

**Hearing brief for registration of Project u/s 4**

S.No	Particulars	Details		
1.	Name of the project	Terra Elegance Independent Residential Floor		
2.	Name of the promoter	M/s Terra Infracon Private Limited		
3.	Nature of the project	Independent Residential Floors		
4.	Location of the project	Sector- 07, Sohna, Gurugram		
5.	Legal capacity to act as a promoter	Not clarified		
6.	Name of the license holder	M/s MV Buildcon Pvt. Ltd. and Smt. Shakuntla Devi		
7.	Status of project	New		
8.	Whether registration applied for whole	Whole		
	Phase no.	N/A		
9.	Online application ID	RERA-GRG-PROJ-1587-2024		
10.	License no.	DULB/CTP/TP-Sohna/2020/1996 dated 13.03.2020	Valid up to 12.03.2025	
11.	Total licensed area	8.28125 acres	Area to be registered	0.5404 acres
12.	Projected completion date	31.05.2029		
13.	QPR Compliance (RC No. 41/2021 - Plotted Colony)	Submitted		
14.	4(2)(I)(D) Compliances (RC No. 41/2021 - Plotted Colony)	2021-2022 - Pending		
15.	4(2)(I)(C) Compliances (RC No. 41/2021 - Plotted Colony)	Applied for extension of time under section 7(3)		
16.	Status of change of bank account	N/A		
17.	Details of proceedings pending against the project	RERA-GRG-4469-2022 – RC condition compliances RERA-GRG-3661-2022 – Non submission of QPR		
18.	RC Conditions Compliances (if applicable)	Electrical load assurance - submitted		
19.	Statutory approvals either applied for or obtained prior to registration			
	S.No	Particulars	Date of approval	Validity upto

	i)	License Approval	DULB/CTP/TP-Sohna/2020/1996 dated 13.03.2020	12.03.2025
	ii)	Zoning Plan Approval	Not Legible	-
	iii)	Building plan Approval	31.07.2023	30.07.2025
	iv)	Environmental Clearance	N/A	
	v)	Airport height clearance	N/A	
	vi)	Fire scheme approval	N/A	
	vii)	Service plan and estimate approval	N/A	
20.	<b>Fee Details</b>			
	Registration Fee		Rs. 91,098/-	
	Processing Fee		Rs. 44,516/-	
	Late Fee		N/A	
	Total Fee		Rs. 1,35,614/-	
21.	DD amount		Rs. 87,450/- Rs. 48,170/-	
	DD no. and date		240316180192861 dated 16.03.2024 240531186149602 dated 31.05.2024	
	Name of the bank issuing		HDFC/ICICI Bank	
	Deficient amount		Nil	
22.	<b>File Status</b>		<b>Date</b>	
	File received on		21.03.2024	
	First deficiency notice sent on		10.04.2024	
	First hearing on		15.04.2024	
	First reply submitted on		29.04.2024	
	Second hearing on		13.05.2024	
	Second reply submitted on		30.05.2024	
	Third reply submitted on		31.05.2024	
	Fourth reply submitted on		19.06.2024	
	Third hearing on		24.06.2024	
	Fifth reply submitted on		20.06.2024	
	Sixth reply submitted on		04.07.2024	
	Fourth hearing on		08.07.2024	
23.	<b>Case History:</b>			

The Promoter M/s Terra Infracon Pvt. Ltd. has applied for the registration of real estate independent residential floors colony namely “Terra Elegance Independent Residential Floor” located at Sector-07, Sohna, Gurugram under section 4 of the Real Estate (Regulations and Development) Act, 2016 vide central receipt no. 68215 dated 21.03.2024 and RPIN- 732. The Temp I.D. of REP – I (Part A-H) is RERA -GRG-PROJ-1587-2024. The project area for registration is 0.5404 acres out of the licensed area i.e., 8.28125 acres granted under License no – DULB/CTP/TP-Sohna/2020/1996 dated 13.03.2020 which is valid upto 12.03.2025, issued in favour of M/s MV Buildcon Pvt. Ltd. and Smt. Shakuntla Devi.

**The legal capacity of the applicant promoter M/s Terra Infracon Private Limited need to be clarified.**

The deficiency notice is issued to the promoter vide notice no. HARERA/GGM/RPIN/732 dated 10.04.2024.

**Proceedings dated: 15.04.2024**

Ms. Prachi Singh, Planning Executive briefed about the facts of the project.

Ms. Rishika Katyal (AR) is present on behalf of the promoter and seeks three weeks’ time to comply with the deficiencies and shall also clarify the legal capacity of the applicant promoter.

The matter to come up on 13.05.2024.

**Proceedings dated: 13.05.2024**

Ms. Prachi Singh, Planning Executive briefed about the facts of the project. None is present on behalf of the promoter. The promoter has requested for adjournment for one week vide email dated 08.05.2024. The same is allowed. The application submitted for registration of residential floors is part of DDJAY colony which is registered with the authority vide RC no.41 of 2021 dated 20.07.2021 and office is directed to examine the status of compliance in respect of the same. The matter to come up on 03.06.2024.

**Proceedings dated: 03.06.2024**

Ms. Prachi Singh, Planning Executive briefed about the facts of the project.

Sh. Dishant Sanduja (Director) and Sh. Om Singh (Advocate) are present on behalf of the promoter. The registration in respect of the colony has lapsed and the floor-wise registration in respect of the part of the plots under the above can be considered only after the revalidation of the registration of the licensed colony. The issue regarding provisioning of services by the licensee needs to be addressed in the collaboration agreement as CC/Part CC in respect of the colony is not yet received. The revenue sharing between the land owner and collaborator vis a vis the provisions under 4(2)(I)(D) also needs to be examined/reconciled. The matter to come up on 24.06.2024.

**Proceedings dated: 24.06.2024**

Sh. Sumeet Engineering Officer and Sh. Ashish Dubey Chartered Accountant briefed about the facts of the project.

Sh. Om Prakash Singh (Advocate) is present on behalf of the promoter.

	<p>The validity of the registration of the plotted colony project wherein above floors are proposed to be constructed already stand lapsed. Further the revenue sharing with the land owners needs to be clarified in terms of section 4(2)(1)(D) of the Act of 2016. The AR of the promoter seeks three weeks' time. The next hearing to be attended by the plot owners in person and are to be impleaded as Co-Promoters. The matter to come up on 08.07.2024.</p>	
<b>24.</b>	<p><b>Present compliance status as on 08.07.2024 of deficiencies conveyed to the promoter vide notice dated 10.04.2024</b></p>	<ol style="list-style-type: none"> <li>1. The annexures in the online are not uploaded as well as the correction needs to be done in the online (A-H). <b>Status:- Submitted corrections needs to be done</b></li> <li>2. Corrections in the online DPI need to be done. <b>Status:- Not done</b></li> <li>3. The legal capacity of M/s Terra Infracon Private Limited need to be clarified. <b>Status:- Promoter states that a registered MOU has been executed with landowners along with irrevocable Special power of Attorney.</b></li> <li>4. Copy of letter of Intent (LOI) need to be submitted. <b>Status:- N/A</b></li> <li>5. Mutation, Jamabandi and Aks-shajra certified on the latest date needs to be submitted. <b>Status: - Since the promoter is a third party right holder in an already approved affordable plotted colony under DDJAY, hence the above mentioned documents are not applicable.</b></li> <li>6. Information to the revenue department regarding the entry of license in the revenue record needs to be submitted. <b>Status:- Since the promoter is a third party right holder in an already approved affordable plotted colony under DDJAY, hence the above mentioned documents are not applicable.</b></li> <li>7. Land title search report needs to be submitted. <b>Status:- Not submitted</b></li> <li>8. Non-encumbrance certificate not below the rank of tehsildar certified on the latest date needs to be submitted. <b>Status:- Since the promoter is a third party right holder in an already approved affordable plotted colony under DDJAY, hence the above mentioned documents are not applicable.</b></li> <li>9. Copy of sale deed executed between landowner and promoter need to be submitted. <b>Status:- Promoter has submitted the registered memorandum of understanding and special irrevocable power of attorney. No other sale deed executed.</b></li> <li>10. Copy of approved environment clearance need to be submitted. <b>Status:- Since the promoter is a third party right holder in an already approved affordable plotted colony under DDJAY, hence the above mentioned documents are not applicable.</b></li> </ol>

		<p>11. Fee cannot be calculated as the building plans are not submitted and will be calculated after the submission of the building plans and if the fee comes out deficit than the same shall be payable. Fee calculated and deficit fee Rs. 48,164/- need to be submitted.  <b>Status:- Submitted vide no. 240531186149602 dated 31.05.2024 amount Rs. 48,170/-.</b></p> <p>12. Building plan approval (BR-III) alongwith the approved drawings A1 size (laminated) need to be submitted.  <b>Status:- Submitted</b></p> <p>13. Copy of approved service estimates and plans A1 size (laminated) along with sanction letter from DTCP, Haryana not submitted.  <b>Status:- Since the promoter is a third party right holder in an already approved affordable plotted colony under DDJAY, hence the above mentioned documents are not applicable.</b></p> <p>14. Copy of electrical load availability connection assurance letter from DHBVN need to be submitted.  <b>Status:- Since the promoter is a third party right holder in an already approved affordable plotted colony under DDJAY, hence the above mentioned documents are not applicable.</b></p> <p>15. Natural conservation zone, Tree cutting permission, Forest land diversion, NOC/affidavit for non-applicability needs to be submitted.  <b>Status:- Since the promoter is a third party right holder in an already approved affordable plotted colony under DDJAY, hence the above mentioned documents are not applicable.</b></p> <p>16. Approval NOCs from the various agencies for connecting external services like water supply, sewerage and storm water drainage needs to be submitted.  <b>Status:- Since the promoter is a third party right holder in an already approved affordable plotted colony under DDJAY, hence the above mentioned documents are not applicable.</b></p> <p>17. Copy of approved layout plan and zoning plan in A1 size (laminated) need to be submitted.  <b>Status:- Not submitted</b></p> <p>18. Layout superimposed on the demarcation plan showing khasra no. needs to be submitted.  <b>Status:- Since the promoter is a third party right holder in an already approved affordable plotted colony under DDJAY, hence the above mentioned documents are not applicable.</b></p> <p>19. Pert Chart needs to be submitted.  <b>Status:- Submitted</b></p> <p>20. Copy of project report along with brochure of current project and project photos need to be submitted.</p>
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		37. CA certificate for expenditure incurred and to be incurred needs to be submitted. <b>Status:- Submitted</b>
25.	Remarks	<ol style="list-style-type: none"> <li>1. The annexures in the online are not uploaded as well as the correction needs to be done in the online (A-H).</li> <li>2. Corrections in the online DPI need to be done.</li> <li>3. The legal capacity of M/s Terra Infracon Private Limited need to be clarified. <b>Status:- Promoter states that a registered MOU has been executed with landowners along with irrevocable Special Power of Attorney.</b></li> <li>4. Land title search report needs to be submitted.</li> <li>5. Copy of approved layout plan and zoning plan in A1 size (laminated) need to be submitted.</li> <li>6. Copy of project report along with brochure of current project and project photos need to be submitted.</li> <li>7. Allottee related documents like Application form, Allotment letter, Builder Buyer agreement, conveyance deed and payment receipt needs to be revised.</li> <li>8. Draft Brochure and advertisement documents needs to be submitted.</li> <li>9. CA certificate for Net worth of promoter needs to be provided.</li> <li>10. Quarterly schedule of estimated expenditure needs to be provided.</li> </ol>

*Ashish*

**Ashish Dubey**

**Chartered Accountant**

*Sumeet*

**Sumeet**

**Engineering officer**

**Day and Date of hearing**

Monday and 08.07.2024

**Proceeding recorded by**

Ram Niwas

**PROCEEDINGS OF THE DAY**

Proceedings dated: 08.07.2024

Sh. Sumeet Engineering Officer and Sh. Ashish Dubey Chartered Accountant briefed about the facts of the project.

Sh. Dishant Sanduja (Director), Sh. Om Prakash Singh (Advocate) and Sh. Anil Kumar (AR) are present on behalf of the applicant promoter.

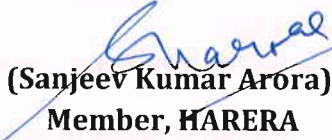
Sh. Vijay Kumar, Ms. Urmila Kumari and Ms. Gayatri Devi (Plot owners) are also present.

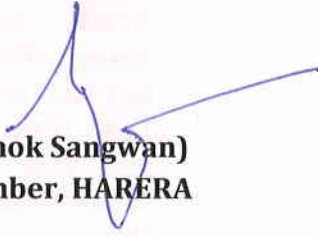
The compliances in respect of the DDJAY plotted colony, of which the current application for registration of residential floors is a part, have already been made and the penalty amount for allowing continuation under section 7(3) has also been deposited. Further, the plot owners and applicant promoter present in person states that the 40% share of the land owners will be withdrawn only after obtaining of OC and not from 70% RERA account till project is completed.


The current application is for registration of residential floors over 18 plots purchased by plot owners from Promoter (MV Buildcon Pvt Ltd) of DDJAY plotted licensed colony out of which 4 plots are in name of applicant promoter and the remaining 14 plots are in the name of family members who have assigned the rights in favor of applicant company for construction, marketing, sale and completing the project through a registered MOU & POA in favor of M/s Terra Infracon Pvt. Ltd. as developer for the project. All the land owners shall be a confirming party in the BBA as well. The building plans have been approved by DULB, Haryana.

The promoter further states that the remaining minor deficiencies will be rectified within three days and requests to grant the registration to the project.

In view of the above, the authority decides to grant registration to the project and the registration certificate will be issued after submission of deficit documents. Further, a condition to the effect that the 40% share of the land owners will be withdrawn only after obtaining of OC and not from 70% RERA account till project is completed shall be incorporated in the registration certificate.

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

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

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

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