



Project hearing brief

| S.No. | Particulars | Details | | |
|-------|--|--|--|----------------|
| 1. | Name of the project | M3M Escala | | |
| 2. | Name of the promoter | M/s M3M India Pvt Ltd | | |
| 3. | Nature of the project | Group Housing | | |
| 4. | Location of the project | Sector 70A, Gurugram | | |
| 5. | Legal capacity to act as a promoter | BIP Holder (in principal approval) | | |
| 6. | Name of the license holder | 1. M/s Vibhor Home Developers Pvt. Ltd. 2. M/s Haamid Real Estate Pvt. Ltd. 3. M/s Dae real Estate Pvt. Ltd. 4. M/s Pegeen Builders Pvt. Ltd. 5. M/s Red Topaz Real Estate Pvt. Ltd. 6. M/s Philia Estate Developers Pvt. Ltd. 7. M/s Nililma Real Estate Pvt. Ltd. 8. M/s Finian Estates Developers Pvt. Ltd. 9. M/s Abheek Real estate Pvt. Ltd. | | |
| 7. | Name of the collaborator | M/s DLF Home Developers Limited | | |
| 8. | Name of the BIP Holder | M/s M3M India Pvt Ltd and others | | |
| 9. | Status of project | Ongoing (OC Obtained) | | |
| 10. | Whether registration applied for whole/ phase | Phase | | |
| | Phase no. | Not Mentioned | | |
| 11. | Online application ID | RERA-GRG-907-2021 | | |
| 12. | License no. | 16 of 2009 dated 29.05.2009 | Valid till 28.05.2024 | |
| 13. | Total licensed area | 27.471 Acres | Area to be Registered 3.26706 Acres | |
| | | | | |
| 14. | Projected completion date | Not Mentioned | | |
| 15. | Statutory approvals either applied for or obtained prior to registration | | | |
| | S.No | Particulars | Date of approval | Validity up to |
| | i) | License Approval | 16 of 2009 dated 29.05.2009 | 28.05.2024 |
| | ii) | Zoning Plan Approval | 19.04.2010 | |
| | iii) | Building plan Approval | 27.01.2017 | 26.01.2022 |
| | iv) | Environmental Clearance | 15.09.2020 | 03.09.2023 |
| | v) | Airport height clearance | 23.04.2010 | |
| | vi) | Fire scheme approval | 06.03.2018 | |
| | vii) | Service plan and estimate approval | 18.05.2017 | |

**HAREERA****GURUGRAM**

Project - M3M Escala

RERA-GRG-907-2021

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| 16. | Fee Details | |
| | Registration Fee | 19713.415*1.75*10 = Rs 3,44,985/- |
| | Processing Fee | 300% of registration fee = Rs 10,34,955 |
| | Late Fee | 19173.415*10 = Rs 1,91,734/- |
| | Total Fee | Rs 15,71,674/- |
| 17. | DD amount | 1. Rs 3,07,500/- 2. Rs 2,01,700/- |
| | DD no. and date | 1. 500199 dated 16.08.2021 2. 500200 dated 16.08.2021 |
| | Name of the bank issuing | ICICI Bank |
| | Deficient amount | Rs 10,62,474/- |
| 18. | File Status | Date |
| | Project received on | 25.08.2021 |
| | 1 st deficiency notice sent on | 09.09.2021 |
| | 1 st hearing on | 21.09.2021 |
| | 2 nd hearing on | 05.10.2021 |
| | 3 rd hearing on | 19.10.2021 |
| | 4 th hearing on | 09.11.2021 |
| | 5 th hearing on | 13.12.2021 |
| | 6 th hearing on | 27.12.2021 |
| | 7 th hearing on | 17.01.2022 |
| | 8 th hearing on | 31.01.2022 |
| | 9 th hearing on | 15.03.2022 |
| | 10 th hearing on | 18.04.2022 |
| | 11 th hearing on | 09.05.2022 |
| | 12 th hearing on | 23.05.2022 |
| | 13 th hearing on | 27.09.2022 |
| 14 th hearing on | 11.10.2022 | |
| 15 th hearing on | 26.10.2022 | |
| 19. | Status of documents | 1. Online corrections in REP-I (Part A-H) needs to be done. Status: Not done 2. Corrections in detailed project information needs to be done. Status: Online DPI not submitted. 3. Deficit fees of Rs. 10,62,474/- needs to be paid. Status: Not paid. |

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 (रिगिडिशन और विकास) अधिनियम, 2016 की धारा 20 के अर्तगत गठित प्राधिकरण
भारत की संसद द्वारा पारित 2016 का अधिनियम संख्यांक 16

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| | | <p>4. Details of litigation not provided. Status: Not provided.</p> <p>5. Entry of collaboration agreement in revenue record needs to be done. Status: Not provided.</p> <p>6. Approvals for water supply, sewage disposal, storm water drainage and road from competent authority needs to be submitted. Status: Not provided.</p> <p>7. Details of all the community facilities which shall be handed over to the RWA or competent authority and to be constructed by the promoter itself and not forming part of basic sale price needs to be provided. Status: Not provided.</p> <p>8. Details of sold and unsold inventory plot wise including size of plot, average rate and total consideration needs to be submitted. Status: Details of EWS units not submitted.</p> <p>Folder A</p> <p>Part-B-Statutory Approvals</p> <p>9. Copy of LC IV and LC-IV A not submitted. (Annexure A3) Status: Not provided.</p> <p>10. Copy of final BIP approval needs to be submitted. (Annexure A4) Status: Not provided.</p> <p>11. Copy of collaboration agreement not submitted. (Annexure A5) Status: Causes regarding irrevocable and sharing clause needs to be clarified.</p> <p>12. Revised project report needs to be submitted which includes all the sale proceeds till date, financial resources, cost of construction etc. (Annexure A6) Status: Needs to be revised.</p> <p>13. NEC for the remaining area needs to be submitted. (Annexure A13) Status: Not provided.</p> <p>14. REP-II needs to be revised. (Annexure A15) Status: Needs to be revised.</p> <p>15. Copy of forest NOC not submitted. (Annexure A20) Status: Not provided.</p> <p>16. Copy of HUDA construction water NOC not submitted. (Annexure A25) Status: Not provided.</p> <p>Part-E-Project Cost/sale Proceeds</p> <p>17. Cost of Land needs to be clarified according to the area applied for registration, an annexure in support of the same needs to be provided. Status: Not provided.</p> <p>18. External development, Internal development charges, conversion charges, license fees need to be clarified. Status: Not clarified.</p> |
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| | <p>19. All the three-bank account i.e., Master Account, Separate RERA Account, Free Account needs to be submitted. Status: Not provided.</p> <p>Folder B</p> <p>Project proponents</p> <p>20. Details of structural engineer and proof consultant along with KYC not provided. Status: Not provided.</p> <p>21. Details of real estate agents not provided. Status: Details not provided.</p> <p>Folder C</p> <p>Various plans to be annexed</p> <p>22. Copy of approved electricity supply plan, streetlighting plan, landscape plan needs to be submitted. Status: Approved plans not provided.</p> <p>23. Copy of superimposed demarcation plan on approved site plan on A1 sheet not submitted. (Annexure C14) Status: Needs to be revised.</p> <p>24. Road connectivity map showing existing and proposed road along the site needs to be submitted. Status: needs to be revised.</p> <p>25. PERT Chart needs to be submitted. (Annexure C15) Status: Not provided. Completion certificate not obtained.</p> <p>26. Copy of approved fire scheme plans along with scheme needs to be submitted. (Annexure C22) Status: Approved plans along with fire scheme not provided.</p> <p>Folder D</p> <p>Financial Documents and Allottee related draft documents</p> <p>27. Application form, allotment letter, builder buyer agreement, conveyance deed, payment plan, payment receipt executed with the existing allottees needs to be submitted. (D15, D16, D17, D18, D19) Status: Executed legal documents submitted but not matching with the booking list.</p> <p>28. Allotment letter, conveyance deed, payment plan and payment receipt, builder buyer agreement in the prescribed format need to be submitted. Status: Not as per prescribed format. Needs to be revised.</p> <p>29. Copy of draft application form needs to be revised. Status: Not as per prescribed format. Needs to be revised.</p> <p>Part-H- Separate bank account details</p> <p>30. Copy of Pan card, Aadhaar card, address proof of the person operating bank account needs to be submitted. (D8, D9, D10) Status: KYC of all AS not provided.</p> |
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| | | <p>31. Board resolution duly acknowledged by bank for operation of bank account mentioning all three account nos. needs to be submitted. (D11) Status: BR not mentioning the name pf all three account.</p> <p>32. Affidavit by the promoter regarding arrangement with the financial institution to abide by the provision of RERA needs to be submitted. (Annexure D12). Status: not provided.</p> <p>33. Bank undertaking needs to be submitted. (Annexure D13) Status: Not provided.</p> <p>Additional documents in case of ongoing projects</p> <p>34. CA certificate for financial and inventory details in respect of ongoing project needs to be submitted. (Annexure D20) Status: Needs to be revised. Financial figures not provided.</p> |
| 20. | Deficit fee | <p>1. Online corrections in REP-I (Part A-H) needs to be done.</p> <p>2. Corrections in detailed project information needs to be done.</p> <p>3. Deficit fees of Rs. 10,62,474/- needs to be paid.</p> <p>4. Details of litigation not provided.</p> <p>5. Entry of collaboration agreement in revenue record needs to be done.</p> <p>6. Approvals for water supply, sewage disposal, storm water drainage and road from competent authority needs to be submitted.</p> <p>7. Details of all the community facilities which shall be handed over to the RWA or competent authority and to be constructed by the promoter itself and not forming part of basic sale price needs to be provided.</p> <p>8. Details of sold and unsold inventory plot wise including size of plot, average rate and total consideration needs to be submitted. Status: Details of EWS units not submitted.</p> <p>9. Copy of LC IV and LC-IV A not submitted. (Annexure A3)</p> <p>10. Copy of final BIP approval needs to be submitted. (Annexure A4)</p> <p>11. Copy of collaboration agreement not submitted. (Annexure A5)</p> <p>12. Revised project report needs to be submitted which includes all the sale proceeds till date, financial resources, cost of construction etc. (Annexure A6)</p> <p>13. NEC for the remaining area needs to be submitted. (Annexure A13)</p> <p>14. REP-II needs to be revised. (Annexure A15)</p> <p>15. Copy of forest NOC not submitted. (Annexure A20)</p> <p>16. Copy of HUDA construction water NOC not submitted. (Annexure A25)</p> <p>17. Cost of Land needs to be clarified according to the area applied for registration, an annexure in support of the same needs to be provided.</p> <p>18. External development, Internal development charges, conversion charges, license fees need to be clarified.</p> <p>19. All the three-bank account i.e., Master Account, Separate RERA Account, Free Account needs to be submitted.</p> |

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| | | <ol style="list-style-type: none"> 20. Details of structural engineer and proof consultant along with KYC not provided. 21. Details of real estate agents not provided. 22. Copy of approved electricity supply plan, streetlighting plan, landscape plan needs to be submitted. 23. Copy of superimposed demarcation plan on approved site plan on A1 sheet not submitted. (Annexure C14) 24. Road connectivity map showing existing and proposed road along the site needs to be submitted. 25. PERT Chart needs to be submitted. (Annexure C15) 26. Copy of approved fire scheme plans along with scheme needs to be submitted. (Annexure C22). 27. Application form, allotment letter, builder buyer agreement, conveyance deed, payment plan, payment receipt executed with the existing allottees needs to be submitted. (D15, D16, D17, D18, D19) 28. Allotment letter, conveyance deed, payment plan and payment receipt, builder buyer agreement in the prescribed format need to be submitted. 29. Copy of draft application form needs to be revised. 30. Copy of Pan card, Aadhaar card, address proof of the person operating bank account needs to be submitted. (D8, D9, D10) 31. Board resolution duly acknowledged by bank for operation of bank account mentioning all three account nos. needs to be submitted. (D11) 32. Affidavit by the promoter regarding arrangement with the financial institution to abide by the provision of RERA needs to be submitted. (Annexure D12). 33. Bank undertaking needs to be submitted. (Annexure D13) 34. CA certificate for financial and inventory details in respect of ongoing project needs to be submitted. (Annexure D20) |
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Case History:

The promoter i.e. M/s M3M India Pvt Ltd has applied (online and manual) on dated 25.08.2021 for registration of their group housing colony project namely "M3M Escala" in sector 108, Gurugram under section 4 of Real Estate (Regulation and Development), Act 2016.

This application pertains to registration of group housing residential colony which has been licensed vide license no. 16 of 2009 for area admeasuring 27.471 acres valid upto 28.05.2024 issued in favour of various license holders in collaboration with M/s DLF Home Developers Ltd.

DTCP, Haryana had issued in principle approval of change of developer from DLF Home Developers Pvt Ltd to Haamid Real Estates Pvt Ltd and grant joint development rights and marketing rights in favour of Capital Heights Pvt Ltd, Classic Infrasolutions Pvt Ltd, M3M India Pvt Ltd, Advance India Projects Pvt Ltd vide memo no. LC-139-II-JE(VA)/2020/13145 dated 27.07.2020.

The present application pertains to registration of 3.26706 acres applied by M/s M3M India Pvt Ltd in legal capacity of BIP holder for which occupation certificate was obtained on 02.08.2018 vide memo no. memo. No. ZP-545/SD(BS)/2018/23018 dated 02.08.2018 for towers M1, M2 and EWS.

On scrutiny of application, it was found that there were deficiencies in the application which have been mentioned in PE and CA scrutiny. Online corrections were found in Rep-I (Part A-H). Hence, the promoter may be issued 1st deficiency notice vide notice no. HARERA/GGM/RPIN/365 dated 09.09.2021 to remove the above deficiencies/ observations and given an opportunity of hearing on 21.09.2021.

On 14.09.2021, the promoter has submitted an application requesting the authority for the adjournment of hearing because the concerned staff who is well conversant with the project is bed ridden with illness. Therefore, the promoter request to grant time till 30.09.2021 for removal of deficiencies and defer the hearing schedule for 21.09.2021.

On 21.09.2021, it has come to the notice of the authority that the promoter has submitted an application on 14.09.2021 requesting the authority for the adjournment of hearing because the concerned staff who was well conversant with the project was bed ridden with illness. Therefore, the authority considers the request of the promoter to grant week time for removal of deficiencies and deferred the hearing schedule for 21.09.2021. The matter decided to come up on 05.10.2021.

On 05.10.2021, the promoter had not submitted the reply of 1st deficiency notice.

A comprehensive report was yet to be come from DTCP, promoters and co-promoters. Nothing could be done in absence of patent material fact. The matter decided to come up on 19.10.2021.

On 19.10.2021, a comprehensive report is yet to come from DTCP regarding promoters and co-promoters. Nothing could be done in absence of patent material fact. The matter decided to come up on 09.11.2021.

On 09.11.2021, the promoter was directed to obtain final approval of BIP permission from the competent authority. Nothing could be done in absence of patent material fact. In meanwhile the promoter was advised to rectify the remaining deficiencies which were already conveyed. The matter decided to come up on 13.12.2021.

On 13.12.2021, the promoter is directed to submit the deficit documents along with online DPI. The matter to come up on 27.12.2021.

On 27.12.2021, matter adjourned for 17.01.2022.

On 17.01.2022, matter adjourned for 31.01.2022.

On 31.01.2022, the promoter is directed to submit the deficit documents along with corrected online DPI and REP-I (Part A-H). Matter adjourned for 15.03.2022.

On 15.03.2022, the reply to the deficiencies notice submitted by the applicant promoter was scrutinized and still major deficiencies were noticed including non-obtaining of the BIP permission in favour of the applicant promoter and other statutory approvals requires to be submitted. The AR of the promoter clarified that the instant project applied for registration as ongoing project measuring 3.2 acres only out of 27.47 acres Group Housing Complex licensed in favour of M/s Haamid Real Estates Pvt. Ltd. in collaboration with DLF Homes Developers Ltd. However, the remaining developers are not paying the share of their fee and hence final grant of BIP permission is held up in DTCP. The AR was advised for taking up the matter with T&CP Department for early grant of BIP permission and rectification of all other deficiencies already conveyed before the application for registration to be further proceeded. The matter to come up on 18.04.2022.

On 18.04.2022, none was present on behalf of the promoter. One last opportunity of 2 weeks' time is granted. The matter to come up on 09.05.2022.


On 09.05.2022, No one is present on behalf of the promoter. Keeping in view the brief facts of the case, the promoter is directed to submit all the deficit documents and deficit fees along with final approval of BIP which is a mandatory requirement for grant of registration certificate. A notice be issued to the promoter for obtaining final BIP approval of the part of the project developed by them. Matter to come up on 23.05.2022.

On 23.05.2022, No one appeared on behalf of the promoter. The promoter has not submitted the reply of the deficiencies which are conveyed to them nor submitted the final approval of BIP permission. The matter is sine die till the final approval of BIP permission is obtained from the competent authority.



On 27.09.2022, JS Sindhu (EE/M) Executive briefed about the facts of the project and following major deficiencies have pointed out i.e. (1). Deficit Fee- Rs 10,62,474/- (2). Final BIP approval. (3). Non-encumbrance certificate. (4). Fire scheme approval. (5). Builder buyer agreement as per prescribed format. (6). Allotment letter as per prescribed format. The matter is adjourned for 11.10.2022.

On 11.10.2022, The major deficiencies are Final BIP Permission, Non- Encumbrance, Fire Scheme approval. Deficit Fee- Rs 10,62,474/-. The authorized representative of the promoter is advised to deposit the deficient fee as mentioned against each within 7 days otherwise their matter will not be heard on the next date of hearing i.e., 26.10.2022. The promoter is further advised to rectify the deficiencies and submit the deficient document apart from the filing of information in REP-I A to H format and detailed project information. The matter to come up on 26.10.2022.


Asha

Chartered Accountant


Ashish Kush

Planning Executive

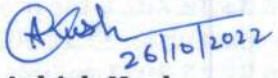
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| Day and Date of hearing | Wednesday and 26.10.2022 |
| Proceeding recorded by | Ram Niwas |

PROCEEDINGS OF THE DAY

Proceedings dated: 26.10.2022.

Sh. Ashish Kush, Planning Executive briefed about the facts of the case.

On 26.10.2022, the coram is not complete. The hearing is adjourned for 27.10.2022.


Ashish Kush

Planning Executive