HARERA
GURUGRAM

**HARYANA REAL ESTATE REGULATORY AUTHORITY GURUGRAM**

हरियाणा भूसंपदा विनियामक प्राधिकरण गुरुग्राम-

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

**Splendor Epitome**
**Splendor Landbase Ltd**

## Hearing brief for extension of project registration u/s 6

| S.No. | Particulars | Details | | |
|---|---|---|---|---|
| 1. | **Name of the project** | Splendor Epitome | | |
| 2. | **Name of the promoter** | Splendor Landbase Ltd. | | |
| 3. | **Nature of the project** | Commercial Colony | | |
| 4. | **Location of the project** | Sector- 62, Gurugram | | |
| 5. | **Legal capacity to act as a promoter** | Change of Developer/Transfer of license | | |
| 6. | **Name of license holder** | Regal Green Land Pvt. Ltd.<br>High Star Builders Pvt Ltd | | |
| 7. | **Status of project** | Ongoing | | |
| 8. | **RERA Registration No.** | 22 of 2019 dated 26.03.2019 | | |
| 9. | **Validity of Registration Certificate** | Valid From 26.03.2019 | Valid Up to 31.12.2023 + 6 months COVID-19 = 30.06.2024 | |
| 10. | **Date of receipt of application for extension** | 29.03.2024 | | |
| 11. | **Whether extension of registration applied for whole/phase** | Whole Project | | |
| 12. | **Extension applied till** | 30.06.2026 | | |
| 13. | **Online extension ID** | RERA-GRG-PROJ-1609-2024 | | |
| 14. | **Registration Temp ID** | RERA-GRG-PROJ-115-2018 | | |
| 15. | **QPR status** | QPR for Oct 2023 to Mar 2024 needs to be submitted. | | |
| 16. | **4(2)(l)(D) reports status** | 2022-23 pending | | |
| 17. | **Other conditions of RC** | No | | |
| 18. | **4(2)(l)(C) compliance** | Applied for extension | | |
| 19. | **Status of change of bank account** | N/A | | |
| 20. | **Details of proceedings pending against the project** | RERA-GRG-3158-2022 – Non submission of QPR<br>RERA-GRG-3805-2022 - Non compliances of 4(2)(l)(D)<br>RERA-GRG-2183-2020 - Non compliances of 4(2)(l)(D) | | |
| 21. | **License no.** | 51 of 2009 dated 27.08.2009<br>58 of 2012 dated 05.06.2012 | Valid up to 26.08.2024<br>Valid up to 04.06.2025 | |
| 22. | **Total licensed area** | 3.35 acres | **Area for extension of registration** | 3.35 acres |

| 23. | **Statutory approvals either applied for or obtained prior to registration** | | | |
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| | **S.No** | **Particulars** | **Date of approval** | **Validity up to** |
| | i) | **License Approval** | 51 of 2009 dated 27.08.2009<br>58 of 2012 dated 05.06.2012 | 26.08.2024<br>04.06.2025 |
| | ii) | **Zoning plan approval** | DGTCP 3227 dated 07.06.2012 | |

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| | iii) | Revised Building plan approval | ZP-576/AD(RA)/2018/34869 dated 26.12.2018 | Revalidated for Tower A till 25.12.2028 and Tower B & C till 25.12.2024 |
| | iv) | Environmental Clearance | SEIAA/HR/2021/395 dated 22.11.2021 | 21.11.2028 |
| | v) | Airport height clearance | NOC id PALM/NORTH/B/072821/565222 dated 30.07.2021 | |
| | vi) | Fire scheme approval | FS/2019/106 dated 13.06.2019 | |
| | vii) | Service plans and estimates approval | LC-1611/PA(SK)/2024/13864 dated 07.05.2024 | |
| 24. | Reasons for delay | | Promoter submits that lender NBFC ceased disbursement of loan, Out break of Covid-19 and other force majeure preventions effect the completion of project. | |
| 25. | Fee details - Fees calculated for extension of one year under section 6 of Act, 2016 | | | |
| | Registration fee | | 23,724.657*1.75*20 = Rs 8,30,363/- | |
| | Late Fee | | Rs 4,15,182/- | |
| | Processing fee | | 23,724.657 * 10 = Rs 2,37,247/- | |
| | Extension Fee (Half of Registration fee) | | Rs. 4,15,182/- | |
| | Processing fee | | 23,724.657 * 10 = Rs 2,37,247/- | |
| | Late fee | | N/A | |
| | Total fee | | Rs 21,35,221/- | |
| 26. | DD amount submitted at the time of registration | | Rs 1,35,570/-<br>Rs 1,01,700/-<br>Rs 2,39,540/-<br>Rs 3,53,584/-<br>Rs 2,37,255/-<br>Rs 1,77,945<br>Rs 2,37,255/- | |
| | DD no. and date for registration | | 006119 dated 27.07.2017<br>006138 dated 29.07.2017<br>000757 dated 31.07.2017<br>007201 dated 17.11.2018<br>001037 dated 06.02.2019<br>Ref 88190786913780 dated 29.03.2019<br>Ref 52019040572614519 dated 05.04.2019 | |
| | Name of the bank issuing | | ICICI Bank | |
| | DD Amount submitted for extension | | Rs 2,07,600/-<br>Rs 2,07,600/-<br>Rs 2,37,255/- | |
| | DD no. and date for extension | | 032690 dated 28.03.2024<br>032691 dated 28.03.2024<br>032692 dated 28.03.2024 | |
| | Name of the bank issuing | | - | |
| | Deficient amount | | Nil | |

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| 27. | **File Status** | **Date** |
| | **File received on** | 22.03.2024 |
| | **First notice Sent on** | 19.04.2024 |
| | **First hearing on** | 22.04.2024 |
| | **Second hearing on** | 27.05.2024 |
| | *Third* **hearing on** | 24.06.2024 |

**28. Case History:-**

The Promoter Splendor Landbase Ltd. who is a Change of Developer/Transfer of license applied for the extension of registration of real estate project namely "Splendor Epitome" located at Sector-62, Gurugram under section 6 of the Real Estate (Regulations and Development) Act, 2016 vide central receipt no. 68735 dated 29.03.2024 and EPIN-97. The Temp I.D. of REP – I (Part A-H) is RERA -GRG-PROJ-115-2018 and online generated for project extension temp id RERA-GRG-PROJ-1609-2024. The total licensed area and project area for the extension of registration is 3.35 acres vide license no – 51 of 2009 dated 27.08.2009 valid upto 26.08.2024 and 58 of 2012 dated 05.06.2012 valid upto 04.06.2025.

The application for extension of registration was scrutinized and 1st deficiency notice vide notice no. HARERA/GGM/EPIN/97 dated 19.04.2024 was issued to the promoter with an opportunity of being heard on 22.04.2024.

On 22.04.2024, Sh. Sumeet, Engineering Officer and Sh. Ashish, Chartered Accountant briefed about the facts of the project. Ms. Anukrati Nahar (AR) is present on behalf of the promoter. The deficiency notice was dispatched recently on 19.04.2024. The promoter is hereby directed to submit the reply to the deficiency notice. The director/CEO/Project-In-charge of the promoter company is directed to be present along with the authorized representative of the landowner companies along with board resolution on the next date of hearing. The matter got fixed for next dated of hearing on 27.05.2024.

On 27.05.2024, the matter was adjourned to 24.06.2024

On 24.06.2024, Sh. P.C. Sharma (Sr.GM Project), Sh. Manish Prakash (GM Legal) and Sh. Rajive Nautiyal (CA) appeared on behalf of the promoter and requested two weeks' time to submit the deficit documents. The matter was fixed for next date of hearing on 08.07.2024.

The status of documents is mentioned below:

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| 29. | **Present compliance status as on 24.06.2024 of deficit documents as conveyed in notice dated 27.05.2024** | 1 REP-V form needs to be submitted.<br>**Status: Needs to be revised as the annexures mention in form are not provided in file.**<br>2 Corrections in online DPI needs to be done.<br>**Status: Not submitted**<br>3 Original registration certificate needs to be submitted.<br>**Status: Photocopy of the same is submitted. However, the original RC needs to be submitted.**<br>4 All the documents like copy of grant of licenses, their renewals, change of developer/transfer of license needs to be submitted.<br>**Status: Submitted**<br>5 Copy of LOI and LC-IV of both licenses needs to be submitted.<br>**Status: LOI and LC IV for license no. 58 of 2012 needs to be submitted.** |

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| | | 6 All the approved plans on A1 size sheet needs to be submitted.<br>**Status: approved layout, zoning and building plans on A1 sheet needs to be submitted.**<br>7 Revalidated building plans needs to be submitted.<br>**Status: Submitted**<br>8 Service plan estimates approval needs to be submitted.<br>**Status: Submitted**<br>9 Jamabandi, Mutation and Aks- shajra certified on the latest date not prior to six months of application needs to be submitted.<br>**Status: Submitted**<br>10 Land title search report by the Advocate certified on the latest date incorporating the bar enrollment number needs to be submitted.<br>**Status: Submitted**<br>11 Forest land diversion, natural conservation zone, tree cutting permission and power line shifting NOC/affidavit regarding non applicability needs to be submitted.<br>**Status: affidavit for non- applicability of the above is submitted.**<br>12 Mining permission needs to be submitted.<br>**Status: Not submitted (Mentioned in cover letter at annexure 14 of reply, however, no such annexure is found in the reply file)**<br>13 PERT chart needs to be submitted.<br>**Status: Submitted. Proposed development in each quarter needs to be provided.**<br>14 Copy of superimposed demarcation plan on approved layout plan needs to be submitted.<br>**Status: Not submitted**<br>15 List of the units sold to the allottees as on date of the application for extension of registration which includes name of the allottees, unit no, unit area, date of booking, average rate and total consideration needs to be provided.<br>**Status: Submitted**<br>16 List of the unsold units as on date of the application for extension of registration which includes unit no and unit area needs to be provided.<br>**Status: Submitted**<br>17 Copy of executed application form, allotment letter, BBA, , payment receipt needs to be submitted.<br>**Status: Submitted** |

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| | | 18 Allottee related draft documents i.e., Application form and Conveyance deed needs to be revised.<br>**Status: Draft conveyance deed not submitted**<br>19 Allottee related draft documents i.e., Allotment letter and BBA needs to be revised as per prescribed format.<br>**Status: Not revised**<br>20 Approval/NOC from various agencies regarding the external services like roads access, water supply, sewerage supply and storm water needs to be submitted.<br>**Status: Not submitted**<br>21 Brochure/advertisement document needs to be submitted.<br>**Status: Draft needs to be submitted.**<br>22 KYC of all directors needs to be submitted.<br>**Status: Submitted**<br>23 KYC of Architect, Structural Engineer, CA, MEP Consultant & Proof Consultant.<br>**Status: Submitted**<br>24 Project report needs to be submitted.<br>**Status: Not submitted**<br>25 Independent Auditor Report along with financial statement for the FY 2022-23 & FY 2020-21 needs to be submitted.<br>**Status: Submitted. As per Independent auditors report and audited balance sheet following noncompliance by company were observed.**<br>• **Auditor made qualified opinion for noncompliance of Section 129, 149 & 177 of the Companies Act, 2013**<br>• **Auditor mentioned under Emphasis of Matter, GST liability as non-filing of GST 9 & GST Audit in GST 9C.**<br>• **Auditor mentioned under Key Audit Matter, Demand notice from DDA amounting Rs 1027.46 lakhs against commercial land situated at Jasola Delhi.**<br>• **Auditor mentioned that company has made default in payment of ESI & PF.**<br>**Auditor mentioned that company has made default in payment of loan amount to Kotak Mahindra bank and India Bulls Housing Finance Ltd declared the loan account as NPA.**<br>26 CA Certificate for expenditure incurred & to be incurred is mismatch with DPI. DPI needs to be revised.<br>**Status: Revised DPI needs to be submitted** |

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| | | 27 CA certificate for details in REP I are true & correct needs to be submitted.<br>**Status: Not Submitted**<br>28 CA certificate for non-Default in payment of debt obligation needs to be submitted.<br>**Status: Not Submitted**<br>29 CA certificate for Net worth of promoter needs to be submitted.<br>**Status: Not Submitted**<br>30 Original copy of Financial and inventory details certified by CA needs to be provided.<br>**Status: Not Submitted**<br>31 Challan and Schedule of payment of IDC, EDC, License Fee, Conversion fees paid for the project needs to be submitted.<br>**Status: Not Submitted**<br>32 Undertaking regarding auto credit of 10% of receipts from separate RERA account maintained under section 4(2)(l)(D) needs to be submitted.<br>**Status: Promoter states that EDC is fully paid.**<br>33 Affidavit of promoter regarding arrangement with the bank of master account under section 4(2)(l)(D) needs to be submitted.<br>**Status: Submitted but needs to be revised as master, RERA and free bank account shall be in same bank & branch.**<br>34 Statement of quarterly expenditure needs to be submitted.<br>**Status: Not Submitted**<br>35 Statement of quarterly source of funds needs to be submitted.<br>**Status: Not Submitted**<br>36 Quarterly Net Cash Flow statement needs to be submitted.<br>**Status: Not Submitted**<br>37 REP-II needs to be revised as OC date is not mentioned.<br>**Status: Submitted but needs to be revised**<br>38 Non-encumbrance certificate certified on latest date not below the Rank of Tehsildar needs to be submitted.<br>**Status: Submitted**<br>39 Creation of charge (CHG) form needs to be submitted.<br>**Status: Promoter states that no loan on the project land**<br>40 Details of loan from financial institution or banks as |

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| | | mentioned in DPI needs to be submitted.<br>**Status: Not Submitted**<br>41 Bank undertaking needs to be submitted.<br>**Status: Submitted and needs to be revised, as it should be on letter head of bank with project name, account number and all three-bank account shall also be in same bank & branch.**<br>42 Board resolution needs to be updated for specifying same to be 70% collection account as per RERA rules.<br>**Status: Board resolution for operation of bank account of Master & Free bank account shall needs to be submitted.**<br>43 Land supporting documents needs to be submitted.<br>**Status: Sale deed submitted**<br>44 Cost of the land needs to be clarified according to the area applied for the registration.<br>**Status: CA certificate submitted.**<br>45 Annual return u/s 4(2)(l)(d) for the FY 2018-19 & FY 2022-23 needs to be Submitted.<br>**Status: Annual return u/s 4(2)(l)(d) for the FY 2022-23 needs to be Submitted.**<br>46 QPR for the Oct 2019 to Dec 2023 needs to be submitted.<br>**Status: QPR for Oct 2023 to Mar 2024 needs to be submitted.** |
| | **Remarks** | 1 REP-V form needs to be submitted.<br>**Status: Needs to be revised as the annexures mention in form are not provided in file.**<br>2 Corrections in online DPI needs to be done.<br>**Status: Not submitted**<br>3 Original registration certificate needs to be submitted.<br>**Status: Photocopy of the same is submitted. However, the original RC needs to be submitted.**<br>4 Copy of LOI and LC-IV of both licenses needs to be submitted.<br>**Status: LOI and LC IV for license no. 58 of 2012 needs to be submitted.**<br>5 All the approved plans on A1 size sheet needs to be submitted.<br>**Status: Approved layout, zoning and building plans on A1 sheet needs to be submitted.**<br>6 Mining permission needs to be submitted.<br>**Status: Not submitted (Mentioned in cover letter at** |

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| | | **annexure 14 of reply, however, no such annexure is found in the reply file)** |
| | | 7 PERT chart needs to be submitted.<br>**Status: Submitted. Proposed development in each quarter needs to be provided.** |
| | | 8 Copy of superimposed demarcation plan on approved layout plan needs to be submitted.<br>**Status: Not submitted** |
| | | 9 Allottee related draft documents i.e., Application form and Conveyance deed needs to be revised.<br>**Status: Draft conveyance deed not submitted** |
| | | 10 Allottee related draft documents i.e., Allotment letter and BBA needs to be revised as per prescribed format.<br>**Status: Not revised** |
| | | 11 Approval/NOC from various agencies regarding the external services like roads access, water supply, sewerage supply and storm water needs to be submitted.<br>**Status: Not submitted** |
| | | 12 Brochure/advertisement document needs to be submitted.<br>**Status: Draft needs to be submitted.** |
| | | 13 Project report needs to be submitted.<br>**Status: Not submitted** |
| | | 14 Independent Auditor Report along with financial statement for the FY 2022-23 & FY 2020-21 needs to be submitted.<br>**Status: Submitted. As per Independent auditors report and audited balance sheet following noncompliance by company were observed.**<br>• **Auditor made qualified opinion for noncompliance of Section 129, 149 & 177 of the Companies Act, 2013**<br>• **Auditor mentioned under Emphasis of Matter, GST liability as non-filing of GST 9 & GST Audit in GST 9C.**<br>• **Auditor mentioned under Key Audit Matter, Demand notice from DDA amounting Rs 1027.46 lakhs against commercial land situated at Jasola Delhi.**<br>• **Auditor mentioned that company has made default in payment of ESI & PF.**<br>**Auditor mentioned that company has made default in payment of loan amount to Kotak Mahindra bank and India Bulls Housing Finance Ltd declared the loan account as NPA.** |

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| | | 15 | CA Certificate for expenditure incurred & to be incurred is mismatch with DPI. DPI needs to be revised.<br>**Status: Revised DPI needs to be submitted** |
| | | 16 | CA certificate for details in REP I are true & correct needs to be submitted.<br>**Status: Not Submitted** |
| | | 17 | CA certificate for non-Default in payment of debt obligation needs to be submitted.<br>**Status: Not Submitted** |
| | | 18 | CA certificate for Net worth of promoter needs to be submitted.<br>**Status: Not Submitted** |
| | | 19 | Original copy of Financial and inventory details certified by CA needs to be provided.<br>**Status: Not Submitted** |
| | | 20 | Challan and Schedule of payment of IDC, EDC, License Fee, Conversion fees paid for the project needs to be submitted.<br>**Status: Not Submitted** |
| | | 21 | Affidavit of promoter regarding arrangement with the bank of master account under section 4(2)(l)(D) needs to be submitted.<br>**Status: Submitted but needs to be revised as master, RERA and free bank account shall be in same bank & branch.** |
| | | 22 | Statement of quarterly expenditure needs to be submitted.<br>**Status: Not Submitted** |
| | | 23 | Statement of quarterly source of funds needs to be submitted.<br>**Status: Not Submitted** |
| | | 24 | Quarterly Net Cash Flow statement needs to be submitted.<br>**Status: Not Submitted** |
| | | 25 | REP-II needs to be revised as OC date is not mentioned.<br>**Status: Submitted but needs to be revised** |
| | | 26 | Details of loan from financial institution or banks as mentioned in DPI needs to be submitted.<br>**Status: Not Submitted** |
| | | 27 | Bank undertaking needs to be submitted.<br>**Status: Submitted and needs to be revised, as it should be on letter head of bank with project name, account number and all three-bank account shall also be in same bank & branch.** |

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| | | 28 Board resolution needs to be updated for specifying same to be 70% collection account as per RERA rules.<br>**Status: Board resolution for operation of bank account of Master & Free bank account shall needs to be submitted.**<br>29 Annual return u/s 4(2)(l)(d) for the FY 2018-19 & FY 2022-23 needs to be Submitted.<br>**Status: Annual return u/s 4(2)(l)(d) for the FY 2022-23 needs to be Submitted.**<br>30 QPR for the Oct 2019 to Dec 2023 needs to be submitted.<br>**Status: QPR for Oct 2023 to Mar 2024 needs to be submitted.** |

**(Ashish)**
**Chartered Accountant**

**(Neeraj Gautam)**
**Associate Architectural Executive**

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| **Day and Date of hearing** | Monday and 08.07.2024 |
| **Proceeding recorded by** | Ram Niwas |

**PROCEEDINGS OF THE DAY**

Proceedings dated: 08.07.2024

Ar. Neeraj Gautam, Associate Architectural Executive and Sh. Ashish, Chartered Accountant briefed about the facts of the project.

Sh. Rajiv Nautial (AR) Sh. Manish Prakash (AR) are present on behalf of the promoter and states that the reply to the deficiency notice has been submitted today. The same be examined and the concerned PE to visit the site of the project and submit the status of the progress on site. The promoter to also submit the complete list of allottees and the details of the amount received from each allottee duly certified by CA along with the bank account details.

The matter to come up on 05.08.2024.

**(Sanjeev Kumar Arora)**
**Member, HARERA**

**(Ashok Sangwan)**
**Member, HARERA**

**(Vijay Kumar Goyal)**
**Member, HARERA**

**(Arun Kumar)**
**Chairman, HARERA**