

## Directorate of Town & Country Planning, Haryana

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

Phone : 0172-2549349 Email: [tcpharyana7@gmail.com](mailto:tcpharyana7@gmail.com)

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

LC-III

(See Rule 10)

To

M/s JMS Infra Realty Pvt. Ltd.  
Regd. Office -3rd floor, plot no. 10,  
Sector-44, Gurugram

Memo No. LC-4604-C/JE (S)-2022/ 39053

Dated: 27-12-2022

Subject:

Letter of Intent - Request for grant of license for an additional area measuring 3.34375 acres in addition to licence no. 11 of 2022 dated 02.02.2022 (16.55625 acres) and LOI granted area measuring 2.45625 acres granted for setting up of Residential Affordable Plotted colony (under DDJAY-2016) there by making total area 22.35625 acres (16.55625+2.45625+3.34375) acres, Sector-95, District Gurugram- JMS Infra Realty Pvt. Ltd.

Please refer your application dated 04.08.2022 on the matter as subject cited above.

Your request for grant of license for an additional area measuring 3.34375 acres in addition to licence no. 11 of 2022 dated 02.02.2022 (16.55625 acres) and LOI granted area measuring 2.45625 acres granted for setting up of Residential Affordable Plotted colony (under DDJAY-2016) there by making total area 22.35625 acres (16.55625+2.45625+3.34375) acres, Sector-95, District Gurugram under section 3 of the Haryana Development and Regulation of Urban Areas Act, 1975 and Rules, 1976 framed there under has been considered and it is proposed to grant a license 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 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) External Development Works:

|       |                                         |                          |
|-------|-----------------------------------------|--------------------------|
| i)    | Total Area under Plotted                | = 3.34375 acres          |
| ii)   | Interim rate for EDC (equal to Plotted) | = ₹ 104.096 Lac per acre |
| iii)  | Total cost for Plotted Component        | = ₹ 334.14816 Lac        |
| iv)   | Area under commercial component         | = 0.133758 acre          |
| v)    | Interim rate of EDC                     | = ₹ 416.385 Lac per acre |
| vi)   | Total cost of Comm. Component           | = ₹ 55.6915 Lac          |
| vii)  | Total EDC                               | = ₹ 389.8396 Lac         |
| viii) | 25% EDC required upfront                | = ₹ 97.4599 Lacs         |
| ix)   | Bank Guarantee required                 | = ₹ 73.0959 lacs         |
|       |                                         | (valid for 5 years)      |

  
Director General  
Town & Country Planning  
Haryana, Chandigarh

**B) Internal Development Works:**

|       |                              |                                           |
|-------|------------------------------|-------------------------------------------|
| i)    | Plotted Area                 | = 3.34375 acres                           |
| ii)   | Interim rate for development | = ₹ 20.00 Lac per acre                    |
| iii)  | Plotted cost                 | = ₹ 64.2 Lacs                             |
| iv)   | Commercial Area              | = 0.133758 acre                           |
| v)    | Interim rate for development | = ₹ 50.00 Lac per acre                    |
| vi)   | Comm. Cost.                  | = ₹ 6.6875 Lacs                           |
| vii)  | Total cost of development    | = ₹ 70.8875 Lac                           |
| viii) | Cost of community facilities | = Nil                                     |
| ix)   | Grand Total                  | = ₹ 70.8875 Lac                           |
| x)    | 25% bank guarantee required  | = ₹ 17.721875 Lacs<br>(valid for 5 years) |

2. 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 DTCP, Haryana and furnish additional bank guarantee and submit an undertaking in this regard.

3. That you shall deposit an amount of Rs. 53,77,250/- on account of balance license fee and an amount of Rs. 27,34,579/- on account of conversion charges to be deposited online at website i.e. [www.tcpharyana.gov.in](http://www.tcpharyana.gov.in).

4. To deposit an amount of Rs. 389.8396 lacs on account of External Development Charges in favour of Director, Town & country Planning, Haryana, Chandigarh through online on e-payment portal of the Department. You have option to either make payment of complete amount of EDC in compliance of LOI before grant of licence or 25% of same in compliance of LOI and balance 75% in Six half yearly instalments 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. Further, as per policy dated 05.12.2018, 25% recovery before grant of license i.e. Rs. 97.4599 lacs alongwith Bank Guarantee of Rs. 73.0949 lacs (valid at least for five years) i.e. equal to 25% of balance amount of Rs. 292.3797 lacs against EDC.

5. To furnish the Bank Guarantee of Rs. 17.721875 lacs on account of Internal Development works to be deposited online at website i.e. [www.tcpharyana.gov.in](http://www.tcpharyana.gov.in). You have an option to mortgage 15% saleable area against submission of above said BG and in case, said option is adopted, then the area to be mortgaged may be indicated on the layout plan to be issued alongwith the license alongwith the revenue details thereof. The mortgage deed in this regard shall be executed as per the directions of the Department.

15/06/2019  
CHANDIGARH  
REGISTRATION

6. To execute two agreements i.e. LC-IV & LC-IV-A Bilateral Agreement on Non-Judicial Stamp Paper of District Town Planner 10/- . Specimen copies of the said agreements are enclosed herewith for necessary action. 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.

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

- i. That you shall pay the Infrastructure Development Charges amounting to Rs. 73,07,365/- 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.
- ii. 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.
- iii. That you shall construct 18/24/30 m wide internal circulation road forming part of licenced area at your own costs and transfer the same free of cost to the Government.

  
Director General  
Town & Country Planning  
Haryana, Chandigarh

- xiv. That you shall use only LED fitting for internal lighting as well as campus lighting.
- xv. 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.
- xvi. That it will be made clear at the time of booking of plots/commercial space that specified rates include or do not include EDC. In case of non inclusion of EDC in the booking rates, then it may be specified that same are to be charged separately as per rate fixed by the Govt. applicant company shall also provide detail of calculation of EDC per sqm/per sft to the allottees while raising such demand from the plot owners.
- xvii. That you shall keep pace of development atleast in accordance with sale agreement executed with the buyers of the plots as and when scheme is launched.
- xviii. That you shall arrange power connection from UHBVNL/DHBVNL for electrification of the colony and shall install the electricity distribution infrastructure as per the peak load requirement of the colony for which licensee shall get the electrical (distribution) service plan/estimates approved from the agency responsible for installation of external electric services i.e. UHBVNL/DHBVNL and complete the same before obtaining completion certificate for the colony.
- xix. That you shall complete the project within seven years (5+2 years) from date of grant of license as per clause 1(ii) of the policy notified on 01.04.2016.
- xx. That no clubbing of residential plots for approval of integrated zoning plan of two adjoining plots under same ownership shall be permitted.
- xxi. That applicant company will 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.
- xxii. 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 received from the plot holders for meeting the cost of Internal Development Works in the colony.
- xxiii. That no further sale has taken place after submitting application for grant of licence.

  
Director General  
Town & Country Planning  
Haryana, Chandigarh

xxiv. That you shall not give any advertisement for sale of plots/ commercial area before the approval of layout plan.

xxv. That no provision of the Haryana Ceiling on Land Holding Act, 1972 has been violated due to purchase of applied land.

xxvi. That you shall abide by the terms and conditions of policy dated 08.02.2016 (DDJAY) and other direction given by the Director time to time to execute the project.

xxvii. 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 Controlled Board or any other Authority Administering the said Act.

xxviii. 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.

xxix. 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.

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

xxxi. The implementation of such mechanism shall, however, have no bearing on EDC installment 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 installments that are due for payment that paid as per the prescribed schedule.

xxxii. 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 submit an indemnity bond indemnifying DTCP from any loss, if occurs due to submission of undertaking submitted in respect of non-creation of third party rights on the applied land.

9. That you shall intimate their official Email ID and the correspondence made to this email ID by the Department shall be treated legal.

Director  
Haryana State Pollution  
Control Board  
Chandigarh

10. That you shall clear the outstanding dues of EDC pending against various licenses, if any, before grant of license.
11. That you shall submit the NOC from District Forest Officer Gurugram regarding applicability of any Forest Law/notifications.
12. That certificate from DRO/Deputy Commissioner, Gurugram will be submitted certifying that the applied land is still under ownership of applicant company.
13. That you shall enhance their paid up capital to Rs. 13 crores and submit form PAS-3 in this regard.
14. That you shall invite objection/suggestions regarding amendment in the layout plan as per policy dated 25.01.2021.
15. That you shall demolished the construction measuring 615.636 sqm and boundary wall measuring 243.904 rmt raised at site.

  
(T.L. Satyaprakash, IAS)  
Director General,  
Town & Country Planning,  
Haryana, Chandigarh 4

Endst. No LC-4604-C/JE (DS)-2022 /

Dated:

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

1. Deputy Commissioner, Gurugram.
2. District Revenue Officer, Gurugram.
3. Senior Town Planner, Gurugram with request to report regarding condition no. 14.
4. District Town Planner(P), Gurugram.

  
(Narender Kumar)  
District Town Planner (HQ)  
For Director General, Town & Country Planning  
Haryana Chandigarh 4

To be read with LOI memo no.....<sup>3953</sup> Dated <sup>27/12</sup>.....of 2022

Detail of land owned by JMS Infra Reality Pvt. Ltd.

| Village  | Rect. No. | Killa No. | Area<br>(K-M) |
|----------|-----------|-----------|---------------|
| Wazirpur | 79        | 13/2      | 0-17          |
|          |           | 13/3      | 6-9           |
|          |           | 14/1      | 1-11          |
|          |           | 14/2      | 4-13          |
|          |           | 17/1/2    | 5-5           |
|          |           | 18        | 8-0           |
| Total    |           |           | 26-15         |

Or 3.34375 Acres

  
Director General  
Town & Country Planning  
Haryana, Chandigarh  
