

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>

Regd.

(LC-III, See Rule 10)

To,

Adhikaansh Realtors Pvt. Ltd.,
Unit No. B/C/2L/Office/017A,
M3M Urbana, Sector 67,
Gurugram-122102.

Memo No. LC-4588/Asstt.(MS)/2021/ 31974

Dated: 17-12-2021

Subject:- Letter of Intent - Request for grant of licence for setting up Affordable Plotted Colony (DDJAY-2016) over an additional area measuring 5.125 acres in addition to license No. 32 of 2021 dated 05.07.2021 granted for an area measuring 52.275 acres for setting up of Affordable Plotted Colony (DDJAY-2016) in the revenue estate of village Hayatpur, Sector-89, Distt. Gurugram - Adhikaansh Realtors Pvt. Ltd.

Please refer to your application dated 16.08.2021 on the above cited subject.

Your request for the grant of license 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 Affordable Plotted Colony (DDJAY-2016) over an additional area measuring 5.125 acres in addition to license No. 32 of 2021 dated 05.07.2021 granted for an area measuring 52.275 acres for setting up of Affordable Plotted Colony (DDJAY-2016) in the revenue estate of village Hayatpur, Sector-89, Distt. Gurugram has been examined/considered by the Department under the policy issued vide memo no PF-27A/2700 dated 08.02.2016 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.

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

INTERNAL DEVELOPMENT WORKS:	
<ul style="list-style-type: none">Plotted component = 4.92 acres x Rs. 20.0 Lacs = Rs. 98.4 LacsCommercial component = 0.205 acre x Rs 50.0 Lacs = Rs. 10.25 LacsTotal amount of IDW = Rs. 108.65 against which 25% BG amounting to Rs. 27.1625 is required to be deposited or to mortgage 15% of saleable area.	
EXTERNAL DEVELOPMENT CHARGES	
<ul style="list-style-type: none">Total EDC amount required for the area 5.125 = Rs. 597.511245 lacsAn amount to be deposited = Rs. 149.37781125 Lacs25% BG Required = Rs. 112.03336 Lacs	

- (C). 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. To execute two agreements i.e. LC-IV & LC-IV-A Bilateral Agreement on Non-Judicial Stamp Paper of ₹ 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 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.*
4. To deposit an amount of **Rs. 83,85,000/-** (Rupees Eighty Three Lacs Eighty Five Thousand Only) on account of license fee to be deposited online at website i.e. www.tcpharyana.gov.in.
5. To deposit an amount of **Rs. 41,91,316/-** (Rupees Forty One Lacs Ninety One Thousand Three Hundred Sixteen Only) on account of Conversion Charges to be deposited online at website i.e. www.tcpharyana.gov.in.

6. To deposit an amount of Rs. **597.511245 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. 149.37781125 lacs alongwith Bank Guarantee of Rs. 112.03336 lacs (valid at least for five years) i.e. equal to 25% of balance amount of Rs. 448.13343375 lacs against EDC.
7. To furnish the Bank Guarantee of Rs. **27.1625 lacs** on account of Internal Development works to be deposited online at website i.e. 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.
8. To furnish an undertaking on non-judicial stamp paper of Rs. 10/- to the following effect:-
 - i. That applicant company will pay the Infrastructure Development Charges amounting to Rs. **1,12,00,073/-** (One Crore Twelve Lacs Seventy Three Only) 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.
 - ii. 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. You shall integrate the services with Haryana Shehri Vikas Pradhikaran Development Authority services as and when made available.
 - iv. 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.


Director
Town & Country Planning
Haryana, Chandigarh

- v. You will transfer 10% area of the licenced colony free of cost to the Government for provision of community facilities. This will give flexibility to the Director to workout the requirement of community infrastructure at sector level and accordingly make provisions. The said area will be earmarked on the layout plan to be approved alongwith the license.
- vi. You understand that the development/ construction cost of 24 m/18 m major internal roads is not included in the EDC rates and they 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.
- vii. You shall obtain NOC/Clearance as per provisions of notification dated 14.09.2006 issued by Ministry of Environment & Forest, Govt. of India, if applicable before execution of development works at site.
- viii. 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 Shehri Vikas Pradhikaran Authority.
- ix. You shall obtain clearance from competent authority, if required under Punjab Land Preservation Act, 1900 and any other clearance required under any other law.
- x. That the rain water harvesting system shall be provided as per Central Ground Water Authority Norms/Haryana Govt. notification as applicable.
- xi. That the provision of solar water heating system shall be as per guidelines of Haryana Renewable Energy Development Agency and shall be made operational where applicable before applying for an Occupation Certificate.
- xii. You shall use only LED fitting for internal lighting as well as campus lighting.
- xiii. 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.
- xiv. 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.

- xv. 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.
- xvi. 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.
- xvii. 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.
- xviii. That no clubbing of residential plots for approval of integrated zoning plan of two adjoining plots under same ownership shall be permitted.
- xix. You 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.
- xx. 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.
- xxi. That no further sale has taken place after submitting application for grant of licence.
- xxii. You shall not give any advertisement for sale of plots/ commercial area before the approval of layout plan.
- xxiii. That no provision of the Haryana Ceiling on Land Holding Act, 1972 has been violated due to purchase of applied land.
- xxiv. You shall abide by the terms and conditions of the policy notified on 01.04.2016.
- xxv. 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.
- xxvi. 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.
- xxvii. 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, applicant shall be liable for penal action by Haryana State Pollution Control Board or any other Authority Administering the said Act.

9. You shall submit the NOC from District Forest Officer Gurugram regarding applicability of any Forest Law/notifications.
10. That certificate from DRO/Deputy Commissioner, Gurugram will be submitted certifying that the applied land is still under ownership of applicant company.
11. You shall earmark 50% saleable area in the layout plan, to be issued alongwith the license alongwith revenue detail, which is to be freezed as per clause 5(i) of the policy dated 01.04.2016. The area so freezed shall be allowed to sell only after completion of all Internal Development Works in the colony.
12. To 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.
13. To submit an undertaking that you shall take prior permission from the Divisional Forest Officer, Gurugram regarding cutting of any tree in their applied site.
14. You shall comply with the instructions given vide this office order dated 25.01.2021 regarding the revision of layout plan:-
 - i. That the colonizer shall invite objections from each existing allottee regarding the said amendment in the layout plan through an advertisement to be issued at least in three National newspapers widely circulated in District, of which one should be in Hindi Language, within a period of 10 days from the issuance of approval.
 - ii. Each existing allottee shall also be informed about the proposed revision through registered post with a copy endorsed to the Senior Town Planner, Gurugram office in case of layout plan within two days from the advertisement as per (i) above clearly indicating the last date for submission of objection. A certified list of all existing allottees shall also be submitted to the Senior Town Planner, Gurugram office.
 - iii. A copy of the earlier approved layout plan and the revised layout plan being approved in principle shall be hosted on your website and site office for information of all such existing allottees.
 - iv. That the colonizer shall submit certificate from the Senior Town Planner, Gurugram office about hosting the revised layout plan showing changes in the earlier approved plan on the website of the licensee.
 - v. To display the revised layout plan showing changes from the approved layout plan at your site office.

- vi. That the allottees may be granted 30 days time to file their objections in the office of the Senior Town Planner, Gurugram office. During this 30 days period the original layout plan as well as the revised layout plan shall be available in the office of the colonizer as well as in the office of the Senior Town Planner, Gurugram office for reference of the allottees.
 - vii. The objections received, if any, shall be examined by the office of the Senior Town Planner, Gurugram office. The Senior Town Planner, Gurugram office shall give an opportunity of hearing to the colonizer and objector to explain their position regarding revised layout plan and shall submit the recommendation to the DTCP, within a period of 90 days from the issuance of the advertisement. DTCP may decide to make amendments in the layout plan, which shall be binding upon the colonizer.
 - viii. That the colonizer shall submit a report clearly indicating the objection if any, received by him from the allottees and action taken thereof alongwith undertaking to the effect that the rights of the allottees have not been infringed, and that no objection on the changes has been received from any existing allottee.
 - ix. That you shall not give the advertisement for booking/sale of plot till the final approval of revised layout plan.
 - x. That the applicant shall comply with section-14 of RERA, Act and directions given in this regard from time to time.
15. To submit an undertaking as well as indemnity bond with indemnify the department if any loss/ damages occurs to the department in case of Hon'ble High Court order in respect of CWP No. 24601 of 2021.
16. You shall submit an undertaking as well as indemnity bond to comply with the Hon'ble High Court orders in respect of CWP No. 24601 of 2021 and with indemnify the department if any loss/ damages occurs to the department due to any adverse orders.
17. You will intimate their official Email ID and the correspondence on this email ID by the Deptt. will be treated as receipt of such correspondence.
18. You shall complete the demarcation at site within 7 days from date of issuance of LOI and will submit the demarcation plan in office District Town Planner, Gurugram under intimation to this office.

DA/Schedule of land.



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

Endst. LC-4588/Asstt.(MS)/2021/

Dated:

A copy is forwarded to the following alongwith copy of land schedule for information and necessary action:-

1. Chief Administrator HSVP, Sector-6, Panchkula.
2. Additional Director, Urban Estates, Sector-6, Panchkula.
3. Senior Town Planner, Gurugram with a request that after examination of the proposal in respect of objections on migration of licence, forward to this office within 7 days from the receipt of report from concerned District Town Planner, Gurugram. If the matter is delayed by the concerned officer for more than 7 days, the cause of delay shall be mentioned in the report. The policy dated 07.02.2017 is available on website www.tcpharyana.gov.in.
4. District Town Planner, Gurugram, with the direction to submit report for condition no. 18 of above and to verify demarcation at the site and also you shall forward the proposal in respect of objections on migration of licence and objections received if any to Senior Town Planner, Gurugram alongwith recommendation within 7 days from the receipt of report from colonizer. The policy dated 07.02.2017 is available on website www.tcpharyana.gov.in.
5. CAO O/o DTCP, Haryana.
6. PM (IT Cell) website O/o DTCP, Haryana.


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

31974 17-12-

To be read with LOI Memo No.....Datedof 2021

Detail of land owned by Adhikaansh Realtors Pvt. Ltd.

Village	Rect.No	Killa No	Area (K-M)
Hayatpur	60	1/1	6-2
		2/1	1-6
		10/2	0-1
	28	11/2	3-7
		19/2	3-3
		20	8-0
		21	7-7
		22	6-19
	29	25/2	4-15
		Total	41-0

Or 5.125 acres ✓


Director,
Town & Country Planning
Haryana
