

**BEFORE THE NATIONAL GREEN TRIBUNAL, PRINCIPAL BENCH,
NEW DELHI**

Original Application No. 586/2025

IN THE MATTER OF

Sh. Naresh Kumar Yadav

...Applicant

Versus

Ministry of Environment, Forest
& Climate Change & Ors.

...Respondents

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RESPONDENT NO.7

THROUGH

PLACE: NEW DELHI

DATE: 14.04.2026

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ELAN ENCLAVE PVT. LTD. TO THE JOINT COMMITTEE REPORT
DATED 04.02.2026 IN OA. NO. 586/2025 TITLED 'NARESH KUMAR
YADAV VS. MINISTRY OF ENVIRONMENT, FOREST & CLIMATE
CHANGE & ORS'.**

The abovenamed Respondent No.7 **MOST RESPECTFULLY SHOWETH:**

The present reply is being signed by Mr. Gaurav Khandelwal, the Authorized Representative (*hereafter referred to as "AR"*) of the answering Respondent No. 7, who is duly authorised to sign, execute & represent the answering Respondent No. 7 before the Hon'ble National Green Tribunal, New Delhi by virtue of the Resolution dated 02.02.2026 passed in the meeting of board of directors of the answering Respondent No. 7. A copy of Board Resolution dated 02.02.2026 duly authorizing Mr. Gaurav Khandelwal to sign, execute & represent the answering Respondent No. 7 before the Hon'ble National Green Tribunal, New Delhi is annexed herewith as **ANNEXURE X-1**

At the outset, the answering Respondent No.7 herein denies every allegation, averment and/or any submission made by the Joint Committee in the corresponding inspection report dated 05.02.2026, save and except those which are specifically/expressly admitted hereunder. The answering Respondent No. 7, at the outset, further submits the following preliminary submissions:

PRELIMINARY OBJECTIONS TO THE JOINT COMMITTEE REPORT:-

1. TREE FELLING PERMISSION LAWFULLY OBTAINED

It is respectfully submitted that subsequent to the execution and registration of the Collaboration Agreement dated 19.07.2024 entered between V.A. Agriculture Pvt. Ltd. and the answering Respondent No. 7, and also upon receipt of the possession of the licensed land for development in accordance with applicable law, vide letter dated 19.07.2024, the answering Respondent No. 7 duly applied for permission to fell/cut eight (08) no. of trees vide its application dated 25.06.2025 before the competent authority, i.e., the Divisional Forest Officer ("DFO"), Government of Haryana, contents of which are not being repeated for the sake of brevity but be read as part and parcel of the present objection/reply.

It is submitted that as a matter of established procedure, in the present case as well, upon receipt of such application, the concerned Range Officer conducted a site inspection and submitted a detailed inspection report to the concerned DFO. As also mentioned in the underlying report that only upon satisfaction of the competent authority, permission for felling/cutting of trees is granted.

The aforesaid position stands duly substantiated from the underlying report itself as well as from the letter/representation dated 29.02.2026 bearing Letter No. 1766-G, addressed to the Deputy Conservator of

Forests, Gurugram, issued by the concerned Range Forest Office, Gurugram. The relevant extract of the same is reproduced herein for ready reference :

“In reference to the above subject, you are informed that an online application was made by M/s Elan Enclave Pvt. Ltd. Organisation on the E-Saral Portal of the Forest Department for cutting 8 trees. In connection with this application, the inspection report for cutting of these 8 trees was sent by this office to the office of Deputy Conservator of Forest, Gurugram. In continuation of which, the final permission to cut these 8 trees was granted by the Conservator of Forest, South Circle, Gurugram on dt. 30.06.2025. When the spot inspection of this above site was done by the concerned staff of Gurugram Range Office, then only 8 trees were standing at this site. Apart from these 8 trees, no other herbs or shrubs or plants etc were available at the site at the time of spot inspection by the concerned field Staff. Earlier between dt. 13.06.2024 to 09.06.2025, Google Earth images showed Vegetation over the above site, but at that time it was not clear whether this Vegetation was due to grasses or herbs or shrubs or some kind of trees. Even after questioning the residents around this site, it was not clear whether there was any kind of herbs or shrubs or any kind of trees over this site in the past and no photographs of this site from that time were available which could make it clear what kind of Vegetation was there on this site in its actual condition at that time.

This is sent to you for information & necessary action please.”

In view of the observations made by the Range Forest Office, Gurugram in the aforesaid letter/representation, it is clearly established that the answering Respondent No. 7 had made the application for felling eight (08) no. of trees bona fide, without any misrepresentation or suppression of material facts. The Range Forest Office has categorically recorded that, at the time of site inspection, only eight no. of trees were found standing at the location and no additional herbs, shrubs, or vegetation were

observed. It is submitted that had there been any misrepresentation, the same would have been duly recorded by the competent authority in its communication to the Deputy Conservator of Forests, Gurugram. Accordingly, the allegation in the present O.A. that the answering Respondent No. 7 has cut seventy-two (72) no. of trees is wholly baseless and appears to have been made with the intent to mislead this Hon'ble Tribunal.

A copy of the receipt of application of the answering Respondent No. 7 dated 25.06.2025 addressed to the Divisional Forest Officer for the grant of permission to fell/cut eight (08) no. of trees is annexed herewith as **ANNEXURE X-2**. A copy of the letter/representation dated 29.01.2026 bearing Letter No. 1766-G, issued by the Range Forest Office, Gurugram, addressed to the Deputy Conservator of Forest, Gurugram is annexed herewith as **ANNEXURE X-3**.

It is further submitted that the answering Respondent No. 7 has already carried out compensatory plantation by planting trees/plants at an alternative location, in compliance with the permission granted by the competent authority for the felling/cutting of trees. The answering Respondent No. 7 has submitted a letter of compliance dated 25.08.2025 to the DFO, Haryana Forest Department wherein the answering Respondent No. 7 has clearly stated that it has planted new trees as made mandatory under the stipulated condition with the grant of tree felling permission dated 30.06.2025, contents of the said permission are not being repeated herein for the sake of brevity but be read as part and parcel of the present reply. Additionally, at the cost of repetition it is reiterated that in a separate matter titled '*Vaishali Rana v. State of Haryana & Ors. (O.A. No. 680/2024)*' pending before this Hon'ble Tribunal wherein pursuant to the order dated of this Hon'ble Tribunal, the Deputy

Conservator of Forests, Gurugram filed a Status Report by way of affidavit dated 24.01.2026 along with Annexure R/1 titled 'Report of Committee Compiling the Record'. At Sr. No. 67 thereof, in respect of Sh. Amar Singh (authorised representative of Elan Enclave Pvt. Ltd.), it is recorded that permission to fell eight (08) no. of trees was granted on 30.06.2025 and that compensatory plantation at ten times the number of trees has been duly carried out in due compliance of the stipulated condition with the grant of tree felling permission dated 30.06.2025.

2. LAWFUL USE OF PRE-FABRICATED STRUCTURES FOR PERMISSIBLE ACTIVITIES;

It is respectfully submitted that the Government of India, Ministry of Environment, Forest and Climate Change, vide Office Memorandum bearing F. No. IA3-22/10/2022-IA.III [E 177258] dated 29.03.2022, has expressly clarified the nature of activities that may be lawfully undertaken for securing the land prior to the grant of Environmental Clearance. The said Office Memorandum specifically permits the following activities:

- i. Fencing of the Project Site by boundary wall using civil construction, barbed wire or precast/ prefabricated components.
- ii. Construction of temporary sheds using pre-fabricated/ modular structure, for site office /guards and storing material and machinery.
- iii. Provision of temporary electricity and water supply for site office /guards only.

The said Office Memorandum, in paragraph 3, categorically states:

“Over a period of time, various options other than conventional barbed wire and wall fencing, have come into existence, viz., use of pre-fabricated structures, pre-cast compound wall etc. Further,

in order to secure the land, the project proponent may need to have water and electricity connection.”

Thus, the Ministry itself has acknowledged the evolution and permissibility of site-securing measures beyond conventional fencing. In light of the same, it is respectfully submitted that no permanent construction has been or is being carried out at the Project Site. The answering Respondent has merely deployed ready-made, pre-fabricated materials, which have been brought to the site and placed without undertaking any on-site construction activity which in any manner can be classified to be of permanent character whatsoever. These arrangements are purely temporary and facilitative in nature. In fact, if the answering Respondent had any intention of undertaking permanent construction, it would have proceeded to establish permanent office structures at the site and would have undertaken excavation work for a three level basement in accordance with the sanctioned building plans; however, the existence of only a temporary shed serving as a site office clearly demonstrates the absence of any such intent. The temporary shed does not have any permanent foundation and is in the form of a container which can be lifted and/or dismantled at any point of time. Further, the air conditioners were installed therein to keep the site office fully ready. However, at no point of time such air conditioners in the month of December 2025, when the joint committee inspection was carried out were ever made operational.

Thus, the Ministry itself has acknowledged the evolution and permissibility of site-securing measures beyond conventional fencing. Consequently, for the implementation of such permissible and lawful site-securing measures and for the installation of temporary sheds, particularly on a Project Site admeasuring approximately 5.875 acres, the

deployment of the limited and requisite machinery became necessary, incidental, and unavoidable in order to ensure the safety and security of the Project Site. No excavation, foundation work, basement construction, or permanent civil construction of any nature whatsoever has been undertaken at the Project Site. Admittedly the building plans for the Project Site envisaged a three level basement and presently when there has been no excavation and/or no foundation work having been carried out, and undertaken at the Project Site, in no manner the limited beautification activity and the making the Project Site accessible for limited vehicular movement, cannot by any stretch of imagination be considered to be a construction activity of permanent nature.

In light of the above-stated Office Memorandum dated 29.03.2022 as has been relied upon by the Applicant himself, it is further submitted that no permanent construction of any nature has been carried out at the Project Site. The answering Respondent No. 7 has merely deployed or put into use ready-made, prefabricated materials, permissible civil construction material which have been brought to the Project Site and placed without undertaking any on-site civil construction activity whatsoever which may be considered of a permanent nature. These arrangements are purely temporary and facilitative in nature and with a view to secure and safeguard the Project Site. In fact, if the answering Respondent No. 7 had any intention of undertaking any permanent construction, it would have proceeded to establish permanent office structures at the site; however, the existence of only a temporary pre-fabricated container shed serving as a site office and pre-fabricated guard room clearly demonstrates the absence of any such intent. The same is clearly evident from the GPS photographs of the Project Site dated 11.04.2026 annexed herewith as **ANNEXURE X-4 (Colly)**.

A copy of the office memorandum dated 29.03.2022 issued by the Government of India, Ministry of Environment, Forest and Climate Change is annexed herewith as **ANNEXURE X-5**.

3. NO CONSTRUCTION WITHOUT MANDATORY BASEMENT EXCAVATION, HENCE NO PM SENSORS REQUIRED

It is submitted that the sanctioned site plan/ building plan of the Group Housing Project, unequivocally establishes that the construction of underground basements forms an integral and inseparable structural component of the project as envisaged to be developed on the subject Land by the answering Respondent No. 7. The said site plan/ building plan has been duly sanctioned and approved by the Department of Town and Country Planning (“DTCP”) and specifically provides for the construction of three (03) underground basements. It is a settled and well-recognized position that a project of the present nature cannot commence from the ground level. Excavation and digging for the construction of the sanctioned underground basements constitutes the first, essential, and mandatory stage of construction. It is submitted that without completion of such excavation activity no further construction can legally or practically commence. The absence of any such foundational activity conclusively establishes that no construction whatsoever of a permanent character as has been alleged by the Applicant in his application before the Hon’ble Tribunal has been carried out. Without prejudice, it is further submitted that the construction of a three-level underground basement is a time-intensive and technically complex activity, which cannot, by any stretch of imagination, be undertaken or completed overnight and therefore could not have been carried out quickly or covertly without coming to notice. Further, the photographs enclosed with the Inspection Report dated 04.02.2026 do not

depict any construction activity, excavation, or site-altering work whatsoever. On the contrary, the said photographs merely demonstrate lawful site preparation and securing activities expressly permitted under the Office Memorandum dated 29.03.2022 as is relied upon by the answering Respondent No. 7 in the preceding para of the preliminary submissions made herein. Additionally, in the absence of any construction activity being carried out at the sanctioned/licensed Project Site, no dust/dust particles is/ are being / has been generated. Accordingly, the requirement of installing Particulate Matter sensors ("*PM sensors*") for dust mitigation does not arise. It is further submitted that registration on the Dust Mitigation Portal of the Haryana State Pollution Control Board (HSPCB) will be duly undertaken prior to the commencement of any construction activities, as per the sanctioned plans of the Project at the appropriate stage. At present, however, no such registration is warranted in the absence of any construction activity having been undertaken for the Project by the answering Respondent No. 7 .

It is respectfully submitted that no excavation work of any nature has been undertaken at the Project Site by the answering Respondent No. 7 and only minimal and essential activities, such as basic clearing and cleaning of the Project Site and the limited landscaping for beautification purposes, have been carried out solely to render the Project Site accessible for vehicular movement, which is a prerequisite for facilitating inspections for legitimate purposes, including soil testing, assessment, survey etc.. It is further submitted that the activities undertaken are confined strictly to minor site maintenance and aesthetic improvement, including surface-level site levelling to prevent waterlogging, mosquito breeding and the laying of seasonal flowerbeds. These measures are temporary and preventive in nature, intended to control the growth of

weeds and unwanted vegetation, and do not in any manner constitute or relate to construction or excavation activity which can be carried out only in consonance with the approved and sanctioned plans.

A copy of the approval granted by the Chief Town Planner, Haryana-cum-Chairman of the Building Plan Approval Committee, in respect of the application of the answering Respondent No. 4, dated 21.11.2025 is annexed herewith as ANNEXURE X-6.

4. PROVISION FOR ELECTRICITY MADE BUT KEPT NON-OPERATIONAL

It is respectfully submitted that, at the Project Site duly approved by the Town & Country Planning Department, Haryana, provisions for electricity have indeed been made; however, the same are presently non-operational owing to the absence of any construction activity and, consequently, there being no requirement. It is further submitted that, the Joint Committee has placed reliance upon the reply of the answering Respondent No. 7, dated 29.12.2025 wherein the answering Respondent made the following submissions regarding the status and source of the supply of electricity at the Project Site:

“The Approval for Single Line Diagram/plan of Electrical installations had been approved vide Memo No. SLD-1232 dated 18.12.2025 by the Office of the Chief Electrical Inspector to Govt. Haryana, SCO 117-118, Sector-17 B, Chandigarh, based on the Electrification Plan submitted to DHBVN on 18.12.2025. Further, High Mast Poles will be operational after approval of Temporary Electricity connection. The Approval for Single Line Diagram/ plan of Electrical installations is attached as ‘Annexure B’.”

In view of the reliance placed by the Joint Committee itself on the aforementioned reply, it is submitted that the High Mast Poles have been

installed at the Project Site, subsequent to the approval of the electrification plan by the Office of the Chief Electrical Inspector to the Government of Haryana, however, they are not operational and shall only become functional upon the grant of a temporary electricity connection. Contents of the reply dated 23.12.2025 by the answering Respondent, to the clarification sought by the Deputy Conservator of Forests, Gurugram (which is already placed on record along with the Inspection Report of the Joint Committee herein), are not repeated herein for the sake of brevity but be read as part and parcel of the present objection/reply.

It is further submitted that the inspection by the Joint Committee was conducted on 09.12.2025, as per the inspection report placed on record. However, it has been alleged therein that electricity was being used at the site for air conditioners, among other purposes. In this regard, it is submitted that, considering the cold weather conditions prevalent in the month of December in Delhi NCR including the location of the subject Project Site, the said allegation appears implausible and warrants reconsideration, thereby casting doubt on the accuracy of the observations recorded during the inspection. Additionally, it is submitted that a temporary electricity connection is a prerequisite for commencing any construction activity at a Project Site; however, since the answering Respondent is not engaged in any construction activity whatsoever, no temporary electricity connection has been obtained, and therefore, the question of any electricity usage at the site does not arise at all.

Additionally, it is respectfully submitted that availability and energisation electricity generation is ordinarily a prerequisite for commencing construction activities at a Project Site. However, as the answering Respondent No. 7 has not undertaken any construction activity whatsoever, no electricity connection was energised to undertake

construction and therefore, there seems to be no ground for any consumption of electricity at the Project Site. Having regard to the sanctioned building plans with there being no excavation activity having been commenced at the Project Site and with there being only limited safety and security related permissible activities having been undertaken and that too only for a limited time period, it is very much evident that no electricity norms were ever violated.

PARA WISE REPLY ON MERITS

1. The contents of paragraph 1 of the inspection report are a matter of record and, as such, warrant no specific reply. However, it is respectfully submitted that the averments relating to the proceedings pending before the Hon'ble National Green Tribunal, Principal Bench, New Delhi in Original Application No. 586/2025 titled '*Naresh Kumar Yadav vs. Ministry of Environment, Forest & Climate Change & Ors.*', alleging violations of environmental laws, environmental degradation, and unlawful construction activities purportedly carried out by M/s Elan Enclave Pvt. Ltd. in the revenue estate of Village Fazilpur Jharsa and Ghasola, Sector 49, Gurugram, Haryana, are incorrect, baseless, and are specifically denied in toto. Reference may kindly be made to the detailed submission made in the preliminary objections/preceding paras as the same have not been repeated herein for the sake of brevity. Further, the detailed submissions of the answering Respondent No. 7 in reply to the main application as filed by the Applicant may kindly be read as reply to this para also and the contents therein are not being repeated for the sake of brevity.
2. The contents of paragraph 2 of the inspection report are a matter of record and, as such, warrant no specific reply.

3. The contents of paragraph 3 of the inspection report are a matter of record and, as such, warrant no specific reply. However, it is reiterated that no illegal cutting of 72 no. of matured trees has been carried out by the answering Respondent No. 7 and no unauthorised and illegal construction activity as has been alleged by the Applicant in the main Application before this Hon'ble Tribunal has been undertaken by the answering Respondent No. 7. Further, the detailed submissions of the answering Respondent No. 7 in reply to the main application as filed by the Applicant may kindly be read as reply to this para also and the contents therein are not being repeated for the sake of brevity.
4. The contents of paragraph 4 of the inspection report are a matter of record and, as such, warrant no specific reply.
5. The contents of paragraph 5 are denied save and except those which are specifically/expressly admitted hereunder.
 - 5.1 The contents of paragraph 5.1 of the inspection report are a matter of record and, as such, warrant no specific reply.
 - 5.2 That the contents of para 5.2 are denied being false, misconceived and are therefore denied save and except those which are specifically/expressly admitted hereunder. It is submitted that only minimal/essential/permissible activities, such as basic cleaning and limited landscaping for beautification purposes, have been carried out solely to render the site accessible for vehicular movement, which is a prerequisite for facilitating inspections for legitimate purposes, including soil testing, assessment survey etc. It is denied that some construction activities were undertaken by Project Proponent at Project site, which is more than 500 sq. m without registration on Dust Portal (Violation of CAQM Direction) of Haryana State Pollution Control Board (HSPCB). Reference may

kindly be made to the detailed submission made in the preliminary objections/preceding paras as the same have not been repeated herein for the sake of brevity.

It is a settled and prima facie evident position that a project of the present nature cannot commence from the ground level. Excavation and digging for the purposes of construction of the sanctioned underground basements constitutes the first, essential, and mandatory stage of construction. It is submitted that without completion of such excavation activity, no further construction can legally or practically commence or be undertaken, and a bare and objective perusal of the photographs relied upon by the Applicant itself clearly demonstrates that no excavation, digging, or basement construction activity has been undertaken at the Project Site. The absence of any such foundational activity conclusively establishes that no construction whatsoever has been carried out at the Project Site for the purposes of the Project Site. Without prejudice, it is further submitted that the construction of a three-level underground basement is a time-intensive and technically complex activity, which cannot, by any stretch of imagination, be undertaken or completed overnight and therefore, could not have been carried out quickly or covertly without coming to notice. Additionally, in the absence of any construction activity being carried out at the sanctioned/licensed Project Site, no dust has been and is being generated. Accordingly, the requirement of installing Particulate Matter sensors ("*PM sensors*") for dust mitigation does not arise at all. It is further submitted that registration on the Dust Mitigation Portal of the Haryana State Pollution Control Board ("*HSPCB*") will be duly undertaken by the answering Respondent No. 7 prior

to the commencement of any construction activities as per the sanctioned plans at the appropriate stage. At present, however, no such registration is warranted in the absence of any construction activity having been undertaken for the Project by the answering Respondent No. 7.

It is respectfully submitted that no excavation work of any nature has been undertaken at the Project Site by the answering Respondent No. 7. Only minimal and essential activities, such as basic clearing and cleaning of the Project Site and the limited landscaping for the beautification purposes, have been carried out solely to render the Project Site accessible for vehicular movement, which is a prerequisite for facilitating inspections for legitimate purposes, including soil testing, assessment, survey etc. Furthermore, it is submitted that the activities undertaken are confined strictly to minor site maintenance and aesthetic improvement, including surface-level site levelling to prevent waterlogging, mosquito breeding and the laying of seasonal flowerbeds. These measures are temporary and preventive in nature, intended to control the growth of weeds and unwanted vegetation, and do not in any manner constitute or relate to construction or excavation activity which can be carried out only in consonance with the approved and sanctioned plans. The Applicant's allegations are thus factually incorrect, misleading, and devoid of any merit.

- 5.3 That the contents of para 5.2 are denied being false, misconceived save and except those which are specifically/expressly admitted hereunder. It is admitted that Ministry of Environment, Forest and

Climate Change Office Memorandum vide Office Memorandum dated 29.03.2022 permitted the following activities:

- i. Fencing of the Project Site by boundary wall using civil construction, barbed wire or precast/ prefabricated components.
- ii. Construction of temporary sheds using pre-fabricated/ modular structure, for site office /guards and storing material and machinery.
- iii. Provision of temporary electricity and water supply for site office /guards only.

Sr. No.	Activity Permitted as per MoEF&CC OM dated 29.03.2022	Observation of Committee	Reply to the observation of committee
1.	Fencing of the project site by boundary wall using civil construction, barbed wire or precast/prefabricated components	RCC Boundary wall is constructed using civil work.	Contents of para 1 of the observation table are denied being false, misconceived save and except those which are specifically/expressly admitted hereunder. It is denied that RCC boundary wall is constructed using civil work at the project site. Reference may kindly be made to the detailed submission made in the preliminary objections/preceding paras as the same have not been

			repeated herein for the sake of brevity.
2.	Construction of temporary sheds using pre-fabricated/modular structure for site office/guards and storing material and machinery.	A. Project Proponent has undertaken construction activities, including construction of RCC structural components, a circular water fountain, internal roads with block/surface tiles/stones and boulders laid over an RCC base, along with some soil excavation and soil compaction	A. Contents of para 2 (A.) of the observation table are denied being false, misconceived save and except those which are specifically/expressly admitted hereunder. It is denied that Project Proponent has undertaken construction activities, including construction of RCC structural components, a circular water fountain, internal roads with block/surface tiles/stones and boulders laid over an RCC base, along with some soil excavation and soil compaction. Reference may kindly

		<p>B. Temporary shed using pre fab is constructed for its site office is also constructed.</p>	<p>be made to the detailed submission made in the preliminary objections/preceding paras as the same have not been repeated herein for the sake of brevity.</p> <p>B. It is admitted that setting up of temporary shed using pre-fab has been undertaken at the project site for the site office. Reference may kindly be made to the detailed submission made in the preliminary objections/preceding paras as the same have not been repeated herein for the sake of brevity.</p>
3.	Provision of temporary	It was observed that	Contents of para 1 of the observation table are denied

	<p>electricity and water supply for site office/guards only.</p>	<p>electricity was being used at site for various activities like use of Air Conditioners at site, use of 03 Nos high mask lights, lighting etc., However, the Project Proponent failed to disclose the source of electricity supply used at the site.</p>	<p>being false, misconceived save and except those which are specifically/expressly admitted hereunder. It is denied that electricity was being used at site for various activities like use of Air Conditioners at site, use of 03 Nos high mask lights, lighting etc. It is further denied that Project Proponent failed to disclose the source of electricity supply used at the site. On the contrary, it is submitted that the Joint Committee has itself relied upon the reply of answering Respondent vide letter dated 29.12.2025 duly informing the Joint Committee about the source of electricity. Reference may kindly be made to the detailed submission made in the preliminary objections/preceding paras as the same have not been</p>
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			repeated herein for the sake of brevity.
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It is denied that on the basis of above, the Project Proponent has carried out certain construction activities beyond permissible in O.M. dated 29.03.2022.

In view of the aforesaid regulatory position, it is very much evident and clear that the use of DG sets is not per se prohibited in the NCR and is subject to capacity-wise and fuel-wise compliance as prescribed by the CAQM.

6. The contents of paragraph 6 of the inspection report are a matter of record as a reply to the same has already been given by the answering Respondent No. 7 which is self-explanatory and, as such, warrant no specific reply.
7. The contents of paragraph 7 of the inspection report are admitted as a matter of record, as such, warrant no reply.
8. That the contents of para 8 are denied being false, misleading save and except those which are specifically/expressly admitted hereunder. It is admitted as a matter of record that the google satellite imaginary of corresponding time of the instant O.A, i.e. 13.06.2024 to 16.09.2025, shows that the area have certain vegetation cover, however, number of trees cannot be ascertained from the same and the visible vegetation could be standing trees along with the shrubs and herbs. It is denied for the want of knowledge that photographs of that time did not show any other plant on the site. It is denied that the mentioned trees/plants/herbs/shrubs were ever removed by the answering Respondent before the inspection conducted by the forest department.

Reference may kindly be made to the detailed submission made in the preliminary objections/preceding paras as the same have not been repeated herein for the sake of brevity.

The answering Respondent No. 7 acquired rights in respect of the Project Site (being a licensed land for development) only pursuant to the execution of the Collaboration Agreement on 19.07.2024 and Possession Letter dated 19.07.2024, whereby the answering Respondent No. 7 came into possession of the Project Site for the purposes of legally permissible development thereon. All acts of the answering Respondent No. 7 within the permissible norms. Reference may kindly be made to the detailed submission made in the preliminary objections to the reply to the application and the same have not been repeated herein for the sake of brevity. The notification relied upon by the Applicant under Notification Nos. S.O. 8/P.A.2/1900/S.4/2013 Dated 04/01/2013 and S.O. 81/P.A.2/1900/S.3/2012 itself states that the cutting of trees or timber, is allowed provided that the owners of the land may sell trees or timber after obtaining a permission to do so from the DFO of the concerned division. It is submitted that the same has been complied by the answering Respondent No. 7, whereby the permission to cut 08 no. trees including Shisham, Neem, Amaltas, Shahtoot has been granted by the DFO, Government of Haryana vide permission dated 30.06.2025. The Applicant himself has stated that the satellite imagery date as 13.06.2024 whereas the answering Respondent No. 7 came into the possession of the Project Site on 19.07.2024.

9. That the contents of para 9 are denied being false, save and except those which are specifically/expressly admitted hereunder. It is admitted that the project proponent i.e. the answering Respondent herein, vide letter

dated 29.12.2025 has informed that they have carried out cleaning and landscaping at the Project Site, only after receiving permission from RERA on 12.12.2025. It is denied that the above statement is factually incorrect as the Joint Committee has conducted inspection on 09.12.2025. It is denied that any construction activity whatsoever, has ever been undertaken by the answering Respondent No. 7 at the Project Site. Reference may kindly be made to the detailed submission made in the preliminary objections/preceding paras as the same have not been repeated herein for the sake of brevity.

PRAYER

In light of the facts and circumstances of the present case, it is most respectfully prayed that this Hon'ble Tribunal may be pleased to:

- a. Take on record and duly consider the objections/response filed by the answering Respondent No. 7 to the Inspection Report submitted by the Joint Committee;
- b. Direct the parties herein that no coercive actions be taken against the answering Respondent No. 7 solely on the basis of the said Inspection Report as well as the Application filed by the Applicant without proper consideration of the objections and without granting an opportunity of hearing to the answering Respondent No. 7;

c. Pass any other or further order(s) as this Hon'ble Tribunal may deem fit and proper in the interest of justice, equity, and good conscience.



RESPONDENT NO.7

THROUGH

NEW DELHI

DATE: 14.04.2026



D.R & ASSOCIATES
COUNSEL FOR RESPONDENT NO. 7
A-2/133, GROUND FLOOR,
SAFDARJUNG ENCLAVE,
NEW DELHI 110 029
+91-99102 47777
EMAIL : dhaneshrelan@gmail.com

**BEFORE THE NATIONAL GREEN TRIBUNAL, PRINCIPAL BENCH,
NEW DELHI**

Original Application No. 586/2025

IN THE MATTER OF

Sh. Naresh Kumar Yadav

...Applicant

Versus

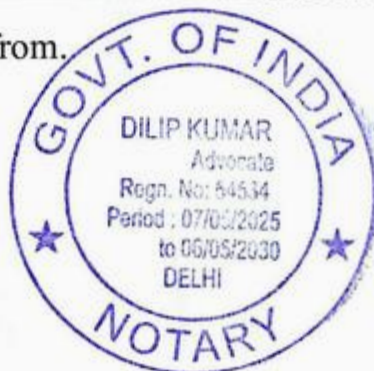
Ministry of Environment, Forest
& Climate Change & Ors.

...Respondents

AFFIDAVIT

I, Gaurav Khandelawal, duly Authorized Representative of Elan Enclave Private Limited, having its Corporate Office at 15th Floor Two Horizon Center, DLF Phase 5, Golf Course Road, Gurugram, do hereby solemnly affirm and declare as under:

1. I state that I am the Authorized Representative of Respondent No. 7 in the above-captioned matter and as such, I am conversant with the facts of the present Objections/Reply to the Joint Committee Report and competent to swear the instant affidavit.
2. I state that I have read and understood the contents of the accompanying Objections/Reply to the Joint Committee Report, the contents of the same are true and correct to my knowledge and belief.
3. I state that the contents of the present affidavit are true and correct and nothing material has been concealed therefrom.



VERIFICATION

Verified at New Delhi on the _____ day of April, 2026, that the contents of the above affidavit are true and correct to the best of my knowledge, information and belief, that no part of it is false and that nothing material has been concealed therefrom.

Verified at New Delhi, on this 14 APR 2026 day of April, 2026.

[Handwritten signature]



DEPONENT

Kirti
D/14753/2025
IDENTIFIED BY



ATTESTED
[Handwritten signature]
DILIP KUMAR
NOTARY PUBLIC
Reg. No. 54534
14 APR 2026



CERTIFIED TRUE COPY OF THE RESOLUTION PASSED IN THE MEETING OF BOARD OF DIRECTORS OF ELAN ENCLAVE PRIVATE LIMITED HELD ON MONDAY, 2ND FEBRUARY 2026 AT 11:00 A.M. AT THE REGISTERED OFFICE OF THE COMPANY AT 15TH FLOOR, TWO HORIZON CENTER DLF PHASE V SECTOR 43, GOLF COURSE ROAD GURUGRAM, HARYANA – 122002

AUTHORISATION TO MR. GAURAV KHANDELWAL (AADHAAR NO: 8217 9728 2896) AND/OR MR. ROHIT SHARMA (AADHAAR NO. 4469 0882 8326) TO SIGN & EXECUTE THE DOCUMENTS & REPRESENT THE COMPANY BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL, NEW DELHI

"RESOLVED THAT Mr. Gaurav Khandelwal (Aadhaar No: 8217 9728 2896), and/or Mr. Rohit Sharma (Aadhaar No. 4469 0882 8326) be and are hereby severally authorized to sign and execute the documents on behalf of the Company before the Hon'ble National Green Tribunal, New Delhi in the case listed hereinbelow:

Title	Case No.
Naresh Kumar Yadav Vs. Union of India Ministry of Environment, Forest and Climate Change and Others	OA No. 586 of 2025

RESOLVED FURTHER THAT Mr. Gaurav Khandelwal and/or Mr. Rohit Sharma be and are hereby also severally authorized for all or any of the following acts and things in connection with the said case:

1. To represent/ make appearance in the said case.
2. To engage or appoint a counsel to conduct the said case.
3. To sign Vakalatnama, Authority Letter or Power of Attorney.
4. To make and present to the court an application in connection with any proceeding in the said case.
5. To sign and file Pleadings, Counter Claim, Reply, Rejoinder, Sur-rejoinder, Affidavit, Undertaking, Written Statement, an application for execution of a Decree or Order passed in the said case and to sign and verify such application.
6. To obtain copies of documents and papers.
7. Generally to do all other lawful acts necessary for the conduct of said case."

CERTIFIED TO BE TRUE

For Elan Enclave Private Limited

Akash Kapoor
Director
DIN: 02958550

ELAN ENCLAVE PRIVATE LIMITED

Registered Office: 15th Floor, Two Horizon Center, DLF Phase V, Sector-43,
Golf Course Road, Gurugram-122002, Haryana, India

Tel: 0124-4101100 • Email: info@elanlimited.com • Web: www.elanlimited.com

CIN: U70100HR2009PTC000477



SRN Receipt: Forest

Date: 25-06-2025

SRN: HMX-UD4-MA9C

Status: Pending

Name: Amar Singh	Category: Organization
Organization Name: M/s Elan Enclave Private Limited	Address: Village - Fazirpur Jharsa And Ghasola, Sec-49, District Gurugram
Request Type: Tree Felling	Division Name: Gurgaon

Issued by Amar Singh from (Self Login)



वन विभाग, हरियाणा सरकार
कार्यालय-वन राजिक अधिकारी, गुरुग्राम
सोहना रोड़, नजदीक न्यायालय परिसर, गुरुग्राम

ANNEXURE X-3

Letter No:- 1766-6

Date:- 29/01/2026

To

Deputy Conservator of Forest,
Gurugram.

Subject-

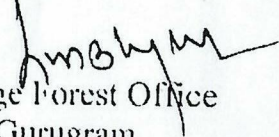
Copy of order dated 20.12.2025 passed in OA No. 586/2025 titled "Naresh Kumar Yadav Vs Ministry of Environment, Forest & Climate Change & Ors" reg.

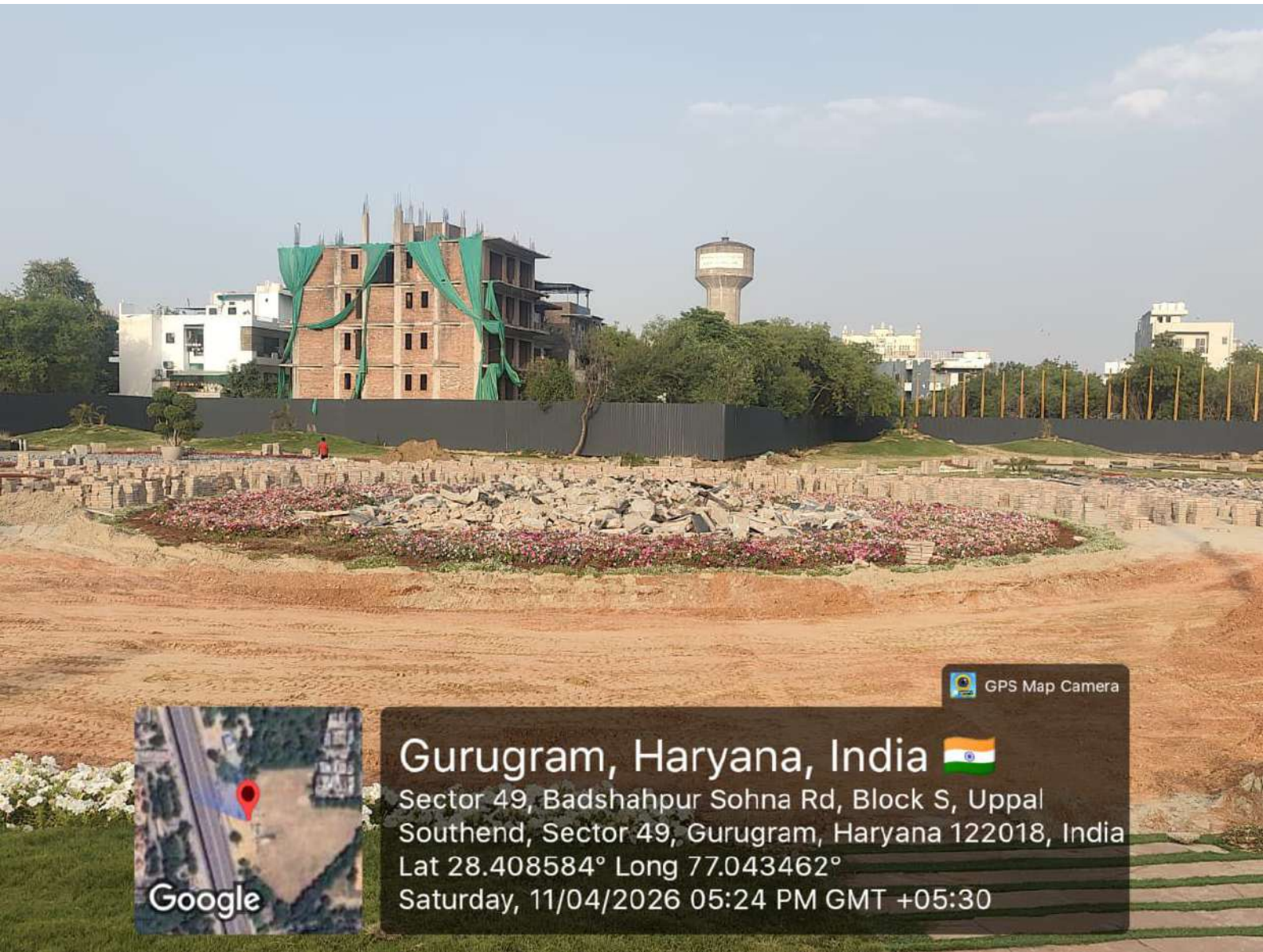
Ref-

In reference to your Office letter no. 2409-R Dt. 19.01.2026

In reference to the above subject, you are informed that an online application was made by M/s Elan Enclave Pvt. Ltd. Organisation on the E-Saral Portal of the Forest Department for cutting 8 trees. In connection with this application, the inspection report for cutting of these 8 trees was sent by this office to the office of Deputy Conservator of Forest, Gurugram. In continuation of which, the final permission to cut these 8 trees was granted by the Conservator of Forest, South Circle, Gurugram on dt. 30.06.2025. When the spot inspection of this above site was done by the concerned staff of Gurugram Range Office, then only 8 trees were standing at this site. Apart from these 8 trees, no other herbs or shrubs or plants etc were available at the site at the time of spot inspection by the concerned field Staff. Earlier between dt. 13.06.2024 to 09.06.2025, Google Earth images showed Vegetation over the above site, but at that time it was not clear whether this Vegetation was due to grasses or herbs or shrubs or some kind of trees. Even after questioning the residents around this site, it was not clear whether there was any kind of herbs or shrubs or any kind of tress over this site in the past and no photographs of this site from that time were available which could make it clear what kind of Vegetation was there on this site in its actual condition at that time.

This is sent to you for information & necessary action please.


Range Forest Office
Gurugram



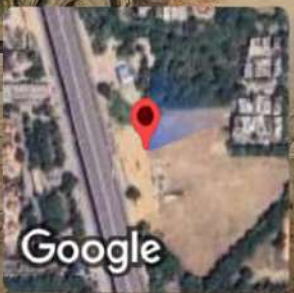
Jain






GPS Map Camera

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C25v+g96, Block S, Uppal Southend, Sector 49,
Gurugram, Haryana 122018, India
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ELAN ENCLAVE PVT. LTD.



GPS Map Camera



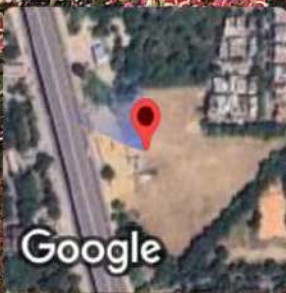
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Southend, Sector 49, Gurugram, Haryana 122018, India
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Southend, Sector 49, Gurugram, Haryana 122018, India
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ELAN ENCLAVE PVT. LTD.



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Gurugram, Haryana, India 

54/57, Block S, Uppal Southend, Sector 49,
Gurugram, Haryana 122018, India

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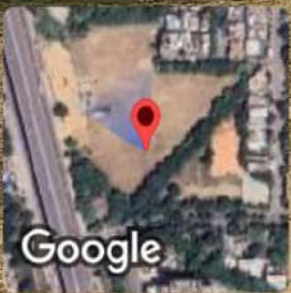


Jain








GPS Map Camera



Google

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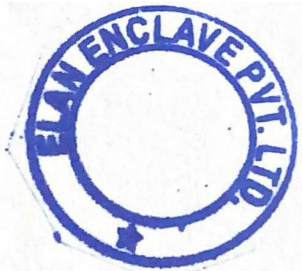


GPS Map Camera



Gurugram, Haryana, India 
Sector 49, Sohna - Gurgaon Rd, Block S, Uppal
Southend, Sector 49, Gurugram, Haryana 122018, India
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Saturday, 11/04/2026 05:29 PM GMT +05:30

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F. No. IA3-22/10/2022-IA.III [E 177258]

Government of India
Ministry of Environment, Forest and Climate Change
(Impact Assessment Division)

Indira Paryavaran Bhawan
Aliganj, Jorbagh Road
New Delhi-110 003

Dated: 29th March, 2022

OFFICE MEMORANDUM

Subject: Clarification regarding activities which can be undertaken for securing the land prior to grant of Environmental Clearance-regarding.

As per the provisions of Environment Impact Assessment (EIA) Notification 2006, the project or activities [New/Expansion/ Modernization/ change of product-mix or raw material mix] listed in the Schedule to the said Notification would require prior Environment Clearance (EC) from the concerned Competent Authority before undertaking any construction work or preparation of land by the project proponent, except for securing the land.

2. In this regard, Office Memorandum No. J-11011/41/2006-IA.II(I) dated 19/08/2010 clarified that while securing the land, no activity relating to any project covered under EIA Notification, 2006 including civil construction can be undertaken at the site without prior EC except fencing of the site to protect it from getting encroached and construction of temporary shed(s) for the guard(s).

3. Over a period of time, various options other than conventional barbed wire and wall fencing, have come into existence, viz., use of pre-fabricated structures, pre-cast compound wall etc. Further, in order to secure the land, the project proponent may need to have water and electricity connection. In view of the same, it has been decided by the Competent Authority in the Ministry to explicitly clarify that following activities can be undertaken by the project proponent for securing the land.

- i. Fencing of the project site by boundary wall using civil construction, barbed wire or precast/ prefabricated components.
 - ii. Construction of temporary sheds using pre-fabricated / modular structure, for site office/guards and storing material and machinery.
 - iii. Provision of temporary electricity and water supply for site office/guards only.
4. The above activities shall be undertaken subject to the following:

- i. The land should be in the legal possession of the project proponent and all statutory approvals in respect of the project site should have been obtained.
 - ii. In case of involvement of any forest land, no activity shall be initiated at the site till the Stage II Forest Clearance is obtained under the relevant provisions of Forest (Conservation) Act, 1980. In case of applicability of Wildlife Clearance, necessary permission from Standing Committee for National Board for Wildlife (SCNBWL) shall be obtained under the provisions of Wildlife Protection Act, 1972.
 - iii. In case of felling of trees if any, requisite permission from the Forest Department/Statutory Authorities of the concerned State Government shall be obtained.
 - iv. The investment made by the Project Proponent on the above, in anticipation of the applicable clearances under the relevant provisions of the Acts/Rules, shall be entirely at the cost and risk of the proponent.
5. However, the above dispensation would not entitle the project proponent to claim ***fait accompli*** with regard to grant of EC or any other applicable permission from any concerned statutory authority and further, the works of the aforesaid nature shall have no bearing on appraisal of the project for grant of EC which shall follow the due process and procedure as laid down in EIA Notification 2006, as amended.
6. This O.M. is being issued in supersession of the earlier O.M. dated 19/08/2010 and with the approval of the Competent Authority.



(A.K. Agrawal)
Director

To

1. Chairman, Central Pollution Control Board (CPCB)
2. Chairman of all the Expert Appraisal Committees
3. Chairperson/Member Secretaries of all the SEIAAs/SEACs
4. Chairpersons/Member Secretaries of all SPCBs/UTPCCs
5. All the Officers of I.A. Division

Copy for information to:

1. PS to Hon'ble Minister for Environment, Forest and Climate Change
2. PS to Hon'ble MoS (EF&CC)
3. PPS to Secretary (EF&CC)
4. PPS to DG (FC) & SS
5. PPS to AS(TK) / AS (NPG)/ AS(RS)
6. PPS to JS (SKB)
7. Website, MoEF&CC/Guard file.

BR-III
(See Code 4.2 (4))
Form of Sanction

From

Chief Town Planner, Haryana-cum-Chairman,
Building Plan Approval Committee,
O/o Director, Town & Country Planning Department, Haryana,
Nagar Yojana Bhavan, Plot No. 3, Block-A,
Sector-18-A, Madhya Marg, Chandigarh.
Tele-Fax: 0172-2548475; Tel.: 0172-2549851,
E-mail: tcpharyana7@gmail.com
Website www.tcpharyana.gov.in

To

VA Agriculture Pvt. Ltd.
In collaboration with Elan Enclave Pvt. Ltd.,
Regd Office:- 15th Floor, Two Horizon Center,
DLF Phase-5, Sector-43, Golf Course Road,
Gurugram-122002.

Memo No. ZP-1409/JD(G)/2025/ 44427 Dated:- 21-11-2025

Subject: Approval of Building Plans of Group Housing Colony area measuring 5.875 acres under TOD policy dated 09.02.2016 (Licence No. 50 of 2019 dated 07.03.2019) in Sector-49, Gurugram being developed by VA Agriculture Pvt. Ltd. in collaboration with Elan Enclave Pvt. Ltd.

Reference your application dated 12.02.2025 & 18.08.2025 for permission to erect the buildings in Group Housing Colony area measuring 5.875 acres under TOD policy dated 09.02.2016 (Licence No. 50 of 2019 dated 07.03.2019) in Sector-49, Gurugram in accordance with the plans submitted with it.

Permission is hereby granted for the aforesaid construction, subject to the provisions of the Haryana Scheduled Roads & Controlled Areas Restriction of Unregulated Development Act, 1963 and Haryana Building Code-2017, subject to the following amendments, terms and conditions:-

1. The plans are valid for a period of 2 years of the buildings less than 15.00 meters in height and 5 years for the multistoried buildings from the date of issuance of sanction, subject to validity of licenses granted for this scheme.
2. The structural responsibility of the construction shall be entirely of the owner/ supervising architect/ Engineer of the scheme.

Further that: -

- a) The building shall be constructed in accordance to the Structure Design by Structure Engineer and certified by Proof Consultant on prescribed FORM BR-V (A2).
- b) All material to be used for erection of building shall conform to I.S.I. and N.B.C. standards.
- c) No walls/ceiling shall be constructed of easily inflammable material and staircases shall be built of the fire resisting material as per standard specification.
- d) The roof slab of the basement external to the buildings if any shall be designed/ constructed to take the load of fire tender up to 45 tones.

3. FIRE SAFETY:

- (i) The colonizer and the Supervising Architect of the project shall be entirely responsible for making provisions of fire safety and fire-fighting measures and shall abide by all fire safety bye laws.
- (ii) That you shall get approved the fire-fighting scheme in accordance with the Section 15 of the Haryana Fire Safety Act-2009 and directions issued by the Director, Haryana Fire Services, Haryana, before starting the construction work at site.

4. No addition and alteration in the building plans/ layout plan shall be made without the prior approval of DTCP. Further, only figured dimensions shall be followed and in case of any variation in the plans, prior approval of DTCP shall be pre-requisite.
5. That you shall furnish the service plan/ estimate of this scheme in accordance with approved building plans.
6. Based on the actual estimated cost of internal development of the colony you shall furnish additional bank guarantee, if required.
7. The revenue Rasta if any passing through the site shall be kept unobstructed.
8. If any infringement of byelaws remains unnoticed, the Department reserves the right to amend the plan as and when any such infringement comes to its notice after giving an opportunity of being heard and the Department shall stand indemnified against any claim on this account.
9. The layout showing the electric installation shall have to be got approved from the competent authority before execution of work at site.
10. No person shall occupy or allow any other person to occupy any new building and before grant of occupation certificate, you shall apply for occupation certificate as per the provisions of Code 4.10 of the Haryana Building Code-2017 which shall be accompanied by certificates regarding completion of works described in the plans and it shall be accompanied by:
 - (i) Structural stability certificate duly signed by the recognized Architect & Structural Engineer.
 - (ii) A clearance from Fire Safety point of view from the competent authority.
11. The provision of letter boxes for each dwelling unit shall be made at the ground floor of each building.
12. The basements shall be used for parking, services or as prescribed in the approved zoning plan and building plans. The parking lots proposed in the scheme shall be exclusively for the use of flat owners/residents of the group housing scheme. The parking lot shall not be leased out /transferred to any person who is not a flat owners /residents of the group housing complex.
13. That you shall comply with the conditions laid down in the memo no. 257674 dated 05.08.2025 of Chief Engineer, HSVP, Panchkula (Copy enclosed).

14. That you shall comply with the conditions laid down in the Memo No. 7883 dated 28.07.2025 of Joint Director, Directorate of Fire and Emergency Services, Haryana, Panchkula (Copy enclosed).

15. GENERAL: -

- (i) That you shall obtain the clearance/NOC as per the provisions of the Notification No. S.O. 1533 (E) Dated 14.9.2006 issued by Ministry of Environment and Forest, Government of India before starting the construction/execution of development works at site.
- (ii) That you shall strictly comply with the directions of MoEF Guidelines, 2010 while raising construction and comply with the instructions of Director, Town and Country Planning, Haryana, Chandigarh issued vide orders dated 14.5.2015 which is also available on the departmental website www.tcpharyana.gov.in.
- (iii) That you shall submit the fire-fighting scheme duly approved in accordance with the section 15 of the Haryana Fire Safety Act 2009 and directions issued by Director, Urban Local Bodies Haryana before starting the construction work at site.
- (iv) That you shall submit the approved Electrical Service Plan from competent authority and certificate to this effect that adequate arrangement has been put in place before grant of occupation certificate.
- (v) That the rain water harvesting system shall be provided as per Central Ground Water Authority norms/Haryana Govt. notification as applicable.
- (vi) That you shall use only Light-Emitting Diode lamps (LED) fitting for internal lighting as well as Campus lighting.
- (vii) That you shall ensure the installation of Solar Photovoltaic Power Plant as per the provisions of order No. 22/52/2005-5Power dated 21.03.2016 issued by Haryana Government Renewable Energy Department.
- (viii) That you shall strictly comply with the directions issued vide Notification No. 19/6/2016-5P dated 31.03.2016 issued by Haryana Government Renewable Energy Department.
- (ix) That if any, site for Electric Sub Station is required, same will be provided by you in the colony.
- (x) That provision of parking shall be made within the area earmarked /designated for parking in the colony and no vehicle shall be allowed to park outside the premises.
- (xi) That you shall follow provisions of section 46 of 'The Persons with Disabilities (Equal Opportunities, protection of Rights and full Participation) Act, 1995' which includes construction of Ramps in public buildings, adaption of toilets for wheel chair users, Braille symbols and auditory signals in elevators or lifts and other relevant measures for Hospitals, Primary Health Centre and other medical care and rehabilitation units.

- (xii) That you shall abide the terms and conditions of the Undertaking/Affidavit submitted in the office of Administrator, HSVP, Gurugram in compliance of Order dated 16.07.2012 of the Hon'ble High Court and shall not extract groundwater for construction purposes.
- (xiii) That you shall abide by the policies issued by the Department regarding allotment of EWS flats time to time.
- (xiv) That the recovery of labour cess being made by the Department is interim in nature and that the final estimation of cost of construction and recovery of any deficiency in labour cess shall be done at the level of the 'assessing officer' designated for the purpose by the Labour Department, which shall be final and binding.
- (xv) That you shall deposit the balance amount of Labour Cess in future, time to time as per progress in construction at site.
16. Environment: That you shall raise construction as per guidelines of MoEF-2010 issued regarding Building, Construction, Township and Area Development Projects.
17. In addition, you shall comply with the instructions of Director, Town & Country Planning, Haryana, Chandigarh issued vide order dated 14.05.2015, available on the Departmental Website www.tcpharyana.gov.in URL :https://tcpharyana.gov.in/Policy/Misc392%20OA%20No.%2021%20of%202014%20Vardhaman%20Kaushik%20Vs.%20UOI_ors.pdf in compliance of the orders dated 10.04.2015 passed by Hon'ble National Green Tribunal in OA No. 21 of 2014, which are as under:
- (i) You shall put tarpaulin on scaffolding around the area of construction and the building. You are also directed that you shall not store any construction material particularly sand on any part of the street/roads.
- (ii) The construction material of any kind that is stored in the site will be fully covered in all respects so that it does not disperse in the Air in any form.
- (iii) All the construction material and debris shall be carried in the trucks or other vehicles which are fully covered and protected so as to ensure that the construction debris or the construction material does not get dispersed into the air or atmosphere, in any form whatsoever.
- (iv) The dust emissions from the construction site should be completely controlled and all precautions taken in that behalf.
- (v) The vehicles carrying construction material and construction debris of any kind should be cleaned before it is permitted to ply on the road after unloading of such material.
- (vi) Every worker working on the construction site and involved in loading, unloading and carriage of construction material and construction debris shall be provided with mask to prevent inhalation of dust particles.
- (vii) Every owner and or builder shall be under obligation to provide all medical help, investigation and treatment to the workers involved in the construction

of building and carry of construction material and debris relatable to dust emission.

- (viii) It shall be the responsibility of every owner/builder to transport construction material and debris waste to construction site, dumping site or any other place in accordance with rules and in terms of Hon'ble NGT order dated 10.04.2015 referred above.
 - (ix) All to take appropriate measures and to ensure that the terms and conditions of the Hon'ble NGT order dated 10.04.2015 referred above in OA No. 21 of 2014 and the earlier orders passed in said case should strictly comply with by fixing sprinklers, creations of green air barriers.
 - (x) Compulsory use of wet jet in grinding and stone cutting.
 - (xi) Wind breaking walls around construction site.
 - (xii) That you shall ensure that least dust has emitted into air/atmosphere and all steps are taken to prevent the same.
 - (xiii) That all the builders, who are building commercial, residential complexes which are covered under the EIA Notification of 2006, shall provide green belt around the building that they construct and compliance of the same shall be ensured prior to issuance of occupancy certificate. The width of green belt will be kept 1.5 meter along boundary wall within site, along periphery.
 - (xiv) If any person, owner and or builder is found to be violating any of the conditions stated in this order and or for their non-compliance such person, owner, builder shall be liable to pay compensation of ₹ 50,000/- per default in relation to construction activity at its site and ₹ 5,000/- for each violation during carriage and transportation of construction material, debris through trucks or other vehicles, in terms of Section 15 of the NGT Act on the principle of Polluter Pay. Such action would be in addition not in derogation to the other action that the Authority made take against such builder, owner, person and transporter under the laws in force.
 - (xv) All the owners/builders shall ensure that C & D waste is transported in terms of this order to the site in question only and due record in that behalf shall be maintained by the builders, transporters and NCR of Delhi.
 - (xvi) It is made clear that even if constructions have been started after seeking Environmental Clearance under the EIA notification 2006 and after taking other travel but is being carried out without taking the preventive and protective environmental steps as stated in above said order dated 10.04.2015 passed by NGT and MOEF guidelines, 2010, the State Government, SPCB and any officer of any Department as afore-stated shall be entitled to direct stoppage of work.
18. On the basis of IGBC Gold Rating Certificate duly submitted by the colonizer, and as per provision of Code 6.5 of Haryana Building Code, 2017, the additional FAR of 12% is allowed. Since, the final rating will be issued by IGBC after completion of total building complex/project, therefore, final occupation for three times the

area of additional FAR (which is sought to be availed, as incentive for green building), shall be withheld till the final rating from IGBC is obtained. However, if the colonizer fails to achieve the final rating, which is lesser than the provisional rating, the occupation certificate of all building complex shall be issued after compounding the additional FAR (i.e. difference of additional FAR from provisional rating & final rating) at the ten times of the rates of EDC applicable at the time of submission of occupation certificate.

19. That you shall submit the scanned copy of the approved building plans in CD format within one week to this office from the issuance of this letter.
20. That you shall transfer the land falling under 20.0 mtr. wide green belt and 10.0 mtr. service road to the Government free of cost in compliance of condition no. f of license.

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

DA/As above

Hitesh Sharma

(Hitesh Sharma)

Senior Town Planner (HQ)

Member Secretary

For: Chief Town Planner, Haryana-cum-Chairman,
Building Plan Approval Committee,
Town & Country Planning Department,
Haryana, Chandigarh.

Endst. No. ZP-1409/JD(G)/2025/

Dated:-

A copy is forwarded to the following for information: -

1. Haryana State Pollution Control Board, Panchkula with the request that the compliance of the instructions issued by NGT shall be monitored and strict compliance to be ensured.
2. Chief Administrator, HSVP, Gurugram.
3. Senior Town Planner, Gurugram.
4. Chief Engineer (HQ) HSVP, Panchkula.
5. District Town Planner, Gurugram.
6. District Town Planner (Enf.), Gurugram.
7. Joint Director, Directorate of Fire and Emergency Services, Haryana, Panchkula.
8. Nodal Officer, Website Updation.

(Hitesh Sharma)

Senior Town Planner (HQ)

Member Secretary

For: Chief Town Planner, Haryana-cum-Chairman,
Building Plan Approval Committee,
Town & Country Planning Department,
Haryana, Chandigarh.