

No.	HARERA/GGM/RPIN/269	Date:	31.12.2020
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From	To
Chairman Haryana Real Estate Regulatory Authority, Gurugram	M/s Emaar MGF Land Ltd. 306-308, Square one, C2 District Centre, Saket, New Delhi

Sub: Registration of the real estate project "Marbella 2" at sector 65 & 66, being developed by M/s Emaar MGF Land Ltd. -show cause notice.

1. This is in reference to your application dated 13.10.2020 submitted in this Authority for registration of the real estate project mentioned in the subject.
2. The scrutiny of the application was done by the authority and deficiencies were noticed, which were conveyed to you vide letter no. HARERA/GGM/RPIN/269 dated 27.10.2020 with directions to remove the deficiencies latest by 04.11.2020 failing which your application may be rejected following the due procedure as provided under section-5 of the Real Estate (Regulation and development) Act 2016 and Rule-5 of the Haryana Real Estate (Regulation and Development) Rules, 2017. Also, an opportunity of online hearing was offered to you on 09.11.2020 at 03:00 pm in the office of HARERA, Gurugram.
3. In reference to the notice dated 27.10.2020, you had submitted the reply on 05.11.2020 and 09.11.2020 which was scrutinized and found that still major deficiencies have not been removed which were conveyed to you. The online hearing on 09.11.2020 was adjourned for 24.11.2020. During online hearing on 24.11.2020, the authority has discussed the project in detail. The representative of your company apprised that necessary documents will be submitted within a week and deficiencies will also be attended accordingly. You were also asked to clarify whether you have got phasing approved from the DTCP or not. If phasing has not been approved by the DTCP, Haryana, then it will amount to revision of the layout plan of the project and it will require approval of two third allottees under section 14 of RERA Act, 2016. Accordingly, matter was fixed for hearing on 08.12.2020. On 08.12.2020, matter was adjourned for 11.12.2020 because the coram was not complete. Subsequently, your matter was heard on 11.12.2020. It was apprised to you that there is no provision as per RERA Act 2016 for going in phases until and unless the competent authority approves your real estate project in phases. As such it was impeached upon you to get the full project registered by 15.12.2020 so that the matter was taken up for further necessary action and online hearing got fixed for 21.12.2020. It was noticed by the authority that you had neither applied for registration of full project nor submitted the reply of deficiencies conveyed to you rather requested for extension

of time to submit the reply till 23.12.2020 vide email dated 21.12.2020. The deficiencies which have not been removed by you are as under: -

Mandatory documents required for registration:

1. After scrutiny of this file, it was found that total licensed area of the whole project is 107.919 acres out of which 41.86 acres is registered in HARERA, Panchkula vide RC No. 307 of 2017. The left-over portion of land to be registered is 66.059 acres but you had applied for registration of only 12.609 acres which is not justified because the authority cannot register the project in phases. Therefore, you are directed to apply for the registration of 66.059 acres.
2. Online corrections in REP-I (Part A-H) needs to be done.
3. Copy of approved service estimates and plans not provided which are applied on 30.09.2020 for revision.
4. Approvals for sewage disposal, storm water drainage from competent authority needs to be submitted.
5. Copy of approved layout plan not submitted along with 2/3rd allottees consent.
6. Copy of approved revised zoning plan applied on 10.08.2017 not submitted.
7. Details of sold and unsold inventory unit wise needs to be submitted because plot no. not matching with the layout plan.
8. Details of the plots to be allotted to the license holders on the approved layout plan not submitted.
9. Deficit fee of Rs. 9834845/- not paid.

Part-E-Project Cost/sale Proceeds

10. Supporting document for the calculation of interest to financial institutions needs to be provided
11. As per the definition of ongoing project it is ongoing project hence details of Part-J need to be provided.

Allottee related draft documents

12. Builder buyer agreement as per prescribed format needs to be submitted. Terms and conditions of the submitted BBA is not matching with the prescribed format.
13. Revised Allotment letter, payment plan and payment receipt need to be submitted.

Various plans to be annexed

14. PERT Chart not submitted.
15. Occupation certificate for villas was submitted by you and it was noticed that these Occupation certificates are issued in the year 2018 and 2019. Application for part completion certificate for area measuring 47.393 acres is submitted in DTCP,

- Haryana, but approval still awaited. Therefore, it is mandatory for you to take registration of the villas along with unregistered area.
4. As per record of this Authority, you have been given four opportunities of online hearing to remove the deficiencies vide notice dated. 27.10.2020, proceeding dated 09.11.2020, 24.11.2020, 11.12.2020, 21.12.2020 but the deficiencies have still not been removed by you.
 5. Therefore, the Authority has decided to issue a show cause notice to you as why your application for registration of real estate project "Marbella 2" should not be rejected on the ground for non-removal of deficiencies in spite of repeated reminders and opportunity of online hearings as per the provisions under section 5 of the Real Estate (Regulation and Development) Act, 2016 and Rule-5 of Haryana Real Estate (Regulation and Development) Rules, 2017. If you have anything to say in this regard, you are given final opportunity of online hearing on **01.02.2021 at 3.00 p.m.** through the video conferencing, link will be sent to your registered mail. In case you fail to remove the deficiencies and appear before the Authority for personal hearing on the above given date and time, it will be presumed that you have nothing to say in this matter and your application will be rejected as per provisions of the Act and rules referred as above.

Date: 31.12.2020
Issued under the authority and
seal of HARERA, Gurugram.

o/c
Planning Coordinator
For: Chairman
Haryana Real Estate Regulatory
Authority, Gurugram



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31/12/2020