

Form LC-II

From

Director General,
Town & Country Planning,
Haryana, Chandigarh.

To

Gentle Realtors Pvt. Ltd.
Sh. Rakesh Kaushik S/o Sh. Dharam Singh,
Office No. 2, Second Floor,
L-373, Mahipalpur Extension,
New Delhi-110037.

Memo No.LC-1200/2217/JE(SS)/2012/17810
Dated: 10/09/2012

Subject: **Licence No. 165 of 2008 & Licence No. 12 of 2010 granted for setting up commercial colony in the revenue estate of village Badshahpur, Sector 66, Gurgaon Manesar Urban Complex.**

Reference: Your representation dated 24.04.2012 on the subject cited above.

Whereas, this Department has granted licence No. 165 of 2008 to Gentle Realtors Pvt. Ltd., Sh. Rakesh Kaushik for area measuring 4.843 acres, wherein, disputed land in Khasra No. 23//15/1/2 (1K-16M) of village Badshahpur was also applied and subsequently licence was considered. Thereafter, licence no. 12 of 2010 was granted to Gentle Realtors Pvt. Ltd. for an additional land measuring 1.60 acres comprising of Khasra no. 23//17, 18 of village Badshahpur, District Gurgaon for development of a commercial colony.

2. Subsequently, it came to the notice of the Department that you have obtained the above said licences on the basis of fraudulent revenue documents i.e. Shazra Plan. As per verification done from the Tehsildar, Gurgaon, it has been observed that location of Khasra no. 23//15/1/2 of village Badshahpur is towards north, whereas, you had submitted Shazra Plan showing the location of Khasra No. 23//15/1/2 of village Badshahpur towards east side. Further, if the actual location of Khasra No. 23//15/1/2 is taken into account, the land comprising of Khasra No. 23//17, 18 for which Licence No. 12 of 2010 was granted to you will not be contiguous to the already licenced area i.e. License No. 165 of 2008 and the said

land will not be in a compact block. Therefore, Licence No. 12 of 2010 for the additional area of 1.60 acres could have not been granted to you.

3. However, before taking any action for cancellation of the licence, you were directed vide this office memo no. LC-1200/2217/JE(B)/2012/553 dated 17.04.2012 to Show Cause within a period of 15 days as to why the above said licenses to develop commercial colonies may not be cancelled. You were also directed to appear for personal hearing on 24.04.2012 in my office room.

4. Shri Purshotam Grover, authorized signatory, Shri Roop Bansal & Shri S.D. Saini appeared for personal hearing and submitted a representation dated 24.04.2012. The said representation has been examined by me. From the careful perusal of the reply, it is evident that the location of Rect./Khasra No.23//15/1/2 was shown wrongly but now the blame has been shifted to the owner of this land i.e. Shri Rakesh Kaushik S/o Shri Dharam Singh and it has been contended that revenue documents including Shajra of his land were provided by him and since the document was signed and issued by the Halqa Patwari, it had to be relied and accordingly was submitted alongwith the application and there was no malafide intention whatsoever on their part in submitting the incorrect Shajra Plan. It has also been prayed to drop the notice and the proceedings for cancellation of licence, renew licence No. 165/2008 and issue revised Zoning Plan of licence No.165/2008 with actual position of Khasra No. 23//15/1/2 measuring 1K 16M.

5. After perusal of the revenue documents, I am not satisfied with the arguments of the applicant Company as it is clear that the position of Rect./Khasra No. 23//15/1/2 was wrongly shown for obtaining the additional licence for 1.60 acres. Though the blame cannot be laid at the doorstep of the applicant Company entirely because the land belonged to an individual owner who might have supplied the Sajra Plan but it is a fact that if correct position of Khasra No. 23//15/1/2 was shown at the time of grant of original licence No. 165/2008, additional licence for 1.60 acres i.e. Licence No.12/2010 could not have been granted. It has also been reported by the office that zoning plan of this additional licence as well as building plans have not been approved till date, hence no third party rights have been created in this licence for additional land. Therefore, the Licence No. 12/2010 for an area measuring 1.60 acres is cancelled and all the Govt. charges such as scrutiny fee, conversion charges, licence fee, Infrastructure Development Charges & External

Development Charges paid in respect thereof are ordered to be forfeited. This will be a sufficient deterrent not only to this Company but other colonizers also because forfeiture of scrutiny fees, licence fees, conversion charges and Infrastructure Development Charges paid by the colonizer will be a heavy penalty which deserves to be imposed in this case.

Sd/-

(T.C. Gupta, I.A.S)

Director General, Town & Country Planning,
Haryana, Chandigarh.

Endst. No. LC-1200/2217/JE(SS)/2012/17811-816

Dated: 10/09/2012

A copy is forwarded to the following for information please:

1. Chief Administrator HUDA, Panchkula.
2. Chief Engineer, HUDA, Panchkula.
3. Senior Town Planner, Gurgaon.
4. District Town Planner, Gurgaon.
5. District Town Planner (Enf.), Gurgaon.
6. Chief Accounts Officer O/o Director General, Town & Country Planning, Haryana, Chandigarh for immediate further necessary action.

Sd/-

(Devendra Nimbokar)

District Town Planner (HQ)

for: Director General, Town & Country Planning
Haryana, Chandigarh