Godrej Air Phase I
RERA-GRG-1671-2024

Hearing brief for extension of project registration u/s 6

S.No.	Particulars	Details	
1.	**Name of the project**	Godrej Air Phase I	
2.	**Name of the promoter**	M/s Godrej Developers & Properties LLP	
3.	**Nature of the project**	Group Housing	
4.	**Location of the project**	Sector- 85, Gurugram	
5.	**Legal capacity to act as a promoter**	BIP	
6.	**Name of license holder**	M/s Elegant Land & Housing Pvt. Ltd. and others	
7.	**Name of the collaborator**	M/s Orris Infrastructure Private Limited	
8.	**Status of project**	Ongoing	
9.	**RERA Registration No.**	32 of 2018	
10.	**Validity of Registration Certificate**	Valid From 07.12.2018	Valid up to 31.12.2023 + 6 months covid = (30.06.2024)
11.	**Date of receipt of application for extension**	12.06.2024	
12.	**Whether extension of registration applied for whole/phase**	Phase	
13.	**Extension applied till**	30.06.2025	
14.	**Online extension ID**	RERA-GRG-1671-2024	
15.	**Registration Temp ID**	RERA-GRG-7-2018	
16.	**QPR status**	Submitted.	
17.	**4(2)(l)(D) reports status**	Submitted.	
18.	**4(2)(l)(C) compliance**	Applied u/s 6 for extension	
19.	**Compliance of RC conditions**	1. Copy of license renewal- Submitted on 10.02.2021 2. Copy of fire scheme approval- Submitted on 11.03.2019 3. Copy of draft conveyance deed-Not submitted	
20.	**Status of change of bank account**	N/A	
21.	**Details of proceedings pending against the project**	RERA-GRG-3407-2022- SCN for 4(2)(l)(D) compliance RERA-GRG-3601-2022 - SCN for QPR compliance RERA-GRG-4339-2022 - SCN for RC compliance RERA-GRG-2156-2020- SCN for 4(2)(l)(D) compliance	
22.	**Present stage of completion (%)**	92%	
23.	**Total Project cost**	Rs. 178.98 Crores	
24.	**Project expenditure so far**	Rs. 129.15 Crores	
25.	**Estimated expenditure for completion so far**	Rs. 49.82 Crores	

26.	**License no.**	115 of 2012 dated 16.11.2012	Valid up to 15.11.2023	
27.	**Total licensed area**	10.043 Acres	**Area for extension of registration**	5.417 Acres

28. **Statutory approvals either applied for or obtained prior to registration**

S.No	Particulars	Date of approval	Validity up to
i)	License Approval	115 of 2012 dated 16.11.2012	15.11.2028
ii)	Building Plan Approval	ZP-853/AD(RA)/2018/30817 dated 31.10.2018	30.10.2023 (Renewed upto 30.10.2028)
iv)	Environmental Clearance	SEIAA/HR/2018/725 dated 13.07.2018	12.07.2028
v)	Airport height clearance	PALM/NORTH/B/092518/33695 dated 27.09.2018	-
vi)	Fire scheme approval	FS/2019/7 dated 11.03.2019	
vii)	Service plans and estimates approval	LC-2374-Vol-II/Asstt(AK)-2019/13811 dated 11.06.2019	

29.	**Reasons for delay**	Not provided
30.	**Fee details**	
	Registration fee	26,265.3 * 1.84 * 10 =Rs 4,83,282/-
	Processing fee	N/A
	Extension Fee (Half of Registration fee)	Rs 2,41,641/-
	Processing fee	26,265.3 *10=Rs 2,62,653/-
	Late fee	150% of extension fee (2,41,641) * 3 = Rs 3,62,461/-
	Total fee	Rs 13,50,037/-

31. **DD Details for registration and extension**

Note: - At the time of registration, fee was paid for all phases of project namely Godrej Air Phase 1 to 4 was adjusted in each phase which are as mentioned below: -

Phase No.	Registration fee	Fee submitted
1	4,83,281	7,42,028
2	3,28,379	2,36,567
		3,800
3	5,60,510	3,16,701
4	7353	80,408
Total fee	13,79,523	13,79,504

32.	**DD no. and date for registration**	1. 000750 dated 01.10.2018 2. 000751 dated 01.10.2018 3. 000843 dated 06.12.2018 4. 000748 dated 01.10.2018 5. 000749 dated 01.10.2018

	Name of the bank issuing	HDFC Bank
	Total fee paid at the time of registration of all phases	₹13,79,523/-
	Deficit fee at the time of registration	₹19/- (Recovered in the application of extension for the phase no.4)
	Fee considered in this phase	Rs 4,83,282/-
	DD Amount submitted for extension	Rs 7,50,000/- Rs 1,16,755/- (adjusted from fee in extension of Phase III)
	DD no. and date for extension	002722 dated 03.06.2024 adjusted from fee in extension of Phase III (002723 dated 03.06.2024 amounting to Rs 18,34,000/-)
	Name of the bank issuing	HDFC Bank
	Total fee calculated at the time of extension	Rs 8,66,755/-
	Deficient amount	**NIL**
33.	**File Status**	**Date**
	File received on	12.06.2024
	Notice Sent on	04.07.2024
	First hearing on	08.07.2024
	Second hearing on	22.07.2024
	Third hearing on	16.09.2024
	Fourth hearing on	18.11.2024
	Fifth hearing on	23.12.2024
	Sixth hearing on	27.01.2025

30. Case History: -

The Promoter M/s Godrej Developers and Properties LLP. Ltd. who is a BIP Holder applied for the extension of registration of real estate project namely "Godrej Air Phase I" located at Sector-85, Gurugram under section 6 of the Real Estate (Regulations and Development) Act, 2016 vide central receipt no. 73377 dated 12.06.2024 and EPIN-105. The Temp I.D. of REP – I (Part A-H) is RERA -GRG-PROJ-7-2018 and online generated for project extension temp id RERA-GRG-1671-2024. The total licensed area is 10.043 acres and project area for the extension of registration is 5.417 acres vide license no – 115 of 2012 dated 16.11.2012.

The application for extension of registration of group housing colony was scrutinized and 1st deficiency notice vide notice no. HARERA/GGM/EPIN/105 dated 04.07.2024 was issued to the promoter with an opportunity of being heard on 08.07.2024.

On 08.07.2024, the matter was adjourned and fixed for 22.07.2024.

On 22.07.2024, Sh. Ashish Kush, Planning Executive and Sh. Ashish Dubey, Chartered Accountant briefed about the facts of the case. Sh. Shankar Sinha (AR), Sh. Amit Kumar (AR) and Ms. Surabhi Kapur (AR) are present on behalf of the promoter. The AR of the promoter states that the arbitration proceedings have been initiated between the promoter and license holder (M/s Orris Infrastructure Pvt. Ltd.) which is coming up on 22.08.2024 in the Arbitration Tribunal and requests for an adjournment. Copy of the complaint of the license holder has been already delivered to the promoter and they are directed to file the reply to the same within two weeks. The matter to come up on 16.09.2024.

On 16.09.2024, the matter was adjourned and fixed for 18.11.2024.

	On 18.11.2024, the matter was adjourned and fixed for 23.12.2024. **On 23.12.2024**, the matter was adjourned and fixed for 23.12.2024. The promoter has submitted a reply on 06.11.2024 and 21.01.2025 which were scrutinized and the status of documents is mentioned below. The promoter submitted a reply to the complaint wherein the promoter stated that the transaction documents entered between the parties provides for Arbitration for resolution of dispute qua the said document and transaction. It is submitted that the applicant has invoked the Arbitration clause and the disputes as raised by the Applicant are already pending before the Arbitrator Hon'ble Justice (Retd.) Badar Durez Ahmed, Former Chief Justice, High Court of Jammu & Kashmir. It is submitted that the Applicant is filing frivolous cases raising identical issues at different jurisdiction to arm twist the Respondent. The said dispute and as such the said grievance of the applicant is arising out the transactional documents, hence the present application is the subject matter of Arbitration. The promoter requests the Authority to dismiss the application filed by the applicant and refer the application to the Arbitration pending before the Ld. Sole arbitrator Hon'ble Justice (Retd.) Badar Durez Ahmed, Former Chief Justice, High Court of Jammu & Kashmir in the pending arbitration proceedings.	
31.	**Present compliance status as on 27.01.2025 of deficient documents as conveyed in hearing dated 23.12.2024.**	1. A complaint regarding the above said project has been filled by M/s Orris Infrastructure Pvt. Ltd. Copy of which is being mailed to you. Reply to the same needs to be submitted. **Status: Submitted.** 2. Correction in REP-V form needs to be submitted. **Status: Submitted.** 3. Corrections in online DPI needs to be done. Status: Submitted but needs to be revised. 4. Copy of renewed license needs to be submitted. **Status: Submitted. Renewed upto 15.11.2028.** 5. Copy of revalidated building plan (BR-III) need to be submitted. **Status: Submitted. Renewed upto 30.10.2028.** 6. Booking list of flats sold to the allottees as on date of the application applied for extension which includes name of the allottees, flat/shop no., carpet area/super area, date of booking, average rate, and total consideration needs to be submitted. **Status: Submitted.** 7. Mutation, Jamabandi and Aks-shajra duly certified by revenue officer six months prior to date of application needs to be submitted. **Status: Submitted.** 8. Copy of approved Service Plans alongwith the estimated report needs to be submitted. **Status: Submitted.** 9. Approval/NOC from various agencies for connecting external services like water supply, sewerage and Storm water needs to be submitted. **Status: Submitted.** 10. Copy of Site photographs for the physical status of construction need to be provided.

		Status: Submitted. 11. PERT Chart specifying date of completion needs to be submitted. **Status: Submitted.** 12. Copy of draft Application form need to be submitted. **Status: Submitted.** 13. Copy of draft Allotment Letter need to be submitted. **Status: Submitted.** 14. Copy of draft BBA need to be submitted. **Status: Submitted.** 15. Copy of executed Allotment letter and BBA needs to be submitted. **Status: Submitted.** 16. Supporting documents for reasons for delay of the project needs to be submitted. **Status: Submitted.** 17. Copy of DD submitted at the time of registration needs to be submitted. **Status: Submitted.** 18. LLP Agreement (Partnership Deed) and project report needs to be submitted **Status: Submitted.** 19. Cost of the land i.e. Rs 2571.49 lakhs needs to be clarified according to the area applied i.e. 5.4170 acres for the registration. Status: **Submitted.** 20. Challan and Schedule of payment of IDC, EDC, License Fee, Conversion fees paid for the project needs to be submitted. Status: **Submitted.** 21. Bank Undertaking in original needs to be submitted. Status: **Submitted.** 22. CA Certificate for expenditure incurred & to be incurred alongwith inventory details needs to be submitted. Status: Not Submitted. 23. CA certificate for Net worth of promoter needs to be submitted. Status: **Submitted.** 24. Statement of quarterly expenditure, Statement of quarterly source of funds and Quarterly Net Cash Flow statement needs to be submitted. Status: **Submitted.** 25. Undertaking regarding auto credit of 10% of receipts from separate RERA account maintained under section 4(2)(l)(D) needs to be submitted. Status: **Submitted.** 26. Independent Auditors Report along with financial statement for the financial year 2020-21, 2021-22, and 2022-23 needs to be submitted Status: Not Submitted. There is a dispute between JV partner and the developer. JV partner not signing the financial statement. 27. Affidavit of promoter regarding arrangement with the bank of master account under section 4(2)(l)(D) needs to be submitted.

		Status: **Submitted.** 28. Annual return under section 4(2)(l)(D) for the financial year 2022-23 needs to be submitted. Status: **Submitted.**
	Remarks	1. Corrections in online DPI needs to be done. 2. CA Certificate for expenditure incurred & to be incurred alongwith inventory details needs to be submitted. 3. Independent Auditors Report along with financial statement for the financial year 2020-21, 2021-22, and 2022-23 needs to be submitted Status: Not Submitted. There is a dispute between JV partner and the developer. JV partner not signing the financial statement.

Ashish 27/01/25
Ashish Dubey
Chartered Accountant

Ashish Kush 27/01/25
Ashish Kush
Planning Executive

Day and Date of hearing	Monday and 27.01.2025
Proceeding recorded by	Ram Niwas

PROCEEDINGS OF THE DAY

Proceedings dated 27.01.2025

Sh. Ashish Kush, Planning Executive and Sh. Ashish Dubey, Chartered Accountant briefed about the facts of the case.

Sh. Anindo (AR), and Sh. Shankar Sinha (AR) are present on behalf of the promoter.

A public notice of ten days for inviting objections from the allottees be issued in at least three prominent newspapers (Two English and One Hindi) of wide circulation regarding the application for extension of registration of the project under section 6 of the Act 2016. A notice to the complainant M/s Orris Infrastructure be also issued to be present on the next date of hearing.

The matter to come up on 10.02.2025.

(Ashok Sangwan)
Member, HARERA

V-I
(Vijay Kumar Goyal)
Member, HARERA

(Arun Kumar)
Chairman, HARERA