



HARERA
GURUGRAM

HARYANA REAL ESTATE REGULATORY AUTHORITY
GURUGRAM

हरियाणा भू-संपदा विनियामक प्राधिकरण, गुरुग्राम

AGENDA OF THE MEETING

DATED: 20.09.2019

ITEM NO.	
SUBJECT	Application for registration of project " Manor One " in Sector-111, Gurugram being developed by M/s Kashish Developers Ltd.
APPLICATION DETAILS	
1.	Application for registration (for whole project/ phase) Project
2.	Name of the project/phase (if phase is to be registered) Manor One
3.	(a) Total licensed area of the project 14.843 Acres
	(b) Area applied for registration 14.843 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 111, 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 Ongoing
6.	Planning area Gurgaon - Manesar Urban Complex - 2031 A.D.
CASE HISTORY	
Sr. No.	File status Date
1.	Application for registration received on 20.06.2019

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	09.07.2019
3.	Reply Submitted on	22.07.2019
4.	Reply submitted on	26.07.2019
5.	Reply submitted on	20.08.2019
6.	Reply submitted on	29.08.2019
7.	Reply submitted on	06.08.2019
8.	Deficiencies removed on	04.09.2019

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	Kashish Developers Limited
2.	Legal capacity to act as applicant promoter	Collaborator
3.	Status of the promoter	Company
4.	Registered address	87, Old A.G. Colony, Kadru, Ranchi - 834002 (Jharkhand)

PROJECT AND FEE DETAILS

1.	Details of the project (as a whole)		
	Sr. No.	Particulars	Details
	1.	Name of the project	Manor One
	2.	Location of the project	Sector 111, 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	110 of 2011 dated 14.12.2011 valid upto 31.12.2019
	5.	Total licensed area of the project	14.843 Acres

6.	Area for registration	14.843 Acres	
7.	Nature of the project	Group Housing	
8.	Name of the license holder	Vinman Constructions Ltd. and Elite Villas Ltd.	
9.	Name of the collaborator (if any)	M/s Kashish Developers Limited	
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	₹ 18,05,340 /-	
(b)	Late fee	₹ 18,05,340/-	
(c)	Processing fee	₹ 10,28,688/-	
(d)	Total	₹ 46,39,368/-	
(e)	Deficient amount	Nil	
2.	DD Details		
(a)	DD amount	(1) ₹ 10,25,753/- (2) ₹ 18,07,000/- (3) ₹ 18,07,000/-	
(b)	DD no. and date	(1) 003191 dated 30.08.2017 (2) 018476 dated 06.08.2019 (3) 018528 dated 29.08.2019	
(c)	Name of the bank issuing	Axis 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-158-2019.	
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	√
	2.	Demarcation plan	√
	3.	Zoning plan	√
	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	√	
<p>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.</p>				
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	√	
	2.	Documents relating to the entry of license and collaboration agreement in the revenue record	√	
	3.	Non-default certificate from a chartered accountant	√	
	4.	Cash flow statement of the proposed project	√	
	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.		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.		YES	
8.	Following are the deficiencies in the online application form:			
	Sr. No.	Status of deficiencies in online application		
	1.	Online deficiencies are removed.		
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	110 of 2011	14.12.2011	31.12.2015	Renewed upto 31.12.19
2.	Zoning plan approval	110/2011	14.12.2011		
3.	Building plan / site plan approval	ZP-775/AD(RA)/2013/42150	08.06.2013	07.06.2018	Expired (Applied)
4.	Environment Clearance approval	SEIAA/HR/2013/847	01.10.2013	30.10.2020	
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 height clearance	AAI/RHQ/NR/ATM/NOC/REV ALIDATION/2012/75/1161-1164	31.07.2017	31.07.2020	
2.	Fire scheme approval	FS/MCG/2014/91	11.01.2014		
3.	Service plan estimates approval	LC-2588-VOL-II/Asstt(AK)/2019/17571	24.07.2019		
4.	Electrical load availability connection	Applied			



	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	728	14.06.2013
		2.	Natural conservation zone NOC	NA	NA
		3.	Tree cutting permission from DFO NOC	NA	NA
		4.	Forest land diversion	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.	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	NO	
		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.	NO
		6.	In case of encumbrance whether prescribed form filed with registrar of companies for creation of charge	YES
		7.	Whether the land title search report is in order	NO
		8.	Whether permission for phase has been obtained from DTCP Haryana	NA
	(b)	Comments of Planning Executive		
	Sr. No.	Deficiencies/Observations		
	1.	The promoter shall be directed to get renewed building plan 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		YES
	2.	In case of change in name of entity, whether previous incorporation certificate/ identity document is attached		NA
	3.	Whether director's information as required alongwith supporting documents like address proof, PAN card, passport, etc. are attached?		YES
	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)		Yes, charge filed with ROC for INR 725 cr in favour of DHFCL mortgaging the project land & future receivables.
	5.	Whether supporting documents for land cost are attached?		Sale deeds attached, rights purchased from land owner.



6.	Whether infrastructure cost as mentioned is in line with supporting documents?	Not provided
7.	Whether financial resources to meet the project cost are properly mentioned?	OK
8.	Whether all particulars in section are properly filled in and provided?	NO
Part - F - Project cost/ sale proceeds details		
9.	Whether all supporting documents for project cost are submitted?	Not provided
10.	Whether project report and supporting costing documents for internal development work are provided?	Provided, supporting costing for internal development.
11.	Whether construction cost & other details as mentioned are in line with details in other sections?	YES
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.	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?	NA
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	NA	
18.	Verify net cash flow statement to ensure that it remains positive till end of project	Yes, however in some qtr is negative.	
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.	Full set of financial statement provided, however as per audit report statutory dues are not been regularly deposited.	
21.	Net worth of promoter (as per latest balance sheet)	Net Worth as per balance sheet 31/03/2018 is INR 38.78 Cr.	
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?	Provided	
23.	Comments of Chartered Accountant		
	Sr. No.	Deficiencies/Observations	
	1.	All deficiencies are removed.	
		 Chartered Accountant	
13.	Scrutiny by Legal Executive		
	Sr. No.	Description	Scrutiny
	1.	Whether the collaboration agreement is registered?	NA
	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?	NO

	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)?	Change of Developer
			 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.	



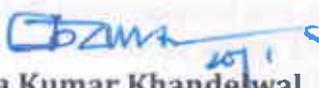
8.	The applied phase for registration has to be connected with all facilities/services and it should be stand alone part of the project qualified to obtain occupation certificate independently.
9.	The promoter shall not mortgage or create a charge on any apartment, plot or building, as the case may be, 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.
11.	The promoter shall be directed to get building plan renewed within 90 days of issue of registration certificate otherwise penal proceedings may initiated.

DECISION OF THE AUTHORITY

APPROVED.


25/9/19
Sh. Subhash Chander Kush
Member, HARERA, Gurugram


25/9/19
Sh. Samir Kumar
Member, HARERA, Gurugram


25/9/19
Dr. Krishana Kumar Khandelwal
Chairman, HARERA, Gurugram