

Project - M3M Urbana Premium Phase 1 & Phase 2
Hearing brief for project registration u/s 4

S.No.	Particulars	Details			
1.	Name of the project	M3M Urbana Premium Phase 1 & Phase 2			
2.	Name of the promoter	M/s Martial Buildcon Pvt. Ltd. and M3M India Pvt. Ltd.			
3.	Nature of the project	Commercial			
4.	Nature of the phase	Commercial			
5.	Total no. of phases/ Pocket	2			
		Pocket 1	M3M Urbana comprising building blocks namely Block-1,2,3,4,5,6&9	23.02.2017 (OC Obtained)	N/A
			M3M One Key Resiments (Building Block 7), Retail Block- 7 (G+1), Retail Block- 8(G+1) and Block - 2 (restaurant)	03.07.2020 (OC Obtained)	RERA registration no. 35 of 2019 dated 18.06.2019
			M3M Myden Building Block (Building Block- 8)	24.02.2021 (OC Obtained)	
		Pocket 2	M3M Urbana Premium Part-1 (LGF to 5 th Floor)	24.02.2021 (OC Obtained)	348 of 2017 dated 09.11.2017
			M3M Urbana Premium Part-2 (6 th to 18 th Floor), whose building plans are now approved as part of the revised building plans	Located above M3M Urbana Premium Part-1	Applied for registration
6.	QPR of earlier RC no. 35 of 2019	Submitted			
7.	4(2)(I)(D) reports of earlier RC no. 35 of 2019	Submitted			
8.	QPR of earlier RC no. 348 of 2017	Submitted.			
9.	4(2)(I)(D) reports of earlier RC no. 348 of 2017	Submitted.			
10.	Location of the project	Sector- 67, Gurugram			
11.	Legal capacity to act as a promoter	License Holder			
12.	Status of project	Ongoing			
13.	Whether registration applied for whole/ Phases	Phases			
14.	Online application ID	RERA-GRG-PROJ-725-2020			
15.	No. of units	254			
16.	License no.	89 of 2010 dated 28.10.2010			
17.	Total licensed area	2.9125 Acres	Area to be registered in addition to earlier	Valid upto 27.10.2022 13,369.751 sq mts. (Area under TDR & part permissible) (Total Area = 32983.2 sqm)	

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18.	Statutory approvals either applied for or obtained prior to registration			
	S.No	Particulars	Date of approval	Validity upto
	i)	License Approval	89 of 2010 dated 28.10.2010	27.10.2022
	ii)	Zoning Plan Approval	5479 dated 04.02.2016	
	iii)	Building plan Approval	ZP-693/SD(BS)/2017/30622 dated 30.11.2017	29.11.2022
		Revised Building plan approval	ZP-693/Vol. III/AD(RA)/2021/14001 dated 16.06.2021	16.06.2026
	iv)	Environmental Clearance	21-107/2018-IA-III dated 17.05.2019	16.05.2026
	v)	Airport height clearance	AAI/RHQ/NR/ATM//NOC/2016/107/661-63 dated 20.06.2016	19.06.2021
		Renewed Airport height clearance	AAI/RHQ/NR/ATM//NOC/Revalidation/2016/107/853-857 dated 12.07.2021	19.06.2024
	vi)	Fire scheme approval for Part-1	FS/2020/105 dated 03.04.2020	
		Revised Fire scheme approval for Part-2	FS/2021/8 dated 03.07.2021	
	vii)	Service plan and estimate approval	LC-2478/JE(VA)/2021/27227 dated 25.10.2021.	
19.	Fee details			
	Registration fee		32983.2 * 2.79 * 20 = Rs. 18,40,463/-	
	Late Fee		N/A	
	Processing fee for registration		32983.2 * 10 = Rs. 3,29,832/-	
	Total		Rs. 21,70,295/-	
	DD Details			
	Fee Paid at the time of registration in 2017 as per earlier approved building plans.		Rs. 4,33,800/- vide DD no. 004818 dated 31.07.2017 of Axis Bank	
	DD amount		1 Rs. 1,33,700/- 2 Rs. 5,24,100/- 3 Rs. 8,80,300/- 4 Rs. 1,96,200/-	
	DD no. and date		1 500092 dated 17.06.2021 2 500093 dated 17.06.2021 3 500559 dated 12.07.2022 4 500560 dated 12.07.2022	
	Name of the bank issuing		ICICI Bank	
	Deficient amount		Rs. 2195/-	

20.	File Status	Date
	File received on	25.06.2021
	First notice Sent on	22.07.2021
	First hearing on	03.08.2021 (adjourned)
	Second hearing on	10.08.2021 (adjourned)
	Third hearing on	12.08.2021(adjourned)
	Fourth hearing on	17.08.2021
	Fifth hearing on	07.09.2021
	Sixth hearing on	21.09.2021
	Seventh hearing on	27.09.2021
	Eighth hearing on	11.10.2021
	Ninth hearing on	26.10.2021
	Tenth hearing on	28.10.2021
	Eleventh hearing on	23.11.2021
	Twelfth hearing on	20.12.2021
	Thirteenth hearing on	08.08.2022
	Fourteenth hearing on	12.09.2022
	Fifteenth hearing on	27.09.2022
	Sixteenth hearing on	11.10.2022
	Seventeenth hearing on	26.10.2022 (adjourned)
	Eighteenth hearing on	27.10.2022
	Nineteenth hearing on	21.11.2022
	Status of documents	<ol style="list-style-type: none"> Deficit fee Rs. 2195/- Status: Submitted vide IMPS transfer no. 230011746368 dated 27.10.2022 amounting to Rs 2500/-. Legal Capacity of the M3M India Pvt. Ltd. needs to be clarified. Status: Not submitted. The annexures in the online application are not uploaded as well as the correction needs to be done in the online (A-H). Status: Not submitted. Online DPI needs to be corrected. Status Not submitted. Approval NOC for the external services like sewerage disposal needs to be submitted. Status: Not Submitted. Land title search report needs to be revised. Status: Submitted.

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	<ol style="list-style-type: none"> 7. Non-encumbrance certificate needs to be resubmitted. Status: Not submitted. 8. Draft Application form needs to be revised. Status: Not submitted. 9. Draft Allotment letter needs to be revised. Status: Not submitted. 10. Draft BBA needs to be revised. Status: Not submitted. 11. Draft Conveyance deed needs to be revised. Status: Not submitted. 12. Draft existing Allotment Letter needs to be submitted. Status: Submitted. 13. Draft existing BBA needs to be submitted. Status: Submitted. 14. QPR of Pocket 2 (Phase I). Status: Submitted. 15. 4(2)(I)(D) report of Pocket 2 (Phase I). Status: Submitted. 16. Renewal of license no. 89 of 2010 needs to be submitted which was expired on 27.10.2022. Status: Applied and renewal fee submitted.
Deficit documents	<ol style="list-style-type: none"> 1. Legal Capacity of the M3M India Pvt. Ltd. needs to be clarified. 2. The annexures in the online application are not uploaded as well as the correction needs to be done in the online (A-H). 3. Online DPI needs to be corrected. 4. Approval NOC for the external services like sewerage disposal needs to be submitted. 5. Non-encumbrance certificate needs to be resubmitted. 6. Draft Application form needs to be revised. 7. Draft Allotment letter needs to be revised. 8. Draft BBA needs to be revised. 9. Draft Conveyance deed needs to be revised. 10. Renewal of license no. 89 of 2010 needs to be submitted which was expired on 27.10.2022.

Case History:

The Promoter M/s Martial Buildcon Pvt. Ltd. & M/s M3M India Pvt. Ltd. out of them only M/s Martial Buildcon Pvt. Ltd. is a license holder but M/s M3M India Pvt. Ltd. does not have any legal capacity was applied for the registration of real estate project namely "M3M Urbana Premium Part-2" located at Sector-67, Gurugram under section 4 of the Real Estate (Regulations and Development) Act, 2016 vide central receipt no. 10556/20137 dated 25.06.2021 and RPIN-343. The Temp I.D. of REP - I (Part A-H) is RERA -GRG-PROJ-725-2021. The project area for registration is 13,369.571 sq mts. out of the licensed area i.e., 2.9125 acres vide License no - 89 of 2010 dated 28.10.2010 and the Occupation Certificate has been obtained dated 24.02.2021 for the area which includes commercial building (LGF to 5th Floor). On 29.01.2021, the DTCP sanction the TDR utilization of 12870.739 sqm (3.18 acres) of FAR in favour of M/s Martial Buildcon Pvt. Ltd. The application for registration was scrutinized and 1st deficiency notice vide notice no. HARERA/GGM/RPIN/343 dated 22.07.2021 was issued to the promoter with an opportunity of being heard on 03.08.2021. On 03.08.2021, the promoter submitted the reply and after scrutinizing the reply some of deficiencies still remaining.

On 03.08.2021, the matter was adjourned for 10.08.2021. On 10.08.2021, the matter was adjourned for 12.08.2021. On 12.08.2021, the matter was adjourned for 17.08.2021. On 17.08.2021, the promoter requested for time period of 15 days as same was granted and the matter to come up on 07.09.2021. On 07.09.2021, For the want of clarification regarding legal capacity of M3M India Pvt. Ltd. to act as promoter, the matter is adjourned for 21.09.2021. On 21.09.2021, the promoter request for the one week time and the authority grants the same and matter is fixed for 27.09.2021. On 27.09.2021, the authority directed the promoter to submit the above mentioned deficiencies. The matter to come up on 11.10.2021. On 11.10.2021, the promoter was requested for the adjournment to submit the deficit documents and the Authority considered the request. The matter to come up on 26.10.2021. On 26.10.2021, the matter is adjourned and fixed for 28.10.2021. On 28.10.2021, The authority decided that the action in the matter will be taken after the receipt of clarification from DTCP. In meanwhile the promoter was advised to rectify the deficiencies and matter was fixed for 23.11.2021. On 23.11.2021, the hearing was adjourned and fixed for 20.12.2021.

On 20.12.2021, Sh. Ashish Kush, briefed about the facts of the case.

No one is present on behalf of the promoter.

Although such matters have been referred to the Director Town & Country Planning for clarification, meanwhile promoter is advised to complete the deficient documents and submit information in the online format. Deficiencies in the application stands already communicated to the promoter. The authority decided to keep the matter in sine die and should wait for reply of the reference sent to the Director, Town and Country Planning, Govt. of Haryana, Chandigarh for clarification and guidance in the matter.

As per the directions of the Authority, the matter is fixed for 08.08.2022.

On 08.08.2022, Sh. Sumeet, Engineer Executive briefed about the facts of the case. Sh. Manik Sharma (AR) and Sh. Abhijeet Singh (AR) are present on behalf of the promoter. The AR of the promoter requests for 4 weeks' time for removal of deficiencies. The matter to come up on 12.09.2022.

On 08.09.2022, the promoter submitted a reply wherein the promoter has requested the authority to adjourn the matter as the concerned staff well conversant with the project is bed ridden with illness.

On 12.09.2022, Sh. Sumeet, Engineer Executive briefed about the facts of the case. Sh. Manik Sharma (AR) is present on behalf of the promoter. On the request of the AR of the promoter, one more opportunity is granted for rectifying the defects in the application for registration and submission of deficit documents. The matter to come up on 27.09.2022.

On 27.09.2022, the promoter was given 15 days' time to submit the deficit documents and the matter was adjourned to 11.10.2022.

The promoter has submitted the reply on 27.09.2022 wherein the promoter has recompiled the complete file which is to be scrutinized. Therefore, the matter may be deferred for 15 days.

On 11.10.2022, the matter was adjourned and fixed for 26.10.2022.

M3M Urbana Premium is a commercial colony & is a Phase /constituent of 11.1375 acres Commercial Colony in Sector – 67, Gurugram as per terms and conditions of the following tabulated licenses granted by DTCP.

S. No.	Licence No. & Date	Area in acres	Valid upto
1	89 of 2010 dated 28.10.2010	2.9125	27.10.2022

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2	100 of 2010 dated 26.11.2010	2.70625	25.11.2022
3	101 of 2010 dated 26.11.2010	2.6875	25.11.2022
4	11 of 2011 dated 28.01.2011	2.81875	27.01.2023
5	36 of 2013 dated 31.05.2013	0.0125	30.05.2024
	TOTAL	11.1375	

The 11.1375 acres Commercial Colony is being developed in two pockets viz. Pocket – 1 comprising of M3M Urbana (including M3M OKR & M3M Myden) (8.225 acres falling under License Nos. mentioned at Sl. No. 2 to 5 in Table above) & Pocket – 2 comprising of M3M Urbana Premium Phase-1 & 2 (2.9125 acres as mentioned at Sl. No. 1 in Table above).

Vide Memo No. 1257-D/JE(DS)/2021/ 2195 dated 29.01.2021, DTCP has granted permission to use 12,870.739 sq.mts. of TDR FAR which has been loaded in pocket 2 of the commercial colony following which the revised building plans of the Commercial Colony have been approved by DTCP vide Memo No ZP-693/Vol.III/AD(RA)/2021/14001 dated 16.06.2021.

The permissible FAR statement brief is tabulated below:-

S. No.	Item	Area in sq. mts
1	Total Permissible FAR on 11.1375 acres	78875.635 sq. mts.
2	Addl. Permissible 9% Green FAR	1060.781 sq. mts.
3	Addl. Permissible FAR under TDR	12870.739 sq. mts.
4	Total Permissible FAR +TDR (sum of Sl. No. 1 to 3) of 11.1375 acres.	92807.155 sq. mts.
5	Total FAR for which OC granted by DTCP including M3M Urbana Premium Phase - 1 (Basement+ LGF to 5th Floor)	74945.933 sq. mts.
6	Total proposed / sanctioned FAR (for M3M Urbana Premium Phase – 2 for which RERA registration is now being requested and which is located above M3M Urbana Premium Phase – 1)	13369.751 sq. mts.
7	Total sanctioned FAR (5+6) in 11.1375 acres.	88,315.684 sq. mts.
8	Total FAR for M3M Urbana Premium (Phase 1 & Phase 2)	34646.38 sq. mts.
9	Balance available FAR w.r.t. Permissible FAR (4 – 7)	4,491.471 sq. mts

The promoter requested to grant a fresh RERA registration for the entire Project, thereby superseding the earlier granted RERA registration vide Registration No. 348 of 2017 dated 09.11.2017.

Accordingly, file has been scrutinized and after examining the file, the deficiencies are mentioned above as deficit documents. Further, it is submitted that **license renewal is subject to orders of Hon'ble Supreme Court in CA no. 8977 of 2014 titled as Jai Narayan @ Jai Bhagwan and others Vs State of Haryana and final outcome of CBI investigation under process.**

On 26.10.2022, the coram is not complete. The hearing is adjourned for 27.10.2022.

On 27.10.2022, The promoter is directed to rectify the deficiencies and submit the deficit fee if any. The matter was adjourned for 21.11.2022.



Project - M3M Urbana Premium (Part-2)
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The promoter has submitted a reply on 27.10.2022 which was scrutinized and the remaining deficiencies are mentioned above.


(Asha)
Chartered Accountant


(Sumeet)
Engineer Executive

Day and Date of hearing	Monday and 21.11.2022
Proceeding recorded by	Ram Niwas

PROCEEDINGS OF THE DAY

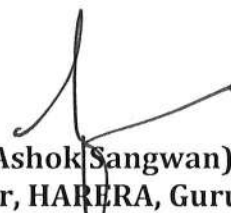
Proceeding dated 21.11.2022.


Sh. Sumeet, Engineer Executive and Ms. Asha, Chartered Accountant briefed about the facts of the case.


Sh. Manik Sharma (AR) and Sh. Abhijeet Singh (AR) are present on behalf of the promoter. The AR of the promoter states that the promoter is now seeking the registration in the name of the licensee/collaborator as per DTCP record only, the documents for which have been submitted today. Further, the license renewal application has been made to DTCP along with requisite license fee and documents and is in advance stage of approval with DTCP. Further there are no outstanding EDC dues and hence approval of renewal is expected shortly. The consent of more than 2/3rd allottees has been obtained for the revision in the building plan and hence a public notice be issued by the Authority at the cost of the promoter for information of all concerned and objections if any within 10 days of publication.

The matter to come up on 05.12.2022.


(Sanjeev Kumar Arora)
Member, HARERA, Gurugram


(Ashok Sangwan)
Member, HARERA, Gurugram


(Vijay Kumar Goyal)
Member, HARERA, Gurugram


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



HARERA
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