

Directorate of Town & Country Planning, Haryana

Nagar Aayojna Bhawan, Madhya Marg, Sector 18A, Chandigarh.

Phone : 0172-2549349 Email: tcpharyana7@gmail.com

Website: <http://tcpharyana.gov.in>

LC-III
(See Rule 10)

To

Fortunea Infrastructure LLP
16th Floor, DLF Square,
DLF Phase-II, Jacaranda Marg,
Gurugram-122002.

Memo No. LC-5487/JE (RK)/2025/ 3417 Dated:

27-01-2025

Subject: Letter of Intent: Request for change in shareholding pattern w.r.t. license no. 116 of 2021 and grant of license for setting up of Residential Colony under NILP Policy-2022 over an area measuring 11.35625 acres (migration of 11.35625 acres from license no. 116 of 2021 dated 24.12.2021) in the revenue estate of village Ullawas, Sector 63A, Gurugram.

Please refer your application dated 21.08.2024 on the subject cited matter.

Your request for change in shareholding pattern w.r.t. license no. 116 of 2021 and grant of licence for setting up of Residential Colony under NILP Policy-2022 over an area measuring 11.35625 acres (migration of 11.35625 acres from license no. 116 of 2021 dated 24.12.2021) in the revenue estate of village Ullawas, Sector 63A, District Gurugram has been considered and it is proposed to grant a licence for setting up of aforesaid colony. You are, therefore, called upon to fulfill the following requirements/pre-requisites laid down in Rule, 11 of the Haryana Development and Regulation of Urban Areas Rules, 1976 within a period of 60 days from the date of issue of this letter, failing which request for grant of licence shall be refused:-

1. To furnish the bank guarantees on account of Internal Development works and the External Development Charges (valid for five years alongwith minimum 3 months claim period) for the amount calculated as under:-

A. INTERNAL DEVELOPMENT WORKS (IDW):

GH component = 10.902 acres x 50 lac = Rs. 545.10 lacs

Commercial component = 0.45425 acres x 50 lac = Rs. 22.7125 lacs

Total amount of IDW = Rs. 567.8125 Lacs

25% BG Required = Rs. 141.953125 lacs or to mortgage 10% of saleable area.

B. EXTERNAL DEVELOPMENT CHARGES (EDC):-

GH component = 10.902 x 499.664 x 5/7 = Rs. 3890.955 lacs

Commercial = 0.45425 x 583.358 = Rs. 264.9903 lacs

Total = Rs. 4155.9453 lacs

Adjusted from license No. 116 of 2021 = Rs. 727.22 lacs

Balance EDC required = Rs. 3428.7253 lacs

25% BG Required = Rs. 857.181325 lacs or to mortgage 10% of saleable area

It is made clear that the Bank Guarantee of Internal Development Works has been worked out on the interim rates and you have to submit the additional Bank Guarantee if any, required at the time of approval of Service Plan/Estimate according to the approved building plan. With an increase in the cost of construction and an increase in the number of facilities in the building plan, you would be required to furnish an additional bank guarantee within 30 days on demand.

The EDC rates have been calculated on the basis of indexation mechanism for calculation of EDC dated 11.02.2016 & amendment dated 31.12.2024 in the State of Haryana. In the event of increase of rates of external development charges, you will have to pay the enhanced rates of external development charges as finally determined and as and when demanded by the DTCP, Haryana and furnish additional bank guarantee and submit an undertaking in this regard.

2. To execute two agreements i.e. LC-IV & Bilateral Agreement on Non-Judicial Stamp Paper of Rs.100/-. Further, following additional clauses shall be added in LC-IV agreement as per Government instruction dated 14.08.2020.

I. *That the owner/developer shall integrate the bank account in which 70 percent allottee receipts are credited under Section-4(2)(I)(D) of the Real Estate Regulation and Development Act, 2016 with the online application/payment gateway of the Department, in such manner, so as to ensure that 10% of the total receipt from each payment made by an allottee is automatically deducted and gets credited to the EDC head in the State treasury.*

II. *That such 10% of the total receipt from each payment made by the allottee, which is received by the Department shall get automatically credited, on the date of receipt in the Government treasury against EDC dues.*

III. *That such 10% deduction shall continue to operate till the total EDC dues get recovered from the owner/developer.*

IV. *The implementation of such mechanism shall, however, have no bearing on EDC instalment schedule conveyed to the owner/developer. The owner/developer shall continue to supplement such automatic EDC deductions with payments from its own funds to ensure that by the EDC instalments that are due for payment that paid as per the prescribed schedule.*

3. That you shall deposit an amount of Rs.2,07,00,821/- on account of balance licence fee online at website i.e. www.tcpharyana.gov.in. OR you have option to deposit balance license fee and conversion charges as per amendment dated 26.12.2018 in TOD policy dated 09.02.2016.

4. To furnish an undertaking on non-judicial stamp paper to the following effect:-

a. That you will pay the Infrastructure Development Charges amounting to Rs.1,03,31,170/- in two equal installments. First Installment will be due within 60 days of grant of license and second Installment within six months of grant of license failing which 18% PA interest will be liable for the delayed period.

- b. That you shall maintain and upkeep all roads, open spaces, public parks and public health services for a period of five years from the date of issue of the completion certificate unless earlier relieved of this responsibility and thereupon to transfer all such roads, open spaces, public parks and public health services free of cost to the Government or the local authority, as the case may be, in accordance with the provisions of Section 3(3)(a)(iii) of the Haryana Development and Regulation of Urban Areas Act, 1975.
- c. That area coming under the sector roads and restricted belt/green belt which forms part of licenced area and in lieu of which benefit to the extent permissible as per policy towards plotable area is being granted, shall be transferred free of cost of the Govt.
- d. That if any external development works are provided at any stage by HUDA/Government, then applicant shall have to pay the proportionate development charges.
- e. That you will integrate the services with the HSVP services as per the approved service plans and as and when made available.
- f. That you shall submit NOC as required under notification dated 14.09.2006 issued by Ministry of Environment and Forest, Govt. of India before executing development works at site.
- g. That you shall make arrangement for water supply, sewerage drainage etc to the satisfaction of DTCP till these services are made available from external infrastructure to be laid by HSVP.
- h. That you shall provide the rain water harvesting system as per Central Ground Water Authority Norms/Haryana Govt. notification as applicable.
- i. That you shall make provision of solar water heating system as per guidelines of Haryana Renewable Energy Development Agency and shall be made operational where applicable before applying for an Occupation Certificate.
- j. That you shall use only LED lamps fitting for internal lighting as well as campus lighting.
- k. That you shall ensure the installation of Solar Photovoltaic Power Plant as per provision of notification no. 22/52/2005-5 power dated 03.09.2014 of Haryana Government Renewable Energy Department if required
- l. That you shall convey Ultimate Power Load Requirement of the project to the concerned power utility, with a copy to the Director, within two month period from the date of grant of licence to enable provision of site in your land for Transformers/Switching Station/ Electric Sub-Stations as per the norms prescribed by the power utility in the zoning plan of the project.
- m. That it is understood that the development / construction cost of 24/18 m wide road/major internal road is not included in the EDC rates and you will pay the proportionate cost for acquisition of land, if any alongwith the

construction cost of 24/18 m wide road/major internal road as and when finalized and demanded by the Director, Town & Country Planning, Haryana.

- n. That you shall arrange electric connection from outside source for electrification of his colony from HVPN and shall install the electricity distribution infrastructure as per the peak load requirement of the colony for which he shall get the electrical (distribution) service plan /estimates approved from the agency responsible for installation of external electric services i.e. HVPN/UHBVNL/DHBVNL Haryana and complete the same before obtaining completion certificate for the colony.
- o. That you shall permit the Director or any other officer authorized by him to inspect the execution of the layout and the development works in the colony and to carry out all directions issued by him for ensuring due compliance of the execution of the layout and development works in accordance with the licence granted.
- p. That you shall deposit thirty per centum of the amount realised, from time to time, by him, from the plot holders within a period of ten days of its realization in a separate account to be maintained in a scheduled bank. This amount shall only be utilized by him towards meeting the cost of internal development works in the colony.
- q. That you shall abide for paying the labour cess as per policy instructions issued by Haryana Government vide Memo No. Misc. 2057-5/25/2008/2TCP dated 25.02.2010.
- r. That applicant company shall keep pace of construction atleast in accordance with sale agreement executed with the buyers of the flats as and when scheme is launched.
- s. That you shall not give any marketing and selling rights to any other company other than the collaborator company
- t. That no claim shall lie against HSVP till non-provision of EDC services, during next five years.
- u. That you shall complete the demarcation at site within two month from date of licence and will submit the demarcation plan in the office of District Town Planner, Gurugram under the intimation to this office.
- v. That you shall submit the compliance of Rule 24,26,27 & 28 of Rules 1976 & Section -5 of Haryana Development and Regulation of Urban Areas Act, 1975, the applicant company shall inform account number & full particulars of the scheduled bank wherein the applicant company have to deposit thirty percentum of the amount from buyers for meeting the cost of internal development works in the colony.
- w. That you shall either surrender 10% land for Affordable Group Housing Colony or deposit an amount @ three times the applicable collector rate as per clause 3.7 of the policy dated 11.05.2022 within a period of 60 days.

- x. That you shall complete the project within seven (5+2 years) from dated of grant of license as per clause 9.2 of the policy dated 11.05.2022.
 - y. That you shall abide by the provision of the New Integrated Licence policy dated 11.05.2022 and the amendment therein.
 - z. That you shall take prior permission from the Divisional Forest Officer, Gurugram regarding cutting of any tree at applied site.
 - aa. That you shall not encroach the 3 karam & 5 karam wide revenue rastas passing through the applied site and keep it thoroughfare movement of general public.
 - bb. That you shall maintain the ROW of BPCL gas pipeline passing underground of the applied site and not raise any construction in form of building, well or tubewell over the same.
5. That you shall submit the NOC from Divisional Forest Officer, Gurugram before grant of final permission.
 6. That certificate from DRO/Deputy Commissioner, Gurugram will be submitted certifying that the applied land is still under ownership of applicant company.
 7. That you shall undertake to indemnify State Govt. / Department for loss occurred or legal complication arising due to pending litigation and the land owning / developer company will be responsible for the same in respect of applied land.
 8. That you shall submit an indemnity bond, indemnifying by the DTCP against any loss/claim arising out of any pending litigation.
 9. That you shall submit an affidavit duly attested by 1st Class Magistrate, to the effect that applicants have not submitted any other application for grant of licence for development of the said land or part thereof for any purpose under the provisions of the Haryana Development and Regulation of Urban Areas Act, 1975 or any application seeking permission for change of land use under the provision of the Punjab Schedule Roads and Controlled Areas restrictions of Unregulated Development Act, 1963 or have not applied for licence/ permission under any other law for the time being in force.
 10. That you shall complete the demarcation at site within 7 days and will submit the Demarcation Plan in the office of District Town Planner, Gurugram within 15 days of issuance of this memo.
 11. That you shall enhance the paid up capital upto Rs. 10 crores and shall submit the requisite documents showing the same before grant of license.
 12. That land owning/developer firm is required to submit the indemnity bond on the prescribed performa, indemnifying the Director from any legal or financial liabilities that may arise upon compliance of the orders of Hon'ble Supreme Court in CA No. 8977 of 2014 titled as Jai Narayan@Jai Bhagwan & Others Vs State of Haryana & Others with Civil Appeal No. 13828 of 2015 and Civil Appeal No. 9211-9213 of 2016 titled State of Haryana Vs Dev Dutt and final outcome of CBI investigation under process.

13. That you shall intimate their official Email ID and the correspondence made to this email ID by the Department shall be treated legal.
14. The above demanded fee and charges are subject to audit and reconciliation of accounts.

DA/As above.

(Amit Khatri, I.A.S)
Director, Town & Country Planning
Haryana, Chandigarh

Endst. No. LC-5487/JE (RK)/2025/

Dated:

A copy is forwarded to the followings for information and necessary action:-

1. The Deputy Commissioner, Gurugram.
2. The Additional Director, Urban Estate, Haryana, Sector-6, Panchkula.
3. Senior Town Planner, Gurugram.
4. District Town Planner, Gurugram.

(Narender Kumar)
District Town Planner(HQ)
For: Director, Town and Country Planning,
Haryana, Chandigarh

To be read with LOI Memo No. 3417 Dated 27/01/ of 2024

Village	Name of owner	Rect. No.	Killa No.	Area (K-M)
Ullawas	Fortunea Infrastructure LLP.	38	6/2/1	2-0
			6/2/2	3-2
			15	6-1
			16/1	6-16
			3/2	5-8
			7/1/1	3-19
			8/1	7-10
		39	9/1/1	0-6
			9/2/1	3-13
			10/1	2-0
			10/2	5-4
			11	8-0
			19/2	7-4
			20/1	4-0
			20/2	4-0
			21	8-0
			22/1	1-15
			1/2	4-12
			2/1	6-13
			9/1/2	0-14
			Total	90-17 Or 11.35625 Acres

Director
Town & Country Planning
Haryana, Chandigarh
Teenu Kaur