

New PWD Rest House, Civil Lines, Gurugram, Haryana नया पी.डब्ल्यू.डी. विश्राम गृह सिविल लाईंस गुरुग्राम, हरियाणा

Project Vienna Greens II
 Promoter Skywhales Developers LLP

PROJECT HEARING BRIEF FOR PROJECT REGISTRATION U/S 4 OF THE ACT, 2016

SNo.	Particulars	Details	
1.	Name of the project	Vienna Greens II	
2.	Name of the promotor	M/s Skywhales Developers LLP	
3.	Nature of the project	Residential Plotted Colony under DDJAY	
4.	Location of the project	Sector 99A, Gurugram	
5.	Legal capacity to act as a promoter	License Holder	
6.	Name of the license holder	M/s Skywhales Developers LLP	
7.	Whether registration applied for whole	Whole (Additional License of area measuring 7.7222 Acres)	
8.	Phase no.	N/A	
9.	Online application ID	RERA-GRG-PROJ-1519-2023	
10.	License no.	256 of 2023 dated 17.11.2023	Valid up to 16.11.2028
11.	Total licensed area	7.7222 Acres	Area to be registered 7.7222 Acres
12.	Project completion date as declared u/s 4(2)(I)(c)	Not provided	
13.	QPR compliance	70 of 2022- Submitted till December 2023	
14.	4(2)(I)(D) compliance	70 of 2022- 2022-2023 Submitted	
15.	Compliance of conditions of RC	70 of 2022- Approved Service Plans & Estimates (3 months): Submitted with delay of 262 days Approved Zoning Plan (3 months): Submitted with delay of 101 days Approved Electrical load Availability Connection (2 months): Not Submitted Powerline Shifting NOC (2 months): Not submitted	
16.	4(2)(I)(c) compliance	N/A	
17.	Details of proceedings pending against the project	N/A	

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18.	Status of change of bank a/c	N/A		
19.	Statutory approvals either applied for or obtained prior to registration			
	S.No	Particulars	Date of approval	Validity up to
	i)	License Approval	17.11.2023	16.11.2028
	ii)	Zoning Plan Approval	Not Submitted	
	iii)	Layout plan Approval	17.02.2024	
	iv)	Environmental Clearance	N/A	
	v)	Airport height clearance	N/A	
	vi)	Fire scheme approval	N/A	
	vii)	Service plan and estimate approval	Not Submitted	
	viii)	Electricity load availability connection	Not Submitted	
20.	Fee details			
	Registration fee		(30000.1564 x 10) + (1250.4786 x 20) =Rs. 3,25,012/-	
	Late fee		Nil	
	Processing fee		31250.635 x 10 =Rs. 3,12,506/-	
	Total fee		Rs. 6,37,518/-	
21.	DD amount		Rs. 2,15,000/- Rs. 2,50,000/- Rs. 1,76,000/-	
	DD no. and date		598961 dated 01.02.2024 598962 dated 01.02.2024 598938 dated 18.03.2024	
	Name of the bank issuing		Union Bank	
	Deficient amount		N/A	
22.	File Status		Date	
	Project received on		19.02.2024	
	Notice dispatched on		15.03.2024	
	1 st Hearing		18.03.2024	
	2 nd Hearing		08.04.2024	
	3 rd Hearing		13.05.2024	

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23.	<p>Case history-</p> <p>The promoter i.e., M/s Skywhales Developers LLP has applied on dated 19.02.2024 for registration of their affordable plotted colony under DDJAY namely "Vienna Greens II" located at Sector 99A, Gurugram under section 4 of Real Estate (Regulation and Development), Act 2016.</p> <p>This application relates to the license no. 256 of 2023 dated 17.11.2023 issued by the DTCP in favor M/s Skywhales Developers LLP to set up an affordable plotted colony under DDJAY over an area measuring 7.7222 Acres in sector- 99A, Gurugram. In the license there is condition 2(ee) which states that the plot no.s 217- 225 shall be frozen till the time excess road in front of the plot of at least 9 mts. width is made operational and functional and the plot no.126, 128-133 shall be frozen till shifting the 66 KV HT line.</p> <p>On scrutiny of the application, it was found that there were deficiencies in the application which have been mentioned in the scrutiny sheet.</p> <p>On 18.03.2024, Ms. Deepika (Planning Executive) and Sh. Ashish Dubey (Chartered Accountant) briefed about the facts of the case. Sh. Himanshu Gupta (Manager) is present on the behalf of the promoter. The AR seeks two weeks' time for rectification of the deficiencies conveyed by office including compliance of the conditions in respect of the earlier registered project "Vienna Greens" vide RC no. 70 of 2022 dated 25.07.2022 of the above promoter. The RC no. 70 of 2022 dated 25.07.2022 was granted for the earlier licensed area of 6.00625 acres vide license no. 78 of 2022, subject to compliance of conditions for submission of zoning plan, service plans and estimate, electric load availability and powerline shifting NOC. The office to examine the status of compliances and in case there is lapse on part of the promoter, suitable action be also initiated. The person present is not aware if the QPRs and 4(2)(I)(D) compliance in respect of the registered project and the promoter is advised to depute director or senior officer of the company conversant with the project. The matter to come up on 08.04.2024.</p> <p>On 08.04.2024, Ms. Deepika (Planning Executive) and Sh. Ashish Dubey (Chartered Accountant) briefed about the facts of the case. None is present on behalf of the promoter and neither any reply to the deficiencies already conveyed has been submitted. The promoter is given one more opportunity to rectify the deficiencies and to appear before the authority. The matter to come up on 13.05.2024.</p>
24.	<p>Present compliance status as on 13.05.2024 of deficient documents as observed in the last hearing i.e. 08.04.2024</p> <ol style="list-style-type: none">1. Online corrections in REP-I (Part A-H) needs to be done. Documents to be uploaded need to be provided in soft copy less than 5 mb in size. Status: Not submitted2. Corrections marked on the hard copy of online DPI need to be done. Status: Not submitted3. Deficit fee of Rs. 1,72,518/- needs to be submitted. Status: Submitted (Rs. 1,76,000/- vide DD No. 598938 dated 18.03.2024)4. Approved zoning plan needs to be submitted. Status: Not submitted5. Approved Service plans and estimates needs to be submitted.

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	<p>Status: Not submitted</p> <p>6. Approved electrical load availability connection needs to be submitted. Status: Not submitted, the approval provided is for earlier registered project which is not valid. Whereas, for this (Additional area of 7.7222 acres) project the load sanction letter is not submitted.</p> <p>7. As layout plan is revised due to addition of area 7.7222 acres the prior written consent from 2/3rd allottees of the project needs to be submitted. Status: Submitted, but the list of sold and unsold units needs to be submitted along with the no. of unique allottees.</p> <p>8. Layout plan, demarcation plan and zoning plan need to be re-submitted on laminated A1 sheets. Status: Not submitted</p> <p>9. Forest NOC needs to be submitted. Status: Submitted, reference no. X71-JB4-WMX8 dated 16.06.2022.</p> <p>10. Undertaking with regard to non- applicability of Forest land diversion NOC, needs to be submitted. Status: Not submitted</p> <p>11. An affidavit regarding non- applicability of power line shifting NOC is submitted by the promoter. However, the same is in contradiction with the license and the approved layout plan of the project. The same needs to be clarified. Status: Not clarified</p> <p>12. NOCs for construction water, drinking water supply, storm water drainage and sewerage connection from concerned departments need to be submitted. Status: Submitted</p> <p>13. Copy of mutation, jamabandi and aks shijra duly certified by revenue officer not more than 6 months prior to the date of application of registration need to be submitted. Status: Submitted, but needs to be reviewed as the date mentioned is not clear.</p> <p>14. Land title search report needs to be submitted. Status: Submitted, but the date on which the report is published is missing.</p> <p>15. Copy of information to revenue department regarding entry of license in the revenue record needs to be submitted. Status: Submitted</p> <p>16. REP-II needs to be revised.</p>
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	<p>Status: Not submitted</p> <p>17. PERT chart of the proposed project needs to be submitted.</p> <p>Status: Submitted</p> <p>18. Draft application form, allotment letter, conveyance deed, BBA & Payment Receipt need to be revised.</p> <p>Status: Submitted, but needs to be revised.</p> <p>19. Draft brochure and advertisement need to be submitted.</p> <p>Status: Advertisement Submitted, but needs to be revised and brochure not submitted.</p> <p>20. Non-Encumbrance Certificate of latest date needs to be submitted as it was dated 18-10-2023 and the area mentioned in NEC is 15.5812 acres whereas in DPI & REP I area is 7.7222 acres.</p> <p>Status: Submitted, but one of the khasra no. is missing.</p> <p>21. CA certificate for expenditure amount incurred till date is 7643.98 lac which is not match with DPI & Project cost i.e. 7709.76 lac.</p> <p>Status: As per DPI & project report cost is 10937.54 lakh whereas as per CA Certificate for December 2023 cost is 7576.16 lakhs. Therefore, CA Certificate needs to be revised.</p> <p>22. As per REP I cost of land is 7146.73 lakhs whereas as per DPI it is 6941.34 lakhs.</p> <p>Status: Submitted</p> <p>23. Challan copy of paid IDC, EDC needs to be provided.</p> <p>Status: Submitted</p> <p>24. Project report needs to be revised.</p> <p>Status: Submitted</p> <p>25. Original copy of Financial and inventory details certified by CA needs to be provided.</p> <p>Status: Submitted</p> <p>26. Statement needs to be provided for Quarterly source of funds.</p> <p>Status: Submitted</p> <p>27. Statement needs to be provided for Quarterly expenditure.</p> <p>Status: Submitted</p> <p>28. Net cash flow statement needs to be provided.</p> <p>Status: Submitted</p> <p>29. Board resolution needs to be updated for specifying same to be 70% collection account as per RERA rules.</p> <p>Status: Not Submitted</p>
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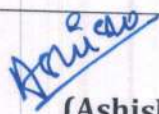
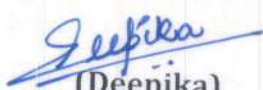
	<p>30. Details of loan or advances from other sources and other financial resources of the project needs to be submitted. Status: Not Submitted</p>
Remarks	<ol style="list-style-type: none">1. Online corrections in REP-I (Part A-H) needs to be done. Documents to be uploaded need to be provided in soft copy less than 5 mb in size.2. Corrections marked on the hard copy of online DPI need to be done.3. Approved zoning plan needs to be submitted.4. Approved Service plans and estimates needs to be submitted.5. Approved electrical load availability connection needs to be submitted.6. As layout plan is revised due to addition of area 7.7222 acres the prior written consent from 2/3rd allottees of the project needs to be submitted.7. Layout plan, demarcation plan and zoning plan need to be re-submitted on laminated A1 sheets.8. Undertaking with regard to non- applicability of Forest land diversion NOC, needs to be submitted.9. An affidavit regarding non- applicability of power line shifting NOC is submitted by the promoter. However, the same is in contradiction with the license and the approved layout plan of the project. The same needs to be clarified.10. Copy of mutation, jamabandi and aks shijra duly certified by revenue officer not more than 6 months prior to the date of application of registration need to be submitted.11. Land title search report needs to be submitted.12. REP-II needs to be revised.13. Draft application form, allotment letter, conveyance deed, BBA & Payment Receipt need to be revised.14. Draft brochure and advertisement need to be submitted.15. Non-Encumbrance Certificate of latest date needs to be submitted as it was dated 18-10-2023 and the area mentioned in NEC is 15.5812 acres whereas in DPI & REP I area is 7.7222 acres.16. CA certificate for expenditure amount incurred till date is 7643.98 lakhs which is not match with DPI & Project cost i.e 7709.76 lakhs.17. Board resolution needs to be updated for specifying same to be 70% collection account as per RERA rules.

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	18. Details of loan or advances from other sources and other financial resources of the project needs to be submitted.
 (Ashish Dubey) Chartered Accountant	 (Deepika) Planning Executive

Day and Date of hearing	Monday and 13.05.2024
Proceeding recorded by	Sh. Ram Niwas


PROCEEDINGS OF THE DAY

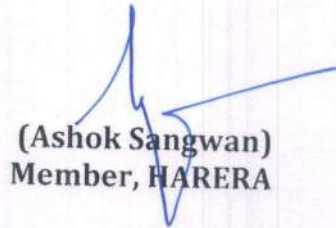
Proceeding dated: 13.05.2024


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

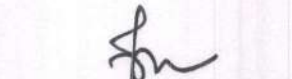
None is present on behalf of the promoter. An e-mail request has been received for adjournment. Request is allowed.

The matter to come up on 24.06.2024.


(Sanjeev Kumar Arora)
Member, HARERA


(Ashok Sangwan)
Member, HARERA


(Vijay Kumar Goyal)
Member, HARERA


(Arun Kumar)
Chairman, HARERA

