

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

Regd.

To

Smt. Omwati Wd/o Sh. Maan Singh,
S/Sh. Bhoop Singh, Sonu, Sanjay Ss/o Sh. Maan Singh,
S/Sh. Nanak Chand, Nihal Chand, Prem Singh Ss/o Sh. Bhart Singh,
Sh. Satbir Singh S/o Sh. Antram Tanwar,
Active Promoters Pvt. Ltd.,
C/o Emaar MGF Land Ltd.,
ECE House, Ist Floor, 28 Kasturba Gandhi Marg,
New Delhi-1.
email-coordination @emaarmgf.com

Memo No:- LC-1409-JE-(SS)-2013/

Dated:

Subject:- Renewal of license no. 164 of 2008 dated 21.08.2008.

Please refer to your application dated 02.07.2010 and this office memo dated 18.05.2011 and 08.08.2012 on the above cited subject.

1. Your request for renewal of license mentioned under reference was examined and following deficiencies were noticed which were duly conveyed to you:-
 - i) An amount of Rs. 113.53 lacs on account of original EDC and Rs. 438.81 lac on account of Enhanced EDC was outstanding as on 14.12.2012.
 - ii) An amount of Rs. 90.41 lacs was also outstanding on account of IDC as on 14.12.2012 which has to be deposited within 6 months from the date of license as per agreement executed at the time of grant of license.
 - iii) You had not got approved the building plans of the project till date, therefore, no development works have been undertaken even after lapse of more than four years.
 - iv) In terms of condition of license, no objection certificate issued by competent authority in respect of notification dated 14.09.2006 of MoEF, GOI has not been submitted.
 - v) Compliance of Rule-24, 26(2), 27 & 28 of the Haryana Development and Regulation of Urban Areas Rules, 1976 has not been submitted.
2. Above mentioned deficiencies had not been removed, therefore, personal hearing under the provisions of Rule-14(2) of the Haryana Development and Regulation of Urban Areas Rules, 1976, was fixed for 26.10.2012 which was duly conveyed vide letter bearing no. 14200 dated 08.08.2012.
3. Sh. Vinay Mittal, authorized representative appeared for personal hearing on 26.10.2012 and submitted a written representation dated 26.08.2012. I have carefully considered the reply and I am not convinced on two counts, namely, non-payment of EDC & IDC dues in time and non compliance of provisions of Rule 26(2) of the Rules, 1976. Though it is a fact that you have deposited huge amounts against various licences but if you have taken more licences, you have naturally to pay dues in respect of all the licences as per terms of bilateral agreement and

conditions of licences. Merely because a colonizer has got more licenses, it cannot absolve him of his responsibilities to pay the Government dues in time. It is surprising that IDC amount which is required to be deposited within six months from the date of license has not been deposited till date for which no explanation can be accepted. However, an undertaking has been given that outstanding dues shall be paid within nine months, same cannot be considered.

As far as contentions raised in Para No. 7 of the representation dated 26.08.2012 is concerned, same is not tenable at all. The Annual Accounts of the Company encompass comprehensive gamut of activities pertaining to the Company. Therefore, it is natural that it will take some time. Hence, the Companies Act has provided a time limit of six months from the end of the financial year but the statement required under Rule 26(2) is based on actual receipt and expenditure which can be compiled and got certified from a Chartered Accountant within a period of three months as specified in Rules of 1976. There are many certificates which are given by Chartered Accountants even during the financial year without waiting for the Annual Accounts to be compiled/ approved and certified by the Annual General Body Meeting/Auditors. The licencees are under an obligation to submit the required returns in time. As it is, even this nine months period from the close of financial year has expired. Therefore, the returns ought to have been submitted to the Department by now. Same had been made clear to the authorized signatory at the time of hearing.

4. 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 license may be refused due to the deficiencies mentioned under para no. 1 on prepage. Accordingly, it is regretted to inform that the renewal of license is refused. Since, the request for renewal of license is refused and therefore, the license automatically gets cancelled due to non renewal.

Sd/-
(ANURAG RASTOGI, IAS)
Director General,
Town & Country Planning,
Haryana, Chandigarh.

Endst. No. LC-1409-JE-(SS)-2013/28151-55

Dated: 09.01.2013

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

1. Chief Administrative HUDA, Panchkula.
2. Senior Town Planner, Gurgaon to send site report w.r.t. development works carried out at site.
3. District Town Planner (HQ) PP with a request to host the refusal order on web site of the Department.
4. District Town Planner (Planning) Gurgaon.
5. Chief Accounts Officer of the Directorate.

Sd/-
(S.K. Sehrawat)
Assistant Town Planner (M) HQ
O/o Director General, Town and Country Planning,
Haryana, Chandigarh.