

Promoter Name **M/s Ashiana Dwellings Pvt Ltd**
 Project Name **Ashiana Mulberry Phase 1**

PROJECT HEARING BRIEF

S. No.	Particulars	Details	
1.	Name of the project	Ashiana Mulberry Phase-1-Group Housing project	
2.	Location of the project	Sector -2, Sohna, District-Gurugram, Haryana	
3.	Name of the promotor	M/s Ashiana Dwellings Pvt. Ltd.	
4.	Nature of the project	Group Housing Colony	
5.	Legal capacity	Licensee	
6.	Date of receipt of application	14.01.2021	
7.	Registration No.	44 of 2017	
8.	Validity of Registration Certificate	Valid From 11.08.2017	Valid Up to 30.06.2020+6 months for covid 19 =30.12.2020
9.	Extension applied till	31.12.2021	
10.	Whether project registered as whole or in phases	In Phases	
11.	License no.	16 of 2014	Valid upto 09.06.2026
12.	Total license area	10.25 Acres	Area to be registered 3.15 Acres
13.	Statutory approvals either applied for or obtained prior to registration.		
		Date of approval	Validity up to
i.	License Approval	10.06.2014	09.06.2026
ii.	Zoning Plan Approval	09.02.2015	
iii.	Building Plan	26.03.2015	25.03.2025
iv.	Revalidation of building plan	For Tower A1 to A4, B1, B2, C1 to C4, EWS For Community building, convenient shopping	25.03.2025 25.03.2021 (Expired)



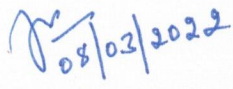
v.	Environmental Clearance	22.01.2016	21.01.2023
vi.	Airport height clearance	08.01.2020	01.01.2023
vii.	Service plan and estimate approval	02.08.2017 Revised service estimates and plans not submitted.	
14.	Date of commencement of project	15.06.2016	
15.	RC Compliances (if any)/ OC received (if any)	N/A	
16.	Present stage of completion (%)	In terms of physical progress and infrastructure development, there is only 70% and 40% work is done.	
17.	Total Project cost	15247 lakhs Land cost-1927 Lakhs	
18.	Project expenditure so far	12260 lakhs	
19.	Estimated expenditure for completion so far	1517 lakhs	
20.	Details of units	Total Units- 228(Sold units-168 and unsold units-60)	
21.	Reasons for delay	<ol style="list-style-type: none"> 1. Effect of Covid-19 Pandemic. 2. Lack of infrastructure by HUDA. 3. Construction of Sohna Elevated Highway. 4. Time to time ban/stoppage of construction during 2017,2018,2019 and 2020 by NGT/ Supreme court. 5. Macro-Economic Slowdown. 6. NBVFC Liquidity Crisis. 	
22.	File Status	Date	
	1 st deficiency notice sent on	01.02.2021	
	1 st Hearing	22.02.2021	
	1 st Reply	19.02.2021	
	2 nd Hearing	24.03.2021	
	3 rd Hearing	12.04.2021	
	4 th Hearing	17.05.2021	
	5 th Hearing	06.09.2021	
	6 th Hearing	20.09.2021	
	7 th Hearing	26.10.2021	



	8th Hearing	28.10.2021
	9th Hearing	16.11.2021
	10th Hearing	07.12.2021
	11th Hearing	14.12.2021
23.	Project Summary <p>An application regarding extension of registration of group housing colony project namely "Ashiana Mulberry Phase 1" situated at sector 2, Sohna, Gurugram being developed by M/s Ashiana Dwellings Pvt Ltd was submitted on 14.01.2021 under section 6 of Real Estate (Regulation and Development), Act 2016.</p> <p>License no. 16 of 2014 was issued in favour of M/s PSL Infratech Pvt Ltd for an area admeasuring 10.25 acres.</p> <p>Vide order no. LC-2817-JE(VA)/2015/9498 dated 06.06.2015, DTCP Haryana, has granted permission for change of developer from PSL Infratech Pvt Ltd to M/s Ashiana Dwellings Pvt Ltd in license no. 16 of 2014.</p> <p>Total licensed area of the project is 10.25 acres which is divided into 3 phases which are as follows:</p> <ol style="list-style-type: none">1. Phase 1 area admeasuring 3.15 acres registered vide RC No. 44 of 2017 dated 11.08.2017 for tower 1, 2, 3 and EWS2. Phase 2 area admeasuring 2.82 acres registered vide RC No. RC/REP/HARERA/GGM/2018/22 dated 23.10.2018 FOR TOWER 4, 5 and 6.3. Phase 3 area admeasuring 4.28 acres to be developed in future. (to be applied for registration) <p>The application for extension of registration was scrutinized by the authority and deficiencies were noticed, which were conveyed to the promoter vide notice no. HARERA/GGM/REP/RC/44/2017/EXT/291/2021 dated 01.02.2021 with directions to remove the deficiencies within 15 days. Also, an opportunity of online hearing was offered on 22.02.2024 at 03:00 pm in the office of HARERA, Gurugram.</p> <p>In reference to 1st deficiency notice, the promoter had submitted the reply on 19.02.2021 which was scrutinized and found that there were still deficit documents which needs to be submitted by the promoter.</p> <p>On 22.02.2021, hearing adjourned for 24.03.2021.</p> <p>On 24.03.2021, the case was examined and it was noticed that the license for group housing is valid only upto 9.6.2021 and hence extension upto the license validity period can only be considered after completion of the following deficiencies:</p> <ol style="list-style-type: none">1. The details of financial progress in REP V form does not match with REP I (A to H Part C) and expenditure upto date of registration needs to be filled correctly2. Audit Report under section 4(2)(I)(D) needs to be provided.	

	<p>3. Quarterly Progress reports upto 31.12.2020 needs to be provided.</p> <p>4. Correction in form REP I (A to H) needs to be done. Delay possession charges shall be paid by the promoter to the concerned allottee as per section 18 of RERA Act.</p> <p>The project is to be developed in phases and approval as per section 4(C) be obtained along with renewal of license beyond its validity period and upto proposed extension. Matter fixed for 12.04.2021.</p> <p>On 12.04.2021, no one is present on behalf of the promoter. Deficiencies in the application for grant of extension of registration were conveyed to the promoter on 01.02.2021. The reply was submitted by the promoter on 19.2.2021. Still there were certain deficit documents. Two personal hearing had also been given to the promoter on 22.02.2021 and 24.03.2021. The promoter was granted a further opportunity of 30 days to rectify the defects otherwise the application for grant of extension of registration shall be rejected. The promoter was given an opportunity of being heard in the matter on 17.05.2021</p> <p>On 17.05.2021, due to Covid-19 pandemic, authority meeting could not be held. Authority decided to fix the matter on 06.09.2021.</p> <p>On 06.09.2021, the AR of the promoter requested a week's time for attending deficiencies and for filling up DPI online. Registration of Phase-III is to be done. The matter to come up on 20.09.2021.</p> <p>On 20.09.2021, matter adjourned for 26.10.2021.</p> <p>On 26.10.2021, matter adjourned for 28.10.2021.</p> <p>On 28.10.2021, none of the representative of the promoter was present. The Authority decided to adjourn the matter to 16.11.2021.</p> <p>On 16.11.2021, the promoter submitted that they have applied for the renewal of license which has been approved by the DTCP Haryana and the same will be received within a week. The promoter was directed to submit the PDF print of online information within a week along with other deficit documents. The matter to come up on 7.12.2021</p> <p>On 07.12.2021, matter adjourned for 14.12.2021.</p> <p>On 14.12.2021, matter adjourned for 08.03.2022.</p> <p>As on today, the promoter has not submitted the deficit documents which are mentioned below:</p>
24.	<p>Deficit documents</p> <p>1. Copy of renewal of building plan for community building convenient shopping not submitted. Status: not submitted.</p> <p>2. Details of Financial Progress in REP-V form not matched with the REP-I (A to H) Part-C. Expenditure up to the date of registration needs to be filled correctly.</p> <p>3. Corrections in form REP-I (A-H) needs to be done.</p> <p>4. Audit report under section 4(2)(I)(D) needs to be provided.</p>



	<p>Status: As per Audit report under section 4(2)(I)(D) percentage of completion till 31.03.2020 is 94.98% however withdrawal certificate issued by the chartered accountant as on dated 17/02/2021 percentage of completion is 80%. Variance needs to be justify.</p> <p>5. Quarterly progress report upto 31.12.2020 needs to be submitted.</p> <p>Status: As per record of the authority promoter has submitted the QPR for only 2 quarter i.e., June 2019 and Sept 2019.</p> <p style="text-align: right;"> 08/03/2022 Planning Coordinator</p>
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Day and Date of hearing	Tuesday and 08.03.2022
Proceeding recorded by	Ram Niwas

PROCEEDINGS OF THE DAY 12th deficiency hearing 08.03.2022

Proceedings dated: 08.03.2022

Ms. Jyoti Yadav, Coordinator, Planning Branch briefed the facts of the project.


Shri Ram phal Yadav, AGM-Admin present on behalf of the promoter.

The promoter has submitted an application for grant of extension upto 31.12.2021 which was submitted on 01.02.2021. The registration of the above project was valid upto 30.06.2020 and by allowing extension of 6 months due to COVID-19, the registration could be considered valid upto 30.12.2020 only. The section 6 of 2016 Act provides a maximum extension of one year which could be granted upto 30.12.2021 only. Although, the period applied for extension and admissibility of extension under section 6 was expired on 30.12.2021.

Under section 6(3) there is no provision to grant extension beyond one year but keeping in view the interest of allottees for completion of the project, the promoter is advised to apply for registration to remain in force under section 7(3) of the Act, 2016 within 2 weeks and matter to come up on 30.03.2022.

The promoter is also directed to apply for the registration of the remaining unregistered area or if project is to be developed in phases, then approval of phasing as per section 4(c) be obtained.


Vijay Kumar Goyal
Member, HARERA, Gurugram


Dr. Krishana Kumar Khandelwal
Chairman, HARERA, Gurugram