

New PWD Rest House, Civil Lines, Gurugram, Haryana

नया पी.डब्ल्यू.डी. विश्राम गृह, सिविल लाईंस, गुरुग्राम, हरियाणा

 Promoter Name: M/s Signature Global Business Park Pvt. Ltd. Ltd.
 Project Name - Daxin Vistas

Hearing brief for registration of Project u/s 4

S.No	Particulars	Details	
1.	Name of the project	DAXIN VISTAS	
2.	Name of the promoter	M/s Signature Global Business Park Pvt. Ltd.	
3.	Nature of the project	Independent Residential Floors	
4.	Location of the project	Revenue Estate of village Bhondsi, Ghamroj & Mahendwara, Tehsil - Sohna, Gurugram.	
5.	Legal capacity to act as a promoter	Collaborator	
6.	Name of the license holder	1. Yesha Developers LLP. 2. Unistay Hospitality Pvt. Ltd. 3. Signature Global Business Park Pvt. Ltd.	
7.	Name of the Collaborator	M/s Signature Global Business Park Pvt. Ltd.	
8.	Status of project	New	
9.	Whether registration applied for whole	Whole	
	Phase no.	N/A	
10.	Online application ID	RERA-GRG-1751-2024	
11.	License no.	121 of 2024 dated 14.08.2024.	Valid up to 13.08.2029.
12.	Total licensed area	125.60 Acres	Area applied 21.983519 Acres (88964.225 sqmtr)
13.	Projected completion date	15.01.2028.	
14.	QPR Compliances (if applicable)	N/A	
15.	4(2)(I)(D) Compliances (if applicable)	N/A	
16.	4(2)(I)(C) Compliances (if applicable)	N/A	
17.	Status of change of bank account	N/A	
18.	Details of proceedings pending against the project	N/A	
19.	RC Conditions Compliances (if applicable)	Service plans and estimates within 2 months – Not submitted.	
20.	Statutory approvals either applied for or obtained prior to registration		
	S.No.	Particulars	Validity up to
	i)	License Approval	121 of 2024 dated 14.08.2024. 13.08.2029.
	ii)	Zoning Plan Approval	DGTCP 10461 – 10465 dated 05.09.2024.
	iii)	Building plan approval	REV/SBP/Type-G-01,02, Type M-01-06, Type- H 01-02, Type I-01-02, Type -J 01-02 dated 12.09.2024.
	iv)	Environmental Clearance	Not Submitted.

	v)	Airport clearance height	N/A.
	vi)	Fire approval scheme for commercial	N/A.
	vii)	Service plan and estimate approval	Not Submitted.
21.	Fee Details		
	Registration fee	Residential 88964.225 x 2.64 x 2.64 x 10 = 62,00,451 /-	
	Late fee	N/A	
	Processing fee	2,34,865.554 x 10 =Rs. 23,48,656/-	
	Total fee	62,00,451 + 23,48,656 = Rs. 85,49,107/-	
22.	Online details	41,22,941/- 20,61,471/- 15,03,140/- 23,48,656/- 2,92,107/- 100/- Total - Rs. 1,03,28,415/-	
	Online transactions details	INDBR32024090900513685 dated 09.09.2024. INDBR32024090900513684 dated 09.09.2024. YESBR12024093000011487. YESBR12024093000011488. INDBR32024101600430778 dated 16.10.2024. UPI reference no 430316023973 dated 29.10.2024.	
	Name of the bank issuing	Indian Bank Yes Bank	
	Processing fees paid earlier which need to be forfeited.	17,79,285/-	
	Amount to be considered after forfeiting the processing fees	1,03,28,315 - 17,79,285 = 85,49,130/-	
	Total amount to be considered	85,49,107 - 85,49,130 = Rs. -23/-	
	Deficient amount	NIL	
23.	File Status	Date	
	File received on	04.10.2024	
	First notice Sent on	18.10.2024	
	First hearing on	21.10.2024	
	Documents submitted on	21.10.2024	
	Second hearing on	04.11.2024	
24.	Case History:		

The Promoter i.e., M/s Signature Global Business Park Pvt. Ltd. who is a Collaborator has applied for the registration of real estate Independent Residential Floors namely “DAXIN VISTAS” located at Revenue Estate of village Bhondsi, Ghamroj & Mahendwara, Tehsil -Sohna, Gurugram under section 4 of the Real Estate (Regulations and Development) Act, 2016. The project area for registration is 21.983519 Acres (88964.225 sqmtr) and the licensed area is also 125.60 acres granted under license 121 of 2024 dated 14.08.2024 valid up to 13.08.2029.

The Authority has granted the registration vide RC no 96 of 2024 dated 20.09.2024 for S+3 floors on 602 plots (1806 units). Now, the promoter has come for amendment in registration on 602 plots again as the building plans for S+4 floors has been approved on 26.09.2024.

The application for registration of affordable plotted colony under DDJAY was scrutinized and 1st deficiency notice vide notice no. HARERA/GGM/RPIN/807 dated 18.10.2024 was issued to the promoter.

A complaint dated 01.10.2024 has been received in the Authority wherein allegations has been alleged on the promoter regarding the license i.e., 121 of 2024 dated 14.08.2024 and the complaint has been handed over to the promoter on 14.10.2024 against which no reply has been received by the promoter.

On the request of the promoter the matter is preponed from 28.10.2024 to 21.10.2024.

Proceedings dated: 21.10.2024.

Sh. Shashank Sharma, Associate Engineer Executive and Sh. Ashish Dubey, Chartered Accountant briefed about the facts of the case.

Sh. Vineet Maheshwari (President), Sh. Siddhartha Kapoor (AVP), Sh. Vedant Batra (CS) and Sh. Naveen Kumar (Architect) are present on behalf of the promoter.

The AR present on the behalf of the promoter stated that reply to the complaint as well as deficiency notice has been submitted today in the Authority.

The Authority observes that there are revisions in the building plans so, a public notice in 3 prominent newspapers (2 English and 1 Hindi) be published regarding inviting objections within a period of two weeks for revisions in building plans as per the section 14(2) of the Act of 2016. Further, the office is directed to examine the reply to the complaint and deficiency notice submitted by the promoter.

The matter to come up on 04.11.2024.

The public notice was published in three newspapers namely “The Tribune”, “Hindustan Times”, and “Dainik Bhaskar” dated 23.10.2024.

Reply against the complaint.

The promoter has submitted a reply against the complaint dated 01.10.2024 wherein the promoter stated that, Copy of Complaint/Objections is unsigned which is nothing but a false, frivolous, baseless attempt having no merits. The facts, circumstances, and applicable laws categorically suggest that the said Complaint/Objections have been filed with the sole motive to harass and blackmail the Company by arm twisting.

1. Promoter stated that, Industrial licensing policy dated 01.10.2015 (Policy regarding grant of licences for development of Industrial colony in Industrial/Agriculture zone in view of Enterprises Promotion Policy-2015) has been amended vide Memo. No. Misc.388/7/16/2019-2TCP dated 09.03.2019.

Complainant/Objector has relied upon the Old Clause 1.7 (v) of the Industrial licensing policy dated 01.10.2015 however, as a matter of fact, said old clause 1.7 (v) stands amended w.e.f. 09.03.2019.

New Amended Clause 1.7 (v) of the policy dated 01.10.2015 is being reproduced as under just for the ready reference of this Hon'ble Authority: -

"The colonizer shall have to complete the infrastructure facilities in the entire industrial colony and allot at least 1/3rd of either plotted industrial area in case of industrial plotted colony or, the permitted industrial FAR in case of flatted industrial colony before he is allowed permission to occupy the facility created under the residential and commercial uses."

From the aforesaid, it is categorically clear that there is no obligation upon a licensee or developer, prior to taking any booking, to complete the infrastructure facilities in the entire industrial colony and/or allot at least 1/3rd of the plotted industrial area of the permitted FAR of the flatted industrial area.

2. Promoter further stated that, they have never denied preference in allotment of residential plots to any industry owners/ executives/ workers and no person claiming denial of preference in allotment of residential plots has been mentioned in copy of objection supplied to us. As regard to allegation of colonizer has not intended to launch the industrial portion is concerned, we would like to submit that said portion has not only launched but allotment has also been made.
3. The promoter stated that provision which is not obligatory has been presented as a mandatory obligation. The terms "The colonizer may also plan....." has been intentionally mentioned with ulterior motive as "The colonizer shall also plan.....". It is respectfully submitted that approving the zoning plan, building plan etc is in exclusive domain of officials under The Haryana Development and Regulation of Urban Areas Act, 1975 and the project is being developed in accordance with permissions/approvals/sanctioned granted by the Competent Authorities.
4. The project is being developed in accordance with permissions/approvals/sanctioned granted by the Competent Authorities. It would not be out of place to mention that according to the policy, the required community facilities area is 3.981 acre and the provided community area is 4.13 acres which shall be transferred to government free of cost as per DTCP policy.

From the aforesaid, it has emerged that Complainant/Objector has submitted objections just for creating hurdles. He has not only given absurd interpretations of relevant provisions of laws but also supplied false information. The promoter prayed to reject/dismiss the Complaint/Objection made by the Complainant/Objector and further to initiate necessary proceeding against him for deliberately and knowingly misleading this Hon'ble Authority.

Proceedings dated: 04.11.2024.

Sh. Shashank Sharma, Associate Engineer Executive and Sh. Ashish Dubey, Chartered Accountant briefed about the facts of the case.

Sh. Vineet Maheshwari (President), Sh. Siddhartha Kapoor (AVP) and Sh. Vedant Batra (CS) are present on behalf of the promoter.

The AR of the promoter is directed to submit the mobile number of the existing allottees for random verification of the consents submitted for revision in the building plans from S+3 to S+4. The complainant be also called on the next date of hearing.

The matter to come up on 11.11.2024.

As per the directions of the Authority, complainant has been informed telephonically to remain present on 11.11.2024 at 11.00 am.

25.	Present compliance status as on 11.11.2024 of deficient documents as observed during the last hearing 04.11.2024.	- Deficit fee of Rs. 2,92,184/- needs to be submitted. Status - Submitted Rs 2,92,107/- paid vide RTGS no INDBR32024101600430778 dated 16.10.2024 and 100/- paid vide UPI reference no 430316023973 dated 29.10.2024. A complaint dated 01.10.2024 regarding the license i.e., 121 of 2024 dated 14.08.2024 on which the above amendment of registration is proposed, reply from the promoter against the complaint needs to be submitted. Status - Submitted. - Online corrections in REP-I (Part A-H) need to be done. Documents to be uploaded mention need above need to be submitted in PDF format of size less than 5 mb each. Status - Submitted but needs to be revised. - Corrections in online detailed project information need to be done. Status - Submitted but needs to be revised. - The promoter has submitted a sold list of 698 allottees out of 1806 units. Further, the promoter has submitted a No objections /consents of 526 allottees which needs to be verified. Status - Random 38 consents has been verified out of which 33 allottees has been confirmed and remaining 5 allottees cannot be confirmed due to various reason i.e., waiting, disconnected, out of range. - Environmental clearance needs to be submitted. Status - Not Submitted and the promoter stated that, they have submitted the security amount of Rs 25 lakh vide transaction no YESBR12024091200008002 dated 12.09.2024 while approving the RC 95 of 2024 dated 20.09.2024. - Approved service plans and estimates needs to be submitted. Status - Not submitted, the promoter stated that BG of Rs 16.14 cr has been submitted to DTCP. - A revenue sharing model as per the collaboration agreement needs to be submitted. Status - The promoter stated that out of total 125.6 acres, approx. 102 acres of the land is owned by the applicant
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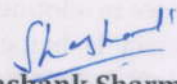


		company i.e., M/s Signature Global Business Park Pvt. Ltd. and balance land i.e., approx. 23.6 acres is under collaboration (31% owner and 69% developer). Promoter stated that total estimated land cost is Rs. 30,711.45 lakh and the revenue share of the landowners is estimated to be Rs 17,440.02 lakhs and the total sale proceed are estimates to be Rs. 328,597.59 lakhs. That the share of the landowners shall be paid in terms of the respective agreements, from the Free account (30% account). That in the circumstance the promoter is unable to repay the same from the above-mentioned facilities, then the promoter shall ensure the repayment from its own contribution through its equity, inter corporate loans or by any means, as available with the promoter. 9. Non-encumbrance certificate not below the rank of tehsildar & certified on the latest date needs to be submitted. Status – Not Submitted and promoter stated that the NEC is not applicable to them, and land is encumbered and NOC from the lender has been obtained. 10. Approval NOCs from the various agencies for connecting external services like storm water drainage, water supply, sewerage connection needs to be submitted. Status – Not submitted, the promoter stated that the project falls in agricultural zone therefore EDC is not applicable/payable, due to which no agency is required to lay down any services related to storm water drainage, water supply, sewerage connection etc. Undertaking to the same is provided. 11. Draft brochure and advertisement document need to be submitted. Status – Submitted.
26.	Remarks	1. A complaint dated 01.10.2024 regarding the license i.e., 121 of 2024 dated 14.08.2024 on which the above amendment of registration is proposed, reply from the promoter against the complaint needs to be submitted. 2. Online corrections in REP-I (Part A-H) need to be done. Documents to be uploaded mentioned above need to be submitted in PDF format of size less than 5 mb each.

		3. Corrections in online detailed project information need to be done. 4. The promoter has submitted a sold list of 698 allottees out of 1806 units. Further, the promoter has submitted a no objections /consents of 526 allottees which needs to be verified. 5. Environmental clearance needs to be submitted. 6. Approved service plans and estimates needs to be submitted. 7. Approval NOCs from the various agencies for connecting external services like storm water drainage, water supply, sewerage connection needs to be submitted.
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Recommendation - All the required documents for registration under section 4 of the Act, 2016 have been submitted except environmental clearance, approved service plans and estimates and approvals NOC's i.e., storm water drainage, water supply, sewerage connection . The Authority may consider for grant of registration upon submission of environmental clearance till 19.01.2025 as security amount of Rs 25 lakh has been submitted vide transaction no YESBR12024091200008002 dated 12.09.2024 while approving the project namely" Daxin Gurugram's X Factor", approved vide RC no 95 of 2024 dated 20.09.2024. The promoter shall submit a DD/BG amounting to Rs 25 lakhs as a security amount for submission of approved SPE within 3 months from the date of grant of addendum certificate.

Asha
Chartered Accountant


Shashank Sharma
Associate Engineer Executive

Day and Date of hearing	Monday and 11.11.2024.
Proceeding recorded by	Ram Niwas

PROCEEDINGS OF THE DAY

Proceedings dated: 11.11.2024.

Sh. Shashank Sharma, Associate Engineer Executive and Sh. Ashish Dubey, Chartered Accountant briefed about the facts of the case.

Sh. Rishi Pal, Complainant is present.

Sh. Vineet Maheshwari (President, legal), Sh. Siddhantha Kapoor (AVP) and Sh. Vedant Batra (CS) are present on behalf of the promoter.

The complainant present in person states that the project is developed on the agricultural land and promoter is not following the industrial policy approved by the DTCP.

The complainant has raised the following objection:

- Before taking any booking amount for residential plot/flat, the colonizer shall have to complete the infrastructure facilities in the entire industrial colony and allot at least 1/3rd of the plotted industrial RE of permitted FAR of the flatted industrial area, in respect of the industrial use. But the colonizer is taking booking for residential area only without permission and in consideration he is taking undated cheques in advance from the general public.

2. As per clause 1.7 (vii): For allotment of residential plots/flats, preference shall be given to the industry portion owners/executives/workers. But the colonizer has neither developed the industrial portion of the said industrial colony nor he has intended to launch the said industrial portion of the said industrial portion. However, as per policy he will have to develop industrial portion of the said industrial colony before any allotment of residential area.
3. The colonizer shall also plan dormitories/hostel for the industrial workers/labour. As per layout plan drawing no 10446 dated 20.08.2024, the colonizer has not planned any dormitories/hostel for the industrial workers/labour in the said industrial colony.
4. As per said layout plan, the density of population is 9423 persons and no primary school, nursing home, dispensary, taxi stand and other community facility as per rule of residential plotted colony have not been provided.

The AR present on behalf of the promoter stated that, they have submitted the reply against the complaint wherein it is clearly mentioned that copy of complaint/objections is unsigned which is nothing but a false, frivolous, baseless attempt having no merits and the complainant has relied upon the Old Clause 1.7 (v) of the Industrial licensing policy dated 01.10.2015 however, as a matter of fact, said old clause 1.7 (v) stands amended w.e.f. 09.03.2019. New Amended Clause 1.7 (v) of the policy dated 01.10.2015 is as under: -

"The colonizer shall have to complete the infrastructure facilities in the entire industrial colony and allot at least 1/3rd of either plotted industrial area in case of industrial plotted colony or, the permitted industrial FAR in case of flatted industrial colony before he is allowed permission to occupy the facility created under the residential and commercial uses."

It is categorically clear that there is no obligation upon developer, prior to taking any booking, to complete the infrastructure facilities in the entire industrial colony and/or allot at least 1/3rd of the plotted industrial area of the permitted FAR of the flatted industrial area. The AR further stated that, they have never denied preference in allotment of residential plots to any industry owners/ executives/ workers. The AR stated that the project is being developed in accordance with permissions/approvals/sanctioned granted by the Competent Authorities and they will follow the policy approved by the DTCP.

So far as the revision in the building plans for construction of additional 4th floor is concerned, the AR of the promoter states that 100% consent of the existing allottees shall be submitted in the Authority and the environment clearance is also applied. A security amount of Rs 25 lakh vide transaction no YESBR12024091200008002 dated 12.09.2024 has already been submitted in the Authority while approving the registration namely "Daxin Gurugram's X Factor" approved vide RC no 95 of 2024 dated 20.09.2024 and as per the directions of the Authority, its final approval will be submitted by 19.01.2025. Regarding SPE, the BG amounting to Rs 16.14 crores for approval of SPE has already been submitted to DTCP on 02.09.2024 in anticipation of the demand from DTCP.

Decision of the Authority:-

The Authority is of the view that the policy regarding grant of licenses for development of Industrial colony in Industrial/Agricultural zone in view of Enterprises Promotion Policy-2015 has been approved by the State Government and the complainant can present his grievances before the competent authority which has granted the license and other approvals based on which the promoter has come for registration. The amended clause 1.7(v) of the said policy dated 16.11.2021 is as under:-

"The colonizer shall be allowed to occupy the residential and commercial component, in proportion to the area for which infrastructure facilities are completed in the industrial plotted colony or, the permitted FAR in case of flatted industrial colony and part completion/occupation certificate is obtained."

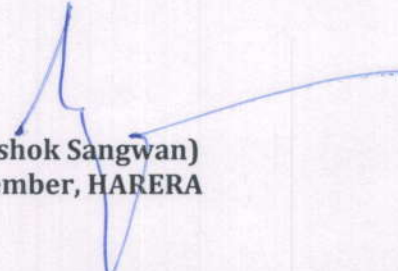
The promoter is bound to comply with the provisions of the said policy as applicable under which the said license i.e., 121 of 2024 dated 14.08.2024 has been granted. Further, if there is any delay by the promoter

regarding the completion of the project then the promoter shall be responsible as per the provisions of section 18 of the Act of 2016.

So far as compliance of Section 14(2)(ii) of the Act of 2016 is concerned, out of 526 consents submitted by the promoter (2/3rd consents of existing allottees) 33 random consents have been verified and found correct by the office. The promoter is further directed to submit the consents of 100% existing allottees.

Further, it is observed that while approving the project namely "Daxin Gurugram's X Factor", approved vide RC no 95 of 2024 dated 20.09.2024 no security amount was taken for approval of SPE as the BG for approval of SPE had been submitted to DTCP. However, the promoter was directed to submit the approved SPE within two months i.e., up to 19.11.2024 which are almost over. In view of the above, the promoter shall submit the DD of Rs. 25 lakhs as a security amount to submit the approved SPE within 3 months from the issuance of the certificate and EC shall be submitted by 19.01.2025 for which security amount of Rs 25 lakhs has already been made to the Authority while approving the registration namely "Daxin Gurugram's X Factor". As the project site is a part of agriculture zone so, all the services shall be provided and maintained by the promoter until their provisioning by public authorities and a declaration to this effect shall be incorporated in the brochure also.

Approved as above. The addendum certificate shall be issued after the above compliances and rectification of minor deficiencies in form A to H and DPI.


(Ashok Sangwan)
Member, HARERA


(Vijay Kumar Goyal)
Member, HARERA


(Arun Kumar)
Chairman, HARERA

