

Project hearing brief

S.No	Particulars	Details	
1.	Name of the project	Vatika India Next 2	
2.	Name of the promoter	M/s Vatika Limited	
3.	Nature of the project	Residential Plotted Colony	
4.	Location of the project	Sector - 88A & 88B, Village- Harsaru, District Gurugram	
5.	Legal capacity to act as a promoter	Collaborator	
6.	Name of the license holder	License No. 94 of 2013 1. M/s Vatika Ltd. 2. M/s Malvina Developers Pvt. 3. M/s Bioko Developers Pvt. Ltd. (earlier, known as M/s Dale Developers Pvt. Ltd) 4. M/s Salton Developers Pvt. Ltd. (earlier, known as M/s Gabino Developers 5. M/s Vaibhav Warehousing Pvt. Ltd. 6. M/s Feldon Developers Pvt. Ltd. 7. M/s Aplin Developers Pvt. Ltd. (earlier, known as Blair Developers Pvt. Ltd.) 8. M/s Mendell Developers Pvt. Ltd. 9. M/s Ignacio Developers Pvt. Ltd. 10. M/s Aster Promoters & Developers Pvt. Ltd. 11. M/s Timor Developers Pvt. Ltd. (earlier, known as M/s Mandisa Developers Pvt. Ltd.) 12. M/s Blossom Properties Pvt. Ltd. 13. Smt. Bimla Devi W/o Sh. Jai Prakash License No. 11 of 2015 1. M/s Vatika Ltd. 2. M/s Haben Developers Pvt. Ltd. 3. M/s Blossom Properties Pvt. Ltd.	
7.	Status of project	Ongoing	
8.	Whether registration applied for whole	Whole Project	
9.	Online application ID	RERA-GRG-PROJ-1017-2022	
10.	License no.	94 of 2013 dated 31.10.2013	Valid upto 31.10.2019
		11 of 2015 dated 01.10.2015	Valid upto 30.09.2020



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GURUGRAM

Vatika India Next 2

RERA-GRG-PROJ-1017-2022

11.	Total licensed area	98.60 acres	Area to be registered	98.60 acres
12.	Project completion date as declared u/s 4(2)(I)(C)	31.03.2029		
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	Date of approval	Validity up to
	i)	License Approval	31.10.2013 01.10.2015	31.10.2019 30.09.2020 (Applied for renewal)
	ii)	Zoning Plan Approval	Not Provided	
	iii)	Layout plan Approval	LC-2781/Asstt.(MS)/2022/4071 dated 17.02.2022	N/A
	iv)	Environmental Clearance	20.05.2016	19.05.2026
	v)	Service plan and estimate approval	Applied on 18.04.2022	
16.	Fee details			
A)	Registration fee plotted area (Residential)	(91.82 x 4046.86 x 10)= Rs. 37,15,826.85/-		
	Plotted area (Group Housing)	(5.03 x 4046.86 x 10)= Rs. 2,03,557.06/-		
	Plotted area (Commercial)	(1.75 x 4046.86 x 20)= Rs. 1,41,640.10/-		
	Total Registration fees	Rs. 40,61,024/-		
B)	Late fee	from October 2018 to 18.08.2022 (8 half years – 50*8=400%) = Rs. 1,62,44,096/-		
C)	Processing fees	98.60 x 4046.86 x 10= Rs. 39,90,204/-		
	Total fees (A+B+C)	Rs. 2,42,95,324/-		
17.	File Status	Date		
	File received on	18.08.2022		
	First notice Sent on	09.09.2022		
	First hearing on	12.09.2022		

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 (विनियमन और विकास) अधिनियम, 2016 की धारा 20 के अंतर्गत गठित प्राधिकरण

भारत की संसद द्वारा पारित 2016 का अधिनियम संख्यांक 16



	Second Hearing on	17.10.2022
	Third Hearing on	28.11.2022
	Forth Hearing on	12.12.2022
	Fifth Hearing on	19.12.2022
	Sixth Hearing on	02.01.2023
18.	Case History:- The promoter M/s Vatika Limited who is a collaborator applied for the registration of real estate project namely "Vatika India Next 2" located at Sector-83, Gurugram under section 4 of the Real Estate (Regulations and Development) Act, 2016 vide central receipt no. 39753 dated 18.08.2022 and RPIN-494A. The Temp I.D. of REP – I (Part A-H) is RERA -GRG-PROJ-1017-2022. The project area for registration is same as that of the licensed area i.e., 98.60 acres. License no – 94 of 2013 dated 31.10.2013 and License no – 11 of 2015 dated 01.10.2015. The application for registration was scrutinized and 1st deficiency notice vide notice no. HARERA/GGM/RPIN/494A dated 18.08.2022 was issued to the promoter with an opportunity of being heard on 12.09.2022. On 12.09.2022 Ms. Deepika, Planning Executive briefed about the facts of the project. None is present on behalf of the promoter. Although an email has been received in the Authority regarding adjournment. The Authority considered the application and the documents submitted along with it. The Authority observes that there are large number of documents pending including deficit registration fee. The licenses have also expired which need to be renewed. The Authority hereby exercising the powers under section 5(1) (b) of the Act, 2016 read with rule 5(2) of the Haryana Rules, 2017 give show cause notice as why the application for grant of registration should not be rejected and also grant an opportunity to the promoter to rectify the defects within a period of 30 days from the date of issuance of communication of such defects i.e., today 12.09.2022 and also an opportunity of hearing on 17.10.2022 at 2.00 PM in the office of the Authority. The Authority further observes that the application has been made in a very casual manner without giving any details and requisite information and further decides that a public notice be issued informing public regarding application for registration filed by the promoter in the Authority which may be seen by any one and objections if any may be filed within one month from today and to appear before the Authority on the next date of hearing. The public is also warned not to indulge in sale and purchase in this project as project is still not registered. The promoter did not submit any reply till date. Further, Objections w.r.t to the same application submitted for registration of the real estate Residential Plotted Colony is being received in the authority from Mrs. Sangeet Gupta. It is mentioned that the change of land use Permission under license no. 87 of 2013 and 94 of 2013 were granted by DTCP. In complain no. 1022 of 2003, the mutations of the licensed area were reviewed and cancelled by district collected vide order dated 29.12.2014. However after cancellation of mutations no actions has been taken in respect of the licenses mentioned above. The honorable Punjab and Haryana high court in CWP no. 2050 of 2017, passed the orders dated 23.03.2017 directing the additional Chief secretary and financial commissioner of government of	



Haryana to conduct a fact finding inquiry. The following findings were sent to DTCP, Chandigarh compliance vide order dated 03.10.2017 which are mentioned below,

- 01) The said surplus area vests with the State of Haryana.
- 02) The title dispute is sub judice and in these circumstances, the permission for change of and use and the licenses should not have been granted.
- 03) In the absence of clear title, construction cannot be allowed to be raised on the spot.

Keeping in view the above facts, the CLU permission and licenses might have not been issued by the competent authority.

On 17.10.2022, Ms. Deepika, Planning Executive and Ms. Asha, Chartered Accountant briefed about the facts of the project. None is present on behalf of the promoter. Deficiencies have already been communicated. Promoter is advised to rectify the deficiencies and submit deficient documents, as detailed above. Further the AR of the promoter has sent a request for adjournment of hearing. The request is allowed.

On 28.11.2022, Ms. Deepika, Planning Executive and Ms. Asha, Chartered Accountant briefed about the facts of the project. The authorized representative of the promoter is advised to rectify the deficiencies and submit the deficit fee (if any) along with the deficit documents apart from filing information in REP-I A to H format and online detailed project information.

The promoter submitted the application of adjournment and seek time as they have submitted revised layout plan to DTCP for earmarking of phases and also requested for hearing in the month of February 2023.

On 12.12.2022, The matter is adjourned to 19.12.2022.

On 19.12.2022, The AR of the promoter is directed to remove the deficiencies. The matter to come up on 03.01.2023.

18A.	Present compliance status as on 02.01.2023 of deficient documents as observed on last hearing i.e. 19.12.2022 (On 19.12.2022 matter was adjourned to 02.01.2023)	01. Deficit fee to be paid – Rs. 1,62,43,324/- Status- Not submitted 02. Some annexures in the online application are not uploaded as well as some corrections also needs to be done in the online (A-H) application. Status- Not submitted 03. Online DPI needs to be corrected. Status- Not submitted 04. Information to the revenue department regarding the entry of license and collaboration agreements needs to be submitted. Status- Not submitted 05. Electrical load availability connection needs to be submitted. Status- Not submitted 06. Approved zoning plan needs to be submitted. Status- Not submitted 07. Approved Demarcation plan needs to be submitted.
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	Status- Not submitted 08. Layout superimposed on the demarcation plan showing khasra no. needs to be submitted. Status- Not submitted 09. Approved Service plan and estimated needs to be submitted. Status- Not submitted 10. Powerline shifting- Undertaking needs to be submitted. Status- Not submitted 11. Draft allotment letter needs to be revised. Status- Not submitted 12. Draft BBA needs to be revised. Status- Not submitted 13. Affidavit by the promoter, keeping in view the provisions of section 4(2)(I)(D) of the Real Estate (Regulation & Development) Act, 2016, needs to be submitted. Status- Not submitted 14. Bank undertaking needs to be submitted. Status- Not submitted 15. CA Certificate for expenditure incurred up to the date of registration needs to be submitted. Status- Not submitted 16. CA Certificate for financial & inventory details needs to be submitted. Status- Not submitted 17. Financial resources of the project need to be clarified. Status- Not submitted 18. CA certificate for non-default in payment needs to be revised. Status- Not submitted 19. Quarterly schedule of estimated expenditure needs to be corrected. Status- Not submitted 20. Affidavit of promoter regarding arrangement with the bank of master account needs to be submitted. Status- Not submitted
Remarks	01. Deficit fee to be paid – Rs. 1,62,43,324/- 02. Some annexures in the online application are not uploaded as well as some corrections also needs to be done in the online (A-H) application. 03. Online DPI needs to be corrected. 04. Information to the revenue department regarding the entry of license and collaboration agreements needs to be submitted. 05. Electrical load availability connection needs to be submitted.



HARERA
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Vatika India Next 2

RERA-GRG-PROJ-1017-2022

	06. Approved zoning plan needs to be submitted. 07. Approved Demarcation plan needs to be submitted. 08. Layout superimposed on the demarcation plan showing khasra no. needs to be submitted. 09. Approved Service plan and estimated needs to be submitted. 10. Powerline shifting- Undertaking needs to be submitted. 11. Draft allotment letter needs to be revised. 12. Draft BBA needs to be revised. 13. Affidavit by the promoter, keeping in view the provisions of section 4(2)(l)(D) of the Real Estate (Regulation & Development) Act, 2016, needs to be submitted. 14. Bank undertaking needs to be submitted 15. CA Certificate for expenditure incurred up to the date of registration needs to be submitted. 16. CA Certificate for financial & inventory details needs to be submitted. 17. Financial resources of the project need to be clarified. 18. CA certificate for non-default in payment needs to be revised. 19. Quarterly schedule of estimated expenditure needs to be corrected. 20. Affidavit of promoter regarding arrangement with the bank of master account needs to be submitted.
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Asha
(Asha)

Chartered Accountant

Deepika
(Deepika)

Planning Executive

Day and Date of hearing Monday and 02.01.2023

Proceeding recorded by Ram Niwas

PROCEEDINGS OF THE DAY

Proceedings dated: 02.01.2023

Ms. Asha, Chartered Accountant briefed about the facts of the project.

Sh. Virender Dhar (VP), Sh. Jitendra Kumar (Manager) and Sh. Rahul Johri (Manager) are present on behalf of the promoter.

The ARs of the promoter are directed to remove the deficiencies and submit the deficit documents as detailed above.

The matter is adjourned to 16.01.2023.

Sanjeev
(Sanjeev Kumar Arora)

Member, HARERA, Gurugram

Vijay
(Vijay Kumar Goyal)

Member, HARERA, Gurugram

K.K. Khandelwal

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

Email : hareragurugram@gmail.com, reragurugram@gmail.com, **Website :** www.harera.in
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