

**Project hearing brief**

S.No	Particulars	Details	
1.	Name of the project	TRL Residential Plotted Colony	
2.	Name of the promoter	M/s TRL Riceland Pvt . Ltd.	
3.	Nature of the project	Residential Plotted Colony	
4.	Location of the project	Sector-76, Revenue Estate Manesar, Gurugram	
5.	Legal capacity to act as a promoter	License holder	
6.	Status of project	New	
7.	Whether registration applied for whole/Phase	Whole	
8.	Phase no. (If applicable)	N/A	
9.	Online application ID	RERA-GRG-PROJ-1092-2022	
10.	License no.	87 of 2017 dated 23.10.2017	Valid up-to 22.10.2022 Expired (CC obtained on 21.10.2022)
11.	Total licensed area	29.9125 Acre	Area to be registered 29.9125 Acre
12.	Project completion date as declared u/s 4(2)(I)(C)	Completed (CC obtained on 21.10.2022)	
13.	QPR Compliance (If applicable)	N/A	
14.	4(2)(I)(D) Compliance (If applicable)	N/A	
15.	Statutory approvals either applied for or obtained prior to registration		
	S.No	Particulars	Validity up to
	i)	License Approval	22.10.2022
	ii)	Zoning Plan Approval	N/A
	iii)	Layout plan Approval	N/A
	iv)	Environmental Clearance	N/A
	v)	Service plan and estimate approval	Submitted
16.	Fee Details		
	A) Registration fee for plotted area	Residential 118623.29 sqm *1*10= Rs. 11,86,233/- Commercial 2428.11 sqm *1*20= Rs. 48,562/-	
	C) Processing Fee	29.9125 x 4046.86 x 10= Rs. 12,10,517 /-	
	Total Fee (A+B)	Rs 24,45,309 /-	





	<b>Deficit fee</b>	N/A	
<b>17.</b>	<b>DD Details</b>		
	Receipt no.	1433	1434
	DD No. and Date	031123 dated 10.12.2022	031124 dated 10.12.2022
	Fees Paid	Rs. 12,10,520/-	Rs. 12,34,800/-
	Total Fees Paid	Rs. 24,45,320/-	
<b>18.</b>	<b>File Status</b>	<b>Date</b>	
	<b>File received on</b>	16.01.2023	
	<b>First notice Sent on</b>	27.01.2023	
	<b>Reply submitted on</b>	27.01.2023	
	<b>1<sup>ST</sup> hearing on</b>	30.01.2023	
	<b>Reply submitted on</b>	30.01.2023	
	<b>2<sup>nd</sup> hearing on</b>	31.01.2023	
	<b>3<sup>rd</sup> hearing on</b>	02.02.2023	
	<b>Representation Reply 1<sup>st</sup></b>	06.02.2023	
	<b>Representation Reply 2<sup>nd</sup></b>	09.02.2023	
	<b>4<sup>th</sup> hearing on</b>	13.02.2023	
<b>19.</b>	<p><b>Case History: -</b>  The promoter M/s TRL Riceland Pvt. Ltd. who is a License holder applied for the registration of real estate project namely "TRL Residential Plotted Colony" Sector-76, Revenue Estate Manesar, Gurugram under section 4 of Real Estate (Regulation and Development), Act 2016 vide central receipt no. 47575 16.01.2023 and RPIN-568. The Temp I.D. of REP - I (Part A-H) is RERA -GRG-1092-2022. The project area for registration is same as that of the licensed area i.e., 29.9125 acres. License no - 87 of 2017 dated 23.10.2017. The application for registration was scrutinized and 1<sup>st</sup> deficiency notice vide notice no. HARERA/GGM/RPIN/568 dated 26.01.2023 was issued to the promoter with an opportunity of being heard on <b>30.01.2023</b>.</p> <p>On 30.01.2023, The matter is adjourned to 31.01.2023.</p> <p>On 31.01.2023, The matter is adjourned to 02.02.2023.</p> <p>On 02.02.2023, Ms. Deepika, Planning Executive and Mrs. Asha, Chartered Accountant briefed about the facts of the project. Sh. Tommy Thomas (GM-Corporate affairs), Sh. Hemant Gupta (GM- Finance) and Sh. Raj Kumar Sharma are present on behalf of the promoter. The license for the project was received on 23.10.2017 and the promoter proceeded to develop the project and finally obtained CC on 21.10.2022. As per provision of section 4 (1) of the Act of 2016, the following has been provided "Every promoter shall make an application to the Authority for registration of the real estate project in such form, manner, within such time and accompanied by such fee as may be prescribed" In view of the above a decision is to be taken regarding violation of section 4(1) by the promoter not registering the project as prescribed. To come to a definite conclusion in the matter, it is decided to seek the opinion of Advocate General, Haryana. A detailed reference may be made in this regard to the AG, Haryana. The matter is adjourned to 27.02.2023.</p> <p>On 06.02.2023, the representation was given by the promoter which was downloaded from Director, Town and Country planning in which it is submitted that, the Haryana Real Estate Regulatory</p>		



	<p>Authority vide Memo No. HRERA/RD/2017/35/1049 dated: 15.09.2017 has already taken a view that the promoter “ may register his licensed (un-launched) projects any time in future before he intends to advertise, market, book, sell or offer for sale, or invite persons to purchase in any real estate project or part of it, in the planning area.”</p> <p>On 09.02.2023, Further representation is submitted by the promoter in which it is stated that the RERA Act would not have prescribed different penalties for section 3 and section 4.</p> <p>Till section 3 operates, section 4 is dormant and inapplicable. The penalty under section 4 is for violating the obligations under section 4, if and when it operates.</p> <p>Further, it is submitted that because the time limit and trigger point of registration prescribed in section 3, there is no separate time limit provided in section 4 because it is consequential to section 3.</p>	
<b>In 20.</b>	<b>Present compliance status as on 13.02.2023 of deficient documents conveyed vide notice 27.01.2023. (On 02.02.2023 matter was adjourned to 13.02.2023.)</b>	<ol style="list-style-type: none"> <li>1. Online corrections in REP-I (Part A-H) needs to be done. Documents to be uploaded mentioned above needs to be submitted in PDF format of size less than 5 mb each. <b>Status- Not Submitted</b></li> <li>2. Corrections marked on the hard copy of online_DPI need to be done. <b>Status- Submitted</b></li> <li>3. Copy of super imposed demarcation plan on the approved layout plan needs to be submitted. <b>Status- Submitted</b></li> <li>4. Service plan needs to be submitted (Solid waste management plan, Street light plan, Landscape plan.) <b>Status- Submitted</b></li> <li>5. NOCs of Tree cutting and Powerline shifting needs to be submitted. <b>Status- Submitted</b></li> <li>6. Land title of the project – whether title deeds, mutation, jamabandi and aks-shijra duly certified by revenue officer six months prior to date of application needs to be submitted. <b>Status- Submitted</b></li> <li>7. Whether the fact that project land licensed and bonded for setting up of a colony has been informed to the revenue department for entry in the record of ownership needs to be submitted. <b>Status- Submitted</b></li> <li>8. Affidavit regarding no sale in the project needs to be submitted. <b>Status- Submitted</b></li> <li>9. Draft Brochure for the project needs to be submitted. <b>Status- Submitted</b></li> <li>10. Draft Advertisement document needs to be submitted. <b>Status- Not Submitted</b></li> <li>11. Copy of paid challan of EDC &amp; IDC needs to be provided. <b>Status- Submitted</b></li> <li>12. Any other cost in miscellaneous cost needs to be revised. <b>Status- Submitted</b></li> <li>13. Independent auditor and director report for the financial year 2019-2020, 2020-21 and 2021-2022.</li> </ol>



		<b>Status- Submitted</b> 14. Bank undertaking needs to be provided. <b>Status- Submitted</b> 15. REP-II needs to be revised. <b>Status- Submitted</b>
21.	Remarks	1. Online corrections in REP-I (Part A-H) needs to be done. Documents to be uploaded mentioned above needs to be submitted in PDF format of size less than 5 mb each.
 (Asha) <b>Chartered Accountant</b>		 (Deepika) <b>Planning Executive</b>
<b>Day and Date of hearing</b>		Monday and 13.02.2023
<b>Proceeding recorded by</b>		Ram Niwas

**PROCEEDINGS OF THE DAY**

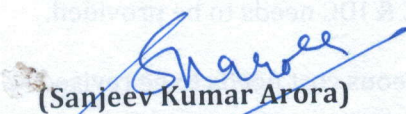
Proceedings dated: 13.02.2023

Ms. Deepika, Planning Executive and Mrs. Asha, Chartered Accountant briefed about the facts of the project. Sh. R.S. Seshadri (AR), Sh. Tommy Thomas (AR) and Sh. Hemant Gupta (AR) are present on behalf of the promoter.

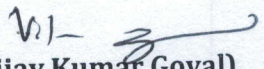
The applicant promoter has submitted a representation dated 09.02.2023 along with a copy of the letter issued by interim RERA bearing Memo No. HRERA/RD/2017/35/1049, dated 15.09.2017 wherein it has been clarified to the NAREDCO Haryana that promoter may register his licensed (unlaunched) projects any time in future before he intends to advertise, market, book, sell or offer for sale, or invite persons to purchase in any manner any plot, apartment or building as the case may, in any real estate project or part of it, in the planning area. The copy of the above clarification is uploaded and available on official website of T&CP Department, Haryana.

Further section 4(1) of the Act of 2016 requires every promoter to make an application to the authority for registration of the real estate project in such form, manner within such time and accompanied by such fee as may be prescribed. But no time limit for making such application has been prescribed under the rules. The promoter has already submitted an undertaking that after obtaining license in 2017, no sale, advertisement or booking whatsoever has been made by the promoter till date and the project has also been completed by obtaining CC from DTCP vide letter dated 21.10.2022 The Authority during the previous proceedings has taken a view to seek opinion of AG, Haryana regarding applicability of late fees/penalty if any for non-registration of project after obtaining license on 15.09.2017 which otherwise does not fall in the category of ongoing project as in case of ongoing project wherein no sales or booking have been made, the AG Haryana has already opined that in such ongoing projects no late fee or penalty is leviable. Therefore, a reconfirmation in case of above project wherein license has been obtained after commencement of the Act and Rules and no sale or booking has been made be also sought from AG Haryana and in case it is advised that the same shall be applicable the promoter shall be liable to deposit the same.

In view of the above the Authority decided to grant registration to the project subject to submission of an affidavit from the promoter to the effect that in case any future liability arises on account of late fee, the same shall be deposited on demand without demur.

  
 (Sanjeev Kumar Arora)  
 Member, HARERA, Gurugram

  
 (Ashok Sangwan)  
 Member, HARERA, Gurugram

  
 (Vijay Kumar Goyal)  
 Member, HARERA, Gurugram