

**BEFORE THE NATIONAL GREEN TRIBUNAL****PRINCIPAL BENCH, NEW DELHI****OA No. 215/2022****AASHISH SARDANA****...APPLICANT****VERSUS****M/S VATIKA LTD. & ANR.****...RESPONDENTS****INDEX**

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Answering Proponent

(M/s Creative Buildwell Pvt. Ltd.)

THROUGH

DATE:05.02.2024  
PLACE:NEW DELHI

  
AKSHITA GOYAL/APURVA GAUR/  
NEHA CHAWLA  
206 2ND FLOOR MERCANTILE HOUSE 15 KG  
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**BEFORE THE NATIONAL GREEN TRIBUNAL**

**PRINCIPAL BENCH, NEW DELHI**

**OA No. 215/2022**

**AASHISH SARDANA**

**...APPLICANT**

**VERSUS**

**M/S VATIKA LTD. & ANR.**

**...RESPONDENTS**

**IN RESPONSE THERETO ON BEHALF OF M/S CREATIVE**

**BUILDWELL PVT. LTD. PURSUANT TO ORDER DATED 24.04.2023**

*Most Respectfully Submitted,*

1. That M/s Creative Buildwell Pvt. Ltd. is engaged in the business of real estate, and hotels having registered office at 201/6, Kaushalya Park, Hauz Khas, New Delhi – 110056 and Mr. Vithal Mittal, Director is the Authorized Representative vide board resolution dated 03.10.2023.  
Copy of Board Resolution dated 03.10.2023 is annexed herewith as **ANNEXURE- A.**
2. Vide order 24.04.2023, this Hon'ble Tribunal has sought response from the project proponents (hereinafter referred to as "PP") qua alleged violation. In compliance thereof, the answering project proponent submits hereunder and in the interregnum, without prejudice, since copy of the

record was unavailable, seeks liberty to file a detailed response if and as and when the circumstances warrant.

However, at the outset, the answering PP posits that the instant is a *misjoinder* of parties in relation to the answering PP, as through perusal of the order dated 24.04.2023, the main allegation seems that 'the project in question had not been granted requisite EC and was being set up in violation of EIA Notification dated 14.09.2006.' As per said notification, norms and prevalent practice, in the case of answering PP, environmental clearance in the form of EC was not required and that the present project falls **below 20,000 sqm** i.e 18358.39 sqm. Rather Consent to Establish (CTE) was applied for and after scrutiny, subsequently granted on 08.11.2012 by Haryana State Pollution Control Board. Thereafter, construction was started.

Copy of the CTE dated 08.11.2012 is attached herewith as **ANNEXURE-B**.

3. The answering PP does not fall under the notification dated 14.09.2006 wherein it is held that all projects with built up area more of 20,000 sq mtrs. need to have EC under Category 8 (a), EIA Notification 2006 and now since the answering PP does not fall under this category and that a valid Consent to Establish, after due scrutiny, was issued by HSPCB, the answering PP was not mandated to secure EC.

4. It is reiterated that the PP cannot be rendered liable for contravention of EC as the present project does not fall under the category 8 (a) of EIA of 2006 for requiring EC. Furthermore, due to ongoing procedural impediments, delay & latches on part of the government authorities, the answering project proponent is constrained to cede the built structure non-functional, therefore stands unutilized, incurring colossal losses and neither generates any income nor provides any employment or livelihood. Further, in no circumstance attracts polluter- pays principle, hence, imposing any penalty is unjustified.
5. That the case is pending before State Expert Impact Assessment Authority, Haryana (SEIAA) and vide 158<sup>th</sup> Meeting of SEIAA held on 02.06.2023, the authority decided to keep it pending and deferred the case forming the following issues/questions:
  1. *Why did Project Proponent apply under Violation Category, when there was no violation/non-compliance?*
  2. *Reports of all the sub-committees right from the beginning i.e., from 2014 to 2023 are not in harmony and unanimous.*
  3. *The latest report of the Sub- Committee emphasized/ suggested that the actual dimensions & size of the structure maybe got measured from the Expert Agency/ Department i.e., Town & Planning Department, Haryana as the Sub- committee holds no expertise in this regard.*

6. In response thereto, adverting specifically over the above framed issues/questions, the answering PP made a representation to SEIAA detailing facts with supporting documents.

Copy of the reply dated 03.10.2023 by SEIAA of the RTI application of the Project Proponent is attached as **ANNEXURE-C**

Copy of the Clarification/representation made to the Chairman, SEIAA dated 03.10.2023 along with annexures, and its Receiving by SEIAA dated 05.10.2023 is attached herewith as **ANNEXURE-D**.

7. The answering PP herein, had procured a project for the construction of a 5-star hotel and had acquired a land parcel admeasuring 5.75 acres at Khasra No. 120/ /1, 2, 9, 10/1, 10/2, 11/2, 12, 121/ /6 in the revenue estate of Village Ghamroj District, Gurgaon. It is reiterated that answering project proponent had undertaken construction below 20,000 sqm (built-up area admeasuring **18358.39 sqm**). The answering project proponent once again strongly reiterates and affirms that the answering project proponent has constructed a built-up area of less than 20,000 sqm and undertook through affidavit and undertakings before SEIAA and DTCP that it will not expand its project. and the same is reflected in various **inspection reports** detailed thus-

- On 05.07.2023, Ld. Member Secretary, SEIAA vide Memo No. SEIAA/HR/ 2023/453 sought status report from Senior Town Planner, Gurugram,

The Department of Town and Country Planning (DTCP), and in furtherance thereof, vide letter dated 11.08.2023 sent by Office of Senior Town Planner, Gurugram, DTCP bearing Memo No. STP(G)/2023/5058 submits at point 4, "DTP (E), Gurugram reported that the built-up area with Non- FAR/ covered area is 18,359.38 Sqm".

- Moreover, Ld. Member Secretary, SEIAA again vide letter dated 03.08.2023 bearing Memo No. SEIAA/HR/2023/516 sent to Director General, DTCP requesting measurement of actual dimensions of Structure as it currently stands at the undersigned PP's site and further sought detailed report. (Copy of Memo/letter by SEIAA to DTCP dated 03.08.2023 is annexed herewith as ANNEXURE-E). In response thereto, the Director General, DTCP vide letter Memo no. GN-2064- Vol. II/JD(RA)/2023/29378 dated 05.09.2023 through its detailed report reiterated the actual measurements as 18,359.38 sqm. Therefore, it is succinctly inferred by the Expert Agency/ Department i.e. Town and Country Planning Department that the built-up area is less than 20,000 sqm. (Copy of DTCP letter dated 05.09.2023 and STP, Gurugram report dated 23.08.2023 is enclosed as ANNEXURE-F).
- Previously, Site inspection was conducted on 05.07.2014 by Sub-Committee of SEAC, Haryana comprised of Chairperson Sh. IG Juneja and various members of the Expert Appraisal Committee, in compliance with 104th SEAC meeting and according to its findings the undersigned PP had already completed structure of Basement, Ground + 11 stories and

that the total built up area constituted 16,616 sqm. Approximately Copy of Site inspection report dated 05.07.2014 is enclosed as ANNEXURE-G.

- Further, upon SEIAA directions to constitute a sub-committee to ascertain status of construction, a site visit was conducted on 28.12.2022 and it was found that no construction activity is going on at the site presently and that the work is abandoned since long. (Copy of Site Report dated 28.12.2022 Enclosed herewith as ANNEXURE-H).
- SEIAA vide order dated 20.03.2023 had constituted a committee comprising of (1) Member Secretary SEIAA, IAS Sh. Pardeep Kumar (2) Regional Officer, HSPCB (Gurgaon) (3) Sr. Environmental Scientist, HSPCB, Panchkula for the purpose of inspection and ascertain actual status of construction and accordingly visited site on 22.04.2023. The report was submitted to Chairman, SEIAA and cited project details certified by Ar. Vikkey (CA- 2017- 86236) which admeasured the built-up area as 18,359.38 sqm. (Copy of the MS, SEIAA site visit report dated 22.04.2023 enclosed herewith as ANNEXURE-I).

The aforesaid facts are concomitant and clearly signify that the undersigned PP never undertook construction beyond 20,000 sqm at any given point in time and bonafide endeavors to comply with the prevalent norms. The construction at site got commenced

only after grant of Consent to Establish (CTE) dated 08.11.2012 (abovementioned Annexure B) by Haryana State Pollution Control Board. Further, during the scrutiny of our application for grant of CTE, we had been specifically asked to submit undertaking/affidavit before DTCP and HSPCB deposing that the PP would not undertake construction beyond 20,000 sqm. (Copy of the affidavit/undertaking of the Project Proponent is attached as ANNEXURE-J).

8. Brief factual matrix relevant herein is engrafted thus-

- a) The answering PP applied for the grant of Change of Land Use Permission (CLU) for construction vide application dated 26.12.2007 as per the prevalent procedure with an objective to uplift, develop, promote and create livelihood and job opportunities in rural areas alongside business development., addressed to the Director General, Department of Town and country Planning (DTCP), Haryana.
- b) The Government of the State of Haryana, through its Department of Town and Country Planning issued a Letter of Intent (LOI) vide ref no. G-2064- JE (/b)- 2008/7379 dated 22.12.2008 for construction of aforesaid 5 star hotel/project.
- c) Thereafter, after complying with all codal formalities and payments of charges amounting to Rs. 2,15,78,791/- towards conversion charges, Rs. 1,78,18,861/- on account of 25% of total license fee & infrastructural development charges and Rs. 10,600/- as composition

fee, CLU finally secured, got approved and granted on vide ref no. G-2064-JE(SS)2009/206 dated 13.1.2010.

- d) As per the terms and conditions provisioned under CLU dated 13.1.2010 issued by the department of Town and Country Planner, Haryana, Clause (5) & (6), the answering PP was required to seek sanction of Zoning Plans/ Building Plans prior to raising construction of the hotel structure as sanctioned by the concerned authorities and thereafter complete construction within a period of two years from the date of issuance of permission. Hence, setting stringent timelines.
- e) Therefore, the Answering PP immediately thereafter, upon issuance of the CLU, without any delay whatsoever, completed the requisite formalities as required by the DTCP, Haryana and submitted the Zonal plans for approval & sanction at the earliest on 25.6.2010. Subsequently, the Zonal Plans were approved by the Department of Town & Country Planning (DTCP) on 05.08.2010.
- f) However, the submitted Building Plans were pending approval before the DTCP for more than one year and received approval on 01.09.2011.
- g) As a part of procuring requisite license, sanctions, approval from various governmental departments and agencies, the answering PP obtained the approval of the Airport Authority of India (AAI) and subsequently received the said approval on 20.09.2011.

- h) That the answering PP had also additionally applied for permission to 'Access from the Road' from the PWD- Building and Roads (PWD- B&R) in Feb, 2009, but despite the fact that all the requisite documentary and additional requirements of the PWD B&R had been complied with by the answering PP in the shortest possible span of time, the requisite permission was issued by the PWD after a massive delay of more than 2 years and 5 months on 16.7.2011.
- i) That as per clause 8(a) of the CLU dated 13.1.2010 issued by the office of DTCP, Haryana, the answering PP was also required to seek clearance from the Ministry of Environment and Forest, Government of India (MOEF) in accordance with the mandate of the notification dt. 14.9.2006 prior to the initiation of development works at the site.
- j) Pursuant thereof, the answering PP submitted the application dated 25.11.2010. It is apposite to mention that the submission of sanctioned Zoning plans/ Building Plans by the DTCP, Haryana was a pre-requisite and indispensable for adherence as in the prescribed format with the office of the Secretary, State Expert Appraisal Committee (SEAC), Haryana the same was mentioned.

- k) The answering PP has been a victim of unnecessary delays on account of government agencies and had submitted various reminders to them for the grant of Environmental clearance.
- l) The answering PP learnt that the Hon'ble SEAC had been dissolved in March/April 2011 and that all the cases being handled by the SEAC had been relegated to the Ministry of Environment, Forest and Climate Change (MoEF), Government of India, but to no avail as the response was yet awaited. It is pertinent to mention that the strict timelines set forth in the CLU were concurrently running and as per terms engrafted, and the CLU validity/term would expire after two years as per Clause (10).
- m) That as per the directions of SEAC AND HSPCB, the answering PP had also sought permission from the D.C. Gurgaon to get NOC from the Land Revenue Authorities about the land being outside Aravalli Hill Notification and also to obtain NOC from the Forest Department stating that the said CLU Land is not Forest Land, and the same was obtained on 24. 9. 2012 after a lapse of more than a year and a half.
- n) Meanwhile, on account of the impending expiry of the period prescribed in CLU dated 13.01.2010 since the fulfilment of terms and execution of agreement was to be completed within a period of 2 years from the date of issuance of the said permission, the answering PP bonafidely applied for extension of time (EOT) from the DTCP,

Haryana citing the aforementioned unforeseeable circumstances and pleaded that the delay in initiation of construction work at the site and its completion had been caused due to the delay in receiving the requisite sanctions, approvals, permissions from the various government departments (AAI, DTCP, DC Gurgaon, Land Authorities etc.) and that EC is applied for and still pending at the stance of the department. It is noteworthy to mention that the answering PP was compelled to apply for extension with no fault attributable to the answering PP and was rather a sufferer of delay and interlude.

- o) It is pertinent to mention here that since exponential time had passed obtaining permission from various governmental agencies, varied approvals and compliances with no fault or dereliction attributable to the answering PP in the said regard, rather such events caused losses to the answering PP.
- p) Resultantly, to curtail further losses, the Answering PP was constrained to re-plan his entire project, despite getting requisite sanctions and approvals from all the other government departments. Considering, that in case the required Environmental Clearance is being ceased for reasons beyond the control of the Answering PP, the Answering PP, therefor, had no choice but was compelled to replan the total Built up area of the project below 20,000.00 sq meter (which

is the minimum built up area requirement for enforceability/ applicability of Notification no. 553 dated 14.09.2006). Moreover, since the time stipulated for Completion of Construction would expire shortly, therefore, as a consequence, under no circumstances the construction of the entire project would have been possible within the remaining period, due to foregoing circumstances the answering PP undertook before the authorities to construct on less than 20,000 sqm.

- q) At the very earliest, the answering PP was constrained to apply for 'Consent to Establish' (CTE) with the Haryana State Pollution Control Board on 12.12.2011 and then also, the Consent to Establish was granted by the HSPCB on 8.11.2012 vide (CTE) no. HSPCB/TAC/2012/1840, after a lapse of almost one year.
- r) Since the Consent to Establish was a requirement for projects built below the limit of 20,000 sqm. thence, adhering the aforesaid the answering PP vide application dated 31.10.2012, submitted:
- Undertaking dated 18.01.2012 before the HSPCB clearly stating that the Project build up area will not be beyond 16,000 sqm. (Undeniably below the 20,000 sqm. therefore falling below the range wherein enforceability of EC requirement is necessitated). Further, the undertaking succinctly

mentions, "*We undertake that in case of expansion in the next phase area exceeds that of 20,000.00 sq. meters will apply for environmental clearance from State Government as per notification dated 14.09.2009.*" Clearly expressing bonafide of the answering PP.

- Bank Guarantee

Accordingly, after scrutiny, the HSPCB granted Consent to Establish dated 08.11.2012.

- s) That after obtaining the CTE, the answering PP commenced construction works and abandoned the building of structure beyond 20,000 sqm due to the forgoing procedural delays for obtaining EC, changes in regime and ambiguity caused thereof by the governmental agencies, which ultimately was resulting in colossal loss to the answering PP.
- t) While, the project was underway, the answering PP, for futuristic purposes, and being desirous of obtaining EC timely in case the circumstances allow any kind of expansion, propounded phase wise plan, expansion being in the second phase, if at all, and in accordance with approvals, consequently still applied for EC, duly paying additional fee, vide application dated 13.10.2012.

- u) In the proposed expansion itself the answering PP made it undoubtedly clear that Answering PP shall not go for expansion of the project unless and until the First phase of the project for which the Consent to establish has already been obtained by the Answering PP is Completed and that the said project becomes operational and Consent to operate is obtained from Competent authorities. Departments i.e., the Answering PP shall only construct the Built-up area of 16,000.00 sq meters as already submitted in the undertaking so submitted with Haryana State Pollution Control Board.
- v) However, due to apparent ambiguity and uncertainty in procedure of State Environmental Impact Assessment Authority, Haryana and EC, the answering PP decided to withdraw proposal to expand vide withdrawal application dated 04.07.2013.
- w) The Answering PP has been a victim and sufferer of gross procedural delays and has as a corollary spent several hundred of lakhs for procuring CLU, grants, permissions, approval. The Answering PP, in order to obtain the CLU for 2 years, which too was granted after a lapse of one year from the date of request had applied for EC for which CLU was a pre-requisite and thereafter waited for significant long period of time but to no avail. Consequently, the project of the answering PP was left in abeyance and finally to atleast commences work; the answering PP had to devise a plan of action and curtailed

the area of construction and to not incur further losses. This has caused uncalled disruption of business, despite answering PP adhering to and being compliant of norms. The Answering PP had to again apply for a further extension which was only granted after persistent and rigorous efforts for the Period of 1 year and another substantial extension fee had to be borne by the Answering PP, the said period of extension is also going to expire in January 2013. Further, due to the still ongoing interlude, and due to more procedural and departmental delays, the answering PP is unable to enjoy the fruits of his investment being divested of the same.

- x) By then, due to the foregoing events, the answering PP was convinced that the implementation of 'Expansion Phase' is not possible prior to the expiry of the period granted for construction in the extended CLU terms, and therefore had decided to only implement the present project only and have the built up area as it is construct less than 20,000 sq. meters. The Answering PP had vide its letter dated 14.05.2013 to Director General, Gurgaon of its intention to construct less than 20,000. - sq meters as built-up area of its project. The answering PP had also previously in its letter dt. 01.09.2011, intimated the DTCP, Haryana of its intention of developing an area under 20,000 sq meters due to the time constraint. The answering PP had again, reiterated its stand to construct the aforesaid area and with

the said intention had again informed the DTCP, Haryana in said regard.

y) It is most relevant to mention here that the answering PP had abandoned all/any plans to expand/enhance the built-up area of the project beyond 20,000 sq.mtrs. That for aid, advise and to apply for the requisite licenses, the answering PP had engaged consultants (which is the prevalent practice) and due to their ill-advice, had inadvertently applied under SOP 07.07.2021 "violation" category (PP had also applied due to orders of SEIAA and the Show Cause Notice dated 16.06.2022). That soon after realizing the mistake, the answering PP requested for withdrawal. That ever since, the matter is pending adjudication.

#### **PRAYER**

In consideration of foregoing circumstances, it is humbly prayed that since the project of the answering PP is only 18359.38 sqm (less than 20,000 sqm.) shall not be covered and governed by the Provisions of Notification no. 1553 dated 14.09.2006, hence shall not require Environmental Clearance. Further, it is apposite to mention, that since the construction of the project (which is under 20,000 sqm), yet the site is till date not functional and has therefore not caused any environmental hazard,

whatsoever. Rather, the answering PP, due to the facts and circumstances encompassing the present case is posed with a stronger dilemma which has caused exorbitant losses, disruption of business, has been a victim of disproportionate penalty and is suffering a legal battle and is injuncted from availing the project.

**Therefore,**

- (a) the answering Project Proponent not be enjoined in the array of parties before this Hon'ble Tribunal as the case of the answering PP is not at parity with other projects, hence, arraying the answering PP in the memo of parties herein would lead to misjoinder of parties;
- (b) Quash the proceedings under violation category;
- (c) Any other and further reliefs as this Hon'ble Court may deem fit and proper to meet the ends of justice.

NEW DELHI  
DATE

A handwritten signature in black ink, appearing to be 'Nishant', written over a horizontal line.

ANSWERING PROJECT PROPONENT  
(M/S CREATIVE BUILDWELL PVT. LTD.)

THROUGH COUNSEL

**BEFORE THE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI  
OA NO. 215/2022**

**IN THE MATTER OF:**

**AASHISH SARDANA**

**... APPLICANT**

**VERSUS**

**M/S VATIKA LTD. & ANR.**

**... RESPONDENTS**

**AFFIDAVIT**

I, Vithal Mittal, S/o Sh. Manoj Mittal, R/O W,-113, Lane W19, Sainik Farms, Delhi-110062 aged 35 years, do hereby solemnly affirm and declare as under:-

1. That I am the Director of the Project Proponent i.e Creative Buildwell Pvt. Ltd. and fully conversant with the facts of the case and hence am fully competent to swear this affidavit.
2. That accompanying Response on behalf of Deponent including annexures, list of dates and contents of Page No. 4 to 18 of the Response are true and correct to my knowledge and are based on legal advice. Last Para is prayer to this Hon'ble Tribunal.
3. That the annexures filed alongwith the Petition are true copies of their respective originals.



**06 OCT 2023**

*Vithal Mittal*  
**DEPONENT**

**VERIFICATION**

**0 6 OCT 2023**

Verified at Delhi on this the \_\_\_\_\_ day of ....., 2023 that the contents of my above affidavit are true and correct to the best of my knowledge and belief, no part of it is false and nothing material has been concealed therefrom.

**0 6 OCT 2023**

**DEPONENT**

*Neha Chauhan*  
D 11934/21  
I identify the deponent who has signed put thumb impression in my presence.



I CERTIFIED THAT THE DEPONENT  
Name Smt./M... *Mehal Mittal*  
Sex/Mr./Ms./Sh... *Kanay Mittal*  
R.O. ....  
Identified by Shri/Smt... *Neha Chauhan Adv.*  
Has solemnly affirmed before me at Delhi  
SI. No. *1/23*  
The contents of the affidavit which have been read & explained to him are true and correct to his knowledge  
*Mohit*  
Oath Commissioner Delhi High Court

**0 6 OCT 2023**

21 1



# CREATIVE BUILDWELL PVT. LTD.

BUILDERS • DEVELOPERS • COLONISERS

EXTRACTS OF MINUTES OF MEETING OF BOARD OF DIRECTORS OF M/S CREATIVE BUILDWELL PVT. LTD. ON 07<sup>TH</sup> OCTOBER, 2023 AT ITS REGISTERED OFFICE 201/6, KAUSHALYA PARK, HAUZ KHAS, NEW DELHI-110016 AT 12:00 P.M.

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RESOLVED THAT Mr. Vithal Mittal S/o Sh. Manoj Mittal, Director of the Company, who is fully conversant with the facts of the case, is hereby authorized by the Board to act on behalf of the company M/s Creative Buildwell Pvt. Ltd. to appoint Advocate and to appear on behalf of the Company in regard to Appeal Titled-Ashish Sardana vs. M/s Vatika Ltd & Others in the National Green Tribunal, Principal Bench, New Delhi.

FURTHER RESOLVED THAT Mr. Vithal Mittal is also authorized to sign & file the papers including the Affidavit Application pertaining to the filing of the Appeal on behalf of the the company Creative Buildwell Pvt. Ltd. in National Green Tribunal, Principal Bench, New Delhi. We hereby admit ratify and confirm the actions, deeds, and things, to be done by our above authorized representative in this regard, as if done by us and shall be binding upon us.

For CREATIVE BUILDWELL PVT. LTD.

  
(Authorized Signatory)

For CREATIVE BUILDWELL PVT. LTD.

  
(Authorized Signatory)

ANNEXURE - B

Tel/Fax No. - 0172-2577870-73

MSW 2018

No. HSPCB/TAC/2012/1411 : Dated: 14/11/12  
REGD

M/s Creative Buildwell Pvt. Ltd.  
2018, Kausalya Park Hauz Khas  
New Delhi - 110015

Subj: Consent to Establish from pollution angle - M/s Creative Buildwell Pvt. Ltd., Sohna- Alwar Road Village-Ghazipur, Tehsil-Sohna, District-Gurgaon.

Please refer to your Consent to Establish application received in this office on the subject noted above under the Authority of the Haryana State Pollution Control Board vide its agenda item No. 47 dated 14/11/12 sanctioned to the issue of "Consent to Establish with respect to pollution control of Water and Air" issued to the unit M/s Creative Buildwell Pvt. Ltd., for 5 star Hotel & Suits at Sohna- Alwar Road, Village-Ghazipur, Tehsil-Sohna, District-Gurgaon (Haryana) with the following terms and conditions:-

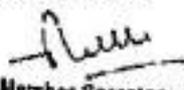
- 1 The Project has declared that the quantity of effluent shall be 350 m<sup>3</sup>/Day to 250 m<sup>3</sup>/Day for Trade Effluent 100 m<sup>3</sup>/Day for Cooling, 100 m<sup>3</sup>/Day for Domestic and the same should not exceed maximum strength and same should be used in Horticulture after treatment.
- 2 The above "Consent to Establish" is valid upto Two years or the date of commissioning whichever is earlier. The unit will have to set up the plant and obtain consent during this period.
- 3 The unit will maintain proper log book of Water meter/sub meter magnetic flow meter before/after commissioning.
- 4 That there is no discharge directly or indirectly from the project or the process into any interstate river or Yamuna River or River Ghaggar or any other river or either through a direct flow or indirectly without any treatment.
- 5 The unit will use only non-ozone depleting substances in Air conditioning unit of the project.
- 6 That the project or the unit concerned is not sited within any prohibited distances according to the Environmental laws and Rules, Notifications, Orders and Policies of Central Pollution Control Board and Haryana State Pollution Control Board.
- 7 That the unit will comply with all Hazardous Waste Rule of applicable relating to Handling, storage and disposal as required by Central Pollution Control Board, Haryana State Pollution Control Board & GCI.
- 8 The Project proponent should adopt water conservation measures to ensure reuse / recycling of water in their process. Green Water based proposals of new projects should get clearance from Central Ground Water Authority for conservation of precious resources.
- 9 The unit will install storm water drainage system and obtain permission from Irrigation Deptt. in this regard.
- 10 The L.G stack should conform to EPA Rules & comply with all the standards and should have stack height of minimum 4 meters above the roof top.
- 11 The Solid Waste Generated shall be properly collected and segregated scientifically disposed off as per MSW Rules by using vermiculite composting method etc.
- 12 Solar panels shall be provided for illumination of common areas lighting for gardens and street lights in addition to solar water heating and shall take all energy conservation measures.
- 13 The unit will maintain green belt in 25-30% of the land area by providing tree plantation as per MOEF /CPCB norms.
- 14 That the unit will use CFL (Compact fluorescent Lighting) for internal lighting and compact lighting.
- 15 The unit shall provide structurally adequate rain water harvesting system in their project and ensure rain water harvesting.
- 16 The Board reserves the right to add any additional condition if required in future under national/Govt. of India Stat. Laws.
- 17 The unit will obtain permission from Forest Deptt. in case any area falls under Forest Act, 1980 section 45 of Land Preservation Act & also for cutting of trees if any before commencing the project.
- 18 The project proponent will obtain all required statutory clearances before start of the project.
- 19 That the unit will submit an affidavit to comply with all the general as well as specific conditions of the "Consent to Establish" within 30 days failing which NOC will be revoked.

Other Specific Conditions :-

- 1 The unit will provide Adequate Effluent Treatment Plant as per the scheme submitted and comply with the standards laid down by the Board and make efforts to achieve zero discharge.
- 2 The unit will provide Adequate Sewage Treatment Plant as per the scheme submitted and comply with the standards laid down by the Board and make efforts to achieve zero discharge.

**M/s Creative Buildwell Pvt. Ltd., Sohna- Ahwar Road, Village- Ghamro  
Tehsil- Sohna, District- Gurgaon.**

- 3 Unit will install magnetic flow meter at inlet and outlet of the STP / ETP.
- 4 The unit will install structurally adequate air pollution control measures and ensure that emissions are well within permissible limits.
- 5 That the project shall use the treated effluent for horticulture/Green belt or otherwise and undertake to recycle the treated effluent within 30 days.
- 6 The unit will comply with all provisions of hazardous waste (Management, Handling and Transboundary Movement) Rules 2008 and provide Non-leachate storage facility for storage of hazardous waste and also enter into an agreement with Common Hazardous Waste Treatment Storage and Disposal Facility.
- 7 The unit will install hood and canopy in such a way that there is no leakage fugitive emissions in the atmosphere and the system should be leak proof.
- 8 Unit will not discharge any trade effluent without prior approval of the Board.
- 9 Unit will achieve zero discharge by reuse / recycle the treated water back into the process.
- 10 R.O. will file complaint under section 19 read with section 15 of EP Act for past violation of EIA notification immediately, if any, and will submit compliance within 15 days.
- 11 This Consent to Establish is valid for the land mentioned in the Forest Deptt vide letter No. 1071-73-G dt. 28.08.2012 & License issued by Town and Country Planning Deptt. vide Envtst. N. 206 dt. 13.01.2001.
- 12 Unit will not start any construction activity without obtaining Environmental Clearance and subsequently submit Environment Clearance to the Board.
- 13 The project proponent will obtain clearance if required as per law / rules from Town and Country Planning Department. However if the provisions of Punjab scheduled and controlled areas restrictions of Unregulated Development Act, 1963 and the Haryana Development and regulation of Urban Areas Act, 1975 are applicable on the site then owner shall be responsible for clearing the permission from Town and Country Planning Deptt. Under the said acts otherwise NOC shall become invalid.
- 14 The NOC so granted shall be invalid if in case at a later stage it is observed that the records of Tehsil/Registrar regarding Area/area is found incorrect.
- 15 Unit will comply with all the conditions of Environment's Clearance obtained from SEIAA.

  
Member Secretary (TAC)  
For Chairman

Dated: \_\_\_\_\_

Envtst. No. HSPCB/TAC/HQ/2012/

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

- 1 Director General, Environment Department, Haryana, Sec-17, Chandigarh.
- 2 The Chief Conservator of Forest (FC) Forest Department, Haryana.
- 3 The Chief Town Planner Haryana, Director General Town & Country Planning Sect. 4, Chandigarh, Sec- 15A, Medhys Nagar, Chandigarh.
- 4 The Regional Officer, Gurgaon (Haryana).
- 5 The Executive Engineer, (OP) Division, UHSUN, Gurgaon.

Member Secretary (TAC)  
For Chairman

ANNEXURE - C

State Environment Impact Assessment Authority, Haryana,  
Bays No.55-58, Prayatan Bhawan, Sector-2 Panchkula.  
Telephone No. 0172-2565232

Memo No: SEIAA/RTI/HR/2023/ 38

Date: 03/10/2023

To

Vithal Mittal, 201/6,  
Kaushalya Park,  
Hauz Khas, Delhi-57

Subject: Information under RTI Act, 2005.

This is with reference to your application received on 27.09.2023 vide which the RTI Applicant sought the following information regarding Project namely M/s Creative Buildwell Pvt Ltd. & M/s Bathinda Chemical Ltd.

The desired information as available in the office record as under:-

Sr. No.	Particular of information	Reply
1.	<p>Project "hotel at Village-Ghamroj, Gurgaon, Sohna Road, Tehsil-Sohna, Dist-Gorgon" Haryana over 5.75acres for which CLU dated 14.01.2010 was granted to M/s Creative Buildwell Pvt Ltd. &amp; M/s Bathinda Chemical Ltd</p> <p>i) Site report of inspection by Hon'ble Member Secretary SEIAA Sh. Pardeep kumar (IAS).</p> <p>ii) Site report of inspection by the concerned official of town &amp; country planning department Haryana.</p> <p>iii) Reports, including forwarding letters, documents, plans, layout etc.</p>	Annexure-I (Copy Attached)

Ajay Chaudhary  
SPIO,  
SEIAA, Haryana

**Directorate of Town & Country Planning, Haryana**  
 Nagar Yojana Bhavan, Plot no. 3, Sector 18A, Madhya Marg, Chandigarh  
 Phone: 0172-2549349, Email: tcpharyana7@gmail.com  
 Website: <http://tcpharyana.gov.in>



Regd

To

Member Secretary,  
 State Environment Impact Assessment Authority, Haryana,  
 Bays no. 55-58, Prayatan Bhawan,  
 Sector 2, Panchkula.

*Handwritten signature*

Memo no. GN-2064-vol. III/JD(RA)/2023/ 29378 Dated: 05-09-2023

*Handwritten number 29378*

**Subject:** (i) ToR (under violation category) for expansion of 5 star project at village Ghamro, Sohna Road, Tehsil Sohna, District Gurugram- M/s Creative Buildwell Pvt. Ltd.

(ii) EC for commercial complex "JMD, the Regent" at village Nangli Umarpur, Sector 62, Gurugram, Haryana by M/s JMD Ltd.

With reference to the subject cited above.

In this context, it is to intimate that the information sought vide your memo no SEIAA/HR/2023/516 dated 03.08.2023 already stand forwarded by Senior Town Planner Gurugram vide endst. no. 5275 dated 23.08.2023.

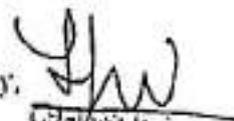
2. However, the copy of the same alongwith its enclosures are sent herewith for your kind information and further necessary action please.

DA/As above.

*(R S Both)*  
 District Town Planner(HQ)  
 For: Director General, Town & Country Planning,  
 Haryana, Chandigarh

21.05.2023

The Chairman,  
State Environment Impact Assessment Authority,  
Bays No. 55-58, 1st Floor, Paryatan Bhawan,  
Sector 2, Panchkula  
Email ID - seiaa-21 env@hry.gov.in

  
Dt: .....

**Subject:-** M/s Creative Buildwell Private Limited at village Ghanroj, Sohna Road,  
Tehsil Sohna, Gurugram, Haryana.

D.S. S.A.

Dt: .....

**Ref:-** SEIAA order Enrst. No. SEIAA/HR/2023/131-133 dated 20.03.2023.

Kindly refer to the subject noted above. It is submitted that SEIAA vide order dated 20.03.2022 has constituted a committee comprising of the following members -

1. Member Secretary, SEIAA
2. Member Secretary, HSPCB/through Representative
3. Concerned Regional Officer, HSPCB (to assist the sub-committee)

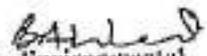
To carry out spot inspection of the project for Environmental Clearance (Under violation) for expansion of 5 star Hotel Project at Village Ghanroj, Sohna Road, Sohna District Gurugram to be developed by M/s Creative Buildwell Pvt Ltd to verify the actual status of the construction carried out by the project Proponent at the project site till date Accordingly, site was visited by the committee on 22.04.2023. Regional Officer, Gurugram Region (North) and concerned Scientist B, Gurugram Region (North) has assisted sub-committee.

1. No construction activity is going on at site and work seems abandoned since a long
2. In compliance of order issued vide Enrst No SEIAA/HR/2022/1518-1522 dated 21.09.2022, a sub-committee has already submitted report and now Project Proponent has submitted a project detail certified by Ar Vikky (CA-2017-86236) office No. 5 Shivam complex, Opp Huda Office, sector-14, Gurugram about building superstructure with total built up area 18359.38 sqm (Copy enclosed as Annexure-1)
3. Committee has no expertisation in built up area measurement and it may be got measured from Department of Town & Country Planning, Haryana

Submitted for kind information & further necessary action, please

DA/As above

  
Regional Officer,  
HSPCB, GGN

  
Sr. Environmental  
Engineer (Training Cell)  
HSPCB, Panchkula  
(Representative of MS,  
HSPCB)

  
Member Secretary,  
SEIAA, Haryana

Project Details

Project title-	Mittal Metropolis Five-star Hotel, Suites, and Commercial Centre
Project Developer	M/s Creative Buildwell Pvt. Ltd. having registered office at 201/6 Kaushalya Park Hauz Khas, New Delhi & Corporate/Correspondence Address- K-5A/9, DLF Phase-II, Gurugram, Haryana, 122002.
Location-	Milestone Km 15 to 17, Village Ghamroj, Gurgaon-Sohna Road, NH 248-A, Tehsil Sohna, District Gurgaon, Haryana.
Date of Change in Land Use (CLU)	13 <sup>th</sup> January 2010
Date of filing for Completion Certificate	10 <sup>th</sup> January 2014
Layout Plan Sanctioned date	21 <sup>st</sup> September 2011

Brief about project

Date of inspection- 29-04-2023

I architect Vikkey, ( Reg.no.CA/2017/86236 ), visited the project site on 29-04-2023. Project Proponent Mr. Manish Saxena, company manager, was presented at the site.

M/s Creative Buildwell Pvt. Ltd. and BCL Industries Limited (formally known as Bathinda Chemicals Ltd.) was granted CLU vide memo no. G-2064-JE(SS)-2009/206 dated 13<sup>th</sup> January 2010, consequently an application for approval of zoning plan and layout plans was made in January 2010.

That on 5<sup>th</sup> August 2010 Zoning Plan was approved, subsequently, layout plans were submitted to the Department of Town & Country Planning, Haryana (DTCP), which was approved after a year delay on 21<sup>st</sup> September 2011 vide memo no. G-2064/JD(BS)/2011/7000.

That Project developer was short of time as CLU was expiring in January 2012, therefore, the decision was made to develop a minimum 15% of the area as per policy.

That Project Proponent sought 2 extensions, the first extension from 13<sup>th</sup> January 2012 to 12<sup>th</sup> January 2013, and the final extension granted for the period of 13<sup>th</sup> January 2013 to 12<sup>th</sup> January 2014, copy of Sanctioned Plan and Completion Plan along with Architect certificate by Architect M/s Architect Combine C/o Sh. S.M. Mehta has been provided to me.

of construction at the site

ently, at the site, the building super-structure has a total built-up area (BUA) of 18359.38 Sq.Mtr. as constructed

Details of the floor-wise BUA as below :-

Sr No	Floor	Built up area ( BUA )
1	Basement	4777.177
2	Ground	1095.804
3	Mezzanine	1225.656
4	Service	926.459
5	Second Floor	927.64
6	Third Floor	927.64
7	Fourth Floor	927.64
8	Fifth Floor	927.64
9	Sixth Floor	927.64
10	Seventh Floor	927.64
11	Eighth Floor	927.64
12	Ninth Floor	927.64
13	Tenth Floor	927.64
14	Eleventh Floor	927.64
15	Terrace	157.39
<b>Total</b>		<b>18359.38</b>

Encl:

1. Verified Built-up area plans
2. Copy of BR-III Memo No. G-2064/JD(BS)/2011/7000 Dated 21-09-2011
3. Copy of Application for Completion dated 10-01-2014
4. Architect Registration Certificate.



04/11  
(Per Rule 44)

Directorate of Town and Country Planning, Gurgaon,  
Sector 14, Chandigarh

Tel-Fax: 0172 2548475, 0172 2549451, Email: dtcp@gurgaon.gov.in

Memorandum No. 2064/10/05/2011/77/DCP

Dated: 27-11-11

To

M/s. Hasmida Chemicals Ltd. and M/s. Creative Builders Pvt. Ltd.  
Hasmida Chemicals Ltd. Road, Post Box No. 71,  
Hasmida 1511005, (Punjab)

Subject

Approval of Building Plans of The State Hotel for on the area measuring 20551.21 Sqm in the Revenue State of Village Channay, District Gurgaon for which CDR has been granted to M/s. Hasmida Chemicals Ltd. and M/s. Creative Builders Pvt. Ltd.

Reference your application dated 04.10.2011 for permission to erect the building in the CDR permissions granted area 20551.21 sqm in the Revenue State of Village Channay, District Gurgaon in accordance with the plans submitted with it.

Permission is hereby granted for the above said construction subject to the provisions of the Punjab Scheduled Roads & Controlled Areas; Restriction of Unregulated Development Act, 1963 and its rules the zoning plan framed thereunder alongwith special reference to the following conditions:

1. The plans are valid for a period of 5 years from the date of issuance of sanction subject to validity of change of land use permission granted for this project.
2. The structural design of the building shall be carried out in accordance with the provisions of IRC and relevant IS Code.
3. The structural responsibility of the construction shall be entirely of the owner/supervising Architect/Engineer of the scheme.
4. A certificate from a registered structural Engineer that the building is designed as per relevant IS code and NBC standards shall be submitted to the department within 60 days of issue of this letter.
5. All material to be used for erection of building shall conform to IS and NBC standards.
6. No scaffolding shall be constructed of easily inflammable material and staircases shall be built of fire resisting material as per standard specifications.
7. The building shall be designed for appropriate seismic loads, all dead and live load, wind pressure etc as per relevant IS code and NBC standards. In all cases, special strengthening to resist distress during earthquake shall be provided.

#### 8- FIRE SAFETY

- a) You and Supervising Architect of the project shall be entirely responsible for making provisions of fire safety and fire fighting measures and shall abide by all fire safety by laws.
9. No addition and alteration in the building plans/ layout plan shall be made without the prior approval of DG, TCP. Further only figured dimensions shall be followed and in case of any variation in the plans, prior approval of DG, TCP shall be pre-requisite.
  10. If any infringement of bye-laws remains unnoticed, the department reserves the right to amend the plan as and when any such infringement comes to its notice after giving an opportunity of being heard and the department shall stand absolved against any claims on this account.
  11. No person shall occupy or allow any other person to occupy any new building or part of the same for any purpose what so ever until such building or part thereof has been certified by the

Director General, or any person authorized by him in this behalf as having been completed in accordance with the permission granted and an occupation certificate in prescribed form has been duly fixed in your favour.

12. Before grant of occupation certificate, you shall have to submit a notice of a completion of the building in form III-V regarding completion of works described in the plans and it shall be accompanied by

- OPC Certificate issued by D.T.F. Gurgaon,
- Structural stability certificate duly signed by the concerned structural Engineer/Architect.
- A clearance from fire safety point of view from fire Officer, Gurgaon.

13. The open parking around the building blocks shall be metalled and properly organized.

#### 14. WATER SUPPLY

- The down take system shall be provided by you by providing clear water storage tank of not less than half day storage of water for domestic usage on the top of the building block. The capacity of the tank as shown on the plans and down take system thereof are as under:-

Sr. No.	Name of Building	Capacity of tank for Domestic uses in ltrs	Up pipe in mm	Down pipe in mm
1.	Main Building (Dom)	1x20,000	65mm	65/50/40/32/25/20 mm
	Flush	1x50,000	65mm	65/50/40/32/25/20 mm
2.	Commercial Block (Office) (Dom)	1x10,000	40mm	32/25/20mm
	Flush	1x5,000	32mm	32/25/20mm
	U.G.T. (DOM)	5,00,000		

- Inlet pipes from down take to toilets shall be 25/20/15 mm dia as shown on the plans and connection to each individual fixture shall be 15 mm dia.

#### 15. SEWERAGE:-

- All sewerage lines should not be less than 150 mm dia S.W. Pipes.
- All soil stacks shall be 100 mm dia and all waste stacks shall be 100 mm dia.
- Waste water pipes connecting F.T. to G.T. and F.T. to waste water stack shall be 75 mm dia as shown on the plans.
- All soil pipe connection W.C. to soil stack and W.C. to I.C. shall be 100 mm dia as shown on the plans.
- All W.C. shall be provided with high/low level flushing cistern of 8 ltrs capacity.
- You have proposed disposal of sewerage through proposed septic tank thus it is made clear to you that the same shall be provided as per I.S. Norms and there will be no pollution due to disposal of sewerage.

#### 16. STORM WATER DRAINAGE

- You have provided single level basement for services and parking only. For draining out the wash water/ rain water accumulated in the basement shall be collected through covered channel of 100 mm wide to the sumps at different places and from where the pumping has been proposed by you by providing pumps of 450 LPM capacity at 7.00 meters head. Thus it is made clear to you that you shall be sole responsible for pumping

out of rain water/ water water etc. at the time and 100% standby pumps alternate power supply arrangement shall also be provided by you during the failure of electricity/ breakdown

- d) All rain water stack pipe shall be 100/150 mm dia as shown in the plans
- e) It is made clear to you that the roof top rain harvesting system shall be provided by you as per HUDA/State Government norms
- f) Roof top rain harvesting system shall be maintained by you as per norms and shall keep operational at all the time.

#### 13. GENERAL -

- a) Alternate source of electricity shall be provided by you for functioning of water supply, sewerage and storm water drainage scheme by providing Gen. set of required capacity.
- b) That the owner shall obtain the clearance/No.CC as per the provisions of the Notification No. S.O. 1533 II) Dated 14.09.2006 Issued by Ministry of Environment and Forest, Government of India before starting the construction/execution of development works at site.
- c) All pipes, fixtures, fittings, pumps, Gen. set and clarifier plant etc. shall be conforming to relevant IS specification and standards.
- d) You shall have to pay the proportionate cost of external development charges for water supply, sewerage, Storm Water Drainage, roads, bridges, community building, street light and park. Etc on gross acreage basis as and when determined by the HUDA/State Government. These charges will be unchallengeable as and when approved by the HUDA/State Govt. and will be binding upon you.
- e) It is made clear that you will be solely responsible for making connection with the master service (if approved by the State Government/ HUDA) at their own cost with the prior approval of the competent authority.
- f) The water storage tanks and other plumbing works etc. shall not be shown on any face of the building but shall be suitably enclosed.
- g) No scribed decoration like inscription, crosses, names of persons are permitted on any external face of the building.
- h) The name of the building could be affixed on the external face of the building for which detailed elevations/sections showing the same would have to be got approved from the DG, TCP, Haryana.
- i) That the applicant shall use only Compact Fluorescent Lamps fitting for internal lighting as well as Campus lighting.
- j) That you shall deposit the labour cost in future, time to time as per construction of work done at site.
- k) That the provision of solar water heating system shall be as per norms specified by HUDA and shall be made operational in the each building block before applying for an occupation certificate.
- l) That you shall submit the soft copy of the approved building plans of the scheme within one week to the office from the issuance of this letter.
- m) Proper filtration plant shall be provided by the colonizer for filtration & recycling of the water of the swimming pools only small quantity of water shall be used for replacement of water in the swimming pool.

- n) The swimming pools shall not be constructed with the storm water drain for the disposal of replacement of water.
- o) The replacement water shall be disposed off by the collector by using the same for watering of landscaped area in their colony or the same may be disposed off into the rain water harvesting system.
- p) Recycled water is proposed to be utilized for flushing purpose. The firm has made provision of separate flushing line, storage tank, recirculating system, pumping system and plumbing. It may be stated to developer that no tap or socket of any kind will be provided from the flushing lines/plumbing lines for recycled water except for connection to the column of flushing tanks and any standing arrangement. Even isolation taps should be avoided.
- q) No cross connection between recycled water system and potable water system shall be made.
- r) All plumbing pipes fittings, valves will be of red colour as prescribed in case of embedded pipes. Marker taps of Red Colour at suitable intervals shall be fixed. The underground and over head tanks should have Recycle water not fit for drinking and other drinking uses encircled/labelled on them.
- s) Recycled water pipes and potable water pipes will be fixed in separate chases and a minimum horizontal clearance of 6" (150mm) will be maintained between them. In case of crossability coloured/taped sleeve shall be used.

This sanction will be void ab initio, if any of the conditions mentioned above are not complied with.

DA/One set of Building Plans

(Member Secy)  
District Town Planner (HD),  
Member Secretary,  
For Chief Town Planner, Haryana cum-Chairman,  
Building Plan Approval Committee.

Edn. No. G 2064/2011 / \_\_\_\_\_ Date: \_\_\_\_\_

A copy is forwarded to the following for information -

- 1- Senior Town Planner, Gurgaon.
- 2- Supervising Engineer (HD) HUDA, Faridkote
- 3- District Town Planner, Gurgaon along with one set of building plans
- 4- District Town Planner (E), Gurgaon

Encl: as above

(Member Secy)  
District Town Planner (HD),  
Member Secretary,  
For Chief Town Planner, Haryana cum-Chairman,  
Building Plan Approval Committee.

33



**BCL Industries**  
& Infrastructures Ltd.

Regd. Office :  
Hazi Rattan Link Road, BATHINDA-151005  
Ph. : 2240163, 2240443, 2211628. Fax : 0164-2240424  
E-mail : bd2@connectone.in

To,

Dt. 10.01.2014

The Director General,  
Town & Country Planning Department-Haryana,  
Chandigarh.

**Subject: Issue of Occupation/Completion Certificate regarding CLU permitted for construction of a 5 Star Hotel on the land Area measuring 20,551.23 Sq.mtr. falling in village, Ghamroj, on Gurgan-Alwar Road, Tehsil Sohna, Dist. Gurgaon, Haryana, by M/s Bathinda Chemicals Ltd. (Now known as M/s BCL Industries & Infrastructures Ltd.) & M/s Creative Buildwell Pvt. Ltd.**

Sir,

Inspite of all the hurdles in securing/arranging all the approvals as per conditions imposed in the permission dt. 13.01.2010 explained in our request dt.09.12.2013 (copy enclosed for ready reference), we have completed more than 50% (including basements) and upto 6<sup>th</sup> floor of the Hotel Block the area is operatable immediately, while the upper 5 floors are also structurally complete thus the block constructed at site upto 11<sup>th</sup> floor and as required under the provisions of the act, the requisite plans/photos and other approvals etc. are enclosed as under with the request to kindly issue the occupation/completion certificate so that the construction complete at site could be utilized;

1. 3 sets of plans constructed at site showing the variation from the drawings sanctioned on 21.09.2011
2. 3 Sets of Sanctioned Building Plan & Approved Service Layout Plan.
3. The Photographs of Completed Construction.
4. Form BR-IV(A) with details filled in.



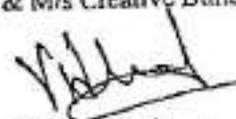
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5. Form RR-V(A1) with all information and signed by Owner, Architect & Structural Engineer.
6. Copy of BR-III is attached. The building plans were approved vide memo no. G-2064/JD(BS)/2011/7000 Dt. 21.09.2011.
7. NOC fire (The Application for issue of NOC has been submitted along with all plans attached herewith)
8. Copy of Height Clearance NOC from AAI vide memo no. AAS/NOC/2011336/2813 dt. 20.09.2011
9. Copy of NOC- Consent to Establish from Pollution angle memo no. HSPCB/TAC/2012/1840 dt. 08.11.2012 along with copy of affidavit submitted at EIA since constructed area being less than 20,000 sq.mtr.
10. Copy of CLU Renewed till date vide memo no. G-2064-JE(S)-2013/49258 Dt. 22.08.2013. The validity of CLU issued by deptt. on 22.08.2013 which is up to 12.01.2014
11. Copy of zoning.
12. Copy of fire scheme approval. Memo no. FS/MCG/2012/1311 dt.08.05.2012
13. Authority letter.

We request you to issue the permission to occupy at an early date please.

Thanking You

Yours truly,  
For M/s Bathinda Chemicals Ltd.  
& M/s Creative Buildwell Pvt. Ltd.



(Vithal Mittal)  
Director / AUTHORIZED SIGNATORY  
-CR

Encl. as above

## Haryana Shehri Vikas Pradhikaran

No.....

Dated.....

Registration No. 2023/13

The License of Sh. Vikkey has been renewed as an Architect on the basis of report received from the O/o SDE (Survey)-I & II, HSVP, Gurugram for the purpose of undertaking the work of structural designing/supervision of any private building & other terms and conditions as per original license by competent authority, in the Urban Estate, Haryana. The license is being issued under the provision of HSVP Act, 1977.

The validity of the license expires on 31.12.2023.

This issues with the approval of Worthy Estate officer-I.

/

Estate Officer-I,  
HSVP, Gurugram

Endst. No. 1523

Dated: 3/4/2023

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

1. The Administrator, HSVP, Gurugram.
2. The SDE, HSVP, Survey Sub Division. No.I, O/o Estate Officer-I, HSVP, Gurugram.
3. The SDE, HSVP, Survey Sub Division. No.II, O/o Estate Officer-II, HSVP, Gurugram.
- ✓ Sh. Vikkey, Office No. 2, Basement Floor, Shivam Complex, Opp. HUDA Office Sector-14, Gurugram.



/

Estate Officer-I,  
HSVP, Gurugram

# Council of Architecture

## Certificate of Registration

This is to certify that the name of

Mr. Vikkey

has been entered in the register and his Registration No. is

CA/2017/86236

This certificate is valid from the seventeenth day of October 2017 to the thirty-first day of December 2018 inclusive.

List of Additional Qualifications:

Renewals

Valid Upto

31.12.2023

Signature of Registrar

Given under the common Seal of the Council of Architecture,



*Vikkey*

this seventeenth day of October 2017

Secretary



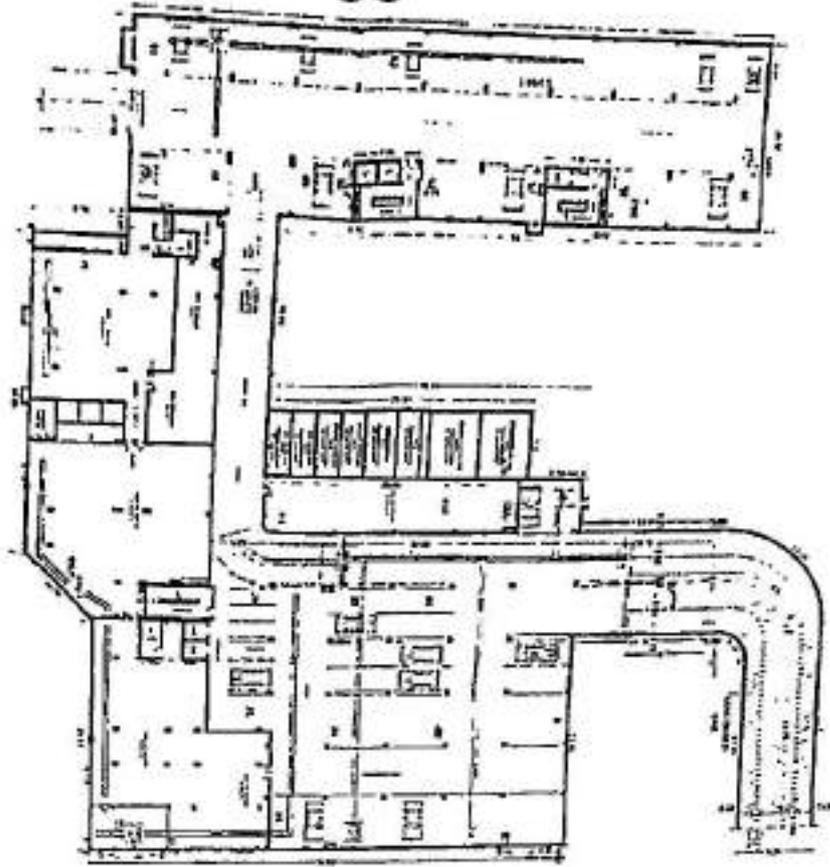
President

This Certificate of Registration is issued under sub-section (7) of Section 24 and sub-section (4) of Section 25 of the Architects Act, 1972, enacted by the Parliament of India.



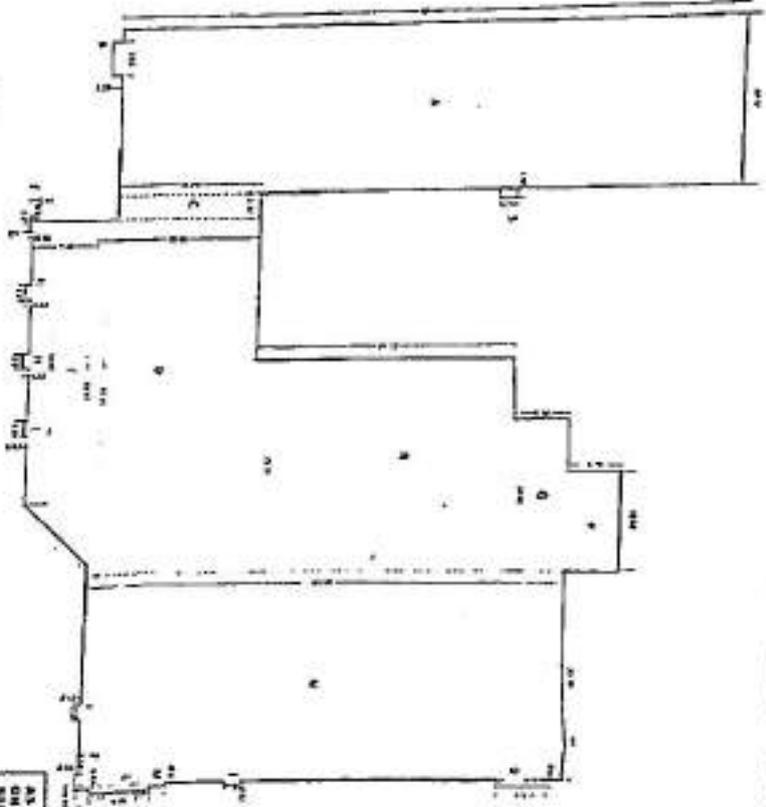


BASEMENT FLOOR PLAN



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BASEMENT FLOOR AREA

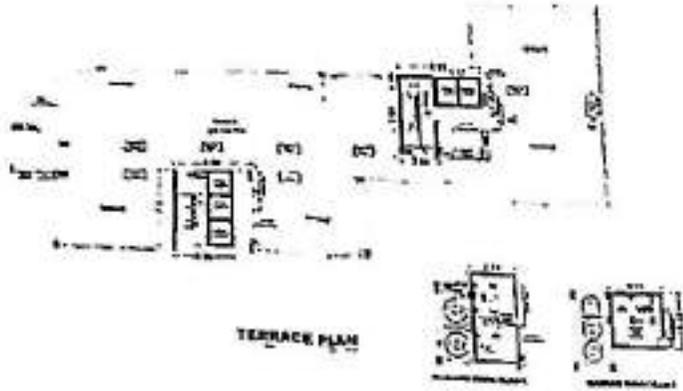


BASEMENT FLOOR PLAN

AS BUILT PLAN OF THE STAR HOTEL ON THE AREA BEARING 208123 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.

NO. 1	NO. 2	NO. 3	NO. 4	NO. 5	NO. 6	NO. 7	NO. 8	NO. 9	NO. 10	NO. 11	NO. 12	NO. 13	NO. 14	NO. 15	NO. 16	NO. 17	NO. 18	NO. 19	NO. 20	NO. 21	NO. 22	NO. 23	NO. 24	NO. 25	NO. 26	NO. 27	NO. 28	NO. 29	NO. 30	NO. 31	NO. 32	NO. 33	NO. 34	NO. 35	NO. 36	NO. 37	NO. 38	NO. 39	NO. 40	NO. 41	NO. 42	NO. 43	NO. 44	NO. 45	NO. 46	NO. 47	NO. 48	NO. 49	NO. 50	NO. 51	NO. 52	NO. 53	NO. 54	NO. 55	NO. 56	NO. 57	NO. 58	NO. 59	NO. 60	NO. 61	NO. 62	NO. 63	NO. 64	NO. 65	NO. 66	NO. 67	NO. 68	NO. 69	NO. 70	NO. 71	NO. 72	NO. 73	NO. 74	NO. 75	NO. 76	NO. 77	NO. 78	NO. 79	NO. 80	NO. 81	NO. 82	NO. 83	NO. 84	NO. 85	NO. 86	NO. 87	NO. 88	NO. 89	NO. 90	NO. 91	NO. 92	NO. 93	NO. 94	NO. 95	NO. 96	NO. 97	NO. 98	NO. 99	NO. 100
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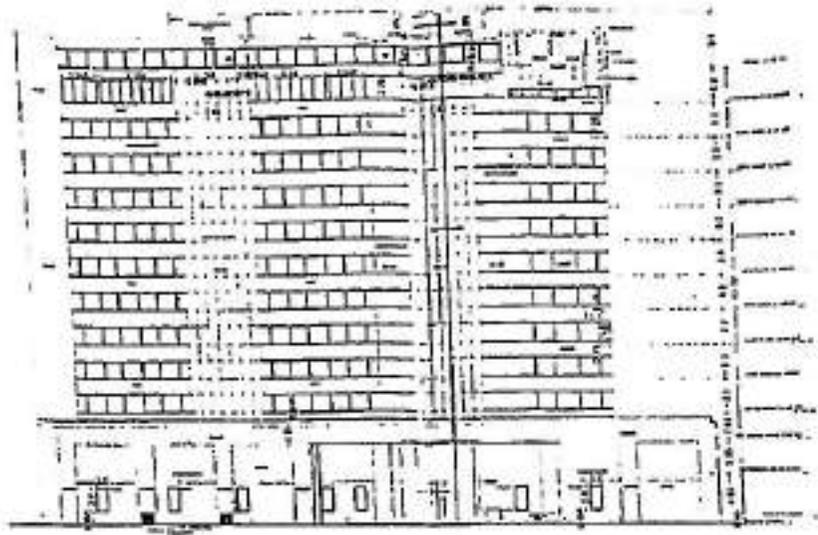
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TERRACE PLAN

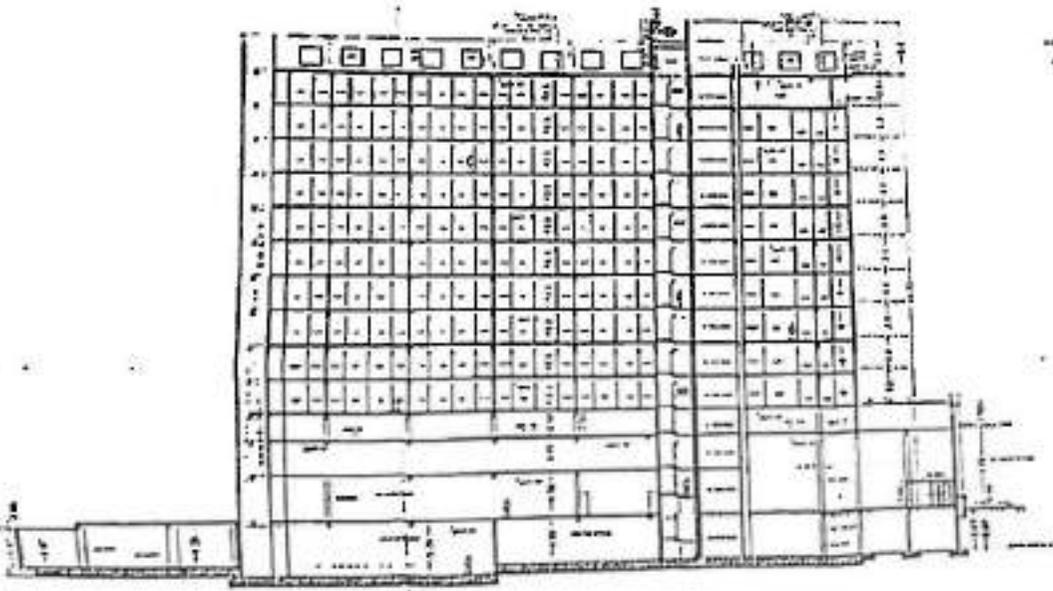
TERRACE COVO AREA DETAIL

NO.	COVERAGE	WIDTH	AREA (SQM)
1	2.50	2.50	6.25
2	2.50	2.50	6.25
3	2.50	2.50	6.25
4	2.50	2.50	6.25
5	2.50	2.50	6.25
6	2.50	2.50	6.25
7	2.50	2.50	6.25
8	2.50	2.50	6.25
9	2.50	2.50	6.25
10	2.50	2.50	6.25
11	2.50	2.50	6.25
12	2.50	2.50	6.25
13	2.50	2.50	6.25
14	2.50	2.50	6.25
15	2.50	2.50	6.25
16	2.50	2.50	6.25
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96	2.50	2.50	6.25
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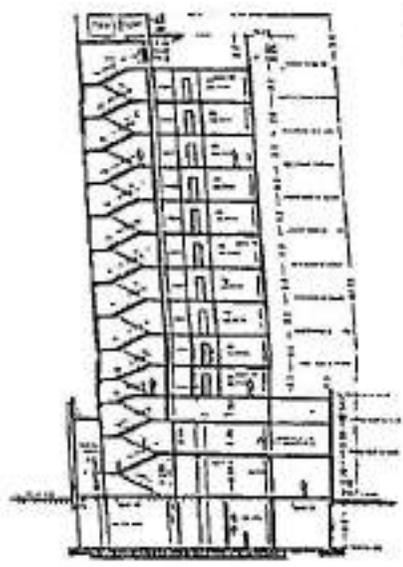


FRONT ELEVATION

39



SECTION AA



SECTION BB

AS BUILT DRAWING OF FIVE STAR HOTEL ON THE AREA MEASURING 20581.23 SQM. FALLING IN KHASRA NO. 12075.2, 3, 10/1, 10/2, 11/2, 12, 12/108 IN THE REVENUE ESTATE OF VILLAGE CHANROJ DISTRICT GURGAON FOR WHICH CLU PERMISSION HAS BEEN GRANTED TO M/S BATHINDA CHEMICALS LTD. AND M/S CREATIVE BUILDWELL PVT.LTD.

DRAWING SHEET  
TERRACE PLAN, ELEVATION & SECTIONS

HOTEL & RESIDENTIAL SUITES BLOCK

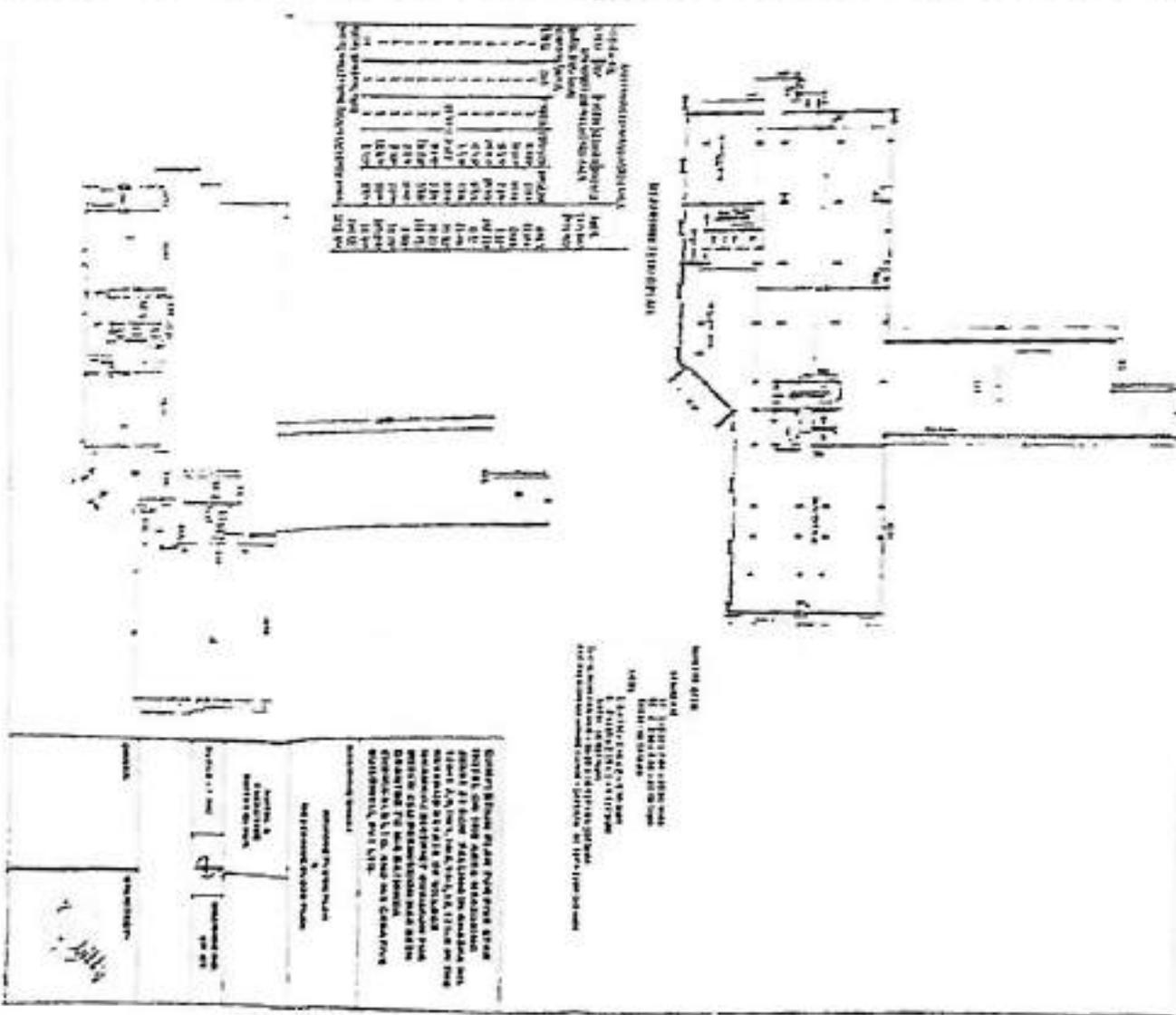
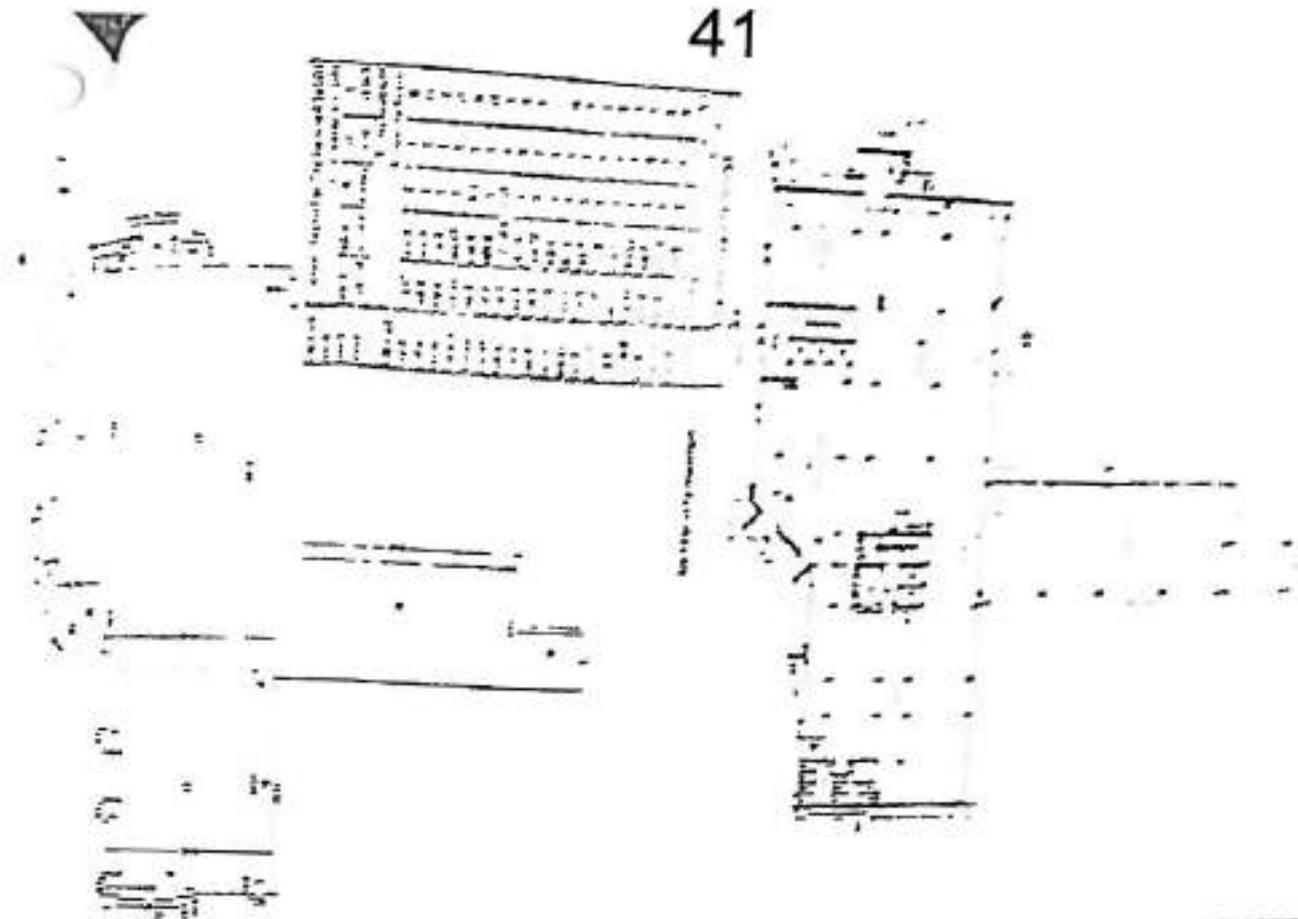
SCALE: 1:100

DRAWING NO. CP-05

OWNER: ARCHITECT:







Room No.	Room Name	Area (sq. m)	Volume (cu. m)	Remarks
101	Office	12.5	37.5	
102	Office	12.5	37.5	
103	Office	12.5	37.5	
104	Office	12.5	37.5	
105	Office	12.5	37.5	
106	Office	12.5	37.5	
107	Office	12.5	37.5	
108	Office	12.5	37.5	
109	Office	12.5	37.5	
110	Office	12.5	37.5	
111	Office	12.5	37.5	
112	Office	12.5	37.5	
113	Office	12.5	37.5	
114	Office	12.5	37.5	
115	Office	12.5	37.5	
116	Office	12.5	37.5	
117	Office	12.5	37.5	
118	Office	12.5	37.5	
119	Office	12.5	37.5	
120	Office	12.5	37.5	
121	Office	12.5	37.5	
122	Office	12.5	37.5	
123	Office	12.5	37.5	
124	Office	12.5	37.5	
125	Office	12.5	37.5	
126	Office	12.5	37.5	
127	Office	12.5	37.5	
128	Office	12.5	37.5	
129	Office	12.5	37.5	
130	Office	12.5	37.5	
131	Office	12.5	37.5	
132	Office	12.5	37.5	
133	Office	12.5	37.5	
134	Office	12.5	37.5	
135	Office	12.5	37.5	
136	Office	12.5	37.5	
137	Office	12.5	37.5	
138	Office	12.5	37.5	
139	Office	12.5	37.5	
140	Office	12.5	37.5	
141	Office	12.5	37.5	
142	Office	12.5	37.5	
143	Office	12.5	37.5	
144	Office	12.5	37.5	
145	Office	12.5	37.5	
146	Office	12.5	37.5	
147	Office	12.5	37.5	
148	Office	12.5	37.5	
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150	Office	12.5	37.5	
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153	Office	12.5	37.5	
154	Office	12.5	37.5	
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156	Office	12.5	37.5	
157	Office	12.5	37.5	
158	Office	12.5	37.5	
159	Office	12.5	37.5	
160	Office	12.5	37.5	
161	Office	12.5	37.5	
162	Office	12.5	37.5	
163	Office	12.5	37.5	
164	Office	12.5	37.5	
165	Office	12.5	37.5	
166	Office	12.5	37.5	
167	Office	12.5	37.5	
168	Office	12.5	37.5	
169	Office	12.5	37.5	
170	Office	12.5	37.5	
171	Office	12.5	37.5	
172	Office	12.5	37.5	
173	Office	12.5	37.5	
174	Office	12.5	37.5	
175	Office	12.5	37.5	
176	Office	12.5	37.5	
177	Office	12.5	37.5	
178	Office	12.5	37.5	
179	Office	12.5	37.5	
180	Office	12.5	37.5	
181	Office	12.5	37.5	
182	Office	12.5	37.5	
183	Office	12.5	37.5	
184	Office	12.5	37.5	
185	Office	12.5	37.5	
186	Office	12.5	37.5	
187	Office	12.5	37.5	
188	Office	12.5	37.5	
189	Office	12.5	37.5	
190	Office	12.5	37.5	
191	Office	12.5	37.5	
192	Office	12.5	37.5	
193	Office	12.5	37.5	
194	Office	12.5	37.5	
195	Office	12.5	37.5	
196	Office	12.5	37.5	
197	Office	12.5	37.5	
198	Office	12.5	37.5	
199	Office	12.5	37.5	
200	Office	12.5	37.5	

1. The building is a three-story structure.  
 2. The ground floor is used for office space.  
 3. The first floor is used for office space.  
 4. The second floor is used for office space.  
 5. The building is located at the corner of the street.  
 6. The building is a rectangular structure.  
 7. The building is a modern structure.  
 8. The building is a well-ventilated structure.  
 9. The building is a well-lit structure.  
 10. The building is a well-maintained structure.

Under these plans, the structure is a three-story building with a total area of 12,500 sq. m. The ground floor is used for office space, the first floor is used for office space, and the second floor is used for office space. The building is located at the corner of the street. The building is a rectangular structure. The building is a modern structure. The building is a well-ventilated structure. The building is a well-lit structure. The building is a well-maintained structure.

Dok 31/08/2023

**OFFICE OF SENIOR TOWN PLANNER, GURUGRAM**

Department of Town &amp; Country Planning, Haryana

Sector-14, HSVP Complex, 3rd Floor, Gurugram

Telephone: 0124-4014776

E-mail : [stp.gurugram@tcpl@gmail.com](mailto:stp.gurugram@tcpl@gmail.com)

To

Member Secretary,  
State Environment Impact Assessment Authority, Haryana  
Bay No. 55-58, Prayatan Bhawan, Sec-2 Panchkula.

Memo No. : STP (G)/2023 5058

Dated 11-8-23

CHAIRMAN, SEIAA

Dt: 31/08/2023

M.G., SEIAA

Dt: .....

**Subject:** ToR (under violation category) expansion of Five star Project at village Ghamroj, Sohna road, Tehsil Sohna, Distt Gurugram, Haryana-Creative Buildwell Pvt. Ltd.

**Reference:** Your good office memo no. SEIAA/HR/2023/453 dated 05.07.2023 & District Town Planner (E), Gurugram office memo no. 13884 dated 07.08.2023 (copy alongwith enclosures of the same enclosed).

With reference to subjected matter it is submitted that the report desired vide your good office memo-no. SEIAA/HR/2023/453 dated 05.07.2023 has been sought from DTP(E), Gurugram and the same has been received vide letter under reference. Accordingly, the detail report as per site and record is as under:-

1. The Change of land use permission has been granted vide Director, Town & Country Planning, office memo no. CLU/G-2064-JE(SS) 2009 / 206 dated 13.01.2010 over khasra no. 120//1, 2, 9, 10/1, 10/2, 11/2, 12, 121//6 total area measuring 20551.23 Sqm. in the revenue estate of village Ghamroj, Tehsil Sohna, District Gurugram. The applicants were also granted extension in change of land use permission up to 12.01.2014 vide DGTCPC Haryana office memo number CLU/G-2064- JE(S) 2013 / 49258 dated 22.08.2013..
2. The Building Plans of the subjected site were approved vide DTCP office memo no. CLU/G-2064-JD(BS) 2011 / 7000 dated 21.09.2011.
3. The applicant had applied for grant of Part occupation certificate in DTCP office on dated 10.01.2014 within validity of CLU Permission i.e. (12.01.2014) but occupation certificate not granted to the applicant so far.

4. DTP(E), Gurugram reported that the built up area with Non-FAR/ covered area is 18359.38 Sqm.

The above report alongwith enclosures is sent herewith. This is for your information and further necessary action please.

DA/As above

N... 213

Endst. No. STP(G)/2023/

A copy is forwarded to Director, General Town & Country Planning, Haryana Chandigarh for information please.

  
Senior Town Planner,  
Gurugram Circle, Gurugram

Dated:

  
Senior Town Planner,  
Gurugram Circle, Gurugram

Dated:

Endst. No. STP(G)/2023/

A copy is forwarded to District Town Planner(E), Gurugram for information please.

  
Senior Town Planner,  
Gurugram Circle, Gurugram

**Office of District Town Planner (Enforcement), Gurugram**

DEPARTMENT OF TOWN &amp; COUNTRY PLANNING, HARYANA

Sector-14, HUDA COMPLEX, 3<sup>rd</sup> FLOOR, GURUGRAM.

Tel-0124-2223749

E-mail: [dtpenf1.gurugram.tcr@gmail.com](mailto:dtpenf1.gurugram.tcr@gmail.com)

Memo No. DTP (E)/2023/13884

Dated: 07-08-2023

To

Senior Town Planner,  
Gurugram, Circle, Gurugram,

Sub:

ToR (under violation category) expansion of Five star Project at  
village Ghamroj, Sohna road, Tehsil Sohna, Distt Gurugram,  
Haryana - M/s Creative Buildwell Pvt. Ltd.

Ref:

Mail received through STP(G) dated 01.08.2023

On the subject cited above, it is informed that vide mail under reference case for ToR (under violation category) expansion of Five star Project at village Ghamroj, Sohna road, Tehsil Sohna, Distt Gurugram, Haryana being developed by M/s Creative Buildwell Pvt. Ltd. has been received in this office. After site visit detail report is as under: -

1. The change of land use permission for an area measuring 20551.23 Sqmt in khasra no. 120//1, 2, 9, 10/1, 10/2, 11/2, 12, 121//6 in the revenue estate of village Ghamroj, Tehsil Sohna, District Gurugram has been granted vide Director, Town & Country Planning, office memo no. CLU/G-2064-JE(SS) 2009 / 205 dated 13.01.2010. The applicants were also granted extension in change of land use permission up to 12.01.2014 vide DGTCP Haryana office memo number CLU/G-2064-JE(S) 2013 / 49258 dated 22.08.2013.
2. The Building Plans have been approved for a plot area measuring 20551.23 Sqmt vide DTCP office memo no. CLU/G-2064-JD(BS) 2011 / 7000 dated 21.09.2011.
3. The applicant had applied for grant of Part occupation certificate in DTCP office on dated 10.01.2014 within validity of CLU Permission i.e. [12.01.2014] but occupation certificate not issued because construction of site was not completed in all respect.

4. The site has been inspected vis-à-vis as-built plans and the area detail is as under:-

Sr. No	Floor Detail	Built up area with non-FAR	Built up area within FAR
1	Basement	4777.172 sqmtr	.
2	Ground floor	1995.803 sqmtr	1995.803 sqmtr
3	Mezzanine	1225.656 sqmtr	1225.656 sqmtr
4	Service floor	926.959 sqmtr	.
5	Second floor	927.64 sqmtr	927.64 sqmtr
6	Thlrd floor	927.64 sqmtr	927.64 sqmtr
7	Fourth floor	927.64 sqmtr	927.64 sqmtr
8	Fifth floor	927.64 sqmtr	927.64 sqmtr
9	Sixth floor	927.64 sqmtr	927.64 sqmtr
10	Seventh floor	927.64 sqmtr	927.64 sqmtr
11	Eight floor	927.64 sqmtr	927.64 sqmtr
12	Ninth floor	927.64 sqmtr	927.64 sqmtr
13	Tenth floor	927.64 sqmtr	927.64 sqmtr
14	Eleventh floor	927.64 sqmtr	927.64 sqmtr
15	Terrace floor	157.39 sqmtr	.
Total		18359.38 sqmtr	12497.859 sqmtr

The report along with photograph is forwarded for further necessary action, please.

DA/As above.

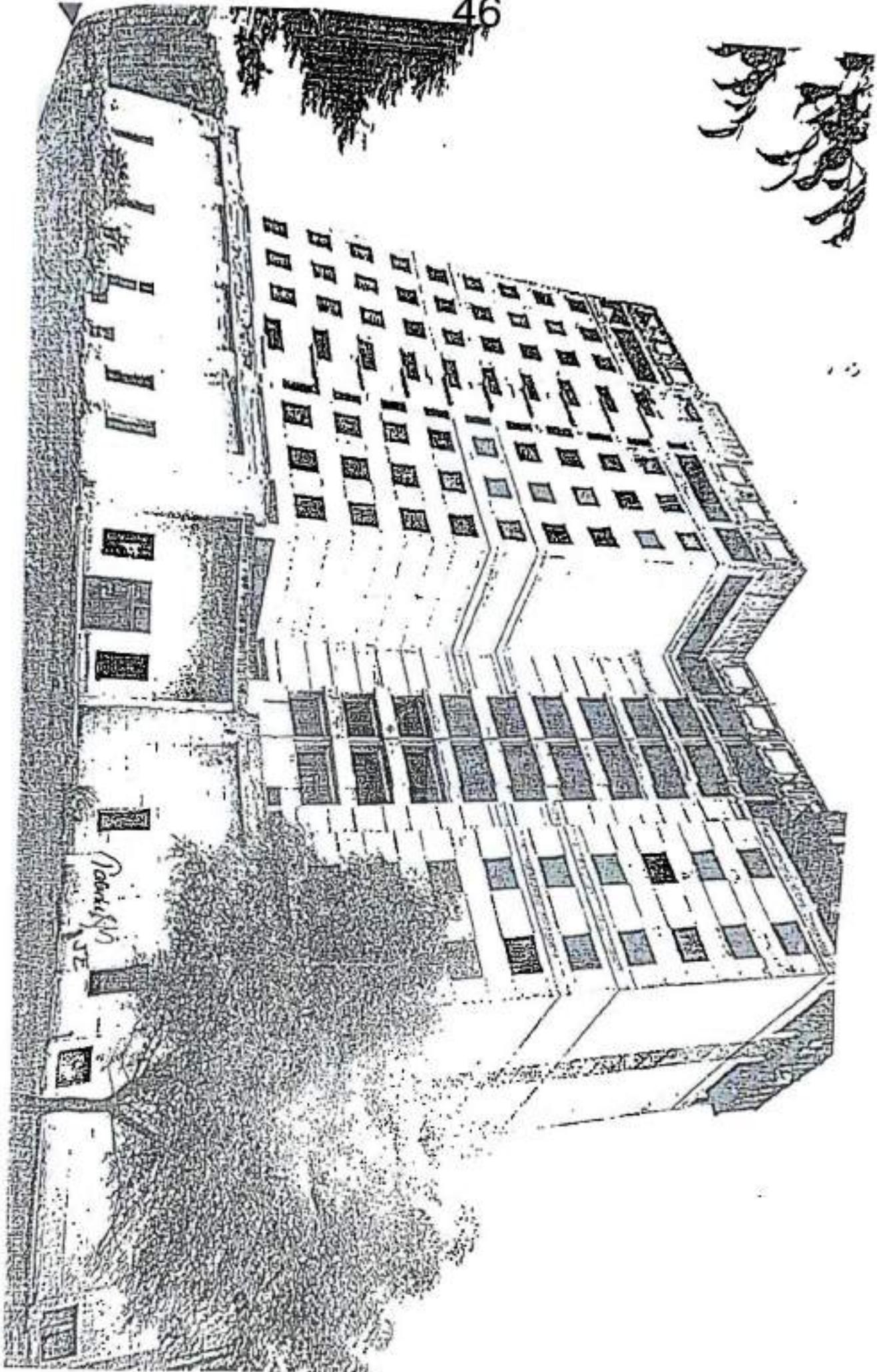
*Zind*  
District Town Planner,  
Enforcement, Gurugram.

Endst. No.

Dated.

A copy is forwarded to Director General, Town & Country Planning, Haryana Chandigarh for information & necessary action please.

|  
District Town Planner,  
Enforcement, Gurugram



47  
ANNEXURE-D

To

Dated: 03.10.2023

Chairperson,  
State Environment Impact Assessment Authority (SEIAA), Haryana  
Paryatan Bhawan, Sector-2  
Panchkula, Haryana

**Subject:** Clarification/Representation on behalf of M/s Creative Buildwell Pvt. Ltd. ensuing the 165th Minutes of Meeting dated 05.09.2023 of State Environment Impact Assessment Authority (SEIAA), Haryana

**Ref:** Our Representation to Hon'ble Chairman, SEIAA Dt. 13th Feb, 2023 and Follow-up dated 02.06.2023.

Respected Sir,

At the outset, it is most humbly submitted that the undersigned company just recently got apprised of the proceedings and minutes of meetings (MOM) held at your esteemed offices and it is apparent through the previous minutes of meeting that our matter had been deferred, therefore, now ensuing the 165th Meeting, the undersigned company is desirous of an opportunity of representation and further afford clarification with regards accurate facts and events to better facilitate the good offices of SEIAA, as the undersigned was not afforded an occasion to be heard and requests thus.

Vide 158th Meeting of SEIAA held on 02.06.2023, the authority decided to defer the case framing questions as extracted below:

*"(i) Why did the Project Proponent applied under Violation Category, when there was no violation/ non-compliance?"*

*(ii) Reports of all the Sub-Committees' rights from the beginning i.e., from 2014 to 2023 are not at harmony and unanimous.*

*(iii) the latest report of the Sub-Committee emphasized/ suggested that the actual dimensions & size of the structure may be got measured from the Expert Agency/*



*Department i.e. Town and Country planning Department, Haryana as the Sub-committee holds no expertise in this regard."*

The Authority further opined that since M.A. No. 28 of 2023 in O.A. No. 215 of 2022 is pending before the Hon'ble NGT, therefore, the authority deemed it appropriate to wait for the outcome of the proceedings underway/sub-judice in the present case.

(Copy of the 158th meeting of SEIAA dated 02.06.2023 is enclosed as Annexure- 1)

The undersigned vehemently yearns to flag the incongruities with regards facts asserted in the Minutes of Meetings before the SEAC and SEIAA and further bring forth true facts along with supporting documents, therefore clarifying and facilitating the esteemed offices, especially over the above set of questions framed.

True facts are reproduced thus,

1. On 05.07.2023, Ld. Member Secretary, SEIAA vide Memo No. SEIAA/ HR/ 2023/453 sought status report from Senior Town Planner, Gurugram, The Department of Town and Country Planning (DTCP), and in furtherance thereof, vide letter dated 11.08.2023 sent by Office of Senior Twon Planner, Gurugram, DTCP bearing Memo No. STP(G)/2023/5058 submits at point 4, "DTP (E), Gurugram reported that the built-up area with Non- FAR/ covered area is 18,359.38 Sqm".

2. Moreover, Ld. Member Secretary, SEIAA again vide letter dated 03.08.2023 bearing Memo No. SEIAA/HR/2023/516 sent to Director General, DTCP requesting measurement of actual dimensions of Structure as it currently stands at the undersigned PP's site and further sought detailed report. (Copy of the letter by SEIAA to DTCP dated 03.08.2023 is annexed herewith as Annexure- 2). In response thereto, the Director General, DTCP vide Memo No. GN-2064-vol. II JD(RA)/2023 dated 05.09.2023 through its detailed report reiterated the actual measurements as 18,359.38 sqm. Therefore, it is succinctly inferred by the Expert Agency/ Department i.e. Town and Country Planning Department that the built-up area is less than 20,000 sqm.



(Copy of DTCP letter dated 05.09.2023 and STP, Gurugram report dated 23.08.2023 is enclosed as **Annexure- 3** )

3. Previously, Site inspection was conducted on 05.07.2014 by Sub-Committee of SEAC, Haryana comprised of Chairperson Sh. IG Juneja and various members of the Expert Appraisal Committee, in compliance with 104th SEAC meeting and according to its findings the undersigned PP had already completed structure of Basement, Ground + 11 stories and that the total built up area constituted 16,616 sqm. Approximately (Copy of the Site inspection report dated 05.07.2014 is enclosed as **Annexure- 4**).

4. Further, upon SEIAA directions to constitute a sub-committee to ascertain status of construction, a site visit was conducted on 28.12.2022 and it was found that no construction activity is going on at the site presently and that the work is abandoned since long. (Copy of Site Visit Report dated 28.12.2022 is enclosed herewith as **Annexure- 5**).

5. Honorable Chairman, SEIAA vide order dated 20.03.2023 had constituted a committee comprising of (1) Member Secretary SEIAA, IAS Sh. Pardeep Kumar (2) Regional Officer, HSPCB (Gurgaon) (3) Sr. Environmental Scientist, HSPCB, Panchkula for the purpose of inspection and ascertain actual status of construction and accordingly visited site on 22.04.2023. The report was submitted to Chairman, SEIAA and cited project details certified by Ar. Vikkey (CA- 2017- 86236) which admeasured the built-up area as 18,359.38 sqm. (Copy of the MS, SEIAA site report of inspection dated 22.04.2023 enclosed herewith as **Annexure- 6**)

6. The aforesaid facts are concomitant and clearly signify that the undersigned PP never undertook construction beyond 20,000 sqm at any given point in time and bonafide endeavors to comply with the prevalent norms. The construction at site got commenced only after grant of Consent to Establish (CTE) dated 08.11.2012 (Copy of Consent to Establish dated 08.11.2012 is enclosed as **Annexure- 7**) by Haryana State Pollution Control Board. Further, during the scrutiny of our application for grant of CTE, we had been specifically asked to submit undertaking/ affidavit before DTCP and HSPCB



deposing that the PP would not undertake construction beyond 20,000 sqm. (Undertaking/Affidavit before DTCP and HSPCB is attached as **Annexure – 8 (Colly.)**)

Enunciation of the list of events / timelines of the SEIAA (Haryana), SEAC (Haryana), Department of Town & Country Planning Haryana (DTCP), & Haryana State Pollution Control board (HSPCB) along with supporting documents are annexed herewith as **Annexure - 9(Colly)**.

7. Applicability of S.O. 1533 (E), Ministry of Environment and Forests dated 14.09.2006 and the ensuing Standard Operating Procedure dated 07.07.2021 for identification and handling of violation cases under EIA notification 2006 in compliance to order of Hon'ble NGT. Referring to the abovementioned timelines, it is reiterated that the PP cannot be rendered liable for contravention of EC as the present project does not fall under the category 8 (a) of EIA of 2006 for requiring EC as built-up area is 18359.38 sqm and the construction was commenced on site after grant of CTE after due scrutiny, was issued by HSPCB, the undersigned was not mandated to secure EC. Furthermore, due to ongoing procedural impediments, delay & latches on part of the government authorities, the undersigned is constrained to cede the built structure non-functional, therefore stands unutilized, incurring colossal losses and neither generates any income nor provides any employment or livelihood. Further, the foregoing circumstances do not attract polluter- pays principle, hence, imposing any penalty is unjustified.

8. It is evident from facts and it is ipso facto luminescent from the record that undersigned's project does not fall under the category of violation. The undersigned once again strongly reiterates and affirms that the undersigned has constructed a built-up area of less than 20,000 sqm. and the same is reflected in various inspection reports as detailed above in point no. 1,2,3.

9. Meanwhile, on account of the impending expiry of the period prescribed in CLU dated 13.1.2010 since the fulfilment of terms and execution of agreement was to be completed within a period of 2 years from the date of issuance of the said permission, the undersigned bonafidely applied for extension of time (EOT) from the DTCP, Haryana citing the aforementioned unforeseeable circumstances and pleaded that the delay in

initiation of construction work at the site and its completion had been caused due to the delay in receiving the requisite sanctions, approvals, permissions from the various government departments (AAI, DTCP, DC Gurgaon, Land Authorities etc.) and that EC is applied for and still pending at the stance of the department. It is noteworthy to mention that the undersigned was compelled to apply for extension with no fault attributable to the undersigned and was rather a sufferer of delay and interlude.

10. That since exponential time had already passed in obtaining permission from various governmental agencies, varied approvals and compliances with no fault or dereliction attributable to the undersigned in the said regard, rather such events caused losses to the undersigned.

11. Resultantly, to curtail further losses, the Undersigned was constrained to re-plan its entire project, despite getting requisite sanctions and approvals from all the other government departments. Considering, that in case the required Environmental Clearance is being ceased for reasons beyond the control of the Undersigned, the Undersigned, therefore, had no choice but to replan the entire built-up area to 16,000 sqm (Approx.) for which PP applied for CTE which was granted and thereafter the construction was commenced. Moreover, since the time stipulated for Completion of Construction would expire shortly (on 14.01.2014), therefore, as a consequence, under no circumstances the construction of the entire project would have been possible within the remaining period 14 months (i.e. 08.11.2012 – grant of CTE till 14.01.2014- expiry of CLU).

12. At the very earliest, the undersigned was constrained to apply for 'Consent to Establish' (CTE) with the Haryana State Pollution Control Board on 12.12.2011 and then also, the Consent to Establish was granted by the HSPCB on 8.11.2012 vide (CTE) no. HSPCB/TAC/2012/1840, after lapse of almost one year.

Since the Consent to Establish was a requirement for projects built below the limit of 20,000 sqm. thence, adhering the aforesaid the undersigned vide application, submitted:

- Undertaking dated 18.01.2012 before the HSPCB clearly stating that the Project build up area will not be beyond 16,000 sqm. (Undeniably below the 20,000 sqm. therefore, falling below, the range wherein enforceability of EC requirement is necessitated). Further, the undertaking succinctly mentions, "We undertake that in case of expansion in the next phase area exceeds that of 20,000.00 sq. meters will apply for environmental clearance



*from State Government as per notification dated 14.09.2009.” Clearly expressing bonafide of the undersigned.*

- Bank Guarantee

Accordingly, after scrutiny, the HSPCB granted Consent to Establish dated 08.11.2012 (please refer to abovementioned Annexure-7)

13. That after obtaining the CTE, the undersigned commenced construction works and abandoned the plans for developing beyond 20,000 sqm due to the forgoing procedural delays for obtaining EC, changes in regime and ambiguity caused thereof by the governmental agencies, which ultimately was resulting in colossal losses to the undersigned. While, the project was underway, the undersigned, for futuristic purposes, and being desirous of obtaining EC timely in case the circumstances allow any kind of expansion, propounded phase wise plan, expansion being in the second phase, if at all, and in accordance with approvals, consequently still applied for EC, duly paying additional fee, vide application dated 31.10.2012.

14. In the proposed expansion itself the undersigned made it undoubtedly clear that Undersigned shall not go for expansion of the project unless and until the First phase of the project for which the Consent to establish has already been obtained by the Undersigned is Completed and that the said project becomes operational and Consent to operate is obtained from Competent authorities. Departments i.e., the Undersigned shall only construct the Built-up area of 16,000.00 sq meters approximately as already submitted in the undertaking so submitted with Haryana State Pollution Control Board.

15. However, due to apparent ambiguity and uncertainty in procedure of State Environmental Impact Assessment Authority, Haryana and EC, the undersigned decided to withdraw proposal for Grant of EC dated 25.11.2010 and Expansion dated 31.10.2022 vide various withdrawal application and representations such as those dated 4.07.2013, 1.10.2013 submitted to SEAC(Haryana), Application for withdrawal / Exemption was submitted vide letter dated 05.08.2019 & 03.12.2019; 15th March, 2023 etc. (refer to Annexure-9 (Colly)).

16. That, as evidenced by the List of Timeliness and Events (attached herewith) the PP has been a victim and sufferer of gross procedural delays and as a corollary spent nearly INR 15-16 crores of Rupees on the project including land, CLU, Extensions thereof, grants, permissions, approval, NOC's, Building and Machinery however we are yet to

enjoy the fruits of the same. The Undersigned, in order to obtain the CLU for 2 years, which too was granted after a lapse of one year from the date of request had applied for EC for which CLU was a pre-requisite and thereafter waited for significant long period of time but to no avail. Consequently, the project of the undersigned was left in abeyance and finally to atleast commence work, the undersigned had to devise a plan of action and curtailed the area of construction and to not incur further losses. The Undersigned had to again apply for a further extension which was only granted after persistent and rigorous efforts for the Period of 1 year and another substantial extension fee of Rs. 21,57,880.- had to be borne by the Undersigned, the said period of extension is also going to expire in January 2013. Further, due to the still ongoing interlude, and due to more procedural and departmental delays, the undersigned had to again apply and receive for a **FINAL** one-year extension, for no fault of own, by depositing under protest an amount of Rs. 73,98,443.-. This final extension was valid until 13.1.2014 by the expiry of the said timeframe, the undersigned was obligated to affirmatively conclude the construction and fulfill its obligations under CLU dated 13. 01. 2010.

17. By then, due to the foregoing events, the undersigned was convinced that the implementation of 'Expansion Phase' is not possible prior to the expiry of the period granted for construction in the extended CLU terms, and therefore was restricted to built up area of 18,359.23 sq. mtrs , i.e. less than 20,000 sq. meters. The Undersigned had vide its letter dated 14.05.2013 had given a letter to District and Town Planner, Gurgaon of its intention to construct less than 20,000. - sq meters as built up area of its project, The undersigned had also previously in its letter dt. 1.9.2011, intimated the DTCP, Haryana of its intention of developing an area under 20,000 sq meters due to the time constraint. The PP had again, reiterated its stand to construct the aforesaid area and with the said intention had again informed the DTCP, Haryana in said regard.

18. On conjoint readings of the Minutes of Meetings of SEAC/ SEIAA & orders thereto, enumerated in the attached timelines, the PP was time and again held as "Violator", "Proven Violation". However, there was nothing cogent on record to substantiate the same.

In this cumbersome process, the PP was constrained to engage Consultant, who proceeded to wrongly apply for Grant of TOR (under Violation Category) vide online application dated 02.08.2022 (10.08.2022) despite it being ipso facto evident that PP does not fall under the "Violation Category" and thereon pursuing the case under this



category with SEAC & SEIAA, which recommended the same for grant of TOR is bad in law.

19. SEIAA upon scrutiny of proposal forwarded by the SEAC, as wrongly represented to it by the Consultant, proceeded to order a penalty of INR 6.63 crores. In response to the same, the PP requested for opportunity for hearing vide its representation dated 13.02.2023 (copy already attached). In good faith, through this representation we requested for penalty / remediation costs/ damage assessment etc. to be done as per the MOEF SOP dated 07.07.2021 despite the fact that PP is not liable for the same.

20. Hon'ble Chairman, SEIAA granted personal hearing on dated 15.03.2023. During the course of the hearing chaired by Hon'ble Chairperson, SEIAA attended by Member Secretary, SEIAA and others of the SEIAA Committee, from the PP's side Director Mr. Vithal Mittal, Chairman of the Group Sh. Manoj Mittal, & Consultant, it was again informed by the PP that the project as on date less than 20,000 sq mtrs , approx. 18,000 sq mtrs and this fact was not apparent to the SEIAA. The Chairman was shocked to learn that the PP has not built up area more than 20,000 sq. mtrs and ordered the PP to submit the same again via affidavit and undertaking (copy of letter and undertaking dated 15th march 2023 already attached) and chastised the consultant for ill-advise the undersigned to apply for grant of ToR (under violation category) whereas the undersigned clearly does not fall under the purview of SOP 07.07.2021 and EIA notification 2006.

21. Taking cognizance of this fact, The Hon'ble Chairman, SEIAA vide order dated 20.03.2023 ordered the Member Secretary, SEIAA and others to verify the status of construction of site. Resultantly, an inspection by (1) Ld. Member Secretary, SEIAA (2) Regional Officer, HSPCB (Gurugram) (3) Senior Environment Officer, HSPCB (Panchkula) was conducted during site visit dated 22.04.2023 during which from PP's side Director Mr. Vithal Mittal, Legal Officer Mr. RC Gosain, details of which have been given above in point no. 5.

22. Subsequently, on recommendation of above Sub-Committee your good self directed "Expert Agency" must perform the inspection and provide actual dimensions of site along with built-up area. Pursuant thereof detailed reports of actual dimensions and

built-up area were submitted to your good offices from the Office of Senior Town Planner, Gurugram (DTCP) vide memo dated 11-08-2023 and Officers of Director General, DTCP vide memo dated 05-09-2023 (refer point no.5 & 6 above) reflecting the built-up area (inc. FAR / Non FAR) admeasuring 18,359.38 sq Mts (less than 20,000 sq mtrs).

23. It is apposite to point out that even though your good-self had initiated specific inquiry with regards built-up area to ascertain whether or not the PP falls under violation category, yet the findings of inspection reports are not apparent while deliberating the undersigned's matter on 165th meeting of SEIAA held on 05.09.2023 findings of which were communicated to us vide letter bearing Memo No. SEIAA (165)/HR/2023/615 dated 15.09.2023 received on 26.09.2023.

24. The PP requests the authority to consider the true facts, timelines, list of events and supporting documents to bridge the missing chain of events and also provide the undersigned an opportunity of being heard as and when the circumstances warrant. Should your good self want any further clarification or have any queries, kindly apprise and we would extend full cooperation and facilitation.

Thanking you.

Sincerely,



(Vithal Mittal)

Director - M/s Creative Buildwell Pvt. Ltd.

ANNEXURE-1**Item No. 158.04: ToR (under violation category) for Expansion of Five Star Project at Village Ghamroj, Sohna Road, Tehsil Sohna, District Gurgaon, Haryana M/s Creative Buildwell Private Limited.**

1.	Proposal	<u>Grant of Expansion in EC</u>
2.	Project Proponent	<u>M/s Creative Buildwell Private Limited</u>
3.	Category of the Project	8(a)
4.	Project Consultant	Eco Paryavaran Laboratories and Consultants Pvt. Ltd.
5.	NABET, ACCREDITATION	(No. NABET/EIA/2223/SA 183 Valid upto : 17-12-2023)

Proposal for the said Project was submitted to the SEIAA vide online Proposal No. SIA/HR/MIS/81570/2022 dated 02.08.2022 for Approval of ToR (under violation) within the scope & meaning of EIA Notification dated 14.09.2006. The Project Proponent has deposited Scrutiny fee of ₹ 1,00,000/- vide DD No. 501304 dated 10.08.2022 (in compliance of Haryana Government, Environment & Climate Change Department Notification No. DE&CCH/3060 dated 14.10.2021).

**Appraisal & Recommendations of SEAC:**

*The case was taken up during 248<sup>th</sup> meeting of SEAC held on 06.09.2022. The PP along with consultant appeared before the committee and presented the case and submitted following information: The Committee discussed the case under violation category and after detailed deliberations on the information presented by the project proponent, unanimously decided to recommend the case to SEIAA for Grant of Terms of Reference (under violation) for undertaking EIA and preparation of Environment Management Plan (EMP).*

**Findings and Decision of THE AUTHORITY (SEIAA):**

Earlier, the matter was again taken up during 152<sup>nd</sup> meeting of SEIAA held on 24.01.2023.

The Authority after having gone through the relevant records, perusal of Site Inspection Reports dated 05.07.2014 and 10.01.2023 of the Sub-Committees along-with communication dated 28.06.2022/29.06.2022 on behalf of Project Proponent and further, upon considering the recommendations of the Appraisal Committee, observed as under:

1. That Project Proponent initially applied for grant of EC vide application dated 25.11.2010 and 20.11.2012. During 104<sup>th</sup> Meeting of SEAC held on 13.05.2014, certain observations were communicated to PP as part of the proceedings. PP failed to respond and comply with the observations. Thereafter, SEAC decided to constitute a Sub-committee to inspect the project site to verify the status of Construction. Accordingly, the Sub-committee visited the project site on 05.07.2014 and submitted its Report.
2. That, the Site Inspection Report of the Sub-committee was considered during 112<sup>th</sup> meeting of SEAC held on 19.09.2014; wherein it was revealed that this is a case of Proven Violation; hence, the case was recommended to SEIAA to initiate Prosecution on account of violations.
3. That, the recommendation of SEAC was considered during 76<sup>th</sup> meeting of SEIAA held on 14.10.2014 and the case was recommended to Principal Secretary, Environment Department, Haryana to issue directions under section 5 of EP Act, 1986 against the Project Proponent in respect of violations.
4. That, thereafter, the case remained pending for long period of time with the Appraisal Committee as the Project Proponent had failed to comply/respond to the observations raised by SEAC. Thereafter, a Sub-committee was constituted comprising of Sh. S. N. Mishra and Shri Hitender Singh, Member SEAC; but Sub-committee could not visited the project site due to expiry of the Terms of the Authority. Case was again taken up during 139<sup>th</sup> meeting of SEIAA held on 18.04.2022; wherein it was decided to de-list the proposal in view of OM dated 18.11.2020 being an old and dormant case, as no response/replies were coming forward from the Project Proponent.
5. That Project Proponent all of a sudden on 02.08.2022, came out of hibernation (almost after 12 years) and again applied for TOR under Violation Category for the said project for Built up area of 38,218.65 Sqmtrs (Page No. 9 and 10). The case was considered during 248<sup>th</sup> meeting of SEAC held on 06.09.2022 and recommended to SEIAA for Approval of Terms of Reference (ToR) under Violation Category.
6. That the recommendations of SEAC were considered in 145<sup>th</sup> meeting of SEIAA held on 09.09.2022; wherein a Sub-committee was constituted to verify the actual

status/position of Construction at the project site. The sub-committee visited the project site and submitted its report with the following remarks:

"No construction activity is going at the project site at present. It seems that work in abandoned since long. Now, PP applied under violation category as till date EC has not been obtained, although, part construction has been done at site out of total approved built up area of 38218.65 Sqmts".

7. That the Authority observed that obdurate/unyielding attempt have been made by the PP to mislead the Authority by concealing the factual status of the Project. Whereas, upon perusal of details/record placed on the file clearly indicates that PP has voluntarily admitted the scope of violations and made to represent the case on the basis of incorrect details. The Authority, further, observed that the application dated 02.08.2022 and the Reports of the Two Sub-committees along-with communication of PP with DTCP vide letter dated 10.01.2014 clearly establishes that Project has been started without obtaining EC and completed 11 floors and basements. This amounts to clear violation under the scope and meaning of EIA Notification dated 14.09.2006 and calls for action under the scope and meaning of SoPs dated 07.07.2021 (to workout penalty and Environmental Compensation).

In view of the discussions made above, the Authority decided to proceed to take further necessary action regarding Penalty and Environmental Compensation within the scope & meaning of EIA Notification dated 14.09.2006 & SOPs dated 07.07.2021 (by exercising powers under the scope and meaning of Section 5 of Environment (Protection), Act 1986 i.e. to make, directions) along with the observations made by the Hon'ble Courts in the below mentioned Cases:

1. Hon'ble Supreme Court of India in Civil Appeal No. 2435 of 2019 titled as Keystone Realtors Pvt. Ltd Versus Shri Anil V Tharthare & Ors.
2. Hon'ble NGT in Appeal No. 122/2018 titled as Anil Tharthare Versus The Secretary, Env. Dept. Govt. of Maharashtra & Ors.
3. Original Application No. 1017/2018 titled as Shashikat Vithal Kamble Versus Union of India & Ors.

**Penalty & Environmental Compensation Cost for the violations is hereby calculated as under:**

Sr. No.	Particular	Cost in Rs. In (lacs)	% age
1	Project Construction Cost of the area involved under violation i.e. 38218.65 Sqmtrs (411382 Sqfts x ₹ 4950 i.e. average construction cost per Sqft)	₹ 204 Crore approx. & same is <u>revised to ₹ 221.07 Crore</u> (in view of the cost of land & other activities like license fees /EDC / IDC etc. forming the cost of the Project).	
		<u>Thus, Total Cost of the Project is assessed at ₹ 221.07 Crore (Approx).</u>	
2	1% Penalty as per SOP 7 <sup>th</sup> July 2021, Clause No 12.a (ii) on Rs 221.07 Crore	₹ 221.07	1 %
3	0.25% Penalty as per SOP 7 <sup>th</sup> July 2021, Clause No 12.a (ii) on Rs 221.07 Crore	<u>Not applicable, since project is not completed and no. OC has been obtained</u>	<u>Not applicable, since project is not completed and no. OC has been obtained</u>
4	Environmental Compensation Cost	₹ 442.14	2 %
	<b>Total Amount</b>	<b>₹ 663.21</b>	

**The Project Proponent to pay :**

(a) Penalty	:	₹ 221.07 Lakh
(b) Environmental Compensation Cost	:	₹ 442.14 Lakh
<b>Total</b>	:	<b>₹ 663.21 Lakh</b>

It is relevant to mention that Hon'ble NGT vide Order dated 21.10.2022 in OA No. 976/2019 & M.A. No. 74/2022 (Gurinder Singh & Ors Versus Union of India & Ors.) and Order dated 11.11.2022 in O.A. No. 10 of 2021 & L.A. No. 282 of 2022 (Sanjay Kumar Versus Union of India & Ors.), made directions that PENALTY & ENVIRONMENTAL COMPENSATION COST recovered from Project Proponent on account of Violations / Non-compliances "is to be utilized for RESTORATION, PROTECTION & CONSERVATION of Environment through State/ District Environment Plans".

In view of the above, the Authority may direct the Project Proponent to deposit the PENALTY & ENVIRONMENTAL COMPENSATION COST, so assessed in the said case i.e. ₹ 663.21 Lakh within 30 days from the date of Order in accordance with the directions issued by MOEF & CC, GOI vide Office Memorandum No. F.No. IA3-22/30/2022-IA.III(182415) dated 28.07.2022.

On receipt of PENALTY & ENVIRONMENTAL COMPENSATION COST, so assessed in the said case i.e. ₹ 663.21 Lakh, the Proposal for Approval of Terms of Reference (ToR) shall be taken up for further consideration by the Authority.

In case of failure to comply with the above, action under Section 5 of the Environment (Protection) Act, 1986 will be initiated, (including demolition of the structure as may be required at the risk and cost of the Project Proponent) without any further notice along with considering to de-list the Project.

Thereafter, the Project Proponent made a re-presentation before the Authority and submitted that the Actual Construction at the Project site is less than the requisite permission i.e. 20,000 Sqm.

Accordingly, a Sub-committee was constituted to verify the actual status of construction at the project site. The submitted committee visited the project site and submitted its report to the Authority.

Now, the matter was again taken up during 158<sup>th</sup> Meeting of SEIAA held on 02.06.2023. After due deliberations, the Authority decided to defer the case due to the followings:

1. Why did Project Proponent applied under Violation Category, when there was no violation / non-compliance ?
2. Reports of all the Sub-committee's right from the beginning i.e. from 2014 to 2023 are not at harmony and unanimous.
3. The latest report of the Sub-committee emphasized/ suggested that the actual dimensions & size of the structure may be got measured from the Expert Agency / Department i.e. Town & Country Planning Department, Haryana as the Sub-committee holds no expertise in this regard.

4. M.A. (Miscellaneous Application) No. 28 of 2023 in OA No. 215 of 2022 is pending before the Hon'ble NGT and likely to be listed on 01.08.2023. Therefore, the Authority deemed it appropriate to wait for the outcome of the proceedings underway / subjudice in this case.

In view of the above, the proceedings in this case are deferred, accordingly.

ANNEXURE - 2

State Environment Impact Assessment Authority, Haryana,  
Bays No.55-58, Pragyan Bhawan, Sector-2 Panchkula.

Telephone No. 0172-2565232  
E-mail ID: [seiaa-21.gov@hry.gov.in](mailto:seiaa-21.gov@hry.gov.in)

Urgent  
Time Bound  
Immediate Attention

Memo No: SEIAA/HR/2023/ 516

Dated: 03/08/2023

To

The Director General,  
Department of Town & Country Planning Haryana,  
Plot No. 3, Sec-18A, Madhya Marg,  
Chandigarh 160018.  
Email: [tcpharyana76@gmail.com](mailto:tcpharyana76@gmail.com)

- Subject: 1. ToR (under violation category) for Expansion of Five Star Project at Village Ghamrol, Sohna Road, Tehsil Sohna, District Gurugram, Haryana M/s Creative Buildwell Private Limited.
2. EC for Commercial Complex "JMD The Regent" at village Nangli Umarpur, Sector-62, Gurugram, Haryana by M/s JMD Limited.

With reference to the subject cited above.

In this context, it is to intimate that the above subject cited projects were submitted before the State Environment Impact Assessment Authority for grant of Environment Clearance within the scope and meaning of EIA Notification dated 14.09.2006 emanating from Environment (Protection) Act, 1986.

The above mentioned Project Proposals were considered by the Authority; after considering all the facts and details as given by the Project Proponents; the Authority deemed it appropriate to get the Assessment of the Actual size and dimensions of the Structure as currently stands at the project site by the Department of Town & Country Planning being as an Expert Technical Department in the matters.

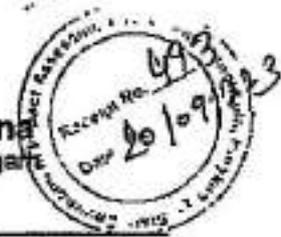
Keeping in view of above, it is, therefore, requested to get measured the actual dimensions and size of the structure of the instant proposals at the project sites and submit a detailed report to the Authority within 15 days, positively.

  
Member Secretary,  
SEIAA, Haryana

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ANNEXURE-3

**Directorate of Town & Country Planning, Haryana**  
 Nagar Yojana Bhawan, Plot no. 3, Sector 18A, Madhya Marg, Chandigarh  
 Phone: 0172-2549349; Email: tcpharyana7@gmail.com  
 Website: <http://tcpharyana.gov.in>



Regd.

To

Member Secretary,  
 State Environment Impact Assessment Authority, Haryana,  
 Bays no. 55-58, Prayatan Bhawan,  
 Sector 2, Panchkula.

M.S. S.

Dt: .....

Memo no. GN-2064-vol. II/JD(RA)/2023/ 29378

Dated: 05-09-2023

Subject:

(i) ToR (under violation category) for expansion of 5 star project at village Ghamroj, Sohna Road, Tehsil Sohna, District Gurugram- M/s Creative Bulldwell Pvt. Ltd.

(ii) EC for commercial complex "JMD, the Regent" at village Nangli Umarpur, Sector 62, Gurugram, Haryana by M/s JMD Ltd.

With reference to the subject cited above.

In this context, it is to intimate that the information sought vide your memo no. SEIAA/HR/2023/516 dated 03.08.2023 already stand forwarded by Senior Town Planner Gurugram vide endst. no. 5275 dated 23.08.2023.

2. However, the copy of the same alongwith its enclosures are sent herewith for your kind information and further necessary action please.

DA/As above.

(R.S. Bhatt)  
 District Town Planner(HQ)  
 For: Director General, Town & Country Planning,  
 Haryana, Chandigarh

**OFFICE OF SENIOR TOWN PLANNER, GURUGRAM**

Department of Town &amp; Country Planning, Haryana

Sector-14, HSVP Complex, 3rd Floor, Gurugram

Telephone: 0124-4014776

E-mail : [stp4.gurugram.tcp@gmail.com](mailto:stp4.gurugram.tcp@gmail.com)

Memo No. : STP (G)2023

Dated

5274

23/8/23

To

Director General  
Town & Country Planning, Haryana  
Chandigarh.

- Subject: 1. ToR (under violation category) expansion of Five star Project at village Ghamraj, Sohas road, Tehsil Sohas, Distt Gurugram, Haryana-Creative Buildwell Pvt. Ltd.  
2. EC for Commercial Complex "JMD The Regent" at village Naagali Umarpur, Sector-62, Gurugram by M/s JMD Limited.

Reference: Member Secretary, State Environment Impact Assessment Authority, Haryana memo no. SEIAA/HR/2023/516 dated 03.08.2023 addressed to your good self & District Town Planner (E), Gurugram office memo no. 13884 dated 07.08.2023 and 13868 dated 07.08.2023, (copies alongwith enclosures of the same enclosed).

With reference to subjected matter, it is submitted that State Environment Impact Assessment Authority, Haryana, vide memo under reference, has sought the report regarding assessment of actual size and dimensions of existing structure at the subjected project sites. Accordingly, the requisite report for both the subjected projects was sought from DTP(E), Gurugram and the same has been received vide letters under reference. The detailed report is given in the letters under reference, so the same is not being reproduced. Accordingly, the copies of the same along with its enclosures are sent herewith. This is for your information and further necessary action please.

DA/As above

  
Senior Town Planner,  
Gurugram Circle, Gurugram

Endst. No. STP(G)/2023/

Dated:

A copy is forwarded to Member Secretary, State Environment Impact Assessment Authority, Haryana, Bay No. 55-58, Prayatan Bhawan, Sec-2 Panchkula for information please.

  
Senior Town Planner,  
Gurugram Circle, Gurugram

Endst. No. STP(G)/2023/

Dated:

A copy is forwarded to District Town Planner(E), Gurugram for information please.

  
Senior Town Planner,  
Gurugram Circle, Gurugram

**Office of District Town Planner (Enforcement), Gurugram**  
 DEPARTMENT OF TOWN & COUNTRY PLANNING, HARYANA  
 Sector-14, HUDA COMPLEX, 3<sup>rd</sup> FLOOR, GURUGRAM.  
 Tel-0124-2223749  
 E-mail: [dtpen14.gurugram.tcp@gmail.com](mailto:dtpen14.gurugram.tcp@gmail.com)

Memo No. DTP (E)/2023/ 19884  
 Dated: 07-08-2023

To: Senior Town Planner,  
 Gurugram, Circle, Gurugram,

Subject: ToR (under violation category) expansion of Five star Project at  
 village Ghamroj, Sohna road, Tehsil Sohna, Distt Gurugram,  
 Haryana - M/s Creative Buildwell Pvt. Ltd.

Ref: Mail received through STP(G) dated 01.08.2023

On the subject cited above, it is informed that vide mail under  
 reference case for ToR (under violation category) expansion of Five star Project at  
 village Ghamroj, Sohna road, Tehsil Sohna, Distt Gurugram, Haryana being  
 developed by M/s Creative Buildwell Pvt. Ltd. has been received in this office. After  
 site visit detail report is as under: -

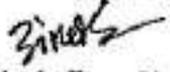
1. The change of land use permission for an area measuring 20551.23 Sqm in khasra no. 120//1, 2, 9, 10/1, 10/2, 11/2, 12, 121//6 in the revenue estate of village Ghamroj, Tehsil Sohna, District Gurugram has been granted vide Director, Town & Country Planning, office memo no. CLU/G-2064-JE(SS) 2009 / 206 dated 13.01.2010. The applicants were also granted extension in change of land use permission up to 12.01.2014 vide DOTCP Haryana office memo number CLU/G-2064-JE(S) 2013 / 49258 dated 22.08.2013.
2. The Building Plans have been approved for a plot area measuring 20551.23 Sqm vide DTCP office memo no. CLU/G-2064-JD(ES) 2011 / 7000 dated 21.09.2011.
3. The applicant had applied for grant of Part occupation certificate in DTCP office on dated 10.01.2014 within validity of CLU Permission i.e. [12.01.2014] but occupation certificate not issued because construction of site was not completed in all respect.

4 The site has been inspected vis-a-vis as-built plans and the area details as under:

Sl No	Floor Detail	Built up area with non-FAR	Built up area within FAR
1	Basement	4777.172 sqmtr	
2	Ground floor	1995.807 sqmtr	1995.807 sqmtr
3	Mezzanine	1225.656 sqmtr	1225.656 sqmtr
4	Service floor	927.64 sqmtr	
5	Second floor	927.64 sqmtr	927.64 sqmtr
6	Third floor	927.64 sqmtr	927.64 sqmtr
7	Fourth floor	927.64 sqmtr	927.64 sqmtr
8	Fifth floor	927.64 sqmtr	927.64 sqmtr
9	Sixth floor	927.64 sqmtr	927.64 sqmtr
10	Seventh floor	927.64 sqmtr	927.64 sqmtr
11	Eight floor	927.64 sqmtr	927.64 sqmtr
12	Ninth floor	927.64 sqmtr	927.64 sqmtr
13	Tenth floor	927.64 sqmtr	927.64 sqmtr
14	Eleventh floor	927.64 sqmtr	927.64 sqmtr
15	Terrace floor	157.39 sqmtr	
Total		18359.38 sqmtr	12497.859 sqmtr

The report along with photograph is forwarded for further necessary action, please.

DA/As above.

  
District Town Planner,  
Enforcement, Gurugram.

Encl. No.

Dated.

A copy is forwarded to Director General, Town & Country Planning, Haryana Chandigarh for information & necessary action please.

  
District Town Planner,  
Enforcement, Gurugram.

ANNEXURE - 4

Annexure - H

SITE INSPECTION REPORT OF 'FIVE STAR HOTEL' PROJECT LOCATED AT VILLAGE-  
GHAMROJ GURGAON, HARYANA TO BE DEVELOPED BY M/S CREATIVE BUILDWELL  
PVT. LTD

A site inspection was conducted on 05.07.2014 at 9:00 am by the subcommittee of SEAC, Haryana in reference to the 104<sup>th</sup> SEAC meeting wherein, Committee has decided to verify the status of the construction of the project as constructed at site. Hence constituted a Sub-Committee consisting of the following which will inspect the site to verify the status of construction of the project:

1. Sh. I.J. Juneja, Chairman
2. Sh. Sultan Singh, Member
3. Sh. R.S. Rana, Member

**Attendance:****Chair:**

- 1) Mr. Inderjeet Juneja (Chairman, SEAC, Haryana)
- 2) Mr. Sultan Singh (Member, SEAC, Haryana)
- 3) Mr. R.S. Rana (Member, SEAC, Haryana)
- 4) Mr. Manish Saxena (General Manager, Creative Buildwell Pvt. Ltd.)
- 5) Mr. K.K. Arya (Project Manager, Creative Buildwell Pvt. Ltd.)
- 6) Mr. B. Rajesh (Senior Manager, GRC India Pvt. Ltd.)
- 7) Ms. Namrata Singh (Deputy Manager, GRC India Pvt. Ltd.)

**Background:**

The Project is a 'Five star hotel' project located at Village- Ghamroj, Gurgaon, Haryana to be developed by M/s Creative Buildwell Pvt. Ltd. The application for obtaining Environmental Clearance of the above said project was submitted on 20.11.2012. The case was considered in 85<sup>th</sup> SEAC meeting dated 24.06.2013. During meeting it was revealed that, this is a case of violation of Environmental Protection Act, 1986 in compliance of EIA Notification dated 14.09.2006. The project proponent was directed to submit the Resolution of Board of Directors as per the guidelines of MoEF in respect of letter dated 12.12.2012. The project proponent submitted the reply of the shortcomings vide letter dated 29.07.2013. In the 89<sup>th</sup> Meeting, SEAC directed project proponent in accordance with the Memo No. J-110 13/4112006-IA,II(I) dated 27.05.13 issued by the MoEF that, the project proponent is required to immediately stop the work till Environmental Clearance is granted after due process under the law. Along with this Project Proponent need to submit an affidavit not below the rank of Director of the company indicating that the work has been stopped with effect from (date) and he has to supply details of work already executed up to the date till construction has been stopped in descriptive & graphical manner. The project proponent submitted the reply of the shortcomings vide letter dated 08.10.2013. The case was again taken up in 98<sup>th</sup> SEAC meeting, PP was directed to submit revised approved plans of the area as constructed along with Occupation Certificate from Competent Authority along with a certificate that built up area (FAR/Non FAR/Basement) does not exceed 20000 Sq. Meters. Committee decided to consider withdrawal application only

after submission of above documents. The project proponent submitted the reply of the shortcomings vide letter dated 25.02.2014. Then case was considered in 104<sup>th</sup> SEAC meeting where committee decided to visit and inspect the site to ascertain the factual correctness of the information submitted to them through the Project Proponent.

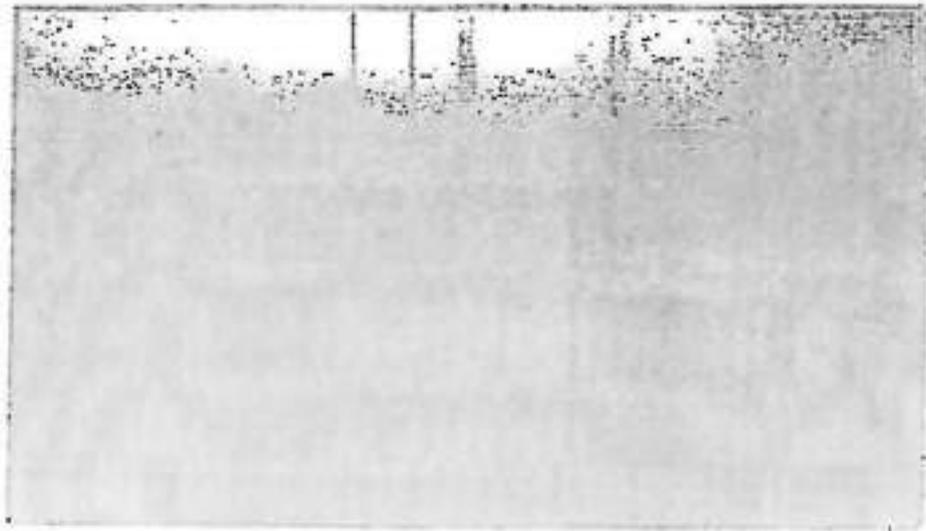
#### Findings:

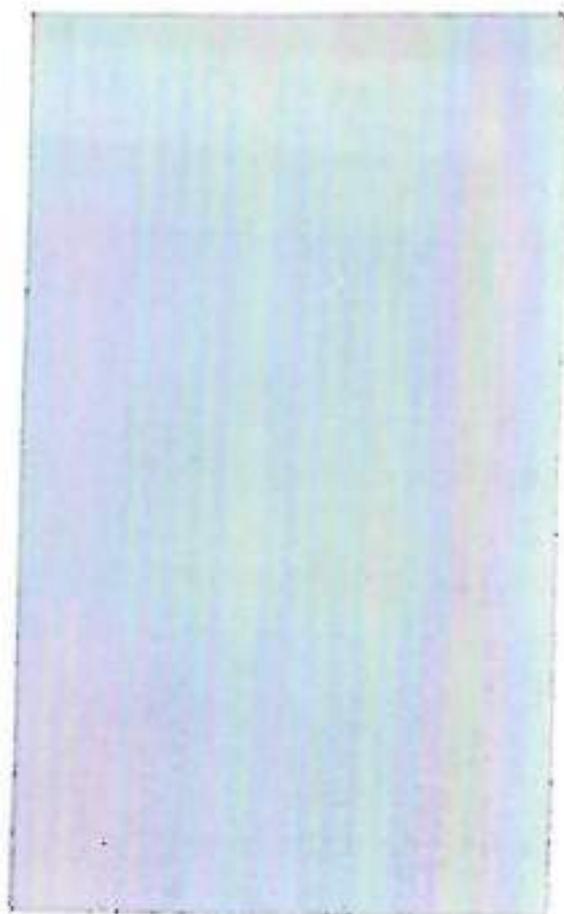
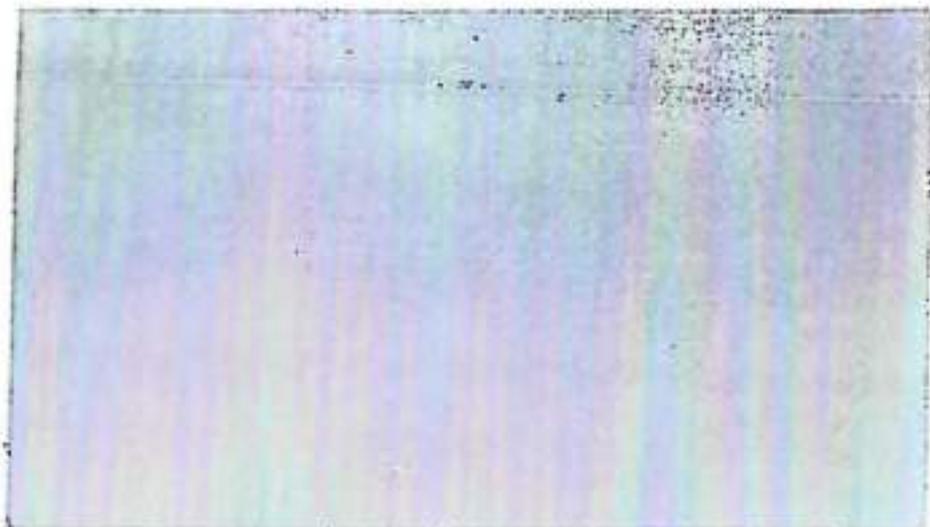
During site inspection, it was found that the project proponent has already constructed complete boundary wall. The project consists of a hotel block and an executive suite block. Total structure of G+11 has been constructed in the hotel block. There are two no's of basement constructed, one under hotel block and one under executive suite block. Basement is common between hotel & executive suite block. Further, it was found that construction work has been stopped at the site. The plot area of the project is 20,551.23 sq.m and the total constructed built-up area (including all FAR and Non FAR area) is 16,616.85 sq.m.

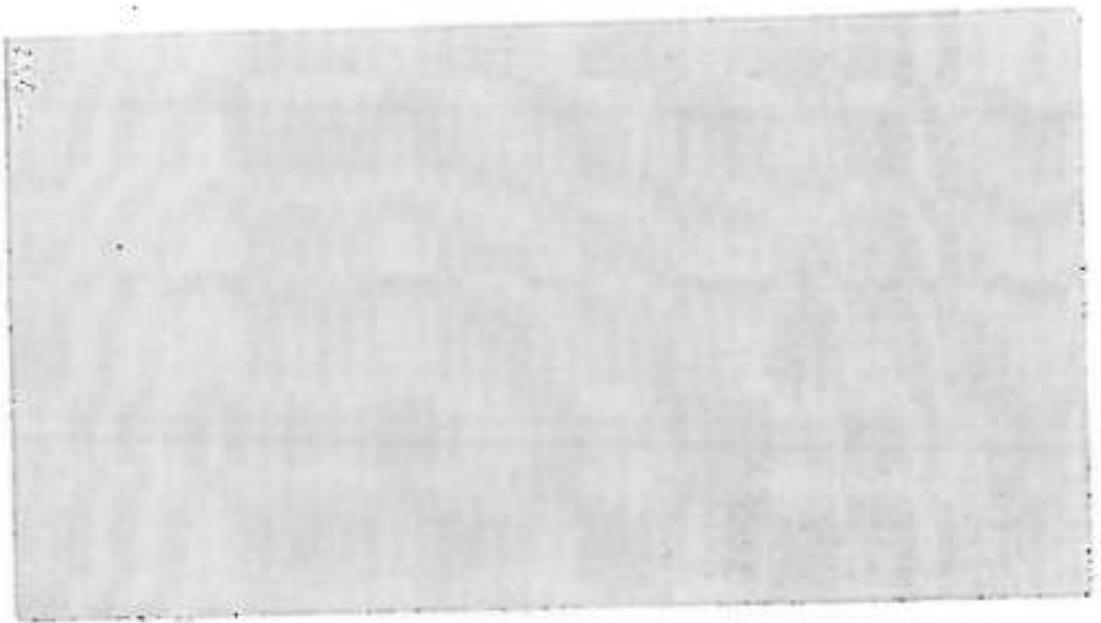
The fact was supported by the photographs taken at the time of inspection along with plans which are enclosed with this report. Area statement is also enclosed for reference.

#### Conclusion:

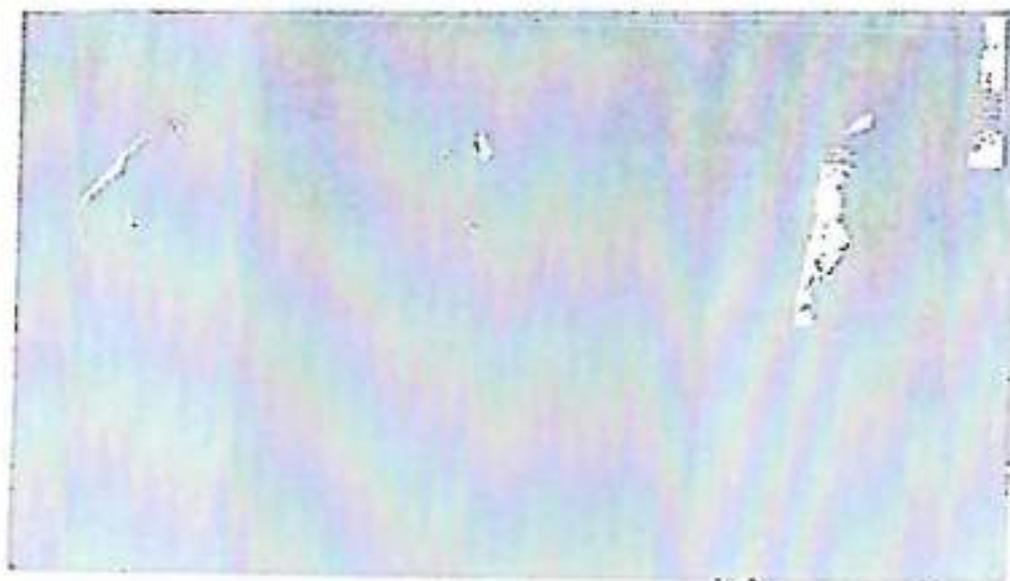
After the site visit, it came into light that the Project Proponent has constructed built-up area less than 20000 m<sup>2</sup> i.e. 16,616.85m<sup>2</sup> as per occupation certificate application. The case may be considered as per the latest guidelines for further course of action.







SITE PHOTOGRAPHS



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ANNEXURE - 5**SITE VISIT REPORT**

**Subject:** TOR (under violation category) for Expansion of "Five Star Hotel" at Village Ghamroj, Sohna Road, Tehsil Sohna, Dist. Gurgaon, Haryana by M/s Creative Buildwell Pvt. Ltd. (Proposal no. SIA/HR/MIS/81570/2022).

A sub-committee was constituted comprising of the following members to verify the construction status of the project pertaining to TOR (under violation category) for Expansion of "Five Star Hotel" at Village Ghamroj, Sohna Road, Tehsil Sohna, Dist. Gurgaon, Haryana by M/s Creative Buildwell Pvt. Ltd. vide Endst. No. SEIAA/HR/2022/1518-1522 dated 21.09.2022.

1. Sh. Vijay Kumar Gupta, Chairman, SEAC, Haryana.
2. Dr. Rajbir Singh Boudwal, IFS (Retd.), Member, SEAC, Haryana.
3. Regional Officer, HSPCB Gurugram (North) (He will assist the members of sub-committee).

**Attendance:**

1. Sh. Vijay Kumar Gupta (Chairman, SEAC, Haryana).
2. Dr. Rajbir Singh Boudwal, IFS (Retd.) (Member, SEAC, Haryana).
3. Sh. Aparnesh Kumar (Scientist B, SDO, HSPCB (North)).
4. Mr. R. C. Gosain (General Manager, Authorized Signatory, Creative Buildwell Pvt. Ltd.)
5. Mr. Manish Saxena (AVP Project, Creative Buildwell Pvt. Ltd.)
6. Mrs. Priyanka Madan (Asstt. General Manager, Eco Paryavaran Laboratories & Consultants Pvt. Ltd.)
7. Ms. Ankita Awasthi (Legal Executive, Creative Buildwell Pvt. Ltd.)

**Background:**

The application was filed to SEIAA, Haryana on Parivesh portal for issue of TOR under violation category vide Proposal no. SIA/HR/MIS/81570/2022 dated 02.08.2022 under Schedule 8(a) as per EIA Notification, 2006 and its amendments. The case was taken up in 248<sup>th</sup> SEAC, Haryana meeting held on 06.09.2022 and decided to recommend the case to SEIAA, Haryana for grant of Terms of Reference (under violation) for undertaking EIA and preparation of Environment Management Plan (EMP). Thereafter, recommendation of SEAC,

Executed by  
SFE

MP

A

Haryana was considered in 145<sup>th</sup> meeting of SEIAA, Haryana held on 09.09.2022. Then, it was decided to verify the current status of the construction of project.

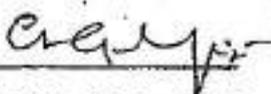
The site visit was conducted vide dated 28.12.2022. The PP and consultant submitted the following documents:

1. Copy of CLU dated 13-01-2010 along with removal of clause 12 dated 11-07-2011: Annexure 1(a).
2. Copy of 1<sup>st</sup> extension of CLU dated 14-05-2012: Annexure 1(b).
3. Copy of 2<sup>nd</sup> extension of CLU dated 22-08-2013: Annexure 1(c).
4. Copy of Building approval letter: Annexure 2(a).
5. Copy of approved site layout plan with total built-up area of 38,218.65 m<sup>2</sup> including basement: Annexure 2(b).
6. Copy of filing of partial completion dated 10-01-2014: Annexure 3(a).
7. Copy of partial completion drawings (i.e. Site plan, Basement plan & Elevation Plan): Annexure 3(b).
8. Copy of six photographs from all the four sides giving status of construction on the date of visit giving latitude, longitude and date duly signed by PP: Annexure 4.

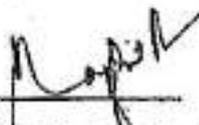
It was observed during the site visit that:

- No construction activity is going at site at present. It seems that work is abandoned since long.
- Now, PP has applied under violation category as till date EC has not been obtained; although, part construction has been done at site out of total approved built-up area of 38,218.65 m<sup>2</sup>. (As mentioned in the Appendix)

Therefore, subcommittee is of the view that TOR under violation category as already recommended by SEAC, Haryana in its meeting held on 06.09.2022 may be granted under violation category with other terms & conditions recommended in the MOM of 248<sup>th</sup> SEAC, Haryana held on 06.09.2022.



Sh. Vijay Kumar Gupta  
(Chairman, SEAC, Haryana)



Dr. Rajbir Singh Bondwal  
IFS (Retd.), Member, SEAC,  
Haryana



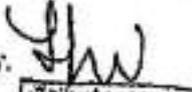
Sh. Aparnesh Kumar  
Scientist-B (Representative  
of RO, HSFCB, Gurugram  
(North))

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ANNEXURE - 6

21/05/2023

The Chairman,  
State Environment Impact Assessment Authority,  
Bays No. 55-58, 1st Floor, Pragati Bhawan,  
Sector 2, Panchkula  
Email ID - seiaa-21 em haryana

  
Dt: .....

Subject:- M/s Creative Buildwell Private Limited at village Ghamroj, Sohna Road,  
Tehsil Sohna, Gurugram, Haryana.

Ref:- SEIAA order Endst. No. SEIAA/HIR/2023/131-133 dated 20.03.2023.

Kindly refer to the subject noted above. It is submitted that SEIAA vide order dated 20.03.2022 has constituted a committee comprising of the following members -

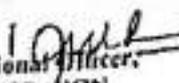
1. Member Secretary, SEIAA
2. Member Secretary, HSPCB/through Representative
3. Concerned Regional Officer, HSPCB (to assist the sub-committee)

To carry out spot inspection of the project for Environmental Clearance (Under violation) for expansion of 5 star Hotel Project at Village Ghamroj, Sohna Road, Sohna District Gurugram to be developed by M/s Creative Buildwell Pvt Ltd to verify the actual status of the construction carried out by the project Proponent at the project site till date Accordingly, site was visited by the committee on 22.04.2023, Regional Officer, Gurugram Region (North) and concerned Scientist B, Gurugram Region (North) has assisted sub-committee.

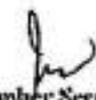
1. No construction activity is going on at site and work seems abandoned since a long
2. In compliance of order issued vide Endst. No. SEIAA/HIR-2022-1518-1522 dated 21.09.2022, a sub-committee has already submitted report and now Project Proponent has submitted a project detail certified by Ar Vikley (CA-2017-86236) office No. 5 Shivam complex, Opp Huda Office, sector-14, Gurugram about building superstructure with total built up area 18359 J& sqm (Copy enclosed as Annexure-1)
3. Committee has no expertisation in built up area measurement and it may be got measured from Department of Town & Country Planning, Haryana

Submitted for kind information & further necessary action, please

DA/As above

  
Regional Officer,  
HSPCB, GGN

  
Sr. Environmental  
Engineer (Training Cell)  
HSPCB, Panchkula  
(Representative of MS,  
HSPCB)

  
Member Secretary,  
SEIAA, Haryana

Project Details

Project title-	Mittal Metropolis Five-star Hotel, Suites, and Commercial Centre
Project Developer	M/s Creative Buildwell Pvt. Ltd. having registered office at 201/6 Kaushalya Park Hauz Khas, New Delhi & Corporate/Correspondence Address- K-5A/9, DLF Phase-II, Gurugram, Haryana, 122002.
Location-	Milestone Km 15 to 17, Village Ghamroj, Gurgaon-Sohna Road, NH 248-A, Tehsil Sohna, District Gurgaon, Haryana.
Date of Change in Land Use (CLU)	13 <sup>th</sup> January 2010
Date of filing for Completion Certificate	10 <sup>th</sup> January 2014
Layout Plan Sanctioned date	21 <sup>st</sup> September 2011

Brief about project

Date of inspection- 29-04-2023

I architect Vikkey, ( Reg.no.CA/2017/86236 ), visited the project site on 29-04-2023. Project Proponent Mr. Manish Saxena, company manager, was presented at the site.

M/s Creative Buildwell Pvt. Ltd. and BCL Industries Limited (formally known as Bathinda Chemicals Ltd.) was granted CLU vide memo no. G-2064-JE(SS)-2009/206 dated 13<sup>th</sup> January 2010, consequently an application for approval of zoning plan and layout plans was made in January 2010.

That on 5<sup>th</sup> August 2010 Zoning Plan was approved, subsequently, layout plans were submitted to the Department of Town & Country Planning, Haryana (DTCP), which was approved after a year delay on 21<sup>st</sup> September 2011 vide memo no. G-2064/JD(BS)2011/7000.

That Project developer was short of time as CLU was expiring in January 2012, therefore, the decision was made to develop a minimum 15% of the area as per policy.

That Project Proponent sought 2 extensions, the first extension from 13<sup>th</sup> January 2012 to 12<sup>th</sup> January 2013, and the final extension granted for the period of 13<sup>th</sup> January 2013 to 12<sup>th</sup> January 2014, copy of Sanctioned Plan and Completion Plan along with Architect certificate by Architect M/s Architect Combine C/o Sh. S.M. Mehta has been provided to me.

Status of construction at the site

Currently, at the site, the building superstructure has a total built-up area (TBUA) of 18359.38 Sq.Mtr. as constructed.

Details of the floor-wise TBUA as below:-

Sr.No.	Floor	Built-up area ( IN SQM.)
1.	Basement	4777.172
2.	Ground	1995.803
3.	Mezzanine	1225.656
4.	Service	926.959
5.	Second Floor	927.64
6.	Third Floor	927.64
7.	Fourth Floor	927.64
8.	Fifth Floor	927.64
9.	Sixth Floor	927.64
10.	Seventh Floor	927.64
11.	Eighth Floor	927.64
12.	Ninth Floor	927.64
13.	Tenth Floor	927.64
14.	Eleventh Floor	927.64
15.	Terrace	157.39
<b>Total</b>		<b>18359.38</b>

Encl:

1. Verified Built-up area plans
2. Copy of BR-III Memo No. G-2064/JD(BS)/2011/7000 Dated 21-09-2011
3. Copy of Application for Completion dated 10-01-2014
4. Architect Registration Certificate.



RR-88

[See Rule 64]

Directorate of Town and Country Planning,aryana,  
Sector-15, Chandigarh.

Tele Fax: 0172-2548475, Tel: 0172-2548651, E mail: tcphry@conpln.nip

Memo No. G-2054/REGS/2011/7600

Date: 21-7-11

To

M/s Bishinda Chenukals Ltd. and M/s Creative Builders Pvt. Ltd.  
Hazi Hattan Link Road, Post Box No. 71,  
Bishinda 151007, (Punjab).

Subject: - Approval of Building Plans of Five Star Hotel Site on the area measuring 26551.23 Sqm. in the Revenue Estate of Village Ghanraj, District Gurgaon for which CUU has been granted to M/s Bishinda Chenukals Ltd. and M/s Creative Builders Pvt. Ltd.

Reference your application dated 04.06.2011 for permission to erect the buildings in the CUU premises on ground area 26551.23 Sqm. in the Revenue Estate of Village Ghanraj, District Gurgaon in accordance with the plans submitted with it.

Permission is hereby granted for the aforesaid construction subject to the provisions of the Punjab Scheduled Roads &amp; Controlled Areas Restriction of Unregulated Development Act, 1963 and its rules the zoning plan framed thereunder alongwith special reference to the following conditions:-

1. The plans are valid for a period of 5 years from the date of issuance of sanction subject to validity of change of land use permission granted for this project.
2. The structural design of the building shall be carried out in accordance with the provisions of NBC and relevant IS Code.
3. The structural responsibility of the construction shall be entirely of the owner/supervising architect/ Engineer of the scheme.
4. A certificate from a registered structural Engineer that the building is designed as per relevant IS code and NBC standard shall be submitted to the department within 60 days of issue of this letter.
5. All material to be used for erection of building shall conform to latest NBC standards.
6. No scaffolding shall be constructed of easily inflammable material and structures shall be built of fire resisting material as per standard specification.
7. The building shall be designed for appropriate seismic loads, all dead and live load, wind pressure etc as per relevant IS code and NBC standards. In all cases, normal strengthening to resist distress during earthquake shall be provided.

**B- FIRE SAFETY**

- a) You and Supervising Architect of the project shall be entirely responsible for making provisions of fire safety and fire fighting measures and shall abide by all the safety bye laws.
8. No addition and alterations in the building plans/ layout plan shall be made without the prior approval of DG/TCP. Further only figured dimensions shall be followed and in case of any variation in the plans, prior approval of DG/TCP shall be pre-requisite.
9. If any infringement of bye-laws remains unrectified, the department reserves the right to amend the plan as and when any such infringement comes to its notice after giving an opportunity of being heard and the department shall stand indemnified against any claim on that account.
10. No person shall occupy or allow any other person to occupy any new building or part of the same for any purpose what so ever until such building or part thereof has been certified by the

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Director General, or any person authorized by him in this behalf as having been completed in accordance with the permission granted and an occupation certificate in prescribed form has been duly issued in your favour.

12. Before grant of occupation certificate, you shall have to submit a notice of a completion of the building in form BA-IV regarding completion of works described in the plans and it shall be accompanied by:

- DPC Certificate issued by D.T.F. Gurgaon.
- Structural stability certificate duly signed by the recognized structural Engineer/ Architect.
- A clearance from fire safety point of view from fire Officer, Gurgaon.

13. The open parking around the building blocks shall be metalled and properly organized.

#### 14- WATER SUPPLY

- (i) The down take system shall be provided by you by providing clear cover storage tank of not less than half day storage of water for domestic usage on the top of the building block. The capacity of the tank as shown on the plan and down take system thereof are as under:-

Sr. No.	Name of Building	Capacity of tank for Domestic water in ltrs.	Up pipe in mm	Down pipe in mm
1.	Mkt Building (Dom)	1,120,000	55mm	65/54/50/52/51/50mm
	Flush	2,40,000	45mm	65/50/40/32/25/20mm
2.	Commercial Block (Office) (Dom)	1,100,000	60mm	52/25/20mm
	Flush	1,00,000	32mm	52/25/20mm
	L.C.T. (DCM)	5,00,000		

- (ii) Inlet pipes from down take to tanks shall be 25/20/15 mm dia as shown on the plan and connection to each individual fixture shall be 15 mm dia.

#### 15. SEWERAGE:-

- All sewerage lines should not be less than 150 mm dia S.W. Pipes.
- All soil stacks shall be 100 mm dia and all waste stacks shall be 100 mm dia.
- Waste water pipes connecting F.T. to G.T. and F.T. to waste water tank, shall be 75 mm dia as shown on the plans.
- All soil pipe connection W.C. to soil stack and W.C. to I.C. shall be 100 mm dia as shown on the plans.
- All W.C. shall be provided with high/low level flushing chain of 8 ltrs capacity.
- You have proposed disposal of sewerage through proposed septic tank thus it is made clear to you that the same shall be provided as per I.S. Norms and there will be no pollution due to disposal of sewerage.

#### 16- STORM WATER DRAINAGE

- (i) You have provided single level basement for services and parking only. For draining out the wash water/ rain water accumulated in the basement shall be collected through covered channel of 300 mm wide to the sumps at different ground and from where the pumping has been proposed by you by providing pumps of 450 lpm capacity at 7.00 meters head. Thus it is made clear to you that you shall be sole responsible for pumping

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out of this water/ fresh water etc. all the time and 100% of the power supply arrangement shall also be provided by you along the future of electricity breakdown.

- (d) Rain water tank pipe shall be 100/150 mm dia as shown on the plans.
- (e) It is made clear to you that the roof top rain harvesting system shall be provided by you as per HUDA/State Government norms.
- (h) Rain water harvesting system shall be maintained by you as per norms and shall kept operational all the time.

#### 1\* GENERAL:-

- a) Alternative source of electricity shall be provided by you for functioning of water supply, Sewerage and storm water drainage scheme by providing Gen. set of required capacity.
- b) That the owner shall obtain the clearance/HDC as per the provisions of the Notification No. S.O. 1558 (II) Dated 14.09.2006 issued by Ministry of Environment and Forest, Government of India before starting the construction/execution of development work in site.
- c) All pipes, fixtures, fitting, pumps, Gen. set and filter on plant etc. shall be conforming to relevant specifications and standards.
- d) You shall have to pay the proper rate cost of external development charges for water supply, Sewerage, Storm Water drainage, roads, bridges, community building, street light and hort. etc. as per norms as and when determined by the HUDA/State Government. These charges will be invariable as and when approved by the HUDA/State Govt. and will be binding upon you.
- e) It is made clear that you will be solely responsible for making connection with the master plan if approved by the State Government/ HUDA at their own cost with the prior approval of the competent authority.
- f) The water storage tanks and other plumbing works etc. shall not be shown on any face of the building but shall be suitably enclosed.
- g) No spotted decoration like inscription, emblems, names of persons are permitted on any external face of the building.
- h) The name of the building could be affixed on the external face of the building for which detailed elevations section showing the same would have to be get approved from the DD/DCP, Municipal.
- i) Text on sign board shall use only Compact fluorescent lamps fitting for advertisement as well as continuous lighting.
- j) This work shall depend on the labour cost in future. This to done as per construction of work done at site.
- k) That the provision of solar water heating system shall be as per norms specified by HUDA and shall be made operational in the each building (100) before applying for an occupation certificate.
- l) That you shall submit the soft copy of the approved building plans of this scheme within one week to the office from the issuance of this letter.
- m) Proper fire alarm plant shall be provided by the colonizer for fire safety. Recycling of the water of the swimming pools only and quantity of water shall be used for replacement of water in the swimming pool.

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- n) The swimming ponds shall not be connected with the storm water drain for the disposal or replacement of water.
- o) The replacement water shall be disposed off by the user/owner by using the same for watering of landscaped area in their colony or the same may be disposed off into the rain water harvesting system.
- p) Recycled water is proposed to be utilized for flushing purpose. The firm has made provision of separate flushing line, storage tank, metering system, purging system and plumbing. It may be clarified to developer that no tap or outlet of any kind will be provided from the flushing lines/splumbing lines for recycled water except for connection to the system of flushing tanks and any scooping arrangement. Clean isolation taps should be avoided.
- q) No cross connection between recycled water system and potable water system shall be made.
- r) All plumbing pipes fittings, valves will be of red colour or painted red. In case of embedded pipes, Meter taps of Red Colour at suitable intervals shall be fixed. The underground and over head tanks should have. Recycle water not fit for drinking and other warning signs embossed/printed on them.
- s) Recycled water pipes and potable water pipes will be fixed in separate chases and a minimum horizontal distance of 6" (150mm) will be maintained between them. In case of crossability coloured/typed sleeve shall be used.

This sanction will be void ab initio, if any of the conditions mentioned above are not complied with.

DA/One set of Building Plans

(Sunder Shag)  
District Town Planner (HQ),  
Member Secretary,  
For Chief Town Planner, Haryana-cum-Chairman,  
Building Plan Approval Committee.

Envt. No G 2064/2011/\_\_\_\_\_ Date:\_\_\_\_\_

A copy is forwarded to the following for information:-

- 1- Senior Town Planner, Gurgaon.
- 2- Superintending Engineer (HQ) HUDA, Faridkot.
- 3- District Town Planner, Gurgaon along with one set of building plans.
- 4- District Town Planner (C), Gurgaon.

Encl: as above

(Sunder Shag)  
District Town Planner (HQ),  
Member Secretary,  
For Chief Town Planner, Haryana-cum-Chairman,  
Building Plan Approval Committee.



**BCL Industries**  
& Infrastructures Ltd.

Regd. Office :  
Hazi Rattan Link Road, BATHINDA-151005  
Ph. : 2240163, 2240443, 2211628, Fax : 0164-2240424  
E-mail : bcl2@connectzone.in

To,

Di. 10.01.2014

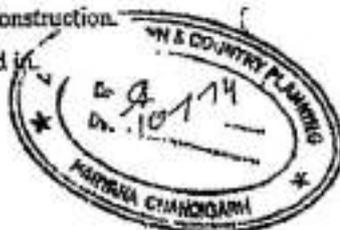
The Director General,  
Town & Country Planning Department-Haryana,  
Chandigarh.

**Subject: Issue of Occupation/Completion Certificate regarding CLU permitted for construction of a 5 Star Hotel on the land Area measuring 20,551.23 Sq.mtr. falling in village, Ghamroj, on Gurgaon-Ahwar Road, Tehsil Sohna, Dist. Gurgaon, Haryana, by M/s Bathinda Chemicals Ltd. (Now known as M/s BCL Industries & Infrastructure Ltd.) & M/s Creative Buildwell Pvt. Ltd.**

Sir,

Inspite of all the hurdles in securing/arranging all the approvals as per conditions imposed in the permission dt. 13.01.2010 explained in our request dt.09.12.2013 (copy enclosed for ready reference), we have completed more than 50% (including basements) and upto 6<sup>th</sup> floor of the Hotel Block the area is operatable immediately, while the upper 5 floors are also structurally complete thus the block constructed at site upto 11<sup>th</sup> floor and as required under the provisions of the act, the requisite plans/photos and other approvals etc. are enclosed as under with the request to kindly issue the occupation/completion certificate so that the construction complete at site could be utilized;

1. 3 sets of plans constructed at site showing the variation from the drawings sanctioned on 21.09.2011
2. 3 Sets of Sanctioned Building Plan & Approved Service Layout Plan.
3. The Photographs of Completed Construction.
4. Form BR-IV(A) with details filled in.



5. Form BR-V(AI) with all information and signed by Owner, Architect & Structural Engineer.
6. Copy of BR-III is attached. The building plans were approved vide memo no. G-2064/JD(BS)/2011/7000 Dt. 21.09.2011.
7. NOC fire (The Application for issue of NOC has been submitted along with all plans attached herewith)
8. Copy of Height Clearance NUC from AAI vide memo no. AA5/NOC/2011336/2813 dt. 20.09.2011
9. Copy of NOC- Consent to Establish from Pollution angle memo no. HSPCB/TAC/2012/1840 dt. 08.11.2012 along with copy of affidavit submitted at EIA since constructed area being less than 20,000 sq.mtr.
10. Copy of CLU Renewed till date vide memo no. G-2064-JE(S)-2013/49258 Dt. 22.08.2013. The validity of CLU issued by dept. on 22.08.2013 which is up to 12.01.2014
11. Copy of zoning.
12. Copy of fire scheme approval. Memo no. FS/MCG/2012/1311 dt.08.05.2012
13. Authority letter.

We request you to issue the permission to occupy at an early date please.

Thanking You

Yours truly,  
For M/s Bathinda Chemicals Ltd.  
& M/s Creative Buildwell Pvt. Ltd.

  
(Vithal Mittal)  
Director / AUTHORIZED SIGNATORY  
-CR

Encl. as above

**Haryana Shehri Vikas Pradhikaran**

No.....

Dated.....

Registration No. 2023/ 13

The License of Sh. Vikkey has been renewed as an Architect on the basis of report received from the O/o SDE (Survey)-I & II, HSVP, Gurugram for the purpose of undertaking the work of structural designing/supervision of any private building & other terms and conditions as per original license by competent authority, in the Urban Estate, Haryana. The license is being issued under the provision of HSVP Act, 1977.

The validity of the license expires on 31.12.2023.

This issues with the approval of Worthy Estate officer-I.

/   
 Estate Officer-I,  
 HSVP, Gurugram

Endst. No. 1523

Dated: 3/4/2023

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

1. The Administrator, HSVP, Gurugram.
2. The SDE, HSVP, Survey Sub Division. No.I, O/o Estate Officer-I, HSVP, Gurugram.
3. The SDE, HSVP, Survey Sub Division. No.II, O/o Estate Officer-II, HSVP, Gurugram.
4. Sh. Vikkey, Office No. 2, Basement Floor, Shivam Complex, Opp. HUDA Office Sector-14, Gurugram.



/   
 Estate Officer-I,  
 HSVP, Gurugram

# Council of Architecture

## Certificate of Registration

This is to certify that the name of

**Mr. Vikkey**

has been entered in the register and his Registration No. is

**CA/2017/86236**

This certificate is valid from the seventeenth

day of **October 2017** to the thirty-first

day of **December 2018** inclusive.

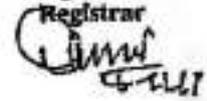
**List of Additional Qualifications:**

**Renewals**

**Valid Upto**

*31.12.2028*

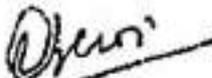
Signature of Registrar



Given under the common Seal of the Council of Architecture,



this seventeenth day of October 2017

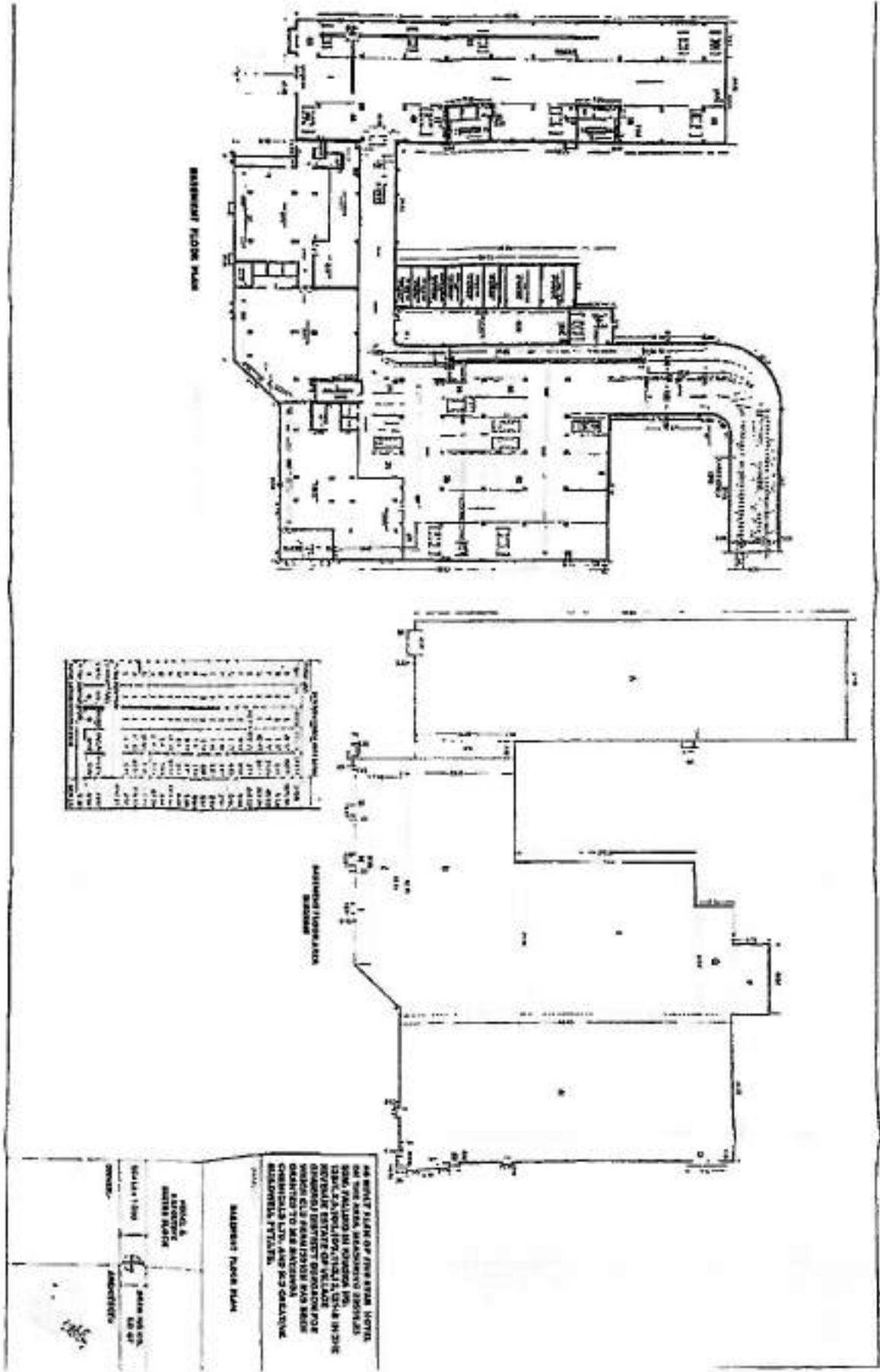


Secretary



President





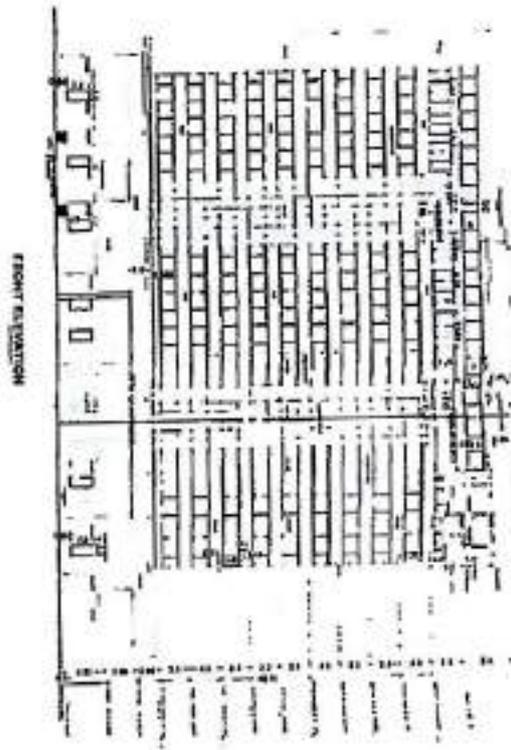
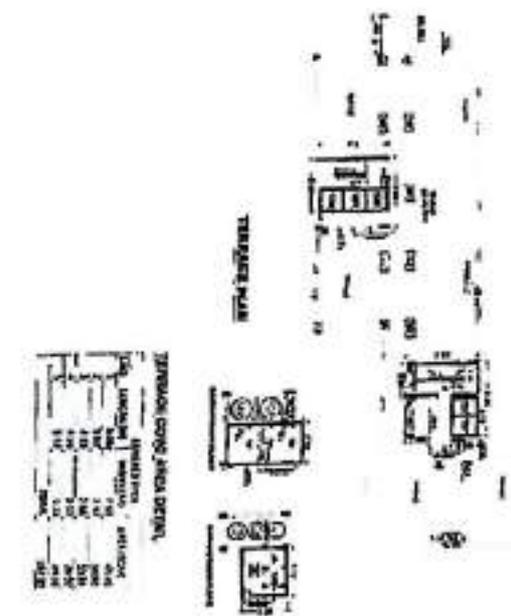
8TH FLOOR PLAN OF GREEN ROOM HOTEL  
 ENTERTAINMENT FLOOR PLAN

AS BUILT PLAN OF GREEN ROOM HOTEL  
 8TH FLOOR IN KANSAS CITY,  
 MISSOURI, SHOWING THE  
 LAYOUT OF THE FLOOR AS  
 DEVELOPED BY THE ARCHITECT  
 AND ENGINEER, GREEN ROOM  
 HOTEL, INC., AND NOT TO SCALE.  
 GREEN ROOM HOTEL, INC.,  
 ARCHITECTS

SCALE: 1/8" = 1'-0"

DATE: 10/15/50

OWNER: GREEN ROOM HOTEL, INC.



AS BUILT DRAWING OF FIVE STAR HOTEL ON THE AREA BESIDING 2288A, 23 SOM, FALLING IN HOBBASIAH STREET, SINGAPORE. THE SITE OF THE REVERENDS' RESERVE OF COLONEL GUNTER'S RESERVE COMPANY FOR WHICH COL. PETERSON HAS BEEN DESIGNATED TO BE BARRACKS. CHEONG KEE LAY AND HIS CREATIVE ENGINEERING CONSULTANTS

TRAVELER PLAN, SECTION

HOTEL & RESERVE CENTER BLOCK

SECTION AA

SECTION BB

ARCHITECTS





**ANNEXURE - 7**

Tele Fax No. - 0172-2577570-73

No. HSPCB/TAC/2012/1716

Dated: .....

REGID

M/s Creative Buildwell Pvt. Ltd.  
 201 B, Panchsalya Park Hauz Khas  
 New Delhi - 110015

Sub: Consent to Establish from pollution angle - M/s Creative Buildwell Pvt. Ltd., Sohna- Awar Road Village- Ghumraj, Tehsil- Sohna, District- Gurgaon.

Please refer to your Consent to Establish application received in this office on the subject noted above under the Authority of the Haryana State Pollution Control Board vide its agenda item No. 47. Dated 14.04.12 sanction to the issue of "Consent to Establish with respect to pollution control of Water and Air" is accorded to the unit M/s Creative Buildwell Pvt. Ltd., for 5 star Hotel & Suits at Sohna- Awar Road, Village- Ghumraj Tehsil- Sohna, District- Gurgaon (Haryana) with the following terms and conditions:-

- 1 The Project has declared that the quantity of effluent shall be 358 m<sup>3</sup>/Day i.e. 258 m<sup>3</sup>/Day for Trade Effluent 100 m<sup>3</sup>/Day for Cocting, 150 m<sup>3</sup>/Day for Domestic and the same should not exceed mentioned herein and same should be used in Horticulture after treatment.
- 2 The above "Consent to Establish" is valid upto Two years or the date of commissioning whichever ever is earlier. The unit will have to set up the plant and obtain consent during this period.
- 3 The unit will maintain proper log book of Water meter/sub meter/ magnetic flow meter calibration/ commissioning.
- 4 That there is no discharge directly or indirectly from the project or the process into any interstate river or Yamuna River or River Ghaggar or any other river or either through a direct flow or indirectly without any treatment.
- 5 The unit will use only non-ozone depleting substances in Air conditioning unit of the project. That the project or the unit concerned is not sited within any prohibited distances according to the Environmental laws and Rules, Notification, Orders and Policies of Central Pollution Control Board and Haryana State Pollution Control Board.
- 6 That the unit will comply with all Hazardous Waste Rule of applicable relating to Handling, storage and disposal as required by Central Pollution Control Board Haryana State Pollution Control Board & GOI.
- 7 The Project proponent should adopt water conservation measures to ensure reuse / recycling of water in their process. Ground Water based proposals of new projects should get clearance from Central Ground Water Authority for conservation of precious resources.
- 8 The unit will install storm water drainage system and obtain permission from Irrigation Deptt. in this regard.
- 9 The DG sets used shall conform to EPA Rules & comply with all the standards and should have stack height of minimum 4 meters above the roof top.
- 10 The Solid Waste Generated shall be properly collected and segregated scientifically disposed off as per MSW Rules by using vermiculture composting method etc.
- 11 Solar panels shall be provided for illumination of common areas, lighting for gardens and street lights in addition to solar water heating and shall take all energy conservation measures.
- 12 The unit will maintain green belt in 25-30% of the land area by providing tree plantation as per MOEF /CPCB norms.
- 13 That the unit will use CFLs (Compact Fluorescent Lighting) for internal lighting and common lighting.
- 14 The unit shall provide structurally adequate rain water harvesting system in the project premises to ensure rain water harvesting.
- 15 The Board reserves the right to add any additional condition if required in future under national/Govt. of Haryana Statute.
- 16 The unit will obtain permission from Forest Deptt. in case any area falls under Forest Act, 1980 or section 415 of Land Provisions Act & also for cutting of trees if any before commencing the project.
- 17 The project proponent will obtain all required statutory clearances before start of the project.
- 18 That the unit will submit an affidavit to comply with all the general as well as specific conditions of the "Consent to Establish" within 30 days failing which NOC will be revoked.

Other Specific Conditions :-

- 1 The unit will provide Adequate Effluent Treatment Plant as per the scheme submitted and comply with the standards laid down by the Board and make efforts to achieve zero discharge.
- 2 The unit will provide Adequate Sewage Treatment Plant as per the scheme submitted and comply with the standards laid down by the Board and make efforts to achieve zero discharge.

**M/s Creative Buildwell Pvt. Ltd., Sohna- Alwar Road, Village- Ghamro  
Tehsil- Sohna, District- Gurgaon.**

- 3 Unit will install magnetic flow meter at inlet and outlet of the STP / ETP.
- 4 The unit will install structurally adequate air pollution control measures and ensure that emissions are well within permissible limits.
- 5 That the project shall use the treated effluent for horticulture/Green belt or otherwise and give undertaking to recycle the treated effluent within 30 days.
- 6 The unit will comply with all provisions of hazardous waste (Management, Handling and Transboundary Movement) Rules 2008 and provide Non-leachate storage facility for storage hazardous waste and also enter into an agreement with Common Hazardous Waste Treatment Storage and Disposal Facility.
- 7 The unit will install hood and canopy in such a way that there is no leakage fugitive emissions in the atmosphere and the system should be leak proof.
- 8 Unit will not discharge any trade effluent without prior approval of the Board.
- 9 Unit will achieve zero discharge by reuse / recycle the treated water back into the process.
- 10 R.O will file complaint under section 19 read with section 15 of EP Act for past violation of EIA notification immediately, if any, and will submit compliance within 15 days.
- 11 This Consent to Establish is valid for the land mentioned in the Forest Deptt vide letter No. 1071-73-G dt. 28.08.2012 & License issued by Town and Country Planning Deptt. vide Envt. N. 208 dt. 13.01.2001.
- 12 Unit will not start any construction activity without obtaining Environmental Clearance and subsequently submit Environment Clearance to the Board.
- 13 The project proponent will obtain clearance if required as per law / rules from Town and Country Planning Department. However if the provisions of Punjab scheduled and controlled areas restrictions of Unregulated Development Act, 1963 and the Haryana Development and Regulation of Urban Areas Act, 1976 are applicable on the site then owner shall be responsible for obtaining the permission from Town and Country Planning Deptt. Under the said acts otherwise NOC shall become invalid.
- 14 The NOC so granted shall be invalid if in case at a later stage it is observed that the TORC of Tehsil regarding Annull area is found incorrect.
- 15 Unit will comply with all the conditions of Environmental Clearance obtained from SEIAA.

*[Signature]*  
Member Secretary (TAC)  
For Chairman

Dated: *[Signature]*

Envt. No. HSPCB/TAC(HQ)/2012/

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

- 1 Director General, Environment Department, Haryana, Sec-17, Chandigarh.
- 2 The Chief Conservator of Forest (FC) Forest Department, Haryana
- 3 The Chief Town Planner Haryana, Director General Town & Country Planning Deptt. A-2-13  
Bhawan, Sec-18A, Madhya Marg, Chandigarh.
- 4 The Regional Officer, Gurgaon (North).
- 5 The Executive Engineer. (OP) Division, UHSWN, Gurgaon.

Member Secretary (TAC)  
For Chairman

## -ANNEXURE-8 (Colly.)



दिल्ली DELHI

UNDERTAKING

47AA 986028

We, M/s Creative Buildwell Pvt. Ltd. office at 201/6, Kaushalya Park, Hauz Khas, New Delhi-110016, & M/s Bathinda Chemicals Ltd. office at Hazl Rattan Link Road, Bathinda-151005, Punjab, through its authorized signatory Mr. Vihal Mittal s/o Shri Manoj Mittal are owner of the 5 Star Hotel site at Village Ghamroj, Sohna-Alwar Road, SH-13, Tehsil Sohna, Distt. Gurgaon, Haryana, do hereby undertake and affirm and declare as under:-

1. That presently, we are going to construct area of 16,000 sq. mtrs. (1,72,000 sq. ft. approximately).
2. That the total project cost is Rupees Twenty Crore Only but it was wrongly mentioned in the NOC application as Rupees Fifteen Crore.
3. We are depositing additional Bank Guarantee from Punjab National Bank of Rs.1,25,000/- (Rupees One Lac Twenty Five Thousand Only) dated 12-1-2012 in additional to the Bank Guarantee from Punjab National Bank dated 6-12-2011 for Rs.3,75,000/- (Rupees Three Lac Seventy Thousand Only) already submitted. Thus total Bank Guarantee submitted is Rs.5,00,000/- (Rupees Five Lac Only) which totals to 0.25% of Total Project cost (i.e. Rupees Twenty Crore Only).
4. We undertake that in case of expansion in the next phase and area exceeds that of 20,000 Sq. mtrs. we will apply for environmental clearance from State Government as per notification date 14/09/2006.
5. That we further undertake to comply with all rule regulations and direction issued from time to time by Haryana State Pollution Control Board.

Contd...2...



*Vihal Mittal*

-2-

- 6. We are absolute of Land admeasuring 20551.23 sq. mtr. Falling in Khasra No-120//1,2,9,10/1,11/2,12,121//6 situated at revenue estate of Village Ghamroj, Tehsil Sohna, Distt. Gurgaon, Haryana.
- 7. That we, for aforesaid land, got permission to develop a 5 Star Hotel vide CLJ No.-G-2064-JE(SS)-2009/206 date 13.01.2010 from Director Town & Country Planning, Haryana.
- 8. That we got plans sanctioned for the said 5 Star Hotel located at Village Ghamroj, Tehsil Sohna, Distt. Gurgaon, Haryana vide BR-III, memo No.-G-2064/JD(BS)/2011/7000 date 21.09.2011.

*Malhotra*  
EXECUTANT

**VERIFICATION:-**

Verified that the contents of this undertaking are true and correct to the best of my/our knowledge and belief.

*Malhotra*  
EXECUTANT



**ATTESTED**  
*[Signature]*  
NOTARY DELHI  
17 18 JAN 2012



# CREATIVE BUILDWELL PVT. LTD.

BUILDERS • DEVELOPERS • COLONISERS

*Dt 19/1/12*  
 The Member Secretary  
 Haryana State Pollution Control Board  
 C-11, Sector 6, Panchkula

Sub: Grant of NOC in respect of Hotel by M/s Creative Buildwell Pvt. Ltd situated at village Ghamroj, Sohna-Alwar Road, Tehsil Sohna, District Gurgaon, Haryana

Dear Sir,

In continuation to our application submitted to your Regional Office, Gurgaon and in response to your letter no. HSPCB/SC(HQ)2012/437 Dt. 11/1/2012 we are further submitting as under:-

1. We have checked our records and found that due to clerical mistake in the NOC form the project cost is different in the NOC form than in the Project report. The project cost of Rs. Twenty Crore (as per project report) is to be treated as final.
2. Due to difference in project cost we are submitting additional bank guarantee of Rs. 1,25,000/- (Rupees One lac Twenty Five thousand only) from Punjab National Bank, Bank Street Branch, Bathinda dated 18/1/2012, valid upto 17/4/2017, BG No.: 005011LG000112, in addition to the already submitted bank guarantee from Punjab National Bank, Bank Street Branch, Bathinda of Rs. 3,75,000/- (Rupees Three Lac Seventy Five Thousand Only) dated 06.12.2011, valid upto 05.12.2016, BG No.: 005011LG0004611. Total bank guarantee submitted to you is now therefore Rs. 5 Lac, which is 0.25% of Total Project Cost of Rs. Twenty Crore and thus complies with the direction of the board.
3. Total covered area of Project as per our sanctioned plans is 30,780.32sq. mtr. (FAR area) + 6,575.82 sq.mt. (under basement) which equals to 37,356.14 sq mtr. of Covered area (not including area under service floors).
4. An affidavit, that we will construct only 16,000 sq. mtrs of area (which is less than 20,000 sq. mtrs.) and for any further expansion or extension of area will apply for environmental clearance from the State Government as per notification dated 14/09/06.
5. The above mentioned hotel property is free-hold land and all jamabandi and mutation papers, duly self-attested, are enclosed herewith.

You are kindly requested to grant NOC for construction of 16,000 sq.mtrs of area with the condition to obtain Environmental Clearance for expansion in future as per notification dated 14/09/06.

Kind regards,  
  
 Vithal Mittal  
 (Authorised Signatory)  
 M/s Creative Buildwell Pvt. Ltd.  
 M/s Bathinda Chemical Ltd.

**CERTIFIED TRUE COPY**

CC: Regional Office- Gurgaon, Haryana State Pollution Control Board, Vikas Sadan, Off. New Court, Gurgaon, Haryana

D.P.P



NOTARY PUBLIC

UNDERTAKING

29/A 875/42

That, We M/s Creative Buildwell Pvt. Ltd., regd. office at 201/6, Kaushalya Park, Hauz Kees, New Delhi-110016 & M/s BCL Industries & Infrastructure Ltd. (Formerly known as Bahinda Chemicals) regd. office at Hazi Radhan Link Road, Bahinda, Punjab-1510054, through its authorized signatory Mr. Vithal Mittal 6/6 Sh. Manoj Mittal R/o Block 6, 4 Battery Lane, Rishi Apartments, Rajpur Road, Civil Lines, Delhi-110054 are the owner of the 5 Star Hotel Site at village Ghazraj, Gurgaon-Ahwar Road, SH-13, Tehsil Sohna, District Gurgaon, Haryana, do hereby solemnly declare as under:-

1. We are the absolute owner-in-possession of land measuring 20651.23 sqmtr. falling in Khassa no. 120/1,2,3, 10/1,11/2, 12 and Khassa no. 12/1/6 situated at the revenue estate of village Ghazraj, Tehsil Sohna, District Gurgaon, Haryana.



2. For the aforesaid land got permission to develop a 5 star Hotel.

3. At present, we are only undertaking construction of built-up area (FAR / FLOOR AREA) of under 20,000 sqmtrs. for which we have received "Consent to Establish" from Haryana State Pollution Control Board vide registration no. HSPCB/TAG/2012/1840 dt 11.02.12.

4. That, in case of expansion in the next phase wherein the built-up area exceeds that of 20,000 sqmtrs. we will get prior environmental clearance from the SEAC, Haryana as per the mandate of the MOEF notification dt. 14.09.2005

*Vithal Mittal*  
EXECUTANT

5. I, \_\_\_\_\_ on 3<sup>rd</sup> February 2014, that the contents of this undertaking are true and correct to the best of my knowledge and belief.

**ATTESTED**  
18/02/2014  
BAL Jitendra Kumar Singhania  
NOTARY PUBLIC, DISTRICT OF GURGAON, HARYANA

*Vithal Mittal*  
EXECUTANT

To

Chairperson  
State Environment Impact Assessment Authority (SEIAA), Haryana  
Paryatan Bhawan, Sector-2  
Panchkula, Haryana

Dated: 04.10.2023

**Subject:** Clarification/Representation on behalf of M/s Creative Buildwell Pvt. Ltd. ensuing the 165th Minutes of Meeting dated 05.09.2023 of State Environment Impact Assessment Authority (SEIAA), Haryana

**Ref:** Our Representation to Hon'ble Chairman, SEIAA Dt. 13th Feb, 2023 and Follow-up dated 02.06.2023.

Respected Sir,

At the outset, it is most humbly submitted that the undersigned company just recently got apprised of the proceedings and minutes of meeting (MOM) held at your esteemed offices and it is apparent through the previous minutes of meeting that our matter had been deferred, therefore, now ensuing the 165th Meeting, the undersigned company is desirous of an opportunity of representation and further afford clarification with regards accurate facts and events to better facilitate the good offices of SEIAA, as the undersigned was not afforded an occasion to be heard and requests that

Vide 158th Meeting of SEIAA held on: 02.06.2023, the authority decided to defer the case framing questions as extracted below

*"(i) Why did the Project Proponent applied under Violation Category when there was no violation non-compliance"*

*(ii) Reports of all the Sub-Committees' visits from the beginning i.e. from 2014 to 2023 are not at harmony and unanimous*

*(iii) the latest report of the Sub-Committee emphasized suggested that the actual dimensions & size of the structure may be got measured from the Expert Agency*

05/10/2023

*[Signature]*

built-up area were submitted to your good offices from the Office of Senior Town Planner, Gurugram (DTCP) vide memo dated 11-08-2023 and Officers of Director General, DTCP vide memo dated 05-09-2023 (refer point no.5 & 6 above) reflecting the built-up area (inc. FAR / Non FAR) admeasuring 18,359.38 sq Mtr (less than 20,000 sq mtrs).

23. It is apposite to point out that even though your good-self had initiated specific inquiry with regards built-up area to ascertain whether or not the PP falls under violation category, yet the findings of inspection reports are not apparent while deliberating the undersigned's matter on 165th meeting of SI LAA held on 05.09.2023 findings of which were communicated to us vide letter bearing Memo No. SFIAA (165)/IIR/2023/015 dated 15.09.2023 received on 26.09.2023.

24. The PP requests the authority to consider the true facts, timelines, list of events and supporting documents to bridge the missing chain of events and also provide the undersigned an opportunity of being heard as and when the circumstances warrant. Should your good-self want any further clarification or have any queries, kindly apprise and we would extend full cooperation and facilitation.

Thanking you

Sincerely,



(Vithal Mittal)

Director - M/s Creative Buildwell Pvt. Ltd.



99

ANNEXURE-E

State Environment Impact Assessment Authority, Haryana,  
Bays No.55-58, Prayatan Bhawan, Sector-2 Panchkula.

Telephone No. 0172-2565232  
E-mail ID: [seiaa-21.unv@hry.gov.in](mailto:seiaa-21.unv@hry.gov.in)

**Urgent**  
**Time Bound**  
**Immediate Attention**

Memo No: SEIAA/HR/2023/ 516

Dated: 03/08/2023

To

The Director General,  
Department of Town & Country Planning Haryana,  
Plot No. 3, Sec-18A, Madhya Marg,  
Chandigarh 160018.  
Email: [tcpharyana7@gmail.com](mailto:tcpharyana7@gmail.com)

- Subject: 1. ToR (under violation category) for Expansion of Five Star Project at Village Ghamroj, Sohna Road, Tehsil Sohna, District Gurgaon, Haryana M/s Creative Buildwell Private Limited.
2. EC for Commercial Complex "JMD The Regent" at village Nanoli Usarapur, Sector-62, Gurugram, Haryana by M/s JMD Limited.

With reference to the subject cited above.

In this context, it is to intimate that the above subject cited projects were submitted before the State Environment Impact Assessment Authority for grant of Environment Clearance within the scope and meaning of EIA Notification dated 14.09.2006 emanating from Environment (Protection) Act, 1986.

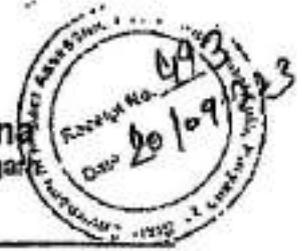
The above mentioned Project Proposals were considered by the Authority; after considering all the facts and details as given by the Project Proponents; the Authority deemed it appropriate to get the Assessment of the Actual size and dimensions of the Structure as currently stands at the project site by the Department of Town & Country Planning being as an Expert Technical Department in the matters.

Keeping in view of above, it is, therefore, requested to get measured the actual dimensions and size of the structure of the instant proposals at the project sites and submit a detailed report to the Authority within 15 days, positively.

  
Member Secretary,  
SEIAA, Haryana

ANNEXURE-F.

**Directorate of Town & Country Planning, Haryana**  
 Nagar Yojana Bhavan, Plot no. 3, Sector 18A, Madhya Marg, Chandigarh  
 Phone: 0172-2549349, Email: tcpharyana7@gmail.com  
 Website: <http://tcpharyana.gov.in>



Regd.

To

Member Secretary,  
 State Environment Impact Assessment Authority, Haryana,  
 Bays no. 55-58, Prayatan Bhawan,  
 Sector 2, Panchkula.

M.S. E.

Di: .....

Memo no. GN-2064-vol. II/JD(RA)/2023/ 29378

Dated: 05-09-2023

Subject:

(i) ToR (under violation category) for expansion of 5 star project at village Ghamroj, Sohna Road, Tehsil Sohna, District Gurugram- M/s Creative Buildwell Pvt. Ltd.

(ii) EC for commercial complex "JMD, the Regent" at village Nangli Umarpur, Sector 62, Gurugram, Haryana by M/s JMD Ltd.

With reference to the subject cited above.

In this context, it is to intimate that the information sought vide your memo no. SEIAA/HR/2023/516 dated 03.08.2023 already stand forwarded by Senior Town Planner Gurugram vide endst. no. 5275 dated 23.08.2023.

2. However, the copy of the same alongwith its enclosures are sent herewith for your kind information and further necessary action please.  
 DNAs above.

(R.S. Bath)

District Town Planner(HQ)  
 For: Director General, Town & Country Planning,  
 Haryana, Chandigarh

101

**OFFICE OF SENIOR TOWN PLANNER, GURUGRAM**

Department of Town & Country Planning, Haryana  
Sector-14, HSVP Complex, 3rd Floor, Gurugram  
Telephone: 0124-4014776  
E-mail : [stp4.gurugram.tcp@gmail.com](mailto:stp4.gurugram.tcp@gmail.com)

Memo No. : STP (O)/2023

Dated

5274  
23/8/23

To

Director General  
Town & Country Planning, Haryana  
Chandigarh.

- Subject:** 1. ToR (under violation category) expansion of Five star Project at village Ghamraj, Sohna road, Tehsil Sohna, Distt Gurugram, Haryana-Creative Buildwell Pvt. Ltd.  
2. EC for Commercial Complex "JMD The Regent" at village Nangali Umarpur, Sector-62, Gurugram by M/s JMD Limited.

**Reference:** Member Secretary, State Environment Impact Assessment Authority, Haryana memo no. SEIAA/HR/2023/516 dated 03.08.2023 addressed to your good self & District Town Planner (E), Gurugram office memo no. 13884 dated 07.08.2023 and 13868 dated 07.08.2023, (copies alongwith enclosures of the same enclosed).

With reference to subjected matter, it is submitted that State Environment Impact Assessment Authority, Haryana, vide memo under reference, has sought the report regarding assessment of actual size and dimensions of existing structure at the subjected project sites. Accordingly, the requisite report for both the subjected projects was sought from DTP(E), Gurugram and the same has been received vide letters under reference. The detailed report is given in the letters under reference, so the same is not being reproduced. Accordingly, the copies of the same along with its enclosures are sent herewith. This is for your information and further necessary action please.

DA/As above

  
Senior Town Planner,  
Gurugram Circle, Gurugram

Endst. No. STP(G)/2023/

Dated:

A copy is forwarded to Member Secretary, State Environment Impact Assessment Authority, Haryana, Bay No. 55-58, Prayatan Bhawan, Sec-2 Panchkula for information please.

  
Senior Town Planner,  
Gurugram Circle, Gurugram

Endst. No. STP(G)/2023/

Dated:

A copy is forwarded to District Town Planner(E), Gurugram for information please.

  
Senior Town Planner,  
Gurugram Circle, Gurugram

**Office of District Town Planner (Enforcement), Gurugram**  
 DEPARTMENT OF TOWN & COUNTRY PLANNING, HARYANA  
 Sector-14, HUDA COMPLEX, 3<sup>rd</sup> FLOOR, GURUGRAM.  
 Tel-0124-2223749  
 E-mail: [dtpen14.gurugram.tnp@gmail.com](mailto:dtpen14.gurugram.tnp@gmail.com)

Memo No. DTP (E)/2023/ 13884  
 Dated: 07-08-2023

To: Senior Town Planner,  
 Gurugram, Circle, Gurugram,

Subject: ToR (under violation category) expansion of Five star Project at  
 village Ghamroj, Sohna road, Tehsil Sohna, Distt Gurugram,  
 Haryana - M/s Creative Buildwell Pvt. Ltd.

Ref: Mail received through STP(G) dated 01.08.2023

On the subject cited above, it is informed that vide mail under  
 reference case for ToR (under violation category) expansion of Five star Project at  
 village Ghamroj, Sohna road, Tehsil Sohna, Distt Gurugram, Haryana being  
 developed by M/s Creative Buildwell Pvt. Ltd. has been received in this office. After  
 the visit detail report is as under: -

1. The change of land use permission for an area measuring 20551.23 Sqmt in khasra no. 120//1, 2, 9, 10/1, 10/2, 11/2, 12, 121//6 in the revenue estate of village Ghamroj, Tehsil Sohna, District Gurugram has been granted vide Director, Town & Country Planning, office memo no. CLU/G-2064-JE(SS) 2009 / 206 dated 13.01.2010. The applicants were also granted extension in change of land use permission up to 12.01.2014 vide DGTCPC Haryana office memo number CLU/G-2064-JE(S) 2013 / 49258 dated 22.08.2013.
2. The Building Plans have been approved for a plot area measuring 20551.23 Sqmt vide DTCP office memo no. CLU/G-2064-JD(BS) 2011 / 7000 dated 21.09.2011.
3. The applicant had applied for grant of Part occupation certificate in DTCP office on dated 10.01.2014 within validity of CLU Permission i.e. (12.01.2014) but occupation certificate not issued because construction of site was not completed in all respect.

4 The site has been inspected vis-A-vis as-built plans and the area detail is as under:

Sl. No.	Floor Detail	Built up area with non-FAR	Built up area within FAR
1	Basement	4777.172 sqmtr	-
2	Ground floor	1995.801 sqmtr	1995.801 sqmtr
3	Mezzanine	1225.656 sqmtr	1225.656 sqmtr
4	Service floor	926.939 sqmtr	-
5	Second floor	927.64 sqmtr	927.64 sqmtr
6	Third floor	927.64 sqmtr	927.64 sqmtr
7	Fourth floor	927.64 sqmtr	927.64 sqmtr
8	Fifth floor	927.64 sqmtr	927.64 sqmtr
9	Sixth floor	927.64 sqmtr	927.64 sqmtr
10	Seventh floor	927.64 sqmtr	927.64 sqmtr
11	Eight floor	927.64 sqmtr	927.64 sqmtr
12	Ninth floor	927.64 sqmtr	927.64 sqmtr
13	Tenth floor	927.64 sqmtr	927.64 sqmtr
14	Eleventh floor	927.64 sqmtr	927.64 sqmtr
15	Terrace floor	157.39 sqmtr	-
Total		18359.38 sqmtr	12497.859 sqmtr

The report along with photograph is forwarded for further necessary action, please DA/As above.

*Zindal*  
District Town Planner,  
Enforcement, Gurugram.

Encls. No.

Dated.

A copy is forwarded to Director General, Town & Country Planning, Haryana Chandigarh for information & necessary action please.

District Town Planner,  
Enforcement, Gurugram.

ANNEXURE - GSITE INSPECTION REPORT OF 'FIVE STAR HOTEL' PROJECT LOCATED AT VILLAGE- GHAMROJ GURGAON, HARYANA TO BE DEVELOPED BY M/S CREATIVE BUILDWELL PVT. LTD

A site inspection was conducted on 05.07.2014 at 9:00 am by the subcommittee of SEAC, Haryana in reference to the 104<sup>th</sup> SEAC meeting wherein, Committee has decided to verify the status of the construction of the project as constructed at site. Hence constituted a Sub-Committee consisting of the following which will inspect the site to verify the status of construction of the project:

1. Sh. I.J. Juneja, Chairman
2. Sh. Sultan Singh, Member
3. Sh. R.S. Rana, Member

**Attendance:****Chair:**

- 1) Mr. Inderjeet Juneja (Chairman, SEAC, Haryana)
- 2) Mr. Sultan Singh (Member, SEAC, Haryana)
- 3) Mr. R.S. Rana (Member, SEAC, Haryana)
- 4) Mr. Manish Saxena (General Manager, Creative Buildwell Pvt. Ltd.)
- 5) Mr. K.K. Arya (Project Manager, Creative Buildwell Pvt. Ltd.)
- 6) Mr. B. Rajesh (Senior Manager, GRC India Pvt. Ltd.)
- 7) Ms. Namrata Singh (Deputy Manager, GRC India Pvt. Ltd.)

**Background:**

The Project is a 'Five star hotel' project located at Village- Ghamroj, Gurgaon, Haryana to be developed by M/s Creative Buildwell Pvt. Ltd. The application for obtaining Environmental Clearance of the above said project was submitted on 20.11.2012. The case was considered in 85<sup>th</sup> SEAC meeting dated 24.06.2013. During meeting it was revealed that, this is a case of violation of Environmental Protection Act, 1986 in compliance of EIA Notification dated 14.09.2006. The project proponent was directed to submit the Resolution of Board of Directors as per the guidelines of MoEF in respect of letter dated 12.12.2012. The project proponent submitted the reply of the shortcomings vide letter dated 29.07.2013. In the 89<sup>th</sup> Meeting, SEAC directed project proponent in accordance with the Memo No. J-110 13/4112006-IA.II(i) dated 27.08.13 issued by the MoEF that, the project proponent is required to immediately stop the work till Environmental Clearance is granted after due process under the law. Along with this Project Proponent need to submit an affidavit not below the rank of Director of the company indicating that the work has been stopped with effect from (date) and he has to supply details of work already executed up to the date till construction has been stopped in descriptive & graphical manner. The project proponent submitted the reply of the shortcomings vide letter dated 08.10.2013. The case was again taken up in 98<sup>th</sup> SEAC meeting, PP was directed to submit revised approved plans of the area as constructed along with Occupation Certificate from Competent Authority along with a certificate that built up area (FAR/Non FAR/Basement) does not exceed 20000 Sq. Meters. Committee decided to consider withdrawal application only

after submission of above documents. The project proponent submitted the reply of the shortcomings vide letter dated 25.02.2014. Then case was considered in 104<sup>th</sup> SEAC meeting where committee decided to visit and inspect the site to ascertain the factual correctness of the information submitted to them through the Project Proponent.

#### Findings:

During site inspection, it was found that the project proponent has already constructed complete boundary wall. The project consists of a hotel block and an executive suite block. Total structure of G+11 has been constructed in the hotel block. There are two no's of basement constructed, one under hotel block and one under executive suite block. Basement is common between hotel & executive suite block. Further, it was found that construction work has been stopped at the site. The plot area of the project is 20,551.23 sq.m and the total constructed built-up area (including all FAR and Non FAR area) is 16, 616.85 sq.m.

The fact was supported by the photographs taken at the time of inspection along with plans which are enclosed with this report. Area statement is also enclosed for reference.

#### Conclusion:

After the site visit, it came into light that the Project Proponent has constructed built-up area less than 20000 m<sup>2</sup> i.e. 16,616.85m<sup>2</sup> as per occupation certificate application. The case may be considered as per the latest guidelines for further course of action.

ANNEXURE - H**SITE VISIT REPORT**

**Subject:** TOR (under violation category) for Expansion of "Five Star Hotel" at Village Ghamroj, Sohna Road, Tehsil Sohna, Distt. Gurgaon, Haryana by M/s Creative Buildwell Pvt. Ltd. (Proposal no. SIA/HR/MIS/81570/2022),

A sub-committee was constituted comprising of the following members to verify the construction status of the project pertaining to TOR (under violation category) for Expansion of "Five Star Hotel" at Village Ghamroj, Sohna Road, Tehsil Sohna, Distt. Gurgaon, Haryana by M/s Creative Buildwell Pvt. Ltd. vide Endst. No. SEIAA/HR/2022/1518-1522 dated 21.09.2022.

1. Sh. Vijay Kumar Gupta, Chairman, SEAC, Haryana.
2. Dr. Rajbir Singh Bondwal, IFS (Retd.), Member, SEAC, Haryana.
3. Regional Officer, HSPCB Gurugram (North) (He will assist the members of sub-committee).

**Attendance:**

1. Sh. Vijay Kumar Gupta (Chairman, SEAC, Haryana).
2. Dr. Rajbir Singh Bondwal, IFS (Retd.) (Member, SEAC, Haryana).
3. Sh. Apameesh Kumar (Scientist B, SDO, HSPCB (North)).
4. Mr. R. C. Gosain (General Manager, Authorized Signatory, Creative Buildwell Pvt. Ltd.)
5. Mr. Manish Saxena (AVP Project, Creative Buildwell Pvt. Ltd.)
6. Mrs. Priyanka Madan (Asstt. General Manager, Eco Paryavaran Laboratories & Consultants Pvt. Ltd.)
7. Ms. Ankita Awasthi (Legal Executive, Creative Buildwell Pvt. Ltd.)

**Background:**

The application was filed to SEIAA, Haryana on Parivesh portal for issue of TOR under violation category vide Proposal no. SIA/HR/MIS/81570/2022 dated 02.08.2022 under Schedule 8(a) as per EIA Notification, 2006 and its amendments. The case was taken up in 248<sup>th</sup> SEAC, Haryana meeting held on 06.09.2022 and decided to recommend the case to SEIAA, Haryana for grant of Terms of Reference (under violation) for undertaking EIA and preparation of Environment Management Plan (EMP). Thereafter, recommendation of SEAC,

Chairman  
SFI

Member

A

Haryana was considered in 145<sup>th</sup> meeting of SEIAA, Haryana held on 09.09.2022. Then, it was decided to verify the current status of the construction of project.

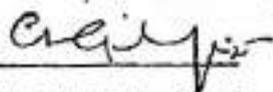
The site visit was conducted vide dated 28.12.2022. The PP and consultant submitted the following documents:

1. Copy of CLU dated 13-01-2010 along with removal of clause 12 dated 11-07-2011: Annexure 1(a).
2. Copy of 1<sup>st</sup> extension of CLU dated 14-05-2012: Annexure 1(b).
3. Copy of 2<sup>nd</sup> extension of CLU dated 22-08-2013: Annexure 1(c).
4. Copy of Building approval letter: Annexure 2(a).
5. Copy of approved site layout plan with total built-up area of 38,218.65 m<sup>2</sup> including basement: Annexure 2(b).
6. Copy of filing of partial completion dated 10-01-2014: Annexure 3(a).
7. Copy of partial completion drawings (i.e. Site plan, Basement plan & Elevation Plan): Annexure 3(b).
8. Copy of six photographs from all the four sides giving status of construction on the date of visit giving latitude, longitude and date duly signed by PP: Annexure 4.

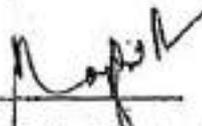
It was observed during the site visit that:

- No construction activity is going at site at present. It seems that work is abandoned since long.
- Now, PP has applied under violation category as till date EC has not been obtained; although, part construction has been done at site out of total approved built-up area of 38,218.65 m<sup>2</sup>. (As mentioned in the Appendix)

Therefore, subcommittee is of the view that TOR under violation category as already recommended by SEAC, Haryana in its meeting held on 06.09.2022 may be granted under violation category with other terms & conditions recommended in the MOM of 248<sup>th</sup> SEAC, Haryana held on 06.09.2022.



Sh. Vijay Kumar Gupta  
(Chairman, SEAC, Haryana)



Dr. Rajbir Singh Bondwal  
IFS (Retd.), Member, SEAC,  
Haryana



Sh. Aparnesh Kumar  
Scientist-B (Representative  
of RO, HSPCB, Gurugram  
(North))

ANNEXURE-I

24.05.2023

The Chairman,  
State Environment Impact Assessment Authority,  
Bays No. 55-58, 1st Floor, Prayatan Bhawan,  
Sector 2, Panchkula  
Email ID - seiaa-21 ems@hry.gov.in

  
Dt: .....

**Subject:-** M/s Creative Buildwell Private Limited at village Ghamroj, Sohna Road,  
Tehsil Sohna, Gurugram, Haryana.

**Ref:-** SEIAA order Endst. No. SEIAA/HR/2023/131-133 dated 20.03.2023.

Kindly refer to the subject noted above. It is submitted that SEIAA vide order dated 20.03.2022 has constituted a committee comprising of the following members -

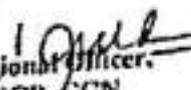
1. Member Secretary, SEIAA
2. Member Secretary, HSPCB/through Representative
3. Concerned Regional Officer, HSPCB (to assist the sub-committee)

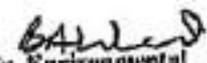
To carry out spot inspection of the project for Environmental Clearance (Under violation) for expansion of 5 star Hotel Project at Village Ghamroj, Sohna Road, Sohna, District Gurugram to be developed by M/s Creative Buildwell Pvt Ltd to verify the actual status of the construction carried out by the project Proponent at the project site till date Accordingly, site was visited by the committee on 22.04.2023, Regional Officer, Gurugram Region (North) and concerned Scientist B, Gurugram Region (North) has assisted sub-committee.

1. No construction activity is going on at site and work seems abandoned since a long
2. In compliance of order issued vide Endst. No. SEIAA/HR/2022/1518-1522 dated 21.09.2022, a sub-committee has already submitted report and now Project Proponent has submitted a project detail certified by Ar Vikky (CA-2017-36236) office No. 5 Shivam complex, Opp Huda Office, sector-14, Gurugram about building superstructure with total built up area 18359.38 sqm (Copy enclosed as Annexure-1)
3. Committee has no expertisation in built up area measurement and it may be got measured from Department of Town & Country Planning, Haryana

Submitted for kind information & further necessary action, please

DA/As above

  
Regional Officer,  
HSPCB, GGN

  
Sr. Environmental  
Engineer (Training Cell)  
HSPCB, Panchkula  
(Representative of MS,  
HSPCB)

  
Member Secretary,  
SEIAA, Haryana

Project Details

Project title-	Mittal Metropolis Five-star Hotel, Suites, and Commercial Centre
Project Developer	M/s Creative Buildwell Pvt. Ltd. having registered office at 201/6 Kaushalya Park Hauz Khas, New Delhi & Corporate/Correspondence Address- K-5A/9, DLF Phase-II, Gurugram, Haryana, 122002.
Location-	Milestone Km 15 to 17, Village Ghamroj, Gurgaon-Sohna Road, NH 248-A, Tehsil Sohna, District Gurgaon, Haryana.
Date of Change in Land Use (CLU)	13 <sup>th</sup> January 2010
Date of filing for Completion Certificate	10 <sup>th</sup> January 2014
Layout Plan Sanctioned date	21 <sup>st</sup> September 2011

Brief about project

Date of inspection- 29-04-2023

I architect Vikkey, ( Reg.no.CA/2017/86236 ), visited the project site on 29-04-2023. Project Proponent Mr. Manish Saxena, company manager, was presented at the site.

M/s Creative Buildwell Pvt. Ltd. and BCL Industries Limited (formally known as Bathinda Chemicals Ltd.) was granted CLU vide memo no. G-2064-JE(SS)-2009/206 dated 13<sup>th</sup> January 2010, consequently an application for approval of zoning plan and layout plans was made in January 2010.

That on 5<sup>th</sup> August 2010 Zoning Plan was approved, subsequently, layout plans were submitted to the Department of Town & Country Planning, Haryana (DTCP), which was approved after a year delay on 21<sup>st</sup> September 2011 vide memo no.G-2064/JD(BS)/2011/7000.

That Project developer was short of time as CLU was expiring in January 2012, therefore, the decision was made to develop a minimum 15% of the area as per policy.

That Project Proponent sought 2 extensions, the first extension from 13<sup>th</sup> January 2012 to 12<sup>th</sup> January 2013, and the final extension granted for the period of 13<sup>th</sup> January 2013 to 12<sup>th</sup> January 2014, copy of Sanctioned Plan and Completion Plan along with Architect certificate by Architect M/s Architect Combine C/o Sh. S.M. Mehta has been provided to me.

Area of construction at the site

Currently, at the site, the building superstructure has a total built-up area (TBUA) of 18359.38 Sq.Mtr. as constructed.

Details of the floor-wise TBUA as below:-

Sr.No.	Floor	Built-up area ( IN SQM.)
1.	Basement	4777.172
2.	Ground	1995.803
3.	Mezzanine	1225.656
4.	Service	926.959
5.	Second Floor	927.64
6.	Third Floor	927.64
7.	Fourth Floor	927.64
8.	Fifth Floor	927.64
9.	Sixth Floor	927.64
10.	Seventh Floor	927.64
11.	Eighth Floor	927.64
12.	Ninth Floor	927.64
13.	Tenth Floor	927.64
14.	Eleventh Floor	927.64
15.	Terrace	157.39
<b>Total</b>		<b>18359.38</b>

Encl:

1. Verified Built-up area plans
2. Copy of BR-III Memo No. G-2064/JD(BS)2011/7000 Dated 21-09-2011
3. Copy of Application for Completion dated 10-01-2014
4. Architect Registration Certificate.



BR-01  
(See Rule 44)  
Directorate of Town and Country Planning, Haryana,  
Sector-33, Chandigarh.  
Tel:-Fax: 0172-2588475, Tel: 0172-2540856, E mail: jgshy@gmail.com

Mem No. G-2064/0(BS)/2011/ T&C D

Dated: 21-9-11

To

M/s Rathinda Chemicals Ltd, and M/s Creative Buildwell Pvt. Ltd.  
Nazi Hassan LNH Road, Post Box No. 71,  
Bhatinda 151005, (Punjab).

Subject:- Appraisal of Building Plans of Five Star Hotel Site on the area measuring 20551.23 Sqm. in the Revenue Estate of Village Ghamaoj, District Gurgaon for which CU has been granted to M/s Rathinda Chemicals Ltd, and M/s Creative Buildwell Pvt. Ltd.

Reference your application dated 04.05.2011 for permission to erect the buildings in the CU permit on granted area 20551.23 Sqm. in the Revenue Estate of Village Ghamaoj, District Gurgaon in accordance with the plans submitted with it.

Permission is hereby granted for the aforesaid construction subject to the provisions of the Punjab Scheduled Roads & Controlled Areas Restriction of Unregulated Development Act, 1963 and its rules; the zoning plan framed thereunder along with special reference to the following conditions:-

1. The plans are valid for a period of 5 years from the date of issuance of sanction subject to validity of change of land use permission granted for this project.
2. The structural design of the building shall be carried out in accordance with the provisions of NBC and relevant IS Code.
3. The structural responsibility of the construction shall be entirely of the owner/superintending architect/engineer of the scheme.
4. A certificate from a recognized structural Engineer that the building is designed as per relevant IS code and NBC standard shall be submitted to the department within 60 days of issue of the letter.
5. All material to be used for erection of building shall conform to IS and NBC standards.
6. No wells/celling shall be constructed of easily inflammable material and staircases shall be built of fire resisting material as per standard specification.
7. The building shall be designed for appropriate seismic loads, all dead and live load, wind pressure etc as per relevant IS code and NBC standards. In all cases, normal strengthening to assist distress during earthquake shall be provided.

**8- FIRE SAFETY**

- a) You and Superintending Architect of the project shall be entirely responsible for making provisions of fire safety and fire fighting measures and shall abide by all fire safety bye laws.
9. No addition and alteration in the building plans/ layout plan shall be made without the prior approval of DG,TCP. Further only figured dimensions shall be followed and in case of any variation in the plans, prior approval of DG,TCP shall be pre-requisite.
10. If any infringement of bye-laws remains unnoticed, the department reserves the right to amend the plan as and when any such infringement comes to its notice after giving an opportunity of being heard and the department shall stand indemnified against any claim on this account.
11. No person shall occupy or allow any other person to occupy any new building or part of the same for any purpose what so ever until such building or part thereof has been certified by the

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Director General, or any person authorized by him in this behalf as having been completed in accordance with the permission granted and an occupation certificate in prescribed form has been duly issued in your favour.

12. Before grant of occupation certificate, you shall have to submit a notice of a completion of the building in form III-IV regarding completion of works described in the plans and it shall be accompanied by:

- a) DPC Certificate issued by D.T.P. Gurgaon.
- b) Structural stability certificate duly signed by the recognized structural Engineer/ Architect.
- c) A clearance from Fire Safety point of view from Fire Officer, Gurgaon.

13. The open parking around the building blocks shall be metalled and properly organized.

#### 14- WATER SUPPLY

(i) The down take system shall be provided by you by providing clear water storage tank of not less than half day storage of water for domestic usage on the top of the building block. The capacity of the tank as shown on the plans and down take system thereof are as under:-

Sr. No.	Name of building	Capacity of tank for Domestic uses in ltrs.	Up pipe in mm	Down pipe in mm
I.	Min. Building (Dom)	1x20,000	63mm	63/50/40/32/25/20 mm
	Flush	2x50,000	65mm	65/50/40/32/25/20 mm
II.	Commercial Block (Office) (Dom)	1x10,000	40mm	32/25/20mm
	Flush	1x5000	32mm	22/25/20mm
	L.G.T. (DOM)	5,00,000		

(ii) Inlet pipes from down take to tanks shall be 25/20/15 mm dia as shown on the plans and connection to each individual fixture shall be 15 mm dia.

#### 15. SEWERAGE:-

- (i) All sewerage lines should not be less than 150 mm dia S W Pipes.
- (ii) All soil stacks shall be 100 mm dia and all waste stacks shall be 100 mm dia.
- (iii) Waste water pipes connecting F.T. to G.T. and F.T. to waste water stack shall be 75 mm dia as shown on the plans.
- (iv) All soil pipe connection W.C. to soil stack and W.C. to E.C. shall be 100 mm dia as shown on the plans.
- (v) All W.C. shall be provided with high/low level flushing cistern of 8 ltrs capacity.
- (vi) You have proposed disposal of sewerage through proposed septic tank thus it is made clear to you that the same shall be provided as per IS Norm and there will be no pollution due to disposal of sewerage.

#### 16- STORM WATER DRAINAGE

- (i) You have provided single level basement for services and parking only. For draining out the wash water/ rain water accumulated in the basement shall be collected through covered channel of 300 mm wide to the traps at different places and from where the pumping has been proposed by you by providing pumps of 450 LPM capacity at 7.00 meters head. Thus it is made clear to you that you shall be sole responsible for pumping

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out of rain water/ wash water etc. at the time and 100% run day pump's alternate power supply arrangement shall also be provided by you during the future of electricity/ breakdown

- (i) Rain water stack pipe shall be 100/150 mm dia as shown on the plans
- (ii) It is made clear to you that the roof top rain harvesting system shall be provided by you as per HUDA/State Government norms.
- (iii) Roof top rain harvesting system shall be maintained by you as per norms and shall kept operational all the time.

17. GENERAL:-

- a) Alternative source of electricity shall be provided by you for functioning of water supply, sewerage and storm water drainage scheme by providing Gen. set of required capacity.
- b) That the owner shall obtain the clearance/NOC as per the provisions of the notification No. S.O. 1533 (I) Dated 14.09.2006 issued by Ministry of Environment and Forests, Government of India before starting the construction/execution of development works at site.
- c) All pipes, fixtures, fittings, pumps, Gen. set and filtration plant etc. shall be conforming to relevant specifications and approved.
- d) You shall have to pay the proportionate cost of external development charges for water supply, sewerage, storm water drainage, roads, bridges, community building, street light and hort. Etc. on gross coverage basis as and when determined by the HUDA/State Government. These charges will be recoverable as and when approved by the HUDA/State Govt. and will be binding upon you.
- e) It is made clear that you will be solely responsible for making connection with the master plan if approved by the State Government/ HUDA at their own cost with the prior approval of the competent authority.
- f) The water storage tanks and other plumbing works etc. shall not be shown on any face of the building but shall be suitably enclosed.
- g) No applied decoration like inscription, medals, names of persons are permitted on any external face of the building.
- h) The name of the building could be affixed on the external face of the building for which detailed elevations section showing the same will have to be got approved from the DD, TCP, HUDA/State.
- i) The external appearance shall use only compact fluorescent lamps (CFL) for external lighting as well as compact lighting.
- j) That you shall deposit the labour cost in favour of me to time as per construction of work done at site.
- k) That the provision of solar water heating system shall be as per norms specified by HATEDA and shall be made operational in the each building block before applying for an occupation certificate.
- l) That you shall submit the soft copy of the approved building plans of the scheme within one week to this office from the issuance of this letter.
- m) Proper filtration plant shall be provided by the coloniser for filtration & recycling of the water of the swimming pools only and quantity of water shall be used for replacement of water in the swimming pool.

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- m) The swimming pool shall not be connected with the storm water drain for the disposal or replacement of water.
- n) The replacement water shall be disposed off by the coloner by using the same for watering of landscaped area in their colony or the same may be disposed off into the rain water harvesting system.
- o) Recycled water is proposed to be utilized for flushing purpose. The firm has made provision of separate flushing line, storage tank, metering system, pumping system and plumbing. It may be clarified to developer that no tap or outlet of any kind will be provided from the flushing lines/plumbing lines for recycled water except for connection to the cistern of flushing tanks and any scouring arrangement. Even abolition taps should be avoided.
- p) No cross connection between recycled water system and potable water system shall be made.
- q) All plumbing pipes fittings, valves will be of red colour or painted red. In case of embedded pipes, Marker taps of Red Colour at suitable intervals shall be fixed. The underground and over head tanks should have. Recycle water not fit for drinking and other warning sign embedded/marked on them.
- r) Recycled water pipes and potable water pipes will be fixed in separate chases and a minimum horizontal distance of 6" (150mm) will be maintained between them. In case of cross suitably coloured/taped sleeve shall be used.

This condition will be void ab initio, if any of the conditions mentioned above are not complied with.

DA/One set of Building Plans

(Jinder Singh)  
District Town Planner (HQ),  
Member Secretary,  
For Chief Town Planner, Haryana-cum-Chairman,  
Building Plan Approval Committee.

Enclt. No G 2084/2011/\_\_\_\_\_ Dated:-\_\_\_\_\_

A copy is forwarded to the following for information:-

- 1- Senior Town Planner, Gurgaon.
- 2- Superintending Engineer (HQ) HUDA, Faridkote.
- 3- District Town Planner, Gurgaon along with one set of building plan.
- 4- District Town Planner (C), Gurgaon

Encl: as above

(Jinder Singh)  
District Town Planner (HQ),  
Member Secretary,  
For Chief Town Planner, Haryana-cum-Chairman,  
Building Plan Approval Committee.

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**BCL Industries**  
& Infrastructures Ltd.



Regd. Office :  
Hazi Kattan Link Road, BATHINDA-151005  
Ph.: 2240163, 2240443, 2271628, Fax : 0164-2240424  
E-mail : bcl2@connectzone.in

To,

Dt. 10.01.2014

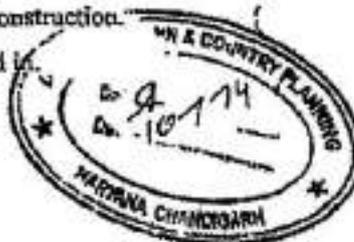
The Director General,  
Town & Country Planning Department-Haryana,  
Chandigarh.

**Subject: Issue of Occupation/Completion Certificate regarding CLU permitted for construction of a 5 Star Hotel on the land Area measuring 20,551.23 Sq.mtr. falling in village, Ghamroj, on Gurgaon-Alwar Road, Tehsil Sohna, Dist. Gurgaon, Haryana, by M/s Bathinda Chemicals Ltd. (Now known as M/s BCL Industries & Infrastructure Ltd.) & M/s Creative Buildwell Pvt. Ltd.**

Sir,

Inspite of all the hurdles in securing/arranging all the approvals as per conditions imposed in the permission dt. 13.01.2010 explained in our request dt.09.12.2013 (copy enclosed for ready reference), we have completed more than 50% (Including basements) and upto 6<sup>th</sup> floor of the Hotel Block the area is operatable immediately, while the upper 5 floors are also structurally complete thus the block constructed at site upto 11<sup>th</sup> floor and as required under the provisions of the act, the requisite plans/photos and other approvals etc. are enclosed as under with the request to kindly issue the occupation/completion certificate so that the construction complete at site could be utilized;

1. 3 sets of plans constructed at site showing the variation from the drawings sanctioned on 21.09.2011
2. 3 Sets of Sanctioned Building Plan & Approved Service Layout Plan.
3. The Photographs of Completed Construction.
4. Form BR-IV(A) with details filled in.



5. Form BR-V(A1) with all information and signed by Owner, Architect & Structural Engineer.
6. Copy of BR-III is attached. The building plans were approved vide memo no. G-2064/JD(BS)/2011/7000 Dt. 21.09.2011.
7. NOC fire (The Application for issue of NOC has been submitted along with all plans attached herewith)
8. Copy of Height Clearance NOC from AAI vide memo no. AA5/NOC/2011336/2813 dt. 20.09.2011
9. Copy of NOC- Consent to Establish from Pollution angle memo no. HSPCB/TAC/2012/1840 dt. 08.11.2012 along with copy of affidavit submitted at EIA since constructed area being less than 20,000 sq.mtr.
10. Copy of CLU Renewed till date vide memo no. G-2064-JE(S)-2013/49258 Dt. 22.08.2013. The validity of CLU issued by deptt. on 22.08.2013 which is up to 12.01.2014
11. Copy of zoning.
12. Copy of fire scheme approval. Memo no. FS/MCG/2012/1311 dt.08.05.2012
13. Authority letter.

We request you to issue the permission to occupy at an early date please.

Thanking You

Yours truly,  
For M/s Bathinda Chemicals Ltd.  
& M/s Creative Buildwell Pvt. Ltd.

  
(Vithal Mittal)

Director / AUTHORIZED SIGNATORY

Encl. as above

**Haryana Shehri Vikas Pradhikaran**

No.....

Dated.....

Registration No. 2023/ 13

The License of Sh. Vikkey has been renewed as an Architect on the basis of report received from the O/o SDE (Survey)-I & II, HSVP, Gurugram for the purpose of undertaking the work of structural designing/supervision of any private building & other terms and conditions as per original license by competent authority, in the Urban Estate, Haryana. The license is being issued under the provision of HSVP Act, 1977.

The validity of the license expires on 31.12.2023.

This issues with the approval of Worthy Estate officer-I.

Estate Officer-I,  
HSVP, Gurugram

Endst. No. 1523

Dated: 3/4/2023

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

1. The Administrator, HSVP, Gurugram.
2. The SDE, HSVP, Survey Sub Division. No.I, O/o Estate Officer-I, HSVP, Gurugram.
3. The SDE, HSVP, Survey Sub Division. No.II, O/o Estate Officer-II, HSVP, Gurugram.
- ✓ Sh. Vikkey, Office No. 2, Basement Floor, Shivam Complex, Opp. HUDA Office Sector-14, Gurugram.



Estate Officer-I,  
HSVP, Gurugram

# Council of Architecture

## Certificate of Registration

This is to certify that the name of

**Mr. Vikkey**

has been entered in the register and his Registration No. is  
**CA/2017/86236**

This certificate is valid from the seventeenth  
day of **October 2017** to the **thirty-first**  
day of **December 2018** inclusive.

List of Additional Qualifications:

Renewals

Valid Upto

**31.12.2028**

Signature of Registrar

Given under the common Seal of the Council of Architecture.

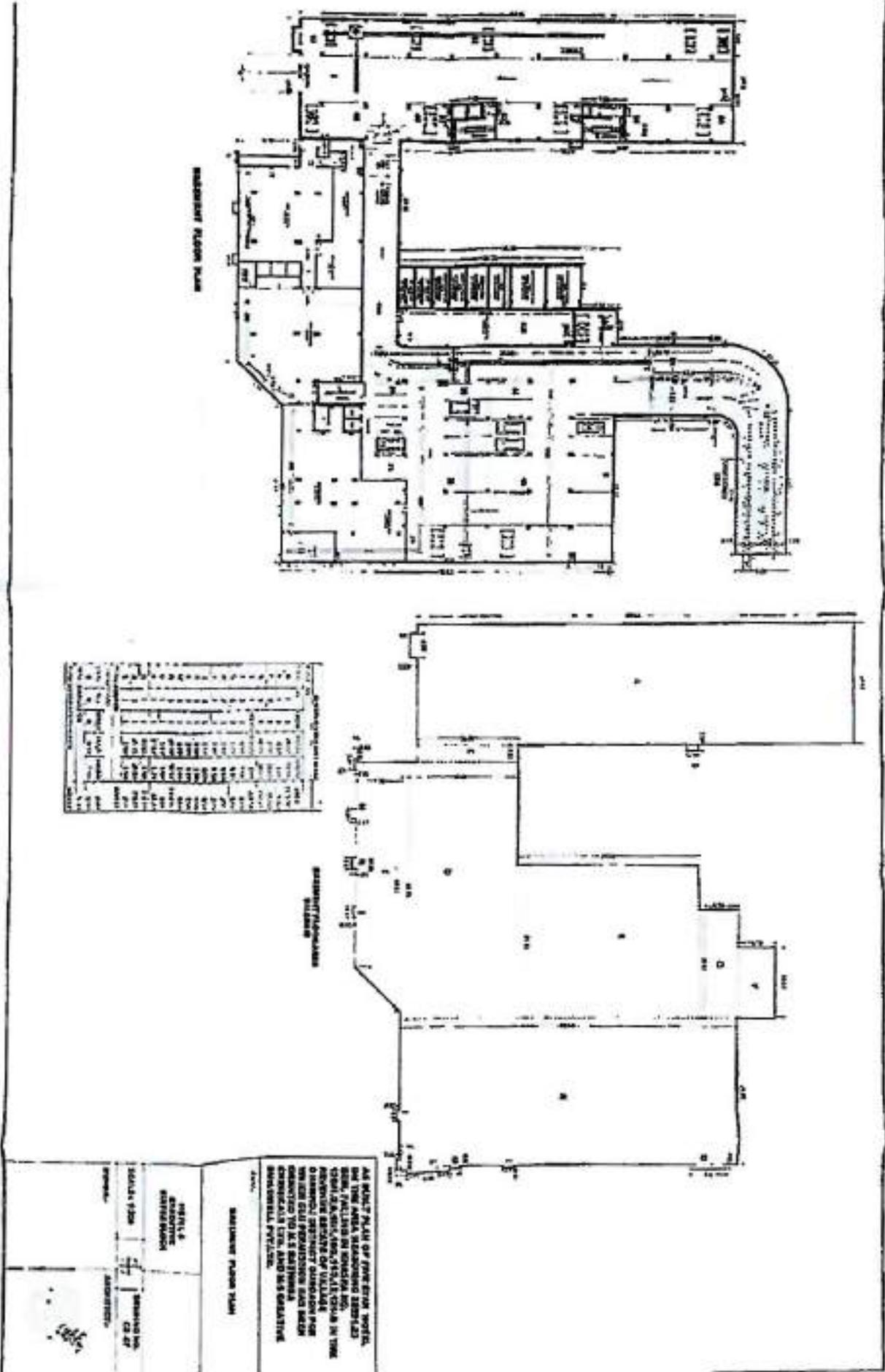


this seventeenth day of October 2017

  
Secretary  
President

This Certificate of Registration is issued under sub-section (7) of Section 24 and sub-section (4) of Section 26 of the Architects Act, 1972, enacted by the Parliament of India.





AS NOTED IN THE PREVIOUS WORK,  
 THE PLAN ABOVE SHOWN IS  
 THE PLAN FOR THE EASTMONT  
 FLOOR PLAN, AND IS NOT TO BE  
 CONSIDERED AS A FINAL PLAN  
 UNLESS SO NOTED OTHERWISE.  
 THE PLAN ABOVE SHOWN IS  
 THE PLAN FOR THE EASTMONT  
 FLOOR PLAN, AND IS NOT TO BE  
 CONSIDERED AS A FINAL PLAN  
 UNLESS SO NOTED OTHERWISE.

EASTMONT FLOOR PLAN

SCALE 1/8" = 1'-0"

DESIGNED BY  
 ARCHITECTS

STANDARD ARCHITECTURAL SYMBOLS

DOOR	WINDOW
STAIR	PLUMBING
...	...







भारतीय गैर न्यायिक



दिल्ली DELHI

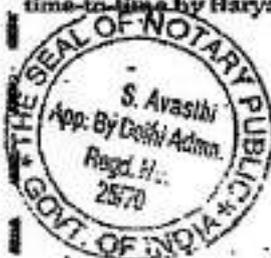
UNDERTAKING

47AA 986028

We, M/s Creative Buildwell Pvt. Ltd. office at 201/6, Kaushalya Park, Hauz Khas, New Delhi-110016, & M/s Bathinda Chemicals Ltd. office at Hazi Rattan Link Road, Bathinda-151005, Punjab, through its authorized signatory Mr. Vithal Mittal s/o Shri Manoj Mittal are owner of the 5 Star Hotel site at Village Ghamroj, Sohna-Alwar Road, SH-13, Tehsil Sohna, Distt. Gurgaon, Haryana, do hereby undertake and affirm and declare as under:-

1. That presently, we are going to construct area of 16,000 sq. mtrs. (1,72,000 sq. ft. approximately).
2. That the total project cost is Rupees Twenty Crore Only but it was wrongly mentioned in the NOC application as Rupees Fifteen Crore.
3. We are depositing additional Bank Guarantee from Punjab National Bank of Rs.1,25,000/- (Rupees One Lac Twenty Five Thousand Only) dated 12-1-2012 in additional to the Bank Guarantee from Punjab National Bank dated 6-12-2011 for Rs.3,75,000/- (Rupees Three Lac Seventy Thousand Only) already submitted. Thus total Bank Guarantee submitted is Rs.5,00,000/- (Rupees Five Lac Only) which totals to 0.25% of Total Project cost (i.e. Rupees Twenty Crore Only).
4. We undertake that in case of expansion in the next phase and area exceeds that of 20,000 Sq. mtrs. we will apply for environmental clearance from State Government as per notification date 14/09/2006.
5. That we further undertake to comply with all rule regulations and direction issued from time-to-time by Haryana State Pollution Control Board.

Contd...2...



*Vithal*

6. We are absolute of Land admeasuring 20551.23 sq. mtr. Falling in Khasra No.-120//1,2,9,10/1,11/2,12,121//6 situated at revenue estate of Village Ghamroj, Tehsil Sohna, Distt. Gurgaon, Haryana.
7. That we, for aforesaid land, got permission to develop a 5 Star Hotel vide CLU No.-G-2064-JE(SS)-2009/206 date 13.01.2010 from Director Town & Country Planning, Haryana.
8. That we got plans sanctioned for the said 5 Star Hotel located at Village Ghamroj, Tehsil Sohna, Distt. Gurgaon, Haryana vide BR-III, memo No.-G-2064/JD(RS)/2011/7000 date 21.09.2011.

*Malhotra*  
EXECUTANT

**VERIFICATION:-**

Verified that the contents of this undertaking are true and correct to the best of my/our knowledge and belief.

*Malhotra*  
EXECUTANT



**ATTESTED**  
*[Signature]*  
NOTARY DELHI  
11 08 JAN 2021

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**CREATIVE BUILDWELL PVT. LTD.****BUILDERS • DEVELOPERS • COLONISERS**

*Dt 19/1/12*  
 The Member Secretary  
 Haryana State Pollution Control Board  
 C-11, Sector 6, Panchkula

Sub: Grant of NOC in respect of Hotel by M/s Creative Buildwell Pvt. Ltd situated at village Ghamroj, Sohna-Alwar Road, Tehsil Sohna, District Gurgaon, Haryana

Dear Sir,

In continuation to our application submitted to your Regional Office, Gurgaon and in response to your letter no. HSPCB/SC(HQ)/2012/437 Dt. 11/1/2012 we are further submitting as under:-

1. We have checked our records and found that due to clerical mistake in the NOC form the project cost is different in the NOC form than in the Project report. The project cost of Rs. Twenty Crore (as per project report) is to be treated as final.
2. Due to difference in project cost we are submitting additional bank guarantee of Rs. 1,25,000/- (Rupees One lac Twenty Five thousand only) from Punjab National Bank, Bank Street Branch, Bathinda dated 18/1/2012, valid upto 17/4/2017, BG No.: 00501LG000112, in addition to the already submitted bank guarantee from Punjab National Bank, Bank Street Branch, Bathinda of Rs. 3,75,000/- (Rupees Three Lac Seventy Five Thousand Only) dated 06.12.2011, valid upto 05.12.2016, BG No.: 00501LG004611. Total bank guarantee submitted to you is now therefore Rs. 5 Lac, which is 0.25% of Total Project Cost of Rs. Twenty Crore and thus complies with the direction of the board.
3. Total covered area of Project as per our sanctioned plans is 30,780.32sq. mtr. (FAR area) + 6,575.82 sq.mt. (under basement) which equals to 37,356.14 sq mtr. of Covered area (not including area under service floors).
4. An affidavit, that we will construct only 16,000 sq. mtrs of area (which is less than 20,000 sq. mtrs.) and for any further expansion or extension of area will apply for environmental clearance from the State Government as per notification dated 14/09/06.
5. The above mentioned hotel property is free-hold land and all jamabandi and mutation papers, duly self-attested, are enclosed herewith.

You are kindly requested to grant NOC for construction of 16,000 sq.mtrs of area with the condition to obtain Environmental Clearance for expansion in future as per notification dated 14/09/06.

Kind regards,

*Vickram Mittal*  
 Vithal Mittal  
 (Authorised Signatory)  
 M/s Creative Buildwell pvt. Ltd.  
 M/s Bathinda Chemical Ltd.

**CERTIFIED TRUE COPY**

CC: Regional Office- Gurgaon, Haryana State Pollution Control Board, Vikas Sadan, Off. New Court, Gurgaon, Haryana

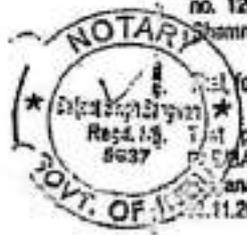
D.T.C.



HARYANA **UNDERTAKING** 29AA 875442

That, We M/s Creative Builders Pvt. Ltd., regd. office at 201/6, Kaushalya Park, Hazrat Nhas, New Delhi-110016 & M/s BCL Industries & Infrastructure Ltd. (Formerly known as Balhinda Charities Ltd) regd. office at Hazi Rattan Link Road, Balhinda, Punjab-1510054, through its authorized signatory Mr. Vihal Mittal S/o Sh. Manoj Mittal R/o Block 6, 4 Battery Lane, Rishi Apartments, Rajpur Road, Civil Lines, Delhi-110054 are the owner of the 5 Star Hotel Site at village Ghamroj, Gurgaon-Awar Road, SH-13, Tehsil Sohna, District Gurgaon, Haryana, do hereby solemnly declare as under:-

1. We are the absolute owner-in-possession of land measuring 20551.23 sqmtr. falling in khasra no. 120/1,2,9, 10/1,11/2, 12 and Khasra no. 121/16 situated at the revenue estate of village Ghamroj, Tehsil Sohna, District Gurgaon, Haryana.



2. We for the aforesaid land got permission to develop a 5 star Hotel.

3. That presently, we are only undertaking construction of built-up area (FAR / NON-BASEMENT) of under 20,000 sqmtrs. for which we have received "Consent to Establish" from Haryana State Pollution Control Board vide memoletter no. HSPCB/TAC/2012/1840 dt 11.11.2012.

4. That, in case of expansion in the next phase wherein the built-up area exceeds that of 20,000 sqmtrs. we will get prior environmental clearance from the SEAC, Haryana as per the mandate of the MOEF notification dt 14.09.2006

*Vihal Mittal*  
EXECUTANT

**VERIFICATION**  
Verified on 3<sup>rd</sup> February 2014, that the contents of this undertaking are true and correct to the best of my own knowledge and belief

**ATTESTED**  
13 FEB 2014  
BALJOT SINGH SANDWAN  
NOTARY PUBLIC, HARYANA

*Vihal Mittal*  
EXECUTANT



**IN THE COURT OF**  
*Court no. 1, Principal Bench,*  
*National Green Tribunal, Delhi*

**IN THE MATTER OF:**  
*Aashish Sardana*

... Applicant

**VERSUS**

.... Respondents

*M/s Vatika Ltd. & Ans.*

**VAKALATNAMA**

KNOW ALL to whom these presents shall come that I/We *Vithal Mittal*  
*(Project Hponent of M/s Creative Buildwell Pvt. Ltd.)*  
the above named do hereby appoint

(herein after called the advocate/s): -

- AKSHITA GOYAL* (D/1589/2016)
- Gaurav Jain* (D/09/2011)
- Atul Malhotra* (D/08/2011)
- Mann Popli* (D/1124/2015)
- Karuna Sharma* (D/29/2021)
- Sagar Sharma* (D/2577/2015)
- Amit Kumar* (D/1912/2016)
- Shubhakarji Gaur* (D/5633/2018)
- Apurva Gude* (D/11041/2021)
- Neha choudhary* (D/11934/2021)
- Akash Gupta* (D/746/2022)
- Poojini sharma* (D/2455/2020)

To act, appear and plead in the above-noted case in this Court or in any other 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 Court by me/ us.

To sign, file verify and present pleadings, appeals cross objections or petitions for execution 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.

To file and take back documents to admit and/or deny the documents of opposite party.

To withdraw or compromise the said case or submit to arbitration any differences or disputes that may arise touching or in any manner relating to the said case.

To take execution proceedings.

The deposit, draw and receive money, cheques, cash and grant receipts thereof and to do all other acts and things which may be necessary to be done for the progress and in the course of the prosecution of the said case.

To appoint and instruct any other Legal Practitioner, authorizing him to exercise the power and authority hereby conferred upon the Advocate whenever he may think it to do so and 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 purposes.

And I/We undertake that I / we or my /our duly authorized agent would appear in the Court on all hearings and will inform the Advocates for appearance when the case is called.

And I/we 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 himself.

And I/we the undersigned do hereby agree that in the event of the whole or part of the fee agreed by me/us to be paid to the Advocate remaining unpaid he shall be entitled to withdraw from the prosecution of the said case until the same is paid up. The fee settled is only for the above case and above Court. I/We hereby agree that once the fee is paid, I /we will not be entitled for the refund of the same in any case whatsoever. If the case lasts for more than three years, the advocate shall be entitled for additional fee equivalent to half of the agreed fee for every addition three years or part thereof.

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 \_\_\_\_\_ day of \_\_\_\_\_ 2024

Accepted subject to the terms of fees.

Accepted by Advocate

*Handwritten signatures and dates:*  
*P/2577/15*  
*N. G. Sharma*  
*Amit Jain*  
*P/11041/21*

*Handwritten signatures and dates:*  
*Chakrabarti*  
*P/1523/18*  
*Akash*  
*D/746/22*

*Handwritten signature:*  
*Vithal*  
*Mittal*

