



HARYANA REAL ESTATE REGULATORY AUTHORITY, PANCHKULA.

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Extract of the resolution passed by the Haryana Real Estate Regulatory Authority, Panchkula on 24.06.2024.

Item No. 257.20

Consideration of the applications received by the Authority for Registration of New Projects.

(i) **Promoter:** M/S Azumi Developers Private Limited.

Project : "MAADHAV GREENS" an Affordable Residential Plotted Colony (under DDJAY-2016) on land measuring 9 acres situated in the revenue estate of village Ladhuwas, Sector-34, Rewari.

Temp ID : RERA-PKL-1483-2024

1. This application is for registration of a project namely "MAADHAV GREENS" an Affordable Residential Plotted Colony (under DDJAY-2016) on land measuring 9 acres situated in the revenue estate of village Ladhuwas, Sector-34, Rewari. License No. 239 of 2023 dated 08.11.2023 valid upto 07.11.2028 has been granted by Town and Country Planning Department.

2. The application was examined and following observations were conveyed on 07.06.2024:

- i. Name of the promoter is incorrectly written in REP-I Part A, i.e., DEVELOPERS,
- ii. Total of land utilization table is 36871.71 acres, i.e., 9.11 acres and heading of the land utilization table states 36421.65, i.e., 8.99 acres,
- iii. Collaboration agreement:
 1. Clause 6 mentions about Annexure A, however the same is not enclosed,
 2. Clause 14 states that if the developer is not able to develop the colony within 2 years, then the collaboration agreement will deemed to be cancelled/revoked, the collaboration agreement is irrevocable,



- iv. *Promoter should submit a brief note stating its financial and technical capacity to develop this project,*
 - v. *Acknowledgement of filing the income tax returns by the promoter be submitted,*
 - vi. *Statement regarding the income of the Promoter and the taxes paid by him in the last three years,*
 - vii. *The Promoter should clarify as to who will maintain the escrow account and how will 70% of the amount collected from the allottees be transferred to the said account. A joint undertaking with the landowner/licencees for complying with the above be submitted,*
 - viii. *No joint undertaking showing the number/area of the plots falling to the share of the licencee/landowners (who are entitled to 1125 sq. yards/acre of developed plotted colony and 35 % of total commercial saleable area) has been submitted. Further, the plot numbers and area of plots need to be marked on the layout plan along with a joint undertaking accepting the same,*
 - ix. *An undertaking as to who will maintain the colony for the next five years after the grant of completion certificate be submitted,*
 - x. *The collaboration agreement/GPA can be modified with prior approval of DTCP, the promoter should submit an affidavit mentioning that no clause of the Collaboration Agreement/GPA shall be amended/modified without the prior consent of DTCP Haryana and RERA. The promoter should also not execute an addendum to the collaboration agreement/GPA without the prior consent of DTCP Haryana and RERA,*
 - xi. *GPA dated 08.02.2023 does not confer powers to market, advertise, sell and to execute conveyance deed to the promoter,*
 - xii. *Will the landowner/licencees sell their share of plots after the grant of completion certificate by the DTCP or will comply with the provisions of 4(2)(1)D by depositing 70% amount obtained from the allottees in the escrow account,*
 - xiii. *In REP-1 (Part C), detail of plots has not been submitted,*
 - xiv. *Entry of license be made in revenue record,*
 - xv. *Board resolution authorizing the representatives to sign the documents submitted for registration of the project be submitted.*
3. On 12.06.2024, no reply was received from the promoter, therefore Authority adjourned the matter to 24.06.2024 and granted one last opportunity to comply with all the



deficiencies within a period of one week failing which the application for registration will be returned.

4. The promoter vide reply dated 20.06.2024 and 24.06.2024 has submitted the following:

- 1) Request to correct the name of the promoter in REP I Part A, i.e., 'Developers';
- 2) Correct Land Utilization table has been submitted and the promoter requests to correct the same in REP I Part C;
- 3) Annexure A of Collaboration agreement is enclosed and submitted supplementary deed dated 14.06.2024 stating that the collaboration agreement is irrevocable;
- 4) The promoter has stated that total Net Worth of the promoter company is Rs. 3.97 cr; Net worth of Director 1 is 10.8 cr., Director 2 is Rs. 22.5 cr. The promoter also submitted a CA certificate stating Rs. 2.8 cr. expenditure have been incurred for the development of the project and enclosed photographs of the project site. For technical capacity, the promoter has submitted agreement between the developer and M/s Origin Architects for technical services;
- 5) Submitted income tax return acknowledgment of the promoter company for 2024-25 and 2023-2024. The promoter also submitted income tax return acknowledgment of Directors of last 3 years;
- 6) Submitted statement regarding income of the promoter;
- 7) The promoter vide reply dated 24.06.2024 has submitted an undertaking stating *"that the licensee (landowner) and the promoters shall comply with the provisions of section 4(2)(1)D of RERA Act 2016 (as per their shareholding in the collaboration agreement) which states that 70% of the amount released from the allottees) from time to time, shall be deposited in a separate account to be maintained in a scheduled bank to cover the cost of construction and the land cost and shall be use for that purpose only"*;
- 8) The promoter submitted joint undertaking stating list of plots allotted to landowners and marked those plots on the layout plan;
- 9) Submitted undertaking regarding maintenance of the colony after grant of Completion certificate;
- 10) Submitted undertaking regarding non-execution of Collaboration agreement/GPA without the prior consent of DTCP Haryana and RERA and also enclosed copy of letter to DTCP submitting amended GPA and Collaboration agreement;



- 11) Supplementary deed dated 14.06.2024 confers powers to market, advertise, sell and to execute conveyance deed to the promoter;
 - 12) The promoter has stated in the undertaking *that the landowner/licenses will sell their share of plots after the grant of completion certificate by the DTCP and the Haryana Real Estate Regulatory Authority, Act, and Rules till the completion of the project;*
 - 13) Table of classification of plots has been submitted;
 - 14) Copy of Revenue records submitted;
 - 15) Board resolution submitted.
5. After examination, the Authority found the project fit for registration subject to the following special conditions:

- I. The promoter shall submit the details of the RERA bank account (where 70% of the amount received from the allottees shall be deposited) within a period of 15 days from the issuance of this registration certificate, till which time no plots shall be sold. No RERA account shall be subsequently changed by the promoter without the prior permission of the Authority.
- II. Both the Promoter and landowner/licensees shall comply with the provisions of Section 4(2)(1)D of RERA Act, 2016 (as per their shareholding in the saleable area as agreed in the collaboration agreement) which states that 70% of the amount released from the allottees, from time to time, shall be deposited in a separate account to be maintained in a scheduled bank as mentioned in REP-1.
- III. Promoter shall also submit a copy of NOC/Clearance as per provisions of notification dated 14.09.2006 issued by MOEF, Govt. of India (if applicable) before execution of development works at site.
- IV. Promoter shall submit a copy of service plans/estimates to the Authority immediately after their approval by Town & Country Planning Department.
- V. Promoter shall submit duly approved building plans in respect of commercial pocket measuring 0.36 acres to the Authority along with deficit fee, if any. Till then, the promoter shall not dispose of any part/unit of the commercial pocket. Promoter shall also allot 35% of the commercial plotted area to the landowners (with mutual consent) before disposing of any part of commercial site.



- VI. Promoter shall be responsible for the maintenance and upkeep of services of the project up to a period of five years from the date of grant of completion certificate or till the taking over of the maintenance of the project by the association of allottees.
- VII. That as per the Affidavit of the promoter dated 17.06.2024 no clause of the Collaboration Agreement/GPA shall be amended/modified without the prior consent of DTCP Haryana and RERA. The promoter should also not execute an addendum to the collaboration agreement/GPA without the prior consent of DTCP Haryana and RERA.
- VIII. That as per the Affidavit of the promoter dated 24.06.2024 the landowner/licenses will sell their share of plots after completion of the project and grant of completion certificate by the DTCP;
- IX. Following plots coming to the share of landowners cannot be put to sale by the promoter:

Sr. No.	Plot No.	Category	Area (Sq. Mtr.)	Total area (Sq. Mtr.)	Landowner
1.	37,	B	150	150	Prem Prakash
	64, 65, 69,	D	92	276	
	77,	E	102.94	102.94	
	91,	G	93.02	93.02	
	104,	H	102.6	102.6	
	121	J	94.1	94.1	
	141	L	109.69	109.69	
2.	42,	B	150	150	Rajpal
	52, 53,	C	137.63	275.26	
	66,	D	92	92	
	78,	E	102.94	102.94	
	103,	H	102.6	102.6	
	118, 119, 120,	J	94.1	282.3	
	127,	K	139.31	139.31	
	149,	L	109.69	109.69	
150	A	150	150		
3.	49,	B	150	150	Deepak
	63,	D	92	92	
	107, 109,	I	83.22	166.44	
	124,	J	94.1	94.1	
	128, 138,	K	139.31	278.62	
	154	B	150	150	



4.	59	C	137.63	137.63	Babulal
	108	I	83.22	83.22	
	123, 125	J	94.1	188.2	
	137, 139	K	139.31	278.62	
	140	L	109.69	109.69	
	153	A	150	150	
5.	50,	B	150	150	Jagmal
	60, 61,	C	137.63	275.26	
	67,	D	92	92	
	100,	H	102.60	102.60	
	116, 117, 122,	J	94.1	282.3	
	126,	K	139.31	139.31	
	145, 148,	L	109.69	219.38	
	151	A	150	150	
6.	80	E	102.94	21.99	Collaborator/ Licensees share (26.3 sq. yard)
Total:	50			5643.81	
7.	SCO-11		35.1		Prem Prakash, Rajpal, Deepak, Babulal and Jagmal
	SCO-12		35.1		
	SCO-13		35.1		
	& Milk & Veg Booth		27.5		

6. Authority directs the office to make necessary corrections in REP-I as requested by the promoter.

7. Approved by Authority on 24.06.2024.



an...
5/7/24.

True copy

[Signature]

Executive Director,
HRERA, Panchkula

A copy of the above is forwarded to CTP, HRERA Panchkula, for information and taking further action in the matter.

LA (Monika)