

Project hearing brief

SN		rticulars	Details	Details		
1.	Na	me of the project	Westerlies Phase 2			
2.	Na	me 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.	Name of the license holder Name of the Collaborator Status of project		Collaborator			
6.						
7.			M/s Experion Developers Pvt Ltd Ongoing			
8.						
9.	Whether registration applied for whole/ phase		Phases			
10.	0. Online application ID RERA-GRG-PROI-705 2021			MANAGERS BOOKSTONES		
11.	Lice	ense no.	57 of 2013 dated 11.07.2013	11.1		
12.	Total licensed area		100 48125 Acres Area to be	Valid upto 10.07.2024		
13.	Statutory approvals either		er applied for or obtained prior to reg	red 44.178 Acres		
	i)	License Approval		istration		
	-,	Dicense Approval	Date of approval	Validity upto		
			57 of 2013 dated 11.07.2013	10.07.2024		
	ii)	Zoning Plan Approval		Aga akaca tomonose serri		
	iii)	Layout plan Approval	11.07.2013	CEC-201-201-201-201-201-201-201-201-201-201		
	iv)	Environmental Clearance	NA	Gor Etouanta a larger For		
	v)	Fire scheme approval	NA			
	vi) Service plan and estimate approval		26.02.2014			
4.	File Status		Date	Acceptance of the second of th		
	Project received on		05.03.2021			
	1 st deficiency notice sent on		12.03.2021			
	1st hearing on		30.03.2021			
			26.04.2021			
			26.04.2021			
_	Davida 1 to 1		03.05.2021			
	Reply submitted on		23.06.2021			
			01.07.2021			
	5 th hearing		27.07.2021			



	6 th hearing	17.08.2021		
	7 th hearing on	07.09.2021		
	Reply submitted on	07.09.2021		
	8 th hearing on	21.09.2021		
	Reply submitted on	27.09.2021	6	
	9th hearing on	27.09.2021		
	10 th hearing on	11.10.2021		
	11 th hearing on	26.10.2021 (adjourned)		
15.	Present stage of completion for ongoing projects (%)	Ongoing		
16.	(sold units - in case of ongoing/ unsold units)	172 plots (40 NPNL plots, 11 EWS plots)		
17.	Detail of encumbrances	Non encumbrance certificate submitted.		

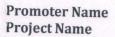
18. Project Summary

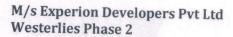
The promoter had applied for registration of residential builder floors in the project named "Zephyr at The Westerlies" located in Sector-108, Gurugram on 03.01.2020 vide online application ID RERA-GRG-PROJ-483-2019. Further, it has come to notice of the authority that License no. 57 of 2013 dated 11.07.2013 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/s Experion Developers Pvt Ltd.

Total licensed area is divided into 3 phases which is as follows:

- 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.

Accordingly, a show cause notice no. RERA-GRG-4130-2020 dated 11.11.2020 was issued to the promoter for non-registering of 90.435 acres out of the total project area i.e., 100.48125 acres. Thereafter, in the personal hearing dated 23.12.2020 of the aforesaid matter, the promoter made submissions that all the services for phase 1 & phase 2 were completed by the promoter before 27.07.2017 whereas the part completion for an area admeasuring 46.257 acres was obtained on 31.07.2017 and part completion for an area measuring 44.178 acres was obtained on 22.03.2018. Hence, after considering all facts claimed by the promoter the Hon'ble authority in hearing lated 23.12.2020 directed the promoter to file the application for registration of the area that has obtained part completion certificate on 22.03.2018 in the authority within thirty working days.







Therefore, as per the direction in the hearing dated 23.12.2020 the promoter had filed 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.

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.

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. These deficiencies are conveyed to the promoter vide email dated 28.05.2021.

On 03.05.2021, due to Covid-19 pandemic, authority meeting could not be held. Now, the authority has decided to fix the matter on 01.07.2021. The promoter again submitted the reply on 23.06.2021 which was scrutinized, and remaining deficiencies are conveyed to the promoter 01.07.2021.

On hearing dated 01.07.2021, the promoter was also advised to reply to show cause as why penal proceedings for non-registration shall not be initiated. Matter was discussed at length and promoter was advised to apply the whole project as one single unit giving information of the parts for which CC has been obtained including the additional licensed area. Regarding late fee, the promoter was advised to give a representation and meanwhile processing fee and registration fee be deposited. Necessary online information be submitted at https://hrera.in/app1/signup. The matter decided to come up on 27.07.2021.

On 27.07.2021, none present on behalf of the promoter and nor any reply on account of non-registration notice dated 11.11.2020 was submitted by the promoter. One last opportunity was given to the promoter failing which necessary legal penal action will be initiated. Matter decided to come up on 17.08.2021.

On 17.08.2021, the AR of the promoter assured that necessary registration formalities shall be completed within 15 days. Authority decided to link penal proceedings already initiated against the



promoter with the registration so that decision is taken jointly. Matter decided to come up on 07.09.2021.

On 07.09.2021, the AR for promoter submits that the application for registration of land under phase-I measuring 46.257 acres was being prepared by filling online DPI and will be completed in next one week. Further the deficiencies conveyed for phase-II measuring 44.178 acres has been rectified and a detailed reply was submitted in the Authority on 07.09.2021 and was to be examined. The matter got adjourned to 21.09.2021.

On 07.09.2021, the reply submitted by the promoter was scrutinized and remaining deficiencies were conveyed to the promoter which are still pending.

On 21.09.2021, the promoter has not submitted the reply of the deficiencies. The AR seeks time to rectify the deficiencies in all respect. The matter was adjourned to 27.09.2021.

On 27.09.2021, the promoter had submitted the reply in the hearing itself which needs to be examined. Matter decided to come up on 11.10.2021.

The reply submitted by the promoter was scrutinized and remaining deficiencies were conveyed to the promoter vide email dated 08.10.2021.

On 11.10.2021, the deficiencies have still not been attended by the promoter. The promoter was directed to submit the deficit documents along with online detailed project information. The matter decided to come up on 26.10.2021.

On 26.10.2021, matter adjourned for 27.10.2021.

As on today, the promoter has not submitted the reply of the remaining deficiencies which are mentioned below:

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

- Online corrections in REP-I (Part A-H) needs to be done.
 Status: Not done
- Corrections in detailed project information needs to be done.Status: Correction not done in the DPI.
- 3. Deficit fee of Rs. 44,69,555/- needs to be submitted.

Status: Not paid

Part-B-Statutory Approvals

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

Status: Figures in the project report needs to be clarified and not matching with the DPI.

5. Copy of affidavit for tree cutting NOC, power line shifting, and forest land diversion not submitted.

Status: Affidavit for forest land diversion not submitted.

- 6. Copy of approved natural conservation zone NOC not submitted. Status: not submitted
- 7. Details of sold unsold inventory plot wise needs to be submitted. **Status**: Needs to be revised.

Part-E-Project Cost/sale Proceeds



Promoter Name Project Name

M/s Experion Developers Pvt Ltd Westerlies Phase 2

8. 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: cost of land on the basis of CA certificate has to be taken i.e., ₹ 13,316 lakh.

- 9. CA Certificate for financial and inventory details in case of ongoing project needs to be provided. Status: Needs to be revised.
- 10. Allotment letter, conveyance deed, application form, payment plan and payment receipt need

Status: Not submitted in the prescribed formats.

Various plans to be annexed

- 11. Copy of superimposed demarcation plan on approved site plan on A1 sheet not submitted. Status: Needs to be revised.
- 12. REP-II needs to be revised.

Status: Needs to be revised.

13. PERT Chart not submitted.

Status: Needs to be revised.

14. Copy of documents submitted at the time of obtaining part completion certificate. Status: Documents not submitted as per checklist

15. Copy of all the deed of declaration after obtaining the completion certificate. Status: Not submitted

D		Planning Coordinator
Day and Date of hearing	Wednesday and 27.10.2021	8 amutoi
Proceeding recorded by	Ram Niwas	
Dwg 1: P	PROCEEDINGS OF THE DAY (27)	.10.2021)

Proceedings Dated: 27.10.2021

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

Sh. Hemansh Rastogi (Authorized Signatory) and Sh. Suneet Puri (Director) are present on behalf of the

The promoter is directed to submit the deficit documents along with hardcopy of online detailed project

The matter to come up on 15.11.2021.

Dr. Krishana Kumar Khandelwal

Chairman, HARERA, Gurugram

Sh. Vijay Kumar Goyal Member, HARERA, Gurugram