

## Directorate of Town & Country Planning, Haryana

Aayojna Bhawan, Plot No. 3, Block-A, Madhya Marg, Sector 18A, Chandigarh.

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

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

Regd.

LC-III

(See Rule 10)

To

✓ Skywhales Developers LLP,  
1032A/1, MM Tower, 3<sup>rd</sup> Floor,  
Railway Road, Dayanand Colony,  
Gurugram-122001.

Memo No. LC-4697-B/Asstt.(MS) 2022/ 29257

Dated: 28-09-22

Subject:-

Letter of Intent - Request for grant of license to set up Affordable Plotted Colony (DDJAY-2016) for an additional area measuring 7.7222 acres in addition to licence no. 78 of 2022 dated 24.06.2022 in revenue estate of village Gopalpur, Tehsil Harsaru, Sector-99A, District Gurugram.


Please refer to your application dated 17.05.2022 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 an Affordable Plotted Colony (DDJAY-2016) for an additional area measuring 7.7222 acres in addition to licence no. 78 of 2022 dated 24.06.2022 in revenue estate of Village Gopalpur, Tehsil Harsaru, Sector-99A, District Gurugram has been examined/considered by the Department under the policy 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.

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

A) External Development Charges:

i)	Total Area under Plotted	= 7.4133 acres
ii)	Interim rate for EDC (equal to Plotted)	= Rs. 104.096 Lac per acre
iii)	Total cost for Plotted Component	= Rs.771.694 Lac
iv)	Area under commercial component	= 0.3089 acre
v)	Interim rate of EDC	= Rs.486.130 Lac per acre
vi)	Total cost of Comm. Component	= Rs.150.165 Lac
vii)	Total EDC	= Rs.921.859 Lac
viii)	25% EDC required upfront	= Rs.230.464 Lacs
ix)	Bank Guarantee required	= Rs.172.848 lacs (valid for 5 years)

  
Director General  
Town & Country Planning  
Haryana, Chandigarh

B). Internal Development Works:

i)	Plotted Area	= 7.4133 acres
ii)	Interim rate for development	= Rs.20.00 Lac per acre
iii)	Plotted cost	= Rs.148.266 Lacs
iv)	Commercial Area	= 0.3089 acre
v)	Interim rate for development	= Rs.50.00 Lac per acre
vi)	Comm. Cost.	= Rs.15.445 Lacs
vii)	Total cost of development	= Rs.163.711 Lac
viii)	Cost of community facilities	= Nil
ix)	Grand Total	= Rs.163.711 Lac
x)	25% bank guarantee required	= Rs. 40.927 Lacs (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. To deposit an amount of Rs. 1,47,64,225/- on account of balance license fee and an amount of Rs. 65,77,931/- 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. 921.859 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. 230.464 lacs alongwith Bank Guarantee of Rs. 172.84875 lacs (valid at least for five years) i.e. equal to 25% of balance amount of Rs. 691.395 lacs against EDC.
5. To furnish the Bank Guarantee of Rs. 40.927 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.

6. To execute two agreements i.e. LC-IV & LC-IV-A Bilateral Agreement on Non-Judicial Stamp Paper of Rs. 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 by 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 that:-
- (i) You will pay the Infrastructure Development Charges amounting to Rs. 1,71,88,520/- 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) 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 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.

- (iv) That area under the sector roads and restricted belt/green belt, if any, which forms part of licenced area 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.
- (v) You shall seek permission from Administrator HSVP before construction of road since the applied site is approachable from 12 mtr. vide service road which is acquired but not constructed.
- (vi) You shall integrate the services with Haryana Shehri Vikas Pradhikaran Development Authority services as and when made available.
- (vii) 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.
- (viii) 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.
- (ix) 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.
- (x) 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.
- (xi) 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.
- (xii) You shall obtain clearance from competent authority, if required under Punjab Land Preservation Act, 1900 and any other clearance required under any other law.
- (xiii) That the rain water harvesting system shall be provided as per Central Ground Water Authority Norms/Haryana Govt. notification as applicable.
- (xiv) 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.
- (xv) You shall use only LED fitting for internal lighting as well as campus lighting.

- (xvi) 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.
- (xvii) 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.
- (xviii) 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.
- (xix) 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.
- (xx) 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.
- (xxi) That no clubbing of residential plots for approval of integrated zoning plan of two adjoining plots under same ownership shall be permitted.
- (xxii) 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.
- (xxiii) 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.
- (xxiv) That no further sale has taken place after submitting application for grant of licence.
- (xxv) You shall not give any advertisement for sale of plots/ commercial area before the approval of layout plan.
- (xxvi) That no provision of the Haryana Ceiling on Land Holding Act, 1972 has been violated due to purchase of applied land.



- (xxvii) 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.
  - (xxviii) 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.
  - (xxix) 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.
  - (xxx) 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.
  - (xxxi) That such 10% deduction shall continue to operate till the total EDC dues get recovered from the owner/developer.
  - (xxxii) 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.
  - (xxxiii) 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.
  - (xxxiv) That you shall abide by the provisions of the Zonal Master Plan prepared for the Eco-Sensitive Zone of the Sultanpur National Park as well as MOEF, Govt. of India notification dated 27.01.2010.
8. That you shall 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 and also submit corrected layout plan.
  9. That you shall submit the NOC from District Forest Officer Gurugram regarding applicability of any Forest Law/notifications.

Haryana Chhambh  
 Town & Country Planning  
 Director General

10. That certificate from DRO/Deputy Commissioner, Gurugram will be submitted certifying that the applied land is still under ownership of applicant company.
11. 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.
12. 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.
13. 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.
14. That you shall submit the non-encumbrance certificate from the competent authority.
15. That you shall clear the outstanding dues of EDC pending against various licenses, if any, before grant of license.
16. That you shall submit an undertaking that they shall maintain the ROW for 66 KV HT line passing through the site.
17. That you shall submit the NOC from the competent authority governing the Eco Sensitive Zone around Sultanpur National Park to allow the construction before final permission.
18. That you shall comply with the instructions given vide this office order dated 25.01.2021 regarding the revision of layout plan.
19. That you shall increase Net Worth of the firm to at least Rs. 8 crores and submit Net Worth certificate for the same before grant of licence.
20. That you shall submit the original Board of Resolution.
21. That you shall intimate their official Email ID and the correspondence made to this email ID by the Department shall be treated legal.

DA/schedule of land.

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

Endst. LC-4697-B/Asstt.(MS)/2022/

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. Director, Urban Estates, Sector-6, Panchkula.
3. Senior Town Planner, Gurugram.
4. District Town Planner, Gurugram.
5. CAO O/o DTCP, Haryana.
6. Nodal Officer (Website) O/o DTCP, Hr.



(S.K. Sehwat)

District Town Planner (HQ)

For: Director General, Town & Country Planning  
Haryana Chandigarh



To be read with LOI Memo no. 29257 dated 28-09- of 2022

Detail of land owned by Skywhales Developers LLP

Village	Rect. No	Killa No.	Area (K-M-S)
Gopalpur	31	7min	4-15-0
		8 min	5-5-0
		12	8-0-0
		13 min	7-18-5
		14 min	4-12-0
		17 min	6-9-0
		18	8-0-0
		19	8-0-0
	30	12/1	7-4-0
		11/2	1-12-0
		Total	61-15-5

Or 7.7222 acres

  
Director,  
Town & Country Planning  
Haryana  
