



Project hearing brief

SN	Particulars	Details	
1.	Name of the project	Westerlies Phase 2	
2.	Name of the promotor	M/s Experion Developers Pvt Ltd	
3.	Nature of the project	Plotted Colony	
4.	Location of the project	Sector 108, Gurugram	
5.	Legal capacity	Collaborator	
6.	Name of the license holder	Experion Realty Pvt Ltd, Experion Real Estate Developers Pvt Ltd, Moksha Buildtech Pvt Ltd and 8 others	
7.	Name of the Collaborator	M/s Experion Developers Pvt Ltd	
8.	Status of project	Ongoing	
9.	Whether registration applied for whole/ phase	Phases	
10.	Online application ID	RERA-GRG-PROJ-795-2021	
11.	License no.	57 of 2013 dated 11.07.2013	
			Valid upto 10.07.2024
12.	Total licensed area	100.48125 Acres	Area to be registered 44.178 Acres
13.	Statutory approvals either applied for or obtained prior to registration		
	i)	License Approval	Date of approval
			57 of 2013 dated 11.07.2013
			Validity upto 10.07.2024
	ii)	Zoning Plan Approval	28.10.2015
	iii)	Layout plan Approval	11.07.2013
	iv)	Environmental Clearance	NA
	v)	Fire scheme approval	NA
	vi)	Service plan and estimate approval	26.02.2014
14.	File Status	Date	
	Project received on	05.03.2021	
	1 st deficiency notice sent on	12.03.2021	
	1 st hearing on	30.03.2021	
	2 nd hearing on	26.04.2021	
	Reply submitted on	26.04.2021	
15.	Present stage of completion for ongoing projects (%)	Ongoing	
16.	(sold units - in case of ongoing/ unsold units)	172 plots (40 NPPL plots, 11 EWS plots)	

17. Detail of encumbrances	Non encumbrance certificate submitted.
18. Project Summary	<p>An application regarding registration of plotted colony project namely "Westerlies Phase 2" situated at sector 108, Gurugram being developed by M/s Experion Developers Pvt Ltd was submitted on 05.03.2021 under section 4 of Real Estate (Regulation and Development), Act 2016. License no. 57 of 2013 dated 11.07.2013 valid upto 10.07.2024 on an area admeasuring 100.48125 acres was issued in favor of Experion Realty Pvt Ltd, Experion Real Estate Developers Pvt Ltd, Moksha Buildtech Pvt Ltd and 8 others in collaboration with M/as Experion Developers Pvt Ltd. Total licensed area is divided into 3 phases which is as follows:</p> <ol style="list-style-type: none"> 1. Phase 1 area admeasuring 46.257 acres and part completion certificate obtained on 31.07.2017. 2. Phase 2 area admeasuring 44.178 acres and part completion certificate obtained on 22.03.2018. 3. Phase 3 area admeasuring 10.4625 acres and registration certificate obtained vide RC no. 67 of 2019. <p>The remaining unregistered area is 90.435 acres out of which application for 44.178 acres was applied by the promoter on 05.03.2021.</p> <p>After the scrutiny of the application, deficiencies were noticed, which were conveyed to the promoter vide notice no. HARERA/GGM/RPIN/308 dated 12.03.2021 with directions to remove the deficiencies latest by 25.03.2021 failing which their application may be rejected following the due procedure as provided under section-5 of the Real Estate Regulation and development) Act 2016 and Rule-5 of the Haryana Real Estate (Regulation and Development) Rules, 2017. Also, an opportunity of hearing was given on 30.03.2021. In reference to the notice dated 12.03.2021, the promoter had not submitted the reply of deficiencies and requested for extension of time for the submission of the deficit documents. Also, in the hearing it was found that out of total license area of 100.48 acres, the part completion certificate for 46.257 acres was obtained on 31.07.2017 which was two days after coming into operation of the HARERA Rules, 2017 and hence a view was taken in the Authority to not insist on registration of this phase with a condition that the developer get registered the entire remaining area of the colony. The developer has now applied for registration of 44.178 acres of land, but it was noted that as per latest orders of the Hon'ble High Court in case of appeal no 52 of 2018, the developer is required to seek registration for the entire project and hence the promoter was advised to apply for the same accordingly. Matter was fixed for 26.04.2021.</p> <p>On 26.04.2021, the promoter has submitted some documents and reply to the deficiencies at the time of hearing. Office decided to examine the reply and submit before the Authority before next date of hearing on 03.05.2021. The reply was scrutinized by the authority and found that there were few deficiencies which is still not fulfilled by the promoter which are mentioned below in point 20. These deficiencies are conveyed to the promoter vide email dated 28.05.2021.</p>
19.	<p>As per the reply submitted by the promoter on 26.04.2021, the documents which are submitted by the promoter are as follows:</p> <ol style="list-style-type: none"> 1. Part J needs to be revised in the DPI. Status: revised DPI submitted. <p>Part-B-Statutory Approvals</p> <ol style="list-style-type: none"> 2. Copy of HUDA construction water NOC not submitted. Status: submitted

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3. Details of all the community facilities which shall be handed over to the RWA or competent authority and to be constructed by the promoter itself and not forming part of basic sale price needs to be provided.

Status: revised DPI submitted.

Part-E-Project Cost/sale Proceeds

4. Cost Internal Development work for the phase to be registered needs to be provided according to the service estimates.

Status: revised DPI submitted.

5. Saleable area of the project needs to be clarified.

Status: revised DPI submitted.

6. Financial viability of the project in case of ongoing project needs to be corrected.

Status: revised DPI submitted.

7. Copy of balance sheet, Profit & Loss Account, Auditor's report, Director's report for the last preceding 3 years needs to be submitted.

Status: submitted

Part-I-Quarterly schedule of physical and financial progress

8. Quarterly schedule of estimated expenditure needs to be corrected.

Status: revised DPI submitted.

9. Quarterly schedule of sources of funds needs to be corrected.

Status: revised DPI submitted.

10. Net cash flow statement needs to be corrected.

Status: revised DPI submitted.

20. Deficit documents which are still pending are as follows:

1. Online corrections in REP-I (Part A-H) needs to be done.

Status: not done.

2. Corrections in detailed project information needs to be done.

Status: revised DPI submitted which is checked and correction needs to be done.

3. Deficit fee of Rs. 44,69,555/- needs to be submitted.

Status: not paid

Part-B-Statutory Approvals

4. Jamabandi, Mutation and Akshjra duly certified by revenue officer six months prior to date of application needs to be provided.

5. Status: Mutation and Akshjra duly certified by revenue officer six months prior to date of application not submitted.

6. Copy of subsequent license approvals needs to be submitted.

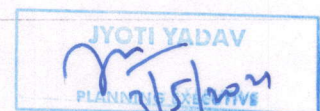
Status: not submitted

7. Revised project report needs to be submitted which included all the sale proceeds till date, financial resources, cost of construction etc.

Status: not submitted in detailed format.

8. Copy of approved service estimates and plans not submitted along with sanction letter from DTCP, Haryana.

Status: not submitted



9. Copy of affidavit for tree cutting NOC, power line shifting, and forest land diversion not submitted.
Status: not submitted
10. Copy of approved natural conservation zone NOC not submitted.
Status: not submitted
11. Details of sold unsold inventory plot wise needs to be submitted.
Status: needs to be revised. Name of allottee, block no., balance receivables etc. not provided.
12. Information to revenue department about the fact that project land licensed and bonded for setting up of a colony not informed to the revenue department for entry in the record of ownership.
Status: not submitted

Part-E-Project Cost/sale Proceeds

13. Non encumbrance certificate needs to be provided based on latest Jamabandi.
Status: not submitted
14. Cost of land needs to be clarified as per the area of registration and separate annexure needs to be provided showing the allocation of cost of land.
Status: not clarified.
15. CA Certificate for the promoter equity needs to be provided.
Status: not submitted.

Part- J Additional details in case of ongoing project

16. CA Certificate for financial and inventory details in case of ongoing project needs to be provided.
Status: needs to be revised.

Project Proponents

17. Certified copy of PAN of the Company needs to be provided.
Status: not submitted
18. Copy of Aadhar of Arvind Tinku, Vaibhav Shivhare, Amit baranwal and Copy of PAN Card of Amit baranwal needs to be provided.
Status: Copy of Aadhar of Arvind Tinku not submitted

Allottee related draft documents

19. Builder buyer agreement as per prescribed format needs to be submitted. Copy of BBA executed with the existing allottees needs to be submitted.
Status: not submitted
20. Allotment letter, conveyance deed, application form, payment plan and payment receipt need to be submitted.
Status: not submitted in the prescribed formats.

Various plans to be annexed

21. Copy of superimposed demarcation plan on approved site plan on A1 sheet not submitted.
Status: not submitted
22. REP-II needs to be revised.
Status: not submitted
23. PERT Chart not submitted.

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- Status: not submitted
- 24. Brochure of "Westerlies Phase 2" needs to be submitted.
Status: brochure used for marketing not submitted
- 25. Copy of documents submitted at the time of obtaining part completion certificate.
Status: not submitted
- 26. Copy of all the deed of declaration after obtaining the completion certificate.
Status: not submitted


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Day and Date of hearing Monday and 03.05.2021

Proceeding recorded by Ram Niwas

PROCEEDINGS OF THE DAY

Due to Covid-19 pandemic, authority meeting could not be held. Now, the authority has decided to fix the matter on 01.07.2021.

