

Directorate of Town & Country Planning, Haryana

Nagar Yojana Bhawan, Plot No.3, Sector-18-A, Madhya Marg, Chandigarh,
Phone: 0172-2549349 Web site tcpharyana.gov.in - e-mail: tcpharyana7@gmail.com

Regd.

(LC-III, see Rule 10)

To

Subh Housing (Gurgaon) LLP,
Flat No., 201, Swarn Villa, GH -9,
Sector-52, Gurugram-122001.

Memo No. LC-5272-PA (SK)-2024/ 23442 Dated: 26-07-2024

Subject: Letter of Intent for grant of licence for setting up of Group Housing Colony under Retirement Housing policy dated 17.08.2021 over an area measuring 1.57875 acres in the revenue estate of village Palda, Sector-70A, Gurugram-Subh Housing (Gurgaon) LLP.

Please refer to your application dated 20.11.2023 on the matter as subject cited above.

2. Your request for grant of license under section 3 of Haryana Development and Regulation of Urban Areas Act, 1975 and Rules, 1976 framed there under for the development for setting up of Retirement Housing Project under policy dated 17.08.2021 over an area measuring 1.57875 acres falling in the revenue estate of village Palda in Sector-70A, Gurugram has been considered. 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.

3. Furnish the bank guarantee on account of internal development works and external development works for the amount equal to 25% of the amount calculated here under:-

INTERNAL DEVELOPMENT WORKS:

- GH + Comm. component = 1.57875 acres x 50 lac = Rs. 78.9375 lacs
- Total amount of IDW = Rs. 78.9375 lacs, against which 25% BG amounting to Rs. 19.73438 lacs is required to be deposited or to mortgage 15% of saleable area.

(Valid for five years)

EXTERNAL DEVELOPMENT CHARGES (as per indexation policy):

- GH component = 1.5156 x 416.385 = Rs. 631.07311 lacs
- Commercial = 0.06315 x 486,130 = Rs. 30.69911 lacs
- Total = Rs. 661.77222 lacs
- 25% BG Required = Rs. 165.44306 lacs, is required to be deposited

(Valid for five years)

It is made clear that 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 Plans/Estimate. With an increase in the cost of construction and increase in the number of facilities in Layout/Building Plan, you would be required to furnish an additional bank guarantee within 30 days on demand.

4. To execute two agreements i.e. LC-IV and Bilateral Agreement on non-judicial stamp paper of Rs. 10/-. Two copies of specimen of the said agreements are enclosed herewith for necessary action:-

Director
Town & Country Planning
Haryana, Chandigarh

- 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 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 the EDC installments that are due for payment get paid as per prescribed schedule.
5. To deposit an amount of Rs. 60,09,500/- on account of balance license fee and Rs. 13,44,799/- on account of conversion charges through Bank Draft in favour of the Director, Town & Country Planning, Haryana payable at Chandigarh to be deposited online at www.tcpharyana.gov.in.
6. You shall furnish the following undertaking on non-judicial stamp paper of Rs. 10/- to the following effect:-
- a. That you shall deposit an amount of Rs. 88,80,990/- on account of Infrastructural Development Charges @ Rs. 625/- per Sqm for Group Housing and @ Rs. 1000/- per sqm for commercial component in two equal instalments; first within 60 days from issuance of license and second within six months through online portal of Department of Town & Country Planning, Haryana. Any default in this regard will attract interest @ 18% per annum 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 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.
 - f. 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.
 - g. That you shall integrate the services with HSVP and GMDA services as and when made available.

- 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 you 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 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 HSVP/GMDA.
- j. That the rain water harvesting system shall be provided as per Central Ground Water Authority Norms/Haryana Govt. notification as applicable.
- k. 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.
- l. That you shall use only LED fitting for Internal lighting as well as campus lighting.
- m. That you shall obtain the requisite permission from Power Department regarding installation of electrical infrastructure as prescribed in order circulated vide DTCP dated 30.10.2019.
- n. 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 you have to deposit thirty percentum of the amount from the floor/space holders for meeting the cost of Internal Development Works in the colony.
- o. 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.
- p. That you shall not give any advertisement for sale of commercial area before the approval of layout plan/building plans of the same.
- q. 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.
- r. That you shall keep pace of construction atleast in accordance with sale agreement executed with the buyers of the flats as and when scheme is launched.
- s. 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, you 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.
- t. 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.
- u. 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.
- v. That no pre-launch/sale of commercial site will be undertaken before approval of the building plans.
- w. That you shall submit NOC from the Ministry of Environment & Forest, Govt. of India with respect to their notification dated 14.09.2006 and clearance regarding PLPA, 1900 from competent authority before executing development works.
- x. That you will 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, 1975.

- 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 be required to file half yearly reports containing the complete list of occupants, the duration of occupancy, the facilities offered in the premises etc. to the Monitoring Committee to be chaired by the Deputy Commissioner of the concerned district on a format, as prescribed.
- aa. That you shall comply with the terms and conditions of Retirement Housing policy dated 17.08.2021.
- bb. That you shall maintain the ROW of 440 KV HT line passing adjacent to the site.
- cc. That the company and individual land owners shall submit the Indemnity bond on the prescribed Performa in this regard, indemnifying the Director from any legal or financial liabilities that may arise upon compliance of the orders of Hon'ble Supreme Court in CA NO. 8977 of 2014 titled as Jai Narayan@Jai Bhagwan & Others Vs State of Haryana & Others with Civil Appeal No. 13828 of 2015 and Civil Appeal No. 9211-9213 of 2016 titled State of Haryana Vs Dev Dutt and final outcome of CBI investigation under process.
7. That you shall submit a certificate from the Deputy Commissioner, Gurugram/District Revenue Authority stating that there is no further sale of the land applied for licence till date and applicant companies/individual are owners of the land.
8. That you will intimate your official "email ID" to the Department and correspondence done by Department on this ID shall be treated as official intimation & legally valid.
9. That you will submit an affidavit duly attested by 1st Class Magistrate, to the effect that there is no collaboration agreement enforced with any other person for the same land.
10. 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.
11. That you shall submit the NOC from the Divisional Forest Officer regarding applicability any forest law/ notification on the applied site.
12. That you shall construct the 12 m wide service road in front of applied site to connect the sector road with the approval of concerned authority HSVP/GMDA.

DA/as above.

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

Endst. No. LC-5272-PA (SK)-2024/

Dated:

A copy is forwarded to following for information and necessary action:-

1. The Chief Administrator, HSVP, Sector-5, Panchkula.
2. The Deputy Commissioner, Gurugram.
3. Senior Town Planner, Gurugram.
4. Land Acquisition Officer, Gurugram.
5. District Town Planner, Gurugram.

(Narender Kumar)
District Town Planner (HQ)
For; Director, Town & Country Planning
& Haryana, Chandigarh

To be read with LOI Memo No. 23472 Dated 26/07/2024.

| Village | Name of owner | Rect. No. | Killa No. | Area (K-M) |
|---------|------------------------------|--------------|-----------|----------------------------------|
| Palda | Subh Housing (Gurugram) LLP. | 8 | 25/2/1min | 1-8 |
| | | | 25/2/2 | 2-4 |
| | | 9 | 21 | 8-0 |
| | | 19 | 1/1 | 0-18 |
| | | 20 | 5/2/1 | 0-2 |
| | | | 5/2/2min | 0-0-5.5 |
| | | | Total | 12-12-5.5 Or 1.57875 Acres |

Director
Town & Country Planning
Haryana