

Project hearing brief

S.No.	Particulars	Details	
1.	Name of the project	Imperia Shopping Central	
2.	Name of the promoter	M/s Imperia Wishfield Pvt. Ltd.	
3.	Nature of the project	Commercial Plotted Colony (SCO)	
4.	Location of the project	Sector-37C, Gurugram	
5.	Legal capacity to act as a promoter	License Holder	
6.	Status of project	New	
7.	Whether registration applied for whole	Whole Project	
8.	Online application ID	RERA-GRG-PROJ-1009-2022	
9.	License no.	117 of 2021 dated 23.12.2021	Valid up to 22.12.2026
10.	Total licensed area	2.8250 acres	Area to be registered 2.8250 acres
11.	Statutory approvals either applied for or obtained prior to registration		
	S.No	Particulars	Validity up to
	i)	License Approval	22.12.2026
	ii)	Zoning Plan Approval	N/A
	iii)	Layout plan Approval	23.12.2026
	iv)	Environmental Clearance	N/A
	v)	Architectural Control Sheet	Not Provided
	vi)	Service plan and estimate approval	LC-4241/JE(S)/2022/11280 dated 25.04.2022
12.	File Status	Date	
	File received on	09.05.2022	
	First notice Sent on	23.05.2022	
	First hearing on	30.05.2022	
	Second hearing on	06.06.2022	
	Third hearing on	13.06.2022	
	Fourth hearing on	27.06.2022	
	Fifth hearing on	11.07.2022	
14.	Status of Documents	1. Approved Architectural control sheet needs to be submitted. If applied than copy of applied needs to be submitted.	



		Status: Applied receipt enclosed with an undertaking to submit approved architectural control sheet within one month. 2. Approvals / NOC's from agency for access permission for road needs to be submitted. Status: Not Submitted.
	Deficit Documents	1. Approved Architectural control sheet needs to be submitted. If applied than copy of applied needs to be submitted. 2. Approvals / NOC's from agency for access permission for road needs to be submitted.
Day and Date of hearing		Monday and 11.07.2022
Proceeding recorded by		Ram Niwas

Case History:-

The promoter M/s Imperia Wishfield Pvt. Ltd. who is a License Holder applied for the registration of real estate project namely "Imperia Shopping Central" located at Sector-37C, Gurugram under section 4 of the Real Estate (Regulations and Development) Act, 2016 vide central receipt no. 32294 dated 09.05.2022 and RPIN-462. The Temp I.D. of REP - I (Part A-H) is RERA -GRG-PROJ-1009-2022. The project area for registration is same as that of the licensed area i.e., 2.8250 acres. License no - 117 of 2021 dated 08.12.2021. The application for registration was scrutinized and 1st deficiency notice vide notice no. HARERA/GGM/RPIN/462 dated 23.05.2022 was issued to the promoter with an opportunity of being heard on 30.05.2022.

Note:

The FAR approved in the layout plan is 4.286. The fee calculation is done as per the approved FAR i.e., 4.286. However, as per the policy for grant of license for plotted commercial colony the maximum FAR shall be 1.5. As the clarification regarding the same needs to be submitted as the FAR cannot be greater than 1.5 as per the policy under which the license was granted.

The promoter submitted a reply dated 27.05.2022, after scrutiny of the reply the remaining deficiencies Conveyed to the promoter.

On 30.05.2022, the authority directed the promoter to submit the deficit documents. The authority also advised the promoter to submit a certificate from the concerned branch regarding submission of the annual audit report of project accounts in respect of projects registered till 31.03.2021 and QPRs of the projects of the promoter till last quarter is to be submitted.

The matter to come up on 06.06.2022.

The promoter submitted a reply dated 03.06.2022, after scrutiny of the reply the remaining deficiencies were conveyed to the promoter.

On 06.06.2022, Apart from rectification of the above deficiencies the promoter is advised to submit a certificate from the concerned branch regarding submission of the annual audit report of project accounts in respect of projects registered till 31.03.2021 and QPRs of the projects of the promoter till last quarter is to be submitted.

The matter to come up on 13.06.2022.

The promoter submitted a reply dated 07.06.2022, after scrutiny of the reply the remaining deficiencies are mentioned below:

1. Approved Architectural control sheet needs to be submitted. If applied than copy of applied needs to be submitted.

2. Approvals / NOC's from agency for access permission for road needs to be submitted.

On 13.06.2022, the hearing was adjourned and matter to come up on 27.06.2022.


The promoter submitted a reply on 16.06.2022 which was scrutinized and found that the promoter submitted an affidavit in respect of submission of approved architectural control sheet within one month. The promoter submitted extra fee of Rs 40,04,600/- which shall be kept as a guarantee on account of submission of approved architectural control sheet within one month.

On 27.06.2022, Sh. Ashish Kush, Planning Executive briefed about the facts of the case.

Sh. Akash Gupta (Manager Compliance) and Sh. Vinay Shukla (Legal Counsel) are present on behalf of the promoter.

The authority directed the promoter to submit the applied copy of architectural control sheet (drawings) along with the approval/NOC from agency for access permission of roads.

The matter to come up on 11.07.2022.


11.07.2022
Naresh Kumar
Chartered Accountant


11.07.2022
Sumeet
Engineering Executive

REPRESENTED THROUGH

Sr. no.	Name	Designation	Mobile No.	E-mail
1.	Sh. Akash Gupta	Manager- Compliance	8377965432	Akash.gupta@imperiastructures.in
2.	Sh. Vinay Shukla	Legal Counsel	9810624262	vinayshukla@whitespan.in
3.	Brig. D.S. Gill	AR	8586928776	

PROCEEDINGS OF THE DAY

Proceedings dated: 11.07.2022


Sh. Sumeet, Engineering Executive briefed about the facts of the case.

Brig. D.S. Gill (AR), Sh. Akash Gupta (Manager Compliance) and Sh. Vinay Shukla (Legal Counsel) are present on behalf of the promoter.

The only deficiency which remains in above project is submission of approved Architectural control sheets/standard design, which otherwise stand submitted to DTCP for approval on 01.06.2022 and final approval is expected shortly and the AR requests for giving 2 months' time for submission of approved control sheets and undertakes that there is already an excess amount of Rs. 40,04,600/- deposited with the Authority and the said amount may be retained by the Authority. An affidavit to this effect stands submitted in the Authority.

The Authority decides to grant the registration certificate.


(Vijay Kumar Goyal)
Member, HARERA, Gurugram


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



HARERA
GURUGRAM
गुरुग्राम

**HARYANA REAL ESTATE REGULATORY
AUTHORITY GURUGRAM**

हरियाणा भू-संपदा विनियामक प्राधिकरण,

Temp ID- RERA-GRG-1009-2022
Imperia Shopping Central

AGENDA OF THE MEETING

DATED: 11.07.2022

ITEM NO.		RPIN	462
SUBJECT	Application for registration of Commercial plotted colony namely "Imperia Shopping Central" in Sector-37C, Gurugram being developed by M/s Imperia Wishfield Pvt. Ltd.		
APPLICATION DETAILS			
1.	Application for registration (for whole project/ phase)	Imperia Shopping Central	
2.	Name of the project	Sector-37C, Gurugram	
3.	(a) Total licensed area of the project	2.8250 acres	
	(b) Area applied for registration	2.8250 acres	
4.	Location of the project (location of the project is to give as phase is part of the project even if phase is to be registered)	Sector- 37C, Gurugram	
5.	Status of the project (status of the project is to be given not of the phase even if phase is to be registered) (New/ Ongoing) Definition of ongoing project as provided in rule 2(o) ¹	NEW	
6.	Planning area	Gurgaon – Manesar Urban Complex – 2031 A.D.	
CASE HISTORY			
Sr. No.	File status	Date	

¹ "on-going project" means a project for which a license was issued for the development under the Haryana Development and Regulation of Urban Area Act, 1975 on or before the 1st May, 2017 and where development works were yet to be completed on the said date



1.	Application for registration received on	09.05.2022
2.	First notice sent on	23.05.2022
3.	First hearing on	30.05.2022
4.	Second hearing on	06.06.2022
5.	Third hearing on	13.06.2022
6.	Fourth hearing on	27.06.2022
7.	Fifth hearing on	11.07.2022

DETAILS

DETAILS OF THE PROJECT PROMOTER

The application under section 4 of the Real Estate (Regulation & Development) Act, 2016, has been received in the authority for registration of real estate project/phase (whichever is applicable) having following details:

1.	Name of the applicant-promoter	M/s Imperia Wishfield Pvt. Ltd.
2.	Legal capacity to act as applicant promoter	License Holder
3.	Status of the promoter	Company
4.	Registered address	A-25, Mohan Cooperative Industrial Estate, New Delhi-110044

PROJECT AND FEE DETAILS

1.	Details of the project (as a whole)		
	Sr. No.	Particulars	Details
	1.	Name of the project	Imperia Shopping Central
	2.	Location of the project	Sector-37C, Gurugram
	3.	(a) Whether project is to be implemented in one go or in phases	NEW
		(b) No. of Phases	N/A
	4.	Licence no. and date of validity	117 of 2021 dated 23.12.2021 valid upto 22.12.2026
	5.	Total licensed area of the project	2.8250 acres



6.	Area for registration	2.8250 acres
7.	Nature of the project	Commercial Plotted Colony (SCO)
8.	Name of the license holder	M/s Imperia Wishfield Pvt. Ltd.
9.	Name of the collaborator (if any)	N/A
2.	Fee details	
1.	Fee details	
(a)	Registration fee	17,131.59 * 20* 1.5 = Rs 5,13,947.7/-
(b)	Processing Fee	17,131.59 * 10 = Rs 1,71,315.9 /-
(c)	Late fee	N/A
(d)	Total	Rs 6,85,264/-
2.	DD Details	
(a)	DD amount	1. Rs 42,00,000/- 2. Rs 4,90,000/-
(b)	DD no. and date	1. 389823 dated 06.05.2022 2. 389824 dated 06.05.2022
(c)	Name of the bank issuing	IDFC Bank
(d)	Deficient amount	NIL
(e)	Excess Fee paid by promoter	Rs 46,90,000 - Rs 6,85,264 = Rs 40,04,736/-

ONLINE APPLICATION SCRUTINY

1.	Whether the applicant has applied for the registration on official website of the Haryana Real Estate Regulatory Authority, Gurugram.	YES	NO
		√	
2.	Unique no. generated online	RERA-GRG-PROJ-1009-2022	
3.	Whether the hard copy of the online application REP-I authenticated by promoter?	YES	NO
		√	
4.	The status of mandatory plans to be uploaded online before registration is as under:		



Sr. No.	List of plans	Tick if provided	Date of upload document
1.	Layout plan	√	31.03.2022
2.	Demarcation plan	√	07.06.2022
3.	Zoning plan	N/A	
4.	Building plans includes following		
4.1	Site plan	√	31.03.2022
4.2	Floor plan	N/A	
4.3	Apartment plans	N/A	
4.4	Elevation section	N/A	
4.5	X-section plan	N/A	
4.6	Structural plan	N/A	
4.7	Parking plan	N/A	
5.	Service plans and estimates (Applied)		
5.1	Roads and pavement plan	√	05.05.2022
5.2	Electricity supply plan	√	07.06.2022
5.3	Water supply plan	√	05.05.2022
5.4	Sewerage plan	√	05.05.2022
5.5	Solid waste management plan	N/A	
5.6	Storm water drainage plan	√	05.05.2022
5.7	Street light plan	√	07.06.2022
5.8	10% land transferred to the govt. for community facility	N/A	
5.9	Copy of super imposed demarcation plan on the approved layout plan	√	07.06.2022
Note: Sr. no. 5.1 to 5.10 are part of the service plans and estimates submitted by the promoter to the competent authority for approval. Till approval is received the promoter should upload above plans as prepared by him and submitted to competent authority for approval. As and when approval is received the copy of the approved plan be uploaded online.			
5.	The status of mandatory documents to be uploaded online before registration is as under:		



Sr. No.	List of documents	Tick if provided	Date of upload document		
1.	Copy of license along with schedule of land	√	31.03.2022		
2.	Documents relating to the entry of license and collaboration agreement in the revenue record	√	07.06.2022		
3.	Non-default certificate from a chartered accountant	√	26.04.2022		
4.	Cash flow statement of the proposed project	√	27.04.2022		
5.	Certificate from a chartered accountant certifying that the information provided by the applicant in form REP-1 is correct as per the books of accounts/balance sheet of the applicant	√	07.06.2022		
6.	The documents uploaded online have been checked and same are found in order.	YES			
7.	The hard copy of online application i.e., REP-I (Part A-H) is in the proper format and all required details have been provided.	YES			
8.	Following are the deficiencies in the online application form:				
Sr. No.	Status of deficiencies in online application				
1.	All the deficiencies are removed by the promoter.				
DETAILED PROJECT INFORMATION: SCRUTINY					
9.	One set of DPI in the proper format has been received and checked. All the necessary details have been provided and found to be in order. DPI along with annexures is placed before the authority for consideration.				
10.	Details of statutory approvals.				
10.1	Statutory approvals required prior to registration				
Sr. No.	Particulars	Approval no.	Date	Valid upto	Remarks
1.	License approval	117 of 2021	23.12.2021	22.12.2026	
2.	Zoning plan approval	N/A			





		3.	Layout plan approval	DTCP 117	23.12.2021	23.12.2026	
		4.	Architectural Control Sheet	Applied			
		5.	Environment Clearance approval	N/A			
	10.2	Approvals either applied for or obtained prior to registration. (These approvals if applied be obtained within three months of issue of registration certificate. After approval intimation, be given to the authority and online updation be done.)					
		1.	Airport clearance height	N/A		-	
		2.	Fire approval scheme	N/A			
		3.	Service plan estimates approval	LC-4241/JE(S)/2022/11280	25.04.2022		
		4.	Electrical availability connection load	Ch. 100/DRG.-PLC	09.03.2022		
	10.3	Mandatory approvals if applicable and required before construction can be started. (These may be either applied or obtained prior to registration. The applied permissions be obtained within three months of issue of registration certificate.)					
		1.	Forest NOC	KGD-VRK-DDF3	25.10.2021		
		2.	Natural conservation zone NOC	N/A			Affidavit Given
		3.	Tree cutting permission from DFO NOC	N/A			Affidavit Given
		4.	Forest land diversion	N/A			Affidavit Given
		5.	Power Line shifting NOC	N/A			Affidavit Given
	(a)	Additional scrutiny and verification by Planning Executive					



11	Sr. No.	Description	Scrutiny
	1.	Land title of the project – whether title deeds, mutation, jamabandi and aks-shajra duly certified by revenue officer six months prior to date of application are attached.	YES
	2.	License validity – if expired, whether renewal application submitted to DTCP along with payment of requisite fee	Valid
	3.	In case promoter is other than licensee – confirm collaboration/ development agreement as below: -	
	3.1	Collaboration agreement – registered or not	N/A
	3.2	Whether it is irrevocable	N/A
	3.3	Whether it provides marketing right to developer	N/A
	3.4	Verify and report – any other restricting clause in such agreement	N/A
	4.	Whether beneficiary interest permission in favor of promoter – approved by DTCP is attached.	N/A
	5.	Whether non-encumbrance certificate issued by tehsildar/ revenue officer is submitted.	N/A
	6.	In case of encumbrance whether prescribed form filed with registrar of companies for creation of charge	YES
7.	Whether the land title search report is in order	YES	
(b)	Comments of Planning Executive		
Sr. No.	Deficiencies/Observations		
1.	Approved Architectural control sheet needs to be submitted.		
2.	Road access permission needs to be submitted.		
3.	All the deficiencies have been fulfilled by the promoter except approved architectural control sheet and road excess permission.		



	 Sumeet Engineer Executive	 Ashish Kush Planning Executive	
12	Scrutiny by Chartered Accountant		
	Description	Scrutiny	
	Part - A - Project proponents		
	1.	Check company incorporation and object clause in memorandum & articles of association	Provided
	2.	In case of change in name of entity, whether previous incorporation certificate/ identity document is attached	N/A
	3.	Whether director's information as required along with supporting documents like address proof, PAN card, passport, etc. are attached?	Provided
	Part - C - Project details		
	4.	In case land is encumbered, whether requisite charge is created in favor of lender? (Copy of form filed with ROC to be attached along with sanction letter of lender)	Yes. However, form CHG-I provided.
	5.	Whether supporting documents for land cost are attached?	Provided.
	6.	Whether infrastructure cost as mentioned is in line with supporting documents?	Approved service estimates provided.
	7.	Whether financial resources to meet the project cost are properly mentioned?	YES
	8.	Whether all particulars in section are properly filled in and provided?	YES
Part - E - Project cost/ sale proceeds details			
9.	Whether all supporting documents for project cost are submitted?	YES	
10.	Whether project report and supporting costing documents for internal development work are provided?	YES	
11.	Whether construction cost & other details as mentioned are in line with details in other sections?	YES	
PART - H - Separate bank account of project			



12.	Whether the board resolution duly acknowledged by bank for operation of bank account is submitted properly specifying same to be 70% collection account as per RERA rules.	Provided
13.	Whether details of all authorized signatories to operate the bank account are properly mentioned in prescribed format and required documents are submitted for same	Provided
Part - J - Quarterly schedule of physical and financial progress		
14.	Whether the financials details in summary sheet are properly filled in and duly authenticated?	YES
15.	Verify quarterly expenditure statement till end of project and ensure that all cost elements are captured therein	YES
16.	Verify quarterly source of funds till end of project and ensure that there is no inconsistency in same with summary details provided in section	N/A
17.	Verify that sale numbers are matching with summary details in prescribed form	N/A
18.	Verify net cash flow statement to ensure that it remains positive till end of project	N/A
19.	Whether CA certificate for non-default in payment of debt obligations is provided	Provided
20.	Verify financial statements for last three years of promoter and check for repayment of financial obligations, statutory dues. Any other adverse financial position as observed from financial statements is to be highlighted.	Company has incurred losses in preceding three financial years.
21.	Net worth of promoter (as per latest balance sheet)	Net worth of ₹ 3.16 crore for the financial year 2020-21
Part - K - Additional details in case of ongoing project		
22.	Whether financial and inventory details are verified by CA and CA certificate is issued in prescribed format?	N/A
23.	Comments of Chartered Accountant	
	Loan-1	



Renuka Traders Private Limited and Imperia Wishfield Private Limited has obtained term loan of Rs. 61 cr. against the deposit of title deeds and it has been utilised as follows:-

- Term loan up to Rs. 20 cr. towards the repayment of existing loan facility of Indiabulls Housing finance limited and Rs. 1 crore for share purchase agreement.
- Term loan of Rs. 10 cr. has been utilised towards repayment of unsecured loan, 15 cr. towards obligation undertaken towards share purchase agreement.
- Term loan of Rs. 5 cr. towards general corporate purpose.
- Term loan of Rs 10 cr. towards construction cost of project 1 (Aashiyara phase-I & II) and project 2 (Imperia 37th Avenue tower-B and SCO).

Loan-2

Renuka Traders Private Limited and Imperia Wishfield Private Limited has obtained term loan of Rs. 4 cr. against the security of project land and receivables arising from sold and unsold inventory of borrowers escrow account.

Sr. No.	Deficiencies/Observations
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1.	All the deficiencies are removed.
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N. Kambh
Chartered Accountant

13 Scrutiny by Planning Executive

Sr. No.	Description	Scrutiny
1.	Whether the collaboration agreement is registered?	N/A
2.	Whether the collaboration agreement is irrevocable?	N/A
3.	Whether the land mentioned in the collaboration agreement is same as mentioned in the license?	N/A
4.	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?	YES
5.	Whether collaboration agreement gives right to develop, marketing, raising funds and allotment of real estate in totality?	N/A
6.	Whether the sale agreement with the buyer by the beneficial interest permission holder i.e. promoter is entered into with the concurrence and signatures of licensee and collaborator (if any)?	N/A
S.no	Comments	



	1.	All the deficiencies are removed.
		<p style="text-align: center;"> Sumeet Engineer Executive</p> <p style="text-align: center;"> Ashish Kush Planning Executive</p>
14	Conditions to be incorporated in the registration certificate:	
	1.	The promoter shall enter into an agreement for sale with the allottees as prescribed in the Haryana Real Estate (Regulation and Development) Rules, 2017 and amended as per requirements and approved by the authority.
	2.	The promoter shall offer to execute and register a conveyance deed in favour of the allottee or the association of the allottees, as the case may be, of the unit/apartment, plot or building as the case may be, as per section 17 of the Act;
	3.	The promoter shall convey/allow usage of common areas as per Rule 2(1)(f) of the Haryana Real Estate (Regulation and Development) Rules, 2017.
	4.	The promoter shall deposit seventy percent of the amounts realized by the promoter in a separate account to be maintained in a schedule bank to cover the cost of construction and the land cost to be used only for that purpose as per sub-clause(D) of clause (l) of sub-section (2) of section 4;
	5.	The registration shall be valid for a period as mentioned above under the head "validity of registration" subject to validity of licenses granted by DTCP and promoters shall be bound to obtain prior renewals thereof.
	6.	The promoter shall comply with the provisions of the Real Estate (Regulation & Development) Act, 2016 and the Haryana Real Estate (Regulation and Development) Rules, 2017 as applicable in the State and regulations made thereunder applicable in the jurisdiction of this authority;
	7.	The promoter shall not contravene the provisions of any other law for the time being in force as applicable to the project.
	8.	The promoter shall comply with all other terms and conditions as mentioned in the attached detailed project information (DPI) and as conveyed by the Authority from time to time.
	9.	<p>The apartment or building shall be sold only on carpet area basis and not on super area basis and the total sale consideration shall be inclusive of all charges. No separate EDC/IDC are payable by the allottees except the total sale consideration.</p> <p>Attention is invited to model agreement for sale provided in the Haryana Real Estate (Regulation and Development) Rules, 2017. (Term 1.2)</p> <p><i>Explanation:</i></p> <p>(i) <i>The Total Price as mentioned above includes the booking amount paid by the allottee(s) to the Promoter towards the Plot/Unit/Apartment for</i></p>



	<p><i>Residential/Commercial/Industrial/IT/any other usage (as the case may be) along with parking (if applicable);</i></p> <p>(ii) <i>The Total Price as mentioned above includes Taxes (GST and Cess or any other taxes/fees/charges/levies etc. which may be levied, in connection with the development/construction of the Project(s)) paid/payable by the Promoter up to the date of handing over the possession of the Plot/Unit/Apartment for Residential/Commercial/Industrial/IT/any other usage (as the case may be) along with parking (if applicable) to the allottee(s) or the competent authority, as the case may be, after obtaining the necessary approvals from competent authority for the purpose of such possession:</i></p> <p><i>Provided that, in case, there is any change/modification in the taxes/charges/fees/levies etc., the subsequent amount payable by the allottee to the promoter shall be increased/decreased based on such change/modification.</i></p>
10.	<p>The attention of the promoter is invited to the definition of common areas provided in section 2(n) of the Real estate (Regulation and Development) Act, 2016. Section 2(n) of the Real Estate (Regulation and Development) Act, 2016 is reproduced as under:</p> <p><i>"common areas" mean—</i></p> <p>(i) <i>the entire land for the real estate project or where the project is developed in phases and registration under this Act is sought for a phase, the entire land for that phase;</i></p> <p>(ii) <i>the staircases, lifts, staircase and lift lobbies, fire escapes, and common entrances and exits of buildings;</i></p> <p>(iii) <i>the common basements, terraces, parks, play areas, open parking areas and common storage spaces;</i></p> <p>(iv) <i>the premises for the lodging of persons employed for the management of the property including accommodation for watch and ward staffs or for the lodging of community service personnel;</i></p> <p>(v) <i>installations of central services such as electricity, gas, water and sanitation, air-conditioning and incinerating, system for water conservation and renewable energy;</i></p> <p>(vi) <i>the water tanks, sumps, motors, fans, compressors, ducts and all apparatus connected with installations for common use;</i></p> <p>(vii) <i>all community and commercial facilities as provided in the real estate project;</i></p> <p>(viii) <i>all other portion of the project necessary or convenient for its maintenance, safety, etc., and in common use;</i></p>
11.	<p>The sale shall not be permitted through real estate agent without availability of prospectus/brochure containing necessary details and a set of drawings and approvals with the real estate agent registered with the HARERA. In case of introduction of new real estate agent or change/deletion of real estate agent as mentioned in the DPI, the promoter shall inform the same to the authority.</p>
12.	<p>There shall not be any subvention scheme/ assured returned scheme for the registered project without prior approval of the authority.</p>



13.	<p>The promoter at the time of booking and issue of allotment letter shall be responsible to make available to the allottee, the following information, namely-</p> <p>(a) Sanction plan, layout plans along with specification, approved by the competent authority, by display at the site or such other place as may be specified by the regulations made by the authority.</p> <p>(b) The stage wise time schedule of completion of the project including the provisions for civic infrastructure like water, sanitation and electricity.</p> <p>[Obligation of the promoter under section 11(3)]</p>
14.	<p>The promoter shall enable the formation an association of allottees or society or co-operative society, as the case may be, of the allottees, or a federation of the same shall be formed, within a period of three months of the majority of allottees having booked their apartment/building/plot and inform the authority about the AOA.</p> <p>[Obligation of the promoter under section 11(4)(e),]</p>
15.	<p>At the time of issue of allotment letter an application form for membership of the association of allottee shall be got filled up from the allottee.</p> <p>The promoter shall incorporate a condition in the allotment letter that buyer of unit shall enroll himself as a member of association of allottee to be registered for this project.</p> <p>Every allottee of the apartment, plot or building as the case may be, shall participate towards the formation of an association or society or corporative society or the allottees, or a federation of the same.</p> <p>[Duty of the allottee under section 19(9)]</p>
16.	<p>The promoter shall issue the allotment letter as per draft annexed in the detailed project information which is duly approved by the authority and authenticated by the promoter. In case, the promoter wants to amend certain conditions/clauses, a separate application with justification for such variation/change be submitted for consideration of the Authority and till such change is allowed, the draft allotment letter shall be followed as approved by the authority with the DPI or as per directions issued by the authority.</p>
17.	<p>The promoter shall declare details of the unit along with specifications, payment plan and time for handing over of possession of unit after obtaining all required approvals from the competent authority.</p>
18.	<p>As per section 13(1), the promoter shall not accept a sum more than ten per cent of the cost of the apartment, plot, or building as the case may be, as an advance payment or an application fee, from a person without first entering into a written agreement for sale as prescribed with such person and register the said agreement for sale, under any law for the time being in force.</p>
19.	<p>The promoter is obligated to take various approval/renewals whenever due on time, from the competent authorities. Any failure in this regard will invite stringent action as per the provision of the law against the promoter.</p>
20.	<p>The promoter shall comply with the requirement of section 11(1) and submit the quarterly up-to-date status of the project for each quarter.</p>



21. The promoter shall complete the construction of community sites within the completion period declared under section 4(2)(l)(C) of the Act, 2016 and any failure would attract stringent action and penal proceedings.

22. The authority reserves its right to initiate penal proceedings for violation of various provisions of the Real Estate (Regulation & Development) Act, 2016 and rules and regulations made thereunder.

Additional Conditions

23. The promoter shall submit the approved Architectural Control Sheet within two months from the issuance of the registration certificate.

24. The promoter has already submitted the amount of Rs 40,04,600 as a security deposit on account of submission of approved Architectural Control Sheet. This security amount shall be forfeited in case the conditions are not fulfilled by the promoter within the stipulated time period mentioned in the conditions.

25. In case of failure to submit the approved Architectural Control Sheet within two months from the date of issuance of registration certificate, then the amount collected from the allottees will be refunded with interest at the prescribed rate within one month thereafter and the registration certificate shall be treated as deemed cancelled.

26. The promoter shall comply with the requirement of section 4(2)(l)(D) and get his accounts audited within six months after the end of every financial year by a chartered accountant in practice, and shall produce a statement of accounts duly certified and signed by such chartered accountant and it shall be verified during the audit that the amounts collected for a particular project have been utilized for that project and the withdrawal has been in compliance with the proportion to the percentage of completion of the project. All such pending compliances after coming into force of the Real Estate (Regulation and Development) Act, 2016 shall be submitted in the authority within a period of three months.

27. The promoter is directed to clear the title of the project land from any litigations before the offer of possession and if due to the above litigation, any allottee gets the defective title of land and in case of any loss caused to him due to defective title of the land then the allottee would be entitled to get compensation as provided in section 18(2) of the Act.

DECISION OF THE AUTHORITY

APPROVED

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Vijay Kumar Goyal
Member, HARERA, Gurugram

(Dr. Krishana Kumar Khandelwal)
Chairman, HARERA, Gurugram