

Hearing brief for project registration u/s 4

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	Whether registration applied for whole/phase	Phase	
	Phase no	2	
9	Completion date as mentioned in REP-II	31.12.2024	
10	Online application ID	RERA-GRG-PROJ-1326-2023	
11	QPR status RC 41 of 2019	Pending from April 2022 to September 2023	
12	4(2)(I)(D) reports status RC 41 of 2019	Not Submitted.	
13	Compliance of RC conditions RC 41 of 2019	Not Submitted.	
14	4(2)(I)(C) compliance RC 41 of 2019	Extension granted vide no. 07 of 2023 on 10.04.2023 which also stand lapsed on 30.06.2023.	
15	Status of change of bank account RC 41 of 2019	N/A	
16	Details of proceedings pending against the project RC 41 of 2019	RERA-GRG-2202-2020 – SCN for 4(2)(I)(D) compliance RERA-GRG-3852-2022 – SCN for 4(2)(I)(D) compliance RERA-GRG-4392-2022 – SCN for RC condition compliance RERA-GRG-3235-2022 – SCN for QPR compliance	
17	License no.	100 of 2013 dated 02.12.2013 valid upto 01.12.2024	
18	Total licensed area	2.85 acres	Area to be registered 2.85 acres (20,183.66 Sqm- additional FAR granted under TOD)
19	Statutory approvals either applied for or obtained prior to registration		
	S.No	Particulars	Date of approval
	i)	License Approval	100 of 2013 dated 02.12.2013
	ii)	Zoning Plan Approval	DRG No. DGTCP 4213 dated 03.12.2013
	iii)	Building plan Approval	ZP-947/SD(BS)/2014/8567 dated 02.05.2014
			Validity upto
			01.12.2024
			N/A
			01.05.2019



		Revised Building plan Approval	ZP-947/PA(DK)/2023/1703 dated 18.01.2023	17.01.2028	
iv)		Environmental Clearance	SEIAA/HR/2014/1042 dated 06.08.2014	05.08.2024	
		Revised Environment Clearance approval	EC21B038HR172974 dated 22.11.2021	21.11.2031	
v)		Fire scheme approval	DFS/FA/2014/106/52399 dated 11.11.2014		
		Revised Fire Scheme Approval	Not provided		
vi)		Service plan and estimate approval	Not submitted		
20	Fee details				
	Registration fee		20,183.66 * 3.5 * 20 = Rs 14,12,856/-		
	Processing fee		20,183.66 * 10 = Rs 2,01,837/-		
	Late fee		N/A as the building plans are revised under TOD policy on 18.01.2023.		
	Total fee		Rs 16,14,693/-		
	DD Details for registration				
	DD amount		Rs. 7,06,429.33/- Rs. 2,01,836.95/- Rs. 7,06,427/-		
	DD no. and date		003760 dated13.03.2023 003762 dated13.03.2023 352307 dated 12.04.2023		
	Name of the bank issuing		HDFC Bank		
	Deficient amount		NIL		
	21	File Status		Date	
		File received on		22.03.2023	
		First notice Sent on		07.04.2023	
First hearing on		10.04.2023			
Second hearing on		17.04.2023			
Third hearing on		01.05.2023			
Fourth hearing on		15.05.2023			
Fifth hearing on		29.05.2023			
Sixth hearing on		12.06.2023			
Seventh hearing on		10.07.2023			
Eighth hearing on		24.07.2023			
Ninth hearing on		30.10.2023			
22	Case History:-				
	The Promoter M/s KS Propmart Pvt Ltd. who is a license holder applied for the registration of				



registration of real estate project namely "Park Street" located at Sector-85, Gurugram under section 4 of the Real Estate (Regulations and Development) Act, 2016 vide central receipt no. 50558 dated 22.03.2022 and RPIN-598. The Temp I.D. of REP - I (Part A-H) is RERA -GRG-PROJ-1326-2023

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.

The revised building plans under TOD Policy on FAR @ 3.5 has been approved on 18.01.2023. Further, the promoter has submitted the application for registration of additional FAR approved under TOD.

The application for registration was scrutinized and 1st deficiency notice vide notice no. HARERA/GGM/RPIN/598 dated 07.04.2023 was issued to the promoter with an opportunity of being heard on 10.04.2023.

On 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. Sujeevan Dham (AR) are present on behalf of the promoter. The promoter submits that reply to the deficiencies as well as consent of 2/3rd allottees shall be submitted within 2 days and office to examine the same and put up before the next date of hearing. The matter to come up on 17.04.2023.

On 17.04.2023, Ms. Asha, Chartered Accountant briefed about the facts of the project. Sh. Ram Mohan (Advocate) is present on behalf of the promoter. The AR of the promoter has stated that they had submitted the reply today itself. The office to examine the same. The matter to come up on 01.05.2023.

The promoter has submitted the reply on 13.04.2023 and 24.04.2023 which were scrutinized and the deficiencies were conveyed to the promoter.

On 01.05.2023, Due to administrative work (Meeting of the Authority at Panchkula), the matter is adjourned to 15.05.2023.

The promoter has submitted a reply on 28.04.2023 which was scrutinized and remaining deficiencies were conveyed to the promoter.

On 15.05.2023, Sh. Sumeet, Engineering Officer and Ms. Asha, Chartered Accountant briefed about the facts of the project. Sh. Ram Mohan (Advocate) and Sh. Sujeevan Dham (AR) are present on behalf of the promoter. The AR of the promoter is directed to submit the deficit documents mentioned above. The matter is adjourned and to come up on 29.05.2023.

On 29.05.2023, Sh. Sumeet, Engineering Officer and Ms. Asha, Chartered Accountant briefed about the facts of the project. Shri Ram Mohan, Advocate is present on behalf of the promoter. The counsel for the promoter requests for an adjournment of two weeks. Matter to come up on 12.06.2023 for further proceedings.

The promoter has submitted a reply on 26.05.2023 which was scrutinized and remaining deficiencies were conveyed to the promoter.

On 12.06.2023, Sh. Sumeet, Engineering Officer and Ms. Asha, Chartered Accountant briefed about the facts of the project. Sh. Ram Mohan (Advocate) is present on behalf of the promoter. The Counsel for the promoter states that the building plans had been revised in-principally in 2020 and final approval has been granted on 18.01.2023 by DTCP, Haryana. Further the counsel states that at the time of revision of building plan ground coverage has been increased and height of the building has been reduced which ultimately resulted in overall change in building plans which were approved earlier. Earlier during the hearing held on 06.03.2023 regarding extension of registration of the original project, it was decided that the promoter would seek extension only in respect of project as already registered and for additional area under TOD, registration shall be applied separately. The current application is for registration of additional FAR granted under TOD policy. However, it emerges that the new area sought to be registered cannot be bifurcated from the originally registered area. Therefore, the promoter is directed to apply a fresh for registration of the composite area of the project within one month. The fee deposited shall be adjusted towards new registration and if additional fee is applicable the same shall be deposited by the promoter. The matter to come



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	up on 10.07.2023. On 10.07.2023, Sh. Sumeet, Engineering Officer and Ms. Asha, Chartered Accountant briefed about the facts of the project. Sh. Devender Pandey and Sh. Ram Mohan (Advocate) are present on behalf of the promoter. The AR of the promoter is directed to submit the consent of 2/3rd allottees and the list of unique allottees in the project. Matter to come up on 24.07.2023. On 24.07.2023, Ms. Asha Chartered Accountant briefed about the facts of the case. No reply has been submitted by the promoter company since last hearing against the deficiencies conveyed by the authority till date. In view of the same the matter is adjourned, and the next date of hearing will be conveyed after the submission of reply of deficiencies already conveyed to the promoter. The promoter did not submit the reply till 15.09.2023 and the matter was placed before the authority. As per the approval of authority a show cause notice for rejection of application for registration of project was issued on 20.09.2023 with opportunity of hearing on 30.10.2023. No reply has been submitted by the promoter till date since last hearing. The status of documents is mentioned below.	
23 Present compliance status as on 30.10.2023 of the deficiencies conveyed in hearing dated 24.07.2023.		- Consent of 2/3rd allottees of the project needs to be submitted as the building plans have been revised. Status: Not Submitted. However, the promoter stated that the consent of 2/3rd allottees of the project for revision in plan are not applicable in their case. - The annexures in the online application are not uploaded as well as the correction needs to be done in the online (A-H) application. Status: Not Submitted. - Online DPI needs to be corrected. Status: Not Submitted. - Approved Service Plan and Estimates needs to be submitted. Status: Not Submitted. - Revised fire scheme approval needs to be submitted. Status: Not Submitted. - Project report needs to be revised. Status: Submitted but needs to be corrected. - Pert chart needs to be revised as the same is submitted from 2014. However, Revised BR-III is approved on 18.01.2023. Status: Not Submitted. - Draft application form needs to be revised. Status: Not Submitted. - Draft allotment letter needs to be revised. Status: Not Submitted. - Draft brochure of the project needs to be revised. Status: Not Submitted. - Sales deed needs to be provided. Status: Not Submitted. - Quarterly schedule of estimated expenditure needs to be submitted. Status: Not Submitted. - Cash flow statement needs to be provided. Status: Not Submitted. - EDC, IDC and License Fee as per LOI needs to be submitted. Status: Not Submitted. - KYC of authorised person other than Chetan Swara to operate bank account needs to be submitted.



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		Status: Submitted. However, the promoter has not opened the separate accounts for this project area and kept same which were opened for earlier registered area of project registered vide RC no. 41 of 2019. 16 CA certificate for project cost incurred needs to be corrected. Status: Not Submitted.
24	Remarks	1 Consent of 2/3rd allottees of the project needs to be submitted as the building plans have been revised. 2 The annexures in the online application are not uploaded as well as the correction needs to be done in the online (A-H) application. 3 Online DPI needs to be corrected. 4 Approved Service Plan and Estimates needs to be submitted. 5 Revised fire scheme approval needs to be submitted. 6 Project report needs to be revised. 7 Pert chart needs to be revised as the same is submitted from 2014. However, Revised BR-III is approved on 18.01.2023. 8 Draft application form needs to be revised. 9 Draft allotment letter needs to be revised. 10 Draft brochure of the project needs to be revised. 11 Sales deed needs to be provided. 12 Quarterly schedule of estimated expenditure needs to be submitted. 13 Cash flow statement needs to be provided. 14 EDC, IDC and License Fee as per LOI needs to be submitted. 15 CA certificate for project cost incurred needs to be corrected. 16 Separate bank accounts for this project needs to be opened.

Asha
(Asha)
Chartered Accountant

Sumeet
(Sumeet)
Engineering Officer

Day and Date of hearing	Monday and 30.10.2023.
Proceeding recorded by	Ram Niwas

PROCEEDINGS OF THE DAY

Sh. Sumeet, Engineering Officer and Ms. Asha, Chartered Accountant briefed about the facts of the project. None is present on behalf of the promoter.

A show cause notice was issued to the promoter on 20.09.2023 as even after sufficient opportunities, the promoter had failed to remove/address the deficiencies in the application for registration. No reply to the show cause notice has been received even after lapse of 30 days and none has appeared on behalf of the promoter. In view of the above, the application for registration of project is hereby rejected and the processing fee is forfeited with an opportunity to the promoter to apply afresh once the requisite compliance and documents are available. Detailed order be issued separately and will also be uploaded on the website including issuance of a public notice.

Sanjeev Kumar Arora
(Sanjeev Kumar Arora)
Member, HARERA

Ashok Sangwan
(Ashok Sangwan)
Member, HARERA

Vijay Kumar Goyal
(Vijay Kumar Goyal)
Member, HARERA

Email : hareragurugram@gmail.com, reragurugram@gmail.com, Website : www.harera.in
An Authority constituted under section 20 the Real Estate (Regulation and Development) Act, 2016
Act No. 16 of 2016 Passed by the Parliament

भू-संपदा (नियमन और विकास) अधिनियम, 2016 की धारा 20 के अंतर्गत गठित प्राधिकरण
भारत की संसद द्वारा पारित 2016 का अधिनियम संख्यांक 16

