प्रेषक,

उपायुक्त, गुडगांव।

सेवा मे

M/S Essel Housing Projects Pvt. Ltd.
Suncity Business Tower,
2nd Floor Golf Course Road,
Sector-54, Gurgaon-122002.

क्रमांक 21 /एम.बी. दिनांक 25-10-2016

विषयः- **Issue of clearance that our land is not falling under Aravali Notification dated 07-05-1992/Forest Area.**

उपरोक्त विषय पर आपके प्रार्थना पत्र के संदर्भ में।

विषयोक्त मामले में इस कार्यालय द्वारा उप मण्डल अधिकारी (ना0) उत्तर, गुडगांव व जिला वन अधिकारी, गुडगाव से रिर्पोट प्राप्त की गई। जो निम्न प्रकार है।

उप मण्डल अधिकारी (ना0), उत्तर, गुडगांव ने अपने कार्यालय के पत्र क्रमांकः 1134/रीडर दिनांक 17.10.2016 द्वारा तहसीलदार, गुडगांव की रिर्पोट प्रेषित की है। रिर्पोट अनुसार गांव सुखराली तहसील व जिला गुडगांव के आराजी किला न0 18//8/2(1-11), 18/1(7-0), 23/2(7-0) किता 3 रकबा 15 कनाल 11 मरला की मांगी गई रिर्पोट बिन्दुवार निम्न अनुसार हैः-

1. प्रार्थना पत्र मे वर्णित उपरोक्त किला नम्बरान दिनाकं 07.05.1992 के अनुसार अरावली क्षेत्र मे नही है।
2. दिनांक 07.05.1992 के नोटिफिकेशन से पूर्व व पश्चात मिसल हकीयत ता हाल कभी भी उपरोक्त आराजी की किस्म गैर मुमकिन पहाड, गैर मुमकिन राडा, गैर मु0 बीहड, बंजर बीहड व रून्द्र नही रही है।
3. दिनांक 07.05.1992 के नोटिफिकेशन से पूर्व किला न0 18//18/1, 23/2 व किला न0 18//8/2 मगदा व चाही व नोटिफिकेशन के पश्चात किला न0 18/18/1, 23/2 मगदा व चाही, गैर मुमकिन व किला न0 18//8/2 चाही व बंजर कदीम किस्म रही है।
4. उपरोक्त आराजी पर मिसल हकियत ता हाल कभी भी शामलात देह, पचांयत देह, नगर पालिका, नगर निगम की मलकियत नहीं रही है।
5. उपरोक्त आराजी पर जमाबन्दी साल 2010-11के खाना कैफियत के अनुसार माननीय न्यायालय का कोई केस दर्ज नहीं है।

Deputy Conservator of Forest, Gurgaon ने अपने कार्यालय के पत्र क्रमांकः 2165-जी0 दिनांक 13.10.2016 द्वारा लिखा है कि **M/s Essel Housing Projects Pvt Ltd., Suncity Business Tower, 2nd Floor Golf Course Road, Land location Sukhrali, Gurgaon** के नाम के प्रस्तावित स्थल की **On-Line Clerification for setting up a devlopment of group housing colony, Land Measuring 1.94375 (Acre) Rect. No. 18 Killa No.** 18/1(7-0), 23/2(7-0), 8/2(1-11) **following is made clear that**:-

A) As per records available above said land is not part of notified Reserved Forest, protected Forest under Indian Forest Act, 1927 or any area closed under section 4 & 5 Punjab Land Preservation Act 1900.

B) It is clarified that by the Notification No. S.O 8/P.A/2/1900/S 4/2013 dated 04-01-13 whole Revenue Estate of Gurgaon is notified u/s 4 of PLPA 1900 and S.O 81/PA/2/1900S.3/2012 dated 19-12-12 u/s 3 of PLPA 1900. The area is however not recorded as Forest in the Government record but felling of any tree is strictly prohibited without the permission of Divisional Forest officer, Gurgaon.

C) If approach is required from Protected Forest by the user agency, the clearance/regularization under Forest Conservation Act 1980 will be required without prior clearance from Forest Department the user of Forest land for approach road is strictly prohibited. **M/s Essel Housing Projects Pvt Ltd.** whose land is located at **Sukhrali Distt. Gurgaon** must obtain clearance as applicable under Forest Conservation Act, 1980.

D) As per the records available with the Forest Department Gurgaon the area does not fall in areas where plantations were raised by the Forest Department under Aravali project.

E) All other statutory clearances mandated under the Environment protection Act 1986, as per the notification of Ministry of Environment and Forest, Government of India dated 07-05-1992 or any other Act/Order shall be obtained as applicable by the project proponents from the concerned authorities.

F) The project proponent will not violate and Judicial Order/Direction issued by the Hon'ble Supreme Court/High Courts.

G) It is clarified that the Hon'ble Supreme Court has issued various judgement dated 07-05-02,29-10-02,16-12-02,18-03-2004,14-05-2008 etc. pertaining to Aravali region in Haryana, which should be complied with.

H) It shall be the responsibility of user agency/applicant to get necessary clearance/ permissions under various Acts and Rules applicable if any, from the respective authorities department.

I) As the area which clarification is fall withing the notified Eco-sensitive Zone of sultanpur national park necessary permissions may be obtained from competent authority as per the notification no. S.O. 191 (E) Dated 27-01-2010 issued by MOEF, Govt. of India.

It is subject to the following Conditions.

1. Clarification is hereby issued.

अतः उप मण्डल अधिकारी (ना0) उत्तर, गुडगांव व उप वन संरक्षक, गुड़गांव की रिर्पोट अनुसार वर्णित किला नं. अरावली क्षेत्र में नहीं आते हैं।

कृते: उपायुक्त, गुडगांव।

Deputy Commissioner
Gurgaon

प्रेषक

उपायुक्त,गुडगांव।

सेवा मे,

Sh. Navneet Kumar
M/s Essel Housing Projects Pvt. Ltd.
N-49, 1st Floor Connaught Place,
New Delhi-110001

क्रमांक 76 /एम.बी. दिनांक 04/1/13

विषयः- **Residential Group Housing Colony at Sector-28, village Sukhrali Tehsil District Gurgaon License No. 48 of 1995 & License No. 32 & 33 of 2009 through Director General, Town and Country Planning, Haryana Chandigarh regarding Aravali clearance and Forest NOC as required.**

उपरोक्त विषय पर आपके प्रार्थना के सन्दर्भ में।

विषयोक्त मामले मे कार्यालय द्वारा उक्त प्रार्थना पत्र पर तहसीलदार, गुडगांव व उप-वन संरक्षक, गुडगांव से रिपोर्ट प्राप्त की गई है। जो निम्न प्रकार है:-

1. तहसीलदार, गुडगांव :- तहसीलदार, गुडगांव ने अपनी रिपोर्ट मे लिखा है कि पटवारी की रिपोर्ट अनुसार नम्बरान खसरा 18//19-20-21-22/1-22/2, 35//2/2-9 मौजा सुखराली मे दी इन्डियन ऐयर लाईन्स पायलेटस कोपेरेटिव हाउस बिल्डिंग सोसायटी मालिक है उपरोक्त नम्बरान खसरा मे गैर मुमकिन पहाड,राडा,बीहड,बंजर,बीड,जोहड नही है। उपरोक्त नम्बरान खसरा अरावली ऐरिया से बहार है। उपरोक्त नम्बरान खसरा शामलात देह की भूमि नही है उपरोक्त नम्बरान खसरा साल 1992 से पहले चाही थी व हाल 18//19-20-21-22/1-22/2, 35//2/2-9 गैर मुमकिन कालोनी दर्ज है।

2 Deputy Conservator of Forest, Gurgaon की रिपोर्ट अनुसार उनके कार्यालय के पत्र क्रमांक 652 दिनांक 06.07.12 तथा क्रमांक 1534 दिनांक 25.10.12 के द्वारा प्रयोक्ता ऐजेंसी को स्पष्टता पत्र जारी किया जा चुका है। जो निम्न प्रकार है **M/s Essel Housing Projects Pvt. Ltd., N-49, 1st Floor Cannaught Place, New Delhi** vide letter No. Nil Dated 25-05-12 made a request in connection with land measuring **3.625** Acres having Rect. NO. 18 Killa No. 20,21 Rect No. 35 Killa No. 2/2,9 land Located at village Sukhrali District Gurgaon Applicant made a proposal to use this land for **Group Housing Colony** Purpose. In continuation of report submitted by RFO,Gurgaon vide letter No. 261-G dated 26-06-12 and approved from C.F. South Circle, Gurgaon vide letter no. 600 dated 04-07-12 and **M/s Essel Housing Projects Pvt. Ltd., N-49, 1st Floor Cannaught Place, New Delhi** vide letter No. Nil Dated 23-07-12 made a request in connection with land measuring **2.00** Acres having Rect. NO. 18 Killa No. 19,22/1,22/2 land Located at village Sukhrali District Gurgaon Applicant made a proposal to

use this land for **Group Housing Colony** Purpose. In continuation of report submitted by RFO,Gurgaon vide letter No. 397-G dated 09-08-12 and approved from C.F. South Circle, Gurgaon vide letter no. 3081 dated 12-10-12, it is made clear that:

A Above said land is not part of notified/closed area under IFA 1927/FCA/1980/specific section 4 & 5 of PLPA 1900/WLPA 1972/or any other forest land.

B It is clarified that by the Notification No. S.O.121/PA.2/1900/S.4/97 dated 28-11-1997, all revenue estate of Gurgaon District is notified u/s 4 of PLPA 1900 and s.o. 113/PA.2/1900/S.3/97 dated 17-11-1997 u/s 3 of PLPA. The area is however not recorded as forest in the Government record but felling of any tree is strictly prohibited without the permission of Divisional Forest Officer, Gurgaon.

C If approach is required from Protected Forests by the user agency, the clearance/regularization under Forest Conservation Act 1980 will be required. Without prior clearance from Forest Department, the use of Forest land for approach road is strictly prohibited. **M/s Essel Housing Projects Pvt. Ltd., N-49, 1st Floor Cannaught Place, New Delhi**, must obtained clearance and approaches the Divisional Forest officer, Gurgaon for the permission under Forest Department Act. 1980.

D As per record with the Forest Department, Gurgaon, the area does not fall under Aravali Project Plantation done by the Forest Department.

E All other statutory clearance mandated under the Environment Protection Act, 1986 or any other Act/order shall be obtained as applicable by the project proponents from the concerned authorities.

F The project proponent shall ensure that Judicial orders/Pronouncements issued by the Hon'ble Supreme Court/High Courts.

G It is clarified that the Hon'ble Supreme Court has issued various Judgment dated 07-05-02, 29-10-02, 16-12-02, 18-03-04 etc. Pertaining to Aravali region in Haryana, since the proposed site falls within 5 KM. of Delhi boundary Surajkund & Badkhal Lake the permission from the Mining Department. Department of Town & Country Planning Haryana and Other appropriate authorities must be obtained who is under obligation to follow the directions in the various Hon'ble Supreme Court judgments while granting permission.

अतः तहसीलदार,गुडगांव तथा उप-वन संरक्षक, गुडगांव की रिपोर्ट अनुसार वर्णित खसरा व किला न0 अरावली क्षेत्र में नहीं है। रिपोर्ट आपकी सेवा मे आगामी आवश्यक कार्यवाही हेतु प्रेषित है।

For Deputy Commissioner
Gurgaon