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

## Hearing brief for extension of project registration u/s 6

| S.No | Particulars | Details | | |
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| 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 | 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-3238-2022 – SCN for QPR compliance<br>RERA-GRG-5017-2022 – SCN for 4(2)(l)(D) compliance<br>RERA-GRG-5507-2019 – SCN for 4(2)(l)(D) compliance<br>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 |

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| 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 revised building plan approval on 18.05.2021) |
| | 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.<br>B. Ban on construction activities by different government agencies/authorities | |
| 25. | **Fee details** | | | |
| | **Registration fee** | | 48397.507 *3.62*20 = ₹ 35,03,980/- | |
| | **Late Fee** | | N/A | |
| | **Processing fee** | | N/A | |
| | **Extension Fee (Half of Registration fee)** | | ₹ 16,40,897/- | |
| | **Processing fee** | | 48397.507 *10 =₹ 4,83,975/- | |
| | **Late fee** | | 150% of extension fee = ₹ 26,27,985/- | |
| | **Total fee** | | ₹ 83,67,930/- | |
| | **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/-<br>₹ 4,69,000/- | |
| | **DD no. and date for** | | 000726 dated 31.08.2017 | |

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| | **registration** | 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 |
| | **Sixth hearing on** | 15.01.2024 |
| | **Seventh hearing on** | 04.03.2024 |
| | **Eighth hearing on** | 01.04.2024 |
| | **Ninth hearing on** | 13.05.2024 |
| | **Tenth hearing on** | 24.06.2024 |

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. The final approval of revised building plans is granted on 18.05.2021.

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 deficiencies conveyed to the promoter.

**On 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 16.06.2023 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.

A show cause notice dated 19.12.2023 was issued 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. The promoter submitted the reply to SCN stating that they have removed the part deficiencies and further resolving the pending deficiencies. The promoter request the authority to grant some more time to submit the remaining deficiencies.

The promoter has submitted a reply on 09.01.2024 which is scrutinized, and the deficiencies conveyed to the promoter.

**On 15.01.2024**, Sh. Sumeet, Engineering Officer and Ms. Asha, Chartered Accountant briefed about the facts of the project. Sh. Sagar Gupta (AR), Sh. Chandan Singh (AR) and Sh. Narender Singh Rawat (AR) are present on behalf of the promoter. The AR states that after completion of the construction work an application for grant of OC has been made to DTCP and the approval of DTCP is expected in next six weeks and hence requests for an adjournment for submission of deficit fee along with other documents. Request is allowed. The matter to come up on 04.03.2024.

**The promoter has submitted a reply on 21.02.2024 wherein the promoter has submitted the copies of two occupation certificates issued for the project vide memo. No. ZP-322-Vol.-III/JD(RA)/2023/1740 dated 15.01.2024 and memo. No. ZP-322-Vol.-II/AD(RA)/2021/32717 dated 24.12.2021.**

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| | **On 04.03.2024**, Sh. Sumeet, Engineering Officer and Sh. Ashish, Chartered Accountant briefed about the facts of the project. Sh. Sagar Gupta (AR) and Sh. Narender Rawat (AR) are present on behalf of the promoter. The AR is depositing the balance fees within one week and further states that the OC in respect of the units under the project registered in their favour by interim RERA has been obtained and offer of possession is also made to the allottees and possession is being handed over. The matter to come up on 01.04.2024.<br><br>**On 01.04.2024**, Sh. Sumeet, Engineering Officer and Sh. Ashish, Chartered Accountant briefed about the facts of the project. Sh. Sagar Gupta (AR) and Sh. Narender Rawat (AR) are present on behalf of the promoter. The AR of the promoter states that promoter requires some more time to submit the deficit documents including deficit fee. Further, there is discrepancy in bank account of the project as per QPR submitted by the promoter and the same needs to be clarified by the promoter. The promoter is also directed to submit the receipt of submission of annual report u/s 4(2)(l)(D) for all the financial years or to be resubmitted along with submission of other deficit documents including deficit fee. The matter to come up on 13.05.2024.<br><br>**On 13.05.2024**, Sh. Sumeet, Engineering Officer and Sh. Ashish, Chartered Accountant briefed about the facts of the project. Sh. Sagar Gupta (AR) and Sh. Narender Rawat (AR) were present on behalf of the promoter. The promoter was directed to submit revised building plans so that the requisite processing and registration fee can be calculated and also to submit the changes made in the building plans in tabular form and duly marked on the plans. Further the collaboration agreement is yet to be submitted. The promoter was directed to submit the deficit documents. The matter to come up on 24.06.2024.<br><br>**The promoter has submitted a reply on 19.06.2024 wherein the promoter has submitted the copy of occupation certificates issued for the project vide memo. No. ZP-322-Vol.-III/JD(DK)/2024/17065 dated 11.06.2024.**<br><br>The promoter has submitted the approval letter (BR III) obtained with respect to the revised building plan. However, copy of original and revised building plan along with the details of revision in tabular form needs to be submitted.<br><br>The status of documents are mentioned below: | |
| **26.** | **Present compliance status as on 13.05.2024 of deficit documents as conveyed in the last hearing dated 01.04.2024** | 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 |

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| | | increase in FAR which is still not been got registered/ incorporated in the registration certificate. The same needs to be clarified.<br>**Status: Final approval of revised building plans is submitted. Accordingly, the fee has been calculated and deficit fee is conveyed to the promoter so that the area may be incorporated in the extension certificate.**<br>2 Consent of 2/3rd allottees for revision in the building plans needs to be obtained prior to revision.<br>**Status: Promoter has submitted the occupation certificates granted for the project. Therefore, consent from the allottees is not required.**<br>**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**<br>3 Deficit fee of ₹ 69,61,103/- needs to be submitted.<br>**Status: Not submitted.**<br>4 Correction in REP-V form needs to be done.<br>**Status: Not submitted.**<br>5 Corrections in online DPI needs to be done.<br>**Status: Not submitted.**<br>6 Original registration certificate needs to be submitted.<br>**Status: Photocopy submitted.**<br>7 All the building plans approval (BR-III) needs to be submitted.<br>**Status: BR-III submitted.**<br>8 Copy of LC-IV needs to be submitted.<br>**Status: Not submitted.**<br>9 Collaboration agreement needs to be submitted.<br>**Status: Not submitted.**<br>10 Mutation, Jamabandi certified on the latest date not more than six months prior from the date of application needs to be submitted.<br>**Status: Unsigned Jamabandi submitted which also needs to be authenticated.**<br>11 Information to the revenue department regarding the entry of license and collaboration agreement in the revenue record needs to be submitted. |

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| | | **Status: Not submitted.**<br>12 Approval of various agencies regarding the permission for external services like road access needs to be submitted.<br>**Status: Not submitted.**<br>13 Demarcation Plan superimposed on the approved layout plan needs to be submitted.<br>**Status: Not submitted.**<br>14 Draft Application form, Allotment letter, BBA and Conveyance deed as per prescribed format needs to be submitted.<br>**Status: Submitted but needs to be revised.**<br>15 A Copy of executed Application form, Allotment letter, BBA and Conveyance deed needs to be submitted.<br>**Status: Not submitted.**<br>16 Cost of land needs to be clarified according to area apply for registration.<br>**Status: Further details need to be provided.**<br>17 Copy of paid challan of EDC, IDC and license fee needs to be submitted.<br>**Status: Not submitted.**<br>18 Bank undertaking needs to be resubmitted in prescribe format.<br>**Status: Copy of bank undertaking submitted.**<br>19 CA certificate for non-default needs to be submitted in the name of the promoter M/s Wellworth project developers private limited.<br>**Status: Submitted**<br>20 Undertaking regarding 10 % of EDC deduct from separate bank account needs to be submitted.<br>**Status: Not submitted.**<br>21 Board resolution for operation of bank account needs to submit in the name of the promoter M/s Wellworth project developers private limited.<br>**Status: Not submitted.** |
| | **Remarks** | 1 Consent of 2/3rd allottees for revision in the building plans needs to be obtained prior to revision.<br>2 Deficit fee of ₹ 69,61,103/-needs to be submitted.<br>3 Correction in REP-V form needs to be done.<br>4 Corrections in online DPI needs to be done. |

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| | | 5 Original registration certificate needs to be submitted.<br>6 Copy of LC-IV needs to be submitted.<br>7 Collaboration agreement needs to be submitted.<br>8 Mutation and Jamabandi certified on the latest date not more than six months prior from the date of application needs to be submitted.<br>9 Information to the revenue department regarding the entry of license and collaboration agreement in the revenue record needs to be submitted.<br>10 Approval of various agencies regarding the permission for external services like road access permission needs to be submitted.<br>11 Demarcation Plan superimposed on the approved layout plan needs to be submitted.<br>12 Draft Application form, Allotment letter, BBA and Conveyance deed as per prescribed format needs to be revised.<br>13 A Copy of executed Application form, Allotment letter, BBA and Conveyance deed needs to be submitted.<br>14 Cost of land needs to be clarify according to area apply for registration.<br>15 Copy of paid challan of EDC, IDC and license fee needs to be submitted.<br>16 Bank undertaking in original needs to be submitted in prescribe format.<br>17 Undertaking regarding 10 % of EDC deduct from separate bank account needs to be submitted.<br>18 Board resolution for operation of bank account needs to submit in the name of the promoter M/s Wellworth project developers private limited. |

Ashish

**(Ashish)**
**Chartered Accountant**

**(Neeraj Gautam)**
**Associate Architectural Executive**

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| **Day and Date of hearing** | Monday and 24.06.2024 |
| **Proceeding recorded by** | Ram Niwas |

**PROCEEDINGS OF THE DAY**

Ar. Neeraj Gautam (Associate Architectural Executive) and Sh. Ashish (Chartered Accountant) briefed about the facts of the project. Sh. Vineet Maheshwari (AR), Sh. Julie Jha (AR) and Sh. Narender Rawat (AR) are present on behalf of the promoter.

The AR of the promoter states that the project is completed and OC with respect to the project has been received; and possession of the units of more than half of the allottees has been handed over and the possession of rest of the units is being offered. The AR assures to deposit the deficit fee and other deficient documents as pointed above in the Authority within three days. The AR of the promoter further states that the revision of building plans was approved by the Department of Town & Country Planning only after following the due procedure of inviting objections from the existing allottees. As per report of STP, Gurugram vide his office memo no. 2274 dated 06.05.2021, public notice was issued on 02.04.2021 about revision in building plans in three newspapers namely "The Times of India" (English), "The Tribune" (English)", and "Navbharat Times" (Hindi) and the STP, Gurugram has received no objection from any allottees in respect of the amendments made in the building plan. This procedure was followed in pursuance to directions of Principal Secretary to Govt. Haryana, Town & Country Planning Department, Haryana vide memo no. Misc-2295/2021/1775 dated 25.01.2021 addressed to Director, Town & Country Planning department and Chairman, Real Estate Regulatory Authority, Gurugram.

Considering the peculiar circumstances of the case and the fact that the project has been completed, OC with respect to the project has been obtained and the possession has been offered to the allottees, and due procedure has been followed by the DTCP with respect to the revision in building plans, the Authority decides to grant extension of registration certificate subject to the payment of deficit fee and submission of above-mentioned deficit documents

The extension is granted without prejudice to the right of allotees under Section 14 of Act of 2016.

**(Sanjeev Kumar Arora)**
**Member, HARERA**

**(Ashok Sangwan)**
**Member, HARERA**

**(Vijay Kumar Goyal)**
**Member, HARERA**

**(Arun Kumar)**
**Chairman, HARERA**