

**Hearing brief for continuation of registration of project u/s 7(3)**

S No.	Particulars	Details
1.	Name of the project	India Business Centre
2.	Name of the promoter	M/s Emaar India Limited (Formerly known as Emaar MGF Land Pvt. Ltd.)
3.	Nature of the project	IT Park Colony
4.	Location of the project	Sector 61, Gurugram
5.	Legal capacity to act as a promoter	Collaborator
6.	Name of the license holder	M/s Active Promoters Pvt. Ltd.
7.	Name of the collaborator	M/s Emaar India Limited (Formerly known as Emaar MGF Land Pvt. Ltd.)
8.	Status	Ongoing
9.	RERA Temp ID	RERA-GRG-1949-2025
10.	RERA Registration No.	58 of 2017 dated 17.08.2017
11.	Validity of Registration Certificate	Valid From 17.08.2017 31.03.2021 + 6 months covid = (30.09.2021)
12.	Extension validity u/s 6	NIL
13.	Date of application u/s 7(3)	24.04.2025
14.	Date of Completion of project.	30.09.2031
15.	QPR Compliance	Submitted upto March 2025
16.	4(2)(L)(D) Compliance	Submitted
17.	4(2)(L)(C) Compliance	Applied for continuation on 24.04.2025
18.	Compliance of conditions of RC	NIL
19.	Proceeding pending against the project	RERA-GRG-2863-2022 for 4(2)(I)(C) RERA-GRG-2864-2022 for 4(2)(I)(C) RERA-GRG-5086-2022 for 4(2)(I)(D) RERA-GRG-5249-2019 for 4(2)(I)(D) RERA-GRG-2925-2022 for QPR
20.	Authorized Signatory/ Legal Representatives	
21.	Date of commencement of project	17.08.2017
22.	Present stage of completion (%)	0%
23.	Total Project cost	Rs 1415.30/- Crores





24.	Project expenditure so far	Rs 121.27/- Crores																										
25.	Estimated expenditure for completion so far	Rs 1294.03/- Crores																										
26.	Reasons for delay	Not Submitted.																										
27.	License no.	34 of 2008 dated 23.02.2008	Valid up to	22.02.2026																								
28.	Total licensed area	5.65 acres	Area for applied Continuation of project registration u/s 7(3)	5.65 acres																								
29.	<b>Fee Calculation-</b> The project has been registered with the Interim RERA. No approved plan has been found in the registered file. As per noting sheet the fee of Rs 14,86,260.75/- has been calculated. As per that the FAR factor is 3.25. Accordingly, registration fee has been calculated on the basis of FAR of 3.25 mentioned below. $74,310.466 * 3.25 * 20 = \text{Rs } 48,30,180.29/-$ . Now, the promoter has applied for the continuation of registration of project after getting the building plans revised with the increased FAR. As per latest scenario the FAR of the project has been increased from 3.25 to 4.86. Hence, fee is calculated on the same. The registration of the project was lapsed on 30.09.2021. The continuation fee upto 30.09.2024 is calculated on the previous FAR and after that for seven years upto 30.09.2031 on the latest FAR. The processing fee is calculated for the whole area. The late fee is calculated according to the previous FAR. However, registration fee is calculated for whole area including the earlier area. <b>Fee at the time of registration</b> <table><tr><td>A.</td><td>Registration fee</td><td><math>1,07,049.667 * 4.68 * 20 = \text{Rs } 1,00,19,849/-</math></td></tr><tr><td>B.</td><td>Processing fee</td><td>N/A</td></tr><tr><td>C.</td><td>Late fee at the time of registration</td><td>N/A</td></tr><tr><td>D.</td><td>Total fee (a+b+c)</td><td>Rs 1,00,19,849/-</td></tr></table> <b>Fee at the time of extension of registration</b> <table><tr><td>A.</td><td>Extension Fee (Half of Registration fee)</td><td>Not Applicable (Not applied for extension)</td></tr><tr><td>B.</td><td>Processing fee</td><td>Not Applicable (Not applied for extension)</td></tr><tr><td>C.</td><td>Late fee</td><td>Not Applicable (Not applied for extension)</td></tr><tr><td>D.</td><td>Total fee (a+b+c)</td><td>Not Applicable (Not applied for extension)</td></tr></table> <b>Fee at the time of Continuation of registration</b>				A.	Registration fee	$1,07,049.667 * 4.68 * 20 = \text{Rs } 1,00,19,849/-$	B.	Processing fee	N/A	C.	Late fee at the time of registration	N/A	D.	Total fee (a+b+c)	Rs 1,00,19,849/-	A.	Extension Fee (Half of Registration fee)	Not Applicable (Not applied for extension)	B.	Processing fee	Not Applicable (Not applied for extension)	C.	Late fee	Not Applicable (Not applied for extension)	D.	Total fee (a+b+c)	Not Applicable (Not applied for extension)
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	A.	Continuation Fee (Extension fee)* No. of Year extension required	24,15,090.165 * 3 = Rs 72,45,270.495/- 50,09,924.5 * 7 = Rs 3,50,69,471.5/- Total = Rs 4,23,14,742/-	
	B.	Processing fee	1,07,049.667 * 10 = Rs 10,70,497/-	
	C.	Late fee	12,07,545 * 46 = Rs 5,55,47,070/-	
	D.	Total fee (a+b+c)	Rs 9,89,32,309/-	
	<b>Total Fee (Registration + Extension + Continuation)</b>		Rs 10,89,52,158/-	
<b>31.</b>	<b>DD Details at the time of registration</b>			
	A.	DD amount	Rs 9,14,622/- Rs 9,14,622/-	
	B.	DD no. and date	678771 dated 28.07.2017 678773 dated 31.07.2017	
	C.	Total amount	Rs 18,29,244/-	
	<b>DD Details for extension of registration</b>			
	A.	DD Amount	N/A	
	B.	DD no. and date	N/A	
	C.	Total amount	N/A	
	<b>DD Details for Continuation of registration</b>			
	A.	RTGS amount	Rs 1,37,39,712/-	
	B.	RTGS no. and date	120367 dated 03.04.2025	
	C.	Total amount	Rs 1,37,39,712/-	
	D.	Total Amount Paid	Rs 1,55,68,956/-	
	E.	Deficit Fee	Rs 9,33,83,202/-	
<b>32.</b>	<b>Statutory approvals either applied for or obtained prior to registration</b>			
	S.No	Particulars	Date of approval	Validity up to
	1.	License no.	34 of 2008 dated 23.02.2008	22.02.2026
	2.	Building plan	Memo no. 8525 dated 29.09.2008	28.09.2013
		Revised Building plan approval	ZP-400-III/PA(DK)/2025/11992 dated 02.04.2025	01.04.2030
	3.	Environmental Clearance	SEAC/HR/2023/003 dated 17.02.2025	16.02.2035
	4.	Airport height clearance	AAI/RHQ/NR/ATM/NOC/2019/221/1080-1083 dated 27.06.2019	26.06.2027
	5.	Fire scheme approval	Not Submitted	
	6.	Service plan and estimate approval	Applied on 15.04.2025	
	<b>File Status</b>		<b>Date</b>	





33.	<b>File received on</b>	24.04.2025
	<b>First notice sent on</b>	15.05.2025
	<b>1<sup>st</sup> Hearing</b>	19.05.2025
	<b>2<sup>nd</sup> Hearing</b>	09.06.2025
<p><b>Case History:</b></p> <p>The project is registered vide RC no. 58 of 2017 dated 17.08.2017 which was valid upto 31.03.2021 + 6 months COVID = 30.09.2021.</p> <p>Now, the promoter applied for continuation of registration of the project.</p> <p>It is noticed that the promoter has got the revised building plans alongwith the phasing plan. The revised building plans were approved vide no. ZP-400-III/PA(DK)/2025/11992 dated 02.04.2025 and phasing plan vide no. ZP-400-II/PA(DK)/2024/40517 dated 19.12.2024.</p> <p>The promoter has applied for the continuation of registration namely "India Business Centre".</p> <p>The promoter M/s Emaar India Limited who is a Collaborator has applied for continuation of registration of real estate project namely "India Business Centre" located at sector 61, Gurugram under section 7(3) of the Real Estate (Regulation and Development), Act 2016 vide central receipt no. 90509 dated 24.04.2025 and EPIN - 133. The Temp I.D of REP-I (Part A-H) is RERA-GRG-PROJ-670-2020 and online generated for project continuation temp id RERA-GRG-PROJ-1949-2025.</p> <p>The application for continuation of registration of project was scrutinized and accordingly, the deficiency notice was issued vide no. RC/HARERA/GGM/EPIN/7(3)/133 dated 15.05.2025 to rectify the deficiencies and a show cause notice for violation of section 4(2)(I)(C) vide no. RC/HARERA/GGM/EPIN/7(3)/133(Show Cause) dated 15.05.2025 with an opportunity of hearing on 19.05.2025.</p> <p><b>On 19.05.2025</b>, Sh. Ashish Kush, Planning Executive and Ms. Asha, Chartered Accountant briefed about the facts of the case. Sh. Purushottam Grover (AR), Ms. Priyanka Miglani (AR), Sh. Venkat Rao (Advocate) and Sh. Anitesh Singh (AR) are present on behalf of the promoter. The AR of the promoter stated that the reply to the deficiencies has been submitted on 16.05.2025. The building plans has been revised after utilization of TOD and TDR. The office to examine the reply. Further, a complaint has been filed in the Authority, copy of which be supplied to the promoter for reply. A public notice of two weeks for inviting objections from the allottees be issued in at least three prominent newspapers (Two English and One Hindi) of wide circulation as being given in case of continuation of registration under section 7(3) of the Act of 2016 alongwith the details of revision of building plans. The matter to come up on 09.06.2025.</p> <p>The promoter has submitted the reply on 16.05.2025, 23.05.2025 03.06.2025(two) wherein the copy of the public notice published in three newspapers i.e., The Times of India (English), The Tribune (English) and Nav Bharat Times (Hindi) dated 23.05.2025 for objection till 05.06.2025 has been submitted alongwith the reply to deficiencies which was scrutinized and the status of documents is mentioned below.</p> <p>The promoter has submitted the reply to the complaint wherein it stated that</p> <ol style="list-style-type: none"> <li>a) the complainant company is barred and estopped from filing the present complaint by virtue of its own acts, conduct, omissions, and inordinate delay. The complainant, having failed to perform its obligations under the agreement and having allowed the agreement to be rescinded without challenge within a reasonable time, cannot now be permitted to approbate and reprobate.</li> </ol>		



- b) In any event, the complainant company lacks the requisite locus standi and legal cause of action to maintain the present complaint. The complaint is premised on a fundamentally flawed interpretation of the applicable statutory provisions and gross misreading of the terms and conditions of the alleged agreements. The Agreements in question stand rescinded due to the complainant's own default, and no right, title, or interest was ever transferred or vested in the complainant as a result. Accordingly, the complaint is misconceived, untenable in law, and deserves to be dismissed at the threshold for want of locus and cause of action.
- c) The complaint is liable to be dismissed outright, as it is based on concealment and distortion of material facts. The complainant has deliberately concealed vital and true facts, and in certain instances, misrepresented the actual position, thereby attempting to mislead this Hon'ble Court. Such conduct reflects a lack of bona fides and further justifies the dismissal of the complaint in limine.
- d) That the complainant company has already exhausted all legal remedies before the Hon'ble Civil Courts, including the Hon'ble Trial Court and up to the Hon'ble Apex Court, and has been unequivocally denied any relief at every stage.
- e) That it is pertinent to bring to the attention of this Hon'ble Authority that there exists no order or direction from any court of law restraining or prohibiting this Hon'ble Authority from issuing the certificate in question. The complainant's attempt to suggest otherwise is not only misleading but also factually incorrect. The ad-interim injunction application filed by the complainant before the Learned Trial Court was categorically dismissed vide order dated 1.12.2008 on failing of the Complainant to prove its contention before the Ld. Trial Court. Subsequently, the appellate court also dismissed the complainant's appeal against the said order, vide order dated 12.02.2009. Copies of the Order dated 1.12.2008 and order dated 12.02.2009. Thereafter, the Complainant approached the Hon'ble Punjab and Haryana High Court (Hon'ble High Court) filing second appeal and upon hearing the matter, the Hon'ble High Court also dismissed the second appeal filed by the complainant challenging the concurrent findings of both the Trial Court and the Appellate Court. Hence, at present, there is no stay or injunctive relief of any kind granted in favor of the complainant by any judicial forum.
- f) It is relevant to note that there has been no suppression of facts by the answering company with respect to the pendency of litigation concerning the land in question. On the contrary, while applying for and obtaining the certificate, the answering company had fully and transparently disclosed the details of the ongoing cases including those now referred to in the present complaint, the list of litigations submitted along with the application.
- g) This clearly demonstrates the answering company's bona fide conduct and compliance with disclosure requirements. Hence, the allegation of suppression is completely baseless and misconceived, and deserves to be rejected Outright.
- h) Accordingly, the RERA certificate earlier granted in favor of the answering company was issued in accordance with law, and this Hon'ble Authority continues to be fully empowered to renew or extend the said registration, there being no legal impediment whatsoever. Hence, the contention raised by the complainant in this regard is



	<p>misleading and untenable, and the complaint deserves to be dismissed on this ground as well.</p> <p>Further, the promoter stated that the prayer clause of the complaint/representation is specifically denied as being baseless, misconceived, and devoid of any merit. In view of the detailed submissions, clarifications, and rebuttals made hereinabove, it is most respectfully prayed that the present complaint/representation be dismissed in its entirety along with heavy cost, as it is not maintainable either in law or on facts, and amounts to a gross abuse of the process of law.</p> <p>The promoter requested that the Hon'ble Authority may be pleased to allow the application of the answering Company to continue the RERA Registration Certificate bearing No. 58/2017 (Project ID: RERA-GRG-670-2020) dated 17.08.2017, which was earlier duly granted in favour of the answering company, in accordance with law and the submissions made hereinabove.</p> <p>The status of documents is mentioned below.</p>
34.	<p><b>Present compliance status as on 09.06.2025 deficiencies conveyed in hearing dated 19.05.2025.</b></p> <ol style="list-style-type: none"> <li>Deficit Fee - Rs 9,33,83,202/- needs to be submitted. Status: The promoter stated that the fee may be reviewed as per calculation sheet attached. Further, as far as fee for additional area is concerned, the additional FAR has been sanctioned on 02.04.2025. Further, submitted that the reason for not applying for extension was that they had discontinued the project and applied for de-registration of the project on 12.07.2021, which was duly considered and observation letter was issued by the Authority on 17.05.2024 and they had complied with the conditions mentioned therein vide letter dated 01.08.2024. Since their request remain pending, they could not apply for extension of the project. In view of the above facts, they request to waive the late fee for applying for extension of project.</li> <li>Online DPI needs to be corrected. Status: Submitted but needs to be revised.</li> <li>Application under section 7(3) needs to be corrected i.e., date of 4(2)(I)(c) needs to be corrected. <b>Status: Submitted.</b></li> <li>Two third consent of the existing allottees regarding the revision of building plans needs to be submitted. <b>Status: The promoter stated that they have already settled all the allottee(s) as on date. Hence, no consent of the 2/3<sup>rd</sup> allottees is applicable.</b></li> <li>Changes in the building plan of the colony duly marked on the plan and mentioned in tabular form needs to be submitted. <b>Status: The promoter stated that the building plans have been completely revised and copy of same has already been submitted.</b></li> <li>Fire Scheme approval needs to be submitted. If applied than copy of same needs to be submitted. Status: Applied on 29.04.2025. Receipt attached.</li> </ol>



		<p>7. Approved Service plan and Estimates needs to be submitted. Status: Applied on 15.04.2025. Receipt attached.</p> <p>8. Tree Cutting permission from DFO needs to be submitted. Status: The promoter stated that they will submit the permission before cutting of the trees.</p> <p>9. Mining permission needs to be submitted. <b>Status: Submitted. Vide Permit No. 88 dated 02.05.2025 valid upto 01.05.2026.</b></p> <p>10. Latest Jamabandi, Mutation and Aks-shajra duly certified by revenue officer six months prior to date of application needs to be submitted. Status: Submitted. However, mutation is pending.</p> <p>11. Collaboration agreement dated 31.03.2007 and 31.12.2009 needs to be submitted. <b>Status: Submitted. Collaboration agreement dated 31.03.2007 needs to be submitted.</b></p> <p>12. Site photographs for the physical status of construction needs to be submitted. <b>Status: Submitted.</b></p> <p>13. Pert chart needs to be submitted. <b>Status: Submitted.</b></p> <p>14. List of the units sold to the allottees as on date of the application for continuation of registration which includes name of the allottees, unit no, unit area, date of booking, average rate and total consideration needs to be submitted. <b>Status: Submitted.</b></p> <p>15. List of the unsold units as on date of the application for continuation of registration which includes unit no and unit area needs to be submitted. <b>Status: The promoter stated that no units are sold. The new inventory as per building plan is updated in the DPI.</b></p> <p>16. Allottee related documents like Draft Application form needs to be revised. <b>Status: Submitted.</b></p> <p>17. Allottee related documents like Draft Allotment Letter needs to be revised. Status: Submitted but needs to be revised.</p> <p>18. Allottee related documents like Draft Builder Buyer agreement needs to be revised. Status: Submitted but needs to be revised.</p> <p>19. Five copies of executed Application form, Allotment Letter, Builder Buyer Agreement and Conveyance deed needs to be submitted.</p>
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	<p>Status: One copy of application form, Allotment letter and BBA is submitted.</p> <p>20. Explanatory note setting out the reasons for delay in completion of the project along with supporting documents needs to be submitted. <b>Status: Submitted.</b></p> <p>21. Cost of the land needs to be clarified according to the area applied for the registration. <b>Status: Submitted.</b></p> <p>22. Project report needs to be revised. <b>Status: Submitted.</b></p> <p>23. Latest non encumbrance certificate (in original) not below the rank of tehsildar needs to be submitted. Status: Submitted but original needs to be submitted.</p> <p>24. Others in financial resources needs to be clarified. Status: Not Submitted.</p> <p>25. Latest CA certificate for inventory (Sold / Unsold) needs to be submitted. <b>Status: Submitted.</b></p> <p>26. CA Certificate for expenditure incurred has been submitted. However, correction in DPI needs to be done. <b>Status: Submitted.</b></p> <p>27. CA certificate for net worth needs to be submitted. <b>Status: Submitted.</b></p> <p>28. Details of promoter from the MCA needs to be submitted. <b>Status: Submitted.</b></p> <p>29. Details of Construction cost as per quarter needs to be submitted. <b>Status: Submitted.</b></p> <p>30. Other cost in quarterly statement of expenditure needs to be clarified. Status: Not Submitted.</p> <p>31. Copy of paid challan of EDC and IDC needs to be submitted. <b>Status: Submitted.</b></p> <p>32. Bank undertaking needs to be revised with the details of the authorized signatory i.e., employee name, employee code and designation. <b>Status: Submitted.</b></p> <p>33. Final approval of change in bank account needs to be submitted. Status: Not Submitted.</p> <p>34. Clarification regarding difference in cost (Land cost and other cost) in DPI and Latest QPR March 2025 needs to be submitted. Status: Not Submitted.</p> <p>35. Affidavit regarding no loan on project land needs to be submitted.</p>
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		<b>Status: Submitted.</b>
35	Remarks	<p>1. Deficit Fee - Rs 9,33,83,202/- needs to be submitted. Status: The promoter stated that the fee may be reviewed as per calculation sheet attached. Further, as far as fee for additional area is concerned, the additional FAR has been sanctioned on 02.04.2025. Further, submitted that the reason for not applying for extension was that they had discontinued the project and applied for de-registration of the project on 12.07.2021, which was duly considered and observation letter was issued by the Authority on 17.05.2024 and they had complied with the conditions mentioned therein vide letter dated 01.08.2024. Since their request remain pending, they could not apply for extension of the project. In view of the above facts, they request to waive the late fee for applying for extension of project.</p> <p>2. Online DPI needs to be revised.</p> <p>3. Two third consent of the existing allottees regarding the revision of building plans needs to be submitted. <b>Status: The promoter stated that they have already settled all the allottee(s) as on date. Hence, no consent of the 2/3<sup>rd</sup> allottees is applicable.</b></p> <p>4. Changes in the building plan of the colony duly marked on the plan and mentioned in tabular form needs to be submitted. <b>Status: The promoter stated that the building plans have been completely revised and copy of same has already been submitted.</b></p> <p>5. Fire Scheme approval needs to be submitted.</p> <p>6. Approved Service plan and Estimates needs to be submitted.</p> <p>7. Tree Cutting permission from DFO needs to be submitted. Status: The promoter stated that they will submit the permission before cutting of the trees.</p> <p>8. Latest Mutation duly certified by revenue officer six months prior to date of application needs to be submitted.</p> <p>9. Collaboration agreement dated 31.03.2007 needs to be submitted.</p> <p>10. Allottee related documents like Draft Allotment Letter needs to be revised.</p> <p>11. Allottee related documents like Draft Builder Buyer agreement needs to be revised.</p> <p>12. Five copies of executed Application form, Allotment Letter, Builder Buyer Agreement and Conveyance deed needs to be submitted. Status: One copy of application form, Allotment letter and BBA is submitted.</p>



**HARERA****GURUGRAM**

India Business Centre

Emaar India Ltd.

	13. Latest non encumbrance certificate (in original) not below the rank of tehsildar needs to be submitted. 14. Others in financial resources needs to be clarified. 15. Other cost in quarterly statement of expenditure needs to be clarified. 16. Final approval of change in bank account needs to be submitted. 17. Clarification regarding difference in cost (Land cost and other cost) in DPI and Latest QPR March 2025 needs to be submitted.
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**Asha**
**Chartered Accountant**
  
**Ashish Kush**
**Planning Executive**

<b>Day and Date of hearing</b>	Monday and 09.06.2025
<b>Proceeding recorded by</b>	Sh. Ram Niwas

**PROCEEDINGS OF THE DAY****Proceedings dated: 09.06.2025.**

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

Ms. Priyanka Miglani (AR), Sh. Purushottam Grover (AR) and Ms. Deepa (AR) are present on behalf of the promoter.

The AR of the promoter stated that the late fee may be reconciled on basis of FAR earlier sanctioned and subsequently allowed by DTCP under TOD/TDR Policy.

The concerned PE & CA will recheck and reconcile as per applicable rules and regulations. The PC will also cross check.

A public notice has been published in three newspapers i.e., The Times of India (English), The Tribune (English) and Nav Bharat Times (Hindi) dated 23.05.2025 for objection w.r.t grant of continuation of project u/s 7(3) of the Act of 2016 till 05.06.2025. No objections has been received w.r.t public notice.

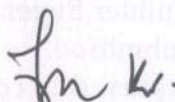
Now, the promoter stated that all the earlier 221 allottees have already been refunded/settled. As on date, there is no allottee in the project.

Further, a public notice of 10 days for inviting objections from the erstwhile allottees regarding settlement/refund be issued in at least three prominent newspapers (Two English and One Hindi) of wide circulation.

The promoter is directed to submit the list of earlier allottees.

The matter to come up on 23.06.2025.

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

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

*V.I.*  
**(Vijay Kumar Goyal)**  
**Member, HARERA**