

Hearing brief for registration of Project u/s 4

S.No	Particulars	Details		
1.	Name of the project	Samsara Ivana		
2.	Name of the promoter	M/s Adani Brahma Synergy Pvt. Ltd.		
3.	Nature of the project	Residential Floors		
4.	Location of the project	Sector- 63, Gurugram		
5.	Legal capacity to act as a promoter	Third Party Right Holder		
6.	Name of the license holder	N/A		
7.	Status of project	New		
8.	Whether registration applied for whole	Whole		
	Phase no.	N/A		
9.	Online application ID	RERA-GRG-PROJ-1787-2024		
10.	License no.	64 of 2010 dated 21.08.2010		valid up to 20.08.2025
11.	Total licensed area	141.6687 acres	Area to be registered	3.4355 acres
12.	Projected completion date	OC – 30.06.2029		
13.	QPR Compliances (if applicable)	RC no. 115 of 2022 – Submitted.		
14.	4(2)(I)(D) Compliances (if applicable)	RC no. 115 of 2022 – 2023-24 Pending		
15.	4(2)(I)(C) Compliances (if applicable)	N/A (Valid upto 20.08.2025)		
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	Date of approval	Validity upto
	i)	License Approval	64 of 2010 dated 21.08.2010	20.08.2025
	ii)	Zoning Plan Approval	5968-II dated 07.07.2017 (For residential plotted colony)	-



	iii)	Building plan Approval	Under Self certification policy and Email dated 16.10.2024 from DTCP (For 45 plots) Under Self certification policy and Email dated 18.11.2024 from DTCP (For 3 plots)	15.10.2026 17.11.2026
	iv)	Environmental Clearance	SEIAA/HR/2014/1143 dated 03.09.2014	02.09.2025 (Extended one year vide EIA notification dated 18.01.2021)
	v)	Airport height clearance	N/A (Height is less than 30 mtrs.)	
	vi)	Fire scheme approval	N/A (Height is less than 15 mtrs.)	
	vii)	Service plan and estimate approval	LC-2365(Loose)/PA(VA)/2022/28955 dated 22.09.2022 (For residential plotted colony)	
20.	Fee Details			
	Earlier while scrutinizing the file, the fee was calculated for the proposed 45 plots as the approval is submitted only for 45 plots. However, the promoter applied for 48 plots as per DPI. After the submission of reply dated 04.12.2024, The Promoter submitted the approval of building plans for remaining three plots approved vide email dated 18.11.2024. Accordingly, the fee is recalculated and fee is fully paid. Details of which given below.			
	Registration Fee	Residential - (For 45 plots) - 31,698.045 * 2.4 * 10 = Rs 7,60,753/- (For 3 plots) - 1836.648 * 2.64 * 10 = Rs 48,487/- Total - Rs 8,09,240/-		
	Processing Fee	33,534.693 * 10 = Rs 3,35,347/-		
	Late Fee	N/A		
	Total Fee	Rs 11,44,587/-		
21.	DD amount	Rs 11,45,000/-		
	DD no. and date	435519 dated 28.10.2024		
	Name of the bank issuing	IndusInd Bank		
	Deficient amount	NIL		
22.	File Status	Date		
	File received on	30.10.2024		
	First hearing on	25.11.2024		
	First notice Sent on	04.12.2024		
	Second hearing on	09.12.2024		
23.	Case History:			



	<p>The Promoter M/s Adani Brahma Synergy Pvt. Ltd. who is a Third Party Right Holder applied for the registration of real estate residential floors project namely "Samsara Ivana" located at Sector- 63, Gurugram under section 4 of the Real Estate (Regulations and Development) Act, 2016 vide central receipt no. 81804 dated 30.10.2024 and RPIN-821. The Temp I.D. of REP - I (Part A-H) is RERA -GRG-PROJ-1787-2024. The project area for registration is 3.4355 acres.</p> <p>The DTCP has granted license no. 64 of 2010 dated 21.08.2010 admeasuring 141.668 acres for the development of Residential Plotted Colony in Sector 60, 61, 62, 63 & 65, Gurugram.</p> <p>The area admeasuring 53.5840 acres (Brahma City -Phase V) was registered vide registration number 115 of 2022 dated 05.12.2022 which is valid upto 20.08.2025.</p> <p>The promoter purchased 48 plots via conveyance deed in the Block-I of the residential plotted colony namely "Brahma City -Phase V" and applied for registration of residential floors (S+4) on 48 plots.</p> <p>As per work order dated 21.11.2024, the file is taken up by the undersigned.</p> <p>On 25.11.2024, the matter was adjourned to 09.12.2024.</p> <p>The application for registration of residential floors was scrutinized and 1st deficiency notice vide notice no. HARERA/GGM/RPIN/787 dated 04.12.2024 was issued to the promoter with an opportunity of being heard on 09.12.2024.</p> <p>The promoter has submitted a reply on 04.12.2024 which was scrutinized and the status of documents is mentioned below.</p>		
<p>24.</p>	<table border="1"> <tr> <td data-bbox="215 1064 614 2022"> <p>Present compliance status as on 09.12.2024 of deficient documents conveyed through notice dated 04.12.2024.</p> </td><td data-bbox="614 1064 1519 2022"> <ol style="list-style-type: none"> Fee calculated for proposed 45 plots as the copy of approved building plans of 3 plots has not been submitted and will be recalculated after the submission of approved building plans of 3 plots and if the fee comes out deficit then the same shall be payable. Status: The Promoter submitted the approval of building plans on three plots approved vide email dated 18.11.2024. Accordingly, the fee is recalculated and fee is fully paid. The annexures in the online application are not uploaded as well as correction needs to be done in the online (A-H) application. Status: Not Submitted. Online DPI needs to be corrected. Status: Submitted but needs to be revised. BR-III approval letter of 3 plots from the Department alongwith the plans needs to be submitted. Status: Submitted. DTCP email dated 18.11.2024. Land title search report certified by an advocate incorporating the bar enrolment number needs to be submitted. Status: Submitted. Draft Application form needs to be revised. Status: Submitted. Draft Allotment letter needs to be revised as per prescribed format. Status: Submitted but needs to be revised. </td></tr> </table>	<p>Present compliance status as on 09.12.2024 of deficient documents conveyed through notice dated 04.12.2024.</p>	<ol style="list-style-type: none"> Fee calculated for proposed 45 plots as the copy of approved building plans of 3 plots has not been submitted and will be recalculated after the submission of approved building plans of 3 plots and if the fee comes out deficit then the same shall be payable. Status: The Promoter submitted the approval of building plans on three plots approved vide email dated 18.11.2024. Accordingly, the fee is recalculated and fee is fully paid. The annexures in the online application are not uploaded as well as correction needs to be done in the online (A-H) application. Status: Not Submitted. Online DPI needs to be corrected. Status: Submitted but needs to be revised. BR-III approval letter of 3 plots from the Department alongwith the plans needs to be submitted. Status: Submitted. DTCP email dated 18.11.2024. Land title search report certified by an advocate incorporating the bar enrolment number needs to be submitted. Status: Submitted. Draft Application form needs to be revised. Status: Submitted. Draft Allotment letter needs to be revised as per prescribed format. Status: Submitted but needs to be revised.
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		<p>8. Draft Builder Buyer Agreement needs to be revised as per prescribed format. Status: Submitted but needs to be revised.</p> <p>9. Draft Conveyance Deed needs to be revised. Status: Submitted but needs to be revised.</p> <p>10. Draft Brochure needs to be submitted. Status: Submitted.</p> <p>11. Original Bank Undertaking dated 11.10.2024 needs to be submitted Status: Submitted.</p> <p>12. TAN, GST of the promoter needs to be submitted. KYC of all directors, CA, Engineer, Architect, Authorized Signatory needs to be submitted. Status: Submitted.</p> <p>13. Cost of land needs to be clarified according to area applied i.e. 3.4355 acres for registration. Clarification needs to be submitted as EDC, IDC, IDW and Cess not mentioned in DPI along with supporting documents. Status: Submitted.</p> <p>14. REP-II, Project Report needs to be submitted. Status: As per REP II land encumbrance details is annexed as Annexure-A. Annexure A needs to be submitted.</p> <p>15. Statement of quarterly expenditure, quarterly net cash flow statement and statement of quarterly source of funds needs to be submitted. Status: Submitted.</p> <p>16. CA Certificate for non-default, CA Certificate for REP-1 (A-H), CA Certificate for net worth on latest date, CA Certificate for expenditure incurred and to be incurred needs to be submitted. Status: Submitted.</p> <p>17. Board resolution needs to be submitted for specifying same to be 70% collection account as per RERA rules along with KYC of authorize person for operating these bank accounts. Affidavit of promoter regarding arrangement with the bank of master account under section 4(2)(I)(D) needs to be submitted. Status: Submitted.</p> <p>18. Non-encumbrance certificate not below the rank of tehsildar certified on the latest date needs to be submitted. Status: Submitted but some part of the land is subject to section 6 of land Acquisition Act 1894.</p> <p>19. Details of financial resources along with supporting documents needs to be submitted. Status: Submitted.</p>
25.	Remarks	<p>1. The annexures in the online application are not uploaded as well as correction needs to be done in the online (A-H) application.</p> <p>2. Online DPI needs to be revised.</p>

	3. Draft Allotment letter needs to be revised. 4. Draft Builder Buyer Agreement needs to be revised. 5. Draft Conveyance Deed needs to be revised. 6. REP-II, Project Report needs to be submitted. Status: As per REP II land encumbrance details is annexed as Annexure-A. Annexure A needs to be submitted. 7. Non-encumbrance certificate not below the rank of tehsildar certified on the latest date needs to be submitted. Status: Submitted but some part of the land is subject to section 6 of land Acquisition Act 1894. 8. Details of financial resources along with supporting documents needs to be submitted.
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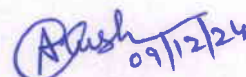
Recommendations:

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 A- H-form, DPI and deficiencies mentioned above.

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


 Ashish Dubey

Chartered Accountant


 Ashish Kush

Planning Executive

Day and Date of hearing

Monday and 09.12.2024

Proceeding recorded by

Ram Niwas

PROCEEDINGS OF THE DAY

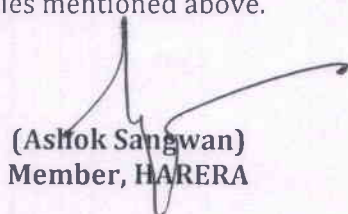
Proceedings dated: 09.12.2024


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


Sh. Rajesh Jain (AR), Sh. Satyender Nath Tiwari (AR) and Sh. Dheeraj Garg (AR) are present on behalf of the promoter.

Approved as proposed subject to providing clear NEC from the concerned Revenue Authority. Further, the promoter has submitted an affidavit during hearing to the effect that the area to be registered does not fall in the area disputed in Hon'ble Supreme Court of India in SLP (C) 6013 of 2022. The AR of the promoter states that the 48 plots have been purchased from M/s Brahma City Pvt. Ltd. through conveyance deed.

The RC shall be issued after the submission of clear Non-encumbrance certificate alongwith the other deficiencies mentioned above.


 (Ashlok Sangwan)
 Member, HARERA


 (Arun Kumar)
 Chairman, HARERA


 (Vijay Kumar Goyal)
 Member, HARERA

