

Directorate of Town & Country Planning, Haryana

Nagar Yojana Bhavan, Plot No. 3, Block-A, Sector-18-A, Madhya Marg, Chandigarh.

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To


1. Chief Town Planner (IT & M), Haryana, Chandigarh
2. Chief Town Planner, Haryana, Chandigarh
3. Senior Town Planner, (M), HQ.
4. All DTPs (HQ)
5. All ATPs (HQ)
6. All AOs (HQ)
7. DA (HQ)

Memo no. MISC-226/AO (III)/2022/ 864-870

Dated: 09/02/2022

Subject: Minutes of the Meeting held on 11.01.2022 under the Chairmanship of Sh. Devender Singh, IAS, Additional Chief Secretary, Town & Country Planning, Haryana, Chandigarh: Recovery of outstanding External Development Charges (EDC) & State Infrastructure Development Charges (SIDC) dues.

Please find enclosed herewith copies of the minutes of the meeting held on 11.01.2022 at 11:30 AM under the Chairmanship of Sh. Devender Singh, IAS, Additional Chief Secretary, Town & Country Planning, Haryana, Chandigarh, with regard to the subject mentioned as above.



Chief Accounts Officer,
O/o Directorate of Town and Country Planning,
Haryana, Chandigarh.

Endst. no. MISC-226/AO (III)/2022/ 871-872

Dated: 09/02/2022

A copy is forward to the following for information & necessary action:

1. PS/ACSTCP, Haryana, Chandigarh
2. PS/DTCP, Haryana, Chandigarh


Chief Accounts Officer,
O/o Directorate of Town and Country Planning,
Haryana, Chandigarh.

Subject: Minutes of the Meeting held on 11.01.2022 under the Chairmanship of Sh. Devender Singh, IAS, ACSTCP: Recovery of outstanding External Development Charges (EDC) & State Infrastructure Development Charges (SIDC) dues.

The following officers attended the meeting:-

1. Sh. K. Makrand Pandurang, IAS, DTCP.
2. Sh. P.P. Singh, CTP, Hr.
3. Sh. Subhash Chand, CAO
4. Sh. Barinder Kumar, AO

1. At the outset, the DTCP, Haryana presented the overall status with regard to outstanding dues of EDC/SIDC. It was informed that the Department has been constantly reviewing the outstanding dues situation and the major defaulters are targeted to ensure recovery of such outstanding dues. A copy of the developer-wise defaulters list is enclosed at Annexure-A.

2. It was also informed by DTCP that all major defaulters are served with show cause notice for imposition of ban on their routine approvals and fresh grant of licence. Based on the developer-wise hearing held in this regard and also based on the commitments made by such developers for clearing of the dues in a time bound manner, relaxation on such ban on approvals and fresh licences is allowed.

3. ACSTCP expressed his dis-satisfaction at the mounting levels of EDC and SIDC dues despite repeated efforts of the Government to introduce reschedulement and relief policies. The recovery under the latest Samadhan-se-Vikas policy was also reviewed and the progress till date was found to be extremely unsatisfactory. ACSTCP emphasised that the defaulters either need to pay up or opt for Samadhan-se-Vikas policy to get their outstanding dues situation regularized.

4. After detailed deliberations on the matter, it was decided that the matter be brought to the notice of the Government for strict action to ensure recovery of EDC/SIDC dues and adopt the following actions in this regard:

- i) Any developer whose outstanding EDC/SIDC dues exceeds Rs. 20 crore shall be issued a notice to either clear the outstanding dues in two weeks period or opt for Samadhan-se-Vikas policy for regularization of default, failing which no further approvals in their existing projects as well as no further new licences shall be granted to them;
- ii) Further, all such applicants for grant of new licence, who have on their Board such Directors who are also on Board of defaulting developers (more than Rs. 20 crore) shall not be considered for grant of any new licence in future. To ensure this a directory of the DIN No. of all Directors of such EDC defaulters shall be prepared and while scrutiny of new licence application a comparison with the existing data base be

done. A comprehensive and updated data base in this regard shall be maintained by the Department;

- iii) Keeping in view the representation received from Unitech Ltd. for grant of relief and relaxations in EDC payments, it was decided that a reference be forwarded to Unitech Ltd., which is one of the largest defaulters, to opt for Samadhan se Vikas policy dated 16.11.2021 to clear the outstanding dues of their licenses.

5. The issue of loan to HSVP amounting to Rs. 2390 crore, granted almost 5 years back from SIDC funds, was also discussed. HSVP has not been able to pay back the amount till date on account of the financial stress faced by it. It was decided that the matter be placed before the Board, constituted under the Act of 1975, to enable a final decision in this regard.

The meeting ended with the vote of thanks to the Chair

Directorate of Town & Country Planning, Haryana

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ORDER

Whereas, it has been brought to my notice that there are instances where a colonizer does not fall in the Rs. 20 crore default limit set vide instructions dated 09.02.2022 and thus, does not face any blanket bar on approvals under the said instructions dated 09.02.2022.

2. And, whereas, as per the past practice for the purpose of any approvals post grant of licence, viz., building plan approval, grant of additional licence, renewal of licence, issuance of part occupation certificate, part completion certificate etc., clearance of outstanding dues (irrespective of whether it is less than or more than Rs. 20 crore) in the said licence, including the parent licence (s) is insisted upon.

3. And, whereas, doubts have emerged on whether to continue with the practice as indicated at Sr. No. 2 above even in cases where outstanding dues are less than Rs. 20 crore.

4. The matter was accordingly deliberated in an in-house meeting on 19.01.2023, in which all HQ officers of rank ATP & above, were present.

5. Accordingly, based on such deliberations, it is hereby ordered that in case of matters falling in the category indicated under Sr. No. 3 above, approvals shall be considered either against clearance of such outstanding dues or against mortgage of an additional 10% of saleable area/built up area over and above any mortgage/bank-guarantee already submitted. The procedural requirements as already specified in the policy instructions dated 14.08.2020 shall be followed, in this regard.

Dated: 03.02.2023

-Sd-

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

Endst. No.ZP-1669/2023/ 3180-3188

Dated:03.02.2023

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

1. PS to ACS to Govt. Haryana, TCP for kind information of W/ACS, TCP, Hr. Chandigarh.
2. PS to DGTCP for kind information of DGTCP, Hr. Chandigarh.
3. Chief Town Planner (IT&M), Haryana, Chandigarh.
4. Chief Town Planner, Haryana, Chandigarh.
5. All Senior Town Planners (HQ).
6. All District Town Planners (HQ).
7. All Assistant Town Planners (HQ).
8. Chief Accounts Officer of this Directorate.
9. PM (IT) to update the copy of order on the official website of the Department.

-Sd-

(Parveen Chauhan)
District Town Planner (HQ)
For: Director General, Town & Country Planning
Haryana, Chandigarh.

ORDER

Whereas, minutes of meeting were circulated on 09.02.2023 regarding recovery of outstanding dues of EDC and SIDC. As per clause 4(i) of the instructions issued on 09.02.2022, any developer whose outstanding dues exceeds ₹ 20 crores shall be issued a notice to either clear the outstanding dues in two weeks period or opt for Samadhan se Vikas Policy for regularization of default, failing which no further approvals in their existing projects as well as no further new licences shall be granted to them.

As per clause 4(ii) of the orders dated 09.02.2022, all such applications for grant of new licence, who have on their Board such Directors who are also on Board of defaulting developers (more than ₹ 20 Crores) shall not be considered for grant of any new licence in future.

For clarification and dealing all cases at par, while checking the applicability of instruction dated 09.02.2022, it is clarified that clause 4 (i) of the orders dated 09.02.2022 is applicable for various approvals in existing licenced colonies, whereas, clause 4(ii) of orders dated 09.02.2022 is relevant for cases pertains to grant of new licence.

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

Endst. No. LC-4512-JE (DS)/2023/23034-43

Dated: 13.07.2023

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

1. All Chief Town Planners (HQ).
2. All Senior Town Planners (HQ).
3. Chief Accounts officer of this Directorate
4. All District Town Planners (HQ).
5. All Assistant Town Planners (HQ).
6. All Account Officers (HQ).
7. Officials of the drawing branch.
8. Officials of the colony branch.
9. All Section Officers (HQ).
10. PM(IT) with request to host the order on the website.

(R.S. Batth)
District Town Planner (HQ)
For Director, Town & Country Planning,
Haryana, Chandigarh

ORDER

Whereas, minutes of meeting were circulated on 09.02.2022 regarding recovery of outstanding dues of EDC and SIDC. As per clause 4(i) of the instructions issued on 09.02.2022, any developer whose outstanding dues exceeds ₹ 20 crores shall be issued a notice to either clear the outstanding dues within a two weeks period or opt for Samadhan se Vikas Policy for regularization of the defaulting amount failing which no further approvals in their existing projects as well as at no further new licences shall be granted to them.

As per the past practice, for the purpose of any approvals post grant of licence, viz. building plan approval, grant of additional licence, renewal of licence, issuance of part occupation certificate, part completion certificate etc., clearance of outstanding dues (irrespective of whether it is less than or more than Rs. 20 crore) in the said licence, including the parent licence (s) is insisted upon.

Now, the Govt. has decided that:-

- i. Cases for migration /change of developer is to be considered in a specific licence/colony even if the outstanding dues of original developer and it's Board of Directors are more than Rs. 20.00 Crore, provided that the entire EDC/SIDC is paid/agreed to be paid by the incoming developer for such licence/colony to the Department.
- ii. The final approval shall only be granted after receipt of entire EDC and SIDC for the colony under migration/change of developer.

Dated: 11.03.2024
the, Chandigarh.

-Sd/
Arun Gupta, IAS
Additional Chief Secretary to Govt. Haryana,
Town and Country Planning Department, Chandigarh.

Endst.No. Misc-226-Loose/CAO/1482-1491/2024

Dated: 14.03.2024

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

1. All Chief Town Planners, Haryana
2. All Senior Town Planner (HQ)
3. Chief Accounts Officer (HQ)
4. All District Town Planner (HQ)
5. All Assistant Town Planner (HQ)
6. All Accounts Officers (HQ)
7. All Officials of Colony Branch (HQ)
8. All Officials of Drawing Branch (HQ)
9. All Section Officers (HQ)
10. PM(IT) for hosting the orders on the website.

-Sd/
(Amit Khatri, IAS)
Director, Town and Country Planning,
Haryana, Chandigarh