

New PWD Rest House, Civil Lines, Gurugram, Haryana नया पी. डब्ल्यू. डी. विश्राम गृहसिविल लाईंस गुरुग्राम हरियाणा

Project Smartworld Orchard
Promoter M/s Suposhaa Realcon Pvt. Ltd.

PROJECT HEARING BRIEF

SNo.	Particulars	Details
1.	Name of the project	Smartworld Orchard
2.	Name of the promoter	M/s Suposhaa Realcon Pvt. Ltd.
3.	Nature of the project	Residential Independent Floors
4.	Location of the project	Revenue estates of Village Behrampur and Ullawas, Sector 61, Gurugram
5.	Legal capacity to act as a promoter	Collaborator
6.	Name of the license holder	M/s Auspicious Infrastructure Pvt. Ltd, Regal Green Land Pvt. Ltd. and Commander Realtors Pvt. Ltd.
7.	Whether registration applied for whole	Whole
8.	Status of project	Ongoing
9.	No. of units	Total: 416 x 4 = 1664 Sold: 626 Unsold: 1038
10.	Temp. ID	RERA- GRG- PROJ- 1121- 2022
11.	Date of completion declared u/s 4(2)(1)(c)	31.12.2024
12.	Status of QPR	Submitted
13.	Fee calculation	For 23.29999 acres <u>Registration fee</u> = (54192.411 x 2.64 x 2.64 x 10) = Rs. 37,76,994/- <u>Processing fee</u> = 54192.411 x 2.64 x 10 = Rs. 14,30,680/- Total = Rs. 52,07,674/-

		Paid at the time of registration of 20.60902 acres	42,00,000/-
		Less: Processing fee on previous registration calculated on 49514.797 sq m FAR	Rs. 4,95,148/-
		Remaining fee for 23.29999 acres	Rs. 15,02,522/-
		Fee paid at the time of application for registration of 2.69097	9,08,000/-
		Deficit fee	Rs. 5,94,522/- (Paid through RTGS reference number KKBKR5202209190065119 dated 19.09.2022)
14.	License no.	62 Of 2022 68 of 2021	Valid up to 24.05.2027 Valid up to 15.09.2026
15.	Total licensed area	23.2999 Acres	Area to be registered 2.69097 Acres
16.	Statutory approvals either applied for or obtained prior to registration		
	S.No	Particulars	Date of approval
	i)	License Approval	Validity up to
		62 Of 2022	25.05.2022
		68 of 2021	16.09.2021
	ii)	Zoning Plan Approval	25.05.2022
	iii)	Layout plan Approval	25.05.2022
	iv)	Building plans	25.08.2022
	v)	Environmental Clearance	Not submitted
	vi)	Airport height clearance	N/A
	vii)	Fire scheme approval	N/A
	viii)	Service plan and estimate approval	13.09.2022

	ix)	Electricity load availability connection	29.08.2022
17.	File Status		Date
	Project received on		01.09.2022
	First reply submitted on		16.09.2022
	First hearing on		19.09.2022
	Second reply submitted on		21.09.2022
	Third reply submitted on		27.09.2022
	Second hearing on		27.09.2022
18.	<p>Case history-</p> <p>Director, Town and Country Planning, Haryana (DTCP) has granted a license bearing No. 68 of 2021 dated 16.09.2021 for setting up an affordable residential plotted colony under Deen Dayal Jan Awas Yojna DDJAY policy of the Government of Haryana, on land measuring 20.60902 acres situated in Sector 61, Gurugram.</p> <p>The Authority upon the submission of RERA registration application by the Promoter has already issued registration certificate vide Registration No. 73 of 2021 dated 27.10.2021.</p> <p>Now, upon application by the Promoter, the DTCP has granted additional license for setting up affordable residential plotted colony as an extension of the Colony on 2.69097 acres land abutting to the existing land under License No. 68 of 2021 subject to the orders of Hon'ble Supreme Court in CA No. 8977 of 2014 titled as Jai Narayan @ Jai Bhagwan & others V/s State of Haryana and final outcome of CBI investigation under process</p> <p>Thus, the total licensed land now measures 23.2999 acres (20.60902 + 2.69097) acres and is owned by licensee / land owning companies namely-Auspicious Infrastructure Pvt. Ltd., Commander Realtors Pvt. Ltd, Buzz Hotels Pvt. Ltd, High Star Builders Pvt. Ltd., Adson Software Pvt. Ltd., Ireo Pvt. Ltd., Five Rivers Buildcon Pvt. Ltd., Bulls Realtors Pvt. Ltd., High Responsible Realtors Pvt. Ltd., Hi-Energy Realtors Pvt. Ltd., Ornamental Realtors Pvt.Ltd., Regal Green Lands Pvt. Ltd, and Suposhaa Realcon Private Limited who are developing the 23.29999 acres DDJAY colony in collaboration with Suposhaa Realcon Private Limited in terms of the registered collaboration agreements bearing Vasika nos. 3346 Dated 26-10-2020 & 2195 dated 07-06-2021 and license Nos. 68 of 2021 dated 16.09.2021 and 62 of 2022 dated 25.05.2022.</p> <p>The promoter has now applied for the registration of 2.69097 acres licensed land under section 4 of Real Estate (Regulation and Development), Act 2016 and requested for amendment of RERA registration no. 72 of 2021 dated 27.10.2021 by superseding the existing project details so that this application is treated for the whole project as a succession to the previous granted registration.</p>		

The promoter undertakes to complete the development of the entire 23.29999 acres colony within the stipulated date 31.12.2024 as given at the time of registration earlier granted of the project.

The current application pretends to 1664 residential units over 416 plots, out of which 626 residential units are already sold.

On scrutiny of the application, it was found that there were deficiencies in the application which were conveyed to the promoter and an opportunity of hearing is provided to the promoter on 19.09.2022. Reply to the deficiencies is submitted by the promoter on 16.09.2022

Documents submitted on 16.09.2022

1. Approved service plan and estimated along with sanctioned letter.

Proceedings dated 19.09.2022

Ar. Neeraj Gautam (Associate Architectural Executive) and Ms. Asha (Chartered Accountant) briefed the facts of the case. Sh. Abhijeet Singh (AR) and Sh. Manik Sharma (AR) are present on behalf of the promoter. Although the AR submits that the approval of revised lay out plan has been obtained from DTCP after obtaining objections from the existing allottees in pursuance to the policy dated 25.01.2021 issued by Principal Secretary to Govt. Haryana T&CP; Department. The AR submits that the consent of 2/3rd allottees prior to revision were obtained and shall be submitted in the Authority. Further a list of the changes in the revised plan viz a viz earlier sanctioned plan shall also be submitted duly marked on the plan for inspection of the allottees and one-week public notice shall be issued by the Authority in two newspapers at the cost of the applicant promoter. Deficit fee, if any be also paid before the next date of hearing along with proof of having deposited the deficit fee.

The matter to come up on 27.09.2022.

Scrutiny on reply submitted on 21.09.2022

2. Complete set of approved building plans needs to be submitted and the same needs to be uploaded in online DPI.

Status: Submitted and uploaded online

3. Deficit fee of Rs. Rs. 5,94,522/- needs to be paid.

Status: Paid through RTGS reference number KKBKR52022091900651194 dated 19.09.2022

4. Environmental clearance needs to be submitted

Status: Submitted

5. CA certificate for cost incurred up to date of application of registration needs to be uploaded in the online DPI

Status: Submitted and uploaded

6. Allottee related draft documents including Application form, Allotment letter, BBA, Conveyance deed and payment receipt needs to be uploaded in online DPI

Status: Submitted and uploaded

7. Project report along with Brochure of current project and project photos needs to be uploaded in online DPI and same needs to be submitted in hard copy

	<p>Status: Submitted and uploaded</p> <p>8. Online corrections in REP-I (Part A-H) needs to be done. Documents to be uploaded needs to be submitted in PDF format of size less than 5 MB each.</p> <p>Status: Done</p> <p>9. Consent of 2/3 allottees regarding change in layout plan has been submitted.</p> <p>Documents submitted on 27.09.2022 Copy of two newspapers in which public notice as per the direction of the authority was published.</p> <p>Proceedings dated 27.09.2022</p> <p>The Authority directed the promoter to rectify the deficiencies and deposit the deficit fee, if any within the time period indicated against each project, otherwise, the application is liable to be rejected after following the prescribed procedure as provided in the Act, 2016 and rules made thereunder.</p> <p>It is submitted that the date of filing objection with regard to the documents relating to change in layout plan was 29.09.2022 and no objection is received in the Authority.</p>
19.	<p>Deficit documents</p> <p>1. Hard bound copy of corrected online DPI and REP-I (Part A-H) needs to be submitted.</p>
20.	<p>The requisite required documents for grant of registration have been submitted by the promoter. Therefore, recommended for the grant of registration. The part of the land of the present application is registered vide registration No. 74 of 2021 dated 03.11.2021 and now after superseding the earlier registration without amending the date of completion of the project new RC is to be issued. The A to H information is to be filled up afresh for the whole project and DPI for the whole project is to be submitted which has already been done. Now onwards QPRs shall be based on A to H information in REP-I for the whole project and a mention shall be made on the earlier registration certificate and A to H of the earlier registered part be blocked forthwith.</p>

Asha
(Asha)

Chartered Accountant

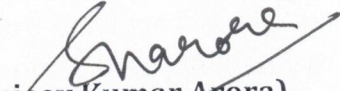
Neeraj
4/10/22


(Ar. Neeraj Gautam)


Associate Architectural Executive

Day and Date of hearing	Tuesday and 04.10.2022
Proceeding recorded by	Sh. Ram Niwas
PROCEEDINGS OF THE DAY	
Proceedings dated 04.10.2022	
Ar. Neeraj Gautam (Associate Architectural Executive) and Ms. Asha (Chartered Accountant) briefed the facts of the case.	
Sh. Abhijeet Singh (AR) and Sh. Manik Sharma (AR) are present on behalf of the promoter.	

Approved as proposed. A condition be incorporated in the registration certificate that in the eventuality of final outcome in the matter decided against the land owners/license holders and/or collaborator in the matter pending in Hon'ble Supreme Court in CA No. 8977 of 2014 titled as Jai Narayan @ Jai Bhagwan & others V/s State of Haryana and final outcome of CBI investigation under process, then the promoter is obligated to refund the amount received from allottees along with interest at the prescribed rate without prejudice to any other remedy including compensation.


(Sanjeev Kumar Arora)
Member, HARERA, Gurugram


(Ashok Sangwan)
Member, HARERA, Gurugram


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