

BEFORE THE NATIONAL GREEN TRIBUNAL, PRINCIPAL BENCH
AT NEW DELHI

O.A. NO.161 OF 2023

IN THE MATTER OF:

Rana Iqbal Singh Jolly & Ors.

Applicants

Versus

State of Punjab & Ors.

Respondents

INDEX

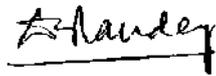
N.D.O.H:23.08.2023

S.NO.	PARTICULARS	PAGE NO.
1.	Reply on behalf of Respondent No. 8 with supporting Affidavit	1 - 67
2.	<u>ANNEXURE R/8/1 (Colly):</u> Photographs showing overflowing sewerage from pot holes and garbage dumped all over the roadsides in village Nayagaon, SAS Nagar, Mohali, Punjab.	68 - 82
3.	<u>ANNEXURE R/8/2 (Colly):</u> Copies of the formal complaints made by the Answering Respondent No.8 to the authorities.	83 - 101
4.	<u>ANNEXURE R/8/3 (Colly):</u> True copy of the registered GPAs both dated 10th April 1997 registered with the Sub-Registrar, Amritsar, Punjab in favour of Mr. Sunish.	102 - 111
5.	<u>ANNEXURE R/8/4 (Colly):</u> True translated copy of show cause notice dated 31.12.2021 & 18.05.2022 together with its true copy in Punjabi issued to the Biakunth Farm owned by Applicant No.1, 2, 3 & 9, photograph showing installation of large iron danga in the river and illegal	112 - 131

	excavation/encroachment and use of large JCB in the Patiala Ki Rao river and photographs depicting garbage thrown by Applicant No. 3 into the river.	
6.	<u>ANNEXURE R/8/5 (Colly.):</u> Details downloaded from web-site and photographs showing relevant details/location and address of "Forest Hill Resort"	132 - 137
7.	<u>ANNEXURE R/8/6 (Colly.):</u> True copies of the Photographs of the Hermitage Farm, application filed by the Answering Respondent No.8 seeking approval/NOC and permission granted by the Drainage Department, Punjab Water Regulation and Development Authority, provisional NOC dated 07.08.2023 from Fire Department (Punjab Fire Services), application dated 24.07.2023 seeking NOC from Forest Department, Application dated 03.08.2023 seeking permission for CLU to DTP, SAS Nagar, Mohali, Punjab, letter dated 28.07.2023 and reply dated 10.07.2023 submitted by the Answering Respondent No.8 to the Respondent No.2.	138 - 162
8.	<u>ANNEXURE R/8/7 :</u> Copy of the Certificate of Registration dated 04.10.2021 granted to the Answering Respondent No.8.	163
9.	<u>ANNEXURE R/8/8 (Colly.)</u> Copies of the applications made and permissions obtained from Ld. Naib Tehsildar, Majri District SAS Nagar, Punjab exercising the power of DC, SAS Nagar, Mohali, Punjab for all the functions held at its	164 - 189

	farm.	
10.	<u>ANNEXURE R/8/9:-</u> Copy of the Notification dated 11.08.2017 of the Department of Housing and Urban Development, Govt. Of Punjab	190 - 210
11.	<u>ANNEXURE R/8/10 (Colly.):</u> Copies of the affidavit dated 10.08.2023 filed by Principal Secretary, Department of Local Government, Punjab with its annexures and the orders dated 18.05.2023, 01.06.2023, 07.07.2023 and 11.08.2023 passed by the Hon'ble High Court of Punjab & Haryana at Chandigarh in COCP No.1502 of 2023	211 - 255
12.	<u>ANNEXURE R/8/11:</u> Photographs showing demolition carried out by the Answering Respondent at its farm.	256 - 261
13.	<u>ANNEXURE R/8/12:</u> Copy of the Notification dated 24.03.2023 of the Department of Housing and Urban Development, Govt. Of Punjab	262 - 264
14.	Vakalatnama along with Authority Letter	265- 266
15.	Proof of Service	267

FILED BY:



Date: 21.08.2023

Place: Delhi

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**REPLY ON BEHALF OF RESPONDENT NO.8,
THE HERMITAGE**

MOST RESPECTFULLY SHOWETH:

1. That the captioned Original Application has been filed by the Applicants alleging that the Respondent No.8 without permission is causing Air/Noise Pollution by organising large gatherings, blowing loud music on loudspeakers, using bright laser strobe lights and firecrackers all throughout the night time well into early mornings (around 3.00-4.00 A.M.) and also organises lavish and wild festive parties and invites DJs to play loud music etc. thereby causing grave air/noise pollution in violation of the Noise Pollution (Regulation and Control) Rules, 2000 promulgated under the Environment Protection Act, 1986,

various other rules/regulations and judgments/directions passed by the Hon'ble Supreme Court of India, this Tribunal and various High Courts.

2. That this Hon'ble Tribunal in terms of its order dated 14.03.2023 has been pleased to constitute a Joint Committee comprising of representatives of Central Pollution Control Board (CPCB), Punjab State Pollution Control Board (PPCB) and District Magistrate, Mohali to verify the factual position of the parks within municipal limits and activities going on there having concern to the environment and to submit its report with suggestions for taking of appropriate remedial action.
3. That the Joint Committee has submitted its report dated 29.05.2023 and pursuance to the same, this Hon'ble Tribunal has been pleased to inter-alia direct as under:

"9. In view of the factual position duly verified by the Joint Committee that respondent no. 8 has not obtained requisite permissions as mentioned therein and mandate in Section 20 of the National Green Tribunal Act, 2010 requiring this Tribunal to apply precautionary principle and also the provisions made in Section 19 (4) (j) of the National Green Tribunal Act, 2010 empowering this Tribunal to require any person to cease and desist from committing or causing any violation of any enactment specified in Schedule I thereof, respondent

no. 8 is directed to desist from organizing any marriage party or such like social function in the premises in question till further order to the contrary.

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

4. That the Answering Respondent is constrained to state and most humbly submit that though the order dated 14.03.2023 passed by this Hon'ble Tribunal specifically directed the Joint Committee inter-alia to “*verify the factual position of the parks within municipal limits and activities going on there having concern to the environment and to submit its report with suggestions for taking of appropriate remedial action*” still the purported report dated 29.05.2023 has been submitted only selectively with respect to the Answering Respondent No.8. It is most humbly submitted that credentials, illegal activities, illegal constructions, illegal sale of plots by carving out plots without sanctions/permissions, illegal encroachment of Patiala Ki Rao river by Applicants and other persons/entities, “Forest Hill Resort” spread over approx. 700 acres and various other properties organising large, lavish, wild and big gatherings, social functions, marriage functions on a large scale adjacent to and in nearby vicinity of the addresses of the Applicants which

is on a large scale than that of Answering Respondent No.8 has been miserably left out from consideration in the said report. It is the settled law that where credentials and bonafides of applicants are raised, this Hon'ble Tribunal ought to consider the same as has been held by the Hon'ble Supreme Court in the case of ***The State of Uttar Pradesh & Ors. Vs. Uday Education and Welfare Trust & Ors. Reported as (2022) SCC Online SC 1469***. The Joint Committee in all fairness and in law ought to have considered and submitted its fair, lawful and complete report covering the true letter and spirit of the order dated 14.03.2023 for the kind and judicious consideration of the underlying aspects by this Hon'ble Tribunal in the present case.

5. That the Answering Respondent No.8 is further constrained to state that the Ld. Joint Committee while filing its report dated 29.05.2023 while reporting that no permissions from competent authorities were obtained ought to have stated and pointed out that the land admeasuring 1092 acres of village Karoran, S.A.S Nagar, Mohali Punjab is the subject matter of proceedings in COCP No.1502 of 2023 titled as ***Gram Panchayat Bari Karoran Vs. Vikas Garg, IAS & Ors.*** where the issue of sanctions/permissions by the Competent Authorities for various

development/construction activities over the area is pending before the Hon'ble Punjab & Haryana High Court at Chandigarh and the authorities have filed various affidavits clarifying the position over the development plans, permissions and sanctions etc. and the next date in the matter is fixed for 15.09.2023 before the Hon'ble High Court which is already seized of the matter. The Hon'ble Supreme Court in its order dated 01.06.2022 passed in Civil Appeal No.4522-4524 of 2022 in the case of the **State of Andhra Pradesh Vs. Raghu Ramakrishna Raju Kanumuru (M.P.)** has been pleased to consider a similar situation and hold as under:

“12. We are, therefore, of the considered view that it was not appropriate on the part of the learned NGT to have continued with the proceedings before it, specifically, when it was pointed that the High Court was also in seisin of the matter and had passed an interim order permitting the construction. The conflicting orders passed by the learned NGT and the High Court would lead to an anomalous situation, where the authorities would be faced with a difficulty as to which order they are required to follow. There can be no manner of doubt that in such a situation, it is the

orders passed by the constitutional courts, which would be prevailing over the orders passed by the statutory tribunals.

13. In that view of the matter, we are of the considered view that the continuation of the proceedings before the learned NGT for the same cause of action, which is seized with the High Court, would not be in the interest of justice.”

However, it humbly submitted that the Ld. Joint Committee has not considered and report the factum of overflowing sewerage from pot holes and garbage dumped all over the roadsides in village Nayagaon, SAS Nagar, Mohali, Punjab in its report filed before this Hon'ble Tribunal. Photographs showing overflowing sewerage from pot holes and garbage dumped all over the roadsides in village Nayagaon, SAS Nagar, Mohali, Punjab are annexed herewith as **ANNEXURE R/8/1 (Colly)**.

6. That the Answering Respondent No.8 further most humbly submits that the Ld. Joint Committee filed its report dated 29.05.2023 i.e. one day before the date of hearing scheduled on 30.05.2023 and without providing any opportunity to the Answering Respondent No.8 to file its response to the same in absence of any advance service of the said report upon the

Answering Respondent No.8, the order dated 30.05.2023 directing the Answering Respondent No.8 to desist from organising any marriage party or such like social function in the premises in question came to be passed which has caused serious and grave prejudice to the rights, interests and entitlements of the Answering Respondent No.8 which cannot be compensated in terms of money. The Answering Respondent most humbly relies upon the decision of the Hon'ble Supreme Court rendered in the case of ***Singrauli Super Thermal Power Station Vs. Ashwani Kumar Dubey & Ors. reported as 2023 SCC Online SC 824*** categorically holding that an opportunity to the aggrieved party be provided before passing any onerous and prejudicial order on report by an expert committee.

7. That the Answering Respondent No.8, at the very outset submits that it denies all the statements and/or allegations contained in the Original Application by the Applicants which are contrary thereto and/or inconsistent therewith are categorically denied and disputed as if the same are set out seriatim and specifically traversed save and except what

appears from the records of the case and what is specifically stated hereinafter.

8. That before proceeding to reply on merits, the Answering Respondent No.8 inter-alia seeks to place on records its following preliminary objections and submissions, which are crucial for a holistic adjudication of the present case and craves leave of this Hon'ble Tribunal to consider the same before adjudicating merits of the Original Application. The preliminary objections as stated hereinafter are without prejudice to each other:

PRELIMINARY OBJECTIONS:

A. APPLICANTS NOT AGGRIEVED PERSONS UNDER SECTION 18 (2) OF THE NATIONAL GREEN TRIBUNAL ACT, 2010 AND AS PER THE VARIOUS DECISIONS OF THE HON'BLE SUPREME COURT:

9. That it is pertinent to mention that out of the 9 Applicants herein, 5 of them are from the same family while the other two are next door neighbours and one is the manager/associate of the 5 Applicants who are admittedly inimical to the Respondent No.8 on account of complaints/objections made qua their illegal and objectionable activities carried out by them in the vicinity of the area. It is specifically stated that all these Applicants have

indulged into raising large permanent structures and illegal sale of shamlat / forest land in village Naya Gaon/Nadda, illegally carving out plots and selling it to various persons including making illegal encroachment, placing stone danga in steel mesh in the Patiala Ki Rao river flowing nearby and adjacent to the area in question without any permissions/sanction for the same from the competent authority which cannot be countenanced in law in any manner. The Answering respondent No.8 herein below seeks to place the following facts in support of its submissions:

S No.	Name	Violations
1.	Applicants No.1, 2, 3 & 9, Rana Iqbal Singh Jolly, daughter-in-law Seema Jolly and his Son Karan Jolly	Involved in illegal development/carving out and sale plots on GPAs/sub-GPAs (including GPA of a dead person namely one Mr. Shekhon, who had already demised almost 10 years ago) in illegal colony on shamlat land in village Nadda, District S.A.S. Nagar

		<p>closed under Forest Conservation Act, 1980 / Indian Forest Act, 1927 adjacent to location of farm of Respondent No.8. Huge construction of permanent structures being carried out in violation of all norms of law.</p> <p>Have Illegally constructed huge farm house in the name of "Baikunth Farm" raising several permanent structures with concrete roofing in contravention of the Punjab New Capital (Periphery) Control Act, 1952 and the Punjab Regional and Town Planning and Development Act, 1995.</p> <p>The farm in question has been constructed on river-</p>
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		<p>bed for which demolition notice has been issued by the drainage department. Demolition Notice has also been issued by the GAMADA for carrying out illegal constructions.</p> <p>Admittedly, the actions of the Applicants are fraudulent and clear and categorical violation of all applicable law of land.</p>
2.	<p>Applicant No.3/Ms. Vandana Chauhan is the real sister of Ms. Seema Jolly/Applicant No.2.</p>	<p>Illegally constructing two huge houses by raising permanent structures on shamlat cum forest land of village Nadda.</p>
3.	<p>Applicant No.4/ Mr. Manjit Lakhmana</p>	<p>Constructed huge Farm House in the name of "Gurchetan Farm" and involved in illegally carving out plots and selling the</p>

		same without any permissions/sanctions.
4.	Applicant No.6/Jagjit Singh	Illegally constructed huge farm house by way of permanent structure on shamlat cum forest land of village Nadda.
5.	Applicant No.7/Pawan Kumar	Manager of illegal butchery being run under the name of "Billy Goat Farm" being run by Rana Iqbal Singh.
6.	Applicant No.8/Mr. Gurbhachan Singh	Illegally constructed huge farm house under the name of "Inderjit Farm" and has raised permanent structures.

The Applicants themselves being perpetrators and violators cannot be held to be entitled to file and maintain the present petition before this Hon'ble Tribunal in law and more so by making false, concocted and unfounded allegations. No equities, whatsoever exists in favour of the Applicants justifying them to file the present petition before this Hon'ble Tribunal

targeting the Answering Respondent No.8 in a manner unknown to the law.

It is submitted that on account of rampant and blatant encroachment of the river bed by the Applicants No.1, 2, 3 & 9 the Patiala Ki Rao river became very narrow resulting in its overflowing and silting the entire Farm of the Answering Respondent No.8 which had to incur huge and substantial costs towards de-silting and maintaining its farms. Repeated requests made to the Applicants No.1, 2, 3 & 9 did not yield any fruitful results and thus became a cause/concern of dispute between the parties which is now being used as a tool to settle personal scores by making false, concocted, unfounded and unsupportable allegations without there being any basis for the same. Copies of the formal complaints made by the Answering Respondent No.8 to the authorities in this regards are annexed herewith as **ANNEXURE R/8/2 (Colly)**.

10. That the Answering Respondent No.8 is further constrained to submit that the Applicant No.1 namely Rana Iqbal Singh Jolly, a one time friend/known acquaintance of family/father of partner Shri Saurabh Gupta owning Respondent No.8 has chosen to file the present Original Application arraying his family members/neighbours/manager as Applicant/Applicants solely to

exert undue and illegal pressures so as to pressurise the family of partner to give up their claims to that lands admeasuring 38 Kanals 0 marlas and 40 kanals (approx. 10 acres) in village Karoran, Hadbast No.352, Sub-Tehsil, Majri, Kharar, Distt. Ropar sold illegally by the Applicant No.1 despite having executed the registered GPA both dated 10th April 1997 registered with the Sub-Registrar, Amritsar, Punjab in favour of Shri Sunish, S/o. Shri Shanti Lal, R/o. 576, Sector-16-D, Chandigarh who happens to be brother-in-law of the father of the partner of M/s. Orchid Space Design LLP owning the Answering Respondent No.8. The present market value of the property in question is approx. More than Rs.30.00 Crores. Admittedly, the said GPA has not been cancelled till date and the Applicant No.1 has been consistently refusing to convey a valid/lawful title to the said land on one pretext or the other giving rise to inter-se disputes which is now being used an tool to launch the present malicious/vexatious proceedings in the guise of violation of Noise/Sound pollution as falsely alleged in the present Petition. True copy of the registered GPAs both dated 10th April 1997 registered with the Sub-Registrar, Amritsar, Punjab in favour of Mr. Sunish are annexed herewith as **ANNEXURE R/8/3 (Colly)**.

11. That the Answering Respondent is further constrained to state that the Applicants No.1, 2, 3 & 9 (belonging to the same family) herein have been served with show cause notices from the competent department having found indulged into encroaching the free flow of Patiala Ki Rao river and using large earth mover/excavation JCB in the river bed. It is further submitted that Applicant No.3 has been throwing garbage into the river from her farm and even after repeated requests to stop has been continuing the same till date. True translated copy of show cause notice dated 31.12.2021 & 18.05.2022 together with its true copy in Punjabi issued to the Biakunth Farm owned by Applicant No.1, 2, 3 & 9, photograph showing installation of large iron danga in the river and illegal excavation/encroachment and use of large JCB in the Patiala Ki Rao river and Photographs depicting garbage thrown by Applicant No. 3 into the river are annexed herewith **ANNEXURE R/8/4 (Colly)**.

12. That this Hon'ble Tribunal in view of the submissions made herein above may kindly consider that the credential of the Applicants are in serious doubts and so are their intentions in filing the present petition before this Hon'ble Tribunal to cause serious prejudice to the rights, interest and entitlements of the

Answering Respondent No.8 and to achieve other obvious illegal objectives which cannot be countenanced in law in any manner.

B. SELECTIVE TARGETTING OF ANSWERING RESPONDENT NO.8 FOR VESTED/MALAFIDE REASONS:

13. That the Answering Respondent No.8 is constrained to state and bring to the kind notice of this Hon'ble Tribunal that there are various other properties organising large, lavish, wild and big gatherings, social functions, marriage functions on a large scale adjacent to and in nearby vicinity of the addresses of the Applicants still the Applicants have for their vested, malafide and motivated reasons/intentions best known to them have filed the present Applicant by maliciously and selectively targeting the answering Respondent No.8 and by making false, frivolous, concocted and unfounded allegations which are far from being true.
14. That the Answering Respondent No.8 as an example wishes to refer to "Forest Hill Resort" spread over approx. 700 acres of land adjacent to and in very close proximity of the addresses Applicants mentioned in the cause title of the present petition which organises various, multiple and on regular basis large, lavish, wild and big gatherings, social functions, marriage

functions, concerts, events involving very large gatherings on a very large scale without there being any permission from the competent authorities. Details downloaded from web-site and photographs showing relevant details/location and address of "Forest Hill Resort" are annexed herewith as **ANNEXURE R/8/5 (Colly.)**

C. DISTORTED/MISLEADING FACTS PRESENTED TO MISLEAD THIS HON'BLE TRIBUNAL WITHOUT ANY BASIS:

15. The Answering Respondent No.8 most humbly submits that the Applicants solely to mislead and cause serious and grave prejudice to the rights, interest and entitlements of the Answering Respondent No.8 have falsely alleged that more than 2000 2.6 million year old fossils have been recently discovered which are older than the previously known world's oldest fossil in the near vicinity of the forest area in near vicinity which is clearly false and concocted and contrary to the existing site. It is submitted that the 2.6 million year old fossils have been discovered in village Masol which is approx. More than 8 - 10 kilometre away from the location of the farm of the Answering Respondent No.8 and the contrary assertions made by the Applicants are clearly false and concocted solely to mislead this Hon'ble Tribunal.

16. That the Answering Respondent No.8 submits that the land where its farm is located is not a forest area nor there any restrictions applicable and rather to the contrary it falls within 1092 acres of land in village Karaoran, SAS Nagar Mohali, Punjab and the development thereof has to be undertaken as per the mater development plan applicable to Nayagaon Municipal Committee Area. The Gram Panchayat, facing various and multiple difficulties in absence of permissions/sanctions being withheld by the competent authorities under the State of Punjab despite orders passed in the Writ Petition being CWP No.22756 of 2013 and Contempt Petitions filed by the affected persons, have again approached the Hon'ble High Court of Punjab & Haryana at Chandigarh by filing the COCP No.1502 of 2023 where various orders/directions have been issued to the authorities concerned to comply with the order passed in the writ petition pertaining to granting permissions/sanctions to the various development activities/amenities/facilities and the Contempt Petition as on date is pending before the Hon'ble High Court on this issue.
17. That it is pertinent to mention that the affidavits filed by the competent/concerned authorities including the proceedings carried out in Nayagaon MC further states and reiterates that

the development plans pertaining to Nayagoan Municipal Committee would include the areas of the land ad-measuring remaining 504 acres which has been urbanised and would invariably include the area of the farm of the Answering Respondent No.8 which, otherwise, is covered under the notification under the Punjab Housing and Urban Development Department, Govt. Of Punjab.

D. CONTRAVENTION OF RULE 14 OF THE NATIONAL GREEN TRIBUNAL (PRACTICES & PROCEDURE) RULES, 2011 BARRING PLURAL REMEDIES:

18. The Answering Respondent most humbly submits that the instant Petition as filed by the Applicants herein alleging violation/contravention of Noise Pollution (Regulation and Control) Rules, 2000 notified under the Environment Protection Act, 1986 and Solid Waste Management Rules, 2016 is clearly against the mandate of law laid down in the case of Vikash K. Tripathi Vs. MoEF & Ors. (M.A. No.628/2013) O.A. No.17/2013, Appeal No.80/2013 in the matter of D. V. Girish & Ors. Vs. The Secretary to the Govt. Reported as 2015 SCC Online NGT 37 wherein this Hon'ble Tribunal has been pleased to categorically hold that an appeal or an application must be filed on a single cause of action and cannot be filed on several causes of action

or for violations under different laws as per Rule 14 of the NGT Rules, 2011.

PRELIMINARY SUBMISSIONS:

19. That the Answering Respondent No.8 in order to show and establish its bonafides submits that the “The Hermitage Farm” developed by it is consonance and eco-friendly in all respects and the contrary assertions made by the Applicants herein for their vested reasons are false and concocted to their positive knowledge. The Farm has been developed on a barren land with no vegetation and converted into lush green farm with no permanent structures constructed thereon. The 2 DG sets (Environment Friendly complying green norms) installed as essential services without reducing green belt norms therein for captive requirements are only used for irrigation/watering of the farm/parks and water-bodies and never for any social functions organised therein. There is tin sheds for storing agricultural implements used for agriculture/horticulture purposes. There is one small kitchen and two toilets for amenities/facilities strictly for personal usages.

Admittedly, the Answering Respondent No.8 has been granted the due and requisite sanction/permission for extraction of ground water (which as per the report of the Ld. Joint

Committee was absent) as also the NOC from the Fire Department and are being placed on record. Besides the above, the Answering Respondent No.8 has applied for grant of requisite permissions from the concerned department under the Govt. Of Punjab which either has been granted/or are pending consideration which hereto before were not entertained and are being entertained on account of the various orders passed by the Hon'ble High Court of Punjab & Haryana at Chandigarh.

The Answering Respondent No.8 in its reply addressed to the Chairman, Punjab Pollution Control Board, Patiala has succinctly submitted its response inter-alia in the following manner:

- i). The Hermitage Farm was never conceptualised or developed as a Marriage palace, it is basically a Farm, which is on a very limited basis, being rented out for few days, to generate some resources to sustain itself.
- ii). The land in question was in our ownership since 1995 but due to Very poor quality of soil, being sandy and lack of water source, no plantation could be done & sustained. Not a blade of grass grew here till 2019.
- iii). Marriage of my daughter was fixed for 1st February 2020. For the purpose of holding family function on our own piece of land, the process of developing the land was initiated in October 2018 after installing a bore-well and levelling & soil filling.

- iv). Only 25% work of soil development could be done till the time of marriage.
- v). No wash rooms were constructed till 2022. For our function, a mobile toilet unit was hired from Delhi.
- vi). Due to Covid crisis in 2020 from March onwards, in the country & subsequent lock down, all development work was stopped.
- vii). Due to Covid restrictions no functions could be held in 2020.
- viii). In 2021 also, due to even more severe Covid wave, strict restrictions were imposed **on** number of persons who could **collect** at one place. Hence, only low key marriages were taking place & only 5/6 small functions of close family/ friends were held at farm.
- ix). No washrooms could be constructed till 2022 due to lack of funds & non availability of manpower due to Covid.
- x). In 2022 we applied to GAMADA vide no 364112 dated 05/07/2022 to grant us permission for Open Marriage Palace. We gave an undertaking to abide by all rules & regulations in this regard.
- xi). However, the Department **did** not revert back to us as there was **an** inter departmental lack **of** clarity regarding implementation of Hon Punjab & Haryana High court orders in contempt petition CACP No 13,14,15 of 2016.
- xii). Further, in CACP no 13 of 2016, the following orders were passed on 04/05/2016:-

“In CACP No.13 of 2016, again on 04.05.2016, the

following order was passed:-

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

Sh. K.S. Sidhu, IAS, ACS (Revenue), Sh. Vishwajeet Khanna, IAS, F.C. (Forest), Government of Punjab, Sh. Vikas Pratap, IAS, Secretary to Government of Punjab, Department of Local Government, Sh. D.S. Mangat, IAS, D.C, SAS Nagar and Sh. Paramjeet Singh, IFS were present in the Court.

During the course of hearing, Sh. Vishwajeet Khanna, IAS, F.C. (Forest), Government of Punjab, Sh. Vikas Pratap, IAS, Secretary to Government of Punjab, Department of Local Government and Sh. D.S. Mangat, IAS, Deputy Commissioner, SAS Nagar swore to their individual affidavits and the same have been placed on record.

It is found that out of 1092 acres of land identified and demarcated as non-forest area by the State of Punjab, approximately 588 acres of land which squarely fall within the Revenue Estate of village Karoran form part of Nagar Panchayat, Nayagaon. The remaining 504 acres of land are found to be non-forest area.

Learned Advocate General, Punjab appearing

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

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

- xiii). The Hon'ble Punjab & Haryana High Court has now in a fresh Contempt Petition No. coCP-1502 & 1105 Of 2023 (O&M) titled as Gram Panchyat Bari Karoran Versus Vikas Garg, IAS and Others has passed an order on 01.06.2023 followed by order on 07.07.23 clarifying position in regards to approvals/ permissions in the area of Village Nayagaon. (Copy of orders Dt. 01.06.23 & 07.07.23 are enclosed herewith)
- xiv). In view of aforesaid directions of Hon High Court, we have once again submitted an application for grant of CLU for Hermitage farms on 05.06.2023.

- xv). GAMADA vide their letter no 967 dt 19.05.2023 has asked us to submit some documents which we are in the process of submission very soon.
- xvi). it is submitted that we started holding limited number of functions in 2022 from November onwards till February 2023. No function has been held thereafter.
- xvii). We never converted our Farm into a marriage palace in practice, as we have allowed limited number of functions in 2022/2023 winter only, during 4 months of winters from November to February. Functions cannot be held in remaining months due to lack of a hall/ permanent cover. Due to prolonged summer & monsoon seasons, functions cannot be held in the open area.
- xviii). The basic character of our place is only Farm which is not even a Farm House as nobody resides there. We, as a family live in Panchkula. Few temporary or pre-fabricated Structures have been raised at the farm. There is one green house for developing seasonal plants & flower saplings as it is entirely done in house.
- xix). Two rooms by way of a pre-fabricated structure has been put up for occasional use as our Farm has been approved under Punjab Tourism Department scheme of 'Farm Tourism' vide number PHTPB/FT/2021/34 Dated 04-10-2021. (Copy enclosed).
- xx). Washrooms for both men & women alongwith a Septic Tank have been constructed in the year 2022. They have been used only during last season.
- xxi). We have never discharged any effluent or waste water into the soil or in the river/seasonal rivulet as we

strongly believe in upholding Nature including trees & birds and animals.

- xxii). We by way of sheer hard work & our commitment to preservation of environment, converted completely barren sandy soil into a lush green farm With hundreds of Trees/ Plants & shrubs.
- xxiii). We have planted a large number of fruit trees all along the boundary along the choe side to attract birds & squirrels. We do not pluck any fruit from the trees & simply allow them to enjoy the fruits so that they come there in large numbers. In fact, the farm witnesses a huge number of migratory birds also due to large water bodies & tranquil atmosphere.
- xxiv). Even the complainants before the Hon'ble NGT have not made any complaint regarding discharge of effluents & degrading natural environment. They only raised the issue of sound.

True copies of the Photographs of the Hermitage Farm, application filed by the Answering Respondent No.8 seeking approval/NOC and permission granted by the Drainage Department, Punjab Water Regulation and Development Authority, provisional NOC dated 07.08.2023 from Fire Department (Punjab Fire Services), application dated 24.07.2023 seeking NOC from Forest Department, Application dated 03.08.2023 seeking permission for CLU to DTP, SAS Nagar, Mohali, Punjab, letter dated 28.07.2023

and reply dated 10.07.2023 submitted by the Answering Respondent No.8 to the Respondent No.2 are annexed herewith as **ANNEXURE R/8/6 (colly)**.

20. That the Answering Respondent No.8 submits that it “The Hermitage Farm” is duly approved by the Punjab Government, Punjab Heritage and Tourism Promotion Board, under the “Farm Stay Scheme” to promote Farm Tourism in the area. Copy of the Certificate of Registration dated 04.10.2021 granted to the Answering Respondent No.8 is annexed herewith as **ANNEXURE R/8/7**.
21. That the Answering Respondent No.8 submits that it had always taken prior permission from the competent authority being the Ld. Naib Tehsildar, Majri District SAS Nagar, Punjab exercising the power of DC, SAS Nagar, Mohali, Punjab for all the functions held at its farm. Copies of the application and permissions in this regards are annexed herewith as **ANNEXURE R/8/8 (Colly.)**
22. That the Answering Respondent No.8 most humbly submits that under the applicable policy of the Govt. Of Punjab for the year 2017, the Marriage Places have been recognised as Special Category/Social gathering falling within essential services and further holding that marriage palaces have become a social

necessity, reliance is placed on para 1.1 of the said policy. It is submitted that as per para 1.2 of the policy regularisation of Marriage Places were undertaken by the Govt. Of Punjab wherein out of around approx. 1000 marriage places (alleged to be illegal), around 100 such marriage places were regularised while further almost 250 marriage palaces were regularised under the new policy. It is specifically provided in Clause 4 that for areas not falling within notified Master Plan, the marriage places would be permissible. It is also pertinent to submit as per clause 7(v) of the said policy the marriage palaces which are fully compliant as per the provisions of this policy but are facing / closure due to non decision of Govt. Department / Authority will be allowed to function. Admittedly, the issue of implementation / applicability and the master development plan for the area in question is pending adjudication before the Hon'ble High Court and is subject matter of COCP No.1502 of 2023, the specific approval/CLU for the "Hermitage Farm" as a marriage place is under consideration before the Competent authority and as such the Answering Respondent cannot and ought not be alleged to be in violation of the applicable norms of law. It is further submitted that even the Municipal Committee has unanimously taken the decision to extend jurisdiction to

remaining areas including the farm areas which implies that this entire area has been urbanised. Copy of the Notification dated 11.08.2017 of the Department of Housing and Urban Development, Govt. Of Punjab is annexed herewith as **ANNEXURE R/8/9.**

23. That it is also pertinent to mention that the Govt. Authorities under the State of Punjab have filed various affidavits including the affidavit dated 10.08.2023 wherein the Hon'ble High Court of Punjab & Haryana at Chandigarh which is seized of the COCP No.1502 of 2023 titled as Gram Panchayat Bari Karoran Versus Vikas Garg, IAS and Others has been pleased to pass various orders regarding approvals, sanctions, permissions, development activities etc. and the applicability of the master development plans of the area in question to fully and completely seek the compliance of its earlier orders which were flouted/ignored and brushed aside by the concerned authorities and which in all eventuality would have a bearing on the consideration and adjudication of the issues of necessary approvals/sanctions and permissions alleged in the case of the Answering Respondent No.8. Admittedly, the Concerned Authorities under the State of Punjab have not been complying with the authoritative, binding and valid/operatives passed by

the Hon'ble High Court with respect to granting appropriate and requisite approvals/sanctions/treating the areas in question as non-forest land and entitled to grant of all requisite sanctions/permissions as required in law. Copies of the affidavit dated 10.08.2023 filed by Principal Secretary, Department of Local Government, Punjab with its annexures and the orders dated 18.05.2023, 01.06.2023, 07.07.2023 and 11.08.2023 passed by the Hon'ble High Court of Punjab & Haryana at Chandigarh in COCP No.1502 of 2023 are annexed herewith as **ANNEXURE R/8/10 (Colly.)**

24. That the Answering Respondent No.8 further submits that on the objections raised and communicated by the Drainage Department, Punjab Water Regulation and Development Authority, it had of its own demolished the small shed and the concerned department has advised that the appropriate and necessary NOC would be granted shortly and compliance would be report to this Hon'ble Tribunal. Photographs showing demolition carried out by the Answering Respondent at its farm are annexed as **ANNEXURE R/8/11**.
25. That the Answering Respondent No.8 most humbly submits that as per the applicable notification dated 24.03.2023 of the Department of Housing and Urban Development, Govt. Of

Punjab, the norms prescribed for obtaining a change of land use categorically provides for grant of the NOC/Permission within 15 days time and in case of delay for consideration of the requisite application with supporting documents by the competent authority for its disposal within 45 – 60 days. It is further submitted that in the case of the Answering Respondent No.8 the requisite approvals by the Pollution Control Board, Punjab would ensue once the requisite CLU is granted by GAMADA where the application of the Answering Respondent No.8 is already under consideration. Copy of the Notification dated 24.03.2023 of the Department of Housing and Urban Development, Govt. Of Punjab is annexed as **ANNEXURE R/8/12.**

26. The answering respondent no. 8 reserves its liberty and seeks indulgence of this Hon'ble Tribunal in filing such additional documents / add, amend its reply as may be required at a subsequent stage in accordance with law.

Without prejudice to the Preliminary Objections / Submissions appearing herein above and without admitting any of the averments made out in the Original Application (including the Synopsis and List of Date and events) under reply,

Respondent No. 8 while relying upon the above submissions most humbly submits his response parawise in the manner appearing herein below:

PARAWISE REPLY:

1. Contents of para no. 1 of the Original Application filed by the Applicants are denied as false, frivolous, incorrect, misleading and motivated. It is denied that the applicants are law abiding, public spirited citizens of the Country and are residing in Village Karoran, SAS Nagar, Mohali for the past 3 decades and their residences are located at the periphery of a forest area and the village is home to around 2000 people as per census 2011 as false alleged and Applicants be put to strict proof regarding the same. It is further denied that many of the Applicants are senior citizens as falsely alleged. In reply it is submitted that Naya Gaon is a Nagar Panchayat city in district of Mohali, Punjab. The Naya Gaon city is divided into 15 wards for which elections are held every 5 years. It is further submitted that the Naya Gaon Nagar Panchayat has population of 50,869 of which 27,458 are males while 23,411 are females as per report released by Census India 2011. It is submitted that population of children

with age 0-6 in 7031 which is 13.82% of total population of Naya Gaon (NP) and In Naya Gaon Nagar Panchayat, female sex ratio is of 853 against state average of 895. It is further submitted that moreover, Child Sex Ratio in Naya Gaon is around 896 compared to Punjab State average of 846. Literacy rate of Naya Gaon city is 82.61% higher than state average of 75.84%. In Naya Gaon, male literacy is around 88.62% while female literacy rate is 75.50%. Contrary assertions are denied as false and incorrect to the positive knowledge of the applicants. The answering respondent relies upon the preliminary objections / submissions mad herein above and the same are not repeated for the sake of brevity.

2. Contents of para no. 2 of the Original Application filed by the Applicants to the extent being a matter of record requires no reply. Contrary assertions are denied as false and incorrect to the positive knowledge of the Applicants. The answering respondent relies upon the preliminary objections / submissions mad herein above and the same are not repeated for the sake of brevity.

3. Contents of para no. 3 of the Original Application filed by the Applicants require no reply to the extent being a matter of record. Rest of the averments as stated are not admitted to be true and correct, hence denied. It is denied that the addresses of the Applicants are given in the Memo of Parties for the service of notices of this Original Application as falsely alleged. Contrary assertions are denied as false and incorrect to the positive knowledge of the Applicants. The answering respondent relies upon the preliminary objections / submissions mad herein above and the same are not repeated for the sake of brevity.
4. Contents of para no. 4 of the Original Application filed by the Applicants to the extent being a matter of record requires no reply. Contrary assertions are denied as false and incorrect to the positive knowledge of the Applicants. The answering respondent relies upon the preliminary objections / submissions mad herein above and the same are not repeated for the sake of brevity.
5. Contents of para no. 5 of the Original Application filed by the Applicants are denied as false, frivolous, incorrect,

misleading and motivated. It is denied that illegal activities are being carried out by R. No. 8 as falsely alleged. In reply it is submitted that it is the actions/activities indulged into by the Applicants are a threat to the environment as well as to the society and the applicants has approached this tribunal with unclean hands while filing the instant OA solely for the purposes to settle personal scores and wreak vengeance being erstwhile partner of Respondent No.8 / Sh. Sanjeev Gupta father of partner in M/s. Orchid Space Designs LLP. It further submitted that the Answering Respondent No. 8 has obtained necessary sanctions / permissions / No Objections from the competent authority being the Ld. Naib Tehsildar, Majri for the functions while ensuring that no harm of any nature is caused to the environment. In fact it is the Applicant No. 1 who has blatantly and rampantly violated all applicable norms and law by illegally constructing permanent structures, encroaching upon the river embankment which is clearly born out from the records. Contrary assertions are denied as false and incorrect to the positive knowledge of the Applicants. The answering respondent relies upon the preliminary objections /

submissions mad herein above and the same are not repeated for the sake of brevity.

6. Contents of para 6 of the Original Application filed by the Applicants are denied being false, incorrect unfounded and misleading and being bereft of any merits. It is denied that in the year 2018, Respondent No. 8 started its operations as an open air marriage in the said area of village Karoran and Respondent No.8 marriage palace is located right at the periphery of the forest area and even shares its boundary walls with the residences of some of the Applicants as falsely alleged. It is submitted that the farm of Answering Respondent No. 8 shares its boundary with the Applicant No.1 and the instant OA has been filed only as an instrument to harass, humiliate and cause irreparable loss to the Answering Respondent No. 8. It is further submitted that the property of the Answering Respondent no. 8 is admittedly not a forest land. Contrary assertions are denied as false and incorrect to the positive knowledge of the Applicants. The answering respondent relies upon the preliminary objections / submissions mad herein above and the same are not repeated for the sake of brevity.

7. Contents of para 7 of the Original Application filed by the Applicants are denied as false, incorrect, misleading, afterthought and bereft of any merits. It is vehemently denied that the Applicants and other residents of the area are aggrieved of the fact that R. No. 8 is causing Air/Noise pollution by organizing large gatherings, blowing loud music on loudspeakers, using bright laser strobe lights and firecrackers all throughout the night time well into early mornings (around 3:00-4:00 am) as falsely alleged. It is further denied R. No. 8 also organizes lavish and wild festive parties and invites DJs to play loud music, Loud cheers and shouting of attendees under the influence of liquor at this marriage palace can also be heard at late night/early morning hours as falsely alleged. It is further denied that these events and activities not only immensely disturb the village residents by making it almost impossible for them to sleep at night and lead a peaceful life, but is also adversely impacting the biodiversity of the adjacent forest area as falsely alleged. In reply it is submitted that every function by answering respondent No. 8 are carried out only during day time and only on few occasions it unintentionally spilled over after

evening for which oral consent was taken from the Applicant No. 1 and it was always ensured that all the functions end by the sunset. It is further submitted that no loud music is played by Respondent No. 8 after 10 PM following the law of the land. Contrary assertions are denied as false and incorrect to the positive knowledge of the Applicants. The answering respondent relies upon the preliminary objections / submissions made herein above and the same are not repeated for the sake of brevity.

8. Contents of para 8 of the Original Application filed by the Applicants are denied being false, incorrect, misleading, afterthought and bereft of any merits. It is denied that the Applicants and various other residents of the Village Karoran have on multiple occasions in the past 2-3 years approached the management/owners of Respondent No. 8 to discontinue their illegal activities through personal meetings, phone calls and messages and time and again, the management/owners of Respondent No. 8 have given assurances that they will discontinue their illegal activities as falsely alleged. It is further denied that all these assurances have without fail turned out to be false as falsely alleged. It is further denied

that the Applicants and various other residents of the area have on multiple occasions also approached the legal authorities including the local police station with their aforementioned grievances but to no avail at all as falsely alleged. Contrary assertions are denied as false and incorrect to the positive knowledge of the Applicants. The answering respondent relies upon the preliminary objections / submissions mad herein above and the same are not repeated for the sake of brevity.

9. Contents of Para 9 of the Original Application filed by the Applicants are denied being false, incorrect and motivated. It is denied that the Applicants had addressed Representation dated 07.12.2022 to the Respondent Nos. 2-8 and requested them to take action against the air/noise pollution caused by the illegal activities being carried out by Respondent No. 8 in violation of various laws for want of knowledge. Contrary assertions are denied as false and incorrect to the positive knowledge of the Applicants. The answering respondent relies upon the preliminary objections / submissions mad herein above and the same are not repeated for the sake of brevity.

10. Contents of para 10 of the Original Application filed by the Applicants are denied being false, incorrect and motivated. It is denied that due to the aforementioned activities carried out by Respondent No. 8, there have been instances where wild animals frightened and disturbed by loud music, bright lights and firecrackers have rushed out of the forest area onto the roads and caused serious accidents with the passing vehicles as falsely alleged. In reply it is submitted that there is absolutely no material placed on record to support the said false/bald averment made in the corresponding para under reply and the same is utterly false, frivolous, concocted and the same has been pleaded solely to show the Respondent No. 8 in poor light and in order to settle personal scores. Contrary assertions are denied as false and incorrect to the positive knowledge of the Applicants. The answering respondent relies upon the preliminary objections / submissions made herein above and the same are not repeated for the sake of brevity.
11. Contents of para 11 of the Original Application filed by the Applicants are denied being false and incorrect to the positive knowledge of the Applicants. It is vehemently denied that in

the recent past, the forest area adjacent to Respondent No. 8 has been witnessing increasing incidents of wildfires owing to its dry and arid topography as falsely alleged. It is further denied that firecrackers and rockets used by R. No. 8 are capable of causing such wildfires and prove disastrous for the flora, fauna and humans alike as falsely alleged. In reply it is submitted even an iota of evidence has not been produced by the applicants to buttress the said averment which establishes that the said averment is absolutely false, fictitious and against all norms which is to be looked into seriously. It is further denied that the Applicants have reasons to believe that Respondent No. 8 may be responsible for causing such increasing incidents in the recent past as falsely alleged. Contrary assertions are denied as false and incorrect to the positive knowledge of the Applicants. The answering respondent relies upon the preliminary objections / submissions mad herein above and the same are not repeated for the sake of brevity.

12. Contents of para 12 of the Original Application filed by the Applicants are false, incorrect, mischievous, motivated and being devoid of any merits to the positive knowledge of the

Applicant and are denied. It is vehemently denied that Respondent No. 8 also flies aerial drones for filming the events and functions organized therein as falsely alleged. It is further denied that very often, these drones stray into the forest area as well as the private properties of the Applicants as falsely alleged. It is vehemently denied that Aerial Drones straying into the forest area disturb the tranquillity of the forest and cause an immense adverse effect on the wild animals of the said forest area as falsely alleged. In reply it is submitted that the Applicants in order to harass, humiliate and cause serious prejudice to the answering respondent has been raising concocted, false and bald averment based on no material evidence at all which should be looked into seriously by this Hon'ble Tribunal. Contrary assertions are denied as false and incorrect to the positive knowledge of the Applicants. The answering respondent relies upon the preliminary objections / submissions mad herein above and the same are not repeated for the sake of brevity.

13. Contents of para 13 of the Original Application filed by the Applicants are denied being false, incorrect, misleading, motivated, mischievous and thus devoid of any merits. It is

vehemently denied that since the Respondent No. 8 has failed to discontinue its illegal activities and causing Air/Noise pollution and Respondent Nos. 1-7 have failed in enforcing the law and have made life of the Applicants and the surrounding biodiversity miserable as falsely alleged. It is denied the Applicants have been constrained to invoke the plenary jurisdiction of this Hon'ble Tribunal through the present Original Application for the enforcement of their legal rights as falsely rights. In reply it is submitted that the instant OA has been filed only as a tool of harassment by using the instrumentality of this Hon'ble Tribunal and is a classic example of how the pious remedy of public interest litigation to save the environment has been used as political/private/personal interest litigation solely for the motive to score out personal scores/vengeance. Contrary assertions are denied as false and incorrect to the positive knowledge of the Applicants. The answering respondent relies upon the preliminary objections / submissions mad herein above and the same are not repeated for the sake of brevity.

REPLY TO GROUNDS

Use of loudspeakers and firecrackers without permission and at night time

A - B) Contents of Ground 'A' & 'B' are denied being false and incorrect besides also being devoid of any merits. It is denied that R. No. 8 has not obtained any written permission from the authorities for using the loud speakers and is openly flouting the aforementioned provisions of the Noise Pollution (Regulation and Control) Rules, 2000 as falsely alleged. It is further denied that R. No. 8 uses loudspeakers, etc. at night time in absolute violation of Rule 5(2) which absolutely prohibits the use of loudspeakers, etc. from 10:00 PM to 6:00 AM as falsely alleged. It is submitted that all the functions carried out by the Respondent No. 8 are during the day after taking due permissions from the competent authority being the Ld. Naib Tehsildar, Majri in the area and there is absolutely no violation of any law for time being in force as duly borne out from the record. It is pertinent to state that the grant of sanctions/permissions/development activities etc. in the area is the subject matter of COCP No.1502 of 2023 before the Hon'ble Punjab & Haryana High Court at Chandigarh. Contrary assertions are denied as false and

incorrect to the positive knowledge of the Applicants. The answering respondent relies upon the preliminary objections / submissions mad herein above and the same are not repeated for the sake of brevity.

- C) Contents of Ground 'C' are denied being false and incorrect besides also being devoid of any merits and applicant be put to strict proof regarding the same. It is denied that Respondent Nos. 3-7 failed to reply to the Applicants' Representation dated 07.12.2022 (Annexure A-3(colly)) by which the Respondents were informed of the of the aforementioned and other violations being committed by Respondent No. 8 and thus causing Air/Noise Pollution as falsely alleged. Contrary assertions are denied as false and incorrect to the positive knowledge of the Applicants. The answering respondent relies upon the preliminary objections / submissions mad herein above and the same are not repeated for the sake of brevity.
- D) Contents of Ground 'D' to the extent the judgment passed by the Hon'ble Supreme Court requires no reply being clearly distinguishable on facts as the same does not apply in the

case of Respondent No.8. However, it is vehemently denied that the Respondents have failed in giving effect to the above directions of the Hon'ble Supreme Court of India, even after 18 years of passing of the above directions, the state of affairs still remains pathetic as violators like Respondent No. 8 continue to use loudspeakers, firecrackers, etc. in violation of the Noise Pollution (Regulation and Control) Rules, 2000 and the mandate of the Hon'ble Supreme Court in Re Noise Pollution case as falsely alleged. It is further denied that the State continues to encourage such violators by not seizing and confiscating the violating instruments as falsely alleged. Contrary assertions are denied as false and incorrect to the positive knowledge of the Applicants. The answering respondent relies upon the preliminary objections / submissions mad herein above and the same are not repeated for the sake of brevity.

- E) Contents of Ground 'E' to the extent the judgment passed by the Hon'ble Supreme Court requires no reply. However, it is vehemently denied that the use loudspeakers, lights and firecrackers all throughout the night time by Respondent No. 8 has made it almost impossible for the 2000 villagers

including the Applicants (many of whom are senior citizens) to sleep at night as falsely alleged. Pertinently, no body from the village has come forward to support such false, bald and fictitious allegations except for the Applicants who being inimical to the Answering Respondent are seeking to settle personal scores to silence the Answering Respondent No.8 from raising objections to their illegal activities. It is further submitted that there is not an iota of evidence produced to prove that answering respondent has been creating noise pollution beyond the timeframe prescribed under law. It is further denied that Respondent No. 8 is depriving the Applicants of their fundamental and human right to sleep and inflicting third-degree torture on them as falsely alleged. It is further denied that even the State and its functionaries (Respondent Nos. 1-7) are equally responsible for violation of the aforementioned fundamental and human rights of the Applicants inasmuch as they have turned a blind eye to the plight of the Applicants and are allowing Respondent No. 8 to openly flout the law and directions passed by the Hon'ble Supreme Court and the Hon'ble National Green Tribunal on various occasions as falsely alleged. It is further denied that

only when the Applicants could not bear such third-degree torture anymore that they have approached this august Tribunal and invoked its jurisdiction as falsely alleged. In reply it is submitted that the applicants have approached this Hon'ble Tribunal to iron out their differences with the answering respondent where the applicants are related persons and hands in gloves with each other and are themselves grave violators of law as duly demonstrated from the records. Contrary assertions are denied as false and incorrect to the positive knowledge of the Applicants. The answering respondent relies upon the preliminary objections / submissions mad herein above and the same are not repeated for the sake of brevity.

- F) Contents of Ground 'F' to the extent the judgment passed by this Hon'ble Tribunal requires no reply. However, it is vehemently denied that the use of loudspeakers and firecrackers without permission and all throughout the night time by the management/owners of R. No. 8; and the indifference shown by the State and its functionaries (R. Nos. 1 -7) are violative of the right to a noise free environment which is a part of the fundamental right to life of the

Applicants as falsely alleged. Contrary assertions are denied as false and incorrect to the positive knowledge of the Applicants. The answering respondent relies upon the preliminary objections / submissions made herein above and the same are not repeated for the sake of brevity.

- G) Contents of Ground 'G' to the extent the judgment passed by this Hon'ble Tribunal requires no reply. However, it is vehemently denied that Respondent No.8 routinely flashes and projects bright/colourful strobe lights into the forest area and the residences of some of the Applicants as falsely alleged. It is further denied that the noise of the loud music played on loud speakers used by the Respondent No. 8 goes deep into the forest area as falsely alleged. It is vehemently denied that the firecrackers, rockets used by the Respondent No. 8 also stray into the forest area apart from causing loud noises and such acts of the Respondent No. 8 are in gross violation of the mandate of the aforementioned judgment of this Hon'ble Tribunal which has held use of lights and sounds to be non-forest activities as falsely alleged. It is further denied that apart from loss of sleep of the Applicants, there have been several instances where animals frightened by the

loud sounds, lights and firecrackers have rushed out of the forest area and caused fateful accidents with the vehicular traffic passing by as falsely alleged and applicants be put to strict proof regarding the averment made. Not a single incident of any flash lights/fire crackers penetrating deep into the forest has been substantiated except for bald allegation which is nothing but the figment of imagination of the Applicants and being far from truth. It is reiterated that all the functions carried out by the answering respondent are carried out in daytime and end before 10.00 PM except for only very few occasions when unintentionally it spilled over till late evening/night and for which all due precautions were taken not to cause any inconvenience to anyone in the area. The answering respondent specifically denies all the photographs produced by the applicants as false, fabricated, concocted, misleading and motivated to the positive knowledge of the applicants. The Answering Respondent No.8 further reiterates and reassures this Hon'ble Tribunal that it would never violate any applicable laws and more particularly the norms prescribing noise/sound regulation as applicable for the timing between 10.00 PM to 6.00 AM. Contrary assertions

are denied as false and incorrect to the positive knowledge of the Applicants. The answering respondent relies upon the preliminary objections / submissions mad herein above and the same are not repeated for the sake of brevity.

- H) Contents of Ground 'H' are denied being false and incorrect besides also being devoid of any merits and applicant be put to strict proof regarding the same. It is denied that the marriages/events that are organized at Respondent No. 8 involve gathering of thousands of attendees in the ecologically sensitive village Karoran as falsely alleged. It is further denied that the village roads have not been designed to carry the load of hundreds of vehicles of the attendees at R. No. 8 marriage palace as falsely alleged. It is vehemently denied that whenever an event/marriage is organized at Respondent No. 8 marriage palace, the village roads get totally chocked with slow-moving traffic and the villagers are forced to face incessant honking of cars as falsely alleged and applicants be put to strict proof regarding the said averment. It is further denied that the village and the surrounding forest are thus crippled by grave air/noise Pollution owing to the large gatherings organized by R. No. 8

marriage palace as falsely alleged. The answering respondent specifically denies all the photographs produced by the applicants as false, fabricated, concocted, misleading and motivated to the positive knowledge of the applicants. Contrary assertions are denied as false and incorrect to the positive knowledge of the Applicants. The answering respondent relies upon the preliminary objections / submissions mad herein above and the same are not repeated for the sake of brevity.

- I) Contents of Ground 'I' are denied are false, incorrect, mischievous, motivated and being devoid of any merits to the positive knowledge of the Applicants and are denied. It is denied that R. No. 8 organizes gatherings of thousands of attendees but has made no provision at all in terms of the Solid Waste Management Rules, 2016 for the segregation and disposal of the hundreds of kilograms of waste generated by it as falsely alleged. It is vehemently denied that Respondent No. 8 often disposes hundreds of kilograms of waste generated by it at open spaces in the village and the surrounding forest as falsely alleged. It is further denied that at times, Respondent No. 8 has also littered its waste inside

the premises of the residences of some of the Applicants as they share common wall with R. No. 8 as falsely alleged. In reply it is submitted that the answering respondent has made sufficient arrangement as far as solid waste is concerned wherein all the waste collected is sent through mechanised suction trucks to STP located at Chandigarh for proper waste management and process as per law as duly demonstrated from the records. The answering respondent specifically denies all the photographs produced by the applicants as false, fabricated, concocted, misleading and motivated to the positive knowledge of the applicants. Contrary assertions are denied as false and incorrect to the positive knowledge of the Applicants. The answering respondent relies upon the preliminary objections / submissions mad herein above and the same are not repeated for the sake of brevity.

- J) Contents of Ground 'J' are denied are false, incorrect, mischievous, motivated and being devoid of any merits to the positive knowledge of the Applicants and are denied. It is further submitted that the answering respondent has wherever necessary and applicable applied for grant of NOC and in some cases has been duly granted as stated and

made out in the Preliminary Submissions appearing herein above and which may kindly be read as a part and parcel of the reply to the para under reference. It is vehemently denied that the Respondent No. 8 has not obtained any approval from the said committee and are operating Respondent No. 8 as a marriage palace in violation of the policy and law as falsely alleged. Contrary assertions are denied as false and incorrect to the positive knowledge of the Applicants. The answering respondent relies upon the preliminary objections / submissions mad herein above and the same are not repeated for the sake of brevity.

- K) Contents of Ground 'K' to the extent that R. Nos. 1-7 being the State and its functionaries are duty bound to protect and improve the environment and to safeguard and improve the forests and wildlife of the country as envisaged under Article 48A of the Constitution on India and the public at large is the beneficiary of the environment and the State and its functionaries being the trustees of the environment are under a legal duty to protect and improve it for the safety of its citizens require no reply. Contrary assertions are denied as false and incorrect to the positive knowledge of the

Applicants. The answering respondent relies upon the preliminary objections / submissions mad herein above and the same are not repeated for the sake of brevity.

- L) Contents of Ground 'L' are denied being false, incorrect, misleading mischievous, motivated and devoid of any merits. In reply it is submitted that the Applicants consciously with malafide and motivated intentions has made such false accusation just to cause prejudice to the answering respondent No. 8 in order to wreak vengeance. It is vehemently denied that contrary to the mandate of Article 51 A(g), the activities carried out by the management/owners of Respondent No. 8 evidences grave dis-compassion for the lives of all living creatures, animals and humans alike as falsely alleged. Contrary assertions are denied as false and incorrect to the positive knowledge of the Applicants. The answering respondent relies upon the preliminary objections / submissions mad herein above and the same are not repeated for the sake of brevity.
- M) Contents of Ground 'M' are denied are false, incorrect, mischievous, motivated and being devoid of any merits to the

positive knowledge of the Applicants and are denied. It is vehemently denied that the balance of convenience lies in favour of the Applicants and the other residents of Village Karoran as falsely alleged. It is further denied that the Applicants, the forest area in and around Village Karoran and the biodiversity therein will suffer irreparable loss if the reliefs as prayed are not granted by this Hon'ble Tribunal as falsely alleged. Contrary assertions are denied as false and incorrect to the positive knowledge of the Applicants. The answering respondent relies upon the preliminary objections / submissions made herein above and the same are not repeated for the sake of brevity.

14. Contents of para 14 of the Original Application filed by the Applicants are denied being false, incorrect, misleading, motivated, mischievous and thus devoid of any merits. It is vehemently denied that the activities carried on by the R. No. 8 have caused great damage to the Applicants as falsely alleged. It is vehemently denied that the Quality of sleep of the Applicants and other residents has been adversely affected by the incessant and loud music as falsely alleged. It is further denied that as a result, the overall quality of life has

been greatly impaired and the loss of sleep is evident from the fact that the Applicants even at late hours of the night are forced to send text messages to the owners/management of R. No. 8 as falsely alleged. In reply it is submitted not even an iota of evidence has not been placed on record qua the false and fictitious averment made. It is further denied that the tranquillity of the forest area has been adversely impacted as falsely alleged. It is further denied that there has been a rise in the incidents of wildfires which cause huge loss of forest biodiversity as falsely alleged and applicants be put to strict proof regarding the false and fictitious averment raised. It is further denied that animals frightened by the loud music, strobe lights and fireworks often rush out of the forest area and meet with fateful accidents with the passing traffic, causing loss of life to animals and great damage to humans as falsely alleged and applicants be put to strict proof regarding the false and fictitious averment raised. It is further denied that the children of the area are facing disturbance and disruption in their studies owing to the loud music played by R. No. 8 as falsely alleged. It is vehemently denied that the present case is a case of ultra-rich and modern people

throwing wild and lavish parties at the periphery of a forest area at the cost of tranquillity, safety and health of the surrounding residents and the forest biodiversity as falsely alleged. It is further denied that these ultra-rich and modern people are shelling out crores of rupees to organize such events at Respondent No. 8 in flagrant violation of various environmental and other laws and directions of various courts as explained in this Original Application above as falsely alleged. It is further vehemently denied that it is unfortunate that even the State authorities who are otherwise considered as custodians of environment under the 'public trust doctrine' have provided a safe haven to such ultra-rich and modern people to violate the environment and lives of the Applicants herein as falsely alleged. It is vehemently denied that that this Hon'ble Tribunal should exercise its discretion and invoke the polluter pays principle along with the principle of deterrence and impose exemplary cost on R. No. 8 to serve as a deterrent for it and others like it as falsely alleged. Contrary assertions are denied as false and incorrect to the positive knowledge of the Applicants. The answering respondent relies upon the preliminary objections / submissions mad

herein above and the same are not repeated for the sake of brevity.

Contents of the instant para under reply under the heading 'LIMITATION' are denied being false, frivolous, motivated, mischievous and all norms of law. It is denied that the cause of action for filing this Original Application arose when Respondent No. 8 was set-up as an open air marriage palace and started its operations in 2018 without the required approvals as falsely alleged. It is denied that the cause of action further arose when the Respondent No. 8 started using loudspeakers without permission and at night time in violation of the Noise Pollution (Regulation and Control) Rules, 2000 as falsely alleged. It is further denied that the cause of action further arose when the Respondent No. 8 started using bright strobe lights and firecrackers and affecting the forest area as falsely alleged. It is further denied that the cause of action further arose when the Applicants approached the legal authorities multiple times but to no avail as falsely alleged. It is further denied that the cause of action further arose when the Applicants made representation dated 07.12.2022 to the Respondents but the Respondents neither redressed the

grievances nor replied to the Representation as falsely alleged. It is further denied that the cause of action is a continuing one as Respondent No. 8 still continues to operate without approvals, use loudspeakers, strobe lights and firecrackers at late night, thereby causing Air/Noise Pollution and R. Nos. 1-7 are failing to take any action against Respondent No. 8 as falsely alleged. It is further denied that the Applicants have made all efforts to approach the Respondents with their grievances but their repeated failure to act has forced the Applicants to finally approach this Hon'ble Tribunal for the enforcement of their legal and fundamental rights as explained in this Original Application as falsely alleged. Contrary assertions are denied as false and incorrect to the positive knowledge of the Applicants. The answering respondent relies upon the preliminary objections / submissions mad herein above and the same are not repeated for the sake of brevity.

That in view of the submissions made in the above reply the answering respondent denies the prayer clause which is untenable, impermissible and unsustainable in the eyes of law. The present OA is totally false, frivolous, malafide, vexatious, devoid of any merits, without any cause of action and

the same is liable to be dismissed with exemplary costs. The balance of convenience lies in favour of the answering Respondent no. 8 which shall be seriously prejudiced and would be put to irreparable loss in case the instant OA under reply is allowed. Further, the Applicants are not at all entitled to any reliefs whatsoever. However, it is further submitted that the Applicants are not all entitled to file and maintain the instant Original Application being themselves grave violators / unbenign / malevolent to the environment which is duly demonstrated from the records.

In the premises and circumstances set forth in the reply filed by the Answering Respondent No.8, this Hon'ble Tribunal may graciously be pleased to forthwith vacate the interim order dated 30.05.2023 whereby it has directed the Answering Respondent No.8 to desist from organising any marriage party or such like social function in the premises in question being passed on being misled by the false, fictitious and motivated allegations made in the instant petition as also the motivated, incomplete and misleading report dated 29.05.2023 of the Ld.

Joint Committee filed before this Hon'ble Tribunal thereby causing huge, substantial and grave prejudice to the name, reputation and financial loss of the Answering Respondent. It is further prayed that appropriate directions for furnishing adequate security by the Applicants for having resorted to false, concocted and malicious litigation by unnecessarily dragging the Answering Respondent No.8 on the basis of unfounded, false, malicious, motivated and untenable allegations / averments made by them in that regards be passed for causing serious, grave and substantial prejudice and loss to the Answering Respondent No.8 as per the settled law on the subject. In any case, it is the settled law of the land that in such like cases the Applicants are required to be burdened with adequate and appropriate costs/compensation where a innocent third party suffers grave and substantial loss on account of the motivated and malicious allegations made solely to mislead and play fraud upon this Hon'ble Tribunal without any exceptions. **The Answering Respondent No.8 hereby and once again reiterates and assures this Hon'ble Tribunal that there would be no violation of any of applicable norms relating to noise/sound regulations in any**

manner which in any case has never been spelt out much less proved/made out by the applicants as per law. The Answering Respondent No.8 being a law abiding and responsible entity could not and ought not to have been roped into such motivated, false and malicious proceedings without there being any lawful or reasonable basis.

It is prayed accordingly.

Date: *Panchkula*

Place: *20-8-2023*

for Orchid Space Designs LLP

[Signature]
(RESPONDENT No. 8) Partner

Through

[Signature]

Dinesh C Pandey & Dushyant Dahiya

Counsels For Respondent No.8

407, Vishal Bhawan, 95, Nehru Place

New Delhi – 110019

Tel.:011-40514875/9810124707



VERIFICATION:

Verified at Chandigarh on this day of August 2023 that the contents of the reply in para 1 to 18 of preliminary objections, para 19 to 26 of preliminary submissions and para 1 to 14 of the

parawise reply are true and correct to my knowledge based upon records maintained by the Respondent No. 8 in ordinary course of business which I believe to be true and correct. No part of it is false and nothing material has been concealed therefrom.

for Orchid Space Designs LLP
Sarath

Partner

DEPONENT

(RESPONDENT No. 8)

Place: Panchkula

Date: 20-8-2023

RY
K.P.
At
Panchk
Regn.
DVT



Solemnly Affirmed/Sworn Before Me

Y.P. Mahajan

Y.P. MAHAJAN
NOTARY PUBLIC

20 AUG 2023

Under Sec. 17(1) of the Registration Act, 1908
at Page No. 76
Registered at
This/These documents

This/These documents
Registered at
at Page No. 76
Under Sec. 17(1) of the Registration Act, 1908

Affidavit



219
Indian-Non Judicial Stamp
Haryana Government



Date 20/08/2023
65

Certificate No. POT2023H7



Stamp Duty Paid : ₹ 101

(Rs. Only)

GRN No. 106194581



Penalty : ₹ 0

(Rs. Zero Only)

Deponent

Name : Orchid Space Designs llp

H.No/Floor : Sco118/120

Sector/Ward : 34/a

Landmark : Na

City/Village : Chandigarh

District : Chandigarh

State : Chandigarh

Phone : 95*****54



Purpose : AFFIDAVIT to be submitted at Concern

The authenticity of this document can be verified by scanning this QRCode Through smart phone or on the website <https://egrashry.nic.in>



Attached

for Orchid Space Designs LLP

Partner

BEFORE THE NATIONAL GREEN TRIBUNAL, PRINCIPAL BENCH
AT NEW DELHI

O.A. NO.161 OF 2023

IN THE MATTER OF:

Rana Iqbal Singh Jolly & Ors.

Applicants

Versus

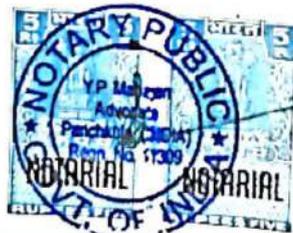
State of Punjab & Ors.

Respondents

AFFIDAVIT

I, Saurabh Gupta S/o Sh. Sanjiv Gupta, partner and authorised signatory of M/s Orchid Space Designs LLP, having its offices at SCO 118-119-120, Sector-34-A, Chandigarh and The Hermitage, Village Karoran, Sub- Tehsil Majri, District S.A.S Nagar, Mohali do hereby solemnly affirm and state on oath as follows:

1. That I am one of the partners / authorised signatory duly authorised in terms of the Resolution dated 27.05.2023 passed by the firm M/s Orchid Space Designs LLP, lawful owner in possession of Respondent No. 8 / The Hermitage, in my favour and being aware of the facts and circumstances of the present case am competent to swear this affidavit.
2. That I have read and fully understood the contents of accompanying reply drafted by our counsel upon our



instructions, the contents where are not being repeated herein for the sake of brevity and which may kindly be treated to the part and parcel of the present affidavit and which are true and correct.

for Orchid Space Designs LLP
[Signature]
DEPONENT Partner

VERIFICATION

Verified at Chandigarh on this 20th day of August 2023 that Panchkula the contents of my above affidavit in para no. 1 & 2 are true and correct to my knowledge, no part of it is false and nothing material has been concealed therefrom.

for Orchid Space Designs LLP
[Signature]
DEPONENT Partner



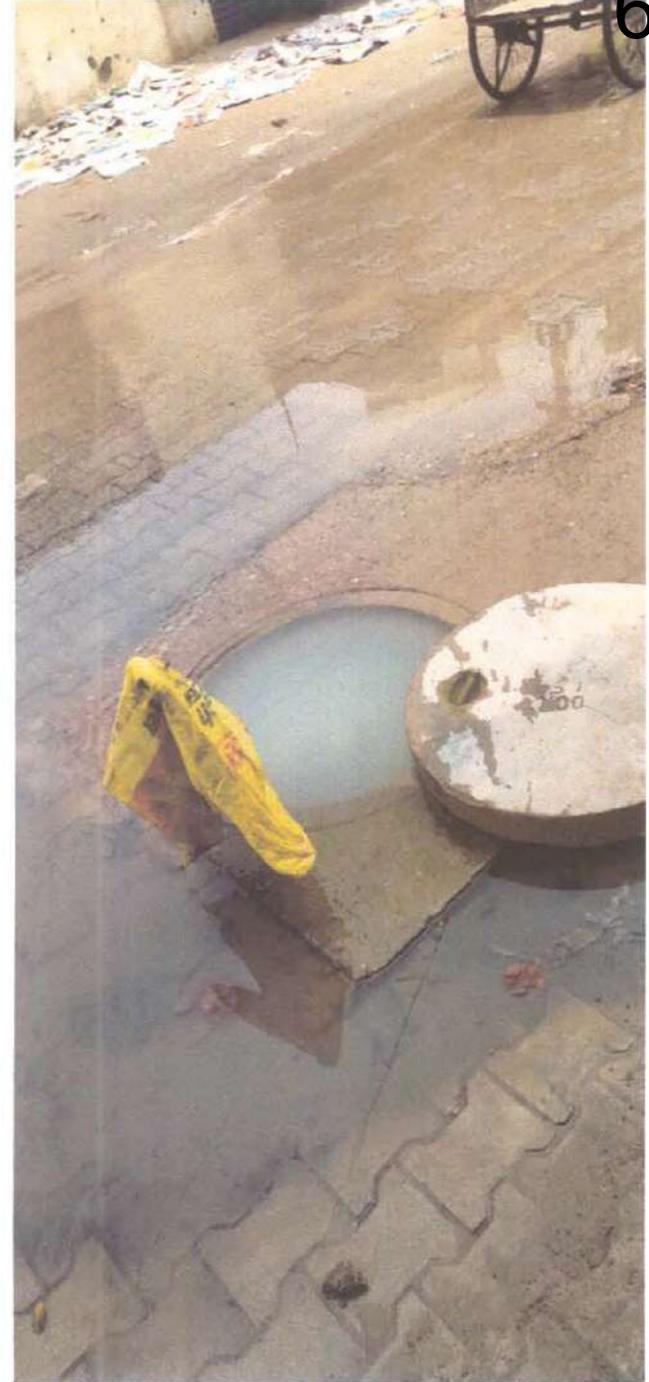
20 AUG 2023

Solemnly Affirmed/Sworn Before Me

[Signature]
Y.P. MAHAJAN
NOTARY PUBLIC
[Initials]



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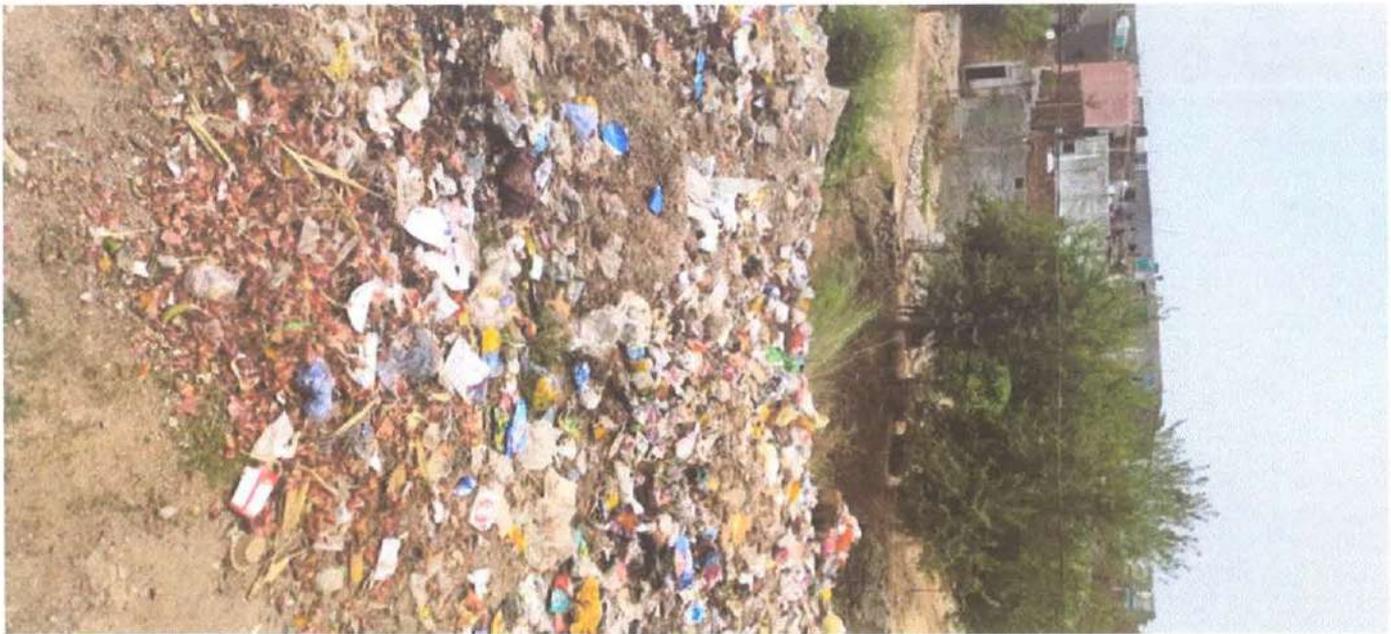




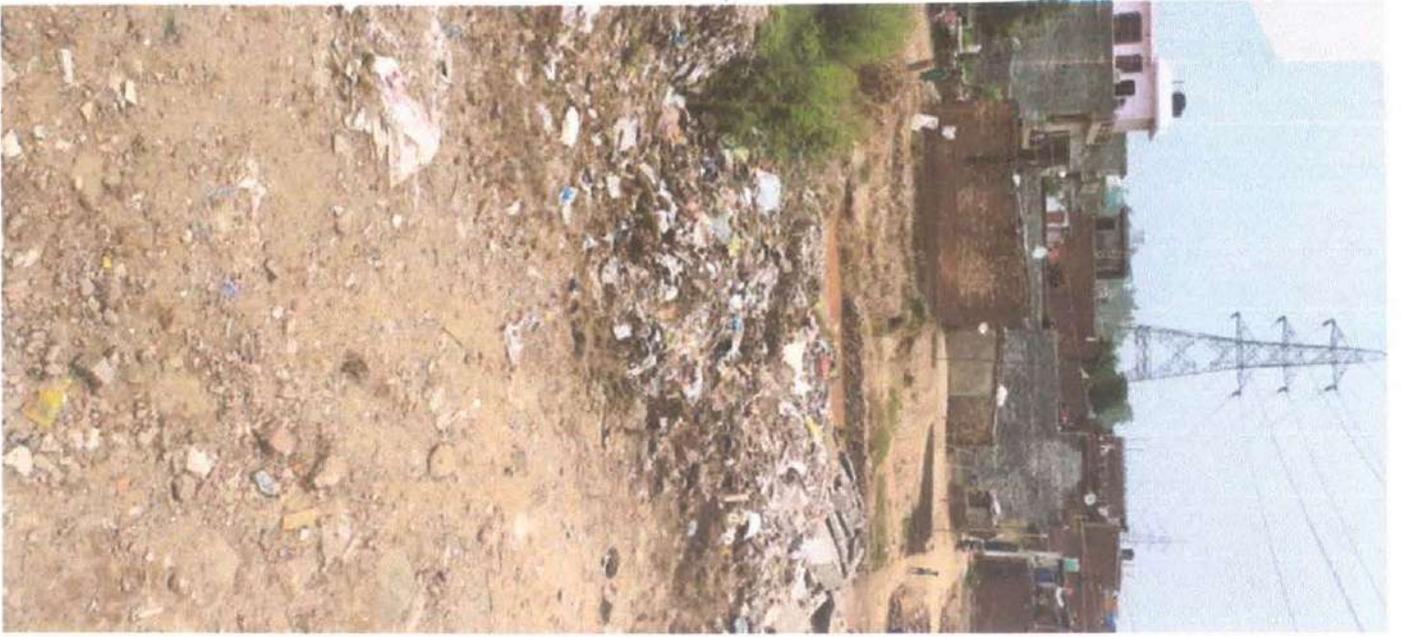












Date: 24-04-2023

To

1. The Deputy Commissioner,
District Administrative Complex, Sector 76,
Sahibzada Ajit Singh Nagar (Mohali)
25/4/23
2. Chief Administrator, ^{GMA} PUDA, PUDA Bhawan, Sector 62, SAS
Nagar (Mohali)
3/04/23
3. Additional Chief Administrator, Greater Mohali Area
Development Authority, PUDA Bhawan, Sector 62, SAS Nagar
(Mohali)
25/4/23
4. The Sub-Registrar
Majri, Tehsil Kharar, District SAS Nagar (Mohali)
SDM, Kharar, District Mohali
25/4/23
6. Principal Chief Conservator of Forests (Head of Forest Force)
Forest Complex, Sector 68, SAS Nagar. Mohali, Punjab
25/4/23
- District Forest Officer, SAS Nagar
Forest Complex, Sector 68, SAS Nagar. Mohali, Punjab
24/4/2023

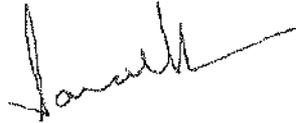
Subject: Illegal construction of Farm houses and permanent structures in village Karoran, Sub Tehsil Majri, Tehsil Kharar, District SAS Nagar in contravention of the provisions of "The Punjab New capital (Periphery) Control Act 1952 and The Punjab Regional and Town Planning and Development Act 1995.

Respected Sir,

It is submitted that undersigned owns land in village Karoran, District SAS Nagar. One Sh. Rana Iqbal Singh Jolly S/o Sh.

Dharambir Singh Jolly, R/o "Baikunth Farms" Village Karoran, Nayagaon, Dist. SAS Nagar, Punjab, Mobile 9216702717 has/is constructing farm house by way of carrying out permanent constructions with concrete roofing and other allied facilities in contravention of the above acts. No action has initiated against him despite our repeated complaints.

It is requested that appropriate action may be initiated to get the said violations removed.



Saurabh Gupta S/o Sh. Sanjiv Gupta
Village Karoran,
Sub-Tehsil Majri
Tehsil Kharar, District SAS Nagar
Mobile 9592700000

Encl. Photographs

Date: 24-04-2023

To

1. The Deputy Commissioner,
District Administrative Complex, Sector 76,
Sahibzada Ajit Singh Nagar (Mohali)
2. Chief Administrator, ^{GMA-DA} PUDA, PUDA Bhawan, Sector 62, SAS
Nagar (Mohali)
3. Additional Chief Administrator, Greater Mohali Area
Development Authority, PUDA Bhawan, Sector 62, SAS Nagar
(Mohali)
4. The Sub-Registrar
Majri, Tehsil Kharar, District SAS Nagar (Mohali)
5. SDM, Kharar, District Mohali
6. Principal Chief Conservator of Forests (Head of Forest Force)
Forest Complex, Sector 68, SAS Nagar. Mohali, Punjab
7. District Forest Officer, SAS Nagar
Forest Complex, Sector 68, SAS Nagar. Mohali, Punjab

**Subject: (1) Illegal construction on Shamlat land of Village
Nadda, District SAS Nagar.**

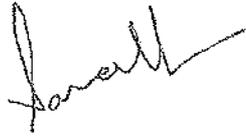
**(2) Illegal colony on land closed under Forest
(Conservation) Act 1980 and Indian Forest Act 1927.**

Respected Sir,

It is submitted that the undersigned owns land in Village
Karoran. One Sh. Rana Iqbal Singh Jolly S/o Sh. Dharambir Singh
Jolly, R/o Village Karoran, Nayagaon, Dist. SAS Nagar, Punjab,

Mobile 9216702717 has been illegally cutting the forest area falling on the shamlat land of village Nadda/Karoran . He is carrying out construction of illegal colony by carving out plots on the above land and selling to innocent buyers by showing the land as khewat land of village Nayagaon, District SAS Nagar. The land is being sold through GPA/Sub-GPA to evade stamp duty payable to the State Government, as well as escape the legal liability for illegal carving of colony, without obtaining necessary permissions from the competent authorities. No permanent construction is allowed in this area but several permanent structures on this land (**photographs attached**) are being constructed. This construction is coming up for which no action has been initiated despite our repeated complaints.

It is requested that appropriate action may be initiated to get the shamlat as well as Forest land vacated.



Saurabh Gupta S/o Sh. Sanjiv Gupta
Village Karoran,
Sub-Tehsil Majri
Tehsil Kharar, District SAS Nagar
Mobile 9592700000

Date: 24-04-2023

To

1. The Deputy Commissioner,
District Administrative Complex, Sector 76,
Sahibzada Ajit Singh Nagar (Mohali)
2. Chief Administrator, ^{G.M.A.} PUDA, PUDA Bhawan, Sector 62, SAS
Nagar (Mohali)
3. Additional Chief Administrator, Greater Mohali Area
Development Authority, PUDA Bhawan, Sector 62, SAS Nagar
(Mohali)
4. The Sub-Registrar
Majri, Tehsil Kharar, District SAS Nagar (Mohali)
5. SDM, Kharar, District Mohali
6. Principal Chief Conservator of Forests (Head of Forest Force)
Forest Complex, Sector 68, SAS Nagar. Mohali, Punjab
7. District Forest Officer, SAS Nagar
Forest Complex, Sector 68, SAS Nagar. Mohali, Punjab

Subject: (1) Illegal construction on Shamat land of Village Nadda, District SAS Nagar.

(2) Illegal construction on land closed under Forest (Conservation) Act 1980 and Indian Forest Act 1927.

Respected Sir,

It is submitted that the undersigned owns land in Village Karoran. One Ms. Vandana Chauhan (Aged 45 years), D/o Sh. Karam Chand Chauhan R/o Village Karoran, Nayagaon, Dist. SAS Nagar

(Mohali) Punjab, Also at Village Brall, P.O. Jharag, Shimla, Jubal (HP)-171206, Mobile 9810758623 has been illegally cutting the forest area falling on the shamlat land of Village Nadda, Sub Tehsil Majri, Tehsil Kharar, District SAS Nagar. She is carrying out illegal construction on this land (**photographs attached**). This construction is being done on a illegal colony being developed by Sh. Rana Iqbal Singh Jolly S/o Sh. Dharambir Singh Jolly, R/o Village Karoran, Nayagaon, Dist. SAS Nagar, Punjab, Mobile 9216702717 and his family. Despite repeated complaints to the Forest Department, as well as Revenue Department, no action has been initiated against this on-going illegal construction.

It is requested that appropriate action may be initiated to get the shamlat as well as Forest land vacated.



Saurabh Gupta S/o Sh. Sanjiv Gupta
Village Karoran,
Sub-Tehsil Majri
Tehsil Kharar, District SAS Nagar
Mobile 9592700000

To

1. The Deputy Commissioner,
District Administrative Complex, Sector 76,
Sahibzada Ajit Singh Nagar (Mohali)

2. Chief Administrator, ^{G.M.A.D.A.} PUDA, PUDA Bhawan, Sector 62, SAS
Nagar (Mohali)

3. Additional Chief Administrator, Greater Mohali Area
Development Authority, PUDA Bhawan, Sector 62, SAS Nagar
(Mohali)

4. The Sub-Registrar
Majri, Tehsil Kharar, District SAS Nagar (Mohali)

5. SDM, Kharar, District Mohali

6. Principal Chief Conservator of Forests (Head of Forest Force)
Forest Complex, Sector 68, SAS Nagar. Mohali, Punjab

7. District Forest Officer, SAS Nagar
Forest Complex, Sector 68, SAS Nagar. Mohali, Punjab

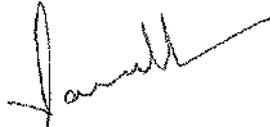
Subject: Illegal construction of Farm houses and permanent structures in village Karoran, Sub Tehsil Majri, Tehsil Kharar, District SAS Nagar in contravention of the provisions of "The Punjab New capital (Periphery) Control Act 1952 and The Punjab Regional and Town Planning and Development Act 1995.

Respected Sir,

It is submitted that undersigned owns land in Village Karoran, District SAS Nagar (Mohali). One Sh. Manjit Lakhmana S/o

Sh. Arvind Manjit Singh, R/o "Gurchetan Farm" Village Karoran, Nayagaon, Dist. SAS Nagar (Mohali), Punjab Also at C-34, Second Floor, Barsati Anand Niketan Marg No. 13, Anand Niketan, Dhaula Kuan, Delhi-110010, Mobile 8826068899 has/is constructing farm house by way of carrying out permanent constructions with concrete roofing and other allied facilities in contravention of the above acts. No action has initiated against him despite our repeated complaints.

It is requested that appropriate action may be initiated to get the said violations removed.



Saurabh Gupta S/o Sh. Sanjiv Gupta
Village Karoran,
Sub-Tehsil Majri
Tehsil Kharar, District SAS Nagar
Mobile 9592700000

Encl:- Photographs.

Date: 24-04-2023

To

1. The Deputy Commissioner,
District Administrative Complex, Sector 76,
Sahibzada Ajit Singh Nagar (Mohali)
2. Chief Administrator, ^{GMA DA} PUDA, PUDA Bhawan, Sector 62, SAS
Nagar (Mohali)
3. Additional Chief Administrator, Greater Mohali Area
Development Authority, PUDA Bhawan, Sector 62, SAS Nagar
(Mohali)
4. The Sub-Registrar
Majri, Tehsil Kharar, District SAS Nagar (Mohali)
5. SDM, Kharar, District Mohali
6. Principal Chief Conservator of Forests (Head of Forest Force)
Forest Complex, Sector 68, SAS Nagar. Mohali, Punjab
7. District Forest Officer, SAS Nagar
Forest Complex, Sector 68, SAS Nagar. Mohali, Punjab

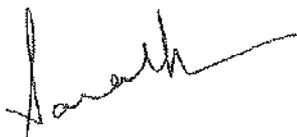
Subject: Illegal encroachment of river near Begampura Farm & Manali Farm on Karoran Baddi Road, District SAS Nagar.

Respected Sir,

It is submitted that Sh. Rana Iqbal Singh Jolly S/o Sh. Dharambir Singh Jolly, R/o Village Karoran, Nayagaon, Dist. SAS Nagar, Punjab, Mobile 9216702717 and his associates, are carving

out an illegal colony on Nadda Village Shamlat land falling under the provisions of **Forest (Conservation) Act 1980 and Indian Forest Act 1927**. They have illegally encroached upon the river-bed by erecting a stone Danga, resulting in stopping free flow of rain water with the intention of illegally selling the same by carving out plots. This has resulted in the river overflowing during the rainy season and flooding the farm of the undersigned named 'The Hermitage'. For last two years, extensive damage has been done to our farm due to flooding and silting as the river is very wide till the point where Sh. Rana Jolly has encroached the land. This results in unnatural blocked leading to over flow of the river. Despite our repeated requests the encroachments of the river-bed have not been removed.

You are requested to take suitable necessary action against this encroachment.



Saurabh Gupta S/o Sh. Sanjiv Gupta
Village Karoran,
Sub-Tehsil Majri
Tehsil Kharar, District SAS Nagar
Mobile 9592700000

Enclosed:- Photographs.

Date: 24-04-2023

To

1. The Deputy Commissioner,
District Administrative Complex, Sector 76,
Sahibzada Ajit Singh Nagar (Mohali)
2. Chief Administrator, ^{GMADA} PUDA, PUDA Bhawan, Sector 62, SAS
Nagar (Mohali)
3. Additional Chief Administrator, Greater Mohali Area
Development Authority, PUDA Bhawan, Sector 62, SAS Nagar
(Mohali)
4. The Sub-Registrar
Majri, Tehsil Kharar, District SAS Nagar (Mohali)
5. SDM, Kharar, District Mohali
- Principal Chief Conservator of Forests (Head of Forest Force)
Forest Complex, Sector 68, SAS Nagar. Mohali, Punjab
- District Forest Officer, SAS Nagar
Forest Complex, Sector 68, SAS Nagar. Mohali, Punjab

**Subject: (1) Illegal construction on shamlat land of Village
Nadda, District SAS Nagar.**

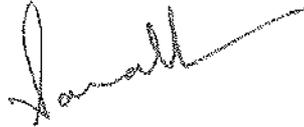
**(2) Illegal construction on the land closed under Forest
(Conservation) Act 1980 and Indian Forest Act 1927.**

Respected Sir,

It is submitted that the undersigned owns land in Village
Karoran. One Sh. Jagjit Singh S/o Sh. Gurbax Singh R/o 'Begampura
Farm' Village Karoran, Nayagaon, District SAS Nagar, Punjab,

Mobile 8837727375 has been illegally cutting the forest area falling on the shamlat land of Village Nadda, Sub Tehsil Majri, Tehsil Kharar, District SAS Nagar. He is carrying out illegal construction on this land (**photographs attached**). This construction is being done on an illegal colony being developed by Sh. Rana Iqbal Singh Jolly S/o Sh. Dharambir Singh Jolly, R/o Village Karoran, Nayagaon, Dist. SAS Nagar, Punjab, Mobile 9216702717 and his family. Despite repeated complaints to the Forest Department, as well as Revenue Department, no action has been initiated against this on-going illegal construction.

It is requested that appropriate action may be initiated to get the shamlat as well as Forest land vacated.



Saurabh Gupta S/o Sh. Sanjiv Gupta
Village Karoran,
Sub-Tehsil Majri
Tehsil Kharar, District SAS Nagar
Mobile 9592700000

Date: 24-04-2023

To

- 25/4/23
1. The Deputy Commissioner,
District Administrative Complex, Sector 76,
Sahibzada Ajit Singh Nagar (Mohali)
 - Chief Administrator, ^{G.M.A.S.A} PUDA, PUDA Bhawan, Sector 62, SAS
Nagar (Mohali)
 3. Additional Chief Administrator, Greater Mohali Area
Development Authority, PUDA Bhawan, Sector 62, SAS Nagar
(Mohali)
 4. The Sub-Registrar
Majri, Tehsil Kharar, District SAS Nagar (Mohali)
 5. SDM, Kharar, District Mohali
 6. Principal Chief Conservator of Forests (Head of Forest Force)
Forest Complex, Sector 68, SAS Nagar. Mohali, Punjab
 7. District Forest Officer, SAS Nagar
Forest Complex, Sector 68, SAS Nagar. Mohali, Punjab

25/4/23

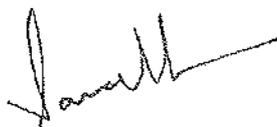
Subject: Illegal construction of Butchery and permanent structures in Village Karoran, Sub Tehsil Majri, Tehsil Kharar, District SAS Nagar in contravention of the provisions of "The Punjab New capital (Periphery) Control Act 1952 and The Punjab Regional and Town Planning and Development Act 1995.

Respected Sir,

It is submitted that undersigned owns land in village Karoran, District SAS Nagar. One Sh. Pawan Kumar R/o "Billy Goat"

Village Karoran, Nayagaon, District SAS Nagar (Mohali), Punjab
Also at: Village Fatoh, PO Baidwara, Tehsil Baidwara, Fatoh (480),
Mandi, Himachal Pradesh, Mobile 8195010169 has/is constructing
farm house/Butchery by way of carrying out permanent constructions
with concrete roofing and other allied facilities in contravention of the
above acts. No action has initiated against him despite our repeated
complaints.

It is requested that appropriate action may be initiated to
get the said violations removed.



Saurabh Gupta S/o Sh. Sanjiv Gupta
Village Karoran,
Sub-Tehsil Majri
Tehsil Kharar, District SAS Nagar
Mobile 9592700000

Encl. Photographs

Date: 24-04-2023

To

1. The Deputy Commissioner,
District Administrative Complex, Sector 76,
Sahibzada Ajit Singh Nagar (Mohali)
25/4/23
2. Chief Administrator, ^{GPRADA} PUDA, PUDA Bhawan, Sector 62, SAS
Nagar (Mohali)
25/4/23
3. Additional Chief Administrator, Greater Mohali Area
Development Authority, PUDA Bhawan, Sector 62, SAS Nagar
(Mohali)
25/4/23
4. The Sub-Registrar
Majri, Tehsil Kharar, District SAS Nagar (Mohali)
- SDM, Kharar, District Mohali
- Principal Chief Conservator of Forests (Head of Forest Force)
Forest Complex, Sector 68, SAS Nagar. Mohali, Punjab
- District Forest Officer, SAS Nagar
Forest Complex, Sector 68, SAS Nagar. Mohali, Punjab

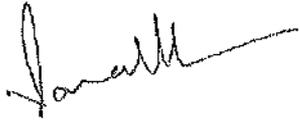
Subject: Illegal construction of Farm houses and permanent structures in village Karoran, Sub Tehsil Majri, Tehsil Kharar, District SAS Nagar in contravention of the provisions of "The Punjab New capital (Periphery) Control Act 1952 and The Punjab Regional and Town Planning and Development Act 1995.

Respected Sir,

It is submitted that undersigned owns land in village Karoran, District SAS Nagar. One Sh. Karan Singh Jolly S/o Rana

Iqbal Singh Jolly R/o Village Karoran, Nayagaon, Dist. SAS Nagar, Punjab, Mobile 9816616668 has/is constructing farm house by way of carrying out permanent constructions with concrete roofing and other allied facilities in contravention of the above acts. No action has initiated against him despite our repeated complaints.

It is requested that appropriate action may be initiated to get the said violations removed.



**Saurabh Gupta S/o Sh. Sanjiv Gupta
Village Karoran,
Sub-Tehsil Majri
Tehsil Kharar, District SAS Nagar
Mobile 9592700000**

Encl. Photographs

Date: 24-04-2023

To

25/4/23

1. The Deputy Commissioner,
District Administrative Complex, Sector 76,
Sahibzada Ajit Singh Nagar (Mohali)

25/4/23

2. Chief Administrator, ^{G.M.A.D.A} PUDA, PUDA Bhawan, Sector 62, SAS
Nagar (Mohali)

25/4/23

3. Additional Chief Administrator, Greater Mohali Area
Development Authority, PUDA Bhawan, Sector 62, SAS Nagar
(Mohali)

4. The Sub-Registrar

Majri, Tehsil Kharar, District SAS Nagar (Mohali)

5. SDM, Kharar, District Mohali

25/4/23

6. Principal Chief Conservator of Forests (Head of Forest Force)
Forest Complex, Sector 68, SAS Nagar. Mohali, Punjab

25/4/2023

District Forest Officer, SAS Nagar

Forest Complex, Sector 68, SAS Nagar. Mohali, Punjab

Subject: Illegal construction of Farm houses and permanent structures in Village Karoran, Sub Tehsil Majri, Tehsil Kharar, District SAS Nagar in contravention of the provisions of "The Punjab New capital (Periphery) Control Act 1952 and The Punjab Regional and Town Planning and Development Act 1995.

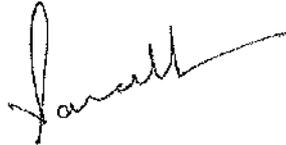
o/c

Respected Sir,

It is submitted that undersigned owns land in village Karoran, District SAS Nagar. One Sh. Gurbachan Singh R/o 'Inderjit

Farms" Village Karoran, Nayagaon, District SAS Nagar (Mohali), Punjab Also at: House NO. 510, Phase – 1, Sector 55, Mohali, (SAS Nagar), Punjab, Mobile 9915155220 has/is constructing farm house by way of carrying out permanent constructions with concrete roofing and other allied facilities in contravention of the above acts. No action has initiated against him despite our repeated complaints.

It is requested that appropriate action may be initiated to get the said violations removed.



**Saurabh Gupta S/o Sh. Sanjiv Gupta
Village Karoran,
Sub-Tehsil Majri
Tehsil Kharar, District SAS Nagar
Mobile 9592700000**

Encl. Photographs

To

The SHO,
Nayagaon
District SAS Nagar

Sub: Attempt by Rana Jolly and others to forcibly occupy our land in Khasra No. 97/26/1, 97/26/2, Hadbast No. 352, Village Karoran, Karoran-Baddi Road, Tehsil Kharar, District SAS Nagar.

Sir,

It is to inform that Rana Jolly and others are trying to forcibly dispossess us from our land measuring 12 kanal falling in khasra No. 97/26/1 and 3 kanal falling in khasra No. 97/26/2, Hadbast No. 352, Village Karoran, Karoran-Baddi Road, Tehsil Kharar, District SAS Nagar. (Copy of the jamabandi is enclosed as Annexure A) Further, copy of the Girdawari is also enclosed as Annexure B showing our possession over the land. Further copy of the official demarcation along with copy of Tartima /shajra of our land is enclosed as Annexure C. We have already shown our documents in the police station but despite that Rana Jolly and his associates have not been restrained from interfering in our peaceful possession. We have already forwarded the videos recorded today to yourself and also to SP City, Mohall.

It is requested that Rana Jolly and his associates be restrained from criminal trespass in our land and destruction and theft of our property. Also, Rana Jolly may be asked to produce documents in regard to ownership and possession, if any.

With Regards,

for Orchid Space Designs LLP



Partner

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

Copy to:- (1) Senior Superintendent of Police, SAS Nagar.
(2) Superintendent of Police, City, SAS Nagar.

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

411/50/RS/AG
7/7/2023

256

102



GENERAL POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS THAT I, Rana Iqbal Singh Jolly son of Dr. Dharambir Singh Jolly, resident of 6 - Rani Ka Bagh, Amritsar, do hereby appoint, nominate and constitute Sh. Sunish son of Shri Shanti Lal, resident of 576, Sector 16-D, Chandigarh, as my GENERAL LAWFUL ATTORNEY, to do the following acts, deeds and things, with regard to the land measuring 38 Kanal 0 Marla, in Khawat/Khatauni No. 639/696 to 829, Khasara Kitta-567, Total area 22965 Kanal 9 Marla and its 1584/158380 share being 38 Kanal-0 Marla and this 38K-0 Marla, being situated in Village Karoran, Hadbast No. 352, Sub-Teh. Majri, Teh. Kharar, Distt. Ropar, (Jamabandi for the year 1991-92) which has come into my name/share by virtue of transfer of ownership in my name and in respect of my share which will come in my name of Shamlat Deh of Village Panchayat of Karoran, which has been transferred in my name, alongwith all rights in Mustarka Shamlat/Deh Shamlat, that is to say:-

- To make all sorts of correspondance with the L.A.O. of the area concerned, Patwari, Tehsildar, Collector, Revenue Officer, Sub-Registrar of the circle and with all other appropriate deptts./authorities concerned, to submit

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ਅਮਰਾਵਜ ਰਜਿਸਟਰ ਕਰਾਉਣ ਲਈ ਚਕਾ
ਸਬ-ਰਜਿਸਟਰ ਐਮਿਤਰ ਅਜ ਮਿਤੀ 11/4/87
ਦਰ 1112 ਵਜੇ 1112
ਪਿ 314
ਮੁਸਤਾਜ਼ ਮੁਰ

ਸਬ-ਰਜਿਸਟਰ ਐਮਿਤਰ
221 122515

Lane Pub.

ਪਿ 314
ਇਹ ਲਿਖਤ ਉ ਪ੍ਰਕਾਸ਼ ਕੀਤਾ ਅਤੇ ਸੁਨਣੀ ਛਾਪ
ਏ ਟੀਕ ਮਨਿਆ
ਈ ਪ੍ਰਕਾਸ਼ਨ ਸੀ 11/4/87
ਸੀ 11/4/87
ਏ ਟੀਕੋ ਜਿਨੇ ਉਰੇ ਮੇਰੇ ਤਸਲੀ ਹੈ

ਸਬ-ਰਜਿਸਟਰ ਐਮਿਤਰ

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ਸਬ-ਰਜਿਸਟਰ ਐਮਿਤਰ

ਕਰੀਬੀਆਂ ਦੇ ਨਿਸ਼ਾਨ ਅੰਕਿਠਾ ਤੇ ਦਸਖ
ਜੇਹੇ ਸਮਠੇ ਠਕਾਏ ਤੇ ਕਰਵਾਏ ਕਾਏ।
ਸਬ-ਰਜਿਸਟਰ ਐਮਿਤਰ

ਇਹ ਦਸਤਾਵਜ ਨੇ 21 ਬਗੀ ਨੇ...
ਸਾਇਦ ਜਿਲਦ ਨੇ 12.5 ਦੇ ਸਫਾ ਨੇ...
ਮਿਤੀ 10/4/87
ਜਾਪਾ ਕੀਤੀ ਗਈ।

ਸਬ-ਰਜਿਸਟਰ ਐਮਿਤਰ



any documents in any office, to appear and act before said officers or any office/officers under his own signatures.

2. To make any payment of the property to the revenue deptt. and obtain receipt thereof, to get the copies of record, to pay the necessary fees, to get the Nishandehi, demarcation of the property from the deptt. concerned, to sign any document in my name.

3. To give on batai, chakota, lease the said property to any other person, to enter into such agreements, deeds, to receive amount, to issue receipt, to deliver and get the possession, to get the deeds registered and complete all formalities under his own signatures.

4. To apply for and get the connections of Tubewell, water and electricity, to get the connections restored, to deposit the securities, to get the securities refunded, under his own signatures.

5. To apply for any plot in lieu of the said property to the Govt. if the said property is acquired by the Govt./revenue deptt., to receive any compensation of the said property from the L.A.O. of the circle, to receive the



cheques, to sign any document and complete all formalities, under his own signatures.

6. To get the mutation of sale attested in accordance with Land Revenue Act, 1887 and the rules framed thereunder from time to time and to apply for and obtain thefards and the Patwari/Tehsildar of the circle, to appear before any officers, under his own signatures.

7. To sell, transfer, gift, mortgage, exchange the said land, and to enter into such agreements/deeds, to execute and sign sale deed/transfer, mortgage, gift and exchange deeds, to present the same before the Sub-Registrar of the circle for its execution and registration, to receive the consideration money and to issue receipt thereof, and complete all formalities required under the Indian Registratioin Act, 1908 and to get the necessary permissions for the said purpose, under his own signatures.

8. To appear and act before any office/officers/ courts, whether civil, criminal, revenue or misc. Faujdari in case of any dispute arising out of the said property, to sign and verify all kinds of pleadings, appear in any court, attend day to day proceedings, to engage any advocate, to get



the decree, to get the decree executed/satisfied, to get the award make the award rules of the court, to compromise, compound and withdraw all proceedings take decision, to appear as his own witness, to give statement, to authenticate the same to file the writ, reviews, revisions, or appeal before any court and to persue the same upto the highest court of law in India, under his own signatures.

9. To appoint and remove Sub-attorney, agent for the said purposes, under his own signatures.

10. And Generally to do every acts, deeds and things in this behalf, I do hereby ratify and agree to ratify all acts, deeds and things as done by my attorney, Sub-attorney, agent as if the same were done by me in person.

IN WITNESS WHEREOF I have set my hands on this deed at Amritsar on this 10th day of April 1997, in the presence of the witnesses.

Witnesses:

1. [Signature]
(VINOD KUMAR PURI)
254. Queens Road
Amritsar

[Signature]
Executants

2. [Signature]
(SARVJIT KUMAR SINGH)
10th
ASR

Drafted by me!
[Signature]
(Chetanjeet Arora)
Adv.

20

साधारण शक्तिपत्र

महोदय 80 242 पत्र 4
दि. 31-7 अमृतसर

महोदय शक्तिपत्र देना चाहते हैं,
अमृतसर

GENERAL POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS THAT I, Rana Iqbal Singh Jolly son of Dr. Dharambir Singh Jolly, resident of 6-Rani Ka Bagh, Amritsar, do hereby appoint, nominate and constitute Sh. Sunish son of Shri Shanti Lal, resident of 576, Sector 16-D, Chandigarh, as my GENERAL LAWFUL ATTORNEY, to do the following acts, deeds and things, with regard to the land measuring 40 Kanal 0 Marla, in Khewat/Khatauni No.639/696 to 829, Khasara Kitta-567, Total area 22965 Kanal 9 Marla and its 334/191676 part being 40 Kanal-0 Marla and this 40K-0 Marla, being situated in Village Karora, Hadbast No. 352, Sub-Teh. Majri, Teh. Kharar, Distt. Ropar, (as per Intkal No. 6287 and Jamabandi for the year 1991-92) which has come into my name/share vide mutation No.7177, by virtue of transfer of ownership in my name and in respect of my share which will come in my name of Shamlat Deh of Village Panchayat of Karoran, which has been transferred in my name vide Mutation No. 7177, alongwith all rights in Mustarka Shamlat/Deh Shamlat, that is to say:-

1. To make all sorts of correspondence with the L.A.O. of the area concerned, Patwari, Tehsildar, Collector, Revenue Officer, Sub-Registrar of the circle and with all

Handwritten notes in Hindi on the left margin, including "नियमों के तहत" and "नियमों के तहत".

Form. Pro. 21
21

ਸਬ-ਰਜਿਸਟਰਾਰ

other appropriate depts./authorities concerned, to submit any documents in any office, to appear and act before said officers or any office/officers under his own signatures.

2. To make any payment of the property to the revenue deptt. and obtain receipt thereof, to get the copies of record, to pay the necessary fees, to get the Nishandehi, demarcation of the property from the deptt. concerned, to sign any document in my name.

3. To give on batai, chakota, i.e. the said property to any other person, to enter into such agreements, deeds, to receive amount, to issue receipt, to deliver and get the possession, to get the deeds registered and complete all formalities under his own signatures.

4. To apply for and get the connections of Tubewell, water and electricity, to get the connections restored, to deposit the securities, to get the securities refunded, under his own signatures.

5. To apply for any plot in lieu of the said property to the Govt. if the said property is acquired by the Govt./revenue deptt., to receive any compensation of the

ਸਬ-ਰਜਿਸਟਰਾਰ
ਮੁਤਾਬਕ ਨਕਲ ਹੈ
ਸਬ-ਰਜਿਸਟਰਾਰ
ਅੰਮ੍ਰਿਤਸਰ-1

ਅਸਲ ਮੁਤਾਬਕ ਨਕਲ ਹੈ
ਸਬ-ਰਜਿਸਟਰਾਰ
ਅੰਮ੍ਰਿਤਸਰ-1

ਸਬ-ਰਜਿਸਟਰਾਰ
ਮੁਤਾਬਕ ਨਕਲ ਹੈ
ਸਬ-ਰਜਿਸਟਰਾਰ
ਅੰਮ੍ਰਿਤਸਰ-1

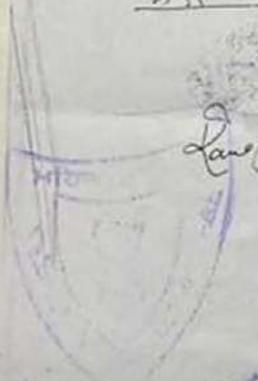
ਸਬ-ਰਜਿਸਟਰਾਰ
ਮੁਤਾਬਕ ਨਕਲ ਹੈ

ਯੁਵਾਵੇਜ ਰਜਿਸਟਰ ਲਈ ਦਰਤਾ
 ਸਬ-ਰਜਿਸਟਰ
 ਖਾਰ
 ਮੁਕਾਮ
 ਪਿੰਡ

10/1/57
 ਨਿਰਮਲ ਕੌਰ
 ਮੁਕਾਮ

ਸਬ-ਰਜਿਸਟਰਾਰ, ਖੇਮਿੰਡਕਲ-1

ਨਿਰਮਲ ਕੌਰ



ਨਿਰਮਲ ਕੌਰ

ਨਿਰਮਲ ਕੌਰ
 ਇਹ ਇਸਤਰੀ ਨੂੰ ਪੁਰਾਣੇ ਕੱਚੇ ਅਤੇ ਸਲੀਓ ਫਲ
 ਦੇ ਨਾਲ ਮਿਲਾ ਕੇ
 ਖਾਰ ਮੁਕਾਮ
 ਪਿੰਡ ਨਿਰਮਲ ਕੌਰ
 ਨਿਰਮਲ ਕੌਰ ਨੂੰ ਮਿਲਾ ਕੇ ਪੁਰਾਣੇ ਕੱਚੇ ਅਤੇ ਸਲੀਓ
 ਦੇ ਨਾਲ ਮਿਲਾ ਕੇ ਪੁਰਾਣੇ ਕੱਚੇ ਅਤੇ ਸਲੀਓ

ਸਬ-ਰਜਿਸਟਰਾਰ, ਖੇਮਿੰਡਕਲ-1

ਫਲ ਮੁ

ਨਿਰਮਲ ਕੌਰ-1

ਨਿਰਮਲ ਕੌਰ ਨੂੰ ਮਿਲਾ ਕੇ ਪੁਰਾਣੇ ਕੱਚੇ ਅਤੇ ਸਲੀਓ
 ਨਿਰਮਲ ਕੌਰ ਨੂੰ ਮਿਲਾ ਕੇ ਪੁਰਾਣੇ ਕੱਚੇ ਅਤੇ ਸਲੀਓ
 ਨਿਰਮਲ ਕੌਰ ਨੂੰ ਮਿਲਾ ਕੇ ਪੁਰਾਣੇ ਕੱਚੇ ਅਤੇ ਸਲੀਓ

ਨਿਰਮਲ ਕੌਰ
 ਨਿਰਮਲ ਕੌਰ

ਅਸਲ ਮੁਤਾਬਕ ਨਕਲ ਹੈ
 ਸਬ-ਰਜਿਸਟਰਾਰ
 ਖੇਮਿੰਡਕਲ-1

ਯੁਵਾਵੇਜ ਦੇ ਨਿਰਮਲ ਅੰਗੂਠਾ ਉੱਤੇ ਦਸਤਖਤ
 ਕਰਕੇ ਪਾਸ ਕੀਤੇ ਗਏ ਹਨ।
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 12-5
 ਸਬ-ਰਜਿਸਟਰਾਰ, ਖੇਮਿੰਡਕਲ-1

said property from the L.A.O. of the circle, to receive the cheques, to sign any document and complete all formalities, under his own signatures.

6. To get the mutation of sale attested in accordance with Land Revenue Act, 1887 and the rules framed thereunder from time to time and to apply for and obtain thefards and the Patwari/Tehsildar of the circle, to appear before any officers, under his own signatures.

7. To sell, transfer, gift, mortgage, exchange the said land, and to enter into such agreements/deeds, to execute and sign sale deed/transfer, mortgage, gift and exchange deeds, to present the same before the Sub-Registrar of the circle for its execution and registration, to receive the consideration money and to issue receipt thereof, and complete all formalities required under the Indian Registratioin Act, 1908 and to get the necessary permissions for the said purpose, under his own signatures.

8. To appear and act before any office/officers/ courts, whether civil, criminal, revenue or misc. Faujdari in case of any dispute arising out of the said property, to sign and verify all kinds of pleadings, appear in any court,

ਅਸਲ ਮੁਤਾਬਕ ਨਕੀਲ ਹੈ

ਸਬ-ਰਜਿਸਟਰਾਰ
ਅੰਮ੍ਰਿਤਸਰ-1

Notice

Number 2926-27

Date 18/05/2022

To

Sh. Baikunth Farm
R/o Village Nada/Karoran,
District SAS Nagar

Subject:- Notice regarding illegal construction on Natural Flow/Bed of river 'Patiala Ki Rao', passing through Village Nada/Karora.

You are informed in regard to subject cited above that you have obstructed the natural flow of Patiala Ki Rao river by constructing a structure /Shed, which is in violation of Section 55 of the Northern Indian Canal Act No. 7 of 1873 U/S 3.

You are hereby notified that the obstruction (Shed/ Structure/Soil) created by you in the river bed should be removed immediately without any delay. If the obstacle raised by you is not removed, appropriate departmental and legal action will be taken against you.

Sd/-
Sub Divisional Officer,
Drainage-cum-Assistant District Mining Officer,
Mohali

Sd/-
Executive Engineer
Nangal Mechanical Division
Headquarter at SAS Nagar

Copy:-
Deputy Commissioner, District S.A.S. Nagar for information and necessary action please.

ਨੋਟਿਸ

ਨੰਬਰ 2926-27

ਮਿਤੀ 12/05/2021

ਵੱਲ,

ਸ੍ਰੀ..... ਚੱਕਰ ਠਾਕਰ

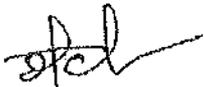
ਵਾਸੀ ਪਿੰਡ ਨਾਡਾ ਕਰੋਰਾ,

ਜਿਲਾ ਐਸ.ਏ.ਐਸ ਨਗਰ।

ਵਿਸ਼ਾ:- ਪਿੰਡ ਨਾਡਾ/ਕਰੋਰਾ, ਵਿਖੇ ਲੰਗਦੀ ਪਟਿਆਲਾ ਕੀ ਰਾਓ ਨਦੀ ਦੇ ਕੁਦਰਤੀ ਵਹਾਅ/ਬੈਂਡ ਵਿੱਚ ਨਜ਼ਾਇਜ਼ ਉਸਾਰੀ ਕਰਨ ਸਬੰਧੀ ਨੋਟਿਸ

ਉਪਰੋਕਤ ਵਿਸ਼ੇ ਦੇ ਸਬੰਧ ਵਿੱਚ ਆਪ ਜੀ ਨੂੰ ਸੂਚਿਤ ਕੀਤਾ ਜਾਂਦਾ ਹੈ ਕਿ ਆਪ ਵੱਲੋਂ ਪਟਿਆਲਾ ਕੀ ਰਾਓ ਨਦੀ ਦੇ ਕੁਦਰਤੀ ਵਹਾਅ ਵਿੱਚ ਸਟਰੱਕਚਰ/ਸੈਂਡ ਦੀ ਉਸਾਰੀ ਕਰਕੇ ਰੁਕਾਵਟ ਖੜੀ ਕੀਤੀ ਗਈ ਹੈ। ਜੇ ਕੀ ਨੇਰਧਨ ਇੰਡੀਆ ਕਨਾਲ ਐਕਟ ਨੰਬਰ 7 ਆਫ 1873 U/S 3 ਦੀ ਧਾਰਾ 55 ਦੀ ਉਲੰਘਣਾ ਹੈ।

ਆਪ ਜੀ ਨੂੰ ਇਸ ਨੋਟਿਸ ਰਾਹੀਂ ਲਿਖਿਆ ਜਾਂਦਾ ਹੈ ਕਿ ਆਪ ਵੱਲੋਂ ਨਦੀ ਬੈਂਡ ਵਿੱਚ ਖੜੀ ਕੀਤੀ ਰੁਕਾਵਟ (ਸੈਂਡ/ਸਟਰੱਕਚਰ/ਮਿੱਟੀ) ਨੂੰ ਬਿਨਾਂ ਕਿਸੇ ਦੇਰੀ ਤੋਂ ਤੁਰੰਤ ਹਟਾਇਆ ਜਾਵੇ। ਆਪ ਵੱਲੋਂ ਖੜੀ ਕੀਤੀ ਰੁਕਾਵਟ ਨੂੰ ਜੇਕਰ ਹਟਾਇਆ ਨਾ ਗਿਆ ਤਾਂ ਆਪ ਵਿਰੁੱਧ ਬਣਦੀ ਵਿਭਾਗੀ/ਕਾਨੂੰਨੀ ਕਾਰਵਾਈ ਕੀਤੀ ਜਾਵੇਗੀ।



ਉਪ ਮੰਡਲ ਅਫਸਰ,

ਜਲ ਨਿਕਾਸ-ਕਮ-ਸਹਾਇਕ ਜਿਲ੍ਹਾ

ਮਾਈਨਿੰਗ ਅਫਸਰ,

ਮੋਹਾਲੀ



ਕਾਰਜਕਾਰੀ ਇੰਜੀਨੀਅਰ

ਨੰਗਲ ਮਕੈਨੀਕਲ ਮੰਡਲ ਵਿੱਚ ਚੌਡ

ਕੁਆਟਰ ਐਸ.ਏ.ਐਸ ਨਗਰ।

ਕਾਪੀ:- ਡਿਪਟੀ ਕਮਿਸ਼ਨਰ ਜਿਲਾ ਐਸ.ਏ.ਐਸ ਨਗਰ ਜੀ ਨੂੰ ਸੂਚਨਾ ਅਤੇ ਅਗਲੇਰੀ ਯੋਗ ਕਾਰਵਾਈ ਹਿੱਤ ਹੈ ਜੀ।

Notice

Number 11244-

Date 31/12/2021

To

Sh. Baikunth Farm
R/o Village Nada/Karoran,
District SAS Nagar

Subject:- Notice regarding illegal construction on Natural Flow/Bed of river 'Patiala Ki Rao', passing through Village Nada/Karora.

You are informed in regard to subject cited above that you have obstructed the natural flow of Patiala Ki Rao river by constructing a structure /Shed, which is in violation of Section 55 of the Northern Indian Canal Act No. 7 of 1873 U/S 3.

You are hereby notified that the obstruction (Shed/ Structure/Soil) created by you in the river bed should be removed immediately without any delay. If the obstacle raised by you is not removed, appropriate departmental and legal action will be taken against you.

Sd/-
Sub Divisional Officer,
Drainage-cum-Assistant District Mining Officer,
Mohali

Sd/-
Executive Engineer
Nangal Mechanical Division
Headquarter at SAS Nagar

Copy:- Deputy Commissioner, District S.A.S. Nagar for information and necessary action please.

ਨੰਬਰ 11244-0

ਮਿਤੀ 31/12/2021

ਵੱਲ,

ਸ੍ਰੀ ~~ਖੁਰਦ~~ ਨਗਰ

ਵਾਸੀ ਪਿੰਡ ਨਾਡਾ ਕਰੋਰਾ,
ਜਿਲਾ ਐਸ. ਏ. ਐਸ ਨਗਰ।

ਵਿਸ਼ਾ:- ਪਿੰਡ ਨਾਡਾ ਕਰੋਰਾ, ਵਿਖੇ ਲੰਜਾਲੀ ਪਟਿਆਲਾ ਕੀ ਰਾਏ ਨਦੀ ਦੇ ਕੁਦਰਤੀ ਵਰਾਅ/ਬੈਂਡ ਵਿੱਚ
ਨਜ਼ਾਇਜ ਉਸਾਰੀ ਕਰਨ ਸੰਬੰਧੀ ਨੋਟਿਸ

ਉਪਰੋਕਤ ਵਿਸ਼ੇ ਦੇ ਸਬੰਧ ਵਿੱਚ ਆਪ ਜੀ ਨੂੰ ਸੂਚਿਤ ਕੀਤਾ ਜਾਂਦਾ ਹੈ ਕਿ ਆਪ ਵੱਲੋਂ ਪਟਿਆਲਾ
ਕੀ ਰਾਏ ਨਦੀ ਦੇ ਕੁਦਰਤੀ ਵਰਾਅ ਵਿੱਚ ਸਟਰੋਕਚਰ/ਸੈਂਡ ਦੀ ਉਸਾਰੀ ਕਰਕੇ ਡੁਕਾਵਟ ਖੜੀ ਕੀਤੀ ਗਈ ਹੈ। ਜੋ
ਕੀ ਨੇਰਪਠ ਏੰਡੀਆਂ ਕਨਾਲ ਥੀਕਟ ਨੰਬਰ 7 ਆਏ 1873 U/S 3 ਦੀ ਧਾਰਾ 55 ਦੀ ਉਲਘੰਣਾ ਹੈ।

ਆਪ ਜੀ ਨੂੰ ਇਸ ਨੋਟਿਸ ਰਾਹੀਂ ਲਿਖਿਆ ਜਾਂਦਾ ਹੈ ਕਿ ਆਪ ਵੱਲੋਂ ਨਦੀ ਬੰਡ ਵਿੱਚ ਖੜੀ ਕੀਤੀ
ਡੁਕਾਵਟ (ਸੈਂਡ/ਸਟਰੋਕਚਰ/ਸਿੱਟੀ) ਨੂੰ ਬਿਨਾਂ ਕਿਸੇ ਦੇਰੀ ਤੋਂ ਹਟਾਇਆ ਜਾਵੇ। ਆਪ ਵੱਲੋਂ ਖੜੀ ਕੀਤੀ
ਡੁਕਾਵਟ ਨੂੰ ਜੰਗਰ ਹਟਾਇਆ ਨਾ ਗਿਆ ਤਾਂ ਆਪ ਵਿਰੁੱਧ ਬਣਦੀ ਵਿਭਾਗੀ/ਕਾਨੂੰਨੀ ਕਾਰਵਾਈ ਕੀਤੀ ਜਾਵੇਗੀ।

ਉਪ ਮੰਡਲ ਅਫਸਰ
ਜਲ ਨਿਕਾਸ-ਕਮ-ਸਰਾਇਕ ਜਿਲ੍ਹਾ
ਮਾਈਨਿੰਗ ਅਫਸਰ,
ਮੇਰਾਈ

ਕਾਰਜਕਾਰੀ ਇੰਜੀਨੀਅਰ
ਨੰਗਲ ਮਕੈਨੀਕਲ ਮੰਡਲ ਵਿੱਚ ਰੈਂਡ
ਕੁਆਟਰ ਐਸ. ਏ. ਐਸ ਨਗਰ।

ਦਾਖੀ:- ਡਿਪਟੀ ਕਮਿਸ਼ਨਰ ਜਿਲਾ ਐਸ. ਏ. ਐਸ ਨਗਰ ਜੀ ਨੂੰ ਸੂਚਨਾ ਅਤੇ ਅਗਲੇਰੀ ਕੋਰ ਕਾਰਵਾਈ ਚਿੱਠ ਹੋ
ਜੀ।





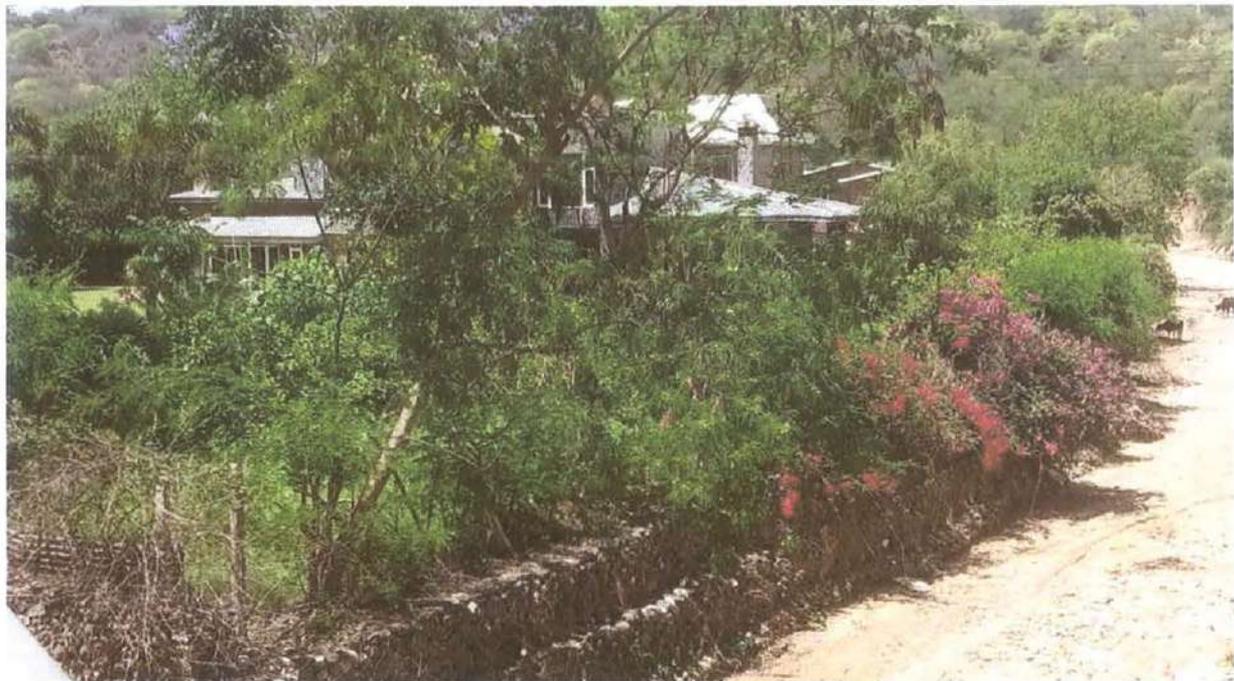


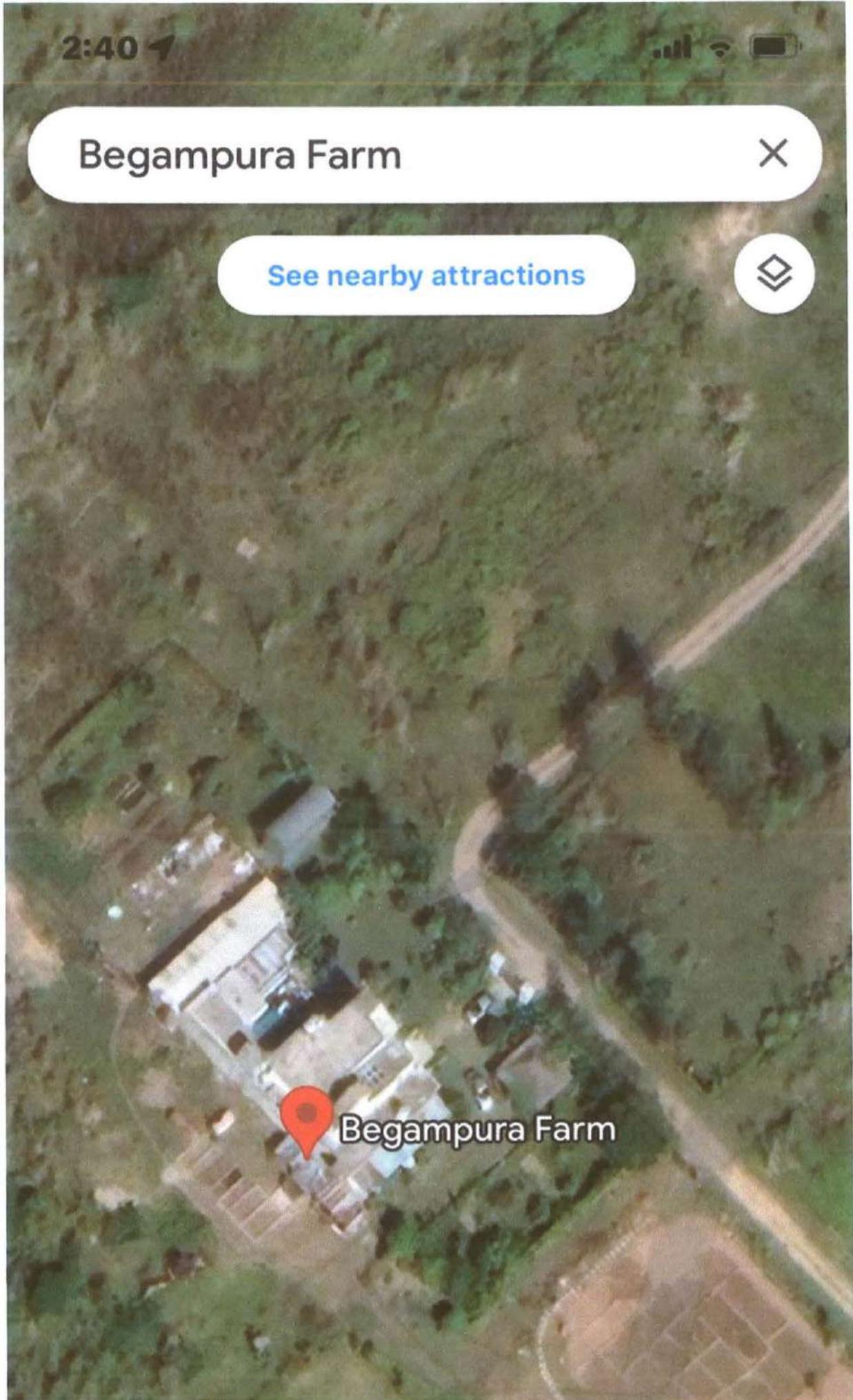




























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Golf & Country Club

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Type something to search ...

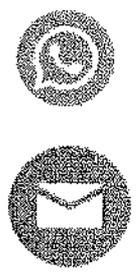
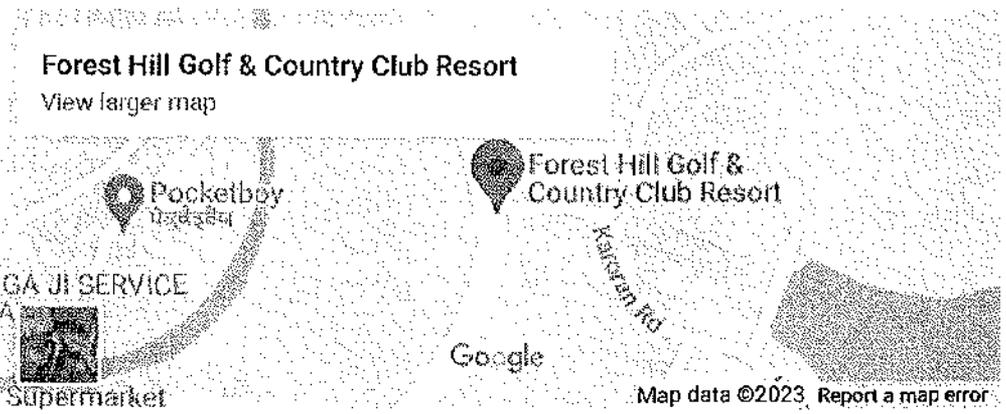


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Commercial Complex, Greater Kailash-II, New Delhi-110048

For Queries Call at :**Mobile Number:**

+917969016323 (enquiries for Individual Membership / Student Membership/ Golf Training.)

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E-mail Address: info@foresthillresort.com

Forest Hill Resort

Forest Hill Golf & Country Club
Village Karoran, District Mohali,
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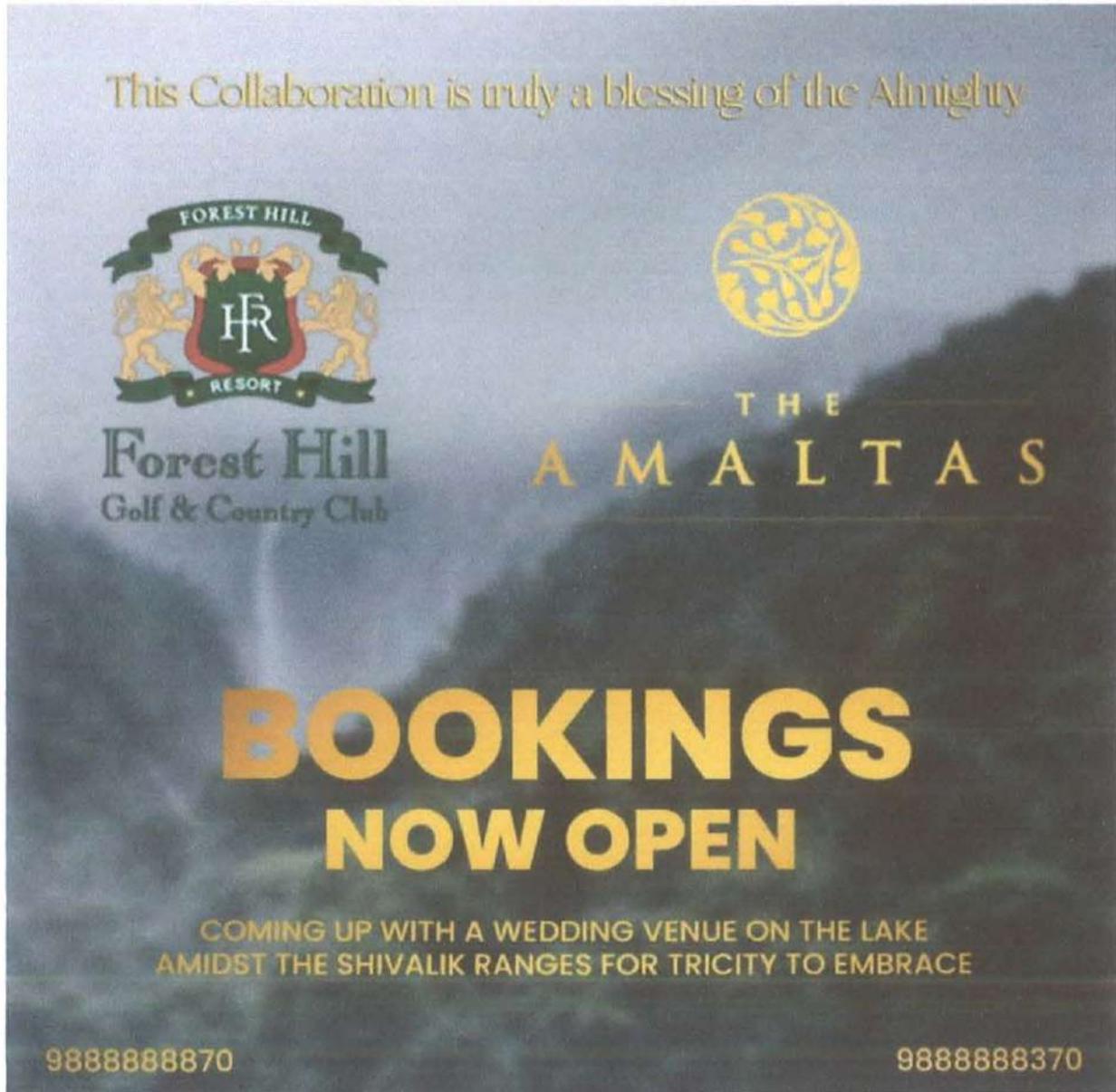
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297

143











2. We enclose the following documents in triplicate, namely:
- i. Copy or copies of all the title deeds and other documents showing the interest of the applicant in the land under the proposed colony alongwith a list of such deeds and other documents and if the land is owned by another person the consent of the owner of such land to the development of the colony or construction of the building.
 - ii. A copy of the shajra plan showing the location of the colony alongwith the name of the revenue estate, khasra number of each field and the area of each field. Also if any drain/sheet flow creek/choe/ Nallah passes through the proposed colony. The alignment/ flow of the drain/ sheet flow creek/choe/Nallah should not be obstructed/ changed in any way.
 - iii. A guide map on a scale of not less than 1:1,000 showing the location of the colony in relation to surrounding geographical features to enable the identification of the site.
 - iv. A survey map (Contour Plan) of the land under the colony on a scale of not less than 1:1,000 showing the spot levels at a distance of thirty metres and where necessary contour plans and the survey will also show the boundaries and dimensions of the said land the location of streets of at least thirty metres of the said land and existing means of access to and from existing roads. In addition to this, if any culvert is present along the road of the proposed colony, it should be shown in the map. Also show any drain/culvert passes within the radius of 200 m of proposed colony.
 - v. An explanatory note explaining the salient features of the proposed colony in particulars the sources of the arrangements for undisturbed sheet flow, storm water, water passing through existing culverts and techniques/ structures for Rain water harvesting.

The applicant proposes to convert already existing and fully developed Farm into an 'Open Marriage Palace', without carrying out any new construction on site. All facilities already exist on site and no fresh digging or cutting etc. is required to be undertaken. Rain water Harvesting is not feasible as it is an open space.
 - vi. Plans showing the Green belt according to the approved Master plan of the District.

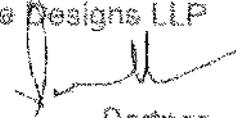
Master plan not approved for this area. However, sufficient green belt has been provided.
 - vii. Document depicting demarcation of the proposed location/ Area from Revenue Department.
 - viii. Affidavit must be given by the applicant stating that they will obey every instructions/guidelines given by the Water Resources department. If not followed by the Builder, then the right to cancel granted NOC is reserved by the Water Resources department.

Enclosed

- ix. If CLU has been issued then attach that document.
Not issued as the same is under process.
- x. If any kind of Pucca structure (Bridge, Foot Bridge including Ramp and another allied works connected to Bridges, etc.) needs to be constructed at the site then proper case for NOC including drawings/ documents should be submitted separately along with appropriate Performa's as per the Punjab Government, WRD Notification No. WR- IRWRO3/1/W1/8 dated 2023/01/06.
N.A. as no access to seasonal rivulet is required.
- xi. The builder should obey point no. 4 and 5 of "Punjab State Sand and Gravel Mining Policy 2022" issued by Punjab Government, WRD Notification No. -2022/4/11 PJ 338/6- dated Chandigarh 2022/08/24 or any subsequent notification issued by the Dept. of Mines & Geology w.r.t. payment of royalty of ordinary earth/clay.
The applicant shall fully comply with these instructions.
- xii. The builder will bound to install STP/ETP of required capacity and will ensure the use of treated water within their premises for other activities. In-case the builder violates the rules and disposed-off untreated water directly in any natural choe/drain/creek then he is liable to pay penalty as per Canal and Drainage Act.
The applicant undertakes to install STP/ETP as approved & required by Punjab Pollution Control Board. No untreated water shall be disposed off in the choe.
3. I/we solemnly affirm and declare that the particulars given in para 1 are correct to the best of my/our knowledge and belief.

Date:-
Place:

Yours Sincerely
for Orchid Space Designs LLP



(Saurabh Gupta)
Partner
Orchid Space Designs LLP
'The Hermitage Farm' Village Karoran,
Karoran-Baddi Road, Tehsil Kharar
District SAS Nagar.

Enclosed:-

- | | |
|---|--|
| (1) Fards of the land | (2) Detail of Land |
| (3) Notification | (4) District Town Planner Letter Dt. 19.6.23 |
| (5) Registries of Land | (5) Girdawari of Land |
| (7) Hon'ble Punjab & Haryana High Court Orders | (8) Authority Letter/Resolution |
| (9) Partnership Deed | (10) Company Certificate |
| (11) PAN Card of Company | (12) Adhar Card & PAN Card of partners |
| (13) Aks Shajra | (14) Latha copy |
| (15) Topographical Plans | (16) Guide Map |
| (17) Google Earth Map | (18) Affidavit |
| (19) Punjab Farm Tourism Registration Certificate | (20) Ground Water Extraction Permission |
| (21) Proposal Note | |



PUNJAB WATER REGULATION AND DEVELOPMENT AUTHORITY
sco 149-152, Sector 17 c, Chandigarh - 160017

PERMISSION FOR EXTRACTION OF GROUNDWATER
(Under The Punjab Groundwater Extraction And Conservation Directions, 2023)

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

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

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

Dated: 05.07.2023
Place: Chandigarh




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



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



Dated: 7/8/2023

NOC No: PB-FN-2023-08-07-057706

NOC Type: PROVISIONAL

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

Issued on 7/8/2023 at KHARAR MUNICIPAL COUNCIL

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

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

Provisional NOC is subject to following conditions:

ਮੁੱਖੀਜਨਲ ਐਨ.ਓ.ਸੀ. ਹੇਠੋਂ ਕਿੱਖਿਆ ਸ਼ਰਤਾਂ ਦੇ ਆਧਾਰ ਤੇ ਜਾਰੀ ਕੀਤਾ ਜਾਂਦਾ ਹੈ।

1. Occupant/Owner must install/provide fire safety arrangements as per submitted fire layout plan/drawing during construction.
ਕਾਰਜਕਰ/ਮਾਲਕ ਵੱਲੋਂ ਜਗਾ ਕਰਵਾਏ ਗਏ ਲੇਆਊਟ ਪਲਾਨ/ ਡਰਾਈਂਗ ਅਨੁਸਾਰ ਫਾਇਰ ਸੇਫਟੀ ਦੇ ਪਬੰਧ ਕਰਨੇ ਲਾਜ਼ਮੀ ਹੋਣਗੇ।
 2. Occupant/Owner must obtain the final NOC from fire department on completion of building construction before occupancy.
ਕਾਰਜਕਰ/ਮਾਲਕ ਵੱਲੋਂ ਇਸ ਪ੍ਰੋਜੈਕਟ ਦੀ ਉਸਾਰੀ ਉਪਰੰਤ ਫਾਇਰ ਸੇਫਟੀ ਸਬੰਧੀ ਫਾਇਰ ਐਨ.ਓ.ਸੀ. ਲੈਣਾ ਹੋਵੇਗਾ।
 3. Fire department may ask for additional arrangements (if necessary) after the completion of construction of building.
ਫਾਇਰ ਵਿਭਾਗ ਵੱਲੋਂ ਬਿਲਡਿੰਗ ਦੀ ਉਸਾਰੀ ਦਾ ਕੰਮ ਮੁਕੰਮਲ ਹੋਣ ਤੋਂ ਫਾਇਰ ਸੇਫਟੀ ਦਾ ਵਾਧੂ ਪ੍ਰਬੰਧ (ਜੇਕਰ ਲੋੜ ਹੋਵੇ) ਕਰਨ ਲਈ ਕਿਹਾ ਜਾ ਸਕਦਾ ਹੈ।
 4. During construction, all safety arrangements should be provided as per requirements of NBC.
ਐਨ.ਬੀ.ਸੀ. ਅਨੁਸਾਰ ਬਿਲਡਿੰਗ ਦੀ ਉਸਾਰੀ ਸਮੇਂ ਫਾਇਰ ਸੇਫਟੀ ਦੇ ਲੋੜੀਂਦੇ ਪ੍ਰਬੰਧ ਕਰਨੇ ਜ਼ਰੂਰੀ ਹੋਣਗੇ।
 5. In case of any change/alteration in the building plan, owner/occupant must re-apply for the provisional certificate.
ਜੇਕਰ ਕਾਰਜਕਰ/ਮਾਲਕ ਵੱਲੋਂ ਕੋਈ ਵੀ ਤਬਦੀਲੀ ਕੀਤੀ ਜਾਂਦੀ ਹੈ ਤਾਂ ਦੁਬਾਰਾ ਤੇ ਮੁੱਖੀਜਨਲ ਐਨ.ਓ.ਸੀ. ਲਈ ਅਪਲਾਈ ਕਰਨਾ ਪਵੇਗਾ।
 6. Fire department reserves the right to withdraw this issued certificate, if any change in fire/building layout plan is made without notice to fire department.
ਜੇਕਰ ਕਾਰਜਕਰ/ਮਾਲਕ ਵੱਲੋਂ ਬਿਨਾਂ ਫਾਇਰ ਵਿਭਾਗ ਦੀ ਮਨਜ਼ੂਰੀ ਤੋਂ ਲੇਆਊਟ ਪਲਾਨ ਵਿੱਚ ਕੋਈ ਤਬਦੀਲੀ ਕੀਤੀ ਜਾਂਦੀ ਹੈ ਤਾਂ ਜਾਰੀ ਕੀਤਾ ਗਿਆ ਸਰਟੀਫਿਕੇਟ ਵਾਪਸ ਲੈਣ ਦਾ ਹੱਕ ਰਾਖਵਾ ਹੋਵੇਗਾ।
- * This certificate cannot be used as ownership proof.
ਉਪਰੋਕਤ ਦਸਤਾਵੇਜ਼ ਗਈ ਜਾਣਕਾਰੀ ਨੂੰ ਮਾਲਕਾਨਾ ਦੇ ਸਬੂਤ ਵਜੋਂ ਨਹੀਂ ਵਰਤਿਆ ਜਾਵੇਗਾ।
- This digitally created certificate, no signature are needed

To,

The District Forest Officer,
SAS Nagar.

Subject:- Application for grant of NOC

I, Saurabh Gupta, partner of Orchid Space Designs LLP, owner of land at Village Karoran, H.B. No. 352, Tehsil Kharar, District SAS Nagar (Mohali) (Fard of land attached as Annexure 1) have applied for CLU for Open Marriage Palace (without permanent construction) on the above said land. The detail of the land attached herewith as Annexure 2.

Area 67 K-02 M (8 Acre-03 Kanal-02 Marla)

The District Town Planner, SAS Nagar asked us to get NOC from Forest Department for the above mentioned area. Our above mentioned land is Delisted land and the restrictions, regulation and prohibitions under Section 4 & 5 of Punjab Land Preservation Act 1900 are removed vide Notification No. 39/578/2005-Ft.III/6087 dated 13.08.2010. (Notification Copy Attached as Annexure 3). Copies of the orders of Hon'ble Punjab & Haryana High Court dated 01-06-2023 & 07-07-2023 clarifying removal of all restrictions on the delisted land are enclosed herewith as Annexure 4 & 5 for your kind reference.

It is, therefore requested that kindly issue us NOC to apply for CLU for Open Marriage Palace (Without permanent construction) on the above mentioned land.

Yours faithfully

for Orchid Space Designs LLP

Partner:

(Saurabh Gupta)

Partner

Orchid Space Designs LLP

R/o H.No. 826, Sector 2 Panchkula.

'The Hermitage Farms' H.B. No. 352, Village Karoran, Tehsil Kharar, Dist. SAS Nagar.

Mobile-9592700000, 9592911000

Enclosed:-

- | | |
|---|--|
| (1) Fards of the land (Annexure-1) | (2) Detail of Land (Annexure-2) |
| (3) Notification (Annexure-3) | (4) District Town Planner Letter Dt. 19.6.23 |
| (5) Registries of Land | (6) Girdawari of Land |
| (7) Hon'ble Punjab & Haryana High Court Orders (Annexure 4 & 5) | |
| (8) Authority Letter/Resolution | (9) Partnership Deed |
| (10) Company Certificate | (11) PAN Card of Company |
| (12) Adhar Card & PAN Card of partners | |
| (13) Aks Shajra | (14) Latha copy |
| (15) Topographical Plans | (16) Guide Map |
| (18) Undertaking | (19) Affidavit |
| (20) Punjab Farm Tourism Registration Certificate | (21) Ground Water Extraction Permission |



No. 1649

Dt: 28/07/2023



154

Received on 03/08/23
Saurabh

To

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

Subject:- Application for grant of permission for CLU.

Sir,

Please refer to your letter No. 967/DTP (SAS Nagar) dated 19-06-2023 (Enclosed), in regards to my application for grant of permission for CLU, for 'Open Marriage Palace' at "The Hermitage Farm", Village Karoran, H.B. No. 352, Tehsil Kharar, District SAS Nagar (Mohali). A complete set of documents, as asked for, vide letter cited above, is enclosed.

It is, therefore requested that the permission applied for may please be granted.

Date:- 03/08/2023
Place: S.A.S. Nagar

Yours Sincerely,
for Orchid Space Designs LLP

Partner

(Saurabh Gupta)
Partner

Orchid Space Designs LLP
'The Hermitage Farm' Village Karoran,
Karoran-Baddi Road, Tehsil Kharar
District SAS Nagar.

Enclosed:-

(i) Annexure B

Point-wise Documents

- | | |
|--|---|
| (1) Fards of the land | (2) Registries of Land, Girdawari of Land |
| (3) Guide Map, Google Earth Map | (4) CRO Report |
| (5) Aks Shajra Superimposed Plan | (6) Aks Shajra |
| (8) Detail of Land | (10) Project Report |
| (12) Authority Letter/Resolution | (15) Undertakings |
| (16) Receiving of Application for NOC to Drainage Department | |
| (17) Receiving of application for NOC to District Forest Officer | |
| (18) Receiving of Application for NOC to Fire Department | |
| (20) DD No. 504101 of Rs.13,000/- dated 31-07-2023 of ICICI Bank | |
| (22) Aks Shajra Superimposed Plan | |

Additional Documents enclosed

- | | |
|--|--|
| (1) Delisted Land Notification Dt.13.08.2010 | (3) Partnership Deed |
| (2) Hon'ble Punjab & Haryana High Court Order | (5) PAN Card of Company |
| (4) Company Certificate | (7) Topographical Plans |
| (6) Adhar Card & PAN Card of partners | (9) Ground Water Extraction Permission |
| (8) Punjab Farm Tourism Registration Certificate | |

Orchid Space Designs LLP

Regd. Office S.C.O.118-119-120, Sector 34-A, Chandigarh, Corporate Office DSS 8, 1st Floor, Sec. 2, Panchkula

osdindia@gmail.com

Contact no. 9592911000, 9592700000



ਪੰਜਾਬ ਪ੍ਰਦੂਸ਼ਣ ਰੋਕਥਾਮ ਬੋਰਡ

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



155
LIFE
Lifestyle for
Environment

Phone no. 0175-2301182

ਨੰਬਰ 5458

e-mail : ppcbsee_zp1@yahoo.com

ਮਿਤੀ 28/7/2023

REGISTERED

To

✓ M/s The Hermitage,
VIII, Karooran, Tehsil Kharar,
Distt. SAS Nagar

Subject: Proceedings of the personal hearing given to M/s The Hermitage, VIII, Karooran, Tehsil Kharar, Distt. SAS Nagar u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 by the Chairman of the Board on 19/7/2023

The following were present:

From Board's side:

Sh. G.S. Majithia, Member Secretary
Sh. Sandeep Bahl, Chief Environmental Engineer (P)
Sh. Lavneet Kumar, Sr. Environmental Engineer (ZP-I)
Sh. Rajeev Kumar Gupta, Environmental Engineer (ZP-I)

From project proponent side:

Sh. Sanjeev Gupta, Owner

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

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

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

- 1) The representative informed that first function was held here in Feb. 2020 and it was his daughter's marriage function. Thereafter, COVID-19 happened and the functions started in 2022 only. He further informed that they have three lawns and they give these on rent for one day and are not providing any catering/decoration services and clients are holding functions / marriages in The Hermitage on their own. There are about 50 functions happening in one year i.e. during winter season only as they have not provided any kind of shed/air conditioners for rainy / summer seasons. The clients themselves are required to obtain necessary permission from the concern Department for serving liquor. He further informed that they are paying GST for the functions / marriages being held here.
- 2) The Hermitage is located outside the limits of Municipal Council, Naya Gaon.
- 3) The Hermitage has not built any permanent structure and has constructed two rooms for office purpose, 2 no. toilets, 2 no. dressing rooms/changing rooms, 1 no. cabana, 2 no. kitchens and 3 no. lawns.

- 4) On the day of visit no function was being held in the farm house.
- 5) The Hermitage has also installed 2 no. DG sets of capacities 125 KVA and 25 KVA as backup of electricity in case of power failure. Hence, the possibility of organizing function(s) cannot be ruled out.
- 6) The Department of Town and country Planning has not issued any change of land use to The Hermitage because no such activity like carrying out functions / marriages is allowed here.
- 7) No permission for playing DJ / Loud Speakers is obtained by The Hermitage ever from SDM Office, Kharar.
- 8) The Hermitage has never obtained for consent to establish (NOC) / consent to operate under Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981 as required from pollution angle from the Board.
- 9) The Hermitage has installed one Borewell. No permission has been obtained from The Punjab Water Regulation and Development Authority (PWRDA) under Punjab Water Resources (Management Regulation) Act, 2020 for abstraction of groundwater.
- 10) The Hermitage has not provided any ETP/STP for the treatment of wastewater generated from kitchen and toilets. The representative informed that they have provided soakage pits.

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

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

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

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

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

and till that no function will be organized in the said premises till 31/10/2023 so that no damage to the environment can be caused.

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

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

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


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

Endst. no.

Dated

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


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

9. No washrooms could be constructed till 2022 due to lack of funds & non availability of manpower due to Covid.
10. In 2022 we applied to GAMADA vide no 364112 dated 05/07/2022 to grant us permission for Open Marriage Palace . We gave an undertaking to abide by all rules & regulations in this regard.
11. However, the Deptt did not revert back to us as there was an inter departmental lack of clarity regarding implementation of Hon Punjab & Haryana High court orders in contempt petition CACP No 13,14,15 of 2016 .
12. Further, in CACP no 13 of 2016, following orders were passed on 04/05/2016:-

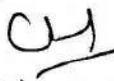
In CACP No.13 of 2016, again on 04.05.2016, the following order was passed:-

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

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

It is found that out of 1092 acres of land identified and demarcated as non-forest area by the State of Punjab, approximately 588 acres of land which squarely fall within the Revenue Estate of village Karoran form part of Nagar Panchayat, Nayagaon. The remaining 504 acres of land are found to be non-forest area.

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

ATC

 Asstt. Environmental Engineer
 Punjab Pollution Control Board
 Regional Office, S.A.S. Nagar

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

13. The Hon'ble Punjab & Haryana High Court has now in a fresh Contempt Petition No. COCP-1502 & 1105 of 2023 (O&M) titled Gram Panchyat Bari Karoran Versus Vikas Garg, IAS and Others has passed an order on 01.06.2023 followed by order on 07.07.23 clarifying position in regards to approvals/ permissions in the area of Village Nayagaon. (Copy of orders Dt. 01.06.23 & 07.07.23 are enclosed herewith)
14. In view of aforesaid directions of Hon High Court, we have once again submitted an application for grant of CLU for Hermitage farms on 05.06.2023.
15. GAMADA vide their letter no 967 dt 19.06.2023 has asked us to submit some documents which we are in the process of submission very soon.
16. It is submitted that we started holding limited number of functions in 2022 from November onwards till February 2023. No function has been held thereafter.
17. It is clarified that we do not have even one permanent structure at our farm.
18. No hall has been constructed in our farm for the purpose of holding any function.
19. No kitchens have been constructed/provided at our farm.
20. We do not provide any catering / decoration/ sound / valet services at the farm. Each function has new set of people involved/hired/ engaged by the host .
21. No food is allowed to be cooked at our premises as no provision for kitchen has been made.
22. No washing of utensils is allowed at our premises as no provision has been made for the same.
23. All food is cooked by the hired caterers in their cloud/base kitchens located in Chandigarh/ Mohali. The cooked food is brought in special vehicles meant for the purpose and entire left over food & unwashed crockery is carried back to their respective base kitchens.
24. It is financially unviable for caterers to organise mobilisation of vast resources including gas cylinders/ coal/ burners& raw vegetables & condiments etc at our venue just for one function. All food is much more economically cooked in base kitchens.

25. We never converted our Farm into a marriage palace in practice, as we have allowed limited number of functions in 2022/2023 winter only, during 4 months of winters from November to February. Functions can not be held in remaining months due to lack of a hall/ permanent cover. Due to prolonged summer & monsoon seasons, functions cannot be held in the open area.
26. The basic character of our place is only Farm which is not even a Farm House as nobody resides there. We, as a family live in Panchkula.
Few temporary or pre-fabricated structures have been raised at the farm. There is one green house for developing seasonal plants & flower saplings as it is entirely done in house.
28. Two rooms by way of a pre-fabricated structure has been put up for occasional use as our Farm has been approved under Punjab Tourism Department scheme of 'Farm Tourism' vide number PHTPB/FT/2021/34 Dated 04-10-2021. (Copy enclosed)
29. Washrooms for both men & women alongwith a Septic Tank have been constructed in the year 2022. They have been used only during last season.
30. We have never discharged any effluent or waste water into the soil or in the river/seasonal rivulet as we strongly believe in upholding Nature including trees & birds and animals.
31. We, by way of sheer hard work & our commitment to preservation of environment, converted completely barren sandy soil into a lush green farm with hundreds of Trees/ Plants & shrubs.
32. We have planted a large number of fruit trees all along the boundary along the choe side to attract birds & squirrels. We do not pluck any fruit from the trees & simply allow them to enjoy the fruits so that they come there in large numbers. In fact, the farm witnesses a huge number of migratory birds also due to large water bodies & tranquil atmosphere.
33. Even the complainants before the NGT have not made any complaint regarding discharge of effluents & degrading natural environment. They only raised the issue of sound.
34. We assure & give an undertaking that we are in the process of taking all approvals & shall abide by all rules & regulations as required by Punjab Pollution Control Board.
35. We undertake to install an STP as per the norms for which we have already hired a consultant . The same shall be installed as soon as we get the CLU, as at present NGT

ATC

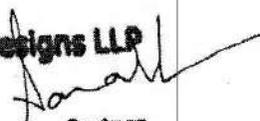
Asstt. Environmental Engineer
Punjab Pollution Control Board
Regional Office, S.A.S. Nagar

has passed an order restraining us from holding Marriage functions till further orders.

36. It is also submitted that the present notice is based on committee report, which was constituted in furtherance of directions of NGT. NGT has already initiated proceedings & passed interim orders. Any further action based on the present notice arising out of the same report shall lead to parallel & simultaneous proceeding before two different forums. It is requested that action on notice under reference may be stayed, till the finalisation of proceedings before NGT. Also, since we have initiated the process of obtaining CLU after Hon High Court has clarified the matter, we may be granted time to obtain required approvals. Since NGT has already passed an interim order & case is now listed for 23rd August, the matter may be closed/deferred till a date after the date in the NGT.

With Regards,

for Orchid Space Designs LLP


Partner

Saurabh Gupta

Partner

Orchid Space Designs LLP

For The Hermitage Farm

Village Karoran, Tehsil Kharar,

District SAS Nagar

Mobile 9592911000, 9592700000

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ATc


Asstt. Environmental Engineer
Punjab Pollution Control Board
Regional Office, S.A.S. Nagar



163

PUNJAB HERITAGE AND TOURISM PROMOTION BOARD

Certificate of Registration

SCHEME Punjab Farm Tourism-2021 (Gold Category)

Certificate No: PHTPB/FT/2021/34

Dated: 04/10/2021

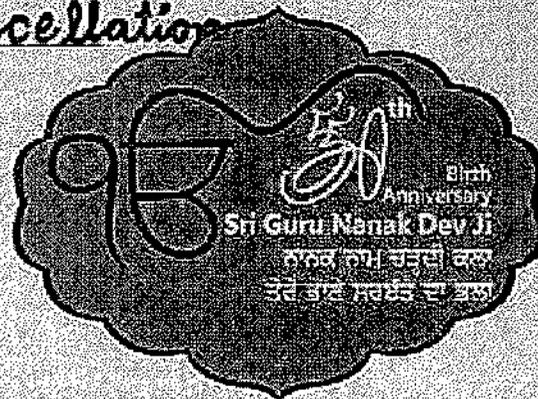
This is to certify that "The Hermitage Farm" is owned by Sh. Saurabh Gupta

located at District S.A.S. Nagar, Resident of

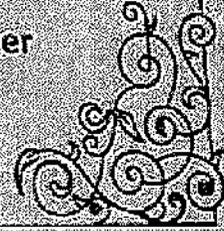
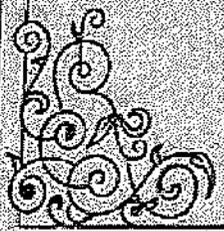
Karoran - Baddi Road, Nayagaon is approved by PUNJAB HERITAGE AND TOURISM

PROMOTION BOARD.

This certificate is valid upto till cancellation



[Signature]
Chief Executive Officer





Date

To

The Naib-Tehsildar
Majri
Dist. SAS Nagar

Subject:- Application for getting permission to organize Private family function in our Farm land at Village Karoran, Hadbast No. 352, Sub-Tehsil Majri, District SAS Nagar.

Sir

It is submitted that our company have Farm land in Village Karoran, Hadbast No. 352. in the name of M/s Orchid Space Designs LLP. We want to organize a private family function of our known person in our farm house land situated at Village Karoran, Hadbast No. 352 on 15-01-2023. There will be gathering of 500 persons approx. in the function. We will follow all the prevailing rules & regulations imposed by State Govt. & Central Government in view of the COVID-19 pandemic. Kindly grant us permission to organize this function.

Thanking you.

for Orchid Space Designs LLP

Saurabh Gupta
Partner

(Saurabh Gupta)

Partner

Orchid Space Designs LLP

Allowed as Per Govt rules

[Signature]
ਜੁਆਇੰਟ ਸਬ ਰਜਿਸਟਰਾਰ

ਮਾਜਰੀ

Orchid Space Designs LLP

Regd. Office S.C.O. 118-119-120, Sector 34-A, Chandigarh.

osdindia@gmail.com



165

Date 18/1-2023

To

The Naib-Tehsildar
Majri
Dist. SAS Nagar

Subject:- Application for getting permission to organize Private family function in our Farm land at Village Karoran, Hadbast No. 352, Sub-Tehsil Majri, District SAS Nagar.

Sir

It is submitted that our company have Farm land in Village Karoran, Hadbast No. 352, in the name of **M/s Orchid Space Designs LLP**. We want to organize a private family function of our known person in our farm house land situated at Village Karoran, Hadbast No. 352 on **21-01-2023**. There will be gathering of 200 persons approx. in the function. We will follow all the prevailing rules & regulations imposed by State Govt. & Central Government in view of the COVID-19 pandemic. Kindly grant us permission to organize this function.

Thanking you.

for Orchid Space Designs LLP

Partner

(Saurabh Gupta)

Partner

Orchid Space Designs LLP

Allowed as per Govt rules

ਜੁਆਇੰਟ ਸਬ ਰਜਿਸਟਰਾਰ

ਮਾਜਰੀ

Orchid Space Designs LLP

Regd. Office S.C.O. 118-119-120, Sector 34-A, Chandigarh,
osdlindia@gmail.com



166

Date 18-01-2023

To

The Naib-Tehsildar
Majri
Dist. SAS Nagar

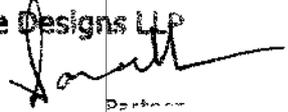
Subject:- Application for getting permission to organize Private family function in our Farm land at Village Karoran, Hadbast No. 352, Sub-Tehsil Majri, District SAS Nagar.

Sir

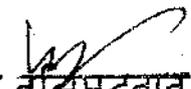
It is submitted that our company have Farm land in Village Karoran, Hadbast No. 352, in the name of **M/s Orchid Space Designs LLP**. We want to organize a private family function of our known person in our farm house land situated at Village Karoran, Hadbast No. 352 on **22-01-2023**. There will be gathering of 400 persons approx. in the function. We will follow all the prevailing rules & regulations imposed by State Govt. & Central Government in view of the COVID-19 pandemic. Kindly grant us permission to organize this function.

Thanking you.

for Orchid Space Designs LLP


(Saurabh Gupta)
Partner
Orchid Space Designs LLP

Allowed as per Govt rules


ਜੁਆਇੰਟ ਸਬ ਰਜਿਸਟਰਾਰ

ਮਾਜਰੀ

Orchid Space Designs LLP

Regd. Office S.C.O. 118-119-120, Sector 34-A, Chandigarh,
osdlindia@gmail.com



167

Date

To

The Naib-Tehsildar
Majri
Dist. SAS Nagar

Subject:- Application for getting permission to organize Private family function in our Farm land at Village Karoran, Hadbast No. 352, Sub-Tehsil Majri, District SAS Nagar.

Sir

It is submitted that our company have Farm land in Village Karoran, Hadbast No. 352, in the name of **M/s Orchid Space Designs LLP**. We want to organize a private family function of our known person in our farm house land situated at Village Karoran, Hadbast No. 352 on **28-01-2023**. There will be gathering of 250 persons approx. in the function. We will follow all the prevailing rules & regulations imposed by State Govt. & Central Government in view of the COVID-19 pandemic. Kindly grant us permission to organize this function.

Thanking you.

for Orchid Space Designs LLP

Partner

(Saurabh Gupta)

Partner

Orchid Space Designs LLP

Allowed as per Govt rules

ਜੁਆਇੰਟ ਸਬ ਰਜਿਸਟਰਾਰ

ਮਾਜਰੀ

Orchid Space Designs LLP

Regd. Office S.C.O. 118-119-120, Sector 34-A, Chandigarh,
osdindia@gmail.com



168

Date

To

The Naib-Tehsildar
Majri
Dist. SAS Nagar

Subject:- Application for getting permission to organize Private family function in our Farm land at Village Karoran, Hadbast No. 352, Sub-Tehsil Majri, District SAS Nagar.

Sir

It is submitted that our company have Farm land in Village Karoran, Hadbast No. 352, in the name of M/s Orchid Space Designs LLP. We want to organize a private family function of our known person in our farm house land situated at Village Karoran, Hadbast No. 352 on 30-01-2023. There will be gathering of 500 persons approx. in the function. We will follow all the prevailing rules & regulations imposed by State Govt. & Central Government in view of the COVID-19 pandemic. Kindly grant us permission to organize this function.

Thanking you.

for Orchid Space Designs LLP

Partner

(Saurabh Gupta)

Partner

Orchid Space Designs LLP

Allowed as per Govt rules

[Signature]
ਜੁਆਇੰਟ ਸਬ ਰਜਿਸਟਰਾਰ

ਮਾਜਰੀ

Orchid Space Designs LLP

Regd. Office S.C.O. 118-119-120, Sector 34-A, Chandigarh,
osdlindia@gmail.com



169

Date

To

The Naib-Tehsildar
Majri
Dist. SAS Nagar

Subject:- Application for getting permission to organize Private family function in our Farm land at Village Karoran, Hadbast No. 352, Sub-Tehsil Majri, District SAS Nagar.

Sir

It is submitted that our company have Farm land in Village Karoran, Hadbast No. 352, in the name of M/s Orchid Space Designs LLP. We want to organize a private family function of our known person in our farm house land situated at Village Karoran, Hadbast No. 352 on 01-02-2023. There will be gathering of 400 persons approx. in the function. We will follow all the prevailing rules & regulations imposed by State Govt. & Central Government in view of the COVID-19 pandemic. Kindly grant us permission to organize this function.

Thanking you.

for Orchid Space Designs LLP

Partner

(Saurabh Gupta)

Partner

Orchid Space Designs LLP

Allowed as per Govt rules

ਜੁਆਇੰਟ ਸਬ ਰਜਿਸਟਰਾਰ

ਮਾਜਰੀ

Orchid Space Designs LLP

Regd. Office S.C.O. 118-119-120, Sector 34-A, Chandigarh,
osdindia@gmail.com



170

Date

To

The Naib-Tehsildar
Majri
Dist. SAS Nagar

Subject:- Application for getting permission to organize Private family function in our Farm land at Village Karoran, Hadbast No. 352, Sub-Tehsil Majri, District SAS Nagar.

Sir

It is submitted that our company have Farm land in Village Karoran, Hadbast No. 352, in the name of **M/s Orchid Space Designs LLP**. We want to organize a private family function of our known person in our farm house land situated at Village Karoran, Hadbast No. 352 on 05-02-2023. There will be gathering of 500 persons approx. in the function. We will follow all the prevailing rules & regulations imposed by State Govt. & Central Government in view of the COVID-19 pandemic. Kindly grant us permission to organize this function.

Thanking you.

for Orchid Space Designs LLP

Partner

(Saurabh Gupta)

Partner

Orchid Space Designs LLP

Allowed as per Govt rules

MS
ਜੁਆਇੰਟ ਸਬ ਰਜਿਸਟਰਾਰ

ਮਾਜਰੀ

Orchid Space Designs LLP

Regd. Office S.C.O. 118-119-120, Sector 34-A, Chandigarh,
osdindia@gmail.com



171

Date

To

The Naib-Tehsildar
Majri
Dist. SAS Nagar

Subject:- Application for getting permission to organize Private family function in our Farm land at Village Karoran, Hadbast No. 352, Sub-Tehsil Majri, District SAS Nagar.

Sir

It is submitted that our company have Farm land in Village Karoran, Hadbast No. 352, in the name of **M/s Orchid Space Designs LLP**. We want to organize a private family function of our known person in our farm house land situated at Village Karoran, Hadbast No. 352 on **06-02-2023**. There will be gathering of 200 persons approx. in the function. We will follow all the prevailing rules & regulations imposed by State Govt. & Central Government in view of the COVID-19 pandemic. Kindly grant us permission to organize this function.

Thanking you.

for Orchid Space Designs LLP

Partner

(Saurabh Gupta)

Partner

Orchid Space Designs LLP

Allowed as per Govt rules

ਜੁਆਇੰਟ ਸਬ ਰਜਿਸਟਰਾਰ

ਮਾਜਰੀ

Orchid Space Designs LLP

Regd. Office S.C.O. 118-119-120, Sector 34-A, Chandigarh,
osdindia@gmail.com



172

Date

To

The Naib-Tehsildar
Majri
Dist. SAS Nagar

Subject:- Application for getting permission to organize Private family function in our Farm land at Village Karoran, Hadbast No. 352, Sub-Tehsil Majri, District SAS Nagar.

Sir

It is submitted that our company have Farm land in Village Karoran, Hadbast No. 352, in the name of **M/s Orchid Space Designs LLP**. We want to organize a private family function of our known person in our farm house land situated at Village Karoran, Hadbast No. 352 on **07-02-2023**. There will be gathering of 150 persons approx. in the function. We will follow all the prevailing rules & regulations imposed by State Govt. & Central Government in view of the COVID-19 pandemic. Kindly grant us permission to organize this function.

Thanking you.

for Orchid Space Designs LLP

Partner

(Saurabh Gupta)

Partner

Orchid Space Designs LLP

Allowed as per Govt rules

ਜੁਆਇੰਟ ਸਬ ਰਜਿਸਟਰਾਰ
ਮਾਜਰੀ

Orchid Space Designs LLP

Regd. Office S.C.O. 118-119-120, Sector 34-A, Chandigarh,
osdlindia@gmail.com



173

Date

To

The Naib-Tehsildar
Majri
Dist. SAS Nagar

Subject:- Application for getting permission to organize Private family function in our Farm land at Village Karoran, Hadbast No. 352, Sub-Tehsil Majri, District SAS Nagar.

Sir

It is submitted that our company have Farm land in Village Karoran, Hadbast No. 352, in the name of **M/s Orchid Space Designs LLP**. We want to organize a private family function of our known person in our farm house land situated at Village Karoran, Hadbast No. 352 on **08-02-2023**. There will be gathering of 400 persons approx. in the function. We will follow all the prevailing rules & regulations imposed by State Govt. & Central Government in view of the COVID-19 pandemic. Kindly grant us permission to organize this function.

Thanking you.

for Orchid Space Designs LLP

Partner

(Saurabh Gupta)
Partner
Orchid Space Designs LLP

Allund as per Govt rules

ਜੁਆਇੰਟ ਸਬ ਰਜਿਸਟਰਾਰ

ਮਾਜਰੀ

Orchid Space Designs LLP

Regd. Office S.C.O. 118-119-120, Sector 34-A, Chandigarh,
osdlindia@gmail.com



174

Date

To

The Naib-Tehsildar
Majri
Dist. SAS Nagar

Subject:- Application for getting permission to organize Private family function in our Farm land at Village Karoran, Hadbast No. 352, Sub-Tehsil Majri, District SAS Nagar.

Sir

It is submitted that our company have Farm land in Village Karoran, Hadbast No. 352, in the name of **M/s Orchid Space Designs LLP**. We want to organize a private family function of our known person in our farm house land situated at Village Karoran, Hadbast No. 352 on **10-02-2023**. There will be gathering of 400 persons approx. in the function. We will follow all the prevailing rules & regulations imposed by State Govt. & Central Government in view of the COVID-19 pandemic. Kindly grant us permission to organize this function.

Thanking you.

for Orchid Space Designs LLP

Partner

(Saurabh Gupta)

Partner

Orchid Space Designs LLP

Allowed as per Govt rules

ਜੁਆਇੰਟ ਸਬ ਰਜਿਸਟਰਾਰ

ਮਾਨਗੋ

Orchid Space Designs LLP

Regd. Office S.C.O. 118-119-120, Sector 34-A, Chandigarh,
osdlindia@gmail.com



175

Date

To

The Naib-Tehsildar
Majri
Dist. SAS Nagar

Subject:- Application for getting permission to organize Private family function in our Farm land at Village Karoran, Hadbast No. 352, Sub-Tehsil Majri, District SAS Nagar.

Sir

It is submitted that our company have Farm land in Village Karoran, Hadbast No. 352, in the name of M/s Orchid Space Designs LLP. We want to organize a private family function of our known person in our farm house land situated at Village Karoran, Hadbast No. 352 on 11-02-2023. There will be gathering of 800 persons approx. in the function. We will follow all the prevailing rules & regulations imposed by State Govt. & Central Government in view of the COVID-19 pandemic. Kindly grant us permission to organize this function.

Thanking you.

for Orchid Space Designs LLP

Partner

(Saurabh Gupta)
Partner
Orchid Space Designs LLP

Attached per Govt rules

ਜੁਆਇੰਟ ਸਬ ਰਜਿਸਟਰਾਰ

ਮਾਕੂਰੀ

Orchid Space Designs LLP

Regd. Office S.C.O. 118-119-120, Sector 34-A, Chandigarh,
osdlindia@gmail.com



176

Date

To

The Naib-Tehsildar
Majri
Dist. SAS Nagar

Subject:- Application for getting permission to organize Private family function in our Farm land at Village Karoran, Hadbast No. 352, Sub-Tehsil Majri, District SAS Nagar.

Sir

It is submitted that our company have Farm land in Village Karoran, Hadbast No. 352, in the name of **M/s Orchid Space Designs LLP**. We want to organize a private family function of our known person in our farm house land situated at Village Karoran, Hadbast No. 352 on **12-02-2023**. There will be gathering of 300 persons approx. in the function. We will follow all the prevailing rules & regulations imposed by State Govt. & Central Government in view of the COVID-19 pandemic. Kindly grant us permission to organize this function.

Thanking you.

for Orchid Space Designs LLP

Partner

(Saurabh Gupta)

Partner

Orchid Space Designs LLP

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ਜੁਆਇੰਟ ਸਬ ਰਜਿਸਟਰਾਰ
ਮਾਜਰੀ

Orchid Space Designs LLP

Regd. Office S.C.O. 118-119-120, Sector 34-A, Chandigarh,
osdlindia@gmail.com



177

Date

To

The Naib-Tehsildar
Majri
Dist. SAS Nagar

Subject:- Application for getting permission to organize Private family function in our Farm land at Village Karoran, Hadbast No. 352, Sub-Tehsil Majri, District SAS Nagar.

Sir

It is submitted that our company have Farm land in Village Karoran, Hadbast No. 352, in the name of **M/s Orchid Space Designs LLP**. We want to organize a private family function of our known person in our farm house land situated at Village Karoran, Hadbast No. 352 on 13-02-2023. There will be gathering of 200 persons approx. in the function. We will follow all the prevailing rules & regulations imposed by State Govt. & Central Government in view of the COVID-19 pandemic. Kindly grant us permission to organize this function.

Thanking you.

for Orchid Space Designs LLP

Partner

(Saurabh Gupta)

Partner

Orchid Space Designs LLP

Attend as per Govt rules

ਜੁਆਇੰਟ ਸਬ ਰਜਿਸਟਰਾਰ

ਮਾਜਰੀ

Orchid Space Designs LLP

Regd. Office S.C.O. 118-119-120, Sector 34-A, Chandigarh.
osdlindia@gmail.com



178

Date

To

The Naib-Tehsildar
Majri
Dist. SAS Nagar

Subject:- Application for getting permission to organize Private family function in our Farm land at Village Karoran, Hadbast No. 352, Sub-Tehsil Majri, District SAS Nagar.

Sir

It is submitted that our company have Farm land in Village Karoran, Hadbast No. 352, in the name of **M/s Orchid Space Designs LLP**. We want to organize a private family function of our known person in our farm house land situated at Village Karoran, Hadbast No. 352 on **15-02-2023**. There will be gathering of 800 persons approx. in the function. We will follow all the prevailing rules & regulations imposed by State Govt. & Central Government in view of the COVID-19 pandemic. Kindly grant us permission to organize this function.

Thanking you.

for Orchid Space Designs LLP

Partner

(Saurabh Gupta)

Partner

Orchid Space Designs LLP

Attended as per Govt rules

ਜੁਆਇੰਟ ਸਬ ਰਜਿਸਟਰਾਰ

ਮਾਜਰੀ

Orchid Space Designs LLP

Regd. Office S.C.O. 118-119-120, Sector 34-A, Chandigarh,
osdindia@gmail.com



179

Date

To

The Naib-Tehsildar
Majri
Dist. SAS Nagar

Subject:- Application for getting permission to organize Private family function in our Farm land at Village Karoran, Hadbast No. 352, Sub-Tehsil Majri, District SAS Nagar.

Sir

It is submitted that our company have Farm land in Village Karoran, Hadbast No. 352, in the name of **M/s Orchid Space Designs LLP**. We want to organize a private family function of our known person in our farm house land situated at Village Karoran, Hadbast No. 352 on **16-02-2023**. There will be gathering of 300 persons approx. in the function. We will follow all the prevailing rules & regulations imposed by State Govt. & Central Government in view of the COVID-19 pandemic. Kindly grant us permission to organize this function.

Thanking you.

for Orchid Space Designs LLP

Partner

(Saurabh Gupta)

Partner

Orchid Space Designs LLP

Allowed as per Govt order

ਜੁਆਇੰਟ ਸਬ ਰਜਿਸਟਰਾਰ

ਮਾਜਰੀ

Orchid Space Designs LLP

Regd. Office S.C.O. 118-119-120, Sector 34-A, Chandigarh,
osdlindia@gmail.com



180

Date

To

The Naib-Tehsildar
Majri
Dist. SAS Nagar

Subject:- Application for getting permission to organize Private family function in our Farm land at Village Karoran, Hadbast No. 352, Sub-Tehsil Majri, District SAS Nagar.

Sir

It is submitted that our company have Farm land in Village Karoran, Hadbast No. 352, in the name of **M/s Orchid Space Designs LLP**. We want to organize a private family function of our known person in our farm house land situated at Village Karoran, Hadbast No. 352 on **17-02-2023**. There will be gathering of 200 persons approx. in the function. We will follow all the prevailing rules & regulations imposed by State Govt. & Central Government in view of the COVID-19 pandemic. Kindly grant us permission to organize this function.

Thanking you.

for Orchid Space Designs LLP

Partner

(Saurabh Gupta)

Partner

Orchid Space Designs LLP

Allowed as per Govt rule

ਜੁਆਇੰਟ ਸਬ ਰਜਿਸਟਰਾਰ

ਮਾਜਰੀ

Orchid Space Designs LLP

Regd. Office S.C.O. 118-119-120, Sector 34-A, Chandigarh,
osdlindia@gmail.com



181

Date

To

The Naib-Tehsildar
Majri
Dist. SAS Nagar

Subject:- Application for getting permission to organize Private family function in our Farm land at Village Karoran, Hadbast No. 352, Sub-Tehsil Majri, District SAS Nagar.

Sir

It is submitted that our company have Farm land in Village Karoran, Hadbast No. 352, in the name of **M/s Orchid Space Designs LLP**. We want to organize a private family function of our known person in our farm house land situated at Village Karoran, Hadbast No. 352 on **18-02-2023**. There will be gathering of 500 persons approx. in the function. We will follow all the prevailing rules & regulations imposed by State Govt. & Central Government in view of the COVID-19 pandemic. Kindly grant us permission to organize this function.

Thanking you.

(Or Orchid Space Designs LLP

Partner

(Saurabh Gupta)

Partner

Orchid Space Designs LLP

Allowed as per Govt rules

ਜੁਆਇੰਟ ਸਬ ਰਜਿਸਟਰਾਰ

ਮਾਜਰੀ

Orchid Space Designs LLP

Regd. Office S.C.O. 118-119-120, Sector 34-A, Chandigarh,
osdlindia@gmail.com



182

Date

To

The Naib-Tehsildar
Majri
Dist. SAS Nagar

Subject:- Application for getting permission to organize Private family function in our Farm land at Village Karoran, Hadbast No. 352, Sub-Tehsil Majri, District SAS Nagar.

Sir

It is submitted that our company have Farm land in Village Karoran, Hadbast No. 352, in the name of **M/s Orchid Space Designs LLP**. We want to organize a private family function of our known person in our farm house land situated at Village Karoran, Hadbast No. 352 on 19-02-2023. There will be gathering of 400 persons approx. in the function. We will follow all the prevailing rules & regulations imposed by State Govt. & Central Government in view of the COVID-19 pandemic. Kindly grant us permission to organize this function.

Thanking you.

for Orchid Space Designs LLP

Partner

(Saurabh Gupta)

Partner

Orchid Space Designs LLP

Allowed as per Govt rules

ਜੁਆਇੰਟ ਸਬ ਰਜਿਸਟਰਾਰ
ਮਾਜਰੀ



183

Date

To

The Naib-Tehsildar
Majri
Dist. SAS Nagar

Subject:- Application for getting permission to organize Private family function in our Farm land at Village Karoran, Hadbast No. 352, Sub-Tehsil Majri, District SAS Nagar.

Sir

It is submitted that our company have Farm land in Village Karoran, Hadbast No. 352, in the name of **M/s Orchid Space Designs LLP**. We want to organize a private family function of our known person in our farm house land situated at Village Karoran, Hadbast No. 352 on **20-02-2023**. There will be gathering of 200 persons approx. in the function. We will follow all the prevailing rules & regulations imposed by State Govt. & Central Government in view of the COVID-19 pandemic. Kindly grant us permission to organize this function.

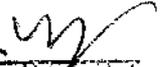
Thanking you.

for Orchid Space Designs LLP

Partner

(Saurabh Gupta)
Partner
Orchid Space Designs LLP

Allowed as per Govt rules


ਜੁਆਇੰਟ ਸਬ ਰਜਿਸਟਰਾਰ
ਮਾਜਰੀ



184

Date

To

The Naib-Tehsildar
Majri
Dist. SAS Nagar

Subject:- Application for getting permission to organize Private family function in our Farm land at Village Karoran, Hadbast No. 352, Sub-Tehsil Majri, District SAS Nagar.

Sir

It is submitted that our company have Farm land in Village Karoran, Hadbast No. 352, in the name of **M/s Orchid Space Designs LLP**. We want to organize a private family function of our known person in our farm house land situated at Village Karoran, Hadbast No. 352 on 22-02-2023. There will be gathering of 250 persons approx. in the function. We will follow all the prevailing rules & regulations imposed by State Govt. & Central Government in view of the COVID-19 pandemic. Kindly grant us permission to organize this function.

Thanking you.

for Orchid Space Designs LLP

Partner

(Saurabh Gupta)

Partner

Orchid Space Designs LLP

Allowed as per Govt rule

by
ਜੁਆਇੰਟ ਸਬ ਰਜਿਸਟਰਾਰ
ਮਾਜਰੀ

Orchid Space Designs LLP

Regd. Office S.C.O. 118-119-120, Sector 34-A, Chandigarh,
osdindia@gmail.com



185

Date

To

The Naib-Tehsildar
Majri
Dist. SAS Nagar

Subject:- Application for getting permission to organize Private family function in our Farm land at Village Karoran, Hadbast No. 352, Sub-Tehsil Majri, District SAS Nagar.

Sir

It is submitted that our company have Farm land in Village Karoran, Hadbast No. 352, in the name of **M/s Orchid Space Designs LLP**. We want to organize a private family function of our known person in our farm house land situated at Village Karoran, Hadbast No. 352 on **23-02-2023**. There will be gathering of 400 persons approx. in the function. We will follow all the prevailing rules & regulations imposed by State Govt. & Central Government in view of the COVID-19 pandemic. Kindly grant us permission to organize this function.

Thanking you.

for Orchid Space Designs LLP

Partner

(Saurabh Gupta)
Partner
Orchid Space Designs LLP

Allowed as per Govt rules

ਜੁਆਇੰਟ ਸਕ ਰੀਜਿਸਟਰਾਰ

ਮਾਜਰੀ

Orchid Space Designs LLP

Regd. Office S.C.O. 118-119-120, Sector 34-A, Chandigarh,
osdlindia@gmail.com



186

Date

To

The Naib-Tehsildar
Majri
Dist. SAS Nagar

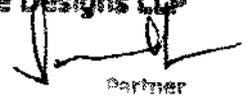
Subject:- Application for getting permission to organize Private family function in our Farm land at Village Karoran, Hadbast No. 352, Sub-Tehsil Majri, District SAS Nagar.

Sir

It is submitted that our company have Farm land in Village Karoran, Hadbast No. 352, in the name of **M/s Orchid Space Designs LLP**. We want to organize a private family function of our known person in our farm house land situated at Village Karoran, Hadbast No. 352 on **24-02-2023**. There will be gathering of 350 persons approx. in the function. We will follow all the prevailing rules & regulations imposed by State Govt. & Central Government in view of the COVID-19 pandemic. Kindly grant us permission to organize this function.

Thanking you.

for Orchid Space Designs LLP


Partner

(Saurabh Gupta)
Partner
Orchid Space Designs LLP

Allowed as per Govt rules

ਜੁਆਇੰਟ ਸਕੱਤਰ ਜਿਲਾ ਸਾਹਿਬ
ਮਾਜਰੀ



187

Date

To

The Naib-Tehsildar
Majri
Dist. SAS Nagar

Subject:- Application for getting permission to organize Private family function in our Farm land at Village Karoran, Hadbast No. 352, Sub-Tehsil Majri, District SAS Nagar.

Sir

It is submitted that our company have Farm land in Village Karoran, Hadbast No. 352, in the name of **M/s Orchid Space Designs LLP**. We want to organize a private family function of our known person in our farm house land situated at Village Karoran, Hadbast No. 352 on **25-02-2023**. There will be gathering of 200 persons approx. in the function. We will follow all the prevailing rules & regulations imposed by State Govt. & Central Government in view of the COVID-19 pandemic. Kindly grant us permission to organize this function.

Thanking you.

for Orchid Space Designs LLP

Partner

(Saurabh Gupta)

Partner

Orchid Space Designs LLP

Allowed as per Govt rule

ਜੁਆਇੰਟ ਸਬ ਰਿਜਿਸਟਰਾਰ

ਮਾਜਰੀ

Orchid Space Designs LLP

Regd. Office S.C.O. 118-119-120, Sector 34-A, Chandigarh,
osdindia@gmail.com



188

Date

To

The Naib-Tehsildar
Majri
Dist. SAS Nagar

Subject:- Application for getting permission to organize Private family function in our Farm land at Village Karoran, Hadbast No. 352, Sub-Tehsil Majri, District SAS Nagar.

Sir

It is submitted that our company have Farm land in Village Karoran, Hadbast No. 352, in the name of **M/s Orchid Space Designs LLP**. We want to organize a private family function of our known person in our farm house land situated at Village Karoran, Hadbast No. 352 on **26-02-2023**. There will be gathering of 500 persons approx. in the function. We will follow all the prevailing rules & regulations imposed by State Govt. & Central Government in view of the COVID-19 pandemic. Kindly grant us permission to organize this function.

Thanking you.

for Orchid Space Designs LLP

Partner

(Saurabh Gupta)
Partner
Orchid Space Designs LLP

Allowed as per Govt rule

ਜੁਆਇੰਟ ਸਬ ਰਿਜਿਸਟਰਾਰ

ਮਾਜਰੀ

Orchid Space Designs LLP

Regd. Office S.C.O. 118-119-120, Sector 34-A, Chandigarh,
osdindia@gmail.com



189

Date

To

The Naib-Tehsildar
Majri
Dist. SAS Nagar

Subject:- Application for getting permission to organize Private family function in our Farm land at Village Karoran, Hadbast No. 352, Sub-Tehsil Majri, District SAS Nagar.

Sir

It is submitted that our company have Farm land in Village Karoran, Hadbast No. 352. in the name of **M/s Orchid Space Designs LLP**. We want to organize a private family function of our known person in our farm house land situated at Village Karoran, Hadbast No. 352 on **27-02-2023**. There will be gathering of 400 persons approx. in the function. We will follow all the prevailing rules & regulations imposed by State Govt. & Central Government in view of the COVID-19 pandemic. Kindly grant us permission to organize this function.

Thanking you.

for Orchid Space Designs LLP

Partner

(Saurabh Gupta)

Partner

Orchid Space Designs LLP

Allowed as per Govt. Rules

ਜੁਆਇੰਟ ਸਬ ਟੈਜਿਸਟਰਾਰ

ਮਾਜਰੀ

Orchid Space Designs LLP

Regd. Office S.C.O. 118-119-120, Sector 34-A, Chandigarh.
osdlinda@gmail.com

GOVERNMENT OF PUNJAB
DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
(HOUSING II BRANCH)
Notification

The 11th August 2017

No.12/8/2012-5HgII/46 | 0 In pursuance of the decision taken in the Meeting of the State Council of Ministers held on 4th August 2017 and in supersession of the previous notification Nos. 12/8/2012-5 Hg II/-5094, dated 16.11.2012, No. 12/8/2012-5 Hg II/-105 dated 07.01.2013, No.12/08/12-5HGII/626711/1 dated 17.11.2015 and No. 12/8/2012-5HgII/820005/1 dated 16.08.2016 issued in this regard, the Governor of Punjab is pleased to notify the following Policy Guidelines and Building Norms for Regularization of Existing Marriage Palaces and for setting up of New Marriage Palaces in the State of Punjab. However, the approvals granted under the previous policies by the Competent Authority shall be honoured.

1. **Background:**

- 1.1 Keeping in view the orders passed by the Hon'ble Punjab and Haryana High Court dated 17.08.2012 in C.W.P. No. 21547; the policy dated 16.11.2012 for identifying the authorized/ unauthorized Marriage Palaces was framed with the approval of the Cabinet for the entire State of Punjab which is placed at Annexure 'A'. In continuation to this further, Policy Guidelines and Building Norms for Regularization of Existing Marriage Palaces as well as for setting up of New Marriage Palaces in the State of Punjab were re-framed vide policy dated 16.08.2016. The Marriage Palaces till the formulation of these policies were considered purely a commercial activity. With a change of social set up and owing to scarcity of common spaces, the Marriage Palaces have become a social necessity wherein different strata of the society hold social gatherings/ functions. Not only the marriages of almost every strata of society are solemnized in these Marriage Palaces but also other social functions are performed in these places. Hence, the Marriage Palaces were classified as a special category of buildings. Keeping in view the nature and use of these buildings as Marriage Palaces, such buildings were properly defined and proper building norms were laid down for the establishment of such buildings to ensure public safety, public conveniences and provision of adequate parking in these policies.
- 1.2 Under these policies, 1093 applications were received from time to time out of which and 109 Marriage Palaces have been regularized and CLU for 401 Marriage Palaces have been issued. About 580 Marriage Palaces remain unauthorized as they did not meet the criteria.
- 1.3 Now, therefore, in recognition of the need to provide affordable spaces to solemnize marriages and other functions of all strata of the society, while at the same time ensuring public health and safety, a new policy has been prepared as below:

2. Definitions:

- a) **"Authorized Marriage Palace"** shall mean the Marriage Palace declared as authorized by the District Level Committee as per Annexure 'A' constituted for the scrutiny and approval of Marriage Palace, under this policy.
- b) **"Competent Authority"** shall mean any person or authority appointed by the State Government by Notification to exercise and perform all or any of the powers and functions of the Competent Authority under this policy.
- c) **"Existing Marriage Palaces"** means a Marriage Palace which is in existence on or before 16.11.2012.
- d) **"Marriage Palace"** means premises built up or open or both or any part thereof, where accommodation or space is used for marriage, receptions, social gatherings, meetings etc. on regular or periodical or occasional basis and where number of persons not less than 50 can congregate or gather.
- e) **"State Government"** shall mean, in the case of Marriage Palaces situated within the limits of an urban local body viz., Municipal Corporation, Municipal Committee, NAC, the department of Local Government, and in the case of all other Marriage Palaces, the Department of Housing and Urban Development.
- f) **"Unauthorized Marriage Palace"** shall mean the Marriage Palace either declared as un-authorized by the District Level Committee constituted for the scrutiny and approval of Marriage Palace, under this policy or has been constructed after 16.11.2012 till the date of this notification without approval of the Competent Authority and has not been regularised under Govt. Policy.

3. Applicability and Scope:

This policy will be applicable in the State of Punjab including municipal limits for:-

- (i) Regularization of Existing and unauthorized Marriage Palaces
- (ii) Setting up of new Marriage Palaces.

Receipt and disposal of applications

- (i) The owners of unauthorized marriage palaces who could not apply under the previous policies of the Government shall submit their applications to the Competent Authority as below:
 - The last date for submission of applications for regularization of Existing Marriage Palaces shall be upto 31-10-2017.
 - The pending applications received for regularization of unauthorized Marriage Palaces under the previous policies and the applications received under this policy shall be disposed off by 31.12.2017.

4. Permissible zones for Marriage Palaces:

The Marriage Palaces shall be permissible as per the provisions of the respective Master Plan or as allowed by Government orders/ notifications issued from time

to time. However, in rural areas where no Master Plan is notified as yet, the Marriage Palaces shall be permissible as per provisions of this policy.

5. **Building Norms for New Marriage Palaces shall be as per Annexure B.**

6. **Minimum road width (Outside Master Plans area):**

The following distances from Municipal Corporation/ Municipal Council limits of Punjab state shall be adhered to allow the new/ existing Marriage Palace on a link road having minimum 22'-0" width outside Master Plan area provided that a minimum 5 metre set back is left from the road and the gross area of the marriage palace does not exceed 2 acres. In no case the permission shall be granted if the existing road width is less than 22'-0" (4 karam):-

A) **Distance from Municipal Corporation Limits:**

- | | | |
|------|--|---------|
| i) | Municipal Corporation Ludhiana----- | 15 Kms. |
| ii) | Municipal Corporation Jalandhar----- | 10 Kms. |
| iii) | Municipal Corporation Amritsar and Patiala | 07 Kms. |
| iv) | Rest of Municipal Corporations (except Municipal Corporation SAS Nagar)----- | 05 Kms. |
| v) | Municipal Corporation, SAS Nagar as per the provisions of Regional Plan GMADA. | |

B) **Distance from Municipal Council Limits:**

- | | | |
|------|---------------------------------|---------------------|
| i) | A class Municipal Councils----- | 05 Kms. |
| ii) | B class Municipal Councils----- | 03 Kms. |
| iii) | C class Municipal Councils----- | no minimum distance |

7. **Regularization of Marriage Palaces**

A) The regularization of existing Marriage Palaces will be dealt as per policy guidelines annexed at Annexure 'C'. However, CLU, EDC, PF, SIF etc shall be charged as per this policy. All the Marriage Palaces constructed after 16.11.2012 without approval shall be considered under this policy. The Marriage Palace Owners, who could not apply under previous policies, will have to apply for the regularization immediately under this policy and latest by 31.10.2017.

The following relaxations shall be applicable to the existing Marriage Palaces and also to those Marriage Palaces which have been constructed after 16.11.2012 till the date of notification of this policy without approval of the Competent Authority so that the maximum number of unauthorized Marriage Palaces could be brought under the umbrella of planning framework to ensure public safety, security and public conveniences.

i. **Relaxations:**

(a) **Setback:** In case of the marriage palace where no space is left for setback on any one side (except front) of the building, then the owner has to get a certificate from the fire authorities for getting this relaxation, which shall be limited to one setback only.

(b) if the site of the marriage palace abuts on more than one streets/ roads and the building hall or site of the marriage palace has openings on the side street/ road also, then maximum one such street/ road may be considered

as a setback of the building provided that the minimum width of such street/ road is 20' and the applicant has to obtain fire safety certificate from the Fire Officer in this regard.

However, this relaxation will not be granted for the front setback.

(c) A variance upto 10% of the norms fixed for minimum plot size, setbacks around the marriage hall, approach road to the marriage palace and parking area shall be allowable.

ii. Every Marriage Palace must have at least 30% area of the existing premises of the Marriage Palace under parking and for the remaining 20% area required to achieve minimum 50% parking, the owner is permitted to make alternate arrangement of parking as per following parameters:

- a) The site shall be located within a distance of 100 metres from the marriage palace site;
- b) The site of parking shall have minimum approach road of 22'-0" in case of Marriage Palace falling outside Master Plan area and 40'-0" for Marriage Palace within Master Plan area;
- c) The ownership of the site should either be in the name of the applicant or on registered lease for a minimum period of 3 years;

The alternate area under parking provided for meeting the shortfall of 20% parking for Marriage Palaces established before 17.08.2007 shall not be chargeable whereas the alternate parking area provided to meet the shortfall of parking for the Marriage Palaces established after 17.08.2007 upto the date of the notification of this policy shall be chargeable @ Rs.2.00 lac for a period of three years for meeting the shortfall of 20% parking. After three years, the same charges shall be payable for extension for a period of next three years and so on. In case, the shortfall of parking is less than 20% then these charges shall be levied on prorata basis.

d) The provisional/ final NOC of NHAJ or PWB (B&R), or Forest Department or Development Authority, if applicable shall be pre-requisite.

e) In case the Marriage Palace owner has provided sufficient parking which is not exactly 50% of the plot area as required under policy but is close to 50% mark, in such cases a variance of up to 10% in the parking area shall be allowed, provided that the other norms of the marriage palace are fulfilled and the owner has to pay a compounding fee for the shortfall of parking area on pro-rata basis of the above said alternate shortfall parking charges.

iii. The provision of Water Closets/ Urinals for Marriage Palace shall be as per Annexure 'B' of this policy.

iv. There shall be no condition of minimum distance required from the site of a School, College, Hospital, religious place and the red category industry in case of existing Marriage Palace.

- v. The Marriage Palaces which are fully compliant as per provisions of this policy but are facing closure due to non decision of any Govt. Department/ Authority will be allowed to function.

8. Relaxation of charges/ Fee for regularization of Marriage Palaces:

The following relaxations shall be applicable on Conversion of Land Use, External Development Charges, Permission Fee (CLU, EDC, PF) etc on existing/ unauthorized marriage palaces constructed till the date of notification of this policy:

- 1) The CLU, EDC, PF and SIF charges leviable for Marriage Palaces shall be as per Annexure – F with following exemptions:-
- There shall be 100% exemption of CLU, EDC, PF etc on total parking area of the Marriage Palaces established without approval of the Competent Authority. However, the remaining area of these Marriage Palaces shall be chargeable as per provisions of this policy.
 - In case the full amount of charges is paid in Lump sum at the time of permission of CLU then 5% rebate on total charges shall be given to the applicant.
 - Building scrutiny fee @ Rs. 5/- per sq ft of covered area of buildings along with boundary wall fee @ Rs. 2.50 per running feet shall be charged.

The owner has to submit any of the following documents as proof to ascertain the year of establishment of the existing marriage palace:-

- Registered sale deed of Marriage Palace
- Electricity connection for Marriage Palace
- Excise permit for running a Marriage Palace
- A register maintained by an owner for registering marriages/ functions held in the Marriage Palace.
- Any other document which is found satisfactory by the Authority to establish the year of construction of the Marriage Palace.

Note:

- The exemption on parking area shall be permissible in both cases i.e., for parking on the ground floor as well as parking under basement. In case, the parking is under basement the remaining area of the site shall be calculated after deducting the area under basement parking from the total area of the site for calculation of CLU, EDC and PF etc.
- These amended charges will be applicable on all cases already approved under previous policies also. The excess amount received from the applicants of the already regularized cases prior to this policy will be adjusted in the next instalments of the project, if any. However, in case where lump sum payment has been received and marriage palace regularized, the excess amount of CLU, EDC, LF, SIF so charged will not be refunded to the applicant under this policy.

Provided, however that the provision of refund of CLU, EDC, LF, SIF shall remain applicable as per the provisions of policy notified vide No. 12/8/2012-5Hg-II/820005/1 dated 16.08.2016.

Mode of payment of Fees/ charges:

The upfront payment of charges at the time of CLU shall be 15% of the total charges. The balance 85% of the charges shall be payable in six equal six monthly instalments. No rate of interest shall be charged on instalments if paid as per schedule. The rate of interest on earlier instalments deposited by the Marriage Palace Owners, if any, shall be adjusted in next instalments. However, in case of default of the instalment, the interest at the rate of 12% shall be chargeable on the default amount for the default period.

The balance instalments, if any shall be re-scheduled as per the provisions of this policy by the concerned Development Authority.

9. Penalty for operating Marriage Palace without regularization:

The owner of the Marriage Palace who fails to get his Marriage Palace regularized under this policy shall have to stop using his/ her premises as Marriage Palace immediately failing which he/ she have to face the following penalties:

- (i) The water supply, sewerage, electricity connection, if any, will be disconnected;
- (ii) The premises will be sealed;
- (iii) The unauthorized building of the Marriage Palace may be demolished at his/ her expense and legal proceedings against the owner will be initiated.

10. Approval Process for New Marriage Palaces

- 1) The application for approval of a marriage palace shall be processed as per the prevalent procedure of the Department.
- 2) Provisional/ Final NOC/permission from the National Highway Authority of India (NHAI), PWD (B&R), concerned Development Authority as well as Forest Department (whichever applicable) shall be required.
- 3) The approval of building plans of a marriage palace may be permitted subject to following conditions:

The applicant must have obtained provisional NOC from NHAI;

- a) The applicant will undertake that he/ she will obtain the final NOC from NHAI and submit the same in the office of the building plan approval authority and he/ she will not make the marriage palace operational before obtaining the final permission from NHAI and will not claim compensation for any loss in this regard;
 - b) The occupancy/ completion certificate will only be issued after final approval from NHAI, if any.
- 4) Every building application of Marriage Palace submitted for approval to the competent authority shall be verified by the concerned fire officer for safety measures proposed in the building plan before approval of the same.
 - 5) Before occupying the building, the owner shall be required to obtain occupation certificate from the Competent Authority.
 - 6) The building plan of the Marriage Palace shall be approved within the stipulated time frame given in the Right to Service Act.

- 7) No Department/ Authority of the Govt. shall conduct inspection of any marriage palace without approval of the Govt./ Chief Administrator of the Authority except inspections by Punjab Pollution Control Board, Fire Department etc. where periodic inspection is mandatory as per their law.
- 8) Applicant shall comply all other relevant laws/ instructions which ever are applicable in the state of Punjab from time to time.

11. Charges/ Fee for approval of new Marriage Palaces:

- i. CLU, EDC, PF and SIF Charges: For setting up of a new marriage palace the charges as fixed under policy No. 17/17/2001-5 HGII/ P.F/748168/17 dated 06.05.2016 or as amended from time to time shall be applicable.

Fee for approval of building plan: Building scrutiny fee @ Rs. 5/- per sq ft of covered area of buildings along with boundary wall fee @ Rs. 2.50 per running feet shall be charged.

- ii. Mode of payment: CLU, EDC, LF and SIF charges will be payable in two equal instalments. First instalment at the time of approval of CLU and second instalment will be payable at the time of approval of building plans or within one year whichever is earlier, after which 12% rate of interest shall be payable.

In case of lump sum payment 5% concession on total charges will be applicable in the above cases.

12. PROVISION OF COMMERCIAL COMPONENT:

In a Marriage Palace (existing/ new), a commercial component upto 10% of the FAR availed shall be permissible subject to the following conditions:

- (a) The total ground coverage of the Marriage Palace shall not exceed 35% including the commercial component.
- (b) The owner has to pay CLU, EDC, LF/ PF and SIF charges as applicable for commercial purpose on commercial component.
- (c) The commercial component may include shops namely Gift Shop, Toy Shop, Restaurant and not general trade shops.
- (d) The parking for commercial component shall be provided @ 2 ECS/ 100 sq m of covered area.
- (e) The commercial component shall only be permissible within the zoned area of the Marriage Palace.
- (f) In case the area under commercial component exceeds 1000 sq metres and it is sub-divided into shops then the Marriage Palace owner has to abide by the provisions of the PAPRA, 1995.

13. PROCEDURE FOR REGULARIZATION

District Level Committee (outside Municipal limits):

The following Committee shall scrutinize and approve the regularization of existing/ unauthorized Marriage Palaces in a time bound manner:

- | | |
|---|----------|
| 1. Chief Administrator of the Concerned Authority | Chairman |
| 2. Representative of Deputy Commissioner | Member |
| 3. Senior Town Planner | Member |

- | | | |
|----|--|-----------------|
| 4. | Superintendent Engineer(Distribution) PSPCL of the area, | Member |
| 5. | S.E./Executive Engineer, PWD (B&R)
(In-charge of Scheduled Roads) | Member |
| 6. | Environmental Engineer PPCB | Member |
| 7. | District Forest Officer | Member |
| 8. | Representative of Fire Department | Member |
| 9. | District Town Planner | Convener Member |

(ii) Municipal Corporation/ Council Level Committee: For areas within Municipal limits, the Committee as constituted by the Local Government Department shall scrutinize and approve the regularization of Existing Marriage Palaces in a time bound manner.

Note: The CLU and building plans of these marriage palaces shall be technically approved at the level of the designated Senior Town Planner of Department of Town and Country Planning for outside Municipal limits and within municipal limits such powers shall be with the designated officer of the Local Government/ Local Body.

iii) Submission of application:

The unauthorized Marriage Palace Owners can apply to the Chief Administrator of the concerned Authority/ Local Body as the case may be, in a form as per Annexure 'D'.

iv) List of Documents to be attached with application (10 sets):

- a) Proof of ownership: - Original fard Jamabandi not more than two months old, in case of lease minimum 15 years registered lease document.
- b) Copy of Akas Shajra plan showing the site of marriage palace and duly signed by Halqa patwari.
- c) Location Plan duly signed by the owner / Architect with minimum degree of B.Arch
- d) Building Plans of the existing building, prepared by a qualified Architect with minimum degree of B.Arch, showing:-
 - i. Detail of covered area, Setbacks, Parking.
 - ii. Sections and elevations of the building.
 - iii. Fire safety measures/ equipments provided in the building.
 - iv. Service plans showing sewer and drainage lines, water supply lines and location of Sewerage Treatment Plant (if applicable), solid waste collection and disposal arrangements.
- e) Structural safety certificate from a Structural Engineer.
- f) Approval of regularization of existing Marriage Palace shall be issued in the format as per Annexure 'E'

Place: Chandigarh

Vini Mahajan, IAS

Dated: 11-08-2017

Additional Chief Secretary to Government of Punjab
Department of Housing and Urban Development

Endst. No. 12/08/2012-5hg2/4611

Dated: 11/08/2017

A copy with a spare copy is forwarded to the Controller, Printing & Stationery, Punjab, SAS Nagar with a request to publish this notification in the Punjab Govt. Gazette (Ordinary) and 50 copies thereof may be supplied to this Department for official use.

Special Secretary

Subject: Policy regarding identification of authorized/ unauthorized Marriage Palaces in the State of Punjab.

Hon'ble Punjab and Haryana High Court vide its order dated 17.08.2012 in C.W.P. No. 21547 of 2011-Jagjit Singh vs State of Punjab and Others has issued directions as under:-

"The respondents -Marriage Palaces in this case are permitted to submit their representations/ objections in GMADA or Patiala Development Authority or Municipal Corporations/ Committees/ Councils, as the case may be and appear before the authorities concerned from 21.08.2012 to 28.08.2012 in their respective offices.

The authorities concerned shall form an opinion and tentative decision taken be placed on record of this Court.

Directions are also issued to the State of Punjab to verify the number of marriage palaces being run in each district and to inform the Court as to how many marriage palaces out of the so identified were opened after getting all necessary permissions under the relevant Acts including Change of Land Use (CLU) etc.

Mr. J.S. Puri, Additional Advocate General, Punjab is directed to convey the order passed to all the Deputy Commissioners in State of Punjab."

Keeping in view the above order passed by the Hon'ble Punjab and Haryana High Court, it was felt that a policy must be framed to identify the authorized/ unauthorized Marriage Palaces in the entire State of Punjab. The entire area in the state of Punjab can be divided in two categories as far as the marriage palaces are concerned i.e. within M. C. limits and the out side M.C. limits. On the Marriage Palaces falling within the M.C. limits, the policy formulated by the Local Govt. Department is applicable. However, for the Marriage Palaces falling out side the M.C. limit, different rules/guidelines/ instructions were applicable from time to time. To identify a marriage palace as authorized it is necessary that the marriage palace should have all the requisite approvals/sanctions/NOCs required at the time of its commencement. Thus a detailed study has been carried out in the Department of Housing and Urban Development to list out the rules/instructions/guidelines applicable from time to time.

After studying all the rules/instructions/ guidelines issued from time to time, the time line from 1963 to till date for approval of Marriage Palaces can be segregated as under :-

1. Before 26th May, 1995

Before 1995 the only act applicable on the constructions outside the municipal limits was The Punjab Scheduled Roads and Controlled Areas Restriction of Unregulated Development Act, 1963. As per the provisions of this Act, for the construction along Scheduled Roads or within notified Controlled Areas, permission from Competent Authority was required. So from 1963 till 26th May, 1995, approval from the competent authority for construction of Marriage

Palaces along the Scheduled Roads and in the notified Controlled Area was required under this act.

The Punjab Scheduled Roads and Controlled Areas Restriction of Unregulated Development Act, 1963 was repealed in the Punjab Regional and Town Planning and Development Act 1995. However, the constructions on the Scheduled Roads and Bye-passes that have been made prior to coming into force of 1963 Act and the ones which have been put up between the period of enforcement of 1963 Act and coming into force of the Punjab Regional and Town Planning and Development Act, 1995 are exempted vide Notification No.7-PLA- 96/19 dated 21.03.1996 which is placed at Annexure 'A'.

2. From 26 May, 1995 to 27 July, 1996:

On 26 May 1995, the Punjab Regional and Town Planning and Development Act came into force. Under this Act, during the above timeline, three Local Planning Areas namely; Mohali, Zirakpur and Dera Bassi were notified. Once the Local Planning Areas are notified, the necessary approval for setting up any building within Planning Areas is required to be sought from the Competent Authority. However no Building Bye-laws were prevalent during this period.

3. From 27 July, 1996 to 17 February, 2000:

Vide Notification No.G.S.R. 48/PA 11/95/S.180/96, dated 27 July, 1996, PUDA Building Rules were framed which were applicable to the areas mentioned below:-

- i) The areas of the Urban Estates set up by the authority in terms of provisions of section 28 of the Act or by the State Government under the Punjab Urban Estates (Development and Regulations), Act, 1964.
- ii) The planning areas in respect of which town development schemes have been made by the authority under the act or which are to be developed otherwise by the authority under the act.
- iii) The Controlled Areas declared as such under section 4 of the Punjab Scheduled Roads and Controlled Areas Restriction of Un-regulated Development Act, 1963.
- iv) Such other areas which the state Govt. may be notification specify from time to time.

During this period, any construction that took place, in the above said areas was required to get the building plans approved from the Competent Authority.

4. From 17 Feb.,2000 to 20 Jan., 2005:

The Department of Town and Country Planning, Punjab issued instructions to all the field offices conveying the parameters under which the Marriage Palaces can be approved on 17 February 2000. So any Marriage Palace that was established during the above mentioned period was required to take NOC from

the Department of Town and Country Planning (District Town Planner) keeping in view these parameters. The copy of instructions issued by the Department in this regard has been placed at Annexure 'C'.

5. From 20 Jan., 2005 to 17 August, 2007:

The Govt. of Punjab Department of Housing and Urban Development vide Notification No. 1/149/96-4HG-1/550 dated 20 Jan., 2005, in pursuance to the provisions of rule 1 (3) (iv) of the Punjab Urban Planning and Development Authority (Building) Rules, 1996 enhanced the jurisdiction of these rules to all the areas in the State of Punjab, except those falling within the notified limits of any Municipal Corporation, or Municipal Council or Nagar Panchayat and Cantonment Boards. Another Notification No. 1/149/96-4HG-1/569 dated 21 Jan., 2005 was issued in which the Officers of Department of Town and Country Planning were declared as Competent Authority for approval of Building Plans in the above said areas. During this period viz., from 20 Jan., 2005 to 17 August, 2007, any Marriage Palace could only be established after getting building plan approved by the Competent Authority and were liable to pay the requisite scrutiny fee. These Notifications are placed at Annexure 'D' and 'E' respectively. It is, however clarified that no CLU fees were made applicable by the State of Punjab except for the selected areas mentioned under the provisions at the end of this policy.

6. From 17 August, 2007 onwards:

The Govt. of Punjab vide notification's No.17/17/01-5HG-2/6666 dated 17.08.2007 and 17/17/01-5HG-2/6682 dated 17.08.2007 notified a policy for the entire State of Punjab vide which the Department of Housing and Urban Development was declared as the Nodal Agency for granting the Change of Land Use against the payment of prescribed charges. These notifications are placed at Annexure 'F' and 'G' respectively. So any Marriage Palace which is established during this period was to get CLU from the Department of Town and Country Planning and was supposed to pay CLU, EDC and any other fee or charges as applicable.

The building parameters which were fixed in the year 2000 vide circular No. 195-CTP (Pb) SP-16 dated 17-2-2000 are prevalent since then.

In addition to the above, following provisions were also prescribed in some selected areas in the State of Punjab. The details of which are placed below:-

i) The Punjab New Capital (Periphery) Controlled Area Act, 1952:

Under this Act, within the periphery area of 16 km from the boundary of Chandigarh, no building could come up without taking permission from the Competent Authority.

ii) Periphery Policy (20 Jan., 2006);

The Punjab Govt. vide notification No. 18/35/2002-1HG-2/ 499 dated 20 Jan., 2006 notified the Periphery Policy for development within the periphery area and also fixed the CLU, EDC and other charges applicable in the Master Plan Mohali. These CLU, EDC and other charges were further made applicable to the entire areas of Chandigarh Periphery except within the Municipal Limit vide notification No. 18/35/2002-1HG2/6390 dated 12 July, 2006. These Notifications are placed at Annexure 'H' and 'I' respectively.

iii) Declaration of Local Planning Areas under Punjab Regional and Town Planning and Development Act, 1995;

A number of Local Planning Areas were declared under the said Act during 1995 to 17 August 2007 and Master Plans were also notified. Once the Local Planning Area/ Master Plan was notified under the above mentioned Act, the necessary approval for setting up a building is required to be sought from the Competent Authority.

It is also clarified that any construction existing before the coming into operation of the Master Plan which falls in the Non Conforming land use of the Master Plan may be allowed to continue for a period not exceeding 10 years upon such terms and conditions as may be provided by regulations made in this behalf by the Competent Authority for the purpose and to the extent, for and to which it was being used on the date on which such a Master Plan came into operation.

In compliance with the directions issued by the Hon'ble Punjab and Haryana High Court, the owners of Marriage Palaces have already submitted their applications/ representations in the offices of GMADA and PDA. Keeping in line with the process initiated by the Hon'ble Punjab and Haryana High Court, it is proposed that applications may be invited from the owners of all the Marriage Palaces from all over the State of Punjab alongwith the documents pertaining to the permissions granted by the Competent Authorities and also with the documents establishing the date of commencement of the Marriage Palaces. These documents can be electricity bill showing the adequate electricity load required to run a marriage palace, registration under the PB General Sales Tax Act, Punjab Value Added Tax 2005, Punjab Luxury Tax Act 2008, Permits from the Excise department or any other document which the applicant thinks would be helpful in identifying the date of establishment of the Marriage Palace.

A District Level Committee as prescribed below shall be constituted in each Development Authority with the following members:-

- | | |
|--|----------|
| 1. Chief Administrator of the Concerned Authority | Chairman |
| 2. Representative of Deputy Commissioner | Member |
| 3. Superintendent Engineer (Distribution) PSPCL of the area, | Member |
| 4. S.E./Executive Engineer, PWD (B&R) | Member |

(In-charge of Scheduled Roads)

- | | |
|--------------------------------------|-----------------|
| 5. Environmental Engineer PPCB | Member |
| 6. District Forest Officer | Member |
| 7. Representative of Fire Department | Member |
| 8. District Town Planner | Convener Member |

The Committee will invite applications from the owners within a period of 30 days and the date, time and venue for submission of applications shall be published in two newspapers at-least one in vernacular language. The above Committee would scrutinize the documents submitted by the applicants to ascertain the date of establishment of Marriage Palace within 30 days. The Committee will also enlist the required approvals, sanctions/NOCs etc that were required during that particular time zone and accordingly place the marriage palaces in the authorized or non-authorized list. The Marriage Palaces which have got permissions/NOCs required in that particular time zone when the particular Marriage Palace was established will be considered as authorized. All other Marriage Palaces will be considered as un-authorized and shall have to submit fresh application to the competent authority for approval and will be required to get the permission as per the prevalent rules/guidelines/instructions after paying the prevalent charges/fees.

The identification of a marriage palace as authorized or fresh approvals under the prevalent policy with respect to the building parameters and the other rules and regulations related with the operations will have to be strictly followed.

Scrutiny of Authorized Marriage Palaces:

All the Marriage Palaces which will fall under this category shall also be open to scrutiny with respect to public convenience, public safety, parking, fire safety and conformity with approvals. Shortfalls if any, have to be fulfilled.

Building Norms for setting up of new Marriage Palaces

- (i) The schedule of area and building norms for setting up a new Marriage Palace shall be as per table-1.
- (ii) Frontage of the site shall not be less than 20 meters.
- (iii) Provision of Water Closets / Urinals shall be as under:

(a) For Marriage Palace in an area upto 2.5 acres		
Men	Water Closets	3 Nos
	Urinals	7 Nos.
Women	Water Closets	7 Nos
Handicapped		
1 Water Closet each for Men and Women.		
(b) For every additional acre area 1WC each for men and women and 2 urinals for men shall be provided		

In case of fraction of an acre:

- if the fraction is equal to or less than half of an acre then it will not be considered for provision of extra urinals/ toilets.
 - if the fraction is more than half an acre then it will be considered equal to 1 acre and the applicant has to provide the additional urinals/ toilets as per the norms given above.
- (iv) The cooking space may have direct opening to the Marriage Hall provided that the doors opening in the Marriage Hall shall be fire rated doors of minimum 1 hr fire resistance of self closing type to stop spread of fire/smoke into the Marriage Hall.
- (v) Every site should have minimum 2 gates having minimum width of 5 meters. If the gates are covered then the minimum height shall be 5 meters. No direct entry/ exit from the National Highway/ State Highway/ Scheduled Road shall be permissible.
- (vi) In the covered area of Marriage Hall or the area which is covered by temporary ceiling, travel distance from any point of building/ temporary structure/ pandal shall be as per National Building Code (NBC) applicable to Assembly Buildings and temporary pandals shall adhere to Indian standards IS 8758: 1993 (Recommendations for fire precautionary measures in construction of Temporary structures and Pandals) as amended from time to time.
- (vii) The minimum width of doors/ exits shall not be less than 1.5 meters and shall open outward.
- (viii) Fire fighting equipments and building materials throughout the building shall be installed/ used to the satisfaction of fire officer and the building shall adhere to the fire norms as referred in the National Building Code Part IV of 2005 as applicable to assembly building as amended from time to time and the building shall adhere to the Punjab Safety Measures for Prevention and Control of Fire Act, 2004 as amended from time to time.

Temporary structure including large Pandals shall adhere to Indian standards IS 8758 : 1993 (Recommendations for fire precautionary measures in construction of Temporary structures and Pandals) as amended from time to time.

- (ix) The site of a new marriage palace should be at least 100 metres away from the site of a School, College, Hospital, religious place and at least 100 metres away from the source of pollution of Red Category Industry, if any.
- (x) In case the site of new marriage palace falls in Industrial zone of a Master Plan, a minimum distance of 100 metres from the source of pollution of Red Category Industry and 250 metres from the source of pollution of Maximum Hazard Accidental Industry as categorized by PPCB must have to be maintained. However, no such distance shall be applicable in case of regularization of existing marriage palaces.
- (xi) In case of a new marriage palace the parking of vehicles will be provided within the marriage palace premises and no vehicle shall be allowed to be parked on the road/ road side berms/ road reservation. The parking may be provided on ground, under slits or in basement.
- (xii) The parking of vehicles shall be ensured within the specified parking space and no vehicle shall be allowed to be parked on the road side/ road reservation.
- (xiii) Provision regarding solid waste garbage/ kitchen disposal, prevention of air, water and noise pollution shall be made according to the Punjab Pollution Control Board (PPCB) norms.
- (xiv) The site of Marriage Palace shall be segregated by a Boundary wall.
- (xv) The provisions contained in "The persons with Disability Equal Opportunities protection Rights & Full participation Act, 1996", so far as this relates to planning, designing and construction of public buildings, guidelines and space standards for Barrier Free Environment for Disable and Elderly persons proposed under this Act by CPWD, time to time shall also be complied with.

Table:-1 Schedule of Area and other norms for approval of new Marriage Palace

Sr. No.	Area in Sq. Mtrs.	Minimum width of approach road		Max site cover age	FAR	Hierarchy Of Road	Minimum set back of the (in meters)			Minimum height of ceiling of the structure from the ground level (in meters)	Minimum parking on ground/ basement
		Within Master Plan	Other areas				Front	Back	Other sides		
1	2000 to 4000	18 meters	12 meters	35% of the plot area	1:0.5	NH	30	6	6	4	50% of plot area
						SH	25	6	6		
						SR (other than NH/ SH)	20	6	6		
						Other Roads	18	6	6		
2	4001 and above	25 meters	18 meters	35% of the plot	1:0.5	NH	30	6	6	4	50% of plot area
						SH	25	6	6		

				area	SR (other than NH/SH)	20	6	6		
					Other roads	18	6	6		

NOTE:

1. Entry/ exit from the National Highway/ State Highway/ Scheduled Road shall be through service road where available and where service lane is not laid out a minimum set back of 15 meters from Right of Way (ROW) to the boundary wall of the Marriage Palace shall be mandatory. However, this shall be subject to NOC/permission from the National Highway Authority of India (NHA) and concerned Development Authority as well as Forest Department (If access is being sought from the forest land).
2. No construction Zone along Scheduled Roads shall be applicable as per provisions of Section 143 of the Punjab Regional and Town Planning and Development Act 1995, however where the Master Plan is approved, No-construction Zone shall be as provided in the Master Plan. No construction zone and front set back of the Marriage Palace shall be inclusive of each other and whichever is more shall prevail.
3. Conversion of plots in approved residential/ industrial estates/ focal points shall not be permissible for Marriage Palace under this policy.

NORMS/ GUIDELINES FOR REGULARIZATION OF MARRIAGE PALACES

S. No.	Area in sq.mts	Minimum width of approach road			Maximum covered area	Minimum set back			Minimum height of ceiling of the structure from the ground level (in meters)	Parking on ground/ under basement
		Within M.C limits	Master Plan area	Rural area		Front	Back	Other sides		
1	1200 to 2000	12 mts.	15 mts.	-	40%	12 mts.	4 mts.	3 mts.	4 mts.	50% of site
2	2001 to 3000	15 mts.	15 mts.	10 mts.		15 mts.	6 mts.	4 mts.		
3	3001 to 4000	18 mts.	18 mts.	10 mts.		18 mts.	6 mts.	4 mts.		
4	4001 and above	20 mts.	20 mts.	10 mts.		18 mts.	6 mts.	4 mts.		

In addition to above norms the following guidelines shall be followed:

1. Frontage of site should not be less than 20 mts.
2. Provision of toilets for each 80 Sq.mts. covered area- 1 W.C. & two urinals are required.
3. The garbage disposal will be done to the satisfaction of the local municipal authorities.
4. Kitchen waste water shall be disposed off in to soakage pit or sewer nearby.
5. Sufficient provision for fire safety shall be made as detailed below:
 - a) The cooking space shall be segregated from main building to avoid fire hazard.
 - b) Every site should have minimum 2 gates directly opening on the approach road/ roads and minimum width of the gate shall be 5 meters.
 - c) Line of travel to any exit point shall not be more than 10 meters from any point of the building.
 - d) The minimum width of doors shall not be less than 1.5 meters and shall open outward.
 - e) Own source of water supply along with water reservoir proportionate to the capacity and size of the hall to satisfaction of the Fire officer, shall be provided.
 - f) The doors, window, false ceiling, decoration fixtures shall be made of fire resistant material.
6. Fixed fire fighting equipments throughout the building i.e. automatic water sprinklers, fire detectors, fire alarm system, wet risers, fire hydrants etc. shall be provided to the satisfaction of fire officer.

Application Form for regularization/ setting up of new marriage palace

From

Shri _____
 Son of _____
 House no. _____
 Village/ Town _____
 District _____

To

No.

Dated _____, the, _____

Subject:- Application for grant of permission for regularization/ setting up of new marriage palace.

Sir,

I/We hereby apply for the above said permission to carry out development of the under mention land.

Area _____

I/we undertake to pay to the competent Authority such charges as CLU, External development charges, LF, SIF, urban development fund etc. levied by the government from time to time.

It is requested that the permission applied for may be granted accordingly. I/ we shall abide by all rules and regulations and conditions for the purpose of carrying out development, viz _____ for which permission is sought.

Your's faithfully

Signature of the applicant(s)

Address

Format of Regularization Certificate for unauthorized Marriage Palace

Name of Authority

From

.....

To

.....

No.

Dated:

Subject: Regularization of unauthorized marriage palace situated at
 under the provisions of policy for Regularization of Unauthorized Marriage
 Palaces in the State of Punjab.

Ref:- Your application dated

Your application under reference for the regularization of your unauthorized marriage palace namely situated at Road in Khatauni/ Khasra No..... area Village (H.B. No.....), Tehsil, District has been considered at the level of District Level Committee constituted under the provisions of policy issued by the department of Housing and Urban Development Punjab vide No. for Regularization of existing Marriage Palaces and for setting up of New Marriage Palaces in the State of Punjab. Your marriage palace is hereby regularized on the following terms and conditions:-

1. This regularization is for running a marriage palace under the name and style as mentioned under subject for the purpose mentioned therein and not for any other purpose whatsoever.
2. The owner of the marriage palace shall be bound to pay the instalments of CLU/ EDC/ License Fee etc. in time according to the schedule of payment. In case of default the regularization will be cancelled.
3. Further additions/ alterations if any, in the site or in the building plans of the marriage palace shall be made after obtaining prior approval of the Competent Authority.
4. The alternative parking if required, shall be provided as per the provisions of the policy No. as amended from time to time and shall be maintained properly.
5. Any other condition (s) (to be specified)

Apart from the above said conditions, the owner of the marriage palace shall also comply with the terms and conditions of NOCs/ Clearances received from the following departments in this regard:-

1. Revenue Department-----
2. Senior Town Planner-----
3. Punjab State Power Corporation Limited-----
4. Public Works Department (B&R)-----
5. Punjab Pollution Control Board-----
6. Forest Department-----
7. Fire Department-----
8. Any other department required in a specific case (pl. specify).

- In case the owner of the marriage palace fails to fulfill any of the terms and conditions and NOCs/ Clearance issued by the concerned departments in this regard, the marriage palace so regularized will be cancelled and action shall be initiated as per provisions of the policy/ law against the owner.

Chief Administrator,
.....

Endst. No.

Dated:

Copy of above is forwarded to the following for information and necessary action:-

1. Office of Deputy Commissioner.....
2. Senior Town Planner
3. SuperIntending Engineer, PSPCL.....
4. SE/ Executive Engineer, PWD (B&R).
5. Environmental Engineer, PPCB.....
6. District Forest Officer.....
7. Fire department.....
8. Any other department required in a specific case.

Chief Administrator,
.....

Annexure 'F'

Charges of CLU, EDC, PF & SIF for Regularization of Existing Marriage Palaces in the State of Punjab

(Rs. in Lacs/gross acre)

Sr. No.	Classification of Zone	EDC	Change of Land Use Charges		Permission Fee	SIF	Total	
			NH/SH/Scheduled Road	Other Road			NH/SH/Scheduled Road	Other Road
1	Master Plan areas of SAS Nagar, Zirakpur & New Chandigarh	11.25	35.00	25.00	1.50	2.25	50.00	40.00
2	Ludhiana within and outside M.C. limits upto 15 KMs	10.25	36.00	26.00	1.50	2.25	50.00	40.00
3	Jalandhar, within and outside M.C. limits upto 10 KMs	9.00	28.00	16.00	1.20	1.80	40.00	28.00
4	Amritsar, Patiala within and outside MC limits upto 7 KMs Bathinda within and outside MC limits upto 5 KMs	3.75	15.00	10.00	0.50	0.75	20.00	15.00
5	A) Rajpura, Sirhand, Mandi Gobindgarh, Khanna, and Phagwara within and outside MC limits upto 7 KMs B) Moga, Batala, Pathankot, Barnala, Malerkotla, Morinda and Hoshiarpur within and outside MC limits upto 5 KMs C) Master plan areas of Kharar, Dera Bassi, Banur and remaining areas of GMADA regional plan, other than master plan areas mentioned at sr. no.1	3.00	8.00	4.00	0.40	0.60	12.00	8.00
6	Sangrur, Sunam, Nabha, Faridkot, Kotkapura, Ferozepur, Malout, Abohar, Mukalsar, Kapurthala, Nawan Shahar, Ropar, Tarn Taran, Gurdaspur, Samana, Jagraon, Mansa, Lalru and Kurali within M.C. limits and Outside M.C. limits upto 3 KMs	2.25	7.00	3.00	0.30	0.45	10.00	6.00
7	All other towns and areas not covered in any of the above potential zones.	1.50	4.00	2.00	0.20	0.30	6.00	4.00

Note:-

In case the site falls within the overlapped area of two zones then the charges of highest potential zone will be applicable.

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

CHANDIGARH

C.O.C.P. NO. 1502 of 2023

Gram Panchayat, Bari Karoran

... Petitioner

Versus

Sh. Vikas Garg, IAS and Others

... Respondents

INDEX

S.No.	Particulars	Dated	Pages
1.	Short Reply by way of Affidavit of AJOY SHARMA Principal Secretary, Department of Local Government, Punjab, Chandigarh on behalf of respondents no. 4	10.08.2023	1-6
2	Copy of the Instructions issued to the Executive Officer, Municipal Council, Naya gaon Annexure R-4/A/T	09.08.2023	7-8
3	Vernacular Annexure R-4/A/T	09.08.2023	9-11

CHANDIGARH

DATE: 10.08.2023

(AJOY SHARMA)

DEPONENT

CHANDIGARH

C.O.C.P. NO. 1502 of 2023

Gram Panchayat, Bari Karoran, Tehsil & District Mohali, through its Sarpanch,
namely Smt. Pardeep kaur aged about 36 years wife of Kesar Singh, resident of
Village Bari Karoran, Tehsil Kharar, District SAS Nagar, Mohali, Punjab

UID No. 4750 3392 3683, Mobile No. 99154-81001

... Petitioner

Versus

1. Sh. Vikas Garg, IAS, Additional Chief Secretary-cum-Financial Commissioner, Forest Department, Punjab Civil Secretariat, Sector 1, Chandigarh.
2. Sh. Raman Kant Mishra, IFS, Principal Chief Conservator of Forest, Forest Complex, Sector 68, S.A.S. Nagar, Mohali. Email – pccfecomplex@gmail.com
3. Sh. Kanwardeep Singh, IFS, Divisional Forest Officer, S.A.S. Nagar, Mohali. Email – pccfecomplex@gmail.com
4. Sh. Ajoy Sharma, IAS, Principal Secretary, Local Government, Local Government Office, Punjab, Sector 35, Chandigarh. Email – secydg@punjab.gov.in
5. Smt. Aashika Jain, IAS, Deputy Commissioner, DC Office, Mohali. Email – dc.mhl@punjab.gov.in
6. Amrinder Singh Tiwana, PCS, Additional Chief Administrator, GMADA, Room No. 621, Sector 62, PUDA Bhawan, SAS Nagar, Mohali, Punjab. Email – aca@gmada.gov.in

... Respondents

Short Reply by way of affidavit of Ajoy Sharma, IAS,
Principal Secretary to Government of Punjab, Local
Government Department, Municipal Bhawan, sector 35,
Chandigarh, respondent No. 4.

I, the above-named deponent, do hereby solemnly affirm and declare
as under: -

Respectfully Showeth: -

1. That the aforementioned contempt Petition is pending before this Hon'ble
Court and is fixed for 11.08.2023.
2. That this Hon'ble Court on last date of hearing on 07.07.2023 passed the
following orders (operative part):-

Short reply by way of affidavit of Principal Secretary, Department of
Local Govt., Punjab as well as status report by way of affidavit of Deputy
Commissioner, U.T. Chandigarh, filed in the Court today, are taken on
record. Copies supplied.

Despite the orders dated 18.05.2023 and 24.05.2023, similar stand is
taken that a notification is issued by the Department of Forest and Wildlife
Preservation, Punjab that the restriction, regulation and prohibition imposed
under Sections 4 & 5 of PLPA shall not be applicable.

Learned senior counsel for the petitioner submits that no notification
in this regard has been issued by the Department of local Govt. despite
issuance of specific directions. It is further submitted that three conditions
as mentioned in the aforesaid two orders read as under: -

"5. (a) Whereas in compliance of the orders of the Hon'ble Supreme
Court of India dated 9.9.2005, Ministry of Environment and Forests.

Government of India vide F.No.8-19/2006-FC dated 16th March 2006 conveyed in-principal approval to de-list 65,670.26 ha, Cultivated and habitation areas closed under Punjab Land Preservation Act, 1900 from the list of forest areas for Bonafide agricultural use and other livelihood needs subject to the following conditions:

- i) The State Government shall ensure that no commercial activity is permitted on such de-listed land.
- ii) The de-listed land shall be used only for bona fide use for agriculture and for sustaining the livelihood of the people/owner of the land.
- iii) A detailed list of such lands showing the land use and status of such land before 25.10.1980 and after that, up to 12.12.1996, shall be furnished to this Ministry before final approval."

(b) Ministry of Environment and Forests, Government of

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

- i) The State Government shall ensure that no commercial activity is permitted on such de-listed land.
- ii) The de-listed land shall be used only for bona fide use for agriculture and for sustaining the livelihood of the people/owner of the land.

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

On the face of it, the respondents are taking the directions in a very casual manner and not adhering to the majesty of law.

List again on 11.08.2023.

Principal Secretary, Department of Local Govt., Punjab is directed to remain present before this Court on the date fixed.

To be shown in the urgent list.

A photocopy of this order be placed on the file of connected cases"

3. That at the outset it is submitted that the answering respondent in light of corrigendum issued on 03.07.2023 by the Department of Forest and Preservation has further issued instructions dated 09.08.2023 regarding approval of Building Plans for construction on properties falling in the de-listed/de-notified area from PLPA 1900 and non-forest area of village Nada and village Karoran (Copy of the Instructions is annexed herewith as Annexure R-4-A/T).
4. That as per the aforesaid instructions Executive Officer, Municipal Council, Naya Gaon has been advised that

"In view of the decision dated 28.05.2014 in Civil Writ Petition No. 22756 of 2013 regarding notification No. 39/578/2005-Ft-III/6087 dated 13.08.2010 and 39/578/2005-Ft-III-6085 dated 13.08.2010 issued by the Department of Forest and Wildlife Protection, Punjab, Affidavit filed by Financial Commissioner, Forest in CACP no. 15 of 2013 in COCP no. 831 of 2015, List of Khasra numbers and Map regarding forest and non-forest

area sent to you by Divisional Forest Officer, SAS Nagar vide letter no. 2348 dated 13.06.2017 and Notification No. 39/01/2023-FT-6/4800 dated 03.07.2023 issued by the Department of Forest and Wildlife Protection, Punjab, action may be taken for approval of Building Plans for the area of village Nada and village Karoran which has been de-listed / de-notified under P.I.P.A 1900 and is non-forest area.

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

5. That, it is also stated that the answering respondent is already carrying out the development activities within the Municipal Area of the Municipal Council, Naya Gaon, in accordance with approved Master Plan. A detail of development activities undertaken by the Municipal Council; Naya Gaon was also attached with the affidavit dated 24.05.2023 as Annexure R-1/1. So, the due compliance is being done according to the affidavit of then Secretary of Department of Local Government, Punjab and orders of Hon'ble Writ Court.
6. That, in light of instruction issued by the answering respondent no. 4 the order dated 07.07.2023 are duly complied with. The deponent seeks unconditional apology if this Hon'ble Court feels any order of this Hon'ble Court is not complied with in time.

In light of the aforementioned situation, it is respectfully prayed to dismiss the present contempt petition and to discharge the rule against the answering respondent in the interest of justice.


(AJOY SHARMA)

CHANDIGARH

DATED: 10.08.2023

DEPONENT

VERIFICATION:

Verified that the contents of paras 1 to 6 of above reply by way of affidavit are true and correct to my knowledge derived from official record. No part of it is false and nothing has been kept concealed therein.


(AJOY SHARMA)

CHANDIGARH

DATED: 10.08.2023

DEPONENT

ANNEXURE R-4-A/T

Directorate, Local Government, Punjab
Punjab Municipal Bhawan, Plot No. 3, Sector 35-A, Chandigarh
(Town Planning Wing)

No. CTP(LG) – 2023 / 2187

Phone No. 0172-2619219

Dated: 09.08.2023

e-mail tpw.lg.pb@gmail.com

To

Executive Officer,
Municipal Council,
NayaGaon.

Subject:- Regarding approval of Building Plans for construction on properties falling in the de-listed/de-notified area from PLPA 1900 and non-forest area of village Nada and village Karoran.

As per the orders passed by the Hon'ble Punjab and Haryana High Court on dated 28.05.2014 in Civil Writ Petition No. 22756 of 2013, Notification No.39/578/2005-Ft-III/6087 dated 13.08.2010 and 39/578/2005-Ft-III/6087 dated 13.08.2010 III-6085 dated 13.08.2010 is applicable only to the forest area. Subsequently the Financial Commissioner (Forest and Wildlife Conservation Department) Punjab also clarified the same in the reply filed in the Hon'ble Court in CACP No. 13 of 2016 in COCP No. 831 of 2015 in Civil Writ Petition No. 22756 of 2013 that the notification dated 13.08.2010 applies only to the forest area. Subsequently while sending List of Khasra numbers and Map regarding forest and non-forest area to your office Divisional Forest Officer, SAS Nagar vide letter no. 2348 dated 13.06.2017 has mentioned that the forest area should be excluded from the development while implementing the orders of the Hon'ble Court because as per Forest Conservation Act 1980 and Hon'ble Supreme Court's order dated 12.12.1996, any forest area cannot be used for non-forest purposes without the prior approval of the Government of India.

In compliance of the orders of the Hon'ble Court dated 01.06.2023, the Forest and Wildlife Protection Department, Punjab has issued a corrigendum vide Notification No.39/01/2023-FT-6/4800 dated 03.07.2023 to the earlier notification dated 13.08.2010. It has been clarified that the conditions mentioned in the notification dated 13.08.2010 are not applicable to non-forest areas.

It has been reported vide your letter No. 1212 dated 09.08.2023, that subsequent to receipt of List of Khasra numbers and Map regarding forest and non-forest area from Divisional Forest Officer, SAS Nagar, Building Plans for construction on properties in the area of village Nada and village Karoran which has been de-listed/de-notified from PLPA 1900 and falls in non-forest area is being granted by your office. It has also been reported by you that after the direction of Hon'ble Punjab and Haryana High Court dated 02.03.2020 in Civil Writ Petition no. 18253 of 2009 to Ministry of Environment, Forest and Climate Change for notifying the area up to 1 km from the boundary of Sukhna Lake Wildlife Sanctuary as an eco-sensitive zone, Building Plans are not being considered for approval by your office for the time being.

In view of the decision dated 28.05.2014 in Civil Writ Petition No. 22756 of 2013 regarding notification No. 39/578/2005-Ft-III/6087 dated 13.08.2010 and 39/578/2005-Ft-III-6085 dated 13.08.2010 issued by the Department of Forest and Wildlife Protection, Punjab, Affidavit filed by Financial Commissioner, Forest in CACP no. 13 of 2013 in COCP no. 831 of 2015, List of Khasra numbers and Map regarding forest and non-forest area sent to you by Divisional Forest Officer, SAS Nagar vide letter no. 2348 dated 13.06.2017 and Notification No. 39/01/2023-FT-6/4800 dated 03.07.2023 issued by the Department of Forest and Wildlife Protection, Punjab, action may be taken for approval of Building Plans for the area of village Nada and village Karoran which has been de-listed / de-notified under PLPA 1900 and is non-forest area. >

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

sd/-
Director

Encls. No. CIP(LG) - 2023 / 2188

dated: 09.08.2023

A copy of the above is sent to Financial Commissioner, Forest and Wildlife Conservation Department, Punjab for information and necessary action please.

sd/-
Director



ਡਾਇਰੈਕਟੋਰੇਟ, ਸਰਕਾਰ ਪੰਜਾਬ
Directorate, Local Government, Punjab
ਪੰਜਾਬ ਨਿਰਮਾਣ ਕਰਮ ਮਹਾਨ ਨੰ. 1, ਸਿਰਫ-35-ਏ, ਚੰਡੀਗੜ੍ਹ
(ਟੈਲੀਫੋਨ ਨੰਬਰ)

ਨੰ: ਸੀ.ਟੀ.ਪੀ. (ਸਸ)-2023/ 2187
ਮਿਤੀ: 09/08/2023

ਫੋਨ ਨੰ: 0172-2619219
ਈ-ਮੇਲ: tpw.lg.pb@gmail.com

ਸੇਵਾ ਵਿਖੇ

ਕਾਰਜ ਸਾਪਕ ਅਫਸਰ,
ਨਗਰ ਕੌਮਲ, ਨਵੀਂ ਗਾਂਠੀ

ਵਿਸ਼ਾ:- ਪਿੰਡ ਨਾਣਾ ਅਤੇ ਪਿੰਡ ਕਰੋੜਾ ਦੇ ਪੀ.ਐਲ.ਪੀ.ਏ 1900 ਤੋਂ ਡੀ ਲਿਸਟ /ਡੀ-ਨੋਟੀਫਾਈ ਕੀਤਾ ਗਿਆ ਰਕਬਾ ਅਤੇ ਗੈਰ ਵਣ ਰਕਬਾ ਵਿੱਚ ਪੈਦੀਆਂ ਪ੍ਰਾਪਰਟੀਆਂ ਤੇ ਉਸਾਰੀ ਲਈ ਨਕਸ਼ਿਆ ਦੀ ਪ੍ਰਵਾਨਗੀ ਸਬੰਧੀ।

ਮਾਨਯੋਗ ਪੰਜਾਬ ਅਤੇ ਹਰਿਆਣਾ ਹਾਈਕੋਰਟ ਵੱਲੋਂ ਸਿਵਲ ਰਿਟ ਪਟਿਸ਼ਨ ਨੰ 22756 ਆਫ 2013 ਵਿਚ ਮਿਤੀ 28.05.2014 ਨੂੰ ਕੀਤੇ ਗਏ ਹੁਕਮਾਂ ਅਨੁਸਾਰ ਨੋਟੀਫਿਕੇਸ਼ਨ ਨੰ.39/578/2005-FI-III/6087 ਮਿਤੀ 13.08.2010 ਅਤੇ 39/578/2005-FI-III-6085 ਮਿਤੀ 13.08.2010 ਸਿਰਫ ਵਣ ਰਕਬੇ ਤੇ ਹੀ ਲਾਗੂ ਹੁੰਦੀ ਹੈ; ਜਿਸ ਤੋਂ ਬਾਅਦ ਵਿੱਤ ਕਮਿਸ਼ਨਰ (ਵਣ ਅਤੇ ਜੰਗਲੀ ਜੀਵ ਸੁਰੱਖਿਆ ਵਿਭਾਗ) ਪੰਜਾਬ ਸਰਕਾਰ ਵੱਲੋਂ ਵੀ COCP ਨੰਬਰ 13 ਆਫ 2016 ਇੰਨ COCP ਨੰਬਰ 831 ਆਫ 2015 ਇੰਨ ਸਿਵਲ ਰਿਟ ਪਟਿਸ਼ਨ ਨੰ 22756 ਆਫ 2013 ਵਿਚ ਮਾਨਯੋਗ ਕੋਰਟ ਵਿਚ ਦਾਇਰ ਕੀਤੇ ਗਏ ਜਵਾਬ ਦਾਅਵੇ ਵਿਚ ਸਪਸ਼ਟ ਕੀਤਾ ਗਿਆ ਸੀ ਕਿ ਨੋਟੀਫਿਕੇਸ਼ਨ ਮਿਤੀ 13.08.2010 ਸਿਰਫ ਵਣ ਰਕਬੇ ਤੇ ਹੀ ਲਾਗੂ ਹੁੰਦੀ ਹੈ। ਇਸ ਉਪਰੰਤ ਵਣਮੰਡਲ ਅਫਸਰ ਐਸ.ਏ.ਐਸ ਨਗਰ ਵੱਲੋਂ ਪੱਤਰ ਨੰ. 2348 ਮਿਤੀ 13.06.2017 ਰਾਹੀਂ ਆਪ ਨੂੰ ਵਣ ਅਤੇ ਗੈਰ ਵਣ ਰਕਬੇ ਦੀ ਖਸਰਾ ਨੰ. ਦੀਆਂ ਲਿਸਟਾਂ ਅਤੇ ਨਕਸ਼ੇ ਭੇਜਦੇ ਹੋਏ ਲਿਖਿਆ ਗਿਆ ਸੀ ਕਿ ਮਾਨਯੋਗ ਅਦਾਲਤ ਦੇ ਵਿਸ਼ੇ ਅਧੀਨ ਹੁਕਮਾਂ ਨੂੰ ਲਾਗੂ ਕਰਨ ਸਮੇਂ ਵਣ ਰਕਬੇ ਨੂੰ ਡਿਵੈਲਪਮੈਂਟ ਪਲਾਨ ਤੋਂ ਬਾਹਰ ਰੱਖਿਆ ਜਾਵੇ ਕਿਉਂਕਿ ਐਚ.ਸੀ.ਏ 1980 ਤੇ ਮਾਨਯੋਗ ਸੁਪਰੀਮ ਕੋਰਟ ਦੇ ਹੁਕਮ ਮਿਤੀ 12.12.1996 ਅਨੁਸਾਰ ਕੋਈ ਵੀ ਵਣ ਰਕਬਾ ਗੈਰ ਵਣ ਮੰਤਵ ਲਈ ਬਗੈਰ ਵਣ ਸਰਕਾਰ ਅਗੇਤੀ ਪ੍ਰਵਾਨਗੀ ਤੋਂ ਨਹੀਂ ਵਰਤਿਆ ਜਾ ਸਕਦਾ।

ਮਾਨਯੋਗ ਅਦਾਲਤ ਦੇ ਹੁਕਮ ਮਿਤੀ 01.06.2023 ਦੀ ਪਾਲਣਾ ਹਿੱਤ ਵਣ ਅਤੇ ਜੰਗਲੀ ਜੀਵ ਸੁਰੱਖਿਆ ਵਿਭਾਗ, ਪੰਜਾਬ ਵੱਲੋਂ ਨੋਟੀਫਿਕੇਸ਼ਨ ਨੰ.39/01/2023-FI-6/4800 ਮਿਤੀ 01.07.2023 ਰਾਹੀਂ ਪਹਿਲਾਂ ਜਾਰੀ ਨੋਟੀਫਿਕੇਸ਼ਨ ਮਿਤੀ 13.08.2010 ਦਾ corrigendum ਜਾਰੀ ਕੀਤਾ ਗਿਆ ਹੈ ਅਤੇ ਸਪਸ਼ਟ ਕੀਤਾ ਹੈ ਕਿ ਨੋਟੀਫਿਕੇਸ਼ਨ ਮਿਤੀ 13.08.2010 ਵਿਚ ਦਰਸਾਈਆਂ ਕੰਡੀਸ਼ਨਾਂ ਗੈਰ ਵਣ ਰਕਬੇ ਤੇ ਲਾਗੂ ਨਹੀਂ ਹੁੰਦੀਆਂ।

ਆਪ ਵੱਲੋਂ ਪੱਤਰ ਨੰ 1212 ਮਿਤੀ 09.08.2023 ਰਾਹੀਂ ਰਿਪੋਰਟ ਕੀਤੀ ਗਈ ਹੈ ਕਿ ਵਣ ਮੰਡਲ ਅਫਸਰ ਐਸ.ਏ.ਐਸ ਨਗਰ ਵੱਲੋਂ ਵਣ ਅਤੇ ਗੈਰ ਵਣ ਰਕਬੇ ਦੀ ਖਸਰਾ ਨੰ. ਦੀਆਂ ਲਿਸਟਾਂ ਅਤੇ ਨਕਸ਼ੇ ਪ੍ਰਾਪਤ ਹੋਣ ਉਪਰੰਤ ਆਪ ਵੱਲੋਂ ਪਿੰਡ ਨਾਣਾ ਅਤੇ ਪਿੰਡ ਕਰੋੜਾ ਦਾ ਜੋ ਰਕਬਾ ਪੀ.ਐਲ.ਪੀ.ਏ 1900 ਤੋਂ ਡੀ ਲਿਸਟ /ਡੀ-ਨੋਟੀਫਾਈ ਕੀਤਾ ਗਿਆ ਅਤੇ ਗੈਰ ਵਣ ਰਕਬਾ ਹੈ ਵਿੱਚ ਪੈਦੀਆਂ ਪ੍ਰਾਪਰਟੀਆਂ ਤੇ ਉਸਾਰੀ

ਨਕਸ਼ਿਆ ਦੀ ਪ੍ਰਵਾਨਗੀ ਦਿੱਤੀ ਜਾ ਰਹੀ ਹੈ। ਆਪ ਵੱਲੋਂ ਇਹ ਰਿਪੋਰਟ ਵੀ ਕੀਤੀ ਗਈ ਹੈ ਕਿ ਮਾਨਸੋਨ
 ਅਤੇ ਹਰਿਆਣਾ ਹਾਈ ਕੋਰਟ ਵੱਲੋਂ ਸਿਵਲ ਰਿਟ ਪਟਿਸ਼ਨ ਨੰ. 18253 ਆਫ 2009 ਵਿੱਚ ਮਿਤੀ
 02.03.2020 ਨੂੰ Sukhna Lake Wildlife Sanctuary ਦੀ ਸਾਊਂਡਰੀ ਤੋਂ 1 ਕਿਲੋਮੀਟਰ ਤੱਕ ਦੇ
 ਰਕਬੇ ਨੂੰ eco-sensitive zone ਨੇੜਿਠਾਈ ਕਰਨ ਸਬੰਧੀ Ministry of Environment, Forest
 and Climate Change ਨੂੰ ਕੀਤੇ ਗਏ ਹੁਕਮਾਂ ਦੇ ਮੱਦੇਨਜਰ ਇਸ ਰਕਬੇ ਅੰਦਰ ਪੈਦੀਆ ਪ੍ਰਾਪਰਟੀਆ ਤੇ
 ਉਸਾਰੀ ਲਈ ਨਕਸ਼ਿਆ ਨੂੰ ਹਾਲ ਦੀ ਘੜੀ ਪ੍ਰਵਾਨਗੀ ਲਈ ਨਹੀਂ ਵਿਚਾਰਿਆ ਜਾ ਚਿਰਾ ਹੈ।

ਵਣ ਅਤੇ ਜੰਗਲੀ ਜੀਵ ਸੁਰੱਖਿਆ ਵਿਭਾਗ, ਪੰਜਾਬ ਵੱਲੋਂ ਜਾਰੀ ਨੋਟੀਫਿਕੇਸ਼ਨ
 ਨੰ.39/S78/2005-FI-III/6087 ਮਿਤੀ 13.08.2010 ਅਤੇ 39/S78/2005-FI-III-6085
 ਮਿਤੀ 13.08.2010 ਸੰਬੰਧੀ ਸਿਵਲ ਰਿਟ ਪਟਿਸ਼ਨ ਨੰ 22756 ਆਫ 2013 ਦੇ ਫੈਸਲੇ ਮਿਤੀ
 28.05.2014, ਵਿੱਤ ਕਮਿਸ਼ਨਰ, ਜੰਗਲਾਤ ਵੱਲੋਂ ਸੀ.ਏ.ਸੀ.ਪੀ ਨੰ. 13 ਆਫ 2013 ਇੰਨ ਸੀ.ਓ.ਸੀ.ਪੀ ਨੰ.
 831 ਆਫ 2015 ਵਿੱਚ ਦਾਇਰ ਹਲਫੀਆ ਬਿਆਨ, ਵਣ ਮੰਡਲ ਅਫਸਰ ਐਸ.ਏ.ਐਸ ਨਗਰ ਵੱਲੋਂ ਪੱਤਰ ਨੰ.
 2348 ਮਿਤੀ 13.06.2017 ਰਾਹੀਂ ਆਪ ਨੂੰ ਤੋੜੇ ਗਏ ਵਣ ਅਤੇ ਗੈਰ ਵਣ ਰਕਬੇ ਦੀ ਖਸਰਾ ਨੰ. ਦੀਆ
 ਨਿਸ਼ਾਨਾਂ ਅਤੇ ਨਕਸ਼ੇ ਅਤੇ ਵਣ ਅਤੇ ਜੰਗਲੀ ਜੀਵ ਸੁਰੱਖਿਆ ਵਿਭਾਗ, ਪੰਜਾਬ ਵੱਲੋਂ ਜਾਰੀ ਨੋਟੀਫਿਕੇਸ਼ਨ ਨੰ.
 39/01/2023-FI-6/4800 ਮਿਤੀ 03.07.2023 ਦੇ ਮੱਦੇਨਜਰ ਆਪ ਨੂੰ ਨਿਸ਼ਾਨਾਂ ਜਾਂਦਾ ਹੈ ਕਿ
 ਪਿੰਡ ਨਾਡਾ ਅਤੇ ਪਿੰਡ ਕਰੋੜਾ ਦਾ ਜੇ ਰਕਬਾ ਪੀ.ਐਲ.ਪੀ.ਏ 1900 ਤੋਂ ਡੀ-ਲਿਸਟ / ਡੀ-ਨੋਟੀਫਾਈ ਕੀਤਾ
 ਗਿਆ ਹੈ ਅਤੇ ਗੈਰ ਵਣ ਰਕਬਾ ਹੈ, ਵਿੱਚ ਪੈਦੀਆ ਪ੍ਰਾਪਰਟੀਆ ਤੇ ਉਸਾਰੀ ਲਈ ਨਕਸ਼ਿਆ ਸਬੰਧੀ ਕਾਰਵਾਈ
 ਅਮਲ ਵਿੱਚ ਲਿਆਈ ਜਾਵੇ।

ਇਸ ਤੇ ਇਲਾਵਾ ਮੁੱਖ ਜੰਗਲੀ ਜੀਵ ਵਾਰਡਨ ਪੰਜਾਬ ਵੱਲੋਂ ਪ੍ਰਾਪਤ ਪੱਤਰ ਨੰ. 3771 ਮਿਤੀ
 21.07.2023 ਦੀ ਕਾਪੀ ਆਪ ਨੂੰ ਸੂਚਨਾ ਅਤੇ ਲੋੜੀਂਦੀ ਕਾਰਵਾਈ ਹਿੱਤ ਭੇਜਦੇ ਹੋਏ ਇਹ ਵੀ ਸਪਸ਼ਟ ਕੀਤਾ
 ਜਾਦਾ ਹੈ ਕਿ ਮਾਸਟਰ ਪਲੈਨ ਨਵਾਂ ਗਾਉਂ, ਮਿਊਂਸਪਲ ਬਿਲਡਿੰਗ ਥਾਈਲਾਜ, ਈਕੋ ਸੈਸਟੀਵ ਜੇਨ / ਕੋਚਮੇਟ
 ਏਰੀਏ ਅਤੇ ਸ਼ਾਮਲਾਤ ਰਕਬੇ ਸਬੰਧੀ ਚਲਦੀਆਂ ਲਿਟੀਗੇਸ਼ਨ ਨੂੰ ਧਿਆਨ ਵਿੱਚ ਰੱਖਦੇ ਹੋਏ ਲੋੜੀਂਦੀ ਕਾਰਵਾਈ
 ਅਮਲ ਵਿੱਚ ਲਿਆਈ ਜਾਵੇ।

ਪਿੰਡ ਅੰਕਣ ਨੰ. ਸੀ.ਟੀ.ਪੀ. (ਸਸ)-2023/ 2188

ਉਪਰੋਕਤ ਦਾ ਉਤਾਰਾ ਵਿੱਤ ਕਮਿਸ਼ਨਰ, ਵਣ ਅਤੇ ਜੰਗਲੀ ਜੀਵ ਸੁਰੱਖਿਆ ਵਿਭਾਗ, ਪੰਜਾਬ
 ਨੂੰ ਸੂਚਨਾ ਅਤੇ ਲੋੜੀਂਦੀ ਯੋਗ ਕਾਰਵਾਈ ਹਿੱਤ ਭੇਜਿਆ ਜਾਂਦਾ ਹੈ।

[Signature]
 ਡਾਇਰੈਕਟਰ
 ਮਿਤੀ 09/08/2023

[Signature]
 ਡਾਇਰੈਕਟਰ

ਪੰਜਾਬ ਸਰਕਾਰ

ਵਣ ਅਤੇ ਜੰਗਲੀ ਜੀਵ ਸੁਰੱਖਿਆ ਵਿਭਾਗ
ਦਫ: ਮੁੱਖ ਜੰਗਲੀ ਜੀਵ ਵਾਰਡਨ, ਪੰਜਾਬ
ਵਣ ਭਵਨ, ਸੈਕਟਰ-68, ਐਸ.ਏ.ਐਸ. ਨਗਰ।

ਨੰਬਰ: 3771

ਸੇਵਾ ਵਿਖੇ

ਡਾਇਰੈਕਟਰ, ਸਥਾਨਕ ਸਰਕਾਰ ਵਿਭਾਗ,
ਪੰਜਾਬ ਮਿਊਂਸੀਪਲ ਭਵਨ, ਪਲਾਟ ਨੰ: 3,
ਸੈਕਟਰ 35ਏ, ਚੰਡੀਗੜ੍ਹ।

21/07/2023

Handwritten signature and date: 19/7/23

STP

ਮਿਤੀ: 21.07.2023

ਵਿਸ਼ਾ: ਸੁਖਨਾ ਕੋਚਮੈਂਟ ਏਰੀਆ ਦੇ ਦੁਆਲੇ ਈਕੋ-ਸੈਸਟਿਵ ਜੇਨ ਘੋਸ਼ਿਤ ਕਰਨ ਸਬੰਧੀ।

ਹਵਾਲਾ: ਆਪ ਦਾ ਪੱਤਰ ਨੰ: ਸੀ.ਟੀ.ਪੀ.(ਸਸ)-2023/1895 ਮਿਤੀ 14.07.2023 ਜੋਕਿ ਵਿੱਤੀ
ਕਮਿਸ਼ਨਰ (ਵਣ) ਜੀ ਨੂੰ ਸੰਬੰਧਿਤ ਹੈ।

ਉਪਰੋਕਤ ਵਿਸ਼ੇ ਅਤੇ ਹਵਾਲੇ ਅਧੀਨ ਪੱਤਰ ਦੇ ਸਬੰਧ ਵਿੱਚ ਆਪ ਨੂੰ ਸੂਚਿਤ ਕੀਤਾ ਜਾਂਦਾ ਹੈ ਕਿ ਸੁਖਨਾ ਜੰਗਲੀ ਜੀਵ ਸੈਚੁਰੀ ਦੇ ਦੁਆਲੇ ਲੱਗਦੇ ਪੰਜਾਬ ਦੇ 100 ਮੀਟਰ ਰਕਬੇ ਨੂੰ ਈਕੋ-ਸੈਸਟਿਵ ਜੇਨ ਘੋਸ਼ਿਤ ਕਰਨ ਸਬੰਧੀ ਤਾਜ਼ਾ ਤਜਵੀਜ਼ ਸਰਕਾਰ ਦੇ ਪੱਤਰ ਨੰ: 34/02/2023/FT-5/824 ਮਿਤੀ 9.2.2023 ਰਾਹੀਂ ਭਾਰਤ ਸਰਕਾਰ ਨੂੰ ਭੇਜੀ ਗਈ ਹੈ। ਭਾਰਤ ਸਰਕਾਰ ਦੇ ਪੱਤਰ ਨੰ: 11/20/2018-ESZ ਮਿਤੀ 7.6.2023 ਦੀ ਅਨੁਵਰਤੀ ਵਿੱਚ ਇਸ ਦਫਤਰ ਵੱਲੋਂ ਪੱਤਰ ਨੰ: 3672 ਮਿਤੀ 12.07.2023 ਨਾਲ ਰਾਜ ਸਰਕਾਰ ਵੱਲੋਂ ਮਿਤੀ 9.2.2023 ਨੂੰ ਸੁਖਨਾ ਜੰਗਲੀ ਜੀਵ ਸੈਚੁਰੀ ਦੇ ਦੁਆਲੇ ਪੰਜਾਬ ਦੇ 100 ਮੀਟਰ ਰਕਬੇ ਨੂੰ ਈਕੋ-ਸੈਸਟਿਵ ਜੇਨ ਘੋਸ਼ਿਤ ਕਰਨ ਲਈ ਭੇਜੀ ਗਈ ਤਜਵੀਜ਼ ਨੂੰ confirm ਖੀ ਕੀਤਾ ਗਿਆ ਹੈ। ਜਿਸ ਅਨੁਸਾਰ ਸੁਖਨਾ ਜੰਗਲੀ ਜੀਵ ਸੈਚੁਰੀ ਦਾ ਕੋਸ਼ ਮਾਨਯੋਗ ਸੁਮਾਰੀਮ ਕੋਰਟ ਦੇ ਏਸਲੇ ਮਿਤੀ 26.04.2023 ਅਧੀਨ ਕਵਰ ਹੁੰਦਾ ਹੈ ਜੀ।

ਉਪਰੋਕਤ ਤੋਂ ਇਲਾਵਾ ਆਪ ਨੂੰ ਇਹ ਵੀ ਸੂਚਿਤ ਕੀਤਾ ਜਾਂਦਾ ਹੈ ਕਿ ਭਾਰਤ ਸਰਕਾਰ ਦੀ ਜ਼ਾਇਲਾਈਜ਼ੇਸ਼ਨ ਅਨੁਸਾਰ ਜਦੋਂ ਡੈੱਕ ਕਿਸੇ ਸੈਚੁਰੀ ਦੇ ਦੁਆਲੇ ਈਕੋ-ਸੈਸਟਿਵ ਜੇਨ ਨੇਟੀਵਾਈ ਨਹੀਂ ਹੁੰਦਾ ਉਦੋਂ ਡੈੱਕ ਸੈਚੁਰੀ ਦੀ ਬਾਉਂਡਰੀ ਤੋਂ 10 ਕਿਲੋਮੀਟਰ ਦਾ ਰਕਬਾ ਵੀ ਈਕੋ-ਸੈਸਟਿਵ ਜੇਨ ਮੰਨਿਆ ਜਾਂਦਾ ਹੈ ਜੀ।

ਇਹ ਆਪ ਦੀ ਸੂਚਨਾ ਹਿੱਤ ਹੈ ਜੀ।

ਮੁੱਖ ਜੰਗਲੀ ਜੀਵ ਵਾਰਡਨ,
ਪੰਜਾਬ, ਐਸ.ਏ.ਐਸ. ਨਗਰ।

ਪਿੱਠ ਅੰਕਣ ਨੰ: ਮਿਤੀ:

ਇਸ ਦੀ ਇਕ ਨਕਲ ਵਿੱਤੀ ਕਮਿਸ਼ਨਰ, ਪੰਜਾਬ ਸਰਕਾਰ, ਵਣ ਅਤੇ ਜੰਗਲੀ ਜੀਵ ਸੁਰੱਖਿਆ ਵਿਭਾਗ ਜੀ ਨੂੰ ਡਾਇਰੈਕਟਰ, ਸਥਾਨਕ ਸਰਕਾਰ ਵਿਭਾਗ, ਪੰਜਾਬ ਦੇ ਪੱਤਰ ਨੰ: ਸੀ.ਟੀ.ਪੀ.(ਸਸ)-2023/1895 ਮਿਤੀ 14.07.2023 ਦੇ ਹਵਾਲੇ ਵਿੱਚ ਸੂਚਨਾ ਹਿੱਤ ਭੇਜੀ ਜਾਂਦੀ ਹੈ।

ਮੁੱਖ ਜੰਗਲੀ ਜੀਵ ਵਾਰਡਨ,
ਪੰਜਾਬ, ਐਸ.ਏ.ਐਸ. ਨਗਰ।

119

COCP-1502-2023
GRAM PANCHAYAT BARI KARORAN VS VIKAS GARG, IAS
AND ORS.

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

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

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

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

13.08.2010 (Annexure P-2). The operative part of the same, reads as under:-

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

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

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

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

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

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

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

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

6. Therefore, keeping in view the above, the Governor of Punjab is pleased to delist/denotify the land measuring 265.59 ha. cultivated and habitation area of Village Nada closed under PLPA, 1900 comprised in the Khasra numbers as detailed in Annexure-1 and also from the list of forest areas as contained in Annexure-G enclosed with the affidavit dated 21.2.1997 of the State Government in Hon’ble Supreme Court of India in Writ Petition (Civil) No.202 of 1995. Consequently, the restrictions, regulations

and prohibitions imposed under Section 4 & 5 of PLPA, 1900 shall cease to be applicable in the delisted areas.

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

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

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

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

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

there would have to be segregation of land between forest land and non forest land.

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

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

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

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

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

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

(v) The directions already contained in the order dated 4.3.2014 for action qua construction unauthorisedly carried out on a proposed road and clearance of garbage

would be implemented on or before 03.07.2014 with visible photographs.

The petition accordingly stands disposed of.

List for compliance on 11.07.2014.”

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

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

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

Mr. Tejender Pal Singh, Mr. Vikas Partap, IAS and Mr. K.B.S.Sidhu shall be present on 29.04.2016 at 10:00 AM to assist the Court.

For Subsequent orders see CM-12522-CII-2023 Decided by HON'BLE MR. JUSTICE ARVIND SINGH

SANGWAN

5 of 9

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

Post the matter on 29.04.2016.

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

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

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

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

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

It is found that out of 1092 acres of land identified and demarcated as non-forest area by the State of Punjab, approximately 588 acres of land which squarely fall within the Revenue Estate of village Karoran form part of Nagar Panchayat, Nayagaon. The remaining 504 acres of land are found to be non-forest area.

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

has been classified as forest land in the Government records.

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

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

Of course, the learned Advocate General for the State of Punjab submitted that affidavits of the officers concerned have already been filed bringing to the notice of the Court that the above direction has been complied with. But Sh. Puneet Bali, Senior Counsel for the respondents brought to our notice that unauthorized construction on the proposed road are still in existence as the same have not been cleared. That apart, it is his submission that road running over there has not been properly metalled.

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

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

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

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

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

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

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

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

Notice of motion.

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

Notice be issued to the remaining respondents for 24.05.2023.

The respondents are directed to file a specific affidavit regarding the non-compliance and willful disobedience of the order passed by the Writ Court as well as the undertaking given before the

contempt bench, failing which they will remain present before this Court on the next date of hearing.

Process *dasti*, as well.

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

(ARVIND SINGH SANGWAN)
JUDGE

18.05.2023
yakub

contempt bench, failing which they will remain present before this Court on the next date of hearing.

Process *dasti*, as well.

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

(ARVIND SINGH SANGWAN)
JUDGE

18.05.2023
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116 COCP-1502-2023 (O&M)

**GRAM PANCHAYAT BARI KARORAN VS VIKAS GARG,
IAS AND ORS.**

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

Mr. Ayush Sarna, AAG, Punjab.

On 18.05.2023, following order was passed: -

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

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

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

COCP-1502-2023 (O&M)

-2-

operative part of the same, reads as under:-

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

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

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

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

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

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

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

iii) No further part compliance will be entertained in respect of

COCP-1502-2023 (O&M)

-3-

remaining area/villages/districts.

6. Therefore, keeping in view the above, the Governor of Punjab is pleased to delist/denotify the land measuring 265.59 ha. cultivated and habitation area of Village Nada closed under PLPA, 1900 comprised in the Khasra numbers as detailed in Annexure-1 and also from the list of forest areas as contained in Annexure-G enclosed with the affidavit dated 21.2.1997 of the State Government in Hon'ble Supreme Court of India in Writ Petition (Civil) No.202 of 1995. Consequently, the restrictions, regulations and prohibitions imposed under Section 4 & 5 of PLPA, 1900 shall cease to be applicable in the delisted areas.

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

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

Learned senior counsel for the petitioner has submitted that thereafter when CWP No.22756 of 2013 was filed, this Court vide order dated 14.08.2014, disposed of the writ petition. The

COCP-1502-2023 (O&M)

-4-

operative part of the said order, reads as under:-

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

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

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

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

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

COCP-1502-2023 (O&M)

-5-

21.5.2014 based on the revenue record and the test laid therein;

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

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

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

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

The petition accordingly stands disposed of.

List for compliance on 11.07.2014."

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

"Learned Senior counsel Sh. Puneet Bali, appearing for the caveator in CACP-13-2016 in COCP-831-2015 submits referring to certain affidavits filed by the officers concerned that they have demarcated 1092 acres of nonforest land which are found to be cultivable and habitable. They have in fact undertaken to develop

COCP-1502-2023 (O&M)

-6-

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

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

Mr. Tejender Pal Singh, Mr. Vikas Partap, IAS and Mr. K.B.S.Sidhu shall be present on 29.04.2016 at 10:00 AM to assist the Court.

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

Post the matter on 29.04.2016.

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

COCP-1502-2023 (O&M)

-7-

of the Special Secretary.

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

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

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

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

It is found that out of 1092 acres of land identified and demarcated as non-forest area by the State of Punjab, approximately 588 acres of land which squarely fall within the Revenue Estate of village Karoran form part of Nagar Panchayat, Nayagaon. The remaining 504 acres of land are found to be non-forest area.

Learned Advocate General, Punjab appearing for the appellants submitted that as there was no Master Plan to develop the above 504 acres of land which also do not fall under the forest area, the individuals concerned may develop their respective

COCP-1502-2023 (O&M)

-8-

lands subject to the laws which are applicable for such development. In this context, it is noticed that the Bench, while disposing of the main writ petition, observed that the notifications issued by the State would in substance apply only in case the land in question has been classified as forest land in the Government records.

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

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

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

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

In the light of the affidavits filed by Sh. Vishwajeet Khanna, IAS, F.C. (Forest), Government of Punjab, Sh. Vikas Pratap, IAS, Secretary to Government of Punjab, Department of Local Government and Sh. D.S. Mangat, IAS, Deputy

COCP-1502-2023 (O&M)

-9-

Commissioner, SAS Nagar and the consent expressed by the appellants for scrupulously adhering to the directions issued by the Court on 28.05.2014, learned Senior Counsel for the respondents submitted that the main contempt petition COCP No.831 of 2015 be listed before this Court itself for final disposal in the light of the agreed terms.

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

In the light of above, the registry is directed to list the main COCP No.831 of 2015 with this appeal for final disposal in the light of the agreed terms of the parties after obtaining necessary permission from the Hon'ble the Acting Chief Justice on 06.05.2016."

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

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

"1. That 1092 acres of land situated in Village Karoran, which

COCP-1502-2023 (O&M)

-10-

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

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

Notice of motion.

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

Notice be issued to the remaining respondents for 24.05.2023.

The respondents are directed to file a specific affidavit regarding the non-compliance and willful disobedience of the order passed by the Writ Court as well as the undertaking given before the contempt bench, failing which they will remain present before this Court on the next date of hearing.

Process dasti, as well.

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

Again on 24.05.2023, following order was passed: -

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

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

COCP-1502-2023 (O&M)

-11-

Court.

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

In the affidavit, filed by the Principal Secretary to Govt. of Punjab, Local Government, it is stated that as per information supplied by the Executive Officer, Municipal Council, Naya Gaon (Annexure R/1-1), the Forest Department has provided the details bifurcating the forest and non-forest area and some development works are being carried out in the non-forest areas, however, both the affidavits are silent about the notification dated 02.02.2018 giving details of khasra numbers, which are declared as non-forest area under the said Act and are measuring about 1092 acres, as per affidavit of the Divisional Forest Officer, SAS Nagar.

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

Let a fresh compliance affidavit limited to the extent of issuance of a corrigendum regarding 1092 acres of non-forest area be filed by respondent No.1-Additional Chief Secretary-cum-

COCP-1502-2023 (O&M)

-12-

Financial Commissioner, Forest Department, Punjab on or before the next date of hearing, failing which, he shall remain present in person before this Court on the next date of hearing.

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

*To be shown in the **Urgent List.***

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

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

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

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

4. Now, therefore in compliance to the above said directions and in continuation of the Notification No.39/1/2018/FT-111/1157844 dated 02.02.2018 it is clarified that the restriction, regulation and prohibition imposed under

COCP-1502-2023 (O&M)

-13-

Section 4 & 5 of PLPA shall not be applicable in the delisted area comprised in the Khasra numbers as detailed in the Annexure-I of the Notification issued vide No.39/578/2005-Ft-111/6085 dated 13.08.2010 and No.39/578/2005-Ft-111/6087 dated 13.08.2010.”

Learned senior counsel for the petitioner submits that again in para No.4 of the corrigendum, it is only stated that restriction, regulation and prohibition imposed under Sections 4 & 5 of PLPA shall not be applicable in the delisted area comprised in khasra numbers qua 1092 acres, however, nothing is stated that the Urban Local Department is also issuing similar corrigendum.

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

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

Since the three conditions imposed in 2010 notification, as

COCP-1502-2023 (O&M)

~~-14-~~

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

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

List again on 07.07.2023.

[ARVIND SINGH SANGWAN]
JUDGE

01.06.2023
vishnu

215 COCP-1502 & 1105-2023 (O&M)

**GRAM PANCHAYAT BARI KARORAN VS VIKAS GARG,
IAS AND ORS.**

Present: Mr. Ashish Aggarwal, Sr. Advocate with
Ms. Aashna Aggarwal, Advocate,
Mr. Vishal Pundir, Advocate,
Mr. Karan Singla, Advocate
for the petitioner (in both cases).

Mr. Ayush Sarna, AAG, Punjab.

Mr. Anil Mehta, Sr. Standing Counsel and
Mr. Himanshu Arora, Jr. Panel Counsel
for U.T. Chandigarh (in COCP-1105-2023).

Mr. Sandeep Khunger, Advocate and
Mr. Saksham Khunger, Advocate
for respondent No.3 (in COCP-1105-2023).

Short reply by way of affidavit of Principal Secretary, Department of Local Govt., Punjab as well as status report by way of affidavit of Deputy Commissioner, U.T. Chandigarh, filed in the Court today, are taken on record. Copies supplied.

Despite the orders dated 18.05.2023 and 24.05.2023, similar stand is taken that a notification is issued by the Department of Forest and Wildlife Preservation, Punjab that the restriction, regulation and prohibition imposed under Sections 4 & 5 of PLPA shall not be applicable.

Learned senior counsel for the petitioner submits that no notification in this regard has been issued by the Department of Local Govt. despite issuance of specific directions. It is further submitted that three conditions as mentioned in the aforesaid two orders read as under: -

COCP-1502 & 1105-2023 (O&M)

-2-

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

- i) The State Government shall ensure that no commercial activity is permitted on such de-listed land.*
- ii) The de-listed land shall be used only for bona fide use for agriculture and for sustaining the livelihood of the people/owner of the land.*
- iii) A detailed list of such lands showing the land use and status of such land before 25.10.1980 and after that, upto 12.12.1996, shall be furnished to this Ministry before final approval."*

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

- i) The State Government shall ensure that no commercial activity is permitted on such de-listed land.*
- ii) The de-listed land shall be used only for bona fide use for agriculture and for sustaining the livelihood of the people/owner of the land.*
- iii) No further part compliance will be entertained in*

COCP-1502 & 1105-2023 (O&M)

-3-

respect of remaining area/villages/districts.”

On the face of it, the respondents are taking the directions in a very casual manner and not adhering to the majesty of law.

List again on 11.08.2023.

Principal Secretary, Department of Local Govt., Punjab is directed to remain present before this Court on the date fixed.

To be shown in the urgent list.

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

[ARVIND SINGH SANGWAN]
JUDGE

07.07.2023
vishnu

103 COCP-1502 & 1105-2023 (O&M)

**GRAM PANCHAYAT BARI KARORAN VS VIKAS GARG,
IAS AND ORS.**

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

Mr. Ayush Sarma, AAG, Punjab.

Mr. Anil Mehta, Sr. Standing Counsel and
Mr. Himanshu Arora, Jr. Panel Counsel
for U.T. Chandigarh (in COCP-1105-2023).

Mr. Sandeep Khunger, Advocate
for respondent No.3 (in COCP-1105-2023).

Mr. Bhanu Kathpalia, Advocate
for respondent No.9.

COCP-1105-2023

The report has been submitted by the Local Commissioner regarding factual position at the spot. In response to point No.(i) regarding factual position regarding demarcation/fixation of permanent pillars on both sides of catchment area of Patiala Ki Rao, it is stated that no steps have been taken by the officials of both Punjab and U.T. Chandigarh and the proposed 30 meter wide road which is to be constructed is in fact at present is 15-16 feet wide, as there is encroachment on both sides. Photographs of the existing position are attached. With regard to point No.ii factual position regarding demarcation of the aforesaid catchment area of 200 feet wide road of Patiala Ki Rao Nadi/Choe, as per notification issued by the Northern India Canal and Drainage Act, 1873 and demolition of illegal construction, it is stated that there are illegal constructions at the spot, as per photographs, which are attached.

COCP-1502 & 1105-2023 (O&M)

-2-

With regard to point No.(iii) i.e. repair of existing roads in Village Karoran and Nada NAC Naya Gaon, in order to make them functional, it is stated that existing roads are in dilapidated condition with open holes and potholes on the internal roads of Village Nada and Karoran and it requires urgent repair. Again photographs are attached showing the existing position at the spot.

Learned senior counsel for the petitioner submits that in the successive affidavits filed by DC, Chandigarh, it is stated that all the encroachments have been removed, which is factually incorrect as per report of the Local Commissioner.

Fresh affidavits by DC, Chandigarh and DC, SAS Nagar (Mohali) regarding the action taken for acquiring of land to provide 30 meter wide road to the general public, be filed.

COCP-1502-2023

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

“In view of the decision dated 28.05.2014 in Civil Writ Petition No.22756 of 2013 regarding notification No.39/578/2005-Ft-III/6087 dated 13.08.2010 and 39/578/2005-Ft-III/6085 dated 13.08.2010 issued by the Department of Forest and Wildlife Protection, Punjab, affidavit filed by Financial

COCP-1502 & 1105-2023 (O&M)

-3-

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

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

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

"Apart from the above you are also informed that as per the

COCP-I502 & I105-2023 (O&M)

-4-

guidelines of the Government of India unless an Eco-Sensitive Zone is notified around a resort, until then, only an area of 10 kilometers from the boundary of the Sanctuary is to be considered as Eco-Sensitive Zone.

This is for your information."

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

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

COCP-1502 & 1105-2023 (O&M)

-5-

observed that both these bodies shall give their respective recommendations before this Court and on that basis, the Court should pass appropriate order.

xxx

xxx

xxx

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

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

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

On the face of it, affidavits filed by the DC, Chandigarh,

COCP-1502 & 1105-2023 (O&M)

-6-

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

List again on 15.09.2023.

In the meantime, fresh compliance affidavit of Financial Commissioner, Govt. of Punjab, Department of Forest & Wildlife Preservation, Punjab as well as GMADA be filed, stating therein that a fresh corrigendum/notification is issued that three conditions will not be applicable.

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

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

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

[ARVIND SINGH SANGWAN]
JUDGE

11.08.2023
vishnu





412

258



413

259



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260



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261



Government of Punjab
Department of Housing and Urban Development
(Housing -2 Branch)

262

Notification

Dated: The 24 March 2023

No. 18/02/2023-5Hg2/524 To promote ease of doing business in the State of Punjab and to reduce the time-line for issuance of permission of CLU, approval of Building Plans/Layout Plans/License to colonies, the Governor of Punjab is pleased to notify that Change of Land use permission for all activities is hereby merged with Layout Plan approval/ Building Plan approval/ License to Colonies subject to the following conditions: -

1. That applicant shall submit all the requisite documents as per Annexure 'B' at the time of submission of application of layout plans/ Building Plan/ Licenses to the Competent authority and the Competent Authority shall scrutinized all the mandatory requirements w.r.t. provisions of Master Plan, Regional Plan, siting guidelines, rules/regulations of the concerned Department etc. which are required for conversion of land before granting approval of building plans / layout plans and licenses to the colonies.

2. The conversion charges shall be collected in lump sum by the concerned Competent Authority before approval of building plans / layout plans and licenses to the colonies along with the other requisite charges. The conversion charges shall be deposited to the Government treasury by the concerned Competent Authority of HUD in case the project site is under the jurisdiction of HUD and these charges shall be retained by the ULB within their jurisdiction.

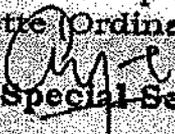
Further, the required documents shall be directly taken by concerned Department (HUD/LG) from the promoter at the time of applications along with other required documents for license. The file with the requisite documents shall be forwarded to the concerned Department by the Competent Authority to grant NOCs within 15 days' time. If the NOC are not received within 15 days, then the Competent Authority shall convene a meeting of the concerned Departments immediately for NOC/ comments of their Departments to avoid any further delay. The Competent Authority shall dispose of the application for grant of license as per the provisions of the PAPR Act after scrutinizing all the documents and NOCs/ comments of all the Departments within 45-60 days.

Dated: 17-03-2023
 Chandigarh

Ajoy Kumar Sinha, IAS
Principal Secretary, Govt. of Punjab,
Department of Housing and
Urban Development

Endst. No. 18/02/2023-5Hg2/525 Dated: 24.03.2023

A copy is forwarded to the Controller, Printing and Stationary, Punjab, SAS Nagar with a request to publish this notification in the Punjab Govt. Gazette (Ordinary).


Special Secretary

DOCUMENTS REQUIRED FOR GRANTING LAYOUT PLAN AND BUILDING PLAN APPROVAL

Standalone Building Plans:

1. Fard/Jamabandi (Not older than three months) for the Khasra Numbers applied for approval showing the ownership/lease deed.
2. Copy of registered ownership deed or registered lease deed (for minimum 15 years) entered in Jamabandi.
3. Location Plan showing features in immediate surroundings (i.e. water body, house, school, factory, Gurdwara etc.), name and width of approach road, distance of site from junction or any other land mark.
4. CRO report (not older than 3 months)
5. Aks Shajara Plan Showing dimensions, area of individual Khasra numbers and width of abutting revenue road/rasta:
6. If Ownership/lease is individual: Aks Shajra Plan signed by concerned Patwari.
7. If Ownership/lease is in Mustarka Khata (Joint Ownership): Kabja (possession) marked on duly dimensioned Aks Shajra Plan as per the Kabja on site, verified by concerned CRO.
8. List of Khasra Numbers showing area of individual Khasra specifically.
9. NOC from Concerned Bank/Financial Institution, if land has encumbrance.
10. Detailed Project Report giving project purpose, process flow, number of workers/employees.
11. Provisional/Final NOC along with the approved drawing from NHAI for access to site from National Highway (if applicable).
12. Letter declaring Authorized Signatory on behalf of company/firm/promoters duly signed by all or minimum 2/3rd members/directors.
13. NOC from Gas Authority of India Limited, if Gas/fuel pipe line passes through/within 150-meter radius of site.
14. NOC from National Monument Authority of India or Archeological Survey of India, if historical site/heritage monument is located within 100 m radius of site.
15. Undertaking regarding road widening, clearance zone beneath HT/LT line, green buffer, no construction zone, khal, revenue rasta if applicable (attached).
16. NOC from Department of Water resources (drainage/irrigation) if khal/water bodies are passing through/near the site for making culvert and for no construction zone.
17. Prior NOC from Department of Forest is required in case the site falls within District S.A.S Nagar.
18. Prior NOC from Department of Fire is required.

19. Prior NOC/Clearance from Airport Authority of India or Indian Air Force is required in case the height of the building is 15m or more or site falls in the red colour of home grid of Colour Coded Zoning Map issued by Airports Authority of India or Indian Air Force.

20. Processing fee: Rs. 5000/- for first acre and Rs. 1000/- for every consecutive acre or part thereof or any other fee as applicable as specified by Department of Local Government/HUD.

21. Fully dimensioned and readable Zoning Plan, Site Plan, Floor Plans, Elevation, Section etc. on prescribed scale as per Building Rules, 2021 or as amended from time to time and as per the Punjab Municipal Building Bye-Laws.

22. No permission shall be granted within the radius of 900' meter from the Ammunition Depot/dump or as per the notification of Ministry of Defence, Government of India.

Note: - Any other document(s) as required as per the guidelines of Department of Local Government/HUD may also be sought.

Additional requirements for License/Colonies

1. Site earmarked on Approved Revenue Superimposed Layout Plan.

2. Irrevocable Consent, along with Collaborated Agreement, Development Agreements, Joint Development Agreement or any other Agreement as per the provisions of PAPRA, 1995 duly verified by the concerned CRO.

Note: Min. 25% area is required to be under the ownership of the applicant/company/promoter (Registered lease deed as mentioned above is not applicable in case of colony).

3. Promoter Registration Certificate under PAPRA, 1995.

Note: Any other documents as required under PAPRA, 1995 while processing the case shall be intimated to the applicant by the Competent Authority.

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

ORIGINAL APPLICATION NO. 161 OF 2023

Rana Iqbal Singh Jolly & vs.

Applicants

VERSUS

State of Punjab & vs.

Respondent

KNOW ALL, to whom these present shall come that We M/s. Orchid Space Design LLP, having its office at SCO 118-119-120, Sector -34-A, Chandigarh having the Army house, The Hermitage, aged about 55 years, R/o. [D/713/97(R)], presently at Respondent No. 8, Village Karoran, Sub-Tehsil Majri, District S.A.S. Nagar, Mohali (Punjab), acting through its authorised Partner Shri Saurabh Gupta, applicant in the above Original Application do hereby appoints:

Shri Dinesh C. Pandey, Advocate
[D/713/97(R)]
9810124707

Sh. Dushyant Dahiya, Advocate
[D/10254/2021]
9560431100

Advdcpandey@gmail.com

Adv.dushyantdahiya@gmail.com

OFFICE AT : 407, Vishal Bhawan,
95, Nehru Place,
New Delhi-110019

(herein after called the advocate/s) to be my/our Advocate in the above noted case authorise him:-

To act, appear and plead in the above-noted case in this Tribunal/Court or in any other Tribunal/Court in which the same may be tried or heard and also in the appellate Court including High Court subject to payment of fees separately for each Tribunal/Court by me/us.

To sign, file, verify and present pleadings, appeals, cross-objections or petitions for executions; review revision, withdrawal, compromise or other petitions or affidavits or other documents as may be deemed necessary or proper for the prosecution of the said case in all its stages subjects to payment of fees for each stage.

to a opposite party.
said differences or disputes that may arise
to

monthly cheques, cash and grant receipts thereof and to do all other acts and
be c use of the prosecution of the said
er Le exercise the power and authority
to sign the power of attorney on
our behalf.

And I/We the undersigned do hereby agree to ratify and confirm all acts done by the Advocate or his substitute in the matter as my/our own acts, as if done by me/us to all intents and proposes.

And I/We the undersigned do hereby agree not to hold the advocate or his substitute responsible for the result of the said case. The adjournment costs whenever ordered by the Court shall be of the Advocate which he shall receive and retain for himself.

IN WITNESS WHEREOF I/We do hereunto set my/our hand to these presents the contents of which have been understood by me/us on this 25th day of May 2023.

D. Pandey
Dinesh C. Pandey
(Advocate)

D. Dahiya
Dushyant Dahiya
(Advocate)

for Orchid Space Designs LLP
Saurabh Gupta
(Client) Partner

I identify Shri Saurabh Gupta, Partner, M/s. Orchid Space Design LLP, who has signed in my presence





2

Authority Letter

Copy of resolution passed at the meeting of Partners held at its office at Panchkula on 27.05.2023.

Resolved that approval of the Partners be and is hereby accorded to file Civil Petition/ Revision/Appeal/Caveat/any other Case/Application/Evidence in the District Courts/Hon'ble High Court for the States of Punjab & Haryana at Chandigarh or in the Hon'ble Supreme Court of India in respect of the Lands of Orchid Space Designs LLP, H.B. No. 352, District SAS Nagar.

FURTHER RESOLVED THAT Shri Saurabh Gupta, Partner of "Orchid Space Designs LLP" be and is hereby authorized to accorded to file Civil Petition/ Revision/Appeal/Caveat/any other Case/Application/Evidence in the District Courts/Hon'ble High Court for the States of Punjab & Haryana at Chandigarh or in the Hon'ble Supreme Court of India in respect of the Lands of Orchid Space Designs LLP, H.B. No. 352, Khasra No. 83/26, 83/27, 83/28, 83/29, 83/30, 83/31, 83/32, 83/33/1, 83/34, 83/35/1, 83/36, 83/37, 83/39/1, 97/26/2, 97/26/1, District SAS Nagar and also authorized to sign, verify, present, pursue the Petition / suit / appeal / proceedings, make statements, compromise, give evidence, file documents etc., appoint/engage advocates, sign vakalatnama in favour of advocates and do all incidental things, acts and deeds with regards thereto for and on behalf of "Orchid Space Designs LLP" for filing and pursuing the above case/proceedings before the Competent Court of Law.

For Orchid Space Designs LLP

for Orchid Space Designs LLP

Partner

For Orchid Space Designs LLP

for Orchid Space Designs LLP

Partner

Orchid Space Designs LLP

Regd. Office S.C.O. 118-119-120, Sector 34-A, Chandigarh,
osdlindia@gmail.com



Dushyant Dahiya <adv.dushyantdahiya@gmail.com>

Advance Service- Reply on behalf of Respondent No.8 / The Hermitage in OA No. 161 of 2023 titled as Rana Iqbal Singh Jolly & Ors. Vs. State of Punjab & Ors.

1 message

Dushyant Dahiya <adv.dushyantdahiya@gmail.com>

Mon, Aug 21, 2023 at 10:46 AM

To: "adv.vasubhushan@gmail.com" <adv.vasubhushan@gmail.com>, sunieta.ojha@gmail.com

Cc: "Dinesh C Pandey, Advocate" <advdcpandey@gmail.com>

Dear Sir / Ma'am

Please find attached herewith the Reply on behalf of Respondent No. 8 / The Hermitage in the above-captioned matter. This is for your information and necessary action. Kindly acknowledge the receipt of the same and oblige.

[Reply on behalf of Respondent No.8 in OA No. 16...](#)

Thanks & Regards

Dinesh C. Pandey & Dushyant Dahiya, Advs.
Counsels for the Respondent No.8 / The Hermitage
407, Vishal Bhawan,
95, Nehru Place,
New Delhi-110019
Contact;- 9810124707 / 9560431100