

Regd.

LC-III
(See Rule 10)

To

Active Promoters Pvt. Ltd.
Balalaika Builders Pvt. Ltd.
In collaboration with Emaar MGF Land Ltd.
Emaar Business Park, MG Road,
Sikanderpur Chowk, Sector 28,
Gurugram- -122002

Memo No. LC-4171-JE (VA)-2020/ 838)

Dated: 18-05-2020

Subject:-

Letter of Intent for grant of license for setting up of Commercial Plotted Colony over an area measuring 5.7354 acres (an area measuring 5.3225 acres under migration of license no. 151 of 2008 dated 02.08.2008 alongwith additional fresh applied area measuring 0.4129 acre) in the revenue estate of village Badshahpur, Sector 65, District Gurugram.

Please refer to your application received on 09.10.2019 & 05.12.2019 on the above cited subject.

2. Your request for the grant of licence under section 3 of the Haryana Development and Regulation of Urban Areas Act, 1975 and the Haryana Development and Regulation of Urban Areas Rules, 1976 framed thereunder for the development of a Commercial Plotted Colony over an area measuring 5.7354 acres (an area measuring 5.3225 acres under migration of license no. 151 of 2008 dated 02.08.2008 alongwith additional fresh applied area measuring 0.4129 acre) in the revenue estate of village Badshahpur, Sector 65, Gurugram-Manesar Urban Complex has been examined/considered by the Department under the policy issued vide memo no PF-110/2019/8/13/2019-2TCP dated 10.07.2019 and it is proposed to grant license to you. However, before grant of licence, you are 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 issuance of this notice, failing which the grant of license shall be refused.

3. To furnish the bank guarantee on account of Internal Development Charges for the amount calculated as under:-

A. INTERNAL DEVELOPMENT WORKS (IDW):

A) Area under Comm. Component (5.7354 acres) @ 50.00 Lac per acre	= ₹ 286.77 Lac
B) 25% B.G. on account of IDW	= ₹ 71.6925 Lac

B. EXTERNAL DEVELOPMENT CHARGES (EDC):

Migrated area

A) Total Area under commercial component	= 5.3225 acres
B) Interim rate for EDC	= ₹ 416.385 Lac
C) Total cost of EDC	= ₹ 2216.21 Lac
D) Adjusted EDC from license No. 151 of 2008	= ₹ 1155.52 lac

E) Balance amount to be demanded in the LOI (X) = ₹ 1060.69 lac

Fresh area

A) Total Area under commercial component = 0.4129 acres
B) Interim rate for EDC = ₹ 416.385 Lac
C) Total cost of EDC (Y) = ₹ 171.93 Lac
D) Total amount to be demanded in the LOI (X+Y) = ₹ 1232.62 lac
E) BG required equivalent to 25% of total EDC = ₹ 308.155 Lac

4. 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 layout plan. With an increase in the cost of construction and an increase in the number of facilities in the layout plan, you would be required to furnish an additional bank guarantee within 30 days on demand. 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.

5. To execute two agreements i.e. LC-IV and Bilateral Agreement on non-judicial stamp paper of Rs. 10/-. Two copies of specimen of the said agreements are enclosed herewith for necessary action.

6. That you shall deposit an amount of ₹ 82,45,800/- on account of balance of licence fees & an amount of ₹ 21,05,468/- on account of conversion charges to be deposited online at the website of the Department i.e. www.tcpharyana.gov.in.

7. To submit an undertaking on non-judicial stamp paper of Rs. 10/- to the effect that:-

a. That you will pay the State Infrastructure Development Charges amounting to ₹ 63,82,745/- @ Rs. 1000/- per sq. mtr for the commercial area, 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 area coming under the sector roads and restricted belt / green belt, if any, which forms part of licensed area and in lieu of which benefit to the extent permissible as per policy towards FAR is being granted, shall be transferred free of cost to the Govt.

c. That you shall maintain and upkeep of all roads, open spaces, public park 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 Govt. 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.

d. That you shall construct portion of service road, internal circulation roads, forming the part of site area at your own cost and shall transfer the land falling within alignment of same free of cost to the Govt. u/s

3(3)(a)(iii) of the Haryana Development and Regulation of Urban Areas Act, 1975.

- e. That you shall be liable to pay the actual rates of External Development Charges as and when determined and demanded as per prescribed schedule by the DTCP Haryana.
- f. That you shall integrate the services with Haryana Shahari Vikas Pradhikaran services as and when made available.
- g. That you have not submitted any other application for grant of license 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 Scheduled Roads and Controlled Area Restrictions of Unregulated Development Act, 1963.
- h. That you have understood that the development/construction cost of 24 m/18 m major internal roads is not included in the EDC rates and you shall pay the proportionate cost for acquisition of land, if any, alongwith the construction cost of 24 m/18 m wide major internal roads as and when finalized and demanded by the Department.
- i. That you shall obtain NOC/Clearance as per provisions of notification dated 14.09.06 issued by Ministry of Environment & Forest, Govt. of India before execution of development works at site.
- j. That you shall make arrangements for water supply, sewerage, drainage etc. to the satisfaction of DTCP till these services are made available from External Infrastructure to be laid by Haryana Shahari Vikas Pradhikaran.
- k. That the rain water harvesting system shall be provided as per Central Ground Water Authority Norms/Haryana Govt. notification as applicable.
- l. That you shall make provision of solar power system as per guidelines of Haryana Renewable Energy Development Agency and shall make operational where applicable before applying for an Occupation Certificate.
- m. That you shall use only LED fitting for internal lighting as well as campus lighting.
- n. That you shall convey the 'Ultimate Power Load Requirement' of the project to the concerned power utility, with a copy to the Director, within two months period from the date of grant of license to enable provision of site in licensed land for Transformers/Switching Stations/Electric Sub Stations as per the norms prescribed by the power utility in the zoning plan of the project.
- o. That you shall submit compliance of Rule 24, 26, 27 & 28 of Rules 1976 & Section 5 of Haryana Development and Regulation of Urban Areas Act, 1975, and shall inform account number and full particulars of the scheduled bank wherein you have to deposit thirty percentum of the amount from the floor/space holders for meeting the cost of Internal Development Works in the colony.
- p. That you shall permit the Director or any other office 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 license granted.

- q. That you shall not give any advertisement for sale of commercial area before the approval of layout plan of the same.
 - r. That you shall pay the labour cess as per policy instructions issued by Haryana Government vide Memo No. Misc. 2057-5/25/2008/2TCP dated 25.02.2010.
 - s. That you shall keep pace of construction atleast in accordance with sale agreement executed with the buyers of the plots as and when scheme is launched.
 - t. You shall submit the additional bank guarantee, if any required at the time of approval of Service Plans/Estimate. With an increase in the cost of construction and increase in the number of facilities in Layout Plan, you would be required to furnish an additional bank guarantee within 30 days on demand. It is made clear that bank guarantee of Internal Development Works/EDC has been worked out on the interim rates.
 - u. That you shall specify the detail of calculations per Sqm/per sq ft, which is being demanded from the shop owners on account of IDC/EDC, if being charged separately as per rates fixed by Govt.
 - v. That the provisions of the Real Estate (Regulation and Development) Act, 2016 and rules framed thereunder shall be followed by the applicant in letter and spirit.
8. That you shall clear the outstanding dues in other licenses and apply under EDC re-schedulement policy dated 21.09.2018 in license No. 43 of 2008.
 9. That you shall submit irrevocable and registered supplementary/ addendum collaboration agreement specifying the land schedule for which earlier collaboration agreement have been submitted .
 10. That you shall submit a certificate from the Deputy Commissioner, Gurugram/District Revenue Authority stating that there is no further sale of the land applied for licence till date and applicant companies/individual are owners of the land.
 11. That you will intimate your official "email ID" to the Department and correspondence done by Department on this ID shall be treated as official intimation & legally valid.
 12. That you will submit an affidavit duly attested by 1st Class Magistrate, to the effect that there is no collaboration agreement enforced with any other person for the same land.
 13. That you shall give public notice in three leading newspapers of Hindi and English (2+1) published in the District, one of which should be local newspaper, stating that the company under the migration policy dated 18.02.2016 of Town and Country Planning Department has proposed to migrate part licence no. 151 of 2008 dated 02.08.2008 granted for setting up of commercial Colony for taking licence of commercial plotted and company has not created any third party rights on licence no 151 of 2008. If allottee of the colony comprising of the three licenses mentioned above have any objection to the above stated migration, the same may be submitted in the office of District Town Planner, Gurugram within 15 days from the date of issue of public notice. You shall submit report clearly indicating the objection, if any, received by them from allottee and action taken thereof alongwith an undertaking to the effect that the rights of the existing allottees (if any) have not been infringed in the office of District Town Planner, Gurugram after expiry of 15 days time of public notice.

14. That you shall complete the demarcation at site as per Layout Plan and submit the same in the office of District Town Planner, Gurugram within 2 months from issuance of the licence.
15. The above demanded fee and charges are subject to audit and reconciliation of accounts.

DA/schedule of land.



(K. Makrand Pandurang, I.A.S)
Director,
Town & Country Planning,
Haryana, Chandigarh

Endst. LC-4171-JE (VA)-2020/

Dated:

A copy is forwarded to following for information and necessary action.

1. Chief Administrator, HSVP, Sector-6, Panchkula.
2. Director, Urban Estates, Sector-6, Panchkula.
3. Senior Town Planner, Gurugram.
4. District Town Planner, Gurugram, with the direction to verify demarcation at the site.

(Sanjay Kumar)
District Town Planner (HQ)
For Director, Town & Country Planning,
Haryana, Chandigarh

To be read with LOI No. 8381 dated 18-05-2020


1. Detail of land owned by Active Promoters Pvt. Ltd.

Village	Rect. No.	Killa No.	Total Area (K-M-S)	Area taken (K-M-S)
Badshahpur	5	11/1/3/2	0-3-0	0-3-0
		11/2/1/2	2-17-0	2-17-0
	15	6/1 min	6-7-0	4-10-1
		7 min	8-0-0	7-14-2
		16	1/1	5-4-0
	1/2 min		1-0-0	0-19-2
	10/1/1 min		0-19-0	0-0-7
	10/2/1 min		1-15-0	0-15-3
	Total			22-3-6

2. Detail of land owned by Balalaika Builders Pvt. Ltd.

Village	Rect. No.	Killa No.	Total Area (K-M-S)	Area taken (K-M-S)
Badshahpur	5	11/3/2	1-5-0	1-5-0
		12	2-13-0	2-13-0
		19	7-12-0	7-12-0
		20	8-0-0	8-0-0
		21/2	4-4-0	4-4-0
		Total		23-14-0

Grand Total = 45-17-6 or 5.7354 Acres


Director,
Town & Country Planning
Haryana
Jasvir Khera