

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

LC-III
(See Rule 10)

Regd.
To

Smart Arena Hometown LLP
C/o Peerage Buildwell Pvt. Ltd.,
G-25A, Ring Road Mall, Plot No. 21,
Manglam Place, Sector 3, Rohini,
Delhi-110085.

Memo No. LC-4611/Asstt.(MS)/2021/212 Dated: 04-01-2022

Subject: Letter of Intent: Request for grant of licence to set up Commercial Colony on an area measuring 3.9625 acres in the revenue estate of village Badha & Hayatpur, Sector- 89, Gurugram.

Please refer your application received on 15.09.2021 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 Colony on an area measuring 3.9625 acres in the revenue estate of village Badha & Hayatpur, Sector- 89, 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 3.9625 acres
@ Rs. 50.00 Lac per acre (175 FAR)
- ii. Total Cost of development
3.9625 X 50 Lac = Rs. 198.125 Lacs
- iii. 25% BG, which is required = Rs. 49.53125 Lacs
(validity for five years)

B. EXTERNAL DEVELOPMENT CHARGES (EDC):-

- i) Total Commercial Area = 3.9625 acres
- ii) Interim rate for EDC = Rs. 486.130 Lac/acre
- iii) Amount = Rs. 1926.290125 Lacs
- iv) 25% bank guarantee required = Rs. 481.57253125 Lacs
(valid for 5 years)

2. That applicant company shall deposit an amount of Rs. 9,91,31,250/- on account of balance licence fees & an amount of Rs. 2,35,73,269/- on account of conversion charges through online payment 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 Rs. 10/- to the effect that:-
 - a. That you shall pay the Infrastructure Development Charges amounting to Rs. 2,80,63,416/- @ 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. 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.
- d. That 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. That 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. That you shall integrate the services with Haryana Shehari Vikas Pradhikaran services as and when made available.
- g. 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 change of land use under the provision of the Punjab Scheduled Roads and Controlled Area Restrictions of Unregulated Development Act, 1963.
- h. That 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. That 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. That 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. That 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. That you shall use only LED fitting for internal lighting as well as campus lighting.
- n. 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.
- o. 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 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. That 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. That you shall not give any advertisement for sale of commercial area before the approval of layout plan / building plans of the same.
- r. 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.
- s. That 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.
- t. 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, 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.

- u. 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.
 - 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. 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.
 - y. 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.
 - z. That 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.
5. 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.
 6. That you are required to clear the outstanding dues pending against various licenses granted in the state, before the grant of final permission.
 7. That you shall submit the NOC from Divisional Forest Officer, Gurugram before grant of final permission.
 8. That certificate from DRO/Deputy Commissioner, Gurugram will be submitted certifying that the applied land is still under ownership of applicant company.
 9. That you shall increase the paid up capital to Rs. 9.00 crores before the grant of license and also submit Form PAS-3.
 10. The you shall submit the non encumbrance certificate from the competent authority

11. That you shall submit the addendum collaboration agreement omitting by Clause -8.
12. That you shall submit an affidavit that there is no collaboration agreement enforced with any other person for the same land.
13. That you shall submit the NOC from competent authority for deriving the access from 60 mtr wide Multi Utility Corridor proposed along 75 mtr wide sector dividing road of Sector 89/85, Gurugram.
14. 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-4611/Asstt. (MS)/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. Sehrawat)
District Town Planner (HQ)
For Director, Town & Country Planning
Haryana Chandigarh

To be read with LOI Memo No ²¹²Dated ⁰⁴⁻⁰¹⁻Of 202¹

Detail of land owned by Smart Arena Hometown LLP.

Village	Rect. No.	Killa No.	Area (K-M)
Badha	10	12/1/2	4-5
		12/2/2	3-14
	10	13/1/1	3-6
		19/1/1	1-13
Hayatpur	70	3/2/2	1-5
		4/2	7-2
		5min	6-7
		6	4-2
Total			31-14

Or 3.9625 acres


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Town & Country Planning
Haryana 