

**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)	Environmental Clearance	Not Submitted	
	v)	Airport clearance height	AAI/RHQ/ NR/ATM/NOC/2022/611/3326-29 dated 12.09.2022	11.09.2030
	vi)	Fire scheme approval	Not Submitted	
	vii)	Service plan and estimate approval	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	
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</p>			



	<p>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 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><b>The promoter has submitted the reply on 25.01.2024 &amp; 09.02.2024 which have been scrutinized and as per the directions of authority, the matter is fixed for hearing on 12.02.2024.</b></p> <p>The status of documents is mentioned below:</p>	
24.	<p><b>Present compliance status as on 12.02.2024 of the deficiencies conveyed in the notice dated 28.12.2023</b></p>	<ol style="list-style-type: none"> <li>1 The fee for registration of the project cannot be calculated as the approved building plans are not submitted. The fee will be calculated as per approved building plan and the promoter shall pay the same. Status: Fee calculated and 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. Status: Needs to be corrected</li> <li>3 Online DPI needs to be corrected. Status: Needs to be corrected</li> <li>4 Affidavit of the director of the promoter company regarding no advertisement, marketing, booking or sale in the project needs to be submitted. <b>Status: Submitted.</b></li> <li>5 Building plans alongwith the approval letter (BR-III) needs to be submitted. <b>Status: Submitted. Memo no. ZP-939/PA(DK)/2024/4801 dated 08.02.2024.</b></li> <li>6 Fire Scheme approval needs to be submitted. If applied, then copy of the same needs to be submitted. Status: Not submitted</li> <li>7 Approved Service plan and estimates needs to be submitted. If applied, then copy of the same needs to be submitted. Status: Not submitted. However, applied on 09.02.2024.</li> <li>8 Environment clearance needs to be submitted. Status: Not submitted</li> <li>9 Copy of LC-IV needs to be submitted. Status: Not submitted. Promoter states that at the time of approval of BIP, LC-IV was not demanded by competent authority.</li> <li>10 Mutation, Jamabandi, Ak-shajra duly certified by revenue officer six months prior to date of application needs to be clarified and submitted for whole area. <b>Status: Promoter states that some area was taken by HSVP for Road purpose so in revenue record lesser area shown.</b></li> </ol>

	<p>11 Land title search report needs to be resubmitted certified on latest date including Bar Enrolment number of advocate. <b>Status: Submitted</b></p> <p>12 Information to revenue department regarding entry of license in the revenue record needs to be submitted. Status: Not submitted</p> <p>13 Non-encumbrance certificate duly signed by Tehsildar needs to be resubmitted. Status: Unsigned copy submitted.</p> <p>14 Road access permission needs to be submitted. Status: Not submitted</p> <p>15 Mining permission needs to be submitted. Status: Promoter states that they will obtain before start of construction.</p> <p>16 Demarcation plan superimposed on approved layout plan needs to be submitted. Status: Not submitted</p> <p>17 Pert Chart needs to be submitted. <b>Status: Submitted</b></p> <p>18 Draft Allotment Letter and Builder Buyer Agreement needs to be revised as per the prescribed format. <b>Status: Submitted</b></p> <p>19 Draft Conveyance Deed needs to be revised. <b>Status: Submitted</b></p> <p>20 Draft Payment receipt needs to be submitted. <b>Status: Submitted</b></p> <p>21 Draft brochure/advertisement document of the project needs to be submitted. Status: Needs to be revised</p> <p>22 Bank undertaking needs to be provided. Status: Needs to be revised</p> <p>23 Copy of board resolution for operation of bank account needs to be provided. Status: Needs to be revised</p> <p>24 KYC of authorized person to operate bank account needs to be provided. <b>Status: Submitted</b></p> <p>25 Affidavit of promoter regarding arrangement with the bank of master account needs to be provided. <b>Status: Submitted</b></p> <p>26 Project report along with brochure of current project and project photos needs to be submitted. Status: Needs to be revised</p> <p>27 Provide in sequence printout of balance Sheet along with independent auditor report of last 3 financial year 2020-21, 2021-22, and 2022-23. <b>Status: Submitted</b></p> <p>28 Financial resources of the project need to be met with project cost.</p>
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		<p>Status: Needs to be revised</p> <p>29 Loan sanction letter along with repayment schedule and disbursement schedule needs to be provided. Status: Submitted but needs to be clarified.</p> <p>30 Copy of paid challan of EDC, IDC and license fee needs to be provided. Status: Submitted but needs to be clarified.</p> <p>31 CA certificate for non-default needs to be provided. <b>Status: Submitted</b></p> <p>32 CA Certificate for cost incurred and to be incurred needs to be submitted. <b>Status: Submitted</b></p> <p>33 CA certificate for REP 1 needs to be provided. <b>Status: Submitted</b></p> <p>34 Cost of land according to the area applied for registration needs to be clarified. <b>Status: Submitted</b></p> <p>35 Cash flow statement needs to be provided. <b>Status: Submitted</b></p> <p>36 Quarterly statement of expenditure needs to be provided. Status: Needs to be revised</p> <p>37 Details of project consultant (Architect, Structural Engineer, Chartered Accountant, MEP Consultant and proof consultant) needs to be provided along with KYC. <b>Status: Submitted</b></p>
<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 Copy of LC-IV needs to be submitted.</li> <li>8 Information to revenue department regarding entry of license in the revenue record needs to be submitted.</li> <li>9 Non-encumbrance certificate duly signed by Tehsildar needs to be resubmitted.</li> <li>10 Road access permission needs to be submitted.</li> <li>11 Mining permission needs to be submitted.</li> <li>12 Demarcation plan superimposed on approved layout plan needs to be submitted.</li> <li>13 Draft brochure/advertisement document of the project needs to be revised.</li> <li>14 Bank undertaking needs to be revised - Bank account holder name needs to be changed.</li> </ol>

		15 Copy of board resolution for operation of bank account needs to be revised. 16 Project report along with brochure of current project and project photos needs to be revised. 17 Financial resources of the project need to be met with project cost. 18 Loan sanction letter along with repayment schedule and disbursement schedule needs to be clarified. 19 Copy of paid challan of EDC, IDC and license fee needs to be updated/clarified. 20 Quarterly statement of expenditure needs to be revised.
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*Ashish*

**Ashish**  
Chartered Accountant

*Sumeet*

**Sumeet**  
Engineering Officer

<b>Day and Date of hearing</b>	Monday and 12.02.2024
<b>Proceeding recorded by</b>	Ram Niwas

**PROCEEDINGS OF THE DAY**

Proceedings dated: 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.

*Sanjeev*  
**(Sanjeev Kumar Arora)**  
Member, HARERA

*Ashok*  
**(Ashok Sangwan)**  
Member, HARERA

*Vijay*  
**(Vijay Kumar Goyal)**  
Member, HARERA

*Arun*  
**(Arun Kumar)**  
Chairman, HARERA