



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

S.No.	Particulars	Details	
1.	Name of the project	Elan Imperial	
2.	Name of the promoter	M/s Elan Imperial Pvt Ltd. (formerly known as Ambience Infrastructure Developers Pvt Ltd.)	
3.	Nature of the project	Commercial	
4.	Location of the project	Sector- 82, Gurugram	
5.	Legal capacity to act as a promoter	License Holder	
6.	Name of the license holder	M/s Elan Imperial Pvt Ltd. (formerly known as Ambience Infrastructure Developers Pvt Ltd.)	
7.	Status of project	Ongoing	
8.	Whether registration applied for whole	Whole	
9.	Completion date as mentioned in REP-II	31.12.2028	
10.	Online application ID	RERA-GRG-PROJ-1508-2023	
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 (if applicable)	N/A	
15.	Details of proceedings pending against the project (if applicable)	N/A	
16.	RC Conditions Compliances (if applicable)	N/A	
17.	License no.	60 of 2013 dated 16.07.2013. 61 of 2013 dated 16.07.2013.	valid upto 15.07.2024 valid upto 15.07.2024
18.	Total licensed area	7.6499 acres (3.6562+3.9937)	<b>Area to be registered</b> 7.6499 acres
19.	<b>Statutory approvals either applied for or obtained prior to registration</b>		
	<b>S.No</b>	<b>Particulars</b>	<b>Date of approval</b>
	i)	License Approval	60 of 2013 dated 16.07.2013. 61 of 2013 dated 16.07.2013.
			15.07.2024 15.07.2024
	ii)	Revised Zoning Plan Approval	DGTCP- 4522 dated 16.12.2013
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	iii)	Building plan Approval	ZP-939/PA(DK)/2024/4801 dated 08.02.2024
			07.02.2029

	iv)	<b>Environmental Clearance</b>	Not Submitted (approved in SEAC on 08.12.2023)	
	v)	<b>Airport clearance height</b>	AAI/RHQ/ NR/ATM/NOC/2022/611/3326-29 dated 12.09.2022	11.09.2030
	vi)	<b>Fire scheme approval</b>	Applied on 09.02.2024	
	vii)	<b>Service plan and estimate approval</b>	Applied on 09.02.2024	
20.	<b>Fee Details</b>			
		<b>Registration Fee</b>	96563.506 Sqm * 3.12 * 20 =Rs 60,25,563/-	
		<b>Processing Fee</b>	96563.506 Sqm * 10 = Rs 9,65,635/-	
		<b>Late Fee</b>	60,25,563/- * 5.5 = Rs 3,31,40,597/-	
		<b>Total Fee</b>	Rs 4,01,31,792/-	
21.		<b>DD amount</b>	Rs 15,00,000/- Rs 34,32,000/-	
		<b>DD no. and date</b>	062278 dated 11.12.2023 062425 dated 09.02.2024	
		<b>Name of the bank issuing</b>	HDFC Bank	
		<b>Deficient amount</b>	Rs 3,51,99,792/-	
22.		<b>File Status</b>	<b>Date</b>	
		<b>File received on</b>	12.12.2023	
		<b>Deficiency conveyed on</b>	28.12.2023	
		<b>First hearing on</b>	01.01.2024	
		<b>Second hearing on</b>	12.02.2024	
		<b>Third hearing on</b>	19.02.2024	
23.	<b>Case History:</b>			
	<p>The Promoter M/s Elan Imperial Pvt Ltd. (formerly known as Ambience Infrastructure Developers Pvt Ltd.) who is a license holder applied for the registration of real estate commercial colony namely "Elan Imperial" located at Sector-82, Gurugram under section 4 of the Real Estate (Regulations and Development) Act, 2016 vide central receipt no. 63161 dated 12.12.2023 and RPIN-682. The Temp I.D. of REP - I (Part A-H) is RERA -GRG-PROJ-1508-2023. The project area for registration is same the total licensed area of the project i.e., 7.6499 acres (3.6562+3.9937) vide License no -60 of 2013 dated 16.07.2013 valid upto 15.07.2024 and 61 of 2013 dated 16.07.2013 valid upto 15.07.2024.</p> <p>The application for registration was scrutinized and 1st deficiency notice vide notice no. HARERA/GGM/RPIN/682 dated 28.12.2023 was issued to the promoter with an opportunity of being heard on 01.01.2024.</p> <p>On 01.01.2024, 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 against the deficiencies conveyed by the authority through deficiency notice dated 28.12.2023. 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</p>			

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 25.01.2024 & 09.02.2024 which have been scrutinized and as per the directions of authority, the matter is fixed for hearing on 12.02.2024.**

**As per approved site plan, some part of the total licensed area is shown as future expansion and the promoter had applied for registration of total licensed area. Further total permissible FAR is 96563.506 sqm and proposed FAR is 79968.74 sqm.**

**On 12.02.2024, Sh. Sumeet, Engineering Officer and Sh. Ashish, Chartered Accountant briefed about the facts of the case. Shri S. Chaudhary (Head-Business Department) is present on behalf of the promoter. The AR of the promoter requests for one week's time to submit the remaining documents. Request is allowed. Matter to come up on 19.02.2024.**

**The promoter had submitted the representation regarding late fee stating that licenses were issued in 2013 and promoter applied for building plan approval on 04.12.2023 & the same were approved on 08.02.2024. Subsequently all other approvals were applied as recent as of 2024. Now the promoter decides to launch the project and start the construction, therefore applied for registration and paid fee according to proposed FAR. Therefore till 2023-24 the licensed land was neither conceptualized nor implemented till 2023-24. Further the promoter states that as per Section 4, the documents & approvals required for registration of project are only available now in 2023-24, therefore the requirement of registration could not have arisen up till the mandatory approvals are in place and project is conceptualized. The promoter also submitted the letter dated 15.09.2017 issued by Executive Director, HRERA to NAREDCO, Haryana clarifying that the promoter may register his project any time in future before it intends to market, book, sell etc.**

The promoter has submitted the reply on 13.02.2024, 15.02.2024 & 16.02.2024 which have been scrutinized and the status of documents is mentioned below:

<p><b>24. Present compliance status as on 19.02.2024 of the deficiencies conveyed in the hearing dated 12.02.2024</b></p>		<ol style="list-style-type: none"> <li>1 Deficit amount Rs 3,51,99,792/- needs to be submitted. Status: Representation submitted to waive off the late fee and further registration fee calculated on proposed FAR.</li> <li>2 The annexures in the online application are not uploaded as well as correction needs to be done in the online (A-H) application. Status: Needs to be corrected</li> <li>3 Online DPI needs to be corrected. Status: Needs to be corrected</li> <li>4 Fire Scheme approval needs to be submitted. If applied, then copy of the same needs to be submitted. Status: Promoter submitted affidavit that they applied for approval on 09.02.2024 and will submit final approval within 3 months from issuing RC.</li> <li>5 Approved Service plan and estimates needs to be submitted. If applied, then copy of the same needs to be submitted.</li> </ol>
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	<p>Status: Promoter submitted affidavit that they applied for approval on 09.02.2024 and will submit final approval within 3 months from issuing RC.</p> <p>6 Environment clearance needs to be submitted. Status: Promoter submitted affidavit that they applied for approval and the same was approved in SEAC on 08.12.2023 but due to non-presence of SEIAA Chairman final approval is awaited. They will submit final approval within 3 months from issuing RC</p> <p>7 Copy of LC-IV needs to be submitted. Status: Submitted unsigned copy by DTCP.</p> <p>8 Information to revenue department regarding entry of license in the revenue record needs to be submitted. <b>Status: Submitted</b></p> <p>9 Non-encumbrance certificate duly signed by Tehsildar needs to be resubmitted. <b>Status: Submitted.</b></p> <p>10 Road access permission needs to be submitted. Status: Not submitted. However, applied on 15.01.2024.</p> <p>11 Mining permission needs to be submitted. Status: Promoter submitted affidavit that they will obtain and submit before start of construction.</p> <p>12 Demarcation plan superimposed on approved layout plan needs to be submitted. <b>Status: Submitted</b></p> <p>13 Draft brochure/advertisement document of the project needs to be submitted. Status: Needs to be revised</p> <p>14 Bank undertaking needs to be revised - Bank account holder name needs to be changed. Status: Needs to be revised</p> <p>15 Copy of board resolution for operation of bank account needs to be revised. Status: Needs to be revised</p> <p>16 Project report along with brochure of current project and project photos needs to be revised. Status: Needs to be revised</p> <p>17 Financial resources of the project need to be met with project cost. Status: Needs to be revised</p> <p>18 Loan sanction letter along with repayment schedule and disbursement schedule needs to be provided. Status: Submitted but needs to be clarified. CA certificate required.</p> <p>19 Copy of paid challan of EDC, IDC and license fee needs to be updated/clarified. Status: Submitted but needs to be clarified and challan required.</p> <p>20 Quarterly statement of expenditure needs to be provided.</p>
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	Status: Needs to be revised
<b>Remarks</b>	<ol style="list-style-type: none"> <li>1 Deficit amount Rs 3,51,99,792/-.</li> <li>2 The annexures in the online application are not uploaded as well as correction needs to be done in the online (A-H) application.</li> <li>3 Online DPI needs to be corrected.</li> <li>4 Fire Scheme approval needs to be submitted. If applied, then copy of the same needs to be submitted.</li> <li>5 Approved Service plan and estimates needs to be submitted. If applied, then copy of the same needs to be submitted.</li> <li>6 Environment clearance needs to be submitted.</li> <li>7 A signed copy of LC-IV needs to be submitted.</li> <li>8 Road access permission needs to be submitted.</li> <li>9 Mining permission needs to be submitted.</li> <li>10 Draft brochure/advertisement document of the project needs to be revised.</li> <li>11 Bank undertaking needs to be revised - Bank account holder name needs to be changed.</li> <li>12 Copy of board resolution for operation of bank account needs to be revised.</li> <li>13 Project report along with brochure of current project and project photos needs to be revised.</li> <li>14 Financial resources of the project need to be met with project cost.</li> <li>15 Loan sanction letter along with repayment schedule and disbursement schedule needs to be clarified - CA certificate required.</li> <li>16 Copy of paid challan of EDC, IDC and license fee needs to be updated/clarified along with challan.</li> <li>17 Quarterly statement of expenditure needs to be revised.</li> </ol>

*Ashish*

**Ashish**  
Chartered Accountant

*Sumeet*

**Sumeet**  
Engineering Officer

<b>Day and Date of hearing</b>	Monday and 19.02.2024
<b>Proceeding recorded by</b>	Ram Niwas

**PROCEEDINGS OF THE DAY**

Proceedings dated: 19.02.2024.  
Sh. Sumeet, Engineering Officer and Sh. Ashish, Chartered Accountant briefed about the facts of the case. Sh. Sumeet Choudhary is present on behalf of the promoter.  
The AR of the promoter states that they are submitting the deficit fee including late fee and simultaneously request to consider the representation to waive off the late fee as the building plans and other statutory approvals are obtained or being obtained recently except licenses and zoning plan approval. The authority decides that the representation submitted by the promoter be put up on file along with AG opinion obtained

in other such cases for taking the decision by the authority regarding applicability of late fee on the project registration application.

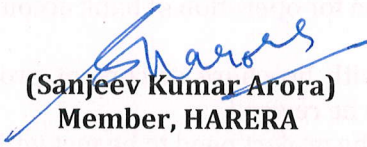
The AR further states that fire scheme approval and service plan estimate approval is applied and the same will be submitted within 3 months from issuing RC for which the BG amounting Rs 25 lakh each are also being submitted in the authority.

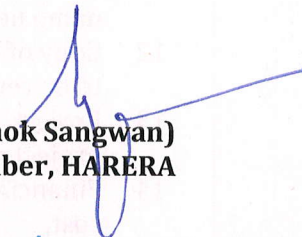
The environment clearance has already been recommended by the committee and vide letter dated 23.01.2024, the Member-secretary of SEIAA Haryana has conveyed to consider the approval after appointment of chairperson of SEIAA, Haryana. In view of the same, the authority grants four months' time for submission of approved Environment Clearance failing which the penal proceedings including freezing of accounts shall be initiated.

Further, the site of the project exists on 12 mt service road for which the access permission is not required, and the mining permission will be obtained and submitted before start of excavation/construction.

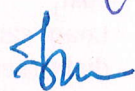
The balance deficit documents will also be submitted within two days after making necessary corrections.

In view of the above the Authority decides to grant the registration certificate. The RC shall be issued after submission of deficit documents, *including the deficit fees/late fees.*

  
(Sanjeev Kumar Arora)  
Member, HARERA

  
(Ashok Sangwan)  
Member, HARERA

  
(Vijay Kumar Goyal)  
Member, HARERA

  
(Arun Kumar)  
Chairman, HARERA