Directorate of Town & Country Planning, Haryana

Plot No. 3, Nagar YojnaBhawan, Sector 18 A, Madhya Marg, Chandigarh
Phone: 0172-2549349 e-mail:tcpharyana7@gmail.com
website:-http://tcpharyana.gov.in

Regd.

LC-III
See Rule 10

To

Experion Developers Pvt. Ltd.
8th Floor, Wing-B, Milestone
Experion Centre, Sector-15, Part-2,
Gurugram, Haryana - 122001.

Memo No. LC-5417/JE(AK)/2024/25027 Dated: 07-08-2024

Subject: - **Letter of Intent for grant of licence for setting up of Mix Land Use (95.589% GH and 4.411% Comm.) under TOD policy over area measuring 7.81875 acres in the revenue estate of village Harsaru, Sector-88A, Gurugram.**

Reference: Please refer to your applications dated 08.07.2024 & 28.07.2024 on the above cited subject.

Your request for the grant of licence 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 Mix Land Use (95.589% GH and 4.411% Comm.) under TOD policy over area measuring 7.81875 acres in the revenue estate of village Harsaru, Sector-88A, Gurugram has been considered by the Department and it is proposed to grant licence to you. 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 issuance of this notice, failing which the grant of licence shall be refused.

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

i) **Internal Development Works (IDW):**

Area under Comm. Component	
@ ₹50.00 Lac per acre	= 7.81875 acres
Total cost of Internal Development Works	=₹ 390.9375 Lacs
25% B.G. on account of IDW	=₹ 97.735 Lacs

to be demanded in LOI having validity of 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.

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ii) **External Development Charges:**

GH Component:	
7.1877 x 312.3 x 2	= ₹ **4489.4375 Lacs**
Commercial Component:	
0.63105 x 486.13 x 2	= ₹ **613.5447 Lacs**
Total	= ₹ 5102.983 **Lacs**
25% bank guarantee required	= **₹1275.75** Lacs

to be demanded in LOI having validity of 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.*

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 and submit an undertaking in this regard.

4. That you shall deposit an amount of Rs. 7,95,92,224/- on account of balance licence fee and an amount of Rs. 1,67,00,352/- on account of conversion charges online at website i.e. www.tcpharyana.gov.in. OR applicant company has option to deposit balance license fee and conversion charges as per amendment dated 26.12.2018 in TOD policy dated 09.02.2016.

5. That you shall deposit an amount of **Rs. 11,71,33,334/-** on account of Infrastructure Augmentation Charges online at website i.e. www.tcpharyana.gov.in. OR applicant company has option to deposit Infrastructure Augmentation Charges as per amendment dated 26.12.2018 in TOD policy dated 09.02.2016.

6. To execute two agreements i.e. LC-IV and Bilateral Agreement on non-judicial stamp paper of Rs. 100/-. 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)(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 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.

7. To submit an undertaking on non-judicial stamp paper of Rs. 100/- to the effect that:-

a. That you will pay the Infrastructure Development Charges amounting to Rs. 7,25,69,869/- 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.

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. within a period of 30 days from approval of buildings plan.

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 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.

f. That you shall integrate the services with Haryana Shehari Vikas Pradhikaran services as and when made available.

g. 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.

h. That you have understood that the development /construction cost of 24 m/18m 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.

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i. 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.

j. 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 SehariVikasPradhikaran.

k. That the rain water harvesting system shall be provided as per Central Ground Water Authority Norms/Haryana Govt. notification as applicable.

l. 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.

m. That you shall use only LED fitting for internal lighting as well as campus lighting.

n. 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.

o. 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 the amount from the floor/space holders for meeting the cost of Internal Development Works in the colony.

p. 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.

q. That you shall not give any advertisement for sale of applied /licensed area before the approval of layout plan / building plans of the same.

r. 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 as amended from time to time.

s. 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.

t. 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.

u. 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.

v. 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.

w. That no pre-launch/sale of flats/commercial area will be undertaken before approval of the building plans.

x. 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) Act, 1981 and Water (Prevention and Control of Pollution) Act, 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 Act.

y. 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.

z. 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 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.

aa. That licensed 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 building Plan.

bb. That you shall obey all the directions/restrictions imposed by the Department from time to time.

cc. That you shall abide by all the provisions of Act no. 8 of 1975 and Rules framed thereunder as amended time to time.

dd. That you shall complete the project as per the policy dated 09.02.2016 and as amended time to time.

ee. That you shall not encroach the revenue rasta passing through the applied site and allow unrestricted access through the same for general public.

ff. That you shall take prior permission from the Divisional Forest Officer, Gurugram regarding cutting of any tree at applied site.

8. That you shall either get the 66 KV HT line shifted out of the applied land before grant of licence or maintain ROW of said HT lines in the layout/zoning plan.

9. 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.

10. That you shall submit the NOC from District Forest Officer, Gurugram regarding applicability of any Forest Law/notifications.

11. That you shall submit the certificate from DRO/Deputy Commissioner, Gurugram will be submitted certifying that the applied land is still under ownership of applicant company.

12. To submit an affidavit duly attested by 1st Class Magistrate, to the effect 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 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 will submit the affidavit that the applied land does not exceed the ceiling prescribed in the Land Ceiling Act, 1972 at the time of application for licence.

14. That you shall submit an undertaking that all the terms & conditions as stipulated in the notification regarding TOD policy dated 09.02.2016 and its corrigendum dated 16.11.2016 and amendment of zoning regulations of the Development Plan-GMUC dated 24.01.2017 shall be complied with.

Note: *That you shall intimate their 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. LC-5417/JE(AK)-2024/ Dated:

A copy is forwarded to the following alongwith copy of land schedule, with direction to verify demarcation at the site.

1. Deputy Commissioner, Gurugram
2. Senior Town Planner, Gurugram.
3. District Town Planner, Gurugram.
4. Project Manager, IT Cell

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

To be read with LOI Memo no. 25027 dated 07/08/ of 2024

Detail of land owned by Experion Developers Pvt. Ltd.:-

Village	Rect. No.	Killa No.	Area (K-M)
Harsaru	57	2/1/2	4-15
		9/2/1	0-13
		2/2	0-11
		9/1/1/1	1-0
		3/1	5-2
		4/1	5-4
		8/1	2-10
		3/2	2-18
		7/1/2	3-11
		14/1	2-3
		7/2	1-13
		8/2	5-10
		12/1/2	2-4
		13/1	3-7
		9/1/2/1	3-13
		12/2/2	3-2
		13/2	4-13
		14/2/1	3-1
	58	11/2/2	0-18
		12/1/2	0-16
		12/2/2	0-2
		13/1/1/2	0-8
		13/2/1/2	0-1
	57	14/2/2/2	2-7
		15/2	0-18
		7/1/1/2	1-6
		4/2/2	0-5
		Total	**62-11**
			Or
			7.81875 Acres

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