

**Project - The Esplanade Mall  
 RERA-GRG-PROJ-945-2021**
**Project hearing brief**

S.No.	Particulars	Details	
1.	Name of the project	The Esplanade Mall	
2.	Name of the promoter	M/s Dhoot Infrastructure Projects Ltd.	
3.	Nature of the project	Commercial project	
4.	Location of the project	Sector- 37C, Gurugram	
5.	Legal capacity to act as a promoter	License Holder (Transfer of license)	
6.	Status of project	Ongoing	
7.	Whether registration applied for whole	Whole Project	
8.	Online application ID	RERA-GRG-PROJ-945-2021	
9.	License no.	160 of 2008 dated 13.08.2008	Valid upto 12.08.2023
10.	Total licensed area	4 acres	Area to be registered 4 acres
11.	Statutory approvals either applied for or obtained prior to registration		
	S.No	Particulars	Validity upto
	i)	License Approval	160 of 2008 dated 13.08.2008 12.08.2023
	ii)	Zoning Plan Approval	ZP-494/AD(RA)/2013/38591 dated 31.05.2013
	iii)	Building plan Approval	ZP-494/AD(RA)/2013/447 dated 16.01.2014 05.01.2019
		Revised Building plan Approval	ZP-494/JD(NC)/2019/24722 dated 01.10.2019 30.09.2024 (CTO obtained on 27.07.2021)
	iv)	Environmental Clearance	SEIAA/HR/2010/410 dated 10.06.2010 18.07.2020 (OC obtained on 11.08.2020)
	v)	Airport height clearance	AAI/NOC/75/8G6-898 dated 23.04.2010 22.04.2015
	vi)	Fire scheme approval	FS/2019/24 dated 31.12.2019
		Fire scheme NOC	FS/2020/55 dated 16.03.2020 15.03.2025
	vii)	Service plan and estimate approval	LC-1839-Asst.(RK)-2020/2877 dated 29.01.2020
12.	File Status	Date	
	File received on	25.10.2021	
	First notice Sent on	10.11.2021	
	First hearing on	22.11.2021	
	Second hearing on	21.12.2021	
	Third hearing on	10.01.2022	



	<b>Fourth hearing on</b>	14.02.2022
	<b>Fifth hearing on</b>	07.03.2022
	<b>Sixth hearing on</b>	11.04.2022
	<b>Seventh hearing on</b>	25.04.2022
	<b>Eighth hearing on</b>	09.05.2022
	<b>Ninth hearing on</b>	16.05.2022
	<b>Tenth hearing on</b>	13.06.2022
	<b>Eleventh hearing on</b>	27.06.2022
	<b>Twelfth hearing on</b>	11.07.2022
	<b>Thirteenth hearing on</b>	12.12.2022
	<b>Fourteenth hearing on</b>	13.12.2022
<b>13.</b>	<b>Case History:</b>	<p>The Promoter M/s Dhoot Infrastructure Projects Pvt. Ltd. who is a license holder (Transfer of license) applied for the registration of real estate commercial colony namely "The Esplanade Mall" located at Sector-37C, Gurugram under section 4 of the Real Estate (Regulations and Development) Act, 2016 vide central receipt no. 25150 dated 25.10.2021 and RPIN-395. The Temp I.D. of REP - I (Part A-H) is RERA -GRG-PROJ-945-2021. The project area for registration is same as that of the licensed area i.e., 4 acres vide License no -160 of 2008 dated 13.08.2008. The promoter obtained the occupation certificate on 11.08.2020. The application for registration was scrutinized and 1st deficiency notice vide notice no. HARERA/GGM/RPIN/395 dated 10.11.2021 was issued to the promoter with an opportunity of being heard on 22.11.2021. On 22.11.2021, the authority directed the promoter to submit the reply of the deficiencies and fixed the matter for 21.12.2021. On 01.12.2021, the promoter submitted the reply which was scrutinized and deficiencies were conveyed to the promoter. On 21.12.2021, the AR of the promoter requested for the adjournment and the authority fixed the matter for 10.01.2022. On 06.01.2022, the promoter submitted the reply on 06.01.2022 which was scrutinized and the remaining deficiencies were conveyed to the promoter. On 10.01.2022, the Authority decided to issue a show cause notice before rejection and fixed the matter for 14.02.2022. A show cause notice vide no. HARERA/GGM/RPIN/395/Show Cause dated 14.01.2022 was sent to the promoter with an opportunity of hearing on 14.02.2022. The promoter submitted a reply on 11.02.2022 which was scrutinized and the remaining deficiencies were conveyed to the promoter.</p> <p>On 14.02.2022, the Authority directed the promoter to apply to DTCP for renewal of license and to seek its renewal/revalidation as well as remove other deficiencies and matter was fixed for 07.03.2022. The promoter submitted a reply on 21.02.2022 which was scrutinized and the the remaining deficiencies were conveyed to the promoter.</p> <p>On 07.03.2022, the promoter informs that they were still in the process of applying for renewal of license and making corrections in the form A to H. One more opportunity was granted for submission of renewed/valid license within 4 weeks failing which further process for rejection of the application and initiation of penal proceedings shall be initiated. The matter was fixed for 11.04.2022.</p> <p>On 11.04.2022, the promoter has requested for the adjournment through e-mail and the authority considered the request and adjourned the matter for 25.04.2022.</p>



The promoter submitted a reply on 22.04.2022 which was scrutinized and found that the promoter submitted the copy of application for renewal of license and the payment proof of fee paid to the department.

On 25.04.2022, the authority directed the promoter to submit the technical due diligence report regarding incomplete works which are required to be completed for obtaining CC of the whole project and same be submitted along with estimated financial cost. For obtaining CC of the project what dues are to be paid shall also to be specified along with narration of another pre-requisite to be completed for applying/obtaining CC. The total balance financial liability for completion of the services required for obtaining CC needs to be kept in the RERA account maintained for the project. The Authority also directed the promoter to submit the corrected REP-I (A to H) within a week and fixed the matter for 09.05.2022.

The promoter submitted a reply on 05.05.2022 which was scrutinized and the deficiencies were conveyed to the promoter.

As per the directions of the authority on 25.04.2022, the promoter also submitted a technical due diligence report from the Chartered engineer. As per the report of Chartered engineer (Paresh & Associates), the work is 100% completed.

On 09.05.2022, The authority directed the promoter to submit an affidavit regarding liabilities and payment of all pending government dues and other institution in future till obtaining the completion certificate.

The authority decided to appoint Mr. J.S Sandhu as a local commissioner for verification of site as the infrastructure works are completed or not.

The AR of the promoter submitted that their license is under renewal and as soon as it is renewed which is likely to be done within a month the promoter will apply for completion certificate and will obtain CC. The matter was fixed for 16.05.2022.

On 12.05.2022, the promoter submitted a reply which was scrutinized and found that the promoter submitted an affidavit regarding that there is no pending liabilities and payments towards any government dues and other institutions, which were required to be cleared before getting the completion certificate.

On 16.05.2022, The promoter was directed to get the structure audit done from a reputed agency preferably from the panel prepared by DC, Gurugram/DTCP, Haryana. The promoter is directed to ensure safety of the visitors. It is apprehended that seepage/moisture may damage/corrode the reinforcement steel bars which may lead to collapse of the building if not attended timely. The registration of the project is kept in abeyance till structure audit and safety report are submitted by the promoter.

Matter was fixed for 13.06.2022.






On 13.06.2022, The coram is incomplete. The matter is adjourned for 27.06.2022.

On 27.06.2022, Sh. Surender Kumar (AR) is present on behalf of the promoter.

Mr. Ashish Kush, Planning Executive briefed the facts about the project.

The authority directed the promoter to get the structural inspection done and submit the structural safety report of the project. The AR of the promoter submits that the license has been renewed by DTCP and the same is valid upto 12.08.2022 and further requests to grant registration with a condition to submit the structural safety report within one month.

The authority decides to grant the registration certificate on the condition that the promoter shall submit the structural safety report within one month and accordingly the registration certificate will

<p>be handed over after the compliance of above. The matter to come up on 11.07.2022 for submission of structural safety report.</p> <p>On 11.07.2022, the structural safety report is not submitted till date and the matter was placed before the authority and as per the direction of the authority the matter was adjourned.</p> <p>The promoter has submitted the structural safety report on 22.07.2022 and the license has been renewed till 12.08.2023.</p>	
<b>14.</b>	<p><b>Status of compliance</b></p> <p>All required documents submitted.</p>
<b>14.</b>	<p><b>Remarks</b></p> <p>Structural safety report and report on water table issue in Time Arcade the Esplanade Mall of M/s Dhoot Infrastructure Project Limited at sector 37 C, Gurugram was submitted wherein the consultant has declared that the structure is safe and the measures undertaken are sufficient and there is not damage to structure.</p>
<p><b>Recommendations:</b> The application submitted by the promoter for registration of real estate project under section 4 of the Act of 2016 as per details given above is complete and all the requisite documents as required u/s 4 of Act of 2016 and Haryana Rules, 2017 have been submitted and found to be in order.</p> <p>It is recommended that the Authority may consider for grant of registration.</p>	
<p style="text-align: center;">   <b>Asha</b>  <b>Chartered Accountant</b> </p> <p style="text-align: center;">   <b>Sumeet</b>  <b>Engineering Executive</b> </p>	
<b>Day and Date of hearing</b>	Tuesday and 13.12.2022
<b>Proceeding recorded by</b>	Ram Niwas
<b>PROCEEDINGS OF THE DAY</b>	
<p>Proceedings dated: 13.12.2022</p> <p>Mr. Sumeet, Engineering Executive and Ms. Asha Chartered Accountant briefed the facts about the project. Sh. Surender Kumar (AR) is present on behalf of the promoter.</p> <p>Approved as proposed.</p>	
<p style="text-align: center;">   <b>(Sanjeev Kumar Arora)</b>  <b>Member, HARERA, Gurugram</b> </p> <p style="text-align: center;">   <b>(Vijay Kumar Goyal)</b>  <b>Member, HARERA, Gurugram</b> </p> <p style="text-align: center;">   <b>(Dr. K.K. Khandelwal)</b>  <b>Chairman, HARERA, Gurugram</b> </p>	