

Project - M3M Urbana Premium
Hearing brief for project registration u/s 4

| S.No. | Particulars | Details | | | |
|-------|--|--------------------------------|--|--|---|
| 1. | Name of the project | M3M Urbana Premium | | | |
| 2. | Name of the promoter | M/s Martial Buildcon 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. | Completion date u/s 4(2)(I)(c) | 28.08.2024 | | | |
| 16. | License no. | 89 of 2010 dated 28.10.2010 | | Valid upto 27.10.2022 | |
| 17. | Total licensed area | 2.9125 Acres | Area to be registered in addition to earlier | 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 | |
| | Online IMPS no. | | 230011746368 dated 27.10.2022 amounting to Rs 2500/- | |
| | Name of the bank issuing | | ICICI Bank | |



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| | Deficient amount | NIL |
| 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 |
| | Twentieth hearing on | 05.12.2022 |
| | Status of documents | <ol style="list-style-type: none"> 1. Legal Capacity of the M3M India Pvt. Ltd. needs to be clarified. Status: The promoter applied in the name of the licensee i.e., M/s Martial Buildcon Pvt. Ltd. 2. The annexures in the online application are not uploaded as well as the correction needs to be done in the online (A-H). Status: Submitted but corrections needs to be done. 3. Online DPI needs to be corrected. Status Submitted but correction needs to be done. 4. Approval NOC for the external services like sewerage disposal needs to be submitted. Status: Not Submitted. 5. Non-encumbrance certificate needs to be resubmitted. |

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|--------------------------|--|
| | <p>Status: Submitted.</p> <p>6. Draft Application form needs to be revised. Status: Not submitted.</p> <p>7. Draft Allotment letter needs to be revised. Status: Not submitted.</p> <p>8. Draft BBA needs to be revised. Status: Not submitted.</p> <p>9. Draft Conveyance deed needs to be revised. Status: Not submitted.</p> <p>10. Renewal of license no. 89 of 2010 needs to be submitted which was expired on 27.10.2022. Status: Applied and renewal fee submitted.</p> |
| Deficit documents | <p>1. The annexures in the online application are not uploaded as well as the correction needs to be done in the online (A-H).</p> <p>2. Online DPI needs to be corrected.</p> <p>3. Approval NOC for the external services like sewerage disposal needs to be submitted.</p> <p>4. Draft Application form needs to be revised.</p> <p>5. Draft Allotment letter needs to be revised.</p> <p>6. Draft BBA needs to be revised.</p> <p>7. Draft Conveyance deed needs to be revised.</p> <p>8. Renewal of license no. 89 of 2010 needs to be submitted which was expired on 27.10.2022.</p> |

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 came 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 |
| 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.

The promoter has submitted a reply on 27.10.2022 which was scrutinized and the remaining deficiencies were conveyed to the promoter.

On 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



HARERA
GURUGRAM

Project - M3M Urbana Premium
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information of all concerned and objections if any within 10 days of publication. The matter to come up on 05.12.2022.

The promoter submitted the reply on 21.11.2022 and 23.11.2022 which were scrutinized and the remaining deficiencies are mentioned above.

The public notice was issued in the two newspapers i.e., The Tribune and Dainik Tribune dated 23.11.2022 and till date no objections have been received from the allottees in the authority.

Recommendations:

All the pre-requisite approvals are in place except renewal of license and correction in online DPI and REP- I (A-H). Recommended for consideration of grant of registration subject to submission of Cheque/ DD of Rs 25 Lakhs for submission of the renewal of license within 3 months of grant of registration.


(Asha)

Chartered Accountant


(Sumeet)

Engineer Executive

| | |
|--------------------------------|-----------------------|
| Day and Date of hearing | Monday and 05.12.2022 |
| Proceeding recorded by | Ram Niwas |

PROCEEDINGS OF THE DAY

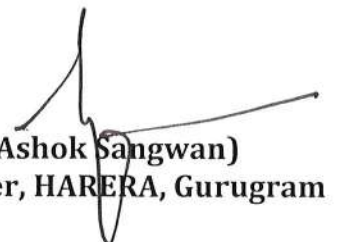
Proceeding dated 05.12.2022.

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


Sh. Abhijeet Singh (AR), Sh. Manik Sharma (Authorized Signatory) and Sh. Bharat Vigmal (Authorized Signatory) are present on behalf of the promoter.

The AR submits that all requisite approvals have been submitted today in the registry and further that the renewal of license has been applied to DTCP alongwith requisite renewal fee and its validity has expired very recently i.e., 27.10.2022 and the occupation certificate for the already registered portion granted on 24.02.2021 and OC for the units for which registration is being sought has already been applied after completing the construction of the entire project and OC for this portion alongwith renewal is expected in 1-2 months. Therefore, in view of the fact that the construction in the project as per approved plans has already been completed and OC already obtained/ applied and no objection pertaining to consent of 2/3rd allottees submitted for revised plans has been received. Hence, the Authority decides to grant registration subject to submission of a Cheque/ DD of Rs 25 Lakhs for obtaining renewal of license within 3 months from grant of registration certificate.


(Sanjeev Kumar Arora)
Member, HARERA, Gurugram


(Ashok Sangwan)
Member, HARERA, Gurugram


(Vijay Kumar Goyal)
Member, HARERA, Gurugram


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

The promoter submitted cheque no. 006090 dated 05.12.2022 amounting Rs. 25 Lakh as a guarantee for submission of renewal of license.

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 (नियामन और विकास) अधिनियम, 2016 की धारा 20 के अर्तगत गठित प्राधिकरण

भारत की संसद द्वारा पारित 2016 का अधिनियम संख्यांक 16

