

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

OA NO. 341 OF 2024

IN THE MATTER OF:

PAWAN KUMAR BANTA

.....APPLICANT

VERSUS

STATE OF HIMACHAL PRADESH & ORS.

..... RESPONDENTS

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Gurinderjit
GURINDERJIT KAUR
ADVOCATE
C-60, South Ex 2,
New Delhi

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REPLY ON BEHALF OF IMPLEADED

RESPONDENT NO.8 i.e. SH. SUNIL

KUMAR SOOD TO THE ORIGINAL

APPLICATION FILED BY THE APPLICANT.

MOST RESPECTFULLY SHOWETH:

1. The Applicant has filed the captioned Original Application against the unlawful actions of Respondent No. 7, M/s Nirvana Woods and Hotels Pvt. Ltd., hereinafter referred to as "Company" which is owned by Mr. Pankaj Gupta, the project proprietor. The allegation in the OA is that the company has been unlawfully and illegally carrying out the construction of a commercial hotel project at MohalKiari/Rirka, Tehsil and District Shimla, Himachal Pradesh, without obtaining the required Environmental Clearance, CTE, or CTO.
2. That the Respondent No.8 herein had filed an Application bearing No. 676/2024 for impleadment in the captioned Original Application and the same was allowed

by this Hon'ble Tribunal vide order dated 18.12.2024. The said application was allowed in view of the fact that vide order dated 18.12.2024, this Hon'ble Tribunal had granted liberty to all the Respondents to file reply and therefore, the present reply is being filed by the Respondent No.8 herein in compliance of the order dated 18.12.2024 passed by this Hon'ble Tribunal.

3. That the brief facts, necessary for the adjudication of the present matter are as follows:

- i) That the Respondent No.8 herein planned to develop a residential and commercial complex in the name of M/s Homeland Exotica at Village – Kiyari and Rirka, Tehsil & District Shimla, Himachal Pradesh on area 46599 sq.mtrs. That the proposal was listed consideration of grant of Environment Clearance before State Level Environment Impact Assessment Authority on 27.02.2016 and after deliberating on the recommendations of SEAC, the State Level Environment Impact Assessment Authority approved the grant of Environment Clearance in favour of the Respondent No.8 for M/s Homeland Exotica. That Environment Clearance was granted by State Level Environment Impact Assessment Authority, in favour of the Respondent No.8 herein on 01.04.2016 for construction of a mixed land use project by the name of M/s Homeland Exotica on 46599 sq.mtrs of land. Copy of the Environment Clearance dated 01.04.2016 granted to the Respondent No.8 herein for construction of a mixed land use project by the name of M/s Homeland Exotica is attached herewith as **Annexure-R8/1**.

- ii) Further, Consent to Establish was granted by the Respondent Pollution Control Board on 03.03.2017 and copy of the same is attached herewith as **Annexure-R8/2**. The Consent to Establish granted to the Respondent herein was valid for a period of one year i.e. till 03.03.2018 and had a condition that: 'This Consent to Establish is subject to the compliance of conditions of Environmental Clearance as incorporated by the State Level Environment Impact Assessment Authority H.P. vide letter No. HPSEIAA/F (2015) /360-M/s Homeland Exotica mixed land use construction project/- 10 dated 01.04.2016'.
- iii) That thereafter, the Respondent No. 8 herein was approached by the owner/director of Respondent No.7 i.e. M/s Nirvana Woods and Hotels Pvt. Ltd. for purchase of land. The Respondent No.7 obtained Essentiality Certificate from Additional Chief Secretary (TCP) to the Government of Himachal Pradesh for purchase of land i.e. 31768 sq.mtrs for setting up a **Residential Colony**. Copy of the essentiality certificate is attached herewith as **Annexure-R8/3**. The Respondent No.7 also obtained permission to purchase land for setting up a **Residential Colony** under Section 118 of Himachal Pradesh Tenancy and Land Reforms Act, 1972 from Additional Chief Secretary (Revenue) to the Government of Himachal Pradesh and copy of the same is attached herewith as **Annexure-R8/4**. That the said permission to purchase was also granted for 31768 sq.mtrs of land.

- iv) That thereafter, the Respondent No.7 purchased a part of the land i.e. 31768 sq.mtrs. from the Respondent herein vide six sale deeds all dated 01.05.2017. In furtherance of the same, the Respondent No.7 approached the Department of Town and Country Planning, Government of Himachal Pradesh for transfer of license dated 17.12.2015 in the name of M/s Nirvana Woods and Hotels Pvt. Ltd. and as mandated by law, Respondent No.7 executed a Statutory Form-50 Agreement dated 03.08.2017. The Statutory Form-50 Agreement dated 03.08.2017 was entered into for setting up a **Residential Colony**. Copy of the Statutory Form-50 Agreement dated 03.08.2017 is attached herewith as **Annexure-R8/5**.
- v) Thereafter, the Director Town and Country Planning transferred the license No.04/2015 dated 17.12.2015, from the name of Respondent No.8 herein in the name of Respondent No.7 i.e. M/s Nirvana Woods and Hotels Pvt. Ltd. for setting up a **Residential Colony** . A copy of the same is attached as **Annexure R8/6**.
- vi) That it is submitted that vide corrigendum issued by the Director Town and Country Planning, it has been explicitly clarified that the project involves establishment of a colony over land measuring 31,768 square meters at Moal Kiari and Riska, Tehsil and District Shimla.
- vii) That a dispute arose between the parties i.e Respdent No.7 and Respondent No. 8 on account of nature of development of the project and the sale deeds on account of part payment of consideration. That

since the Respondent No.7 did not pay the sales consideration of Rs. 10.32 Crores in respect of the six sale deeds, the Respondent No.8 herein filed COMS No. 23 of 2018 along with OMP No. 269 of 2018 before the Hon'ble High Court of Himachal Pradesh. That the matters were taken up for hearing on 26.06.2018 and the following orders were passed by the Hon'ble High Court of Himachal Pradesh:

"Notice in the aforesaid terms. Till further orders, the parties are directed to maintain status quo qua construction, sale, alienation, transfer, creating third party interest and/or in respect of all the matters concerning the suit land comprised in six sale deeds (bearing sale deed No.650, sale deed No.651, sale deed No. 652, sale deed No. 653, sale deed No.654 and sale deed No. 655."

Copy of the order dated 26.06.2018 passed by the Hon'ble High Court of Himachal Pradesh in COMS No. 23 of 2018 is attached herewith as **Annexure-R8/7**.

viii) That thereafter vide order dated 27.09.2018, the Hon'ble High Court of Himachal Pradesh permitted Respondent No.7 to raise construction on the suit land, only upon their holding the requisite permissions. Relevant portion of the order dated 27.09.2018 passed by the Hon'ble High Court of Himachal Pradesh in COMS No. 23 of 2018 is reproduced herein below for ready reference:

"The learned counsel for the plaintiff(s) in COMS No. 8 of 2017 and COMS No. 23 of 2018, have, placed on record, a, notification, of, 14.10.2016, issued by the

competent Authority, with disclosures therein, qua, the lands in respect whereof sale deeds are executed, hence occurring within the limits of Municipal Corporation, Shimla. The requisite building permission, therefrom, though required, yet does not exist, on record.

Consequently, the defendants concerned may raise construction upon the suit land, only upon their holding the requisite permission, if any, granted by all the statutory authorities concerned, besides till an adjudication is meted, upon, the afore OMPs, thereupto, the authorities concerned, may not, process, the building plans.”

Copy of the order dated 27.09.2018 passed by the Hon'ble High Court of Himachal Pradesh in COMS No. 23 of 2018 is attached herewith as **Annexure-R8/8.**

ix) The Respondent apprised the authorities regarding the fact that the matter is sub judice and hence the development activities should be halted but after the passing of the aforementioned order, the construction continued.

4. That subsequent to the events narrated above, multiple proceedings took place before the High Court of Himachal Pradesh, Himachal Pradesh Pollution Control Board, and SEIAA concerning the construction undertaken by Respondent No.7 .

5. That after a long period of litigation, the civil suit/ disputes between the Respondent No.7 and Respondent No.8 have been settled through lawful compromise in pending civil proceedings recently. The terms of settlement have been duly recorded, resolving all disputes with respect to the sale deeds pertaining to the transferred land between the parties.
6. That the Respondent No.8 has no further right, title, or interest in the land or project in question. The Respondent's impleadment in the present case was necessitated only on account of prior ownership and the subsequent dispute, which now stands resolved and therefore, no relief or adjudication is required qua Respondent No.8 in the present proceedings.
7. That the Respondent No.8 was an interested party because it had a subsisting interest in the said land and hence an application for impleadment was filed on the ground that any decision taken by the Tribunal shall have an impact upon the interests and rights of the Respondent No.8 as it was a disputed land being a larger part of the land area owned by the Respondent No.8.
8. That owing to the resolution of their disputes and compromise in the court, the Respondent retains no interest or involvement with the subject matter and ongoing litigation. Accordingly, the name of the Respondent may be deleted from the array of parties as their continued presence is not required and is not necessary in the proceedings before the Tribunal.

PRAYER

It is, therefore, most respectfully prayed that this Hon'ble Tribunal may be pleased to Exempt from filing the Typed/Translated Copies of Some Annexures And Or;

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In light of the facts and circumstances mentioned herein above, it is prayed that this Hon'ble Tribunal may be pass any such or other orders or directions or relief which this Hon'ble tribunal finds fit and proper in the peculiar facts and circumstances of this case, in favour of the Applicant/Answering Respondent.

NOTE: AFFIDAVIT IS ATTACHED.



Sunil Kumar Sood

PLACE:
DATE:

APPLICANT/ANSWERING RESPONDENT 8
THROUGH



GURINDERJIT KAUR
ADVOCATE

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL, PRINCIPAL BENCH,
DELHI
OA NO. 341 OF 2024

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VERSUS

STATE OF HIMACHAL PRADESH & ORS.

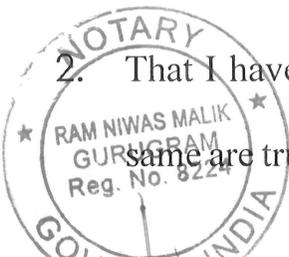
...RESPONDENTS

Affidavit of Sunil Kumar Sood S/o Late Hans Raj Sood,
Aged about 68 years, R/o House No: 143, Sector 7,
Panchkula-134109.

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

1. That the Reply has been drafted under the authority and instructions of the deponent and after perusing its contents, the deponent has duly signed it, and the contents of paragraph Nos. 1 to 8 thereof are true and correct to the knowledge of the deponent, and the same may be read as contents of this affidavit also, which are not being reproduced for the sake of brevity. No part of it is false and nothing material has been kept concealed therefrom.

2. That I have read and understood the contents of the Reply and state that the same are true and correct based on the records maintained by me in the ordinary



course of its day. The submissions made therein are based on legal advice received and believed to be correct.

-12-

3. That the Annexures attached with the Reply are true copy of their original ones.

PLACE:

DATE: 14 NOV 2025


DEPONENT

VERIFICATION:

Verified that the contents of para 1 and 3 of my affidavit are true and correct to my knowledge. No part of it is false and nothing material has been kept concealed therefrom.

PLACE:

DATE:




DEPONENT

14 NOV 2025

ATTESTED

~~RAM NIWAS, ADVOCATE
NOTARY PUBLIC FOR INDIA~~

FILED TODAY

3 JUL 2021

Reader to Registrar



**State Level Environment Impact Assessment Authority
Himachal Pradesh**

*Ministry of Environment, Forest & Climate Change, Government of India,
at Department of Environment Science & Technology,
Paryavaran Bhawan, Near US Club, Shimla-1*

Ph: 0177-2656559, 2659608 Fax: 2659609

F. No. HPSEIAA/2015/360- M/s Homeland Exotica-mixed land use construction project

Dtd: _____

To

Sh. Sunil Kumar Sood,
M/s Homeland Exotica-mixed land use construction project,
143, Sector-7, Panchkula, Haryana-134109.
Phone No. 092165-76999, email: ca_sunilsood@yahoo.co.in.

Subject:

Project proposal for Homeland Exotica-mixed land use construction project by Sh. Sunil Kumar Sood M/s Homeland Exotica-mixed land use construction project - Environmental Clearance-reg.

Sir,

This has a reference to your application dated 21/4/2015 seeking prior environmental clearance for the above project under Environment Impact Assessment Notification, 2006. The proposal has been appraised as per prescribed procedure in the light of provisions under the Environment Impact Assessment Notification, dated 14th September 2006 on the basis of documents viz Form-I, Pre-feasibility Report, EIA/EMP etc. by the State Expert Appraisal Committee constituted by the competent authority in its 41st Meeting held on Sept. 9-11, 2015. The said project involves following salient features:

- | | |
|---|---|
| a. Project type | : Homeland Exotica-mixed land use construction project (Residential & Hotel Project). |
| b. Project Location | : Khasra number 1363/1127/632/1, 641,408,1372/426,613,626/1 & 626/3, 1374/627, 1376/1126/628, 629, 630, 631, 1368/1137/632, 1369/1137/632, 642, 643, 644, 645, 646,647,648, 649, 429/1, 640, 1,2,3,4,5,6,7,8,9,321/10 at Village-Kiyari & Rirka, Tehsil & District-Shimla, H.P. |
| c. Project Capacity | : 46,599.00 sq. mtrs. |
| d. Cost of Project | : 99 Crores. |
| e. Water requirement | : 367 KLD. |
| f. Energy requirement | : 3127 KW. |
| g. Green cover | : Plantation of 458 new trees of different species in project area. |
| h. EMP costs | : For construction Phase:
Rs. 6.00 lakhs, Recurring cost. 2.80 lakhs
For operation Phase:
Capital cost: Rs. 122 lakhs, Recurring cost. Rs.10.0 |
| i. Institutional Mechanisms for Env. Protection | : The following will be responsible for maintenance of APCDs and Solid Waste Management sites:
i) Construction phase; Developer/ Project Proponent.
ii) Operational Phase: Developer/ Project Proponent. |

The SEIAA examined the proposal in its 24th Meeting held on 27th February, 2016 and considered the recommendations made by SEAC in its 41st Meeting held on Sept. 9-11, 2015. After considering the recommendations of the State Level Expert Appraisal Committee, the State level Environmental Impact Assessment Authority accords Environmental Clearance to the project as per provisions of the EIA Notification No. S.O. 1533 dated 14th September, 2006 of Ministry of Environment & Forests, GoI subject to strict compliance of terms and conditions as mentioned below. The Authority reserves the right to revise, revoke or impose additional condition at any stage.

Part-A- Specific Conditions:

I- Construction Phase:

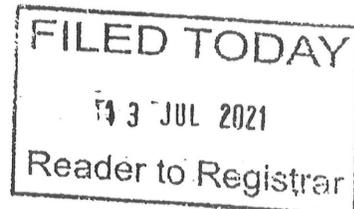
1. "Consent to Establish" shall be obtained from H.P. State Pollution Control Board under Water (Prevention and Control of Pollution) Act 1974 and Air (Prevention and Control of Pollution) Act 1981 M/s Homeland Exotica-mixed land use construction project 1/5

Sunil

- a copy of same shall be submitted to State Environment Impact Assessment Authority (SEIAA) before start of any construction work at the site.
2. Provisions shall be made for the housing of labour within the site with all necessary infrastructure and facilities such as fuel for cooking, mobile toilets, mobile STP, safe drinking water, medical health care, creche etc. The housing may be in the form of temporary structures to be removed after the completion of the project.
 3. All required sanitary and hygienic measures should be taken before, during and after the completion of project.
 4. A First Aid Room will be provided in the project both during construction and operation phase of the project.
 5. Adequate drinking water, fuel and sanitary facilities should be provided for construction workers at the site. Provisions should be made for mobile toilets.
 6. The safe disposal of waste water and solid wastes generated during the construction phase should be ensured.
 7. All the top soil excavated during construction activities should be stored for use in horticulture/landscape development within the project site.
 8. Disposal of muck including excavated material during construction phase should not create any adverse effects on the neighboring communities and disposed-off taking the necessary precautions for general safety and health aspects of public, only in approved sites with the approval of competent authority.
 9. Soil and ground water samples shall be got tested from authorized agency to ascertain that there is no threat to ground water quality by leaching of heavy metals and other toxic contaminants.
 10. Any hazardous waste generated during construction phase should be disposed off as per applicable rules and norms with necessary approvals of the competent authority. Diesel generator sets during construction phase should have acoustic enclosures and should conform to Environment (Protection) Act, 1986 and Rules framed there under for air and noise emission standards. Low sulphur diesel type should be used.
 11. The diesel required for operating DG sets shall be stored in under tanks and if required, clearance from Chief Controller of Explosives shall be taken.
 12. Vehicles/ equipment deployed during construction phase should be in good condition and should conform to applicable air and noise emission standards, should have vehicle pollution check certificate and should be operated only during non-peak hours.
 13. Ambient noise levels should conform to residential standards both during day and night. Only limited necessary construction should be done during night time. Fortnightly monitoring of ambient air quality (SPM, SO₂ and NO_x) and equivalent noise levels should be ensured during construction phase should be closely monitored during construction phase so as to conform to the stipulated standards fixed by the competent authority. Storm water control and its re-use for various applications as per guidelines.
 14. Boundary wall shall be constructed in such a manner as not to be obstructing the flow of storm water. Necessary arrangement shall be made for the drainage of surrounding area.
 15. Water demand during construction should be reduced by use of pre-mixed concrete, curing agents and other best practices and technologies available.
 16. Permission to draw ground water shall be obtained from the competent Authority prior to construction/ operation of the project. Opaque wall should meet perspective requirement as per Energy.
 17. Conservation Building Code which is proposed to be mandatory for all air conditioned spaces while it is operational for non-air conditioned spaces by use of appropriate thermal insulation material to fulfill requirement.
 18. Regular supervision of the above and other measures for monitoring should be in place all though the construction phase, so as to avoid disturbance to the surroundings.
 19. The proponent shall be liable for action under the Environment (Protection) Act, 1986 for the violation of any provision of the said Act.

II. Operational Phase:

1. The installation of the Effluent Treatment Plant/ Sewage Treatment Plant (STP) should be certified by an independent expert and a report in this regard should be submitted to the Member Secretary, HPSEIAA at Director, Department of Environment, Science & Technology before the project is commissioned for operation. Treated effluent emanating from STP shall be recycled/ reused to the maximum extent possible. Treatment of 100% grey water by decentralized treatment should be done.



- Discharge of untreated effluent shall conform to the norms and standards prescribed. Necessary measures should be made to mitigate the odour problem from STP.
2. The solid waste generated should be properly collected and segregated. Wet garbage should be composted and dry/inert solid waste should be disposed of to the approved sites for land filling after recovering recyclable materials.
 3. Diesel power generating sets proposed as source of backup power for elevators and common area illumination during operation phase should be enclosed type and conform to rules made under the Environment (Protection) Act, 1986. The height of stack of DG sets should be equal to the height needed for the combined capacity of all proposed DG sets. The proponent shall be required to use low sulphur diesel. The location of the DG sets may be decided in consultation with the competent authority.
 4. Noise pollution should be controlled to ensure that it does not exceed the prescribed standards. During night time the noise levels measured at the boundary of the building shall be restricted to the permissible levels to comply with the prevalent regulations.
 5. The green belt of the adequate width and density preferably with local species along the periphery of the plot shall be raised so as to provide protection against particulates and noise.
 6. Weep holes in the compound walls shall be provided to ensure natural drainage of rain water in the catchment area during the monsoon periods.
 7. Rain water harvesting for roof run-off and surface run-off, as per plan submitted should be implemented. Before recharging the surface run off, pre treatment must be done to remove suspended matter, oil and grease.
 8. The bore well for rainwater recharging should be kept at least 5 mtrs. above the highest ground water table.
 9. The ground water level and its quality should be monitored regularly in consultation with Central Ground Water Authority.
 10. Traffic congestion near the entry and exit points from the roads adjoining the proposed project site must be avoided. Parking should be fully internalized as per norms prescribed by the Competent Authority and no public space should be used for this purpose.
 11. Energy conservation measures like installation of CFLs for the lighting the surrounding areas/outside areas the building should be integral part of the project design and should be in place before project commissioning. Used CFLs/ TFLs should be properly collected and disposed off/ sent for recycling as per the prevailing guidelines/ rules of the regulatory authority to avoid mercury contamination. Use of solar panels may be done to the possible extent.
 12. Adequate steps should be taken to prevent odour problem from solid waste processing site and STP.
 13. Sprinkling of water etc. be used for air pollution control during construction phase so as to avoid disturbance to the surroundings.

Part-B- General Conditions:

1. The environmental safe guards contained/given in the proposal for management of environmental pollution should be implemented in letter and spirit.
2. Six monthly environment monitoring reports shall be submitted to the State Environment Impact Assessment Authority and Ministry of Environment & Forests Regional Office at Dehradun.
3. Officials from the State Environment Impact Assessment Authority, Regional Office of MoEF, Dehradun and Department of Environment, Science & Technology GoHP who would be monitoring the implementation of environmental safeguards shall be given full cooperation, facilities and documents/ data by the project proponents during their inspection.
4. In the case of any change (s) in the scope of the project, the project would require a fresh appraisal by this Authority.
5. The SEIAA reserves the right to add additional safeguard measures subsequently, if found necessary, and to take action including revoking of the environment clearance under the provisions of the Environment (Protection) Act, 1986, to ensure effective implementation of the suggested safe guards and measures in a time bound and satisfactory manner.
6. All other statutory clearances shall be obtained, as applicable by the project proponents.
7. These stipulations would be enforced among others under the provisions of Water (Prevention and Control of Pollution) Act, 1974, the Air (Prevention and Control of Pollution) Act, 1981, the Environment (Protection) Act, 1986, the Public Liability (Insurance) Act, 1991 and Environment Impact Assessment Notification, 2006.

Original

8. Environmental Clearance is subject to final order of the Hon'ble Supreme Court of India in the matter of Goa Foundation Vs. Union of India in Writ Petition (Civil) No. 460 of 2004 as may be applicable to this project.
9. Any appeal against this environmental clearance shall lie with the National Environment Appellate Authority, if preferred, within a period of 30 days as prescribed under Section 11 of the National Environment Appellate Act, 1997.

Part-C- Special Conditions:

1. The project Proponent shall submit the Water balance sheet, Carbon balance sheet and Energy balance sheet to the authority from time to time.
2. The air pollution control devices /STP shall be installed with interlocking with the main electric supply to the unit having independent energy meter respectively.
3. The Project Proponents shall submit returns/ details of recyclable wastes, and other solid wastes which shall be generated from the process to the Authority regularly.
4. The HP SPCB shall conduct regular monitoring of emissions and treated air, water quality of the project.
5. The Proponent shall undertake installation and commissioning of the requisite pollution control devices concurrent with the construction of proposed project and shall submit progress report to the Authority.
6. The costs of EMP shall be as per the proposal under construction phase (Capital cost: Rs. 6.00 lakhs, Recurring cost. 2.80 lakhs) & Operation phase (Capital cost: Rs. 122 lakhs, Recurring cost. Rs.10.0).
7. The unit shall install DG set shall be provided with proper exhaust muffler and stack height with DG set and other fugitive emission sources shall be more than 10-15 feet above room level. Norms prescribed for DG Sets in the Environment (Protection) Rules, 1986 shall be complied with.
8. The Project Proponents shall provide the appropriate mechanism for the collection, segregation, treatment and disposal of municipal solid waste. The waste will be collected at a specific dumping site inside of the project premises through local occupants and *safai karamcharies* as proposed.
9. The Project Proponents shall install Sewage Treatment Plant (STP) of 400 KLD with SBR Technology for treatment of sewage.
10. The Project Proponent shall collect the rain water by constructing Rain Water Harvesting pits measuring 6M x 4M x 5M as proposed and the total capacity of four RWH (Rain Water Harvesting) shall be 480 m³. The stored rain water shall be utilized regularly for non-drinking usages including firefighting, landscaping, water fall apart from domestic use as proposed.
11. The Project Proponent shall conserve energy through use of Solar light in garden area, open parking area and solar water heater for hot water. The total 13.83 kwh units/annum energy should be saved.
12. The project proponent shall maintain the existing road for about 500-1000 mtrs. outside the project area for about five years post commissioning of the project and shall construct rain shelter on that road under proposed CSR activity with budgetary allocations.
13. All the hazardous wastes shall be managed as per the Manufacture, Storage and Import of Hazardous Chemical Rules, 1989, as amended to date for Isolated Storage and Hazardous Waste (Management, Handling and Trans Boundary Movement) Rules, 2008 as amended from time to time under Environment (Protection) Act, 1986 and authorization from prescribed authority under the Rules shall be obtained.
14. Onsite and offsite Emergency Plans shall be prepared for storage & handling of chemicals by the proponent under the Manufacture, Storage and Import of Hazardous Chemical Rules, 1989, as amended to date, if any.
15. All non-hazardous wastes of domestic originated from the hostels, residential areas, offices etc. shall be strictly managed as per the provisions of Municipal Solid Wastes (Management and Handling) Rules, 2000 as amended from time to time, if any.
16. The unit shall undertake Public liability insurance and shall identify accidents due to fire/ spillage and provide adequate measures to deal with such accidents.
17. The Project Proponent shall ensure that there are proper arrangements for management of occupational health and safety in accordance with the law as required for machinery safety, personnel safety and health care, fire & explosion safety and shall have proper onsite and offsite emergency plans in place. The labourers shall be provided with gumboots, aprons, gloves, helmets etc. desired health safety equipments for their safety during the operational stage of the project.

18. The total power demand for the project shall be 3127 KW (2061 KW for residential + 1066 KW for Hotel) as proposed.

Yours sincerely,

Member Secretary
State Level Environment Impact Assessment Authority
Himachal Pradesh

Dated: 14-2016.

Endst. No. As Above. 10
Copy to following for further necessary action:

1. The Secretary (Environment), Ministry of Environment, Forests & Climate Change, Indira Paryavaran Bhawan, Jor Bagh Road, New Delhi - 110003
2. The Chairman, Central Pollution Control Board, Him Parivesh Bhawan, CBD-cum-office Complex, East Arjun Nagar, New Delhi-110032.
3. The Chairman, Himachal Pradesh State Pollution Control Board, Shimla-171009.
4. The Director (Environment, Science & Technology) to the GoHP, Shimla-171001.
5. Adviser (IA), Ministry of Environment, Forests & Climate Change, Indira Paryavaran Bhawan, Jor Bagh Road, New Delhi - 110003.
6. Additional Pr. Chief Conservator of Forests, Ministry of Environment, Forest & Climate Change, Regional Office, C/o Forest Research Institute, P.O.New Forest, Dehradun, Uttrakhand 248006.
7. Monitoring Cell, Ministry of Environment, Forests & Climate Change, Indira Paryavaran Bhawan, Jor Bagh Road, New Delhi - 110003
8. Record File.

Member Secretary
State Level Environment Impact Assessment Authority
Himachal Pradesh

FILED TODAY

08 JUN 2021

Reader to Reg:

H.P. State Pollution Control Board,
"Him Parivesh" Phase-III,
New Shimla-171009.

ANNEXURE- R/8-2
Water/Air Act(ID-26063)

Dated:

No. PCB (434) Sh.Sunil Kumar Sood residential & Hotel/2016

From: Member Secretary

To: The Director of Tourism,
Department of Tourism, SDA Complex,
Kasumpti,-171 009

Subject: - Consent to Establish for Homeland Exotica mixed land use construction project (Residential and Hotel Project) with a total built up area 46,599.00 Sq.mtrs. at Khasra No. 1363/1127/632/1, 641, 408, 1372/426, 613, 626/1 & 626/3, 1374/627, 1376/1126/628,629,630,631,1368/1137/632,1369/1137/632, 642,643,644,645,646,647,648,649, 429/1, 640, 1,2,3,4,5,6,7,8,9, 321/10, village Kiyari & Rirka, Tehsil & Distt. Shimla H.P.

Sir,

Sh. Sunil Kumar Sood Prop. of M/s Home Land Exotica-Mixed Land use construction Project, House No. 143, Sector-07, Panchkula, Haryana- 134109., have approached to this Board under Water Act, 1974 and Air Act, 1981 for issuing Consent to Establish in their favour construction of Homeland Exotica mixed land use construction project (Residential and Hotel Project) with a total built up area 46,599.00 Sq.mtrs. at Khasra No. 1363/1127/632/1, 641, 408, 1372/426, 613, 626/1 & 626/3, 1374/627, 1376/1126/628,629,630,631,1368/1137/632, 1369/1137/632, 642,643,644,645,646,647,648,649, 429/1, 640, 1,2,3,4,5,6,7,8,9, 321/10, at village Kiyari & Rirka, Tehsil & Distt. Shimla H.P. The State Level Environment Impact Assessment Authority H.P. has accorded the Environmental Clearance in favour of this project vide letter No. HPSEIAA/F (2015) /360-M/s Homeland Exotica mixed land use construction project/-10 dated 01-04-2016. In view of the Environmental Engineer, HP State Pollution Control Board Shimla, Distt. Shimla H.P. vide his on line report dated 12-07-2016 has recommended the case for grant of Consent to Establish. The State Board has examined the application and grants consent to establish under Water Act, 1981 and Air Act, 1981 with the following conditions:

1. This Consent to Establish is subject to the compliance of proceeding of the presentation as already circulated vide Endst. No. HPSPCB (434)Sunil Kumar Sood construction Project-Shimla/ 2016- 11799-11804 dated 17-09-2016.
2. This Consent to Establish is subject to the compliance of conditions of Environmental Clearance as incorporated by the State Level Environment Impact Assessment Authority H.P. vide letter No. HPSEIAA/F (2015) /360-M/s Homeland Exotica mixed land use construction project/-10 dated 01-04-2016.
3. This consent to establish is valid for one year from the date of issue and shall subsequently be got renewed for each financial year or part thereof.
4. This Consent to Establish is only for the purpose and under the provisions of the Water(Prevention and Control of Pollution) Act,1974 and Air(Prevention and Control of Pollution)Act, 1981 as the case may be, and will not construed as substitute for mandatory clearances required for the project under any other law/regulation/direction/order and the applicant shall obtain any such mandatory clearances before taking any steps to establish industry/industrial plant, operation or process or any treatment and disposal system or an extension or addition thereto.
5. This consent to establish is issued for:
 - (i) The domestic sewage 367 KLD shall be treated in sewage treatment plant of having capacity 400 KLD as proposed by the unit. The treatment shall conform to the norms as prescribed in Environment (Protection) Rules, 1986 as amended from time to time.
 - (ii) Garbage(Municipal Solid Waste) shall be disposed off by segregation and composting and organic solid waste.

- (iii) Noise/Emission from DG set conform to limits prescribed in Sr. No. 94 & 95 of Schedule-I of Environment (Protection) Rules, 1986.
- (iv) The organic sludge from STP shall be used as manure in horticulture in the premises.
- (v) Noise & ambient air quality to be maintained within Ambient air Quality Standards for noise as specified in Schedule-III of aforesaid Rules and Noise Pollution (Regulation and Control) Rules, 2000 as well as those CPCB.
6. The proponent shall comply with the provisions of the e-waste (Management & Handling) Rules, 2011, as may be, applicable to it.
7. The proponent shall comply with any other conditions laid down or directions issued by the Board or State Government or Ministry of Environment & Forests, Govt. of India or Central Pollution Control Board under the provisions of the Water (Prevention and Control of Pollution) Act, 1974 and Air (Prevention and Control of Pollution) Act, 1981 and/or Environment (Protection) Act, 1986 as amended from time to time, as the case may be.
8. Construction waste arising due to earth work during construction shall be used for landscaping within the premises and no debris are allowed to be disposed out side the premises.
9. The promoter shall provide adequate arrangement for fighting the accidental leakage's/ discharge of any air pollutant/ gas/ liquids from the vessel, mechanical equipment's etc. which are likely to cause environmental pollution.
10. The promoter shall comply with any other conditions laid down or direction issued by the Board under the provision of the Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981 from time to time.
11. Nothing in this No Objection Certificate shall be deemed to preclude the institution of any legal action nor relieve the applicant from any responsibilities or penalties to which the applicant is or may be subject under the provisions of the Water/ Air Acts.
12. The Promoter shall grow suitable varieties of plants in the premises to maintain greenery.
13. The Promoter shall construct and commission the sewage treatment plant/emission control devices, simultaneously with the main project and the treated effluent/emissions shall conform to the standards as may be prescribed.
14. The promoter shall construct a pucca storage tank of sufficient capacity to hold back the effluent in case of failure of Sewage Treatment Plant/ re-circulation system and also for no demand period.
15. The promoter shall provide terminal manhole at the end of each collection system and a manhole upstream of final outlet(s) out of the premises of the industry for measurement of flow and for taking samples.
16. All under ground water retaining structures shall be lined with an impervious layer so as to avoid seepage and contamination of sub soil/ water.
17. The promoter shall not discharge any fugitive emissions/ odour.
18. The promoter shall obtain consent to operate from this Board and install anti- pollution devices for prevention control and abatement of Water/ Air Pollution before using the for residential and Hotel purpose.
19. The promoter shall make provisions for rain harvesting from the rooftops and built up areas before operation.
20. The promoter shall provide the acoustic enclosure over the DG set as per norms.
21. That the compliance to the norms for emissions/effluent and noise as prescribed of Environment Protection Act, 1986 as amended from time to time.
22. This consent to establish is subject to the ratification by the State Board.
23. The State Board reserves the right to revoke/review and alter the conditions of consent to establish as the case may be.
24. The promoter shall ensure that all the muck to be generated from the construction activities shall be used within the premises.
25. The promoter shall provide the sewage treatment plant for domestic sewage and also make provision for implementation of Solid Waste Management Rules, 2016.

- 20-
26. The promoter shall explore the possibility of connecting the sewer line with Municipal Corporation/IPH sewerage deptt.
 27. The promoter shall provide dual plumbing system for recycling of entire sewage after treatment in the STP for flushing of toilets.
 28. The promoter shall make provision for the implementation of construction and demolition Water Management Rules, 2006.
 29. The promoter shall submit Environment Management Plan consisting of all mitigation measures for each component of the environment, during construction operation and the entire life cycle to minimize adverse environmental impacts resulting from actions of the project.
 30. The promoter shall increase the tree plantation along the periphery of the project and green belt inside the premises of the project.
 31. The promoter shall incorporate best storm water management plan in order to avoid flooding of the area during monsoon.
 32. The promoter shall make adequate provision for the transport infrastructure and traffic management at entry and exit to the project.
 33. Unit shall provide the SBR technology in the sewage treatment plant.

Yours faithfully,

(Dr. Sanjay Sood, IFS)
Member Secretary,
HP State Pollution Control Board
Telephone No. 0177- 2673766

Endst. No. PCB (434) Sh. Sunil Kumar Sood residential & Hotel/2016 22750-54 Date 3.3.17
Copy forwarded to the following for information and necessary action:

1. The Director, Town & Country Planning Department, SDA Complex Kasumpti, Shimla
2. Sh. Sunil Kumar Sood Prop. of M/s Home land Exotica-mixed land use construction Project, House No. 143, Sector-07, Panchkula, Haryana- 134109.
3. The. Env. Engineer, HP PCB, Shimla Distt. Shimla H.P. w.r.t. his on line report.
4. District Tourism Development Officer, Shimla Distt. Shimla H.P.
5. Case file.

(Dr. Sanjay Sood, IFS)
Member Secretary,
HP State Pollution Control Board
Telephone No. 0177- 2673766

ANNEXURE - R/8-3

Government of Himachal Pradesh
Town and Country Planning Department

File No. TCP-F(4)-3/2017 Dated : Shimla-171002,

16-03-2017

ESSENTIALITY CERTIFICATE

In compliance to the revised guidelines circulated vide Department of Revenue Notification No. Rev. B.A. (3)-5/2000-I dated 23-12-2011, this is to certify that land measuring 31768.00 sqm as detailed below situated at Mauja Kiyari on Kh. Nos. 641, 408, 613/1, 630, 631, 1368/1137/632, 1369/1137/632, 640, 642 to 649 and at Mohal Rirka, Tehsil Shimla, District Shimla, H.P. on Kh. No. 1 to 9 and 321/10 is required by Nirvana Woods and Hotels Pvt. Limited House No. 86, Sector 12-A, Panchkula, Haryana. for the purpose of setting up a residential colony:-

Location of Proposed land	Khasra Nos.	Area.
1.	2.	3.
Mauja Kiyari Tehsil and District Shimla.	641,, 408, 613/1; 630, 631, 1368 / 1137 / 632, 1369 / 1137 / 632, 640, 642 to 649.	31768.00 sqm.
Mohal Rirka Tehsil and District Shimla.	1 to 9 and 321/10	
	Total	31768.00.sqm.

1. This land is recommended for transfer after ascertaining the eligibility of transferee as per the criteria laid down by the Department.
2. This land is recommended for transfer in favour of party as the same is essentially required for the aforesaid purpose. The aforesaid activities cannot be run in a lesser area.

14/08/2021
M. M. M. M.
LAW OFFICER
Town & Country Planning Deptt.
Himachal Pradesh, Shimla-171009

FILED TODAY
07 SEP 2021
Reader to Registrar

3. This land is recommended for transfer after obtaining all NOCs from all relevant departments/authorities and after ensuring adherence to any guidelines of the department, under Rule 38-A of the H.P. Tenancy and Land Reforms Rules, 1975.

By Order,

Addl. Chief Secretary (TCP) to the
Govt. of Himachal Pradesh.

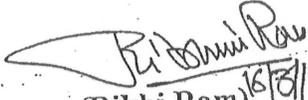
Endst. No. TCP-F(4)-3/2017

Dated, Shimla-2,

16-3-2017

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

1. M/s Nirvana Woods and Hotels Pvt. Limited House No. 86, Sector 12-A, Panchkula, Haryana.
2. The ACS-cum- FC (Revenue) to the Government of Himachal Pradesh, Shimla-2.
3. The Competent Authority-cum-Director, Town & Country Planning Department, H.P., Shimla-9 w.r.t. letter No. HIM/TP/APT/ECM/s Nirvana Woods & Hotels/2017-20380 dated 07-03-2017.
4. The Director, Urban Development Department, Talland, Shimla-171001.
5. The Deputy Commissioner, Shimla, District Shimla, H.P.
6. The Labour Commissioner, H.P. Shimla-171002.
7. The Private Secretary to the Urban Development Minister, H.P., Shimla- 171002.


(Rikhi Ram) 16/3/17
Deputy Secretary (TCP) to the
Govt of Himachal Pradesh.

Attended true copy.
A. M. M.
LAW OFFICER
Town & Country Planning Deptt.
Himachal Pradesh, Shimla-171009

-23-

ANNEXURE R/8-4

No. Rev.B.F. (10)-69/2017
Government of Himachal Pradesh
Department of Revenue

From

The Addl. Chief Secretary-cum-F.C. (Revenue) to the
Government of Himachal Pradesh.

To

✓ M/s Nirvana Woods & Hotels Pvt. Ltd.
through Sh. Pankaj Gupta
House No. 86, Sector-12,
Panchkula-134109 (Haryana).

Dated: Shimla-2,

26-04-2017.

Subject: - Permission to purchase land by M/s Nirvana Woods & Hotels Pvt. Ltd.,
for setting up a residential colony.

Sir,

I am directed to refer to the office letter No. SML-LRM-21(2)/2017-134105 dated 20-03-2017 received from the Deputy Commissioner, Shimla on the subject cited above and to say that keeping in view the provisions of Clause (h) of Sub-Section (2) of Section 118 of the Himachal Pradesh Tenancy & Land Reforms Act, 1972 and serial number (6) of sub-rule (3) of rule 38-A of Rules framed under the aforesaid Act, the Government has granted permission in favour of M/s Nirvana Woods & Hotels Private Limited, to purchase land comprised in Khasra No. 641,408,613/1,630,631,1368/1137/632,1369/1137/632, 642,643,644,645,646,647,648,649,640 and 1,2,3,4,5,6,7,8,9,321/10 measuring ~~03.17.68~~ Hect (31768 Sq. Mtrs) situated in Up-Mohal Kiyari and Mohal Rirka, Tehsil Shimla (Rural), District Shimla, H.P. for setting of Residential Colony on the following conditions:-

1. The permission will be valid for one year from the date of issuance of this letter.
2. In the instant case the details furnished by the applicant have not been verified at Government level and are assumed to be correct. Hence, if at any time it is found that the details are not correct, the permission shall be deemed to have been withdrawn/cancelled and land if so purchased shall vest in the State Government free from all encumbrances, if any. Further, in case any dispute(s) arises between the transferee and the State Government will not be responsible for that and can not be impleaded as party in any court/forum.
3. Your attention is drawn to the proviso below section 118(2)(h) of the Act ibid which requires the purchaser to utilize the land for the purpose for which allowed to be purchased within a period of 2 years further extendable by 1 year. In this regard, this period of 2 years will be counted from the date of registration. However before purchase, please satisfy yourself that you will be able to complete various other formalities to set up the industrial unit, construct factory building, install machinery and start production all within a period of 2 years (extended by one year if required). In case you fail to do this, the land will vest in the State, alongwith structure if any, free from all encumbrances. Further, in case you fail to do so, the Government or any authority can not give extension beyond three years.
4. An entry will be made in remarks column of the concerned Jamabandi with red ink that the transferee will not become an agriculturist on account of such transfer of land and he/she will not become eligible for allotment/lease/grant from the Government. The transferee of land will remain non-agriculturist for all purposes.
5. The stamp duty of land proposed to be transferred will be charged from the transferee as per Law.

Yours faithfully,

Ashish Kohli
(Ashish Kohli)
Joint Secretary (Revenue) to the
Government of Himachal Pradesh

P.T.O.

Attested true copy
M. M. K.
TOWN & COUNTRY PLANNING DEPT.
SHIMLA-171009

FILED TODAY

17 SEP 2017

-24

26-04-2017

Endst. No. As above. Dated: Shimla-2.

Copy is forwarded to:-

1. The Deputy Commissioner, Shimla, Himachal Pradesh.
2. The Deputy Secretary (TCP) to the Government of Himachal Pradesh w.r.t. Essentiality Certificate issued vide letter No. TCP-F(4)-3/2017 dated 16-03-2017 with the request to ensure utilization of land within a period of 2 years and send a certificate to this effect as per direction issued by this department vide letter No:Rev.B.F.(10)-187/2003, dated 29.10.2003.

(Ashish Kohli)

Joint Secretary (Revenue) to the
Government of Himachal Pradesh

Attested true copy.

M. Munt

LAW OFFICER

Town & Country Planning Deptt.
Himachal Pradesh, Shimla-171009

-25-



NOTARY PUBLIC
 Surender Singh Deshta
 Public Notary cum Advocate
 हिमाचल प्रदेश HIMACHAL PRADESH
 Date of Expiry
 27-4-2018
 GOVT OF H.P.

A 527897

FORM - 50

(See Rule 53(1) (b) and Condition No. (ii) of the Licence appended to Form 51)

AGREEMENT BY A PROMOTER TO SET UP A COLONY

This Agreement made on the ...~~27th~~... day of ~~June~~^{August} Two Thousand and Seventeen between Messers NIRVANA WOODS & HOTELS PRIVATE LIMITED through it's Authorized Signatory and Director Sh. Pankaj Gupta S/o Sh. Inderjeet Gupta (hereunder called the Promoter which term shall include his legal heirs, legal representatives, successors and assigns) on the one part and Director, Town and Country Planning Department, Himachal Pradesh, Shimla (hereunder called the Director) on the other part;

Whereas, the Director has agreed to grant a Licence to the Promoter, for setting up a colony on Khasra No. 641, 408, 613/1, 630, 631, 1368/1137/632, 1369/1137/632, 640, 642 to 649 Mauja Kiyari and Khasra No. 1, 2, 3, 4, 5, 6, 7, 8, 9, 321/10 Mauja Rirka, Tehsil Shimla, District Shimla Himachal Pradesh, subject to the conditions that the Promoter shall enter into an Agreement with the Director for carrying out, completion and maintenance of development works in the Colony, in accordance with the Licence granted to him;

NOTARY PUBLIC
 Surender Singh Deshta
 Public Notary cum Advocate
 हिमाचल प्रदेश HIMACHAL PRADESH
 Date of Expiry
 27-4-2018
 GOVT OF H.P.

NOTARY PUBLIC
 Surender Singh Deshta
 Public Notary cum Advocate
 हिमाचल प्रदेश HIMACHAL PRADESH
 Date of Expiry
 27-4-2018
 GOVT OF H.P.

(Handwritten signatures)



16134 21/06/17

Director Ranney Gupta Messers Nirvang Woods & Hotels Pvt Ltd.

H.No. 335

Advocate Enclave Sec-19-A Chandigarh Mahinder Singh

100/

(Handwritten signature)

(Handwritten signature)

Now this deed witnesses as follows:-

1. In consideration of the Director having agreed to grant Licence to the Promoter to set up the Colony or Building on the land mentioned in the Schedule hereto, the Promoter hereby covenant as follows:-
 - (a) To maintain a separate Account in any scheduled Bank of all sums taken by him from the person intending to take or who has taken the Plot or Apartment or Building, as an advance or deposit towards sale price or for any other purpose as required under section 78r of the Himachal Pradesh Town and Country Planning Act, 1977 (Act No. 12 of 1977) and utilize this amount for meeting the cost of development works in the Colony and shall, on demand, in writing, by the Director, make full and true disclosure of all transactions in respect of that Account;
 - (b) That the Promoter shall pay development works charges for development works, as prescribed under sub-section (5) of section 78 p of the Himachal Pradesh Town and Country Planning Act, 1977 (Act No. 12 of 1977), if the main lines of roads, drainage, sewerage, water supply and electricity are to be laid out and constructed by the Government or any Authority constituted under the Himachal Pradesh Town and Country Planning Act, 1977 (Act No. 12 of 1977), or any Local Authority on payment of charges worked out by the Director on pro-rata basis at the time of applying for Completion Certificate and Occupancy Certificate. This will also apply in case the existing services are to be utilized by the Promoter;
 - (c) That the Promoter shall construct or get constructed at his own cost health dispensary, community centers and other community buildings, sewerage, street lights, water supply, lifts as per the approved plan on the land set apart for this purpose or transfer such land to the State Government or Local Authority free of cost. The State Government shall be at liberty to transfer such land to any Local Authority or person or Institution on such terms and condition, as it may deem fit and to be utilized for the above purposes;
 - (d) That the Promoter shall be responsible for maintenance and upkeep of all roads, open spaces, public health services for a period of five years from the date of issue of Completion Certificate under the Building Regulations unless earlier relieved of this responsibility and thereupon shall transfer such roads, open spaces, public parks and public health services free of cost to the Local Authority or Institution or registered Resident Welfare Association, as the case may be;

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[Handwritten signature]

ATTESTED
PUBLIC NOTARY
GOVT OF H.P. SHIMLA

- (e) That the Promoter shall permit the Director or any other Officer authorized by him, to inspect the execution of layout and development works in the Colony during office hours and to carry out all directions issued by him for ensuring due compliance of execution of layout of and development works in accordance with the Licence granted;
- (f) The Promoter shall give undertaking to establish a Colony/ Apartment after obtaining necessary approval/ no objection certificate required under the provisions of the Water (Prevention and Control of Pollution) Act, 1974 and Air (Prevention and Control of Pollution) Act 1981 and Environment Protection Act, 1986 (wherever applicable) after the grant of Licence from the Himachal Pradesh State Environment Protection and Pollution Control Board within one year of issuance of Licence. Consent to operate a Colony/ Apartment shall be submitted from the Himachal Pradesh State Environment Protection and Pollution Control Board to the Director at the time of applying for part or completion of the project; and
- (g) That without prejudice to anything contained in this Agreement, all the provisions of the Himachal Pradesh Town and Country Planning Act, 1977 (Act No. 12 of 1977) and the Himachal Pradesh Town and Country Planning Rules, 2014 and Regulations made there under, shall be binding on the Promoter.

2. Provided always and it is hereby agreed that if the Promoter commits any breach of the terms and conditions of this agreement or violate any provisions of the Himachal Pradesh Town and Country Planning Act, 1977 (Act No. 12 of 1977) of the Himachal Pradesh Town and Country Rules, 2014 or the Regulations made thereunder, then, and in any such case, and notwithstanding the waiver of any previous cause or right, the Director may, revoke the Licence granted to him.

That stamp and Registration charges on this deed shall be borne by the Promoter.

In witness thereof the Promoter and the Director have signed the deed on the day and year first written above.



Director (Director)
Town & Country Planning Deptt
P. Shimla 170006

(Promoter)

1. Witness... dated

K. R. SAINI H.No. D-15 (T F)
Sector 5 Phase II NEW SHIMLA HP.

2. Witness... dated 3/8/2017

Mahinder Singh
H.No. 433/2 ARJUN Nagar
Karnal (HR)

Notarized by
CSK
Adv

Public Notary
Govt of H.P.
Shimla HP

3/8/17



Department of Town & Country Planning
Government of Himachal Pradesh

FORM-60

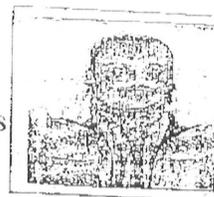
(See rule 56-A)

LICENCE AFTER TRANSFER OF PROJECT

File No. HIM/TP/Apt-Lic.-04/2015-M/s Nirvana Woods & Hotels (P) Ltd.

Shimla, Dated:

Registration No. RM0063/2016, Valid upto 01.11.2021.
Name of Transferor Promoter: Sh. Sunil Kumar Sood.
Name of Transferee Promoter: M/s. Nirvana Woods & Hotels
Private Ltd.
Status of Transferee Promoter: Company.



Permanent Address: House No.86, Sector-12, Panchkulla, Haryana.
Correspondence Address: House No.86, Sector-12, Panchkulla, Haryana
E. mail: ca_sunilsood@yahoo.com.in , Phone No. 9216700999
Project Name/ Style: Nirvana Woods & Hotels.
Description of land: Khasra Nos. 408, 613/1, 630, 631, 1368/1137/632,
1369/1137/632, 640 to 649 at mauza Kiyari and Kh.
No.1 to 9 & 321/10 at mauza Ridka Kita-26,
measuring 31768.00 sqm, Tehsil and District
Shimla, Himachal Pradesh.

Licence No. HIM/TP/LIC-04/2015 Dated :17/12/2015, Valid upto:16/12/2020

Due date of Renewal: 17/12/2020

Renewed upto :--

This Licence is granted for the aforesaid project in accordance with the revised project plan/drawings approved by The Member-Secretary, SADA(Shoghi)-cum-Town & Country Planner, Shimla, H.P. vide letter No. SADA(s) Case No. 481/2011-401 dated 18.01.2017, subject to the condition that the undersigned has right to withdraw or cancel this Licence at any time during its tenure, if the Licensee/Promoter has given any wrong information in his application or violates the provision of the Himachal Pradesh Town and Country Planning Act, 1977 and rules made thereunder.

Place; Shimla

Dated:

(Signature)
(SANDEEP KUMAR)

Director,

Town & Country Planning Department,
Himachal Pradesh, Shimla-171009,
Phone No. 0177-2622494

File No. HIM/TP/Apt-Lic.-04/2015- M/s. Nirvana Woods & Hotels (P) Ltd/2017 -3966-7
Shimla, Dated: 4-8-17

Copy to:-

1. M/s Nirvana Woods & Hotels (P) Ltd, House No.86, Sector-12, Panchkulla, Haryana.
2. The Private Secretary to Hon'ble Minister (TCP) to the Government of Himachal Pradesh, Shimla-2.
3. The Additional Chief Secretary (TCP) to the Government of Himachal Pradesh, Shimla-171002.
4. The Additional Chief Secretary (Revenue) to the Government of Himachal Pradesh, Shimla-171002.
5. The Deputy Commissioner, Shimla. District Shimla, H.P.
6. The Registrar/ Sub-Registrar, Tehsil Shimla (Rural), Distt., Shimla H.P. with the request not to register any sale deed in case of Apartments/Colonies unless completion and occupation certificate is given by the Director, TCP Department to the Builder/Promoter.
7. The Member-Secretary, H.P. State Environment & Pollution Control Board, Shimla-9.
8. The Member-Secretary, SADA(Shoghi)-cum-Town & Country Planner, Shimla, H.P. w.r.t. his office letter No. SADA(s) Case No. 481/2011-401 dated 18.01.2017, for information.

4/8/2017
(SANDEEP KUMAR)

Director,

Town & Country Planning Department,
Himachal Pradesh, Shimla-171009;

Attested true copy.



COMS No. 23 of 2018

ANNEXURE R/8-7

26.6.2018

Present: Mr. Ankush Dass Sood, Senior Advocate with Mr. Rakesh Kumar, Advocate, for the plaintiff.

Notice, on steps being taken within a week, returnable within three weeks, thereafter. List after completion of service.

OMP No.269 of 2018

Notice in the aforesaid terms. Till further orders, the parties are directed to maintain status quo qua construction, sale, alienation, transfer, creating third party interest and/or in respect of all the matters concerning the suit land comprised in six sale deeds (bearing sale deed No.650, sale deed No.651, sale deed No. 652, sale deed No. 653, sale deed No .654 and sale deed No. 655.

Copy dasti.

(Sureshwar Thakur)
Judge

June 26, 2018
(Kalpana)



-32-

ANNEXURE R-18-8

COMS No. 8 of 2017 a/w COMS
No. 23 and COMS No. 25 of 2018

COMS No. 8 of 2017

27.9.2018

Present: Mr. G.D. Verma, Sr. Advocate with Mr. Atul G. Sood, Advocate, for the plaintiff.

Mr. Bhupender Gupta, Sr. Advocate with Mr. Neeraj Gupta, Advocate, for defendant No.1.

Mr. Bipin C. Negi, Sr. Advocate with Mr. Suneet Goel, Advocate, for defendant No.2.

COMS No. 23 of 2018

Mr. Ankush Dass sood, Sr. Advocate with ms. Shweta Julka, Advocate, for the plaintiff.

Mr. Bipin C. Negi, Sr. Advocate with Mr. Suneet Goel, Advocate, for the defendants.

COMS No. 25 of 2018

Mr. Bipin C. Negi, Sr. Advocate with Mr. Suneet Goel, Advocate, for the plaintiff.

Mr. Ankush Dass sood, Sr. Advocate with ms. Shweta Julka, Advocate, for the defendant.

OMPs No. 455, 185, 184, 128 of 2018 & OMP No. 415 of 2017 in COMS No. 8 of 2017 and OMP No. 459, 397, 285, 270, 269 of 2018 in COMS No. 23 of 2018 and OMP No. 376 of 2018 in COMS No. 25 of 2018.

The learned counsel for the plaintiff(s) in COMS No. 8 of 2017 and COMS No. 23 of 2018, have, placed on record, a, notification, of, 14.10.2016, issued by the competent Authority, with disclosures therein, qua, the lands in respect whereof sale deeds are executed, hence occurring within the limits of Municipal Corporation, Shimla. The requisite building permission, therefrom, though required, yet does not exist, on record.

Consequently, the defendants concerned may raise construction upon the suit land, only upon their holding the requisite permission, if any, granted by all the statutory authorities concerned, besides till an adjudication is meted, upon, the afore OMPs, thereupto, the authorities concerned, may not, process, the building plans'.

The matters are heard for a considerably long time. For continuation, list on **23.10.2018**.

Dasti copy.

27th September, 2018
(kck)

**(Sureshwar Thakur),
Judge.**

High Court

From rosy jit <gr0604@yahoo.co.in>

Date Sat 11/15/2025 2:55 PM

To cs-hp@nic.in <cs-hp@nic.in>; Hppc.itdivision@gmail.com <Hppc.itdivision@gmail.com>; TCP-hp@nic.in <TCP-hp@nic.in>; Mcdml-hp@nic.in <Mcdml-hp@nic.in>; Dest@hp.gov.in <Dest@hp.gov.in>; Pankajgupta8612@gmail.com <Pankajgupta8612@gmail.com>; Prince <prince@artlo.in>; Aastha Tyagi <aastha@artlo.in>; Manan Takkar <manantakkar@artlo.in>

 1 attachment (23 MB)

PAWAN BANTA.pdf;

Pls find the aforementioned reply enclosed herewith.

Regards

Gurinder Jit

Advocate

9810487662

Sent from my iPad