

Hearing brief for registration of Project u/s 4

S.No	Particulars	Details
1.	Name of the project	102 Eden Estate III
2.	Name of the promoter	M/s BPTP Ltd. (M/s Countrywide Promoters Pvt. Ltd Amalgamated with M/s BPTP Ltd)
3.	Nature of the project	Residential Plotted Colony
4.	Location of the project	Sector 102, Gurugram
5.	Legal capacity to act as a promoter	Collaborator (M/s Countrywide Promoters Pvt. Ltd Amalgamated with M/s BPTP Ltd.)
6.	Name of the license holder	M/s Mega Infraprojects Pvt. Ltd. and others
7.	Status of project	New
8.	Whether registration applied for whole	Whole (Additional Licensed Area)
	Phase no. applied	N/A
	Nature of phase	N/A
9.	Online application ID	RERA-GRG-PROJ-1817-2024
10.	License no.	165 of 2024 dated 28.11.2024
11.	Total licensed area	9.903 acres
		Area to be registered
		Valid upto 27.11.2029
12.	Projected completion date	27.11.2029
13.	QPR Compliances (31 of 2020 dated 09.10.2020 & 54 of 2021 dated 21.09.2021)	Pending QPR of quarter ending: June 2024, September 2024 and December 2024 for both the RC
14.	4(2)(I)(D) Compliances (31 of 2020 & 54 of 2021)	Submitted
15.	4(2)(I)(C) Compliance (31 of 2020 & 54 of 2021)	RC no 31 of 2020 expired RC no. 54 of 2021 valid
16.	Status of change of bank account	N/A
17.	Details of proceedings pending against the project	RC no 31 of 2020 RERA-GRG-3352-2024 - RC Expired RERA-GRG-4079-2022 - Compliance us 42ld RERA-GRG-3444-2022 - SCN for non-submission of QPR RC no. 54 of 2021 RERA-GRG-4320-2022 - PROJECT RC COMPLIANCE HEARING RERA-GRG-3668-2022 - SCN for non-submission of QPR
18.	RC Conditions Compliances	RC no 31 of 2020 Renewal of license no 58 of 2010 within 3 months - Submitted RC no. 54 of 2021



		Project - 102 Eden Estate III RERA-GRG-1817-2024	
		Submission of revised SPE, zoning plan & EC within 3 months - Pending	
19.	Total Project Cost	Rs 68.11 cr	
20.	Incurred Cost	Rs 22.18 cr	
21.	To Be Incurred	Rs 45.93 cr	
22.	Statutory approvals either applied for or obtained prior to registration		
	S.No	Particulars	Date of approval
	i)	License Approval	165 of 2024 dated 28.11.2024
	ii)	Layout plan approval	LC-2330-E dated 28.11.2024
	iii)	Zoning Plan Approval	Drg no. DTCP 10767 dated 13.01.2025
	iv)	Environmental Clearance	Not Submitted (However, Approved by SEAC vide file no -SEAC/HR/2024/201 dated 30.09.2024)
	v)	Airport height clearance	N/A
	vi)	Fire scheme approval	N/A
	vii)	Service plan and estimate approval	Not Submitted
23.	Fee Details		
	Registration Fee	Resi. - $9.903 * 4046.86 * 1 * 10 =$ Rs 4,00,761/-	
	Processing Fee	$9.903 * 4046.86 * 10 =$ Rs 4,00,761/-	
	Late Fee	N/A	
	Total Fee	Rs 8,01,522/-	
24.	RTGS/DD amount	Rs 4,00,761/-	
		Rs 4,00,761/-	
	RTGS/DD no. and date	461619 dated 03.12.2024	
		461620 dated 03.12.2024	
	Name of the bank issuing	IndusInd Bank	
	Deficient amount	Nil	
25.	File Status	Date	
	File received on	04.12.2024	
	First hearing on	30.12.2024 (Adjourned)	
	First notice sent on	01.01.2025	
	Second hearing on	13.01.2025	
	Third hearing on	27.01.2025	
26.	Case History:		
	The Promoter M/s BPTP Ltd. (M/s Countrywide Promoters Pvt. Ltd Amalgamated with M/s BPTP Ltd) who is a collaborator applied for the registration of real estate project namely "102 Eden Estate III" located at Sector 102, Gurugram under section 4 of the Real Estate (Regulations and Development) Act, 2016 vide central receipt no. 83288 dated 04.12.2024 and RPIN-837. The Temp I.D. of REP - I (Part A-H) is RERA -GRG-PROJ-1817-2024. The		



project area for registration is 9.903 acres vide additional license no. 165 of 2024 dated 28.11.2024.

As on date the total licensed area of the residential plotted colony is 143.60825 acres. Earlier there were three licenses vide no. 58 of 2010 dated 03.08.2010, 45 of 2011 dated 17.05.2011 and 41 of 2021 dated 23.07.2021 for total area measuring 133.70525 acres. Out of area measuring 133.70525 acres, the promoter had

1. Registered the area measuring 126.674 acres vide RC no. 31 of 2020 dated 09.10.2020 valid up to 30.04.2024. Further the promoter has obtained the part completion certificate dated 03.10.2017 for an area measuring 66.50 acres & also the occupation certificate of building over some plots in the colony. No Extension of registration has been sought from the authority.
2. Registered the area measuring 7.03125 acres vide RC no. 54 of 2021 dated 21.09.2021 valid up to 31.03.2025.

After that the promoter has obtained the additional license vide no - 165 of 2024 dated 28.11.2024 for an area measuring 9.903 acres and applied for registration of project herein.

The layout plan of the colony has been revised and there are changes in the earlier approved area also. Accordingly, the consents of 2/3rd existing allottees along with changes in earlier plan are sought from the applicant promoter.

Now the promoter applied for registration of additional licensed area measuring 9.903 acres as a new registration stating that earlier licensed area is registered with the authority. However, there is no phasing approved by DTCP, Haryana and the promoter is seeking registration of additional licensed land only as earlier area is registered.

Licensed has been issued in the name of M/s Countrywide promoter Pvt. Ltd. and the registration of project has been applied in the name of M/s BPTP Ltd. Further, it is noted that M/s Countrywide promoter Pvt. Ltd and others amalgamated with M/s BPTP Ltd vide orders of Hon'ble NCLT, Chandigarh vide orders dated 20.09.2024 passes in matter bearing number CP(CAA) No.26/Chd/Hry/2023.

Further, it is also noted that the promoter has obtained the additional license for area measuring 9.903 acres in addition to the existing residential plotted colony measuring 133.705 acres and accordingly layout plan has been revised. A perusal of the approved revised layout plan clearly states that some plots are in share of two separate licensed areas and the promoter has sought separate registration for 9.903 acres only. Further, there are changes in other areas of the existing layout plan also.

The matter was listed for hearing on 30.12.2024 and the same was adjourned as the deficiencies were not conveyed to the promoter.

The application for registration of project was scrutinized and 1st deficiency notice vide notice no. HARERA/GGM/RPIN/837 dated 01.01.2025 was issued to the promoter with an opportunity of being heard on 13.01.2025.

On 13.01.2025, the matter is adjourned and to come up on 27.01.2025.



The promoter at its own has published the public notice in three newspapers dated 17.01.2025 (i.e., The Tribune, Hindustan Times and Hindustan) for inviting objections regarding registration of project and revision in layout plan of the project. The last date of objections is 26.01.2025 and to appear in person on 27.01.2025 at 11:00 AM.

The promoter has submitted a reply on 03.01.2025, 15.01.2025 & 21.01.2025 which have been scrutinized and the status of documents is mentioned further.

27. Present compliance status as on 27.01.2025 of deficit documents conveyed through notice dated 01.01.2025.

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: Submitted but correction needs to be done
2. Online DPI needs to be corrected.
Status: Submitted but correction needs to be done
3. Consents of 2/3rd existing allottees of the project/colony needs to be submitted.
Status: The promoter states that consent of 2/3rd allottees is not required as per point no. 3.1.2.ii of policy dated 24.04.2023.
4. Changes in the layout plan of the project/colony needs to be submitted duly marked on layout plan and mentioned in tabular form.
Status: Submitted
5. Plot/area allotted to the landowners in terms of collaboration agreements needs to be submitted duly marked on layout plan and in tabular form along with signature of landowners and developer.
Status: Submitted. The same is executed while granting LOI for additional area 9.9 acres.
6. All the collaboration agreements with addendum and GPA if any needs to be submitted along with irrevocable clarification.
Status: All the collaboration agreements and GPA submitted along with irrevocable clarification.
7. Area applied for registration is 9.903 acres only and some of the plots are in share of other area. The same need to be clarified.
Status: Promoter states that there has been change in planning and conversion of UD area in existing layout.
8. Copy of approved zoning plan needs to be submitted.
Status: Submitted. Drg no. DTCP 10767 dated 13.01.2025
9. Environment Clearance needs to be submitted.
Status: Not Submitted. However, Approved by SEAC vide file no -SEAC/HR/2024/201 dated 30.09.2024. Further submitted a DD no. 266059 dated 03.01.2025 amounting Rs 25 lakh as a security for Environment Clearance.



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| | <p>10. Approved Service plan and estimates needs to be submitted. If applied, then copy of the same needs to be submitted.
Status: Not Submitted. However, copy of applied submitted. Further submitted a DD no. 266060 dated 03.01.2025 amounting Rs 25 lakh as a security for SPE.</p> <p>11. Non encumbrance certificate not below the rank of Tehsildar needs to be submitted on latest date.
Status: Submitted</p> <p>12. Mutation, Jamabandi and Aks-shajra duly certified by the revenue officer six months prior to date of application needs to be submitted.
Status: Submitted.</p> <p>13. Information to the revenue department regarding the entry of license and collaboration agreements in the revenue record needs to be submitted.
Status: Submitted</p> <p>14. Land title search report by an advocate needs to be submitted including the bar enrolment number of the Advocate.
Status: Submitted</p> <p>15. Copy of electrical load availability connection needs to be submitted.
Status: Submitted. Memo no. Ch. 58/Drg.-PLC dated 03.12.2024</p> <p>16. Superimposed demarcation plan on approved layout plan needs to be submitted.
Status: Submitted</p> <p>17. Pert chart needs to be submitted.
Status: Submitted</p> <p>18. Approvals / NOC's from various agencies for connecting external services like roads, water, sewer and storm water drainage needs to be submitted.
Status: Submitted</p> <p>19. Copy of draft Application form, Conveyance deed and payment receipt needs to be submitted.
Status: Submitted</p> <p>20. Copy of draft Allotment letter and Builder Buyer Agreement as per prescribed format needs to be submitted.
Status: Submitted</p> <p>21. Draft brochure/advertisement document of the project needs to be submitted.
Status: Submitted</p> <p>22. Land cost needs to be clarified according to area apply for registration.
Status: Submitted but needs to be clarified</p> <p>23. Project report needs to be provided.
Status: Submitted</p> |
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		<p>24. Cash flow statement needs to be provided. Status: Submitted</p> <p>25. CA certificate for net worth needs to be submitted. Status: Submitted</p> <p>26. Quarterly statement of expenditure and sources needs to be provided. Status: Submitted</p> <p>27. CA certificate for REP I needs to be provided. Status: Submitted</p> <p>28. CA certificate for cost incurred and to be incurred needs to be submitted. Status: Submitted</p> <p>29. Affidavit regarding 10% auto deduct from separate bank account Status: Submitted</p> <p>30. Board resolution for operation of bank accounts needs to be provided along with KYC of authorized person. Status: Submitted</p> <p>31. 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>32. Bank undertaking needs to be provided. Status: Submitted but needs to be revised as bank disclaims any liability towards bank undertaking</p> <p>33. Financial resources need to be met with project cost. Status: Submitted</p> <p>34. Licensed has been issued in the name of M/s Countrywide promoter Pvt. Ltd. and the registration of project has been applied in the name of M/s BPTP Ltd. It is noted that M/s Countrywide promoter Pvt. Ltd And others amalgamated with M/s BPTP Ltd. A letter from DTCP regarding the same needs to be submitted. Status: Not submitted</p>
28.	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. Consents of 2/3rd existing allottees of the project/colony needs to be submitted. Status: The promoter states that consent of 2/3rd allottees is not required as per point no. 3.1.2.ii of policy dated 24.04.2023.</p> <p>4. Area applied for registration is 9.903 acres only and some of the plots are in share of other area. The same need to be clarified.</p>



		<p>Status: Promoter states that there has been change in planning and conversion of UD area in existing layout.</p> <p>5. Environment Clearance needs to be submitted.</p> <p>6. Approved Service plan and estimates needs to be submitted.</p> <p>7. Land cost needs to be clarified according to area apply for registration.</p> <p>8. Bank undertaking needs to be revised.</p> <p>9. Licensed has been issued in the name of M/s Countrywide promoter Pvt. Ltd. and the registration of project has been applied in the name of M/s BPTP Ltd. It is noted that M/s Countrywide promoter Pvt. Ltd And others amalgamated with M/s BPTP Ltd. A letter from DTCP regarding the same needs to be submitted.</p>
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Ashish Dubey

Ashish Dubey
Chartered Accountant

Sumeet

Sumeet
Engineering Officer

Day and Date of hearing

Monday and 27.01.2025

Proceeding recorded by

Ram Niwas

PROCEEDINGS OF THE DAY

Proceedings dated: 27.01.2025

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

Sh. Rahul Sharma (AR) is present on behalf of the promoter.

The AR of the promoter states that the promoter has obtained the additional license for area measuring 9.903 acres in addition to the existing residential plotted colony measuring 133.705 acres and accordingly layout plan of the project has been revised. There is minor revision in existing layout plan converting the UD areas into planning etc., but the same are limited to less than 1 acres without affecting the green areas and thereby as per phasing policy dated 24.04.2023 point no. 3.1.2.ii, the same shall not be construed as revision of layout plan. Accordingly, the consents of 2/3rd existing allottees are not required in the instant case. The point no. 3.1.2.ii of the phasing policy dated 24.04.2023 is reproduced further;

3. WHAT CONSTITUTES REVISION OF LAYOUT/ BUILDING PLAN OR OTHERWISE:

3.1.1

3.1.2 However, additions or alterations in the layout/ building plan made on account of the following shall not be construed as revision of layout/ building plan, where:

i.

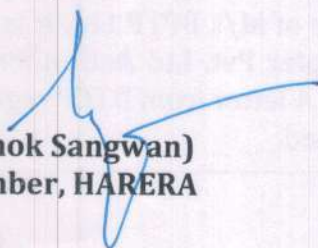
ii. the existing layout/ building plan of the colony is getting amended on account of grant of license for additional area with changes limited to an area not exceeding five percent but not exceed 1 acres, without disturbing the green areas, of the amended combined layout plan to enable proper connectivity and proper planning;

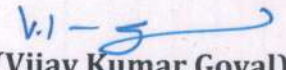



A public notice in three newspapers dated 17.01.2025 (i.e., The Tribune, Hindustan Times and Hindustan) for inviting objections regarding registration of project and revision in layout plan of the project has already been published against which no objections have been received and none appeared before the authority today.

The AR of the promoter request for one weeks' time to submit the letter issued from DTCP recognizing M/s BPTP Ltd as a developer promoter for the project along with other deficit documents.

The matter is adjourned and to come up on 05.02.2025 at 03:00 PM.


(Ashok Sangwan)
Member, HARERA


(Vijay Kumar Goyal)
Member, HARERA


(Arun Kumar)
Chairman, HARERA