

New PWD Rest House, Civil Lines, Gurugram, Haryana

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

**Project - Iconic
RERA-GRG-1415-2023**
Hearing brief for project registration u/s 4

S.No.	Particulars	Details
1.	Name of the project	Iconic
2.	Name of the promoter	M/s Celestial Estate Pvt. Ltd.
3.	Nature of the project	Commercial project
4.	Location of the project	Sector- 71, Gurugram
5.	Legal capacity to act as a promoter	Collaborator
6.	Name of license holder	Sh. Braham Prakash s/o Sh. Ram Singh and Smt. Basanti Devi w/o Chhalu Ram
7.	Status of project	Ongoing
8.	Whether registration applied for whole/phase	Whole Project
9.	Completion date as mentioned in REP-II	15.03.2025
10.	Online application ID	RERA-GRG-PROJ-1415-2023
11.	QPR Compliances (if applicable)	N/A
12.	4(2)(I)(D) Compliances (if applicable)	N/A
13.	4(2)(I)(C) Compliances (if applicable)	N/A
14.	Status of change of bank account	N/A
15.	Details of proceedings pending against the project	N/A
16.	RC Conditions Compliances (if applicable)	N/A
17.	License no.	101 of 2011 dated 29.11.2011
18.	Total licensed area	3.409 acres
		Area to be registered
		3.409 acres
19.	Statutory approvals either applied for or obtained prior to registration	
	S.No	Particulars
		Date of approval
		Validity upto
	i)	License Approval
		101 of 2011 dated 29.11.2011
		28.11.2024
	ii)	Zoning Plan Approval
		Not Submitted
		N/A
	iii)	Building plan Approval
		ZP-765/JD(BS)/2012/5953 dated 24.04.2012
		23.04.2017
		Revalidation - ZP-765/JD(RA)/2023/31558 dated 21.09.2023
		22.04.2026
	iv)	Environmental Clearance
		SEIAA/HR/2014/1038 dated 06.08.2014
		05.08.2024



v)	Airport height clearance	AAI/RHQ/NR/ATM/NOC/2023/625/2618-21 dated 01.09.2023	31.08.2031
vi)	Fire scheme approval	Not Submitted	
vii)	Service plan and estimate approval	Not Submitted	
20.	Fee details		
	Registration fee	24142.493 sqm * 1.75 * 20 = Rs 8,44,987/-	
	Processing fee	24142.493 sqm * 10 = Rs 2,41,425/-	
	Late fee	500% of registration fee = Rs. 42,24,935	
	Total	Rs 53,11,347/-	
	DD Details		
	DD amount	Rs 2,41,420/- Rs 8,45,000/-	
	DD no. and date	500522 dated 02.09.2023 500538 dated 03.10.2023	
	Name of the bank issuing	ICICI Bank	
	Deficient amount	Rs 42,24,927/-	
21.	File Status	Date	
	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	
22.	Case History:		
	<p>The Promoter M/s Celestial Estate Pvt. Ltd. who is a collaborator applied for the registration of real estate commercial colony namely "Iconic" located at Sector-71, Gurugram under section 4 of the Real Estate (Regulations and Development) Act, 2016 vide central receipt no. 58241 dated 05.09.2023 and RPIN-646. The Temp I.D. of REP - I (Part A-H) is RERA -GRG-PROJ-1415-2023. The project area for registration is same as that of the licensed area i.e., 3.409 acres vide License no -101 of 2011 dated 29.11.2011.</p> <p>After scrutiny of application submitted by the promoter Celestial Estate Pvt Ltd for registration of project under Section 4 of the Act of 2016, it is observed from the order of DTCP Haryana dated nil that licence of the company was cancelled by DTCP Haryana as the license was issued in favour of Celestial Estate Pvt Ltd and the compliance were being done by Earth Infrastructure Limited. Thereafter the company went under insolvency proceedings and Hon'ble NCLT passed the order dated 15.03.2021 stating that all statutory duties including taxes/cess/interest/penalty and other liabilities due to the operational creditors shall stand satisfied/waived off. The company namely HS Oberoi Buildtech Pvt Ltd as successful resolution applicant has taken over the developer company Celestial Estate Pvt Ltd. Further DTCP has directed the company to open an escrow account where the department will have first charge on the amount received in the said account. In view of the orders of Hon'ble NCLT and to safeguard interest of 400 allottees etc., DTCP Haryana has restored the license. Further DTCP Haryana has renewed the license in the name of Celestial Estate Pvt Ltd wherein DTCP has put certain conditions like opening of escrow account</p>		



before registration in RERA and deposition of administrative charges on account of change in beneficial interest within 60 days of RERA registration. Earlier the license was issued in the name of landowners in collaboration with Celestial Estate Pvt Ltd but as on date as per jamabandi submitted by the promoter Celestial Estate Pvt Ltd is the land owner of the subject land and licence has been renewed in the name of only Celestial Estate Pvt Ltd.

The application for registration was scrutinized and 1st deficiency notice vide notice no. HARERA/GGM/RPIN/646 dated 20.09.2023 was issued to the promoter with an opportunity of being heard on 25.09.2023.

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.

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.

The promoter has submitted the reply on 05.10.2023 which has been scrutinized and as per the directions of the authority the matter is fixed for hearing on 16.10.2023.

The promoter has submitted the representation to waive off the late fee stating that M/s Celestial Estate Pvt Ltd was under CIRP vide order dated 11.03.2019 of the Hon'ble NCLT. Further Hon'ble NCLT vide order dated 15.03.2021 approved the resolution plan of corporate debtor (Celestial Estate Pvt Ltd) and handed over the management control of corporate debtor to M/s HS Oberoi Buildtech Pvt Ltd (SRA-Successful Resolution Applicant) to resolve the project. The license of the project was cancelled by DTCP on 04.01.2017 and only after the revival of corporate debtor & after many deliberations the DGTCP restored the license and renewed it on 20.06.2023 and accordingly after that SRA could seek registration of project.

Further the applicant states that DGTCP has waived off the penal on account of delay in revalidation of building plans and charged only processing fee.

Hence the applicant hereby requests to waive off the late fee in the interest of reviving this stressed project and to help 400+ buyers.

The status of the documents is mentioned below;

23.	Present compliance status as on 16.10.2023 of the deficiencies conveyed in the hearing dated 25.09.2023.	<ol style="list-style-type: none">1. Deficit Fee- Rs 50,69,927/- needs to be submitted. Status: Submitted DD no. 500538 dated 03.10.2023 amounting to Rs. 8,45,000/- but still deficit Rs 42,24,927/-. However, the promoter submitted the representation to waive off the current deficit fee which is late fee charged for late filing of application for registration of project. The same is reproduced above.2. 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 corrected3. Online DPI needs to be corrected.
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HARERA

GURUGRAM

Project - Iconic

RERA-GRG-1415-2023

			<p>Status: Needs to be corrected</p> <p>4. From the perusal of documents submitted in the file it is fact that the company is under NCLT. The same needs to be clarified along with supporting documents. Status: Hon'ble NCLT order dated 15.03.2021 submitted wherein Hon'ble NCLT approved the resolution plan of corporate debtor (Celestial Estate Pvt Ltd) and handed over the management control of corporate debtor to M/s HS Oberoi Buildtech Pvt Ltd (SRA-Successful Resolution Applicant) to resolve the project.</p> <p>5. The license has been issued in the name of landowners in collaboration with applicant company but as per Jamabandi land is owned by applicant company. The same needs to be clarified along with supporting documents. Status: Not clarified.</p> <p>6. Copy of revalidated building plan needs to be submitted. Status: Submitted. Approved vide memo no. ZP-765/JD(RA)/2023/31558 dated 21.09.2023 valid upto 22.04.2026.</p> <p>7. Fire Scheme approval needs to be submitted. Status: Affidavit submitted to submit the same at the earliest or within 90 days of registration.</p> <p>8. Approved Service plans and estimates needs to be submitted. Status: Affidavit submitted to submit the same at the earliest or within 90 days of registration.</p> <p>9. Approved zoning plan needs to be submitted. Status: Submitted</p> <p>10. Approved demarcation plan needs to be submitted. Status: Letter submitted but plan needs to be submitted</p> <p>11. Copy of Electrical load availability needs to be submitted. Status: Applied</p> <p>12. Collaboration agreement if any needs to be submitted. Status: Promoter states that the same is not applicable however there is no clarity regarding license i.e., the applicant are collaborator or license holder as on date.</p> <p>13. Mutation certified on the latest date not more than six months prior from the date of application needs to be submitted. Status: Not submitted</p> <p>14. Non encumbrance certificate not below the rank of tehsildar needs to be submitted. Status: Not submitted however applied on 29.09.2023</p>
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Email : hareragurugram@gmail.com, reragurugram@gmail.com, **Website :** www.harera.in
An Authority constituted under section 20 the Real Estate (Regulation and Development) Act, 2016
Act No. 16 of 2016 Passed by the Parliament

भू-संपदा (विनियमन और विकास) अधिनियम, 2016 की धारा 20 के अंतर्गत गठित प्राधिकरण

भारत की संसद द्वारा पारित 2016 का अधिनियम संख्यांक 16



			<p>15. Land title search report by advocate incorporation the bar enrolment number needs to be submitted. Status: Submitted</p> <p>16. Information to the revenue department regarding the entry of license and collaboration agreement in the revenue record needs to be submitted. Status: Submitted</p> <p>17. Approval of various agencies regarding the permission for external services like road access permission needs to be submitted. Status: Not submitted</p> <p>18. Pert chart needs to be submitted. Status: Needs to be revised</p> <p>19. Demarcation Plan superimposed on the approved layout plan needs to be submitted. Status: Not submitted</p> <p>20. List of the units sold to the allottees as on date of the application for registration which includes name of the allottees, unit no, unit area, date of booking, average rate and total consideration needs to be provided. Status: Submitted</p> <p>21. List of the unsold units as on date of the application for registration which includes unit no and unit area needs to be provided. Status: Submitted</p> <p>22. Allottee related draft documents i.e., application form, allotment letter, BBA and Conveyance deed and payment receipt needs to be submitted as per prescribed format. Status: Needs to be revised</p> <p>23. Existing allottee related documents i.e., application form, allotment letter, BBA and Conveyance deed and payment receipt executed with allottees needs to be submitted. Status: Copy of one allotment and one MOU submitted</p> <p>24. Draft Brochure and advertisement document needs to be submitted. Status: Submitted</p> <p>25. Cost of land needs to be clarified according to area apply for registration. Status: Clarified</p> <p>26. Quarterly statement of expenditure (IDW) needs to be provided. Status: Needs to be revised</p> <p>27. COI needs to be provided. Status: Submitted</p>
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28. Project report needs to be revised.
Status: Needs to be revised
29. Cash flow statement needs to be submitted.
Status: Needs to be revised
30. TAN of the promoter needs to be provided.
Status: Submitted
31. CA certificate for expenditure incurred and to be incurred needs to be revised.
Status: Needs to be revised
32. Loan sanction letter along with disbursement and repayment schedule needs to be provided.
Status: Promoter states that it is not applicable. Undertaking needs to be submitted.
33. KYC of project consultant- Architect, structural Engineer, MEP consultant needs to be provided.
Status: Not submitted
34. Financial resources of the project needs to be met with project cost. Correction needs to be made in DPI.
Status: Not done
35. Undertaking regarding 10% auto deduct from separate account under section 4(2)(I)(D) for EDC needs to be submitted.
Status: Not submitted
36. KYC of Pooja Garg & Manish Singh needs to be provided.
Status: Submitted
37. Copy of paid challan of EDC, IDC and license fee needs to be provided.
Status: Not submitted
38. CA certificate for non-default needs to be submitted.
Status: Submitted
39. Affidavit regarding REP II needs to be submitted.
Status: Submitted
40. Annual balance sheet for the last 3 financial year needs to be submitted.
Status: Submitted
41. Bank undertaking needs to be submitted into prescribed format.
Status: Details of signing authority needs to be mentioned on bank undertaking.
42. CA certificate for REP I needs to be submitted.
Status: Submitted
43. Affidavit of promoter regarding arrangement with the bank of master account needs to be provided.
Status: Needs to be revised
44. As per MCA master data, companies present filing status INACTIVE due to defaulted in filing its statutory returns for the last two years i.e. 2016-17 & 2017-18.



		The same needs to be clarified. Status: Not clarified
Remarks		<ol style="list-style-type: none">1. Deficit Fee- Rs 42,24,927/- needs to be submitted - Representation submitted to waive off the same.2. The annexures in the online application are not uploaded as well as the correction needs to be done in the online (A-H) application.3. Online DPI needs to be corrected.4. The license has been issued in the name of landowners in collaboration with applicant company but as per Jamabandi land is owned by applicant company. The same needs to be clarified along with supporting documents.5. Fire Scheme approval needs to be submitted.6. Approved Service plans and estimates needs to be submitted.7. Approved demarcation plan needs to be submitted.8. Copy of Electrical load availability needs to be submitted.9. Collaboration agreement if any needs to be submitted.10. Mutation certified on the latest date not more than six months prior from the date of application needs to be submitted.11. Non encumbrance certificate not below the rank of tehsildar needs to be submitted.12. Approval of various agencies regarding the permission for external services like road access permission needs to be submitted.13. Pert chart needs to be revised.14. Demarcation Plan superimposed on the approved layout plan needs to be submitted.15. Allottee related draft documents i.e., application form, allotment letter, BBA and Conveyance deed and payment receipt needs to be submitted as per prescribed format.16. Quarterly statement of expenditure (IDW) needs to be provided.17. Project report needs to be revised.18. Cash flow statement needs to be submitted.19. CA certificate for expenditure incurred and to be incurred needs to be revised.20. KYC of project consultant- Architect, structural Engineer, MEP consultant needs to be provided.21. Financial resources of the project needs to be met with project cost. Correction needs to be made in DPI.22. Undertaking regarding 10% auto deduct from separate



		<p>account under section 4(2)(l)(D) for EDC needs to be submitted.</p> <p>23. Copy of paid challan of EDC, IDC and license fee needs to be provided.</p> <p>24. Bank undertaking needs to be submitted into prescribed format.</p> <p>25. Affidavit of promoter regarding arrangement with the bank of master account needs to be provided.</p> <p>26. As per MCA master data, companies present filing status INACTIVE due to defaulted in filing its statutory returns for the last two years i.e. 2016-17 & 2017-18. The same needs to be clarified.</p>
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Asha
Asha

Chartered Accountant

Sumeet
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 case.

Sh. Manbeer Oberoi, Director of company (AR) is present on behalf of the promoter. The AR of the promoter requests for waiver of late fee for which they have submitted the representation along with their reply. The office to put up the same on file. Further the AR of the promoter is directed to remove the balance deficiencies as mentioned above. The AR of the promoter is also directed to submit the list of the existing allottees in the project and after that a public notice be issued in two leading newspapers in circulation in Delhi NCR i.e., one Hindi and One English to ascertain the list of allottees submitted by the promoter and objection to the same if any within 10 days of issue of public notice.

The matter to come up on 30.10.2023.

Sanjeev Kumar Arora
(Sanjeev Kumar Arora)
Member, HARERA

Ashok Sangwan
(Ashok Sangwan)
Member, HARERA

Vijay Kumar Goyal
(Vijay Kumar Goyal)
Member, HARERA

Arun Kumar Gupta
(Arun Kumar Gupta)
Chairman, HARERA