

Project – Vatika One on One (Phase-II)
RERA-GRG-965-2021
Project hearing brief

S.No.	Particulars	Details		
1.	Name of the project	Vatika One on One (Phase-II)		
2.	Name of the promoter	M/s Vatika One on One Pvt. Ltd.		
3.	Nature of the project	Commercial project		
4.	Location of the project	Sector- 16, Gurugram		
5.	Legal capacity to act as a promoter	Collaborator		
6.	Status of project	Ongoing		
7.	Whether registration applied for whole/phase	Phase		
8.	Completion date as mentioned in REP-II	31.12.2025		
9.	Online application ID	RERA-GRG-PROJ-965-2021		
10.	License no.	05 of 2015 dated 06.08.2015	Valid upto 05.08.2023	
11.	QPR of earlier RC no. 237 of 2017	Not submitted		
12.	4(2)(I)(D) reports of earlier RC no. 237 of 2017	2020-21 not submitted		
13.	Total licensed area	12.1312 acres	Area to be registered	6.5216 acres
14.	Statutory approvals either applied for or obtained prior to registration			
	S.No	Particulars	Date of approval	Validity upto
	i)	License Approval	05 of 2015 dated 06.08.2015	05.08.2023
	ii)	Zoning Plan Approval	7337 dated 16.04.2021	
	iii)	Revised Building plan Approval	ZP-1095/AD(RA)/2021/21863 dated 01.09.2021 (In-principle approved)	31.08.2026
	iv)	Environmental Clearance	SEIAA/HR/2016/832 dated 27.09.2016	26.09.2023
	v)	Revised Environmental Clearance	SEIAA/HR/2020/280 dated 17.07.2020	16.07.2027
	vi)	Airport height clearance	AAI/RHQ/NR/ATM/NOC/2016/134/678-80 dated 11.07.2016	11.07.2024
	vii)	Fire scheme approval	Not Provided	
	viii)	Service plan and estimate approval	LC-2895/JE(S)/2021/21909 Dated 01.09.2021	
	ix)	Revised Service plan and estimate approval	Not provided	

15.	Fee details	
	Registration fee	49352.27*1.87*20 = Rs 18,45,774.89/-
	Processing fee	49352.27*10= Rs 4,93,522/-
	Late fee	18,45,774.89* 3.5 = Rs 64,60,212.15/-
	Total	Rs 87,99,509/-
16.	DD Details	
	DD amount	1. Rs 18,46,000/- 2. Rs 9,23,000/-
	DD no. and date	1. 023748 dated 10.12.2021 2. 023749 dated 10.12.2021
	Name of the bank issuing	HDFC Bank
	Deficient amount	Rs 60,30,509/-
17.	File Status	Date
	File received on	24.01.2022
	First notice Sent on	07.02.2022
	First hearing on	21.02.2022
	Second hearing on	07.03.2022
	Third hearing on	11.04.2022
	Fourth hearing on	01.08.2022
	Fifth hearing on	05.09.2022
	Sixth hearing on	27.09.2022
13.	Status of documents	1. Deficit Fee- Rs 60,30,509/- Status: Not Submitted. 2. The annexures in the online application are not uploaded as well as the correction needs to be done in the online (A-H) application. Status: Not Submitted. 3. Online DPI needs to be corrected. Status: Submitted but needs to be revised. 4. Fire Scheme approval needs to be submitted. Status: Not even applied. 5. Service plans and estimates needs to be submitted. Status: Not submitted. 6. Final approval of revised building plans needs to be submitted alongwith the original building plans approved earlier. Status: Not Submitted. 7. Approvals / NOC's from various agencies for connecting external services like sewage disposal and storm water drainage needs to be submitted Status: Not Submitted.

		8. Mutation, Jamabandi and aks-shajra duly certified by revenue officer six months prior to date of application needs to be submitted. Status: Jamabandi submitted but ak-shajra not submitted. 9. Pert Chart needs to be submitted. Status: Needs to be revised. 10. Brochure of the project needs to be submitted. Status: Submitted but needs to be revised. 11. Draft Allotment letter is not as per the prescribed format needs to be submitted. Status: Submitted but needs to be revised. 12. Draft Builder Buyer Agreement is not as per the prescribed format needs to be submitted. Status: Submitted but needs to be revised. 13. Cost of land needs to clarify, an annexure in support of the same needs to be submitted. Status: Not clarified. 14. Interest cost as mentioned in miscellaneous cost needs to be clarified. Status: Not clarified. 15. Loan sanction letter for Rs 195 crore, 30 crore, and 200 crore needs to be submitted. Status: Loan sanction letter of Rs. 195 crore and 30 crore needs to be submitted. 16. Cost of EDC/IDC needs to be mentioned as per LOI. Status: Cost of IDC needs to be revised. 17. Affidavit by the promoter keeping in view of section 4(2)(I)(D) of the Act needs to be revised. Status: Submitted. 18. Bank undertaking needs to be revised. Status: Submitted. 19. As per auditor report of the company, the promoter company has not paid EDC/IDC and infrastructure augmentation charges for the financial year 2015-16 to 2019-20 of Rs. 78.17 crore. Status: Not Paid as per latest balance sheet. 20. CA certificate for financial and inventory details needs to be submitted. Status: Not Provided. 21. CA certificate for expenditure incurred up to the date of registration and source of fund needs to be submitted. Status: Not Provided. 22. QPR of earlier RC. Status: Not submitted. 23. 4(2)(I)(D) reports of earlier RC. Status: Not submitted.
14.	Deficit documents	1. Deficit Fee- Rs 60,30,509/- 2. The annexures in the online application are not uploaded as well as the correction needs to be done in the online (A-H) application.

	3. Online DPI needs to be corrected. 4. Fire Scheme approval needs to be submitted. 5. A clear copy of Service plans needs to be submitted. 6. Final approval of revised building plans needs to be submitted alongwith the original building plans approved earlier. 7. Approvals / NOC's from various agencies for connecting external services like sewage disposal and storm water drainage needs to be submitted 8. Mutation and aks-shajra duly certified by revenue officer six months prior to date of application needs to be submitted. 9. Pert Chart needs to be revised. 10. Brochure of the project needs to be revised. 11. Draft Allotment letter is not as per the prescribed format needs to be revised. 12. Draft Builder Buyer Agreement is not as per the prescribed format needs to be revised. 13. Cost of land needs to clarify, an annexure in support of the same needs to be clarified. 14. Interest cost as mentioned in miscellaneous cost needs to be clarified. 15. Loan sanction letter for Rs 195 crore and 30 crore needs to be submitted. 16. Cost of EDC/IDC needs to be revised. 17. As per auditor report of the company, the promoter company has not paid EDC/IDC and infrastructure augmentation charges for the financial year 2015-16 to 2019-20 of Rs. 78.17 crore. 18. CA certificate for financial and inventory details needs to be submitted. 19. CA certificate for expenditure incurred up to the date of registration and source of fund needs to be submitted. 20. QPR of earlier RC needs to be submitted. 21. 4(2)(I)(D) reports of 2020-21 of earlier RC needs to be submitted.
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Case History:

The Promoter M/s Vatika One on One Pvt. Ltd. who is a collaborator applied for the registration of real estate commercial colony namely "Vatika One on One (Phase-II)" located at Sector-16, Gurugram under section 4 of the Real Estate (Regulations and Development) Act, 2016 vide central receipt no. 27923 dated 24.01.2022 and RPIN-432. The Temp I.D. of REP – I (Part A-H) is RERA -GRG-PROJ-1005-2022. The project area for registration is 6.5216 acres out of the total area 12.1312 acres vide License no -05 of 2015 dated 06.08.2015 The project is developing ion two phases:

1. Phase- I – (42452.291 sq. mtrs)- Registered vide registration no. 237 of 2017 dated 20.09.2017.

Email : hareragurugram@gmail.com, reragurugram@gmail.com, **Website :** www.harera.in
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 (रियल एस्टेट और विकास) अधिनियम, 2016 की धारा 20 के अंतर्गत गठित प्राधिकरण

भारत की संसद द्वारा पारित 2016 का अधिनियम संख्यांक 16

2. Phase- II (6.5212 acres) – Applied for the registration.

The application for registration was scrutinized and 1st deficiency notice vide notice no. HARERA/GGM/RPIN/428 dated 07.02.2022 was issued to the promoter with an opportunity of being heard on 21.02.2022.

The promoter submitted the reply on 18.02.2022, which was scrutinized and the remaining deficiencies were conveyed to the promoter.

On 21.02.2022, the Authority directed the promoter to submit the deficit documents and matter to come up on 07.03.2022.

On 07.03.2022, the Authority directed to issue a show cause notice before rejection of the application for registration of their commercial project “Vatika One on One (Phase-II)” and matter to come up on 11.04.2022. The show cause notice was sent vide no. HARERA/GGM/RPIN/428/Show Cause dated 12.03.2022 with an opportunity of hearing on 11.04.2022.

The promoter submitted a reply on 05.04.2022 which was scrutinized and remaining deficiencies were conveyed to the promoter.

On 11.04.2022, Sh. Ashish Kush, Planning Executive briefed about the facts of the case.

Sh. Jitender Kumar (Manager) is present on behalf of the promoter.

The authority directed the promoter to submit the consent of two-third allottees, history of the projects including the phase-I. The authority also directed the promoter to submit the list of sold and unsold inventory of both the phases, alongwith the marking of both phases on the layout plan specifying the boundary of each phase. The matter to come up on 01.08.2022.

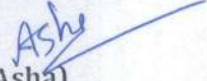
On 01.08.2022, Ms. Geeta Rathee Singh, Sr. Legal Officer and Sh. Sumeet, Engineer Executive briefed about the facts of the case.

Sh. Virender Dhar (AVP), Sh. Jitender Kumar (Manager) and Sh. Rahul Johari (Manager) are present on behalf of the promoter. The final approval of revised building plans is not yet obtained from DTCP as so far there is only in principle approval of building plans for the purpose of inviting objections. Keeping in view the same and other deficiencies, the promoter is hereby asked to rectify the deficiencies within a period of one month (30 days as per rule 5 of the Haryana Rules, 2017 read with section 5(1)(b) of the Act, 2016 and in case of failure the rectify the defects this be treated as a show cause notice for rejection of application for grant of registration and opportunity of hearing is granted in this regard on the next date of hearing. The matter to come up on 05.09.2022.

On 05.09.2022, Sh. Sumeet, Engineer Executive and Ms. Asha, Chartered Accountant briefed about the facts of the case. Sh. Jitendra Kumar (Manager) is present on behalf of the promoter. From the conduct of the applicant it appears that they are not serious about pursuing the application. The representative seeks an adjournment to comply with the deficiencies. An adjournment of 2 weeks is granted to the applicant to complete the deficiencies including deposit of deficit fee of Rs. 60,30,509 within 10 days failing which penal proceedings be initiated against the promoter company. The applicant promoter is further directed to submit the affidavit of no sale in the above project prior to registration or if any sales have already been made, the list along with date of allotment, consideration amount and execution of BBA be also submitted within 10 days. The matter to come up on 27.09.2022.



The promoter submitted the reply on 15.09.2022 and 20.09.2022, which were scrutinized and the remaining deficiencies were conveyed to the promoter.


(Asha)

Chartered Accountant


(Sumeet)

Engineer Executive

Day and Date of hearing

Tuesday and 27.09.2022

Proceeding recorded by

Ram Niwas

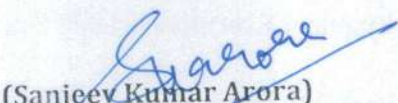
PROCEEDINGS OF THE DAY

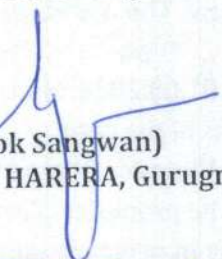
Proceedings dated: 27.09.2022.

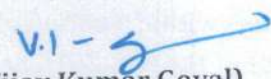
Sh. Sumeet, Engineer Executive briefed about the facts of the case.

Sh. Jitendra Kumar (Manager), Sh. Virender Dhar (AVP) and Sh. Rahul Johari (Manager) are present on behalf of the promoter.

The AR of the promoter has submitted that they are withdrawing this application as still their phasing has not been done and building plans have not been approved for the phase under consideration for registration. The promoter is directed to submit an affidavit to the effect that no sales have been made for the phase for which registration has been sought under the current application as there is an apprehension of sales have been made without compulsory registration under section 3 of the Act. The affidavit shall be filed within one week failing which proceedings under section 63 of the Act may be initiated for noncompliance of the directions of the Authority. The request of the promoter for withdrawal of application for registration is accepted.


(Sanjeev Kumar Arora)
Member, HARERA, Gurugram


(Ashok Sangwan)
Member, HARERA, Gurugram


(Vijay Kumar Goyal)
Member, HARERA, Gurugram


(Dr. K.K. Khandelwal)
Chairman, HARERA, Gurugram