

-BEFORE THE NATIONAL GREEN TRIBUNAL PRINCIPAL BENCH, NEW DELHI

OA No. 340 of 2024

IN THE MATTER OF

Orchid Iceland Residents Welfare Association

... Applicant

VERSUS

Ministry of Environment and Forest, New Delhi

... Respondents

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Place: Chandigarh
Dated:09.07.2024

(Amit Khatri)
Director, Town and Country Planning,
Haryana.

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Reply by Amit Khatri, Director Town and Country
Planning, Haryana on behalf of Respondent no.3.

**RESPECTFULLY SHOWETH:
PRELIMINARY SUBMISSIONS:**

1. That the applicant has filed the present application under Section 14 and 15 (b) read with Section 18 (1) and (2) of the National Green Tribunal Act, 2010 with a prayer that necessary action may be taken against respondent no.12 to 20 (also referred as private respondents) for illegally grabbing and selling the major part of 45% area of the project meant for parks, roads and other infrastructure facilities in May Field Garden, Gurugram in violation of applicable laws, for imposing heavy penalty against respondent no.12 to 20 for not obtaining environmental clearance for their residential projects in Sector 47, 50, 51, 52 and 57, Gurugram. The applicant is also seeking direction to the local bodies i.e. respondent no. 1 to 11 to ensure that residents of the May Field Garden live in clean and unpolluted environment.
2. That the main grievance of the applicant is that the project proponent has developed/is developing the project as under: -
 - i. without obtaining environmental clearance and the project proponent is blatantly violating the environmental laws.

- ii. Without obtaining consent to establish and consent to operate.
- iii. There is large scale extraction of ground water.
- iv. The green and open area has been grabbed and illegally sold in collusion with the answering department, whereas, actually 45% area of the project was to be kept for roads, open spaces, parks, schools and other community buildings etc.
- v. SEIAA, CPCB, HSPCB, DTCP and the local administration are passive spectators to such illegal acts of causing immense damage to the environment by the project proponent.
- vi. Noise Pollution (Regulation and Control) Rules, 2000 are being blatantly violated and the concerned authorities under the influence of the project proponent are not taking any action against the wrong doers.

That it is clarified that the grievance made in sub para (i) and (iv) only relate to the answering respondent, which are replied in the following paras.

- 3. That it is submitted that following licences under the provisions of the Haryana Development and Regulation of Urban Areas Act, 1975 (in short called as Act of 1975) for development of a residential plotted colony namely Mayfield Garden, Gurugram were granted by the Department of Town and Country Planning.

Sr. No.	License No.	Date	Area (in acres)
1.	53-60 of 1994	31.12.1994	180.2
2.	9-24 of 1995	20.11.1995	123.87
3.	98 of 2008	12.05.2008	19.08
4.	8 of 2009	17.05.2009	4.63
Total			327.73

4. That it is also brought to the kind notice of this Hon'ble Court that the colonizer (project proponent) had submitted application in the year 2010 for issue of part completion certificate. However, there were various deficiencies in the application such as the licence in question stood lapsed and were not valid when the case for issue of part completion certificate was being examined by the Department.

Though, the colonizer removed/rectified certain deficiencies, however, there were still some deficiencies. The revised service plan estimates of the colony were approved in-principle, but, the same were not finally approved as the colonizer failed to deposit additional Bank Guarantee on account of Internal Development Works as demanded vide office memo dated 20.07.2015. Accordingly, after grant of opportunity of personal hearing to the colonizer, application for grant of part completion certificate were rejected by this office vide office memo no. LC-214-PA (B)/2018/4592-96 dated 05.02.2018.

5. That regarding environmental clearance, it is submitted that different licenses to develop a residential plotted colony namely May Field Garden located in Sector-47, 50, 51, 52 and 57, Gurugram were granted by the Department of Town and Country Planning in the name of Sheetal International Pvt. Ltd., Satsudha Investments Pvt. Ltd., New India City Developers Pvt. Ltd., North Star Apartment Pvt. Ltd. and Ajay Apex Pvt. Ltd. in the year 1994 and 1995 for area measuring 304.07 acres i.e. before issue of notification dated 14.09.2006 relating to the environmental clearance.

Further, Licence No. 98 of 2008 & Licence No. 8 of 2009 for additional area measuring 19.08 acres & 4.63 acres respectively were granted after issue of the notification no. S.O.1533 dated 14.09.2006 issued by the Ministry of Environment & Forests, Government of India. It is significant to mention that the MOEF notification dated 14.09.2006 is applicable from prospective effect. Therefore, the

licences granted prior to the said notification do not fall in the ambit of the said notification.

Further, it is submitted that notification no. S.O.1533 dated 14.09.2006 issued by the Ministry of Environment & Forests, Government of India is applicable for the projects having an area more than 50 hectares or constructed area more than 20,000 sq. mtrs. It is pertinent to mention that the completion certificate of the colony has not been granted till date and same shall only be considered after receipt of the requisite NOC from Environment Department, HSPCB w.r.t. compliances of MoEF notification dated 14.09.2006.

It is also brought to the kind notice of this Hon'ble Court that the colonizer has not yet submitted any application for issue of final completion certificate as per requirement of Rule 16 of the Rules of 1976. Therefore, it is wrong to allege that the project proponent has developed the project without obtaining environmental clearance in collusion with the Department of Town and Country Planning. Since, the licenses for main area of project i.e. 53-60 of 1994 and 9-24 of 1995 measuring total of 304.07 acres were granted prior to issue of notification dated 14.09.2006, therefore, the condition regarding obtaining environmental clearance was not imposed in the above said licenses.

6. That regarding earmarking of the area for roads, open spaces, schools, public and community building and other common uses, it is submitted that Rule 4(1) of the Rules of 1976 framed under the Act of 1976 provides as under:

"In the layout plan of a colony, other than an industrial colony or low density eco-friendly colony, the land reserved for roads, open spaces, schools, public and community buildings and other common

uses shall not be less than forty five percent of the gross area of the land under the colony."

It is further brought to the kind notice of the Hon'ble Court that as per the approved layout plan of the colony bearing Drawing No.DTCP-1784 dated 07.01.2009, the total area of the residential plotted colony namely May Field Garden is 327.773 acres. The component wise detail is as under:

S. No.	Particulars of Area	Area (in acres)
i.	Area under plots (residential)	163.782
ii.	Area under commercial	13.110
iii.	Total salable area (i.) + (ii.)	176.892
iv.	Total area under road, open space, school, public and community buildings and other common uses	Approx. 150 acres

District Town Planner, (Enf.) Gurugram has also been requested by DTP(P) Gurugram vide letter dated 21.06.2024 to take action with reference to removal of the encroachment, if any, on the area earmarked for road, open space, public parks etc. In this regard, DTP(E) Gurugram has already initiated action against authorized construction / encroachment and has already issued notices to the offender on 27.06.2024. Further, it is wrong to allege that the Department has allowed the area of 45% earmarked for open spaces, roads, community buildings, parks etc. to be sold by the project proponent. Further, no specific complaint has been received in the office of the answering respondent with an allegation that the project proponent has utilized the area earmarked for roads, open spaces, parks etc. for commercial purposes. Hence, this contention of the applicant is also misconceived.

7. That another allegation leveled by the applicant in the application is that the project proponent has been selling the areas meant for community facilities i.e. schools, hospitals, community centers and other community buildings. It is submitted that as per the provisions of Section 3(3)(a)(iv) of the Act of 1975, the colonizer is required to construct the community facilities at their own cost or get constructed by any other institution or individual at their own cost such facilities like schools, hospitals, community centers and other community building on the land earmarked for this purpose. As per the approved layout plan of the colony, 36 no. of community sites have been provided in the colony, out of which 26 buildings have been completed and occupation certificate has been granted.

It is also submitted that the construction of a community site within a colony is governed by the provision of Rule 15(A) of Rules, 1976, which stands amended vide Government notification No. MISC-2218-II/2020/3415 dated 05.02.2020, whereby the Government has allowed extension of community sites in licenced colonies for a period of five years, subject to payment of prescribed fee. Therefore, the colonizer or the owners of the community sites have the liberty to complete the construction of community sites subject to obtaining extension as provided under Rule 15A(A) of Rules, 1976.

Moreover, Rule 16-A of Rules, 1976 do not restrict grant of completion certificate in case the third-party rights are created over the community sites and such sites are not completed. Such sites are independent to be constructed even after grant of completion certificate. Hence, this contention of the applicant is also not legally tenable.

Kind attention of this Hon'ble Court is also invited to the order dated 17.02.2003 passed by the Hon'ble Supreme Court of India in Civil Appeal No.4908 of 2002 titled as DLF Qutab Enclave Complex

Educational Trust V/s State of Haryana and others (HRR 2003, page 540), wherein it was observed by the Hon'ble Supreme Court that "*the Construction of schools, hospitals and community centres and other community buildings do not come within the purview of the term 'development works'. They come within the purview of the term 'Amenities'. Only in relation to the development works the colonizer is bound to pay the development charges, carry out and complete development works. He has also the responsibility to maintain the same for a period of five years from the date of issue of the completion certification whereafter, the same is required to be handed over to the Government or the local authority as the case may be, free of cost.*"

Further in para no.36 of the above said judgment, the Hon'ble Supreme court has also observed that "*Right of transfer of land is indisputably incidental to the right of ownership. Such a right can be curtailed or taken away only by reason of a statute. An embargo upon the owner of the land to transfer the same in the opinion of this Court should not be readily inferred. Section 3(3)(a)(iv) of the Act does not expressly impose any restriction. The same is merely a part of a undertaking. Assuming that a prohibition to transfer the land can be read therein by necessary implication, it is interesting to note that the consequence of violation of such undertaking has not been specified. In other words, if a transfer is made in violation of the undertaking, the statute does not provide that the same would be illegal or the transferee would not derive any title by reason thereof.*"

In view of above submissions, the answering respondent cannot restrain the colonizer from transferring/selling the area meant for community buildings to third parties.

The latest status of the community facilities in above said colony is also sought by this office from Senior Town Planner, Gurugram and as informed, the project proponent (hereinafter called 'PP') has 3

Nursery Schools, 2 Primary Schools, 2 Club/Community Center, 2 Dispensary/Health Center, 2 religious buildings, under their ownership whereas rest of the community facilities stands transferred to 3rd party. Out of the above said site vesting with the 'PP', 3 Nursery schools have been already granted occupation certificate, however, 2 nursery school sites are non-functional. Further, out of two primary schools under the ownership of 'PP', occupation certificate has been already granted in one primary school. The site for High school vesting with the 'PP' also stands developed and has been granted occupation certificate. The building plans of two club/community center sites (under the ownership of 'PP') were approved in 2018 and the same have been constructed although non-functional as on date. The building plans of crèche under the ownership of 'PP' were also sanctioned in 2018, however the same is under litigation. The details of the community facilities provided in the colony alongwith status of approval of building plans, occupation certificate and third party rights created thereon is attached as **Annexure R-1**. The location of the community facilities duly marked on the layout plan of the colony is attached as **Annexure R-2**.

In view of the above said submissions, it is wrong to allege that the project proponent is selling the area earmarked for open spaces, roads, public parks. Further it is also wrong to allege that the project proponent is illegally selling the space for community buildings.

REPLY ON MERITS:

1. That the contents of para no.1 of the application are matter of record.
2. That the contents of para no.2 of the application are matter of record.
3. That the contents of para no.3 of the application are matter of record.
4. That the contents of para no.4 of the application are admitted to the extent of the grievance made by the applicant in the present application. The issues raised in sub-para (ii), (iii) and (vi) of this para

do not relate to the answering respondent. However, in view of the submissions made in para no.4 to 7 of the preliminary submissions, it is vehemently denied that any cause of action has arisen to the applicant to file the present application against the answering respondent.

Reply to the brief facts of the case:

- a. That the contents of sub-para (a) are admitted to the extent of grant of license under the provisions of the Act of 1975 for setting up of a residential plotted colony on the land measuring 327.773 acres falling in Sector 47, 50, 51, 52 and 57, Gurugram namely May Field Garden has been granted by the answering respondent. The detail of the licenses has been given in para no.3 of the preliminary submissions. Regarding seeking environmental clearance, the submissions made in para no.5 of the preliminary submissions are reiterated.
- b. That the contents of sub-para (b) are admitted to the extent of the observations made by SEIAA in its meeting held on 05.09.2023. However, as already submitted, major part of the licenses i.e. about 304 acres were granted in the year 1994 and 1995 i.e. before the issue of notification dated 14.09.2006 relating to environmental clearance. Further, Licence No. 98 of 2008 & Licence No. 8 of 2009 for additional area measuring 19.08 acres & 4.63 acres respectively were granted after issue of the notification no. S.O.1533 dated 14.09.2006 issued by the Ministry of Environment & Forests, Government of India. It is significant to mention that the MOEF notification dated 14.09.2006 is applicable from prospective effect. Therefore, the licences granted prior to the said notification do not fall in the ambit of the said notification.

Further, it is submitted that notification no. S.O.1533 dated 14.09.2006 issued by the Ministry of Environment & Forests, Government of India is applicable for the projects having an area more than 50 hectares or constructed area more than 20,000 sq. mtrs. It is

pertinent to mention that the completion certificate of the colony has not been granted till date and same shall only be considered after receipt of the requisite NOC from Environment Department, HSPCB w.r.t. compliances of MoEF notification dated 14.06.2009.

- c. That the contentions made in sub-para (c) are wrong and denied in view of the submissions made in para no. 5 of the preliminary submissions and sub-para (b) above.
- d. That the contents of sub-para (d) are wrong and denied. It is vehemently denied that the answering respondent has created false reports, misguiding the authority and the court of law. It is also denied that this is a case of classical example of corruption. Every action is being taken by the Department in accordance with the provisions of the Act of 1975 and the Rules made thereunder.
- e. That the contentions made in sub-para (e) are wrong and denied in view of the submissions made in para no.4 of the preliminary submissions and sub-para (b) above.
- f. That in reply to sub-para (f), it is submitted that this is a case of residential plotted colony, where only the building plans of the plots/community buildings are to be approved for the plots purchased by the individual allottees. Further, it is pertinent to mention that the completion certificate of the colony has not been granted till date and same shall only be considered after receipt of the requisite NOC from Environment Department, HSPCB w.r.t. compliances of MoEF notification dated 14.06.2009.
- g. That the contents of sub-para (g) relate to respondent no. 12 to 20. However, the submissions made in para no.7 of the preliminary submissions are also reiterated with reference to this para.
- h. That the contents of sub-para (h) relate to respondent no.12 to 20.
- i. That in reply to sub-para (i) relating to earmarking of the area of 45% for roads, open spaces, schools, and other public and community

buildings, the submissions made in para no. 5 of the preliminary submissions are reiterated.

- j. There is no sub-para (j) in the application.
- k & l. That in reply to sub-para (k) and (l), it is submitted that as per the approved layout plan in the year 2009, the 46.03% is earmarked for roads, open spaces, schools, public and community buildings etc. hence, more than 45 % area is available for roads, open space and community buildings.
- m. That in reply to sub-para (m), the submissions made in para no.7 of the preliminary submissions are reiterated.
- n. That in reply to sub-para (n), it is submitted that due to certain lapses on the part of the project proponents i.e. respondent no.12 to 20, the request of the colonizer for renewal of the licenses, relating to the colony was rejected by the answering respondent vide order dated 04.02.2022 under Rule 14(2) of the Rules of 1976. Further, it is also submitted that the licenses were cancelled vide order dated 10.02.2012 under the provisions of Rule 18(3) of the Rules of 1976. Notice under Rule 19(1) of the Rules of 1976 was also issued on 19.04.2012. However, the private respondent filed Appeal No.80 of 2012 under Section 19 of the Act of 1975 against the order dated 04.02.2012 before the Appellate Authority i.e ACSTCP.

The said appeal was decided vide order dated 20.07.2012 by the Appellate Authority with directions to the answering respondent to renew the licenses after charging requisite renewal fee and also directed to withdraw the order vide which licenses were cancelled. In pursuance of the orders passed by the Appellate Authority, the licenses were renewed and the orders for cancellation of the licenses were also withdrawn by the answering respondent vide letter dated 06.09.2012. Hence, it is wrong to say that despite cancellation of the licenses, the colonizer still continued with the colony.

It is also brought to the kind notice of the Hon'ble Court that as per report received from the Senior Town Planner, Gurugram vide e-mail dated 22.05.2024, no building plan has been approved in favor of the concerned developer in the year 2023. Further, the District Town Planner, Gurugram has also informed that no construction is being raised by the project proponent. Construction on the residential plots is being undertaken by the individual plot owners. As already submitted in a residential plotted colony, the building plans are approved for individual plots in favour of the plot holders and not for the developer company.

- o. That the contents of sub-para (o) are not admitted as such. It is submitted that only the area earmarked for roads, open spaces, parks etc. cannot be sold. Section 3(3)(a)(iii) of the Act of 1975 provides that the responsibility for the maintenance and the up keep of all roads, open spaces, public park and public health services for a period of 5 years from the date of issue of the completion certificate unless earlier relieved of this responsibility and thereupon to transfer all such roads, open spaces, public parks and public health services free of cost to the Government or the local authority, as the case may be. Thus, the area earmarked for roads, open spaces, public park and public health services cannot be sold by the colonizer. This area has ultimately to be transferred to the State Government free of cost by the colonizer. However, this provision is not applicable in the case of schools, hospitals and other community buildings in view of the law laid down by the Hon'ble Supreme Court in the Case of DLF Qutab Enclave Educational Charitable Trust v/s State of Haryana and Others (Supra). As per the above said judgment, the colonizer is free to transfer such sites to third parties.
- p. That the contentions made sub-para (p) are wrong and denied. It is wrong to allege that respondent no.12 to 20 in connivance with the

answering respondent are causing immense harm to environment by polluting it. Even otherwise, action regarding violation of the environmental loss is to be taken by respondent no.10 and not by the answering respondent.

- q. That the contentions made in sub-para (q) are wrong and denied in view of the submissions made in para no.4 of the preliminary submissions.
- r. That the contents of sub-para (r) do not relate to the answering respondent.
- s. That the contents of sub-para (s) are admitted to the extent that the area reserved for roads, green area are part of non-salable area. Rests of the contents of the para are denied for want of knowledge.
- t. That the contents of sub-para (t) relate to respondent no.10.
- u. That the contents of sub-para (u) relate to respondent no.6.
- v. That the contents of sub-para (v) need no comments from the answering respondent. However, the contents of sub-para relating to reproduction of provisions of Section 2(a) of the Air (Prevention and Controlled of Pollution) Act, 1981 and Noise Pollution (Regulation and Controlled Rules) being matter of record need no further comments from the answering respondent.
- w. That the contents of sub-para (w) are matter of record.
- x. That the contents of sub-para (x) relating to reproduction of the provisions of Article 48A and 58A of the Constitution of India being matter of record need no further comments from the answering respondent.
- y. That the contents of sub-para (y) relating to the observation made by the Hon'ble Supreme Court in the case of MC Mehta V/s UOI need no further comments from the answering respondent.

- z. That the contents of sub-para (z) are matter of record. The submissions made in sub-para (o) above are also reiterated in response to this para.
- aa. That the contents of sub-para (aa) do not relate to the answering respondent.
- bb. That the contents of sub-para (bb) do not relate to the answering respondent.
- cc. That the contents of sub-para (cc) are matter of record.
- dd & ee. That the contents of sub-para (dd) & (ee) are wrong and denied. It is vehemently denied that respondent no.12 to 20 has violated the Rules and Regulations in connivance with the answering respondent. If there is any violation of these laws, respondent no. 12 to 20 are responsible for this.
- ff. That the contents of sub-para (ff) relate to the private respondent.
- gg. That in reply to sub-para (gg), it is submitted that action for violation of the environmental loss is to be taken by respondent no.10.
- hh. That the contents of sub-para (h) relate to the respondent no.10.
- ii. That the contents of sub-para (ii) are wrong and denied. All the records relating to the case are safe.
- jj. That the contents of sub-para (jj) do not require any comments from the answering respondent.
- 5. That the contents of para no.5 of the application need no comments from the answering respondent.
- 6. That the contents of para no.6 of the application relating to filing of any other petition by the applicant for the same cause of action are denied for want of knowledge. However, regarding contention of the petitioner for violation of the environmental clearance, the submissions made in para no.5 of the preliminary submissions are reiterated. Further, even if there is any violation of the environmental

loss by the private respondent, necessary action against them is required to be taken by respondent no.10.

LIMITATION:

This para needs no comments from the answering respondent.

In view of the submissions made in forgoing paras, the present application is not maintainable against the answering respondent. It is therefore, respectfully prayed that the same may kindly be dismissed qua the answering respondent.

Place: Chandigarh

Dated: 09.07.2024

(Amit Khatri)

Director, Town & Country Planning,
Haryana, on behalf of Respondent no.3

VERIFICATION:

Verified that the contents of Para 1 to 7 of the preliminary submissions and para 1 to 6 of the reply on merits are true and correct to the best of my knowledge and based on information derived from official record which are believed to be true. No part of it is false and nothing material has been concealed therein. Legal submissions have been made on advice.

Place: Chandigarh

Dated: 09.07.2024

(Amit Khatri)

Director, Town & Country Planning,
Haryana, on behalf of Respondent no.3

ANNEXURE - R-1

Annexure-B

Detail of Community Facilities in the colony of Sheetal Enclave:-

Sr. No.	Type of Building	Status of Building Plan	Status of O.C	Status of construction
1.	Nursery School-1	Building plan approved vide memo no. 1983 dated 04.03.2011.	OC granted vide Memo No. 947 dated 21.07.2016 in favour of Narang Properties Pvt. Ltd	Developed
2.	Nursery School-2	Building plan approved vide memo no. 8977 dated 10.09.2010	OC granted vide Memo No. 34 dated 02.01.2015 in favour of Jolly Joy School	Developed
3	Nursery School-3	Building plan approved vide memo no. 19 dated 06.01.2014.	OC granted vide Memo No. 2635 dated 28.07.2014 in favour of M/s U.V. Eduvision	Developed
4.	Nursery School-4	Building plan approved vide memo no. 95 dated 23.01.2012.	OC granted vide Memo No. 10836 dated 13.12.2012 in favour of Mr. Vaibhav Mehuduatta S/o Sh. MP Mehuduatta & Ms. Savita Chaudhary W/o Sh. R.C. Chaudhary	Developed
5	Nursery School-5	Building plan approved vide memo no. 99 dated 23.01.2012.	OC granted vide Memo No. 2786 dated 17.05.2017 in favour of Vaishno Educational Society.	Developed
6	Nursery School-6	Building plan approved vide memo no. 209 dated 26.03.2015.	OC granted vide Memo No. 5351 dated 30.08.2017 in favour of Mrs. Anila Arora & Sh. Ved Pal	Developed
7	Nursery School-7	Building plan approved vide memo no. 419 dated 11.07.2013.	OC granted vide Memo No. 1153 dated 03.03.2017 in favour of M/s Amazing Land Deals Pvt. Ltd.)	Developed
8	Nursery School-8	Building plan approved vide memo no. 453 dated 27.09.2011.	OC granted vide Memo No. 1698 dated 19.05.2014 in favour of Angita Bharti Education Society	Developed
9	Nursery School-9	Building plan approved vide memo no. 258 dated 16.04.2013.	OC granted vide STP, Gurugram Memo No. 749 dated 27.05.2016 in favour of Mehar Singh & others	Developed
10	Nursery School-10	Building plan approved vide memo no. 276 dated 18.07.2011.	OC granted vide Memo No. 37 dated 02.01.2015 in favour of Mrs. Sunita Devi, Mrs. Shalu Chillar & Mrs. Suman Bhardwaj	Developed
11	Nursery School-11	Building plan approved vide memo no. 208 dated 09.01.2018.	OC granted vide Memo No. 7923 dated 25.10.2018 in favour of M/s Sheetal International Pvt. Ltd.	Developed (non functional)
12	Nursery School-12	Building plan approved vide memo no. 190 dated 09.01.2018.	OC granted vide Memo No. 7929 dated 25.10.2018 in favour of M/s Sheetal International Pvt. Ltd.	Developed (non functional)

FI o/o
DTP(P)
GGN

AD o/o
DTP(P)
GGN

PA o/o
STP
GGN

ATP
o/o STP
GGN

STP
GGN

	Nursery School-13	Building plan approved vide memo no. 181 dated 09.01.2018.	OC granted vide Memo No. 7935 dated 25.10.2018 in favour of M/s Sheetal International Pvt. Ltd.	Developed (non functional)
14	Nursery School-14	Building plan approved vide memo no. 4094 dated 27.11.2011.	OC granted vide Memo No. 12134 dated 13.12.2012 in favour of M/s Satya Educational Society	Developed
15	Nursery School-15	Building plan approved vide memo no. 171 dated 09.01.2018.	OC granted vide Memo No. 6842 dated 31.08.2018 in favour of M/s Sheetal International Pvt. Ltd.	Developed
Primary School				
1	Primary School -1	Building plan approved vide memo no. 81 dated 22.01.2015.	OC granted vide Memo No. 6080 dated 22.09.2017 in favour of M/s Manav Rachna Education Trust	Developed
2	Primary School -2	Building plan approved vide memo no. 825 dated 29.01.2018.	OC status not available - 3 rd Party Rights stands created- Windsor School	Developed (non functional)
3	Primary School-3	-	-	Encroachment - No 3 rd Party rights created.
4	Primary School-4	Building plan approved vide memo no. 2928 dated 20.08.2020.	OC granted vide Memo No. 4757 dated 06.10.2021.	Developed
5	Primary School-5	Building plan approved vide memo no. 2358 dated 09.03.2018. Building demolished and building plans again sanctioned vide this office memo no. 6754 dated 11.10.2022 in favour of Sh. Vivek Narang S/o Late Sh. S.N. Narang, Mrs. Sona Narang W/o Mr. Vivek Narang and Mr. Deepak Narang S/o Late Sh. S.S. Narang	OC granted vide Memo No. 1575 dated 25.03.2019 in favour of M/s Sheetal International Pvt. Ltd.)	Developed
6	Primary School-6	Building plan approved vide memo no. 3675 dated 27.06.2017.	OC granted vide Memo No. 5750 dated 12.07.2018 in favour of M/s Jagannath Educational Institutions Pvt. Ltd.	Developed
7	Primary School-7	Building plan approved vide memo no. 217 dated 09.01.2018	OC granted vide Memo No. 8271 dated 19.11.2018 in favour of M/s Sheetal International Pvt. Ltd.)	Developed (Non functional)
8	Primary School-8	Building plan approved vide memo no. 7737 dated 29.12.2017 and Revised Building Plans approved vide memo no. 5455 dated 30.08.2023 in favour of	OC granted vide Memo No. 7300 dated 18.09.2018 in favour of M/s Sweeta Homes Buildwell Pvt. Ltd. However, building stands demolished & revised building plans got	Under construction


FI o/o

DT P (P) GGN


AD o/o

DT P (P) GGN


PA o/o

STP GGN


ATP o/o
STP


STP
GGN

		M/s Champa Devi Jalpura Charitable Trust).	approved.	
High School				
1	High School-1	Building plan approved vide memo no. 563 dated 18.09.2013.	OC granted vide Memo No. 181 dated 27.01.2015 in favour of M/s Sheel International Pvt. Ltd.	Developed
2	High School-2	Building plan approved vide memo no. 7758 dated 29.12.2017.	OC granted only ground floor vide Memo No. 8559 dated 06.12.2018 in favour of M/s Our Co. Infrastructure Developers Pvt. Ltd.	Under construction
Crèche				
1	Creche-1	Not available	OC granted vide Memo No. 2344 dated 03.12.2013 in favour of Shiv Mittal	Developed
2	Creche-2	Not available	--	Temple constructed at site.
Community Centre				
1	Community Centre	Not available	--	Under construction (work stopped)
Dispensary-				
1	Dispensary-1	Not available	OC granted vide Memo No. 221 dated 29.07.2016	Developed
2	Dispensary-2	Not available	--	Encroachment
Health Centre				
1	Health Centre	Not available	--	Vacant
Club				
1	Club	Not available	--	Partly constructed (Non functional)
Religious				
1	Religious 1	Not available	--	Vacant
2	Religious 2	Not available	--	Vacant

Sanjay

FI o/o
DTP (P)
GGN

Ritu

AD o/o
DTP (P)
GGN

Raj

PA
o/o
STP GGN

Pu

ATP
o/o
STP GGN

Sw

STP
GGN

7065519855- नवीन योजना
Cloud Nine

→ 9818844601 राजीव

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DETAIL OF AREA	
TOTAL AREA OF SCHEME	= 323.148 + 4.625 = 327.773 ACRES
AREA UNDER INTERMEDIATE USE	---
NET PLANNED AREA	= 327.773 ACRES
AREA UNDER PLOTS	= 163.782 ACRES
AREA UNDER COMMERCIAL	= 14.110 AC OR 4.00%
TOTAL SALABLE AREA	= 176.892 AC OR 53.97%

POPULATION	
GENERAL	= 2420 X 13.5 = 32670
E.W.S	= 605 X 9 = 5445
TOTAL PERSON	= 38115
DENSITY	= 116.28 PERSON/ACRE

DETAIL OF EWS & NPWL PLOTS	REQUIRED	PROVIDED
DETAIL OF EWS PLOTS	605	605 OR 20.00%
DETAILS OF NPWL PLOTS	757	757 OR 25.00%

DETAIL OF INFRASTRUCTURE	REQUIRED	PROVIDED	AREA IN ACRES
NURSERY SCHOOL	15	15	3.15
PRIMARY SCHOOL	8	8	8.00
H.S SCHOOL	2	2	10.00
CLUB / COMMUNITY	2	2	4.00
DISPENSARY	2	2	2.50
CRèche	2	2	0.40
RELIGIOUS BUILDING	2	2	0.40
HEALTH CENTRE	1	1	2.50
POLICE POST	1	1	1.00
ELECTRIC SUB STATION	1	1	1.25
TOTAL			= 33.24 ACRES

DETAIL OF PLOTS	
AREA AS PER APPROVED DEMARCATION/SECTION PLAN	OR 163.782 ACRES

- To be read with clause No. 3 of 2009 dated 17.5.2007.
- This layout plan for an area of 327.773 acres (D.O. No. D.T.C. 1794 dated 07.01.2009) is approved in respect of Residential Colony namely Sheetal Enclave, being developed by M/S Sheetal International Pvt. Ltd. and its associates companies, in Sector-47, 50, 51 and 57, Gurgaon is hereby approved subject to the following conditions:-
- This site plan shall be read in conjunction with the clauses appearing on the agreement executed under Rule 11 and the bilateral agreement.
- The plot area of the colony shall not exceed 55% of the net planned area of the colony. The entire area reserved for commercial purposes shall be given as ground for occupation of the area under plot.
- The site plan shall be read in conjunction with the clauses appearing on the agreement executed under Rule 11 and the bilateral agreement.
- The high-tension lines passing in the colony area shall have to be suitably aligned or right of way along the same shall be maintained as per the norms.
- The proper planning and siting of services in the area adjacent to the colony, the colony shall be done by the Director of the DTCD for the construction of layout plans of the colony.
- The revenue rates falling in the colony shall be kept free for occupation/development as shown in the layout plan.
- The site plan shall be read in conjunction with the clauses appearing on the agreement executed under Rule 11 and the bilateral agreement.
- All green belts provided in the layout plan within the scooped area of the colony shall be developed in accordance with the conditions that these plots should not have a coverage of less than 75% of the standard fragments when demarcated and area of no plot shall extend 2 kms.
- At the time of demarcation, if required percentage of NPWL/EWS plots and the area under infrastructure are reduced, the same will be provided by the collector in the scooped area.
- Any excess area (not above the permissible 4% under commercial) use shall be deemed to be open space.
- The maximum number of dwelling units in a plot shall be as per the provision of the Rule 49 of the Rules, 1962. The condition shall be incorporated in the zoning plan and in the agreement being issued by the Director to the plot holder. The application shall also be incorporated in the agreement to be executed by the collector with the plot holder.
- No plot will have an access from less than 12 metres wide road which means a minimum clear width of 12 metres between the plots.
- The portion of the site/development area roads/green belts as provided in the Development Plan, which form part of the reserved area shall be transferred free of cost to the government on the line of section 30(1)(a) of the Act No. 1972.
- The site plan shall be read in conjunction with the clauses appearing on the agreement executed under Rule 11 and the bilateral agreement.
- You will have no objection to the regularization of the boundaries of the site through give and take with the land which is ready to be acquired in the interest of planned development and integration of services. The decision of the competent authority shall be binding in this regard.
- The collector shall ensure the compliance of the provisions of the Notification No. S.O. 1531 (E) dated 14.5.2006 issued by Ministry of Environment and Forest, Government of India before starting the construction/development works at site.
- The rain water harvesting system shall be provided as per Central Ground Water Authority norms/Haryana Govt. notification as applicable.
- The provision of water heating system shall be as per norms specified by HAREDA and shall be made operational where applicable before applying for an occupation certificate.
- The collector/owner shall use only Compact Fluorescent Lamp fitting for internal lighting as well as external lighting.

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ELECTRICAL SUB STATION / TRANSFORMER

REVISED LAYOUT PLAN OF RESIDENTIAL COLONY OF SHEETAL ENCLAVE IN SECTOR - 47,50,51,52,&57 GURGAON.

OWNER: *Handwritten signature*
ARCHITECT: *Handwritten signature*

DESIGN ACTION GROUP
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HEALTH CENTRE (2.50 ACRE)
ELECT. SUB STATION (1.25 ACRE)
POLICE STATION (1.0 ACRE)