

From

Financial Commissioner & Principal Secretary to Govt. Haryana
Town & Country Planning Department.

To

1. Director, Town & Country Planning, Haryana
2. Chief Administrator, HUDA, Sector-6, Panchkula.

Memo. No. 5/4/09-2TCP; Dated: 19/ 23.03.2009

SUBJECT: MINUTES OF MEETING HELD ON 10.01.2009 UNDER THE CHAIRMANSHIP OF SH. BHUPINDER SINGH HOODA, HON'BLE CHIEF MINISTER, HARYANA TO RESOLVE THE ISSUES PERTAINING TO THE DEMANDS RAISED BY REAL ESTATE SECTOR.

A copy of the minutes of the meeting held under the Chairmanship of Hon'ble Chief Minister on 10.01.2009 on the matter cited as subject along with the details regarding action to be taken is enclosed for information and necessary action.

Superintendent (TCP)
For: Financial Commissioner and Secretary to Govt. Haryana,
Town & Country Planning Department, Chandigarh.

Endst. No. 5/4/2009 – 2TCP

Dated:- 19/ 23.03.2009

A copy alongwith a copy of minutes is forwarded to Senior Secretary, Hon'ble CM, Haryana for kind information of the Hon'ble CM, Haryana.

Superintendent (TCP)
For: Financial Commissioner and Secretary to Govt. Haryana,
Town & Country Planning Department, Chandigarh.

Endst. No. 5/4/2009 – 2TCP

Dated:- 19/ 23.03.2009

A copy alongwith a copy of minutes is forwarded to PS to APSCM, Hr for kind information of the APSCM, Hr.

Superintendent (TCP)
For: Financial Commissioner and Secretary to Govt. Haryana,
Town & Country Planning Department, Chandigarh.

SUBJECT: MINUTES OF MEETING HELD ON 10.01.2009 UNDER THE CHAIRMANSHIP OF SH. BHUPINDER SINGH HOODA, HON'BLE CHIEF MINISTER, HARYANA TO RESOLVE THE ISSUES PERTAINING TO THE DEMANDS RAISED BY REAL ESTATE SECTOR.

The following officers/ representatives of colonizers attended the meeting:

On behalf of the Government:

1. Sh. M.L. Tayal IAS, Principal Secretary to Chief Minister, Haryana
2. Sh. Chhatar Singh IAS, Addl. Principal Secy. to Chief Minister Haryana.
3. Sh. D.S. Dhesi IAS, Financial Commissioner and Principal Secy. To Govt. Haryana, Town and Country Planning Department.
4. Sh. S.S. Dhillon IAS, Director, Town and Country Planning-cum-Chief Administrator, HUDA.
5. Sh. P.K. Mahapatra IAS Resident Commissioner Haryana at New Delhi.
6. Sh. S.C. Kansal, CCF, HUDA.

On behalf of the Colonisers:

1. Sh. Rajiv Singh and Sh. Devendra Singh, M/s DLF Ltd.
2. Sh. Ramesh Chandra and Sh. Shailendra Mahajan, M/s Unitech Ltd.
3. Sh. Naveen Raheja, M/s Raheja Developers.
4. Sh. Kamal Taneja and Sh. Pawan Taneja, M/s TDI Ltd.
5. Sh. Parnav Ansal and Sh. R.K. Jain, M/s Ansal Prop. & Infra. Pvt. Ltd.
6. Sh. Luxmi Goyal, M/s Suncity Project Ltd.
7. Sh. Ashok Bhalla, M/s Vatika Ltd.

The demands raised by the real estate sector on policy matters pertaining to the grant of licence under the provisions of Haryana Development and Regulation of Urban Areas Act, 1975 and Rules 1976 were deliberated in detail. The views of the committee consisting of FCTCP, Hr; CI, Hr; DTCP, Hr and CA, HUDA—earlier constituted to deliberate and examine the demands of the real estate sector was also considered. After detailed deliberations the decisions as detailed below are taken. The action points are also being indicated along-with for prompt action by the concerned offices:

1. Licence fee to the extent of 25% will be payable along with the application made under section 3 of the Act No. 8 of 1975 and remaining 75% before grant of licence.

Action: This decision shall be applicable on all licence applications received under the Act no 8 of 1975 after 10.01.2009 by the Department. Necessary amendment in the Haryana Development and Regulation of Urban Areas Rules, 1976 may be incorporated to be effective from 10.01.2009.

(Action DTCP, Hr.)

2. The time period to complete the formalities required under Rule 11 of Rules, 1976 is extended from existing 30 days to 60 days with a further extension of 30 days on payment of interest @ 12% per annum.

Action: This decision shall be applicable on all Letter of Intent (LOI) to be issued for grant of licence under the Act no. 8 of 1975 after 10.01.2009 by the Department. Necessary amendment in the Rules, 1976 may be incorporated to be effective from 10.01.2009.

(Action DTCP, Hr.)

3. The validity period of the licence is increased from existing two years to four years and thereafter Director may renew the licence after ascertaining the progress in a block of every two years.

Action: The implementation of this decision requires an amendment in the Act No. 8 of 1975. This decision shall be applicable on all licenses granted under the Act no. 8 of 1975 as well as on renewal of such licences falling due after the enactment of appropriate amendment Act. Necessary action for amendment in the Act no. 8 of 1975 be undertaken.

(Action DTCP, Hr.)

4. Presently the licence for IT Park/Cyber City is valid for five years, this validity of five years includes the licence renewal fee for three years. In view of the decision mentioned at Sr. No (iii) above, the provision for five years for IT Park/Cyber City will discontinue. The present practice of licence renewal @ 10% licence fee and 25% of the licence renewal fee for the licence cases where part completion certificate has been granted, will continue to operate as such.

Action: The action indicated under Sr. no. 3 above shall suffice for this decision also. No. further action is required.

(Action DTCP, Hr.)

5. Recovery of EDC: The present procedure for recovery of EDC shall be amended. The EDC will be payable within 30 days of the grant of licence in lump sum without interest or within five years on six-monthly installment basis. The first installment will be due after thirtieth day of the grant of licence. The deferred installment of EDC will carry an interest of 12% and in case of default, the interest rate of 15% will be charged. This change in the schedule will be applicable for the new cases only. However in case, the colonizer is able to complete the colony and request for grant of completion certificate in that case he is required to pay the entire EDC before completion is granted. Apart from above, integrated projects like commercial, IT etc., where the projects some times are constructed in a period of three to four years, in these cases the complete EDC shall be recovered before grant of occupation certificate. These charges will be applicable with effect from 10.01.2009.

Action: This decision shall be applicable on all licences granted under the Act no 8 of 1975 after 10.01.2009 by the Department. Necessary amendment in the Rules, 1976 may be incorporated to be effective from 10.01.2009. Necessary formalities pertaining to concurrence/ approvals of HUDA Authority that may be required, if any, may also be obtained.

(Action DTCP, Hr. and CA, HUDA)

6. Recovery of EDC at enhanced rates:- Recently the Department has issued notices for recovery of EDC conveyed at enhanced rates in case of towns like Sonapat, Rohtak and Gurgaon. The colonizers have been demanding the reduction of this EDC amount. During discussion it was conveyed that the EDC estimates have been prepared in accordance with the infrastructural requirements envisaged in the Development Plans of the Controlled Areas, hence there is no scope for any reduction in the EDC amount. However to facilitate the recovery of this enhanced EDC, it was decided that a further moratorium of six month

may be granted i.e. the notices shall have a moratorium period upto 09.07.2009. Thereafter this component of enhanced EDC shall be recovered in 30 days in lump sum or in four six monthly installment i.e., the first installment will become due on 10.07.2009 and thereafter the deferred payment shall be recoverable in three more installments with applicable interest of 9% for deferred payment and 15% for default payment.

Action: The necessary amendment in the demand notices for recovery of EDC at enhanced rates may be conveyed to the colonizers. (Action DTCP, Hr.)

7. In addition to above the following issues were also deliberated in the said meeting:
 - i) Affordable Housing: The issue regarding affordable housing was discussed wherein the colonizers had requested for higher densities to enable them to provide affordable housing at reasonable cost to the common public. After discussion it was decided that no general policy can be framed out at this point. The Government will consider the request on project to project basis depending upon the merits of the each case.
 - ii) Registration of floors: The issue regarding registration of floors was discussed briefly and it was apprized that this matter is being dealt in the Revenue Department.

The meeting ended with a vote of thanks to the chair.