

**Project hearing brief**

| SN  | Particulars                                                                     | Details                                                                                                                                                                                     |                                                                                       |
|-----|---------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------|
| 1.  | <b>Name of the project</b>                                                      | Essencia                                                                                                                                                                                    |                                                                                       |
| 2.  | <b>Name of the promotor</b>                                                     | Ansal Properties and Infrastructure Ltd                                                                                                                                                     |                                                                                       |
| 3.  | <b>Nature of the project</b>                                                    | Plotted Colony                                                                                                                                                                              |                                                                                       |
| 4.  | <b>Location of the project</b>                                                  | Sector 67, Gurugram                                                                                                                                                                         |                                                                                       |
| 5.  | <b>Legal capacity</b>                                                           | Collaborator                                                                                                                                                                                |                                                                                       |
| 6.  | <b>Name of the license holder</b>                                               | 18 of 2010-M/s Sukh Dham Colonized Pvt Ltd, M/s Dream Infracon Pvt Ltd, M/s Augustan Infrastructure Pvt Ltd and others.<br>21 of 2011-Sh. Rughan, Bisram, Sh. Mangat Ram, Mawasi and others |                                                                                       |
| 7.  | <b>Name of the Collaborator</b>                                                 | M/s Ansal Properties and Infrastructure Ltd                                                                                                                                                 |                                                                                       |
| 8.  | <b>Status of project</b>                                                        | Ongoing                                                                                                                                                                                     |                                                                                       |
| 9.  | <b>Whether registration applied for whole/ phase</b>                            | Whole                                                                                                                                                                                       |                                                                                       |
| 10. | <b>Online application ID</b>                                                    | RERA-GRG-PROJ-911-2021                                                                                                                                                                      |                                                                                       |
| 11. | <b>License no.</b>                                                              | 18 of 2010 dated 10.03.2010<br>21 of 2011 dated 24.03.2011                                                                                                                                  | Valid upto 09.03.2018<br>Valid upto 23.03.2019                                        |
| 12. | <b>Total licensed area</b>                                                      | 140.15 acres<br>(111.594+28.556)                                                                                                                                                            | <b>Area to be registered</b><br>140.15 acres                                          |
| 13. | <b>Statutory approvals either applied for or obtained prior to registration</b> |                                                                                                                                                                                             |                                                                                       |
|     | i)                                                                              | <b>License Approval</b>                                                                                                                                                                     | <b>Date of approval</b><br>18 of 2010 dated 10.03.2010<br>21 of 2011 dated 24.03.2011 |
|     |                                                                                 |                                                                                                                                                                                             | <b>Validity upto</b><br>09.03.2018<br>23.03.2019<br>(Expired)                         |
|     | ii)                                                                             | <b>Zoning Approval Plan</b>                                                                                                                                                                 | Not submitted                                                                         |
|     |                                                                                 |                                                                                                                                                                                             | Zoning plan not approved due to CBI enquiry.                                          |
|     | iii)                                                                            | <b>Layout Approval plan</b>                                                                                                                                                                 | DTCP 6333 dated 26.02.2018                                                            |
|     | iv)                                                                             | <b>Environmental Clearance</b>                                                                                                                                                              | SEIAA/HR/2012/84 dated 11.07.2012<br>SEIAA/HR/2018/1064 dated 20.08.2018              |
|     |                                                                                 |                                                                                                                                                                                             | 10.07.2017<br>Renewed upto 19.08.2025                                                 |
|     | v)                                                                              | <b>Fire scheme approval</b>                                                                                                                                                                 | N/A                                                                                   |
|     | vi)                                                                             | <b>Service plan and estimate approval</b>                                                                                                                                                   | 31.10.2013<br>Revised copy not submitted                                              |
| 14. | <b>File Status</b>                                                              | <b>Date</b>                                                                                                                                                                                 |                                                                                       |
|     | Project received on                                                             | 27.09.2021                                                                                                                                                                                  |                                                                                       |
|     | 1 <sup>st</sup> deficiency notice sent on                                       | 25.10.2021                                                                                                                                                                                  |                                                                                       |

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|     | 1 <sup>st</sup> hearing on                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | 08.11.2021            |
|     | 2 <sup>nd</sup> hearing on                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | 22.11.2021            |
|     | 3 <sup>rd</sup> hearing on                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | 21.12.2021            |
|     | 4 <sup>th</sup> hearing on                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | 24.01.2022            |
|     | 5 <sup>th</sup> hearing on                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | 14.03.2022            |
|     | 6 <sup>th</sup> hearing on                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | 04.04.2022            |
|     | Reply submitted on                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | 04.04.2022            |
|     | 7 <sup>th</sup> hearing on                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | 18.04.2022            |
|     | Reply submitted on                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | 18.04.2022            |
|     | Reply submitted on                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | 22.04.2022            |
|     | 8 <sup>th</sup> hearing on                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | 25.04.2022            |
|     | 9 <sup>th</sup> hearing on                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | 25.07.2022            |
|     | 10 <sup>th</sup> hearing on                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | 27.07.2022            |
| 15. | <b>Present stage of completion for ongoing projects (%)</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Ongoing               |
| 16. | <b>(sold units - in case of ongoing/ unsold units)</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Details not submitted |
| 17. | <b>Detail of encumbrances</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Details not submitted |
| 18. | <b>Project Summary</b><br><p>An application regarding registration of plotted colony project namely "Esencia" situated at sector 67, Gurugram being developed by M/s Ansal Properties and Infrastructure Ltd was submitted on 27.09.2021 under section 4 of Real Estate (Regulation and Development), Act 2016.</p> <p>This application for registration is a plotted residential colony which has been licensed vide 2 nos. licenses issued in favour of various license holders in collaboration with M/s Ansal Properties and Infrastructure Ltd.</p> <ol style="list-style-type: none"> <li>1. License no. 18 of 2010 dated 10.03.2010 issued in favour of M/s Sukh Dham Colonized Pvt Ltd, M/s Dream Infracon Pvt Ltd, M/s Augustan Infrastructure Pvt Ltd and others in collaboration with M/s Ansal Properties and Infrastructure Ltd.</li> <li>2. License no. 21 of 2011 dated 30.03.2011 issued in favour of Sh. Rugan, Bisram, Sh. Mangat Ram, Mawasi and others in collaboration with M/s Ansal Properties and Infrastructure Ltd.</li> </ol> <p>Total licensed area of the project is 231.73675 acres. Details of project are as follows:</p> |                       |

1. 2.1856 acres was registered in HARERA, Panchkula vide RC No. 313 of 2017 dated 17.10.2017. (Esencia)
2. 3.49 acres was registered in HARERA, Panchkula vide RC No. 336 of 2017 dated 27.10.2017. (Esencia)
3. 38.262 acres was registered in HARERA, Panchkula vide RC No. 154 of 2017 dated 28.08.2017. (Versalia)
4. 6.00 acres was registered in HARERA, Panchkula vide RC No. 50 of 2019 dated 04.09.2019. (Versalia Zone-A1)
5. 32.262 acres was registered in HARERA, Panchkula vide RC No. 47 of 2019 dated 04.09.2019. (Versalia Zone-A2)
6. 16.99 acres was registered in HARERA, Panchkula vide RC No. 48 of 2019 dated 04.09.2019. (Versalia Zone-B1)
7. 34.175 acres was registered in HARERA, Panchkula vide RC No. 49 of 2019 dated 04.09.2019. (Versalia Zone-B2)

On scrutiny of application, it was found that there were deficiencies in the application which have been mentioned in the scrutiny. Online correction which has not been corrected. Hence, the promoter may be issued 1st deficiency notice vide notice no. HARERA/GGM/RPIN/383 dated 25.10.2021 to remove the above deficiencies/ observations and may be given an opportunity of hearing on 08.11.2021.

On 08.11.2021, the promoter has submitted the application for adjournment of hearing and seeking four weeks' time for the submission of deficit documents which were conveyed to the promoter vide notice dated 25.10.2021.

As the project is not registered, the promoter was directed not to sell any plot in the unregistered area and if sold, details be provided on affidavit along with undertaking that no withdrawal shall be made from the bank accounts of this project being maintained prior to making of application for registration. The matter decided to come up on 22.11.2021.

On 22.11.2021, the authority decided to adjourn the matter and next date of hearing fixed for 21.12.2021. The Promoter is directed to submit the deficit documents along with online DPI.

On 21.12.2021, no one is present on behalf of the promoter. The promoter has not submitted the reply of 1<sup>st</sup> deficiency notice conveyed to the promoter vide notice no. HARERA/GGM/RPIN/383 dated 25.10.2021. The promoter is directed to update the information online and submit the PDF of online DPI along with other deficit documents. The mandatory documents which are deficit in the project are renewal of license no. 18 of 2010 and 21 of 2011, approved zoning plan, revised service plan and estimates, renewal of environment clearance, deficit fees of Rs. 2,30,21,147/- and other deficit documents. The Authority decided to issue show cause notice for rejection of application under section 5(1)(b) of the Act, 2016 read with Rule 5(2) of Haryana Rules, 2017 with an opportunity of hearing on 24.01.2022.

On 24.01.2022, the matter was discussed at length. The promoter has neither availed the personal hearing nor submitted the reply of 1<sup>st</sup> deficiency notice which was conveyed to the promoter on

25.10.2021. The matter to be linked with non-registration suo moto proceedings for violation of section 3 of RERA Act, 2016. Matter to come up on 14.03.2022.

On 14.03.2022, none was present on behalf of the promoter. The promoter had submitted an application vide e-mail dated 14.03.2022 for adjournment of hearing. The promoter had requested for 3 weeks' time for submission of the information and documents which were already conveyed to the promoter. Therefore, the promoter was directed to submit the necessary documents before the next date of hearing. The matter decided to come up on 04.04.2022.

On 04.04.2022, no one appeared on behalf of the promoter. The promoter was directed to submit the reply before next date of hearing. Matter to come up on 18.04.2022.

The promoter submitted the reply on 04.04.2022 which was scrutinized and remaining deficiencies which still needs to be rectified are conveyed to the promoter.

On 18.04.2022, it was submitted that all the deficient documents have been submitted in the hearing and also reply regarding various deficiencies has also been submitted which require examination and scrutiny by the office. The matter to come up on 25.04.2022.

The reply was scrutinized, and the remaining deficiencies have been conveyed to the promoter. Again, the promoter has submitted the reply on 22.04.2022 which was also scrutinized and the remaining deficiencies have been conveyed to the promoter.

On 25.04.2022, Ms. Jyoti Yadav, Coordinator, Planning Branch briefed about the facts of the project. Sh. Ajay Sharma (Sr. VP), Manoj V (Manager Admn), and Sh. Rajiv Arora (GM Projects) are present on behalf of the promoter. The promoter has submitted the reply on 18.04.2022 and 22.04.2022 which was scrutinized, and remaining deficiencies were conveyed to the promoter. The matter to come up on 25.07.2022.

On 25.07.2022, Sh. J.S Sindhu, Engineer Executive Monitoring briefed about the facts of the project.

Due to administrative work of the authority, the matter is adjourned to 27.07.2022.

**19. The promoter has submitted the reply on 18.04.2022 and 22.04.2022 which was scrutinized, and the status of documents submitted by the promoter are as follows:**

1. Approval/NOC from various departments regarding Roads, water Supply, Storm water drainage and sewage disposal needs to be submitted.

Status: regarding assurance for road and storm water drainage affidavit submitted that the site is already connected to 60m wide sector road which is known as Golf course extension road and regarding SWD, rainwater harvesting pits at various locations are provided.

2. Details of all the community facilities which shall be handed over to the RWA or competent authority and to be constructed by the promoter itself and not forming part of basic sale price needs to be provided.

Status: submitted in the DPI

**Part-E-Project Cost/sale Proceeds**

3. Cost of land needs to be mentioned as per area applied for registration and an annexure in support of the same needs to be submitted.

Status: provided.

4. Financial resources of the project need to be clarified.

Status: Provided.

5. CHG-1 form filled with MCA needs to be submitted.

Status: Submitted.

6. CA/CS Certificate for search report on encumbrance on project land and receivables arising from sold and unsold inventory of the project created by the company as per MCA records needs to be submitted.

Status: Submitted.

7. CA certificate mentioning the expenditure up to the date registration of application needs to be provided.

Status: Submitted.

8. CA certificate for financial and inventory details in case of ongoing project needs to be submitted.

Status: Submitted.

#### **Part-H- Separate bank account details**

9. Details of all the three-bank account i.e., Master Account, Separate RERA Account, Free Account, needs to be submitted it should be opened in the same bank branch.

Status: Provided.

10. Copy of Board resolution for person authorize to operate the bank account needs to be submitted.

Status: Submitted.

#### **Folder A**

#### **Part-B-Statutory Approvals and land/license related documents**

11. Project report not submitted. (Annexure A6)

Status: Submitted.

12. REP-II needs to be revised. (Annexure A15)

Status: submitted.

13. Copy of forest NOC not submitted. (Annexure A20)

Status: submitted.

14. Copy of tree cutting permission from DFO not submitted. (Annexure A22)

Status: submitted.

#### **Folder C**

#### **Various plans to be annexed**

15. Copy of earlier approved layout plan along with sanction letter not submitted. (Annexure C1)

Status: submitted

16. Copy of approved zoning plan, demarcation plan needs to be submitted. (Annexure C2, C3)

Status: demarcation submitted.

17. Copy of superimposed demarcation plan on approved site plan on A1 sheet not submitted. (Annexure C14)

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|-------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                   | <p>Status: submitted</p> <p>18. PERT Chart needs to be submitted. (Annexure C15)<br/> Status: submitted</p> <p>19. Road connectivity map showing existing and proposed road along the site needs to be submitted.<br/> Status: submitted</p> <p><b>Folder D</b></p> <p><b>Financial Documents and Allottee related draft documents</b></p> <p>20. Copy of draft application form, allotment letter, builder buyer agreement, payment plan and payment receipt need to be submitted in the prescribed format. (Annexure D16, D17, D18, D19)<br/> Status: as per promoter reply, all the plots are sold out in the township by the promoter. Therefore, no application form, allotment letter, BBA, payment receipt will be executed.</p> <p>21. Application form, allotment letter, builder buyer agreement, conveyance deed, payment plan, payment receipt executed with the existing allottees needs to be submitted. (D15, D16, D17, D18, D19)<br/> Status: Submitted.</p> <p>22. Copy of registration certificates of earlier registered project needs to be provided.<br/> Status: submitted.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| <p><b>20.</b></p> | <p><b>Deficit documents</b></p> <ol style="list-style-type: none"> <li>Online corrections in REP-I (Part A-H) needs to be done.</li> <li>Corrections in detailed project information needs to be done.</li> <li>Renewal of license 18 of 2010 and 21 of 2011 needs to be submitted.</li> <li>Completion date of the project needs to be revised i.e., 31.12.2023 which is beyond the validity of license.</li> <li>Copy of ED and IDC schedule needs to be submitted.</li> <li>Deficit fee of ₹2,30,21,147/- needs to be submitted.</li> </ol> <p><b>Part-E-Project Cost/sale Proceeds</b></p> <ol style="list-style-type: none"> <li>Cost of Conversion charges, License fees needs to be clarified and annexure in support of the same needs to be provided.</li> <li>Cost of External Development charges, Internal Development charges needs to be mentioned as per LOI and annexure in support of the same needs to be provided.</li> <li>Loan sanction letter, disbursement schedule, repayment schedule needs to be submitted.</li> <li>CA Certificate for the equity infused by the promoter needs to be provided.</li> <li>Financial viability of the project needs to be corrected.</li> <li>Deed of hypothecation or mortgage deed needs to be submitted.</li> <li>Loan sanction letter, disbursement schedule, repayment schedule needs to be submitted.</li> <li>TAN of the promoter needs to be submitted.</li> <li>KYC of the consultant needs to be submitted.</li> </ol> <p><b>Part-H- Separate bank account details</b></p> <ol style="list-style-type: none"> <li>Affidavit by the promoter Keeping in view the provisions of section 4 (2) (I) (D) of the Real Estate (Regulation &amp; Development) Act, 2016 needs to be submitted.</li> </ol> |



Status: Not signed by witness.

17. Bank undertaking needs to be submitted.

Status: Needs to be mentioned name, designation and employee code of authorized signatory.

18. KYC of the person authorize to operate the bank account needs to be submitted.

Status: Not Submitted.

19. An undertaking from the promoter regarding EDC to ensure that the 10% of total receipts in project RERA account should be transferred in state treasury account until it is fully paid.

**Part-I-Quarterly schedule of physical and financial progress**

20. Quarterly schedule of estimated expenditure needs to be corrected.

21. Quarterly schedule of sources of funds needs to be corrected.

22. Net cash flow statement needs to be corrected.

**Part-B-Statutory Approvals and land/license related documents**

23. Collaboration agreements not submitted for all parties.

24. Jamabandi, Mutation and Akshjra duly certified by revenue officer six months prior to date of application needs to be provided. (Annexure A8, A9, A10)

25. Copy of approved revised service estimates and plans needs to be submitted along with sanction letter from DTCP, Haryana. If applied, then copy of applied needs to be submitted till the final approval of the same. (Annexure A18)

Status: applied on 11.06.2018

**Various plans to be annexed**

26. Copy of approved zoning plan not submitted.

Status: as per promoter reply, CPI enquiry is pending therefore, zoning plan is not approved.

*Asha*  
Asha

Chartered Accountant

*Naresh*  
Naresh

Chartered Accountant

*J.S. Sindhu*  
J.S. Sindhu

Executive Engineer  
Monitoring

|                         |                          |
|-------------------------|--------------------------|
| Day and Date of hearing | Wednesday and 27.07.2022 |
| Proceeding recorded by  | Ram Niwas                |

**PROCEEDINGS OF THE DAY**

Proceedings dated: 27.07.2022

Sh. J.S. Sindhu, Executive Engineer (Monitoring) briefed about the facts of the case.

None is present on behalf of the promoter.

In spite of 9 hearings the promoter failed to rectify the deficiencies and submit deficit documents. The Authority decided to reject the application with a liberty to file afresh after requisite documents are submitted and approvals are obtained. Only processing fee will be forfeited.

*V.I. - 3*

(Vijay Kumar Goyal)

Member, HARERA, Gurugram

*[Signature]*

(Dr. Krishana Kumar Khandelwal)

Chairman, HARERA, Gurugram