

Hearing brief for project registration u/s 4

S.No.	Particulars	Details	
1.	Name of the project	Platina Street 109	
2.	Name of the promoter	M/s Ishv Realtors Pvt. Ltd.	
3.	Nature of the project	Commercial project	
4.	Location of the project	Sector- 109, Gurugram	
5.	Legal capacity to act as a promoter	BIP Holder (In-Principle Approval)	
6.	Name of license holder	M/s Anjum and Associates Pvt. Ltd. & Others	
7.	Status of project	Ongoing	
8.	Whether registration applied for whole/phase	Whole Project	
9.	Phase no. (if applicable)	N/A	
10.	Online application ID	RERA-GRG-PROJ-1134-2022	
11.	License no.	24 of 2011 dated 24.03.2011	valid upto 23.03.2024
12.	Total licensed area	3.7187 acres	Area to be registered 3.7187 acres
13.	Completion date declared u/s 4(2)(I)(C)	30.09.2027 (as per revised REP-II)	
14.	QPR compliances (if applicable)	N/A	
15.	4(2)(I)(D) compliances (if applicable)	N/A	
16.	Statutory approvals either applied for or obtained prior to registration		
	S.No	Particulars	Date of approval
	i)	License Approval	24 of 2011 dated 24.03.2011
	ii)	Zoning Plan Approval	DRG No. DTCP- 3768 dated 01.04.2013
	iii)	Building plan Approval	Memo No. ZP-706/AD(RA)/2013/1989 dated 23.01.2014
		Renewed Building plan Approval	Applied on 03.01.2023
	iv)	Environmental Clearance	SEIAA/HR/2021/384 dated 29.01.2022
	v)	Airport height clearance	AAI/NOC/2012/445/2624-28 dated 20.11.2012
		Renewed Airport height clearance	AAI/RHQ/NR/ATS/NOC/2023/35/14 7-50 dated 11.01.2023
	vi)	Fire scheme approval	Applied dated 22.09.2022
	vii)	Service plan and estimate approval	Applied dated 07.10.2022

17.	Fee details	
	Registration fee	26,335.786 sqm * 1.75 * 20 = Rs 9,21,753/-
	Processing fee	26,335.786 sqm * 10 = Rs 2,63,358/-
	Late fee	400% of registration fee = 9,21,753/- * 4 = Rs 36,87,012/-
	Total	Rs 48,72,123/-
	DD Details	
	DD amount	Rs. 3,00,000/- Rs. 35,00,000/- Rs. 5,00,000/- Rs 5,72,123/-
	DD no. and date	469410 dated 29.09.2022. 322400 dated 28.11.2022. 469361 dated 16.01.2023. 469178 dated 30.01.2023.
	Name of the bank issuing	RBL Bank
	Deficient amount	NIL
18.	File Status	Date
	File received on	04.10.2022
	First notice Sent on	21.10.2022
	First hearing on	31.10.2022
	Second hearing on	14.11.2022
	Third hearing on	28.11.2022
	Fourth hearing on	12.12.2022
	Fifth hearing on	19.12.2022
	Sixth hearing on	02.01.2023
	Seventh hearing on	23.01.2023
	Eighth hearing on	30.01.2023
Ninth hearing on	31.01.2023	
Tenth hearing on	02.02.2023	
19.	Case History:	
<p>The Promoter M/s Ishv Realtors Pvt. Ltd. who applied for BIP permission, applied for the registration of real estate commercial colony namely "Platina Street 109" located at Sector-109, Gurugram under section 4 of the Real Estate (Regulations and Development) Act, 2016 vide central receipt no. 42093 dated 04.10.2022 and RPIN-521. The Temp I.D. of REP - I (Part A-H) is RERA - GRG-PROJ-1134-2022. The project area for registration is same as that of the licensed area i.e., 3.7187 acres vide License no -24 of 2011 dated 24.03.2011. The application for registration was scrutinized and 1st deficiency notice vide notice no. HARERA/GGM/RPIN/521 dated 21.10.2022 was issued to the promoter with an opportunity of being heard on 31.10.2022.</p> <p>The promoter did not submit any reply.</p> <p>On 31.10.2022, Sh. Sumeet, Engineer Executive and Ms. Asha Chartered Accountant briefed about the facts of the case. None is present on behalf of the promoter. Deficiencies have already been conveyed to the promoter. The promoter is directed to submit the deficit fee and remove the other deficiencies mentioned above. The matter to come up on 14.11.2022.</p>		

On 14.11.2022, Sh. Sumeet, Engineer Executive and Ms. Asha Chartered Accountant briefed about the facts of the case. None is present on behalf of the promoter. The authority considered the application for registration of above mentioned real estate project u/s 4 of the Act of 2016. The promoter is required to enclose the requisite documents as provided in section 4(2) of the Act of 2016 and the rules and regulations made thereunder. The deficiencies have already been communicated as detailed above.

The promoter is advised to rectify the deficiencies within 15 days otherwise the Authority may proceed to initiate proceedings to reject the application u/s 5(1)(b) of Act of 2016 read with rule 5 of the Haryana Rules, 2017 for the reason regarding deficiencies in the application and non-submission of requisite documents.

The promoter is already facing penal proceedings under section 59 of the Act of 2016 for the violation of section 3 of the Act of 2016. These proceedings will also be clubbed with this application and matter be heard jointly. The matter to come up on 28.11.2022.

The promoter has submitted the reply recently on 24.11.2022 which is scrutinized and the remaining deficiencies were conveyed to the promoter.

On 28.11.2022, the AR of the promoter was directed to remove the deficiencies and submit the deficit fee and the matter was adjourned to 12.12.2022.

The promoter has submitted the reply on 28.11.2022 which is scrutinized and the remaining deficiencies were conveyed to the promoter.

On 12.12.2022, the matter was adjourned to 19.12.2022.

The promoter has submitted the reply on 12.12.2022 which is scrutinized and the remaining deficiencies were conveyed to the promoter.

On 19.12.2022, the AR of the promoter was directed to remove the deficiencies and the matter was adjourned to 02.01.2023.

On 02.01.2023, the matter was adjourned and fixed for 23.01.2023.

The promoter submitted the reply on 03.01.2023, 05.01.2023 and 16.01.2023 which were scrutinized and deficiencies were conveyed to the promoter.

On 23.01.2023, the matter was adjourned and fixed for 30.01.2023.

The promoter submitted a reply on 23.01.2023 which was scrutinized and the deficiencies were conveyed to the promoter.

On 30.01.2023, the matter was adjourned to 31.01.2023.

On 31.01.2023, the matter was adjourned for 02.02.2023.

The promoter submitted a reply on 30.01.2023 and 02.02.2023 which were scrutinized and the status of documents is mentioned below:

<p>20. Present compliance status as on 02.02.2023 of the deficiencies as conveyed in the last hearing dated 31.01.2023.</p>	<ol style="list-style-type: none"> 1. Deficit Fee- -Rs 5,72,123/- Status: Submitted. DD no. 469187 dated 30.01.2023 amounting Rs 5,72,123/- 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: Not submitted. 4. BIP permission needs to be submitted. Status: In-principal approval obtained vide memo no. LC-1813/JE(RK)/2022/38141 dated 19.12.2022. 5. Revalidated Building plan needs to be submitted. Status: Not submitted. However, fees submitted for revalidation. 6. Fire Scheme approval needs to be submitted. Status: Applied on 22.09.2022.
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		<p>7. Approved Service plans and estimates needs to be submitted. Status: Applied on 07.10.2022.</p> <p>8. Approval of agency regarding the permission for road access needs to be submitted. Status: Submitted an affidavit for submission in 90 days.</p> <p>9. Copy of GPA needs to be clarified. Status: Submitted and clarified.</p> <p>10. Project report needs to be revised. Status: Submitted.</p> <p>11. The khasra nos. in the mutation are not matching with the licensed land. Status: Jamabandi in the name of landowners submitted and mutation noted on Jamabandi also submitted.</p> <p>12. Pert chart needs to be revised. Status: Submitted.</p> <p>13. Approved Demarcation plan needs to be submitted. Status: Submitted.</p> <p>14. List of sold and unsold inventory needs to be revised and authenticated. Status: Submitted.</p> <p>15. Draft Allotment letter needs to be submitted as per the prescribed format. Status: Submitted.</p> <p>16. Draft BBA needs to be submitted as per the prescribed format. Status: Submitted.</p> <p>17. Draft Conveyance deed executed with the existing allottees needs to be submitted. Status: Not Executed.</p> <p>18. Draft Brochure needs to be revised. Status: Submitted.</p> <p>19. CA certificate for non-default in payment needs to be changed. Status: Not Submitted.</p> <p>20. Quarterly schedule of estimated expenditure needs to be provided. Status: Needs to be revised.</p> <p>21. Expenditure incurred till date and expenditure to be made needs to fill in A to H. Status: Not submitted.</p> <p>22. Cash flow statement in REP -1 (A to H) needs to be provided. Status: Not submitted.</p> <p>23. Part D and D1 of online DPI needs to fill properly along with annexure. Status: Not submitted.</p> <p>24. Financial resources needs to be provided. Status: Submitted.</p>
	Remarks	<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>application.</p> <ol style="list-style-type: none"> 2. Online DPI needs to be corrected. 3. BIP permission needs to be submitted. 4. Revalidated Building plan needs to be submitted. 5. Fire Scheme approval needs to be submitted. 6. Approved Service plans and estimates needs to be submitted. 7. Approval of agency regarding the permission for road access needs to be submitted. 8. CA certificate for non-default in payment needs to be changed. 9. Quarterly schedule of estimated expenditure needs to be provided. 10. Expenditure incurred till date and expenditure to be made needs to fill in A to H. 11. Cash flow statement in REP -1 (A to H) needs to be provided. 12. Part D and D1 of online DPI needs to be filed properly along with annexure.
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Recommendations:

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 except the corrections in online DPI, corrections in online (A-H) form, Final BIP, Revalidated building plans, Fire Scheme approval and Approved service plan & estimates.

The promoter shall submit two Cheques amounting Rs 25 lakhs each as a security amount to submit the Fire Scheme approval and Approved service plan & estimates within 3 months from the date of issuance of registration certificate.

It is recommended that the Authority may consider the grant of registration subject to the submission of above.

Asha
Chartered Accountant


Sumeet
Engineer Executive

Day and Date of hearing	Thursday and 02.02.2023
Proceeding recorded by	Ram Niwas

PROCEEDINGS OF THE DAY

Proceedings dated: 02.02.2023.

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

Sh. Dheeraj Yadav, Sh. Amit Yadav (Director) and Sh. Dheeraj Sood are present on behalf of the promoter.

The applicant/ promoter has obtained BIP permission approved in-principle by DTCP subject to compliance of conditions and the AR submits that the requisite compliances has been submitted in DTCP office.

Further, the AR seeks three months time for submission of the approved service plan and estimates and fire NOC for which two no. of cheques have been submitted.

The proposal for grant of registration is approved subject to submission of final BIP permission. Further a penalty of Rs 50 lakhs is imposed under section 59(1) for violation of section 3 of RERA, 2016 for which a show cause notice vide no. RERA-GRG-4829-2022 dated 14.07.2022 stands issued and to be deposited before issuance 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