

Directorate of Town & Country Planning, Haryana
Nagar Yojana Bhavan, Plot no. 3, Sector-18 A, Madhya Marg, Chandigarh
Phone: 0172-2549349, e-mail: tcpharyana7@gmail.com
Web site: tcpharyana.gov.in

Regd.

LC-III
(See Rule 10)

To

Yohaam Buildcon LLP
In collaboration with JMK Holdings Pvt. Ltd.
13th Floor, Dr. Gopal Das Bhawan,
28 Barakhamba Road, Connaught Place,
New Delhi-110001.

Memo No. LC-4633/JE (DS)/2021/ **3853** Dated: **15-02-2022**

Subject:- Letter of Intent- Grant of licence for setting up of Commercial Plotted Colony on an area measuring 2.512 acres in the revenue estate of village Harsaru, Sector- 88A, Gurugram - JMK Holdings Pvt. Ltd.

Please refer your application received on 13.10.2021 on subject cited matter.

Your request for grant of license under section 3 of Haryana Development and Regulation of Urban Areas Act, 1975 and Rules, 1976 framed thereunder for the development of Commercial Plotted Colony on an area measuring 2.512 acres in the revenue estate of village Harsaru, Sector-88A, District Gurugram has been examined and it is proposed to grant aforesaid license. 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 notice, failing which the grant of license shall be refused:

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

A. INTERNAL DEVELOPMENT WORKS (IDW):

- i. Area under Commercial Component 2.512 acres
@ Rs. 50.00 Lac per acre (150 FAR)
- ii. Total Cost of development
2.512 X 50 Lac = Rs. 125.6 Lacs
- iii. 25% BG, which is required = Rs. 31.4 Lacs
(validity for five years)

B. EXTERNAL DEVELOPMENT CHARGES (EDC):-

- i) Total Commercial Area = 2.512 acres
- ii) Interim rate for EDC = Rs. 416.385 Lac/acre
- iii) Amount = Rs. 1045.95 Lacs
- iv) 25% bank guarantee required = Rs. 261.40 Lacs
(valid for 5 years)

2. You shall deposit an amount of Rs. 5,08,68,000/- (Five Crores Eight Lacs Sixty Eight Thousand) on account of balance licence fees & an amount of Rs. 1,28,09,241/- (One Crore Twenty Eight Lacs Nine Thousand Two Hundred Forty One) on account of conversion charges online at website i.e. www.tcpharyana.gov.in.

3. To execute two agreements i.e. LC-IV and Bilateral Agreement on non-judicial stamp paper of Rs. 10/-. Further, following additional clauses shall be added in the bilateral agreement as per Government instruction dated 14.08.2020:-
 - i. That, the owner/developer shall integrate its bank account in which 70% allottee receipts are credited under Section-4(2)(l)(D) of the Real Estate Regulation and Development Act, 2016 with the on-line application/payment gateway of the Department, in such manner, so as to ensure that 10% of the total receipts 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 receipts from each payment made by an allottee, which is received by the Department shall get automatically credited, on the date of receipt in Government treasury against EDC dues.
 - iii. 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 the 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 the EDC instalments that are due for payment get paid as per prescribed schedule.
4. To submit an undertaking on non-judicial stamp paper of ₹ 10/- to the effect that:-
 - a. You will pay the Infrastructure Development Charges amounting to Rs. 1,52,49,096/- @ Rs. 1000/- per sq. mtr 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. 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. 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. 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. You shall integrate the services with Haryana Shehari Vikas Pradhikaran services as and when made available.
 - g. 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. You have understood that the development /construction cost of 24 m/18 m major internal roads is not included in the EDC rates and applicant company 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. 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. 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 Shehari 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. 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. You shall use only LED fitting for internal lighting as well as campus lighting.
 - n. 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. 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 applicant company has to deposit thirty percentum of the amount from the floor/space holders for meeting the cost of Internal Development Works in the colony.
 - p. 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. You shall not give any advertisement for sale of commercial area before the approval of layout plan / building plans of the same.
 - r. 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. You shall keep pace of construction at least in accordance with sale agreement executed with the buyers of the flats as and when scheme is launched.
- 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, applicant company 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.

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Haryana, Chandigarh

- u. You shall specify the detail of calculations per Sqm/per sq ft, which is being demanded from the flat/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.
 - w. That no pre-launch/sale of commercial site will be undertaken before approval of the layout plan.
 - x. That you shall execute the development works as per Environmental Clearance and comply with the provisions of Environment Protection Act, 1986, Air (Prevention and Control of Pollution of Act, 1981) and Water (Prevention and Control of Pollution of 1974). In case of any violation of the provisions of said statutes, you shall be liable for penal action by Haryana State Pollution Control Board or any other Authority Administering the said Acts.
 - y. You shall abide by with the Act/Rules and the policies notified by the Department for development of commercial colonies and other instructions issued by the Director under section 9A of the Haryana Development and Regulations of Urban Areas Act, Haryana Development and Regulations of Urban Areas Act, Haryana Development and Regulations of Urban Areas Act, 1975.
 - z. That you shall either shift the 11 KV HT over the site or shall not raise the construction within ROW of 11 KV HT line.
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 submit an indemnity bond, indemnifying by the DTCP against any loss/claim arising out of an pending litigation.
 8. 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.
 9. That you shall submit an undertaking from the land owning companies/ owners that this land has not been sold to any person after entering into collaboration agreement with the colonizer to whom LOI is being issued and also that presently there is no collaboration agreement enforced with any other person for the same land.
 10. That you shall furnish addendum agreement in continuation of the collaboration agreement submitted by JMK Holdings Pvt. Ltd. to the effect that:-
 - a) JMK Holdings Pvt. Ltd. shall be responsible for compliance of all terms and conditions of licence/ provisions of Act 8 of 1975 and Rules 1976 till the grant of final completion certificate to the colony or relieved of the responsibility by the DTCP, Haryana whichever is earlier.

- b) The said agreement is still valid and shall be irrevocable and no modification/ alteration etc. in the terms and conditions of the said agreement can be undertaken, except after obtaining prior approval of DTCP, Haryana.
11. That you shall intimate their official Email ID and the correspondence made to this email ID by the Department shall be treated legal.



(K. Makrand Pandurang, IAS)
Director,
Town & Country Planning,
Haryana, Chandigarh

Endst. No LC-4633/JE (DS)/2021

Dated:

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

1. Deputy Commissioner, Gurugram.
2. Senior Town Planner, Gurugram.
3. District Revenue Officer, Gurugram.
4. District Town Planner, Gurugram.


(S.K. Sehwat)
District Town Planner (HQ)
For Director, Town & Country Planning
Haryana Chandigarh

To be read with LOI Memo no.....³⁸⁵³dated.....^{15/02}.....of 2022

Detail of land owned by Yohaam Buildcon LLP:-

Village	Rect. No	Killa No	Area (K-M)
Harsaru	87	12min	2-16
		13min	7-18
		18min	5-17
		19min	2-2
		23/1min	1-9
		Total	20-2

Or 2.512 Acres

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