

Directorate of Town & Country Planning, Haryana

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

Ms. Neeru Devi W/o Late Sh. Naresh Chand Jain,
Mr. Anangpal, Mr. Mahesh Chand, Mr. Manoj Kumar,
Mr. Sanjay Kumar and Mr. Anil Kumar
In collaboration with Conscient Infrastructure Pvt. Ltd.
10th Floor, Tower-D, Global Business Park,
M.G. Road, Gurugram-122002.

Memo No. LC-5044-JE(DS)-2023/ 11141

Dated:

19/04/2023

Subject:

Letter of Intent: Request for grant of licence for setting up Mixed Land use Project under TOD policy with 78% Residential Group Housing component and 22% Commercial component with 2.5 FAR over an area measuring 4.84375 acres in the revenue estate of village Ullahwas, Sector-62, Gurugram-Conscient Infrastructure Pvt. Ltd.

Please refer your application dated 06.02.2023 on the subject cited matter.

Your request for grant of licence for setting up Mixed Land use Project under TOD policy with 78% Residential Group Housing component and 22% Commercial component with 2.5 FAR over an area measuring 4.84375 acres in the revenue estate of village Ullahwas, Sector-62, 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.

To furnish the bank guarantees on account of Internal Development works and the External Development Charges for the amount calculated as under:-

B) External Development Charges:

External Development Charges (EDC) for Transition Zone			
GH Component	3.778125	312.289x2.5/1.75	1685.524 lacs
Commercial Comp	1.065625	486.13x2.5/1.75	740.046 lacs
Total			2425.57 lacs
Bank Guarantee required.			606.392 lacs

(valid for 5 years)

B). Internal Development Works:

- | | | |
|------|------------------------------|------------------------|
| i) | Total Area | = 4.84375 acres |
| ii) | Interim rate for development | = ₹ 50.00 Lac per acre |
| iii) | Plotted cost | = ₹ 242.1875 Lacs |
| iv) | 25% bank guarantee required | = ₹ 60.547 Lacs |
| | | (valid for 5 years) |

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Note:- 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. 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 DGTCP, Haryana and furnish additional bank guarantee.

2. To execute two agreements i.e. LC-IV & Bilateral Agreement on Non-Judicial Stamp Paper of 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 the EDC instalments that are due for payment get paid as per the prescribed schedule.*

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To deposit an amount of Rs. 1,25,07,615/- on account of conversion charges in favour of Director General, Town & Country Planning, Haryana, payable at Chandigarh be deposited online at website www.tcpharyana.gov.in. You have option to either make payment of complete amount of conversion charges in compliance of LOI or 50% of same in compliance of LOI and balance 50% in two equal installments of 3 months each with normal interest of 12% p.a. and penal interest of 3% for the delayed period in favour of Director General, Town & Country Planning, Haryana, payable at Chandigarh. If option of making payment in installments is opted, then building plans will be approved only after recovery of full fee and charges as per aforesaid stipulation.

4. To deposit an amount of Rs. 5,50,10,215/- on account of licence fee in favour of Director General, Town & Country Planning, Haryana, payable at Chandigarh be deposited online at website i.e. www.tcpharyana.gov.in. You have option to either make payment of complete amount of balance licence fee in compliance

of LOI or additional 25% within in compliance of LOI i.e. within 60 days and balance 50% in two equal installments of 3 months each with normal interest of 12% p.a. and penal interest of 3% for the delayed period in favour of Director, Town & Country Planning, Haryana, payable at Chandigarh be deposited online at website www.tcpharyana.gov.in. If option of making payment in installments is opted, then building plans will be approved only after recovery of full fee and charges as per aforesaid stipulation.

5. To deposit an amount of Rs. 3,26,38,423/- on account of Infrastructure Augmentation charges in favour of Director General, Town & Country Planning, Haryana, payable at Chandigarh be deposited online at website www.tcpharyana.gov.in. You have option to either make payment of complete amount of Infrastructure Augmentation charges in compliance of LOI or 50% of same in compliance of LOI and balance 50% in two equal installments of 3 months each with normal interest of 12% p.a. and penal interest of 3% for the delayed period in favour of Director General, Town & Country Planning, Haryana, Chandigarh be deposited online at website www.tcpharyana.gov.in. If option of making payment in installments is opted, then building plans will be approved only after recovery of full fee and charges as per aforesaid stipulation.
6. To furnish an undertaking on non-judicial stamp paper to the following effect:-
 - a. That you shall pay the Infrastructure Development Charges amounting to Rs. 3,46,72,198/-, in two equal instalments. First Instalment will be due within 60 days of grant of license and second Instalment within six months of grant of license failing which 18% PA interest will be liable for the delayed period.
 - b. That you shall pay proportionate EDC as per schedule prescribed by the Director.
 - c. That 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 will 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.
 - d. 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 to the completion certificate unless earlier relieved of this responsibility and thereupon to transfer all such roads/service 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.


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- e. That you shall construct at your own cost, or get constructed by any other institution or individual at its cost, schools, hospitals, community centers and other community buildings on the lands set apart for this purpose, in a period as may be specified, and failing which action as per the Act/Rules shall be initiated. The land shall vest with the Government after such specified period, free of cost, in which case the Government shall be at liberty to transfer such-land to any person or institution including a local authority, for the said purposes, on such terms and conditions, as it may deem fit.
- f. That you shall pay the proportionate cost of construction of such percentage of sites of such school, hospital, community centre and other community building and at such rates as specified by the Director.
- g. That you shall arrange electric connection from HVPN/DHBVNL for electrification of your colony and shall install the electricity distribution infrastructure as per the peak load requirement of the colony for which you shall get the electrical (distribution) service plan / estimates approved from the agency responsible for installation of external electric services i.e. HVPN/DHBVNL Haryana and complete the same before obtaining completion certificate for the colony.
- h. That you shall permit the Director or any other officer authorised 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.
- i. That you shall construct 24/30 m wide internal circulation road forming part of licenced area at your own costs and transfer the same free of cost to the Government.
- j. That you shall construct and allot EWS category flats as per departmental policy dated 08.07.2013 and as amended from time to time.
- k. That you shall submit NOC from the Ministry of Environment & Forest, Govt. of India with respect to their notification dated 14.09.2006 and clearance regarding PLPA, 1900 from competent authority before executing development works.
- l. 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.
- m. 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 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.

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- n. That you shall provide the rain water harvesting system as per Central Ground Water Authority Norms/Haryana Govt. notification as applicable.
 - o. That you shall aware that the development/construction cost of 24/30 m wide road/major internal road 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 24/30 m wide road/major internal road as and when finalized and demanded by the Director Town & Country Planning, Haryana.
 - p. That you shall provide the solar water heating system as provisions of HAREDA and shall be made operational where applicable before applying for an occupation certificate.
 - q. 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 Flat/shop buyers for meeting the cost of Internal Development Works in the colony.
 - r. That you shall keep the 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 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.
 - t. That you shall not pre-launch/sale of flats before approval of the building plans.
 - u. That you shall not use the ground water for the purpose of construction of building. The building plans shall be approved only after the source of water for construction purposal is explained to the satisfaction of HSVP Authority in terms of orders of the Hon'ble High Court dated 16.07.2012 in CWP's no. 20032 of 2008, 13594 of 2009 and 807 of 2012.
 - v. That you shall obey all the directions/restrictions imposed by the Department from time to time in public interest.
 - w. That 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.
 - x. That you shall not give any marketing and selling rights to any other company other than the collaborator company.
7. To submit an affidavit duly attested by 1st Class Magistrate, to the effect 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 License/change of land use under the provision of the Punjab Schedule Roads and Controlled Areas


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restrictions of Unregulated Development Act, 1963 or have not applied for license / permission under any other law for the time being in force.

8. That you will submit the affidavit that the applied land does not exceed the ceiling prescribed in the Land Ceiling Act, 1972 at the time of application for licence.
9. That you will 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.
10. To submit an undertaking that you shall deposit the labour cess as applicable as per rules before approval of building plans.
11. To submit an undertaking that at the time of booking of the plots/flats/commercial space in the licensed colony, if the specified rates of Plots/Flats/commercial space do not include IDC/EDC and are to be charged separately as per rates fixed by the Government from the plots/flats/commercial space owners, you shall also provide details of calculations per sq. mtrs. /per. sq. ft. to the allottee while raising such demand from the plots/flats owners.
12. That you shall submit an undertaking that all the terms & conditions as stipulated in the notification regarding TOD policy dated 09.02.2016 and its corrigendum dated 16.11.2016 and amendment of zoning regulations of the Development Plan - GMUC dated 24.01.2017 shall be complied with.
13. That you shall submit an affidavit that there is no collaboration agreement enforced with any other person for the same land.
14. The fee and charges being conveyed are subject to audit and reconciliation of accounts.
15. That you shall submit the NOC from District Forest Officer Gurugram regarding applicability of any Forest Law/notifications
16. That you shall submit the report from DC, Gurugram regarding ownership of the applied land.
17. 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.
18. As the applied land was part of notification dated 02.06.2009 & 31.05.2010 issued under Section 4 & Section 6 of LAA, 1894 and said proceedings are subject matter of investigation of CBI on account of orders dated 01.11.2017 of Hon'ble Supreme Court in the main case i.e. 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, hence, indemnity bond indemnifying the department against any adverse orders of CBI/Hon'ble Supreme Court w.r.t applied land is required to be submitted.

Handwritten signature/initials

19. That you shall furnish addendum registered agreement in continuation of the collaboration agreement submitted by Conscient Infrastructure Pvt. Ltd. to the effect that:-

a) Conscient Infrastructure Pvt. Ltd. shall be responsible for compliance of all terms and conditions of license/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

DA/As above.



(T.L. Satyaprakash, I.A.S.)
Director General,
Town & Country Planning
Haryana, Chandigarh

Endst. No LC-5044-JE(DS)-2023/

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.


(R.S. Batth)
District Town Planner
For: Director General, Town and Country Planning,
Haryana, Chandigarh

To be read with LOI Memo no. 11141 Dated 19/4/2023 of 2023

Detail of land owned by Neeru Devi wd/o Naresh Chand:-

Village	Rect. No.	Killa No.	Area (K-M)
Ullahwas	8	6/2	3-14
		15/1	6-18
		Total	10-12

Detail of land owned by Anangpal, Mahesh Chand, Manoj Kumar Ss/o Nathi Ram:-

Village	Rect. No.	Killa No.	Area (K-M)
Ullahwas	9	8/2/2	0-9
		8/3/2	0-7
		13/1min north	1-1
		19/1/1min north	0-12
		Total	2-9

Detail of land owned by Anangpal, Mahesh Chand, Manoj Kumar Ss/o Nathi Ram 406/514 share and Sanjay Kumar, Anil Kumar Ss/o Rajpal Singh 108/514 share:-

Village	Rect. No.	Killa No.	Area (K-M)
Ullahwas	9	9/2	4-13
		10/2	4-18
		11	8-0
		12	7-4
		323/1-3/6	0-19
		Total	25-14
		Grand Total	38-15

Or 4.84375 acres


Director General
Town & Country Planning
Haryana, Chandigarh
Jawahar Lal Nehru