Promoter – Mr. Nishant Luthra
Project – Shiva Som Valley

Hearing brief for registration of Project u/s 4

S.No.	Particulars	Details		
1.	Name of the project	Shiva Som Valley		
2.	Name of the promoter	Mr. Nishant Luthra		
3.	Nature of the project	Affordable Residential Plotted Colony under DDJAY		
4.	Location of the project	Sector- 02 & 35, Sohna, Gurugram		
5.	Legal capacity to act as a promoter	License holder		
6.	Name of the license holder	Mr. Nishant Luthra		
7.	Name of the Collaborator	N/A		
8.	Whether registration applied for whole	Whole		
	Phase no.	N/A		
9.	Status of project	Extension u/s 6		
10.	Online application ID	RERA-GRG-1643-2024		
11.	Date of completion of project as per REP-II/4(2)(l)(c)	Revised REP-II to be submitted by the promoter.		
12.	QPR Compliance (If applicable)	Pending - March 2024		
13.	4(2)(l)(d) Compliance (If applicable)	-		
14.	4(2)(l)(c) compliance	Applied for extension on 30.04.2024.		
15.	Status of change of bank accounts	N/A		
16.	Compliance of RC Conditions	Service plans and estimates: Obtained with a delay of 2 months.		
17.	Details of proceedings pending against the project	RERA-GRG-3645-2022 - Proceedings regarding non submission of QPR RERA-GRG-4439-2022- Proceedings regarding non-compliance of conditions mentioned in RC		
18.	License no.	70 of 2019 dated 02.07.2019		Valid upto 01.07.2024
		33 of 2020 dated 02.11.2020		Valid upto 01.11.2025
19.	Total licensed area	9.35625 Acres	**Area to be registered**	9.35625 Acres
20.	RC No	18 of 2021 dated 12.04.2021 valid up to 30.06.2024		
21.	Fee Details			
	Registration fee	(36353.6802 x 10) + (1509.7202 x 20) =Rs. 3,93,731/-		
	Processing fee	37863.4004 x 10 = Rs. 3,78,634/-		
	Extension Fee (Half of Registration fee)	Rs. 1,96,866 /-		
	Processing fee for extension	37863.4004 x 10 = Rs. 3,78,634/-		

	Late fee	50 % of extension fee Rs. 98,433/-
	Total fee	Rs. 14,46,298/-
	DD submitted at the time of registration	Rs. 3,60,647/- Rs. 1,47,245/- Rs. 2,25,500/- Rs. 35,974/-
	DD no. and date for registration	136704 dated 05.01.2021 136705 dated 05.01.2021 136554 dated 24.11.2020 136883 dated 23.02.2021
	Name of the bank issuing	HDFC Bank
	DD submitted at the time of extension.	Rs. 5,75,546/-
	DD no. and date for extension of registration	437769 dated 09.04.2024
	Name of the bank issuing	HDFC Bank
	Deficient amount	**Rs. 98,386/-**

22. **Statutory approvals either applied for or obtained prior to registration**

S.No	Particulars	Date of approval	Validity upto
i)	License Approval	70 of 2019 dated 02.07.2019	01.07.2024
		33 of 2020 dated 02.11.2020	01.11.2025
ii)	Zoning Plan Approval	DTCP 7668 dated 18.02.2021	
iii)	Layout plan Approval	-	-
iv)	Environmental Clearance	N/A	N/A
v)	Airport height clearance	N/A	N/A
vi)	Fire scheme approval	N/A	N/A
vii)	Service plan and estimate approval	LC-3718-JE(MK)-2021/19488 dated 12.08.2021	
viii)	Electricity load availability connection	Ch-4786 dated 18.03.2021	

23.	File Status	Date
	File received on	30.04.2024
	First hearing on	27.05.2024
	First notice Sent on	29.05.2024
	Second hearing on	24.06.2024

24. **Case History:**

An application for extension of registration of affordable plotted colony under DDJAY namely "Shiva Som Valley" situated at Sector-02 & 35, Gurugram, Haryana being developed by MR. Nishant Luthra was submitted on 30.04.2024 under section 6 of Real Estate (Regulation and Development), Act 2016. This application for registration falls under license no. 70 of 2019 dated 02.07.2019 valid up to 01.07.2024 and 33 of 2020 dated 02.11.2020 valid upto 01.11.2025 for area admeasuring 9.357 acres

	and the project had been registered with the Authority vide 18 of 2021dated 12.04.2021 valid up to 30.06.2024. An opportunity of hearing was given to the promoter on 27.05.2024. **On 27.05.2024**, the matter was adjourned to 24.06.2024. On scrutiny of the application, some of the deficiencies/observations were observed which were conveyed to the promoter vide notice no. HARERA/GGM/EPIN/102 dated 29.05.2024. The promoter has submitted the reply on 18.06.2024 and 19.06.2024 which were scrutinized and the status of documents is mentioned below.	
25.	**Present compliance status as on 24.06.2024 of deficient documents conveyed in last hearing dated 27.05.2024.**	1. Deficit Fee – Rs 98,386/-. Status: Not Submitted. 2. REP-V form needs to be revised. Status: Not Submitted. 3. Correction in online DPI needs to be done. Status: Not Submitted. 4. The original registration certificate of the project needs to be returned to the Authority. Status: Not Submitted. 5. Explanatory note setting out the reasons for the delay in the completion of the project need to be submitted along with supporting documents. **Status: Submitted.** 6. Site photographs showing the current status of development on site need to be submitted. **Status: Submitted.** 7. Copies of mutation, jamabandi and aks shijra duly certified by revenue officer not more than 6 months prior to the date of application need to be submitted. **Status: Submitted.** 8. Layout plan, demarcation plan and zoning plan need to be resubmitted on A1 sheets (laminated). **Status: Submitted.** 9. A complete set of service plans need to be submitted. **Status: Submitted**. 10. PERT chart depicting the schedule of completion of remaining development works need to be submitted. **Status: Submitted**. 11. Draft allotment letter and BBA need to be revised. Status: Not Submitted. 12. Draft conveyance deed needs to be submitted. Status: Not Submitted. 13. Executed allotment letter and builder buyer agreement need to be submitted. **Status: Executed BBA Submitted. However, Executed Allotment letter needs to be submitted.** 14. Land Cost as per DPI/CA certificate attach with QPR is Rs 3742.50 lakhs, Online REP-1 (A-H)/QPR of Mar 2023 is Rs 3873.29 lakhs. Justification is required for such differences. **Status: Clarification submitted that difference in land cost amount is due to conversion charges of Rs 45.97 lakhs & license fees of Rs 84.87 lakhs.** 15. Project Cost as per DPI is Rs 8847.17 lakhs, Online REP-1 (A-H)/QPR of Dec 2023 is Rs 8058.62 lakhs and CA certificates

		attach with QPR is Rs 6153.64 lakhs. Justification is required for such differences. Status: Not Submitted but as per CA certificate for expenditure incurred & to be incurred is total project cost is Rs 10359.04. 16. Non-encumbrance certificate not below the rank of tehsildar certified on the latest date needs to be submitted. **Status: Submitted.** 17. CA Certificate for expenditure incurred & to be incurred needs to be revised as it should be submitted for the date of application for extension. **Status: Submitted.** 18. REP II needs to be revised as date of completion mentioned is 30.06.2024 which does not match with date mentioned in REP V i.e. 30.06.2025. Status: Not Submitted. 19. Affidavit of promoter regarding arrangement with the bank of master account under section 4(2)(l)(D) needs to be revised as project cost does not match with DPI i.e. Rs 8058.62 lakhs. Status: Not Submitted. 20. Bank Undertaking needs to be revised as bank account shall be in the name of Project. Status: Not Submitted 21. Project Report needs to be submitted. **Status: Submitted.** 22. CA certificate for Net worth of promoter needs to be submitted. Status: Not Submitted 23. CA Certificate for financial and inventory details of the project needs to be submitted. Status: Submitted but needs to be revised. 24. CA certificate for non-default in payment of debt obligation needs to be submitted. Status: Submitted but needs to be revised. 25. Statement of quarterly expenditure needs to be submitted. Status: **Submitted.** 26. Statement of quarterly source of funds needs to be submitted. Status: **Submitted.** 27. Quarterly Net Cash Flow statement needs to be submitted. Status: **Submitted.** 28. Financial resources need to be filled in part D1 of online DPI. Status: Not Submitted 29. Challan and Schedule of payment of IDC, EDC, License Fee, Conversion fees paid for the project needs to be submitted. Status: **Submitted.** 30. Undertaking regarding auto credit of 10% of receipts from separate RERA account maintained under section 4(2)(l)(D) needs to be submitted. Status: **As per DTCP letter, EDC is fully paid, hence auto debit undertaking is not required.** 31. QPR from April 2023 to March 2024 and April 2021 to June 2021 needs to be submitted. Status: QPR from Jan 2024 to March 2024 not submitted.
26.	Remarks	1. Deficit Fee – Rs 98,386/-. 2. REP-V form needs to be revised.

		3. Correction in online DPI needs to be done. 4. The original registration certificate of the project needs to be returned to the Authority. 5. Draft allotment letter and BBA need to be revised. 6. Draft conveyance deed needs to be submitted. 7. Executed allotment letter need to be submitted. 8. Project Cost as per DPI is Rs 8847.17 lakhs, Online REP-1 (A-H)/QPR of Dec 2023 is Rs 8058.62 lakhs and CA certificates attach with QPR is Rs 6153.64 lakhs. Justification is required for such differences. As per CA certificate for expenditure incurred & to be incurred is total project cost is Rs 10359.04. 9. REP II needs to be revised as date of completion mentioned is 30.06.2024 which does not match with date mentioned in REP V i.e. 30.06.2025. 10. Affidavit of promoter regarding arrangement with the bank of master account under section 4(2)(l)(D) needs to be revised as project cost does not match with DPI i.e. Rs 8058.62 lakhs. 11. Bank Undertaking needs to be revised as bank account shall be in the name of Project. 12. CA certificate for Net worth of promoter needs to be submitted. 13. CA Certificate for financial and inventory details of the project needs to be revised. 14. CA certificate for non-default in payment of debt obligation needs to be revised. 15. Financial resources need to be filled in part D1 of online DPI. 16. QPR from Jan 2024 to March 2024 needs to be submitted.

Recommendation:

The application submitted by the promoter for Extension of real estate project under section 6 of the Act of 2016 as per details given above is complete and all the requisite documents as required u/s 6 of Act of 2016 and Haryana Rules, 2017 have been submitted and found to be in order except the Deficit fee- Rs 98,386/-, corrections in online DPI, Draft allotment letter, Draft BBA, Draft Conveyance deed, REP-II, Affidavit 4(2)(l)(D), Bank undertaking and CA Certificate for Net worth, CA Certificate for financial & inventory details, and CA Certificate for non-default.

It is recommended that the Authority may consider the grant of extension of registration subject to the submission of above.

Suruchi Pandey
Suruchi Pandey
Chartered Accountant

24/6/24
Ashish Kush
Planning Executive

Day and Date of hearing	Monday and 24.06.2024
Proceeding recorded by	Ram Niwas

PROCEEDINGS OF THE DAY

Proceedings dated: 24.06.2024

Sh. Ashish Kush, Planning Executive and Ms. Suruchi Pandey, Chartered Accountant briefed about the facts of the case.

Sh. Ashok Sharma (AR) and Sh. Deepak Kumar (AR) are present on behalf of the promoter, and states that renewal of license has been applied to DTCP and the deficit fee along with other pending documents are being submitted by tomorrow. The development works have been completed in the colony except the work

pertaining to HT/LT line which shall also be completed within two three months and CC of the colony will be obtained by December, 2024. The promoter should file the justification of increase in project cost. Approved subject to submission of the above. The Registration Certificate shall be issued after submission of above documents.

(Sanjeev Kumar Arora)
Member, HARERA

(Ashok Sangwan)
Member, HARERA

(Vijay Kumar Goyal)
Member, HARERA

(Arun Kumar)
Chairman, HARERA