

Hearing brief for project registration u/s 4

S.No.	Particulars	Details	
1.	Name of the project	Hero Earth Commercial Shops	
2.	Name of the promoter	M/s Hero Realty Pvt Ltd	
3.	Nature of the project	Commercial Plotted Colony (Distinct Commercial Component of Affordable Residential Plotted Colony)	
4.	Location of the project	Sector-85, Gurugram	
5.	Legal capacity to act as a promoter	License holder	
6.	Name of license holder	M/s Hero Realty Pvt Ltd	
7.	Status of project	New	
8.	Whether registration applied for whole/phase	Whole	
9.	Completion date as mentioned in REP-II	30.06.2027	
10.	Online application ID	RERA-GRG-PROJ-1555-2024	
11.	QPR Compliances (RC 70 of 2023 dated 07.06.2023)	Submitted	
12.	4(2)(I)(D) Compliances (RC 70 of 2023)	N/A	
13.	4(2)(I)(C) Compliances	N/A	
14.	Status of change of bank account	N/A	
15.	Details of proceedings pending against the project	No	
16.	RC Conditions Compliances (RC 70 of 2023)	Submission of approved service plan and estimates – Submitted	
17.	License no.	193 of 2022 dated 24.11.2022	valid upto 23.11.2027
18.	Total licensed area	5.0125 acres	Area to be registered 0.2005 acres
19.	Statutory approvals either applied for or obtained prior to registration		
	S.No	Particulars	Validity up to
	i)	License Approval	193 of 2022 dated 24.11.2022 23.11.2027
	ii)	Zoning Plan Approval	Not submitted N/A
	iii)	Layout plan Approval	DRG No. DTCP-10002 dated 07.02.2024 N/A
	iv)	Environmental Clearance	N/A N/A
	v)	Architectural Control Sheet	ZP-1784/PA(DK)/2024/4542 dated 07.02.2024
	vi)	Service plan and estimate approval	Memo. No. LC-4749/JE(SB)/2023/20638 dated 26.06.2023 (For Affordable Residential Plotted Colony)
20.	Fee details		



	Registration fee	1216.886 * 1.5 * 20 = Rs 36,507/-
	Processing fee	1216.886 * 10 = Rs 12,169/-
	Late fee	N/A
	Total	Rs 48,676/-
21.	DD amount	Rs. 13,000/- Rs. 37,000/-
	DD no. and date	000146 dated 09.02.2024 000145 dated 09.02.2024
	Name of the bank issuing	Axis Bank
	Deficient amount	Nil
22.	File Status	Date
	File received on	12.02.2024
	First notice Sent on	07.03.2024
	First hearing on	11.03.2024
	Second hearing on	18.03.2024
	Third hearing on	01.04.2024
23.	Case History:-	<p>The promoter M/s Hero Realty Pvt Ltd has applied for the registration of real estate commercial plotted colony (Distinct Commercial Component of DDJAY Plotted Colony) namely "Hero Earth Commercial Shops" located at Sector-85, Gurugram under section 4 of the Real Estate (Regulations and Development) Act, 2016 vide central receipt no. 66246 dated 12.02.2024 and RPIN-715. The Temp I.D. of REP – I (Part A-H) is RERA -GRG-PROJ-1555-2024. The project area for registration is 0.2005 acres out of the licensed area i.e., 5.0125 acres. License no – 193 of 2022 dated 24.11.2022 valid upto 23.11.2027.</p> <p>The current application for registration is distinct commercial component of affordable residential plotted colony registered vide RC no. 70 of 2023 dated 07.06.2023 valid upto 30.06.2025.</p> <p>The application for registration was scrutinized and 1st deficiency notice vide notice no. HARERA/GGM/RPIN/715 dated 07.03.2024 was issued to the promoter with an opportunity of being heard on 11.03.2024.</p> <p>On 11.03.2024, Sh. Sumeet, Engineering Officer and Ms. Suruchi Pandey, Chartered Accountant briefed about the facts of the project. Sh. Deepak Sharma (AR) and Sh. Akash Gupta (AR) are present on behalf of the promoter. The AR of the promoter states that reply to the deficiencies pointed out by the authority will be submitted within two days. The matter is adjourned and to come up on 18.03.2024.</p> <p>The promoter has submitted a reply on 12.03.2024 which has been scrutinized. During scrutiny of reply it is observed that the promoter is seeking registration in respect of commercial floors/shops not in respect of commercial plots based on approval of standard design. The promoter has submitted the documents & financial details as per commercial floors/shops on commercial plots.</p> <p>On 18.03.2024, Sh. Sumeet, Engineering Officer and Sh. Ashish, Chartered Accountant briefed about the facts of the project. Sh. Deepak Sharma (AR) and Sh. Akash Gupta (AR) are present on behalf of the promoter. The AR of the promoter states that the requisite NOC from the financial institution i.e.</p>



	<p>M/s Piramal Trusteeship Pvt. Ltd. regarding creation of 3rd party rights have been obtained and are submitted today along with other deficit documents. The AR also states that standard design in respect of the SCO site stand approved by DTCP and request for consideration of application for registration of commercial floors/shops on commercial plots as per standard design approval. In view of the above, the promoter is directed to submit the approval of building plans in respect of individual SCO plots before consideration of application for registration of commercial floors/shops on commercial plots. The matter to come up on 01.04.2024.</p> <p>The promoter has submitted a reply on 18.03.2024 which has been scrutinized and the status of the documents is mentioned below:</p>	
24.	<p>Present compliance status as on 01.04.2024 of the deficiencies conveyed in the last hearing dated 18.03.2024.</p>	<ol style="list-style-type: none">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: Not submitted2 Online DPI needs to be corrected. Status: Needs to be corrected3 Approved zoning plan for commercial plot needs to be submitted. Status: The promoter states that this is a commercial component of DDJAY. So, there is no separate zoning of commercial area. Zoning of DDJAY submitted.4 Land title search report on latest date by advocate incorporation the bar enrolment number needs to be submitted. Status: Submitted5 Draft Application form, Conveyance deed and Payment receipt needs to be submitted. Status: Submitted for sale of commercial shops/floors6 Draft Allotment letter and Agreement for Sale needs to be submitted as per the prescribed format. Status: Submitted for sale of commercial shops/floors7 Draft Brochure/ Advertisement document needs to be submitted. Status: Submitted8 Latest date NEC certificate is required as it was dated 16.12.2022. Status: Not submitted. As per form CHG-1 promoter have taken loan from Piramal amount Rs 70 cr by mortgage on project land. Therefore, Non-encumbrance not required and NOC from the financial institution i.e. M/s Piramal Trusteeship Pvt. Ltd. regarding creation of 3rd party rights have been obtained.9 Affidavit of promoter regarding arrangement with bank of Master Account needs to be submitted. Status: Needs to be revised10 Independent Audit Report along with financial statement for the FY 2022-2023 needs to be submitted. Status: Submitted but as per report company disclose the impact of pending litigation as claim against the company



		amounting Rs 316.54 lakhs. However clarification submitted that this does not relate to the project.
Remarks		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. 2 Online DPI needs to be corrected.

Ashish

(Ashish)

Chartered Accountant

Sumeet

(Sumeet)

Engineering Officer

Day and Date of hearing

Monday and 01.04.2024

Proceeding recorded by

Ram Niwas

PROCEEDINGS OF THE DAY

Proceedings dated: 01.04.2024.

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

Sh. Deepak Sharma (AR) and Sh. Pratik Gautam (AR) are present on behalf of the promoter.

The AR of the promoter states that standard design in respect of the SCO site stand approved by DTCP and also states that the approval of building plans in respect of individual SCO plots has also been obtained from DTP and the same is being submitted in the authority today. Therefore, the AR of the promoter request for consideration of application for registration of commercial plotted colony with built up commercial floors/shops on commercial plots as there are only two SCO plots over which 10 commercial floors/shops will be constructed.

In view of the above, the authority decides to grant the registration of the project for commercial plotted colony with built up commercial floors/shops as per approved building plans by concerned authority.

Sanjeev
(Sanjeev Kumar Arora)
Member, HARERA

Ashok
(Ashok Sangwan)
Member, HARERA

(May be excused)
(Vijay Kumar Goyal)
Member, HARERA

Arun
(Arun Kumar)
Chairman, HARERA