

Directorate of Town & Country Planning, Haryana

Aayojna Bhawan, Plot No. 3, Block-A, Madhya Marg, Sector 18A, Chandigarh.

Phone : 0172-2549349 Email: tcp_haryana7@gmail.com

Website: http://tcp_haryana.gov.in

Regd.

LC-III

(See Rule 10)

To

JMS Infra Build Pvt. Ltd.
Plot No. 2380- SP, Sector- 46,
Gurugram.

Memo No. LC-4834/JE (DS) 2023/ 2163

Dated: 23-01-2023

Subject:-

Letter of Intent - Request for grant of licence for setting up of Affordable Plotted Colony (DDJAY-2016) over an area measuring 15.06875 acres in the revenue estate of village Sohna, Sector-5, Sohna, District Gurugram-JMS Infra Build Pvt. Ltd.

Please refer to your application dated 27.05.2022 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 Affordable Plotted Colony (DDJAY-2016) over an area measuring 15.06875 acres in the revenue estate of village Sohna, Sector-5, Sohna, District Gurugram has been examined/considered by the Department under the policy dated 08.02.2016 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.

- 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 Area under Plotted	= 14.466 acres
ii) Interim rate for EDC (equal to Plotted)	= ₹ 93.687 Lac per acre
iii) Total cost for Plotted Component (75%)	= ₹ 1016.457 Lac
iv) Area under commercial component	= 0.60275 acre
v) Interim rate of EDC	= ₹ 437.517 Lac per acre
vi) Total cost of Comm. Component (75%)	= ₹ 197.79 Lac
vii) Total EDC	= ₹ 1214.247 Lac
viii) 25% EDC required upfront	= ₹ 303.562 Lacs
ix) 75% EDC demand in LOI	= ₹ 910.685. lacs
x) Bank Guarantee required	= ₹ 227.671 lacs
(valid for 5 years)	

B) Internal Development Works:

i) Plotted Area	= 14.466 acres
ii) Interim rate for development	= ₹ 20.00 Lac per acre
iii) Plotted cost	= ₹ 289.32 Lacs
iv) Commercial Area	= 0.60275 acre
v) Interim rate for development	= ₹ 50.00 Lac per acre

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vi) Comm. Cost.	= ₹ 30.1375 Lacs
vii) Total cost of development	= ₹ 319.4575 Lac
viii) Cost of community facilities	= Nil
ix) Grand Total	= ₹ 319.4575 Lac
x) 25% bank guarantee required	= ₹ 79.8643 Lacs
	(valid for 5 years)

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 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 and submit an undertaking in this regard.
3. That you shall deposit an amount of Rs. 1,47,46,338/- on account of balance license fee and an amount of Rs. 74,09,463/- on account of conversion charges to be deposited online at website i.e. www.tcpbharyana.gov.in.
4. To deposit an amount of Rs. 1214.247 lacs on account of External Development Charges in favour of Director, Town & Country Planning, Haryana, Chandigarh through online on e-payment portal of the Department. You have option to either make payment of complete amount of EDC in compliance of LOI before grant of licence or 25% of same in compliance of LOI and balance 75% in Six half yearly instalments each with normal interest of 12% p.a. and penal interest of 3% for the delayed period in favour of Director, Town & Country Planning, Haryana, payable at Chandigarh. Further, as per policy dated 05.12.2018, 25% recovery before grant of license i.e. Rs. 303.562 lacs alongwith Bank Guarantee of Rs. 227.671 lacs (valid at least for five years) i.e. equal to 25% of balance amount of Rs. 910.685 lacs against EDC.
5. To furnish the Bank Guarantee of Rs. 79.8643 lacs on account of Internal Development works to be deposited online at website i.e. www.tcpbharyana.gov.in. You have an option to mortgage 15% 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.
6. To execute two agreements i.e. LC-IV & LC-IV-B Bilateral Agreement on Non-Judicial Stamp Paper of Rs. 10/-. 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 you 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.

7. To furnish an undertaking on non-judicial stamp paper of Rs. 10/- to the following effect:-

- i. That you shall pay the Infrastructure Development Charges amounting to Rs. 1,88,66,687/- in two equal installments. First instalment will be due within 60 days of grant of license and second instalment within six months of grant of license failing which 18% PA interest will be liable for the delayed period.
- ii. 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.
- iii. That you shall construct 18/24/30 m wide internal circulation road forming part of licenced area at your own costs and transfer the same free of cost to the Government.
- iv. That area coming under the sector roads and restricted belt/green belt, if any, which forms part of licenced 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.
- v. That you shall integrate the services with Haryana Shahari Vikas Pradhikaran services as and when made available.
- vi. That you 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 Scheduled Roads and Controlled Area Restriction of Unregulated Development Act, 1963.

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- vii. That you shall transfer 10% area of the licenced colony free of cost to the Government for provision of community facilities or develop such area on its own in clause 4(j) of policy dated 08.02.2016 amended vide policy dated 25.08.2022.
- viii. That you understand that the development/construction cost of 24 m/18 m major internal roads is not included in the EDC rates and they 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 14.09.2006 issued by Ministry of Environment & Forest, Govt. of India, if applicable before execution of development works at site.
- x. That you shall make their own arrangements for water supply, sewerage, drainage etc. to the satisfaction of DTCP till these services are made available and the same is made functional from External Infrastructure to be laid by Haryana Shehary Vikas Pradhikaran or any other execution agency.
- xi. That you shall obtain clearance from competent authority, if required under Punjab Land Preservation Act, 1900 and any other clearance required under any other law.
- xii. That the rain water harvesting system shall be provided as per Central Ground Water Authority Norms/Haryana Govt. notification as applicable.
- 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 licence to enable provision of site in licenced 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 it will be made clear at the time of booking of plots/commercial space that specified rates include or do not include EDC. In case of not inclusion of EDC in the booking rates, then it may be specified that same are to be charged separately as per rate fixed by the Govt. You shall also provide detail of calculation of EDC per Sqm/per sft. to the Allottees while raising such demand from the plot owners.
- xvi. That you shall keep pace of development atleast in accordance with sale agreement executed with the buyers of the plots as and when scheme is launched.
- xvii. That you shall arrange power connection from UHBVNL/DHBVNL for electrification of the colony and shall install the electricity distribution infrastructure as per the peak load requirement of the colony for which licensee shall get the electrical (distribution) service plan/estimates approved from the agency responsible for installation of external electric services i.e. UHBVNL/DHBVNL and complete the same before obtaining completion certificate for the colony.
- xviii. That you shall complete the project within seven years (5+2 years) from date of grant of licence as per clause 1(ii) of the policy notified on 01.04.2016.
- xix. That no clubbing of residential plots for approval of integrated zoning plan of two adjoining plots under same ownership shall be permitted.

- xx. 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.
- xxi. 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 seventy percentum of the amount received from the plot holders for meeting the cost of Internal Development Works in the colony.
- xxii. That no further sale has taken place after submitting application for grant of licence.
- xxiii. That you shall not give any advertisement for sale of plots/commercial area before the approval of layout plan.
- xxiv. That you shall follow the provisions of the Real Estate (Regulations and Development) Act, 2016 and Rules framed thereunder shall be followed by the applicant in letter and spirit.
- xxv. That no provision of the Haryana Ceiling on Land Holding Act, 1972 has been violated due to purchase of applied land.
- xxvi. That you shall abide by the terms and conditions of policy of DDJAY and other direction given by the Director time to time to execute the project.
- xxvii. That you shall execute the development works as per Environmental Clearance and company 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, applicant shall be liable for penal action by Haryana State Pollution Control Board or any other Authority Administering the said Act.
- xxviii. If at any stage, it is proven that you have pre-launched the project, then you shall compound the offense as and when directed by the Department.
8. That you shall intimate their official Email ID and the correspondence made to this email ID by the Department shall be treated legal.
9. That you shall submit the NOC from District Forest Officer Gurugram regarding applicability of any Forest Law/notifications.
10. That certificate from DRO/Deputy Commissioner, Gurugram will be submitted certifying that the applied land is still under ownership of applicant company.
11. You are required to submit an agreement with JMS Buildtech Pvt. Ltd to provide technical support for the project.
12. That you shall enhance the paid up capital of the company to ₹ 5 crores and submit the PAS Form-3 to ascertain financial capacity of the company before grant of licence.
13. 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.
14. To submit an affidavit duly attested by 1st Class Magistrate, to the effect 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 Schedule Roads and Controlled Areas restrictions of Unregulated Development Act, 1963 or have not applied for license/permission under any other law for the time being in force.

15. To submit an undertaking that this land has not been sold to any person and also that presently there is no collaboration agreement enforced with any other person for the same land.

16. That you shall remove unauthorized construction at site before grant of final permission and submit certificate in this regard in the office of District Town Planner, Gurugram.

DA/schedule of land.


(T.L. Satyapraakash, IAS)
Director General,
Town & Country Planning
Haryana, Chandigarh

Endst. LC-4834/JE (DS)/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 Town Planner (P), Gurugram with request for report regarding condition no. 16.
5. District Town Planner(Enf), Gurugram with request to send detail comments on the matter of pre-launch in reference to their office memo dated 12.08.2022 and 02.09.2022.
6. CAO O/o DTCP, Haryana.
7. Nodal Officer (Website) O/o DTCP, Hr.


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

To be read with LOI.....2163.....Memo No.....23/011.....dated of 2022

Detail of land owned by JMS Infra Build Pvt.Ltd.

Village	Rect. No	Killa No	Area (K-M)
Sohna	137	7min south	2-4
		8min south	6-18
		9min south	5-13
		10/2	2-0
		11	8-0
		12	8-0
		13	8-0
		14	3-16
		17	4-2
		18	8-0
		19	8-0
		20	8-0
		21	8-0
138	22	8-0	
	23	8-0	
	24	4-2	
	2	8-0	
	3	8-0	
		4	3-16
Total		120-11	

Or 15.06875 acres

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