AIPL Joy Central (Commercial)
Wellworth Project Developers Pvt. Ltd.

Hearing brief for extension of project registration u/s 6

S.No.	Particulars	Details		
1.	Name of the project	AIPL Joy Central (Commercial)		
2.	Name of the promoter	M/s Wellworth Project Developers Pvt. Ltd.		
3.	Nature of the project	Commercial		
4.	Location of the project	Sector- 65, Gurugram		
5.	Legal capacity to act as a promoter	Collaborator		
6.	Name of license holder	M/s Advance India Projects Ltd.		
7.	Status of project	Ongoing		
8.	RERA Registration No.	183 of 2017 dated 14.09.2017		
9.	Validity of Registration Certificate	Valid From 14.09.2017	Valid Up to 31.12.2022 + 6 months Covid-19 = 30.06.2023	
10.	Date of receipt of application for extension	22.06.2023		
11.	Whether extension of registration applied for whole/phase	Whole Project		
12.	Extension applied till	30.06.2024		
13.	Online extension ID	RERA-GRG-PROJ-1408-2023		
14.	Registration Temp ID	RERA-GRG-PROJ-615-2020		
15.	QPR status	Sept 2023 pending		
16.	4(2)(l)(D) reports status	Submitted		
17.	Other conditions of RC	N/A		
18.	4(2)(l)(C) compliance	N/A		
19.	Status of change of bank account	N/A		
20.	Details of proceedings pending against the project	RERA-GRG-3238-2022 – SCN for QPR compliance RERA-GRG-5017-2022 – SCN for 4(2)(l)(D) compliance RERA-GRG-5507-2019 – SCN for 4(2)(l)(D) compliance RERA-GRG-2562-2022 – Non-filing of REP-I (A-H)		
21.	License no.	249 of 2007 dated 02.11.2007	Valid up to 01.11.2024	
22.	Total licensed area	3.987 Acres	**Area applied for extension of registration**	3.987 Acres

23.	Statutory approvals either applied for or obtained prior to registration			
	S.No	**Particulars**	**Date of approval**	**Validity up to**
	i)	License Approval	249 of 2007 dated 02.11.2007	01.11.2024
	ii)	Revised Zoning Plan Approval	DRG No. DTCP 6747 dated 08.01.2019	N/A
	iii)	Initial Building plan approval	Not submitted	
		Revised Building plan Approval	ZP-322/JD(RD)/2020/1839 dated 21.01.2020	20.01.2025 (Further in-principle approval on 26.03.2021)

	iv)	Environmental Clearance	SEIAA/HR/2018/597 dated 15.06.2018	14.06.2028
	v)	Architectural Control Sheet	N/A	
	vi)	Fire scheme approval	FS/2020/133 dated 15.06.2020	
	vii)	Service plans and estimates approval	LC-1400-JE(VA)-2021/8357 dated 30.03.2021	
24.	Reasons for delay		A. Outbreak of COVID-19 Pandemic. B. Ban on construction activities by different government agencies/authorities	
25.	Fee details			
	Registration fee		46882.76 *3.5*20 = ₹ 32,81,793/-	
	Late Fee		N/A	
	Processing fee		N/A	
	Extension Fee (Half of Registration fee)		₹ 16,40,897/-	
	Processing fee		46882.76 *10 = ₹ 4,68,828/-	
	Late fee		150% of extension fee = ₹ 24,61,346/-	
	Total fee		₹ 78,52,864/-	
	In this case the file has been scrutinized for extension of registration under section 6 of already registered area and the fees has been calculated for the extension of the registration of the project area which was registered vide RC no. 183 of 2017.			
26.	DD amount submitted at the time of registration		₹ 4,69,000/- ₹ 4,69,000/-	
	DD no. and date for registration		000726 dated 31.08.2017 034727 dated 06.09.2017	
	Name of the bank issuing		HDFC Bank	
	RTGS Amount submitted for extension		₹ 9,37,655/-	
	RTGS no. and date for extension		004934 dated 31.03.2023	
	Name of the bank issuing		HDFC Bank	
	Fee Paid considered (Total fee paid – Processing fee which is forfeited vide proceedings dated 19.06.2023 in the same project applied by AIPL on 23.05.2023)		₹ 14,06,827/- (18,75,655 – 4,68,828)	
	Deficient amount		₹ 64,46,037/-	
27.	File Status		Date	
	File received on		22.06.2023	
	First notice Sent on		06.07.2023	
	First hearing on		10.07.2023	
	Second hearing on		14.08.2023	
	Third hearing on		11.09.2023	
	Fourth hearing on		16.10.2023	
	Fifth hearing on		04.12.2023	
25.	Case History:-			

The Promoter M/s Wellworth Project Developers Pvt. Ltd. who is a collaborator applied for the extension of registration of real estate project namely "AIPL Joy Central (Commercial)" located at Sector-65, Gurugram under section 6 of the Real Estate (Regulations and Development) Act, 2016 vide central receipt no. 54737 dated 22.06.2023 and EPIN-69. The Temp I.D. online generated for project extension is RERA-GRG-PROJ-1408-2023. The total licensed area and project area for the extension of registration is 3.987 acres vide license no – 249 of 2007 dated 02.11.2007.

Further, the extension of registration file submitted by the promoter has been scrutinized and it is found that the project was registered in interim RERA Panchkula for an area measuring 46,882.76 sqm FAR (FAR 350) but as per the registration record file the building plans were not approved on that date for registered FAR. The building plans were approved for FAR 175 as per plan attached. The request for grant of benefit under Transit Orient Development policy dated 09.02.2016 had been approved vide memo no. LC-1400-JE(VA)/2018/616 dated 08.01.2019 and accordingly building plans have been revised and approved.

Now the promoter at the time of extension had submitted the revised building plans approved vide memo no. ZP-322/JD(RD)/2020/1839 dated 21.01.2020 wherein the permissible FAR is 48397.507 sqm (FAR 362) which is also increased from the registered FAR due to additional 12% for GRIHA. Further another revised building plans have been submitted which are in-principle approved on 26.03.2021.

In other similar cases wherein the FAR has been increased and building plans have been revised, the authority had already considered the application for extension of registration of registered area and separate application for additional area under section 4 is to be made by the promoter.

Accordingly, in this case the file has been scrutinised for extension of registration under section 6 of already registered area and the fees has been calculated for the extension of the registration of the project area which was registered vide RC no. 183 of 2017.

The application for extension of registration was scrutinized and 1st deficiency notice vide notice no. HARERA/GGM/EPIN/69 dated 06.07.2023 was issued to the promoter with an opportunity of being heard 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. Sagar Gupta and Sh. Narender Singh Rawat (AR) are present on behalf of the promoter. The AR of the promoter requests for one month time to submit the deficit documents in the application as conveyed in the deficiency notice. The same is allowed. The matter to come up on 14.08.2023.

On 14.08.2023, The coram is not complete. The matter is adjourned and to come up on 11.09.2023.

The promoter has submitted a reply on 10.08.2023 which is scrutinized and the deficiencies were conveyed to the promoter.

On 11.09.2023, Sh. Sumeet, Engineering Officer and Ms. Asha, Chartered Accountant briefed about the facts of the project. Sh. Sagar Gupta (AR), Sh. Chander Singh (AR) and Sh. Narender Rawat (AR) are present on behalf of the promoter. The promoter has submitted a reply on 06.09.2023 which needs to be scrutinized by the office. Further, the AR of the promoter stated that quantum of fees is not clear. The promoter is directed to get the fee reconciled and deposit the deficit fee in the Authority. The AR of the promoter also requests four weeks' time to comply with remaining deficiencies. Request is allowed. The matter to come up on 16.10.2023.

The promoter has submitted a reply on 06.09.2023 which is scrutinized and the deficiencies were conveyed to the promoter.

On 16.10.2023, Sh. Sumeet, Engineering Officer and Ms. Asha, Chartered Accountant briefed about

	the facts of the project. None is present on behalf of the promoter. However, an adjournment application has been received in the registry of the authority stating that due to unforeseen personal emergency AR is unable to proceed with hearing scheduled on 16.10.2023. In view of the same, the matter is adjourned and now to come up on 04.12.2023. The promoter has submitted a reply on 13.10.2023 & 16.10.2023 which are scrutinized and the status of documents are mentioned below.	
26.	**Present compliance status as on 04.12.2023 of deficit documents as conveyed in the last hearing dated 16.10.2023.**	1 The project is registered vide RC no. 183 of 2017 dated 14.09.2017 which was valid up to 31.12.2022 + 6 months COVID =30.06.2023 and now applied for extension of registration wherein it is found that the building plans have been revised and further in-principle approval of revised building plan from the building plans approved at the time of registration with increase in FAR which is still not been got registered/ incorporated in the registration certificate. The same needs to be clarified. Status: Not clarified. 2 Consent of 2/3rd allottees for revision in the building plans needs to be obtained prior to revision. Status: Not clarified. **The below mentioned deficiencies are for the project original registered with the authority vide RC no. 183 of 2017 dated 14.09.2017 which was valid up to 31.12.2022 + 6 months COVID =30.06.2023 and now applied for extension of registration** 3 Deficit fee of ₹ 64,46,037/- needs to be submitted. Status: Not submitted. However, the promoter submitted their own calculations which are not correct. 4 Correction in REP-V form needs to be done. Status: Not submitted. 5 Corrections in online DPI needs to be done. Status: Not submitted. 6 Original registration certificate needs to be submitted. Status: Photocopy submitted. 7 Explanatory note setting out the reasons for delay in completion of the project needs to be submitted. **Status: Submitted.** 8 Pert Chart needs to be revised. **Status: Submitted.** 9 All the building plans approval (BR-III) needs to be submitted. Status: Not submitted. 10 Copy of LC-IV needs to be submitted. Status: Not submitted. 11 Collaboration agreement needs to be submitted. Status: Not submitted. 12 Mutation, Jamabandi and Aks-shajra certified on the latest date not more than six months prior from the date of application needs to be submitted. Status: Not submitted. However, unsigned Jamabandi submitted which also needs to be authenticated. 13 Information to the revenue department regarding the entry of license and collaboration agreement in the revenue record needs to be submitted. Status: Not submitted.

		14	Latest land title search report by advocate incorporating the bar enrolment number needs to be submitted. **Status: Submitted.**
		15	Latest Non-encumbrance certificate certified from the officer not below the rank of tehsildar needs to be submitted. Status: Not submitted.
		16	Approval of various agencies regarding the permission for external services like road access needs to be submitted. Status: Not submitted.
		17	List of the units sold to the allottees as on date of the application for extension of registration which includes name of the allottees, unit no, unit area, date of booking, average rate and total consideration needs to be provided. **Status: Submitted.**
		18	List of the unsold units as on date of the application for extension of registration which includes unit no and unit area needs to be provided. **Status: Submitted.**
		19	Demarcation Plan superimposed on the approved layout plan needs to be submitted. Status: Not submitted.
		20	Draft Application form, Allotment letter, BBA and Conveyance deed as per prescribed format needs to be submitted. Status: Submitted but needs to be revised.
		21	A Copy of executed Application form, Allotment letter, BBA and Conveyance deed needs to be submitted. Status: Not submitted.
		22	REP II needs to be updated. Status: Needs to be revised.
		23	Quarterly schedule of estimated expenditure needs to be revised. Status: Needs to be revised.
		24	Affidavit of promoter regarding arrangement with the bank of master account needs to be notarized. Status: Needs to be notarized.
		25	Cash flow statement need to be revised. **Status: Submitted.**
		26	Cost of land needs to be clarify according to area apply for registration. Status: Not submitted.
		27	Copy of paid challan of EDC, IDC and license fee needs to be submitted. Status: Not submitted.
		28	Project report needs to be authenticated. **Status: Submitted.**
		29	Bank undertaking needs to be resubmitted in prescribe format. Status: Not submitted.
		30	CA certificate for non default needs to be submitted in the name of the promoter M/s Wellworth project developers private limited. Status: Needs to be revised.

		31 Undertaking regarding 10 % of EDC deduct from separate bank account needs to be submitted. Status: Not submitted. 32 Board resolution for operation of bank account needs to submit in the name of the promoter M/s Wellworth project developers private limited. Status: Not submitted.
	Remarks	1 The project is registered vide RC no. 183 of 2017 dated 14.09.2017 which was valid up to 31.12.2022 + 6 months COVID =30.06.2023 and now applied for extension of registration wherein it is found that the building plans have been revised and further in-principle approval of revised building plan from the building plans approved at the time of registration with increase in FAR which is still not been got registered/ incorporated in the registration certificate. The same needs to be clarified. 2 Consent of 2/3rd allottees for revision in the building plans needs to be obtained prior to revision. **The below mentioned deficiencies are for the project original registered with the authority vide RC no. 183 of 2017 dated 14.09.2017 which was valid up to 31.12.2022 + 6 months COVID =30.06.2023 and now applied for extension of registration** 3 Deficit fee of ₹ 64,46,037/- needs to be submitted. 4 Correction in REP-V form needs to be done. 5 Corrections in online DPI needs to be done. 6 Original registration certificate needs to be submitted. 7 All the building plans approval (BR-III) needs to be submitted. 8 Copy of LC-IV needs to be submitted. 9 Collaboration agreement needs to be submitted. 10 Mutation, Jamabandi and Aks-shajra certified on the latest date not more than six months prior from the date of application needs to be submitted. 11 Information to the revenue department regarding the entry of license and collaboration agreement in the revenue record needs to be submitted. 12 Latest land title search report by advocate incorporating the bar enrolment number needs to be submitted. 13 Latest Non-encumbrance certificate certified from the officer not below the rank of tehsildar needs to be submitted. 14 Approval of various agencies regarding the permission for external services like road access permission needs to be submitted. 15 Demarcation Plan superimposed on the approved layout plan needs to be submitted. 16 Draft Application form, Allotment letter, BBA and Conveyance deed as per prescribed format needs to be revised. 17 A Copy of executed Application form, Allotment letter, BBA and Conveyance deed needs to be submitted. 18 REP II needs to be revised & updated. 19 Quarterly schedule of estimated expenditure needs to be revised.

		20	Affidavit of promoter regarding arrangement with the bank of master account needs to be notarized.
		21	Cost of land needs to be clarify according to area apply for registration.
		22	Copy of paid challan of EDC, IDC and license fee needs to be submitted.
		23	Bank undertaking needs to be resubmitted in prescribe format.
		24	CA certificate for non default needs to be revised in the name of the promoter M/s Wellworth project developers private limited.
		25	Undertaking regarding 10 % of EDC deduct from separate bank account needs to be submitted.
		26	Board resolution for operation of bank account needs to submit in the name of the promoter M/s Wellworth project developers private limited.

(Asha)
Chartered Accountant

(Sumeet)
Engineering Officer

Day and Date of hearing	Monday and 04.12.2023
Proceeding recorded by	Ram Niwas

PROCEEDINGS OF THE DAY

Proceedings dated: 04.12.2023.

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

None is present on behalf of the promoter. However, a request for adjournment of the hearing has been received in the authority on 01.12.2023. Further, the promoter had applied for extension of registration of project on 22.06.2023 and the deficiencies are not removed till date. Therefore, in view of the same, the authority decides to issue show cause notice to the promoter as to why their application for extension of registration may not be rejected following the due process as per Act of 2016 since the application is pending for six months and a total time is to be allowed for one year.

The matter to come up on 15.01.2024.

(Sanjeev Kumar Arora)
Member, HARERA

(Ashok Sangwan)
Member, HARERA

(Vijay Kumar Goyal)
Member, HARERA

(Arun Kumar Gupta)
Chairman, HARERA