

New PWD Rest House, Civil Lines, Gurugram, Haryana

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

Project – Santur Azalea
Promoter - M/s Santur Builders Pvt. Ltd.
Hearing brief for registration of Project u/s 4

S.No	Particulars	Details	
1.	Name of the project	Santur Azalea	
2.	Name of the promoter	M/s Santur Builders Pvt. Ltd.	
3.	Nature of the project	Affordable plotted colony under DDJAY.	
4.	Location of the project	Sector 2, Sohna, Gurugram.	
5.	Legal capacity to act as a promoter	Collaborator	
6.	Name of the license holder	SU Farms LLP	
7.	Name of the Collaborator	M/s Santur Builders Pvt. Ltd.	
8.	Status of project	New	
9.	Whether registration applied for whole	Whole	
	Phase no.	N/A	
10.	Online application ID	RERA-GRG-1663-2024	
11.	License no.	197 of 2022 dated 29.11.2022.	Valid up to 28.11.2027.
12.	Total licensed area	9.3940 Acres	Area applied 9.3940 Acres
13.	Projected completion date	30.06.2029	
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)	N/A	
20.	Statutory approvals either applied for or obtained prior to registration		
	S.No	Particulars	Validity up to
	i)	License Approval	197 of 2022 dated 29.11.2022. 28.11.2027.
	ii)	Zoning Plan Approval	DRG. NO. DGTCP 9616. Dated 19.09.2023.
	iii)	Building approval plan	N/A
	iv)	Environmental Clearance	N/A
	v)	Airport height clearance	N/A
	vi)	Fire approval for commercial	N/A

Email : hareragurugram@gmail.com, reragurugram@gmail.com, Website : www.harera.in
An Authority constituted under section 20 the Real Estate (Regulation and Development) Act, 2016
Act No. 16 of 2016 Passed by the Parliament

भू-संपदा (विनियमन और विकास) अधिनियम, 2016 की धारा 20 के अर्जित गठित प्राधिकरण

भारत की संसद द्वारा पारित 2016 का अधिनियम संख्यांक 16

	vii) Service plan and estimate approval	LC-4675-JE (DS-)/2023/18987 dated 14.06.2023.
21.	Fee Details	
	Registration fee	Residential 36,504.45 x 10 =Rs. 3,65,044/- Commercial 1511.660 x 20 =Rs. 30,233/- Total = Rs. 3,95,277/-
	Late fee	N/A
	Processing fee	38016.11 x 10 =Rs. 3,80,161/-
	Total fee	Rs. 7,75,438/-
22.	DD amount	5,00,000/- 2,75,438/-
	DD no. and date	120239 dated 01.06.2024. 514718 dated 11.07.2024.
	Name of the bank issuing	Union Bank ICICI bank
	Deficient amount	Nil
23.	File Status	Date
	File received on	07.06.2024
	First notice Sent on	27.06.2024
	First hearing on	01.07.2024
	First hearing on	15.07.2024
	Documents submitted on	12.07.2024
	Documents submitted on	17.07.2024
	Documents submitted on	02.08.2024
	Second hearing on	05.08.2024
	Documents submitted on	07.08.2024
	Third hearing on	12.08.2024
	Fourth hearing on	23.08.2024
	Documents submitted on	28.08.2024
	Fifth hearing on	16.09.2024
	Sixth hearing on	30.09.2024
	Seventh hearing on	14.10.2024
24.	Case History: The Promoter i.e., M/s Santur Builders Pvt. Ltd. who is a license holder has applied for the registration of real estate Affordable plotted colony under DDJAY namely "Santur Azalea" located at Sector- 02, Sohna, Gurugram under section 4 of the Real Estate (Regulations and Development) Act, 2016. The project area for registration is 9.3940 acres and the licensed area is also 9.3940 acres granted under license 197 of 2022 dated 29.11.2022 valid up to 28.11.2027. The application for registration of affordable plotted colony under DDJAY was scrutinized and 1st deficiency notice vide notice no. HARERA/GGM/RPIN/760 dated 27.06.2024 was issued to the promoter. Proceedings dated 01.07.2024. Due to non-submission of reply the matter is adjourned to 15.07.2024.	



Proceedings dated 15.07.2024.

Due to non-submission of reply the matter is adjourned to 12.08.2024.

The promoter has submitted an affidavit regarding non creation of third-party rights in previous license no 97 of 2014 dated 13.08.2014, but public notice is still pending.

Proceedings dated 05.08.2024.

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

Sh. Sharad Jain (AR) and Sh. Harsh Parasher (AR) are present on behalf of the promoter.

The AR of the promoter stated that replies to the deficiencies are being submitted today and further stated that no third-party rights had been created in the earlier licensed land having license no 97 of 2014 dated 13.08.2014 and affidavit to the same has been submitted in the Authority. The office is directed to examine the reply submitted by the promoter. Further, a public notice of one week to be issued in two prominent newspapers (one Hindi and one English) with respect to the migration of the licensed land from earlier group housing to Affordable plotted colony under DDJAY.

The matter to come up on 12.08.2024.

Document submitted on 07.08.2024.

Copy of two newspapers in which public notice was issued namely "The Tribune" dated 06.08.2024 and "Dainik Bhaskar" dated 06.08.2024 against which no objections has been received in the Authority.

Proceedings dated: 12.08.2024.

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

Sh. Sharad Jain (AR) and Sh. Harsh Parashar (AR) are present on behalf of the promoter.

The AR states that after obtaining the license for group housing in the year 2014, no development works were initiated except for obtaining approval of zoning plan and building plan. No sale or 3rd party rights of any kind were created in the project and has now been got migrated to DDJAY vide license No. 197 of 2022 and hence the issue of levy of late fee in respect of earlier registrable project is to be examined and put up on file.

The matter to come up on 23.08.2024 at 3 PM.

As per the directions of the Authority, the matter regarding issue of levy of late fee in respect of earlier registrable project has been examined and put up on the file.

Proceedings dated: 23.08.2024.

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

Sh. Sharad Jain (Director) and Sh. Harsh Parashar (AR) are present on behalf of the promoter. The director present stated that after obtaining the license for group housing in the year 2014, no development works were initiated except for obtaining approval of zoning plan and building plan. No booking or sale advertisement was made also, and no money was even collected from prospective buyers.

The Authority is of the view that, for the license no 97 of 2014 dated 13.08.2014 the zoning and building plans were approved on 06.02.2015 for 14 acres which is also uploaded on the website of the DTCP, and the promoter had obtained the necessary clearance to start the construction.

Therefore, the project was under the category of "On-going" project u/s 3 of the Act, 2016 and the project was registerable under the provisions of the Act of 2016, so the late fee if any, shall be leviable as per the provisions of the Act of 2016 and Regulations thereunder.

The matter to come up on 16.09.2024.

Documents submitted on 28.08.2024.

The promoter has submitted a representation wherein he stated that they have dropped the planning for development of residential group housing project. Meanwhile Govt. of Haryana has formulated policy for migration of license to other uses and considering it a viable option they have applied on 13.02.2017 to DTCP for part migration of 8.33125 acres of licensed land to affordable housing project in terms of Affordable housing policy 2013. The said request was resubmitted with modification for migration to residential plotted colony under DDJAY policy on 2.12.2019 and thereafter again on 11.11.2021.

After considering the request of the developer company, DTCP has approved the request for part migration of license no 97 of 2014 and an letter of intent was issued to developer company on 25.03.2022 vide memo no LC-JE(MK)-2022/8132 and after fulfilling the compliances, license no 197 of 2022 stand granted to applicant.

Promoter further stated that The Haryana Real Estate (Regulation and Development) rules, 2017 were notified on 28th July 2017. It is needless to mention herein that prior to the above they have already applied on 3.02.2017 for migration of the project to other uses from existing group housing colony clearly indicating that they do not have any intention to develop the project in terms of license no 97 of 2014 hence there was no occasion ever arises to get the project registered with this Hon'ble Authority.

Proceedings dated: 16.09.2024.

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

Sh. Harsh Parashar (AR) is present on behalf of the promoter and has submitted a request for waiver of the late fee as the promoter prior to commencement of the RERA Rules has applied for migration of the earlier license project and in view of the clarification issued by Interim RERA bearing Memo No. HARERA/RD/2017/35/1049, dated 15.09.2017 the license project may be registered at any time before launch, sale or advertisement of plot or units and till date no sale or booking of any kind has been made. The representation be got examined and put up on the file.

The matter to come up on 30.09.2024.

Proceedings dated 30.09.2024.

The matter is adjourned to 14.10.2024.

As per the directions of the Authority, the representation submitted by the promoter has been put up on the file.

Proceedings dated 14.10.2024.

On the request of the promoter, the matter is adjourned to 04.11.2024.

25.	<p>Present compliance status as on 04.11.2024 of deficient documents as observed during last hearing dated 14.10.2024.</p>	<ol style="list-style-type: none"> 1. Deficit fees of Rs. 2,75,438 /- needs to be submitted. Status - Submitted Rs 2,75,438/- vide DD no 514718 dated 11.07.2024 of ICICI Bank. 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. Status - Submitted but needs to be revised.
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		<p>3. Corrections in online detailed project information need to be done. Status - Submitted but needs to be revised.</p> <p>4. A list of plots allocated to the landowner and developer in accordance with the collaboration agreement duly signed by both the parties and marked on the layout plan needs to be submitted. Status - According to promoter, developer shall give revenue share of the saleable area to the landowner instead of plots/units in the project. Hence no demarcation deed is required to be executed. Further, developer share is 60 % and landowner share is 40% in both residential and commercial. Further, the promoter stated that, developer shall pay revenue share to the landowners from operation account (30%) and if any shortfall in the revenue to be shared with the landowners as per the collaboration agreements, then the promoters of the developer company will infuse their own funds for the same purpose as per the terms of the collaboration agreement.</p> <p>5. Approved electrical load availability connection needs to be submitted. Status - Submitted.</p> <p>6. Forest NOC needs to be submitted. Status - Submitted.</p> <p>7. Mutation, jamabandi and Aks Shijra duly certified by revenue officer not more than 6 months prior to the date of application needs to be submitted. Status - Submitted.</p> <p>8. Non-encumbrance certificate not below the rank of tehsildar & certified on the latest date needs to be submitted. Status - Submitted.</p> <p>9. An affidavit regarding no sale in previous license i.e., 97 of 2014 dated 13.08.2014 needs to be submitted. Status - The director has submitted an affidavit regarding non creation of third-party rights in previous license no 97 of 2014 dated 13.08.2014.</p> <p>10. Land title search report needs to be submitted. Status - Submitted.</p> <p>11. Approval NOCs from the various agencies for connecting external services like, road access permission, storm water drainage needs to be submitted. Status - Submitted the road access permission from NHAI and regarding storm water drainage promoter submitted that approved service plans and service estimates have been submitted.</p> <p>12. Information to revenue department needs to be submitted.</p>
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		<p>Status - Submitted.</p> <p>13. Tree cutting permission NOC from DFO, Forest land diversion NOC, Power Line shifting NOC, Natural conservation zone NOC or affidavit for non- applicability needs to be submitted. Status - Submitted.</p> <p>14. Copy of superimposed demarcation plan on approved layout plan needs to be submitted. Status - Submitted.</p> <p>15. PERT Chart needs to be submitted. Status - Submitted.</p> <p>16. Draft allotment letter, builder buyer agreement and conveyance deed need to be revised. Status -Submitted.</p> <p>17. Draft brochure and advertisement document need to be submitted. Status -Submitted.</p> <p>18. GST Certificate needs to be submitted. Status - Submitted</p> <p>19. Details of financial resources mentioned in DPI need to be submitted amounting to Rs 2200 lakhs from financial institution & Rs 770 lakhs from equity. As well as loan sanction agreement needs to be submitted. Status - Submitted.</p> <p>20. DPI needs to be revised for the following: Cost incurred in Part D-1 does not match with CA certificate for cost incurred. Financial resources mentioned in DPI is less than the total project cost. Status - Submitted.</p> <p>21. CA certificate for quarterly cash flow needs to be revised as amount of inflow does not match with total resources mentioned in DPI. Status - Submitted.</p> <p>22. Bank Undertaking needs to be signed by authorized bank employee. Status - Submitted.</p> <p>23. Project Report needs to be submitted. Status - Submitted.</p> <p>24. Cost of the land i.e., Rs 5494.70 lakhs needs to be clarified according to the area applied for the registration is 9.3940 acres. Status - Submitted.</p> <p>25. Challan and Schedule of payment of IDC, EDC, License Fee, Conversion fees paid for the project needs to be submitted. Status - Submitted.</p>
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		<p>26. Undertaking regarding auto credit of 10% of receipts from separate RERA account maintained under section 4(2)(l)(D) needs to be provided. Status - Submitted.</p> <p>27. CA certificate for Net worth of promoter needs to be submitted. Status - Submitted.</p>
26.	Remarks	<p>1. 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.</p> <p>2. Corrections in online detailed project information need to be done.</p>
	<p><i>Ashish Dubey</i> Ashish Dubey Chartered Accountant</p>	<p><i>Shashank</i> Shashank Sharma Associate Engineer Executive</p>
	Day and Date of hearing	Monday and 04.11.2024.
	Proceeding recorded by	Ram Niwas
PROCEEDINGS OF THE DAY		
<p>Proceedings dated: 04.11.2024.</p> <p>Sh. Shashank Sharma, Associate Engineer Executive and Sh. Ashish Dubey, Chartered Accountant briefed about the facts of the case.</p> <p>Sh. Sharad Jain (Director) and Sh. Harsh Parashar (AR) are present on behalf of the promoter and states that they have applied for revision in the layout plan and its final approval will be obtained shortly. Further, the director requests for the waiver of the late fee also as the promoter prior to commencement of the RERA Rules has applied for migration of the earlier license project.</p> <p>Keeping in view of the above, the Authority decided that the promoter is required to pay the late fees as per the regulation No 09/RERA GGM Regulations 2018) in the view of the provisions under Rule 2(O) of The Real Estate (Regulation and Development) Rules, 2017 till the project is migrated by order of DTCP by way of grant of new license i.e., 197 of 2022 dated 29.11.2022 in supersession of earlier license.</p> <p>The matter to come up on 02.12.2024.</p>		
	<p><i>(On leave)</i> (Ashok Sangwan) Member, HARERA</p>	<p><i>V.I - 3</i> (Vijay Kumar Goyal) Member, HARERA</p>
	<p><i>(Signature)</i> (Arun Kumar) Chairman, HARERA</p>	

