Marine Square (Commercial)
JMS Buildtech Pvt. Ltd.

Hearing brief for extension of project registration u/s 6

S.No.	Particulars	Details		
1.	**Name of the project**	Marine Square (Commercial)		
2.	**Name of the promoter**	M/s JMS Buildtech Pvt. Ltd.		
3.	**Nature of the project**	Commercial Colony		
4.	**Location of the project**	Sector- 102, Gurugram		
5.	**Legal capacity to act as a promoter**	Change of Developer		
6.	**Name of license holder**	Kusum Lata w/o RC Vashisth		
7.	**Status of project**	Ongoing		
8.	**RERA Registration No.**	22 of 2018 dated 02.02.2018		
9.	**Validity of Registration Certificate**	Valid From 02.02.2018	Valid Up to 02.02.2023 + 6 months COVID-19 = 02.08.2023	
10.	**Date of receipt of application for extension**	07.06.2023		
11.	**Whether extension of registration applied for whole/phase**	Whole Project		
12.	**Extension applied till**	02.08.2024		
13.	**Online extension ID**	RERA-GRG-PROJ-1398-2023		
14.	**Registration Temp ID**	RERA-GRG-PROJ-149-2019		
15.	**QPR status**	Submitted		
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-5360-2019 – SCN for 4(2)(l)(D) compliance RERA-GRG-3179-2022 - SCN for 4(2)(l)(D) compliance RERA-GRG-3567-2022 - SCN for QPR compliance		
21.	**License no.**	99 of 2014 dated 13.08.2014		Valid up to 12.08.2024
22.	**Total licensed area**	2 Acres	**Area for extension of registration**	2 Acres

23.	**Statutory approvals either applied for or obtained prior to registration**			
	S.No	**Particulars**	**Date of approval**	**Validity up to**
	i)	**License Approval**	99 of 2014 dated 13.08.2014	12.08.2024
	ii)	**Zoning Plan Approval**	DTCP 4818 dated 13.08.2014	N/A
	iii)	**Building plan Approval**	ZP-1182/SD(BS)/2018/2663 dated 17.01.2018	16.01.2023
		Revised Building plan Approval	ZP-1182/AD(VK)/2023/34761 dated 17.10.2023	16.10.2028

	iv)	Environmental Clearance	SEIAA/HR/2018/118 dated 13.02.2018	12.02.2028
	v)	Architectural Control Sheet	N/A	
	vi)	Fire scheme approval	Memo no. FS/2024/113 dated 22.01.2024 valid till 21.01.2029	
	vii)	Service plans and estimates approval	LC-2940-JE(AK)/2024/13566 dated 03.04.2024	
24.	Reasons for delay		Submitted – Restrictions imposed by NGT, Supreme Court and other authorities and also shortage of labour & lockdown	
25.	Fee details – Fee revised as per revised building plans			
	Registration fee		15,135.22*1.87*20 = Rs 5,66,057/-	
	Late Fee		N/A	
	Processing fee		N/A	
	Extension Fee (Half of Registration fee)		Rs. 2,83,029/-	
	Processing fee		15,135.22 * 10 = Rs 1,51,352/-	
	Late fee		(100% of extension fee) = Rs 2,83,029/-	
	Total fee		Rs 12,83,467/-	
26.	DD amount submitted at the time of registration		Rs 2,84,000/-	
	DD no. and date for registration		000095 dated 18.01.2018	
	Name of the bank issuing		HDFC Bank	
	DD Amount submitted for extension		Rs 1,00,000/- Rs 7,49,119/-	
	DD no. and date for extension		518918 dated 30.05.2023 518108 dated 02.08.2023	
	Name of the bank issuing		ICICI Bank	
	Deficient amount		Rs 1,50,348/-	
27.	File Status		Date	
	File received on		07.06.2023	
	First notice Sent on		28.06.2023	
	First hearing on		03.07.2023	
	Second hearing on		07.08.2023	
	Third hearing on		09.10.2023	
	Fourth hearing on		20.11.2023	
	Fifth hearing on		04.03.2024	
	Sixth hearing on		22.04.2024	
	Seventh hearing on		13.05.2024	
	Eighth hearing on		27.05.2024	
28.	Case History:- The Promoter M/s JMS Buildtech Pvt. Ltd. who is a change of developer applied for the extension of registration of real estate project namely "Marine Square (Commercial)" located at Sector-102, Gurugram under section 6 of the Real Estate (Regulations and Development) Act, 2016 vide central receipt no. 54251 dated 07.06.2023 and EPIN-66. The Temp I.D. of REP – I (Part A-H) is RERA -GRG-PROJ-149-2019 and online generated for project extension temp id RERA-GRG-PROJ-1398-2023. The			

	total licensed area and project area for the extension of registration is 2 acres vide license no – 99 of 2014 dated 13.08.2014. The application for extension of registration was scrutinized and 1st deficiency notice vide notice no. HARERA/GGM/EPIN/66 dated 28.06.2023 was issued to the promoter with an opportunity of being heard on 03.07.2023. **On 03.07.2023**, Sh. Sumeet, Engineering Officer and Ms. Asha, Chartered Accountant briefed about the facts of the project. Sh. Rishabh Jain (Advocate) is present on behalf of the promoter and requests for 4 weeks adjournment to file the reply and deficit documents. Request is allowed. The matter to come up on 07.08.2023. **On 07.08.2023**, Sh. Sumeet, Engineering Officer and Ms. Asha, Chartered Accountant briefed about the facts of the project. No reply has been submitted by the promoter company against the deficiencies raised by the authority till 02.08.2023. 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 through notice. The promoter has submitted a reply on 03.08.2023 which has been scrutinized and as per the directions of authority, the matter is fixed for hearing on 09.10.2023. **On 09.10.2023**, Sh. Sumeet, Engineering Officer and Ms. Asha, Chartered Accountant briefed about the facts of the project. Sh. Rishabh Jain (Advocate) and Sh. Vipul Kumar Dahiya (AR) are present on behalf of the promoter. It is noted by the Authority that even the basic compliances like fire scheme approval and approval of service plans and estimates have not been obtained by the promoter even at this belated stage. The promoter has also failed to submit all the QPRs and 4(2)(l)(D) reports. In view of the above, a show cause notice be issued to the promoter as to why the application for extension under section 6 of the Act may not be rejected and further proceedings invoked against the project. The matter to come up on 20.11.2023. **A show cause notice dated 13.10.2023 was issued to the promoter as to why the application for extension under section 6 of the Act may not be rejected. No reply submitted by the promoter.** **On 20.11.2023,** Sh. Sumeet, Engineering Officer and Ms. Asha, Chartered Accountant briefed about the facts of the project. No reply has been submitted by the promoter company against the deficiencies conveyed by the authority during last hearing dated 09.10.2023 till 15.11.2023. Therefore, in view of the same the matter is adjourned, and the next date of hearing will be conveyed after submission of reply of deficiencies already conveyed. Further, if no response is received from the promoter within next 4 week's time, in that case the concerned official to put up the matter on file for issuance of show cause notice as to why their application for registration of project may not be rejected following the due procedure under the Act of 2016. **The promoter has submitted the revised building plans wherein FAR has been increased. Hence, the same needs to be clarified by the promoter.** The promoter has submitted a reply on 16.11.2023 which has been scrutinized and the deficiencies conveyed to the promoter. **On 04.03.2024**, Sh. Sumeet, Engineering Officer briefed about the facts of the project. Sh. Vipul Dahiya (AR) along with Sh. Rishabh Jain (Advocate) are present on behalf of the promoter. The promoter applied for extension of registration of project on 07.06.2023 but the deficiencies conveyed by the authority are not removed till date. Further a show cause notice dated 13.10.2023 for rejection of extension application already stand issued and no reply has been submitted by the promoter against the same. The authority decided that the matter to be submitted on file by the concerned official before the authority for taking further decision in this matter. **The matter was placed before the authority on file wherein it was decided to provide a final opportunity of hearing. Accordingly, the matter is fixed for hearing on 22.04.2024.** The promoter has submitted reply on 04.03.2024 & 05.04.2024 which have been scrutinized and the deficiencies conveyed to the promoter.

	On 22.04.2024, Sh. Sumeet, Engineering Officer and Sh. Ashish, Chartered Accountant briefed about the facts of the project. Sh. Vipul Dahiya (AR) and Sh. Rishabh Jain (Advocate) are present on behalf of the promoter. The reply has been submitted by the promoter on 19.04.2024. The concerned official to examine the same. The director/CEO/Project-Incharge of the promoter company is directed to be present along with the landowner on the next date of hearing. The matter to come up on 13.05.2024. The promoter has submitted reply on 19.04.2024, 02.05.2024 and 03.05.2024 which have been scrutinized and the deficiencies conveyed to the promoter. **On 13.05.2024**, Sh. Sumeet, Engineering Officer and Sh. Ashish, Chartered Accountant briefed about the facts of the project. Sh. Pushpender Singh (AR), Sh. Vipul Dahiya (AR) and Sh. Rishabh Jain (Advocate) are present on behalf of the promoter. The promoter is directed to submit the table of changes in the revised building plan vis a vis the original building plans duly marked on the plans along with other deficiencies. The matter to come up on 27.05.2024. **The promoter has submitted the revised building plans and also the superimposed plans (i.e., earlier and revised plans) along with table of changes in units. The number of units have been increased in the project. The promoter also states that the sale has been made based on revised building plans. Therefore, the matter regarding consent of 2/3rd allottees needs to be discussed. Further, as per previous cases the requisite fee for registration and extension has been revised based on revised building plans and the deficit fee conveyed to the promoter.** The promoter has submitted reply on 08.05.2024, 09.05.2024, 20.05.2024 and 21.05.2024 which have been scrutinized and the status of documents is mentioned below.	
29.	**Present compliance status as on 27.05.2024 of deficit documents as conveyed in hearing dated 13.05.2024.**	1 REP-V form needs to be submitted. Status: Submitted but corrections needs to be done 2 Corrections in online DPI needs to be done. Status: Submitted but corrections needs to be done 3 Approved Building plans (BR-III and all approved plans) needs to be submitted. **Status: Submitted earlier approved vide memo no. ZP-1182/SD(BS)/2018/2663 dated 17.01.2018 and revised building plans approved vide memo no. ZP-1182/AD(VK)/2023/34761 dated 17.10.2023. Promoter states that revision occurred due to lower basement level and increase in FAR due to GRIHA.** 4 Revised deficit fee Rs 1,50,348/- needs to be submitted calculated as per revised building plans submitted by the promoter. Status: Not submitted. 5 Service plan estimates booklet and plans needs to be submitted. **Status: Submitted.** 6 PERT chart needs to be submitted. **Status: Submitted.** 7 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 and promoter states that units are sold based on revised building plans. 8 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 and promoter states that units are unsold based on revised building plans.** 9 Project report needs to be submitted. **Status: Point mentioned below. Repeated.** 10 Information to revenue department regarding entry of license in the revenue record needs to be submitted. **Status: Submitted.** 11 Copy of demarcation plan needs to be submitted. **Status: Submitted** 12 Copy of superimposed demarcation plan on approved layout plan needs to be submitted. **Status: Submitted.** 13 Roads access permission needs to be submitted. Status: Applied on 13.05.2024. 14 Allottee related draft documents i.e., Allotment letter and BBA needs to be submitted as per prescribed format. **Status: Submitted.** 15 Quarterly schedule of estimated expenditure needs to be provided. **Status: Submitted.** 16 Cash flow statement need to be provided. **Status: Submitted.** 17 CA certificate for expenditure incurred and to be incurred needs to be submitted. **Status: Submitted.** 18 Project report needs to be provided. **Status: Submitted.** 19 Financial resources of the project need to be met with project cost. Financial resources need to be corrected. **Status: Submitted.** 20 Cost of land needs to be clarify according to area apply for registration. **Status: Submitted.** 21 Project proponent needs to be submitted. **Status: Submitted.**
	Remarks	1 REP-V form needs to be corrected. 2 Corrections in online DPI needs to be done.

		3 Revised deficit fee Rs 1,50,348/- needs to be submitted calculated as per revised building plans submitted by the promoter. 4 Roads access permission needs to be submitted.

(Ashish)
Chartered Accountant

(Sumeet)
Engineering Officer

Day and Date of hearing	Monday and 27.05.2024
Proceeding recorded by	Ram Niwas

PROCEEDINGS OF THE DAY

Proceedings dated: 27.05.2024

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

Sh. Vipul Kumar (AR) and Sh. Rishabh Jain (Advocate) are present on behalf of the promoter.

The AR of the promoter states that the building plans of the project have been revised and submitted the variations in the building plans in tabular form and superimposed floor plans. The AR of the promoter further states that the sale has been made based on revised buildings plans after obtaining necessary consents from the allottees. Therefore, the promoter is directed to submit the consent of 2/3rd unique allottees. Further after submission of consents of the allottees, a public notice shall also be issued in two prominent newspapers one Hindi and one English regarding the revision in building plans and submission of consents against the same for inviting objections if any within 10 days of publication.

Further, at the time of revision in building plans, the promoter has availed the additional FAR 12% in lieu of GRIHA rating. Therefore, the promoter is hereby directed to submit the deficit fees as per revised building plans.

The matter to come up on 24.06.2024.

(Sanjeev Kumar Arora)
Member, HARERA

(Ashok Sangwan)
Member, HARERA

(Vijay Kumar Goyal)
Member, HARERA

(Arun Kumar)
Chairman, HARERA