

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

Regd.

LC-III
(See Rule 10)

To

Aplin Developers Pvt. Ltd,
Smt. Rita Grover W/o Madan Grover,
Sahil Grover S/o Madan Grover & Biako Developers Pvt. Ltd.
In Collaboration with M/s Vatika Limited.,
A-002, INXT City Centre, Ground Floor,
Sector-83, Vatika India Next,
Gurugram-122012.

Memo No. LC-4692/JE(SB) 2023/ 633

Dated: 06-01-2023

Subject:- Letter of Intent - Request for grant of licence for setting up of Commercial Plotted Colony on an area measuring 2.625 acres (after migration from license No. 43 of 2013 granted for setting up of commercial colony) falling in the revenue estate of Village ~~Harsana~~ ^{Harsana}, Sector-88B, Gurugram Manesar Urban Complex.

Please refer to your application dated 07.12.2021, 06.06.2022, 06.05.2022, 12.08.2022 & 21.10.2022 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 Commercial Plotted Colony on an area measuring 2.625 acres (after migration from license No. 43 of 2013 granted for setting up of commercial colony) falling in the revenue estate of Village ~~Harsana~~ ^{Harsana}, Sector-88B, Gurugram Manesar Urban Complex has been examined/considered by the Department under the policy dated 18.02.2016, 06.03.2018 & 10.07.2019 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.

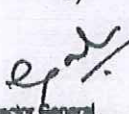
1. To furnish the bank guarantees on account of Internal Development Charges and the External Development Charges for the amount calculated as under:-

A) External Development Charges:

| | | |
|------|-----------------------------|---|
| i) | Total Commercial Area | = 2.625 acres |
| ii) | Interim rate for EDC | = Rs. 416.385 Lac per acre |
| iii) | Total EDC | = Rs. 1093.02 Lac |
| iv) | 25% Bank Guarantee required | = Rs. 273.255 Lacs (valid for 5 years) |

B) Internal Development Works:

| | | |
|------|------------------------------|---|
| i) | Commercial Area | = 2.625 acres |
| ii) | Interim rate for development | = Rs. 50.00 Lac per acre |
| iii) | Total cost of development | = Rs. 131.25 Lac |
| iv) | 25% bank guarantee required | = Rs. 32.8125 Lacs (valid for 5 years) |


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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

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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 DGTCP, Haryana and furnish additional bank guarantee and submit an undertaking in this regard.

3. To furnish BG amounting Rs. 273.253 lac against External Development Charges amounting Rs. 1093.011 lac. 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.

**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.*

4. To furnish the Bank Guarantee of Rs. 32.8125 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 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.
5. To execute two agreements i.e. LC-IV & LC-IV-B Bilateral Agreement on Non-Judicial Stamp Paper of Rs. 100/-. 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

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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.

6. To furnish an undertaking on non-judicial stamp paper of Rs. 100/- to the following effect that:-
- i. You will pay the Infrastructure Development Charges amounting to Rs. Nil 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. 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. 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. 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 Director Haryana.
 - vi. You shall integrate the services with Haryana Shehari Vikas Pradhikaran 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 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. You shall obtain NOC/Clearance as per provisions of notification dated 14.09.2006 issued by Ministry of Environment & Forest, Govt. of India before execution of development works at site.


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- x. You shall make arrangements for water supply, sewerage, drainage etc. to the satisfaction of the Director till these services are made available from External Infrastructure to be laid by Haryana Shehari 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. 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. You shall use only LED fitting for internal lighting as well as campus lighting.
- xiv. 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. 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. 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. You shall not give any advertisement for sale of commercial area before the approval of layout plan / building plans of the same.
- xviii. 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. 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. 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. 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.
- 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.

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- xxiii. That no pre-launch/sale of commercial site will be undertaken before approval of the layout plan.
- xxiv. 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.
- xxv. 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, 1975.
- xxvi. 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.
- xxvii. That you shall obey all the directions/restrictions imposed by the Department from time to time,
- xxviii. You shall not encroach the revenue rasta passes through the applied site and keep it thoroughfare movement of the general public.
7. That you shall submit the NOC from Divisional Forest Officer, Gurugram regarding applicability of any Forest Law/notifications before grant of licence.
8. To submit an undertaking that you shall take prior permission from the Divisional Forest Officer, Gurugram regarding cutting of any free at applied site.
9. That certificate from DRO/Deputy Commissioner, Gurugram will be submitted certifying that the applied land is still under ownership of applicant company before grant of licence.
10. That the applicant company 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.
11. That the applicant company shall submit an indemnity bond, indemnifying the Director from any loss, if occurs due to submission of undertaking submitted in respect of non-creating of third party rights on the applied land.
12. That you shall undertake to indemnify State Govt./Department for loss occurred or legal complication arising due to pending litigation and the land owing/developer company will be responsible for the same in respect of applied land.
13. That you shall furnish addendum agreement showing the clause of irrevocability.

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14. That you shall clear the outstanding dues on account of EDC and IDC against various licence before grant of licence.
15. That you shall submit NOC issued by Competent Authority for taking drive access from service road along existing 150.00 mtr. wide Northern Periphery Road (NPR) & Dwarkadhish Expressway, before grant of licence.
16. That you shall inviting objections from the allottees of license No. 43 of 2013 and applicant company shall inform all the third parties who have got rights created under original licence, through public notice within 10 days from grant of LOI, in the newspaper as per prescribed proforma informing about the migration of part of original licenced area into Commercial Plotted Colony, with a request to submit their objections if any, in writing within 10 days from the date of publication of such public notice. Simultaneously, colonizer shall also inform about the proposed revision in the originally approved layout/site plan of the complete colony. A copy of earlier approved layout/site plan and the proposed layout plan due to carving out of Commercial Plotted Colony be made available on the website of Colonizer, at the office of Developer/ Colonizer as well as in the office of concerned STP, Gurugram. The Colonizer shall submit report clearly indicating the objection, if any, received from allottees and action taken thereof alongwith an undertaking to the effect that the rights of the existing plot holders have not been infringed on account of migration. Any allottees having any objection/suggestion may file the same in the office of District Town Planner (P), 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.
17. 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-4692/JE(SB)/2023/

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 Forest Officer, Gurugram.
5. District Town Planner, Gurugram with a request to send a copy of duly verified demarcation plan through Circle Office.
6. CAO O/o DGTCP, Haryana.
7. Nodal Officer (Website) O/o DGTCP, Haryana.


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

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To be read with LOI Memo no. 633 Dated 06/01/ of 2022

Detail of land owned by Aplin Developers Pvt. Ltd.

| Village | Rect. No. | Killa No | Area (K-M) |
|---------|-----------|----------|------------|
| Harsaru | 17 | 12/2 | 3-1 |
| | | 13/1/2 | 0-11 |
| | | Total | 3-12 |

Detail of land owned by Aplin Developers Pvt. Ltd. 3/128 share and Smt. Rita Grover W/o Madan Grover 125/128 share

| Village | Rect. No. | Killa No | Area (K-M) |
|---------|-----------|----------|------------|
| Harsaru | 17 | 11/1 | 6-8 |

Detail of land owned by Sahil Grover S/o Madan Grover

| Village | Rect. No. | Killa No | Area (K-M) |
|---------|-----------|----------|------------|
| Harsaru | 18 | 15/2 | 6-6 |

Detail of land owned by Bioko Developers Pvt. Ltd.

| Village | Rect. No. | Killa No | Area (K-M) |
|---------|-----------|-------------|------------|
| Harsaru | 18 | 14/2min | 3-0 |
| | | 15/1 | 1-14 |
| | | Total | 4-14 |
| | | Grand Total | 21-0 |

Or 2.625 acres

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