

ORDER

The Department of Town and Country Planning had granted licence no. 286-290 of 2005 dated 25.11.2005 and licence no. 401-405 of 2006 dated 12.01.2006 for development of Residential Plotted colonies at village Phoosgarh, Sector-32 & 33, Karnal to True Zone Buildwell Pvt. Ltd. under the provisions of Haryana Development and Regulation of Urban Areas Act, 1975. In the agreement executed by the Department with the colonizer at the time of grant of license, the following condition was imposed:-

“That the owner shall be responsible for the maintenance and up keep of all roads, open spaces, public parks and public health services for a period of five years from the date of issue of the completion certificate under rule 16 unless earlier relieved of this responsibility, when the owner shall transfer all such roads, open spaces, public parks and public health services free of cost to the Government of the local authority, as the case may be.”

2. Keeping in view the fact these colonies stand inhabited and consequent to provisioning of services, as well as the fact that Municipal Corporation, Karnal is also keen to take over these colonies, therefore, the Government under provisions of Section 23A of Haryana Development and Regulation of Urban Areas Act, 1975 has decided to get the said licenced colonies transferred to Municipal Corporation, Karnal.

3. Accordingly, the licensee is hereby directed to transfer the possession of all such roads, open spaces, public parks and public health services in these colonies to Municipal Corporation, Karnal on ‘as is where is’ basis. It is hereby clarified that this transfer shall not be construed as grant of completion certificate under the provisions of Act No. 8 of 1975. The colonizer shall thus continue to be responsible for the compliance of various terms and conditions of the license, including but not limited to the following:-

- (a) Renewal of licenses
- (b) Construction of community sites as per provisions of Act 8 of 1975 as amended upto date.
- (c) Liability to obtain completion /part completion certificate.
- (d) Development of commercial pockets including approval of building plans and grant of occupation certificates.
- (e) Development of group housing component including approval of building plans and grant of occupation certificates.
- (f) Liability to deposit Infrastructure Augmentation Charges, if not deposited earlier.
- (g) Liability to pay the cost/bank guarantee for deficit Electrical Infrastructure on account of load assessment and corresponding Infrastructure inadequacy assessment by Power Utilities.
- (h) Clearance of outstanding dues on account of EDC/IDC including enhanced and interest thereupon, if any.
- (i) Revalidation of the bank guarantees including IDW.

- (j) Other statutory approval as required under Act/Rules as applicable on the licensed colony.

A compliance report in this regard shall be filed by all concerned agencies and the colonizer within a period of one month from the issue of these orders.

Date:
Place: Chandigarh

Sd/-
(Arun Kumar Gupta)
Director General,
Town & Country Planning,
Haryana, Chandigarh

Endst No. LC-489/JE(BR)/2016/12867-12871

Dated: 28.06.2016

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

1. Chief Administrator, HUDA, Panchkula,
2. Administrator, HUDA, Panchkula.
3. Deputy Commissioner, Karnal.
4. Commissioner, Municipal Corporation, Karnal.
5. Chief Accounts Officer, O/o DGTCP, Haryana, Chandigarh.

Sd/-
(Vijay Kumar)
District Town Planner (HQ),
For: Director General, Town & Country Planning,
Haryana, Chandigarh

Endst No. LC-489/JE(BR)/2016/12872

Dated: 28.06.2016

A copy is also forwarded to True Zone Buildwell Pvt. Ltd., 12, Ring Road, Lajpat Nagar IV, New Delhi to ensure the compliance of the above orders in letter and spirit along with directions to submit/revalidate the Bank Guarantees on account of IDW for the licences mentioned above in favour of Commissioner Municipal Corporation, Karnal till the issuance of final completion certificate by this office:

Sd/-
(Vijay Kumar)
District Town Planner (HQ),
For: Director General, Town & Country Planning,
Haryana, Chandigarh