

Project hearing brief

SN	Particulars	Details
1.	Name of the project	Aradhya Extension
2.	Name of the promotor	M/s Sky Space Developers Private Limited
3.	Nature of the project	Residential Floors
4.	Location of the project	Sector-67A, Gurugram, Haryana
5.	Legal capacity	Third right holder
6.	Details of licensed area where plots are situated on which independent floors are proposed to be constructed and details of such plots as under: -	
a)	Name of the license holder	N/A
b)	License no.	N/A
c)	Total area of the licensed colony	N/A
d)	Total area of the plots applied for registration	1.2973 acres
e)	Total number of independent floors	84 (S+4) units on 21 plots
g)	Status of project	New
h)	Whether registration applied for whole/ phase	Whole
7.	Online application ID	RERA-GRG-PROJ-983-2021
8.	Statutory approvals either applied for or obtained prior to registration	
i)	License Approval	Date of approval
		N/A
ii)	Zoning Plan Approval	Not provided
iii)	Layout plan Approval	Not provided
iv)	Building plan approval for residential	13.09.2021
		12.09.2023
vii)	Environmental Clearance	N/A
viii)	Service plan and estimate approval	N/A
10.	File Status	Date
	Project received on	15.12.2021
	1st deficiency notice sent on	05.01.2022
	1st Hearing on	17.01.2022
	2nd Hearing on	19.01.2022
	3rd Hearing on	07.02.2022
	4th Hearing on	16.05.2022
	1st reply submitted on	16.05.2022

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	5 th hearing on	06.06.2022
	6 th hearing on	13.06.2022
	7 th hearing on	22.06.2022
	2 nd reply submitted on	27.06.2022
9.	Projected date of completion of the project	30.06.2024
10.	Present stage of completion for ongoing projects (%)	New
11.	No. of Units i.e. (sold units - in case of ongoing and unsold units)	Unsold units: -84
12.	Detail of encumbrances	Loan of Rs. 30 crores have been availed by the promoter against the deposit of title deeds of project land and receivables of the project.
13.	Status of documents: - Major Deficiencies/Observations - Online corrections in REP-I (Part A-H) needs to be done. Status: - Not Done - Corrections in detailed project information needs to be done. Status: - Not Done - Project report and brochure of the projects needs to be provided. Status: - provided - Copy of non-encumbrance certificate certified by tehsildar of the Revenue department need to be submitted. Status: - Not applicable - Copy of land title search report need to be certified by advocate on the latest date. Status: - Provided - Copy of REP-II need to be revised. Status: - Not revised - Copy of building plan BR-III for 21 plots need to provided. Status: - provided - Copy of natural conservation zone NOC, tree cutting permission /NOC, forest land diversion and power line shifting NOC need to be submitted. Status: - Affidavit provided - PERT Chart is not submitted. Status: - Not provided - Details of inventory plot wise needs to be submitted. Status: - provided - Copy of approved zoning plan, layout plan and demarcation plan need to be provided. Status: - Not provided - The Legal documents related to allottees are not in the proper format. The same needs to be provided. Status: Provided - Deficit fee ₹2,39,502/- Status: - Provided	

Observations-

Part-E-Project Cost/sale Proceeds

14. Non default certificate mentioning no default in statutory dues i.e., ESI, PF, Income tax, Sale Tax, GST, Labour Cess etc. and UDIN needs to be provided.
Status: - Provided
15. Letter confirming mortgage needs to be submitted along with deed of mortgage.
Status: - Loan of Rs. 30 crores has been availed by the promoter against the deposit of title deeds of project land and receivables of the project.
16. Supporting document for the interest cost needs to be submitted.
Status: - Not provided
17. Financial resources of the project needs to be clarified.
Status: - Clarified.
18. Annual statement for the financial year 2020-21 needs to be submitted.
Status: - Provided

Part H-Bank account details

19. Keeping in view the provisions of section 4 (2) (I) (D) of the Real Estate (Regulation & Development) Act, 2016, promoter needs to provide an affidavit duly signed by the authorised signatory and witness.
Status: - Provided
20. Bank undertaking needs to be provided.
Status: - Bank undertaking has been provided, however it needs to be provided on banker letterhead.
21. Board resolution authorising to approve the bank account needs to be submitted.
Status: - Provided

Part-I-Quarterly schedule of physical and financial progress

22. CA Certificate for expenditure incurred up to the date of application needs to be provided.
Status: - Not provided
23. Statement of quarterly estimated expenditure needs to be corrected.
Status: - Not provided
24. Statement of quarterly estimated sources of fund needs to be corrected.
Status: - Not provided
25. Statement of net cash flow needs to be corrected.
Status: - Not provided
26. CA Certificate for financial and inventory details needs to be submitted.
Status: - The Promoter is third party right holder and project is new. Hence this certificate is not required.

Case history: -

An application regarding registration of residential floors projects namely "Aradhya Extension" situated at sector-67A, Gurugram, Haryana being developed by M/s Sky Space Developers Private Limited was submitted on 15.12.2021 under section 4 of Real Estate (Regulation and Development), Act 2016. The applicant promoter M/s Sky Space Developers Private Limited has purchased the 21 plots from M/s New Look Builders and Developers Private Limited (formerly known as Ansal Phalak Infrastructure Private Limited) vide different sale deeds executed on different dates annexed as annexure A.

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The application submitted by the promoter for the said project contains 21 residential plots on which total of 84 units are to be constructed. On scrutiny of the application, some of the major deficiencies/observations were observed which were conveyed to the promoter vide notice no. HARERA/GGM/RPIN/404 dated 05.01.2022. Neither promoter appeared nor submitted the reply. Further, the authority issued a show cause notice dated 08.04.2022 for rejection under section 5 (1)(b) of the Real Estate (Regulation and Development) Act, 2016 and Rule-5(2) of Haryana Real Estate (Regulation and Development) Rules, 2017. The promoter has submitted the reply dated 16.05.2022 and 27.06.2022 and which was scrutinized by the authority still the deficiencies pending which are as follows: -

1. Online corrections in REP-I (Part A-H) needs to be done.
2. Corrections in detailed project information needs to be done.
3. Copy of REP-II need to be revised.
4. PERT Chart is not submitted.
5. Copy of approved zoning plan, layout plan and demarcation plan need to be provided.
6. The Legal documents related to allottees are not in the proper format. The same needs to be provided.

Observations-

Part-E-Project Cost/sale Proceeds

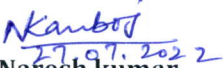
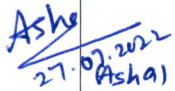
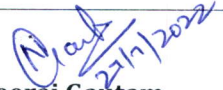
7. Supporting document for the interest cost needs to be submitted.

Part H-Bank account details

8. Bank undertaking needs to be provided.

Part-I-Quarterly schedule of physical and financial progress

9. CA Certificate for expenditure incurred up to the date of application needs to be provided.
10. Statement of quarterly estimated expenditure needs to be corrected.
11. Statement of quarterly estimated sources of fund needs to be corrected.
12. Statement of net cash flow needs to be corrected.

 Naresh Kumar (Chartered Accountant)	 Asha (Chartered Accountant)	 Neeraj Gautam (Architectural Executive)
Day and Date of hearing	Wednesday and 27.07.2022	
Proceeding recorded by	Ram Niwas	

PROCEEDINGS OF THE DAY

Ms. Neeraj Gautam, Architectural Executive briefed about the case.
Sh. Narayan Bhadana (Director) and Sh. Amit Sharma (Legal) are present on behalf of the promoter.
The AR requests for one week for rectification of the deficiencies and submission of deficit documents as per above. The matter to come up on 08.08.2022.


Vijay Kumar Goyal
Member, HARERA, Gurugram


Dr. Krishana Kumar Khandelwal
Chairman, HARERA, Gurugram