

Directorate of Town & Country Planning, Haryana

Nagar Yojna Bhawan, Plot No. 3, Block-A, Sector 18 A, Madhya Marg, Chandigarh,
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Phone: 0172-2549349; E-mail: tcpharyana7@gmail.com

Regd.

To

✓ Merit Marketing Pvt. Ltd.,
Sunglow Overseas Pvt. Ltd.,
BPTP Ltd., Saraswati Kunj Infrastructure Pvt. Ltd.,
Eventual Builders Pvt. Ltd.,
In collaboration with Countrywide Promoters Pvt. Ltd.,
OT-14, 3rd Floor, Next Door, Parklands,
Sector-76, Faridabad,
Haryana-121004.

Memo No. LC-2330-C/JE(DS)/2020/ 1064 Dated: 18-01-2021

Subject:- Request for grant of licence for setting up Residential Plotted Colony over an additional area measuring 7.03125 acres (in addition to licence no 58 of 2010 dated 03.08.2010 and License no. 45 of 2011 dated 17.05.2011 granted for Residential Plotted Colony over an area measuring 126.674 acres) in Sector-102, Gurugram - Merit Marketing Pvt. Ltd. and others- Countrywide Promoters Pvt. Ltd.

Reference: - Your application dated 27.07.2020 on the subject cited above.

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 Residential Plotted Colony over an additional area measuring 7.03125 acres (in addition to licence no 58 of 2010 dated 03.08.2010 and License no. 45 of 2011 dated 17.05.2011 granted for Residential Plotted Colony over an area measuring 126.674 acres) in Sector- 102, Gurugram has been examined and it is proposed to grant aforesaid license. You are, therefore, called upon to fulfil 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. 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)(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."


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2. That you shall deposit an amount of Rs. 55,96,363 (Rupees Fifty Five lacs Ninety Six thousand Three Hundred Sixty Three only) on account of Balance License fees and an amount of Rs. 44,95,964/- (Rupees Forty Four lacs Ninety Five Thousand Nine Hundred Sixty Four only) on account of conversion charges deposited online at website i.e. www.tcpharyana.gov.in.
3. To submit Bank Guarantee Rs. 182.98 lacs on account of External Development Charges and Bank Guarantee of Rs. 35.156 lacs on account of Internal Development Works.
4. To submit an undertaking on non-judicial stamp paper of Rs. 10/- to the effect that:-
 - a. That the applicant company will pay the Infrastructure Development Charges amounting to Rs. 1,42,27,734/- @ Rs. 500/- per Sq. Mtr. For Plotted component in two equal instalments. 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.
 - 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 the applicant company 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 the 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.
 - e. That the applicant company 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 the applicant company shall construct at your own cost, or get constructed by any other institution or individual at its costs, the community buildings on the lands set apart for this purpose, as per provision of Section 3 (3) (a) (iv) of act 1975.
 - g. That the applicant company shall integrate the services with Haryana Shahari Vikas Pradhikaran services as and when made available.
 - h. That the applicant company 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.
 - i. That the applicant company 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.
 - j. That the applicant company 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.



- k. That the applicant company shall seek approval from the Competent Authority under the Punjab Land Preservation Act, 1900 or any other clearance required under any other law.
- l. That the applicant company 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 Shahari Vikas Pradhikaran.
- m. That the rain water harvesting system shall be provided as per Central Ground Water Authority Norms/Haryana Govt. notification as applicable.
- n. That the applicant company 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.
- o. That the applicant company shall use only LED fitting for internal lighting as well as campus lighting.
- p. That the applicant company 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.
- q. That the applicant company 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 percent of the amount from the floor/space holders for meeting the cost of Internal Development Works in the colony.
- r. That the applicant company 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.
- s. 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.
- t. That the applicant company 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.
- u. The applicant company 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.
- v. That the applicant company shall specify the detail of calculations per Sqm/per sq ft, which is being demanded from the plot holder/ commercial allottee on account of IDC/EDC, if being charged separately as per rates fixed by Govt.
- w. 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.
- x. That the applicant company shall not give any marketing and selling rights to any other company other than the collaborator company.

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- y. That the applicant company shall complete the demarcation at site within two month from date of licence and will submit the demarcation plan in the office of District Town Planner, Gurugram under the intimation to this office.
- z. That no further sale of the licence applied land has taken place after submitting application for grant of licence.
- aa. That the applicant company shall maintain 35 mtr ROW under the 400 KV HT line.
5. 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.
6. To submit an undertaking from the land owning companies / land owners that this land has not been sold to any person after entering into collaboration agreement with the colonizer to whom LOI is being issued and also that presently there is no collaboration agreement enforced with any other person for the same land.
7. That you shall invite objections from the existing allottees of the colony regarding amendment in the layout plan and give public notice in three leading news papers of English and Hindi (2+1) published in the District, within a period of 15 days from the issuance of this letter. Each existing allottees shall also been informed about the proposed revision through registered post with the copy endorse to District Town Planner, Gurugram within two days from the advertisement clearly indicating the last date for submission of objection. A certified list of all existing allottees shall also be submitted to District Town Planner, Gurugram. You shall submit certificate from the District Town Planner, Gurugram about hosting the revised layout plan showing changes in the earlier approved plan on the website of licensee. The allottees shall be given 30 days time to file their objections in the office of District Town Planner, Gurugram. The objections received if any shall be examined by the office of District Town Planner, Gurugram and report shall be forwarded to Director, Town & Country Planning Department, Haryana. You shall submit a report clearly indicating the objection received if any from the general public along with undertaking the effect that the rights of general public have not been infringed and that no objection on the changes in location of the green space has been received from any general public.
8. You shall not give any advertisement for booking/sale of plots and shall not book any plot in the applied area till final approval of revised layout plan.
9. That you shall comply with Section-14 of HRERA Act at the time of approval of revised layout plan.
10. To submit a certificate from the Deputy Commissioner, Gurugram/ District Revenue Authority stating that there is no further sale of the land applied for license till date and applicant company is the owner of the land.
11. That you shall submit the NOC from Divisional Forest Officer Gurugram regarding applicability of any Forest Law/notifications.


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12. You shall clear the outstanding dues against License No. 58 of 2010 dated 03.08.2010 and License No. 45 of 2011 dated 17.05.2011 before grant of Final Permission.
13. To submit an indemnity bond indemnifying DTCP from any loss, if occurs due to submission of undertaking submitted in respect of non-creation of third party rights on the applied land.
14. To intimate your official Email ID and the correspondence made to this email ID by the Department shall be treated legal.



(K. Makrand Pandurang, IAS)
Director,
Town & Country Planning
Haryana Chandigarh

Endst. No LC-2330-C/JE(DS)/2020

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. District Town Planner, Gurugram.


(S.K. Sehwat)
District Town Planner (HQ)
For: Director, Town & Country Planning
Haryana, Chandigarh

To be read with LOI Memo NO. 1064 Dated 18-01 of 2021

Detail of land owned by Merit Marketing Pvt. Ltd.

Village	Rect. No.	Killa No.	Area
Kherki Majra	54	23/2	4-0

Detail of land owned by Sunglow Overseas Pvt. Ltd.

Dhankot	57	11/2/1	4-15
		12/1/1	2-10
		12/1/2	2-17
		26/1	0-9
		17/2	0-10
		18	7-7
		23/2	5-0
		19/1	0-2
		Total	23-10

Detail of land owned by BPTP Ltd.

Kherki Majra	62	16/1	1-13
		16/2	5-14
		17	5-4
	63	20/2	2-0
		Total	14-11

Detail of land owned by BPTP Ltd. 35/40 share, Saraswati Kunj Infrastructure Pvt. Ltd. 5/40 share

Kherki Majra	62	5/2	0-10
		6/1/1	0-7
		6/1/2	0-1
		Total	0-18

Detail of land owned by Saraswati Kunj Infrastructure Pvt. Ltd.

Kherki Majra	54	3/2/1	2-13
		8/2	0-17
		9/2	7-5
		12/1/1	1-11
		Total	12-6

Detail of land owned by Eventual Builders Pvt. Ltd.

Kherki Majra	54	11/2min	1-0
		Total (K-M)	= 56-5 or 7.03125 acres


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