

Hearing brief for registration of Project u/s 4

S.No	Particulars	Details	
1.	Name of the project	The Residences Three Sixty	
2.	Name of the promoter	M/s Capital Heights Pvt. Ltd.	
3.	Nature of the project	Group Housing	
4.	Location of the project	Sector- 70A, Gurugram	
5.	Legal capacity to act as a promoter	Joint Development Right Holder	
6.	Name of the license holder	M/s Haamid Real Estate Pvt. Ltd.	
7.	Status of project	Ongoing	
8.	Whether registration applied for whole	Phase	
	Phase no.	(Not Specified)	
9.	Online application ID	RERA-GRG-PROJ-1396-2022	
10.	License no.	16 of 2009 dated 01.06.2009	Valid upto 28.05.2024
		73 of 2013 dated 30.07.2013	Valid upto 29.07.2024
11.	Total licensed area	27.7163 acres	Area to be registered 1.26 acres
12.	Projected completion date	31.12.2025	
13.	QPR Compliances (if applicable)	N/A	
14.	4(2)(I)(D) Compliances (if applicable)	N/A	
15.	Statutory approvals either applied for or obtained prior to registration		
	S.No	Particulars	Date of approval
	i)	License Approval	16 of 2009 dated 01.06.2009
			73 of 2013 dated 30.07.2013
	ii)	Zoning Plan Approval	DGTCP-4021 dated 30.07.2013
	iii)	Building plan Approval	ZP-545/AD(RA)/2017/1238 dated 27.01.2017
		Revised building plan	ZP-545-VOL-II/JD(RD)/2021/11918 Dated 18.05.2021
	iv)	Environmental Clearance	SEIAA/HR/2013/627 dated 04.09.2013
		Revalidated Environmental Clearance	SEIAA/HR/2021/375 dated 27.04.2022
	v)	Airport height clearance	AAI/RHQ/NR/ATM/NOC/2014/241/934-938 dated 24.05.2019
		Revalidated Airport height clearance	AAI/RHQ/NR/ATM/NOC/2022/975/5161-64 dated 14.12.2022
	vi)	Fire scheme approval	DFS/F.A/2015/272/43774 dated 01.08.2015

	vii) Service plan and estimate approval	LC-1391-B-JE(BR)-2017-10390 dated 18.05.2017
16.	Fee Details	
	Registration Fee	8923.326 * 1.75 * 10 = Rs 1,56,158/-
	Processing Fee	8923.326 * 10 = Rs 89,233/-
	Late Fee	500% of registration fee 1,56,158/- * 5 = Rs 7,80,790/-
	Total Fee	Rs 10,26,181/-
17.	DD amount	Rs 1,78,473/- Rs 89,237/- Rs 7,58,471/-
	DD no. and date	002609 dated 01.07.2023. 002610 dated 01.07.2023. 002704 dated 16.10.2023
	Name of the bank issuing	HDFC Bank
	Deficient amount	NIL
18.	File Status	Date
	File received on	03.07.2023
	First notice Sent on	19.07.2023
	First hearing on	24.07.2023
	Second hearing on	11.12.2023
	Third hearing on	15.01.2024
	Fourth hearing on	19.02.2024
	Fifth hearing on	04.03.2024
	Sixth hearing on	08.04.2024
19.	Case History:	
	<p>The Promoter M/s Capital Heights Pvt. Ltd. who is a joint development holder applied for the registration of real estate group housing colony namely "The Residences Three Sixty" located at Sector-70A, Gurugram under section 4 of the Real Estate (Regulations and Development) Act, 2016 vide central receipt no. 55075 dated 03.07.2023 and RPIN- 633. The Temp I.D. of REP - I (Part A-H) is RERA -GRG-PROJ-1396-2023. The project area for registration is 1.26 acres and the licensed area is 27.7163 acres granted under License no - 16 of 2009 dated 01.06.2009 which is valid upto 28.05.2024 and 73 of 2013 dated 30.07.2023 which is valid upto 29.07.2024.</p> <p>DTCP, Haryana had issued the final joint development and marketing rights in favour of Capital Heights Pvt Ltd, Classic Infrsolutions Pvt Ltd, M3M India Pvt Ltd and Advance India Projects Pvt Ltd. vide memo no. LC-1391-III/JE(DS)/2023/14921 dated 17.05.2023.</p> <p>The present application pertains to registration of 1.26 acres out of 2.79 acres (Applicant share) out of total license land i.e., 27.7163 acres. The application for registration of group housing colony was scrutinized and 1st deficiency notice vide notice no. HARERA/GGM/RPIN/633 dated 19.07.2023 was issued to the promoter with an opportunity of being heard on 24.07.2023.</p> <p>On 24.07.2023, Sh. Ashish Kush, Planning Executive and Ms. Asha, Chartered Accountant briefed</p>	

about the facts of the case.

No reply has been submitted by the promoter company against the deficiencies raised by the Authority till date. In view of the same the matter is adjourned, and the next date of hearing will be conveyed after the submission of reply of deficiencies already conveyed through notice.

It is found that the Environment Clearance of the project has also expired on 03.09.2023.

The promoter has submitted a reply on 08.09.2023 which was scrutinized and the remaining deficiencies were conveyed to the promoter.

On 11.12.2023, Sh. Ashish Kush, Planning Executive and Ms. Asha, Chartered Accountant briefed about the facts of the case. Sh. Pramod (AR) and Ms. Hima Kathuria (AR) are present on behalf of the promoter. The AR of the promoter requests for four weeks' time for submission of deficit fee alongwith other deficit documents. However, is noticed that the total area of BIP/COD in favour of the applicant promoter is 2.79 acres and the promoter had applied only for the area i.e., 1.26 acres. The AR of the promoter stated that they had obtained the OC for the balance area in 2018 only. Therefore, the Authority directed the promoter to apply for the whole area as per BIP/COD i.e., 2.79 acres and to submit the requisite fee alongwith the other deficiencies as per whole area i.e., 2.79 acres. The matter to come up on 15.01.2024 for further proceedings.

The promoter has submitted a reply on 10.01.2024 which was scrutinized and the remaining deficiencies were conveyed to the promoter.

On 15.01.2024, Sh. Ashish Kush, Planning Executive and Sh. M.L. Sardana, Accountant briefed about the facts of the case. Sh. Pramod Kumar (AR) and Ms. Hima Kashyap (AR) are present on behalf of the promoter. Further in compliance to earlier proceedings, the promoter has deposited the requisite fee in respect of applied area only while the promoter is required to make application along with fee for the area 2.79 acres as per BIP permission along with other deficit documents. One more opportunity is being given to the applicant promoter to comply and to submit the deficit fee and documents within four weeks. Further it is observed that the above project is part of a licensed colony measuring 27.7163 acres granted to M/s Haamid Real Estate Pvt. Ltd. and office to examine and put up the details of area already registered under above licensed colony and to initiate necessary action if any area remains either unregistered or unapplied for registration. The matter to come up on 19.02.2024.

On 19.02.2024, Sh. Ashish Kush, Planning Executive and Sh. Ashish Dubey, Chartered Accountant briefed about the facts of the case. Sh. Pramod Kumar and Sh. Bhim Singh are present on behalf of the promoter. The AR of the promoter states that reply to the deficiencies was submitted on 16.02.2024 and only a few deficiencies are left to be rectified. He further stated that the application has been revised for the complete area of 2.79 Acres. The rest of the deficiencies shall be removed within the next two weeks. The matter to come up on 04.03.2024.

The promoter has submitted a reply on 16.02.2024 which was scrutinized and the status of the documents is mentioned below:

As per proceedings dated 19.02.2024, the promoter has not submitted the DPI for the complete area. Hence the balance fee cannot be calculated.

On 04.03.2023, Sh. Ashish Kush, Planning Executive briefed about the facts of the case. None is present on behalf of the promoter. One more and last opportunity is being granted to the applicant promoter to rectify the above deficiencies and to attend personal hearing failing which the matter shall be decided on basis of fact available on file. The matter to come up on 08.04.2024.

No reply received since the last hearing i.e. 04.03.2024

20.	Present compliance status as on 08.04.2024 of	1. The phase for which registration applied is not clearly shown/mentioned in Plan drawings/ DPI.
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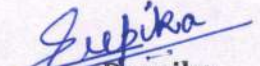
	<p>deficient documents conveyed in hearing dated 04.03.2024.</p>	<p>Status: Not Submitted.</p> <p>2. The annexures in the online application are not uploaded as well as the correction needs to be done in the online (A-H) application. Status: Submitted but needs to be corrected.</p> <p>3. Online DPI needs to be corrected. Status: Not Submitted.</p> <p>4. Revalidated building plan needs to be submitted. Status: Submitted. approved vide no. ZP-545-VOL-II/JD(RD)/2021/11918 Dated 18.05.2021.</p> <p>5. Revalidated Airport height clearance needs to be submitted. Status: Submitted. Approved vide no. AAI/RHQ/NR/ATM/NOC/2022/975/5161-64 dated 14.12.2022.</p> <p>6. Approval NOCs from the various agencies for connecting external services like roads, sewerage, storm water drainage needs to be submitted. Status: Not Submitted.</p> <p>7. Affidavit/NOC for Natural conservation Zone needs to be submitted. Status: Affidavit for non-applicability submitted.</p> <p>8. HUDA construction water NOC needs to be submitted. Status: Submitted.</p> <p>9. Mining permission needs to be submitted. Status: The promoter stated that the excavation was already carried out by the landowner. Hence, it is not required.</p> <p>10. Non-encumbrance certificate / ROC form needs to be submitted. Status: Submitted.</p> <p>11. Pert Chart needs to be submitted. Status: Submitted but needs to be revised.</p> <p>12. Layout superimposed on the demarcation plan showing khasra no. needs to be submitted. Status: Submitted.</p> <p>13. Draft Application form needs to be revised. Status: Submitted.</p> <p>14. Draft Allotment letter needs to be revised. Status: Submitted.</p> <p>15. Draft BBA needs to be revised. Status: Submitted.</p> <p>16. Draft Conveyance deed needs to be submitted. Status: Submitted.</p> <p>17. Draft Brochure needs to be revised. Status: Submitted.</p> <p>18. Cost of the land needs to be clarified according to the area applied for the registration. Status: Submitted.</p> <p>19. Quarterly schedule of estimated sources needs to be submitted. Status: Not Submitted.</p> <p>20. Project report needs to be submitted.</p>
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	<p style="text-align: center;"><i>[Signature]</i></p> <p style="text-align: center;">Planning Executive</p>	<p>Status: Not Submitted.</p> <p>21. Cash flow statement need to be submitted. Status: Not Submitted.</p> <p>22. Financial resources need to be met with project cost. Financial resources need to be filled in the DPI. Status: Not Submitted.</p> <p>23. Loan document along with sanction letter, repayment and disbursement schedule needs to be submitted. Status: Submitted.</p> <p>24. CHG form needs to be submitted. Status: Submitted but needs to be updated.</p> <p>25. CA certificate for non-default in payment needs to be revised. Status: Submitted.</p> <p>26. Copy of Paid EDC challan, conversion charges and License fee needs to be submitted. Status: Submitted.</p> <p>27. Conversion charges, License fee and rate of EDC needs to be as per LOI. Status: Submitted.</p> <p>28. Other in loan and advances under financial resources needs to be clarified. Status: Not Submitted.</p> <p>29. CA certificate for cost incurred and to be incurred needs to be submitted. Status: Not Submitted.</p> <p>30. Bank Undertaking needs to be revised after incorporating the details of authorized signatory alongwith employee code and designation. Status: Submitted.</p> <p>31. CA certificate for REP I needs to be submitted. Status: Not Submitted.</p> <p>32. Affidavit of promoter regarding arrangement with bank of master account under section 4(2)(I)(D) needs to be revised. Status: Not Submitted.</p> <p>33. Board resolution for authorizing bank account operation needs to be submitted. Status: Submitted.</p>
<p>21.</p>	<p>Remarks</p>	<ol style="list-style-type: none"> 1. The phase for which registration applied is not clearly shown/mentioned in Plan drawings/ DPI. 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. Approval NOCs from the various agencies for connecting external services like roads, sewerage, storm water drainage needs to be submitted. 5. Mining permission needs to be submitted. 6. Pert Chart needs to be revised. 7. Quarterly schedule of estimated sources needs to be submitted. 8. Project report needs to be submitted. 9. Cash flow statement need to be submitted.

	<p>10. Financial resources need to be met with project cost. Financial resources need to be filled in the DPI.</p> <p>11. CHG form needs to be revised.</p> <p>12. Other in loan and advances under financial resources needs to be clarified.</p> <p>13. CA certificate for cost incurred and to be incurred needs to be submitted.</p> <p>14. CA certificate for REP I needs to be submitted.</p> <p>15. Affidavit of promoter regarding arrangement with bank of master account under section 4(2)(I)(D) needs to be revised.</p>
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Ashish Dubey
Chartered Accountant



Deepika
Planning Executive

Day and Date of hearing

Monday and 08.04.2024

Proceeding recorded by

Ram Niwas


PROCEEDINGS OF THE DAY

Proceedings dated: 08.04.2024.


Ms. Deepika (Planning Executive) and Sh. Ashish Dubey (Chartered Accountant) briefed about the facts of the case.

Sh. Pramod Kumar (AR) and Sh. Bhim (AR) are present on behalf of the promoter and states that reply to the deficiency notice has been submitted today. The same be examined by office.


The matter to come up on 29.04.2024.




(Sanjeev Kumar Arora)
Member, HARERA



(Ashok Sangwan)
Member, HARERA



(Vijay Kumar Goyal)
Member, HARERA



(Arun Kumar)
Chairman, HARERA