



HARERA
GURUGRAM

**HARYANA REAL ESTATE REGULATORY AUTHORITY
GURUGRAM**

हरियाणा भू-संपदा विनियामक प्राधिकरण, गुरुग्राम

AGENDA OF THE MEETING

DATED: 03.07.2019

ITEM NO.		
SUBJECT	Application for registration of project "ROF AMALTAS" in Sector-92, Gurugram being developed by M/s Nani Resorts and Floriculture Pvt. Ltd.	
APPLICATION DETAILS		
1.	Application for registration (for whole project/ phase)	Project
2.	Name of the project/phase (if phase is to be registered)	ROF AMALTAS
3.	(a) Total licensed area of the project	5.0125 Acres
	(b) Area applied for registration	5.0125 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 92, 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 project
6.	Planning area	Gurgaon - Manesar Urban Complex - 2031 A.D.
CASE HISTORY		
Sr. No.	File status	Date
1.	Application for registration received on	21.05.2019

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



	2.	Deficiency Conveyed on	04.06.2019	
	3.	Online corrections made on	11.06.2019	
	4.	Deficiencies removed and completion of the application on	18.06.2019	
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	Nani Resorts and Floriculture Pvt. Ltd.	
	2.	Legal capacity to act as applicant promoter	Collaborator	
	3.	Status of the promoter	Company	
	4.	Registered address	M-18, Greater kailash- II, New Delhi-110048	
	PROJECT AND FEE DETAILS			
	1.	Details of the project (as a whole)		
		Sr. No.	Particulars	Details
		1.	Name of the project	ROF Amaltas
	2.	Location of the project	Sector 92, Gurugram	
	3.	(a) Whether project is to be implemented in one go or in phases	Project	
		(b) No. of Phases	NA	
	4.	Licence no. and date of validity	37 of 2019 valid upto 27.02.2024	
	5.	Total licensed area of the project	5.0125 Acres	
	6.	Area for registration	5.0125 Acres	
	7.	Nature of the project	Affordable Group Housing	
	8.	Name of the license holder	Bikram Singh	
	9.	Name of the collaborator (if any)	M/s Nani Resorts and Floriculture Pvt. Ltd.	



2. Details of the phase to be registered - NA		
Sr. No.	Particulars	Details
1.	Name of the phase to be registered	NA
2.	Phase no. for which registration applied	NA
3.	Area of phase for registration	NA
4.	Nature of the phase	NA
3. Fee details		
1.	Fee details	
(a)	Registration fee	₹ 10,62,000/-
(b)	Late fee	NA
(c)	Processing fee	₹ 4,58,194/-
(d)	Total	₹ 15,20,194/-
(e)	Deficient amount	Nil
2.	DD Details	
(a)	DD amount	(1) ₹ 4,70,000/- (2) ₹ 5,78,686/- (3) ₹ 4,58,194/- (4) ₹ 13,314/- RTGS dated 21.05.
(b)	DD no. and date	(1) 166077 dated 09.05.2019 (2) 166082 dated 17.05.2019 (3) 166081 dated 17.05.2019
(c)	Name of the bank issuing	OBC Bank

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-227-2019.	
3.	Whether the hard copy of the online application REP-I finally corrected and 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	✓	08.05.2019
2.	Demarcation plan	✓	
3.	Zoning plan	✓	08.05.2019
4.	Building plans includes following	✓	
4.1	Site plan	✓	
4.2	Floor plan	✓	
4.3	Apartment plans	✓	
4.4	Elevation section	✓	
4.5	X-section plan	✓	
4.6	Structural plan	✓	
4.7	Parking plan	✓	
5.	Service plans and estimates	✓	
5.1	Roads and pavement plan	✓	
5.2	Electricity supply plan	✓	
5.3	Water supply plan	✓	
5.4	Sewerage plan	✓	
5.5	Solid waste management plan	✓	
5.6	Storm water drainage plan	✓	
5.7	Street light plan	✓	
5.9	Landscape plan	✓	
5.9	10% land transferred to the govt. for community facility	NA	
5.10	Copy of super imposed demarcation plan on the approved layout plan	X	

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	√	04.05.2019		
	2.	Documents relating to the entry of license and collaboration agreement in the revenue record	√	08.05.2019		
	3.	Non-default certificate from a chartered accountant	√	08.05.2019		
	4.	Cash flow statement of the proposed project	√	08.05.2019		
	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	√	08.05.2019		
6.	The documents uploaded online have been checked and same are found in order.			√		
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.			√		
8.	Following are the deficiencies in the online application form:					
	Sr. No.	Status of deficiencies in online application				
	1.	Online deficiencies have been corrected on 11.06.2019.				
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	37 of 2019	28.02.2019	27.02.2024	
2.	Zoning plan approval	6877	05.03.2019		
3.	Building plan / site plan approval	ZP-1294/AD(RA)/2019/11268	06.05.2019	05.05.2024	
4.	Environment Clearance approval	Applied on 04.04.2019			
Note: In case of affordable housing environmental clearance is to be obtained within the years of license and before start of construction.					
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 clearance height	PALM/NO RTH/B/0 51119/39 4377	13.05.2019		
2.	Fire approval scheme	Yet to be applied			
3.	Service plan estimates approval	Applied on 13.05.2019			
4.	Electrical availability connection load	Applied on 06.02.2019			
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	P37-FCD-7H2L	24.01.2019		
2.	Natural conservation zone NOC	NA	NA		



		3.	Tree cutting permission from DFO	NOC	Applied on 04.04.2019			
		4.	Forest diversion	land	NA	NA		
		5.	Power Line shifting	NOC	NA	NA		
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-shijra duly certified by revenue officer six months prior to date of application are attached.				Sale deed not required as the name of the owner is in jamabandi no further sale have been made thereafter.	
		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.				NA	
5.	Whether non-encumbrance certificate issued by tehsildar/ revenue officer is submitted.				YES (but by Nayab Tehsildar)			
6.	In case of encumbrance whether prescribed form filed with registrar of companies for creation of charge				NA			
7.	Whether the land title search report is in order				YES			




	8.	Whether permission for phase has been obtained from DTCP Haryana	NA
(b) Comments of Planning Executive			
Sr. No.	Deficiencies/Observations		
1.	Service estimates and plans (Service plans & estimates submitted to DTCP on 13.05.2019 but not yet approved).		
2.	Applied for Environment Clearance approval on 04.04.2019 but the final approval is awaited.		
3.	Fire scheme NOC is yet to be applied.		
4.	Applied for electrical load availability connection on 07.02.2019 but the final approval is awaited.		
5.	The promoter shall be directed to get the necessary approvals within 90 days of issue of registration certificate otherwise penal proceedings may initiated.		
			 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		OK
2.	In case of change in name of entity, whether previous incorporation certificate/ identity document is attached		OK
3.	Whether director's information as required alongwith supporting documents like address proof, PAN card, passport, etc. are attached?		OK
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)		Land is not encumbered. However, Non Encumbrance certificate is not provided
5.	Whether supporting documents for land cost are attached?		Land cost considered as per circle rate Supporting




		documents for circle rate are provided.
6.	Whether infrastructure cost as mentioned is in line with supporting documents?	Supporting costing documents are provided.
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 - F - 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?	YES
11.	Whether construction cost & other details as mentioned are in line with details in other sections?	OK
PART - I - 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.	OK
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	OK
Part - J - Quarterly schedule of physical and financial progress		
14.	Whether the financials details in summary sheet are properly filled in and duly authenticated?	NA
15.	Verify quarterly expenditure statement till end of project and ensure that all cost elements are captured therein	OK
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	OK
17.	Verify that sale numbers are matching with summary details in prescribed form	OK



18.	Verify net cash flow statement to ensure that it remains positive till end of project	OK	
19.	Whether CA certificate for non-default in payment of debt obligations is provided	Provided, OK.	
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 repayment of debt obligations as per financial statements as on March 2018.	
21.	Net worth of promoter (as per latest balance sheet)	As per balance sheet as on 31/3/2018, net worth of company is - 13.05 crores	
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?	NA	
23.	Comments of Chartered Accountant		
	Sr. No.	Deficiencies/Observations	
	1.	All deficiencies have been cleared.	
		Chartered Accountant	
13.	Scrutiny by Legal 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)?	NA
		 Legal Executive
15.	Conditions to be incorporated in the registration certificate:	
1.	The promoter shall strictly abide by the provisions of the Real Estate (Regulation and Development) Act, 2016 and the Haryana Real Estate (Regulation and Development) Rules, 2017 and the Haryana Real Estate Regulatory Authority, Gurugram (Registration of Projects) Regulations, 2018, and all such other regulations, orders, decisions and directions that may be issued by the authority from time to time and will not enter into any agreement with the buyer in breach of the said provisions.	
2.	The promoter shall strictly abide by the declaration made in the form REP-II	
3.	The promoter apart from the price of the apartments calculate for carpet area shall not demand or receive from the allottees any other cost, fee or charge under any name or definition except reasonable charges for maintenance of essential services and common facilities.	
4.	The promoter will not raise any loan against the project without prior approval of the authority.	
5.	The promoter shall create his own website within a period of one month containing information as mandated under regulation 14 of the Haryana Real Estate Regulatory Authority, Gurugram (Registration of Projects) Regulations, 2018 and update the same periodically but not later than every quarter, including the information relating to apartments sold/booked and expenditure made in the project.	
6.	A copy of the brochure and each advertisement(s) shall be submitted to the authority immediately after publication.	
7.	The promoter shall enter into an agreement for sale with the allottees as prescribed by the Government. Application form, allotment letter and conveyance deed shall be in format as specified in regulations and the necessary details shall also be incorporated by the promoter. Builder Buyer Agreement shall also be as prescribed in the Haryana Real Estate (Regulation and Development) Rules, 2017. The promoter shall also adopt and strictly abide by the model agreement for sale as provided in rule 8 of the RERA Rules dated 28.07.2017.	
8.	The applied phase for registration has to be connected with all facilities/services and it should be stand alone part of the project qualified to obtain occupation certificate independently.	



9.	The promoter shall not mortgage or create a charge on any apartment, plot or building, as the case may be, and if any such mortgage or charge is made or created then notwithstanding anything contained in any other law for the time being in force, it shall not affect the right and interest of the allottee who has taken or agreed to take such apartment, plot or building.
10.	The promoter shall strictly abide by the provisions of the Real Estate (Regulation and Development) Act, 2016 and the Haryana Real Estate (Regulation and Development) Rules, 2017 and the Haryana Real Estate Regulatory Authority, Gurugram (Registration of Projects) Regulations, 2018, and all such other regulations, orders, decisions and directions that may be issued by the authority from time to time and will not enter into any agreement with the buyer in breach of the said provisions.
Additional Conditions	
1.	The promoter shall be directed to get the approved service estimate and plan, Environment Clearance, Fire Scheme NOC, and Electric Load availability within 90 days of issue of registration certificate otherwise penal proceedings may initiated.
2.	The promotor shall follow the respective payment plan for AHP and PMAY (U) as per respective policies of Town and Country Planning department , Haryana as amended from time to time.
16.	Final recommendations:
	<p>As per the queries raised by the Hon'ble members on 27.06.2019, the following deficiencies were conveyed to the promotor and were clarified.</p> <ol style="list-style-type: none">1. Airport Authority NOC have been submitted2. Payment plan as per policy dated 28.01.2019 particularly for PMAY (U) beneficiaries has been submitted. <p>Keeping in view, the above facts, case file along with all annexures i.e. detailed project information, hard copy of online application [format REP - 1 (A to H)], declaration in REP-II, are placed before the authority for consideration approval and necessary action please.</p> <p style="text-align: right;"> Planning Executive</p> <p>Dated: 03.07.2019</p>



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DECISION OF THE AUTHORITY

Approved -

The project formalities were completed on 27-05-2019 and registration no. 32 of 2019 was granted.

(Signature)

(Signature)
3/7/19

Sh. Subhash Chander Kush
Member, HARERA, Gurugram

(Signature)
13-7-19

Sh. Sameer Kumar
Member, HARERA, Gurugram

(Signature)

Dr. Krishana Kumar Khandelwal
Chairman, HARERA, Gurugram