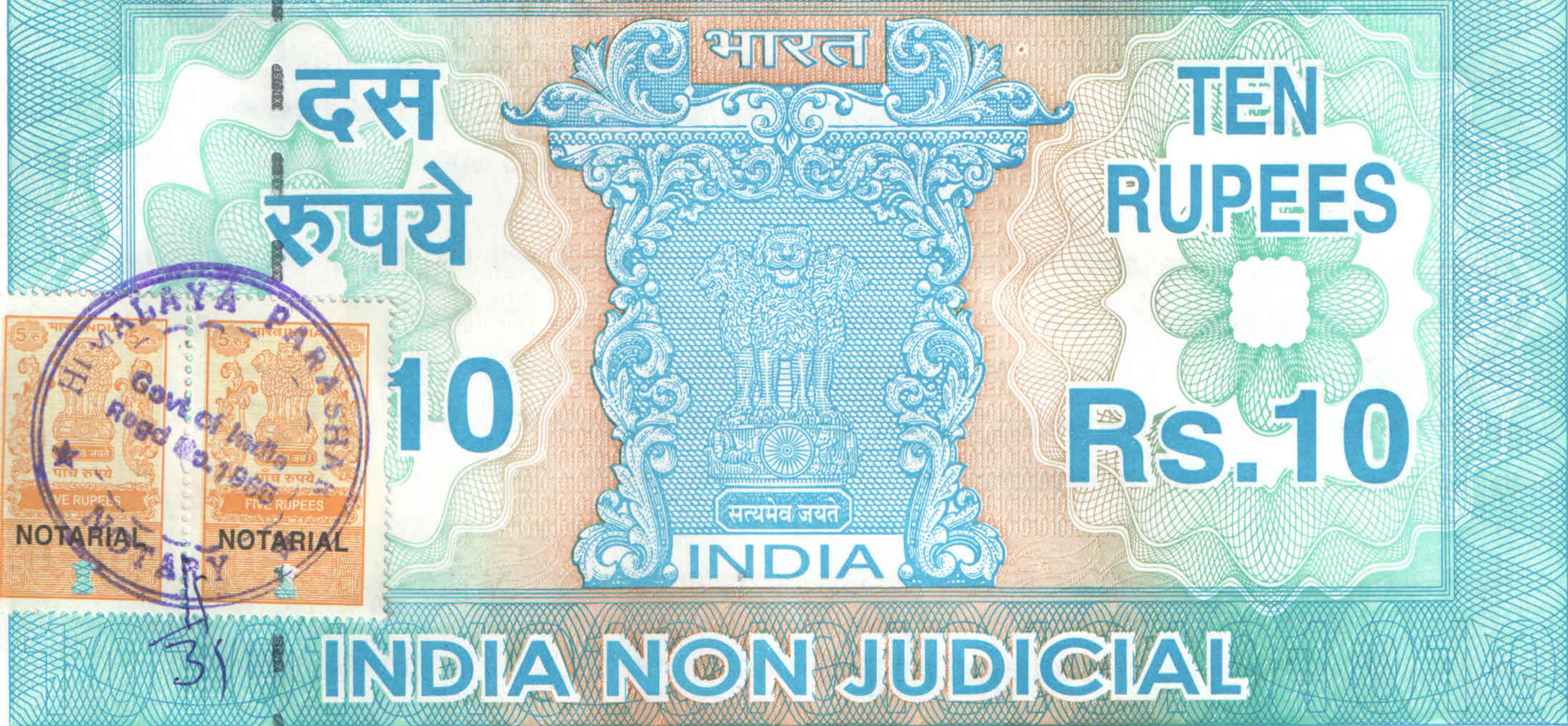


भारतीय गैर न्यायिक



उत्तर प्रदेश UTTAR PRADESH **FORM 'B'**
[See rule3 (4)]

21AD 090670

Affidavit cum Declaration

Affidavit cum Declaration of Mr. Akhilesh Dhar Gaur duly authorized by the promoter of the proposed project, vide his authorization dated 10th August 2017.

I, duly authorized by the promoter of the proposed project do hereby solemnly declare, undertake and state as under:

1. That promoter has a legal title to the land on which the development of the proposed project is to be carried out
2. That the said land is free from all encumbrances.
3. That the time period by which the project shall be completed by promoter is by 15/10/2018 subject to conclusion of pending case before 'The National Green Tribunal Principal Bench, New Delhi' (Original Application No. 145 of 2015) and removal of stay order (Stay Order No. 253/BFH/05/07-08) by Agra Development Authority. (Copies of Application No. & Stay Order Enclosed)
4. That seventy percent of the amounts realised by promoter for the real estate project from the allottees, from time to time, shall be deposited in a separate account to be maintained in a scheduled bank to cover the cost of construction and the land cost and shall be used only for that purpose.

ATTESTED

HIMALAYA PARASHAR

Advocate

Gazetted Officer

Civil Court Agra

Notary Govt of India

A-59

5. That the amounts from the separate account, to cover the cost of the project, shall be withdrawn in proportion to the percentage of completion of the project.
6. That the amounts from the separate account shall be withdrawn after it is certified by an engineer, an architect and a chartered accountant in practice that the withdrawal is in proportion to the percentage of completion of the project.
7. That promoter shall get the accounts audited within six months after the end of every financial year by a chartered accountant in practice, and shall produce a statement of accounts duly certified and signed by such chartered accountant and it shall be verified during the audit that the amounts collected for a particular project have been utilized for the project and the withdrawal has been in compliance with the proportion to the percentage of completion of the project.
8. That promoter shall take all the pending approvals on time, from the competent authorities.
9. That promoter has furnished such other documents as have been prescribed by the rules and regulations made under the Act.
10. That promoter shall not discriminate against any Allottee at the time of allotment of any apartment, plot or building, as the case may be, on any grounds.

Verification

The contents of my above Affidavit cum Declaration are true and correct and nothing material has been concealed by me there from.

Verified by me at Agra on 14th day of August 2017.

For Kalyani Buildwell Pvt. Ltd.
Deponent
A.S
Director

For Kalyani Buildwell Pvt. Ltd.
Deponent
A.S
Director



आगरा विकास प्राधिकरण, आगरा।

संख्या: 253 / बी०एफ०एच० / 05 / 07-08

दिनांक: 11.06.15

सेवा में,

मै० / श्रीअखिलेशवर गौड़.....
त्रिदेव मार्केट, दयाल बाग, आगरा।...
स्थल : कल्याणी अपार्टमेन्ट ख०स० 323 / 1, 324, 325,
326, 329, 330 मौजा मऊ, आगरा।

विषय: मा०राष्ट्रीय हरित अधिकरण में दायर एप्लीकेशन नं० 145 / 2015-डी०के० जोशी बनाम भारत सरकार व अन्य में दिनांक 08.06.2015 को पारित आदेशों का अक्षरशः अनुपालन सुनिश्चित किये जाने के सम्बन्ध में।

महोदय,

प्रश्नगत एप्लीकेशन में मा०राष्ट्रीय हरित अधिकरण द्वारा दिनांक 08.06.2015 को आदेश पारित किये गये हैं। सुलभ संदर्भ हेतु आदेश की छायाप्रति पत्र के साथ संलग्न है। आदेशों के निम्न प्रस्तर पर अक्षरशः अनुपालन किया जाना अपेक्षित है —

“..... In the meanwhile, we restrain any further construction, occupancy or transfer of possession of the built-up structure by the builders to any parties. They would not further create third party interest.”

मा०राष्ट्रीय हरित अधिकरण द्वारा पारित उक्त आदेशों के क्रम में निम्न कार्यवाही किया जाना सुनिश्चित करें —

- 1) स्थल पर कोई नया निर्माण/विकास कार्य नहीं किया जायेगा।
- 2) स्थल पर निर्मित भवन/कालोनी में किसी भी प्रकार की Occupancy अथवा कब्जा हस्तान्तरित नहीं किया जायेगा।
- 3) निर्मित भवन/कालोनी के स्वामित्व में किसी भी प्रकार का परिवर्तन नहीं किया जायेगा।

आपसे अपेक्षा की जाती है कि कृपया मा०अधिकरण द्वारा पारित उक्त आदेशों का प्रत्येक दशा में अक्षरशः अनुपालन सुनिश्चित करें एवं मा०अधिकरण के आदेशों की किसी भी रूप में अवहेलना न की जाये अन्यथा आपके विरुद्ध अवमानना का वाद दायर किया जायेगा, जिसका समस्त उत्तरदायित्व स्वयं आपका होगा।

संलग्नक—उपरोक्तानुसार।

भवद्वय

(प्रभांशु श्रीवास्तव
सचिव ।।।।।)

प्रतिलिपि—

1. जिलाधिकारी महोदय, आगरा को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित।
2. उपाध्यक्ष महोदया, आगरा विकास प्राधिकरण, आगरा के संज्ञानार्थ प्रेषित।
3. वरिष्ठ पुलिस अधीक्षक, आगरा को इस अनुरोध के साथ प्रेषित कि स्थल पर मा०अधिकरण के आदेशों का पालन सुनिश्चित किय जाने हेतु समन्वित थानाध्यक्ष को निर्देशित करने का कष्ट करें।
4. अपर जिलाधिकारी (वि०/रा०), आगरा को इस आशय से कि इस कालोनी/काम्प्लैक्स/ग्रुप हाउसिंग योजना में बने कोई भी भवन/भूखण्ड का क्रय-विक्रय तत्काल प्रभाव से बन्द कराये जाने हेतु समुचित आदेश निर्गत करने का कष्ट करें।
5. प्रभारी प्रवर्तन, आगरा विकास प्राधिकरण, आगरा को इस निर्देश के साथ कि स्थल पर किसी भी प्रकार का नया निर्माण/विकास कार्य न होने दिया जाये।

सचिव

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

**Original Application No.145 of 2015
(M.A. No. 1140 of 2015, M.A. No. 53 of 2016, M.A. No. 459 of 2016 &
M.A. No. 1259 of 2016)**

IN THE MATTER OF:

**Uma Shankar Patwa & Anr. Vs. Union of India & Ors.
(Earlier titled as D.K. Joshi Vs. Union of India & Ors.)**

CORAM : HON'BLE MR. JUSTICE SWATANTER KUMAR, CHAIRPERSON
HON'BLE MR. JUSTICE RAGHUVENDRA S. RATHORE, JUDICIAL MEMBER
HON'BLE DR. AJAY A DESHPANDE, EXPERT MEMBER

Present:	Applicant :	Mr. Rahul Choudhary and Ms. Meera Gopal, Advs.
	Respondent No. 1 :	Mr. Nishant Kumar, Adv. for Mr. Balendu Shekhar, Adv. for MoEF
	Respondent No. 3 :	Mr. Pradeep Misra and Mr. Daleep Kumar Dhayani, Advs.
	Respondent No.2, 4 to 6: 8, 11, 13 & 14	Mr. Abhishek Yadav, Advs.
	Respondent No. 7 & 10:	Ms. Rachana Joshi Issar, Adv. ADA Mr. I.K. Kapila, Adv. for U.P. Jal Nigam Mr. Rajkumar, Adv. and Mr. Bhupender Kr., LA for CPCB Mr. Rajendra Prasad Saxena, Adv. for Noticee no. 10 Mr. A.D.N. Rao, Mr. Nitesh Jain, Advs. Vaibhav Vatika, Arjun pant and Manglam Estate Mr. Aditya Parolia and Mr. Piyush Singh, Adv. and Mr. Devvrath Arora for Aparna Builders, Kalyani Heights and Ganpati Builders. Mr. B.V. Niren, Adv. for CWC

	Date and Remarks	Orders of the Tribunal
	Item No. 10 January 18, 2017 sn	<p>All the Members of the Committee and the Officers who were directed to supervise the demarcation and delineation the high flood plain line, in consonance with our earlier Order including the Order dated 30th November, 2016, would be present before the Tribunal on the next date of hearing.</p> <p>List this matter on 23rd January, 2017.</p> <p>.....,CP (Swatanter Kumar)</p> <p>.....,JM (Raghuvendra S. Rathore)</p> <p>.....,EM (Dr. Ajay A Deshpande)</p>