

ORDER

Whereas, License No. 45 of 2009 dated 18.08.2009 was granted for setting up Residential Group Housing Colony over an area measuring 12 acres falling in the revenue estate of village Palra, Sector-70A of Gurugram Manesar Urban Complex. The said licence was rejected vide memo no LC-1343-JE(VA)-2015/8662 dated 27.05.2015 due to the following reasons:-

- i. Licence renewal application on LC-VI alongwith licence renewal fee for further period of two years from 18.08.2013 to 17.08.2015 has not been submitted.
- ii. An amount of Rs. 1974.11 lac on account of EDC and Rs. 216.3 lac against IDC is outstanding as on 04.02.2015.
- iii. Compliance of Rules 24, 26, 27 & 28 of the Haryana Development and Regulation of Urban Areas Act, 1975 has not been submitted. Moreover, you have not presented any record/documents in compliance of aforesaid Rules, before the Audit team during its visit to your office on 25.06.2014. Copy of letter in this regard was served to Sh. Naresh Kumar, Manager (HR) who was present in your office at Pal Tower, 3rd Floor, MG Road, Sikandarpur Ghosi, Gurgaon.
- iv. Service plans/estimates are not submitted for approval.
- v. You have failed to execute the project, intimate the status of construction at site, allotment of EWS flats and construction of community building.
- vi. You have not honored the commitment made during course of hearing on 06.01.2014.
- vii. FIR no 98/13 u/s 420/120B IPC has been registered by Police Station EOW Crime Branch, New Delhi.
- viii. Civil Suit titled as Smt. Neelam Saxena is pending in Civil Court, Gurgaon.

2. Further notice under Rule 19(1) was issued vide memo dated 15.12.2017. The provisions of Section 10A are independent of procedure to be followed in accordance with Rule 19. The Section 10A provides for recovery of outstanding dues, which is reproduced below:-

10A. Recovery of dues.—All dues payable under the Act, which have not been deposited within the time specified, shall be recovered as arrears of land revenue.

3. Accordingly following actions be taken after cancellation of licence as the land of the licensee shall deem to vest with the Government:-

- i) A committee may be constituted under the Chairmanship of Administrator, HSVP Gurugram, STP, Gurugram will be Member Secretary and DTP (P), Gurugram, DTP (Enf.) Gurugram, XEN, HSVP, Gurugram will be the Members of the Committee who will take over the colony for carrying out further necessary action.

- ii) A public notice may be issued in the newspapers which should be released by the CTP, Haryana indicating above facts.
- iii) STP, Gurugram should take over the Administration of this licenced colony today itself on behalf of Department and should put up a 'Board' at site indicating that the Administration of this licenced colony has been taken over by the Directorate of Town and Country Planning Department, Haryana.
- iv) The licensee should be directed under Section 10A of the Act, 1975 to deposit all outstanding dues on account of EDC, IDC etc. and also to give the information of sold and unsold properties within a period of 15 days from today i.e. information in terms of rules 26(2) and 28 of Rules 1976 so that the unsold properties can be disposed to recover the government dues. The outstanding dues should be calculated till the date of cancellation of licence.
- v) A communication may be sent to the collector, Gurugram for declaring the dues as arrears of land revenue which may be recovered from them under the provisions of relevant Act either by sale of property or by resorting to other permissible methods including arrest of the licensees. In order to restrict 3rd party right on the instant licenced area Deputy Commissioner and Sub-Registrar may be directed not to register any sale deed against the licence land. Regarding cut of date for registration of properties same may be taken as today i.e. the date on which Department has imposed an embargo on sale of property.
- vi) The details of Accounts of the allottees to be maintained at the level of STP, Gurugram. An account may be opened in the name of Director in this regard. All the allottees if any, may deposit the balance installment with STP, Gurugram who will maintain the account of each and every plot holder.
- vii) A file may be separately submitted for debarring the present Directors of all the companies for grant of any further licence in this State of Haryana. The desirability of issuing Show Cause Notices for cancellation of their existing licences, if any, may also be examined.

Place: Chandigarh
Dated: 07-09-2018

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

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

1. Sh. Barahm Parkash, Ramniwas, Dayanand Ss/o Sh. Roshan Lal, Sh. Roshan Lal S/o Sh. Kundan Lal, S/Sh. Amit Kumar, Sumit Kumar Ss/o Sh. Chatar Singh C/o Pal Infrastructure and Developers Pvt. Ltd., Pal Tower, 3rd Floor, M.G Road, Sikanderpur, Gurugram-122002 with the direction under section 10A of the Act, 1975 to deposit all outstanding dues on account of EDC etc. and also to give the information of sold and unsold properties within a period of 15 days from today i.e. information in terms of Rule 26(2) and 28 of Rule 1976 so that unsold properties can be disposed to recover the Government dues.
2. Chief Administrator, HSVP, Sector-6, Panchkula.
3. Administrator, HSVP, Gurugram,
4. Deputy Commissioner, Gurugram with the request to recover the above said outstanding dues as arrears of the land revenue in accordance with the orders as above. In order to restrict third party rights on the instant licensed area, it may be ensured that no sale deed against the licensed land may be executed/registered in future.
5. Chief Engineer, HSVP, Sector-6, Panchkula.
6. Senior Town Planner, Gurugram with the request to take over the administration of the licensed colony with immediate effect on behalf of DTCP and take all necessary action as per above orders of DTCP, Hr.
7. District Town Planner, Gurugram.
8. Executive Engineer, HSVP, Gurugram.
9. Chief Account Officer of this Directorate with the request to communicate update outstanding dues against the license to the licensee as well as STP, Gurugram.
10. Website Administrator with the request to update the status on Departmental website and upload these orders for information of General Public.

-Sd/-

(Sanjay Kumar)

District Town Planner (HQ)

For Director, Town & Country Planning,
Haryana, Chandigarh