

**BEFORE THE NATIONAL GREEN TRIBUNAL,
PRINCIPAL BENCH AT NEW DELHI
O.A. No. 68 OF 2022**

IN THE MATTER OF:

Raman Sharma

...Applicant (s)

Versus

State of Haryana & Ors.

...Respondent(s)

INDEX**NDoH: 25.07.2023**

S. No.	Particular	Page. No.
1.	Reply on behalf of R-8 M/s Malibu Estate Pvt. Ltd. along with Affidavit	740-760
2.	<u>ANNEXURE R-1-</u> The True copy of news articles and relevant extracts of police investigation report.	761-766
3.	<u>ANNEXURE R-2-</u> The True copy of the complaint dated 25.06.2021.	767-771
4.	<u>ANNEXURE R-3-</u> The True copy of minutes of the meeting of DTCP dated 20.02.2014	772-779
5.	<u>ANNEXURE R-4-</u> A copy of Order dated 16.11.2011 of Information Commissioner	780-781
6.	<u>ANNEXURE R-5-</u> The True copy of the chart showing the allotment of units	782
7.	<u>ANNEXURE R-6-</u> The details of the License Nos obtained From DTCP, the date of obtaining such license and the area.	783-784
8.	<u>ANNEXURE R-7-</u> A tabular detail of the part completion certificates with the date and the area and the license to which such areas belong.	785

9.	<u>ANNEXURE R-8-</u> The True copy of the Order dated 15.07.2004 of The Hon'ble Delhi High Court.	786-787
10.	<u>ANNEXURE R-9-</u> The True copy of letter dated 16.08.2018 to SEIAA, Haryana.	788-789
11.	<u>ANNEXURE R-10-</u> The True copy of in principle approved revised layout plan dated 07.03.2019	790
12.	<u>ANNEXURE R-11-</u> The True copy of the memo dated 25.01.2021 from Principal Secretary DTCP RERA/Director DCPA.	791-792
13.	<u>ANNEXURE R-12 (Colly)-</u> The True copies of News Paper cuttings and Objections	793-800
14.	<u>ANNEXURE R-13-</u> The True copy of memo dated 01.06.2022.	801
15.	Proof of Service	802

Date: 24.07.2023

Place: New Delhi

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**REPLY ON BEHALF RESPONDENT NO. 8, M/s MALIBU ESTATE PVT.
LTD.**

MOST RESPECTFULLY SHOWETH:

1. That this Hon'ble Tribunal is currently seized of the above-mentioned Original Application which has been filed by one Raman Sharma in the form of a complaint via an email dated 03.12.2021 to the Registrar General of this Hon'ble Tribunal, alleging that the Respondents are running 10 DG sets in the green belt area of integrated residential colony of Malibu Town, Sohna road, Gurugram, Haryana without any prior approval of Haryana State Pollution Control Board, flouting the directions and provisions of C & D Waste Management Rules 2016 and also carrying out constructions in violation of the Air (Prevention and Control of Pollution) Act, 1981, Water (Prevention and Control of Pollution) Act, 1974 and without prior Environmental Clearance.
2. That vide Order dated 02.02.2022, this Hon'ble Tribunal constituted a Joint Committee comprising the Haryana Pollution Control Board, State Environment Impact Assessment Authority, Haryana Urban Development Authority, Divisional Forest Officer and District Magistrate-Gurugram, Haryana and directed the committee to submit factual and action taken report within three months. The interim report as well as compliance report were filed vide emails dated 10.10.2022.

3. That this Hon'ble Tribunal vide Order dated 11.01.2023 impleaded "M/s Malibu Estate Pvt. Ltd." as Respondent No. 8 (here by referred as "Answering Respondent") and also gave them the liberty to file a reply.
4. That this Hon'ble Tribunal vide Order dated 28.03.2023 had directed the Answering Respondent to clarify in its reply "*whether the Answering Respondent has applied for Environmental Clearance, whether any third-party rights have been created, if so what is the number of persons in whose favor third party rights have been created and what is the amount invested by them and what is the stage of the projects for which EC is required.*"
5. That the answering Respondent, M/s Malibu Estate Pvt. Ltd., at the outset submits that all those averments in the present Reply that have not been specifically admitted are herewith denied and are not to be construed as having been accepted by the said Respondent as if *traversed seriatim*.
6. That the Answering Respondent seeks to place on record its Preliminary Objections and Submissions, which in its humble opinion, are crucial for a holistic adjudication of the present matter, before placing on record its Reply to the contents of the Complaint on merits.

PRELIMINARY OBJECTIONS:

A. Non-inclusion of necessary party in violation of Principle of Natural Justice

7. That at the outset it is submitted that this Hon'ble Tribunal while having the power to initiate cases *suo motu* as upheld by the Hon'ble Supreme Court, ought to have heard the Answering Respondent prior to forming a Joint Committee to ensure the fair principles of natural justice. That the Order of this Hon'ble Tribunal dated 02.02.2022 ought to have impleaded

and heard the Answering Respondent before forming the Joint Committee as has been held in a catena of decisions of the apex Court.

B. The Applicant is not an “Aggrieved Person” under section 18 (2) of the National Green Tribunal Act, 2010 and as per various decision of the Hon’ble Supreme Court.

8. That the Answering Respondent wants to submit that the Applicant in the present case is a Serial Litigator who in the past has made similar complaints against the Answering Respondent to the Lokayukta, Haryana. In another case, as well, the police investigation has concluded that the Applicant is liable under Section 182, IPC for giving false information to the Police to cause injury to another person. The True copy of such news articles and police investigation report are marked and annexed as **ANNEXURE R-1**.
9. That the Answering Respondent has also made a complaint dated 25.06.2021 against the Applicant to SHO, Sadar, Gurugram for blackmailing, extorting the Company Officers, for defaming the Company among others under Section 34/120B/383/384/386/387/506 of Indian Penal Code, 1860. The True copy of the complaint dated 25.06.2021 is appended and annexed as **ANNEXURE R-2**. It is pertinent to note that after the said criminal complaint this Original Application has been filed by the Applicant (accused) to this Hon’ble Tribunal i.e., 03.12.2021, presumably under a vendetta and is thus liable to be dismissed by this Hon’ble Tribunal.
10. That the Hon’ble Supreme Court in the case titled “The State of Uttar Pradesh & Ors. vs. Uday Education and Welfare Trust and Anr. **2022 SCC OnLine SC 1469**” has requested the Hon’ble National Green Tribunal that when credentials and bonafides of the litigants are seriously raised and when entertaining the grievance of such litigants, which is likely to adversely affect the rights of many, it should ensure the bonafides and credentials of

such litigants (relevant paras 96 to 99). Similarly, this Hon'ble Tribunal in Anand Kumar Jha vs. Union of India & Ors (Appeal No. 05/2021/EZ) has held that merely saying that the Appellant is concerned with the Pollution cannot make the Appellant as a "Person Aggrieved". There are several other judgements of this Tribunal including the latest by a coordinate bench Satyabrata Sanjeev Kumar Mohanta vs. MoEF & CC & Ors (OA 53/2023/EZ) which reiterates the importance of genuine Applications. Infact, this Tribunal has imposed costs on such litigants.

11. That in the light of above-mentioned submissions made in para 7-8, it is humbly requested that the Applicant may be directed to prove his credentials and bonafides for pursuing the present case as a serial litigator cannot be allowed to waste the precious time of this Hon'ble Tribunal only to settle his private enmity or issues without any actual concern for environment, or without raising any substantial question of law.

12. That the Applicant has also been serially litigating against the Directorate of Enforcement, in the Delhi High Court and on every occasion the case has been dismissed and infact concluded that allegations made by the complainant are vague and not specific. The Hon'ble High Court of Delhi has also dismissed the Criminal revision petitions as without merit. These examples include case No. 72/2019 titles "Raman Sharam v. Directorate of Enforcement, judgement dated 30.10.2019 by the Delhi High Court in Criminal Revision 1033/2019, among others.

C. The Application is in violation of Rule 14 of National Green Tribunal (Practices & Procedure) Rules, 2011 which bars Plural Remedies.

13. That the Applicant in the same complaint, has raised various issues covered under Solid Waste Management Rules, 2016, Construction and Demolition Waste Management Rules, 2016, the Air Act, 1981, the Water

Act, 1974, Environment Protection Act, 1986, Environment Impact Assessment Notification, 2006 among others. It is pertinent to mention here that in *Vikas K. Tripathi vs. MoEF & Ors.* (M.A. No. 628/2013, O.A. No. 17/2013, Appeal No. 80/2013) and in the matter of *D.V. Girish & Ors. vs. The Secretary to the Government (Environment and Ecology)*, Karnataka 2015 SCC OnLine NGT 37 among others, this Hon'ble Tribunal had categorically held that an Appeal or an Application must be filed on a single cause of action and cannot be filed on several causes of action or for violations under different laws as per Rule 14 of NGT Rules, 2011.

D. Some of the issues in Application are barred by the principle of Res Judicata.

14. That the Applicant had made a Complaint No. 319/2011 before the Hon'ble Lokayukta, Haryana raising issues related to non-obtaining of NOC from MoEF, illegal constructions on green belt among others. The said complaint was investigated by a joint committee under the Chairmanship of Director General, Town & Country Planning, Haryana. As per the minutes of the meeting dated 20.02.2014 where in the progress made with regard to Complaint No. 319/2011 was discussed., wherein it was clearly mentioned that with regard to the requirement of NOC from the MoEF, no action is required as the submission of the answering Respondent in that complaint was found correct by the investigating officer. The True copy of minutes dated 20.02.2014 is marked and annexed as **ANNEXURE R-3**.

15. In view of the above, the Applicant is barred under the Principle of Res Judicata to raise this issue again before this Hon'ble Tribunal.

16. This Application is hopelessly barred by time. As early as 2011 the Applicant has been writing to the Information Commissioner regarding certain information from MoEF & CC under the RTI Act which was remanded back to the First Appellate Authority of the MoEF & CC. Evidence to this effect is the Order of the Information Commissioner dated 16.11.2011. A copy of which is marked and appended as **ANNEXURE R-4**. Thereafter, the Answering Respondent has received CTOs, authorizations, EC taken by o other buyers for commercial complexes which have never been challenged by the Applicant. All such CTOs, Authorizations and ECs are available for perusal which have been granted since March 2012, December 2012 and September 2013 which are available_for perusal if the Hon'ble Tribunal so desires.
17. That the Applicant herein has made a Complaint No. 319/2011 before the Hon'ble Lokayukta Haryana and the issue of NOC from the MoEF, in other words prior Environmental Clearance has been raised and decided. It is clearly stated that the covered area is less 150000 sq. m and the License No. 15 of 2008 which was renewed further, no action was required. A copy of the relevant extracts of the minutes is appended as Annexure R/3 above. It is clear that the cause of action first arose with this complaint in 2011 and the decision was given on 20.02.2014. There is No Appeal to this decision either to the High Court or the National Green Tribunal clearly affirming that this Original Application is hopelessly barred by time and must be dismissed forthwith with huge costs.
18. It is further submitted that even thereafter consents for operation and authorization under the EPA Rules have been granted which have never been challenged by the Applicant herein. It is clear from the above that this

Application on the same project is hopelessly barred by time and should be dismissed with huge costs.

PRELIMINARY SUBMISSIONS

Third Parties Rights that have been created and amount invested by them

19. That in pursuance of the Order dated 28.03.2023 the Answering Respondent submits that till the year 2023 total third party rights that have been created for the 2133 units out of 2201 units. Out of the remaining, 49 units are offered to HUDA and 19 units are in hand of the Answering Respondent. The True copy of the chart showing the allotment of units is marked and Annexed as **ANNEXURE R-5**.

20. That the Answering Respondent from the period 1992-93 to 2022-23 has obtained the amount of Rs. 490.33 crores through sales of unit in the project.

On the issue of requirement of Environmental Clearance or NOC from MoEF & CC.

21. That at the outset the Answering Respondent wants to submit that the land on which the residential colony exists was allotted by way of licenses from the year 1992 till the year 2008. Infact till 2004, there was no requirement of prior Environmental Clearance (EC). Further, the concept of township and area development was introduced substantially with the requirement of prior EC once they reach a certain threshold was only introduced in 2006. Here is a case where all except one license was granted till 2003. The details of which are described below. Further the only license post 2006, was not only less than 50 hectares but no construction was carried out much less in violation of the existing EIA Notification 2006

22. That the Answering Respondent and its then associate companies have obtained about 32 licenses spread over an area of about 204.796 acres in Sector 47, Sector 50 in Gurgaon which was carved out of the Fatehpur and Tikri Villages in Gurgaon, Haryana, under the Haryana Development and Regulation of Urban Area Act, 1975. As stated earlier, all except one license were obtained from the year 1992 till 2003 admeasuring 180.116 acres. In 2008 another license dated 31.01.2008 admeasuring 24.681 Acres (9.97 Hectare) was added to the project. The details of the License Nos, the date of obtaining such license and the area are tabulated in **ANNEXURE R-6**.
23. That it is submitted that once a land is purchased for the plotted development of residential area, several development works are carried out which include water supply, sewerage, storm water drainage, roads, horticulture, and electrification among others for which a partial completion certificate is granted which certifies the services mentioned as above. That the partial completion certificates for all except one was granted to the Answering Respondent till June 2003, meaning thereby all development works including services were complete for all licenses except one that was issued in January 2008. A tabular detail of the part completion certificates with the date and the area and the license to which such areas belong, is described in **ANNEXURE R-7**.
24. That the Environment Impact Assessment Notification was issued under the Environment Protection Act, 1986 for the first time by the then Ministry of Environment and Forest in the year 1994. The 1994 Notification did not include the Building and Construction project within its First Schedule; thus, these projects were exempted from the requirement of prior Environmental Clearance.

25. That for the first time the Construction Projects was included in the Schedule to the EIA Notification, 1994 by way of an amendment Notification dated 07.07.2004 wherein Construction Projects including new townships, industrial townships, settlement colonies, commercial complexes, hotel complexes, hospitals and office complexes for more than 1,000 (one thousand) persons or discharging sewage of more than 50,000 (fifty thousand) litres per day or with an investment of more than Rs.50,00,00,000/- (Rupees fifty crores) were included in the Schedule as Entry 31 which then required prior EC. Of course, there was no mention of existing townships or area development projects where development works were complete. Although the 1994 Notification did provide that the “*new construction projects*” (**emphasis supplied**) which were undertaken without obtaining the clearance required under this notification, and where construction work has **not** come up to the plinth level, shall require clearance under this notification with effect from 07.07.2004.

26. That it is pertinent to note here that till 1997 all licenses (except one) were issued to the Answering Respondent and its associates companies by Director, Town & Country Planning, Haryana (Respondent No. 4) under the Haryana Development & Regulation of Urban Areas Act, 1975 & the Rules made thereunder, for an area admeasuring 180.116 Acres (approx. 72.77 hectare). That out of the 180.116 Acres (approx. 72.77 Hectare) for which the licenses were issued, part completion certificate was granted for an area of about 167.925 Acres (approx. 67.957 Hectares) to the Answering Respondent and its associates companies by the Director, Town & Country planning, Haryana till 2003 (last part completion certificate on 05.02.2003). Therefore, the area for which the part completion was granted, statutorily

implies that it is not covered by the amendment Notification 07.07.2004 and hence did not come within the purview of the then EIA, Notification 1994.

27. That the remaining land of the licenses granted till 1997 admeasuring about 12 acres was allotted for Group Housing Scheme. The answering Respondent obtained the Occupation Certificate dated 30.08.2000 for the above-mentioned Group Housing Scheme in Malibu Estate Gurgaon.
28. That further, the Hon'ble High Court of Delhi by its decision dated 15.07.2004 had given its approval for the Scheme of Amalgamation of the Associates Companies of M/s Malibu Estate Pvt. Ltd. with the M/s Malibu Estate itself under section 391(2) read with Section 394 of the Companies Act, 1956. As a corollary the Transferor Companies (Associates Companies) should stand dissolved without the process of winding up. The True copy of the Order dated 15.07.2004 is marked and annexed as **ANNEXURE R-8**.
29. That the then Ministry of Environment and Forest issued the Environment Impact Assessment Notification, 2006 under the Environment Protection Act, 1986, whereby all new Building and Construction Projects and all such existing projects for undergoing any expansion or modernization of more than 20,000 sq. meters built-up area prior to any construction required to obtain Environmental Clearance. Under the Schedule, projects with built up area of ≥ 20000 sq. meters and $< 1,50,000$ sq. meters were categorized under item 8(a) as "Building & Construction Projects" and projects covering an area ≥ 50 ha and built-up area $\geq 1,50,000$ sq. meters were categorized as item 8(b) as "Township and Area Development project"
30. That it is pertinent to mention here that a License No. 15/2008 was issued on 31.01.2008 for an area of about 24.681 Acres (9.97 Hectare) to M/s Bloom Field Properties and Holding Pvt. Ltd. and others (Associates or partners of M/s Malibu Estate Pvt. Ltd.) for setting up of a residential plotted colony at

Village Adampur & Fatehpur, Gurgaon, Haryana. That it is reiterated that the said land for which the license was issued was meant for “plotted development” or area development, where individual plot owners are responsible for building and constructing their houses in accordance with law. It is submitted that the area development of 24.681 acres or 9.97 ha does not require prior environment clearance as per the EIA Notification, 2006 as amended up to date unless it exceeds 150,000 sq. metres built up area. It is reiterated that the answering Respondent or its associate company have not constructed any such built up area exceeding 150,000 sq m. Infact other than the area development of providing basic services under area development, no construction activities have taken place. Thus, there is no question of any liability under prior environment clearance for this area development of 24.681 Acres or 9.97 Hectare under the project. That further the part completion certificate for the area development of 24.681 acres for the License No. 15 of 2008 was also received on 27.09.2016. It is submitted that the answering Respondent has never received any notice from any regulatory authority in this regard which reverses this legal status or the compliance status.

31. That in fact, the Director, Town and Country Planning, Haryana had sent a letter dated 14.07.2008 to M/s Malibu Estate Pvt. Ltd. informing the answering Respondent about the approval of a Zoning Plan of additional licensed area measuring 24.681 Acres along with some revised area in the residential colony Malibu Towne. Here again no regulatory authority has ever put the answering Respondent to any information/notice on any irregularity.

32. That the fact that individual beneficiaries who had purchased the land from the area development project have also been complying with the law of the

land, especially the requirement of Environment Clearance, wherever applicable. Thus, for example, one M/s Endure Realty Pvt. Ltd. had obtained the Environmental Clearance dated 04.09.2013 under the EIA Notification, 2006 for its proposed commercial complex at sector 47 & 50 Road, Malibu Towne- Gurgaon which was going to construct in an area of about 2.723 acres with a built-up area of 33540.54 sq mt. Since such construction would fall under the category 8(a) of the schedule of the EIA Notification, 2006, such prior Environment Clearance was obtained as per law. It is pertinent to note that the said Environment Clearance was never challenged by anyone neither any communication was received from the regulatory authority on the same. It is important to submit here that in a plotted development project it is the responsibility of the individual plot owner(s) to obtain Environmental Clearance if their project comes within the criteria as mentioned in Item 8 of the Schedule to the EIA Notification, 2006 but as the answering Respondent is a developer of Township and Area Development project and who has obtained the part completion certificates for about 67.957 Hectares of the licensed land till the year 2003 even before the amendment Notification dated 07.07.2004 and EIA Notification, 2006, therefore the requirement of prior EC was not applicable to the project of the answering Respondent. Any further purchase or any area has to be vetted in accordance with the law prevalent at that time. It is common knowledge that law is always prospective and not retrospective unless stated otherwise in the statute itself.

33. That in the meanwhile, the Applicant herein made a Complaint no. 319/2011 before the Hon'ble Lokayukta, Haryana in which one of the issues raised by him is regarding the non-obtainment of the (NOC) from the MoEF by the answering Respondent in reference to the condition levied in the License

No. 15/2008. In response to this issue and other issues raised in the Complaint a meeting dated 20.02.2014 was held under the chairmanship of Director General, Town & Country Planning, Haryana wherein it was concluded that the covered area is less than 1,50,000 sq. mtr. So, the answering Respondent was not required to obtain NOC from MoEF. That no Appeal was filed against such a decision in any Court including this Hon'ble Tribunal and as stated earlier, the matter rests settled and any fresh examination would violate the principle of res judicata.

34. That it is duty of the answering Respondent to inform that on wrong legal and expert advice, an application for grant of prior Environmental Clearance was forwarded on 16.04.2015 to MOEF & CC under category 8(b) of schedule of the EIA Notification, 2006 for a total area 204.796 Acres which also includes the area of 180.116 acres for which the part completion was granted even before the EIA amendment notification dated 07.07.2004 and the EIA Notification, 2006. The Terms of Reference dated 19.06.2015 for the above-mentioned Application dated 16.04.2015 had also been issued by the Ministry of Environment, Forest & Climate Change to M/s Malibu Estate. That it is important to state that this was done more in the nature of abundant precaution and due to the fact the SEIAA of Haryana was not in existence, then.

35. That once the Haryana SEIAA was constituted on 21.08.2015, the answering Respondent accordingly requested the Haryana SEIAA by a letter dated 08.12.2015 to communicate to the MOEF & CC to transfer the file to SEIAA, so that it can be taken up in the next SEAC meeting.

36. That in the meanwhile another Occupation Certificate dated 10.03.2017 was obtained for other buildings in the above-mentioned Group Housing Scheme.

37. That in another development the MOEF & CC had issued a Notification dated 14.03.2017 prescribing a detailed new procedure for appraisal of violation cases. As per this Notification all violation cases need to be appraised by Central Government and not by respective SEAC/SEIAA. This Notification provided a time period of about six months for making an application of EC from the date of issuance of this Notification.
38. That the Answering Respondent wrongly considering itself as a violation case had again applied under the 14.03.2017 Notification for the grant of EC by an Application dated 07.09.2017 i.e., within the six-month window as provided by the Notification giving details about the previous TOR granted by the EAC among others. As per the Parivesh portal the said project was accepted by the SEAC on 03.05.2018 and the TOR letter was uploaded on 18.12.2020 but neither visible on the Parivesh Portal nor received by the answering Respondent. That it is reiterated that the said Application was again forwarded on wrong legal advice but more for abundant precaution with the intent of complying with the law, if applicable.
39. That, thereafter, upon realizing that the legal and expert advice was not in accordance with law the Answering Respondent vide a letter dated 16.08.2018, requested the SEIAA, Haryana to withdraw the said Application dated 16.04.2015 and implicitly its subsequent developments. The True copy of letter dated 16.08.2018 is marked and annexed as **ANNEXURE R-9**.
40. That the answering Respondent also submits that a Complaint No. 01/2023 dated 22.02.2023 has also been made by MOEF & CC through its Regional Officer (Shri Kuldeep Singh) against the answering Respondent company which is pending adjudication before the Special Environment Court, Faridabad, raising allegedly the offence of violation of EIA Notification, 2006 and violation of EPA, 1986. Adequate reply is being given in light of

the submissions made here to ensure that the said case is dismissed in accordance with law.

So, in humble submission of the answering Respondent this Hon'ble Tribunal may please leave this issue to be determined by the appropriate forum, as the issue whether the answering Respondent has committed the violation of EIA Notifications or not is still pending before the Special Environment Court, Faridabad.

On the Issue regarding the requirement of Consent to Establish and Consent to Operate under the Air (Prevention and Control of Pollution) Act, 1981, Water (Prevention and Control of Pollution) Act, 1974

41. That the Answering Respondent has established the residential colony, so before the start of the constructions a Consent to Establish was required under the Water Act, 1974 and Air Act, 1981. But the Hon'ble Delhi High Court in the case titled "Splendor Landbase Ltd. vs. Delhi Pollution Control Committee 2010 SCC OnLine Del 3466" has held that Section 21(1) Air Act, 1981 will be applicable to the commercial shopping complex or a shopping mall but not to the residential complex. The Hon'ble Court also held in the same judgment that in cases where the residential complex has already been established without obtaining the Consent to Operate under Section 25(1) of the Water Act, 1974 then the remedy for such situation is mentioned in Section 25 (5) of the Water Act, 1974 wherein a time period can be provided to the project proponent to comply with the requirements as specified by the Pollution Control Board.
42. That the Answering Respondent has later on obtained the Consent to Operate under Water Act, 1974 and Air Act, 1981, which was time and again renewed and Authorization under Hazardous Waste Management Rules, 2008 from time to time in accordance with law.

43. That the Haryana State Pollution Control Board has refused to renew the Consent to Operate under Water Act, 1974 and Air Act, 1981 and Authorization under Hazardous Waste Management Rules, 2016. That a Closure order dated 23.12.2022 has been challenged before the Hon'ble Appellate Authority constituted under the Air Act, 1981 and the Water Act, 1974 by the answering Respondent by way of Appeal under section 33-A of Water Act, 1974 and section 31-A of Air Act, 1981. So, it is humbly submitted that the issue of CTE/CTO may kindly be left to be decided by the Appellate Authority.

On the Issue of running of 10 DG sets in the green belt

44. That the answering Respondent had applied for permission to erect or add Pump set, DG sets, Electric Substation as per the revised layout plan at Malibu Towne, Gurugram, Haryana by an Application dated 03.07.2015 to DG, Town & Country Planning, Haryana, which was in principle approved on 07.03.2019. In the layout three sites have been approved for the setting up of DG sets. The True copy of revised layout plan dated 07.03.2019 is marked and annexed as **ANNEXURE R-10**.
45. That a memo dated 25.01.2021 was issued by the Principal Secretary, Town and Country Planning Department, Haryana to Chairman of RERA and Director of Town & Country Planning wherein in order to streamline the process of resolution and to avoid inter se conflicts, a procedure has been prescribed for addition/alteration in sanctioned plan which includes giving advertisement in newspaper to invite objections etc. The True copy of the memo dated 25.01.2021 was marked and annexed as **ANNEXURE R-11**.
46. The Answering Respondent vide a letter dated 04.08.2021 prayed to give the final approval to the revised layout plan at the earliest.

47. That thereafter the answering Respondent vide letters dated 03.02.2022 and 09.02.2022 addressed to the office of Senior Town Planner, Gurugram informed him about the compliances of the conditions as mentioned in the procedure as laid down in the Order dated 25.01.2021 issued from the office of the Principal Secretary, Town and Country Planning Department, Haryana.

48. That the Answering Respondent also invited the objections/ suggestions as per the order dated 25.01.2021 by placing a public notice in newspaper like Tribune, Dainik Jagran and the Hindu which was published on 04.02.2022. The Applicant in the present case has placed his objections in reference to the public Notice, which was replied to by the answering Respondent. The Objections and its reply were under the consideration of the District Town Planner. The True copies of News Paper cuttings and Objections of the Applicant are marked and annexed as **ANNEXURE R-12**.

49. That the District Town Planner informed the office of the Senior Town Planner, Gurugram by a memo dated 01.06.2022 that the answering Respondent has invited the objections/suggestions from the existing allottees through newspaper and registered post. For all the 39 objections/suggestions that have been received the answering Respondent has replied to each objection/Suggestions in tabular format. The District town Planner was asked to examine all the objections and its reply by following the Principle of Natural Justice. The True copy of memo dated 01.06.2022 is marked and annexed as **ANNEXURE R-13**.

50. That it is also pertinent to mention here that the final approval of the revised layout plan is therefore still pending with the relevant authorities and raising of the issues regarding the setting up of DG sets without NOC among others

before this Hon'ble Tribunal is premature as the answering Respondent is regularly replying to all the notices and is compliant with all the conditions.

51. That the Answering Respondent also wants to submit that the residential colony was established in an area of about 204.797 acres out of this 11.89 acres had been demarcated for the group housing complex named "Malibu Condominiums". The Handover takeover agreement dated 15.06.2022 was executed between the M/s Malibu Estate Pvt. Ltd. (as first party) and M/s MEPL Maintenance Pvt. Ltd. (as second party) and M/s Malibu Condominiums Residents Welfare Association (as third party) wherein day to day administration and maintenance of the group housing complex has been taken over by the third party from 31.01.2021. Similar Handover and take over agreement dated 26.05.2023 was also executed between M/s Malibu Estate Pvt. Ltd. and M/s MEPL Maintenance Pvt. Ltd. (as first party) and Malibu Shopping Arcade Welfare Association (as second party) for a land measuring 0.715 acres in which shopping complex was built.

52. That it is further submitted that the as per Order dated 09.05.2022 the project of the answering Respondent was handed over/taking over to the Municipal Corporation Gurgaon by a hand over /take over process and Performa and dated 15.06.2022 wherein builder was responsible for providing assistance for overall functioning of all the services till 30.06.2022.

53. That in view of the abovementioned submissions, it is humbly requested that the final approval of revised layout plan is still pending with the relevant authorities. Further the services and maintenance of the various projects with the residential colony have either been handed over to Municipality or Resident Welfare Association. So, the allegations in the Original Application are totally without merit and are barred by laches and the same may be dismissed accordingly.

54. That as per the Reply of Respondent No. 4 three DG sets have been placed in the green area, the area covered by DG sets in green area is 13.80 Sq. mts. As per Rule 4 of the Haryana Development and Regulation of Urban Area Rules, 1976 colony under roads, open spaces etc. is required to be not less than 45% of the gross area of land under the colony which may further be reduced to 35 %. So, even after the regularization of DG sets in green area the green area will be more than the required norms as per approved layout plan. Moreover, after the handover/takeover none of these DG sets are under the jurisdiction and maintenance of the Answering Respondent.

55. Be that as it may, it is humbly submitted that DG sets are required for operation of emergency services such as lifts, common area street lights among others at the time of emergency, so these are the basic human requirements in the residential colony. So based on the principle of Sustainable Development this can be allowed, as the green area even after regularization will remain more than the required norms.

On the violation of C & D Waste Management Rules, 2016

55. That the issue regarding the disposal of Construction & Demolition waste from the project site was answered by way of an Affidavit in full detail by Respondent No. 3 (Municipal Corporation Gurugram), so the answering Respondent is placing reliance on that Affidavit regarding this issue.

56. That in view of the above it is submitted that this Original Application is not maintainable, suffers from serious laches and hopelessly barred by time, does not raise any substantial question of Environment and hence is liable to be dismissed with huge costs. That the two key issues of DG sets, which are essential services and does not reduce the required green belt norms and the issue of C&D waste is settled in view of the Affidavit submitted by the

Municipal Corporation Gurugram. It is therefore humbly prayed that this Original Application be dismissed accordingly.

Date: 24.07.2023

Place: New Delhi

DRAWN BY:



Sanjay Upadhyay, Sonali Sengupta & Shubham Upadhyay

Advocates for Respondent No. 8

29, LGF, Presidential Estate,

Nizamuddin East, New Delhi -110013

Email: sonali@eldfindia +91-9050622741

Filed By: Sameer Manher

Court Clerk; Enviro Legal Defence Firm

Email: eldflegal@gmail.com +91-8851323704

IN THE NATIONAL GREEN TRIBUNAL

PRINCIPAL BENCH, NEW DELHI

ORIGINAL APPLICATION NO. 68 OF 2022

IN THE MATTER OF:

Raman Sharma ...Applicant (s)

Versus

State of Haryana & Ors. ...Respondent (s)

AFFIDAVIT

I, Subhash Raghav S/o Shri Ompal Singh Raghav aged about 45, am the Authorized Signatory for M/s Malibu Estate Pvt. Ltd., presently at New Delhi, do hereby solemnly affirms and declares as under: *office, 38, DDA Commercial Complex, Railash Colony Extn. (Zamrudpur), New Delhi - 110048*

1. That I am fully conversant of the facts and circumstances of the matter and am competent to swear this affidavit.
2. The contents of the accompanying Reply are true and correct to the best of my knowledge and have been drafted by the counsel on my instructions and nothing material has been concealed therefrom.
3. That the Annexures in the accompanying Original Affidavit are true and correct to the best of my knowledge.

Subham
DL4525/2018

I Identify the Deponent who has Signed in my Presence



[Signature]
DEPONENT

VERIFICATION: 24 JUL 2023

Verified at New Delhi on this 03th day of July, 2023 that the contents of the above affidavit are true and correct to my knowledge and belief and nothing material has been concealed there from.



NOTIFIED THAT THE DEPONENT
S/o, W/o, E...
Identified by this Notary
has solemnly affirmed that
on...
that the contents of the affidavit which
have been read & explained to him are
true and correct to his knowledge.

Subhash Raghav
Ompal Singh Raghav
Subham Raghav

70

[Signature]
DEPONENT

Notary Public, Delhi (INDIA) 24 JUL 2023

BREAKING

< >

News » States » Haryana

HARYANA

FIR against Dr Naresh Trehan, Medanta Hospital in Gurugram land grabbing case

The Gurugram Police on Saturday registered an FIR against renowned cardiologist Dr Naresh Trehan, Medanta Hospital and some others under various sections of the Indian Penal Code and the Prevention of Money Laundering Act.



Share:

Written By:

Jitendra Sharma

Edited By:

Ritesh K Srivastava

GURUGRAM: The Gurugram Police on Saturday registered an FIR against renowned cardiologist Dr Naresh Trehan, Medanta Hospital and some others under various sections of the Indian Penal Code

PRESS CI

FIR AGAINST
TREHAN, Me

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and the Prevention of Money Laundering Act (PMLA) in a case relating to the acquisition of land.

According to the Zee Media sources, Dr Naresh Trehan, who is the owner of Medanta Hospital, has been charged with money laundering and Sections 120B, 406, 463, 467, 468, 471 of the IPC. The case is related to the year 2004 when the Haryana government launched a project to build a Medicity in 53 acres of land in Sector 38 of Gurugram under HUDA.

However, it is alleged that Dr Naresh Trehan in connivance with government officials acquired this land for building his hospital due to which the state government suffered a huge loss. The action against the renowned cardiologist and his hospital has been taken on the basis of a complaint filed by complainant Raman Sharma.

In his complaint, Raman Sharma has alleged that in the year 2004, then Haryana Government had acquired 53 acres of land in Sector 38 of Gurugram for the Medicity Project but nothing like that happened.

It has been alleged that under the Medicity Project, a research center and a world-class hospital was to be constructed on this land along with a place providing shelter to patients and their family members, but nothing happened. On this land, a

hospital was built by Dr Naresh Trehan for purely commercial use.

The aim of creating Medicity was to create an international level hospital in the country with facilities like research, medical studies, a hostel for students, but nothing of this sort happened. Complainant Raman Sharma also alleged that the money is being sent elsewhere. It was said that under the project, a board will be formed, which will include an official from the government, to keep an eye on the functioning but this did not happen.

It is also alleged that the cost of the whole project was estimated to be around Rs 900 crores, but despite knowing the fact that Dr Naresh Trehan could not spend so much money, he and others connived to take control of the project.

In June last year, Raman Sharma had also approached the Enforcement Directorate to file a money laundering case against the doctor. The central agency later sent this complaint to the Gurugram Police for necessary action. But nothing happened in the case.

After that, the complainant approached the Gurugram court. On the court's direction, a case has now been registered against Naresh Trehan, Sunil Sachdeva, Atul Punj, Anant Jain, and

UNKNOWN government officials at the Sadar police station of Gurugram Police.

764

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Tags:

Haryana Dr Naresh Trehan Medanta hospital Gurugram land grabbing case Medicity

Next Story **TikTok star-turned BJP leader Sonali Phogat thrashes govt official with slipper; cross FIR registered**

Comments - Join the Discussion

थाना सदर गुरुग्राम

जिला गुरुग्राम

राज्य द्वारा : प्रबन्धक थाना सदर गुरुग्राम

विरुद्ध : रमन शर्मा पुत्र श्री नरेंद्र नाथ शर्मा निवासी मकान नंबर CW/58-FF, मलिबू टाउन
गुरुग्राम

डीडी न024 दिनांक 07.05.2021 थाना सदर गुरुग्राम

कलन्दा धारा 182 आईपीसी

श्री मान जी

RM/28827/21

FIR AGAINST RAMAN
SHARMA BY POLICE
SADAR, GURUGRAM

संक्षिप्तहालात कलन्दा इस प्रकार से है कि एक शिकायत On date 03.06.2020 में Ashwani Kumar, D/ASJ/Gurugram के आदेश 156.3 CRPC एक शिकायत थाना पर प्राप्त हुई जो इस प्रकार है। Raman Sharma Vs Dr. Naresh K. Trehan COMA-9-2020 PRESENT Sh. Vinay Kumar Yadav, Advocate for applicant. Criminal complaint presented before me being Duty Judge. On request of Id counsel for applicant, matter stands adjourned to 05.06.2020 for consideration. (Ashwani Kumar), D/ASJ/Gurugram. Gurugram. 02.06.2020 UID No. HR 0156 COMA/9/2020 Raman Sharma vs. Dr. Naresh K. Trehan and others Present: Complainant in person with Sh. Vinay Kumar Yadav Advocate. Arguments heard. The complainant has made a request for sending the present case to police station Sadar Gurugram under section 156(3) Cr.P.C for lodging a FIR. In view of the facts incorporated in the complaint coupled with voluminous documents which have been enclosed with the complaint, this court finds that without proper investigation, justice cannot be done in this case for which lodging the FIR is pre-requisite. Hence the present complaint is sent to the police station Sadar, Gurugram for lodging the FIR and investigation. FIR be registered within 24 hours of receipt of complaint in the police station. File be sent immediately. Pronounced in open Court: dated 5.6.2020 mamta SG I (Ashwani Kumar) DUTY/ADDITIONAL SESSIONS JUDGE GURUGRAM UID NO HR0156 . In the Court of Hon'ble District and Sessions Judge cum Special Court, Gurugram Raman Sharma S/o Late Narender Nath Sharma R/o CW 58, First Floor, Malibu Towne, Sohna Road Gurugram (Haryana) Phone No: 981833690. Complainant Versus 1. Dr. Naresh K. Trehan, S/o - Dr. H.S. Trehan, R/o B-4 Maharani Bagh, New Delhi 110065 2 Sunil Sachdeva, S/o Ram Lal Sachdeva, R/o A-10/6, Vasant Vihar, New Delhi -110057 3 Atul Punj, S/o S N Punj, R/o 10, Prithvi Raj Road, New Delhi - 11, for PLL 4 Annat Jain S/o Phool Chand Jain, R/o 60/10, New Rohtak Road, New Delhi - 5, for GLA 5 All Government officers involved in crime 6 Global Health Pvt Ltd, Medi City, Sector-38, Gurugram 7 SAS Infotech Private Limited, Medi City, Sector-38, Gurugram 8 GL Asia Mauritius II Limited, Medi City, Sector-38, Gurugram 9 Dunearn Investments (Mauritius) Pte Ltd., Medi City,

अनुसंधान मे अभियोग के सम्बन्ध मे सम्बन्धित विभागो से प्राप्त किये गये रिकार्ड / दस्तावेज / साक्ष्य तथा अभियोग से सम्बन्धित आरोपी पक्ष वा शिकायत कर्ता पक्ष से की गई पूछताछ से अभियोग मे शिकायत कर्ता द्वारा लगाये गये आरोप धोखा धड़ी करने, जाली दस्तावेज करने, अमानत मे खयानत करने तथा भ्रष्टाचार के आरोपो की पुष्टि होना नहीं पाई गई है अतः अभियोग मे किसी संज्ञेय अपराध का धटित होना नहीं पाया गया है। जिस पर अभियोग मे दिनांक को 21.10.2020 को CANCELLATION REPORT लिखी जाकर माननीय न्यायालय श्री सुधीर परमार की कोर्ट मे दिनांक 12.03.2021 को स्वीकृत की जा चुकी है तथा श्री सुधीर परमार ASJ गुरुग्राम द्वारा अपने आदेशो मे दर्शाया गया है की " In the light of the above said discussion, this court is of the firm and considered view that the instant protest petition filed by the complainant is vague and the same stands dismissed being devoid of any merit and the cancellation report filed by the police is hereby accepted." जो रमन शर्मा द्वारा झूठे आरोप लगा कर यह अभियोग दर्ज कराया गया है जिसने झूठा अभियोग दर्ज करा कर सरकारी कर्म का समय बाधित करके 182 आईपीसी का अपराध किया है जो रमन शर्मा पुत्र श्री नरेंद्र नाथ शर्मा निवासी मकान नंबर CW/58-FF, मलिबू टाउन गुरुग्राम के विरुध 182 आईपीसी का कलन्द्रा तैयार करके माननीय न्यायालय मे दिया जा रहा है।


प्रबन्धक

थानासदरगुरुग्राम
दिनांक 07.05.2021

Forwarded PL


A.C.P. (Sader)
East, Gurugram

Forwarded M.

M.

Dy. Commissioner of Police,
East, Gurgaon
dcp.eastggn@hry.nic.in.
Ph. No. 0124-2573659

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-TRUE COPY-

MALIBU ESTATE PRIVATE LIMITED

767
o/c

38, DDA Commercial Complex,
Kailash Colony Extn., (Zamrudpur)
New Delhi-110048

Phone : 41635431, Fax : 29247864
e-mail : malibu@airtelmail.in
malibutowne@hotmail.com

ANNEXURE R/2

To

The S.H.O,
Police Station Sadar,
Gurugram.

Date: 25.06.2021.

Subject: Complaint against Raman Sharma resident of CW-58, First Floor, Malibu Towne, Gurugram, Haryana.

Sir,

The complainant M/s. Malibu Estate Private Limited, having its office at Malibu Towne, Sohna Road, Gurgaon through its authorized person Manish Yadav working as AGM Legal, submits as under:-

1. That the complainant is a company incorporated and registered under the Companies Act, 1956 and existing under the Companies Act, 2013. The complainant has passed board resolution dated 15.05.2021 in favour of Manish Yadav whereby he is authorized to file the present complaint and to do all other acts, deeds and things as may be necessary in this behalf. Copy of Board Resolution is annexed herewith.
2. That the complainant after having paid crores of rupees towards acquiring land, scrutiny fee, license fee, external development charges, internal development charges and in furnishing bank guarantees has developed a prestigious, well known and posh colony spread over any area exceeding 200 acres which is well known in the entire Gurgaon and other areas including Delhi for top class facilities, hygienic and good living conditions,

clean and green atmosphere and well built units with good ambience. Thousands of plot holders, allottees/ owners of flats, commercial buildings etc. have purchased properties in the said colony from the Complainant and overwhelming majority of them have throughout been satisfied with the good, honest, fair, transparent and efficient working of the Company. on land area exceeding 200 acres consisting of numerous floors, plots, apartments etc. The complainant is comprised of law abiding and peace loving persons.

3. That Malibu Towne is one of the best and most posh colonies of Gurgaon where top families and individuals live. The Complainant enjoys very good reputation as a developer and colonizer. Prices of apartments booked/ purchased by different allottees/ owners have appreciated many times over during the last few years. As per the provisions of the Haryana Development and Regulation of Urban Areas Act, 1975, rules framed thereunder and town planning norms, the complainant has allocated various community sites including club, dispensary/health services, post office and school sites. The complainant has throughout acted as per the law and the directions / rules and regulations of the concerned departments.
4. However, the accused who is a trouble maker has been trying to unnecessarily malign and harass the complainant over the last more than a year. He and his associates are having evil eye on the properties of the complainant and they have been trying to harass, pressurize and blackmail the complainant by resorting to illegal, unauthorized and unwarranted activities. He is in the habit of making false and baseless complaints against the complainant before various authorities with the sole malafide intention of unnecessarily harassing and pressuring the complainant and its officials to submit to their blackmail

5. That the accused and his associates have formed a gang to somehow overawe and blackmail the complainant company. The accused has filed several baseless and false complaints against the complainant, its directors and officials and also filed several false litigations. The accused is very well aware that no cause existed for instituting the aforesaid frivolous and false litigation and complaints and yet the accused brazenly committed the aforesaid illegal acts due to which not only the complainant had to spend huge amount, time and effort to defend itself but the same also resulted in huge loss of goodwill, reputation and financial loss as well.
6. The accused is a miscreant who is in the habit of blackmail and extortion. He calls himself as "RTI activist" who is exerting pressure tactics on the complainant as well as various authorities. With highly malafide motives, he started targeting various people and officials. It is pertinent to mention here that FIR no. 548 dated 10.10.2015 under Sections 120B, 384, 385, 386, 387, 389 has been lodged with P.S. Faridabad Central against accused and his associates for blackmail and extortion. The State is also stated to have filed a criminal case against the accused bearing no. 180/2021 for making deliberate false assertions and allegations. Copies of the baseless and false complaints and cases filed and notices given by the accused are attached herewith as Annexures 3 to 5 and the same are self speaking and be read as part of this complaint.
7. He also entered / trespassed our office premises forcefully with journalists few months back who made an un-authorized video recording and tried to interview one of our senior staff forcefully which is aired later on news channel. The copy of the video aired is with company and can be proved when needed.

8. The accused has made it his business to extort money/ favours/ benefits from others by making false complaints, threats and by filing false litigation. His modus operandi is to target innocent persons. The accused has harassed the complainant and its officials and representatives by deliberately making scandalous and false allegations against them. The accused and his associates have caused huge loss and damages to the complainant and its officials and representatives.
9. When the complainant and its officials did not yield to the black mailing tactics of the accused, he has recently got sent several legal notices to the complainant and its officials and representatives containing absolutely baseless and false averments. The accused is in the habit of repeating the same false allegations again and again before multiple authorities with a view to extort money from the complainant. The accused un-necessarily roams in the township and harasses and threatens the staff of the applicant with dire consequences and makes their life difficult. When the representatives of complainant asked the accused to not make false and baseless allegations against the complainant, its officials and representatives the accused threatened the representatives of the complainant stating that in case the complainant does not accept his demands, he will make the life of the company officials and directors miserable. He made false allegations in several legal notices and demanded Rs 50 lakhs in one of the legal notices which proves sole extortion motive & criminal mind-set of the accused. At many times he insinuated that he will only back down when his demands arbitrarily are met down, which is proven coincidentally in the attached legal notices.

10. While filing this complaint we came to know that he also harassed one of the most respected doctors of the country who is attached with Medanta Hospital, Gurugram and file the false case and FIR against him / hospital which is quashed at later stage by the court of law. Copy of the press release of Medanta Hospital is attached herewith.

11. He thinks that he is above the law and no govt. dept. takes action against him.

It is, therefore, humbly prayed that appropriate action the accused and his associates be taken under Sections 34/120B /383/384/385/386/387/506 IPC and other relevant provisions of law at the earliest so that the complainant may get justice and the accused gets punished for the offences, wrongs and misdeeds committed by him.

Thanking you,
Yours faithfully

Manish Kumar

Complainant



M/s. Malibu Estate Pvt. Ltd. through its
authorized person

Annexures:

1. Copy of Board Resolution
2. Copy of Press release of Medanta Hospital, Gurugram.
3. Copy of FIR lodged in Faridabad
4. Copy of the 5 legal notices.
5. Status of Cases filed.

CC to:

1. Commissioner of Police, Gurugram
2. STP, Gurugram.

-TRUE COPY-

Minutes of the meeting held under the Chairmanship of Sh. Anurag Rastogi, IAS, Director General, Town & Country Planning, Haryana, on 20.02.2014 in the office of Senior Town Planner, Gurgaon, regarding the progress made in Complaint No. 319/2011 filed ...

stp1.gurgaon.tcp <stp1.gurgaon.tcp@gmail.com>

Thu 3/20/2014 5:50 PM

To: R.K. Kakkar <cehqhuda@gmail.com>; sehuda GGN CIRCLE1 <sehudaggn@gmail.com>; SE-II, HUDA <se2hudaggn@gmail.com>; Rajesh Gupta <setsqgn@gmail.com>; Se Gurgaon <se.gurgaon@gmail.com>; RAMAN SHARMA <cw58ffmalibutown@gmail.com>; kartar singh <xen3.ggn@gmail.com>; Mahesh Shrivastava <mcsvinee@yahoo.com>; Vinod Kohli <vinod@alliedmed.co.in>; OP Dhaka <opdhaka71@gmail.com>; RAKESH SINGH <rakesh.wv23gf@gmail.com>; malibu towne <gmestates.malibutowne@hotmail.com>; maliburwa@gmail.com <maliburwa@gmail.com>; Promod sharma <malibutowne@hotmail.com>; xentsqgn@hvpn.gov.in <xentsqgn@hvpn.gov.in>; ggnxen.elect@gmail.com <ggnxen.elect@gmail.com>; xensuburbandhbvn@gmail.com <xensuburbandhbvn@gmail.com>

Cc: DTP Hq SK <dtp.hqsk.tcp@gmail.com>

📎 1 attachments (65 KB)

Final Minutes of the meeting held on 20.02.2014 under the Chairmanship of DGTCP at Gurgaon -Complaint No. 319 of 2011 Lokayukta - Sh. Raman Sharma.doc;

Minutes of the meeting held on 20.02.2014 under the Chairmanship of Sh. Anurag Rastogi, IAS, Director General, Town & Country Planning, Haryana is enclosed for further necessary action plz.

Senior Town Planner,
Gurgaon

Minutes of the meeting held under the Chairmanship of Sh. Anurag Rastogi, IAS, Director General, Town & Country Planning, Haryana, on 20.02.2014 in the office of Senior Town Planner, Gurgaon, regarding the progress made in Complaint No. 319/2011 filed by Sh. Raman Sharma before Hon'ble Lokayukta, Haryana.

The following participated in the meeting:-

1. Sh. R. K. Singh, STP, Gurgaon
2. Sh. Anil Makan, SE-II, HUDA, Gurgaon
3. Sh. Joginder Hooda, XEN, S/U DHBVN, Gurgaon
4. Sh. Kartar Singh, XEN-III, HUDA, Gurgaon
5. Sh. M.K. Vats, XEN/TS Division, HVPNL, Gurgaon
6. Sh. Harvinder Kumar, SDE (Elect.), HUDA, Gurgaon
7. Sh. Raman Sharma, Complainant
8. Sh. V.K. Maheshwari, CEO, Malibu Estate Pvt. Ltd.
9. Cdr. S.C. Sharma, Vice President, Malibu Estate Pvt. Ltd.
10. Sh. Subhash Ragav, GM Project, Malibu Estate Pvt. Ltd.

At the outset, Senior Town Planner, Gurgaon welcomed Director General, Town & Country Planning and briefed him about the progress made with respect to the decisions taken during the meeting held on 18.12.2013 under his Chairmanship relating to the issues raised in the subject cited complaint. Thereafter, DGTCP reviewed the further progress made by the colonizer and the following decisions were taken:-

Sr. No	Issues	Proceedings of the meeting dated 18.12.2013		Decisions taken on 20.02.2014
		Decision taken in the meeting on 01.10.2013	Action taken	
1	Construction of 66 KV Sub-station	The representative of the colonizer intimated that they are ready to construct 33 KV sub-station as per approved service plan estimates. However, Sh. Raman Sharma insisted that 66 KV ESS, as per the requirement of the colony, be installed. It was decided that the colonizer construct 33 KV Sub-station as per approved Service Plan Estimates. In case the Residents Welfare Association insist for 66 KV Sub-station, the differential cost is to be borne by the RWA itself subject to the availability of the sufficient land. The colonizer shall obtain the consent from the RWA within 15 days. If, no consent is received, the colonizer shall start the execution of work within one month. The clear	The colonizer informed that a mail was forwarded on 10.10.2013 to all the RWAs for giving their consent by 15.10.2013, but no reply received from any of them. As per the road map given by the colonizer, the construction of 33 KV ESS is to be completed within 9 months after receipt of approval from Competent Authority i.e DHBVN. The representatives of the RWA still insisted for installation of 66 KV ESS, which is realistic requirement of the colony once it is fully populated. The representative of the colonizer contended that as per the service estimate approved by DHBVN, 33 KV ESS is to	STP, Gurgaon apprised that there is still controversy regarding the capacity of the ESS. The colonizer claims that he is required to construct 33KV ESS as per the approved service plan estimates by DHBVN, whereas RWA is insisting for establishment for 66 KV ESS as per requirement of the colony. Regarding adequacy of 33 KV ESS, the officers of DHBVN informed that the present load of the colony is 12 MVA and accordingly a proposal has been sent to Chief Engineer (Operation) DHBVN, Hisar for establishment of 33 KV ESS. This load requirement had been calculated on the basis of the earlier approved layout plan. The proposed ESS can cater to the electric load upto 25 MVA. STP,

		<p>road map regarding operationalization of 33 KV ESS shall be submitted to STP, Gurgaon within next 15 days</p>	<p>be installed and the company is committed accordingly. After detailed discussion, it was decided that the company will submit a copy of the approved service estimate of electrical infrastructure. It was also decided that it will seek an appointment with DHBVN Authority where the approval is pending and shall send its responsible representative for meeting the official for expediting the pending clearance. The representative of RWA will also accompany the representative of the colonizer.</p>	<p>Gurgaon informed that the last revision in the layout plan was carried out in the year 2008 and it has been approved for an area measuring about 205.00 acres.</p> <p>Decision- <i>DHBVN will work out the load requirement of the colony in accordance with the revised layout plan to ascertain the adequacy of 33 KV ESS and the requirement of 66 KV ESS, if any, within 10 days.</i></p> <p><i>It was also decided that the SE DHBVN will pursue the matter with Chief Engineer (Operation) DHBVN at Hisar for expediting the necessary approvals of 33 KV ESS within the next 15 days positively.</i></p>
2	Construct ion of Communi ty Centre	<p>It was enquired from the colonizer what action has been taken w.r.t the directions of STP, Gurgaon regarding making the entire club fully functional and offering member ship to the residents of the colony since 12.09.2013. The representative of the colonizer intimated that they have not done much except the planning. It was directed that the colonizer shall involve the Residents Welfare Association (RWA) for planning. Further, the colonizer shall submit a road map for making the club functional within next 15 days. It was also made clear that the club should be functional on or before 1st July, 2014.</p>	<p>As per road map given by the colonizer, the entire club building will have to be made fully functional before 01.07.2014. The RWA complained that they have not been involved at all in the planning of the club building as per decision taken in the meeting held under the Chairmanship of DG TCP on 01.10.2013. Besides, the colonizer is not doing anything to improve the condition of the basement, which has been left unfinished and has turned into cave for bats. The representatives of the colonizer informed that they will make the remaining part of club building functional as per the timeline submitted by the company. They also informed that the company has decided to</p>	<p>STP, Gurgaon apprised that the colonizers started work to make the remaining club building functional as per decision taken in the last meeting held on 18.12.2013. The basement which was non-functional has been closed permanently by brick wall. The colonizer has informed vide mail dated 24th January, 2014 at 5:00 PM that a meeting was held on 24.01.2014 at 3.00 PM with the RWA wherein the issue of framing the terms and conditions for the membership was discussed. The relevant documents have been handed over to the RWA.</p> <p>Decision- <i>DGTCP directed the colonizer to complete the construction work of remaining club building and make it fully functional by 30.06.2014. He also desired the club membership be allotted to the residents of the colony on priority at reasonable rates.</i></p>

			<p>close the basement. Accordingly, the construction works are in progress at site. It was also apprised by them that the terms and conditions for membership of the club are being finalized and it will be opened in last week of January, 2014 exclusively for the residents of the colony.</p> <p>The representatives of the RWAs requested to direct the colonizer to consult them while framing the terms and conditions of the membership.</p> <p>It was decided that the club building will be made fully functional by 30.06.2014 and its basement part shall be closed permanently. It was also decided that the colonizer will involve the representatives of the RWAs in the process of framing of terms and conditions of the membership of club.</p>	
3	Sale of independent floors in violation Policy dated 27.03.2009	This matter not only relates to Malibu Estate but the entire State of Haryana. The show cause notices were issued by DTP (E), Gurgaon, however, the colonizers have represented/challenged the validity of the show cause notices. The matter is under consideration within Department. After taking final decision on the representations of the colonizers, further, action shall be taken.	Not discussed in the meeting as the matter is under consideration in the Directorate.	Matter was not discussed as it is under consideration in the Directorate.
4	Construction of ladder on 2 nd floor to access	The representative of the colonizer intimated that there are 148 ladders, which are to be installed, out of which till date 30	As per timeline, the entire work of installation of ladders for providing access to the terraces of houses was to	It was informed that 131 ladders were installed upto 21.01.2014 and the remaining 17 could not be installed as the owners of

	<p>terrace. ladders have been installed. They shall complete the remaining work within three months. However, they are facing problem at some places as they are finding difficult to get NOC from the owner of 2nd Floor.</p> <p>It was directed that in the cases where NOC is not given by the owner the ladders shall be handed over to RWA. However, within next two months, the colonizer shall install all the remaining ladders.</p>	<p>be finished by 01.12.2013. The representative of the colonizer informed that 100 ladders have already been installed and the remaining 48 ladders shall be installed within next 15 days. They also complained that the residents of 2nd floor of many houses are not allowing to put up the ladders.</p> <p>The Chairman directed that the remaining 48 ladders must be put in place within 15 days time positively. The help of RWA may be taken wherever the residents of 2nd floor are objecting to their installation. If some residents still resist, then ladder may be handed over to RWA as already decided in the meeting dated 01.10.2013 at Chandigarh.</p>	<p>second floor are not allowing.</p> <p>Decision:- <i>It was decided that the colonizer will hand over the remaining 17 ladders to the RWA within 7 days.</i></p>
5	<p>Illegal construction in the green belt.</p> <p>It was intimated by the colonizer that land has been given to BSNL for erection of BSNL exchange on the demand of Residents at a nominal rate of Rs. 1 per year. However, they have no proof in writing regarding the request of the residents. It was further intimated by the colonizer that the lease to BSNL is only upto 31.03.2014. It was directed that the colonizer shall give notice to BSNL for vacation of the site within 15 days from today. It was also made clear that no further extension in lease period should be made. The building shall have to be demolished after expiry of lease period. DTP (E),</p>	<p>As per the deadline in the meeting, the illegal of BSNL is to be removed after the expiry of lease period i.e. 31.03.2014. Besides, the other structures like pump rooms and operator residences are also to be removed by 31.03.2014.</p> <p>The representatives of the colonizer informed that a notice has already been sent to BSNL on 15.10.2013 for vacation of the site on or before 31.03.2014. Thereafter, the construction will be demolished. Similarly, the pump rooms and operators residences constructed in the green belt shall also be removed by 31.03.2014. The RWA did not</p>	<p>STP, Gurgaon informed that the deadline for removal of illegal construction in the green belt will expire on 31.03.2014. The colonizer has already served upon a notice on BSNL for vacation of the building. Hence, this issue will be reviewed after 31.03.2014.</p> <p>Regarding the mini sewage treatment plants, STP, Gurgaon informed that these have been constructed in the parks in a very shoddy manner without giving any consideration to the aesthetics of the parks/open space. The RWA is agitating for removal of these plants.</p> <p>Decision:-(i) <i>The illegal</i></p>

		<p>Gurgaon shall also give notice to the colonizer alongwith a copy to BSNL.</p> <p>It was intimated by the complainant that there are four nos. of Sewage Treatment Plants (STPs) constructed in the parks at different places and are not operational. It was informed by the colonizer that these are meant for recycling of the water which is to be used for gardening purposes. These are only very small structures.</p> <p>It was directed that all the four STPs shall be made operational and since these are for the benefit of the community these may be retained. However, proper camouflaging with green creepers of the structure be done by the colonizer.</p> <p>Further, the colonizer requested that the BSNL building may be allowed to remain operational, if there is any provision for compounding for which they have already made a request to the Department which is pending at the level of Directorate. In this regard, it was intimated that no such request is pending with the Department.</p> <p>However, if at all any such request has been made, is hereby rejected. Further, the pump rooms and operators residences constructed by the colonizer shall be removed on or before 31.03.2014.</p>	<p>subscribe to the suggestion of establishment of small STPs in the parks being incompatible activity. The matter was discussed in detail and it was concluded that use of recycled water for the purpose of maintaining parks and greenery is need of the hour considering the depleting water table in Gurgaon. Accordingly, it was decided that the colonizer and the RWA will sit together to find out proper and compatible locations for setting up of mini Sewage Treatment Plants (STPs) and shall get the same approved from the Department in the layout plan</p>	<p><i>construction in the green belt must be demolished by the colonizer by 31.03.2014, failing which strict action will be taken in accordance with the provisions of Act No. 8 of 1975 and the Rules framed thereunder.</i></p> <p>(ii):-<i>The colonizer was directed to re-install the STPs underground without disturbing aesthetics of the parks/open spaces or find out alternative suitable locations in consultation with the RWA/complainant.</i></p>
6	Delay in execution of conveyance deed	The colonizer was instructed that there is no relation between maintenance charges and execution of conveyance	The representative of the colonizer informed that a copy of the specimen of conveyance deed has been handed over to the	It was informed that action has already been taken by the company. No problem from colonizer side has been reported so far by any

	independent floor.	<p>deed. The colonizer was directed that the conveyance deed of all the owners shall be got executed within next two months. However, the colonizer submitted that this is beyond their control as the registration charges/stamp duty is to be paid by the owners. It was accordingly agreed that the owners shall after preparing the conveyed deed intimate the colonizer who shall immediately make his representative available and execute the conveyance deed immediately. The colonizer was also directed to upload the specimen copy of the conveyance deed on his website immediately and supply one copy of the same to the RWAs.</p>	<p>association and they have instructed the concerned official for accompanying the owners of independent floors as and when approached by them for registration of the deeds. The Chairman directed the representatives of colonizer to identify the owners, who are yet to execute the conveyance deed and send communications to them for execution and registration of the same at the earliest.</p>	<p>floor owner. The complainant pointed out that there are some flaws in the draft of the conveyance deed, which are required to be rectified.</p> <p>Decision: <i>It was decided that the Company will consult the various drafts of the conveyance deeds of independent floors executed by other colonizers like DLF, APIL, Unitech etc. and will carry out necessary amendments in the format of the conveyance deed prepared by it and thereafter, it will be made available to the RWA.</i></p>
7	Status of other community sites	<p>There are 16 nos. of community sites as per approved Layout Plan. It was directed that the colonizer shall submit a road map for time bound construction of the remaining community sites in the following manner:-</p> <ol style="list-style-type: none"> Within ten days = 5 community sites. Within twenty days = community sites. Within thirty days = all the remaining sites. <p>However, it was made clear that the construction of community sites has to be made within the time frame as per of the Act of 1975. If, the community sites are not completed within stipulated time, the same shall be taken over</p>	<p>The representative of the colonizer informed that out of the total 16 community sites (1 High School, 4 Primary Schools, 7 Nursery Schools, 1 crèche, 1 Dispensary, 1 Club and 1 RB), 6 sites (2 Primary School, 1 Club, 1 Nursery School, 1 RB and 1 Crèche) are still with the colonizer and remaining sites have been sold out to the private persons. One Nursery School and part of club site are already functional. The building plans of 2 Primary Schools, 3 Nursery Schools and a Religious Building have already been submitted. The building plans of the remaining community sites except 2 Nursery Schools sites of which are under dispute shall be</p>	<p>STP, Gurgaon informed that the road map for construction of community site has already been submitted and it is required to be monitored regularly.</p> <p>Decision:- <i>It was decided that STP, Gurgaon will monitor the progress of construction of community sites on quarterly basis to ensure that the construction work of all the community sites its completed by the colonizer before 03.04.2016.</i></p>

		by the Govt.	submitted in the month January/February, 2014. The construction on these sites shall start after 3 months from approval of their plans and it will be completed within 1½ years time from the date of start. The constructions work of the remaining community sites will be completed as per timeline prescribed in the proviso added vide Haryana Act No. 11 of 2003 dated 03.04.2012.	
Other issues				
8	Sh. Raman Sharma raised the issue of non obtaining of no objection certificate (NOC) from Ministry of Environment & Forest in reference to condition levied in the licence no. 15 of 2008	It was appraised to Sh. Raman Sharma that at the time of renewal of licence, the applicant company was directed to submit NOC from MoEF. But the applicant company represented that NOC is not required from MoEF since, the covered area is less than 1,50,000 sq. mtr. The contention of the applicant company was found correct, therefore, the licence no. 15 of 2008 was renewed for a further period upto 30.01.2014.	No action required.	No action required.

The meeting ended with a vote of thanks to the chair and participants.

[View PDF](#)

RAMAN SHARMA V. PUBLIC INFORMATION OFFICER

Club Building, Opposite Ber Sarai Market, Old JNU Campus, New Delhi - 110067.

Tel: +91-11-26161796 Decision No. CIC/SG/C/2011/001338/15708 Complaint No. CIC/SG/C/2011/001338 COMPLAINT REMANDED TO First Appellate Authority M/o Environment & Forests Paryavaran Bhawan, CGO Complex, Lodhi Road, New Delhi - 110003.

Complainant Mr. Raman Sharma President, Progressive Gurgaon Forum, CW-58, Malibu Town, Sohna Road, Gurgaon - 122018.

Public Information Officer Public Information Officer M/o Environment & Forests O/o The Director(IA-III), Paryavaran Bhawan, CGO Complex, Lodhi Road, New Delhi - 110003.

Facts arising from the Complaint: The Complainant had filed a RTI application with the PIO on 07/07/2011 asking for certain information. She received a reply from the PIO, which she found unsatisfactory.

The Complainant therefore filed a Complaint with the Commission (08/11/2011) under section 18 of the rti act.

It must be noted that there is an alternate and efficacious remedy of First Appeal available under **section 19(1) of the RTI Act.**

It appears that the Complainant has failed to avail the same in the instant case. Consequently, the First Appellate Authority (FAA) has not had the chance to review the PIOs decision as envisaged under the RTI Act.

Decision In view of the aforesaid, the instant mater is remanded to the FAA.

125

The Commission hereby directs the FAA to treat the copy of the Complaint (enclosed herewith) as the First Appeal and decide the matter in accordance with the provisions of the RTI Act after giving all concerned parties an opportunity to be heard.

The FAA is directed to peruse all the relevant documents during the hearing and examine whether the information provided by the PIO is complete, relevant and correct. Where the FAA is satisfied that the information provided by the PIO is as per the records, the First Appeal shall be disposed of. In the event, there are any deficiencies in the information provided by the PIO, the FAA shall direct the PIO to provide the complete information in reply to the RTI application to the Complainant.

The Complaint is disposed of.

Notice of this decision be given free of cost to the parties.

Shailesh Gandhi Information Commissioner 16th November 2011 Enclosed: Copy of Complaint dated 16-11-2011.

Copy of PIOs reply dated 11-08-2011; and Copy of RTI application dated 07-07-2011.

MALIBU ESTATE PVT. LTD.

S.No.	Particular	Total	Allotted	In Hand- (if any)
Group Housing				
1	Apartment	376	376	0
2	EWS Flats	57	57	0
3	Affordable Flats	15	0	15
Plots				
4	General Plots	596	592	4
5	NPNL Plots	360	360	0
6	EWS Plots	227	227	0
7	EWS Plots	49	Offered to HUDA	0
Floors				
8	Personal and Value Floor	444	444	0
9	Shop	72	72	0
10	Commercial Site	5	5	0
Total		2201	2133	19

ANNEXURE R/6

Annexure- I

Company/Person	License/date	Area
Malibu Estate Pvt. Ltd.	-71/1992 (28.10.1992)	-21.644 acres
	-04/1993 (18.03.1993)	-8.93750acres
	-15/1994 (08.12.1994)	-3.523 acres
	-06/1995 (15.11.1995)	-7.931 acres
	-36/1997 (21.07.1997)	-3.175 acres
Dinero Estate Pvt. Ltd.	-72/1992 (28.10.1992)	-20.806 acres
	-06/1993 (18.03.1993)	-1.34375 acres
	-18/1994 (08.12.1994)	-0.739 acres
	-07/1995 (15.11.1995)	-4.919 acres
	-37/1997 (21.07.1997)	-2.493 acres
Casa Estate Pvt. Ltd.	-73/1992 (28.10.1992)	-22.113 acres
	-07/1993 (18.03.1993)	-3.85000 acres
	-16/1994 (08.12.1994)	-0.803 acres
	-08/1995 (15.11.1995)	-5.162 acres
	-38/1997 (21.07.1997)	-2.169 acres
Santaluna Estate Pvt. Ltd.	-74/1992 (28.10.1992)	-18.225 acres
	-08/1993 (18.03.1993)	-0.72 acres
	-19/1994 (08.12.1994)	-9.158 acres
	-05/1995 (15.11.1995)	-4.49 acres
	-39/1997 (21.07.1997)	-2.381 acres
Sanpendro Estate Pvt. Ltd.	-75/1992 (28.10.1992)	-24.894 acres
	-05/1993 (18.03.1993)	-1.32500 acres
	-17/1994 (08.12.1994)	-0.739 acres
	-04/1995 (15.11.1995)	-4.328 acres
	-40/1997 (21.07.1997)	-1.993 acres
Citiland Properties Pvt. Ltd.	-41/1997 (21.07.1997)	-0.375 acres
Detour Estate	-42/1997 (21.07.1997)	-0.375 acres
Geoid Estate Pvt. Ltd.	-43/1997 (21.07.1997)	-0.375 acres
Spred Estate Pvt. Ltd.	-44/1997 (21.07.1997)	-0.375 acres
Mr. KS Dhingra	-45/1997 (21.07.1997)	-0.375 acres
Mr. SK Kohli	-46/1997 (21.07.1997)	-0.375 acres
	Total	180.116 Acres

License No. 15 of 2008

Company/Person	Date	Area
M/s Bloom Properties and Holding Pvt. Ltd. and others	31.01.2008	24.681 Acres

-TRUE COPY-

ANNEXURE R/7

Annexure- II**Part Completion Certificate**

License No.	Part Completion (PC) Certificate dated	Area
71-75 of 1992	23.02.1996	Total Area- 107.682 Acres PC- 97.282 Acres Group Housing (GH)-10.40 Acres
04-08 of 1993	03.05.1996	Total Area- 16.18 Acres PC- 16.08 Acres Group Housing (GH)- 0.10 Acres
15-19 of 1994	03.05.1996	Total Area- 14.962 Acres PC- 10.332 Acres
	06.06.2003	Total Area- 14.962 Acres PC- 2.94 Acres Group Housing (GH)-1.69 Acres
04-08 of 1995	05.02.2003	Total Area-26.83 Acres PC- 26.83 Acres
36-46 of 1997	05.02.2003	Total Area- 14.461 Acres PC- 14.461 Acres
	Total till 2003	PC- 167.925 Acres Group Housing (GH)- approx. 12 Acres

Part Completion Certificate

15 of 2008	27.09.2016	Total Area- 24.681 Acres (approx. 9.97 hectare) PC- 24.681 Acres
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-TRUE COPY-

Co. Pet. 64, 65, 66, 67, 68, 69, 70, 71, 72, 73 and 74/2004
15.07.2004

ANNEXURE R/8

DATE OF DECISION : 15.07.2004

IN THE MATTERS OF:

1.M/S.DETOUR ESTATE PVT. LTD. ...TRANSFEROR COMPANY
2.M/S.BRAID ESTATE PVT. LTD. ...TRANSFEROR COMPANY
3.M/S.GEOID ESTATE PVT. LTD. ...TRANSFEROR COMPANY
4.M/S.SPRED PROPERTIES PVT. LTD. ...TRANSFEROR COMPANY
5.M/S.JASSIMA ESTATE PVT. LTD. ...TRANSFEROR COMPANY
6.M/S.CITILAND ESTATE PVT. LTD. ...TRANSFEROR COMPANY
7.M/S.DINERO ESTATE PVT. LTD. ...TRANSFEROR COMPANY
8.M/S.SANPEDRO ESTATE PVT. LTD. ...TRANSFEROR COMPANY
9.M/S.SANTALUNA ESTATE PVT. LTD. ...TRANSFEROR COMPANY
10.M/S.CASA ESTATE PVT. LTD. ...TRANSFEROR COMPANY
(PETITIONERS/TRANSFEROR COMPANIES)

AND

11.M/S.MALIBU ESTATE PVT. LTD. ...TRANSFEEEE COMPANY
Through Mr.P.K. Mittal for
for the Petitioners/Applicants
Mr.Ravindra Kumar for the O.L.
Mr.P.K. Batta, Dy. ROC in person

CORAM :-

THE HON'BLE MR.JUSTICE A.K.SIKRI

- 1.Whether Reporters of Local papers may be allowed to see the Judgment?
- 2.To be referred to the Reporter or not?
- 3.Whether the judgment should be reported in the Digest?

A.K. SIKRI, J. (Oral)

This petition is filed in this Court to obtain sanction to a Scheme of Amalgamation (in short the 'Scheme') of M/s.Detour Estate Pvt. Ltd., M/s.Braid Estate Pvt. Ltd., M/s.Geoid Estate Pvt. Ltd., M/s. Spred Properties Pvt. Ltd., M/s. Jassima Estate Pvt.

Ltd., M/s.Citiland Estate Pvt. Ltd., M/s.Dinero Estate Pvt. Ltd., M/s.Sanpedro Estate Pvt. Ltd., M/s.Santaluna Estate Pvt. Ltd., M/s.Casa Estate Pvt. Ltd.-Transferor Companies with M/s.Malibu Estate Pvt. Ltd.-Transferee Company.

Earlier the applicants had filed separate applications under Sections 391(1) and 394 of the Companies Act, 1956 (in short the 'Act'), seeking dispensing with the requirement of convening and holding of the meeting of the equity shareholders, secured and

unsecured creditors of the applicant companies for the purpose of considering and approving the proposed Scheme of Amalgamation with M/s.Malibu Estate Pvt. Ltd.-Transferee Company-Transferee Company. This was allowed vide order dated 1st March, 2004.

It is in these circumstances the present petitions is filed. The salient features of the Scheme

of Amalgamation are also mentioned in detail. It is pointed out that the proposed Scheme is not intended in any manner to give any beneficial effect or any

material interest to any person who is/are for the time being directors of the applicant companies and the Scheme would be in the best interest of all the applicants, their shareholders and creditors. It is also stated that no investigation or proceedings are pending against the applicants under Sections 235 to 251 of the Companies Act.

Notice of this petition was directed to be served upon the Official Liquidator attached to this Court as well as the Regional Director, Northern Region, Department of Company Affairs, Kanpur. Citation was also directed to be published in the "Statesman"

(English), "Jansatta" (Hindi) and the Delhi Gazette for 15th July, 2004. These citations are duly published. The Official Liquidator attached to this Court has submitted his report as per which he has no objection in sanctioning the proposed Scheme by this Court.

The Regional Director, Northern Region, Department of Company Affairs, Kanpur, has also filed reply, as per which even the Regional Director, has no objection to the proposed Scheme. However, it is pointed out that the authorised capital of the transferee

company is not sufficient to issue shares to the shareholders. After this objection the Transferee Company passed Resolution dated 8th December, 2003, increasing share capital of the Transferee Company in terms of the Scheme of Amalgamation and affidavit

dated 9th February, 2004 to this effect is filed by Mr. Gunvir Kumar Jain, Director of the Transferee Company. It is stated by learned counsel for the petitioner at the bar that there is sufficient increase in the share capital to enable the Transferee

Company to issue shares to the shareholders in terms of the Scheme of Amalgamation.

In the aforesaid circumstances and having regard to the averments made in this petition and the materials placed on record and the affidavits filed by the Regional Director, Department of Company Affairs, Kanpur, and the Official Liquidator, I am satisfied

that the prayers made in the petition deserve to be allowed, subject to fulfilling the condition of enhancing the authorised capital after following the procedure under the Companies Act. I also do not find any legal impediment to the grant of sanction

to the Scheme of Amalgamation. Hence, sanction is hereby granted to the above-mentioned Scheme of Amalgamation under Section 391(2) read with Section 394 of the Companies Act, 1956. Consequent upon the amalgamation of the companies, the Transferor Companies shall stand dissolved without the process of winding up.

The petition stands disposed of in terms of the aforesaid order.

A copy of this order be given dasti to the counsel for the petitioner companies.

A.K. SIKRI, J.

JULY 14, 2004

HP.

MALIBU ESTATE PRIVATE LIMITED

38, DDA Commercial Complex,
Kailash Colony Extn., (Z - Indrapur)
New Delhi-110048

Phone : 41635431, Fax : 29247864
e-mail : malibu@airtelmail.in
malibutowne@hotmail.com

CIN: U74899DL1992PTC048517

To,
The Member Secretary
State Environment Impact Assessment Authority Haryana [SEIAA]
Bays No 55-58, Paryavaran Bhawan
1st Floor, Sector 2, Panchkula
Haryana

Date: 16.08.2018.

Reg: Application dated 08.12.2015 seeking reference to the State EAC for Environmental Clearance of the Residential Plotted Colony – Malibu Towne at Sector 47 & 50 [Sohna Road] Gurgaon, Haryana.

Reg: Application submitted vide Proposal No IA/ HR/ MIS/ 27435/ 2015 dated 16.04.2015

Reg: TOR(Terms of Reference) issued by MOEF&CC vide File No 21-94/ 2015 – IA.III

Dear Sir

I on behalf of MEPL hereby wish to withdraw our Application dated 08.12.2015 and our Application submitted vide Proposal No IA/ HR/ MIS/ 27435/ 2015 dated 16.04.2015 in response whereof TOR was issued to us by the MOEF & CC vide File No 21-94/ 2015 – IA.III referred to above

In this regard we deem it necessary to bring to your kind notice the **following facts** which have impelled us to withdraw the said Application of reference dated 08.12.2015 -

i) Licence Nos 71-75/1992 were granted by the DTCP for an Area of 107.682 Acres for the development of the Township in question. Thereafter, Licence Nos 4-8/1993, 15-19/1994, 4-8/1995 & 36-46/ 1997 were issued for an additional Area/ s of 16.181 Acres; 14.962 Acres, 26.83Acres & 14.461 Acres respectively. This Area of 180.115 acres of land was covered vide Zoning Plan issued by the Govt. and Part completion was issued with respect to this land prior to September 14,2006 i e date of notification of the Environmental Impact Notification.

ii) In the year 2008, MEPL took another Licence No 15/2008 from the DGTCPC for an Area of 24.681 Acres covered by a separate Zoning that was/ is, completely unrelated with the earlier Zoning that covered 180.115 Acres [supra]. The Zoning Plan of the year 2008 qua 24.681 Acres categorically states that the same pertains to the additional land of 24.681 Acres only.

iii) In the meetings held on 01.10.2013 & 20.02.2014 under the chairmanship of the DGTCPC-Hry the issue with respect to taking NOC from the M/o E&F with reference to condition levied in the Licence No 15 of 2008 came up, in response whereof it was submitted by MEPL that since the built up area qua 24.681 Acres of land was less than 1, 50, 000 sq. mtr., the NOC from the Competent Authority under the aforesaid Notification of MOF&E was not required.

The worthy DGTCP accepted the position and decided that no action was required with respect to taking NOC from MOE&F under clause 2(ii) of the MOEF Notification dated 14.09.2006 as regards to 24.681 Acres. The issue with regard to taking NOC qua 180.115 acres never arose as Part Completion stood granted and this land was covered by a separate Zoning totally unrelated to the Zoning covered by 24.681 Acres

iv) That in the year 2016, MEPL got the part completion from the DGTCP Office including consent to operate and other approvals with respect to 24.681 Acres land covered by 2008 licence and separate Zoning Plan. This approval was granted since NOC from the MOEF was not required

v) However based on wrong legal advice, MEPL submitted an application for Environmental clearance consequent whereof TOR was issued by the MOEF&CC.

vi. In the stated facts MEPL, on seeking fresh legal opinion in the matter, has been advised that the Additional Area of 24.681 Acres of land covered by 2008 licence and separate zoning has to be treated separately and cannot be clubbed with 180.115 acres of land covered by Licence Nos 71-75/1992 [107.682 Acres]; Licence Nos 4-8/1993, 15-19/1994, 4-8/1995 & 36-46/ 1997 [16.181 Acres; 14.962 Acres, 26.83 Acres & 14.461 Acres respectively] so as to fall within the category of " new projects or activities or expansion of existing projects"

It is respectfully submitted that land being 24.681 Acres with built up area being less than 1, 50, 000.00 sq mtrs. vis-a-vis 24.681 Acres of Land & covered by separate zoning totally unrelated to the zoning that covers 180.115 Acres land – neither falls in the category of "new projects or activities" whose built up area is more than 1,50,000.00 sq mtrs. nor in the category of " new projects or activities or expansion of existing projects" and as advised would not require Environmental Clearance under Clause 2 R/w Clauses 6 & 7 of the Environmental Impact Notification dated September 14, 2006 & the Environment Protection Act 1986

Accordingly we hereby withdraw our Application dated 08.12.2015 and our Application submitted vide Proposal No IA/ HR/ MIS/ 27435/ 2015 dated 16.04.2015 in response whereof TOR was issued to us by the MOEF & CC vide File No 21-94/ 2015 – IA.III referred to above . Permission may kindly be accorded.

Inconvenience is deeply regretted.

Dated: 16.08.2018
New Delhi

Thanking you
Yours sincerely



S.C Sharma
VP – Estate.

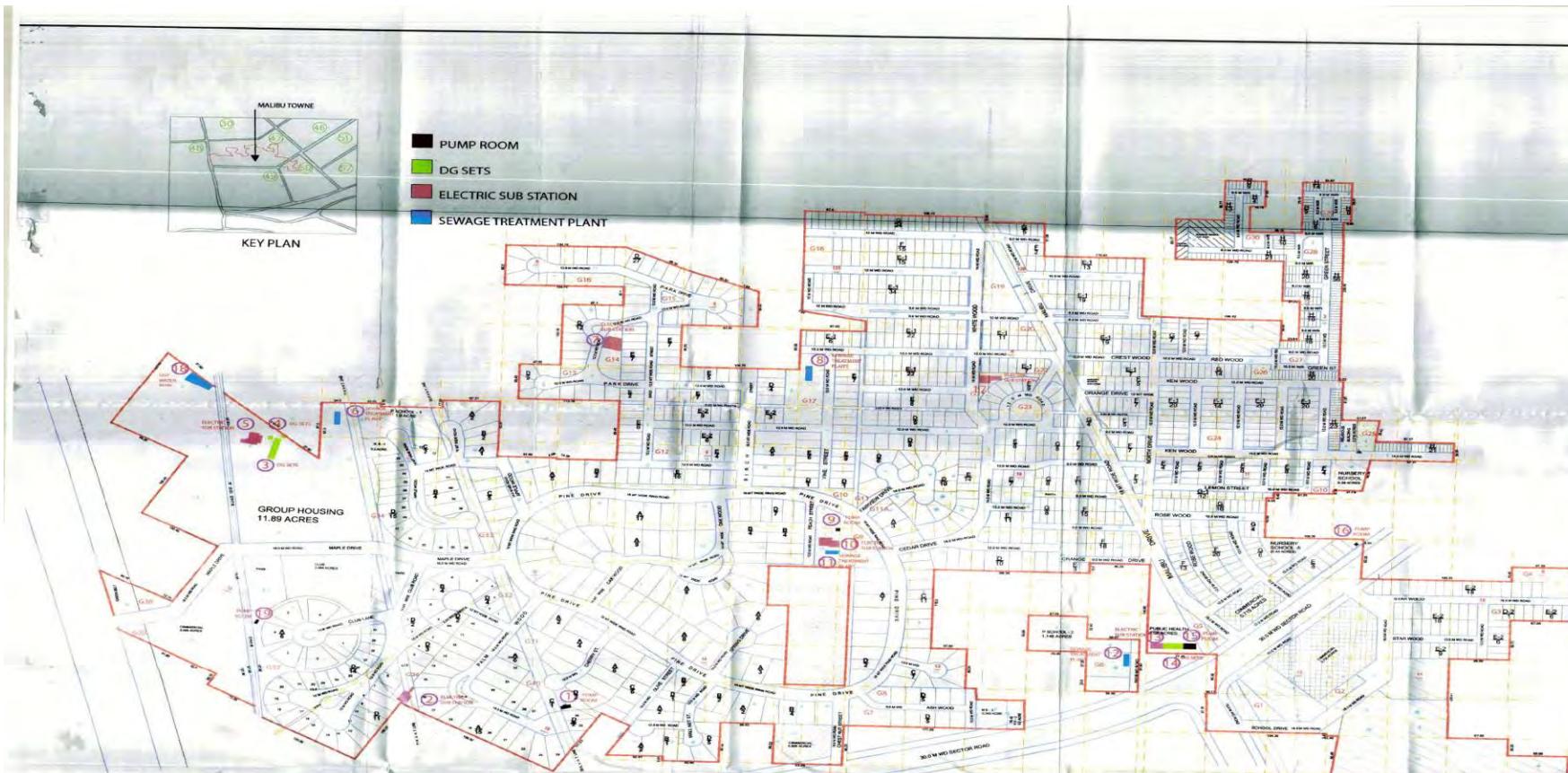
For and on behalf of -
Malibu Estate Pvt. Ltd.

Copy to –

State Expert Appraisal Committee Haryana [SEAC] [In case file has been put up]
Director MOEF&CC.

Received on
20/08/2018

-TRUE COPY-



DETAIL OF PLOTS				
TYPE	SIZE (MTR)	AREA (SQ MTR)	NO. OF PLOTS	TOTAL AREA (SQ MTR)
A	20 X 4.5	90	118	99120.00
B	12 X 30	360	11	10920.00
C	16 X 24	384	11	17920.00
D	15 X 24	360	120	69120.00
D-1	16 X 24	384	11	17920.00
D-2	15.66 X 24.525	383.01	1	38301.00
E	12 X 25	300	177	41100.00
F-1	10.18 X 22.60	230.07	176	40492.32
F-2	10.376 X 24.179	250.84	79	19816.36
F-3	10 X 25	250	164	41000.00
G-1	8.577 X 17.90	154.41	74	11427.40
G-2	8 X 25	200	149	29800.00
G-3	10.10 X 12.10	122.21	17	2077.57
H	8 X 12.50	100	280	28000.00
(A)	TOTAL PLOTS		3399	390124.00
(B)	AREA UNDER NURSING HOME (0.25 ACRES)			1011.71
TOTAL (A) + (B)				391135.71
AREA UNDER COMMERCIAL		3.979		96.666
TOTAL AREA		54.104		104.366

DETAIL OF FACILITIES (FOR PLOTTED & GROUP HOUSING)				
SNO	FACILITIES	REQUIRED	PROVIDED	AREA IN ACRES
1	NURSERY SCHOOL	2	2	1.924
2	PRIMARY SCHOOL	1	1	4.400
3	DISPENSARY	1	1	1.000
4	CLUB	1	1	0.215
5	RELIGIOUS BUILDING	1	1	0.215
6	CLUB	1	1	2.468
7	HIGHER S. SCHOOL	1	1	1.000

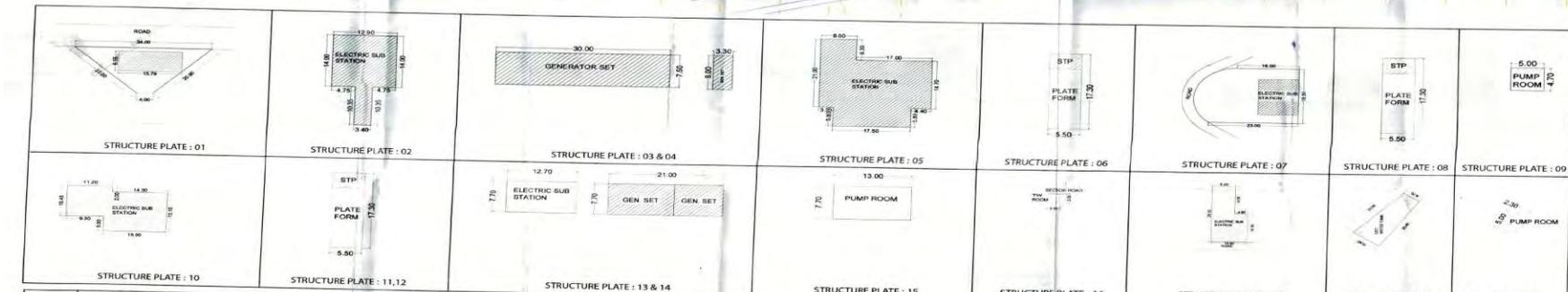
NOTE: SUB-POST OFFICE OF 40 SQ. MT AREA WILL BE PROVIDED IN SHOPPING CENTRE. A PUBLIC HEALTH SITE OF 1.04 ACRES HAS BEEN PROVIDED IN LAYOUT PLAN, WHICH IS NOT A PART OF CONSIDERED SCHEME.

TOTAL AREA OF SCHEME	204.796 ACRES
AREA UNDER GROUP HOUSING	11.89 ACRES
NET PLANNED AREA (IN ACRES)	192.906 ACRES

DETAIL OF PUBLIC UTILITY SITES			
SNO	PUBLIC UTILITY SITE	AREA IN SQ.M	AREA IN ACRES
1	PUMP ROOM	291.00	6.687
2	ELECTRIC SUB STATION	212.75	4.872
3	DG SETS	260.00	5.934
4	ELECTRIC SUB STATION	519.02	11.858
5	SEWAGE TREATMENT PLANT	85.13	1.934
6	ELECTRIC SUB STATION	883.84	20.140
7	SEWAGE TREATMENT PLANT	99.17	2.267
8	PUMP ROOM	21.50	0.491
9	ELECTRIC SUB STATION	313.58	7.164
10	SEWAGE TREATMENT PLANT	95.13	2.174
11	ELECTRIC SUB STATION	95.13	2.174
12	SEWAGE TREATMENT PLANT	95.13	2.174
13	ELECTRIC SUB STATION	100.10	2.278
14	DG SETS	100.10	2.278
15	PUMP ROOM	86.00	1.944
16	PUMP ROOM	4.00	0.091
17	ELECTRIC SUB STATION	299.1	6.824
18	WATER TANK	222.85	5.074
19	PUMP ROOM	11.50	0.262
TOTAL AREA (IN ACRES)		3414.286	77.843

(A) TOTAL ORIGINAL GREEN AREA SANCTIONED IN ACRES	12.891	6.687
(B) AREA UNDER PUBLIC UTILITY SITES IN ACRES	0.841	19.000
(A)-(B) - REMAINING GREEN AREA	12.049	6.256

POPULATION			
NOS OF PLOT X PERSON PER PLOT	TOTAL PERSON	GROUP HOUSING	DENSITY
1136	3366	2472	17986
9	270	3008	30058
TOTAL PERSON	3756	20658/204.796	97.94



LAYOUT PLAN
 SCALE: 1:2000
 NORTH ARROW
 REVISED RESIDENTIAL COLONY IN SECTOR 47 & 50 GURGAON (HARYANA)
 VILLAGE FATEHPUR, TIKRI, JHARSA & DAMPUR (GURGAON)
 MALIBU ESTATE PVT. LTD.
 OWNER'S SIGN
 ARCHITECT'S SIGN
 Project Logo and Signatures

1. This site plan is prepared for the purpose of showing the layout of the proposed residential colony in Sector 47 & 50, Gurgaon, Haryana. It is prepared in accordance with the provisions of the Haryana Urban Act, 1975 and the Haryana Urban (Amendment) Act, 1984.

2. The site plan is prepared on the basis of the site plan submitted by the applicant and approved by the competent authority.

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From Principal Secretary to Govt. Haryana,
Town and Country Planning Department
Haryana, Chandigarh.

To

1. The Chairman,
Real Estate Regulatory Authority
Gurugram
2. The Chairman,
Real Estate Regulatory Authority
Panchkula
3. The Director,
Town & Country Planning Department,
Haryana, Chandigarh

Memo No. Misc-2295/2021/1775 Dated: 25/01/2021

SUBJECT: RESOLUTION OF CONFLICTS ARISING IN THE IMPLEMENTATION OF
 1. HARYANA DEVELOPMENT AND REGULATION OF URBAN AREAS ACT, 1975
 2. REAL ESTATE (REGULATION AND DEVELOPMENT) ACT, 2016
 3. HARYANA APARTMENT OWNERSHIP ACT, 1983

Whereas, several inter-se conflicts in the implementation of the statutory provisions of the Acts, as mentioned under subject above, have come to notice of the Government, and, accordingly, detailed and deliberate consultations have been held with the Chairmen, RERA Panchkula & Gurugram and the Director, T&CP Department in fulfilment of the requirements of the respective general and special statutes;

Now, in order to further streamline the processes involved and for resolution of inter-se conflicts in the implementation of the statutory provisions, and, in exercise of the powers conferred under section 83(1) read with its proviso of the Act of 2016, as well as the powers conferred under Section 9A of the Act of 1975, the Governor of Haryana is pleased to issue the following directions:

A. **Procedure for addition / alteration in sanctioned plans, viz., layout plans, building plans etc:** The following procedure shall be adopted for the purpose of considering objections / suggestions of the allottees, in fulfilment of the provisions of Section 14(2) of the RERA Act, 2016 as well as the requirements, if any, under the Act of 1975:

L. The revised layout/building plan is approved in-principle with the following conditions:-

- i. That the colonizer shall invite objections from each existing allottee regarding the said amendment in the layout/building plan through an advertisement to be issued at least in three National newspapers widely circulated in District, of which one should be in Hindi Language, within a period of 10 days from the issuance of approval.
- ii. Each existing allottee shall also be informed about the proposed revision through registered post with a copy endorsed to the Senior Town Planner, Circle office in case of layout/building plan within two days from the advertisement as per (a) above clearly indicating the last date for submission of objection. A certified list of all existing allottees shall also be submitted to the Senior Town Planner, Circle office.

- iii. A copy of the earlier approved layout/building plan and the revised layout/building plan being approved in principle shall be hosted on your website and site office for information of all such existing allottees.
 - iv. That the colonizer shall submit certificate from the Senior Town Planner, Circle office about hosting the revised layout/building plan showing changes in the earlier approved plan on the website of the licensee.
 - v. To display the revised layout/building plan showing changes from the approved layout/building plan at your site office.
 - vi. That the allottees may be granted 30 days' time to file their objections in the office of the Senior Town Planner, Circle office. During this 30 days' period the original layout/building plan as well as the revised layout plan/building plans shall be available in the office of the colonizer as well as in the office of the Senior Town Planner, Circle office for reference of the allottees.
 - vii. The objections received, if any, shall be examined by the office of the Senior Town Planner, Circle office. The Senior Town Planner, Circle office shall give an opportunity of hearing to the colonizer and objector to explain their position regarding revised layout/building plan and shall submit the recommendation to the Competent Authority, within a period of 90 days from the issuance of the advertisement. The Competent Authority may decide to make amendments in the layout/building plan, which shall be binding upon the colonizer.
 - viii. That the colonizer shall submit a report clearly indicating the objection if any, received by him from the allottees and action taken thereof along with undertaking to the effect that the rights of the allottees have not been infringed, and that no objection on the changes has been received from any existing allottee.
 - ix. That you shall not give the advertisement for booking/sale of apartment till the final approval of revised layout/building plan.
- II. All such objections and suggestions shall be considered on their individual merits by the Director before taking a final decision on the approval of revised layout/building plan.
 - III. In case the coloniser submits an affidavit regarding non-creation of any third party rights in the colony, the requirement of intimating each allottee through registered post and related subsequent action shall be dispensed with, however, the requirement of issuance of public notice is still followed.

B. Treatment of community and commercial facilities falling in licensed colonies: In order to resolve the situation arising out of conflicting definition of common areas in the RERA Act, 2016, vis-a-vis the Haryana Apartment Ownership Act, 1983, for all intents and purposes, the common areas shall be governed by the definition as provided under the special Act of 1983 *ibid* in force in the State since 28.09.1983 and Rules of 1987 framed thereunder. Any contradictory provision / definition as existing in the RERA Act, 2016 shall be considered to be redundant for all facts and purposes.

This is issued with the approval of the competent authority in the Government. All necessary steps be taken to ensure the implementation of the decision as above in letter and spirit.

Sd/-
(A.K. Singh, IAS)
Principal Secretary to Govt. Haryana
Town & Country Planning Department

तीन महिलाओं से एक करोड़ की सोने की चूड़ियां बरामद जास, अमृतसर: श्री गुरु रामदास इंटरनैशनल एयरपोर्ट पर दुबई से आई तीन महिला यात्रियों से करस्टम विभाग ने वैकिंग के दौरान दो किलो 46 ग्राम सोने की चूड़ियां बरामद की हैं। चूड़ियों की कीमत करीब एक करोड़ बताई जा रही है। तीनों महिलाएं स्प्राइस जेट की फ्लाइट से अमृतसर पहुंची थीं। ये चूड़ियां उन्होंने सामान में गर्म कपड़ों के बीच छिपाकर रखी हुई थीं। विभाग ने कार्रवाई शुरू कर दी है।

दैनिक जागरण क्लासीफाइड
कम दाम, ज्यादा काम

आवश्यकता

तुलना आवश्यकता है शॉपिंग मॉल गुडगांव में रेमण्ड की दुकान में काउन्टर संभालने के लिए अनुभवी टेलर मास्टर की। सम्पर्क करें:- 9643910053

JVM SECURITY PVT. LTD.

श्रीधर आवश्यकता है अनुभवी मार्केटिंग एजीक्यूटिव (मैन/फ्रीलान्स) एवं ऑनलाइन प्रकाशक की दिल्ली, नोएडा हेतु

जॉब लोकेशन दिल्ली एवं नोएडा

सम्पर्क करें: 9650518595 9999995747

जॉब लोकेशन दिल्ली एवं नोएडा

सम्पर्क करें: 9650518595 9999995747

jvm.2000_secure@gmail.com

कम्प्यूटर प्रोग्रामर, सॉफ्टवेयर डेवलपर, निवर कर्माल सिलिका, नई दिल्ली

नौकरी का अवसर

संयुक्त रूप से

कार ड्राइवर

Car Driver

5 साल का ड्राइविंग अनुभव अनिवार्य

वेतन हुनर के हिसाब से

ओवर टाइम अलग से दिया जायेगा

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राहुल की मौजूदगी में भूमिहीनों ने अमर जवान ज्योति का किया शिलान्यास

मंच से राहुल ने कहा-भाजपा व उसकी विचारधारा देश के लिए बड़ा खतरा

राज्य ब्यूरो, रायपुर: कांग्रेस के पूर्व राष्ट्रीय अध्यक्ष व सांसद राहुल गांधी की मौजूदगी में गुरुवार को छत्तीसगढ़ की राजधानी रायपुर के साईंस कालेज मैदान में भूमिहीनों ने अमर जवान ज्योति का शिलान्यास किया। यह माना के छत्तीसगढ़ आर्म्ड फोर्स (सीएफ) बटालियन में बनाई जाएगी। इस मौके पर राजीव गांधी ग्रामीण भूमिहीन कृषि मजदूर न्याय योजना व राजीव युवा मितान योजना का शुभारंभ और नवा रायपुर में बनाए जाने वाले सेवाग्राम का भूमिपूजन भी किया गया। इस दौरान हुई सभा में मोदी सरकार पर निशाना साधते हुए राहुल ने कहा, भाजपा और उसकी विचारधारा देश के लिए सबसे बड़ा खतरा है। उन्होंने आरएसएस पर अपनी विचारधारा देश पर लादने का आरोप भी लगाया।



कांग्रेस के नेता राहुल गांधी और साथ में छत्तीसगढ़ के सीएम भूपेश बघेल ने गुरुवार को रायपुर में राजीव गांधी भूमिहीन कृषि मजदूर न्याय योजना के शुभारंभ अवसर पर वरखे पर हाथ आजमाया।

राहुल ने संबोधन की शुरुआत गत बुधवार को संसद में दिए अपने भाषण से की। उन्होंने कहा कि कल मैंने लोकसभा में कहा था कि हिंदुस्तान के सामने दो-तीन बहुत बड़ी चुनौतियां हैं। हिंदुस्तान विभिन्न विचारधाराओं, संस्कृति, भाषा और जीवनशैली के लोगों का ऐसा गुलदस्ता है, जहां हमारे हैं। भाई-चारे की भावना है। यही ह्यार देश है। इसी को हिंदुस्तान कहते हैं। उन्होंने कहा कि देशभक्ति का मतलब देश को मजबूत करना और गरीबों की मदद करना है, लेकिन आज देश में कुछ अमीर लोगों

के पास सबसे ज्यादा पैसा है। हम ऐसा देश होने देंगे। अगर इस देश में तरक्की होगी तो सब तरक्की करेंगे, सिर्फ कुछ उद्योगपति नहीं। गरीब-मजदूरों का कर रहे अपमान : राहुल ने कहा कि जो लोग सवाल करते हैं कि देश ने 70 साल में क्या किया, वे गरीब-मजदूरों और किसानों का अपमान करते हैं। उन्होंने कहा कि देश ने जो तरक्की की है, यह किसी दल या पार्टी की देन नहीं है, बल्कि देश के किसानों, मजदूरों, कारीगरों, छोटे उद्यमियों और व्यवसायियों की मेहनत का परिणाम है।

सिद्धू के खिलाफ रोडरेज मामले में 25 फरवरी को होगी सुनवाई

जागरण ब्यूरो, नई दिल्ली : पंजाब कांग्रेस अध्यक्ष नवजोत सिंह सिद्धू के लिए थोड़ी राहतभरी खबर है। सुप्रीम कोर्ट ने उनके वकील का अनुरोध स्वीकार करते हुए रोडरेज मामले की सुनवाई 25 फरवरी तक के लिए टाल दी है। अब कोर्ट 25 फरवरी को मामले पर सुनवाई करेगा, तब तक पंजाब में विधानसभा के चुनाव खत्म हो जाएंगे।

सिद्धू के खिलाफ रोडरेज का यह मामला 33 साल पुराना है। 27 दिसंबर 1988 को पटियाला में कार से जाते समय गुरुराम सिंह नाम के एक बुजुर्ग से सिद्धू ने झगड़ा हो गया था। इस झगड़े में सिद्धू को इलाज में सुनवाई कराया गया, जिसमें गुरुराम सिंह की मौत हो गई थी। इस मामले में सिद्धू गैर इरादतन हत्या के आरोप से बरी हो गए थे, लेकिन सुप्रीम कोर्ट ने सिद्धू को आड़पीसी की धारा 323

के लिए समय मांगा है, इसलिए मामले की सुनवाई चार सप्ताह तक टाल दी जाए। एडवोकेट आन रिकार्ड वहा वकील होता है, जो सुप्रीम कोर्ट में याचिका दायर करने के लिए अधिकृत होता है। पीठ ने सिद्धू की ओर से दिए गए पत्र का जिक्र करते हुए कहा कि इसमें तो एओआर ने कहा है कि केस अचानक लग गया, जबकि ऐसा नहीं है केस एडवॉस लिस्ट में पहले से शामिल था।

प्रतिवादी (सिद्धू) के सितंबर 2018 में ही नोटिस सर्व हो चुका है। चिदंबरम ने कहा, हो सकता है कि उनके लिए अचानक रहा हो। जस्टिस खानविल्कर ने कहा, वह सिर्फ स्थिति साफ कर रहे हैं। रजिस्ट्री को इस तरह नहीं घेरना चाहिए। हालांकि, अभी उसकी पहचान नहीं हो पाई है।

भारत-पाकिस्तान अंतरराष्ट्रीय सीमा पर तैनात सीमा सुरक्षा बल (बीएसएफ) के जवानों ने बुधवार रात को पाकिस्तान से भारतीय क्षेत्र में दाखिल हुए एक पाकिस्तानी को गोलियां मारकर मार कर दिया। माना जा रहा है कि वह पाकिस्तानी घुसपैठिया था। हालांकि, अभी उसकी पहचान नहीं हो पाई है।

भारत-पाक सीमा पर खलड़ा पोस्ट स्थित बीओपी (बार्डर आउट पोस्ट) कर्नल सिंह वाला पर तैनात बीएसएफ जवानों ने बुधवार रात 11:55 बजे पर पाकिस्तान की ओर से एक व्यक्ति को भारतीय क्षेत्र में दाखिल होते देखा। जवानों ने चेतावनी दी, इसके बावजूद पाकिस्तानी भारतीय क्षेत्र में दाखिल हो गया। इस पर बीएसएफ के जवानों ने करीब आठ राउंड फायर किए। गोली लगने से वह मौके पर देर हो गया। एसएसपी गुलनारी सिंह खुराना ने बताया कि थाना खलड़ा में पुलिस द्वारा मामला दर्ज करके आगे की जांच की जा रही है। उन्होंने बताया कि मरने वाले की पहचान के लिए बीएसएफ जवानों द्वारा पाक रजिस्ट्रार से संपर्क किया जा रहा है। एसएसपी खुराना ने बताया कि शव को पहचान के लिए 72 घंटे तक मोर्चरी में रखा जाएगा। इसके बाद पोस्टमार्टम होगा।

जूही चावला से जुर्माना वसूली के लिए दायर याचिका वापस

जास, नई दिल्ली : 5जी नेटवर्किंग के खिलाफ अभियंता जूही चावला समेत अन्य की याचिका पर एकल पीठ की ओर से लगाए गए 20 लाख रुपये के जुर्माने की वसूली को लेकर दायर याचिका दिल्ली राज्य विधिक सेवा प्राधिकरण (डीएसएलएसए) ने बुधस्मतिवार को वापस ले ली। न्यायमूर्ति अमित बंसल की पीठ ने न्यायमूर्ति विपिन सांधी और न्यायमूर्ति जसमीत सिंह की पीठ के 27 जनवरी को दिए गए आदेश को देखते हुए याचिका वापस लेने की अनुमति दे दी।

सुनवाई के दौरान डीएसएलएसए की तरफ से पेश हुए अधिवक्ता सौरभ कंसल ने पीठ को बताया कि जूही चावला ने उनके साथ कमजोर लोगों के उत्थान के लिए आयोजित होने वाले कार्यक्रम दिल्ली राज्य विधिक सेवा प्राधिकरण (डीएसएलएसए) ने बुधस्मतिवार को वापस ले ली। न्यायमूर्ति अमित बंसल की पीठ ने न्यायमूर्ति विपिन सांधी और न्यायमूर्ति जसमीत सिंह की पीठ के 27 जनवरी को दिए गए आदेश को देखते हुए याचिका वापस लेने की अनुमति दे दी।

वीएसएफ ने सीमा पर मार गिराया पाक घुसपैठिया

जागरण संवाददाता, तरनतारन : भारत-पाकिस्तान अंतरराष्ट्रीय सीमा पर तैनात सीमा सुरक्षा बल (बीएसएफ) के जवानों ने बुधवार रात को पाकिस्तान से भारतीय क्षेत्र में दाखिल हुए एक पाकिस्तानी को गोलियां मारकर मार कर दिया। माना जा रहा है कि वह पाकिस्तानी घुसपैठिया था। हालांकि, अभी उसकी पहचान नहीं हो पाई है।

नाम परिवर्तन

मैं, नैसी पुत्री राजीव भाटिया निवासी एएल-27ए, एनआईटी 5 फरीदाबाद, मैंने अपना नाम नैसी से बदलकर नैसी भाटिया रख लिया है। भविष्य में मुझे नैसी भाटिया के नाम से जाना जाए।

डाक्टर का तोता लापता, तलाशने वाले को एक लाख का इनाम

जागरण संवाददाता, जयपुर : राजस्थान के सीकर शहर में एक चिकित्सक का तोता तीन दिन पहले लापता हो गया तो उनकी पत्नी ने खाना-पीना त्याग दिया। तोता लापता होने से परेशान परिवार ने तलाशने के लिए स्थानीय समाचार-पत्र में विज्ञापन छापवाने के साथ ही शहर में पोस्टर चिपकाए हैं। दो लोगों को पैसे देकर घर-घर पंफलेट भी वितरित करवाए जा रहे हैं, लेकिन अब तक तोता नहीं मिला है। उन्होंने तोता तलाशने वाले को एक लाख रुपये का इनाम देने का एलान किया है।

गुमशुदा

नरेन्द्र कुमार पुत्र स्व० रामप्रसाद (हाइट 5 फुट 7 इंच, गेहुंआ रंग, सामान्य कद काठी) उम्र : करीब 63 वर्ष, पता : निवासी 103 कालन्दी कुंज, थाना टीपीनगर, जिला मेरठ, दिनांक 31.01.2022 को पूठ नहर पुल (रोहटा रोड) से समय 10.30 बजे के करीब यहाँ से लापता है। काफी तलाशने पर भी नहीं मिल पाये। अतः जिस किसी व्यक्ति को भी इनके बारे में पता चले निम्न नं० पर सम्पर्क करें।

आवश्यकता है अनुभवी AC मैकेनिक और हेल्पर की।

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व्यापार

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भरवाड हत्या मामले में एटीएस ने तीन और को गिरफ्तार किया

राज्य ब्यूरो, अहमदाबाद : गुजरात आतंकवाद निरोधक दस्ते (एटीएस) ने किशन भरवाड हत्या मामले में और तीन आरोपितों को गिरफ्तार किया है। इनमें से एक ने हत्याओं को धंधका में खाना व आर्थिक मदद मुहैया कराई थी जबकि दो पर पोरबंदर के सड़न ओडेरा की हत्या के प्रयास का आरोप है। भरवाड हत्या मामले में अभी तक कुल आठ लोगों को गिरफ्तार किया जा चुका है। इंटरनेट मीडिया पर विवादित पोस्ट को लेकर 25 जनवरी को शम्बीर व इतिहास ने अहमदाबाद जिले के धंधका में किशन भरवाड की गोली मारकर हत्या कर दी थी। साजिश में शामिल अहमदाबाद व दिल्ली से दो मौलवी पकड़े जा चुके हैं।

गुमशुदा

नरेन्द्र कुमार पुत्र स्व० रामप्रसाद (हाइट 5 फुट 7 इंच, गेहुंआ रंग, सामान्य कद काठी) उम्र : करीब 63 वर्ष, पता : निवासी 103 कालन्दी कुंज, थाना टीपीनगर, जिला मेरठ, दिनांक 31.01.2022 को पूठ नहर पुल (रोहटा रोड) से समय 10.30 बजे के करीब यहाँ से लापता है। काफी तलाशने पर भी नहीं मिल पाये। अतः जिस किसी व्यक्ति को भी इनके बारे में पता चले निम्न नं० पर सम्पर्क करें।

पुलिस तंत्र के दुरुपयोग में सरकार पार्टी नहीं हो सकती : सुप्रीम कोर्ट

नई दिल्ली, प्रेड : एक महिला के खिलाफ अपराधिक कार्यवाही पर दो हफ्ते की रोक लगाते हुए सुप्रीम कोर्ट ने गुरुवार को टिप्पणी की कि पुलिस तंत्र के दुरुपयोग में सरकार पार्टी नहीं बन सकती। शीर्ष अदालत ने इस बात पर कड़ी नाराजगी जताई कि पंजाब की लोक इंसाफ पार्टी के विधायक सिमरजीत सिंह बेस पर दुष्कर्म का आरोप लगाने के बाद महिला के खिलाफ चार एफआइआर दर्ज कर दी गई।

दैनिक जागरण 'हिंदी हैं हम' का वसंतोत्सव

जागरण संवाददाता, नई दिल्ली : भारतीय शास्त्रीय गायन और नृत्य की परंपरा में वसंत के महीने का महत्वपूर्ण स्थान है। सूरदास से लेकर जयदेव और भारतेन्दु हरिश्चंद्र तक ने वसंत पर कड़ी नाराजगी जताई कि पंजाब की लोक इंसाफ पार्टी के विधायक सिमरजीत सिंह बेस पर दुष्कर्म का आरोप लगाने के बाद महिला के खिलाफ चार एफआइआर दर्ज कर दी गई।



प्रधान न्यायाधीश एनवी रमना, जस्टिस एएस बोपन्ना और जस्टिस हिमा कोहली की पीठ विधायक और विधायक पर दुष्कर्म का आरोप लगाने वाली महिला, दोनों की ओर से दायर याचिकाओं पर सुनवाई कर रही थी। शीर्ष अदालत ने सिमरजीत को गिरफ्तारी से मिली राहत की अवधि भी एक सप्ताह के लिए बढ़ा दी।

वसंतोत्सव का अंतिम सत्र कविता पाठ का होगा। प्रभा खेतान फाउंडेशन के सहयोग से आयोजित होने वाले इस कार्यक्रम में फाउंडेशन से जुड़ी अहसास वूमन भी हिस्सा लेंगी।

प्रधान न्यायाधीश एनवी रमना, जस्टिस एएस बोपन्ना और जस्टिस हिमा कोहली की पीठ विधायक और विधायक पर दुष्कर्म का आरोप लगाने वाली महिला, दोनों की ओर से दायर याचिकाओं पर सुनवाई कर रही थी। शीर्ष अदालत ने सिमरजीत को गिरफ्तारी से मिली राहत की अवधि भी एक सप्ताह के लिए बढ़ा दी।

सुनवाई के दौरान पीठ ने महिला के खिलाफ अपराधिक मामले दर्ज करने की आलोचना करते हुए सवाल किया, 'आपके राज्य में क्या हो रहा है? महिला के खिलाफ अतिव्यवहार मामले दर्ज किए गए हैं? अब वह अग्रिम जमानत चाहते हैं और महिला को जेल चले जाना चाहिए। आप (राज्य) पुलिस शशीनरी के ऐसे दुरुपयोग में पार्टी नहीं हो सकते।' पंजाब सरकार के महाविधायक डीएस पटवालिया ने कहा कि इस विवाद में सरकार को कोई भूमिका नहीं है।

वसंतोत्सव का अंतिम सत्र कविता पाठ का होगा। प्रभा खेतान फाउंडेशन के सहयोग से आयोजित होने वाले इस कार्यक्रम में फाउंडेशन से जुड़ी अहसास वूमन भी हिस्सा लेंगी।

Haryana D.El.Ed. Admission Session 2021-23

Online applications for admission to Diploma in Elementary Education (D.El.Ed.) course 2021-23 for D.El.Ed. Institutions are invited for 4th counseling from the residents of Haryana & Outside Haryana, after paying registration and counseling fee of Rs. 500/- (Rs. Five hundred only) for General and Rs. 275/- (Rs. Two hundred seventy five) for SC & BC and differently abled category candidate as per following schedule. The payment can be made by three different modes i.e. through online Banking, debit/credit card and any branch of State Bank of India through computer generated deposit slip.

Sl. No.	Programme	From	To
Online Registration, Payment of Fees, Filing of Application Form			
1.	Online Registration, Payment of Fees & Application Form Filing for Payment Mode Other than SBI & Axis Bank Chaitan	04-02-2022	10-02-2022
2.	Online Registration, Payment of Fees & Application Form Filing for SBI Chaitan Mode	04-02-2022	10-02-2022
3.	Schedule for Fee Acceptance at SBI or Axis Bank, through Computer Generated Chaitan	04-02-2022	10-02-2022
4.	Schedule for the Candidates who have already paid the fee at SBI or Axis Bank, till dated 11-02-2022, can fill the remaining Online Application Form.		11-02-2022
10th Round - Allocation & Admission			
5.	Publishing college wise list of admitted candidates on website.		12-02-2022 3:00 PM
6.	Downloading Provisional Admit letters by candidates in Candidates Login	12-02-2022 3:00 PM	15-02-2022 3:00 PM
7.	Admitted students. Report to concerned college and finalize the Admission. Colleges will update the admissions online from their login	12-02-2022	15-02-2022
11th Round - Allocation & Admission			
8.	Change of option by the candidates, if desired so		16-02-2022
9.	Publishing college wise list of admitted candidates on website.		17-02-2022 at 3:00 PM
10.	Downloading Provisional Admit letters by candidates in Candidates Login	17-02-2022 3:00 PM	21-02-2022 3:00 PM
11.	Admitted students. Report to concerned college and finalize the Admission. Colleges will update the admissions online from their login	17-02-2022	21-02-2022

Note: 7. Candidates are advised to go through the instructions before filling the online application form available on website www.dedharyana.org or link through council website www.scertharyana.gov.in 2. Candidates, who have already deposited application fee and did not allotted any seat will be converted into General category seats. 3. If candidates of Reserve categories are not available in their categories these seats will be converted into General category seats. 4. If candidates of Science, Commerce and Vocational stream are not available these seats will be converted into Arts stream and vice-versa. Candidate can opt for minimum three institutions at the time of counseling

मुख्यालय
कर्मचारी राज्य बीमा निगम
(श्रम एवं रोजगार मंत्रालय, भारत सरकार)
पंचवीन भवन, सी.आई.डी. मार्ग, नई दिल्ली-110 002
वेबसाइट : www.esic.nic.in, www.esic.in

क.रा.बी. निगम में केरल और कर्नाटक के लिए विशेषज्ञ ग्रेड- II (वरिष्ठ स्केल) की भर्ती

कर्मचारी राज्य बीमा निगम संसद के एक अधिनियम (ईएसआई अधिनियम, 1948) के तहत गठित एक वैधानिक निकाय है और श्रम और रोजगार मंत्रालय, भारत सरकार के प्रशासनिक नियंत्रण में काम करता है। कर्मचारी राज्य बीमा निगम सीधी भर्ती के आधार पर विशेषज्ञ ग्रेड-II (वरिष्ठ स्केल) की भर्ती का प्रस्ताव देता है। रिक्तियों का विवरण इस प्रकार है-

क.सं.	विशेषता	क्षेत्र का नाम	
		केरल	कर्नाटक
1	कार्डियोलॉजी	अपिव-1, अनारक्षित-1	अपिव-1, अनारक्षित-1
2	एंडोक्रिनोलॉजी	अनारक्षित-1	अजा-1, अनारक्षित-1
3	गैस्ट्रोएन्ट्रोलॉजी	अपिव-1, अनारक्षित-1	अनारक्षित-1
4	नेफ्रोलॉजी	अजा-1, अनारक्षित-1	अपिव-1, अनारक्षित-1
5	न्यूरोलॉजी	---	अपिव-1, अनारक्षित-1
6	ऑन्कोलॉजी	अनारक्षित-1	अजा-1#, अनारक्षित-1
7	यूरोलॉजी	अनारक्षित-1	अजजा-1
8	पेडियाट्रिक सर्जरी	---	अपिव-1, ईडब्ल्यूएस-1
9	प्लास्टिक सर्जरी/बर्न	---	अनारक्षित-1
		कुल	09*

#बैकलॉग रिक्ति
* नौ रिक्तियों में से एक रिक्ति बेंचमार्क विकलांग व्यक्तियों (पीडब्ल्यूडी) के लिए आरक्षित है।
** पंद्रह रिक्तियों में से एक रिक्ति बेंचमार्क विकलांग व्यक्तियों (पीडब्ल्यूडी) के लिए आरक्षित है।
वेतन मान:- विशेषज्ञ ग्रेड-II (वरिष्ठ स्केल): 78,800/- रुपये के शुरुआती वेतन के साथ 7वें सीपीसी के वेतन मैट्रिक्स का लेवल-11।
वेतन के अलावा, डीए, एनपीए, एचआए और परिवहन भता भी समय-समय पर लागू नियमों के अनुसार स्वीकार्य होगा।
आयु सीमा- दिनांक 07.03.2022 को आयु 45 वर्ष से अधिक न हो। कर्मचारी राज्य बीमा निगम के कर्मचारियों और सरकारी कर्मचारियों को आयु में 5 वर्ष तक की छूट। भारत सरकार के निर्देशों के अनुसार एससी/एसटी/ओबीसी/पीडब्ल्यूडी/पूर्व-सैनिक उम्मीदवारों को भी उपरी आयु सीमा में छूट प्रदान की गयी है। अधिक जानकारी के लिए, उम्मीदवारों को सलाह दी जाती है कि वे ईएसआईसी की वेबसाइट यानी www.esic.nic.in पर उपलब्ध विस्तृत विज्ञापन देखें।
आवेदन प्राप्त करने की अंतिम तिथि 07.03.2022 है। (असम, मेघालय, अरुणाचल प्रदेश, मिजोरम, मणिपुर, नागालैंड, त्रिपुरा, सिक्किम, लद्दाख, लाहौल और स्पीति जिले एवं हिमाचल प्रदेश के चंबा जिले के पानी चप-मंडल, अंडमान और निकोबार द्वीप और लक्षद्वीप में रहने वाले उम्मीदवारों से आवेदन प्राप्त करने की अंतिम तिथि 14.03.2022 होगी)
उप निदेशक (भर्ती)

NHAI nod to changes in NH-44 layout

PARVEEN ARORA
TRIBUNE NEWS SERVICE

KARNAL, FEBRUARY 3

The National Highway Authority of India (NHAI) has given its approval for change of scope on the National Highway-44, between the Nirmal Kutuya Chowk and Government College Chowk.

Under the plan, the present entry point between both the chowks will be closed and an exit point from the main lane to the service lane will be made. Presently, this entry point is being used to access the main lane of the NH-44 from the service lane.

It was a long-pending demand of the residents here. Nirmal Kutuya Chowk is one of the main chowks of the city, as the diversions from it lead to the Mini Secretariat, key government offices in Sector 12, banking sector, Nirmal Kutuya, Kalpana Chawla Government Medical College, Trauma Centre, Civil Hospital and others. In the absence of an exit point, the commuters had to travel to



The NHAI has given nod to another exit point on NH-44 in Karnal. TRIBUNE PHOTO: SAYEED AHMED

EXIT POINT FROM MAIN LANE

- Under the plan, an exit point from the NH-44 main lane to the service lane between the Nirmal Kutuya Chowk and Govt College Chowk will be constructed
- It was a long-pending demand of the residents here. Nirmal Kutuya Chowk is one of the main chowks of the city, as the diversions from it lead to the Mini Secretariat

DEMARICATION DONE

“We have completed the survey work and demarcation of the point. The work will be started

SOON.” Bhanu Pratap Singh,
SECTION ENGINEER, NHAI, AMBALA

the ITI Chowk and then take a U-turn to return to the Nirmal Kutuya-hospital road.

“The issue has been raised at the meetings of the district-level road safe-

ty committee for the past three years. I have apprised the higher author-

ities of the NHAI about the problems being faced by the commuters. Now, the NHAI has given permission for the change of scope on the NH.” said Nishant Kumar Yadav, Deputy Commissioner-cum-chairman of the committee.

The NHAI authorities claimed that the work would be started soon. “We have completed the survey work and demarcation of the point. Presently, the agency is working at an exit point near Umri in Kurukshetra and after the completion of that point, the manpower with machines will be pressed into service here in Karnal,” said Bhanu Pratap Singh, section engineer of the NHAI, Ambala. This will be made as per the norms and regulations of the Indian Road Congress (IRC), he said.

The locals are elated with decision. “We had raised the issue with the district authorities several times. We are happy that the work will be done soon,” said Sagar Nagpal, a local resident.



Chief Minister Manohar Lal Khattar inaugurates a project in Karnal on Thursday. SAYEED AHMED

Year after facing farmers' ire, Khattar visits Karnal village

TRIBUNE NEWS SERVICE

KARNAL, FEBRUARY 3

Over a year after “facing the wrath” of protesting farmers, Haryana Chief Minister Manohar Lal Khattar on Thursday visited Kaimla village.

The village had grabbed headlines after farmers forced the CM to abandon his public meeting on January 10, 2021. His stage and helipad were also vandalised on that day by farmers protesting against the three farm laws.

After paying obeisance at a temple, which was also scheduled, the CM addressed the residents and announced a ‘langar’ hall, renovation of ponds and a biogas plant in Kaimla.

He did not want to go into the details of last year’s incident and said, “I was to come here last year, but circum-

HELIPAD WAS VANDALISED

- Kaimla village had grabbed headlines after farmers forced the CM to abandon his public meeting on January 10, 2021
- His stage and helipad were also vandalised on that day by farmers protesting against the three farm laws

stances did not allow my helicopter to land. I do not want to go into the details of that incident and will think of the future. Today, I came and paid obeisance here.”

The CM is on a two-day visit of the district. His first programme was at Kaimla village where he was welcomed by the locals. Later, the CM was welcomed by residents of Barsat, Jamalpur and Panori villages.

Accompanied by local MLA Harvinder Kalyan, the CM also reviewed the work of the NCC Academy in Ariapura village. Later in the evening, the CM also started the project of replacement of 25,000

conventional lights with LED lights at Ram Nagar.

On the statement of former Congress president Rahul Gandhi about two countries and suppressing the voice of various agencies, the CM said that the Congress was saying what it had done during its tenure.

The CM claimed that the BJP is performing well in the Assembly elections in five states. He said that the BJP would form the government in UP, Uttarakhand and Manipur. He will perform well in Punjab also and will form the government with like-minded parties,” said the Chief Minister.

Delay in dues irks sugarcane farmers

NITISH SHARMA
TRIBUNE NEWS SERVICE

AMBALA, FEBRUARY 3

Sugarcane farmers in Ambala continue to face a tough time, like in previous seasons, as the Naraingarh sugar mill couldn’t ensure timely payment to the farmers who have supplied sugarcane to the mill since the season started in November last year.

The farmers rue that they are forced to hold protests and make repeated requests to get their payments. Even the Rs 27.59-crore cash payment of the previous season that ended in April was cleared in December last year.

Vinod Rana, president, Ganna Kisan Sangharsh Samiti, said, “The mill started operations for the current season on November 23 and so far, payments up to December 4 have been cleared. Due to excess rainfall, the farmers have suffered wheat and mustard crop loss, and the payments of sugarcane are also stuck.



Sugarcane farmers take rest as they wait for their turn to weigh the yield on a scale at Bhopada in Muzaffarnagar. PTI FILE

ONLY ₹12.61 CR CLEARED, ₹73 CR PENDING

“The farmers delivered over 23.48 lakh quintals sugarcane worth around ₹85 crore till January 31. The payment of ₹12.61 crore up to Dec 4 has been cleared so far, while the payment of ₹73 crore is due.

Rajiv Sharma, GENERAL SECY & SPOKESMAN, BKU (CHARUINI)

In such conditions, farmers are finding it hard to manage their expenses. Moreover,

the post-dated cheques of the previous season are also pending. A kisan panchayat

has been called on February 7 to discuss the issue, and this time the committee will take a strict decision.”

Sub-Divisional Magistrate Naraingarh Niraj, who is also holding the charge of the chief executive officer of the mill, said, “So far in this season, the mill has cleared around Rs 27.59 crore payment and around Rs 24 crore PDC (post-dated cheques) of the previous season, while around Rs 12.61 crore of the current season has been released. Due to the recent rainfall, the sugarcane didn’t reach the mill due to which the operations were stopped for around six days, and the production of sugar was affected. Besides, the price of sugar in the market was also ruling on the lower side due to which the mill couldn’t sell sugar. But things are coming back on track. On Monday, the mill released around Rs 90 lakh and all efforts are on to ensure timely payment to farmers.”

Woman robbed at gunpoint

KARNAL, FEBRUARY 3

A woman was held at gunpoint in her residence by two armed miscreants and robbed of jewellery and valuables at Assandh on Wednesday.

Rahul Bansal, trader, filed a complaint, saying robbers entered the house when his wife went out for a while. When she returned, they held his wife at gunpoint. “They took away around 4 ‘tola’ gold jewellery and Rs 25,000 cash and managed to escape,” he said. —TNS

Scheduled Caste plan funds diverted to other development works in Karnal

Info revealed by Municipal Corporation in response to an RTI query

TRIBUNE NEWS SERVICE

KARNAL, FEBRUARY 3

Funds running into lakhs, sanctioned for the Scheduled Caste Sub-Plan (SCSP), have been used for other development works like installing water harvesting systems in parks, near the IG office and schools, on high-mast and solar lights, construction of paths in educational institutions, and other works.

As per officials, the SCSP funds can be used only in the area where majority of population is of the Scheduled Caste (SC) community.

This was revealed in a reply of an RTI query filed by city-based activist Rajesh Sharma, who sought information from the Karnal Municipal Corporation (KMC), about the usage of the SCSP funds from the financial year

TO BE USED WHERE MAJORITY POPULATION IS SC

- As per officials, the Scheduled Caste Sub-Plan funds can be used only in the area where majority of population is of the Scheduled Caste community.
- This was revealed in a reply of an RTI query filed by city-based activist Rajesh Sharma, who sought information from the Karnal MC, about the usage of the SCSP funds from the financial year 2016-17 to 2020-21

2016-17 to 2020-21.

In 2016-17, besides utilising funds in the areas of the SC community, the KMC spent ₹2.42 lakh on the installation of high-mast light near a temple in Ward No. 12. Besides, funds were spent on construction of rooms and paths in schools.

Solar light was also installed in Sector 7 at cost of ₹49,000, the KMC stated in its reply.

Similarly, in 2017-18, funds were spent on various development works of different schools and

₹4 lakh on the development of a park in Sector 8 and ₹7.36 lakh on installing rainwater harvesting systems near the IG office, Atal Park and cricket ground in Sector 9, the KMC added.

In 2020-21, ₹2.41 lakh was used on development of the basketball ground in Sector 6 and ₹6.59 lakh was spent on the construction of boundary wall, laying interlocking paver blocks and sewer pipeline on the Nari Niketan premises in the city, the KMC stated in its reply.

Yogesh Kumar, Additional Deputy Commissioner (ADC), said the issue had come to his notice and he will get it checked. “Generally, funds of this head are used in the area where maximum population of the SC community resides,” the ADC added.

Cong starts digital membership

CHANDIGARH, FEBRUARY 3

With the aim of acquiring maximum members in Haryana by March 31 this year, the Congress has decided to start digital membership. Enrollees are being trained on how to use the app before enrolling for digital membership at booth level.

Haryana Pradesh Congress Committee president Kumari Selja said a training camp would be organised at the PWD rest house, Panchkula, today for the digital membership drive. —TNS

Woman ‘raped’ on promise of loan

TRIBUNE NEWS SERVICE

YAMUNANAGAR, FEBRUARY 3

A woman was allegedly gang raped by three persons in Bilaspur town of Yamunanagar district on the pretext of providing her dairy farm loan from a bank.

On the complaint of the victim, a case was registered against three persons under Sections 342, 376-D and 506 of the IPC at Bilaspur police station on February 1.

In her police complaint, the victim said that a man made a call on the mobile number of her woman friend

Three persons had lured the victim

and told her that he provided dairy farm loan. She said that she and her woman friend went to Bilaspur town from their village falling under Chhachhrauli police station on February 1.

She alleged that he (caller) took them to a house in Bilaspur town on the pretext of having a meeting with the bank manager. She further alleged that he took her inside a house but asked her

woman friend to stand outside the house.

“Two persons were having liquor in the house. I was made to sit in a room. After sometime, the trio came into my room. I tried to flee from there but they bolted the room from inside. One of them had a broken glass bottle in his hand. They raped me by keeping the broken bottle on my neck,” alleged the victim.

She said that when they entered her room, they told her that they belonged to Kapuri village of Yamunanagar district and would soon get her loan passed.

Police remand for ex-SHO, residents protest decision

GRAFT CASE

TRIBUNE NEWS SERVICE

KAITHAL, FEBRUARY 3

The former SHO of Cheeka police station in Kaithal, Inspector Jaiveer, who was arrested on Wednesday by a team of the state Vigilance Bureau, allegedly for accepting bribe, was produced in the court on Thursday and was sent to one-day police remand.

The police are yet to recover bribe money from him. “We have taken Inspector Jaiveer on one-day police remand,” said Inspector Suresh Saini, State Vigilance Bureau, Kaithal.

After the court hearing, residents protested in support of the SHO and handed over a memorandum to the SDM

Bribe money not yet recovered

and SP in the matter. “The SHO was trapped and was arrested without recovery of bribe money from his possession,” said Parmod, a local resident.

He was arrested on the complaint of Chand Ram, a resident of Cheeka district, Kaithal, who had filed a complaint against the accused for demanding a bribe of Rs 5,000 in lieu of disposing a case pending against him at Cheeka police station.

A case under the Prevention of Corruption Act was registered against the accused in at Bureau’s Ambala police station.

Health outfit slams Centre for ‘poor Budget’

TRIBUNE NEWS SERVICE

ROHTAK, FEBRUARY 3

The Jan Swasthya Abhiyan, Haryana, a network of many organisations engaged in health awareness and advocacy, said the Centre had utterly failed to allocate the much-needed increase in the Budget for strengthening the public health system, National Health Mission Programme and Covid-related provisions.

Dr Ranbir Singh Dahiya, core committee member of the organisation, said the Centre had made tall claims to meet the requirements to strengthen the health care infrastructure but it all fell flat. Dahiya called upon people to mount pressure on the Centre to fulfil the demand for essential allocations for public health.

‘Fake ghee’ packets seized in Ambala, case registered

TRIBUNE NEWS SERVICE

AMBALA, FEBRUARY 3

The Ambala police have registered a case under charges of the copyright Act and cheating, using false property mark and counterfeiting property mark after fake packets of Patanjali ghee were allegedly recovered from a store in Barara of Ambala on Wednesday evening.

Akhilesh Pal, a resident of Indore, stated that their company’s “investigation and detective services” had been authorised by Patanjali Ayurved Limited to keep a check on fake products. In his complaint to the police, Akhilesh said they came to know that two wholesalers, Narender Super Store and Sunder Lal Sunil Kumar

Trader, in Barara were selling Patanjali Ghee at lower rates.

A team comprising food safety officer Rajiv Kumar and Barara police conducted raids in this regard. During checking, 15 packs of 1 kg each of Patanjali Ghee were recovered from Narender Super Store which didn’t match with the company’s product. The printing, artwork and colour were different. Four samples have been taken by the food safety officer for testing.

The complainant further stated that as per his experience, the packs were prepared to look like Patanjali’s ghee in order to cheat the customers.

A case was registered under Sections 420, 482, 483, 485, 486 of the IPC and 63, 64, and 65 of the Copyright Act at the Barara police station.

Historians’ committee formed for war memorial

TRIBUNE NEWS SERVICE

AMBALA, FEBRUARY 3

A committee of historians has been constituted to identify the arms, medals, dresses, artefacts and script writing for “Azadi ki Pehli Ladaai Ka Shaheed Samarak” (war memorial) in Ambala Cantonment.

As per the orders issued by Principal Secretary, Information, Public Relations and Languages Department, the department has agreed to the proposal to constitute a committee of historians for the under-construction war memorial.

Dr Raghuvendra Tanwar, Professor (emeritus), Kurukshetra University, presently director, Haryana Academy of History and

Culture, Professor Kapil Kumar, former professor of History, IGNOU, New Delhi, Professor Anupa Pande, director/ Pro-VC of National Museum Institute, New Delhi, Colonel Yogender Singh (retd), Dr Devender Kumar Sharma, archivist, National Archives of India, and Dr Uday Vir, retired head of the department of history from SD College Ambala, have been designated as the six members, while Director General Information, Public Relations and Languages Department has been designated as the convener of the committee.

The committee will identify the script writing, arms, medals, dresses and artefacts to be displayed at the war memorial.

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Site Office: 2nd Floor, Shopping Arcade, Malibu Towne, Sector 47, Sohna Road, Gurugram, Haryana - 122018.

PUBLIC NOTICE
Whereas Mrs. Malibu Estate Pvt. Ltd. (the Developer) is in the process to regularize the public services on layout plan of 'MALIBU TOWNE', Village: Tikri, Fatehpur, Jharsa & Adampur, Sector-47 & 50 Gurugram, Haryana, over an area measuring 204.796 acres (covered in License No. 71 to 75 of 1992 dated 28.10.1992, License No. 4 to 8 of 1993 dated 18.03.1993, License No. 15 to 19 of 1994 dated 08.12.1994, License No. 4 to 8 of 1995 dated 15.11.1995, License No. 36 to 46 of 1997 dated 21.07.1997 & License No. 15 of 2008 dated 31.01.2008).

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

In accordance with the process, a request has been made to DTCP to get these facilities marked on the layout plan. A copy of the proposed Layout Plan bearing drawing no. DTCP/5625 Dated: 28.09.2016 approved-in-principle by the DTCP, Chandigarh, Haryana, marked with these facilities is available at Malibu Estate Pvt. Ltd. office & also on our company's website www.malibuestate.com, in accordance with the directions vide letter dated 27.01.2022 given by Director, Town and Country Planning, Haryana, Chandigarh, in compliance of the order dated 25.01.2021.

However, please feel free to file objection, if any, in the office of 'Senior Town Planner, Sector 14, HUDA Complex, Gurugram, Haryana', within 30 (thirty) days of publication of this notice, failing which it shall be assumed that there are no objections to the above stated proposed Layout Plan.

For Malibu Estate Pvt. Ltd.
Paper: Tribune dated 3/2/2022

S.No	Complainant	Address	Date	Subject of the Complaint	Complaint	Company's Reply
28	Dilraj Kumar Sharma	BS/12N	07.03.2022	Facilities in Malibu Towne. Objection to the proposed Master Plan	Inadequate Facilities In-adequate Infrastructure and Services Sewerage line connection with Storm water line by the residents Sohna Road Entrance Water Logging in Monsoon Erratic Electric Supply Erratic Water Supply Club Is for residents	Its denied that the facilities are inadequate. Its submitted that the facilities had been provided as per approved layout plan. Denied Arrangement already made of clearance of water in monsoon. water logging prob is due to the elevation of sohna road from the initial level DHBVN Supply The supply is depends on the GMDA supply Please refer Hon'ble Supreme Court Order-CS/10930/2013,Matter subjudice with federation.
29	Swapnila Mehta Begerhotta	AW-32	18.02.2022	In-Complete Community Sites Rain Water Harvesting Pits STP in Green Belts BSNL Office Selling STP water for construction purpose Covers / lid of storm water drains are broken Borewells by the residents Pavements are broken Road re-lay before handing over No water hydrants in parks IDC / EDC charges for development	No community site is with the company,all are allotted All rain water harvetsing pits are working. yearly maint. is on-going. STP location is shown in the regularised lay out plan which is also principally approved and all the structure has been camouflaged as per the direction of DTCP BSNL got the stay againt vaction of th eproperty on 30.05.2017, case sub-judice -CS/1451/2017 Water supply for construction purpose is as per the rules & Hon'ble Supreme Court Order Denied / Maintenance of township is the on going process MEPL never given the permission to anybody for borewell. Water connection; DG sets in Malibu Towne; Bore wells were laid after due sanction. As of today only 2 Bore wells are functional only and only for emergency for which there is sanction. DG Sets are not being operated from the green belt area of the township. It is stated that the DG sets have been removed from the common area on the intervention of the DGTCP and are no longer being operated from green belt area as falsely alleged. Those in open areas are put up by the RWAs. Maintenance of township is the on going process The Co. will follow the Govt. norms at the time of handing over. Any action in this regard is to be taken after regularisation of layout plan only & as per the rules. Its already deposited with the DTCP, Chandigarh have been duly deposited with the State. Accounts are maintained in this regard. Under the 1975 Act and the law laid down by the Apex Court the cost towards IDC is to be borne by the Residents.	

S.No	Complainant	Address	Date	Subject of the Complaint	Complaint	Company's Reply
15	Dr. Raj Kumar Bhargava	Tower-1/204	28.02.2022	Objections of Proposals for revision of Layout Plan by MEPL	legalised illegal acts of Malibu Estate Pvt. Ltd. which tempt amount to seeking confirmation from the residents to conform that systematic corruption is allowed in India	No illegality has been done in revision of layout plan and no green area has been reduced from the given norms
16	Dr. Rakish Singh	WW-23-GF	08.02.2022	Objection on contents of letter dated 03.02.2022 from MEPL on drawing no. DTCP/5626, dated 28.09.2021	Seeking confirmation from the residents to confirm the layout plan, systematic corruption is allowed in India	Its specifically denied that any corruption has been made in approval of revised lay out plan. All other allegations including corruptions are vague and not specified.
17	Atul Chaphekar	WW-85, FF	19.02.2022	Approval of layout Plan bearing drawing no. DTCP/5626, dated 28.09.2021 submitted by MEPL Gurgaon, Haryana.	In the complaint approval was given for revised layout plan and requesting to rectify the balance adequate infrastructure.	The company is continuously rectifying the deficiencies (if any) in the township, with the approval of DTCP. Its also mentioned that the company is used to continuously maintain the colony in a best possible way, as this is the ongoing job.
18	Mr. Kaman Sharma	CW-58-FF	08.02.2022	Refusal with objections to the letter ref. no. MT/MEPL/Cw/58FF, dated 03.02.2022, (Copy attached). Issued by authorised signatory (no name written) of the licensee company M/s Malibu Estate Pvt. Ltd.	Why the land for mandatory services are not planned earlier	As its not mandatory to mention in the lay out plan, i.e. 2004
					How its has been placed now for approval	Approval for regularisation of revised lay out plan is as per the norms/ law
					Why Earlier In Principle was cancelled	No Comments
					How can earlier NOC's granted	All NOC's granted earlier are as per the Govt. norms.
					EDC & IDC - for illegal services	Denied, as both EDC & IDC are already deposited in DTCP dept.
					Regularisation - when the FIR at Sadar Police station	No Comments
					Responsibility for - Court pronouncement and damages	Company will obey the Hon'ble court order
					Forest & Environment Clearance	N.A (mentioned above)
					3 STP's without approval from HSVP, MCG, GMDA & DTCP.	Already marked in regularised plan
					14 No.'s of DG's sets - on green belt	Already marked in regularised plan
					Parks are not maintained	Denied / all parks are maintained
					Infrastructure and services are as per the law, requirements and approved plans	Denied
					33/11KVA Substation - Land provision	Already marked in regularised plan, as its only upgradation on existing site.
					Cost / value of land for infrastructure services for regularisation	Denied
Land for Garbage Collection	No Provision in lay out plan					
why HSPCB initiated legal action	Matter Sub-judice, No Comments					
Forest land no approval	N.A					
why DC were stalled	As on date OC's are granted					
licenses are expired	All licenses are valid and renewed					
Sale of Green Area	No Green Area is sold by the Co.					
19	Prem Lata Bhandari	WW-81, GF	19.02.2022	Approval of layout Plan bearing drawing no. DTCP/5626, dated 28.09.2021 submitted by MEPL Gurgaon, Haryana	In the complaint approval was given for revised layout plan and requesting to rectify the balance adequate infrastructure.	The company is continuously rectifying the deficiencies in the township, with the approval of DTCP. Its also mentioned that the company is continuously maintaining the Township, in the best possible way.
20	Vikas Sharma	WW-56, 5F	19.02.2022			
21	Vijay Shiv Nath	WW-59, GF	19.02.2022			
22	Vinod Kumar Dudeja	WW-18, FF	19.02.2022			
23	Ashish Jain	WW-36	19.02.2022			
24	Kamal Kishore	WW-10D	19.02.2022			
25	Purnima Bhardwaj	WW-68, GF	19.02.2022			
26	Manoj Kumar Anand	WW-69, GF	19.02.2022			
27	Sangeeta Rana	CW-03, FF	26.02.2022			
28	Raj Mohan Sharma	WW-76, 5F	19.02.2022			
29	Dr. R.K. Bagal	WW-88, 5F	25.02.2022			
30	Malibu Towne Residents Welfare Association		19.02.2022			
31	Sudhir Kaikkar	CW-59 (5F)	19.02.2022			

S.No	Complainant	Address	Date	Subject of the Complaint	Complaint	Company's Reply
32	Jameil Altuwalia	PD-10A	04.03.2022	Objections to the proposed master plan in response to your letter dated 03.02.2022.	Electric Supply in the last few years had been most erratic and unreliable. With a high density township, you have not bothered to upgrade the infrastructure. As per future projections and full capacity 166 KWA is required capacity.	The Company is in the process to upgrading the electric substation to 33/11KVA, as per the approval given by DHBVN. Please refer minutes of meeting under chairman ship of Mr. Anurag Rastogi dated 20.02.2014. Its clearly mentioned that - In case residents welfare association insists for 66KV substation, the differential cost is to be borne by the RWA itself, subject to the availability of the sufficient land.
33	Vijay Lakshmi Bhargawa	PD-49	06.03.2022	Refusal with Objections to the letter reference No. MT/MEPL/1/201, dated 03.2.2022, issued by authorised signatory (no name return) of the licensee company m/s malibu Estate Pvt. Ltd.	<p>i) No objection for the revision of the layout plan is misleading in nature and potential fraud th property buyer.</p> <p>ii) Violations and illegalities are accepted by the authorised signatories of Malibu Estate Pvt. Ltd.</p> <p>iii) Forest Clearance and Environment clearance are not mentioned</p> <p>iv) All 3 Sewerage treatment plants are placed in Public Parks and in green areas without valid approvals</p> <p>v) 14 No.'s of DG sets are running for commercial purposes on the land set for the green area and public health area & Public Parks. This region may be beyond the jurisdiction of DTCP, Haryana.</p> <p>vi) The No provisions of electric plots as per mandatory conditions of the HDRUAC - 1975.</p>	<p>i) Its denied that the revision of the layout plan is misleading and any potential fraud. It is denied that green area has been sold. Not a single sale deed has been filed. Vague allegations in the air have been leveled. Public Parks have not been reduced in number as alleged. Parks are as per Layout plans. Commercial component in Malibu Towne is as per sanctioned lay-out plans and sanctions. Other sites are being used as per use as sanctioned by the sanctioned lay out plans.</p> <p>ii) Its clear that for the amenities no forest clearance and environment clearance is required.</p> <p>iii) On the 2 places (as mentioned in the revised layout plan) the company has placed the DG sets and on the other area in park, which are not marked on the revised layout plan RWA put the DG sets on its own. The company has already filed the complaint at DTP office.</p> <p>iv) The treated water is used for Horticulture purpose only and all the structure has been camouflaged as per the direction of DTCP.</p> <p>v) Infrastructure and services have been provided as per the provision of law, which has been approved on the revised layout plan.</p> <p>v) In 1992 - 2008 there are no provision of giving a place for electric substation in the layout plan. All open spaces, Parks etc have been provided as per Rule 4 of the 1976 Rules which interalia stipulates that open areas that includes all the facilities and community buildings in the lay out plan cannot be less than 45 percent and grants power to the Director to reduce the same to 35 percent. LOP strictly adheres to the said Rule.</p>
25	Malibu Towne Residents Group	PD-37	14.02.2022	Refusal with Objections to the letter reference No. MT/MEPL/CW/58FF, dated 03.02.2022, issued by authorised signatory (no name return) of the licensee company m/s malibu	<p>i) Its misleading and complete lie that the infrastructure and services were as per the satisfaction and requirement of the residents</p> <p>ii) No provision of land for electric substation, STP, UGT pump room etc.</p>	<p>i) Its denied that the revision of the layout plan is misleading and potential fraud. All the infrastructure & services are layed as per the approved service estimates.</p> <p>ii) Provision of land for the amenities provided as per approved in Principle revised layout plan and no green area been reduced as per norms.</p>
36	Malibu Towne Green Street Welfare Association	GS-04	14.02.2022	Response to letter of DTCP dated 17.01.2022 in compliance of order dated 25.01.2022 regarding layout plan bearing drawing no. DTCP/ 5626 dated 28.09.2016.	<p>i) We do not agree with the land provided in the drawing as per the need of infrastructure</p> <p>ii) These drawings need to be re-drawn the submitted to residents for approval and the submitted to DTCP for approval.</p> <p>iii) We have been raising our concerns about inadequate infrastructure as per need of the colony and continue colossal constructions going on where both EDC / IDC collected, no upgradation of land and facilities is provided.</p>	<p>i) Land provided as per the bylaws and requirement of the residents.</p> <p>ii) It's the matter of law.</p> <p>iii) As per rule EDC and IDC do not to be used for the Internal development of the colony & rest of the para is a matter of law.</p>
37	Dr. Sunil Prakash	Not mentioned	07.03.2022			

S.No	Complainant	Address	Date	Subject of the Complaint	Complaint	Company's Reply
10 & 11	Mr. S.K Jain	T5/1002 - GH	01.03.2022 & 02.03.2022		officials of your dept. will misuse the authorised and bonafied area of Twin Towers for other purposes which the builder had tried several times on earlier occasions	2. Condition of licence/ 1975 Act states that cost towards increase in EDC/ IDC have to be borne by the Owners in as much as development works in a colony are chargeable to the residents/ owners in terms of the Supreme Court judgment cited above and which relies upon the judgment of DLF Universal Ltd & Anr. Vs DTCP Haryana & Ors (CA No. 550 of 2003 decided on 19.11.2010) 3. Please refer to MEPL Reply as above - on the aspect of up gradation of electric infrastructure. (supra)
12 & 13	Major Gen. Lalit Arora (V.P. - MTRWA)	Tower -2	10.02.2022	Serious Objections to the revised lay out plan bearing drawing No. DTCP/5626 dated 28.09.2016, concerning Malibu Estate Pvt. Ltd.	Resident of Tower 1 & 2 of Malibu Condomniums are apprensive that the builder fraudently in connivance with the officials of your dept. will misuse the authorised and bonafied area of Twin Towers for other purposes which the builder had tried several times on earlier occasions.	Its specifically denied that the builder fraudently in connivance with the officials of any dept. w/will misuse the authorised and bonafied area of Twin Towers for other purposes. Its submitted that an existing electric substation which has to be upgraded upto 33/11 KVA (i.e- site no. 5 in layout plan) has been proposed on the area measuring 519.02 Sq. Mtrs. which falls under the Group Housing area in the Malibu Towne. Whole group housing is the part of 204.796 acres township. As per the norms of the green area of the Group Hosuing area has not been reduced from the minimum limit. It also submitted the upgradation of the said electric substaion was demanded by the residents of the Malibu Towne & approved by DHBVN also.
14	Ashok Kansal	T1/201	02.03.2022	Refusal with Objections to the letter refence No. MT/MEPL/1/201, dated 03.2.2022, issued by authorised signatory (no name return) of the licensee company m/s malibu Estate Pvt. Ltd.	i) the violations and illegalities are accepted by the authorised signatories of Malibu Estate Pvt. Ltd. ii) Forest Clearance and Environment clearance is not mentioned iii) 14 No.'s of DG sets are running for commercial purposes on the land set for the green area and public health area & Public Parks. This region may be beyond the jurisdiction of DTCP, Haryana. IV) Infrastructure & Services are not placed and laid as per the provisons of law V) The No provisons of electric plots as per madantory conditions of the HDRUAC - 1975.	i) No Vilotion and illegalities have been made by the MEPL. Apprehensions/ Objections of the Residents to the effect that regularisation would tantamount to their approval of the illegalities of the coloniser is stoutly denied. Regularisation on the ground of - up gradation in infrastructure, Provisions of STPs inducted much later after the initial sanction of LOPs/ colony [1992-2008] ; additional infrastructure necessitated in public interest and for the reason that the same was not inducted in the earlier LOPs of 1992-2008 - is legal and valid. ii) Its clear that for the amminities no forest clearence and enviroment clearence is required, as also mentioned in the minutues under the charrmanship of Mr. Anurag Rastogi, DGTCP dated 20.02.2014. iii) On the 2 places as mentioned in the revised layout plan submitted the company has placed the DG sets and on the other area- which are not marked on the revised layout plan RWA installed its gensets has per thier requirements. For which the company has alreday filed the complaint at DTP- office. IV) Infrastructure and servies have been provided as per the provision of law, which has been principally approved on the revised layot plan. As per the provisions of the Act, there is no provision to mark the place for

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

Memo No. STP (G)/2022
 Dated:

To District Town Planner(P),
 Gurugram.

Sub: Approval of revised building plan of residential plotted colony namely Malibu Towne measuring 204.796 acres in sector-47 and 50, Gurugram.

Ref: M/s Malibu Estate Pvt. Ltd. letter dated 27.05.2022, received in this office on 30.05.2022 and Directorate memo no. ZP-5-Vol-IV/SD(DK)/2019/6680 dated 07.03.2019 & 2130 dated 27.01.2022.

In compliance of the conditions imposed in the in-principal approval granted vide Directorate letter under reference, licensee had invited objections from existing allottees through public notice published in 3 Newspapers and through registered post. In response of the same, 39 Objections/Suggestions have been received from the allottees which were sent to colonizer for their reply. The colonizer vide their letter under reference has submitted the reply on each objection in tabulated format. While sending the copy of the same, you are requested to examine the objections and sent your comments to this office after giving an opportunity of hearing, to the objectors and colonizer in compliance of conditions of in principal approval.

Senior Town Planner,
 Gurugram Circle, Gurugram

Endst No. STP(G)/2022/

3692

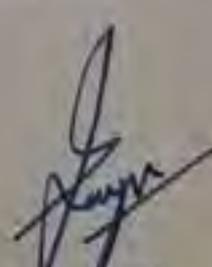
Dated:

1-6-22

A copy is forwarded to the following for information and further necessary action please.

1. Director, Town & Country Planning Department, Madhya Marg, Sector-18A,
 Chandigarh.

2. M/s Malibu Estate Pvt. Ltd., 38, DDA Commercial Complex, Kailash Colony
 Extension, New Delhi-110048.


 Senior Town Planner,
 Gurugram Circle, Gurugram



Service in Raman Sharma Vs. State of Haryana & Ors. (O.A. No. 68/2022/PB)

1 message

ELDF <eldflegal@gmail.com>

Mon, Jul 24, 2023 at 4:37 PM

To: "cw58ffmalibutown@gmail.com" <cw58ffmalibutown@gmail.com>, rkhuranalegal@gmail.com, "mrramansharmajirti@gmail.com" <mrramansharmajirti@gmail.com>, "tcpharyana7@gmail.com" <tcpharyana7@gmail.com>, "hspcbms@gmail.com" <hspcbms@gmail.com>, "cmc@mcg.gov.in" <cmc@mcg.gov.in>, "cmcbakup@mcg.gov.in" <cmcbakup@mcg.gov.in>, "Consultant Judicial-NGT(P.B.)" <Judicial-ngt@gov.in>

Cc: "Cc: Sanjay Upadhyay" <sanjay@eldfindia.com>, Shubham Upadhyay <Shubham@eldfindia.com>, Sonali Sengupta <sonali@eldfindia.com>

Respected Sir,

Please find the attached copy of the Reply on behalf of Respondent No. 8 M/s Malibu Estate Pvt. Ltd. in the matter of Raman Sharma Vs. State of Haryana & Ors. (O.A. No. 68/2022/PB)

Regards

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Sameer Manher*Clerk**Enviro Legal Defence Firm**29, Presidential Estate LGF,**Nizamuddin East New Delhi – 110013**Ph. No. 011-40573181***Reply on behalf of R-8.pdf**

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