. That it is submitted that the answering respondent Haridwar Roorkee Development Authority was constituted under the Uttar Pradesh Urban Planning and Development Act, 1973 as was then applicable to the State of Uttar Pradesh. This Act, 1973 was later amended by the State of Uttarakhand and is now known as "Uttarakhand Urban and Country Planning and Development Act, 1973" to the context of State of Uttarakhand.
6. That the answering respondent Authority being a creature of the aforesaid statute has the power and jurisdiction to act limited to and in accordance with the provisions of the Act, 1973 and the rules/byelaws framed thereunder. The applicant cannot claim any grievance against the answering respondent for its action under the Act, 1973.



7. That under the provisions of the aforesaid Act, 1973, the Development Authorities so constituted have power to sanction the map for the construction/development in accordance to the Master Plan and the Byelaws framed under the provisions of the said Act, 1973.

8. That the present complaint has been filed raising environmental issue including reduction in the green area earmarked in the sanctioned map. It has been alleged that illegal constructions of flats, club house, swimming pool and other structures have been erected on the land area designated as park/green belt seeking

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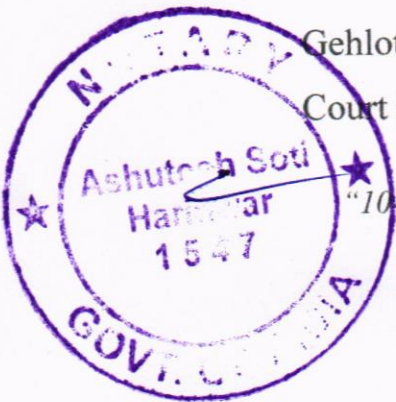
relief of restoration of the site to its original ecological conditions.

9. That the sole allegation connected to the Respondent No.2 is as follows (Ground no.3) –

“3. *The sanctioned maps of the project have been fraudulently altered over time to secure unlawful benefits. The project proponents, in collusion with officials of the Haridwar-Roorkee Development Authority and the Uttarakhand Pollution Control Board, have increased the number of Flats from 170 to 272 on the same land without any additional area being purchased. The revised maps, sanctioned in 2016 and 2019, falsely depict larger park and green areas on paper, while at the site such areas either do not exist or are being used for commercial and parking purposes.*”

The facts mentioned below would demonstrate that the allegations are not only baseless but also frivolous.

10. That in a recent decision in the case of SLP (Civil) No(s).11480 of 2020 decided on 20th January, 2026 in the case of Raj Singh Gehlot & Ors. vs. Amitabha Sen & Ors., the Hon'ble Supreme Court has after recording that -



“104. *We are of the firm opinion that, as the matter relating to alleged illegality in change of land use was already under scanner in the writ petition filed before the High Court in the year 2015, the NGT was not justified in interfering with the issues concerning violation of building plans in relation to the construction of commercial premises. We also feel that the aforesaid issues are beyond the scope and purview of the proceedings before the NGT under Section 14 of the NGT Act which reads as below: -*

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“14. Tribunal to settle disputes.—(1) The Tribunal shall have the jurisdiction over all civil cases where a substantial question relating to environment (including enforcement of any legal right relating to environment), is involved and such question arises out of the implementation of the enactments specified in Schedule I.

(2) The Tribunal shall hear the disputes arising from the questions referred to in sub-section (1) and settle such disputes and pass order thereon.

.....

105. *The dispute relating to the non-adherence of the building plans qua the open and green spaces was intrinsically connected and co-related to the ones under adjudication before the High Court. The appellant-Ambience Developers was agitating before the High Court that there was no deviation from the sanctioned layout plan so far as the residential colony is concerned. While deciding the connected appeals, we have found favour with the aforesaid argument raised by the appellant-Ambience Developers. In this view of the matter, we are of the prima facie opinion that the issue of environment was not a substantial question before the NGT thereby justifying its invocation of jurisdiction by the NGT in this matter. Rather, the present matter involved disputed claims of the parties in relation to irregularities in utilisation of the land belonging to the appellant-Ambience Developers in developing the residential colony.”*



relied upon “Auroville Foundation v. Navroz Kersasp Mody” reported in 2025 (40 SCC 150 where it was held -

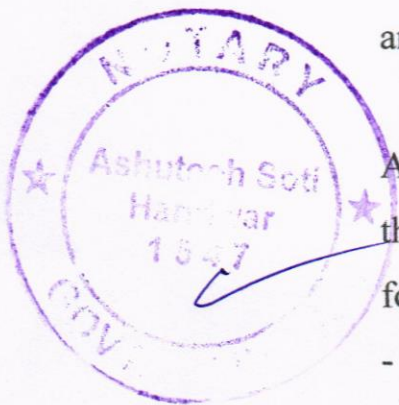
“From the above, it is explicitly clear that every question or dispute raised by an applicant before the Tribunal pertaining to the environment cannot be treated as a

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substantial question. It has to be a substantial question relating to environment as contemplated in Section 2(1)(m), and such substantial question must arise out of the implementation of any of the enactment/enactments specified in Schedule I. Though strict law of evidence may not be applicable to the cases filed before the Tribunal, the applicant has to raise the substantial question in his application specifically alleging the violation of a particular enactment specified in Schedule I."

11. That the answering respondent is placing herein below the correct position with regard to sanction of the map.

- (a) The size of the land in question as per documents was 22450 square meters out of which 686.64 sq meters has been deducted for road widening. The land available is 21,763.36 sq. meters (2.176336 hectares). This land is on the road having width of 24 meters as per the Master Plan.
- (b) The developer applied for and was granted approval on **02.01.2015** for group housing and plotted lay out plan. Land approved for group housing was 8695.79 sq. meters and for plotted area 13067.57 sq. meters.



As per the Byelaws framed by the State Government under the Development Act, 1973, as applicable in the year 2015, for the land size falling between 2 to 6 hectares –

- minimum 5% of the land has to be earmarked for Public & semi-public (Institutional) purposes (in the present case 1088.17 sq. meters),
- maximum 3% for commercial (in the present case 652.9 sq. meters); and

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- minimum 10% for Park and Plantation (in the present case 2176.33 sq. meters).
- maximum ground coverage is 35%
- maximum FAR 2.1
- building height 21.00 M

In the present case, the answering respondent granted approval –

- for Public & semi-public (Institutional) purposes 5.22% i.e. 1137.86 sq. meters (*as against the minimum requirement of 5% i.e. 1088.17 sq. meters*);
- for commercial 2.18% i.e. 476.46 sq. meters (*as against the maximum requirement of 3% i.e. 652.9 sq. meters*);
- and
- for Park and Plantation 10.12 % i.e. 2202.70 sq. meters (*as against the minimum requirement of 10% i.e. 2176.33 sq. meters*).
- for ground coverage 29.96% (*as against the maximum of 35%*)
- FAR 1.92 (*as against the maximum 2.1*)
- Building height 21 M (*as against the maximum 21 M for construction of 170 flats*)



(e) The developer applied for revision in the sanctioned map and was granted approval on **17.06.2016** for group housing and plotted lay out plan

Land approved for group housing was 9115.90 sq. meters and for plotted area 12647.46 sq. meters.

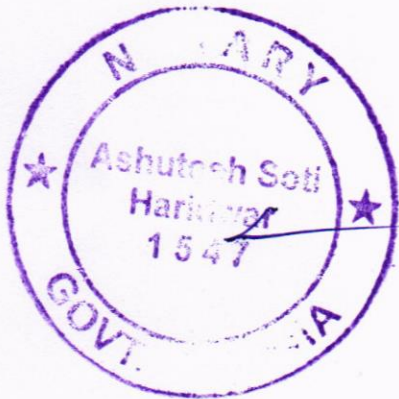
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As per the Byelaws framed by the State Government under the Development Act, 1973, as revised and applicable in the year 2016 for the land size in question –

- minimum 5% of the land has to be earmarked for Public & semi-public (Institutional) purposes (in the present case 1088.168 sq. meters),
- maximum 5% for commercial (in the present case 1088.168 sq. meters); and
- minimum 15% for Park and Plantation (in the present case 3264.504 sq. meters).
- maximum ground coverage is 35%
- maximum FAR 2.1
- building height 30.00 M
- Density : 300 units/hectare (in the present case $9115.90/10000 \times 300 = 273.477$ units)

In the present case, the answering respondent granted approval –

- for Public & semi-public (Institutional) purposes 5.56% i.e. 1231.116 sq. meters (*as against the minimum requirement of 5% i.e. 1088.168 sq. meters*);
- for commercial 2.253% i.e. 490.434 sq. meters (*as against the maximum requirement of 3% i.e. 1088.168 sq. meters*);
- club area 135.575 square meters; and
- for Park and Plantation 15.20 % i.e. 3310.189 sq. meters (*as against the minimum requirement of 15% i.e. 3264.504 sq. meters*).
- for ground coverage 27.60% (*against the group housing area of 9115.90 sq. meters, area applied for*



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construction of flats was 2516.594 which comes to 27.601% as against the maximum of 35%)

- FAR 1.93 (as against the maximum 2.1)
- Building height 24 M (as against the maximum 30 M)
- Units approved were 270 (as against the maximum 273.477 units)

(d) The developer applied for completion and occupancy certificate again with a revision in the sanctioned map and was granted approval on **14.06.2019** for group housing and plotted lay out plan

Land approved for group housing was 9115.90 sq. meters and for plotted area 12647.46 sq. meters.

As per the Byelaws framed by the State Government under the Development Act, 1973 as applicable in the year 2019 for the land size in question –

- minimum 5% of the land has to be earmarked for Public & semi-public (Institutional) purposes (in the present case 1088.168 sq. meters),
- maximum 5% for commercial (in the present case 1088.168 sq. meters); and
- minimum 15% for Park and Plantation (in the present case 3264.504 sq. meters).
- maximum ground coverage is 35%
- maximum FAR 2.1
- building height 30.00 M
- Density : 300 units/hectare (in the present case $9115.90/10000$)*300 = 273.477 units)



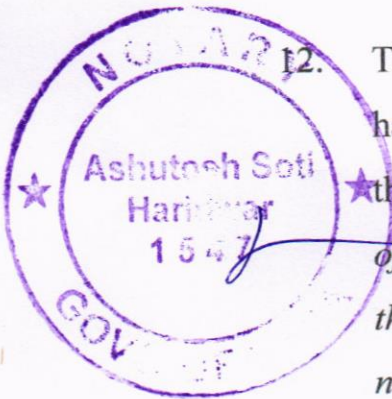
In the present case, the answering respondent granted approval –

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- for Public & semi-public (Institutional) purposes 5.656% i.e. 1231.116 sq. meters (*as against the minimum requirement of 5% i.e. 1088.168 sq. meters*);
- for commercial 2.253% i.e. 490.434 sq. meters (*as against the maximum requirement of 3% i.e. 1088.168 sq. meters*);
- club area 135.575 square meters; and
- for Park and Plantation 15.517 % i.e. 3377.003 sq. meters (*as against the minimum requirement of 15% i.e. 3264.504 sq. meters*).
- for ground coverage 27.53% (*against the group housing area of 9115.90 sq. meters, area applied for construction of flats was 2509.757 which comes to 27.53% as against the maximum of 35%*)
- FAR 1.95 (*as against the maximum 2.1*)
- Building height 24 M (*as against the maximum 30 M*)
- Units approved were 272 (*as against the maximum 273.477 units*)

The copy of completion and occupancy certificate is attached as **Annexure -P-1**

That the above position would demonstrate that the respondent has granted approval as per the Byelaws and the allegation of the applicant that "*The project proponents, in collusion with officials of the Haridwar-Roorkee Development Authority and the Uttarakhand Pollution Control Board, have increased the number of Flats from 170 to 272 on the same land without any additional area being purchased.*" are baseless and without any foundation.

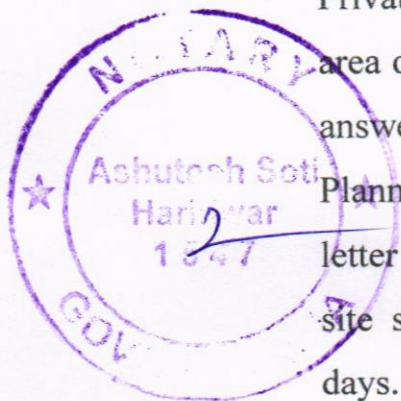


13. That as stated above, the applicant has also filed a complaint before the Hon'ble Uttarakhand Human Rights Commission which is under adjudication.

The Hon'ble Uttarakhand Human Rights Commission had called upon the answering respondent to submit a report on the complaint of the Applicant herein. The Respondent no.2, answering respondent submitted a report on 13.03.2026, a copy of which is attached as Annexure P-2

It would be necessary to place on record that in order to assess the position at site, area being large, the answering respondent has engaged an expert agency namely 'Hiwara Engineers & Consultancy Private Limited' to submit a report. The said agency after conducting spot inspection had surveyed the area through drone and submitted an estimated data stating that park existed on an area of 3175.90 square meters and an area of 520.29 sq meters is open on which green area can be developed. However, a final report is still awaited.

14. That since the report of 'Hiwara Engineers & Consultancy Private Limited' noted deviations on the site even on the total area of land in question, as compared to the sanctioned plan, the answering respondent requested the Chief Town & Country Planner, Department of Town and Country, Uttarakhand vide letter dated 24.01.2026 to constitute a committee to conduct a site survey and submit a report with photographs within 15 days.



However, the Chief Town Planner vide letter dated 19.02.2026 informed that since the Applicant herein Mr. Sanjeev Kumar had also made a complaint against the Chairman of the

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Committee, it would not be appropriate for the Committee to conduct a survey and submit any report.

- 15. That, if required, on receipt of reports the answering respondent would take appropriate action as per law.
- 16. That the above facts are placed to before this Hon'ble Tribunal for kind consideration and to pass appropriate orders as deemed fit.

[Handwritten Signature]

DEPONENT

VERIFICATION

I, the above-named deponent, do hereby verify the contents of this Counter Affidavit are true and correct and are verified on the basis of record. The annexures filed are true copies of their originals. Nothing material has been concealed.

Verified today the ..31.3.26 day of March, 2026 at Haridwar.



IDENTIFIED BY

[Handwritten Signature]

Gopal Krishan Sharma

Advocate

Regn. No. UP 4583/87, UK 1636/2004

District & Session Court

Haridwar (U.K.)

[Handwritten Signature]

DEPONENT

Execution of the Affidavit
 Admitted and signed before me by
 Sri/Smt. *[Handwritten Name]*
 which identified by Shri *[Handwritten Name]*
 to the court premises of my
 Office at Haridwar
 at .. 11-20 A.M. on 31/03/26

ASHUTOSH SOTI, Adv.

NOTARY, Haridwar

Appointed by Central Govt of India

[Handwritten Signature]

[Handwritten Signature]
HARIDWAR



भवन निर्माण का कार्यपूर्ति एवं अधिमोग प्रमाण पत्र

मैसर्स ब्रैजन् एरो क० (प्रा०लि०) के पक्ष में खसरा न०. 1411, 1412, 1413 एवं 1414 ग्राम सलेमपुर महदूर-2 परगना रूडकी, तहसील व जिला हरिद्वार में भूखण्ड एवं समूह आवास निर्माण (मतरा हैप्पी होम्स) की स्वीकृति मानचित्र संख्या R.S-23/154/2014-15 दिनांक 17.06.2016 में निर्गत की गयी। प्रश्नगत निर्माण के पूर्णता एवं अधिमोग प्रमाण पत्र हेतु प्राप्त आवेदन पत्र दिनांक 12.06.2018 पर अवर अभियन्ता की आख्या दिनांक 01.06.2019 जिसका अनुमोदन उपाध्यक्ष महोदय द्वारा दिनांक 04.06.2019 में किया गया है, के क्रम में प्रश्नगत परियोजना हेतु कार्यपूर्ति एवं अधिमोग प्रमाण पत्र निर्गत किया जाता है।

(कृष्ण कुमार मिश्र)
हरिद्वार रूडकी विकास प्राधिकरण
हरिद्वार

कार्यालय हरिद्वार-रूडकी विकास प्राधिकरण हरिद्वार

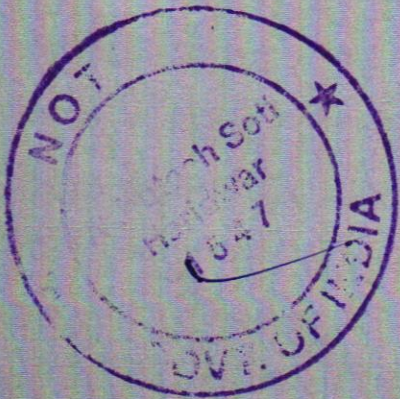
पत्रांक: 479/RS-23/154/2014-15

दिनांक 19/06/2019

प्रतिलिपि:

01. मैसर्स ब्रैजन् एरो क० (प्रा०लि०) वास्ते श्री सीतेश कुमार पुत्र स्व० श्री नानूराम, श्री संजीव कुमार पुत्र श्री हरीश कुमार, श्री हेमन्त कुमार पुत्र श्री राजकुमार आदि मतरा हैप्पी होम्स, सलेमपुर महदूर-2 परगना रूडकी तहसील व जिला हरिद्वार।
02. सम्बन्धित पत्रावली पर अभिलेखाथ।

(कृष्ण कुमार मिश्र)
सचिव



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भवन निर्माण का कार्यपूर्ति एवं अधिभोग प्रमाण पत्र

मैसर्स ब्रैजन एरो क० (प्रा०लि०) के पक्ष में खसरा नं० 1411,1412 एवं 1414 ग्राम सलेमपुर महदूद-2 परगना रूडकी, तहसील व जिला-हरिद्वार में भूखण्ड एवं समूह आवास निर्माण (मंतरा हैप्पी होम्स) की स्वीकृति R.S-23/154/2014-15 दिनांक 17.06.2016 में निर्गत की गयी। प्रश्नगत निर्माण के पूर्णता एवं अधिभोग प्रमाण पत्र हेतु प्राप्त आवेदन पत्र दिनांक 12.06.2018 पर अवर अभियन्ता की आख्या दिनांक 01.06.2019 जिसका अनुमोदन उपाध्यक्ष महोदय द्वारा दिनांक 04.06.2019 में किया गया है, के क्रम में प्रश्नगत परियोजना हेतु कायपूर्ति एवं अधिभोग प्रमाण पत्र निर्गत किया जाता है।

हस्ताक्षर अपठित
(कृष्ण कुमार मिश्रा)
सचिव

कार्यालय हरिद्वार-रूडकी विकास प्राधिकरण, हरिद्वार।

पत्रांक-
प्रतिलिपि-

R.S-23/154/2014-15

दिनांक- 19/06/2019

01. मैसर्स ब्रैजन एरो क० (प्रा०लि०) वास्ते श्री सतीश कुमार पुत्र स्व० श्री नानूराम, श्री राजीव कुमार पुत्र श्री हरीश कुमार, श्री हेमन्त कुमार पुत्र श्री राजकुमार आदि हैप्पी होम्स सलेमपुर महदूद-2, परगना रूडकी तहसील व जिला हरिद्वार।
02. सम्बन्धित पत्रावली पर अभिलेखार्थ।

(कृष्ण कुमार मिश्रा)
सचिव



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कार्यालय, हरिद्वार-रूड़की विकास प्राधिकरण, हरिद्वार।

पत्रांक: 6/70/वाद संख्या 417/35/6/2024 संजीव कुमार

दिनांक:-13 मार्च, 2026

सेवा में,

प्रशासनिक अधिकारी,
मा0 उत्तराखण्ड मानवाधिकारी आयोग,
आई0टी0 पार्क, सहस्त्रधारा रोड,
देहरादून।

विषय:- शिकायतकर्ता संजीव कुमार द्वारा योजित वाद संख्या 417/35/6/2024 में मा0 आयोग के आदेश दिनांक 18.12.2025 के अनुपालन के सम्बन्ध में आख्या।

महोदय,

कृपया, उत्तराखण्ड मानवाधिकार आयोग के पत्र दिनांक 16/01/2026 व सम्बन्धित पत्रावली पर कार्यालय आदेश पत्रांक संख्या 2551/मा0/हरि0/आर0एस0-23/154/2014-15 दिनांक 04/08/2025 का अवलोकन करने का कष्ट करें। जिसमें श्री संजीव कुमार बहल निवासी म०न० 173/111/सेक्टर-5बी, बी0एच0ई0एल0, रानीपुर, हरिद्वार के संलग्न शिकायती प्रत्यावेदन दिनांक 06/05/25 जो मंत्रा हैप्पी होम्स परियोजना से सम्बन्धित है की शिकायती पत्र में उल्लिखित बिन्दुओं की जांच हेतु समिति का गठन कर आख्या चाही गयी है।

उक्त के क्रम में समिति के सदस्यों द्वारा स्थल का संयुक्त निरीक्षण किया गया। स्थल के निरीक्षण पर पत्रावली के अवलोकन के पश्चात् प्रकरण में शिकायत की बिन्दुवार आख्या निम्न प्रकार है-

बिन्दु संख्या 1- प्रश्नगत परियोजना का पूर्व में इस कार्यालय द्वारा मानचित्र संख्या माना/हरि0/आर0एस0-23/154/14-15 दिनांक 02.01.2015 को स्वीकृत किया गया जिसमें पार्क एरिया 2202.70 वर्ग मीटर है। पुनः संशोधित मानचित्र दिनांक 17.06.2016 में स्वीकृत किया गया है। जिसमें पार्क का कुल एरिया 3310.189 वर्ग मीटर प्रदर्शित है तथा स्वीकृत मानचित्र से विचलन उपरान्त प्रस्तुत शमन मानचित्र दिनांक 14.06.2019 को स्वीकृत किया गया है। जिसमें पार्क एरिया लागू भवन उपविधि एवं शमन उपविधि के अनुसार 3264.504 वर्ग मीटर आवश्यक था। जिसके स्थान पर एरिया 3377.003 वर्ग मीटर है, जो कि अनुमन्य से अधिक है। इस सम्बन्ध में शिकायतकर्ता को इस कार्यालय द्वारा अंतिम रूप से पारित परियोजना का मानचित्र देखना चाहिए साथ ही सेट-बैक पर पार्किंग दिये जाने का प्राविधान भवन उपविधि में नियमानुसार दिया गया है।

बिन्दु संख्या 2- हरिद्वार रूड़की विकास प्राधिकरण द्वारा संबंधित वास्तुविद व विकासकर्ता को परियोजना मानचित्र की सॉफ्ट कॉपी मुख्य नगर एवं ग्राम नियोजक, नगर एवं ग्राम विभाग, उत्तराखण्ड को भेजे जाने हेतु पत्रांक संख्या 828/मा0/हरि0/आर0एस0-23/154/2014-15 दिनांक 29/05/2024 प्रेषित किया गया व माननीय NGT नई दिल्ली द्वारा सुनवाई हेतु नियत तिथि 07 अप्रैल 2026 से पूर्व हरिद्वार रूड़की विकास प्राधिकरण को दिये गये निर्देशों के क्रम में कार्यालय पत्रांक 5447/मान/हरि0/आर0एस0/-23/154/2014-15(NGT) दिनांक 24 जनवरी 2026 द्वारा मैसर्स ब्रेजन ऐरो (मंत्रा हैप्पी होम्स), रोशनाबाद, हरिद्वार की जांच समिति के सदस्यों द्वारा स्थलीय निरीक्षण कर जांच आख्या मय फोटोग्राफ्स 15 दिवस के अन्दर उपलब्ध कराने हेतु पत्र सी0टी0पी0 महोदय को प्रेषित किया गया। जिसके क्रम में सी0टी0पी0 महोदय के पत्र दिनांक 19/02/2026 के अनुसार-"शिकायतकर्ता श्री संजीव कुमार द्वारा मैसर्स ब्रेजन ऐरो, प्रा0लि0 वास्ते सतीश कुमार पुत्र स्व0 नानू राम एवं अन्य आदि (मंत्रा हैप्पी होम्स) रोशनाबाद, हरिद्वार के प्रकरण के सम्बन्ध में अध्यक्ष,

जांच समिति/अधोहस्ताक्षरी की शिकायत शासन को प्रेषित की गई है। उक्त के दृष्टिगत प्रकरण की जांच उनके द्वारा किया जाना उचित नहीं है", जो पत्रावली में संलग्न है।

बिन्दु संख्या 3- प्रश्नगत परियोजना का पूर्व में इस कार्यालय द्वारा मानचित्र संख्या माना/हरि०/आर०एस००-23/154/14-15 दिनांक 02.01.2015 को स्वीकृत किया गया। पुनः संशोधित मानचित्र दिनांक दिनांक 17.06.2016 में स्वीकृत किया गया है तथा स्वीकृत मानचित्र से विचलन उपरान्त प्रस्तुत शमन मानचित्र अन्तिम रूप से दिनांक 14.06.2019 को स्वीकृत किया गया है।

बिन्दु संख्या 4- भवन उपविधि में ग्रुप हाउसिंग व उपविभाजन हेतु व्यवस्थित पार्क का प्राविधान दिया गया है, जो नियमानुसार स्वीकृत मानचित्र में दिया गया है साथ ही सेट-बैक पर पार्किंग दिये जाने का प्राविधान भवन उपविधि में नियमानुसार दिया गया है।

बिन्दु संख्या 5- बिंदु संख्या 2 के अनुसार।

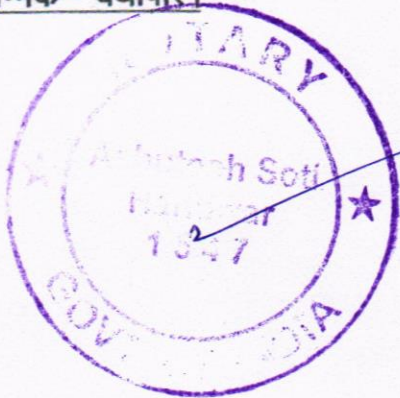
बिन्दु संख्या 6- परियोजना के स्वीकृत मानचित्र से विचलन उपरान्त प्रस्तुत शमन मानचित्र दिनांक 14.06.2019 को स्वीकृत किया गया है। जिसमें पार्क एरिया लागू भवन उपविधि एवं शमन उपविधि के अनुसार 3264.504 वर्ग मीटर आवश्यक था। जिसके स्थान पर एरिया 3377.00 वर्ग मीटर है, जो शमन मानचित्र में अनुमन्य से अधिक है साथ ही प्रकरण में शिकायत के क्रम में इस कार्यालय द्वारा मैसर्स हिवारा इंजीनियर एंड कन्सल्टैंसी प्रा०लि० से नियमानुसार मंत्रा हैप्पी होम्स सोसाइटी का GIS आधारित सर्वेक्षण कराया गया। सर्वेक्षण के अनुसार स्थल पर विद्यमान पार्क का क्षेत्रफल 3175.90 वर्ग मीटर तथा 520.29 वर्ग मीटर क्षेत्रफल OPEN AREA के रूप में विद्यमान है, जिस पर ग्रीन एरिया को विकसित किया जा सकता है, जो कि स्वीकृत कुल क्षेत्रफल से 319.19 वर्ग मीटर अधिक है, साथ ही सेट-बैक पर पार्किंग दिये जाने का प्राविधान भवन उपविधि में नियमानुसार दिया गया है।

बिन्दु संख्या 7- बिंदु संख्या 2 के अनुसार।

मा० महोदय को अवगत कराना है कि श्री संजीव कुमार द्वारा मा० नेशनल ग्रीन ट्रिब्यूनल, नई दिल्ली के समक्ष समान तथ्यों के लिए शिकायत योजित की है। शिकायत संख्या 06/2026 में दिनांक 12.01.2026 को पारित आदेश के अनुपालन में नियत दिनांक 07.04.2026 से पूर्व शपथपत्र के माध्यम से उत्तर प्रस्तुत किया जाना है। आदेश दिनांक 12.01.2026 की फोटो प्रति संलग्नक है।

अतः प्रश्नगत शिकायत में वांछित सूचना/रिपोर्ट विस्तृत आख्या मा० आयोग के समक्ष सादर प्रस्तुत है।

संलग्नक- यथोपरि।



(Handwritten signature)

सचिव

हरिद्वार-रूड़की विकास प्राधिकरण,
हरिद्वार

dlc

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