

Hearing brief for registration of project u/s 4

S.No	Particulars	Details		
1.	Name of the project	The Hibiscus		
2.	Name of the promoter	M/s SS Group Private Limited		
3.	Nature of the project	Group Housing Colony		
4.	Location of the project	Sector- 50, Gurugram		
5.	Legal capacity to act as a promoter	Not clarified		
6.	Name of the license holder	M/s North Star Apartments Private Limited.		
7.	Status of project	Ongoing		
8.	Whether registration applied for whole	No		
	Phase no.	Not specified		
9.	Online application ID	RERA-GRG-PROJ-1534-2024		
	License no.	874 of 2006 dated 24.04.2006	Valid up to 23.04.2008	
		875 of 2006 dated 24.04.2006	Valid up to 23.04.2008	
		876 of 2006 dated 24.04.2006	Valid up to 23.04.2008	
		877 of 2006 dated 24.04.2006	Valid up to 23.04.2008	
10.	Total licensed area	13.48 acres	Area to be registered	0.2856 acres
11.	Projected completion date	03.12.2019(It is submitted by the promoter that the project is always completed)		
12.	QPR Compliances (if applicable)	N/A		
13.	4(2)(I)(D) Compliances (if applicable)	N/A		
14.	4(2)(I)(C) Compliances (if applicable)	N/A		
15.	Status of change of bank account	N/A		
16.	Details of proceedings pending against the project	RERA-GRG-1782-2023-Show cause for non-registration.		
17.	RC Conditions Compliances (if applicable)	N/A		
18.	Total Project cost	Rs. 5.56cr/-		
19.	Project expenditure so far	Rs. 5.56 cr/-		
20.	Estimated expenditure for completion so far	Nil as OC has been obtained for the project.		
21.	Statutory approvals either applied for or obtained prior to registration			
	S.No	Particulars	Date of approval	Validity upto



	i)	License Approval	874 of 2006 dated 24.04.2006	Valid up to 23.04.2008
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			876 of 2006 dated 24.04.2006	Valid up to 23.04.2008
			877 of 2006 dated 24.04.2006	Valid up to 23.04.2008
	ii)	Zoning Approval Plan	21645 dated 18.08.2006	
	iii)	Building Approval plan	Not Legible	
	iv)	Environmental Clearance	26.11.2007	25.11.2017(expired)
	v)	Airport height clearance	05.04.2007	04.04.2012(expired)
	vi)	Fire scheme approval	30.08.2013	
	vii)	Service plan and estimate approval	27.10.2010	
22.	Fee Details			
	Registration Fee		Fee cannot be calculated as the building plans are not submitted.	
	Processing Fee		Fee cannot be calculated as the building plans are not submitted.	
	Late Fee		Fee cannot be calculated as the building plans are not submitted.	
	Total Fee		Fee cannot be calculated as the building plans are not submitted.	
23.	Reference amount		Rs. 45,600/-	
	Reference no. and date		186028692 dated 15.01.2024	
	Name of the bank issuing		ICICI Bank	
	Deficient amount		Fee cannot be calculated as the building plans are not submitted.	
24.	File Status		Date	
	File received on		18.01.2024	
	First hearing on		12.02.2024	
	Deficiency Notice		23.02.2024	
	First reply submitted on		12.04.2024	
	Second hearing on		22.04.2024	
	Third hearing on		20.05.2024	
	Fourth hearing on		10.06.2024	
	Fifth hearing on		12.08.2024	
	Sixth hearing on		16.09.2024	
	Seventh hearing on		14.10.2024	
	Eighth hearing on		25.11.2024	
	Ninth hearing on		06.01.2025	

	Tenth hearing on	10.02.2025
	Eleventh hearing on	17.03.2025
	Twelfth hearing on	28.04.2025
25.	Case History: The Promoter M/s SS Group Private Limited who has applied for the registration of real estate group housing colony namely "The Hibiscus" located at Sector- 50, Gurugram under section 4 of the Real Estate (Regulations and Development) Act, 2016 vide central receipt no. 64882 dated 18.01.2024 and RPIN- 702. The Temp I.D. of REP – I (Part A-H) is RERA -GRG-PROJ-1534-2024. The project area for registration is 0.2856 acres as that of the licensed area i.e., 13.48 acres granted under License no – 875 to 877 of 2006 dated 24.04.2006 which is valid upto 23.04.2008 is issued in favour of M/s North Star Apartments Private Limited. The application for extension of registration was scrutinized and 1st deficiency notice has not been dispatched yet. Proceedings dated: 12.02.2024. Ms. Prachi Singh (Planning Executive) briefed about the facts of the case. The application submitted by the promoter has been scrutinized by the concerned official, but the deficiency notice has not been dispatched till date. Therefore, in view of the same the matter is adjourned, and the concerned official is directed to dispatch the notice. The next date of hearing will be conveyed after submission of reply of deficiencies. Proceedings dated: 22.04.2024. Ms. Prachi Singh, Planning Executive briefed about the facts of the project. Sh. Manoj Shukla (AR) and Sh. Sunil Shekhawat (AR) are present on behalf of the promoter. The AR of the promoter seeks an adjournment to rectify the deficiencies pointed out. A final opportunity of one month is granted to the promoter to rectify the deficiencies pointed out. The director/CEO/Project-Incharge of the promoter company is directed to be present on the next date of hearing. The matter to come up on 20.05.2024. Proceedings dated: 20.05.2024. Ms. Prachi Singh, Planning Executive briefed about the facts of the project. Shri Ashok Singh Jaunapuria, Manoj Shukla and Sunil Shekhawat are present on behalf of the promoter. The AR of the company requests for three weeks' time to rectify the deficiencies informed to them. Matter to come up on 10.06.2024. Proceedings dated: 10.06.2024. Mr. Shashank Sharma, Associate Engineer Executive briefed about the facts of the project. Sh. Ashok Jaunapuria (AR), Manoj Shukla (AR) and Sh. Sunil Shekhawat (AR) are present on behalf of the promoter. The AR of the promoter states that the OC in respect of 13.185 acres was obtained in 2014 much before the commencement of Act, 2016 and OC in respect of only 0.2856 acres comprising of three villas, convenient shopping and swimming pool was obtained in 2019 and hence registration in respect of this area has been applied and remaining area is not part of ongoing project and hence no registration of this part is required. A representation is being submitted for its exemption which will be examined and if need be, opinion of the AG Haryana shall also be obtained. Matter to come up on 12.08.2024. Documents submitted on 01.08.2024.	



The promoter has submitted a reply in the Authority wherein, the representation is given in the matter of registration of ongoing project under proviso of section 3(1) of the Act of 2016 in respect of the project namely "The Hibiscus" being developed by M/s SS Group Private Limited.

The promoter has submitted the brief facts as follows: -

The promoter stated that development of the said Project was entirely completed in the year 2011. The Licensee constructed a total of 315 residential units (268 main units and 47 EWS units) against sanctioned 345 units. Vide Letter dated 19.12.2011, the Licensee applied to DTCP for the grant of Occupation Certificate for the said project including the basement.

Against the said application Occupation Certificate was granted in respect of 312 units (FAR approximately 93481 sq.mtrs.) comprised of Building /Block No. A1, A2, A3, B1, B2, C, D1 to D6, EWS, 9 Villas without basement and 10 Villas with basement and basement area admeasuring 26813 sq.mtrs., based on the report of STP dated 11.01.2013, vide Memo No. 26238 dated 13.11.2014.

Promoter vide its letter dated 28.07.2017 applied to Director, Town & Country Planning, Haryana for grant of Occupation certificate for the remaining 3 Villas in Block F after removing the deficiencies that were pointed out by DTP & STP along with the reminder letter dated 09.05.2018. The Occupation Certificate for the said remaining 3 Villas (FAR admeasuring 1547.07 sq.mt.) was finally granted on 11.07.2019.

Promoter vide its Letter dated 28.05.2019 informed the District Town Planner that for the amenity being swimming pool was not granted OC on 13.11.2014 despite the swimming pool was constructed in the complex in accordance with approved building plan and the same was duly mentioned in the super imposed drawing submitted at the time of application for grant of occupation certificate but the report in respect of it was not sent by DTP Gurugram. That the Occupation Certificate was finally granted for the Swimming Pool & Children Pool and Pump Room in the project vide Memo No. 16084 dated 08.07.2019.

The Promoter constructed the convenient shopping center admeasuring 247.69 sq.mtrs. in the said project and applied to DTCP for the issuance of Occupation Certificate on 10.10.2019. The Occupation Certificate for the Convenient Shopping Center was finally granted by DTCP on 03.12.2019 vide Memo No. 29680.

However, without prejudice to our aforesaid contention, we have proceeded with the application for registration for the part of the project wherein the OC was obtained after the notification of the 2017 Rules, vide Application for Registration (Temp.ID. 1534-2024) dated 18.01.2024 for the area admeasuring 0.2856 acres (1155.7822 Sq.Mtrs.).

Accordingly, we implore that the said project be excluded from the scope of the definition of "On going project" as under Section 2(1)(o) of the 2017 Rules. However, if at all the Hon'ble Authority is of the view that the project is registrable then the component of the said Project for which OC had been granted on or before 1st May, 2017 of coming into force of 2017 Rules should be excluded from the area to be registered as per the following definition:

2(1)(o) "on going project" means a project for which the license was issued for the development under the 1975 Act on or before 1st May, 2017 and where development works were yet to be completed on the said date but does not include

(i) any project for which after completion of development works, an application under Rule 16 of the Haryana Development and Regulation of Urban Area Rules, 1976 or under sub code 4.10 of the Haryana Building Code 2017, as the case may be, is made to the Competent Authority on or before publication of these rules; and

(ii) that part of any project for which part completion/completion, occupation certificate or part thereof has been granted on or before publication of these rules.

Proceedings dated: 12.08.2024.

Mr. Shashank Sharma, Associate Engineer Executive briefed about the facts of the project.

Sh. Sunil Shekhawat (AR) is present on behalf of the promoter.

The reply of the applicant promoter has been received in the Authority and is under examination.

	The matter to come up on 16.09.2024. On 16.09.2024, the matter is adjourned to 14.10.2024. On 14.10.2024, the matter is adjourned to 25.11.2024. On 25.11.2024, the matter is adjourned to 06.01.2025. A representation to AG, Haryana (regarding legal opinion with respect to the fact that whether the project area whose part OC obtained prior to the formation of RERA Rules is registrable or not) has been dispatched on 17.12.2024. On 06.01.2025, the matter is adjourned to 10.02.2025. On 10.02.2025, the matter is adjourned to 11.02.2025. On 11.02.2025, the matter is adjourned to 17.03.2025. No reply has been received from AG, Haryana against the representation dated 17.12.2024. Proceedings dated: 17.03.2025. Mr. Shashank Sharma, Associate Engineer Executive and Mr. Ashish Dubey, CA briefed about the facts of the project. Sh. Manoj Shukla (AR), Sh. Lovekush Sharma (AR) are present on behalf of the promoter. A show cause notice be issued to the promoter for rejection of the application for registration on account of not applying for the complete project as per earlier directions of the Authority and consequent non-deposit of the requisite fee for the area licensed by DTCP and imposition of penalty under section 59 of the Act, 2016. The office to issue a reminder to AG, Haryana within threedays. The matter to come up on 28.04.2025. A reminder letter to AG has been sent vide memo no PA/Secy/HARERA/GGM/2025/35 dated 25.03.2025 against which no reply has been received in the Authority. A show cause notice for rejection and imposition of penalty under section 59 of the Act, 2016 has been issued on 25.03.2025 against which no reply has been received in the Authority.		
26.	<table border="1"> <tr> <td data-bbox="236 1256 619 2020"> Present compliance status as on 28.04.2025 of deficient documents as observed in last hearing dated 17.03.2025. </td><td data-bbox="619 1256 1517 2020"> 1. 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 done 2. Online DPI needs to be corrected. Status:-Not done 3. Copy of renewed licenses no. 874 -877 of 2006 dated 24.04.2006 need to be submitted. Status:-Applied on 04.01.2024. Receipt enclosed. 4. Copy of LC-IV bilateral agreement need to be submitted. Status:-Submitted 5. The legal capacity of M/s SS Group Private Limited need to be clarified. Status:-Not clarified 6. Mutation, Jamabandi and Aks-shajra certified on the latest date needs to be submitted. Status:-Submitted but need to be on latest date 7. Information to the revenue department regarding the entry of license in the revenue record needs to be submitted. Status:-Not submitted 8. Land title search report needs to be submitted. </td></tr> </table>	Present compliance status as on 28.04.2025 of deficient documents as observed in last hearing dated 17.03.2025.	1. 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 done 2. Online DPI needs to be corrected. Status:-Not done 3. Copy of renewed licenses no. 874 -877 of 2006 dated 24.04.2006 need to be submitted. Status:-Applied on 04.01.2024. Receipt enclosed. 4. Copy of LC-IV bilateral agreement need to be submitted. Status:-Submitted 5. The legal capacity of M/s SS Group Private Limited need to be clarified. Status:-Not clarified 6. Mutation, Jamabandi and Aks-shajra certified on the latest date needs to be submitted. Status:-Submitted but need to be on latest date 7. Information to the revenue department regarding the entry of license in the revenue record needs to be submitted. Status:-Not submitted 8. Land title search report needs to be submitted.
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		Status:- Not submitted 9. Non-encumbrance certificate not below the rank of tehsildar certified on the latest date needs to be submitted. Status:- Not submitted 10. Copy of sale deed executed between landowner and promoter need to be submitted. Status:- Submitted 11. Copy of renewed environment clearance need to be submitted. Status:- Not submitted 12. Fire Scheme approval needs to be submitted. Status:-Submitted 13. Fee cannot be calculated as the building plans are not submitted and will be calculated after the submission of the building plans and if the fee comes out deficit than the same shall be payable. Status:- Not submitted 14. The approved building plans are not attached in the application to ascertain the approval of phasing by the competent authority, and you had applied for registration of project in phases. The same needs to be clarified. Status:- Not submitted 15. Building plan approval (BR-III) alongwith the approved drawings need to be submitted. Status:- Not submitted 16. Copy of Airport Height clearance needs to be submitted. Status:-Submitted but renewal needed 17. Copy of approved service estimates and plans along with sanction letter from DTCP, Haryana not submitted. Status:-Submitted 18. Copy of electrical load availability connection assurance letter from DHBVN need to be submitted. Status:- Not submitted 19. Natural conservation zone, Tree cutting permission, Forest land diversion, Power Line shifting NOC/affidavit for non-applicability needs to be submitted. Status:- Not submitted 20. Approval NOCs from the various agencies for connecting external services like water supply, sewerage and storm water drainage needs to be submitted. Status:- Not submitted 21. Mining permission needs to be submitted. Status:- Not submitted 22. Copy of approved layout plan and zoning plan need to be submitted. Status:- Not submitted 23. Layout superimposed on the demarcation plan showing khasra no. needs to be submitted. Status:- Not submitted 24. Copy of approved fire scheme plans need to be submitted. Status:- Not submitted
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	25. Pert Chart needs to be submitted. Status:- Not submitted 26. Copy of project report along with brochure of current project and project photos need to be submitted. Status: Not submitted 27. REP-II needs to be revised. Status:- Submitted but need to be revised 28. Allottee related documents like Application form, Allotment letter, Builder Buyer agreement, conveyance deed and payment receipt needs to be provided. Status:-Need to be revised 29. Copy of draft allotment letter, application form, agreement for sale, conveyance deed and payment receipt need already executed by the promoter need to be submitted. Status:-Submitted 30. Draft Brochure and advertisement documents needs to be submitted. Status:- Not submitted 31. Details of sold and unsold inventory unit wise needs to be submitted. Status:- Not submitted 32. Cost of lands needs to be clarified according to area apply for registration. Status:- Not submitted 33. MOA, AOA, and COI need to be provided. Status:- submitted 34. PAN, TAN and GST certificate of promoter need to be provided. Status:- submitted 35. KYC of project consultant needs to be provided. Status:- submitted 36. CA certificate regarding net worth of the promoter needs to be provided. Status:- Not submitted 37. Annual balance sheet for the financial year 2020-2023 needs to be provided. Status:- Not submitted 38. CHG form needs to be provided. Status:- Not submitted 39. Cash flow statement needs to be provided. Status:- Not submitted 40. Quarterly statement of expenditure needs to be provided. Status:- Not submitted 41. Bank undertaking needs to be provided. Status:- Not submitted 42. Board resolution for operation of bank account needs to be provided. Status:- Not submitted 43. Affidavit regarding arrangement of separate bank account under section 4(2)(I)(D) needs to be provided. Status:- Not submitted
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		44. CA certificate for non-default needs to be provided. Status:- Not submitted 45. CA certificate regarding no dues in respect of statutory dues needs to be provided. Status:- Not submitted 46. Loan disbursement and repayment schedule needs to be provided. Status:- Not submitted 47. Financial resources of the project needs to be clarified along with supporting document. Status:- Not submitted 48. CA certificate for expenses incurred and to be incurred needs to be revised. Status:- Not submitted 49. Document regarding the relation with the M3M needs to be provided. Status:- Not submitted
27.	Remarks	1) The annexures in the online application are not uploaded as well as correction needs to be done in the online (A-H) application. 2) Online DPI needs to be corrected. 3) Copy of renewed licenses no. 874 -877 of 2006 dated 24.04.2006 need to be submitted. 4) The legal capacity of M/s SS Group Private Limited need to be clarified. 5) Mutation, Jamabandi and Aks-shajra certified on the latest date needs to be submitted. 6) Information to the revenue department regarding the entry of license in the revenue record needs to be submitted. 7) Land title search report needs to be submitted. 8) Non-encumbrance certificate not below the rank of tehsildar 9) Copy of renewed environment clearance need to be submitted. 10) Fee cannot be calculated as the building plans are not submitted and will be calculated after the submission of the building plans and if the fee comes out deficit than the same shall be payable. 11) The approved building plans are not attached in the application to ascertain the approval of phasing by the competent authority, and you had applied for registration of project in phases. The same needs to be clarified. 12) Building plan approval (BR-III) alongwith the approved drawings need to be submitted. 13) Copy of Airport Height clearance needs to be submitted. 14) Copy of electrical load availability connection assurance letter from DHBVN need to be submitted.

**HAREERA****GURUGRAM****Project - The Hibiscus****Promoter - M/s SS Group Pvt. Ltd.**

	15) Natural conservation zone, Tree cutting permission, Forest land diversion, Power Line shifting NOC/affidavit for non-applicability needs to be submitted. 16) Approval NOCs from the various agencies for connecting external services like water supply, sewerage and storm water drainage needs to be submitted. 17) Mining permission needs to be submitted. 18) Copy of approved layout plan and zoning plan need to be submitted. 19) Layout superimposed on the demarcation plan showing khasra no. needs to be submitted. 20) Copy of approved fire scheme plans need to be submitted. 21) Pert Chart needs to be submitted. 22) Copy of project report along with brochure of current project and project photos need to be submitted. 23) REP-II needs to be revised. 24) Allottee related documents like Application form, Allotment letter, Builder Buyer agreement, conveyance deed and payment receipt need to be provided. 25) Draft Brochure and advertisement documents need to be submitted. 26) Details of sold and unsold inventory unit wise needs to be submitted. 27) Cost of lands needs to be clarified according to area apply for registration. 28) CA certificate regarding net worth of the promoter needs to be provided. 29) Annual balance sheet for the financial year 2020-2023 needs to be provided. 30) CHG form needs to be provided. 31) Cash flow statement needs to be provided. 32) Quarterly statement of expenditure needs to be provided. 33) Bank undertaking needs to be provided. 34) Board resolution for operation of bank account needs to be provided. 35) Affidavit regarding arrangement of separate bank account under section 4(2)(l)(D) needs to be provided. 36) CA certificate for non-default needs to be provided. 37) CA certificate regarding no dues in respect of statutory dues needs to be provided. 38) Loan disbursement and repayment schedule needs to be provided. 39) Financial resources of the project need to be clarified along with supporting document.
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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 (नियामन और विकास) अधिनियम, 2016 की धारा 20 के अर्तगत गठित प्राधिकरण

भारत की संसद द्वारा पारित 2016 का अधिनियम संख्यांक 16



	40) CA certificate for expenses incurred and to be incurred needs to be revised.
	41) Document regarding the relation with the M3M needs to be provided.
(On Leave) (Ashish Dubey) Chartered Accountant	(Shashank Sharma) Associate Engineer Executive
Day and Date of hearing	Tuesday and 28.04.2025
Proceeding recorded by	Ram Niwas
PROCEEDINGS OF THE DAY	
Proceedings dated: 28.04.2025. Mr. Shashank Sharma, Associate Engineer Executive briefed about the facts of the project. Sh. Sunil Shekhawat (AR), Sh. Manoj Shukla (AR), Sh. Lovekush Sharma (AR) are present on behalf of the promoter and states that reply to the show cause notice will be submitted in the Authority within 2 days. The Authority has passed a detailed order dated 09.01.2023 in the complaint case no 6030 of 2019 case titled as SS Hibiscus Apartment Owner's Association Vs SS group Pvt. Ltd. and hibiscus Maintenance Pvt. Ltd. In the detailed order it was clearly mentioned that the project i.e., "SS Hibiscus" falls within the definition of "Ongoing project" and thus requires registration under the Act and the rules and regulations made thereunder. It is also noted that, Completion certificate (CC) of the said project has not yet been obtained. In view of the above, Authority decides that one last opportunity is being given to the promoter to amend this present application within one week from 0.2856 acres to the complete licensed area i.e., 13.48 acres and submit all documents accordingly for the whole licensed area i.e., 13.48 acres failing which penalty amounting to Rs. 10 lakhs will be imposed on the promoter and further no opportunity shall be given. The matter to come up on 12.05.2025.	
(on Leave) (Ashok Sangwan) Member, HARERA	(Vijay Kumar Goyal) Member, HARERA
 Arun Kumar (Chairman, HARERA)	