

STRICTLY CONFIDENTIAL

**Final Proposal - Development Plan with the clarifications**

*DATED 05<sup>th</sup> March, 2021*

**With the required clarifications on some points in the  
meeting held in**

**RERA UP, Lucknow Office**

**Dated 05/03/2021**

IN RELATION TO PROJECT

Plumeria Homes Project

Undertaken by

**Plumeria Resident Welfare Association**

**(Registration No. 2852)**

SUBMITTED TO

Secretary

UP RERA

Prepared by

**Plumeria Resident Welfare Association**

**(Registration No. 2852)**

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## PROPOSAL - DEVELOPMENT PLAN

(Under Section 8 of the Real Estate (Development and Regulation) Act, 2016) and Uttar Pradesh Real Estate (Development and Regulation) Rules, 2017

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### PART I – GENERAL OVERVIEW

#### PREAMBLE

This Proposal and development plan (“Development Plan”) under Section 8 of Real Estate (Development and Regulation) Act, 2016) and Uttar Pradesh Real Estate (Development and Regulation) Rules, 2017 (“RERA Act and Rules”) and in view of order passed by the Honble UP RERA in the matter of ‘Sampada Livia’ dated 06.06.2020 bearing No.51/U.P. RERA / Rehabilitation / Project / PMS / NCR / 2020-21, is being presented by Plumeria Resident Welfare Association (Registration No. 2852) (hereinafter referred to as the “PRWA”) with the sole objective of completing the balance development works in the commercial and group housing complex under the name and style of Plumeria Homes at Vibhuti Khand, Gomti Nagar Scheme, Lucknow, Uttar Pradesh (hereinafter referred to as “Plumeria Homes Project”).

The Development Plan submitted by PRWA is based upon the list of pending works and other points finalized in the meeting held on 20.04.2019 between Lucknow Development Authority (LDA) and PRWA chaired by Vice Chairman, LDA. In the event of any change in the assumptions and / or denial of any of the reliefs requested, this Development Plan shall be suitably modified.

This present Development Plan is being submitted as a draft to the Chairman, UP RERA authority (“UP RERA”) for their approval.

### PART II – GENERAL OVERVIEW

#### A. OVERVIEW OF PLUMERIA HOMES PROJECT

1. Andes Town Planners Private Limited (hereinafter referred to as “ATPPL”) is a private limited company and its primary business is development of residential and commercial complexes.

2. ATPPL was carrying out the development of the Plumeria Homes Project on a freehold plot admeasuring 73018.74 square meters bearing Plot No.TCG-3/3 situated at Vibhuti Khand, Gomti Nagar Scheme, Lucknow bounded as under:

East: 60 meter wide road

West: TCG-2 & TCG -5

North: 30 meter wide road and part boundary

South: 30 meter wide road

(hereinafter referred to as “said Land”).

**3. The sanctioned plans in respect of the Plumeria Homes Project were further revised for incorporating the construction of a new tower which has been approved by the sanctioning authority vide Permit No. 38264 on 02.06.2015.**

**Clarification:**

*The above para will be read as-*

**The sanctioned plans in respect of the Plumeria Homes Project were further revised for incorporating the construction of a new tower known as Stylus (Ananta) which has been approved by the sanctioning authority vide Permit No. 38264 on 02.06.2015.**

4. The development of entire Plumeria Homes Project has come to a standstill. Certain orders have been passed by UP RERA in respect of the Plumeria Homes Project including order dated 07.06.2019 in the matter of Anju Gupta and Others vs Andes Town Planners Private Limited.
5. The details of the current status of Plumeria Homes Project is provided as under:
- i. **Plumeria Homes Project (comprises inter-alia of a total of 16 (sixteen) residential towers being Towers A, B, C D, E, F, G, H, J, K, L, M, N, R, S and T), 1 (one) commercial tower under the name of “Rohtas Summit”, 2 (two) towers P & Q and one residential tower under the name of Stylus.**

**Clarification:**

*The above para will be now read as-*

Plumeria Homes Project (comprises inter-alia of a total of 16 (sixteen) residential towers being Towers A, B, C D, E, F, G, H, J, K, L, M, N, R, S and T), 1 (one) commercial tower under the name of “Rohtas Summit”, 2 (two) towers P & Q and one residential tower under the name of Stylus.

In this context this is important to note here that Q tower has been purchased by Satya Residency for rebuilding it as commercial tower after completing the necessary formalities from the government authorities, subject to the approval of the allottees of the Rohtas Plumeria Homes under the rules.

P tower is residential and can be used as commercial tower after taking the approval from all the allottees of P tower and the necessary approval from the government authorities subject to the approval of the allottees of the Rohtas Plumeria Homes under the rules.

- ii. Construction of residential towers is already completed and possession has been delivered to the allottees (except Tower ‘L’ and Tower ‘N’ and some other flats situated in different towers) however certain works are pending as per list of pending works and other points finalized in the meeting held on 20.04.2019 between LDA and PRWA chaired by Vice Chairman, LDA;
- iii. Construction of 1 (one) commercial tower under the name and style of “Rohtas Summit” is already completed and completion certificate for the said commercial tower has already been received;
- iv. Work of the 15<sup>th</sup> Floor in Towers ‘L’ & ‘N’ is partially complete. Finishing work and construction of water tank and machine rooms on the terrace is to be carried out in these 2 (two) towers;
- v. Civil structure of tower ‘P’ is partially complete and it has a total of 60 (sixty) allottees;
- vi. **Civil structure of Tower ‘Q’ is partially complete. The usage of said tower has been converted from residential to commercial vide sanction letter dated 04.02.2019. Satya Residency is the single owner of Tower ‘Q’ via a sale deed;**

The above para will be now read as-

*Civil structure of Tower ‘O’ is partially complete. The usage of said tower has been converted from residential to commercial vide sanction letter dated 04.02.2019. Satya Residency is the single owner of Tower ‘O’ via a sale deed, subject to the No objection certificate from the allottees of the Rohtas Plumeria Homes.*

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### PART III

#### DEVELOPMENT PLAN

##### A. ARRANGEMENT FOR UNDERTAKING PRWA PENDING WORKS IN PLUMERIA HOMES PROJECT

1. Works in Plumeria Homes Project
  - i. Completion of PRWA pending works as more clearly elaborated in the detailed project report (DPR) attached herewith as Annexure-1 (“DPR”) which works have been reviewed and confirmed by PRWA. Completion of PRWA pending works to be confirmed by a monitoring committee of the LDA and RERA.
  - ii. PRWA pending works to be completed as per DPR within a period of 9 (nine) to 12 (twelve) months from the date of grant of UP RERA approval.
  - iii. **Amounts due from the existing allottees, owners and occupants of the 16 (Sixteen) residential towers including Tower ‘L’ and Tower ‘N’ in Plumeria Homes Project (“Dues from Plumeria Homes Allottees”) to be recovered and to be utilized through an escrow account for completing the Plumeria Homes Project pending works as per DPR & PRWA Pending Works List.**

*The above para will be now read as-*

*Amounts due from the existing allottees, owners and occupants of the 16 (Sixteen) residential towers including Tower ‘L’ and Tower ‘N’ in Plumeria Homes Project (“Dues from Plumeria Homes Allottees”) to be recovered and to be utilized through an escrow*

account for completing the Plumeria Homes Project pending works as per DPR & PRWA Pending Works List.

Here allottees, owners and occupants are understood as-

Allottees- Residents who have been allotted the flats

Owners- Residents who have formalised their sale deed ( Registration) but not living in Rohtas Plumeria Homes.

Occupants- Residents who have formalised their sale deed ( Registration) and also living in Rohtas Plumeria Homes.

- iv. PRWA proposes to carry out the above mentioned works through an agreement which will be done between developer and PRWA after receiving of order from RERA.

The above para will be now read as-

PRWA proposes to carry out the above mentioned works through an agreement which will be done between developer and PRWA after receiving of order from RERA.

In this context, this is important to mention that the selection of the developer will be done by a transparent process.

## 2. Roles and Responsibilities of PRWA

- i. PRWA will nominate a team (who shall be office bearers of the managing committee of the PRWA) who shall extend in a time bound manner all requisite assistance and cooperation as may be required for completion of PRWA pending works.
- ii. As and when required, PRWA shall grant requisite authorizations as may be required for preparing, filing and obtaining necessary approvals and permissions and to represent before the concerned government authorities for carrying out works.

**The above para will be now read as-**

**As and when required, PRWA shall obtain requisite authorizations as may be required for preparing, filing and obtaining necessary approvals and permissions and to represent before the concerned government authorities for carrying out works.**

- iii. **PRWA shall provide all requisite assistance and co-operation for collection of up to-date data in respect of the Dues from Plumeria Homes Allottees, which will be recovered by developer in an escrow account designated for the same and will be used in the development of Plumeria Homes Project.**

**The above para will be now read as-**

**PRWA will ensure collection of up to-date data in respect of the Dues from Plumeria Homes Allottees, which will be recovered by developer in an escrow account designated for the same and will be used in the development of Plumeria Homes Project.**

3. PRWA Confirms that the pending works mentioned under the DPR attached herewith is almost complete and any necessary work will be added later.

**B. ARRANGEMENT FOR OTHER DEVELOPMENT**

1. PRWA confirms that it has no objection to the proposed development of Tower 'Q' as single commercial development by utilizing current FAR and any additional purchasable FAR. PRWA also confirms that it has no objection in proposed development of tower P & Q together subject to approval by all 60 allottees of tower P after settlement of their claims with the developer subject to the condition that the developer will complete the entire works in Plumeria homes project as per DPR enclosed by spending his own funds irrespective of collection of dues from allottees of Plumeria homes project, handing over of complete IFMS amount paid to ATPPL @40/sq.ft. of super area sold as mentioned in DPR & settlement of double mortgage of all flats fraudulently done by ATPPL.
2. The tentative plan for segregation of residential towers and commercial area will be submitted once finalized.



C. ASSISTANCE FROM UP RERA

1. UP RERA may kindly pass requisite orders in respect of the following:

- i. **Authorize someone in respect of execution of balance conveyance deeds of flats in the residential towers in Plumeria Homes Project in favour of the allottees.**

**The above para will be now read as-**

**Authorize someone in respect of execution of balance conveyance deeds of flats in the residential towers in Plumeria Homes Project in favour of the allottees after the completion of the project.**

- ii. **Settlement of mortgage issues of flats which are mortgaged by ATPPL in the residential towers in Plumeria Homes Project and procuring NOC from DHFL.**

**The above para will be now read as-**

**Settlement of mortgage issues of flats which are mortgaged by ATPPL in the residential towers in Plumeria Homes Project and procuring NOC from DHFL and double mortgage.**

- iii. Grant of, renewal and extension of all requisite permissions and approvals by the competent authorities in respect of Plumeria Homes Project and other components / areas being developed including but not limited to sanction building plans, permissions, approvals, NOC etc. from Fire department, Water department, Sewer department, Electricity department, Lifts, LDA and other competent authorities / departments, etc.
- iv. To appoint a monitoring committee of LDA and RERA to supervise and certify the PRWA pending works and confirm its completion.

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PART IV GENERAL

TERMS

A. MODIFICATION OF THIS DEVELOPMENT PLAN:

The area chart, layout plan, figures and financials in the DPR have been prepared basis the information available, and therefore the same is estimated and tentative, and the same may undergo changes basis further information that comes to the knowledge.