

BEFORE THE NATIONAL GREEN TRIBUNAL, PRINCIPAL  
BENCH AT NEW DELHI  
O.A. No. 391/ 2022

IN THE MATTER OF:

Brigadier Paramjit Singh & Ors.

...Applicants

Versus

State of Haryana & Ors.

....Respondents

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Filed By:

Date: 30.12.2022

Place: New Delhi



Adv. Noopur Singhal  
Counsel for Respondent no.3

**BEFORE THE NATIONAL GREEN TRIBUNAL,  
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**REPLY ON BEHALF OF RESPONDENT NO.3 –  
HARYANA SHEHRI VIKAS PRADHIKARAN**

**MOST RESPECTFULLY SHOWETH:**

1. That the present matter was listed earlier on 23.11.2022 whereby this Hon'ble Tribunal granted time to file a detailed reply with requisite particulars as to current status of the water bodies along with the copies of the relevant documents.
2. That the present application is filed by the Applicants under Section 14 of the National Green Tribunal Act, 2010 seeking restoration of water body (Johad) as shown in the map annexed with the application and greenbelt area surrounding the water body and to set aside and declare the notification for E-auction initiated by respondent No. 3 as illegal.
3. That a short reply on behalf of answering Respondent was filed on 22.11.2022 wherein in respect of e-auction



notification it has been submitted that the site for water body is not affected by the re-planning of the already planned commercial area and the water body was kept intact.

4. That it is submitted that land bearing Khasra No. 26//26/2(24K-15M or 3.10 Acres) pond area situated in village Silokhra entered as *gairmumkinnallah* in revenue record, has been acquired vide award No. 18 dated 30.08.11. The possession of the acquired land was taken by answering Respondent-HSVP vide rapat No. 479 dated 30.08.11. Hence, HSVP is the custodian of water body and surrounding green belt.
5. That the actual area/dimensions of the water body as per revenue records is 3.10 Acres. It is respectfully submitted that the answering respondent approved the layout plan of the area in question situated in Sector-41, Gurugram which was amended vide memo No. Chief Town Planner/AM/213853 dated 26.10.2018. As per the approved plan in the land in question, there was planned for 02 nos. commercial complex site measuring 6751.85 sqmtrs. and 4325 sqmtr. and 1 number multiplex GH site measuring 4000 sqmtrs.
6. That the answering respondent amended its layout plan of the land in question, vide memo No. 47921 dated 28.03.2022 wherein 5 numbers showroom (15 x30 m), 4



number showroom (20 x 30 m) and 1 number commercial complex site measuring 6740.58 sqmtrs was planned in lieu of earlier planned commercial area.

7. That it is respectfully submitted that as per approved part revised layout plan, the planning of Showroom No. 6 & 7 (measuring 30 x 20M) are affected with the pond area. A copy of part revised layout plan Sector-41, Gurugram is annexed herewith as **ANNEXURE C-1**. Therefore, the area/dimension of water body which was earlier 3.10 Acres is now re-worked and now a total area of 4.40 acres as shown in purple colour has been earmarked and left out for water body alongwith surrounding green belt as per part approved part revised layout plan. A copy of reworked part revised layout plan, Sector-41, Gurugram are annexed as **ANNEXURE C-2**.
8. That it is submitted that at present there is no water at the pond at present and the site is lying vacant with overgrown shrubs and trees. Photos of the pond area are annexed as **ANNEXURE C-3**.
9. That it is humbly submitted that the HSVP is committed to restore the water body and an estimate of Rs.292.70 Lacs for development of the area is under administrative approval. It is submitted that once the approval be received, the tender document will be prepared and approved and after that a three weeks tender will be



floated and accordingly restoration work will be awarded. It is humbly submitted that this whole process may take about 9 to 10 months. The estimate to get the work of development of water body and other infrastructure of the sector concerned as received from Superintending Engineer, HSVP, Circle-II, Gurugram and Horticulture, Gurugram are annexed as **ANNEXURE C-4 & 5**.

10. In view of the above stated facts and circumstances mentioned herein-above it is humbly submitted that the answering Respondent No. 3 Haryana Shehri Vikas Pradhikaran is always ready & willing to sincerely resolve any of the grievances that may be raised relating to the area under custody of it. The Respondent No. 3 also undertakes to submit to the lawful command of this Hon'ble Tribunal.

Date: 30.12.2022

Place: Gurugram



Administrator, HSVP, Gurugram  
For and On behalf of Respondent No.3

Through



Adv. Noopur Singhal  
Counsel for Respondent no.3

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**AFFIDAVIT**

I, Jaspreet Kaur, aged about 37 years working as Administrator, HSVP, Gurugram, do hereby solemnly affirm and state as under:

1. That I am the authorized representative of Respondent no.3 and in my official capacity as stated above, I am well conversant with the facts and circumstances of the present matter and am capable to state as under.
2. That the accompanying reply has been drafted on my instructions I have read and understood the contents of the reply filed. The facts stated therein are true and correct to the best of my knowledge.

VERIFICATION:

Verified on 30<sup>th</sup> day of December, 2022 at Gurugram that the contents of para No.1 & 2 of my affidavit are true and correct based on the information derived from the official record which I believe to be correct. No part of it is false and nothing has been concealed therein.

DEPONENT  
Administrator  
HSVP Gurugram

DEPONENT  
Administrator  
HSVP Gurugram



MAHENDER S. PUNIA,  
ADVOCATE & NOTARY  
Distt. Gurugram (Haryana) India

31 DEC 2022



# ART REVISED LAYOUT PLAN OF SECTOR-41, GURUGRAM

SCALE: 1:20

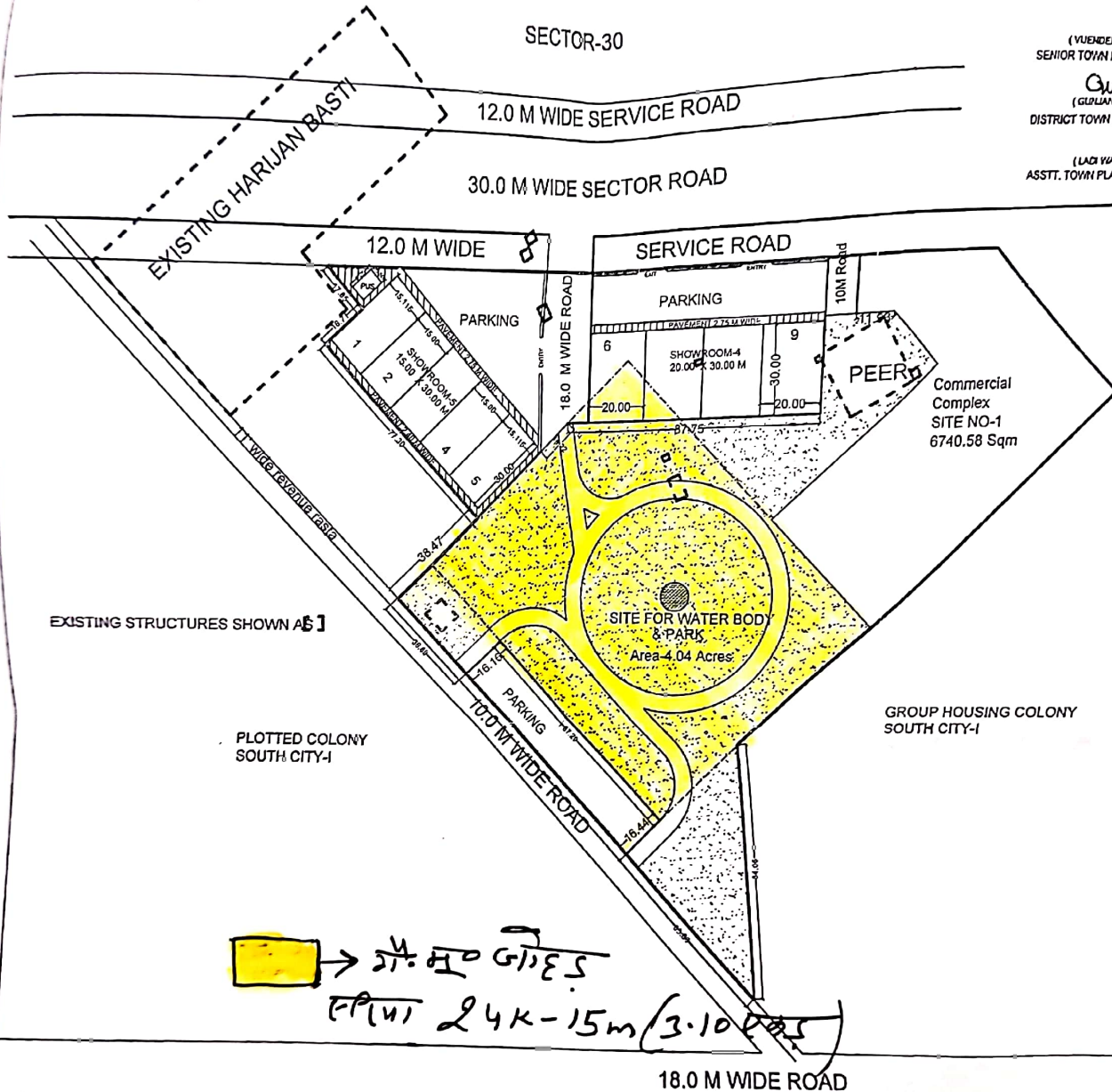


Arjun  
(ART BALAJI JOSHI, I.A.S.)  
CHIEF ADMINISTRATOR, H.SVP.  
9  
(HARSH KATAR) CHIEF TOWN PLANNER, H.SVP.

(YUENDER SINGH)  
SENIOR TOWN PLANNER, H.SVP.

Gulshan  
(GULSHAN VERMA)  
DISTRICT TOWN PLANNER, H.SVP.

(LACH VALLA)  
ASSTT. TOWN PLANNER, H.SVP.



TOTAL AREA OF THE SITE BOUNDED IN RED COLOUR  
SALEABLE AREA

= 33972.20 ( 8.39 ACRE)

AREA UNDER PARKING, PAVEMENT, PUS

= 11397.48 ( 33.54 % )

= 22574.72

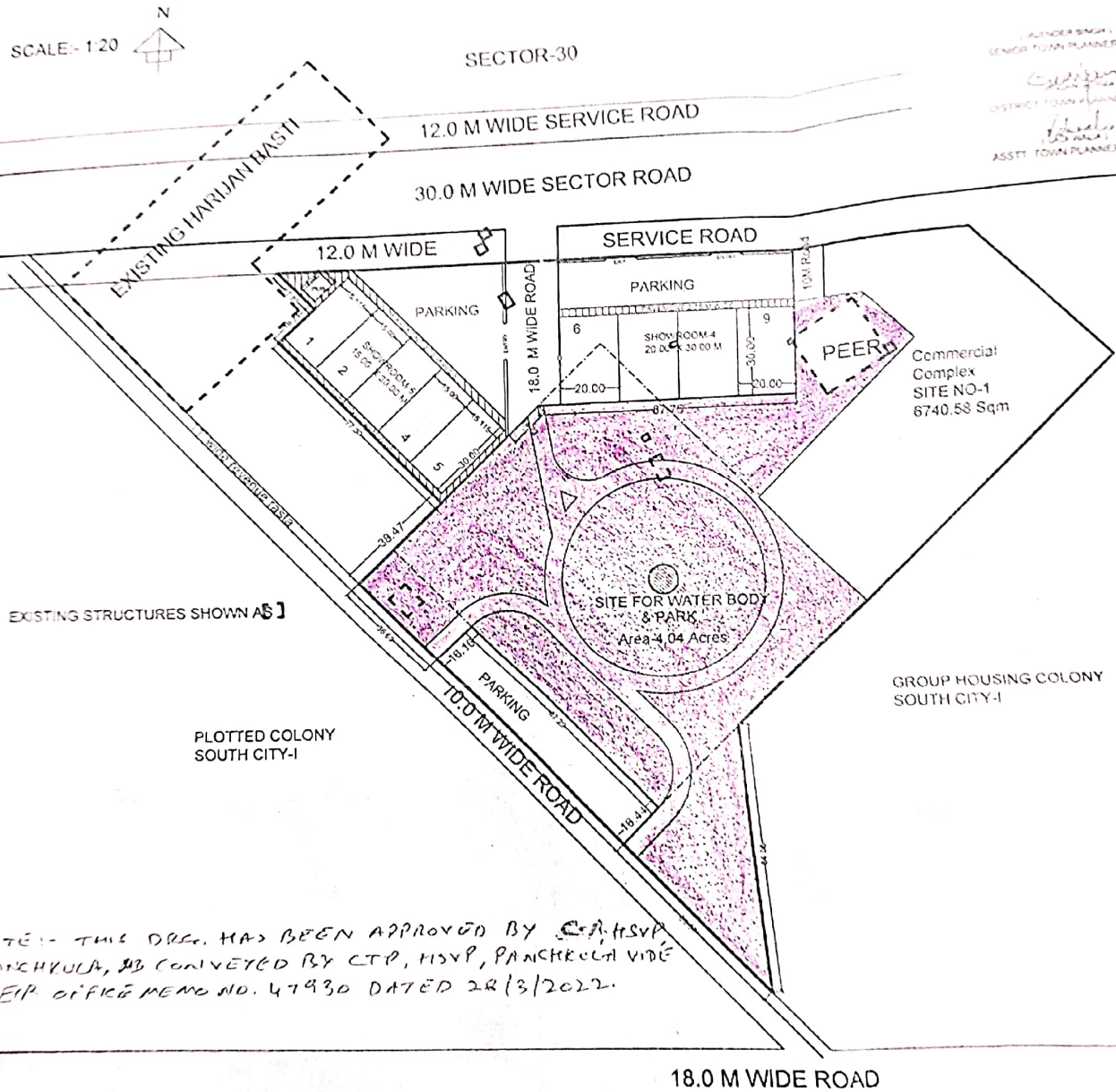
SR.NO.	CATEGORY	SIZE IN MTR.	NO. OF SITES	AREA IN SQM.
1	SHOWROOMS THREE STOREYED WITH BASEMENT	20.00 X 30.00 M.	4	2400.00
2	SHOWROOMS THREE STOREYED WITH BASEMENT	15.00 X 30.00 M.	3	1350.00
3	SHOWROOMS THREE STOREYED WITH BASEMENT	15.115 X 30.00 M. CORNER	2	906.90
4	COMMERCIAL COMPLEX		1	6740.58
5	P.U.S	5.50 X 8.25 M.	1	45.375

# PART REVISED LAYOUT PLAN OF SECTOR-41, GURUGRAM

SCALE- 1:20

SECTOR-30

[Signature]  
 DISTRICT ADMIN. (S-1)  
 CHIEF ADMINISTRATOR, HSYD  
 [Signature]  
 DISTRICT TOWN PLANNER, HSYD  
 [Signature]  
 SENIOR TOWN PLANNER, HSYD  
 [Signature]  
 DISTRICT TOWN PLANNER, HSYD  
 [Signature]  
 ASST. TOWN PLANNER, HSYD



TOTAL AREA OF THE SITE BOUNDED IN RED COLOUR = 33972.20 ( 8.39 ACRE)  
 SALEABLE AREA = 11397.48 ( 33.54 % )  
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4	COMMERCIAL COMPLEX		1	6740.58
5	P.U.S	5.50 X 8.25 M.	1	45.375

[Signature]  
 JE













**HARYANA SHAHARI VIKAS PRADHIKARAN  
OFFICE OF THE SUPERINTENDING ENGINEER, HSVP, CIRCLE - II,  
SECTOR-34, GURUGRAM.**

To

The Chief Engineer-I,  
HSVP, Panchkula.

Memo No. 3006

Dated: 28-12-2022

Sub.: -

**Rough Cost Estimate for Development of Pond, Construction of Boundary wall & Development of Shopping Centre Site near pond site/water body of Sector - 41, Gurugram with complete in all respect.**

**A/C Rs.258.60Lakh.**

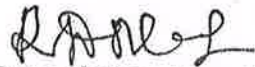
Kindly find enclosed herewith the rough cost estimate for the work cited as subject in duplicate amounting to Rs.258.60Lakh for scrutiny & technically checking for submission the estimate before the lower works committee submitted by Executive Engineer, HSVP, Division No. VI, Gurugram.

The Executive Engineer has intimated that the part revised layout plan of Sector - 41, Gurugram has been received from the Chief Town Planner, HSVP, Panchkula vide his office letter No. CTP/DTP(G)/SB/47921 dated 28.03.2021 for development of pond, construction of Boundary wall & Development of Shopping Centre Site near Pond site/water body of Sector-41, Gurugram. According, the rough cost estimate for the same has been prepared amounting to Rs.258.60Lakh.

The Executive Engineer has further intimated that the SDE/JE has been checked the detail of quantity and cost prepared for development of new pocket were found correct. The necessity to furnish this estimate has been fully explained in the report of the estimate. There is no budget provision for this estimate for the current financial year 2022-2023 and the same will be demanded through re-appropriation of budget.

It is therefore requested to arranging the administrative approval of the estimate from the competent authority at the earliest please.

**DA/- Estimate in Duplicate**

  
Superintending Engineer,  
HSVP, Circle-II, Gurugram.

Endst No.

Dated:

A copy of the above is forwarded to the Executive Engineer, HSVP, Division No. VI, Gurugram w.r.t. his office memo No. 218586 dated 28.12.2022 for information and necessary action.

↑  
Superintending Engineer,  
HSVP, Circle-II, Gurugram.



OFFICE OF THE SUPERINTENDING ENGINEER, HORT. CIRCLE, HSVP, GURUGRAM

To,

The Executive Engineer  
HSVP, Hort. Division,  
Gurugram

Memo No. 323

Date: 21/12/22

Sub: -

Rough Cost Estimate for development of Horticulture  
works in water body sector- 41 Gurugram.

A/Cost: Rs. 34.10 Lakh

Ref:

Your office memo No. 4264 dt. 21.12.2022 on the  
subject noted above.

The Rough cost estimate submitted by your office vide letter under reference is returned herewith duly technically checked for Rs. 34.10 Lakh (Rs. Thirty Four Lakh Ten thousand Only) for taking further necessary action in regard to put up the same before the lower works committee for recommendation of lower works committee/ seeking of Administrative approval thereof.

The above checking of estimate is conveyed subject to condition that it may be ensured that the provision exists in IDC/EDC and the amount of the estimate is within the provisions for the same exist in IDC/EDC. It may be verified and ensured by you prior to putting up the estimate before lower works committee that scope of work covered in this estimate has not been included in any previously A/approved estimate.

(Arun Dhankhar)

Superintending Engineer  
Hort. Circle, HSVP  
Gurugram