

**DIRECTORATE OF TOWN & COUNTRY PLANNING, HARYANA**

SCO 71-75, Sector 17C, Chandigarh

Phone:0172-2549349; e-mail:tcphry@gmail.com

http://tcpharyana.gov.in

LC-IX  
{See Rule 16(2)}

Regd.

To

DLF Ltd. & others,  
DLF Centre, Sansad Marg,  
New Delhi.

Subject:

Memo No. LC-318-PA(B)/2018/ 6007 Dated: 16-02-18  
Request for grant of completion certificate for the commercial colony developed over an area measuring 2.12 acres in Sector 53, Gurugram bearing license No. 11-20 of 1999 dated 03.02.1999.

Please refer to your application dated 19.12.2001 & subsequent letter dated 23.11.2017 on the matter cited as subject above.

2. Your above referred application for grant of completion certificate for the commercial colony developed over an area measuring 2.12 acres in Sector 53, Gurugram bearing license No. 11-20 of 1999 dated 03.02.1999 was examined and noticed that same cannot be considered and liable to be rejected. However, before taking final decision in the matter, opportunity of hearing was granted for 23.11.2017.
3. Mr. Lokpal Singh, Vice President of the company appeared on scheduled date & time and submitted written submissions, which were taken on record. The company has contended that application for grant of occupation certificate was submitted on 09.11.2001, whereas, application for grant of completion certificate was submitted on 19.12.2001. There is no mention in the Act/Rules to submit application for grant of completion certificate in pursuance of application for grant of OC. They had moved two applications parallelly seeking OC & CC. The OC was granted on 01.03.2002, whereas, application for grant of CC is still pending. In this regard, it is informed that the colony should be complete in all respect while submitting application for grant of completion certificate including construction as per approved building plans and for ensuring about the completion of the building as per approved building plans, obtaining of OC is pre-requisite. Therefore, contention made by company that there is no mention in the Act/Rules that application for grant of CC should be in pursuance of grant of OC is not correct and is set aside.
4. It has further been mentioned that there is no mention to submit CA certificate also alongwith the application for seeking completion certificate. However, they had deposited requisite IAC as per amendment dated 30.09.2011. It is factually correct that the CA certificate in respect of restricting profit upto 15% of total project cost was to be submitted within 90 days from issuance of completion certificate as per the then provisions of Rules 1976, but it can also not be denied that the application for grant of CC was only acceptable at that time, when the profit margin was restricted upto 15% and the company was in a position to submit certificate in this regard. In case, the company has not restricted its profit upto 15%, then the completion certificate could not be issued and if issued and company failed to submit the same within 90 days, then they have to deposit the profit beyond 15% with the Govt. In the instant case, as the profit margin has not been restricted upto 15% as clear from the IAC deposited by the company, therefore, the application submitted on 19.12.2001 for grant of CC was not tenable in view of the then provisions of Rules 1976.

5. In reply to the query raised by the department in respect of non-renewal of license beyond 02.02.2004, the company has mentioned that as the application for grant of completion certificate was submitted on 19.12.2001 and occupation certificate was obtained on 01.03.2002 i.e. within validity period of the license, therefore, further renewal is not pre-requisite. The contention of the company is not correct as the application for grant of completion certificate was not in accordance with the provisions of law as on date of its submission as mentioned in foregoing para, therefore, it was liable to be rejected and further renewal of the license is pre-requisite as per provisions of Act/Rules.

6. In view of above, the application dated 19.12.2001 for grant of completion certificate is hereby rejected. You are advised to get the license renewed update as per provisions of Rule 13 of Rules 1976, failing which proceedings for cancellation of license in accordance with the provisions of law shall be initiated.



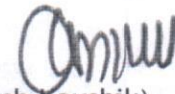
(T.L. Satyaprakash, IAS)  
Director,  
Town & Country Planning,  
Haryana, Chandigarh

Endst. No. LC-318-PA(B)-2018/ 6008-10

Dated: 16-02-18

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

1. Senior Town Planner, Gurugram.
2. District Town Planner, Gurugram.
3. Website Administrator with the request to update the status on Departmental website.



(Rajesh Kaushik)  
Distt. Town Planner (HQ)  
For Director, Town & Country Planning  
Haryana, Chandigarh