Park Street
KS Propmart Pvt. Ltd.

Hearing brief for extension of project registration u/s 6

S.No.	Particulars	Details	
1.	**Name of the project**	Park Street	
2.	**Name of the promoter**	M/s KS Propmart Pvt. Ltd.	
3.	**Nature of the project**	Commercial High Rise	
4.	**Location of the project**	Sector-85, Gurugram.	
5.	**Legal capacity to act as a promoter**	License Holder	
6.	**Name of license holder**	M/s KS Propmart Pvt. Ltd.	
7.	**Status of project**	Ongoing	
8.	**RERA Registration No.**	41 of 2019 dated 30.07.2019	
9.	**Validity of Registration Certificate**	Valid From 30.07.2019	Valid Up to 30.06.2022
10.	**Date of receipt of application for extension**	28.12.2022	
11.	**QPR status**	June 22, Sept 22 and Dec 22 pending	
12.	**4(2)(l)(D) reports status**	Submitted	
13.	**File Status**	**Date**	
	File received on	28.12.2022	
	First notice Sent on	11.01.2023	
	First hearing on	16.01.2023	
	Second hearing on	30.01.2023	
	Third hearing on	13.02.2023	
	Fourth hearing on	06.03.2023	
	Fifth hearing on	13.03.2023	
	Sixth hearing on	27.03.2023	
	Seventh hearing on	29.03.2023	
	Eighth hearing on	10.04.2023	
14.	**Case History:-** The Promoter M/s KS Propmart Pvt Ltd. who is a license holder applied for the extension of registration of real estate project namely "Park Street" located at Sector-85, Gurugram under section 6 of the Real Estate (Regulations and Development) Act, 2016 vide central receipt no. 46539 dated 28.12.2022 and EPIN-40. The Temp I.D. of REP – I (Part A-H) is RERA -GRG-PROJ-216-2019 and online generated for project extension temp id RERA-GRG-1251-2022. The project namely "Park Street" being developed by M/s KS Propmart Pvt. Ltd. in sector-85, Gurugram on an area measuring 2.85 acres was registered vide registration no. 41 of 2019 dated 30.07.2019 which was valid upto 31.12.2021 + 6 months COVID = 30.06.2022. Now, the promoter has applied for extension of registration of project under section 6 of the RERA, 2016.		

After the scrutiny of the application, it is found that at the time of registration, the building plans were approved on FAR @ 1.75. However, now the promoter at the time of extension of registration has submitted the in-principal approval of revised building plans under TOD Policy on FAR @ 3.5 which have not been registered separately/amended in the registration. Further the promoter has not submitted the consent of 2/3rd allottees of the project for revision in the layout plan. The promoter has also not submitted the status of construction in the project and neither submitted the quarterly progress report nor the report under section 4(2)(l)(D) of the Act, 2016 for the project area registered.

Therefore, keeping in view the above a notice was issued to the promoter to appear before the authority and submit the reasons/clarifications on the above points before proceeding further and scrutinize the file in detail as the promoter has already obtained the in-principal approval of revised building plans of the project under TOD policy for which the promoter first needs to register the same.

On 16.01.2023, the matter was adjourned to 30.01.2023.

On 30.01.2023, the matter was adjourned to 13.02.2023.

On 13.02.2023, Ms. Asha, Chartered Accountant briefed about the facts of the project. None is present on behalf of the promoter. The promoter is directed to rectify the deficiencies and show cause should be given for non-compliances. The matter to come up on 06.03.2023.

On 06.03.2023, Sh. Sumeet, Engineering Officer cum Planning Coordinator and Ms. Asha, Chartered Accountant briefed about the facts of the case. Sh. Sanjeev Dham (AR) and Sh. Ram Mohan (Advocate) are present on behalf of the promoter. The AR submits that deficiencies have been rectified and compliance has been submitted in the Authority on 03.03.2023 including submission of QPRs and compliance under section 4(2)(l)(D). The office to examine the same and to put up the updated status before the next date of hearing. Further, the AR states that the promoter company is now seeking extension under section 6 only in respect of the project as already registered and for additional area under TOD shall be applied separately. An amended application to this effect shall also be filed within one week along with consent of 2/3rd allottees obtained for revision in the building plans. The matter to come up on 13.03.2023.
The promoter submitted the reply on 03.03.2023 which is scrutinized wherein the promoter has submitted architect certificate and site photographs only.

On 13.03.2023, Sh. Sumeet, Engineering Officer and Ms. Asha, Chartered Accountant briefed about the facts of the project. Sh. Sanjeevan Dham (AR) and Sh. Ram Mohan (Advocate) are present on behalf of the promoter. The matter is adjourned for two weeks. The matter to come up on 27.03.2023.

On 27.03.2023, the matter was adjourned to 29.03.2023.

On 29.03.2023, Sh. Sumeet, Engineering Officer and Ms. Asha, Chartered Accountant briefed about the facts of the project. Sh. Sunjeevan Dham and Sh. Ram Mohan (Advocate) are present on behalf of the promoter. The AR submits that the requisite compliances for seeking extension under section 6 has been made. However, the PC could not examine the matter due to his over busy schedule. The matter is adjourned to 10.04.2023.

As per the directions of the authority, the application submitted by the promoter has been examined for grant of extension under section 6 of the Act, 2016 for the already registered area of the project vide RC no 41 of 2019. The status of documents is detailed further.

15.	**Statutory approvals either applied for or obtained prior to registration**			
	S.No	**Particulars**	**Date of approval**	**Validity upto**
	i)	**License Approval**	100 of 2013 dated 02.12.2013	01.12.2024
	ii)	**Zoning Plan Approval**	DRG No. DGTCP 4213 dated 03.12.2013	N/A
	iii)	**Building plan Approval**	ZP-947/SD(BS)/2014/8567 dated 02.05.2014	01.05.2019 (Expired)
	iv)	**Environmental Clearance**	SEIAA/HR/2014/1042 dated 06.08.2014	05.08.2024
	v)	**Fire scheme approval**	DFS/FA/2014/106/52399 dated 11.11.2014	
	vi)	**Service plan and estimate approval**	Not submitted	

16.	**Fee details**	
	Registration fee	20183.66 * 1.75 * 20 = Rs 7,06,428/-
	Processing fee	20183.66 * 10 = Rs 2,01,836/-
	Late fee	(100% of registration fee) = Rs 7,06,428/-
	Extension Fee (Half of Registration fee)	Rs. 3,53,214/-
	Processing fee	20183.66 * 10 = Rs 2,01,836/-
	Late fee	(450% of extension fee) Rs 15,89,463/-
	Total fee	Rs 37,59,205/-
	DD Details for registration and extension	
	DD amount submitted at the time of registration	1. Rs 3,53,214/- 2. Rs 2,45,086/- 3. Rs 3,53,214/- 4. Rs. 2,01,837/- 5. Rs. 4,61,342/- Total - Rs 16,14,693/-
	DD no. and date for registration	1. 106777 dated 02.05.2019. 2. 106778 dated 02.05.2019. 3. 106779 dated 02.05.2019. 4. 106780 dated 02.05.2019. 5. 008142 dated 29.07.2017.
	Name of the bank issuing	HDFC Bank
	DD Amount submitted for extension	1. Rs 4,00,000/- 2. Rs 17,00,000/- Total – Rs 21,00,000/-
	DD no. and date for extension	1. 003597 dated 21.10.2022. 2. 003672 dated 28.12.2022.
	Name of the bank issuing	HDFC Bank

	Deficient amount	Rs 44,512/-

Remarks:

The application of the promoter has been scrutinized as per the directions of the authority for extension of registration of the project area already registered vide RC no. 41 of 2019. As on date the promoter needs to submit the following documents:

1. Deficit fee of Rs 44,512 needs to be submitted.
2. Buildings plans are expired.
3. Approved service plan & estimates are not submitted.
4. REP-II needs to be revised.
5. List of the unsold units and sold units to the allottees as on date which includes name of the allottees, unit no, unit area, date of booking, average rate and total consideration needs to be provided.
6. Cash flow statement and quarterly schedule of estimated expenditure needs to be submitted.
7. CA certificate for project cost incurred and to be incurred needs to be updated.
8. Annual statement for the financial year 2021-22 needs to be submitted.

(Asha)
Chartered Accountant

(Sumeet)
Engineering Officer

Day and Date of hearing	Monday and 10.04.2023
Proceeding recorded by	Ram Niwas

PROCEEDINGS OF THE DAY

Proceedings dated: 10.04.2023.

Sh. Sumeet, Engineering Officer and Ms. Asha, Chartered Accountant briefed about the facts of the project.

Sh. Ram Mohan (Advocate) and Sh. Sujjeevan Dham (AR) are resent on behalf of the promoter.

The Authority decides to grant extension under section 6 of the Act subject to payment of deficit fees and a penalty of Rs. 10 Lakh for non-submission of the approved service plans and estimates within stipulated period of three month from the date of issuance of original registration certificate. Further the extension is without prejudice to the rights of the allottees which shall be governed by the individual BBA and rights of the allottees under section 18 of the Act and a BG/DD of Rs. 25 Lakh for submission of the approved service plans and estimates within three months of grant of extension.

(Sanjeev Kumar Arora)
Member, HARERA

(Ashok Sangwan)
Member, HARERA

(Vijay Kumar Goyal)
Member, HARERA

(Arun Kumar Gupta)
Chairman, HARERA