

Project hearing brief

SN	Particulars	Details
1.	Name of the project	Samsara Vilasa & Samsara Arya
2.	Name of the promotor	M/s Adani Brahma Synergy Pvt. Ltd.
3.	Nature of the project	Residential Floors
4.	Location of the project	Village - Maidawas, Sector 63, 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	1.826 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-985-2021
8.	Statutory approvals either applied for or obtained prior to registration	
i)	License Approval	Date of approval
		N/A
ii)	Zoning Approval Plan	Not provided
iii)	Layout Approval plan	Not provided
iv)	Building approval plan for residential	Not provided
vii)	Environmental Clearance	N/A
viii)	Service plan and estimate approval	N/A



9.	File Status	Date
	Project received on	18.01.2022
	1st deficiency notice sent on	02.02.2022
	1st hearing on	21.02.2022
	1st Reply submitted on	11.03.2022
	2nd hearing on	07.03.2022
9.	Projected date of completion of the project	31.12.2026
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	Not Provided
13.	Proceedings dated 08.08.2022 Ar. Neeraj Gautam, Architectural Executive briefed about the facts of the project. Sh. Venket Rao (Advocate) and Sh. Praveen Kumar (AR) are present on behalf of the promoter. The Ld. Counsel along with AR of the promoter has submitted a representation today in the registry of the Authority which be examined by the office. Further Ld. Counsel is also advised to clarify the applicability of the orders of Hon'ble Supreme Court of India in SLP No. 6013 of 2022 wherein it has been directed to maintain the status quo and the details of allotted plots have been sought from the license holder as well as M/s Krrish Realtech Pvt. Ltd. – the petitioner therein. The matter to come up on 22.08.2022.	
14.	Major Deficiencies/Observations 1. The annexures in the online are not uploaded as well as the correction needs to be done in the online (A-H). Status: - Not Done 2. Corrections in detailed project information needs to be done. Status: - Not Done 3. Copy of approval letter for layout cum demarcation plan and zoning plan need to be submitted.	



- Status:** - Provided
4. Copy of building plan BR-III for plots J-120 and J-122 need to be provided.
Status: - Not Provided
5. Copy of PERT chart need to be provided.
Status: - Provided
6. Project report and brochure of the projects needs to be provided.
Status: - Provided
7. Copy of non-encumbrance certificate certified by tehsildar of the Revenue department need to be submitted.
Status: - Not Provided
8. Copy of land title search report need to be certified by advocate on the latest date.
Status: - Provided
9. Copy of REP-II need to be revised.
Status: - Provided
10. Copy of natural conservation zone NOC, forest land diversion and power line shifting NOC need to be submitted.
Status: - Affidavit provided
11. Copies of floor plan, apartment plan, elevation plan, x-section and structural plan need to be provided.
Status: - Provided
12. Copy of layout plan showing the demarcated area of the plots falling in block-M and J, registered areas of the licensed colony in RERA authority and residential floors.
Status: - Not Provided
13. Details of inventory plot wise needs to be submitted.
Status: - Not Provided
14. The Legal documents related to allottees are not in the proper format. The same needs to be provided.
Status: - Need to be revised

Observations-

Part-E-Project Cost/sale Proceeds

15. Cost of land needs to be mentioned as per area applied for registration and an annexure in support of the same needs to be submitted.
Status: - Provided
16. Financial resources of the project need to be mentioned in DPI.
Status: - Need to be revised.

Part H-Bank account details

17. 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 revised.
Status: - Provided
18. Bank undertaking needs to be provided.
Status: - Provided
19. Board resolution authorising to approve the bank account needs to be submitted.

Status: - Provided

20. Person authorized to operate the bank account needs to be mentioned in the DPI.

Status: - Provided

21. KYC of the person authorized to operate the person needs to be provided.

Status: - Provided

Part-I-Quarterly schedule of physical and financial progress

22. Term loan facility of Rs. 250 crores have been availed by the promoter out of which Rs. 170 crores for the development of brahma city project in Gurgaon against the security of project land and receivable arising from sold and unsold units, which is not allowed under the act.

Status: - Not Provided

23. Directors report for the last three financial year needs to be provided.

Status: - Director report for the financial year 2020-21 needs to be submitted

24. CA Certificate for the equity infused by the promoter needs to be provided.

Status: - Provided

25. Expenditure incurred till the date of application needs to be mentioned in DPI.

Status: - Not Provided

PART-II Project Proponent

26. KYC of Vidhya Prakash Aggarwal, Versha Porwal needs to be submitted.

Status: - Not Provided

27. PAN card of the promoter company needs to be submitted.

Status: - Provided

15. Deficit Documents: -

1. The annexures in the online are not uploaded as well as the correction needs to be done in the online (A-H).
2. Corrections in detailed project information needs to be done.
3. Copy of building plan BR-III for plots J-120 and J-122 need to be provided.
4. Copy of non-encumbrance certificate certified by tehsildar of the Revenue department need to be submitted.
5. Copy of layout plan showing the demarcated area of the plots falling in block-M and J, registered areas of the licensed colony in RERA authority and residential floors.
6. Details of inventory plot wise needs to be submitted.
7. 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

8. Financial resources of the project need to be mentioned in DPI.

Part-I-Quarterly schedule of physical and financial progress

9. Term loan facility of Rs. 250 crores have been availed by the promoter out of which Rs. 170 crores for the development of brahma city project in Gurgaon against the security of project land and receivable arising from sold and unsold units, which is not allowed under the act.
10. Directors report for the last three financial year needs to be provided.
11. Expenditure incurred till the date of application needs to be mentioned in DPI.

PART-II Project Proponent

12. KYC of Vidhya Prakash Aggarwal, Versha Porwal needs to be submitted.

Case History

An application regarding registration of residential floors projects namely "Samsara Vilasa & Samsara Arya" situated at sector-63, Gurugram, Haryana being developed by M/s Adani Brahma Synergy Pvt Ltd was submitted on 18.01.2022 under section 4 of Real Estate (Regulation and Development), Act 2016.

The applicant promoter M/s Adani Brahma Synergy Pvt Ltd has purchased the 21 plots from M/s Brahma City Private Limited vide different sale deeds executed on different dates annexed as annexure A.

The application submitted by the promoter for the said project contains 21 residential plots on which total of 84 units are to be constructed. The promoter has not obtained the part CC/ CC of the said plots which needs to be registered as it falls under the purview of the definition of ongoing project.

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/425 dated 02.02.2022. The promoter has submitted the reply dated 11.03.2022 and 19.05.2022 which was scrutinized and still the following deficiencies are pending which are as follows: -

1. The annexures in the online are not uploaded as well as the correction needs to be done in the online (A-H).
2. Corrections in detailed project information needs to be done.
3. Copy of building plan BR-III for plots J-120 and J-122 need to be provided.
4. Copy of non-encumbrance certificate certified by tehsildar of the Revenue department need to be submitted.
5. Copy of layout plan showing the demarcated area of the plots falling in block-M and J, registered areas of the licensed colony in RERA authority and residential floors.
6. Details of inventory plot wise needs to be submitted.
7. 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

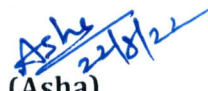

8. Financial resources of the project need to be mentioned in DPI.

Part-I-Quarterly schedule of physical and financial progress

9. Term loan facility of Rs. 250 crores have been availed by the promoter out of which Rs. 170 crores for the development of brahma city project in Gurgaon against the security of project land and receivable arising from sold and unsold units, which is not allowed under the act.
10. Directors report for the last three financial year needs to be provided.
11. Expenditure incurred till the date of application needs to be mentioned in DPI.

PART-II Project Proponent

12. KYC of Vidhya Prakash Aggarwal, Versha Porwal needs to be submitted.

 (Asha) Chartered Accountant	 (Ar. Neeraj Gautam) Architectural Executive
--	--

Day and Date of hearing	Monday 22.08.2022
--------------------------------	-------------------

Proceeding recorded by	Sh. Ram Niwas
-------------------------------	---------------

REPRESENTED THROUGH

Sr. no.	Name	Designation	Mobile No.	E-mail
1.	Sh. Praveen Kumar	General Manager		
2.	Sh. Pankaj Chandola	Proxy Counsel		

PROCEEDINGS OF THE DAY


Proceedings dated 22.08.2022

Ms. Geeta Rathee Singh, Sr. L.O. briefed about the facts of the case.

Sh. Praveen Kumar, General Manager Legal (AR) and Sh. Pankaj Chandola, Proxy Counsel for Sh. Venket Rao (Advocate) are present on behalf of the promoter. The AR submits that a detailed representation in reference to status quo order of Hon'ble Apex Court in SLP No. 6013 of 2022 has been submitted on 17.08.2022 and needs to be examined by Sr. L.O. regarding applicability of said orders passed by Hon'ble Apex Court in SLP before the matter is further proceeded with.

The matter to come up on 12.09.2022.


 (Vijay Kumar Goyal)
 Member, HARERA, Gurugram


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