

New PWD Rest House, Civil Lines, Gurugram, Haryana

नया पी.डब्ल्यू.डी. विश्राम गृह सिविल लाईंस गुरुग्राम हरियाणा

 Project Landmark Avana-1st Phase
 Promoter M/s Landmark Apartments Pvt. Ltd.

PROJECT HEARING BRIEF FOR PROJECT REGISTRATION U/S 4 OF THE ACT, 2016

SNo.	Particulars	Details		
1.	Name of the project	Landmark Avana-1 st Phase		
2.	Name of the promotor	M/s Landmark Apartments Pvt. Ltd.		
3.	Nature of the project	Independent Residential Floors		
4.	Location of the project	Village-Dhorka, Sector-95, Gurugram, Haryana		
5.	Legal capacity to act as a promoter	Collaborator		
6.	Name of the license holder	Anju		
7.	Whether registration applied for whole	Whole		
8.	Phase no.	N/A		
9.	Online application ID	RERA-GRG-PROJ-1374-2023		
10.	License no.	14 of 2023	Valid up to 29.01.2028	
11.	Total licensed area	14.209 Acres	Area to be registered	1.3004 Acres
12.	Project completion date as declared u/s 4(2)(I)(c)	31.07.2027		
13.	QPR compliance	Due date of compliance is in June 2023		
14.	4(2)(I)(D) compliance	Due date of financial report is on or before sept 2023		
15.	RC Compliances	1.Electrical Load Availability - Submitted 2. Power Line Shifting NOC- Not submitted 3.HSVP Construction-Submitted 4. Service plans and Estimates- Not submitted		
16.	Statutory approvals either applied for or obtained prior to registration			
	S.No	Particulars	Date of approval	Validity up to

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 Act No. 16 of 2016 Passed by the Parliament

भू-संपदा (विनियमन 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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	i)	License Approval	30.01.2023	29.01.2028
	ii)	Zoning Plan Approval	9089 dated 22.03.2023	
	iii)	Layout plan Approval	8958 dated 01.02.2023	
	iv)	Building approval plan for residential	27.04.2023	26.04.2025
	v)	Environmental Clearance	Not applicable	
	vi)	Airport height clearance	N/A	
	vii)	Fire scheme approval	N/A	
	viii)	Service plan and estimate approval	Applied on 04.05.2023	
	ix)	Electricity load availability connection	09.05.2023	
17.	Fee details-			
		Registration fee	5262.70*1.98*1.98*10=₹2,06,318/-	
		Processing Fee	5262.70*1.98*10=₹1,04,201/-	
		Late fee	N/A	
		Total fee	₹3,10,519/-	
18.	DD amount		₹1,02,650/- ₹2,07,869/- Total= ₹3,10,519/-	
	DD no. and date		022980 dated 12.05.2023 023160 dated 05.06.2023	
	Name of the bank issuing		IDBI Bank	
	Deficient amount		Nil	
19.	File Status		Date	
	Project received on		12.05.2023	
	First notice sent on		31.05.2023	
	First hearing on		05.06.2023 (Adjourned)	

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	1st Reply submitted on	01.06.2023
	2nd Reply submitted on	05.06.2023
	Second hearing	07.06.2023
	Third hearing	10.07.2023
	3rd Reply submitted on	10.07.2023
	4th Reply submitted on	11.07.2023
20.	<p>Case history- An application regarding registration of residential floors projects namely "Landmark Avana-1st Phase" situated at Village-Dhorka, Sector-95, Gurugram, Haryana being developed by M/s Landmark Apartments Pvt. Ltd. was submitted on 12.05.2023 under section 4 of Real Estate (Regulation and Development), Act 2016. This application is for registration of residential floors project admeasuring an area of 14.209 acres for which the license vide no. 14 of 2023 dated 30.01.2023 valid up to 29.01.2028 has been issued by DTCP in favor of Anju and in collaboration with M/s Landmark Apartments Pvt. Ltd.</p> <p>The project consists of 246 residential plots out of 235 unfrozen plots and 11 frozen plots due to High Tension Line which got registered by the authority vide RC no. 39 of 2023 dated 13.02.2023.</p> <p>Now, the promoter has submitted the application for development of independent residential floors on 38 residential plots on which 152 units are to be constructed.</p> <p>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/618 dated 31.05.2023.</p> <p>Proceedings dated 05.06.2023 Matter is adjourned to 07.06.2023.</p> <p>Proceedings dated 07.06.2023 Ms. Prachi Singh Planning Executive briefed about the facts of the case. Sh. Sandeep Chhillar (AR), Sh. Abhishek Kanodia (AR) and Sh. N.S. Dalal (AR) are present on the behalf of the promoter. It is observed that the following conditions imposed in the main registration granted vide RC No. 39 of 2023 dated 13.02.2023 have not been complied with: 1. Approval of service plans and estimates due date for which has expired on 13.05.2023. 2. NOC for shifting of Power Line (due date for which has expired on 13.03.2023). The promoters have submitted an application on 01.06.2023 for extension of time to submit the</p>	

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above two approvals within one month. This may be put up separately. The matter to come up on 10.07.2023.

Proceeding dated 10.07.2023

Ms. Prachi Singh Planning Executive briefed about the facts of the case. Sh. Abhishek Kanodia (AR) is present on the behalf of the promoter and requests for one months' time for compliance of deficiencies. The authority directed the applicant promoter that if the compliance of deficiencies is not done within three weeks, then the application for registration shall be rejected and processing fee will be fortified. The matter to come up on 07.08.2023.


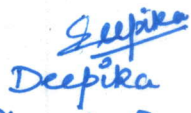

As per the direction of the Authority the matter is preponed to 24.07.2023.

On 11.07.2023, the mail was received to TCP Haryana and HARERA Gurugram, in which the complain regarding sale of unlicensed builder floors in the project "AVANA" Sector 95, Gurgaon developed by the M/s Landmark Group.

In the mail the complainant stated that on Friday, 8th July 2023, he received a text from the channel partner "Investor Junction" of the said developer to invest in 3BHK builder floors. On checking with the channel partner, he found that the said Builder floors are awaiting the HARERA approvals and licenses. The project only has a license to sell plots of land and not constructed builder floors. He was further told that the Builder floor license is applied for and is expected this month. They further added that without the proper license, they have already sold about 90% of the entire project.

<p>21. Present compliance status as on 24.07.2023 of deficient documents as conveyed in the hearing dated 10.07.2023.</p>	<ol style="list-style-type: none"> 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 online detailed project information needs to be done. Status: -Not done 3. Approved service plans and estimates along with the sanction letter issued from DTCP need to be submitted. Status: - Applied on 04.05.2023. Receipt enclosed. 4. Copy of natural conservation zone NOC, tree cutting permission /NOC form DFO, forest land diversion and power line shifting NOC need submitted. Status: - Power line shifting NOC not provided, applied on 07.11.2022 for shifting 66 KV transmission line. Further, the promoter has deposited Rs. 1,64,483/- against the deposit estimate
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		<p>letter raised by HVPNL vide memo no. CH-04/L-96 dated 17.03.2023. Final approval still awaited.</p> <p>5. Approvals/NOCs from the various agencies for connecting external services like sewerage and storm water drainage needs to be provided. Status: Provided</p> <p>6. Copy of non-encumbrance certificate certified by tehsildar of the Revenue department need to be provided on latest date. Status: - Provided</p>
22.	Remarks	<p>1. The annexures in the online are not uploaded as well as the correction needs to be done in the online (A-H).</p> <p>2. Corrections in online detailed project information needs to be done.</p> <p>3. Approved service plans and estimates along with the sanction letter issued from DTCP need to be submitted.</p> <p>4. Copy of power line shifting NOC need submitted.</p>
<p>Recommendation: All the requisite documents are submitted by the promoter except the submission of approved service plan and estimates and power line NOC.</p>		
<p style="text-align: center;">  (Asha) Chartered Accountant </p> <p style="text-align: center;">  Deepika (Planning Executive) </p> <p style="text-align: center;">  on duty (Prachi Singh) Planning Executive </p>		

Day and Date of hearing	Monday and 24.07.2023
Proceeding recorded by	Sh. Ram Niwas

PROCEEDINGS OF THE DAY

Proceedings dated 24.07.2023

Mrs. Asha Chartered Accountant briefed about the facts of the case.

Sh. Sandeep Chhillar (AR), Sh. Abhishek Kanodia (AR) and Sh. N.S. Dalal (AR) is present on the behalf of the promoter. The complaint was received from Sh. Sushant bagaria regarding sale of constructed builder floors of the said project however, no proof is attached for the same. The promoter further clarified that the project is already registered with respect to the plots and sale of the plots as per registration has been made but sale of floors has not been done and he shall be giving an affidavit to this effect from the directors of the company alongwith board resolution and if any contravention is found at any subsequent stage the promoter shall be liable for penal action as per the Act of 2016. The complainant is to be called and heard separately in this regard.

The promoter also states that the approval of service plans and estimates has been received vide

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memo no.LC-4968/JE(SJ)/2023/24035 dated 21.07.2023 which had already been submitted in the Authority on 21.07.2023.


During the examination of records of the promoters, it is noticed that the promoter has delayed in submission of service plans and estimates by 2 months 22 days and non-submission of power line shifting NOC. The authority hereby decides that a final view regarding penalty to be imposed on all such cases of late compliance of RC Conditions will be taken separately.

Keeping in view the above facts, the authority decides to grant the registration of the project subject to the condition that no third party shall be created on the frozen plots as shown on the approved layout plan on account of shifting of power line without obtaining the order of defreeze from DTCP and intimation of the same to the authority.


(Sanjeev Kumar Arora)
Member, HARERA


(Ashok Sangwan)
Member, HARERA


(Vijay Kumar Goyal)
Member, HARERA


(Arun Kumar Gupta)
Chairman, HARERA

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