

Project - The Residences Three Sixty
RERA-GRG-1396-2023
Hearing brief for registration of Project u/s 4

S.No	Particulars	Details		
1.	Name of the project	The Residences Three Sixty		
2.	Name of the promoter	M/s Capital Heights Pvt. Ltd.		
3.	Nature of the project	Group Housing		
4.	Location of the project	Sector- 70A, Gurugram		
5.	Legal capacity to act as a promoter	Joint Development Right Holder		
6.	Name of the license holder	M/s Haamid Real Estate Pvt. Ltd.		
7.	Status of project	Ongoing		
8.	Whether registration applied for whole	Phase		
	Phase no.	(Not Specified)		
9.	Online application ID	RERA-GRG-PROJ-1396-2022		
10.	License no.	16 of 2009 dated 01.06.2009	Valid upto 28.05.2024	
		73 of 2013 dated 30.07.2013	Valid upto 29.07.2024	
11.	Total licensed area	27.7163 acres	Area to be registered	2.79 acres
12.	Projected completion date	31.12.2025		
13.	QPR Compliances (if applicable)	N/A		
14.	4(2)(I)(D) Compliances (if applicable)	N/A		
15.	Statutory approvals either applied for or obtained prior to registration			
	S.No.	Particulars	Date of approval	Validity upto
	i)	License Approval	16 of 2009 dated 01.06.2009	28.05.2025
			73 of 2013 dated 30.07.2013	29.07.2026
	ii)	Zoning Plan Approval	DGTCP-4021 dated 30.07.2013	
	iii)	Building plan	ZP-545/AD(RA)/2017/1238 dated 27.01.2017	26.01.2022
		Revised building plan	ZP-545-VOL-II/JD(RD)/2021/11918 Dated 18.05.2021	17.05.2026
	iv)	Environmental Clearance	SEIAA/HR/2013/627 dated 04.09.2013	03.09.2023
		Revalidated Environmental Clearance	SEIAA/HR/2021/375 dated 27.04.2022	26.04.2032
	v)	Airport height clearance	AAI/RHQ/NR/ATM/NOC/2014/241 /934-938 dated 24.05.2019	21.07.2022 (Expired)



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	Revalidated Airport clearance height	AAI/RHQ/NR/ATM/NOC/2022/975 /5161-64 dated 14.12.2022	13.12.2030
vi)	Fire scheme approval	DFS/F.A/2015/272/43774 dated 01.08.2015	
vii)	Service plan and estimate approval	LC-1391-B-JE(BR)-2017-10390 dated 18.05.2017	
16.	Fee Details		
	Registration Fee	20,277.577 * 1.75 * 10 = Rs 3,54,858/-	
	Processing Fee	20,277.577 * 10 = Rs 2,02,776/-	
	Late Fee	500% of registration fee 3,54,858 * 5 = Rs 17,74,290/-	
	Total Fee	Rs 23,21,924/-	
17.	DD amount	Rs 1,78,473/- Rs 89,237/- Rs 7,58,471/- Rs 12,95,743/-	
	DD no. and date	002609 dated 01.07.2023. 002610 dated 01.07.2023. 002704 dated 16.10.2023. 346275 dated 08.05.2024	
	Name of the bank issuing	HDFC Bank Kotak Mahindra Bank	
	Deficient amount	-	
18.	File Status	Date	
	File received on	03.07.2023	
	First notice Sent on	19.07.2023	
	First hearing on	24.07.2023	
	Second hearing on	11.12.2023	
	Third hearing on	15.01.2024	
	Fourth hearing on	19.02.2024	
	Fifth hearing on	04.03.2024	
	Sixth hearing on	08.04.2024	
	Seventh hearing on	29.04.2024	
	Eighth hearing on	20.05.2024	
	Ninth hearing on	10.06.2024	
	Tenth hearing on	02.12.2024	
19.	Case History: The Promoter M/s Capital Heights Pvt. Ltd. who is a joint development holder applied for the registration of real estate group housing colony namely "The Residences Three Sixty" located at		

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Sector-70A, Gurugram under section 4 of the Real Estate (Regulations and Development) Act, 2016 vide central receipt no. 55075 dated 03.07.2023 and RPIN- 633. The Temp I.D. of REP – I (Part A-H) is RERA -GRG-PROJ-1396-2023. The project area for registration is 1.26 acres and the licensed area is 27.7163 acres granted under License no – 16 of 2009 dated 01.06.2009 which is valid upto 28.05.2024 and 73 of 2013 dated 30.07.2023 which is valid upto 29.07.2024.

DTCP, Haryana had issued the final joint development and marketing rights in favour of Capital Heights Pvt Ltd, Classic Infrasolutions Pvt Ltd, M3M India Pvt Ltd and Advance India Projects Pvt Ltd. vide memo no. LC-1391-III/JE(DS)/2023/14921 dated 17.05.2023.

The present application pertains to registration of 1.26 acres out of 2.79 acres (Applicant share) out of total license land i.e., 27.7163 acres. The application for registration of group housing colony was scrutinized and 1st deficiency notice vide notice no. HARERA/GGM/RPIN/633 dated 19.07.2023 was issued to the promoter with an opportunity of being heard on 24.07.2023.

On 24.07.2023, Sh. Ashish Kush, Planning Executive and Ms. Asha, Chartered Accountant briefed about the facts of the case.

No reply has been submitted by the promoter company against the deficiencies raised by the Authority till date. In view of the same the matter is adjourned, and the next date of hearing will be conveyed after the submission of reply of deficiencies already conveyed through notice.

It is found that the Environment Clearance of the project has also expired on 03.09.2023.

The promoter has submitted a reply on 08.09.2023 which was scrutinized and the remaining deficiencies were conveyed to the promoter.

On 11.12.2023, Sh. Ashish Kush, Planning Executive and Ms. Asha, Chartered Accountant briefed about the facts of the case. Sh. Pramod (AR) and Ms. Hima Kathuria (AR) are present on behalf of the promoter. The AR of the promoter requests for four weeks' time for submission of deficit fee along with other deficit documents. However, is noticed that the total area of BIP/COD in favor of the applicant promoter is 2.79 acres and the promoter had applied only for the area i.e., 1.26 acres. The AR of the promoter stated that they had obtained the OC for the balance area in 2018 only. Therefore, the Authority directed the promoter to apply for the whole area as per BIP/COD i.e., 2.79 acres and to submit the requisite fee along with the other deficiencies as per whole area i.e., 2.79 acres. The matter to come up on 15.01.2024 for further proceedings.

The promoter has submitted a reply on 10.01.2024 which was scrutinized and the remaining deficiencies were conveyed to the promoter.

On 15.01.2024, Sh. Ashish Kush, Planning Executive and Sh. M.L. Sardana, Accountant briefed about the facts of the case. Sh. Pramod Kumar (AR) and Ms. Hima Kashyap (AR) are present on behalf of the promoter. Further in compliance to earlier proceedings, the promoter has deposited the requisite fee in respect of applied area only while the promoter is required to make application along with fee for the area 2.79 acres as per BIP permission along with other deficit documents. One more opportunity is being given to the applicant promoter to comply and to submit the deficit fee and documents within four weeks. Further it is observed that the above project is part of a licensed colony measuring 27.7163 acres granted to M/s Haamid Real Estate Pvt. Ltd. and office to examine and put up the details of area already registered under above licensed colony and to

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initiate necessary action if any area remains either unregistered or unapplied for registration. The matter to come up on 19.02.2024.

On 19.02.2024, Sh. Ashish Kush, Planning Executive and Sh. Ashish Dubey, Chartered Accountant briefed about the facts of the case. Sh. Pramod Kumar and Sh. Bhim Singh are present on behalf of the promoter. The AR of the promoter states that reply to the deficiencies was submitted on 16.02.2024 and only a few deficiencies are left to be rectified. He further stated that the application has been revised for the complete area of 2.79 Acres. The rest of the deficiencies shall be removed within the next two weeks. The matter to come up on 04.03.2024.

The promoter has submitted a reply on 16.02.2024 which was scrutinized and the status of the documents is mentioned below:

As per proceedings dated 19.02.2024, the promoter has not submitted the DPI for the complete area. Hence the balance fee cannot be calculated.

On 04.03.2024, Sh. Ashish Kush, Planning Executive briefed about the facts of the case. None is present on behalf of the promoter. One more and last opportunity is being granted to the applicant promoter to rectify the above deficiencies and to attend personal hearing failing which the matter shall be decided on basis of fact available on file. The matter to come up on 08.04.2024.

No reply received since the last hearing i.e. 04.03.2024.

On 08.04.2024, Ms. Deepika (Planning Executive) and Sh. Ashish Dubey (Chartered Accountant) briefed about the facts of the case. Sh. Pramod Kumar (AR) and Sh. Bhim (AR) are present on behalf of the promoter and states that reply to the deficiency notice has been submitted today. The same be examined by office. The matter to come up on 29.04.2024.

The promoter has submitted a reply on 08.04.2024 which was scrutinized and the remaining deficiencies were conveyed to the promoter.

On 29.04.2024, Sh. Ashish Kush, Planning Executive and Ms. Suruchi Pandey, Chartered Accountant briefed about the facts of the case. None of the director/CEO/Project-Incharge is present on behalf of the promoter except Sh. Pramod Kumar, a clerk carrying the Board Resolution who has no idea about the project. 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.

On 20.05.2024, Sh. Ashish Kush, Planning Executive and Ms. Suruchi Pandey, Chartered Accountant briefed about the facts of the case. S/Shri Hima Kashyap, BB Sahu and Pramod Kumar are present on behalf of the promoter and state that they had applied for renewal of license. One more opportunity is being given to the promoter to rectify the deficiencies. The matter to come up on 10.06.2024.

The promoter has submitted a reply on 16.05.2024 which was scrutinized and the status of documents is mentioned below:

The fee is calculated on the whole applied area as per the BIP Permission. The fee calculation is mentioned above and deficit fee comes out to be Rs 12,95,743/-.

It is noticed that the license no. 16 of 2009 has been expired on 28.05.2024.

On 10.06.2024, Ms. Nikita Mittal, Planning Executive and Ms. Suruchi Pandey, Chartered Accountant briefed about the facts of the case. Sh. Pramod Kumar (AR) and Sh. B.B. Sahu (AR) are present on behalf of the promoter. The AR of the promoter seeks four weeks' time to submit renewed license along with other deficit documents. The same is allowed.

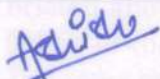
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	<p>The matter to come up on 15.07.2024.</p> <p>On 15.07.2024, The matter is adjourned and to come up on 09.09.2024.</p> <p>On 09.09.2024, The matter is adjourned and to come up on 04.11.2024.</p> <p>It is noticed that the license no. 73 of 2013 has been expired on 29.07.2024.</p> <p>On 04.11.2024, The matter is adjourned and to come up on 02.12.2024.</p>		
<p>20.</p>	<table border="1"> <tr> <td data-bbox="228 678 619 2004"> <p>Present compliance status as on 02.12.2024 of deficient documents conveyed in hearing dated 10.06.2024.</p> </td><td data-bbox="619 678 1508 2004"> <ol style="list-style-type: none"> Deficit Fee – Rs 12,95,743/- Status: Submitted. The phase for which registration applied is not clearly shown/mentioned in Plan drawings/ DPI. Status: Submitted. 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: Not Submitted. Online DPI needs to be corrected. Status: Submitted but needs to be revised. License no. 16 of 2009 expired on 28.05.2024. Status: Renewal of license submitted. License no. 73 of 2013 expired on 29.07.2024. Status: Renewal of license submitted. Approval NOCs from the various agencies for connecting external services like roads needs to be submitted. Status: Submitted. Mining permission needs to be submitted. Status: The promoter stated that the excavation was already carried out by the landowner. Hence, it is not required. Pert Chart needs to be revised. Status: Submitted Quarterly schedule of estimated sources needs to be revised. Status: Submitted. Project report needs to be revised. Status: Submitted. Cash flow statement need to be revised. Status: Submitted. Financial resources need to be met with project cost. Financial resources need to be filled in the DPI needs to be revised. Status: Submitted. Other in loan and advances under financial resources needs to be clarified. Status: Submitted. </td></tr> </table>	<p>Present compliance status as on 02.12.2024 of deficient documents conveyed in hearing dated 10.06.2024.</p>	<ol style="list-style-type: none"> Deficit Fee – Rs 12,95,743/- Status: Submitted. The phase for which registration applied is not clearly shown/mentioned in Plan drawings/ DPI. Status: Submitted. 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: Not Submitted. Online DPI needs to be corrected. Status: Submitted but needs to be revised. License no. 16 of 2009 expired on 28.05.2024. Status: Renewal of license submitted. License no. 73 of 2013 expired on 29.07.2024. Status: Renewal of license submitted. Approval NOCs from the various agencies for connecting external services like roads needs to be submitted. Status: Submitted. Mining permission needs to be submitted. Status: The promoter stated that the excavation was already carried out by the landowner. Hence, it is not required. Pert Chart needs to be revised. Status: Submitted Quarterly schedule of estimated sources needs to be revised. Status: Submitted. Project report needs to be revised. Status: Submitted. Cash flow statement need to be revised. Status: Submitted. Financial resources need to be met with project cost. Financial resources need to be filled in the DPI needs to be revised. Status: Submitted. Other in loan and advances under financial resources needs to be clarified. Status: Submitted.
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		15. CA certificate for cost incurred and to be incurred needs to be revised. Status: Submitted.
		16. CA certificate for REP I needs to be submitted. Status: Submitted.
21.	Remarks	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. 2. Online DPI needs to be revised. 3. Mining permission needs to be submitted. Status: The promoter stated that the excavation was already carried out by the landowner. Hence, it is not required.

Recommendations: The application submitted by the promoter for registration of real estate project under section 4 of the Act of 2016 as per details given above is complete and all the requisite documents as required u/s 4 of Act of 2016 and Haryana Rules, 2017 have been submitted and found to be in order except A to H and DPI. It is recommended that the Authority may consider the grant of registration subject to the submission of above.



Ashish Dubey
Chartered Accountant



Nikita Mittal
Planning Executive

Day and Date of hearing

Monday and 02.12.2024

Proceeding recorded by

Ram Niwas

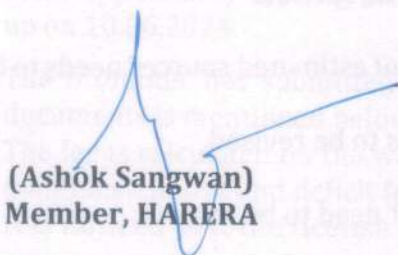
PROCEEDINGS OF THE DAY

Proceeding dated: 02.12.2024.

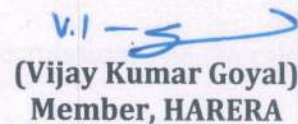
Ms. Nikita Mittal, Planning Executive and Sh. Ashish Dubey, Chartered Accountant briefed about the facts of the case.

Sh. Pramod Kumar (AR), Sh. B.B. Sahu (AR) and Ms. Hima Kashyap (AR) are present on behalf of the promoter.

Approved as proposed.



(Ashok Sangwan)
Member, HARERA



(Vijay Kumar Goyal)
Member, HARERA



(Arun Kumar)
Chairman, HARERA