

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

SCO 71-75, Sector 17C, Chandigarh

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http://tcpharyana.gov.in

LC-IX  
{See Rule 16(2)}

Regd.

To

DLF Ltd.  
(formerly known as DLF Universal Ltd.)  
DLF Centre, Sansad Marg,  
New Delhi.

Memo No. LC-338-PA(B)/2018/ 6003 Dated: 16-02-18

Subject:

Request for grant of completion certificate for the commercial colony being developed over an area measuring 4.4375 acres in Sector 30, Gurugram bearing license No. 3 of 2001 dated 19.06.2001.

Please refer to your application dated 14.07.2017 received in this office on 18.07.2017 on the matter cited as subject above.

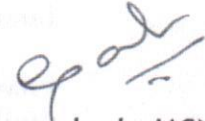
2. You had claimed vide above referred application that a request for grant of completion certificate for aforesaid colony was submitted in this office on 16.06.2006. Although, the original application is not traceable in this office record, however, on the basis of submissions made by you, the matter was examined and noticed that the occupation certificate for the block 2 of above said colony was issued by the department on 31.03.2008. Thus, the colony cannot be construed to be completed on date of submission of application for grant of completion certificate i.e. 16.06.2006 and accordingly, the said application was not tenable in eyes of law. Further, it was also observed that the application was not in accordance with Rule 16 at the time of its submission. However, before taking final decision in the matter, opportunity of hearing under Rule 16(2) 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. It was contended by the company that the application for grant of occupation certificate was submitted on 16.06.2006 and grant of completion certificate was also submitted on the same day. There is no mention in the Act/Rules to submit application for grant of completion certificate in pursuance of application for grant of OC. Both the applications seeking OC & CC could have been moved parallel. In this regard, it is intimated 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 raised by you 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 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 fails 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 16.06.2006 for grant of CC was not tenable in view of the then provisions of Rule 1976.

5. In view of above, so called application dated 15.06.2006, received in this office on 16.06.2006, 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-338-PA(B)-2018/ 6006

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