

Hearing brief for registration of Project u/s 4

S.No	Particulars	Details	
1.	Name of the project	Lushlands	
2.	Name of the promoter	M/s Adani Infrastructure and Developers Pvt. Ltd.	
3.	Nature of the project	Group Housing	
4.	Location of the project	Sector- 02, Gurugram	
5.	Legal capacity to act as a promoter	Change of Developer	
6.	Name of the license holder	M/s Krrish Realty Nirman Pvt. Ltd. and Others	
7.	Status of project	Ongoing	
8.	Whether registration applied for whole	Phase	
	Phase no.	1	
9.	Online application ID	RERA-GRG-PROJ-1526-2024	
10.	License no.	98 of 2011 dated 11.11.2011	Valid till 10.11.2024
11.	Total licensed area	12.356 acres	Area to be registered 8.3491 acres
12.	Projected completion date	OC - 31.03.2029 CC - 30.06.2029	
13.	QPR Compliances (if applicable)	N/A	
14.	4(2)(I)(D) Compliances (if applicable)	N/A	
15.	4(2)(I)(C) Compliances (if applicable)	N/A	
16.	Status of change of bank account	N/A	
17.	Details of proceedings pending against the project	N/A	
18.	RC Conditions Compliances (if applicable)	N/A	
19.	Statutory approvals either applied for or obtained prior to registration		
	S.No	Particulars	Validity upto
	i)	License Approval	98 of 2011 dated 11.11.2011 10.11.2024
	ii)	Zoning Plan Approval	DRG. NO. DG,TCP 2875 dated 11.11.2011
	iii)	Revised Building plan Approval	ZP-767/JD(RA)/2024/14639 dated 16.05.2024 15.05.2029
	iv)	Environmental Clearance	SEIAA/HR/2013/153 dated 28.05.2013 27.05.2024 (Expired)
	v)	Airport height clearance	AAI/RHQ/NR/ATM/NOC/2023/892/3630-33 dated 27.12.2023 26.12.2031
	vi)	Fire scheme approval	Applied on 18.05.2024.



	vii) Service plan and estimate approval	Applied on 18.03.2024.
20.	Fee Details	
	Registration Fee	84,881.869 * 1.75 * 10 = Rs 14,85,433/-
	Processing Fee	84,881.869 * 10 = Rs 8,48,819/-
	Late Fee	550% of registration fee - 14,85,433 * 5.5 = Rs 81,69,882/-
	Total Fee	Rs 1,05,04,134/-
21.	DD amount	Rs 21,01,500/- Rs 81,50,000/- Rs 3,00,000/-
	DD no. and date	008833 dated 05.01.2024 008922 dated 24.05.2024 008923 dated 24.05.2024
	RTGS amount	-
	RTGS no. and date	-
	Name of the bank issuing	Axis Bank
	Deficient amount	NIL
22.	File Status	Date
	File received on	25.01.2024
	First hearing on	12.02.2024
	First notice Sent on	22.02.2024
	Second hearing on	03.06.2024
	Third hearing on	10.06.2024
23.	Case History:	
	<p>The Promoter M/s Adani Infrastructure and Developers Pvt. Ltd. who is a Change of developer has applied for the registration of real estate group housing colony namely "Lushlands" located at Sector-02, Gurugram under section 4 of the Real Estate (Regulations and Development) Act, 2016 vide central receipt no. 65338 dated 25.01.2024 and RPIN-704. The Temp I.D. of REP - I (Part A-H) is RERA -GRG-PROJ-1526-2024. The project area for registration is 8.3491 acres.</p> <p>The DTCP has granted license no. 98 of 2011 for an area admeasuring 12.356 acres.</p> <p>The promoter has applied for the registration of area admeasuring 8.3491 acres stating as Phase 1. However, the building plans if approved, by the DTCP, Haryana are not submitted by the promoter with the application for registration of the project to ascertain as to whether the phasing has been approved by the competent Authority or not.</p> <p>On 12.02.2024, Sh. Ashish Kush, Planning Executive and Sh. Ashish Dubey, Chartered Accountant briefed about the facts of the case. The application submitted by the promoter has been scrutinized by the concerned official, but the deficiency notice has not been dispatched till date. Therefore, in view of the same the matter is adjourned, and the concerned official is directed to dispatch the notice. The next date of hearing will be conveyed after submission of reply of deficiencies.</p> <p>The application for registration of group housing colony was scrutinized and 1st deficiency notice vide notice no. HARERA/GGM/RPIN/704 dated 22.02.2024 was issued to the promoter.</p> <p>The promoter has submitted a reply on 15.03.2024, 17.05.2024, 24.05.2024, 29.05.2024 and 30.05.2024 which were scrutinized and the status of the documents is mentioned below.</p> <p>The Environment Clearance of the project is expired on 27.05.2024.</p>	



The total units sold in the project is 56. As 18 units are allotted to both the landowners. The unique allottees are 30 out of which the promoter has submitted the consent of 23 allottees in respect of changes in the building plans.

On 03.06.2024, Sh. Ashish Kush, Planning Executive and Sh. Ashish Dubey, Chartered Accountant briefed about the facts of the case. Sh. Rajesh Jain (General Manager), Sh. Dheeraj Garg (Dy. Manager) and Sh. Praveen Kumar (AR) are present on behalf of the promoter. The AR states that phasing of the project is under approval with DTCP and sanctioned copy will be submitted within one week as the present application is only in respect of Phase-I. Further, the project has been awarded through NCLT and consent of 23 unique allottees out of 30 unique allottees have been obtained and submitted in the Authority and one week public notice to be published in two newspapers (1 Hindi and 1 English) for inviting objections, if any. The matter to come up on 10.06.2024.

It is noticed that the project was already registered vide Registration No. 230 of 2017 dated 19.09.2017 (Monde-De-Provence, Phase-1, Tower B & D) which was valid upto 30.06.2020 + 6 months COVID 19 i.e., 30.12.2020 and 266 of 2017 dated 09.10.2017 (Monde-De-Provence, Phase-II, Tower C) which was valid upto 30.06.2019. The CIRP proceeding u/s 7 of IBC was commenced against the erstwhile promoter of the project and a resolution plan was submitted by the AIDPL. The member of CoC had approved the resolution plan submitted by AIDPL and finally, the resolution plan was approved by Hon'ble NCLT, Delhi on 30.05.2022.

The status of the documents is mentioned below.

24. Present compliance status as on 10.06.2024 of deficient documents conveyed in hearing dated 03.06.2024.	<ol style="list-style-type: none">1. The annexures in the online application are not uploaded as well as the correction needs to be done in the online (A-H) application. Status: Not Submitted.2. Online DPI needs to be corrected. Status: Not Submitted.3. The approved building plans are not attached in the application to ascertain the approval of phasing by the competent authority, and you had applied for registration of project in phases. The same needs to be clarified. Status: Not Submitted.4. Fire Scheme approval needs to be submitted. If applied, then copy of the same needs to be submitted. Status: Applied on 18.05.2024. Receipt attached.5. Approved Service plan and estimates needs to be submitted. If applied, then copy of the same needs to be submitted. Status: Applied on 18.03.2024. Receipt attached.6. Approval NOCs from the various agencies for connecting external services like roads needs to be submitted. Status: The promoter stated that the project is already connected with the existing road.7. Draft Application-form needs to be revised. Status: Not Submitted.8. Draft Allotment letter needs to be revised. Status: Not Submitted.9. Draft BBA needs to be revised. Status: Not Submitted.
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		<p>10. Draft Conveyance deed needs to be revised. Status: Not Submitted.</p> <p>11. Re-validated Mining permission needs to be submitted. Status: The promoter stated that the excavation and work of removal of mineral/ ordinary clary from the project site was over so there is no requirement of revalidation of mining permission.</p> <p>12. KYC of CP Kukreja Firm needs to be submitted. Status: Not Submitted.</p>
25.	Remarks	<p>1. The annexures in the online application are not uploaded as well as the correction needs to be done in the online (A-H) application.</p> <p>2. Online DPI needs to be corrected.</p> <p>3. The approved building plans are not attached in the application to ascertain the approval of phasing by the competent authority, and you had applied for registration of project in phases. The same needs to be clarified.</p> <p>4. Fire Scheme approval needs to be submitted.</p> <p>5. Approved Service plan and estimates needs to be submitted.</p> <p>6. Approval NOCs from the various agencies for connecting external services like roads needs to be submitted. Status: The promoter stated that the project is already connected with the existing road.</p> <p>7. Draft Application form needs to be revised.</p> <p>8. Draft Allotment letter needs to be revised.</p> <p>9. Draft BBA needs to be revised.</p> <p>10. Draft Conveyance deed needs to be revised.</p> <p>11. Re-validated Mining permission needs to be submitted. Status: The promoter stated that the excavation and work of removal of mineral/ ordinary clary from the project site was over so there is no requirement of revalidation of mining permission.</p> <p>12. KYC of CP Kukreja Firm needs to be submitted.</p>

Recommendation:

The application submitted by the promoter for registration of real estate project under section 4 of the Act of 2016 as per details given above is complete and all the requisite documents as required u/s 4 of Act of 2016 and Haryana Rules, 2017 have been submitted and found to be in order except the corrections in online DPI, corrections in online (A-H) form, Fire Scheme Approval, Approved Service plan and estimates and Clarification of phasing.

A public notice w.r.t the revision in building plans in respect to the project for inviting objections, if any has been published on 04.06.2024 in Hindustan Times (Hindi) and Hindustan (Hindi). No objection has been received regarding revision in the building plans in the project namely "Lushlands" till date.

The promoter shall submit a BG/DD amounting to Rs 25 lakhs as a security amount to submit the Fire Scheme approval within three month from the date of issuance of registration certificate.



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

Ashish Dubey
10/06/24

Ashish Dubey

Chartered Accountant

Ashish Kush
10/06/24

Ashish Kush

Planning Executive

Day and Date of hearing

Monday and 10.06.2024

Proceeding recorded by

Ram Niwas

PROCEEDINGS OF THE DAY

Proceedings dated: 10.06.2024

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

Sh. Rajesh Jain (AR), Sh. Dheeraj Garg (AR) and Sh. Praveen Kumar (AR) are present on behalf of the promoter.

The AR of the promoter stated that the approved service plan and estimates, Phasing letter from DTCP alongwith the other deficiencies has been submitted on 07.06.2024.

A public notice w.r.t the revision in building plans in respect to the project for inviting objections, if any has been published on 04.06.2024 in Hindustan Times (Hindi) and Hindustan (Hindi). No objection has been received regarding revision in the building plans in the project namely "Lushlands" till date.

It is noticed that the project was already registered vide Registration No. 230 of 2017 dated 19.09.2017 (Monde-De-Provence, Phase-1, Tower B & D) and 266 of 2017 dated 09.10.2017 (Monde-De-Provence, Phase-II, Tower C). The CIRP proceeding u/s 7 of IBC was commenced against the erstwhile promoter of the project and a resolution plan was submitted by the AIDPL. The member of CoC had approved the resolution plan submitted by AIDPL and finally, the resolution plan was approved by Hon'ble NCLT, Delhi on 30.05.2022 and AIDPL was declared as successful bidder and project was assigned to it.

The promoter has obtained the Change of Developer from DTCP, Haryana vide memo no. LC-2604-Vol-II/JE(RK)/2024/14388-94 dated 15.05.2024.

The late fee be recalculated from 01.06.2022 as the promoter i.e., Adani Infrastructure and Developers Pvt. Ltd. got project through NCLT on 30.05.2022 and has applied for registration on 25.01.2024 and the excess fee, if any be returned.

Approved as proposed subject to submission of BG /DD of Rs 25 lakhs for submission of Fire scheme approval within 3 months from the grant of registration and office to examine the reply dated 07.06.2024 and ensure necessary correction in form A to H and DPI.

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

