

**Project - Sapphire 57
RERA-GRG-904-2021**
Project hearing brief

S.No.	Particulars	Details	
1.	Name of the project	Sapphire 57	
2.	Name of the promoter	M/s Ameya Commercial Projects Pvt. Ltd.	
3.	Nature of the project	Commercial project	
4.	Location of the project	Sector- 57, Gurugram	
5.	Legal capacity to act as a promoter	Collaborator	
6.	Status of project	New	
7.	Whether registration applied for whole	Whole Project	
8.	Online application ID	RERA-GRG-PROJ-904-2021	
9.	License no.	24 of 2021 dated 24.05.2021	Valid upto 23.05.2026
10.	Total licensed area	1.60625 acres	Area to be registered 1.60625 acres
11.	Statutory approvals either applied for or obtained prior to registration		
	S.No	Particulars	Validity upto
	i)	License Approval	24 of 2021 dated 24.05.2021 23.05.2026
	ii)	Zoning Plan Approval	7780 dated 24.05.2021
	iii)	Building Approval plan	ZP-1476/AD(RA)/2021/20043 dated 17.08.2021
	iv)	Environmental Clearance	N/A
	v)	Airport height clearance	Not Provided
	vi)	Fire scheme approval	Not Provided
	vii)	Service plan and estimate approval	Applied on 08.10.2021
12.	File Status	Date	
	File received on	14.10.2021	
	First notice Sent on	25.10.2021	
	First hearing on	09.11.2021	
	Second hearing on	23.11.2021	
	Third hearing on	21.12.2021	
	Fourth hearing on	10.01.2022	
	Fifth hearing on	17.01.2022	

	Sixth hearing on	19.01.2022
13.	Proceedings dated 17.01.2022	The hearing was adjourned and fixed for 19.01.2022.
14.	Status of documents	1. Approved Service Plan and Estimates needs to be submitted. Status: Applied pending for final approval
	Deficit Documents	Approved Service Plan and Estimates needs to be submitted.
Day and Date of hearing		Wednesday and 19.01.2022
Proceeding recorded by		Ramniwas
<p>Case History: The Promoter M/s Ameya Commercial Projects Pvt. Ltd. who is a collaborator applied for the registration of real estate commercial colony namely "Sapphire 57" located at Sector-57, Gurugram under section 4 of the Real Estate (Regulations and Development) Act, 2016 vide central receipt no. 24814 dated 14.10.2021 and RPIN-390. The Temp I.D. of REP - I (Part A-H) is RERA -GRG-PROJ-904-2021. The project area for registration is same as that of the licensed area i.e. 1.60625 acres vide License no -24 of 2021 dated 24.05.2021 The application for registration was scrutinized and 1st deficiency notice vide notice no. HARERA/GGM/RPIN/390 dated 25.10.2021 was issued to the promoter with an opportunity of being heard on 09.11.2021. On 09.11.2021, the promoter seeks two weeks time for removing the deficiencies and the matter to come up on 23.11.2021. The promoter submitted the reply on 09.11.2021, which was scrutinized and the remaining deficiencies were conveyed to the promoter. On 23.11.2021, the hearing was adjourned and matter was fixed for 21.12.2021. The promoter submitted the reply on 15.11.2021, which was scrutinized and the remaining deficiencies were conveyed to the promoter. On 21.12.2021, the promoter stated that they have submitted the fire scheme approval. The AR of the promoter submitted that the service plan and estimates approval may take some time and they are willing to give an undertaking along with a bank guarantee of Rs. 25 lakhs to submit the approval within 2 months of grant of registration. The online DPI has not been filled up. After doing the needful hard copy PDF file of online information be submitted to the Authority along with correction in the A to H format. The matter to come up on 10.01.2022. The promoter submitted the reply on 29.12.2021, which was scrutinized and the remaining deficiencies are mentioned below:</p> <ol style="list-style-type: none"> 1. Approved Service Plan and Estimates needs to be submitted. <p>The promoter submitted a reply on 07.01.2022 in which the promoter submitted a bank guarantee of Rs 2 lacs on account of submission of approved service plan and estimates within 2 months of the issuance of registration certificate. On 10.01.2022, the authority directed Sh. Shiv rattan Tanwar to get the bank undertaking verified from the concerned bank as well as directed the promoter to do the same. Further, the authority directed the promoter to submit the corrected online DPI and fixed the matter for 17.01.2022. Sh. Shiv rattan Tanwar submitted a reply from the SBI Bank dated 12.01.2022 in which the bank stated that the account no. 40494692722 does not belong to the promoter M/s Ameya Commercial Projects Pvt. Ltd. The promoter submitted a reply dated 13.01.2022 regarding the bank undertaking including a letter from SBI Bank in which the bank stated that RERA account number 1 (Master Account) for Sapphire 57 provided to the promoter through the letter issued from their office on dated 27.09.2021 has been erroneously mentioned as 40494692722 instead of 40464692722. As well as the promoter submitted an affidavit keeping in view of section 4(2)(I)(D) and Bank undertaking signed by Chief Manager (Ms Upasna Pawariya). On 17.01.2022, the hearing was adjourned for 19.01.2022.</p>		


ASHISH KUSH
PLANNING EXECUTIVE
Planning Executive

REPRESENTED THROUGH

Sr. no.	Name	Designation	Mobile No.	E-mail
1.	Balvinder	Sr. Architect	9911938383	Balvinder.kumar@ameyagroup.in

PROCEEDINGS OF THE DAY

Proceedings dated: 19.01.2022.

Sh. Ashish Kush, Planning Executive briefed about the facts of the case.

Sh. Balvinder Kumar (Senior Architect) joined the proceedings through VC on behalf of the promoter.

The promoter submitted the Bank guarantee on 07.01.2022 of Rs 25 lacs on account of submission of approved service plan and estimates within three months of the issuance of registration certificate.

The authority decides to grant the registration certificate subject to the corrections in online DPI. Further, a condition shall be imposed that no withdrawal of any amount shall be allowed till submission of above documents.

In case of failure to submit the approved service estimates and plans within three months from the date of issuance of registration certificate, then the amount collected from the allottees is liable to be refunded with interest at the prescribed rate and the registration certificate shall be treated as deemed cancelled.


Vijay Kumar Goyal
Member


Dr. K.K. Khandelwal
Chairman



HARERA
GURUGRAM

HARYANA REAL ESTATE REGULATORY AUTHORITY
GURUGRAM

हरियाणा भू-संपदा विनियामक प्राधिकरण, गुरुग्राम

Temp ID- RERA-GRG-904-2021

Sapphire 57

AGENDA OF THE MEETING

DATED: 19.01.2022

ITEM NO.		RPIN	390
SUBJECT	Application for registration of project "Sapphire 57" in Sector-57, Gurugram being developed by M/s Ameya Commercial Projects Pvt. Ltd.		
APPLICATION DETAILS			
1.	Application for registration (for whole project/ phase)	Project	
2.	Name of the project	Sapphire 57	
3.	(a) Total licensed area of the project	1.60625 acres	
	(b) Area applied for registration	1.60625 acres	
4.	Location of the project (location of the project is to give as phase is part of the project even if phase is to be registered)	Sector- 57, Gurugram	
5.	Status of the project (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) ¹	NEW	
6.	Planning area	Gurgaon – Manesar Urban Complex - 2031 A.D.	
CASE HISTORY			
Sr. No.	File status	Date	

¹ "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 1st May, 2017 and where development works were yet to be completed on the said date

An Authority constituted under section 20 the Real Estate (Regulation and Development) Act, 2016

Act No. 16 of 2016 Passed by the Parliament
भू-संपदा (विनियमन और विकास) अधिनियम, 2016 की धारा 20 के अंतर्गत गठित प्राधिकरण
भारत की संसद द्वारा पारित 2016 का अधिनियम संख्यांक 16



1.	Application for registration received on	14.10.2021
2.	First notice Sent on	25.10.2021
3.	First hearing on	09.11.2021
4.	Second hearing on	23.11.2021
5.	Third hearing on	20.12.2021
6.	Fourth hearing on	10.01.2022
7.	Fifth hearing on	17.01.2022
8.	Sixth hearing on	19.01.2022

DETAILS

DETAILS OF THE PROJECT PROMOTER

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 Ameya Commercial Projects Pvt. Ltd.
2.	Legal capacity to act as applicant promoter	Collaborator
3.	Status of the promoter	Company
4.	Registered address	G-3, Aditya Commercial Complex, plot no.-7, Preet Vihar, New Delhi-110092

PROJECT AND FEE DETAILS

1.	Details of the project (as a whole)		
	Sr. No.	Particulars	Details
	1.	Name of the project	Sapphire 57
	2.	Location of the project	Sector-57, 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	24 of 2021 dated 24.05 .2021 valid upto 23.05.2026



5.	Total licensed area of the project	1.60625 acres
6.	Area for registration	1.60625 acres
7.	Nature of the project	Commercial Colony
8.	Name of the license holder	Naresh Kumar, Kuldeep and others
9.	Name of the collaborator (if any)	M/s Ameya Commercial Projects Pvt. Ltd.
2.	Fee details	
1.	Fee details	
(a)	Registration fee	11375.44*1.75 * 20 = Rs 3,98,140/-
(b)	Late fee	N/A
(c)	Processing fee	11375.44* 10 = Rs 1,13,754/-
(d)	Total	Rs 5,11,894/-
2.	DD Details	
(a)	DD amount	1. 1. Rs 5,11,900/-
(b)	DD no. and date	1. 155664 dated 04.10.2021
(c)	Name of the bank issuing	Bank of Baroda
(d)	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-904-2021	
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	Tick if provided
			Date of upload document




1.	Layout plan	✓	02.09.2021
2.	Demarcation plan	✓	30.12.2021
3.	Zoning plan	✓	02.09.2021
4.	Building plans includes following		
4.1	Site plan	✓	02.09.2021
4.2	Floor plan	✓	03.09.2021
4.3	Apartment plans	N/A	
4.4	Elevation section	✓	03.09.2021
4.5	X-section plan	✓	03.09.2021
4.6	Structural plan	✓	30.12.2021
4.7	Parking plan	✓	30.12.2021
5.	Service plans and estimates		
5.1	Roads and pavement plan	✓	30.12.2021
5.2	Electricity supply plan	✓	30.12.2021
5.3	Water supply plan	✓	30.12.2021
5.4	Sewerage plan	✓	30.12.2021
5.5	Solid waste management plan	N/A	
5.6	Storm water drainage plan	✓	30.12.2021
5.7	Street light plan	✓	30.12.2021
5.8	Landscape plan	✓	30.12.2021
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	✓	30.12.2021
Note: 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.			
5.	The status of mandatory documents to be uploaded online before registration is as under:		

Sr. No.	List of documents	Tick if provided	Date of upload document		
1.	Copy of license along with schedule of land	√	09.08.2021		
2.	Documents relating to the entry of license and collaboration agreement in the revenue record	√	30.12.2021		
3.	Non-default certificate from a chartered accountant	√	28.09.2021		
4.	Cash flow statement of the proposed project	√	30.12.2021		
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	N/A			
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.				
DETAILED PROJECT INFORMATION: SCRUTINY					
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	24 of 2021	24.05.2021	23.05.2026	
2.	Zoning plan approval	7780	01.06.2021		



		3.	Building plan / site plan approval	ZP-1476/AD(RA)/2021/20043	17.08.2021	16.08.2026	
		4.	Environment Clearance approval	N/A			
	10.2	Approvals either applied for or obtained prior to registration. (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 height clearance	N/A		-	
		2.	Fire scheme approval	FS/2021/133	20.12.2021		
		3.	Service plan estimates approval	Applied	08.10.2021		
		4.	Electrical load availability connection	1974	31.07.2021		
	10.3	Mandatory approvals if applicable and required before construction can be started. (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	VDX-Y2L-NPJK	10.03.2021		
		2.	Natural conservation zone NOC	N/A			Affidavit Given
		3.	Tree cutting permission from DFO	N/A			Affidavit Given
		4.	Forest diversion land	N/A			Affidavit Given
		5.	Power Line shifting NOC	N/A			Affidavit Given
11.	(a)	Additional scrutiny and verification by Planning Executive					
		Sr. No.	Description				Scrutiny



	1.	Land title of the project – whether title deeds, mutation, jamabandi and aks-shajra duly certified by revenue officer six months prior to date of application are attached.	YES	
	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	YES	
	3.2	Whether it is irrevocable	YES	
	3.3	Whether it provides marketing right to developer	YES	
	3.4	Verify and report – any other restricting clause in such agreement	NO	
	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	YES		
(b) Comments of Planning Executive				
Sr. No. Deficiencies/Observations				
1. All the deficiencies have been fulfilled by the promoter except Approved service plan and estimates.				
 Planning Executive				
12. Scrutiny by Chartered Accountant				
Description			Scrutiny	
Part - A - Project proponents				




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?	Provided
Part - C - Project details		
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 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
Part - E - Project cost/ sale proceeds details		
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?	Provided
11.	Whether construction cost & other details as mentioned are in line with details in other sections?	YES
PART - H - Separate bank account of project		
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



Part - J - Quarterly schedule of physical and financial progress		
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	YES
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	YES
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	YES
19.	Whether CA certificate for non-default in payment of debt obligations is provided	YES
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.	There is no default in the repayment of statutory dues as per certificate produced by CA.
21.	Net worth of promoter (as per latest balance sheet)	Net Worth for the financial year 2019 -20 is Rs 40.44 crore.
Part - K - Additional details in case of ongoing project		
22.	Whether financial and inventory details are verified by CA and CA certificate is issued in prescribed format?	N/A
23.	Comments of Chartered Accountant	
	Sr. No.	Deficiencies/Observations
	1.	All the deficiencies are removed.
		<i>Nkamboj</i> Chartered Accountant
13.	Scrutiny by Planning Executive	
	Sr. No.	Description
		Scrutiny



1.	Whether the collaboration agreement is registered?	YES
2.	Whether the collaboration agreement is irrevocable?	YES
3.	Whether the land mentioned in the collaboration agreement is same as mentioned in the license?	YES
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?	YES
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.
		 Planning Executive
14.	Conditions to be incorporated in the registration certificate:	
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 (I) of sub-section 2 of section 4;	



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	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.
18	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.
19	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	
20	The promoter shall submit the approved service plan and estimates within three months from the issuance of the registration certificate.
21	The promoter has submitted the bank guarantee amounting to Rs. 25 lakhs on 07.01.2022 for submission of approved service plans and estimates within three months from the issuance of the registration certificate. This bank guarantee shall be forfeited in case the conditions are not fulfilled by the promoter within the stipulated time period mentioned in the conditions.
22	The master account (100%) 40464692722, shall be attached. No amount shall be withdrawn from this account till the submission of deficit documents in the authority. It is the responsibility of the concerned bank to freeze the master account till the conditions are not fulfilled by the promoter and the account will be defreeze as intimated by the authority.
23	In case of failure to submit the approved service plan and estimates within three months from the date of issuance of registration certificate, then the amount collected from the allottees will be refunded with interest at the prescribed rate within one month thereafter and the registration certificate shall be treated as deemed cancelled.

DECISION OF THE AUTHORITY

APPROVED

V.1 - 3
Sh. Vijay Kumar Goyal
Member, HARERA, Gurugram


Dr. Krishana Kumar
Khandelwal
Chairman, HARERA, Gurugram