

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

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LC-III
(See Rule 10)

Regd.

To

Fidatocity Homes Pvt. Ltd.,
Baljeet Yadav-Dinesh Yadav-Mahesh S/o Harpal Singh,
Mahipal S/o Jagmal, Dushyant Yadav S/o Satyapal,
In collaboration with Fidatocity Homes Pvt. Ltd.,
D-800, Ground Floor, New Friends Colony,
New Delhi-110025.

Memo No. LC-5252/JE (AK)/2024/ 24638 Dated: 05/08/2024

Subject: Letter of intent for grant of license for setting up of a Residential Group Housing colony on the land measuring 10.84375 acres in the revenue estate of village Harsaru, Sector-88B, Gurugram - Fidatocity Homes Pvt. Ltd.

Please refer your application dated 16.10.2023 & 10.06.2024 on subject cited matter.

Your request for grant of licence for setting up of a Residential Group Housing colony on the land measuring 10.84375 acres in the revenue estate of village Harsaru, Sector-88B, 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.

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

(A) INTERNAL DEVELOPMENT WORKS:

Total area = 10.84375 x 50 lac = Rs. 542.1875 lacs

25% BG amounting to Rs. 135.5469 lacs (valid for 5 years)

(B) EXTERNAL DEVELOPMENT CHARGES (EDC):

GH component = 10.78953 x 312.289 = Rs. 3369.4516 lacs

Commercial component = 0.05422 x 416.385 = Rs. 22.5764 lacs

Total amount of EDC = Rs. 3392.028 lacs

25% BG amounting to Rs. 848.007 lacs (valid for 5 years)

Or

You have an option to mortgage 10% 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 licence alongwith the revenue details thereof and mortgage deed in this regard shall be executed as per directions of the department.

** It is made clear that the bank guarantee of internal development works has been worked out on the interim rates and you will have to submit the additional bank guarantee if any, required at the time of approval of service plan/estimates according to the approved layout plan/building plan. With an increase in the cost of construction and an increase in the number of facilities in the layout plan, you

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would be required to furnish an additional Bank Guarantee within 30 days of demand.

3. 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.
4. To execute two agreements i.e. LC-IV and Bilateral Agreement on non-judicial stamp paper. Two copies of specimen 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.
5. To deposit an amount of Rs. 3,08,79,122/- on account of Balance license fee and an amount of Rs. 71,75,586/- on account of conversion charges through online e-payment module available on departmental website i.e. www.dtcp.haryana.gov.in.
6. To furnish an undertaking on non-judicial stamp paper of Rs. 10/- to the following effect:-
 - i. That you will pay the Infrastructure Development Charges amounting to Rs. 4,81,42,844/- 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 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.
- iii. 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.
- iv. 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.
- v. 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 DGTCP Haryana.
- vi. That you shall integrate the services with Haryana Shehri Vikas Pradhikaran services as and when made available.
- vii. 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.
- viii. 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.
- ix. 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.
- x. That you shall make arrangements for water supply, sewerage, drainage etc. to the satisfaction of DGTCP till these services are made available from External Infrastructure to be laid by Haryana Shehri Vikas Pradhikaran.
- xi. That the rain water harvesting system shall be provided as per Central Ground Water Authority Norms/Haryana Govt. notification as applicable.
- xii. 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.

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- xiii. That you shall use only LED fitting for internal lighting as well as campus lighting.
- xiv. 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.
- xv. 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.
- xvi. 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.
- xvii. That you shall not give any advertisement for sale of commercial area before the approval of layout plan / building plans of the same.
- xviii. 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.
- xix. That you shall abide with policy dated 08.07.2013 and 26.02.2021 and amended from time to time related to allotment of EWS Flats/Plots
- xx. 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.
- xxi. 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.
- xxii. That you shall specify the detail of calculations per Sqm/per Sqft., which is being demanded from the flat/shop owners on account of IDC/EDC, if being charged separately as per rates fixed by Govt.
- xxiii. 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.
- xxiv. That no pre-launch/sale of commercial site will be undertaken before approval of the layout plan.
- xxv. That the owner/developer shall derive maximum net profit at the rate of 15% of the total project cost of the development of the above said Residential

- Plotted Colony after making provisions of the statutory taxes. In case, the net profit exceeds 15% after completion of the project period, the surplus amount shall be deposited within two months in the State Government Treasury by the Owner/Developer or they shall spend this money on further amenities/facilities in their colony for the benefit of the resident therein.
- xxvi. 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.
 - xxvii. 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.
 - xxviii. That licenced land forming the part of Sector, Road, Service roads, Green belts and 24/18 mtrs wide road as the case may be land pockets which are earmarked for community sites shall be transferred within a period of 30 days in favour of Government from the date of approval of Zoning Plan.
 - xxix. That you shall take prior permission from the Divisional Forest Officer, Gurugram regarding cutting of any tree at applied site, before grant of licence.
 - xxx. That you shall obey all the directions/restrictions imposed by the Department from time to time.
7. That you shall complete the demarcation at site within 7 days from date of issuance of LOI and will submit the demarcation plan in office of District Town Planner, Gurugram under intimation to this office.
 8. That you shall submit the NOC from Divisional Forest Officer, Gurugram before grant of final permission.
 9. You shall submit ownership verification report from DC, Gurugram wherein it should be clearly mentioned that applied khasra nos. are free of all encumbrances before grant of license.
 10. 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.
 11. That you shall submit an indemnity bond, indemnifying by the DGTCP against any loss/claim arising out of any pending litigation
 12. 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.

13. To submit an undertaking from the land owning companies/land owners that this land has not been sold to any person after entering into collaboration agreement with the colonizer to whom LOI is being issued and also that presently there is no collaboration agreement enforced with any other person for the same land.
14. You shall construct and maintained acquired 12 mtr wide service road in front of applied site to ensure connectivity with existing 75 mtr wide sector road for all time to come until unless such service road is constructed/maintained by HSVP.
15. You shall enhance the paid-up capital upto Rs. 11.00 Crore before grant of license.
16. That you will intimate their official Email ID and the correspondence address to the Department which will be treated legal and enforceable.

DA/land schedule.



(Amit Khatri, IAS)
Director,
Town & Country Planning
Haryana Chandigarh

Endst. No LC-5252/JE (AK)/2024/

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 with a request to send report w.r.t. condition no. 7 above.


(Ashish Sharma)
District Town Planner (HQ)
For Director, Town & Country Planning
Haryana Chandigarh

To be Read with LOI Memo No. 24638 dt. 05/08/ 2024

Details of land owned by Fidatocity Homes Pvt. Ltd.

Village	Rect. No.	Killa No.	Area (K-M)
Harsaru	27	13	8-0
		14	8-0
		17	8-0
		18	7-17
		19/1	4-0
		21/1	4-0
		22/1	6-0
		19/2	4-0
		8/2	1-0
		8/3	2-0
		8/4	4-0
		23/1	4-12
		23/2	1-7
Total		62-16	

Details of land owned by Baljeet Yadav – Dinesh Yadav – Mahesh S/o Harpal Singh 204/479 share, Mahipal S/o Jagmal 60/479 share, Dushyant Yadav S/o Satyapal 60/479 share, Fidatocity Homes Pvt. Ltd. 155/479 share

Harsaru	27	11	8-0	
		12	8-0	
		20/1/1	0-4	
		20/1/2	7-15	
		Total	23-19	
		Grand Total		86-15

Or 10.84375 Acres

Director
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[Signature]