

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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Regd.

LC-III
(See Rule 10)

To

✓
SPJ Properties Pvt. Ltd.,
A-11, Pitampura,
New Delhi-110034.

Memo No. LC-5045-B/JE(SK)/2024/ 9226

Dated: 13/03/2024

Subject: Letter of Intent- Request for grant of licence for setting up of Commercial colony (175 FAR) over an area measuring 4.15625 acres (after migration from license no. 125 of 2023) in the revenue estate of village Gurugram, Sector-14, District Gurugram.

Please refer your application received on 30.01.2024 and 09.02.2024 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 (175 FAR) over an area measuring 4.15625 acres (after migration from license no. 125 of 2023) in the revenue estate of village Gurugram, Sector-14, 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. You shall deposit an amount of **Rs. 2,90,93,750/-** on account of Balance license fee through online e-payment module available on departmental website i.e. www.tcpharyana.gov.in.
2. To furnish BG amounting **Rs. 371.8695 lacs** against External Development Charges amounting Rs. 1487.478 lac @ Rs. 486.13 Lacs per acre. 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 license alongwith the revenue details thereof. The mortgage deed in this regard shall be executed as per the directions of the Department.

Director
Town & Country Planning
& Haryana, Chandigarh

**It is made clear that rate of EDC has been calculated on the basis of EDC Indexation Mechanism Policy dated 11.02.2016, which stands approved by cabinet. If there will be any change and delay in the amendment in the Act/Rules w.r.t. the said rates, then differential amount from the original calculation will required to be deposited as per demand.*

3. To furnish the Bank Guarantee of **Rs. 51.95313 lacs** equivalent to 25% of total Internal Development Works amounting to **Rs. 207.8125 lacs** @ Rs. 50 Lacs per acre. 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 license alongwith the revenue details thereof. The mortgage deed in this regard shall be executed as per the directions of the Department.
4. 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)(I)(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.
5. To furnish an undertaking on non-judicial stamp paper of Rs. 100/- to the following effect:-
- i. That you will pay the Infrastructure Development Charges amounting to **Rs. 41,35,602/-** 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 applicant company 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 DTCP Haryana.
 - vi. That you shall integrate the services with Haryana ShehriVikasPradhikaran 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 DTCP till these services are made available from External Infrastructure to be laid by Haryana SheharyVikasPradhikaran.
- 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.
- 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 month 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 seventy 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 labourcess 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 keep pace of construction at least in accordance with sale agreement executed with the buyers of the flats as and when scheme is launched.
- xx. 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.
- xxi. 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.
- xxii. 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.

- xxiii. That no pre-launch/sale of commercial site will be undertaken before approval of the layout plan.
- xxiv. 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 Commercial 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.
- xxv. That you 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.
- xxvi. 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.
- xxvii. 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, if applicable.
- xxviii. That you shall obey all the directions/restrictions imposed by the Department from time to time.
- xxix. That you shall not encroach the revenue rasta, if any passes through the applied site and keep it thoroughfare movement of the general public.
6. That you shall submit an undertaking that you shall take prior permission from the Divisional Forest Officer, Gurugram regarding cutting of any tree at applied site.
7. That you shall complete the demarcation at site within 7 days and submit the demarcation plan in the office of District Town Planner Gurugram within 15 days of issuance of this memo.
8. That you shall take permission for setting up of temporary site office at site as per departmental policy dated 05.07.2022 or to demolish the temporary unauthorized construction raised at site and shall submit verification report through DTP(E), Gurugram, before grant of licence.
9. That you shall submit a certificate from the Deputy Commissioner/District Revenue Authority, Gurugram stating that there is no further sale of the land applied for licence till date and applicant companies/individual are owners of the land & also that the applied land is encumbrance free.
10. The you shall submit form PAS-3 by enhancing the paid up capital of company upto 20.0 Crore.
11. That you shall submit an indemnity bond, indemnifying by the DTCP against any loss/claim arising out of a 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. That you shall invite objections from the existing allottees of license no. 125 of 2023 (If any) and general public through an advertisement to be issued atleast in three National Newspapers within a period of 10 days from the issuance of LOI, informing about the proposed migration, with a request to submit objections if any, in writing within 30 days from the date of publication of such public notice in the office of Senior Town Planner, Gurugram and applicant company shall inform all the third parties who have got rights created under original licence, through registered post with a copy endorsed to Senior Town Planner, Gurugram within two days from advertisement clearly indicating the last date for submission of objection. You shall submit report clearly indicating the objection, if any, received by him from allottees /general public and action taken thereof alongwith an undertaking to the effect that the rights of the existing plot holders have not been infringed. Any allottees/general public having any objection may file his/ her objection in the office of Senior Town Planner, Gurugram also. The Public Notice may be published in atleast three National newspapers widely circulated in District, of which one should be in Hindi Language.
14. That you shall intimate your official Email ID and the correspondence made to this email ID by the Department shall be treated legal.



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

Endst. No LC-5045-B/JE(SK)/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. Divisional Forest Officer, Gurugram.
5. District Town Planner, Gurugram with request to prepare the sectoral plan of commercial belt, sector-14, Gurugram.
6. District Town Planner (E), Gurugram w.r.t. condition no. 8 above.


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

To be read with LOI Memo No. 9226 Dated 13/03/2024 of 2024

Detail of land owned by SPJ Properties Pvt. Ltd.

| Village | Khasra no. | Area (B-B) |
|----------|----------------|---------------|
| Gurugram | 4234/1747 | 2-17 |
| | 4235/1747 | 3-7 |
| | 5416/4228/1741 | 0-9 |
| | Total | 6-13 |

Or 4.15625 Acres

Director,
Town & Country Planning
Haryana
Jaspreet Kaur