



**HARERA**  
**GURUGRAM**

**HARYANA REAL ESTATE REGULATORY AUTHORITY**  
**GURUGRAM**

हरियाणा भू-संपदा विनियामक प्राधिकरण, गुरुग्राम

**AGENDA OF THE MEETING**

**DATED: 29/01/2021**

ITEM NO.		RPIN	290
<b>SUBJECT</b>	Application for registration of project "ROF ATULYAS" in Sector-93, Gurugram being developed by M/s Pegasus Land and Housing Pvt. Ltd.		
<b>APPLICATION DETAILS</b>			
1.	<b>Application for registration</b> (for whole project/ phase)	Project	
2.	<b>Name of the project</b>	ROF ATULYAS	
3.	(a) <b>Total licensed area of the project</b>	5.03403 acres	
	(b) <b>Area applied for registration</b>	5.03403 acres	
4.	<b>Location of the project</b> (location of the project is to give as phase is part of the project even if phase is to be registered)	Sector- 93, Gurugram	
5.	<b>Status of the project</b> (status of the project is to be given not of the phase even if phase is to be registered) (New/ Ongoing) Definition of ongoing project as provided in rule 2(o) <sup>1</sup>	NEW	
6.	<b>Planning area</b>	Gurgaon - Manesar Urban Complex - 2031 A.D.	
<b>CASE HISTORY</b>			
<b>Sr. No.</b>	<b>File status</b>	<b>Date</b>	
1.	<b>Application for registration received on</b>	18.01.2021	
2.	<b>First notice Sent on</b>	19.01.2021	

<sup>1</sup> "on-going project" means a project for which a license was issued for the development under the Haryana Development and Regulation of Urban Area Act, 1975 on or before the 1<sup>st</sup> May, 2017 and where development works were yet to be completed on the said date



	3.	First hearing on		
DETAILS	<b>DETAILS OF THE PROJECT PROMOTER</b>			
	The application under section 4 of the Real Estate (Regulation & Development) Act, 2016, has been received in the authority for registration of real estate project/phase (whichever is applicable) having following details:			
	1.	Name of the applicant-promoter	M/s Pegasus Land and Housing Pvt. Ltd.	
	2.	Legal capacity to act as applicant promoter	Licensee	
	3.	Status of the promoter	Company	
	4.	Registered address	M-18, Third Floor, Greater Kailash-II (Market), New Delhi-110048	
	<b>PROJECT AND FEE DETAILS</b>			
	1.	<b>Details of the project (as a whole)</b>		
		<b>Sr. No.</b>	<b>Particulars</b>	<b>Details</b>
		1.	Name of the project	ROF ATULYAS
	2.	Location of the project	Sector- 93, Gurugram	
	3.	(a) Whether project is to be implemented in one go or in phases	One go	
		(b) No. of Phases	N/A	
	4.	Licence no. and date of validity		
	5.	Total licensed area of the project	5.03403 acres	
	6.	Area for registration	5.03403 acres	
	7.	Nature of the project	AGHP	
	8.	Name of the license holder	M/s Pegasus Land and Housing Pvt. Ltd.	
	9.	Name of the Collaborator	N/A	
	2.	<b>Fee details</b>		
		1.	Fee details	



	(a)	Registration fee	$(46350.29 \times 2.37 \times 10 + 1523.82 \times 1.87 \times 20) =$ Rs 11,55,493/-
	(b)	Late fee	NIL
	(c)	Processing fee	$(46350.29 + 1523.82) \times 10 =$ Rs 4,78,741/-
	(d)	Total	Rs 16,34,234/-
2.	DD Details		
	(a)	DD amount	1. Rs 57,000/- 2. Rs 10,97,112/- 1. Rs 4,65,027/-
	(b)	DD no. and date	1. 738534 dated 13.01.2021. 2. 738536 dated 13.01.2021. 1. 738537 dated 13.01.2021.
	(c)	Name of the bank issuing	Punjab National Bank
	(d)	Transfer Id	M3437869 dated 19.01.2021
	(e)	Transfer Amount	Rs 15,095/-
	(f)	Deficient amount	NIL

**ONLINE APPLICATION SCRUTINY**

1.	Whether the applicant has applied for the registration on official website of the Haryana Real Estate Regulatory Authority, Gurugram.	YES	NO	
		√		
2.	Unique no. generated online	RERA-GRG-PROJ-785-2020		
3.	Whether the hard copy of the online application REP-I authenticated by promoter?	YES	NO	
		√		
4.	The status of mandatory plans to be uploaded online before registration is as under:			
	Sr. No.	List of plans	Date of upload document	
		Tick if provided		
	1.	Layout plan	√	22.01.2021
	2.	Demarcation plan	√	22.01.2021



3.	Zoning plan	√	29.12.2020
4.	Building plans includes following		
4.1	Site plan	√	22.01.2021
4.2	Floor plan	√	22.01.2021
4.3	Apartment plans	X	
4.4	Elevation section	√	22.01.2021
4.5	X-section plan	√	22.01.2021
4.6	Structural plan	X	
4.7	Parking plan	√	22.01.2021
5.	Service plans and estimates		
5.1	Roads and pavement plan	√	27.01.2021
5.2	Electricity supply plan	√	27.01.2021
5.3	Water supply plan	√	27.01.2021
5.4	Sewerage plan	√	27.01.2021
5.5	Solid waste management plan	√	27.01.2021
5.6	Storm water drainage plan	√	27.01.2021
5.7	Street light plan	√	27.01.2021
5.9	Landscape plan	√	27.01.2021
5.9	10% land transferred to the govt. for community facility	N/A	
5.10	Copy of super imposed demarcation plan on the approved layout plan	√	27.01.2021
<p><b>Note:</b> Sr. no. 5.1 to 5.10 are part of the service plans and estimates submitted by the promoter to the competent authority for approval. Till approval is received the promoter should upload above plans as prepared by him and submitted to competent authority for approval. As and when approval is received the copy of the approved plan be uploaded online.</p>			
5.	<b>The status of mandatory documents to be uploaded online before registration is as under:</b>		
<b>Sr. No.</b>	<b>List of documents</b>	<b>Tick if provided</b>	<b>Date of upload document</b>
1.	Copy of license along with schedule of land	√	12.12.2020




	2.	Documents relating to the entry of license and collaboration agreement in the revenue record	√	29.12.2020			
	3.	Non-default certificate from a chartered accountant	√	29.12.2020			
	4.	Cash flow statement of the proposed project	√	22.01.2021			
	5.	Certificate from a chartered accountant certifying that the information provided by the applicant in form REP-1 is correct as per the books of accounts/balance sheet of the applicant	√				
	6.	The documents uploaded online have been checked and same are found in order.	YES				
	7.	The hard copy of online application i.e. REP-I (Part A-H) is in the proper format and all required details have been provided.	YES				
	8.	Following are the deficiencies in the online application form:					
	Sr. No.	Status of deficiencies in online application					
	1.	All the deficiencies are removed by the promoter.					
	<b>DETAILED PROJECT INFORMATION: SCRUTINY</b>						
	9.	One set of DPI in the proper format has been received and checked. All the necessary details have been provided and found to be in order. DPI along with annexures is placed before the authority for consideration.					
	10.	Details of statutory approvals.					
	10.1	Statutory approvals required prior to registration					
		Sr. No.	Particulars	Approval no.	Date	Valid upto	Remarks
		1.	License approval	19 of 2020	01.08.2020	31.07.2025	
		2.	Zoning plan approval	7478	05.08.2020		
		3.	Building plan / site plan approval	ZP-1429/sd(dk)/2021/611	12.01.2021	11.01.2026	



		4.	Environment Clearance approval	Applied	13..01.2021		
		<b>Note:</b> In case of affordable housing environmental clearance is to be obtained within the years of license and before start of construction.					
		<b>10.2 Approvals either applied for or obtained prior to registration.</b> (These approvals if applied be obtained within three months of issue of registration certificate. After approval intimation, be given to the authority and online updation be done.)					
		1.	Airport clearance height	Applied	04.01.2021		
		2.	Fire approval scheme	To be Applied			
		3.	Service plan estimates approval	Applied	13.01.2021		
		4.	Electrical availability connection load	Ch-77/Drg-PLC	24.12.2020	31.07.2025	
		<b>10.3 Mandatory approvals if applicable and required before construction can be started.</b> (These may be either applied or obtained prior to registration. The applied permissions be obtained within three months of issue of registration certificate.)					
		1.	Forest NOC	GQV-EEE-FNDY	03.12.2020		
		2.	Natural conservation zone NOC	N/A			
		3.	Tree cutting permission from DFO	Provided			
		4.	Forest land diversion	N/A			
		5.	Power Line shifting NOC	N/A			
<b>11.</b>	<b>(a)</b>	<b>Additional scrutiny and verification by Planning Executive</b>					
		<b>Sr. No.</b>	<b>Description</b>			<b>Scrutiny</b>	
		1.	Land title of the project - whether title deeds, mutation, jamabandi and aks-shajra duly			YES	



			certified by revenue officer six months prior to date of application are attached.		
		2.	License validity – if expired, whether renewal application submitted to DTCP along with payment of requisite fee	Valid	
		3.	In case promoter is other than licensee – confirm collaboration/ development agreement as below: -		
		3.1	Collaboration agreement – registered or not	N/A	
		3.2	Whether it is irrevocable	N/A	
		3.3	Whether it provides marketing right to developer	N/A	
		3.4	Verify and report – any other restricting clause in such agreement	N/A	
		4.	Whether beneficiary interest permission in favor of promoter – approved by DTCP is attached.	N/A	N/
		5.	Whether non-encumbrance certificate issued by tehsildar/ revenue officer is submitted.	YES	N/
		6.	In case of encumbrance whether prescribed form filed with registrar of companies for creation of charge	N/A	
		7.	Whether the land title search report is in order	Provided	
	<b>(b)</b>	<b>Comments of Planning Executive</b>			
	<b>Sr. No.</b>	<b>Deficiencies/Observations</b>			
	1.	Environment Clearance needs to be submitted.			
	2.	Airport Height Clearance needs to be submitted.			
	3.	Fire scheme approval needs to be submitted.			
	4.	Approved Service plan and Estimates needs to be submitted.			
					
				<b>Planning Executive</b>	
<b>12.</b>	<b>Scrutiny by Chartered Accountant</b>				



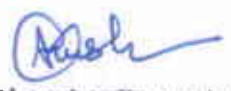
Description		Scrutiny
<b>Part - A - Project proponents</b>		
1.	Check company incorporation and object clause in memorandum & articles of association	Provided.
2.	In case of change in name of entity, whether previous incorporation certificate/ identity document is attached	N/A
3.	Whether director's information as required along with supporting documents like address proof, PAN card, passport, etc. are attached?	YES
<b>Part - C - Project details</b>		
4.	In case land is encumbered, whether requisite charge is created in favor of lender? (Copy of form filed with ROC to be attached along with sanction letter of lender)	Non encumbrance certificate provided
5.	Whether supporting documents for land cost are attached?	Sale deed provided,
6.	Whether infrastructure cost as mentioned is in line with supporting documents?	YES
7.	Whether financial resources to meet the project cost are properly mentioned?	YES
8.	Whether all particulars in section are properly filled in and provided?	YES
<b>Part - E - Project cost/ sale proceeds details</b>		
9.	Whether all supporting documents for project cost are submitted?	YES
10.	Whether project report and supporting costing documents for internal development work are provided?	YES
11.	Whether construction cost & other details as mentioned are in line with details in other sections?	YES
<b>PART - I - Separate bank account of project</b>		
12.	Whether the board resolution duly acknowledged by bank for operation of bank account is submitted properly specifying same to be 70% collection account as per RERA rules.	Provided





13.	Whether details of all authorized signatories to operate the bank account are properly mentioned in prescribed format and required documents are submitted for same	Provided
<b>Part - J - Quarterly schedule of physical and financial progress</b>		
14.	Whether the financials details in summary sheet are properly filled in and duly authenticated?	YES
15.	Verify quarterly expenditure statement till end of project and ensure that all cost elements are captured therein	Provided
16.	Verify quarterly source of funds till end of project and ensure that there is no inconsistency in same with summary details provided in section	Provided
17.	Verify that sale numbers are matching with summary details in prescribed form	N/A
18.	Verify net cash flow statement to ensure that it remains positive till end of project	Provided
19.	Whether CA certificate for non-default in payment of debt obligations is provided	Provided
20.	Verify financial statements for last three years of promoter and check for repayment of financial obligations, statutory dues. Any other adverse financial position as observed from financial statements is to be highlighted.	Company is suffering losses since last 2 years
21.	Net worth of promoter (as per latest balance sheet)	1.61 crores
<b>Part - K - Additional details in case of ongoing project</b>		
22.	Whether financial and inventory details are verified by CA and CA certificate is issued in prescribed format?	N/A
23.	<b>Comments of Chartered Accountant</b>	
	<b>Sr. No.</b>	<b>Deficiencies/Observations</b>
	1.	All the deficiencies are removed.
		<i>Wankar</i> <b>Chartered Accountant</b>
13.	<b>Scrutiny by Planning Executive</b>	



Sr. No.	Description	Scrutiny
1.	Whether the collaboration agreement is registered?	N/A
2.	Whether the collaboration agreement is irrevocable?	N/A
3.	Whether the land mentioned in the collaboration agreement is same as mentioned in the license?	N/A
4.	Whether the fact that project land licensed and bonded for setting up of a colony has been informed to the revenue department for entry in the record of ownership?	YES
5.	Whether collaboration agreement gives right to develop, marketing, raising funds and allotment of real estate in totality?	N/A
6.	Whether the sale agreement with the buyer by the beneficial interest permission holder i.e. promoter is entered into with the concurrence and signatures of licensee and collaborator (if any)?	N/A
	S.no	Comments
	1.	All the deficiencies are removed.
		 <b>Planning Executive</b>
<b>14.</b>	<b>Conditions to be incorporated in the registration certificate:</b>	
	1.	The promoter shall enter into an agreement for sale with the allottees as prescribed in The Haryana Real Estate (Regulation and Development) Rules, 2017;
	2.	The promoter shall offer to execute a registered conveyance deed of the apartment, plot or building, as the case may be, in favour of the allottee along with the undivided proportionate title in the common areas to the association of allottees or competent authority, as the case may be, as provided under section 17 of the Act;
	3.	The promoter shall convey/allow usage of common areas as per Rule 2(1)(f) of the Haryana Real Estate (Regulation and Development) Rules, 2017.
	4.	The promoter shall deposit hundred percent of the amounts realized by the promoter in a separate account to be maintained in a schedule bank to cover the cost of construction and the land cost to be used only for that purpose as per sub-clause(D) of clause (l) of sub-section 2 of section 4;



# HARERA GURUGRAM

5.	The promoter shall comply with the provisions of the Real Estate (Regulation & Development) Act, 2016 and the Haryana Real Estate (Regulation and Development) Rules, 2017 and regulations made thereunder and applicable in the State;
6.	The promoter shall not contravene the provisions of any other law for the time being in force as applicable to the project.
7.	The promoter shall comply with all other terms and conditions as mentioned in the attached brief and as conveyed by the Authority from time to time.
8.	Preferential location charges shall only be levied on such apartments, plots or buildings which are duly approved in the layout plan by the competent authority and the same shall have to be indicated at the time of registration of the project with the authority along with preferential location charges/special preferential location charges etc., otherwise no PLC chargeable from the allottees.
9.	The promoters shall submit list of apartments, plots or buildings sold through real estate agents along with details of the commission and details of the property at the time of submission of quarterly progress report.
10.	No separate EDC/IDC are payable by the allottees except the basic sale price on carpet area basis.
11.	The attention of the promoter is invited to the definition of common areas provided in section 2(n) of the Real estate (Regulation and Development) Act, 2016 and specifically community and commercial facilities as provided in real estate project are part of the common areas. Accordingly, these are to be transferred to the association of allottees or the competent authority as the case may be along with all other mentioned common facilities. Accordingly, the promoter is restrained to part away with such facilities with third party.
12.	The sale shall not be permitted through real estate agent without availability of prospectus/brochure containing necessary details and a set of drawing and approvals with the real estate agent registered with the HARERA. In case of engagement of real estate agent or change of real estate agent, the promoter shall inform the same to the authority.
13.	In future any new allotment in ongoing projects or new projects, the plot/apartment/or building shall be sold only on carpet area basis and not on super area basis and the rate shall be inclusive of all charges like including GST/PLC.
14.	There shall not be any subvention scheme for the registered project without prior approval of the authority.
15.	The promoter shall make available all the approved plans of the project on the project site.
16.	As per section 11, the promoter shall form an association of allottees or society or co-operative society, as the case may be, of the allottees, or a federation of the same shall be formed, within a period of three months of the majority of allottees



having booked their plot/apartment/building and inform the authority about the AOA.

17 To safeguard the interests of buyers, 5% management quota apartments shall get earmarked in all categories of plots in the affordable housing projects. A list of 5% management quota allotment shall be submitted by the promoter to the authority along with affidavit of the concerned allottee that no premium has been paid by them.

18 The promoter shall incorporate a condition in the allotment letter that buyer of unit shall enroll himself as a member of registered association under this project.

19 The promoter shall declare details of the floor along with specifications, payment plan and time for handing over of possession of unit after obtaining all required approvals from the competent Authority.

20 As per section 13, the promoter shall not accept a sum more than ten per cent of the cost of the apartment, plot, or building as the case may be, as an advance payment or an application fee, from a person without first entering into a written agreement for sale with such person and register the said agreement for sale, under any law for the time being in force.

**Additional Conditions**

21 The promoter shall submit the Environment Clearance within one year of the issuance of the license from DTCP, Haryana.

22 The promoter shall submit the Fire Scheme approval, Airport Height Clearance, Service Plan and Estimates, within 3 months of the issuance of registration certificate.

**DECISION OF THE AUTHORITY**

**APPROVED**

**Sh. Samir Kumar**  
Member, HARERA, Gurugram

**Dr. Krishana Kumar**  
**Khandelwal**  
Chairman, HARERA, Gurugram