

**IN THE HON'BLE NATIONAL GREEN TRIBUNAL, NEW DELHI**

**OA No. 68 OF 2022**

**IN THE MATTER OF:**

**Raman Sharma**

----- **Petitioner**

**v/s**

**State of Haryana and others**

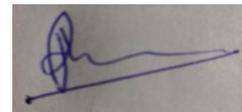
----- **Respondents**

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**Place: Gurugram**

**Date : 11-01-2024**



**Raman Sharma  
Petitioner**

SYNOPSIS

<u>No</u>	<u>Particulars of Documents</u>	Para no	Page no
<u>1</u>	<b>Objections on the reply dated-10-01-2023 submitted by Respondent no. 5.</b>		3 to 6
<u>2</u>	List of documents are attached vide Annexure- H- 1 to H-20 for ready reference to counter the reply submitted by Respondent no. 5.		7 to 8
<u>3</u>	Brief Facts - A joint committee was formed by the Hon'ble NGT, Gurugram to ascertain the correctness of the status of Green Area/illegal construction/encroachments, Illegal constructions, placement of DG Sets and status of C & D Waste and the Executive Engineer, HSVP, Division no.6, Gurugram was also a member.		
<u>4</u>	Reply of SEIAA is not received.		

**IN THE HON'BLE NATIONAL GREEN TRIBUNAL, NEW DELHI**

**OA No. 68 OF 2022**

IN THE MATTER OF:

Raman Sharma

----- Petitioner

v/s

State of Haryana and others

----- Respondents

That Objections on the contents, facts & figures submitted in Reply Dated-10-01-2023 by **Respondent No- 5** i.e. **Haryana Shehri Vikas Pradikaran** through Counsel Ms. Noopur Singhal. Following are objections with substantial documentary evidence for consideration before the Hon'ble Bench.

1. That contents under point no.1, 2 & 3 of reply by Respondent no. 5 are matter of record.
2. That contents under point no.4 of reply by Respondent no. 5 is matter of record. All contents under para 1 to 4 establish that Respondent no. 5 has complete information about complaint and actions in the OA-68-2022. Last checking and recommendation of consolidated Service Plan Estimates was done by Retd. Major Shweta Sharma Nagarkoti, the then Executive Engineer-HSVP, Division No. 6, Gurugram. The last report on Part Completion certificate and report on Occupation Certificate was given by Retd. Major Shweta Sharma Nagarkoti, the then Executive Engineer-HSVP, Division No. 6, Gurugram
3. That all documents attached as Annexures 8 to 20 to confirm the position of Respondent no. 5 and important role right from checking to correction of Service Plan Estimates to approval with imposing conditions. All Part Completion Certificates were issued after checking and recommendations by Respondent no. 5 as per statement of Respondent no. 4 & 8. Before the grant of Occupation Certificate, checking of all services and recommendations were issued by Respondent no. 5. All site plan and services of Commercial area, group housing, Institutional buildings, Public Facilities and Community buildings were checked and status was informed by Respondent no. 5.

- I. The Annexure –H- 4 - Copy of letter No. DS-(R)-LC-479/2015/3254 Dated- 02-03-2015 issued by DTP (HQ) For DTCP, Haryana, Chandigarh to the Chief Engineer-I, HUDA, Panchkula is self-explanatory on the jurisdiction and key role of Respondent no. 5 in the OA-68-2022. The GRANT OF PART COMPLETION CERTIFICATE covers Environmental norms and same were imposed on Respondent no. 8 by Respondent no. 5. Following are facts related role & responsibility and jurisdiction of Respondent no. 5-;
  - a. The Annexure –H-7 – Copy of RTI Application Dated- 14-11-2023 addressed to the Superintending Engineer, HSVP, Circle- II, Gurugram contains list of documents which are checked and approved by Respondent no. 5 and same is confirming the attached Annexure –H- 8 – Copy of RTI reply vide Memo no. 7513 Dated-09-01-2024 by SPIO-Cum-Executive Engineer-HSVP, Division No. 6, Gurugram.
  - b. Each approval contains the condition to obtain Environmental Clearance/NOC before the start of construction is mention with services laid on approved site, which confirms the jurisdiction of Respondent no. 5.
  - c. Internal & external pumping of sewage is in violation of approved service plan estimates and approval to defective design of services only falls under the jurisdiction of Respondent no. 5.
  - d. Non placement of water harvesting system and solar water heating system from project is also falls under the jurisdiction of Respondent no. 5. Sh. Sanjeev Chopra the then Executive Engineer-HSVP (vigilance), Panchkula (now Chief Engineer-I, HUDA, Panchkula) conducted inquiry on the status of services and violations, which is still in existence and explain the jurisdiction of Respondent no. 5 over project Malibu Town.
  
- II. The para no. 5 of Annexure –H- 9 – Copy of Detailed report vide Memo no. 213206 Dated- 04-10-2023 submitted by the Superintending Engineer, HSVP, Circle, Gurugram before Chief Engineer-I, HUDA, Panchkula on the complaints of Raman Sharma is confirming the role & responsibility of jurisdiction of Respondent no. 5.
  
- III. The Point 8 (b) of the letter Memo no. 4627 Dated – 28-04-2015 issued by Executive Engineer-HSVP, Division No. 6, Gurugram to M/s Malibu Estate Pvt Ltd (Annexure – H- 11) regarding Grant of Completion Certificate of Residential Plotted Colony Malibu Town contains everything which explain & establish the jurisdiction of Respondent no. 5. In compliance of the above mentioned letter, the Respondent no. 8 submit the letter Dated – 11-05-2015 issued to Executive Engineer-HSVP, Division No. 6, Gurugram by M/s Malibu Estate Pvt Ltd regarding Grant of Completion Certificate of Residential Plotted Colony Malibu Town (Annexure – H- 12) is self-explanatory.

- IV. The Point 5 (b) of the letter Memo no.1129 Dated – 11-06-2015 Annexure – H- 13) issued to Executive Engineer-HSVP, Division No. 6, Gurugram by the Sub Divisional Engineer, HUDA, Sub Division No. XI, Gurugram regarding Grant of Completion Certificate of Residential Plotted Colony Malibu Town regarding Grant of Completion Certificate of Residential Plotted Colony Malibu Town contains everything which explain & establish the jurisdiction of Respondent no. 5.
- V. Annexure –H- 14 – Copy of letter Memo no. 7153 Dated – 19-06-2015 issued by Executive Engineer-HSVP, Division No. 6, Gurugram to the Superintending Engineer, HSVP, Circle, Gurugram regarding Grant of part Completion Certificate of Residential Plotted Colony Malibu Town has pointed out serious violations creating pollution and Point 5 (b) of the letter has raised question on Environment clearance/NOC. This letter alone can explain & establish the jurisdiction of Respondent no. 5.
- VI. That contents contains under **Annexure –H- 15** – vide letter **Endst no. 9612 Dated – 23-06-2015** issued by the Superintending Engineer, HSVP, Circle, Gurugram to Chief Engineer-I, HUDA, Panchkula regarding Grant of part Completion Certificate of Residential Plotted Colony Malibu Town is complete evidence of the offence & violations comes under the jurisdiction which were raised regularly from 2007 to till date before various responsible Government offices, quasi-judicial bodies and Hon'ble Courts. I hope this could be the last destination and thins will be corrected in the larger interest on the nation.
- VII. That Annexure –H- 16 – Copy of PUC- 92 regarding service Estimates of Residential Plotted Colony Malibu Town proves the jurisdiction.
- VIII. That Annexure - H- 17 - Copy of letter no. HSPCB/GRN/2020/1345 Dated – 28-08-2020 issued by Regional Officer (N), Gurugram HSPCB to Sh. Rakesh Singh regarding approval to services of Residential Plotted Colony Malibu Town and this document confirms the serious violations & lapses.
- IX. That Annexure –H- 18 – Copy of letter memo no.7008 Dated – 18-06-2015 issued by Executive Engineer-HSVP, Division No. 6, Gurugram to the Superintending Engineer, HSVP, Circle, Gurugram regarding Service Plan Estimates of Residential Plotted Colony Malibu Town is glaring evidence regarding jurisdiction of Respondent no. 5.
- X. The Annexure - H- 19 - explain through point no. 5 of letter Endst no. 9546 Dated - 22-06-2015 with each & every content written by the Superintending

Engineer, HSVP, Circle-II, Gurugram to Chief Engineer-I, HUDA, Panchkula regarding Service Plan Estimates of Residential Plotted Colony Malibu Town with the violations & lapses. This document confirms serious violations & lapses under the jurisdiction of Respondent no. 5.

- XI. The Annexure - H- 20 - Copy of letter Dated - 28-04-2015 issued by M/s Malibu Estate Pvt Ltd to Chief Engineer-I, HUDA, Panchkula regarding Service Plan Estimates of Residential Plotted Colony Malibu Town. The approval granted to Commercial Plots in 2014 are already placed before SEIAA.
4. That the submission of Respondent no. 5 under para 6 is incorrect and misleading which is visible through above mentioned facts with evidence. The last site visit to check the status of services was done by Retd. Major Shweta Sharma Nagarkoti, the then Executive Engineer-HSVP, Division No. 6, Gurugram
5. That it is prayed before the Hon'ble Green Tribunal to form a committee to submit actual site report on status of Open area & Green area and status of services of project "Malibu Town", as an integrated residential colony, located in Sector- 47 & 50, Gurugram.
6. That it is prayed to allow this Application with above stated objections and facts and issue necessary directions to M/s Malibu Estate Pvt Ltd & Ors to take Environment Clearance. The above written statement may kindly be taken on record.

Date : 11-01-2024

Place : Gurugram

Submission of Application



Raman Sharma

CW-58, F.F, Malibu Town, Sector-47, Gurugram-122018  
+91 9818303690, [mrramansharmaji@gmail.com](mailto:mrramansharmaji@gmail.com)

VERIFICATION : Verified that the contents under 1 to 21 of this Objection Application are true and correct to my knowledge and based on information derived from documents received from various Government Departments which are believed by me to be correct. No part of it is false.

List of Documents –

- XII. Annexure –H-1 - Copy of email Dated -10-01-2023 issued by the Advocate Ms. Noopur Singhal, Council of Respondent No. 5 to Complainant of OA-68-2022 with reply dated 10-01-2023.
- XIII. Annexure –H- 2 - Copy of email Dated -10-01-2023 issued by the Complainant of OA-68-2022 to the Advocate Ms. Noopur Singhal, Council of Respondent No. 5 by Complainant of OA-68-2022 with factual position.
- XIV. Annexure –H- 3 - Copy of email Dated -17-03-2023 addressed to the Consultant Judicial by the Complainant of OA-68-2022 with Rejoinder to the replies of Respondent 1 to 6.
- XV. Annexure –H- 4 - Copy of letter No. DS-(R)-LC-479/2015/3254 Dated- 02-03-2015 issued by DTP (HQ) For DTCP, Haryana, Chandigarh to the Chief Engineer-I, HUDA, Panchkula.
- XVI. Annexure –H-5 - Copy of Rejoinder Dated – 15-03-2023 against the reply of Respondent No. 5.
- XVII. Annexure –H-6 – Copy of Orders vide Memo No.31-32 Dated-10-01-2024 by the FAA-Cum-Administrator, HSVP, Gurugram to SPIO-Cum-Executive Engineer-HSVP, Division No. 6, Gurugram.
- XVIII. Annexure –H-7 – Copy of RTI Application Dated- 14-11-2023 addressed to the Superintending Engineer, HSVP, Circle- II, Gurugram.
- XIX. Annexure –H- 8 – Copy of RTI reply vide Memo no. 7513 Dated-09-01-2024 by SPIO-Cum-Executive Engineer-HSVP, Division No. 6, Gurugram.
- XX. Annexure –H- 9 – Copy of Detailed report vide Memo no. 213206 Dated- 04-10-2023 submitted by the Superintending Engineer, HSVP, Circle, Gurugram before Chief Engineer-I, HUDA, Panchkula on the complaints of Raman Sharma.
- XXI. Annexure –H- 10 – Copy of letter Dated-03-02-2022 issued by M/s Malibu Estate Pvt Ltd to Mr. Atul Arora regarding services.
- XXII. Annexure –H- 11- Copy of letter Memo no. 4627 Dated – 28-04-2015 issued by Executive Engineer-HSVP, Division No. 6, Gurugram to M/s Malibu Estate Pvt Ltd regarding Grant of Completion Certificate of Residential Plotted Colony Malibu Town.

- XXIII. Annexure –H- 12 – Copy of letter Dated – 11-05-2015 issued to Executive Engineer-HSVP, Division No. 6, Gurugram by M/s Malibu Estate Pvt Ltd regarding Grant of Completion Certificate of Residential Plotted Colony Malibu Town.
- XXIV. Annexure –H- 13 – Copy of letter Memo no.1129 Dated – 11-06-2015 issued to Executive Engineer-HSVP, Division No. 6, Gurugram by the Sub Divisional Engineer, HUDA, Sub Division No. XI, Gurugram regarding Grant of Completion Certificate of Residential Plotted Colony Malibu Town.
- XXV. Annexure –H- 14 – Copy of letter Memo no. 7153 Dated – 19-06-2015 issued by Executive Engineer-HSVP, Division No. 6, Gurugram to the Superintending Engineer, HSVP, Circle, Gurugram regarding Grant of part Completion Certificate of Residential Plotted Colony Malibu Town.
- XXVI. Annexure –H- 15 – Copy of letter Endst no. 9612 Dated – 23-06-2015 issued by the Superintending Engineer, HSVP, Circle, Gurugram to Chief Engineer-I, HUDA, Panchkula regarding Grant of part Completion Certificate of Residential Plotted Colony Malibu Town.
- XXVII. Annexure –H- 16 – Copy of PUC – 92 regarding service Estimates of Residential Plotted Colony Malibu Town.
- XXVIII. Annexure –H- 17 – Copy of letter no. HSPCB/GRN/2020/1345 Dated – 28-08-2020 issued by the Regional Officer (N), Gurugram HSPCB to Sh. Rakesh Singh regarding approval to services of Residential Plotted Colony Malibu Town.
- XXIX. Annexure –H- 18 – Copy of letter memo no.7008 Dated – 18-06-2015 issued by Executive Engineer-HSVP, Division No. 6, Gurugram to the Superintending Engineer, HSVP, Circle, Gurugram regarding Service Plan Estimates of Residential Plotted Colony Malibu Town.
- XXX. Annexure –H- 19 – Copy of letter Endst no. 9546 Dated – 22-06-2015 issued by the Superintending Engineer, HSVP, Circle, Gurugram to Chief Engineer-I, HUDA, Panchkula regarding Service Plan Estimates of Residential Plotted Colony Malibu Town.
- XXXI. Annexure –H- 20 – Copy of letter Dated – 28-04-2015 issued by M/s Malibu Estate Pvt Ltd to Chief Engineer-I, HUDA, Panchkula regarding Service Plan Estimates of Residential Plotted Colony Malibu Town.

Documents – ANNEXURE – H-1

Original Application  
No. 68 of 2022 titled as  
Raman Sharma vs State of   
Haryana and ors. (Malibu  
Town, Gurugram) Inbox



noopu... 10/01/2023  
to me ▾



Sir,

I am sharing a copy of reply on behalf of  
Respondent no.5 i.e HSVP in the above-  
mentioned OA listed before Hon'ble NGT.

**Noopur Singhal**  
**Advocate**  
**+91-9312765888**



Reply in R... State.pdf



## ANNEXURE – H-2



Raman... 10/01/2023



to noopur, vatsal ✓

Madam Noopur Singhal Advocate

Thanks for your communication. Your client was responsible for erroneous approval of defective Service Plan Estimates, Building Plans, Occupation Certificates and ignored the placement of DG Sets and unapproved construction and demolition under the violation of Environmental Laws. I hope you may protect your clients.

With Regards

Raman Sharma

CW-58 , F.F , Malibu Town, Sector-47,  
Gurugram -122018  
+91 9818303690

## ANNEXURE – H-3


**Raman...** 17/03/2023     
 to Consultant ^

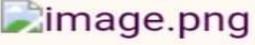
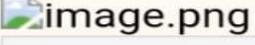
From Raman Sharma •  
 mrramansharmaji@gmail.com  
 To Consultant Judicial-NGT(P.B.) •  
 judicial-ngt@gov.in  
 Date 17 Mar 2023, 11:23  
[See security details](#)

Sir

This is in reference to your email Dated-01-03-2023.

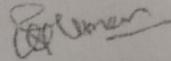
The Rejoinder in O.A- 68 of 2022 Raman Sharma Vs State of Haryana is rearranged according to your kind advice.

That Fresh Index is attached herewith for your kind perusal. Kindly accept the same.

With Regards  
  
 Raman Sharma  
 CW-58 , F.F , Malibu Town, Sector-47, Gurugram -122018  
 +91 9818303690  
  


On Wed, 1 Mar 2023, 11:11 Consultant Judicial-NGT(P.B.),

## ANNEXURE – H-4

DIRECTORATE OF TOWN & COUNTRY PLANNING, HARYANA SCO-71-75, Sector -17C, Chandigarh, Phone: 0172-2549349, Email: tcphry@gmail.com, www.tcpharyana.gov.in		G.E. DIARY NO. 10/2 DT. 12/3/15 SE (HQ) SDE (HQ) SE (HQ) SDE (M) CE-1 SE (HQ)
Memo No. DS-(R)-LC-479 /2015/ 3254		Dated: 2/3/15 12/03/15
To The Chief Engineer-I, HUDA, Panchkula.		SUPER ESTI. 12/3 C.Y. D.G. 12/3
Subject: - Grant of Part Completion Certificate for (Licence no. 15 of 2008 dated 31.10.2008) Residential Plotted Colony measuring 24.681 acres in Sector-47 and 50, Gurgaon.		
Reference: - Your office memo no. 2217 dated 17.02.2014 on the subject noted above.		
While sending the plans received vide letter under reference, it is requested to provide the details of the documents which are required from the colonizer for preparing the report, so that the same can be conveyed to the applicant/ colonizer for providing the same on priority to the Engineering wing of HUDA.		
DA/as above.		
<p style="text-align: center;">             (Vijay Kumar)            District Town Planner (HQ)            For Director General, Town and Country Planning            Haryana, Chandigarh         </p>		

**ANNEXURE – H- 5**

IN THE HON'BLE NATIONAL GREEN TRIBUNAL, NEW DELHI

**In Original Application No. 68/2022**

IN THE MATTER OF

**Raman Sharma**

**..... Petitioner**

V/s

**State of Haryana & Ors**

**..... Respondents**

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<b>4.</b>	Copy of Rejoinder against the reply of Respondent No.4	
<b>5.</b>	Copy of Rejoinder against the reply of Respondent No.5	
<b>6.</b>	Copy of Rejoinder against the reply of Respondent No.6	
<b>7.</b>	Copy of Documentary Evidence under Annexures from R- 1 to R-129	
<b>8.</b>	Copy of Layout Plan Drawing No-DTCP-227-Dated-09-07-1997	
<b>9.</b>	Drawing for Services-Group Housing Dated-31-05-2000	
<b>10.</b>	Layout Plan Drawing No-DTCP-1458-Dated-03-01-2008	
<b>11.</b>	DemarcationPlan-DGTCP-Malibu-2008	
<b>12.</b>	Zoning Plan Drawing No-DTCP-1638-Dated-14-07-2008	
<b>13.</b>	Layout Plan Drawing No-DTCP-5626-Dated-28-09-2016 without DTCP Signatures	

14.	Layout Plan Drawing No-DTCP-5626-Dated-28-09-2016 with DTCP Signatures.	
15.	Pictures of C & D Waste and DG Sets	

1. That **REJOINDER** is necessary on the reply of Respondent No. 5 i.e Estate Officer-II, HSVP, Gurugram on behalf of Haryana Shehri Vikas Pradhikaran. **All responsible Government Departments have made my HOME part of violation and offence of Licensee Company in connivance with some criminal minded people through various companies and organization.**
- A. That when Petitioner purchase the property CW-58, F.F, Malibu Town, Sector-47, Gurugram to make a HOME, it was legal and violation free.
- B. **That not a single Respondent and Report deny the offence Reported by Petitioner Raman Sharma in O.A 68 of 2022 Raman Sharma Vs State of Haryana.** The Executive Engineer, HSVP Division No. 6, Gurugram was part of committee who visited the site of offence.
- C. **That no other person reported the offence and properly follow-up other than Complainant Raman Sharma.**
- D. That none of the Respondents have produced any evidence or incident where Petitioner Raman Sharma has performed any action against any resident in the township.
- E. That issuance additional License No. 15 of 2008 by DTCP Haryana to M/s Malibu Estate, made illegal, created various violations by approval to defective Layout Plan.
- F. That Chief Administrator, HUDA further contributed in raising violation & offence by recommending erroneous Part Completion certificates, Building Plans and Occupation Certificates without the approval of Service Plan Estimates. Later fraudulently in 2016, Performa of Services were approved by changing name with SERVICE PLAN ESTIMATES.
- G. That HSPCB and **STATE ENVIRONMENT IMPACT ASSESSMENT AUTHORITY HARYANA (SEIAA)** raised the level of violations and offence by ignoring the conditions imposed through License, Layout Plan and Zoning Plan and various Complaints.
- H. That so-called **Project Proponent** of Respondent No. 7 i.e Malibu Federation through Mr. Niranjan Yadav, Chairman RWA and all office bearers have been making aggressive attempts on Complainant to

withdraw the ORIGINAL APPEAL No. 68-2022 Raman Sharma Vs State of Haryana.

- I. That it is **strongly objected** on acceptance of Title **Project Proponent** of Respondent No. 7 i.e Malibu Federation through Mr. Niranjana Yadav, Chairman RWA and all office bearers by Respondent No. 5. Neither Malibu Federation nor Mr. Niranjana Yadav, Chairman RWA and all office bearers have any legal right on common area or infrastructure & services of Integrated Residential Plotted Colony namely Malibu Town.
- II. That in present case the Licensee Company M/s Malibu Estate Pvt Ltd is **Project Proponent**. All 31 License to develop Residential Plotted Colony were issued from 1992 to 2008 by Respondent No. 4 i.e Director, Town & Country Planning Department Haryana to M/s Malibu Estate Pvt Ltd. Now Municipal Corporation Gurugram has Taken over Integrated Residential Plotted Colony namely Malibu Town from 15-06-2022 on the Orders of the Government of Haryana. Following are fact of the matter-;
  - i. Name of Licensee Company – Malibu Estate Pvt Ltd
  - ii. Current Owner of Colony - **MUNICIPAL CORPORATION GURUGRAM**
  - iii. **The Integrated Residential Plotted Colony namely “MALIBU TOWN” was developed under the Provisions of the Haryana Development & Regulations of Urban Areas Act, 1975 and Rules, 1976. There is no provision for any RWA to be considered as Project Proponent.**
2. That Respondent No. 5 was responsible for checking and corrections of all Service Plan Estimates, Application for Part Completion and Occupation Certificates of Integrated Residential Plotted Colony Malibu Town. The copies of relevant documents, Drawings and pictures are attached for the consideration of Hon'ble Principal Bench of National Green Tribunal, New Delhi as mentioned in the Index.
  - I. That LETTERS (PUC) provided by the Town & Country Planning Department Haryana, MUNICIPAL CORPORATION GURUGRAM and the DIRECTOR (HSMD), GOVERNMENT OF INDIA, MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE (HSM DIVISION) AND OTHER GOVERNMENT DEPARTMENTS .
  - III. That all services & facilities like DG Sets, Boundary Wall, Roads & Service Roads, Public Parks, Footpaths, Electric Plots, Sewage Treatment Plants Barriers, Security Guard Post, Bus queue shelters, Temporary Gates were not provisioned in the approved plans which were checked and corrected by Respondent No. 5 and none of the respondent raised this demand before any of the office for permission.

3. That VIOLATION, ABUSE AND DISRESPECT to the CONSTRUCTION & DEMOLITION WASTE MANAGEMENT RULES, 2016 and PROVISIONS OF AIR ACT, 1981 and provisions of the ENVIRONMENT (PROTECTION) ACT, 1986 and Section 2.1 (1) of Haryana Building Code, 2017 and Section 3B of the Haryana Development & Regulation of Urban Areas Act, 1975 and Section 3, 4, 8 and 11 of the Haryana Development and Regulation of Urban Areas Rules, 1976 by RESPONSIBLE COMPANIES, persons and other agencies has caused HUGE IRREPAIRABLE LOSSES TO ENVIRONMENT AND LAWS APPLICABLE by few Companies in connivance of Office bearers of RWAs on the land of Respondent No. 3, 5 and GMDA. See Annexure - R- 69, R-72, R-76, R-78, R-87, R-96, R-110-B, R-110-C.
4. That contents under point no. 1 of the reply of Respondent No. 5 are matter of record as annexure – **R-110-B** speaks about the offence and role in the matter where no report exists.
- I. That Respondent No. 5 did not challenge the offence as India's updated climate pledge to the Paris Agreement received the Union Cabinet's nod August 3, 2022. The pledge will lay out India's clean energy transition pathway from now through 2030 and will be communicated to the United Nations Framework Convention on Climate Change (UNFCCC). In 2021, Indian Prime Minister Sh. Narendra Modi announced the following new five-point set of targets at COP 26 in Glasgow:
- India will increase its non-fossil fuel energy capacity to 500 gigawatt (GW) by 2030.
  - It will meet 50 per cent of its energy requirements from renewable sources by 2030.
  - The total projected carbon emissions will be reduced by 1 billion tonnes from now through 2030.
  - The carbon intensity of its economy will be brought down to less than 45 per cent.
  - India will achieve its target of net zero by 2070
- II. That The annexure – R-6 to R-8, R-17 to **R-24**, R-25, R-28, R-29, R-35, R-36, R-49, R-50, R-53, R- 55, R-56, R-59, R-62 to R-66, R-72 R-76, R-77, R-78, R-79, R-81, R-87, R-96, R-99, **R-110-B**, R-116, R-124, R-125, R-129 are sufficient documentary evidence to make Respondent No. 5 a necessary party in the matter as all services were corrected and approved by the Engineering wing.
5. The decision was taken in a state Cabinet meeting chaired by the Chief Minister Sh. Manohar Lal Khattar. "Under the policy, the vehicles which

have completed the critical age of **10 and 15 years** in case of diesel and petrol variants, respectively shall be scrapped.

The Minister for Road Transport and Highways, Shri Nitin Gadkari today announced the Vehicle Scrapping Policy in Lok Sabha. Making a Suo Motu statement in the Lok Sabha, the Minister said that *“Older vehicles pollute the environment 10 to 12 times more than fit vehicles and pose a risk to road safety”*. He said that *“in the interest of a clean environment and rider and pedestrian safety, the Ministry of Road Transport and Highways is introducing the Voluntary Vehicle-Fleet Modernization Program (VVMP) or “Vehicle Scrapping Policy” which is aimed at creating an Eco-System for phasing out of Unfit and Polluting Vehicles”*. **These diesel variant vehicles also serve common man on daily basis** and despite lawful registration and in good condition they are not allowed to move beyond 10 years.

6. That content under point no.2 is correct as the Executive Engineer, HSVP Division No. 6 Gurugram was member of committee. The complaint was reported to all responsible Government Departments in 2010 and thereon for lawful action and later same Complaint was filed before the Hon’ble Lokayukta Haryana vide Complaint No. 319 of 2011 Raman Sharma Vs T. C Gupta, DTCP Haryana & Ors - **Annexure – R-10 and R-11**. Who dumped C & D Waste generated from dispensary site and Group Housing are not named in any of the reply and report but the annexure **R-110-B** explain the truth, which is not presented by Respondent No. 5 before the Hon’ble Bench.
  - a. That contents placed under point 2 are matter of record.
  - b. That which officer was appointed for Joint Committee after the retirement of Executive Engineer, HSVP Division No. 6, Gurugram.
7. That no report or Respondent has given the provision and requirement of illegally placed DG SETS in plans checked and corrected by Chief Administrator, HSVP, Panchkula. That 10 out of 13 DG Sets are under the ownership of M/s Malibu Estate Pvt Ltd and three placed in Public Parks are under the ownership of M/s Amey Buildtech Pvt Ltd.
  - a. That necessary documentary evidence in regards to the meeting notice vide CFMS No. 71901 (1 to 3) Dated-06<sup>th</sup> July, 2022 issued by the office of Chief Secretary, Government of Haryana annexed as **Annexure – R-55** and **Annexure – R-59** is on the performance of officers speaks sincerity & honesty on responsibility.
  - b. That copy of ORDERS through Endst No. 18005-21 dated-27-12-2022 issued by Respondent No. 4, Sh. T. L Satyaprakash, IAS, DGTCP Haryana of above

mentioned Title annexed as **Annexure –R-59**. Are these documents indicates working of various Government Departments.

8. That Orders of Government of Haryana regarding transfer of License colony are annexed as **Annexure – R-50** and same has no details about violations and necessary documents related to planning of township. The offence were reported time to time by Petitioner Raman Sharma, but action is still awaited. The **Annexure –R-67 to R-69, R-73 to R-79, R-81 to R-84 & R-101** are documentary evidence regarding offence was in the knowledge of responsible officials. Following action of the Government are responsible for the this complaint on offence admitted by all respondents;
  - I. It is the Government who has signed the international treaty on climate change and Petitioner Raman Sharma is just doing protection of the policy whereas handful of citizens and some Government officials are in opposing the same.
  - II. **That Orders in O.A No. 21 of 2014 Vardhaman Kaushik vs Union Of India** by The HON'BLE NATIONAL GREEN TRIBUNAL, PRINCIPAL BENCH, NEW DELHI are well adopted by the Union of India, Government of Haryana and DISTRICT TOWN PLANNER (P) GURUGRAM- annexed as **Annexure – R-82**. Whereas handful citizens and some Government officials are in opposing the same.
  - III. The decision was taken on the life of diesel variant passenger vehicles by the State Government to reduce pollution without thinking that vehicles are important for human life and comfort. "Under the policy, the vehicles which have completed the critical age of **10 years** in case of diesel variant, respectively shall be scrapped". Surprisingly some officers and some handful citizens have wasted the time of the Hon'ble NGT in blaming complainant Raman Sharma instead of responding to the rule violation and punishable offense which has been going on for nearly 15-20 years. The government has enacted and implemented laws on DG Sets as well. **Annexure- R-8** is answer to all Respondents. Offence was reported by Licensee Company M/s Malibu Estate Pvt Ltd to Sr. Town Planner, Gurugram and SHO PS Sadar, Gurugram **Annexure- R-102, R-103 & R-129**.
    - i. That some officers and handful citizens who are raising defence for DG Sets placed in Public Health Area grossly failed to explain the propriety and use of said DG Sets. These DG sets belongs to Licensee Company M/s Malibu Estate Pvt Ltd and same are working for commercial area with profit motives. **The age of these DG Sets are more than 15 years.**
    - ii. That **6 DG sets** placed in Green belt of Group Housing area placed under violation by Licensee Company M/s Malibu Estate Pvt Ltd. **The age of**

**these DG Sets are more than 15 years.** These DG Sets could have placed in the building of Electric Sub-station.

- iii. That **3 DG Sets** placed in Public Park are placed neither with the consent of competent authority nor in planned area. **The age of two DG Sets are more than 12 years.** These DG Sets can be placed in the Electric Sub-station. TODAY **WHO IS OWNER OF THESE 3 DG SETS?** No reference on ownership of DG Sets is present before Hon'ble NGT to protect private company responsible for offence reported.
9. The point no. 2(c)(iii) of letter memo no. CC-5/asst(RK)/2020 /20023 Dated-11-11-2020 issued by Sh. Makrand Pandurang, IAS, Director, Town & Country Planning Haryana, Chandigarh denied Completion Certificate to Licensee company Malibu Estate Pvt Ltd for **illegal placement of DG Sets in Green Belts** is annexed as **Annexure-R-39**.
10. The point no. 2 of letter memo no. ZP-5-Vol.-IV/AD(RA)/2021/ 16699-701 Dated-13-07-2021 issued by Sh. Lalit Kumar, DTP (HQ) For Director, Town & Country Planning Haryana, Chandigarh issued the ORDERS for DEMARCATION BE COMPLETED in 7 DAYS. The demarcation of site is still not completed after passing of 570 Days from the date of Orders annexed as **Annexure-43. All DG sets could be given legitimate place in ELECTRIC Substations.** Licensee Company has placed DG Sets in Public Health Area (which is now the property of MCG) to cater Commercial component, if not, the Municipal Corporation Gurugram can take over the possession of four DG Sets running without any approval of HSPCB. The following are few communication on DG SETS by Government Officers & Licensee Company-;
- A. That point no. 2, 7, 8, 14, 16, 17, 21 of letter dated-24-01-2011 by Licensee Company M/s Malibu Estate Pvt Ltd to the Deputy Commissioner, Gurugram is annexed as **Annexure-R-20** were ignored by Town & Country Planning Department.
- B. The **Annexure – R-102** Complaint Dated – 29-11-2012 regarding Encroachment by way of placing a Generator set in the Park opposite to floors ww-80, 81, 82 and 111 to the Sr. Town Planner, Gurugram by Licensee Company M/s Malibu Estate Pvt Ltd and **Annexure –R-103** Complaint Dated – 27-11-2012 regarding Encroachment by way of placing a Generator set in the Park opposite to floors ww-80, 81, 82 and 111 to the SHO, Sadar Police Station, Gurgaon.

- C. The letter dated-21-07-2011 issued by M/s MEPL Maintenance Pvt Ltd to Raman Sharma annexed as **Annexure-R-21** is written acceptance of offence.
- D. The Point no. 7, 9, 10 of Letter Memo No. RTI-982/12397 Dated-25-08-2011 issued by the DTP-cum-SPIO O/o DGTCP Haryana is annexed as **Annexure-R-22** further establish violations by Licensee Company.
- E. Report by Sh. Amit Madholia, ATP after site visit on 30-12-2014 with RWA is annexed as **Annexure-R-25** which is a documentary evidence of complaint regarding DG Set by RWA members.
- F. The nine violations were noticed and **SHOW CAUSE NOTICE** vide Memo No. GN/DTP-E/2020/2499 Dated-14-09-2020 was issued by DTP (E), Gurugram to Managing Director, Malibu Estate Pvt Ltd and copy of letter was sent to RWA, Malibu Estate Pvt Ltd, Malibu Town, Sector-47, Gurugram annexed as **Annexure-R-35**.
11. That facts of the matter in regards to C & D Waste and illegally placed DG Sets are not reported by RWAs. The RWAs are habitual offenders as Municipal Corporation Gurugram issued Notice on violations of Environmental Laws and few documentary evidence are annexed as **Annexure-R-82 to R-84, R-101 to R-103**. That contents placed in para three of point 2 are misleading and false. The following are facts in the matter;
- i. **a)Generators** sets put up at central park – The 8 RWAs and responsible government officials have no record regarding approval viz a viz law made by the Parliament on the Generators sets put up at central park to cater residents. The Annexure – R-6, R-7, R-9, R-13 to R-17, R-20, R-25, R-35 to R-40, R-43, R-45 to R-49, R-69,R-81 are documentary evidence to support the statement.
  - ii. **b)** That no place is planned by DTCP Haryana in any of the Layout Plan as land for RFID, Barriers and Guard Shelter and Electric Plots despite the provision in Haryana Development and Regulation of Urban Areas Act, 1975. The **Annexure- R-31** confirms that RFID, **Barriers** and **Guard Shelter** belongs to **third party**, when complaint was made.
  - iii. **c) Bus queue shelters** were placed in green area by Licensee Company without prior approval from DTCP as provisioned under section 2.1 of the Haryana Building Code, 2017.
  - iv. **d) Temporary Gate** at Star Wood next to good earth is constructed on the land of service road and causing inconvenience to people leading towards

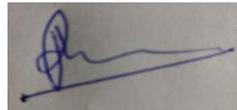
- Sothorn peripheral road. This gate is obstacle between two sector dividing roads, which is unlawful. This Gate is never the safety tool of Star Wood.
- v. That para four and five of point no. 2 are evidence of violations by the statement of senior-most officer of the Department responsible to control pollution shows that there is neither respect nor loyalty to the law. There is no mention of what action was taken on the complaint and what the view on violation is.
  - vi. That aggressive attempt by GANGS of RWAs on Complainant Raman Sharma with threatening to withdraw present Appeal O.A-68-2022 Raman Sharma Vs State of Haryana.
12. That content under Point no. 4 are accepted as the reply of Respondent No. 5 as matter of record. The report of Committee constituted by the STP, Gurugram was submitted after site visit on 02-01-2021 is annexed as **Annexure-R-40** which is glaring evidence of illegal placement of DG Sets & illegal structures on green area without any approval. The Annexure-R-56 to R-61 are documentary evidence to support the allegations.
- I. The Point no. 3 of Letter is annexed as **Annexure-R-22** is further confirmation of violation of illegal structure.
  - II. That it is wrong and misleading allegations against Petitioner Raman Sharma that he is sole complainant against violations of Integrated residential Plotted colony namely Malibu Town. The Letter Dated-27-05-2022 issue by Malibu Estate Pvt Ltd to DTP, Gurugram regarding compliance report on 39 complaints of various Residents including RWA office bearers is annexed as **Annexure- R-9 and R-51 and R-99 and R- 129** are in confirmation that apart from Raman Sharma there are many residents raising complaints.
  - III. That none of the respondent has mentioned the numbers of Families using DG Sets in question?
  - IV. That observations, findings and Conclusion and recommendations of the Joint Committee through Interim Compliance Report were accepted by Petitioner and now pending before the Hon'ble Bench for Directions.
  - V. That letter issued by Sh. N. Mitra, C.O.O, Malibu Estate Pvt Ltd on 30<sup>th</sup> September, 2010 is annexed as **Annexure-R-8** to Petitioner Raman Sharma is evidence of hard work in larger public interest.
  - VI. That Haryana Shehri Vikas Pradhikaran has done nothing on the provisions of the Construction and Demolition Waste Management Rules, 2016 or violation under the Rules. The responsible officials are misleading to the State as well to Hon'ble NGT.

13. The content of point no. 5 are matter of record. The dumped C & D Waste reported in Sector – 49 & 50 & 51, Gurugram was reported to the Commissioner Municipal Corporation Gurugram by the Superintending Engineer-I & II, HSVP, Gurugram. The Respondent No. 5 needs to explain on the checking and approval of plans of Malibu Town and dumped C & D Waste on the land under his jurisdiction.
14. The content of point no. 6 are on the discretion of the Hon'ble Bench. Annexure R-1 to R-128 are relevant to the reply of Respondent No. 1. This Rejoinder is part of entire Appeal. The request under point no. 6 by Respondent No. 5 is exclusively under the jurisdiction of the Hon'ble Bench to keep or release the respondent in present O.A-68-2022.

Place : Gurugram

Petitioner

Date – 15-03-2023



Raman Sharma  
CW-58, F.F, Malibu Town, Sector-47,  
Gurugram -122018  
+91 9818303690  
[mrramansharmaji@gmail.com](mailto:mrramansharmaji@gmail.com)

## ANNEXURE – H-6

**BEFORE 1<sup>st</sup> APPELLATE AUTHORITY-CUM-ADMINISTRATOR, HSVP**  
**GURUGRAM APPEAL UNDER SECTION 19(1) OF THE RTI ACT, 2005.**  
**Date of inst. of 1st Appeal-11.12.2023**  
**Date of hearing of 1st Appeal-09.01.2024**

**To**  
 SPIO-cum-Executive Engineer,  
 HSVP, Division No. VI,  
 Gurugram.

Sh. Raman Sharma,  
 CW-58, F.F., Malibu Town, Sector-47,  
 Gurugram-122018 (Mob. No. 9818303690).

Memo No. 37-32 Dated: 10/1/24

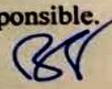
**Sub:- 1st Appeal Case No. FAA/194-RTI-2023/-Sh. Raman Sharma Vs. XEN-VI, HSVP, Gurugram.**

The copy of orders dated 09.01.2024 passed by the 1st Appellate Authority-cum-Administrator, HSVP, Gurugram in the above noted case for information and necessary compliance.

Relevant facts emerging from the Appeal.

Name of the Appellant	Sh. Raman Sharma
Name of the respondent	SPIO-cum-Executive Engineer, HSVP, Division No. VI, Gurugram.
RTI application filed with the SPIO on	07.12.2023
SPIO replied on	07.12.2023
Appeal filed with the FAA	Dated 11.12.2023 received on 11.12.2023
Date and Time of Hearing on	09.01.2024 at 2:30 PM
Fist Appellate Authority Present	Dr. Barlpreet Singh, IAS Sh. Raman Sharma from the appellant Sh. Rahul, Clerk from the respondent.

- The case came up for hearing before the Authority on the ground that respondent SPIO failed to furnish the information within bound time of 30 days as rule of the RTI Act in response to the RTI Application dated 07.12.2023. The appellant filed the 1st Appeal dated 11.12.2023 received on 11.12.2023. Accordingly, a notice was issued to the parties directing the respondent SPIO and appellant to attend the hearing on 09.01.2024 at 2:30 PM.
- The official appearing for the respondent intimated that information has been supplied to the applicant by the SPIO-cum-Executive Engineer, HSVP, Division No. VI, Gurugram vide letter No. 261458 dated 07.12.2023, but the information is not correct & complete. Hence, SPIO-cum-Executive Engineer, HSVP, Division No. VI, Gurugram is hereby directed to direct Sh. Parvinder the then Junior Engineer to handed over of record, if record not provided their after lodge FIR for misplacing of record immediately.
- The authority has directed to furnish the information to the appellant within stipulated period, otherwise, if any delay, the SPIO will personally be held responsible.

  
 1<sup>st</sup> Appellate Authority-cum-Administrator,  
 HSVP, Gurugram.

**ANNEXURE – H-7**

To

Date – 14-11-2023  
Reference-RS-SE-HSVP-163-RTI- 14-11-2023

The Superintending Engineer  
HSVP Circle-II, Gurugram

Sub – RTI Application under the RTI Act, 2005 with Mandatory Fees in the shape of Postal Order of Rs. Ten vide No. 61F 679508

Provide following information as no quarry is raised or no assumptions made in this RTI Application. Only information is requested as this RTI Application will be submitted before the Investigation and Hon'ble Court. This information is related to Integrated Residential Plotted Colony namely Malibu Town, Sector-47 & 50, Gurugram.

**Provide information under Section- 7 (5) of the RTI Act, 2005 also if required only through electronic mode.**

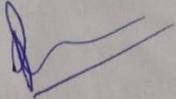
1. Provide complete record regarding checking and recommending/approved all Service Plan Estimates by the Executive Engineer, HUDA/HSVP, Gurugram and submit before the Superintending Engineer, HUDA/HSVP Circle, Gurugram.
2. Provide complete record regarding checking and recommending/approved all Service Plan Estimates by the Superintending Engineer, HUDA/HSVP Circle, Gurugram and submit before the Chief Engineer, HUDA/HSVP, Panchkula.
3. Provide complete record regarding checking and recommending/approved all application for Part Completion of works by the Executive Engineer, HUDA/HSVP, Gurugram and submit before the Superintending Engineer, HUDA/HSVP Circle, Gurugram.
4. Provide complete record regarding checking and recommending/approved all application for Part Completion of works by the Superintending Engineer, HUDA/HSVP Circle, Gurugram and submit before the Chief Engineer, HUDA/HSVP, Panchkula.
5. Provide complete record regarding checking and recommending/approved all application for Occupation Certificates by the Executive Engineer, HUDA/HSVP, Gurugram and submit before the Superintending Engineer, HUDA/HSVP Circle, Gurugram.
6. Provide complete record regarding checking and recommending/approved all application for Occupation Certificates by the Superintending Engineer, HUDA/HSVP Circle, Gurugram and submit before the Chief Engineer, HUDA/HSVP, Panchkula.

010 S.E. HSVP CIRCLE-II  
Diary No. ....  
Dated: 14/11/2023  
Rajesh

7. Provide complete record regarding checking and recommending/approved all application for Building Plans by the Executive Engineer, HUDA/HSVP, Gurugram and submit before the Superintending Engineer, HUDA/HSVP Circle, Gurugram.
8. Provide complete record regarding checking and recommending/approved all application for Building Plans by the Superintending Engineer, HUDA/HSVP Circle, Gurugram and submit before the Chief Engineer, HUDA/HSVP, Panchkula.

It is requested to provide information within stipulated time.

With Regards



Raman Sharma

CW-58, F.F, Malibu Town, Sector-47, Gurugram -122018

+91 9818303690

shramancharma11ti@gmail.com

## ANNEXURE – H-8

**OFFICE OF SPIO-CUM- EXECUTIVE ENGINEER, HSVP, DIVISION NO. VI,  
GURUGRAM**

Primary School Building, M Block, South City-I, Near Plot No. M-217  
E-mail: [xenhsvp6ggm@gmail.com](mailto:xenhsvp6ggm@gmail.com) 0124-4805697

To,

Sh. Raman Sharma  
CW-58, F.F. Malibu Towne,  
Sector-47, Gurugram  
E-mail: [mrramansharmajirti@gmail.com](mailto:mrramansharmajirti@gmail.com)

Memo No. 7513

Dated 09/01/2024

**Sub:** Notice under section 19(1) of the RTI Act, 2005-RTI information under the RTI Act, 2005- Sh. Raman Sharma, application dated 14.11.2023.

This is in reference to your RTI application dated 14.11.2023 received in this office through SPIO-Cum-Superintending Engineer, HSVP, Circle-II, Gurugram vide his office letter No. 3226 dated 16.11.2023 and 1<sup>st</sup> Appellate Authority Cum-Administrator, HSVP, Gurugram Notice Memo No. F.A.A. /195/2024/26 dated 08.01.2024. In this regard, it is intimated that the information sought by you is voluminous and spread over in various files.

Therefore, it is intimated that the information sought by yourself will be supplied to you within next 15 days.

  
SPIO-Cum-Executive Engineer,  
HSVP, Division No. VI,  
Gurugram

Endst. No. 7515, 7517

Dated 09/01/2024

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

1. 1<sup>st</sup> Appellate Authority Cum-Administrator, HSVP, Gurugram w.r.t. his Notice Memo No. F.A.A. /195/2024/26 dated 08.01.2024.
2. The SPIO-Cum-Superintending Engineer, HSVP, Circle-II, Gurugram w.r.t. his office Memo No. 3226 dated 16.11.2023.

  
SPIO-Cum-Executive Engineer,  
HSVP, Division No. VI,  
Gurugram

## ANNEXURE – H-09

**OFFICE OF THE SUPERINTENDING ENGINEER, CIRCLE, HSVP GURUGRAM**

To  
The Chief Engineer-I,  
HSVP Panchkula

Memo No. 2/3206 Dated: 4-10-2023

Sub: - **Complaint Sh. Raman Sharma, CW-58, FF, Malibu Town, Sector-47, Gurugram.**

Ref:- Your office memo No.CE1/SE(HQ)/EE(M)/SDE(G)/2023/200677-679 dated 18.09.2023 on the cited subject above.

Please refer to the above reference, the detail report in tabular form is submitted below:-

Sr. No.	Details	Reply
1.	Raman Sharma e-mail dated 24.08.2023 at 10.34AM:- <b>Para No. 1.</b> "As per test results of sample No. 1, 4, 7, 10,13 of cement plaster, 504 bags of cement bags found less consumed costing Rs. 2,26,800/- at penal rate, which may be recovered from the agency and suitable department action is recommended against Sh. Hari Dutt Sharma the then Executive Engineer, Smt. Maj. Shaveta Sharma Nagarkoti... for this lapses. As per test results of Sample No. 2, 5, 8, 11 & 14 of cement mortar, 327 bags of cement bags found less consumed costing Rs. 1,47, 150/- at penal rate, which may be recovered from the agency and suitable department action is recommended against Sh. Hari Dutt Sharma the then Executive Engineer, Smt. Maj. Shaveta Sharma Nagarkoti, Executive Engineer.... for this lapses.	Charge sheet has been issued to all the delinquent Officers and inquiry Officer has been appointed. Recovery of Rs. 147150/- has been recovered from the agency.
	<b>Para No. 2.</b> That no lawful action/suitable department action has been initiated as recommended twice in the above mentioned letter against erring officials for erroneous approval to defective work by using deficient material by agency. The work can not be called satisfactory or safe when material like cement found short against the approved quantity.	Charge sheet has been issued to all the delinquent Officers and inquiry Officer has been appointed. The consumption of cement was within the permissible limit, however recovery of Rs. 147150/- has been recovered from the agency.

	<b>Para No. 3.</b> That none of the agency carefully checked the Work Experience and Financial Capability of agency carefully despite several complaints.	The financial capability certificate was examined by the then Executive Engineer, HSVP Division No. VI, Gurugram while decided the case regarding pre-qualification. However, the said certificate was not dispatched by the concerned division.
	<b>Para No. 4.</b> That in the meanwhile a Departmental Inquiry against Sh. Bhoop Singh, Executive Engineer and Smt. Maj. Shaveta Sharma Nagarkoti, Executive Engineer and others in the matter of Charge Sheet under Rule-7 of HCS (P&A) Rules, 2016 issued vide memorandum No. EA-4-2021/102291, 102254,102298, 102260, 102258, 102679 dated 11.06.2021 respectively (copy attached)	The fact is true and inquiry office has been appointed and the case is yet to be decided.
	<b>Para No. 5.</b> This email will be submitted before the Hon'ble Special Court Gurugram with attached documents as lawful action is not initiated and names were removed from charge sheet.	Need not reply
	(i) Raman Sharma e-mail dated 05.07.2023 at 01.01 PM:- <b>Para no. 1.</b> The List of Allegations- The scheduled offence under section 197 of the Code of Criminal Procedure and Section 19 of the Prevention of Corruption Act, 1988 is levelled against above named officials. The involvement of more government officials and private persons in the offence is not ruled out as the offence of Money Laundering is not disputed in this matter. The predicate offence is visible as officials of Revenue Department and HSVP/HUDA are actively involved in the offence. The names with designation will be informed soon as conspiracy & connivance of erroneous checking of Services and approvals without the verification at site and placements, defective registration of sale deeds and offence of destroying of Evidence is also informed. Following are offences with documentary evidence are placed with Complaint under the Public Interest Disclosure. The offences are cognizable and non bailable. The act mentioned in the Complaint under the Public Interest Disclosure are not performed in good faith.	As per practice, all such inspections are carried out by the Executive Engineer and further report is sent to DTCP through Head Office.

<p>i) That without Demarcation of Integrated Residential Plotted Colony namely Malibu Town, Sector-47 &amp; 50, Gurugram, how Ms. Shweta Sharma Nagarkoti, the then Executive Engineer, Division No.6, Haryana Shehri Vikas Pradhikaran, Gurugram and Sh. Mahinder Singh Yadav, the then Executive Engineer, Division No.6, Haryana Shehri Vikas Pradhikaran, Gurugram, Sh. Manoj Saini, the then Executive Engineer, Division No.6, Haryana Shehri Vikas Pradhikaran, Gurugram, Sh. Praveen Kumar, Executive Engineer, Division No.6, Haryana Shehri Vikas Pradhikaran, Gurugram checked the Service Plan Estimates, defective checking report of services with status &amp; misleading recommendations for issuance of completion certificate to defective, insufficient &amp; incomplete Services and issuance of Building Plans &amp; Occupation Certificates to various Community sites under third party rights and commercial buildings without placement of Solar Water Heating System and Water Harvesting System etc. from 01-01-2008. The Orders of Director Town &amp; Country Planning Haryana, Chandigarh vide ZP-5-Vol.-IV/AD/(RA)/2021/16699-16701 Dated-13-07-2021 confirms that Demarcation has to be done because of illegal sale of Green land in tune of 25% of 204.796 Acres plus land from open space. The illegal sale of more than 50 % land under non salable open space, transfer of 11.89 Acres land under Group Housing and Land planned for service Road is missing and all sites for Community Buildings planned under non-salable 45% area causing huge Financial loss and Land loss to the STATE EXCHEQUER and Property Buyers of Malibu Town because of corrupt act and abuse of power. The named officers either destroyed the record of Malibu Town or hiding as despite all efforts, they denied to share the record for the reason best known to them.</p>	<p>Inspection is carried out by the Executive Engineer, HSVP Division No. VI, Gurugram and submitted his report to TCP Department through proper channel. Therefore, if any laxity in caring out the inspection/submission of report is on the account of Division Office.</p>
<p>ii) That erroneous approvals to Service Plan Estimates, defective checking report of services with status &amp; misleading recommendations for issuance of completion certificate to defective, insufficient &amp; incomplete Services and issuance of Building Plans &amp; Occupation Certificates to various Community sites under third party rights and commercial buildings without placement of Solar Water Heating System and Water Harvesting System etc without Demarcation and compounding of offence of Integrated Residential</p>	<p>Inspection is carried out by the Executive Engineer, HSVP Division No. VI, Gurugram and submitted his report to TCP Department through proper channel. Therefore, if any laxity in caring out the inspection/submission of report is on the account of Division Office.</p>

3

<p>Plotted Colony namely Malibu Town, Sector-47 &amp; 50, Gurugram, motivated the HANDOVER-TAKEOVER between Municipal Corporation Gurugram and Licensee Company M/s Malibu Estate Pvt Ltd. The named officers are also part of offence to extend financial &amp; land benefits to Licensee company and hiding of record.</p>	
<p><b>Para No. 2</b> That Ms. Shweta Sharma Nagarkoti, the then Executive Engineer, Division No.6, Haryana Shehri Vikas Pradhikaran, Gurugram and Sh. Mahinder Singh Yadav, the then Executive Engineer, Division No.6, Haryana Shehri Vikas Pradhikaran, Gurugram, Sh. Manoj Saini, the then Executive Engineer, Division No.6, Haryana Shehri Vikas Pradhikaran, Gurugram, Sh. Praveen Kumar, Executive Engineer, Division No.6, Haryana Shehri Vikas Pradhikaran, Gurugram caused the loss of infrastructure called Service Road (approximately 10 mtr x 2000 mtr, which was neither laid nor transferred to HSVP/HUDA by Licensee Company M/s Malibu Estate Pvt Ltd, but above named officials confirmed to the Government in writing about the completion and transfer of service road with whole land i.e 204.796 Acres as mentioned in the 31 Licenses has caused huge financial losses to the State Exchequer and Property Buyers for offence under the Benami Transactions (Prohibition) Act, 1988.</p>	<p>Inspection is carried out by the Executive Engineer, HSVP Division No. VI, Gurugram and submitted his report to TCP Department through proper channel. Therefore, if any laxity in caring out the inspection/submission of report is on the account of Division Office.</p>
<p><b>Para No. 3</b> The violation of approved Layout at 49 places by raising unapproved structures and restricted services which does not affect human life are well in the knowledge of Ms. Shweta Sharma Nagarkoti, the then Executive Engineer, Division No.6, Haryana Shehri Vikas Pradhikaran, Gurugram and Sh. Mahinder Singh Yadav, the then Executive Engineer, Division No.6, Haryana Shehri Vikas Pradhikaran, Gurugram, Sh. Manoj Saini, the then Executive Engineer, Division No.6, Haryana Shehri Vikas Pradhikaran, Gurugram, Sh. Praveen Kumar, Executive Engineer, Division No.6, Haryana Shehri Vikas Pradhikaran, Gurugram and in the absence of effective Orders from DTCP Haryana, no action is initiated on offence. These illegal construction and unapproved infrastructure has extended unlawful financial &amp; Land Benefits to Licensee Company through its Directors and land losses to the State Exchequer and Property buyers of Malibu Town. How unaccounted money is not checked despite the provisions of the Haryana Development and Regulations of Urban Areas Act, 1975 &amp; Rules, 1976. The various reports on defective &amp; insufficient services and erroneous approvals to Licensee Company M/s Malibu Estate Pvt Ltd were written by Sh. A. K Makin the then Superintending Engineer, Circle-II, HUDA, Gurgaon.</p>	<p>Inspection is carried out by the Executive Engineer, HSVP Division No. VI, Gurugram and submitted his report to TCP Department through proper channel. Therefore, if any laxity in caring out the inspection/submission of report is on the account of Division Office.</p>

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<p><b>Para No. 5</b> The sale of Plots, various approvals and Handover-Takeover was permitted by DTCP Haryana and Sr. Town Planner, Gurugram in the absence of correct <b>DEMARCATION</b> of Integrated Residential Plotted Colony namely Malibu Town, Sector-47 &amp; 50, Gurugram by DTCP Haryana and Sr. Town Planner, Gurugram, which is illegal and same is an act against the State and Property buyers. They are liable for prosecution.</p>	<p>Matter does not relate to Civil Engineering Wing of HSVP.</p>
<p>(ii) Raman Sharma e-mail dated 21.06.2023 at 06.03 PM:-  <b>Para No. 1</b> The List of Allegations - The scheduled offence under section 197 of the Code of Criminal Procedure and Section 19 of the Prevention of Corruption Act, 1988 is levelled against above named officials. The involvement of more government officials and private persons in the offence is not ruled out as the offence of Money Laundering is not disputed in this matter. The predicate offence is visible as officials of Revenue Department and HSVP/HUDA are actively involved in the offence. The names with designation will be informed soon as conspiracy &amp; connivance of erroneous checking of Services and approvals without the verification at site and placements, defective registration of sale deeds and offence of destroying of Evidence is also informed. Following are offences with documentary evidence are placed with Complaint under the Public Interest Disclosure. The offences are cognizable and non bailable. The act mentioned in the Complaint under the Public Interest Disclosure are not performed in good faith.</p>	<p>As per practice, all such inspections are carried out by the Executive Engineer and further report is sent to DTCP through Head Office.</p>
<p>i) That No efforts made to complete Demarcation of Integrated Residential Plotted Colony namely Malibu Town, Sector-47 &amp; 50, Gurugram despite the Orders of Director Town &amp; Country Planning Haryana, Chandigarh vide ZP-5-Vol.-IV/AD/(RA)/2021/16699-16701 Dated-13-07-2021 by Ms. Renuka Singh, Sr. Town Planner, Gurugram and Sh. Sanjay Kumar, the then Distt. Town Planner (P), Gurugram and Sh. Rajesh Kaushik, Distt. Town Planner (P), Gurugram. That DTCP, Haryana directed to complete the Demarcation by 20-07-2021 i.e within 7 days. Demarcation is still not completed after passing of 685 Days has caused the illegal sale of 25% land under Green Area, transfer of 11.89 Acres land under Group Housing and Land planned for service Road and all sites for Community Buildings causing huge Financial loss and Land loss to the STATE EXCHEQUER and Property Buyers of Malibu Town.</p>	<p>The Matter relates to TCP Department</p>

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<p>ii) That without Demarcation and compounding of offence of Integrated Residential Plotted Colony namely Malibu Town, Sector-47 &amp; 50, Gurugram, Ms. Renuka Singh, Sr. Town Planner, Gurugram and Sh. Sanjay Kumar, the then Distt. Town Planner (P), Gurugram and Sh. Rajesh Kaushik, Distt. Town Planner (P), Gurugram allowed the <b>HANDOVER-TAKEOVER</b> between Municipal Corporation Gurugram and Licensee Company M/s Malibu Estate Pvt Ltd.</p>	<p>The Matter relates to TCP Department</p>
<p><b>Para No. 2</b> That Ms. Renuka Singh, Sr. Town Planner, Gurugram and Sh. Sanjay Kumar, the then Distt. Town Planner (P), Gurugram and Sh. Rajesh Kaushik, Distt. Town Planner (P), Gurugram caused the loss of infrastructure called Service Road (approximately 10 mtr x 2000 mtr, which was neither laid nor transferred to Municipal Corporation Gurugram and Licensee Company M/s Malibu Estate Pvt Ltd, but confirmed to the Government in writing about the transfer of whole land i.e 204.796 Acres mentioned in the 31 Licenses has caused offence under the Benami Transactions (Prohibition) Act, 1988.</p>	<p>Matter does not relate to HSVP. It relates to TCP Department and MCG.</p>
<p><b>Para No. 3</b> That list of 365 nos of Plots under the category of No Profit No Loss category plots neither provided to Complainant &amp; other property buyers nor placed with Plot numbers in open market for sale with price of the Plots has extended huge illegal financial gains to Licensee Company M/s Malibu Estate Pvt Ltd &amp; its collection agents through its Directors has given minimum 60% illegal benefit. Despite complaints no action is initiated. Plots under the category of No Profit No Loss category are sold in the open market to make illegal financial gains in connivance with officials of Town &amp; Country Planning, Haryana. The policy benefits of Complainant were snatched by Licensee Company M/s Malibu Estate Pvt Ltd &amp; its collection agents through its Directors with officials of Town &amp; Country Planning, Haryana. The unlawful gains are not known to the Tax Department and responsible agencies.</p>	<p>Matter does not relate to HSVP. It relates to TCP Department and MCG.</p>

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<p><b>Para no. 4.</b> The violation of approved Layout at 49 places by raising unapproved structures and restricted services which do not affect human life are well in the knowledge of Sr. Town Planner, Gurugram and in the absence of effective Orders from DTCP Haryana, no action is initiated on offence. These illegal construction and unapproved infrastructure has extended unlawful financial &amp; Land Benefits to Licensee Company through its Directors and land losses to the State Exchequer and Property buyers of Malibu Town. How unaccounted money is not checked despite the provisions of the Haryana Development and Regulations of Urban Areas Act, 1975 &amp; Rules, 1976.</p>	Matter does not relate to HSVP. It relates to TCP Department and MCG.
<p><b>Para No. 5</b> The sale of Plots, various approvals and Handover-Takeover was are permitted by DTCP Haryana and Sr. Town Planner, Gurugram in the absence of correct DEMARCATION of Integrated Residential Plotted Colony namely Malibu Town, Sector-47 &amp; 50, Gurugram by DTCP Haryana and Sr. Town Planner, Gurugram, which is illegal and same is an act against the State and Property buyers. They are liable for prosecution as Ms. Renuka Singh, Sr. Town Planner, Gurugram and Sh. Sanjay Kumar, the then Distt. Town Planner (P), Gurugram and Sh. Rajesh Kaushik, Distt. Town Planner (P), Gurugram are well in the knowledge of offence. Which land is on sale and Sale Deeds are registered by the revenue department. The nexus of Criminal minded connivance is causing huge financial and land losses to the State.</p>	Matter does not relate to HSVP. It relates to TCP Department and MCG.
<p><b>Para No. 6</b> The Club is performing all kinds of commercial activities without a valid Occupation Certificate.</p>	It relates to TCP Department
<p>(iii) Raman Sharma e-mail dated 10.07.2023 at 06.24 PM:-</p>	
<p><b>Para No. 1</b> That Sh. Vikas Dhanda, Estate Officer-II, Haryana Shahari Vikas Pradhikaran, Gurugram is responsible for the land Scam reported earlier and same which was also in the knowledge of the officer.</p>	Does not relate to Civil Engineering wing of HSVP.
<p><b>Para No. 2</b> That the story printed in The Tribune-Panipat, January 19, 2018</p>	No action is to be taken by the Civil Engineering Wing of HSVP Need not reply
<p><b>Para No. 3</b> That Haryana Shahari Vikas Pradhikaran official gets 6 months' jail for not handing over plot allotted in 1999 TNN   Apr 26, 2023, 11.58 AM IST (copy attached)</p>	

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<p><b>Para No. 4</b> The First Information regarding Offence against the State Exchequer and Taxpayers is submitted before the responsible offices for action as per the law. More details will follow shortly.</p>	No action is taken by the Civil Engineering Wing of HSVP
<p><b>Para No. 5</b> In the absence of action Legal Notice and Application for Mandatory Sanction will be submitted.</p>	Mandatory sanction is accorded by the Head of the Department. Hence no action is to be taken by this office.
<p>(iv) Raman Sharma e-mail dated 23.06.2023 at 06.14 PM:-</p>	
<p><b>Para No. 1</b> This is in reference to the subject cited above. The Drawing attached is well defined through various colours to explain the well planned offence performed by various Licensee Companies of DLF Group. The following are fact of the matter</p>	Matter relates to Estate Office and TCP Department.
<p>i) That details of Land in Drawing under point no. 3 - status of HSVP Land at site can be verified as the land encroached to get access in Club as Entry Point is under Ownership of HSVP but under unlawful possession of DLF Group to use as entry-exit point of Club Building and get financial gains without paying the lawful payment to HSVP. This land is under utilization by DLF Group of Companies without any valid permission and liable for punishment to make Government officials corrupt or terrorized by influence, which comes under serious offence and can not be spared.</p>	Matter relates to LAO and Estate Officer-II, HSVP Gurugram
<p>ii) That details of HSVP Land in Drawing under point no. 9 - status of Land where DLF constructed Roads &amp; Parks at site can be verified as the HSVP land encroached to place the road to complete the infrastructure and converted Parks to achieve the percentage of Green Area</p>	Matter relates to LAO, Estate Officer, Hort. Wing of HSVP and TCP Department.
<p>iii) The following offices are actively responsible for this offence and guilty of conspiracy in illegal transfer of public land and issued erroneous certificates i.e Completion Certificates to and get financial gains without paying the lawful payment to HSVP. This land is under utilization by DLF Group of Companies without any valid permission and liable for punishment to make Government officials corrupt or terrorized by influence, which comes under serious offence and can not be spared.</p>	Matter relates to LAO, Estate Officer, Hort. Wing of HSVP and TCP Department.

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	<b>Para No. 2.</b> That this act of fraud, cheating and unlawful gains by doing conspiracy in connivance against the State Exchequer and Taxpayers by following officials -:	
	1 The offence is performed and ignored by various names who were posted from time to time will be informed shortly. The details of offices are as under-;	No action is to be taken by Civil Engineering Wing of HSVP.
	i) The District Town Planner (P), Gurugram.	No action is to be taken by Civil Engineering Wing of HSVP.
	ii) The Sr. Town Planner, Gurugram	No action is to be taken by Civil Engineering Wing of HSVP.
	iii) Responsible officials of State Level Environment Impact Assessment Authority Haryana "SEIAA"	No action is to be taken by Civil Engineering Wing of HSVP.
	iv) The Sr. Town Planner HSVP, Gurugram.	No action is to be taken by Civil Engineering Wing of HSVP.
	v) The Estate Officer-II, HSVP, Gurugram.	No action is to be taken by Civil Engineering Wing of HSVP.
	vi) The SDO (Survey) O/o Estate Officer-II, HSVP, Gurugram.	No action is to be taken by Civil Engineering Wing of HSVP.
	II. The Directors of DLF Group of Companies are completely responsible for the offence mentioned above	No action is to be taken by Civil Engineering Wing of HSVP.
	III. The First Information regarding Offence against the State Exchequer and Taxpayers is submitted before the responsible offices for action as per the law. More details will follow shortly.	No action is to be taken by Civil Engineering Wing of HSVP.
	IV. In the absence of action Legal Notice and Application for Mandatory Sanction will be submitted.	No action is to be taken by Civil Engineering Wing of HSVP.
	(v) Raman Sharma e-mail dated 09.08.2023 at 05:52 PM:-	
	<b>Para No. 1</b> No action taken by Retd. Major Shweta Sharma Nagarkoti, the then Executive Engineer, HUDA Division No. 6, Gurgaon against contractual company M/s Brij Gopal Construction Co. Pvt Ltd on the complaint on the defective construction, irregularities at site and violations of terms for the work Completion Report and Copy of Final bill for all other work done and payment made of work order No. 4024-29	Charge sheet has been issued to all the delinquent Officers and inquiry Officer has been appointed. Recovery of Rs. 147150/- has been recovered from the agency.

9

	Dated 25/03/2013 work of providing external storm water drainage scheme of sector 81 to 98 Gurgaon "construction of Badshahpur Nallah from Sohna Road to NH-8 Gurgaon providing and lowering RCC Pipes No. 3, Construction of RCC Pipe NP-3 RCC Box Drain of various size along manholes etc and all other work contingent thereto allotted.	
	<b>Para No. 2</b> No action taken on the complaints by Retd. Major Shweta Sharma Nagarkoti, the then Executive Engineer, HUDA Division No. 6, Gurgaon against contractual company M/s Brij Gopal Construction Co. Pvt Ltd on the defective construction, irregularities at site and violations of terms for the work Completion Report and Copy of Final bill for all other work done and payment amounting Rs. 135 Crore of work order No. 4024-29 Dated 25/03/2013 work of providing external storm water drainage scheme of sector 81 to 98 Gurgaon "construction of Badshahpur Nallah from Sohna Road to NH-8 Gurgaon providing and lowering RCC Pipes No. 3, Construction of RCC Pipe NP-3 RCC Box Drain of various size along manholes etc and all other work contingent thereto allotted.	Charge sheet has been issued to all the delinquent Officers and inquiry Officer has been appointed. Recovery of Rs. 147150/- has been recovered from the agency.
	<b>Para No. 3</b> No action taken by Retd. Major Shweta Sharma Nagarkoti, the then Executive Engineer, HUDA Division No. 6, Gurgaon against contractual company M/s Brij Gopal Construction Co. Pvt Ltd on the complaint on the defective construction, irregularities at site and violations of terms for the work Completion Report and Copy of Final bill for all other work done and payment made of work of Construction of Kost Nallah (Drain) with RCC Box Drain from Sector 58 to Sohna Road, Gurgaon. " Earth work in excavation, construction of box drain of various sizes along with manholes etc. and all other works contingent thereto"(including 3 years maintenance defect liability period free of cost. The Communication on Charge Sheet of various officers of HSVP regarding "Providing external storm water drainage in Sector - 81 to 98, Urban Estate, Gurugram is as under-;	Charge sheet has been issued to all the delinquent Officers and inquiry Officer has been appointed. Recovery of Rs. 147150/- has been recovered from the agency.

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<b>Para No. 4.</b> No action recommended against erring officials and Contractual Company for projects mentioned under point No 1, 2 & 3 for the DNIT.	Charge sheet has been issued to all the delinquent Officers and inquiry Officer has been appointed. Recovery of Rs. 147150/- has been recovered from the agency.
<b>Para No. 5</b> No report submitted before the Chief Administrator, HUDA, Panchkula and Chief Engineer, HUDA Panchkula against erring officials and Contractual Company regarding projects mentioned under point No 1, 2 & 3 for defects and incomplete works according to the terms & conditions of the DNIT.	Report of the State Vigilance has been submitted in the Head Office. Therefore, further action is to be taken by Head Office.
<b>Para No. 6</b> No case filed against erring officials and Contractual Company for the projects mentioned under point No 1, 2 & 3 for defective and incomplete in accordance with the terms & conditions of the DNIT.	Charge sheet has been issued to all the delinquent Officers and inquiry Officer has been appointed. Recovery of Rs. 147150/- has been recovered from the agency.
<b>Para No.7</b> The list of defects noted and informed to the Chief Administrator, HUDA, Panchkula and Chief Engineer, HUDA Panchkula and Contractual Company project mentioned under point No 1, 2 & 3.	Report of the State Vigilance has been submitted in the Head Office. Therefore, further action is to be taken by Head Office.
<b>Para No. 8</b> The report of Financial Capability Certificate and Work Experience Certificate issued by the then Executive Engineer, Division No. 6, HUDA Gurgaon for the allegedly work executed/done and payment made of work of providing external storm water drainage scheme of sector 81 to 98 Gurgaon "construction of Badshahpur Nallah from Sohna Road to NH-8 Gurgaon providing and lowering RCC Pipes No. 3, Construction of RCC Pipe NP-3 RCC Box Drain of various size along manholes etc and all other work contingent thereto allotted vide work order No. 4024-29 Dated 25/03/2013. The agency has completed the work amounting to Rs. 135 Crore (approx.) to the entirety of the satisfaction department" was never reported to the higher authorities. This document needs to be examined with the copy of bills & payment made in accordance with the amount mentioned in the certificate.	The financial capability certificate was examined by the then Executive Engineer, HSVP Division No. VI, Gurugram while decided the case regarding pre-qualification. However the said certificate was not dispatched by the concerned division.
<b>Para No. 9.</b> No final inspection report of the project mentioned under point No 1, 2 & 3.	Work is not finalised till date. Hence final inspection is not carried out.

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<b>Para No. 10</b> No details of total fees deposited for Arbitration Appeals filed before JUSTICE (RETD) V. K Bali for the claims of worth Rs. 71.47 Crore on 20,09,2021.	Fee is paid as per arbitration act.
<b>Para No. 11</b> No details of total fees deposited for Arbitration Appeals filed before arbitrator Sh. B. S. Chauhan worth Rs. 249.90 Crore on 02-08-2021.	Fee is paid as per arbitration act.
<b>Para No. 12</b> The name and work experience of the Advocate engaged by Haryana Shahri Vikas Pradhikaran to defend both the Appeals mentioned under point no. 10 & 11 must be checked.	This information is not available in this office.
<b>Para No. 13</b> What was the total worth of the company of Appellant of both the Appeals mentioned under point no. 10 & 11 during the financial year 2013-14 and 2014-15 and 2015-16 and 2016-17.	Executive Engineer, HSVP Division No. VI, Gurugram has been directed to provide above report to Sh. Raman Sharma.
<b>Para No. 14</b> The details of total expenditure on maintenance by the Appellant company during financial year 2013-14 and 2014-15 and 2015-16 and 2016-17 or thereafter on both the projects mentioned under point No 1, 2 & 3 are to be checked as water logging was reported right from the year 2015 regularly.	Executive Engineer, HSVP Division No. VI, Gurugram has been directed to provide above report to Sh. Raman Sharma.
<b>Para No. 15</b> The copy of NOC/Certificates obtained from Forest Department, Irrigation Department, MCG, CGWB, HSPCB, CPCB and Ministry of Environment under the Environment Protection Act and construction of Box drain on the land under the category of Protected Forest Land and Gair Mumkin land and between the land under the category of Protected Forest Land and Gair Mumkin land for the construction of on both the project mention under point No 1, 2 & 3 by the Appellant company before the start of the projects.	No NOC/Certificate from Forest Department, Irrigation Department, MCG, CGWB, HSPCB, CPCB and Ministry of Environment under the Environment Protection Act has been taken.
(v) Raman Sharma e-mail dated 21.03.2023 at 08.56 AM:-	Matter relates to Malibu Towne Sector-47 & 50, Gurugram and the contents of complaint not relates to Engineering Wing of HSVP, except mandatory sanction which relates to Head Office.

*R. Sharma*  
Superintending Engineer,  
HSVP, Circle Gurugram.

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**Endst. No.****Dated:**

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

1. The Administrator, HSVP Gurugram.
2. The Superintending Engineer (Vig) O/o Chief Vigilance Officer, HSVP Panchkula w.r.t. his office letter No. E.E. (VIG)/CVO/2023/198953 dated 15.09.2023 address to Chief Engineer-I, HSVP Panchkula.
3. The Executive Engineer, HSVP Division No. I, IV, V & VI, Gurugram for taking further necessary action in the matter.

*S. Sharma*  
Superintending Engineer,  
HSVP, Circle Gurugram.

## ANNEXURE – H-10

Registered Post

Malibu Estate Pvt. Ltd.

Site Office: 2<sup>nd</sup> Floor, Shopping Arcade, Malibu Towne, Sector 47, Sohna Road, Gurugram, Haryana  
– 122018. Tele No. 0124-4322500.

Ref. No. : MT/MEPL/ 4/403

Date: 03<sup>rd</sup> Feb. 2022.

Mr./Ms. ATUL ARORA

R/O FLAT NO.4/403

MALIBU TOWNE, SECTOR 47

SOHNA RAOD, GURGOAN-122018.

Dear Allottee / Owner,

As informed to the residents earlier also it is with your co-operation and support that we try to manage Malibu Towne, so that it is one of the best township developments amongst its peers. Moreover, there is always scope for improvement, and it will be our continuous effort to ensure that its clean and green ambience, aesthetic, unique layout, open spaces, parks and adequate infrastructure, in terms of electricity and water availability, makes its residents proud of Malibu Towne.

The necessary facilities of 33/11 KVA Electric substations, DG Sets, Pump Rooms, UGT water tank and Sewage Treatment Plants have been provided as part of the development and subsequent upgradation. These facilities were duly approved by the authorities, but not marked on the layout plan as it was not mandatory at that time. These facilities are obviously critical for an uninterrupted flow of services in the township and for the betterment of the whole township.

In accordance with the process, a request has been made to DTCP to get these facilities marked on the layout plan. A copy of the proposed Layout Plan bearing *drawing no. DTCP/5626 Dated: 28.09.2016* approved-in-principle by the DTCP, Chandigarh, Haryana, marked with these facilities is available at Malibu Estate Pvt. Ltd. office & also on our company's website [www.malibutowneggn.com](http://www.malibutowneggn.com) as directed by DTCP vide letter dated 27.01.2022 in compliance of the order dated 25.01.2021. We are also available for any clarification, if required.

However, please feel free to file objection, if any, to "Senior Town Planner- Gurugram" by 07<sup>th</sup> March 2022, at Sector 14, HUDA Complex, Gurugram.

Thanking you,

For, Malibu Estate Pvt. Ltd.



Authorized Signatory.

CC : Senior Town Planner, Gurugram

## ANNEXURE – H-11

## OFFICE OF THE EXECUTIVE ENGINEER, HUDA, DIV. NO. VI, GURGAON

To

M/S Malibu Estate Pvt. Ltd.,  
38 DDA, Commercial Colony,  
Kailash Colony Extn., (Aamrudpur)  
New Delhi-110048

Memo No. 4627

Dated: 28/09/15

Sub: -

Grant of Completion Certificate (License No. 15 of 2008 dated 31.10.2008) for Residential Plotted Colony measuring 24.681 Acres in Sector- 47 and 50 Gurgaon being developed by M/S Malibu Estates Pvt. Ltd.

In this regard, it is brought to your kind notice that the file as regard to grant of completion certificate License No. 15 of 2008 dated 31.10.2008) for Residential Plotted Colony measuring 24.681 Acres in Sector- 47 and 50 Gurgaon being developed by M/S Malibu Estates Pvt. Ltd. as submitted in the Town & Country Department by your firm has been received in this office through C.E.-I, HUDA, PKL No. 3502 dated 06.04.2015 and S.E.-II, HUDA, GGN No. 5021-23 dated 15.04.2015. Before further action taken in the matter, it is requested to please supply the following information to this office immediately.

1. The layout plan showing the different licenses issued by the DGTCPC for setting up of Residential Colony namely Malibu Town forming part of Sec-47 & 49 along with the copy of various licenses.
2. The completion plan be submitted in quadruplicate clearly shown the services laid at site.
3. Nos. of water, sewer & SWD connections sanctioned to your colony along with the copy of approval thereof be supplied to this office.
4. It may please inform as to whether any pumping arrangement has been made at site for disposal of Sewer & Storm Water.
5. It may please inform as to whether Sewage treatment Plan has been constructed in your colony or not. If yes, the permission to construct the STP in your colony be supplied.
6. It may certify that all the work has been completed in your colony are in accordance to the service plan estimate approved by the DGTCPC w.r.to levels and specifications etc.
7. The details of part completion/ occupation already accorded duly shown on the plans be sent to this office.
8. Beside the above, it may also inform that as to whether the following conditions of the license has been complied with by your firm or not.
  - (a) The licensee shall construct the portion of service road forming part of licensed area at his own cost and will transfer the same free of cost to the Government along with the area falling in green belt.
  - (b) That you shall obtain approval/ NOC from the competent authority to fulfil the requirements of notification dated 14.09.2006 issued by the Ministry of Environment & Forests, Govt. of India before starting the development works in the colony.

The above information must reach in this office with an period of 7 days failing which it will presume that you are not able to provide the same. The completion case as received will be returned to the higher authority with the above remarks.

Executive Engineer,  
HUDA, Div. No. VI,  
Gurgaon

Dated

Endst. No.

A copy of above is forwarded to the following:-

1. The Chief Engineer-I, HUDA, Panchkula w.r.to memo No. 3802 dated 06.04.2015.
2. The Superintending Engineer, HUDA, Circle No. II, Gurgaon w.r.to Endst. No. 5021-23 dated 15.04.2015.
3. The Sub Divisional Engineer, HUDA, Sub Div. No. XI, Gurgaon.

ANNEXURE – H-12

  
MALIBU TOWNE

ER  
Dr. Subodh Chandra Sengupta  
2552  
21/5/15  
EE VI  
Jr

Dated-11-05-2015

To,  
Executive Engineer,  
HUDA, Div.No. VI,  
Gurgaon.

Sub-Grant of Completion Certificate ( Lic. No15 of 2008 dated.31-10-2008) for residential plotted Colony measuring 24.681 Acres in Sectors 47 and 50, Gurgaon being developed by M/S Malibu Estate Pvt. Ltd.

Sir,

Reference your Memo No 4627 dated 28-04-2015 received on 7-05-2015

Enclosed please find the following documents as desired by you.

1. Layout plans along with copy of various licences.
2. Completion Plan with services laid at site.
3. Connection sanctioned. Water=2, Sewage -3, SWD- 3 (Copies of Approvals Attached)
4. No pumping arrangement has been made.
5. Yes, the Sewage Treatment Plants have been constructed. Permission to construct has been sent for approval.
6. It is certified that all the work in the Colony has been completed as per the Service Estimates. Undertaking Attached
7. The Details of completion certificates/ Occupation already accorded shown on the Plan
8. The Following Conditions have been met.
  - a) Construction Part of the service road falling in the above stated Licence.
  - b) As this approval was not applicable in our case. We have been asked to get the clearance now and it has been applied for Copy of Application enclosed.

Thanks.

*copy to SDE-XI for N.A. Action*

Malibu Estate Pvt. Ltd  
  
 Authorised Signatory

Encl. No. 6099 Date: 04/06/15  
 A Copy of the above is forwarded to the following for immediate necessary action & report. This is in continuation of  
 1. Sub Divisional Engineer, HUDA Sub Division No. 1, XI & XVIII, Gurgaon  
 t/o enclst. No. 4630 dt. 28/04/15

*for*  
 Executive Engineer  
 Huda Div No. VI, GGN

*DA/As received for*

## ANNEXURE – H-13

**OFFICE OF THE SUB DIVISIONAL ENGINEER, HUDA, SUB DIV. NO. XI, GURGAON**

To  
The Executive Engineer,  
HUDA, Div. No. VI,  
Gurgaon

Dy. Engineer  
11/6/15

Memo No. 1129 Dated: 11-6-15

Sub: - **Grant of Completion Certificate (License No. 15 of 2008 dated 31.10.2008) for Residential Plotted Colony measuring 24.681 Acres in Sector- 47 and 50 Gurgaon being developed by M/S Malibu Estates Pvt. Ltd.**

Ref: - **Kindly refer to your office Endst. No. 6099 dated 04.6.2015 on the subject noted above.**

In this regard, it is brought to your kind notice that the site has been inspected by the undersigned on dated 08.06.2015 with regard to grant of completion certificate License No. 15 of 2008 dated 31.10.2008) for Residential Plotted Colony measuring 24.681 Acres in Sector- 47 and 50 Gurgaon being developed by M/S Malibu Estates Pvt. Ltd. as submitted in the Town & Country Department by your firm has been received in this office through C.E.-I, HUDA, PKL No. 3502 dated 06.04.2015 and S.E.-II, HUDA, GGN No. 5021-23 dated 15.04.2015. The firm vide their letter dated 11.05.2015 resubmitted the completion plans after attending to the observations as pointed out and conveyed to him vide your office memo No. 4627-30 dated 28.04.2015. On perusal of the reply it reveals that the firm had not been attended the observations completely as pointed out by your office. However, the site was visited by the undersigned on dated 08.06.2015 on the basis of site visit, the report is as under:-

1. On issuance of license No. 15 of 2008 dated 31.10.2008, firm M/S Malibu Estate Pvt. Ltd. got approved the estimate for the additional are of 24.681 Acres forming Part of Sec-47 & 50, Gurgaon by making the total area of the colony 204.796 Acres. The area against License No. 15 of 2008 is in different pocket and the integrated with the existing services of the colony due to which some sizes of pipe needs to be upgraded. The same has not been shown on the completion plan, nor might upgraded at site.
2. As per the Service Plan Estimate approved by the DGTCP Haryana, Chandigarh, there was no provision for pumping out the sewerage & drainage of the colony. The same is supposed to be integrated with the Master Services of HUDA exist on Sohna Road & as well road dividing 47/50. The pumping of sewage at 3 places inside the colony and as well at one place for SWD are being made by the colonizer. The complainant Sh. Raman Sharma made the complaint regarding pumping being carried out by the colonizer and is under investigation in the O/o Chief Vigilance Officer, HUDA, Panchkula on the direction of Hon'ble Lokayukta in the case No. 320 of 2011.
3. The services of the pocket situated in Sec-50 is to be integrated with the services of major part of colony in Sec-47. However, it is learnt that the sewer connection for the Commercial complex namely Good Earth has been got sanctioned by the firm from the Master Sewer road dividing Sec-47/50 whereas the services of Shopping Centre is to be integrated with the services of Pocket of Sec-47. Similarly, the water connection for the Commercial Complex namely Good Earth was sanctioned by the E.E.-III, HUDA, GGN, later on the same had been withdrawn by E.E.-III. It is submitted that the water to the Commercial Complex is to be integrated from the Major pocket of Sec-47. It seems that the services of pocket in Sec-50 has not been integrated with the main colony in Sec-47. The matter as regard to granting/ withdrawing the water/ sewer connection was also discussed during the

4. 4 Nos. Sewerage Treatment Plant has been provided by the colonizer without getting any approval from the authority. The green belt has been utilized for the purposes. The matter as regard to providing STP without any approval is also being investigated by the C.V.O on the directions of Hon'ble Lokayukta in the Case No. 320 of 2011.
5. Beside the above, the firm has not given any reply on the following issue as per the terms of license:-
  - (a) The licensee shall construct the portion of service road forming part of licensed area at his own cost and will transfer the same free of cost to the Government along with the area falling in green belt.
  - (b) That you shall obtain approval/ NOC from the competent authority to fulfil the requirements of notification dated 14.09.2006 issued by the Ministry of Environment & Forests, Govt. of India before starting the development works in the colony.

In view of above, it is proposed that the completion plan as received may be returned to the higher authority with the above observations.

DA/ Completion Plan as received

*[Signature]*  
Sub Divisional Engineer,  
HUDA, Sub Div. No. XI,  
Gurgaon

## ANNEXURE – H-14

**OFFICE OF THE EXECUTIVE ENGINEER, HUDA, DIVN. NO. VI, GURGAON.**

To

The Superintending Engineer,  
HUDA, Circle No. -II,  
Gurgaon.

Memo No. 7153

Dated. 19/01/15

**Sub :** Grant of Part Completion Certificate for (License No.15 of 2008 dated 31.10.2008) Residential Plotted Colony measuring 24.681 acres in Sec-47 and 50 Gurgaon being developed by Malibu Estates Pvt. Ltd.

**Ref:** Your good office Endst. No. 5021-23 dated 15.04.15 on the above noted subject.

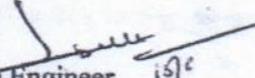
In this regard, it is intimated that the site has been inspected with regard to grant of part completion certificate for above said plotted colony & returned with the following observations:-

1. On issuance of license No. 15 of 2008 dated 31.10.2008, firm M/s Malibu Estate Pvt. Ltd. got approved the estimate for the additional area of 24.681 Acres forming part of Sec-47 & 50, Gurgaon by making the total area of the colony 204.796 Acres. The area against License No. 15 of 2008 is in different pocket and the integrated with the existing services of the colony due to which some sizes of pipe needs to be upgraded. The same has not been shown on the completion plan nor might upgraded at site.
2. As per the Service Plan Estimate approved by the DGTCP Haryana, Chandigarh, there was no provision for pumping out the sewerage & drainage of the colony. The same is supposed to be integrated with the Master Services of HUDA exist on Sohna Road & as well road dividing Sec-47/50, Gurgaon. The pumping of sewage at 3 places inside the colony and as well at one place for SWD are being made by the colonizer. The complainant Sh. Raman Sharma made the complaint regarding pumping being carried out by the colonizer and is under investigation in the O/o Chief Vigilance Officer, HUDA, Panchkula on the direction of Hon'ble Lokayukta in the case No.320 of 2011.
3. The services of the pocket situated in Sec-50 is to be integrated with the services of major part of colony in Sec-47, Gurgaon. However, it is learnt that the sewer connection for the Commercial complex namely Good Earth has been got sanctioned by the firm from the Master Sewer road dividing Sec-47/50, Gurgaon whereas the services of Shopping Centre is to be integrated with the services of Pocket of Sec-47, Gurgaon. Similarly, the water connection for the commercial complex namely Good Earth was sanctioned by the E.E.-III, HUDA, Gurgaon later on the same has been withdrawn by E.E.-III. It is submitted that the water to the Commercial Complex is to be integrated from the Major pocket of Sec-47, Gurgaon. It seems that the services of pocket in Sec-50 has not been integrated with the main colony in Sec-47, Gurgaon. The matter as regard to granting/withdrawing the water/sewer connection was also discussed during the investigation in the O/o C.V.O. HUDA, Panchkula.
4. 4 Nos. Sewerage Treatment Plant has been provided by the colonizer without getting any approval from the authority. The green belt has been utilized for the purposes. The matter as

the directions of Hon'ble Lokayukta in the Case No.320 of 2011.

5. Beside the above, the firm has not given any reply on the following issue as per the terms of license:-
- The licensee shall construct the portion of service road forming part of license area at his own cost and will transfer the same free of cost to the Government along with the area falling in green belt.
  - That the licensee shall obtain approval/NOC from the competent authority to fulfil the requirements of notification dated 14.09.2006 issued by the Ministry of Environment & Forests, Govt. of India before starting the development works in the colony.

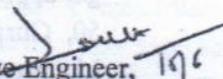
This is for your kind information & further necessary action please.

  
Executive Engineer, 15/6  
HUDA, Div. No. VI,  
Gurgaon.

Endst. No. 7154

Dated:   
19/6/15 15/06/15

A copy of the above is forwarded to Sub Divisional Engineer, HUDA, Sub Div. No. I, Gurgaon for information & necessary action w.r.to his letter No.1129 dated 11.06.15

  
Executive Engineer, 19/6  
HUDA, Div. No. VI,  
Gurgaon.

  
15/06/15

## ANNEXURE – H-15

OFFICE OF THE SUPERINTENDING ENGINEER, HUDA, CIRCLE-II, GURGAON.

To

The Chief Engineer-I,  
HUDA, Panchkula

Memo No.

Dated.

**Sub: - Grant of part completion certificate for (License No. 15 of 2008 dated 31.10.2008) Residential Plotted colony measuring 24.681 acres in Sec-47 and 50 Gurgaon being developed by Malibu Estate Pvt. Ltd.**

**Ref: Kindly refer to your office memo No. 3802 dated 06.04.2015 on the above noted subject.**

The above case relating to grant of completion certificate for the licensed area mentioned above set up by M/s Malibu Estate Pvt. Ltd. was received from your office vide letter referred above to verify the works done at site by the colonizer and to send the comments detailed report in the matter.

In persuasion of above reference, the Executive Engineer, HUDA, Div. No. VI, Gurgaon was asked by this office vide endst. No. 5021-23 dated 15.04.2015 to inspect the site and submit detailed report in respect of works completed by colonizer in the above mentioned colony. The Executive Engineer, HUDA, Div. No. VI, Gurgaon has reported vide his office memo No. 7153 dated 19.06.2015 that "the site has been inspected with regard to grant of part completion certificate for above said plotted colony & the following points were observations:-

1. On issuance of license No. 15 of 2008 dated 31.10.2008, firm M/s Malibu Estate Pvt. Ltd. obtained approval of the estimate for the additional area of 24.681 Acres, forming part of Sec-47 & 50, Gurgaon, by making the total area of the colony as 204.796 Acres.

The area against License No. 15 of 2008 is in different pocket and the integrated with the existing services of the colony due to which some sizes of pipe needs to be upgraded. The same has not been shown on the completion plan nor might upgraded at site.

2. As per the Service Plan Estimate approved by the DGTCP Haryana, Chandigarh, there was no provision for pumping out the sewerage & drainage of the colony. The same is supposed to be integrated with the Master Services of HUDA exist on Sohna Road & as well road dividing Sec-47/50, Gurgaon. The pumping of sewage at 3 places, inside the colony and as well at one place for SWD are being made by the colonizer.

S.E II  
HUDA GGO  
3

The complainant "Sh. Raman Sharma" made the complaint regarding pumping being carried out by the colonizer and is under investigation in the O/o Chief Vigilance Officer, HUDA, Panchkula, on the direction of Hon'ble Lokayukta in the case No.320 of 2011.

3. The services of the pocket situated in Sec-50 is to be integrated with the services of major part of colony in Sec-47, Gurgaon. However, it is learnt that the sewer

Gurgaon whereas the services of Shopping Centre is to be integrated with the services of Pocket of Sec-47, Gurgaon. Similarly, the water connection for the commercial complex namely Good Earth was got sanctioned by the Executive Engineer, HUDA, Div. No. III, Gurgaon but later on the same has been withdrawn by Executive Engineer, HUDA, Div. No. III, Gurgaon. The water supply to the Commercial Complex is to be integrated from the Major pocket of Sec-47, Gurgaon. It seems that the services of pocket falling in Sec-50 have not been integrated with the services of main colony in Sec-47, Gurgaon. The matter, as regard to granting/withdrawing the water/sewer connection was also discussed during the investigation in the O/o C.V.O. HUDA, Panchkula.

3428  
20/6/15

4. 4 Nos. Sewerage Treatment Plant has been provided by the colonizer without getting any approval from the authority & the green belt has been utilized for the puposes. The matter as regard to providing STP without any approval is also being investigated by the C.V.O. on the directions of Hon'ble Lokayukta in the Case No.320 of 2011.
5. Beside the above, the firm has not given any reply on the following issue as per the terms of license:-
  - a) The licensee shall construct the portion of service road forming part of license area at his own cost and will transfer the same free of cost to the Government along with the area falling in green belt.
  - b) That the licensee shall obtain approval/NOC from the competent authority to fulfill the requirements of notification dated 14.09.2006 issued by the Ministry of Environment & Forests, Govt. of India before starting the development works in the colony".

In view of the above, scenario, completion plans as received from your office vide letter under reference are returned herewith along with above inspection report carried by Executive Engineer, HUDA, Div. No. VI, Gurgaon for information and taking further necessary action.

DA/-

- 2 sets of completion plan along with copy of letters in original

*sd*  
(A. K. Maken)  
Superintending Engineer,  
HUDA, Circle-II, Gurgaon

Endst. No. *9612*

Dated: *23/6/2015*

A copy of the above is forwarded to the Executive Engineer, HUDA, Div. No. VI, Gurgaon w.r.t. his report submitted vide memo No. 7153 dated 19.06.2015 for information & necessary action. *your letter dt 19.6.15 was received in this office on 23/6/15*

*A. K. Maken*  
(A. K. Maken)  
Superintending Engineer,  
HUDA, Circle-II, Gurgaon

## ANNEXURE - H-16

from pre page

## WORKS:-

1. Water supply	102.46 lacs
2. Sewerage	43.31 lacs
3. Storm Water Drainage	53.58 lacs
4. Road and Footpath	114.50 lacs
5. Street lighting	15.55 lacs
6. Horticulture & Plantation.	12.50 lacs
7. Maintenance as per HUDA norms & surfacing	118.40 lacs
Total	<u>460.40 lacs</u>

The Chief Engineer HUDA has included the cost of maintenance and re-surfacing in the estimates which needs require to be included for the bank guarantee purpose-s because after the completing of the colony while releasing a bank guarantee under Rule 20 of the Haryana Development and Regulation of Urban Areas Rules 1976, 1/5th bank guarantee is kept un-released for the maintenance of the colony for the period of five years from the date of completion of the colony. As such the 25% bank guarantee for the cost of internal development i.e. Rs.342.00 lacs may be charged which comes to Rs.85.5 lacs may be obtained.

With regard to external development charges it is submitted that Rs.6.00 lacs per gross acre has been fixed. Therefore the bank guarantee for Rs.162.00 lacs which is 25% of the total cost may be obtained on account of external development charge. It is further submitted that since the layout plan of the colony has been revised therefore the service plans estimates are also required to be prepared on the basis of approved latest layout plan therefore after the grant of licence/approval of layout plan the coloniser may be asked that the cost of internal development charge has been worked out on the interim basis and they will be bound to furnish the additional bank guarantee if any which will be worked out on the basis of actual approved latest layout plan.

(g) Conformity of the development works of the colony land to those of neighbouring area.

As already pointed out that the site of the proposed colony is situated in the residential sector

## ANNEXURE – H-17



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

Tel: 0124-2332775, 2220523  
 Website: [www.hspcb.gov.in](http://www.hspcb.gov.in)  
 Email: [hspcbrogrn@gmail.com](mailto:hspcbrogrn@gmail.com)  
 Dated 28-8-2020

No. HSPCB/GRN/2020/ 1345  
 To

Er. Rakesh Singh,  
 WW-23-GF, Malibu Towne,  
 P.O. South City II Gurugram 122018 (Haryana)  
Email ID:- rti.rakesh@gmail.com

**Sub:-** Seeking information under RTI Act, 2005 within 48 Hrs as per section 7 (1) of Act to produce information so collected in court to enable to get relief from Hon'ble Courts.

**Ref:** Your RTI application dated 27.08.2020 received in this office on 27.08.2020.

In this connection, it is intimated that desired information of your RTI application under RTI Act, 2005 pertaining to Gurgaon Region (North) as per office record is as under:-

Sr. No.	Information sought	Reply
1	Certified true copy of permission given to Malibu Estate Private Limited & Others (MEPL) towards sewage disposal system during 1992 to 2011.	No such permission was granted by this office.
2.	Certified true copy of permission given to Malibu Estate Private Limited & Others (MEPL) towards sewage disposal system during 2011 to till date.	Copy of Consent to Operate (CTO) granted is enclosed herewith as <b>Annexure-1</b> . Recommendation for revocation of CTO and Authorization has already been sent to Head Office.
3	Please provide the complete operation details of sewage disposal system so provided by MEPL.	Detail of sewage disposal system is annexed as <b>Annexure-2</b> .
4.	Please provide the details of locations of sewage disposal system so provided by MEPL.	Detail of locations of sewage disposal system is <b>Annexure-3</b> .
5	Please provide the total number of STP provided by MEPL and its location details.	Same as point No. 4.
6.	Please provide the complete operation details of STP provided by MEPL.	Same as point No. 3.
7.	Please provide total number of composting plants provided by MEPL along with its location details.	<b>Annexure -4</b>

8.	Please provide the complete operation details of composting plants provided by MEPL.	<b>Annexure -4</b>
9.	Please provide the storm water drain mechanism, location, system with operational details provided by MEPL.	No such kind of record is available in this office record.
10	Please provide the Water Harvesting System mechanism, location, system with operational details as provided MEPL.	As per project report submitted by the project proponent, 08 Nos. of rain water harvesting are provided.
11	Please provide the list of notice issued to MEPL till date.	Information annexed as <b>Annexure-5</b> .
12	Please provide certified true copy of notice issued as Para 11 above.	Information annexed as <b>Annexure- 5</b>
13	Please provide certified true copy of Environmental Clearance given to MEPL.	No such kind of record is available in this office record.
14	Please provide the copy of recommendation /permission /sanction requested to from Head Office to prosecute MEPL.	Information annexed as <b>Annexure- 5</b>

Further any clarification from this office if required you may visit this office within 07 days of receipt of this communication in person.

**DA/ As above**

*[Signature]*  
**PIO-cum-Regional Officer**  
**Gurugram Region (N)**

## ANNEXURE – H-18

## OFFICE OF THE EXECUTIVE ENGINEER, HUDA, DIV. NO. VI, GURGAON

To

The Superintending Engineer,  
HUDA, Circle No. II,  
Gurgaon.

Memo No. 7008

Dated: 18/6/15

Sub: -

Estimate for Providing Water Supply, Sewerage, Storm Water Drainage, Roads, Street Lights & horticulture in respect of revised Group Housing Scheme for an area measuring 11.89 Acres situated in Sec-47 & 50, Malibu Towne, Sohna Road, Gurgaon being developed by Malibu Estate Pvt. Ltd.

Ref:-

Kindly refer to your office Endst. No. 6176-78 dated 04.05.2015 on the subject noted above.

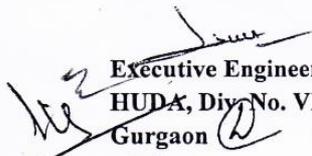
In this regard, it is intimated that the Service Plan Estimate are returned herewith with the following observations:-

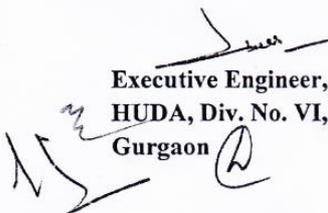
1. The Service Plan Estimate are required to be got approved from the competent authority as early as possible prior to construction take place at site, so that there may not be any ambiguity during the construction and as well linking the services with the external services of the town. The service plan estimate has been submitted by the firm after the period of about 18 years of approval of Building Plan, while the colony has been fully developed.
2. The Building Plan of the subject noted Group Housing Colony was approved by the DGTCP, Haryana Chandigarh vide memo No. 5172 dated 24.04.1997 and the validity of plan for a period of 5 years only. The same had already been lapsed, therefore the firm be asked to get it revalidated from the DGTCP.
3. The firm has provided Sewage Treatment Plant in the Malibu Colony, whereas the provision for the same was not included in this estimate.
4. The provision for internal pumping has been made at site near Club House for disposal of sewage in the Master Sewer situated on Sohna Road whereas in the main estimate of Plotted Colony, there is no provision for pumping of internal sewer.
5. As per the terms of License, the clearance from the environment needs to be taken but the copy of the same has not been supplied along with the estimate. Since, the colony had already been developed.

Endst. No. 7009

Date: 18/6/15

A copy of the above is forwarded to the Sub Divisional Engineer, HUDA, Sub Div. No. XI, Gurgaon w.r.to report.

  
Executive Engineer,  
HUDA, Div. No. VI,  
Gurgaon

  
Executive Engineer,  
HUDA, Div. No. VI,  
Gurgaon

## ANNEXURE – H-19

Monday, June 22, 2015

OFFICE OF THE SUPERINTENDING ENGINEER, HUDA, CIRCLE-II, GURGAON

To

The Chief Engineer-I,  
HUDA, Panchkula

Memo No.

Dated:

**Sub: Estimate for Providing Water Supply, Sewerage, Storm Water Drainage, Roads, Street Lights & Horticulture in respect of revised Group Housing Scheme for an area measuring 11.89 acres situated in Sec-47&50, Malibu Towne, Sohna Road, Gurgaon being developed by M/s. Malibu Estate Pvt. Ltd.**

Kindly refer to your office Endst. No. 4854 dated 30.04.2015 on the subject noted above.

The service plan /estimate for various services in respect of revised Group Housing Scheme for an area measuring 11.89 acres situated in Sec-47&50, Malibu Towne, Sohna Road, Gurgaon being developed by M/s. Malibu Estate Pvt. Ltd. submitted by the firm was received from your office vide letter referred above to examine the service plan estimate and send the comments in the case.

In persuasion of above reference, the service plan estimate was sent to Executive Engineer, HUDA, Division No. VI, Gurgaon to examine the estimate and send the comments. The Executive Engineer, HUDA, Division No. VI, Gurgaon has examined the service plan estimate and the following comments are conceived in respect of this service plan estimate.

1. The Service Plan Estimate is required to be got approved from the competent authority timely as per terms & conditions, prior to taking place of construction at site, in order that there may not create any ambiguity during the construction and as well as position of linking the services with the external services of the town.

In this case, the service plan estimate has been submitted by the firm after passing of the period of about 18 years over the approval of Building Plan, by the competent

abide into the terms & conditions of license/approval of building plan.

2. The building Plan of the subject noted Group Housing Colony was approved by the DGTCP, Haryana Chandigarh vide memo No. 5172 dated 24.04.1997 subject to validity of approval for a period of 5 years only. The validity period of approval has since been elapsed. Therefore, the revalidation of the approval of building plan is needed from the DGTCP.
3. The firm has provided Sewage Treatment Plant in the Malibu Towne Colony, whereas the provision for the same is not considered in this estimate.
4. The provision for internal pumping has been made at site near Club House for disposal of sewage in the Master Sewer situated on Sohna Road whereas in the main estimate of Plotted Colony, there is no provision for pumping of internal sewer.
5. As per the terms & conditions of License, the clearance from the environment needs to be taken but the copy of the same has not been supplied along with the estimate. Since, the colony had already been developed.
6. The service plan estimate should be prepared in two parts i.e. part one for existing work on actual basis and part two for any additional /fresh work (if any) followed by revalidated /revised approval of plan.

It is therefore, the service plan estimate as forwarded to this office vide your office letter under reference is returned herewith with the comments /remarks mentioned above.

DA/- Service Plan Estimate in triplicate.

  
(A. K. Maken)  
Superintending Engineer,  
HUDA, Circle-II, Gurgaon

CC to: 9546 dt 22-6-15

The Executive Engineer, HUDA, Division No. VI, Gurgaon for information and necessary action w.r.t. his office letter No. 7008

ANNEXURE – H-20

FR  
 EED  
 Date-28.04.2015  
 The Chief Engineer,  
 Haryana Urban Development Authority  
 Sector-6, Panchkula



E. DIARY NO. 6879 DT. 30.04.2015	
EE (HQ)	SDE (HQ)
EE (HQ)	SDE (W)
EE (W)	SDE (M)
EE (M)	A.O.
EE (E)	
SUPDT. EST.	CE-1 SE (HQ)

Subject: Estimate for Providing Water Supply, Sewerage, Storm Water Drainage, Roads, Street Lights & Horticulture in respect of revised Group Housing Scheme for an area measuring 11.89 Acres, situated at Sector-47 & 50, Malibu Towne, Sohna Road, Gurgaon, being developed by Malibu Estate Private Limited.

Ref: Building Plan Approved vide DTCP Office Memo No. 5DP/5172 dated 24.4.1997.

Dear Sir,

Please find attached Service Plans/Estimate for the subject mentioned Group Housing Scheme for an area of 11.89 Acres, situated at Sector-47 & 50, Malibu Towne, Sohna Road, Gurgaon, which is being developed by Malibu Estate Private Limited.

It is requested that these may please be got checked at your office & approval/report be sent to Director General, Town & Country Planning, Haryana, Chandigarh. Copy of BR-III is also being attached herewith for your ready reference.

An early action in this regard will be highly appreciated.

Thanking You,  
 Yours truly  
 For Malibu Estate Private Limited  
 For Malibu Estate (P) Ltd  
 (Authorized Signatory)

161

Office of the Superintending Engineer, HUDA, Circle-II, Gurgaon

Enst: No. 6176-78 Dated: 4/5/15

A copy of the above is forwarded to the following for information and taking immediate necessary action:-

- The Executive Engineer, HUDA, Division VI, Gurgaon
- 2 AED/CHD  
 DA: As Secy/est  
 Superintending Engineer  
 HUDA, Circle-II, Gurgaon

CC: Director General, Town & Country Planning, Haryana, Chandigarh for information, please.

Enclosed: 1. Service Plans/Estimate- 4 Sets.

2. Copy of BR-III  
 Enst. No. 780 dt. 12-5-15

Return with observation letter

P. P. D.

IN THE HON'BLE COURT OF NATIONAL GREEN TRIBUNAL,  
PRINCIPAL BENCH, NEW DELHI

APPLICATION NO. OA- 68 of 2022

In the matter of :

Raman Sharma

..... APPLICANT

Verse

SATE OF HARYANA & ORS

..... RESPONDENT(s)

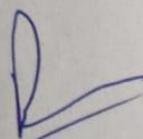
**AFFIDAVIT ON BEHALF OF APPLICANT FOR FILING OBJECTIONS**

Affidavit of **Sh. Raman Sharma** aged about 57 years, S/o Sh. Narendar  
**Nath Sharma, R/o CW-58-FF, Malibu Towne Gurgaon.**

We, the above-named deponents do hereby solemnly affirm and declare as under:

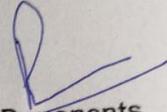
1. That the deponent is an applicant and is well conversant with the facts and circumstances of the case and hence competent to swear this affidavit.
2. That the deponents affirm the present application for objection has been filed by the Deponent in accordance to actual factual matrix and all the facts mentioned in the application for objection are true and to best of our knowledge.
3. That the Deponents affirm that the content of application for objection are drafted in accordance with documents/ evidence mentioned herein alongwith the laws mentioned in the application for objection. The contents of the IA filed is true & correct to our knowledge.



  
Deponents

**Verification:** Verified at Gurugram on this Date of \_\_\_\_\_ 2024 that the contents of the above affidavit are true and correct to the best of our knowledge and belief and nothing material fact has been concealed therefrom.

Date:

  
Deponents



**ATTESTED**  
  
SHRI CHAND SHARMA  
ADVOCATE & NOTARY  
GURGAON

05 JAN 2024