

FORM LC-VII
[See Rule-14(2)]

Memo No: LC-951/2013/41681

Dated: 04.06.2013

Regd.

Gee City Builders Pvt. Ltd.,
House No. 1464, Sector-43 B,
Chandigarh.

Subject: Refusal of renewal of licence No. 188 of 2007 dated 08.06.2007 granted for development of Group Colony over an area measuring 10.006 acres in the revenue estate of village Reveli, Sector-17, Distt. Sonipat- Gee City Builders Pvt. Ltd.

Please refer to your application dated 07.09.2009 on the subject cited above.

1. Licence No. 188 of 2007 dated 08.06.2007 has been granted for setting up of Group Colony over an area measuring 10.006 acres in the revenue estate of village Reveli, Sector-17, Distt. Sonipat. The licence was valid upto 07.06.2009.
2. As per provision of Section 3(4) of the Haryana Development and Regulation of Urban Areas Act, 1975, read with Rule-13 of the Haryana Development and Regulation of Urban Areas Rules, 1976, you were required to submit an application for renewal of above said licence. Vide letter dated 07.09.2009, you have applied for renewal of licence for the period 08.06.2009 to 07.06.2011. The renewal application for the successive period i.e. 08.06.2011 to 07.06.2013 has not been submitted by you till date. The case of renewal of licence No. 188 of 2007 dated 08.06.2007 was examined and following deficiencies were noticed:-
 - (i) You have not paid the external development charges as per terms and conditions of the agreement executed on Form-LC-IV. Vide this office memo Nos. 11599 dated 01.12.2008, 1384 dated 09.02.2010, 8917 dated 20.07.2010, 11601 dated 17.09.2010 & 56 dated 17.01.2011, you were requested to make payment of outstanding amount of external development charges. Since, no reply was received from you, therefore, a show cause notice bearing memo No. 5044 dated 18.04.2011 was issued to you and a hearing was granted for 02.05.2011. On the date of hearing, Sh. A.M. Punchhi, Advocate appeared on behalf of the company and submitted that because of non-provision of EDC facilities around the licenced land, you are not able to market the project. Therefore, no penal interest should be levied. However, it was asked to deposit the rest of the amount except the penal interest, Sh. Punchhi sought some time for seeking further instructions. The case was accordingly adjourned for 30.05.2011. On the next date of hearing, Sh. A.M. Punchhi, Advocate alongwith Sh. Rajinder Mittal, Director of the company appeared for hearing and requested for re-

schedulement of the installments. The same was not agreed to and you were asked to deposit some money to prove your intension of paying dues. You have also promised to do so in one week. Accordingly, the case was adjourned to 06.06.2011. On next date of hearing i.e. 06.06.2011, Sh. Rajinder Mittal, Director of the company appeared for personal hearing and submitted a draft of Rs.1 crores on account of EDC. A report from HUDA regarding EDC works carried out around the licenced area was also sought. CA, HUDA vide his office memo dated 28.12.2011 has informed that the work of construction of external road between sector-17/18 adjacent to your site has already been allotted to the contractual agency and has been completed upto WMM specifications. The work of external sewerage, pipe line, adjacent to the site is also in progress.

- (ii) Subsequent to above, the Govt. has introduced a policy dated 12.04.2012 for the colonizers who failed to deposit the external development charges. Vide Memo No. 10695 dated 20.06.2012, an opportunity was given to you to avail the benefit of this policy and accordingly, deposit 25% Bank Guarantee of the outstanding external development charges and an undertaking. However, you failed to deposit the 25% Bank Guarantee of the outstanding external development charges and also an undertaking. Now, as on 13.08.2012, an amount of Rs.1615.76 lacs is outstanding on account of external development charges.
 - (iii) As per condition of the bilateral agreement executed by you with Director, Town & Country Planning, Haryana, you were required to deposit the infrastructure development charges-cum- service charges in two equal installments, the first installment was required to be deposited within 60 days and the second within 6 months from the date of grant of licence. However, you failed to deposit the same. Now, as on 03.08.2012 an amount of Rs.60.70 lacs is outstanding on account of Infrastructure Development Charges.
 - (iv) You have not submitted the demarcation plan and thus no development works have been started at site even after lapse of time period of approx six years.
 - (v) The Bank Guarantees of external development charges and internal development works stand expired on 20.05.2011. You have not submitted the revalidated Bank Guarantees.
 - (vi) The copy of No Objection Certificate issued by Ministry of Environment & Forest, Government of India has not been submitted.
 - (vii) Licence renewal application for the successive period i.e. from 08.09.2011 to 07.09.2013 have not been submitted.
3. In view of the deficiencies mentioned above, your application for renewal of licence deserves to be rejected. However, as per provision of Rule-14(2) of the Haryana Development and Regulation of Urban Areas Rules, 1976, before rejection of your application, an opportunity of personal hearing was granted to you for 19.11.2012. On the date of hearing, Sh. Anupam Bansal, Advocate appeared on behalf of Sh. A.M. Punchhi, Advocate, Counsel and requested for adjournment. The case was accordingly

adjourned to 22.01.2013. On the next date of hearing also, the same request for adjournment of hearing was received and the case was accordingly adjourned to 04.03.2013.

4. On the date of hearing i.e. 04.03.2013, Sh. A.M. Punchhi, Advocate, Counsel appeared and requested that due to lack of development works at site, the project has not been launched so far. As no commitments from your site to make the payment of outstanding dues have been received and on request of Sh. A.M. Punchhi, Advocate, a time period upto 18.03.2013 has been granted to show your bonafide by making payment of Government dues. On 18.03.2013, Sh. K.M. Gupta, Representative of your company appeared and requested for a short adjournment. Accordingly, the case was adjourned for 01.04.2013. On the date of hearing, Sh. Rajinder Mittal, Managing Director, Gee City Builders Ltd. appeared on behalf of the company and submitted that they want to implement the project with full intent but due to lack of physical infrastructure on the support, they are unable to launch the project. He requested for some more time for complying with the policy dated 12.04.2012, accordingly the case was adjourned for 06.05.2013. On 06.05.2013, Sh. A.M. Punchhi, Advocate again appeared and reiterated what has already been expressed in the past.

I have gone through the entire case including all the facts and circumstances prevailing in this case and I am of the considered opinion that the request for renewal of licence may be refused due to the deficiencies mentioned in para 2 on pre-pages and accordingly, it is regretted that your request to renew the licence is refused. Since, the request for renewal of licence is refused, therefore, the licence automatically stands cancelled due to non renewal.

Sd/-
(Anurag Rastogi, IAS)
Director General,
Town and Country Planning,
Haryana, Chandigarh.

Endst. No. LC-951/2013/41682-86

Dated : 04.06.2013

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

1. Chief Administrative HUDA, Panchkula.
2. Senior Town Planner, Rohtak Circle, Rohtak.
3. District Town Planner, Sonipat.
4. District Town Planner (HQ), PPS with a request to update the status on website.
5. Chief Accounts Officer of the Directorate.

Sd/-
(Babita Goyal)
Assistant Town Planner (HQ),
O/o Director General, Town and Country Planning,
Haryana, Chandigarh.