HARERA
GURUGRAM

Promoter Name M/s Essel Housing Projects Pvt Ltd.
Project Name Platinum Towers

Project hearing brief

SN	Particulars	Details		
1.	**Name of the project**	Platinum Towers		
2.	**Name of the promotor**	M/s Essel Housing Projects Pvt. Ltd.		
3.	**Nature of the project**	Group Housing colony		
4.	**Location of the project**	Sector- 28, Gurugram		
5.	**Legal capacity**	Collaborator		
6.	**Name of the license holder**	21 of 2016- Moonlight Continental Pvt. Ltd in collaboration with 22 of 2016- Ranbir Singh, Ajay 32 of 2009 & 33 of 2009- Indian Airlines Pilots Cooperative House Building Society Ltd. 48 of 1995- Indian Airlines Pilots Cooperative House Building Society Ltd. (no collaborator) 61 of 2004- Indian Airlines Pilots Cooperative House Building Society Ltd. (no collaborator)		
7.	**Name of the Collaborator**	M/s Essel Housing Projects Pvt. Ltd.		
8.	**Status of project**	Ongoing		
9.	**Whether registration applied for whole/ phase**	Phase		
10.	**Online application ID**	RERA-GRG-PROJ-455-2019		
11.	**License no.**	21 of 2016 Valid till 16.11.2021 (0.1937 acres) 22 of 2016- Valid till 16.11.2021 (1.75 acres) 32 of 2009 & 33 of 2009- Valid till 10.07.2024 (2 acres & 1.625 acres) 48 of 1995- Valid till 19.12.1997 (26.75 acres) 61 of 2004- Valid till 31.05.2006 (4.20 acres)		
12.	**Total licensed area**	36.51 acres	**Area to be Registered**	5.56 acres

13.	**Statutory approvals either applied for or obtained prior to registration**			
	i)	**License Approval**	**Date of approval**	**Validity upto**
			11.07.2009 17.11.2016 17.11.2016	10.07.2024 16.11.2021 16.11.2021
	ii)	**TOD Permission for increase in FAR**	10.09.2019	
	iii)	**Zoning Plan Approval**	10.09.2019	
	iv)	**Building plan Approval**	09.06.2020	08.06.2025
	v)	**Environmental Clearance**	15.10.2013 15.05.2018	14.05.2025
	vi)	**Airport height Clearance**	21.06.2016	21.06.2021
	vii)	**Fire Scheme approval**	10.08.2020	
	viii)	**Service plan and estimate approval**	03.09.2020	

14.	**File Status**	**Date**
	Project received on	07.12.2020
	1st deficiency notice sent on	17.12.2020
	1st hearing on	28.12.2020
	Reply submitted on	23.12.2020
	2nd hearing on	14.01.2021
	Reply submitted on	19.01.2021
	3rd hearing on	08.08.2022
15.	**Projected date of completion of the project**	30.06.2024
16.	**Present stage of completion for ongoing projects (%)**	Ongoing Project
17.	**(Sold units - in case of ongoing/ unsold units)**	51 sold units, 213 unsold units Total 264 units (12 EWS), 5 commercial shops
18.	**Detail of encumbrances**	ROC form submitted Amount of loan borrowed- 55 crore Details of assets mortgaged- Project land mortgaged Period of loan- Jan 2021 to Feb 2024
19.	**Remarks**	

Case History:

An application regarding registration of group housing colony project namely "Platinum Towers" situated at sector 28, Gurugram being developed by M/s Essel Housing Projects Pvt. Ltd was submitted on 17.12.2020 under section 4 of Real Estate (Regulation and Development), Act 2016.

This application for registration of group housing residential colony has been licensed vide license no. mentioned below:

I. 21 of 2016 Valid till 16.11.2021 (0.1937 acres)
II. 22 of 2016- Valid till 16.11.2021 (1.75 acres)
III. 32 of 2009- Valid till 10.07.2024 (2 acres)
IV. 33 of 2009- Valid till 10.07.2024 (1.625 acres)
V. 48 of 1995- Valid till 19.12.1997 (26.75 acres)
VI. 61 of 2004- Valid till 31.05.2006 (4.20 acres)

The total area of all the license is 36.518 acres. The promoter applied for the registration of the phase admeasuring 5.56 acres (FAR- 35,264.962 Sq mtrs.) which is already registered vide registration no. HARERA/GGM/2018/04, dated 16.05.2018.

	After that the promoter has obtain additional FAR of 27,270.622 sqm under TOD permission vide memo no. LC-224-F-Asstt.(RK)/2019/21990 dated 10.09.2019 over a part of phase bearing license no. 32 of 2009 and 21 & 22 of 2016. The building plan was revised vide memo no. ZP-20/VOLIII/JD(AS).2020/9591 dated 09.06.2020 for the total revised FAR of 62,535.584 sqm. After the scrutiny of the application, deficiencies were noticed, which were conveyed to the promoter vide notice no. HARERA/GGM/RPIN/279 dated 17.12.2020 with directions to remove the deficiencies latest by 24.12.2020. Also, an opportunity of hearing was given on 28.12.2020. On 28.12.2020, the above listed deficiencies conveyed to the promoter and directed the promoter to remove the deficiencies before the next hearing date. Matter was adjourned for 01.02.2021. On 01.02.2021, The authority decided to keep the matter in sine die and should wait for reply of the reference sent to the Director, Town and Country Planning, Govt. of Haryana, Chandigarh for clarification and guidance in the matter. The promoter submitted a reply on 22.07.2022, which was scrutinized and found that the promoter submitted the consent of 38 allottees.
20.	As per reply dated 19.01.2021, the documents which are submitted are as follows: 1. Statement of accounts by PNB Housing Finance Limited needs to be revised, sanction loan amount needs to be rectified. Status: Provided. 2. REP-II needs to mention details of encumbrance on land. Status: Submitted. 3. 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. BBA with the buyer by the promoter shall be entered into with the concurrence and signatures of licensee. Status: Submitted, BBA for commercial shops not submitted. 4. Revised Allotment letter, payment plan needs to be submitted. Status: Submitted. 5. Project cost project needs to be corrected in DPI. Status: corrected. **The following documents which are still pending:** 1. Online DPI needs to be submitted. Status: Not Submitted. 2. The annexures in the online form (A-H) as well as corrections needs to be done. Status: Not Submitted. 3. Copy of approved electrical load availability NOC not submitted. Status: Applied on 19.02.2020 but approval still awaited. 4. Details of sold and unsold inventory unit wise needs to be submitted. Status: Details of commercial shops with tentative rate not provided. 5. Deficit fee of Rs 10,94,948/- not paid. Status: Not Submitted. 6. Revalidated Airport height clearance needs to be submitted.

Status: Not Submitted.

7. License no. 21 of 2016 and 22 of 2016 expired on 16.11.2021 which needs to be revised.
Status: Not Submitted.

(Asha)
Chartered Accountant

(J.S. Sindhu)
Executive Engineer (Monitoring)

Day and Date of hearing	Monday and 08.08.2022
Proceeding recorded by	Ram Niwas

PROCEEDINGS OF THE DAY

Proceedings dated: 08.08.2022

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

Sh. Ravi Kant Kumar (Manager) and Sh. Navneet Kumar (GM) are present on behalf of the promoter.

The AR of the promoter confirms that consent of all the allottees of units sold prior to availing of TOD has been obtained and submitted in the office of the phase registered vide registration no. RC-REP HARERA/GGM/2018/04, dated 16.05.2018. Further at the time of this registration as well as sale to the allottees, it was clarified that the promoter is seeking additional FAR under TOD on the above phase and the allottees have consented in the BBA as well. A public notice for their inspection/objections if any be issued by the office giving 10 days' time for the same.

The AR further confirms that no sale has been made w.r.t. the additional area availed under TOD and an affidavit to this effect shall be submitted within one week. The AR further confirms that the issue of allowing TOD on this separate phase has already been settled by the order of ACS TCP dated 16.03.2022 passed in Appeal No. 30 and 33 of 2021 and office to link up with same and to put up in light of above as well linking the previous reference made to DTCP seeking clarification. The AR to rectify the above deficiencies as well as including payment of deficit fees after its reconciliation with the CA of the Authority. The AR also confirms that both the license No. 21 and 22 of 2016 have been renewed by DTCP and the renewal order is under signature of DTCP and its copy will also be submitted with other pending documents.

The matter to come up on 22.08.2022.

(Vijay Kumar Goyal)
Member, HARERA, Gurugram

(Dr. Krishana Kumar Khandelwal)
Chairman, HARERA, Gurugram