

New PWD Rest House, Civil Lines, Gurugram, Haryana

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

Project - 102 Eden Estate III
RERA-GRG-1817-2024
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	Valid upto 27.11.2029
11.	Total licensed area	9.903 acres	Area to be registered 9.903 acres
12.	Projected completion date	27.11.2029	
13.	QPR Compliances (31 of 2020 dated 09.10.2020 & 54 of 2021 dated 21.09.2021)	Submitted	
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 u/s 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 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	Validity upto
	i)	License Approval		165 of 2024 dated 28.11.2024	27.11.2029
	ii)	Layout approval	plan	LC-2330-E dated 28.11.2024	-
	iii)	Zoning Approval	Plan	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 clearance	height	N/A	
	vi)	Fire approval	scheme	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		
	Fourth hearing on		05.02.2025		
	Fifth hearing on		11.02.2025		
	Sixth hearing on		03.03.2025		
	Seventh hearing on		10.03.2025		
26.	Case History:				
	<p>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.</p> <p>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</p>				



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.

On 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, Haryana 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.

An objection dated 13.01.2025 has been received against the revised layout plan of the residential plotted colony. The copy of same is provided to the promoter on 04.02.2025 and the applicant is also called for hearing on 05.02.2025.

The promoter has submitted a reply on 24.01.2025 & 29.01.2025 which have been scrutinized and the deficiencies conveyed to the promoter.

On 05.02.2025, 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.

Sh. Sudhakar Agarwal is also present who filed an objection against revised layout plan and states that he booked a floor on plot no. A-103 from the promoter wherein the floor/unit was shown to him as three side open for which PLC was also charged. Now the promoter has created plot no. A-102 adjacent to plot no. A-103 due to which his unit will be left two side open and submits the objection against the same.



The AR of the promoter states that the status of plot no. A-103 has not been changed as the same stands approved in the layout plan of the colony since 2012 with two sides open with plot no. A-102 & A-104 abutting the said plot no. A-103. There is no revision in that particular area wherein the plot no. A-103 is located in the revised layout plan of the project approved at the time of granting additional license for which registration is applied herein. Further the promoter undertakes to submit an undertaking in this regard.

A perusal of the earlier approved plan and revised layout plan depicts that there is no revision in the area where the objections have been filed.

In view of the above, the objection is without merit and the complainant may file a complaint under the relevant provisions with the authority with regard to his grievances if any.

The license has been issued in collaboration with landowners and there is area sharing collaboration between the developer promoter and the landowners. Therefore, the land owners/collaborators are also requested to appear before the Authority to present their concerns if any. An intimation through mobile phone/email should be sent by office to the land owners to appear before the authority on next date of hearing.

The matter to come up on 11.02.2025 at 03.00 PM.

The promoter has submitted a reply on 06.02.2025 & 07.02.2025 which have been scrutinized wherein the reply against the objection and undertaking regarding the objection has been submitted.

On 11.02.2025, 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. Sh. Mohinder Singh, Sh. Jasbeer Singh, Sh. Chanderbhan Singh, Sh. Satyawan, Sh. Narender Pal, Sh. Satpal and Sh. Bijender, landowners are present before the authority and states that they have no concern/objection with regard to area/plot allotted to them in terms of collaboration agreements.

It is observed that the layout plan now submitted in the present registration application affects existing area and some adjoining plots of RC no. 31 of 2020 and 54 of 2021. Although as per policy issued by DTCP, Haryana vide memo no. Misc-862/2023/7/1/2023-2TCP/11689-91 dated 24.04.2023 clause 3.1.2.ii, the present change does not constitute revision of layout plan for seeking 2/3rd consents of the concerned allottees, the authority considers it appropriate to issue a public notice for two weeks in three newspapers (two English and one Hindi) of wide circulation providing details of the concerned RC's affected and inviting objections with regard to present application for registration. The matter to come up on 03.03.2025.

A reply dated 21.02.2025 submitted wherein public notice in three newspapers dated 15.02.2025 (i.e., The Tribune, The Times of India and Danik Jagran) for inviting objections regarding registration of project and revision in layout plan of the project has been published.

The Documents have been inspected by members of Amstoria Country Floors RWA.

On 03.03.2025, 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.

Sh. Bikram Chatterji (Advocate) along with RWA members (Sh. Sher Singh, Sh. Rajesh Bhardwaj & Sh. Swarn Singh) is present on behalf of the RWA of Amstoria Country Floors, Sector 102, Gurugram.



Sh. Arun Yadav, Sh. Sumar Singh and Sh. Rambir are present as resident/allottee in the project. The Association of allottees of existing colony and residents of the colony have submitted the objections against the public notice issued for revision in layout plan of the residential plotted colony. The copy of same be supplied to the applicant promoter for filing reply within three days. The matter to come up on 10.03.2025.

Objections for revision in layout plan have been received in the authority vide three dak's no. 87707, 87700 & 87698 dated 03.03.2025 & 28.02.2025. The copy of same was provided to the promoter. The promoter has submitted the reply against the objections on 06.03.2025.

The allottees submitted the objections stating that granting RERA registration certificate would significantly impact services, common areas, community centre/club house, electrification, plumbing services and other promised amenities. The current infrastructure within the township is insufficient to accommodate any additional occupancy. Further, states that granting RERA registration to the additional license or altering the layout plan would constitute breach of the provisions of RERA Act, 2016 as well as breach of the clause 4.2 of policy issued by DTCP, Haryana vide memo no. Misc-862/2023/7/1/2023-2TCP/11689-91 dated 24.04.2023. It is pertinent to note that a case bearing complaint no. 759 of 2023 is currently pending for adjudication in the Hon'ble HRERA Court Gurugram against the developer regarding the same subject matter of revised layout. Further, the allottees sought the relief as mentioned below.

- The authority to reject the proposed layout plan revision unless 2/3rd consent is obtained from all affected allottees. The developer should be directed to publicly disclose all changes affecting plots, common area and amenities before seeking approval. The Authority should reject any further expansion until the existing phase is complete.

The RWA of Amstoria Country Floors has submitted the objections stating that

- The approval has been granted in the name of Countrywide Promoters Pvt Ltd on 28.11.2024 but the company was amalgamated with BPTP Ltd vide NCLT order dated 29.09.2024.
- The area has been changed more than 5% or 1 acre which is in violation of policy dated 24.04.2023.
- Power load requirement document not submitted by the promoter and power backup.
- EC, NEC, achieved area/FAR has not been submitted.
- No clarity about green area calculation on the revised layout.
- STP capacity issues.
- Assurances for electricity, sewer, storm, water submitted which are conditional.
- Complete GPA/SPA not submitted.

Reply of the promoter: -

The promoter has submitted the reply to the objections stating that;

- DTCP issued order dated 28.01.2025 recognizing BPTP as a developer in terms of NCLT order.
- The revision in area is limited to 0.88 acres without disturbing the green area.



	<ul style="list-style-type: none"> • 33/11 KV substation has been developed. • DG power backup not mandatory in case of plotted colony. • BG submitted for submission of EC within stipulated time period. • NEC submitted. • Promoter selling the plots. • Sufficient green area provided. • Two STP of 100 KLD each operational. • Assurances are granted for electricity, sewer, storm, water by GMDA/DHBVN. • ALL SPA/GPA submitted and some landowning companies have been amalgamated. • Basic facilities/services provided in the revised layout are as per applicable norms and policies of DTCP laws and are not impacting any services of earlier area. <p>Detailed objection & reply are attached in the file. The status of documents is mentioned further.</p>	
27.	<p>Present compliance status as on 10.03.2025 of deficit documents conveyed through notice dated 01.01.2025.</p>	<ol style="list-style-type: none"> 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. A public notice has also been published. 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. Landowners appeared before the authority during last hearing dated 11.02.2025. 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.



		<p>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.</p> <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. Affidavit of area sharing in terms of collaboration along with compliance of section 4(2)(I)(D) needs to be submitted.</p> <p>23. Project report needs to be provided.</p>
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		<p>Status: Submitted</p> <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</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: 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. A public notice has also been published.</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. 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>



		7. Land cost needs to be clarified according to area apply for registration. Status: Submitted but needs to be clarified. Affidavit of area sharing in terms of collaboration along with compliance of section 4(2)(I)(D) needs to be submitted
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Ashish Dubey
Chartered Accountant


Sumeet
Engineering Officer

Day and Date of hearing

Monday and 10.03.2025

Proceeding recorded by

Ram Niwas

PROCEEDINGS OF THE DAY

Proceedings dated: 10.03.2025.

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

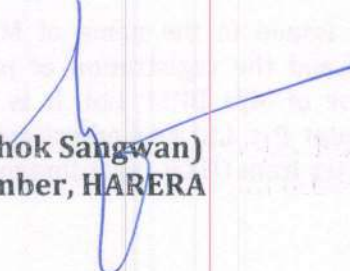
Sh. Rahul Sharma (AR) is present on behalf of the promoter.


Sh. Sher Singh and Sh. Swarn Singh are present on behalf of the RWA of Amstoria Country Floors, Sector 102, Gurugram.

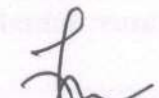
Sh. Arun Yadav (Advocate), Sh. Sneha Singh are present as resident/allottee in the project.

Arguments heard. A detailed order will be passed regarding the objections received in the authority.

The matter to come up on 07.04.2025.


(Ashok Sangwan)
Member, HARERA


(Vijay Kumar Goyal)
Member, HARERA


(Arun Kumar)
Chairman, HARERA