

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

(OA No. 14/2020)

Shyam Malhotra

.....Applicant

Versus

State of Haryana & Ors.

.....Respondent

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.....**Respondent**

**Report in compliance of order dated 24.01.2020 on behalf of
Deputy Commissioner, Faridabad and Regional Officer
(Faridabad) HSPCB.**

MOST RESPECTFULLY SHOWETH:

1. The applicant has filed the present application alleging unauthorized & illegal encroachment by Respondent No.6 on the park situated in Sector-46, Faridabad, Haryana without obtaining any consent or permission from any concerned Department or Authority. It has been further alleged in the OA that this park is declared/mentioned as 'PARK' in the Layout Plan of Sector-46, Faridabad, Haryana.
2. This Hon'ble Tribunal, after taking cognizance of the present OA, vide order dated 24.01.2020 sought factual and Action Taken Report in the matter from District Magistrate, Faridabad and HSPCB.
3. In compliance of the direction passed by this Hon'ble Tribunal, The Deputy Commissioner vide order dated 11.02.2020 constituted a Committee under the Chairmanship of SDM Badkal, District Faridabad with following members:



- (I) Estate Officer, HSVP
- (II) Regional Officer, HSPCB, Faridabad
- (III) Representative of DFO, Faridabad

4. The committee such constituted Inspected the site on 13.02.2020 found that no construction activity was observed at the site. However, to know the status of the land in question in Layout Plan of Sector-46 Faridabad, the Estate Officer, Haryana Shahari Vikas Pradhikaran (HSVP), Faridabad was requested to provide requisite documents in this regard. Accordingly, the Estate Officer, HSVP, Faridabad vide letter dated 03.03.2020 has provided the following information:

- (i) The site Plan showing the Creche site was approved by the Chief Administrator, HSVP, Panchkula. The District Town Planner, Faridabad prepared demarcation plan drawing No.1601/94 dated 04.07.1994 (**Annexure-A/1**).
- (ii) The Chief Administrator (Town and Planning Wing), HSVP, Panchkula vide memo No.CTP/MS/11100 dated 16.12.2015 approved the same site as religious building. (**Annexure-A/2**).
- (iii) While adopting the due procedure, public notice was issued in leading newspapers and six sites were published. Thereafter 19 applications were received and interview was conducted by the Zonal Committee headed by Divisional Commissioner and four members on 14.06.2018, after that proceeding of screening committee was prepared. (**Annexure-A/3**).
- (iv) Thereafter, letter of intent for allotment of land for religious and Social/Charitable site No.01, Sector-46,

CAI

Faridabad was issued vide Memo dated 06.03.2019 on lease basis for 99 years (**Annexure-A/4**).

- (v) The possession of site was delivered by HSVP vide Memo dated 30.05.2019(**Annexure-A/5**).
- (vi) The Building Plan was approved on 26.11.2019 (**Annexure-A/6**).
- (vii) The allotment of land to Resp No.6 (Bhakta Bandhav Society) for site No.1, Sector-46, Faridabad was issued by HSVP vide memo dated 11.02.2020(**Annexure-A/7**).
- (viii) The site was never demarcated In the plan as park.

Copy of letter dated 03.03.2020 written by Estate Officer, HSVP, Faridabad to the Regional Officer, HSPCB, Faridabad is annexed herewith as **Annexure-A/8**.

Conclusions:

5. That as per documents provided and consultation held with the official of Haryana Shahri Vikas Pradhikaran, Faridabad it is concluded that the site in question is being used as park, however, same has never been earmarked as such. Infact, same at present has been allotted as religious building after adopting due procedure. If any land is unplanned or is not used for the purpose earmarked in the Layout Plan for some time, it cannot change the nature and purpose of the land earmarked in Layout Plan merely for the reason of using it as park during that period. Further, temporary use of land as green area cannot create any right or interest against the use/purpose earmarked in Layout Plan. If such practice of claiming right is being appreciated, the state agency will hesitate to develop green area on unplanned land



or land earmarked for other purpose even for the period till it is utilized as per layout plan.

Recommendations:

- (i) The site in question should be utilized as per demarcation plan of Sector-46, Faridabad.
- (ii) No felling of trees be done except following due procedure of law.


Regional Officer
HSPCB Faridabad
Region


Deputy Commissioner,
Faridabad

Dt - 02/09/2020

Place - Faridabad

Agency - A/1

DDA/CAO/SDE(S)
ARO/SUPDT/IT/ASST
A/MISC/A/MEWAT/
A/RELEASE/A/FBD.



The Chief Administrator,
HUDA (Town Planning Wing),
Panchkula.

The District Town Planner,
Faridabad.

Admr

Memo. No: CTP/MS/

Dated:

Subject:- Approval of Religious Building site in sector-46, Faridabad.

Reference:- Administrator, HUDA, Faridabad office memo. no. 6749 of 18.09.2015 and 8669 dated 01.12.2015.

Find enclosed a copy of part Layout-cum-Demarcation Plan of sector 46, Faridabad bearing drawing no. 1661/94 dated 04.07.1994 showing proposed R.B. site in lieu of crèche site in red boundary, opposite plot no. 45 46-P, duly approved and signed by Chief Administrator, HUDA. The approved plan may be incorporated in the overall plan of the sector, amend the legend and statement. Thereafter, circulate the copies to all concerned offices including the Zoning Plan of the site may also be finalized on priority. DA/As above.

(Usha Kiran, DTP)
for Chief Administrator, HUDA

Endst. No. CTP/MS/

11/00

Dated: 16/11

A copy alongwith a copy of part approved plan is forwarded to

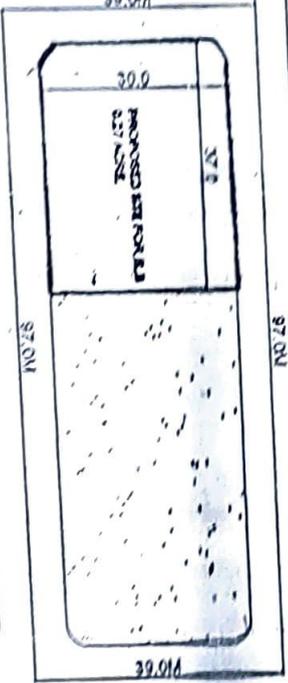
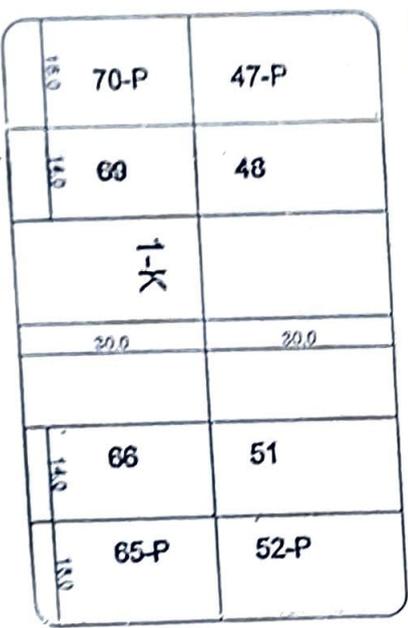
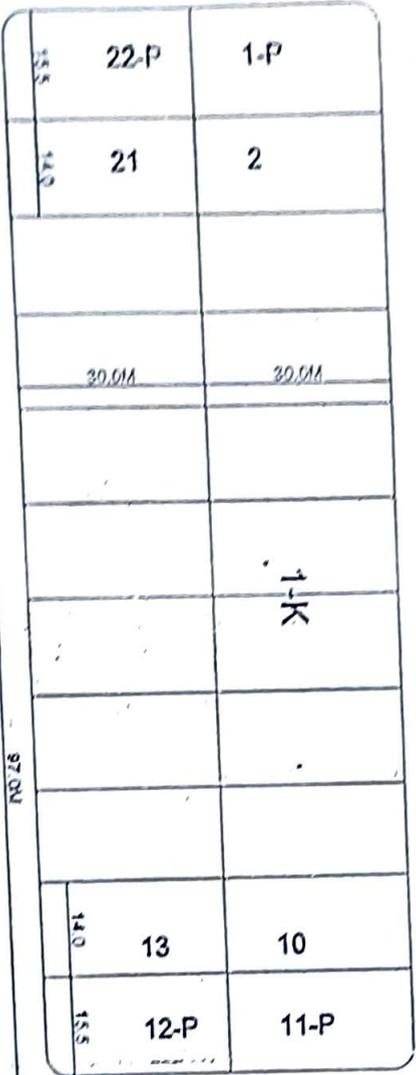
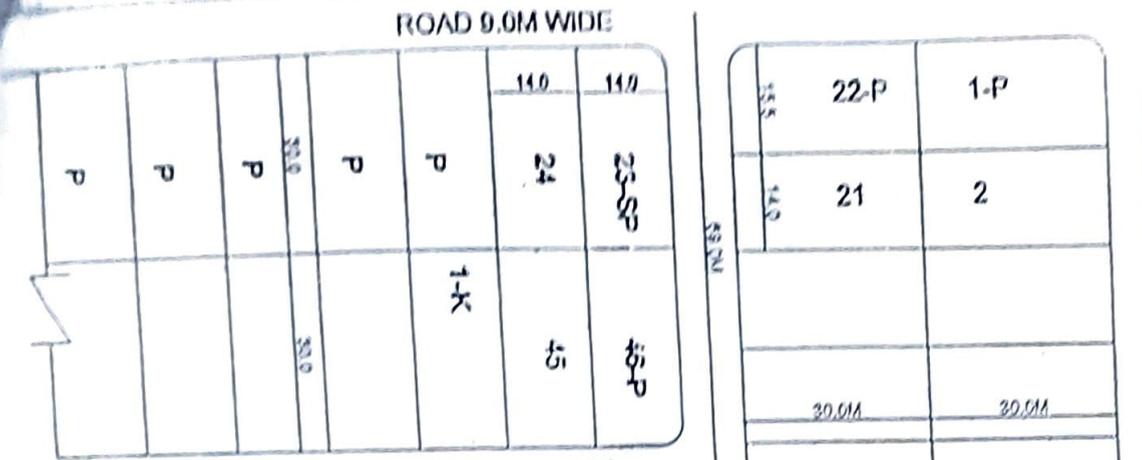
following for information and further necessary action:-

1. The Administrator, HUDA, Faridabad.
2. The Senior Town Planner, HUDA, Faridabad.
3. The Estate Officer, HUDA, Faridabad.

DA/As above.

(Usha Kiran, DTP)
for Chief Administrator, HUDA

PART LAY OUT CUM DENARCATION PLAN SECTOR - 46 BEING DRAWING NO. 1661/94
 DATED 04/07/1994. SHOWING THE PROPOSED R.B SITE IN LIEU OF CRECHE SITE



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DDA/CAO/SDE(S)
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A/MISC/A/MEWAT/
A/RELEASE/A/FBD.

The Chief Administrator,
HUDA (Town Planning Wing),
Panchkula.

The District Town Planner,
Faridabad.

Admn.

Memo. No: CTP/MS/

Dated:

Subject:- Approval of Religious Building site in sector-46, Faridabad.

Reference:- Administrator, HUDA, Faridabad office memo. no. 6749 dated 18.09.2015 and 8669 dated 01.12.2015.

Find enclosed a copy of part Layout-cum-Demarcation Plan of sector-46, Faridabad bearing drawing no. 1661/94 dated 04.07.1994 showing the proposed R.B. site in lieu of crèche site in red boundary, opposite plot no. 45 and 46-P, duly approved and signed by Chief Administrator, HUDA. The approved site may be incorporated in the overall plan of the sector, amend the legend and area statement. Thereafter, circulate its copies to all concerned offices including this office. The Zoning Plan of the site may also be finalized on priority.

DA/As above.

(Usha Kiran, DTP)
for Chief Administrator, HUDA

Endst. No. CTP/MS/

11/00

Dated: 16/12/15

A copy alongwith a copy of part approved plan is forwarded to the following for information and further necessary action:-

- ✓ 1. The Administrator, HUDA, Faridabad.
2. The Senior Town Planner, HUDA, Faridabad.
3. The Estate Officer, HUDA, Faridabad.

DA/As above.

(Usha Kiran, DTP)
for Chief Administrator, HUDA

Annex - A/3

Proceedings of the meeting of the Screening Committee for the allotment of religious and social/charitable sites in Faridabad held on 14.06.2018 at 11:00 Am under the Chairmanship of Sh. G. Anupama, IAS, Divisional Commissioner, Faridabad at Gymkhana club, sector-15A, Faridabad.

During the interview, the following officers were present:

1. Sh. Atul Dwivedi, IAS, Deputy Commissioner, Faridabad.
2. Sh. Nikhil Gajraj, IAS, Administrator, HSVP, Faridabad.
3. Sh. Amardeep Jain, HCS, Estate Officer, HSVP, Faridabad.
4. Sh. Sanjeev Mann, District Town Planner, Faridabad.

At the outset, the Estate Officer, HSVP, Faridabad informed the committee that 7 Nos. Religious Sites & 2 Nos. Social/Charitable Sites were advertised in two newspapers i.e. Dainik Jagran (Hindi) & The Tribune (English) on 27.10.2017 through Director, Public Relations, Haryana for allotment of religious sites, Social /charitable sites to the registered societies/trusts. Details of all the 9 sites are as under:

Religious Sites-

Sr. No.	Sector	Area in Sq. Meters	10% Earnest Money (Rs.)
1.	3 RB-III	809.37	722363.00
2.	9	809.37	722363.00
3.	21C-I, Site No. I	809.37	722363.00
4.	21D	768.90	686244.00
5.	46	1092.65	975190.00
6.	62 Site No. I	566.55	505646.00
7.	65	809.37	722363.00

Social & Charitable Sites-

Sr. No.	Sector	Area in Sq. Meters	10% Earnest Money (Rs.)
1.	08 Site No. 02	2314.81	2065968.00
2.	64 Site No. 02	3361.35	3000005.00

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Estate Officer further informed that the last date for receipt of applications was 13.11.2017 and the following applications for allotment of religious sites were received in this office till 13.11.2017 for the sites and area mentioned against their names. The total of 19 applications have been received from various societies/from the various registered Societies/Trusts. Out of which, four Societies/Trusts have applied for more than one site.

Religious Sites-

Sr. No.	Sector/Site Name	Area in Sq. Meters	Applicant name & Address
1.	9	809.37	Mahawar Vaish Samaj R/o 280 Sector-14, Faridabad
2.	9	809.37	International Goudiya Vedanta Trust (Regd.) R/o Block B-3, Near Musical Fountain Park, Janakpuri, New Delhi
3.	9	809.37	Bhakta Bandhav Society (Regd.) R/o 17, Preet Nagar, Ambala Cantt.
4.	9	809.37	Shashvat Foundation R/o 16/6, Mathura Road, Faridabad
5.	21C/Site No. 1	809.37	Gurbani Vichar Society R/o H. No. 755, Sector-21C, Faridabad
6.	21C/Site No. 1	809.37	Maharshi Parashar Navgraha Mandir & Research Centre.
7.	21C/Site No. 1	809.37	International Goudiya Vedanta Trust (Regd.) R/o Block B-3, Near Musical Fountain Park, Janakpuri, New Delhi
8.	21C/Site No. 1	809.37	Shashvat Foundation R/o 16/6, Mathura Road, Faridabad
9.	21D	770	Shri Guru Singh Sabha Gurudwara (Regd.)
10.	21D	768.9	International Goudiya Vedanta Trust (Regd.) R/o Block B-3, Near Musical Fountain Park, Janakpuri,

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11.	46	1092.65	New Delhi Gurbani Vichar Society H. No.755, Sector-21C, Faridabad
12.	46	1092.65	Bhakta Bandhav Society (Regd.) H. No.17, Preet Nagar, Ambala Cantt.
13.	46	1092.65	Shail Educational and Welfare Society
14.	62/Site No. 1	566.55	Residents Welfare Association H. No. 2356, Sector-62, Faridabad

Social & Charitable Sites-

Sr. No.	Sector/Site Name	Area in Sq. Meters	Applicant name & Address
1.	8/Site No. 2	2314.81	Vanvasi Kalyan Ashram Haryana H.No.117, Sector-8, Faridabad
2.	8/Site No. 2	2314.81	Bharat Vikas Prishad Social Welfare Trust Nasha Mukti Kendra compound, sector- 14, Faridabad
3.	8/Site No. 2	2314.81	Rotary Blood Bank Charitable Trust Clinic site No.2, Sector- 9, Faridabad
4.	8/Site No. 2	2314.81	Haryana Panchal Brahmin Mahasabha H.No.1728, Jawahar Colony NIT Faridabad
5.	8/Site No. 2	2314.81	Manav Sewa Smiti R/o Manav Bhawan Main market, sector-10, Faridabad.

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The sector/site-wise consolidated report of applications received is as under:

Religious Sites-

Sr. No.	Sector/Site Name	Area in Sq. Meters	Total applications per site
1.	3 RB-II	809.37	None
2.	9	809.37	4
3.	21C-I, Site No. I	809.37	4
4.	21D	768.90	2
5.	46	1092.65	3
6.	62 Site No. I	566.55	1
7.	65	809.37	None

Social & Charitable Sites-

Sr. No.	Sector/Site Name	Area in Sq. Meters	Total applications per site
1.	08 Site No. 02	2314.81	5
2.	64 Site No. 02	3361.35	None

The applicants were informed about the date, time and venue of the interview by the Estate Officer, HSVP, Faridabad. As per Chief Administrator HSVP Panchkula letter no. 547-69 dated 04.01.2010, the Chairperson and member of the committee were also informed about the date, time and venue of the interview. The composition of the committee as per instructions of the HQ is as under:

Sr. No.	Designation	Member
1.	Divisional Commissioner	Chairperson
2.	Concerned Deputy Commissioner	Member

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3.	Concerned Administrator	Member
4.	Concerned Distt. Town Planner	Member
5.	Concerned Estate Officer, HSVP	Member Secretary

The details of the applications of Religious sites are as under:-

(1) **SHRI MAHAWAR VAISH SAMAJ.**

Shri Mahawar Vaish Samaj R/o H. No. 280, Sector-14, Faridabad has applied for the allotment of religious site in sector-9 and deposited 10% of EMD of Rs/- 722363 and appeared before the screening committee for interview held on 14.06.2018. The society has submitted its saving bank account. with balance of Rs. 110473/- on dated 10.11.2017 balance sheet, audit report from CA and ITR for the year 2016-17. The society members appeared before the screening committee on behalf of Sh. Mahawar Vaish Samaj and the interviewee satisfied the screening committee regarding future religious activities and raising of funds from the member by way of donation and contribution in future for construction of building and paying the cost of land Hence, the case is recommended for allotment of religious site for Sector-9, Faridabad to the society.

(2) **Gurbani Vichar Society**

Gurbani Vichar Society R/o H. No. 755, Sector-21C, Faridabad has applied for the allotment of religious site in sector-21C(Site No.1) and Sector-46, Faridabad and deposited 10% of EMD of Rs/- 722363 and appeared before the screening committee for interview held on 14.06.2018. The society has submitted its saving bank account no. 82992140000050 with balance of Rs. 2478192.99/-

on dated 31.10.2017 with balance sheet duly audited report(Rs/- 32,74,022)from CA and ITR for the year 2017. The society members appeared before the screening committee on behalf of Gurbani Vichar Society and the interviewee satisfied the screening committee regarding raising of funds which are to be conducted by the society for payment of land cost and construction of building. Hence the committee is of the view that the case may be recommended for the allotment of the site in Sector-21C(Site No1) to the above society. The society applied for another site in Sector-46 may not be recommended.

{3} **Bhakta Bandhav Society**

Bhakta Bandhav Society R/o 17 Preet Nagar, Ambala Cantt. {133001} has applied for the allotment of religious site in sector-46 and Sector-9 and deposited 10% of EMD of Rs/- 975190 for sector-46. The members of the society appeared before the screening committee for interview held on 14.06.2018. The society has submitted its saving bank account no. 6450462764 with balance of Rs. 541723/- on dated 27.10.2017 balance sheet, audit report from CA and ITR for the year 2014-2017. The society members appeared before the screening committee on behalf of Bhakta Bandhav Society and the interviewee satisfied the screening committee regarding future religious activities which are to be conducted by the society for allotment of religious site. After considering of the above activities of the society, the screening committee is of the view that a site may be considered for allotment in Sector-46, Faridabad for Religious purpose. The society applied for other site in Sector-9 is not recommended.

{4} **Residents Welfare Association**

Residents Welfare Association R/o h. no. 2356, Sector-62, Faridabad-121004 has applied for the allotment of religious site in

sector-62 for site no. 1 and deposited 10% of EMD of Rs/- 505646/- and appeared before the screening committee for interview held on 14.06.2018. The society has submitted its saving bank account no. 154710034390 with balance of Rs. 35276.56/- on dated 10.11.2017 balance sheet, audit report from CA and ITR for the year 2016-2017. The society members appeared before the screening committee on behalf of Residents Welfare Association and they stated that they will raise from all the members of the sector and contribution from the prominent persons of Faridabad. The screening committee satisfied with the details submitted regarding funds and future religious activities which are to be conducted by the society for allotment of religious site. Hence, the case is of the view that a religious site may be recommended for allotment to the society.

{5}

International Goudiya Vedanta Trust

International Goudiya Vedanta Trust R/o Block B-3, Near Musical Fountain Park Janak Puri New Delhi has applied for the allotment of 3 No. of religious sites in sector-21D, Sector-21C(Site No.1) and Sector-9, Faridabad. The society has deposited 10% of EMD of Rs/- 686244/- for site in Sector-21D and appeared before the screening committee for interview held on 14.06.2018. The society has submitted its saving bank account no. 207010100177504 with balance of Rs. 1,83,10,471.70/- on dated 13.11.2017, balance sheet, audit report from CA and ITR for the year 2015-2016, 2016-2017. The society members appeared before the screening committee on behalf of International Goudiya Vedanta Trust. The society has sufficient funds in their accounts and the interviewee satisfied the screening committee. Hence, the screening committee is of the opinion that a site in sector-21D, Faridabad may be recommended for allotment of religious purpose to the society. The

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society has applied for other two sites that is Sector-21C and Sector-9, Faridabad which may not be recommended.

{6} Shashwat Foundation

Shashwat Foundation R/o 16/6 Mathura Road, Faridabad has applied for the allotment of two sites in Sector-09 and Sector-21C (Site No. 01) and deposited 10% of EMD of Rs. 722363/- and Rs. 722363/- for both sites. The members appeared before the screening committee for interview held on 14.06.2018. The society has not submitted its saving bank account, balance sheets, audit report from CA, ITR of last three years. The trust member appeared before the screening committee on behalf of Shashwat Foundation could not be satisfied for detail of funds. The society has submitted incomplete application and has not mentioned the purpose of land required in the application. Moreover they have not submitted the details of documents such as bank balance, ITR and CA audited report for the three years. Hence the screening committee decided not to recommend for allotment of Religious sites to the trust.

{7} Maharshi Parashar Navgraha Mandir & Research Centre

Maharshi Parashar Navgraha Mandir & Research Centre R/o 5K-53, NIT, Faridabad has applied for the allotment of one religious site in Sector-21C (Site No. 01) and deposited 10% of EMD of Rs. 722363/-. The members appeared before the screening committee for interview held on 14.06.2018. The society has submitted its saving bank account, balance sheets, audit report from CA, ITR of last three years. But The society has not sufficient funds in the account for raising building and paying the cost of the land. The members could not give any satisfactory reply about number of followers in the sector. The society has also not submitted the

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utilization plan. Hence the committee of the view that the case may not be recommended.

{8}Shri Guru Singh Sabha Gurudwara

Shri Guru Singh Sabha Gurdwara R/o Sector-21D, Faridabad has applied for the allotment of one religious site in Sector-21D and deposited 10% of EMD of Rs. 686244/-. The member appeared before the screening committee for interview held on 14.06.2018. The society has submitted its saving bank account No. 78020101001785 of Rs. 535797/- on 09.11.2017, balance sheets, audit report from CA on 31.03.2017, ITR of last three years. The representative could not satisfactory reply about the number of followers in this sector. It was informed to the screening committee that the sites for GURUDWARA has already been allotted in Sector-7,9 and 15 and a site in Sector-55, Faridabad has also been recommended and allotted for the Gurudwara by the committee. Hence the committee is of the view that another site may not be recommended in sector-21D, Faridabad.

{9}Shail Educational and Welfare Society

Shail Educational and Welfare Society_R/o Pithampura Road, Opp. IIM Rau, Indore-453331 Madhya Pardesh India has applied for the allotment of one religious site in Sector-46 and deposited 10% of EMD of Rs. 975190/-. The representative appeared before the screening committee for interview held on 14.06.2018. The society has not submitted its saving bank account, balance sheets, audit report from CA, ITR of last three years. The society has also not mentioned the purpose of land in the application. They had not submitted that utilization plan. The members appeared before the screening committee on behalf of Shail Educational and Welfare Society could not explain the past activities and future religious

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plan of the society. Hence, it may not be considered for allotment of religious site.

Social/Charitable societies

1. Bharat Vikas Parishad Social Welfare Trust

Bharat Vikas Parishad Social Welfare Trust R/o R-5/132, Nissen Hut, NIT Faridabad has applied for the allotment of religious site in sector-8, site no. 2 and deposited 10% of EMD OF Rs/- 2065968 and appeared before the screening committee for interview held on 14.06.2018. The society has submitted its balance sheet on 2015 to 2017 showing the assests and liabilities of Rs/-1,23,10,999 for the year 2015-16 and audit report from CA and ITR for the year 2015 to 2018. The society members appeared before the screening committee on behalf of Bharat Vikas Parishad Social Welfare Trust and the interviewee satisfied the screening committee regarding future social and charitable activities which are to be conducted by the society. Hence, the case is recommended for allotment of land for social and charitable acitvity to the society.

2. Vanvasi Kalyan Ashram Haryana

Vanvasi Kalyan Ashram Haryana R/o 117, Sector-08, Faridabad has applied for the allotment of one Social/charitable site in Sector-8 (Site No. 02) for construction of hostel building for poor childrens. The society deposited 10% of EMD of Rs. 2065968/- The representative appeared before the screening committee for interview held on 14.06.2018. The society has submitted its saving bank account No. 451102011082016 of Rs.1498667.05/- on 07.11.2017, balance sheets, audit report from CA, ITR of last three years. The society has not submitted the land utilization

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plan. The members of the society appeared before the screening committee on behalf of Vanvasi Kalyan Ashram Haryana failed to satisfy about the past and proper utilization of land. Hence the case is not recommended for allotment for social and charitable site to the society.

3. Rotary Blood Charitable Trust

Rotary Blood Charitable Trust R/o Clinic Site No. 02, Market Sector-09, Faridabad has applied for the allotment of one site in Sector-8 (Site No. 02). They deposited 10% of EMD of Rs. 2065968/-. The members appeared before the screening committee for interview held on 14.06.2018. The trust member has submitted its saving bank account No. 047900101009348 of Rs. 1137358.31/- on 2017 balance sheets, audit report from CA, ITR of last three years. The trust members appeared before the screening committee on behalf of Rotary Blood Charitable Trust failed to satisfy about their future plan and they are not providing free Blood to the poor persons. During the course of discussion it was informed that they are giving only 10% discount for providing blood as per Govt. rates. Hence the case is not recommended for allotment of social and charitable trust site.

4. Haryana Panchal Brahaman Mahasabha

Haryana Panchal Brahaman Mahasabha_R/o Panchal Brahaman Dharamshala, 1728 Jawahar Colony, NIT Faridabad has applied for the allotment of one charitable site in Sector-8 (Site No. 02). They deposited 10% of EMD of Rs. 2065968/-. The appeared before the screening committee for interview held on 14.06.2018. The trust has submitted its saving bank account No. 019201000005938 of Rs. 163784/- on 30.10.2017 balance sheets, audit report from CA, ITR of last three years. The trust member

appeared before the screening committee on behalf of Haryana Panchal Brahaman Mahasabha failed to satisfy about utilization of land and the society has submitted incomplete utilization plan for Sector-08 (Site No. 02). The member of the society could not explain about their present activities and has not submitted any proofs for their previous activities organized by them. Hence the committee decided not to recommend the case for allotment of social and charitable site to the trust.

5. Manav Seva Samiti

Manav Seva Samiti R/o Manav Bhawan Sector-10 Near Bijli Complaint office Faridabad has applied for the allotment of one charitable site in Sector-8 (Site No. 02). They deposited 10% of EMD of Rs. 2065968/-. The representatives appeared before the screening committee for interview held on 14.06.2018. The trust has submitted its saving bank account No. 77090100563999 of Rs. 196542/- on 30.09.2014 balance sheets, audit report from CA, ITR of last three years. The society has mentioned its purpose to construct Manav bhawan, school for children's, IIT coaching centers, charitable dispensary for poor and needy persons. The trust member appeared before the screening committee on behalf of Manav Seva Samiti could not satisfactorily reply about their future plans for construction of the building and their welfare activities for the poor persons of the societies. Hence the screening committee decided not to recommend the case.

After the scrutiny of the all the applications including their financial status of the applicants of their religious, social & charitable trust, utilization plan, memorandum of

association/aims and objective/rules and regulations, number of local followers, past performance, future plans, aspirations and performance in the interview, the following societies/trusts may be considered for allotment of religious, social and charitable sites in the sector mentioned against them in the Urban Estate Faridabad. It has been decided to forward the proceedings of the meeting to the competent authority for consideration/approval for below mentioned sites:-

Religious Sites-

Sr. No.	Sector	Area in Meters	Sq.	Name of the Trust/Society
1.	3 RB-II	809.37		None
2.	9	809.37		Mahawar Vaish Samaj
3.	21C-I, Site No. I	809.37		Gurbani Vichar Society
4.	21D	768.90		International Goudiya Vedanta Trust
5.	46	1092.65		Bhakta Bandhav Society
6.	62 Site No. I	566.55		Residents Welfare Association
7.	65	809.37		None

Social & Charitable Sites-

Sr. No.	Sector	Area in Meters	Sq.	Name of the Trust/Society
1.	08 Site No. 02	2314.81		Bharat Vikas Parishad Social Welfare Trust
2.	64 Site No. 02	3361.35		None

The committee is also of the opinion that out of total three sites, two sites for religious (Sector-03 RB-III, Sector-65) and one site in Social & Charitable Site (Sector-64, Site No. 02) may be re-advertised for inviting fresh applications.


Sh. Sanjeev Mann,
District Town Planner, Faridabad.


Sh. Amarddeep Jain, HCS,
Estate Officer, HSVP, Faridabad


Sh. Nikhil Gajraj, IAS,
Administrator, HSVP, Faridabad.


Sh. Atul Dwivedi, IAS,
Deputy Commissioner, Faridabad.


Sh. G. Anupama, IAS,
Divisional Commissioner, Faridabad.

The Estate Officer,
HSVP, Faridabad.

Bhakta Bandhav Society,
No 17, Preet Nagar,
Ambala Cantt. 133001 (Haryana)

Memo No. 2094-97 Date: 6/5/19

Sub:- Letter of intent for allotment of land for religious and social/charitable site in Sector-46, Site No. 01 Faridabad Urban Estate Faridabad on 99 years lease basis.

It has been decided by Chief Administrator HSVP vide memo No. A-4-UB-2019/2482 dated 05.02.2019 to allot land measuring 1110 Sq. Mtr. in Sector-46, Site No. 01, Faridabad on 99 years lease basis at the rate of Rs. 9,975/- per Sq. Mtr. (for 1.5 FAR) i.e. 35% of the approved rate of institutional site of Rs. 28,500/- per Sq. Mtr. (valid upto 31.03.2019) for construction of religious building. The enhancement in compensation, if any, awarded by the court shall be paid extra.

This is a letter of intent and a final regular allotment will be issued only after completing the following terms and conditions. In case of failure to complete the terms and conditions within time, the letter of intent shall be withdrawn automatically.

1 10% amount of the total cost (Rs. 9,75,190/-) amounting to Rs. 1,10,72,250/- has already been paid by you.

2 Another remaining 15% of the total cost i.e. Rs. 17,92,873/- shall be payable within 30 days of the date of issued of letter of intent. In case of failure to deposit the payment within the stipulated period, the letter of intent shall be cancelled and 10% of the total cost already paid by you shall be forfeited.

The remaining 75% (Rs. 83,04,188/-) shall be recovered as under:-
Interest @15% per annum will be charged every year for the 1st two years. Thereafter the principal amount and interest @15% per annum shall be payable in 8 equated six monthly installments. In case the full payment is made within 60 days, no interest will be charged.

Ground rent:-
The ground rent for the 1st 33 years shall be charged @1/2% of premium per annum but the recovery for the first 10 years shall be deferred and the amount so accrued for this period shall be recovered from 11th year and completed before 20th year in addition to the normal ground rent of the period.

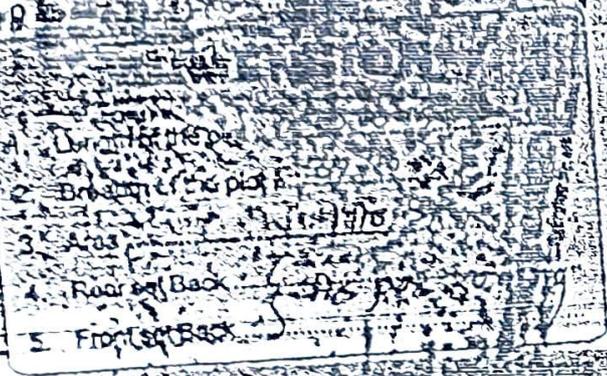
During the next 33 years of the lease period the rent @1% of the premium per annum shall be charged.

For the remaining 33 years of the lease period, the rent @1.5% shall be of the premium per annum.

5 The Society shall get the building plan approved from this office within 9 months besides arranging funds for construction. After that regular allotment letter shall be made.

POSSESSION CERTIFICATE

W
I, Shri. H. D. Sharma Junior Engineer of the office
Sector 46 of Urban Estate Faridabad
Katta Roshni Society
is given as under :-



The possession of the plot has been given to the said Allottee



I, Shri. H. D. Sharma on behalf of Roshni Society the allottee/Authority have
taken the possession of the Plot No. 18 Site Sector 46 Urban
Estate Faridabad as per above dimension allotted to me vide Estate Officer HUDA
allotment letter No. 2094 dated 6/3/19 vide E.O. Letter No. 3846 Dated 8/5/19

I undertake and follow the conditions as laid down in the allotment letter and provision of HUDA Act 1977; and
HUDA (Erection of Building) Regulations 1979 with latest amendments.
Further I have seen the Plot which is free from any type of encroachment and agree to accept the possession, I will
give at least one week Notice to the Estate Officer before actually starting the construction.

Memo No. S- 1509
Dated: 30/5/2019

Name & Signature of Allottee
Shri. H. D. Sharma
Postal Address: Roshni Society Katta
Ka. Gao. Kurva (Faridabad)
H.No. 17, Preet Nagar
Mobile: 9810133001
Santosh Kumar Maurya
Architect
B. Arch. (CA) 20 (6/79678)
Off: 17 Sector 28
HUDA Shopping Centre
Faridabad. Pin: 130058

HARYANA URBAN DEVELOPMENT AUTHORITY

without payment besides arranging for construction after taking
regular allotment letter should be made

Annex - A/6

Office of District Town Planner, Faridabad
HSVP Office Complex, Sector-12, Faridabad
Tel: 0129-2285609
E-mail: dtp3.faridabad.tcp@gmail.com

Estate Officer,
HSVP, Faridabad.

Memorandum → 5573
Dated: → 26-11-19

Sub:- Approval of Building Plan for setting up of Religious Building Site No. 1 Sector-46, Faridabad:- Bhakta Bhandhar society.

Ref: - Your office diary No. 49 dated 17.10.2019. Received in this office on d/ 29.10.2019.

On the above cited subject, it is intimated that the building plan of Religious Building Site No. 1, Sector-46, Faridabad, received vide letter under reference has been examined vis-à-vis approved zoning plan bearing Drg. No. DTP (F) 2772/2017 dated 05.10.2017/Haryana Building code 2017. The area detail report/comments of this office are as below:-

- Area of plot = 1110.0 Sqm.
1. Permissible F.A.R @ 100% (as per approved zoning plan) = 1110.0 Sqm.
 2. Permissible Ground Coverage @ 35% = 388.50 Sqm.

Area detail of proposed building plan.

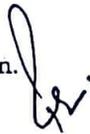
Description	Permissible Covd. Area (in sq.mt.)	Prop. Covd. Area (in sq.mt.)	Prop. FAR	Prop. Non FA
Ground Floor	388.50	363.280	--	--
First Floor	--	363.280	--	--
Mumty + Machine Room	--	30.292	--	--
Total	388.50	756.892	--	--

Proposed Ground Coverage = 363.28 Sqmt (32.75%) against 388.50 Sqmt (35%)
Proposed FAR = 363.28 + 363.28 = 726.56 Sqmt (65.46%) against 1110.0 Sqmt (100%).

As per the above said facts, building plan of religious & social charitable site found technically correct vis-à-vis decision of the committee/approved zoning plan. Necessary certificate/NOCs with reference to fire safety of the building/structure certificate/other applicable certificate may also be obtained from owner/Architect. Building plans received vide letter under reference are enclosed with the request to get all the copies of the building plans corrected as per the recommended building plan before the sanction the same.

This is for your kind information and further necessary action.

DA/As above.


District Town Planner,
Faridabad.

REGD.

Annex - A/7

The Estate Officer,
Haryana Urban Development Authority,
Sector-12, Faridabad.

To

Bhakta Bandhav Society,
R/o 17, Preet Nagar,
Ambala Cantt. 133001 (Haryana).

Memo No.

1196

Dated:

11/2/20

Sub.: ALLOTMENT OF LAND TO Bhakta Bandhav Society IN SECTOR-46, for religious and social/charitable site in Sector-46, site No. 01, FARIADABAD FOR Construction of Religious Building ON 99 Years LEASE HOLD BASIS.

1. Please refer to your application for issue of allotment letter for Religious site in Sector-46, Site No. 1 at Faridabad.
2. Your application has been considered and a land as detailed below, is hereby allotted to you on 99 years lease hold basis as per the following terms and condition and subject to the provision of the Haryana Urban Development Authority Act, 1977 (hereinafter referred to as the Act) and the rules/ regulations made there under and as amended from time to time. The area of the site and the tentative price of the plot given below:-

SECTOR NO.	NAME OF URBAN ARE	AREA	TENTATIVE PREMIUM OF THE PLOT
------------	-------------------	------	-------------------------------

62, Part-II

Faridabad

1110 Sq. Mtr. 1,10,72,250/-

MODE AND SCHEDULE OF PAYMENT :

- a) The balance amount i.e. Rs. 8304188/- of the above tentative premium of the land can be paid in Lumpsum without interest within 60 days from the date of issue of the allotment letter or eight equated six monthly installments with 12% interest per annum, but in the first two years interest only will be charged. Thereafter, the principle amount together with interest on the balance premium @ 12% per annum is recoverable in installments. In case full amount is paid within 60 days of allotment, no interest shall be charged and payment schedule as per letter of intent.

GROUND RENT

- b) The ground rent for the first 33 years shall be charged at the rate of ½% of the premium per annum. But the recovery for the first ten years shall be differed and the amount so accrued for this period shall be recovered from 11th years and completed before 20th years in addition to the normal rent of that period.
- c) During the next 33 years of the ground rent will be paid @1% of the premium per annum.
- d) For the remaining 33 years of the Lease period the ground rent shall be 1 ½ % of the premium per annum. If the payment is not made on the due date 15% interest will be charged per annum on delayed payment.

3. Each installment shall be remitted to the Estate Officer in the shape of challan or through online mode only (not in cash or cheque or demand draft & every such remittance shall be accompanied by a letter showing the full particulars of the site i.e. the site and sector number to which the payment pertains. In the absence of these particulars the amount remitted shall not be deemed to have received.

4. No separate notice will be sent for payment of the installments ground rents. However the information regarding the installments, ground rent, the amount due and the due date etc. may be sent as a matter of courtesy.

All payments shall be made by means of Challan/ Through Online mode to Estate Officer, Haryana Sehari Vikas Pradhikaran, Faridabad draw scheduled Bank at Faridabad.

On the payment of 100 percent of the tentative premium of the land all execute the lease deed in the prescribed form and in such manner as directed by the Estate Officer. The charges of registration & stamp duty will be borne by you.

You shall have to pay all general and local taxes, rates or imposed or levied on the said Land/ Building by the Competent Authority.

8. The above price is tentative to the extent that any enhancement in the cost of land awarded by the Competent Authority/ Court under the land acquisition Act shall also be payable proportionately, as determined by the Authority. The additional price determined shall be paid within thirty days of its demand.

9. In case the installment is not paid on due date or in case the additional price is not paid within time, the Estate Officer shall proceed to take action for imposition of penalty and resumption of plot in accordingly with the provision of Section 17 of the said Act.

10. The society shall have to bound to complete at least 25% of the permissible (F.A.R.) construction within two years from the date of allotment.

11. In case the land is not utilized for the purpose for which it has been allotted it shall revert back to HSVP along with construction made thereon. No obnoxious Trade shall be carried out in on any portion of land/ Building.

12. You shall have to get the plans of the proposed building approved from the Competent Authority in accordance with the regulations governing for the erection of the building. Occupation certificate for the building shall have to be obtained from HSVP before occupying the building.

13. You shall not erect any building or make any alternation/additions without prior permission of the Estate Officer. No Fragmentation of any land or building shall be permitted.

14. Shop shall not be constructed on any portion of land,

15. Residential building will not be allowed on any portion of the land.

16. The transfer of plot shall not be allowed under any circumstances.

17. In the event of violation of any of the condition of allotment, the Estate Officer may resume the land/building in accordance with the provision of Section 17 of the Act.

Authority will not be responsible for leveling the uneven sites.

You shall have to pay separately for any construction, material, trees, and compound wall existing in your land at the time Authority, if you want use of the same. The authority reserves to itself all mines and minerals over in or under the said site with all such rights and powers as may be necessary or expedient for the purpose of searching for working, obtaining removing and enjoying the same at all such times and in such manners as the authority shall think fit. With power to carry out any surface or any underground working and to let down the surface of all or any part of the said site and to sink pits erect building, constructions and generally appropriate and use surface of the said site for purpose of doing all such things as may be convenient or necessary for the full enjoyment of the exceptions and reservations herein contained.

20. Provided that the allottee shall be entitled to receive from the Authority such payment for the occupation by the Authority of the surface and for the damage done to the surface or building on the said land by such works or working or letting down as may be agreed upon between the authority and the allottee or failing such agreement as shall be ascertained by the refer to arbitration.

21. The authority may through its officers and servants at all reasonable time and reasonable manners after 24 hours notice in writing enter in and up on any part of the said land/building erected thereon for the purpose of ascertaining that the allottee has duly performed and observed the conditions to be observed under the rules regulations made under the said Act.

22. The Authority shall have full right, power and Authority at all times to do through its Officers or servants, all acts and things which may be necessary or expedient for the purpose of enforcing compliance with all or any of the terms, conditions and restriction imposed and to recover from your first charge upon the said land building on the cost of doing all or any such act and things all cost incurred in connection therewith or any way relating thereto.

23. HSVP would have the right to cancel the lease and enter the premises in case the temple has ceased to function or the premises is used for a purpose other than the running of a temple.

24. You shall have no right to mortgage the land/building without prior permission of the competent authority. Mortgage permission shall be deemed to have been granted on handing over the possession of the plot for the purpose of construction of Mandir building infavour of the Schedule/Nationalized Bank/Govt.

allow load against mortgage permission issued by HSVP. Provided in the event of failure or closer the HSVP shall have first charge over the extend of unpaid portion of the tentative price and additional price pending.

All disputes and differences arising out of or in way touching or concerning this allotment whatsoever shall be referred to the sole arbitration of the Administrator or any other Officer appointed by him on his behalf it will not be subject to such appointment that the arbitrator so appointed is a Govt. Servant as the case may be, he has expressed his views on all or any of the matter disputes or differences. The decision of arbitrator shall be final and binding on the concerning parties.

26. In the event of default in payment of ground rent, you are liable to be proceeded against under section 16 & 18 of the Act. All arrears of ground rent due shall be recovered as arrears of land revenue.

27. The facilities provided shall be open to all irrespective of cast, creed and religion.

28. In the event of violation of the conditions of allotment, the Estate Officer may resume the land/building in accordance with the provisions of Section 17 of the Act.

29. The interest @15% p.a. shall be charge extra on the delayed payment for the delayed period.

30. No change of land use shall be allowed.


Estate Officer,
HSVP, Faridabad.

Dated: 11/2/20

Endst No. RA-III-93/ 1197-98

A copy of the above is forwarded to the following information:

1. The Chief Administrator, HSVP, Sector-6, Panchkula.
2. The District Town Planner, Faridabad.


Estate Officer,
HSVP, Faridabad.


Clerk


Assistant


DS Supdt.


Acctt.


A.O.


Estate Officer,
HSVP, Faridabad.

30

From Estate Officer,
HSVP, Faridabad.

NO (FR)
E.E.-II/A.E.E.-II/
H/J.E.E./CLP
04/3/2020

To The Regional Officer,
Pollution Control Board,
Sector-16, Faridabad.

Memo No. 173/

Date. 3/3/20

Sub:- O.A. No. 14 of 2020 titled as Shyam Malhotra Vs State
of Haryana & Ors (Pending NGT).

Ref:- Your office memo No. HSPCB/FR/2020/5365-66 dated
24.02.2020 on the subject cited above.

It is intimated that said site was inspected on 13.02.2020 by the Joint Committee constituted by the Deputy Commissioner, Faridabad. Further it is also informed that the letter of intent for allotment of land for Religious and Social/Charitable Site No. 01, Sector-46, Faridabad was issued by this office vide memo No. 2094 dated 06.03.2019 on lease basis for 99 years (copy attached). The possession of the site was delivered by this office vide memo No. 1509 dated 30.05.2019 (copy attached). The building plan of the site was approved on 26.11.2019 (copy attached). The allotment of land to Bhakta Bandhav Society Sector-46, Faridabad for site No. 01, Sector-46, Faridabad was issued by this office vide memo No. 1196 dated 11.02.2020 (copy attached).

The site was allotted by adopting due procedure public notice was issued in leading newspapers and six sites were published. Thereafter 19 applications were received and interview was conducted by the Zonal Committee headed by Divisional Commissioner and four members on 14.06.2018, after that proceeding of screening committee was prepared (copy attached). Thereafter letter of intent was issued on 06.03.2019.

The site plan showing the Creche site was approved by the Chief Administrator, HSVP, Panchkula. The District Town Planner, Faridabad prepared demarcation plan drawing No. 1601/94 dated

5

04.07.1994 (copy attached). Thereafter, the Chief Administrator, (Town and Planning Wing) HSVP, Panchkula vide memo No. CTP/MS/11100 dated 16.12.2015 approved the same site as religious building (copy enclosed)

That Sector-46, Faridabad is a fully developed Sector and 1198 number of plots have been allotted and on 90% of the plots building have been raised and completion have been obtained from this office.

This site was never demarcated in the plan as a park. The Residents around the religious site No. 01, Sector-46, Faridabad have raised wall/fencing around the site and some trees have also be planted by the residents of the Sector-46, Faridabad and are using it as a park but the site is a religious site ad same has been allotted to the Bhakta Bandhav Society on 06.03.2019. That the above status report is submitted for kind perusal please.

DA/As Above.


Estate Officer,
HSVP, Faridabad.

Date:-

Endst No.

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

1. The Chief Administrator, HSVP, Panchkula.
2. The Deputy Commissioner, Faridabad.

Estate Officer,
HSVP, Faridabad.