



New PWD Rest House, Civil Lines, Gurugram, Haryana

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

Emaar Business District 65 NXT (EBD 65NXT)  
RERA-GRG-PROJ-1397-2023

**Hearing brief for project registration u/s 4**

S.No.	Particulars	Details		
1.	Name of the project	Emaar Business District 65 NXT (EBD 65NXT)		
2.	Name of the promoter	M/s Emaar India Ltd.		
3.	Nature of the project	Commercial Plotted Colony (Distinct Commercial Component of Residential Plotted Colony)		
4.	Location of the project	Sector- 65, Gurugram		
5.	Legal capacity to act as a promoter	Collaborator		
6.	Name of license holder	M/s Active Promoters Pvt. Ltd. and Others		
7.	Status of project	New		
8.	Whether registration applied for whole/phase	Whole Project		
9.	Completion date as mentioned in REP-II	10.08.2027		
10.	Online application ID	RERA-GRG-PROJ-1397-2023		
11.	QPR Compliances (if applicable)	RC 162 of 2017 - June 19 - June 23 Submitted and Dec 17- March 2019 pending. RC 60 of 2023 - N/A.		
12.	4(2)(I)(D) Compliances (if applicable)	RC 162 of 2017 - Submitted. RC 60 of 2023 - N/A.		
13.	4(2)(I)(C) Compliances (if applicable)	RC 162 of 2017 - Expired on 28.02.2023. (Show Cause notice issued) RC 60 of 2023 - N/A		
14.	Status of change of bank account	N/A		
15.	Details of proceedings pending against the project	RC 162 of 2017 - RERA-GRG-5003-2022 - SCN for 4(2)(I)(D) compliance RERA-GRG-3241-2023 - SCN for 4(2)(I)(C) compliance RERA-GRG-3193-2022 - SCN for QPR compliance RC 60 OF 2023 - N/A		
16.	RC Conditions Compliances (if applicable)	RC 162 of 2017 - N/A RC no. 60 of 2023 - Complied (Approved service plan & Estimates within 3 months i.e., 07.08.2023 - Approved on 10.08.2023).		
17.	License no.	10 of 2009 dated 21.05.2009 valid up to 20.05.2024 113 of 2011 dated 22.12.2011 valid up to 21.12.2024 117 of 2022 dated 12.08.2022 valid up to 11.08.2027		
18.	Total licensed area	177.8625 acres Area to be registered 1.1480 acres		
19.	Statutory approvals either applied for or obtained prior to registration			
	S.No	Particulars	Date of approval	Validity up to
	i)	License Approval	10 of 2009 dated 21.05.2009 113 of 2011 dated 22.12.2011 117 of 2022 dated 12.08.2022	20.05.2024 21.12.2024 11.08.2027
	ii)	Zoning Plan Approval	N/A	N/A



	iii)	Layout Approval plan	DRG No. DG, TCP-9514(i) dated 23.08.2023	N/A
	iv)	Environmental Clearance	N/A	N/A
	v)	Architectural Control Sheet	ZP-560-A/ JD(RA)/2023/28128 dated 25.08.2023	
	vi)	Service plan and estimate approval	LC-1058/JE(DS)/2023/26226 dated 10.08.2023	
20.	<b>Fee details</b>			
		Registration fee	6968.6929 * 1.5 * 20 = Rs 2,09,061/-	
		Processing fee	6968.6929 * 10 = Rs 69,687/-	
		Late fee	N/A	
		Total	Rs 2,78,748/-	
21.	<b>DD amount</b>			
		DD no. and date	299328 dated 24.08.2023	
		Name of the bank issuing	HSBC Bank	
		Deficient amount	Nil	
22.	<b>File Status</b>			
		File received on	05.09.2023	
		First notice Sent on	20.09.2023	
		First hearing on	25.09.2023	
		Second hearing on	16.10.2023	
23.	<b>Case History:-</b>			
	<p>The promoter M/s Emaar India Ltd. (formerly known as Emaar MGF Land Limited) who is a collaborator had applied for the registration of real estate project namely "Emaar Business District 65 NXT (EBD 65NXT)" located at Sector-65, Gurugram under section 4 of the Real Estate (Regulations and Development) Act, 2016 vide central receipt no. 58296 dated 05.09.2023 and RPIN-645. The Temp I.D. of REP - I (Part A-H) is RERA -GRG-PROJ-1397-2023. The project area for registration is 1.1480 acres part of the licensed area i.e., 177.8625 acres. License no - 10 of 2009 dated 21.05.2009 valid up to 20.05.2024, 113 of 2011 dated 22.12.2011 valid up to 21.12.2024 and 117 of 2022 dated 12.08.2022 valid up to 11.08.2027.</p> <p>The total licensed area is 177.8605 acres out of which an area admeasuring 71.2905 acres was completed before the commencement of the Act and accordingly the registration of the same was not sought by the promoter. Further, the project/ phase developed on an area admeasuring 55.962 acres already registered in the Authority vide registration no. 162 of 2017 dated 29.08.2017 and area admeasuring 50.61 acres was registered vide registration no. 60 of 2023 dated 08.05.2023.</p> <p>The current applied area is 1.1480 acres which is distinct commercial component of project area registered as residential plotted colony vide registration no. 60 of 2023 dated 08.05.2023.</p> <p>The application for registration was scrutinized and 1st deficiency notice vide notice no. HARERA/GGM/RPIN/645 dated 20.09.2023 was issued to the promoter with an opportunity of being heard on 25.09.2023.</p> <p>On 25.09.2023, Sh. Sumeet, Engineering Officer and Ms. Asha, Chartered Accountant briefed about the facts of the project. No reply has been submitted by the promoter company till 22.09.2023 against the deficiencies conveyed by the authority through notice dated 21.09.2023. Therefore, in view of the same the matter is adjourned, and the next date of hearing will be conveyed after submission of reply of deficiencies already conveyed.</p>			



	<p>Further, if no response is received from the promoter within next 4 week's time, in that case the concerned official to put up the matter on file for issuance of show cause notice as to why their application for registration of project may not be rejected following the due procedure under the Act of 2016.</p> <p>The promoter has submitted the reply on 22.09.2023 which has been scrutinized and as per the directions of the authority the matter is fixed for hearing on 16.10.2023.</p> <p>The status of the documents is mentioned below:</p>	
24.	<p><b>Present compliance status as on 16.10.2023 of the deficiencies conveyed in the hearing dated 25.09.2023.</b></p>	<ol style="list-style-type: none"><li>1 The annexures in the online application are not uploaded as well as the correction needs to be done in the online (A-H) application. Status: Needs to be corrected</li><li>2 Online DPI needs to be corrected. Status: Needs to be corrected</li><li>3 Architectural control sheet approval needs to be clarified as there is difference in drawings sanctioned as per approval letter and the drawing submitted against the approval letter. Status: Applied for correction with DTCP on 18.09.2023.</li><li>4 The change in name of company from M/s Emaar MGF Land Ltd to M/s Emaar India Ltd needs to be recognized with DTCP and the approval letter needs to be submitted. Status: Promoter submits the certificate issued by MCA and states that the same has been intimated to DTCP on 15.01.2021.</li><li>5 Collaboration agreement needs to be clarified. <b>Status: Promoter submits letters issued by Active promoters Pvt Ltd and Frond Propbuild Pvt Ltd with reference to collaboration agreements wherein it is stated that the companies are wholly owned subsidiary of Emaar India Ltd and Emaar own 100% beneficial interest and have all right to develop, sale, market the entire land owned by company. The collaboration agreements are without mentioning the area.</b></li><li>6 Undertaking regarding non applicability of NCZ, Tree cutting, Powerline shifting, and Forest land diversion needs to be revised. <b>Status: Submitted.</b></li><li>7 Approvals / NOC's from various agencies for connecting external services like roads, water supply, sewer &amp; storm water drainage needs to be submitted. <b>Status: Promoter states that this project is distinct component of residential plotted colony and</b></li></ol>

	<p><b>approvals of plotted colony submitted which will be utilized for the same.</b></p> <p>8 Allottee related draft documents i.e., application form, allotment letter, BBA needs to be submitted as per prescribed format.  <b>Status: Needs to be revised.</b></p> <p>9 Draft Brochure and advertisement documents needs to be revised.  <b>Status: Submitted</b></p> <p>10 CA certificate for expenditure incurred needs to be match with DPI  <b>Status: Submitted</b></p> <p>11 KYC of director (Mr. Anil Harish) needs to be submitted.  <b>Status: Submitted</b></p> <p>12 Land cost needs to be clarified according to area apply for registration.  <b>Status: Submitted</b></p> <p>13 Cash flow statement needs to be corrected.  <b>Status: Submitted</b></p> <p>14 Affidavit regarding no loan on project land needs to be submitted.  <b>Status: Submitted</b></p> <p>15 Project report needs to be revised  <b>Status: Submitted</b></p> <p>16 Copy of paid challan of EDC, IDC and License fee needs to be submitted.  <b>Status: Submitted</b></p> <p>17 Quarterly statement of expenditure needs to be provided.  <b>Status: Submitted</b></p> <p>18 Financial resources need to be corrected.  <b>Status: Submitted</b></p> <p>19 Affidavit of promoter regarding arrangement with the bank of master account needs to be revised.  <b>Status: Submitted</b></p>
<p><b>Remarks</b></p>	<p>1 The annexures in the online application are not uploaded as well as the correction needs to be done in the online (A-H) application.</p> <p>2 Online DPI needs to be corrected.</p> <p>3 Architectural control sheet approval needs to be clarified as there is difference in drawings sanctioned as per approval letter and the drawing submitted against the approval letter.</p> <p>4 The change in name of company from M/s Emaar MGF Land Ltd to M/s Emaar India Ltd needs to be recognized with DTCP and the approval letter needs to be submitted.</p>



		<p>5 Collaboration agreement needs to be clarified. <b>Status: Promoter submits letters issued by Active promoters Pvt Ltd and Frond Propbuild Pvt Ltd with reference to collaboration agreements wherein it is stated that the companies are wholly owned subsidiary of Emaar India Ltd and Emaar own 100% beneficial interest and have all right to develop, sale, market the entire land owned by company. The collaboration agreements are without mentioning the area.</b></p> <p>6 Allottee related draft documents i.e., application form, allotment letter, BBA needs to be submitted as per prescribed format.</p>
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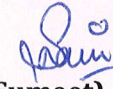
**Recommendation:**

All the required documents for registration of project under section 4 of the Act of 2016 have been submitted except corrections in online A-H form, DPI, correction in ACS approval letter and change in name of company in DTCP record.

The authority may consider for grant of registration of project subject to above.

  
(Asha)

**Chartered Accountant**

  
(Sumeet)

**Engineering Officer**

**Day and Date of hearing**

Monday and 16.10.2023

**Proceeding recorded by**

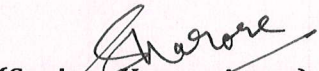
Ram Niwas

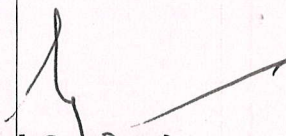
**PROCEEDINGS OF THE DAY**


Proceedings dated: 16.10.2023.

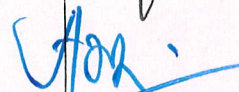
Sh. Sumeet, Engineering Officer and Ms. Asha, Chartered Accountant briefed about the facts of the project.

Sh. Anitesh Singh (AR) is present on behalf of the promoter. AR seeks one week time for submission of remaining deficit documents including submission of a letter of DTCP regarding change in the name of company as the same has already been recognized by MCA and DTCP as well. Further, while approving the layout plan of the entire colony which has been approved in the name of M/s Emaar India Ltd. and the above pocket is part of the same layout plan. Registration be granted as proposed above subject to submission of the requisite documents in above note. Registration certificate will be issued after the submission of above documents.

  
(Sanjeev Kumar Arora)  
Member, HARERA

  
(Ashok Sangwan)  
Member, HARERA

  
(Vijay Kumar Goyal)  
Member, HARERA

  
(Arun Kumar Gupta)  
Chairman, HARERA

