



Project hearing brief under section 4

S.No	Particulars	Details		
1.	Name of the project	Vatika India Next 2		
2.	Name of the promoter	M/s Vatika Ltd.		
3.	Nature of the project	Residential Plotted Colony		
4.	Location of the project	Sector - 88A & 88B, Village- Harsaru, District Gurugram.		
5.	Legal capacity to act as a promoter	Collaborator		
6.	Status of project	On-going		
7.	Whether registration applied for whole/Phase	Whole		
8.	Phase no. (If applicable)	N/A		
9.	Online application ID	RERA-GRG-1479-2023		
10.	License no.	94 of 2013 dated 31.10.2013 11 of 2015 dated 01.10.2015 254 of 2023 dated 17.11.2023	valid upto 30.10.2024 valid upto 30.09.2025 valid upto 16.11.2028	
11.	Total licensed area	121.0125 Acres	Area to be registered 121.0125 Acres	
12.	Project completion date as declared u/s 4(2)(I)(C)	30.06.2030		
13.	QPR Compliance (If applicable)	N/A		
14.	4(2)(I)(D) Compliance (If applicable)	N/A		
15.	Statutory approvals either applied for or obtained prior to registration			
	S.No	Particulars	Date of approval	Validity up to
	1.	License Approval	94 of 2013 dated 31.10.2013 11 of 2015 dated 01.10.2015 254 of 2023 dated 17.11.2023	valid upto 30.10.2024 valid upto 30.09.2025 valid upto 16.11.2028
	2.	Zoning Plan Approval	Not submitted	-
	3.	Revised Zoning Plan Approval	Not Applied	-
	4.	Layout plan approval (For 98.60 acres having license no. 94 of 2013, 11 of 2015)	Submitted (DTCP memo no. LC-2781/Asstt. (MS) / 2022/4071)	Approved on 17.02.2022
	5.	Revised Layout plan Approval	Submitted (DRG. No.: DGTCP 9826)	Approved on 20.11.2023
	6.	Environmental Clearance	N/A	

7.	Service plan and estimate approval	Not submitted (Applied on 05.02.2024)
16.	Fee Details	
	A) Registration fee for plotted area	Residential area- 118.5325 acres x 4046.86 x 10 = Rs. 47,96,844/- Commercial area- 2.48 acres x 4046.86 x 20= Rs. 2,00,724/-
	B) Processing Fee	121.0125 acres x 4046.86 x 10= Rs. 48,97,206/-
	C) Late Fee	550% of registration fees (on 98.60 acres) = Rs. 2,23,35,632/-
	Total Fee (A+B+C)	Rs. 3,22,30,406/-
17.	DD Details	
	Cheque No. and Date	Cheque no. 014019 dated 20.12.2023 DD no. 003076 dated 17.08.2022 DD no. 003075 dated 17.08.2022
	Fees Paid	Rs. 58,34,000/- Rs. 40,61,500 Rs. 39,90,500/-
	Deficit fee	Rs. 1,83,44,406/-
18.	File Status	Date
	File received on	22.12.2023
	First notice Sent on	04.01.2024
	1st hearing on	08.01.2024
	Reply submitted	19.01.2024
	Reply submitted	08.02.2024
	2nd hearing on	12.02.2024
	3rd hearing on	15.04.2024
	4th hearing on	13.05.2024
5th hearing on	03.06.2024	
19.	Case History: -	
<p>The promoter M/s Vatika Ltd. who is a Collaborator applied for the registration of real estate project namely "Vatika India Next 2" in Sector - 88A & 88B, Village- Harsaru, District Gurugram, under section 4 of Real Estate (Regulation and Development), Act 2016.</p> <p>The Temp ID of REP -- I (Part A-H) is RERA -GRG-1479-2023. The project area for registration is 149.8562 acres whereas the promoter is developing the project in phases which are as follows Phase 1 of 121.0125 acres, Phase 2 of 10.044 acres and phase 3 of 18.80 acres. The current application for registration is for phase 1 having an area of 121.0125 acres. The area measuring 121.0125 acres falls under the license no. 94 of 2013 dated 31.10.2013, 11 of 2015 dated 01.10.2015 and 254 of 2023 dated 17.11.2023. Further, the total project area is equal to 149.85625 acre having a license no. 94 of 2013 dated 31.10.2013 valid upto 30.10.2024, 11 of 2015 dated 01.10.2015 valid upto 30.09.2025, 254 of 2023 dated 17.11.2023 valid upto 16.11.2023, LOI already issued for an area measuring 10.04375 and Additional area applied for license (area under migration from group housing to plotted).</p> <p>On 18.08.2022, the application for a project was received in the authority for an area measuring 98.60 acres having license no. 94 of 2013 dated 31.10.2023 and 11 of 2015 dated 30.09.2015. Further, on 13.03.2023, the promoter withdrawn the application stating that they will apply afresh application with additional area of 22.4125 acres and hence withdrawal was allowed</p>		

subject to the condition that the promoter will not create any third party right and no right of the existing allottees have been affected/ shall be affected due to withdrawal.

The application for registration was scrutinized and 1st deficiency notice vide notice no. HARERA/GGM/RPIN/689 dated 04.01.2024 was issued to the promoter with an opportunity of being heard on 08.01.2024.

Proceeding dated 08.01.2024, Ms. Deepika, Planning Executive and Mrs. 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 04.01.2024. 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 weeks' 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.

Proceeding dated 12.02.2024, Ms. Deepika, Planning Executive and Mrs. Asha, Chartered Accountant briefed about the facts of the project. Sh. Virender Dhar, Sh. Jitendra Kumar and Sh. Rahul Johari are present on behalf of the promoter. The AR of the promoter seeks two months' time for the submission of the pending approval, 2/3rd consent of the allottees, zoning plan and other requisite documents. The matter to come up on 15.04.2024.

The area applied for registration has changed to 121.0125 acres (whole), with license numbers 94 of 2013 dated 31.10.2013, 11 of 2015 dated 01.10.2015, and 254 of 2023 dated 17.11.2023. Previously, the area applied for registration included LOIs measuring 10.04375 acres and 18.80 acres. Therefore, the total project area has been revised from 149.85625 acres to 121.0125 acres.

Proceeding dated 15.04.2024, Ms. Deepika, Planning Executive and Sh. Ashish Dubey, Chartered Accountant briefed about the facts of the project. Sh. Virender Dhar (AR), Sh. Jitender Kumar (AR) and Sh. Rahul Johari (AR) are present on behalf of the promoter. The AR seeks one month's time for submission of deficit documents including consent of at least 2/3rd allottees for revision in the layout plan along with other deficit approvals/documents. The late fee is also required deposited after reconciliation of the area statement. A public notice for inspection of the documents, plans and copies of the consent of the allottees submitted by the promoter and public notice will be issued in at least two prominent English newspapers and on Hindi newspaper of local circulation. The matter to come up on 13.05.2024.

The promoter has informed the authority about the publication of the public notice (published on 02.05.2024) regarding the requirement for 2/3rd consent for the project application. The deadline for filing objections with the authority is until 16.05.2024.

Proceeding dated 13.05.2024, Ms. Deepika, Planning Executive and Sh. Ashish Dubey, Chartered Accountant briefed about the facts of the project. Sh. Virender Dhar (AR), Sh. Vijendra Kumar (AR), Sh. Jitendra Kumar (AR) and Sh. Rahl Johari (AR) are present on behalf of the promoter. In response to the public notice issued for inviting objections with respect to the



project, two complaints have been submitted in person by Sh. Yogesh Kumar Malhotra and Smt. Rashmi Dhingra, copies of which be sent to the promoter for submitting their reply within a period of 15 days. The Director/CEO/Project-Incharge of the promoter company is directed to be present along with the landowners and directors of the landowner companies on the next date of hearing. The matter to come up on 03.06.2024.

In response to the public notice issued for inviting objections with respect to the project, two complaints have been submitted in person by Sh. Yogesh Kumar Malhotra and Smt. Rashmi Dhingra on 13.05.2024 against which the promoter has been submitted the reply on 24.05.2024 stating that the objections under reply have been preferred by the complainant are frivolous and unsustainable.

In the reply it is submitted that the complainant is the real estate investor, who was looking for a real estate project to invest her money with a motive of earning maximum return on investment. On the request of the complainant the promoter allotted a unit to the complainant.

Further, the Authority vide public notice dated 02.05.2024 invited objection from the allottees. In response to the public notice, the complainant has provided the consent. However, vide the present objections under reply the complainant is alleging that the consent is not provided by her. It is most humbly submitted that the complainant with a malafide intention of extracting unjust enrichment from the promoter is putting forth the baseless allegation that the consent is not provided by her. Whereas, the fact of the matter is that the consent was provided by the complainant on her sole discretion.

Therefore, the present objections filed by the complainant with a malafide intention of extracting illegitimate monetary benefits from the promoter is liable to be dismissed.

<p>20. Present compliance status as on 03.06.2024 of deficient documents as observed in the last hearing 13.05.2024</p>	<ol style="list-style-type: none">1. The annexures in the online application are not uploaded as well as correction needs to be done in the online (A-H) application. Status: Not submitted2. Corrections marked on the hard copy of online DPI need to be done. Status: Not submitted3. The total licensed area of the project is not clear as the area from licenses (94 of 2013 & 11 of 2015) are de-licensed which is approximately 4.95 acres & 1.925 acres respectively. After which the total area in the license 94 of 2013 is equal to 89.25 and in license 11 of 2015 is equal to 9.80625 acres. Whereas, in the schedule of land it is mentioned as 88. 825 acres & 9.85625 acres which is granted by DTCP. Hence it needs to be clarified by the promoter. Status: Affidavit cum declaration submitted in clarification of the area bifurcation, stating that areas of 0.0312 acres and 0.05 acres have been transferred to MCG from both licenses (94 of 2013 and 11 of 2015). As a result, the areas mentioned in the land schedule are now 88.825 acres and 9.85625 acres, respectively.4. As the project area is not clear hence, the fees cannot be calculated. As well as the phasing is also not done by DTCP and
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		<p>layout plan is also provisionally approved. Therefore, the promoter shall be liable to pay deficit fee is any calculated on the basis of approved layout plan as and when the same is provided by the promoter. Status: Deficit fee of Rs. 1,83,44,406/- needs to be submitted.</p> <p>5. As layout plan is revised the prior written consent from 2/3rd allottees of the project needs to be provided. Status: Submitted, out of 254 unique allottees 170 has given the written 2/3rd consent.</p> <p>6. Approved Demarcation plan on A1 size sheet (laminated) needs to be provided. Status: Submitted</p> <p>7. Approved Revised Zoning plan on A1 size sheet (laminated) needs to be provided. Status: Not submitted</p> <p>8. Copy of approved Service plans and estimates needs to be submitted. Status: Not submitted, applied in HSVP on 15.03.2024.</p> <p>9. Copy of super imposed demarcation plan on the approved layout plan needs to be submitted. Status: Submitted</p> <p>10. The approvals/ NOCs from various agencies for connecting external services needs to be provided for the whole area. Status: Assurances submitted for Water supply, Sewerage connection and Storm water connection.</p> <p>11. As the total area of the project mentioned in provisionally approved layout plan is equal to 149.85625 acres which is as follows: Area of 94 of 2013- 88.79375 acres Area of 11 of 2015- 9.80625 acres Ares of 254 of 2023- 22.4125 acres LOI already issued- 10.04375 acres Additional area applied for license- 18.80 acres (area under migration from group housing to plotted) Hence, the above mentioned LOI's needs to be provided. Status: The point is now discarded since the area applied for registration is now 121.0125 acres, which represents only the licensed area.</p> <p>12. Environment clearance approval needs to be provided. Status: Not required now as the area applied for registration is changed to 121.0125 (48.972 ha.) acres which is less than 50 ha.</p> <p>13. Electrical load availability connection needs to be provided. Status: Assurance submitted</p> <p>14. List of sold and unsold units needs to be provided. Status: Submitted</p> <p>15. Power line shifting NOC needs to be provided.</p>
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21.	Remarks	<p>1. The annexures in the online application are not uploaded as well as correction needs to be done in the online (A-H) application. Status: Not submitted</p> <p>2. Corrections marked on the hard copy of online DPI need to be done. Status: Not submitted</p>



Project- Vatika India Next 2
Temp ID- RERA-GRG-1479-2023

	<p>3. As the project area is not clear hence, the fees cannot be calculated. As well as the phasing is also not done by DTCP and layout plan is also provisionally approved. Therefore, the promoter shall be liable to pay deficit fee is any calculated on the basis of approved layout plan as and when the same is provided by the promoter. Status: Deficit fee of Rs. 1,33,44,406/- needs to be submitted.</p> <p>4. Approved Revised Zoning plan on A1 size sheet (laminated) needs to be provided. Status: Not submitted</p> <p>5. Copy of approved Service plans and estimates needs to be submitted. Status: Not submitted, applied in HSVP on 15.03.2024.</p> <p>6. Power line shifting NOC needs to be provided. Status: Affidavit cum declaration is submitted stating that an application for re-routing of powerline passing from the project land has already been submitted to HVPNL on 09.06.2022.</p>
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Ashish Dubey

(Ashish Dubey)

Chartered Accountant

Deepika

(Deepika)

Planning Executive

Day and Date of hearing

Monday and 03.06.2024

Proceeding recorded by

Ram Niwas

PROCEEDINGS OF THE DAY

Proceeding dated: 03.06.2024

Ms. Deepika, Planning Executive and Sh. Ashish Dubey, Chartered Accountant briefed about the facts of the project.

Sh. Virender Dhar (AR), Sh. Jitendra Kumar (AR) and Sh. Rahl Johari (AR) are present on behalf of the promoter and Sh. Yogesh Kumar Malhotra allottee are present.

The complaint No. 2873 of 2023 already filed by Sh. Yogesh Kumar Malhotra is being dealt in the concerned bench of the Authority.

The AR seeks two weeks' time for submission of deficit documents including approved zoning plan/demarcation plan, deficit fees, approval of HVPNL regarding re-routing of the HT line and other deficit documents.

The matter to come up on 24.06.2024.

Sanjeev Kumar Arora
(Sanjeev Kumar Arora)
Member, HARERA

Ashok Sangwan
(Ashok Sangwan)
Member, HARERA

Vijay Kumar Goyal
(Vijay Kumar Goyal)
Member, HARERA

Arun Kumar
(Arun Kumar)
Chairman, HARERA

