

New PWD Rest House, Civil Lines, Gurugram, Haryana

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

Project
Promoter

Plots At Garden City, Sec 91,92
M/s DLF Limited

PROJECT HEARING BRIEF FOR PROJECT REGISTRATION U/S 4 OF THE ACT, 2016

SNo.	Particulars	Details								
1.	Name of the project	Plots At Garden City, Sec-91,92								
2.	Name of the promotor	M/s DLF Limited								
3.	Nature of the project	Residential Plotted Colony								
4.	Location of the project	Sector 91 & 92, Gurugram								
5.	Legal capacity to act as a promoter	Collaborator								
6.	Name of the license holder	59 of 2011: M/s Ferrol Builders & Developers Pvt. Ltd., M/s Hora Realtors Pvt. Ltd., Sh. Rohtas, Sh. Laxmi Narayan, Sh. Vikram Singh & others. 13 of 2019: M/S DLF Utilities Ltd, M/S Nayef Estates Pvt Ltd, Vikram Singh, Anubhav Kumar, Aakriti Kumar, Braham Prakash, Vijay Logani, Pradeep Kumar, Ram Narayan-Bhagat Ram, Ved Prakash-Lakshman & others 14 of 2012: M/s Adriana Builders & Constructions Pvt. Ltd., M/s Camden Builders & Developers Pvt. Ltd., M/s Cotys Buildcon Pvt. Ltd., Surinder Singh, Krishan, Sushil Kumar & others 130 of 2023: Sh. Urvesh Chandra & M/s DLF Limited								
7.	Whether registration applied for whole	Whole								
8.	Phase no.	N/A								
9.	Online application ID	RERA-GRG-PROJ-1748-2023								
10.	License no.	<table><tr><td>59 of 2011 dated 28.06.2011</td><td>Valid up to 27.06.2029</td></tr><tr><td>14 of 2012 dated 27.02.2012</td><td>Valid up to 26.02.2025</td></tr><tr><td>13 of 2019 dated 06.02.2019</td><td>Valid up to 05.02.2027</td></tr><tr><td></td><td>Valid up to 15.06.2028</td></tr></table>	59 of 2011 dated 28.06.2011	Valid up to 27.06.2029	14 of 2012 dated 27.02.2012	Valid up to 26.02.2025	13 of 2019 dated 06.02.2019	Valid up to 05.02.2027		Valid up to 15.06.2028
59 of 2011 dated 28.06.2011	Valid up to 27.06.2029									
14 of 2012 dated 27.02.2012	Valid up to 26.02.2025									
13 of 2019 dated 06.02.2019	Valid up to 05.02.2027									
	Valid up to 15.06.2028									

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		130 of 2023 dated 16.06.2023	
11.	Total licensed area	181.8615 Acres	Area to be registered 9.4275 Acres
12.	Project completion date as declared u/s 4(2)(l)(c)	OC: 24.05.2031 CC: 31.08.2031	
13.	QPR compliance	RC No. 23 of 2021: Submitted	
14.	4(2)(l)(D) compliance	RC No. 23 of 2021: Submitted	
15.	Compliance of conditions of RC	N/A	
16.	4(2)(l)(c) compliance	-	
17.	Details of proceedings pending against the project	RERA-GRG-3359-2024 Show cause notice for not adhering to the declared time period within which promoter undertook to complete the project. (RC Expired) RERA-GRG-3655-2022 Show cause notice for non-submission of quarterly progress report	
18.	Status of change of bank a/c	N/A	
19.	Total Project cost	Rs. 63.57 crores	
20.	Project expenditure so far	Rs. 18.07 crores	
21.	Estimated expenditure for completion so far	Rs. 45.50 crores	
22.	Statutory approvals either applied for or obtained prior to registration		
	S.No	Particulars	Validity up to
	i)	License Approval	59 of 2011 dated 28.06.2011 14 of 2012 dated 27.02.2012 13 of 2019 dated 06.02.2019 130 of 2023 dated 16.06.2023
	ii)	Zoning Plan Approval	27.06.2029 26.02.2025 05.02.2027 15.06.2028
	iii)	Layout plan Approval	DTCP 10533, 10534 dated 18.10.2024
	iv)	Environmental Clearance	DGTCP 9337 dated 20.06.2023
	v)	Airport height clearance	SEIAA (126)/HR/2021/192 dated 18.02.2021 valid up to 27.06.2029
	vi)	Fire scheme approval	N/A

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	vii)	Service plan and estimate approval	LC-2523-M/JE(AK)/2024/30/08 dated 20.09.2024
	viii)	Electricity load availability connection	Ch-05/SE/C-SOL-405 dated 29.08.2017
23.	Fee details		
	Registration fee		38,151.772 *10 = Rs. 3,81,518/-
	Late fee		Nil
	Processing fee		38,151.772 *10 = Rs. 3,81,518/-
	Total fee		Rs. 7,63,036/-
24.	DD amount		Rs. 7,63,000/- Rs. 36/-
	DD no. and date		524290 dated 06.11.2024.
	Reference no. & date		RERA-GRGP1736751970 dated 13.01.2025
	Name of the bank issuing		ICICI Bank
	Deficient amount		-
25.	File Status		Date
	Project received on		13.11.2024
	First hearing on		09.12.2024 (adjourned)
	Second hearing on		23.12.2024 (adjourned)
	Third hearing on		06.01.2025 (adjourned)
	Fourth hearing on		08.01.2025
	Fifth hearing on		20.01.2025 (adjourned)
	Sixth Hearing on		11.02.2025
	Seventh Hearing on		17.03.2025 (adjourned)
	Eighth Hearing on		07.04.2025 (adjourned)
	Nineth Hearing on		05.05.2025
26.	Case history-		
	The promoter i.e., M/s DLF Limited has applied on dated 13.11.2024 for registration of their Residential Plotted Colony namely "Plots At Garden City, Sec-91,92" located at Sector 91 & 92, Gurugram under section 4 of Real Estate (Regulation and Development), Act 2016. This application for registration is for 9.4275 acres part of the licensed plotted colony measuring 181.862 acres vide four licenses issued in favour of M/s DLF Ltd and others, bearing license no. 59 of 2011 dated 28.12.2011, 14 of 2012 dated 27.02.2012, 13 of 2019 dated 06.02.2019 and 130 of 2023 dated 16.05.2023. This application relates to the additional license measuring 1.9375 acres vide no. 130 of 2023 dated 16.05.2023 issued by the DTCP in favour of Sh. Urvesh Chandra in collaboration with M/s DLF Limited as well as 7.49 acres which are the changes from previously approved layout		

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bearing license no. 59 of 2011 measuring 101.218 acres, 14 of 2012 measuring 62.956 acres, 13 of 2019 measuring 16.25 acres making a total of 181.8615 acres in sector- 91& 92, Gurugram.

Total applied area is 9.4275 acres which includes additional license area which is 1.9375 acres + 7.49 acres (changes from previously approved layout).

As per the records of the authority, license no. 13 of 2019 dated 06.02.2019 is being registered in Authority vide registration no. 23 of 2021 dated 15.06.2021 valid upto 27.06.2023 measuring 16.25 acres.

License No.	License Area	Area Applied
59 of 2011	100.8305 acres	1.505acres
14 of 2012	62.8435 acres	3.216 acres
13 of 2019	16.25 acres	2.769 acres
130 of 2023	1.9375 acres	1.9375 acres
Total	181.8615	9.4275 acres

The promoter has submitted the part completion certificate bearing license no. 59 of 2011 issued on 02.07.2014 for 101.218 acres whereas for license no. 14 of 2012, part completion certificate was issued on 18.03.2016 for 62.8435 acres. Also, part completion for area measuring 15.198 acres part of Residential plotted colony of area measuring 179.924 acres bearing license no. 59 of 2011, 14 of 2012, 13 of 2019 in Sector-91& 92 issued on 02.11.2023.

On scrutiny of the application, it was found that there were deficiencies in the application which were conveyed to the promoter through deficiency notice dated 13.12.2024 and an opportunity of hearing was provided on 23.12.2024.

On 23.12.2024, The matter is adjourned and to come up on 06.01.2025.

On 06.01.2025, The matter is adjourned and to come up on 08.01.2025.

Proceedings dated 08.01.2025.

Ms. Nikita Mittal, Planning Executive briefed about the facts of the case. Sh. Anish Dham (AR), Sh. Saurabh Chorasias (AR) and Sh. Awanish Shukla (AR) are present on behalf of the promoter. The promoter has obtained additional license no. 130 of 2023 in addition to other licenses granted for residential plotted colony and accordingly plan has been revised. The promoter has applied for registration of area measuring 9.4275 acres (1.9375 acres additional license area + 7.49 acres part of earlier licenses where there is revision in layout plan). Therefore, in view of the same, a public notice to be published in three leading newspapers, one Hindi and two English newspapers w.r.t. revision in the layout plan for inviting objections if any. Further, the promoter is also directed to submit a detailed comparative table for revision in layout plan highlighting the same on revised layout plan along with the rectification of balanced deficiencies. Meanwhile, the Authority directed Sh. Sumeet (EO) and Sh. Ashish Kush (PE), officials of Authority to visit the site of the project and check the status for the same. The matter to come up on 20.01.2025.



On 20.01.2025, The matter is adjourned and to come up on 10.02.2025.

The site of project namely "Plots at Garden City Sctor-91, 92" has been visited on 16.01.2025 by Sh. Sumeet (EO) & Sh. Ashish (PE) and it is submitted that due to grant of additional license, the earlier approved layout plan of the colony has been affected. There are UD areas in earlier approved layout plan adjacent to additional license land and the promoter has converted those UD areas into planning i.e., plots. Further, there are changes in other areas also i.e., taxi stand has been shifted from its original location to new location and plots have been planned on that area. The nursing home & STP have also been replanned in the revised layout plan. At some locations, the orientation of road has also been changed. Due to grant of additional license other areas have also been affected which are not shown on the revised layout planned with highlighted color.

There is an area admeasuring 0.3875 acres wherein plots were planned by the promoter and now the same has been delicensed by the promoter.

Further as per site status, the promoter has also developed the residential floors on the plots which are planned in revised layout plan and are not shown as revision in revised layout plan with distinct color.

On 05.02.2025, the promoter has submitted the public notice in three newspapers, two English, "Hindustan Times" and "The Indian Express", one Hindi, "Hindustan" dated 24.01.2025 as per the directions of Authority. No objections received till 10.02.2025.

On 10.02.2025, The matter is adjourned and to come up on 11.02.2025.

Proceedings dated 11.02.2025.

Ms. Nikita Mittal, Planning Executive and Sh. Ashish Dubey, Chartered Accountant briefed about the facts of the case. Sh. Anish Dham (AR), Sh. Saurabh Choraria (AR) and Sh. Awanish Shukla (AR) are present on behalf of the promoter. A public notice has been published in the newspapers on 24.01.2025 regarding change in layout plan and no objections have been received in this regard within stipulated time. Further, the promoter is required to submit 2/3rd consent of the allottees in respect of the amendment in the layout plan as the area under revision is more than one acre. The matter to come up on 17.03.2025.

On 17.03.2025, The matter is adjourned and to come up on 07.04.2025.

On 07.04.2025, The matter is adjourned and to come up on 05.05.2025.

27. Present compliance status as on 05.05.2025 of deficient documents as conveyed in the deficiency notice.	1. Online corrections in REP-I (Part A-H) needs to be done. Status: Submitted but needs to be revised 2. Corrections marked on the hard copy of online DPI need to be done. Status: Submitted but needs to be revised
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	3. As the approved revised layout plan is submitted, the changes made in the plans in tabular form and duly marked on the plans after addition of additional licensed area and revisions in other areas as per old layout plan needs to be submitted. Status: The promoter has submitted a revised layout plan with changes made in the plans after addition of additional licensed area and revisions in other areas as per old layout plan. 4. Fee cannot be calculated as clarification of area needs to be provided regarding specific areas to be considered falling under licenses 59 of 2011, 14 of 2012, 13 of 2019 and 130 of 2023. Status: Submitted 5. This application for registration is part of the licensed plotted colony measuring 181.862 acres vide four licenses issued in favour of M/s DLF Ltd and others, bearing license no. 59 of 2011, 14 of 2012, 13 of 2019 and 130 of 2023. Further, the clarification of bifurcation of the area applied i.e. 9.4275 acres under licensed colony having license numbers 59 of 2011, 14 of 2012, 13 of 2019 and 130 of 2023 needs to be submitted. Status: The promoter has submitted the bifurcation of area applied i.e. 9.4275 acres under licensed colony having license numbers 59 of 2011, 14 of 2012, 13 of 2019 and 130 of 2023 part of licensed plotted colony measuring 181.862 acres. 6. LOI and LC-IV needs to be submitted. Status: Submitted 7. As there are revision in plans the prior written consent from 2/3rd allottees of the project needs to be submitted. Status: Not submitted, the promoter has submitted a representation regarding unwarranted requirement of 2/3rd consent of the allottees. 8. Status of completion of the project after changes in layout needs to be submitted. Status: Submitted
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	9. Project report along with brochure of current project and project photos needs to be submitted. Status: Submitted 10. Forest NOC to be submitted for the whole applied area. Status: Submitted 11. Approval for EC needs to be submitted for whole area. Status: Not submitted, the promoter has applied for the whole area on 07.12.2024. 12. NOCs for storm water from concerned departments need to be submitted for the applied area. Status: Submitted 13. Undertaking with regard to non- applicability of natural conservation zone, tree cutting permission, forest land diversion and power line shifting needs to be submitted. Status: Submitted. The promoter has submitted an applied copy for tree cutting permission on 03.10.2024. 14. PERT chart of the project needs to be submitted. Status: Submitted 15. Draft allotment letter needs to be revised. Status: Submitted but needs to be revised 16. Payment Receipt needs to be submitted. Status: Submitted 17. Draft brochure and advertisement document need to be submitted. Status: Not submitted 18. Cost of land amounts to Rs 1807 lakhs needs to be clarified according to area applied i.e. 9.4274 acres for registration. Status: Submitted 19. REP-II needs to be revised as CC date is not mentioned. Status: Submitted 20. CA Certificate for non-default in repayment of debt and statutory liabilities needs to be revised. CA Certificate for net worth of latest date and CA Certificate for REP-1 needs to be submitted. Status: Submitted 21. Bank Undertaking needs to be revised. Status: Submitted
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	22. Statement of quarterly expenditure, quarterly net cash flow statement and statement of quarterly source of funds needs to be submitted. Status: Submitted 23. Board resolution needs to be submitted for specifying same to be 70% collection account as per RERA rules along with KYC of authorize person for operating these bank accounts. Status: Submitted 24. Details of financial resources along with supporting documents needs to be submitted. Status: Submitted 25. Challan and Schedule of payment of IDC, EDC, License Fee, Conversion fees paid for the project needs to be submitted. 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
Remarks	1. Online corrections in REP-I (Part A-H) needs to be done. 2. Corrections marked on the hard copy of online DPI need to be done. 3. As the approved revised layout plan is submitted, the changes made in the plans in tabular form and duly marked on the plans after addition of additional licensed area and revisions in other areas as per old layout plan needs to be submitted. Status: The promoter has submitted a revised layout plan with changes made in the plans after addition of additional licensed area and revisions in other areas as per old layout plan. 4. This application for registration is part of the licensed plotted colony measuring 181.862 acres vide four licenses issued in favour of M/s DLF Ltd and others, bearing license no. 59 of 2011, 14 of 2012, 13 of 2019 and 130 of 2023. Further, the clarification of bifurcation of the area applied.i.e. 9.4275 acres under licensed colony having license

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		numbers 59 of 2011, 14 of 2012, 13 of 2019 and 130 of 2023 needs to be submitted. Status: The promoter has submitted the bifurcation of area applied i.e. 9.4275 acres under licensed colony having license numbers 59 of 2011, 14 of 2012, 13 of 2019 and 130 of 2023 part of licensed plotted colony measuring 181.862 acres. - As there are revision in plans the prior written consent from 2/3rd allottees of the project needs to be submitted. - Approval for EC needs to be submitted for whole area. - Undertaking with regard to non- applicability of tree cutting permission needs to be submitted. Status: The promoter has submitted an applied copy for tree cutting permission on 03.10.2024. - Draft allotment letter needs to be revised. - Draft brochure and advertisement document need to be submitted.
	<i>Ashish</i> (Ashish Dubey) Chartered Accountant	<i>Nikita</i> (Nikita Mittal) Planning Executive

Day and Date of hearing	Monday and 05.05.2025
Proceeding recorded by	Sh. Ram Niwas

PROCEEDINGS OF THE DAY

Proceedings dated 05.05.2025.

Ms. Nikita Mittal, Planning Executive and Sh. Ashish Dubey, Chartered Accountant briefed about the facts of the case.

Sh. Rohit Mehta (AR), Ms. Neelu Goel (AR) and Sh. Anish Dham (AR) are present on behalf of the promoter.

The promoter has not submitted the consent of 2/3rd of the allottees as conveyed in the list of deficiencies. However, vide representation dated 04.04.2025, the promoter has stated that the consent of 2/3rd allottees is unwarranted in the light of the policy dated 25.01.2021 issued by the office of Principal Secretary to Government of Haryana, Town and Country Planning. It is stated that the additional license for the area 1.9375 acres was granted on 16.06.2023 and was thereafter granted final approval in the revised layout plan of the colony on 16.06.2023, in accordance with the policy dated 25.01.2021. Further, the applicable policy in the present matter is the one issued vide the departmental instructions dated 25.01.2021 which governs the procedure for inviting objections and not the phasing policy dated 24.04.2023. It is further stated by the promoter that even in terms of

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clause ii of Para 3.1.2, the requirement of 2/3rd consent of the allottees in respect of the amendment in the layout plan is not required as it reckons not the additional area and ceils it at 5% or 1 acre but reckons the changes limited to an area not exceeding 5% but not exceed 1 acre (sic). So, in cases where change is up to 5% and not exceeding 1 acre of the amended combined layout plan then 2/3rd majority (sic) is not required.

The Authority has considered the representation and finds that there is no merit in the same due to the following reasons:

- i. In the present matter, the promoter has applied for registration of 9.4275 acres which is part of the licensed plotted colony measuring 181.862 acres vide four licenses were issued in favour of M/s DLF Ltd and others, bearing license no. 59 of 2011 dated 28.12.2011, 14 of 2012 dated 27.02.2012, 13 of 2019 dated 06.02.2019 and 130 of 2023 dated 16.05.2023. This application relates to the additional license measuring 1.9375 acres vide no. 130 of 2023 dated 16.05.2023 issued by the DTCP in favour of Sh. Urvesh Chandra in collaboration with M/s DLF Limited as well as 7.49 acres which are the changes from previously approved layout bearing license no. 59 of 2011 measuring 101.218 acres, 14 of 2012 measuring 62.956 acres, 13 of 2019 measuring 16.25 acres making a total of 181.8615 acres in sector- 91& 92, Gurugram. The total applied area is 9.4275 acres which includes additional license area which is 1.9375 acres + 7.49 acres (changes from previously approved layout).
- ii. Section 14(2)(ii) of the Act 2016, lays down as under:
"any other alterations or additions in the sanctioned plans, layout plans and specifications of the buildings or the common areas within the project without the previous written consent of at least two-thirds of the allottees, other than the promoter, who have agreed to take apartments in such building."
- iii. Further, the State Government in the Town and Country Planning Department has issued clarifications with respect to above provisions vide policy guidelines/directions dated 25.01.2021 for the purpose of considering objections / suggestions of the allottees, in fulfilment of the provisions of Section 14(2) of the RERA Act, 2016 as well as the requirements, if any, under the Act of 1975. Further to these guidelines, the State Government issued Policy for phasing in licensed colonies **and seeking 2/3rd consent from the allottees in case of revision in the layout plan /building plan dated 24.04.2023** (emphasis supplied).
- iv. In the present matter, the promoter is seeking not only had the newly licensed area comprising 1.9375 acres in the existing registered portion of the existing colony and further converting the use of existing land. Some of the changes approved in the revised layout plan are as under:
There are areas earlier marked as 'undetermined use'(UD) in the approved layout plan adjacent to additional licensed land and the promoter has converted those UD areas into plots. Further, there are changes in other areas i.e., taxi stand has been shifted from its original location to new location and plots have been planned on that area. The nursing home & STP have also been replanned in the revised layout plan. At some locations, the orientation



of road has also been changed. Due to grant of additional license, other areas have also been affected. There is an area admeasuring 0.3875 acres wherein plots were planned by the promoter and now the same has been delicensed by the promoter. Further as per site status, the promoter has also developed the residential floors on the plots which are planned in revised layout plan.

- v. The present revised layout plan was approved by DTCP on 16.06.2023. The policy dated 24.04.2023 precedes the approval of revised layout. Further, the above policy specifically provides for clarification with respect to seeking 2/3rd consent from the allottees in case of revision in the layout plan /building plan and the same cannot be ignored in the present matter. In terms of clause ii of Para 3.1.2 stated as under:

"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;"

- vi. The area applied for registration is 9.4275 acres which includes additional licensed area comprising 1.9375 acres and 7.49 acres in the previously registered project where changes have been proposed from previously approved layout. The total revision in amended combined layout plan is 7.49 acres that does not exceed 5% of the amended combined layout plan but exceeds 1 acre of the amended combined layout plan. Therefore, 2/3rd consent of allottees is still required in respect of the amendment in the layout plan.

In view of the same, the representation is hereby rejected.

The promoter has failed to rectify the deficiencies pointed out by the Authority to enable the Authority to proceed with the application for registration despite multiple opportunities. Moreover, the validity of license no. 14 of 2012 dated 27.02.2012 comprising 62.956 acres in the project land has also expired. In view of the above, the application for registration is hereby rejected. The promoter may apply once the essential documents including renewal of license and 2/3rd consent have been procured. The processing fee shall be forfeited, while the registration fee shall be adjusted upon receipt of a fresh application for registration under Section 4.

(Ashok Sangwan)
Member, HARERA

(Vijay Kumar Goyal)
Member, HARERA

(Arun Kumar)
Chairman, HARERA

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