

New PWD Rest House, Civil Lines, Gurugram, Haryana

नया पी. डब्ल्यू. डी. विश्राम गृह, सिविल लाईंस, गुरुग्राम, हरियाणा

Project - Downtown 66
RERA-GRG-2009-2025
Hearing brief for registration of Project u/s 4

S.No	Particulars	Details
1.	Name of the project	Downtown 66
2.	Nature of the project	Group Housing Colony
3.	Location of the project	Sector-66-67, Gurugram
4.	Name of the promoter	M/s BPTP Ltd.
5.	Legal capacity to act as a promoter	Collaborator
6.	Name of the landowner	31 of 2008: Sh. Shyam Sunder- Shravan Kumar- Lalit Kumar and others 73 of 2024: Sh. Shyambir, Sh. Sanjay and others
7.	Status of project	New
8.	Whether registration applied for whole/ phase	Total: 2 phases
	Phase no. applied u/s 4	2
9.	Online application ID	RERA-GRG-2009-2025
10.	License no.	31 of 2008 dated 18.02.2008 valid upto 17.02.2030 73 of 2024 dated 28.06.2024 valid upto 27.06.2029
Note: As per the order of DTCP, Haryana, vide Endst. No. LC-2330 Vol. VI/JE(AK)/2025/12917 dated 11.04.2025, the licenses falling under this project, along with others, have been merged/amalgamated with M/s BPTP Ltd., in accordance with the order dated 20.09.2024 passed by the Hon'ble NCLT, Chandigarh.		
11.	Total licensed area	14.518 acres
	Area to be registered	4.235 acres
Note: The Department of Town & Country Planning, Haryana has granted the license no. 73 of 2024 dated 28.06.2024 (migrated from license no 162 of 2008 dated 19.08.2008) for an area admeasuring 3.45 acres to Sh. Shyam Bir Tyagi, Sh. Sanjay Tyagi and Sh. Manoj in collaboration with M/s Countrywide Promoters Private Limited (amalgamated with BPTP Limited as per NCLT order dated 20.09.2024) for setting up of Group Housing Colony in sector 66, Gurugram, Haryana.		
The aforesaid license no 73 of 2024 dated 28.06.2024 has been granted in addition to the existing license no 31 of 2008 dated 18.02.2008 of an area admeasuring 11.068 acres.		
Accordingly, the promoter further has obtained the revised-demarcation -cum zoning plan for an area admeasuring 14.518 acres duly approved by the Department of Town and Country Planning; Haryana vide memo no. ZP-374-II/PA (DK)/2025/7610 dated 03.03.2025.		
The promoter has also obtained the phasing plan approval from Department of Town and Country Planning; Haryana vide memo no. ZP-374-II/PA (DK)/2025/3976 dated 30.01.2025.		
Consequently, now the entire project of 14.518 acres comprises of 2 phases (Phase I measuring 10.283 acres and Phase II measuring 4.235 acres).		
Thereafter, the promoter obtained the building plans of Phase II which has been approved by the department vide memo no. ZP-374-VIII/PA(DK)/2025/26555 dated 14.07.2025.		
The current application pertains to the Phase II for an area measuring 4.235 Acres.		
12.	Projected completion date	OC - 31.10.2032 CC - 31.12.2032
13.	QPR Compliances (if applicable)	Not applicable



14.	4(2)(I)(D) Compliances (if applicable)	Not applicable		
15.	4(2)(I)(C) Compliances (if applicable)	Not applicable		
16.	Status of change of bank account	Not applicable		
17.	Details of proceedings pending against the project	Not applicable		
18.	RC Conditions Compliances (if applicable)	Not applicable		
19.	Number of towers	3 Residential Towers + 1 Convenient shopping below tower + 1 EWS Tower		
20.	Number of units	Residential: 504 + Commercial: 1 + EWS: 85		
21.	Total Project cost	Rs 1365.69 Cr		
22.	Project expenditure so far	Rs 53.97 Cr		
23.	Estimated expenditure for completion so far	Rs 1311.72 Cr		
24.	Statutory approvals either applied for or obtained prior to registration			
	S.No	Particulars	Date of approval	Validity upto
	i)	License Approval	31 of 2008 dated 18.02.2008 73 of 2024 dated 28.06.2024	17.02.2030 27.06.2029
	ii)	Revised Zoning cum demarcation plan approval	Drg No. DTCP 10312 dated 01.07.2024	-
	iii)	Revised Building Plan	ZP-374-VIII/PA(DK)/2025/26555 dated 14.07.2025	13.07.2030
	iv)	Revised Phasing Plan	Memo no. ZP-374-II/PA(DK)/2025/3976 dated 30.01.2025	
	v)	Environmental Clearance	Applied on 14.05.2025	
	vi)	Airport height clearance	AAR/RHQ/NR/ATM/NOC/2024/567 /2016-19 dated 05.07.2024	04.07.2032
	vii)	Fire scheme approval	Not submitted (Applied on 16.07.2025)	
	viii)	Electrical load availability connection (assurance)	Memo. No. Ch. 15/ Drg- 26B dated 31.03.2025	
	xi)	Service plan and estimate approval	Not submitted (Applied on 16.07.2025)	
25.	Fee Details			
	Registration Fee	Residential floor Area: 92105.194 x 3.03 x 10= Rs 27,90,787/- Commercial floor Area: 58.504 x 3.03 x 20= Rs 3,545/- Total: Rs 27,94,332/-		
	Processing Fee	92163.698 x 10= Rs 9,21,637/-		

	Late Fee	from October 2018 to 15.07.2025 (14 half years: $50 \times 14 = 700\%$) $\{700\% \text{ of registration fee imposed on earlier licensed FAR measuring } 2347.488 \text{ sqm}\} = 2347.488 \times 10 \times 1.75 = \text{Rs } 41,081.04/-$ $= \text{Rs } 41,081.04/- \times 700\% = \text{Rs } 2,87,567/-$
	Note: A late fee has been imposed on the Phase 2 area, which includes 0.785 acres of previously licensed land now proposed under this phase. Other than that, the OC for the remaining area has been received. It is also noted that on some area, the OC was issued after 2017. When the promoter applies for that area, the calculation will be done accordingly at that time.	
	Total Fee	Rs 40,03,536/-
26.	DD amount	Rs 29,30,806/- Rs 9,21,636/- Rs 1,51,094/-
	DD no. and date	266178 dated 14.07.2025 266179 dated 14.07.2025 266204 dated 22.08.2025
	Name of the bank issuing	IndusInd Bank
	Deficient amount	Nil
	File Status	Date
27.	File received on	15.07.2025
	First notice Sent on	07.08.2025
	1st hearing on	11.08.2025
	2nd hearing on	08.09.2025
28.	Case History: The Promoter M/s BPTP Ltd. (formerly M/s Countrywide Promoters Pvt. Ltd., which amalgamated with M/s BPTP Ltd.), who is a collaborator with the license holders (31 of 2008) Sh. Shyam Sunder-Shravan Kumar- Lalit Kumar and others & (73 of 2024) Sh. Shyambir, Sh. Sanjay and others applied for the registration of real estate group housing colony namely "Downtown -66" located at Sector- 66-67, Gurugram under section 4 of the Real Estate (Regulations and Development) Act, 2016 vide central receipt no. 94403 dated 15.07.2025 and RPIN-934. The Temp I.D. of REP - I (Part A-H) is RERA -GRG-2009-2025. The project area for registration is 4.235 acres out of total licensed area 14.518 acres under the license no. 31 of 2008 dated 18.02.2008 valid upto 17.02.2030 & 73 of 2024 dated 28.06.2024 valid upto 27.06.2029. Also, the application for registration of group housing colony was scrutinized after the authority's direction and 1st deficiency notice vide notice no. HARERA/GGM/RPIN/934 dated 15.07.2025 was issued to the promoter with an opportunity of being heard on 11.08.2025. The public notice was published in 3 leading newspapers 1 Hindi and 2 English on 24.07.2025 namely Dainik Bhaskar, Hindustan Times & The Tribune. Whereas, 2 objections have been received in the authority. The objections are as follows: 1. An objection was filed by the landowners, namely Shyambir Tyagi, Sanjay Tyagi, and Manoj, which has been briefly quoted herein. They stated that TDR approval has been granted for the site plan of 14.5 acres. Accordingly, the landowners should also receive a share of the additional FAR granted, as per the terms of the collaboration agreement. They have requested the authority not to proceed with the registration of the additional group housing project, namely "Downtown-66." They further submitted that the project should be granted to the promoter/developer only after obtaining their consent in this regard.	

2. Further, second objection was filed by the allottee namely Sh. Rajiv Kapur stating that the allottees of phase 1 had earlier filed detailed objections in April 2025 before the STP against the in-principle approval dated 24.03.2025 granted in favour of the said new project. Further objections were also raised during the meeting held on 05.05.2025 before the office of the STP, Gurugram. Despite the same, approval was granted to the revised building plans.

Complaint received from allottees:

Brief Summary of Objections –

1. Misrepresentation by Promoter (Section 12, RERA Act, 2016):

The promoter assured residents and HRERA that existing common facilities (Park Prime & Mansions) would remain unaffected. However, agreements executed without RWA general body approval suggest intended use and alteration of these areas, amounting to material misrepresentation.

2. Unauthorized Alteration of Approved Plans (Section 14(2)(ii), RERA Act):

The Phase-II plan relies on common infrastructure of the completed colony without obtaining consent from two-thirds of affected allottees, violating statutory provisions that protect sanctioned layouts and common areas.

3. Illegal Expansion Post-Occupancy Certificate (OC):

Since OCs were already issued (2008–2012) with no disclosure of phasing or future expansion, any new construction must be treated as an independent project. Retroactive FAR merging is legally impermissible and violates settled norms.

4. Violation of Haryana Apartment Ownership Act, 1983:

Under Section 6(2), the undivided interest in common areas cannot be altered without unanimous consent. FAR merger dilutes existing owners' share, contravening both the Act and DTCP Policy dated 25.01.2021.

5. Breach of Builder-Buyer Agreement & Conveyance Deed:

The original agreements guaranteed exclusive rights to defined common areas, open spaces, and infrastructure aligned with planned density—all of which are being compromised by the proposed changes.

6. Misuse of DTCP Phasing Policy:

The promoter is applying phasing provisions retrospectively to gain FAR benefits, bypassing statutory safeguards and prejudicing the rights of existing allottees.

Specific Objections:

A. Unauthorized FAR Merger:

- No legal authority to merge FAR across different licenses.
- Misrepresentation of "available FAR" impacting residents' rights.
- Breach of contractual terms.

B. Adverse Impact on Allottees:

- Reduction in open spaces and amenities per capita.
- Lower property values due to increased density.
- Unjust enrichment of promoter using resident-funded infrastructure.

Relief Sought:

1. Withhold Registration:

Suspend or reject registration of Phase-II until compliance with Section 14(2)(ii) RERA is ensured.

2. Restrain Development Activity:

Direct promoter not to commence construction without written consent of two-thirds of affected allottees.

3. Ensure Legal Compliance:



Enforce adherence to RERA, the Haryana Apartment Ownership Act, and DTCP policies. Any new construction should be treated as a separate project.

4. Protect Existing Owners' Rights:

Prevent dilution of ownership and misuse of shared infrastructure.

5. Impose Penalties:

Penalize the promoter under Sections 61 and 63 of the RERA Act and initiate investigation into potential fraudulent practices.

On 02.09.2025, the promoter submitted a reply to the objections and stated that

Brief Summary of Developer's Reply to Objections of the allottees

1. No Misrepresentation Under Section 12, RERA Act, 2016

The objection citing Section 12 is misconceived. This section pertains to loss caused by false or misleading advertisements or prospectuses. No such material misrepresentation exists in this case. The agreement dated 09.01.2025 between the Developer and RWA/resident explicitly authorizes infrastructure connection without affecting existing common areas. The proposed towers are entirely independent of Park Prime and Park Mansions, with no shared services or amenities, and thus, Section 12 is not attracted.

2. No Violation of Section 14(2)(ii), RERA Act

Allegations of unauthorized use of existing infrastructure are false and baseless. The approved building plan clearly provides for separate and self-sufficient infrastructure, including UGT, STP, electricity, green areas, and fire safety facilities for the new towers. Furthermore, as per Clause 4.1.1 of DTCP Policy dated 24.04.2023, two-thirds consent is only required from allottees within the same phase where the revision is proposed. The current application pertains to a new phase (4.235 acres) with no existing allottees, making the 2/3rd consent requirement inapplicable.

3. Legally Permissible Expansion as per DTCP Policy

The DTCP Policy dated 24.04.2023 allows phasing even where OC has been granted. It also permits additional FAR (via TOD/TDR) to be availed over completed/registered phases through fresh RERA registration.

The Developer has lawfully obtained:

- Phasing plan approval (Memo No. ZP-374-II/PA (DK)/2025/3976 dated 30.01.2025),
- Final building plan approval dated 14.07.2025.

Hence, objections to the expansion are unfounded and contrary to applicable policy.

4. No Dilution of Existing Owners' Undivided Share

The undivided share of apartment owners from the previously completed phases remains unchanged, in full compliance with their conveyance deeds and Declarations (DoDs). New allottees will have rights only in the newly licensed 3.45-acre parcel (License No. 73 of 2024), with no overlap or claim on existing common areas.

5. No Breach of Builder-Buyer Agreements or Rights

Claims that common area rights of existing residents are being altered are misleading and incorrect. The proposed towers are part of a new, independently licensed group housing colony, with no bearing on existing infrastructure or services. Additionally, the 3.45-acre parcel was migrated from License No. 162 of 2008 (originally intended for an IT Park). Choosing residential development over an IT Park reduces density and traffic, thereby improving quality of life in the area.

6. Full Compliance with Phasing Policy

The Developer has strictly complied with DTCP's Phasing Policy dated 24.04.2023, which explicitly allows completed/OC-received areas to be designated as independent phases for

availing FAR benefits through new licensing and fresh RERA registration. The project has been planned and approved in full alignment with these norms.

Conclusion

All objections raised are either factually incorrect, based on misinterpretation of legal provisions, or irrelevant in light of applicable policies and approvals.

The Developer respectfully submits that the project has been executed in complete legal and regulatory compliance, and all claims to the contrary are liable to be dismissed.

Complaint received from landowners:

Brief Summary of Objections –

The Complainants – Shyambir Tyagi, Sanjay Tyagi, and Manoj – are the joint landowners of 3.45 acres of agricultural land situated in the revenue estate of Village Maidawas, Gurugram, Haryana, falling under Sectors 66 and 67.

M/s BPTP Ltd. has obtained License No. 73 of 2024 for developing the said land as part of an additional group housing colony to the existing project (License No. 31 of 2008) over an adjacent 11.068 acres. The promoter has applied for RERA registration of the new project titled “Downtown 66”.

The Complainants submit that disputes have arisen between them and the promoter regarding the sharing of additional FAR granted over the total land of 14.5 acres. In view of these unresolved issues, the Complainants have asked the promoter to maintain status quo regarding all further approvals, sanctions, and permissions relating to the project.

Therefore, the Complainants request this Authority not to grant registration of the project “Downtown 66” under License No. 73 of 2024 until their concerns are fully addressed and written consent is obtained from them.

Brief Summary of promoter’s Reply to Objections of the landowners:

1. The Developer submits that the objection raised by the Landowners (Shyambir Tyagi, Sanjay Tyagi, and Manoj) to withhold RERA registration of the project “Downtown 66” is misconceived, contractually untenable, and factually incorrect.
2. All disputes between the parties had already been fully and finally settled through a **Settlement Agreement dated 06.09.2023**, pursuant to which:
 - The Landowners’ entitlements in the 11.068 acres (including their 4.73125-acre share) were conclusively settled.
 - All legal claims were withdrawn, as recorded in civil court orders dated 14.11.2023 and 22.12.2023.
3. On the same day (06.09.2023), the parties entered into a **Registered, Irrevocable Collaboration Agreement** for the 3.45 acres in question. As per this agreement:
 - The Landowners expressly agreed to a **fixed share of 94,677.66 sq. ft.**, and waived any claim to additional FAR acquired through TDR or otherwise.
 - The Developer was authorized to obtain licenses, sanctions, and undertake project development.
 - A **refundable security deposit of Rs 12 Crores** was paid to the Landowners.
 - The Landowners executed irrevocable General and Special Powers of Attorney empowering the Developer to carry out all activities including RERA registration.
4. Based on this binding Collaboration Agreement, the Developer has:
 - Obtained License No. 73 of 2024.
 - Transferred 5.1181 acres of its own land to the Government for TDR.
 - Invested heavily in approvals, architectural planning, and construction mobilization.



5. The Landowners' current objections are a **recycled version of previously settled claims**, and appear to be an attempt to exert undue pressure for additional benefits beyond the agreed contractual terms.
6. The Collaboration Agreement obliges the Landowners to support the RERA registration process (Clause 16.3), which they are now violating by attempting to stall the project.
7. All actions of the Developer are in full compliance with the law and binding agreements. No further consent from the Landowners is required at this stage.
8. In light of the above, it is respectfully submitted that the Landowners' objection be dismissed, and the application for RERA registration of "Downtown 66" be allowed, in order to avoid undue delays and protect the sanctity of binding contractual commitments.

On 11.08.2025, Ms. Deepika, Planning Executive and Sh. Ashish Dubey, Chartered Accountant briefed about the facts of the case. Sh. Venke Rao (Advocate) and Sh. Rahul Sharma (AR) are present on behalf of the promoter. Sh. Varun Jindal, SH. KK. Shegal and 27 other individuals appeared on behalf of the complainants. A public notice was published in three newspapers—two English ("The Tribune" and "Hindustan Times") and one Hindi ("Dainik Bhaskar")—on 24.07.2025, regarding the proposed registration under Section 4 of the Real Estate (Regulation and Development) Act, 2016. Following the publication, multiple objections were received **from** allottees and landowners. The objections raised by allottees are as briefed out here such as illegal use of infrastructure like approved site plan allegedly utilizes the existing infrastructure and amenities of the complainants' colony without their consent, strain on shared infrastructure, unauthorized use of access road, environmental and living quality concerns, traffic congestion, disruption of common facilities & privacy and safety issues. Further, some objections are also raised by Landowners namely Sh. Shyambir Tyagi, Sh. Sanjay Tyagi, and Sh. Manoj. They stated that TDR approval has already been granted for the 14.5-acre site plan. As per the terms of the collaboration agreement, the landowners are entitled to a share of the additional FAR granted. In view of the above, the Authority directed that all objections received from the allottees and landowners be examined by the office. A copy of the objections shall be provided to the promoter, who shall submit a detailed reply within one week. The reply submitted by the promoter to the Authority shall be shared by the promoter with both parties (the landowners and the allottees). The promoter is further directed to resolve all concerns raised by the allottees and landowners and to submit the deficit documents as already conveyed by the Authority. The matter to come up on 08.09.2025.

The status of the documents is mentioned below:

29.	Present compliance status as on 08.09.2025 of deficient documents conveyed vide last hearing dated 11.08.2025.	1. Deficit Fee- Rs 1,51,094/- needs to be submitted. (The fee has been calculated as per the approved site plan. This may change upon submission of the revised site plan or if any plan has been approved under the earlier revised or migrated license, if applicable.) Status: Submitted vide DD No. 266204 dated 22.08.2025. 2. The annexures in the online application are not uploaded as well as the correction needs to be done in the online (A-H). Status: Not submitted 3. Online DPI needs to be corrected. Status: Not submitted 4. Earlier approved plans for the project needs to be submitted. Status: Submitted 5. The approved building plans are revised, hence the changes made in the building plans in tabular form and duly marked on the plans is needs to be submitted. Status: The earlier layout comprised 11.068 acres. Following the grant of License No. 73 of 2024 dated 28.06.2024, an
-----	---	---



additional area measuring 3.45 acres was added, resulting in a revised total site area of 14.518 acres. The promoter has also obtained phasing plan approval from the Department of Town and Country Planning, Haryana, vide Memo No. ZP-374-II/PA (DK)/2025/3976 dated 30.01.2025. Consequently, the entire project area of 14.518 acres is now divided into two phases:

- Phase I measuring 10.283 acres,
- Phase II measuring 4.235 acres.

In Phase I (10.283 acres), where Occupation Certificates (OC) for Towers A, B, D, E, F, G, H, J, EWS units, and the Convenient Shopping area have already been granted, no changes have been made in the revised layout.

Phase II (4.235 acres) includes:

- 0.785 acres from the earlier License No. 31 of 2008,
- 3.45 acres from the new additional License No. 73 of 2024 granted by DTCP, Haryana on 28.06.2024.

In the previous layout, 8 villas were planned on the 0.785-acre parcel. In the revised layout of 14.518 acres, this area (0.785 acres) is now designated for a Primary School and part of the Community Building, replacing the earlier villas. The building plan for the newly added 3.45 acres has been approved for the first time under the revised scheme.

6. Booking list of units sold to the allottees as on date of the application applied for registration under license no. 31 of 2008 which includes name of the allottees, unit/plot no., unit/plot area, date of booking, average rate, and total consideration (including paid amount and balance amount) needs to be submitted.

Status: Not submitted

7. It is noted that the total licensed land under License No. 31 of 2008 and 73 of 2024 is 14.518 acres. However, the promoter is applying for registration of only 4.235 acres as per the approved site plan and has stated that various Occupancy Certificates (OCs) have been received for Phase 1. It is further observed that one of the OC was issued after 2020 by DTCP, Haryana. Accordingly, the project is registrable under RERA. The promoter is therefore required to clarify why RERA registration has not been applied for.

Status: It is submitted that for the total site area of 14.518 acres, the promoter has obtained phasing plan approval on 30.01.2025, wherein the total site is divided into two phases:

- Phase 1 - 10.283 acres
- Phase 2 - 4.235 acres

Accordingly, the promoter has applied for registration of Phase 2, admeasuring 4.235 acres.

Further, the Show Cause Notice dated 06.12.2023 regarding non-registration of the Project has been disposed of by the Authority on 28.03.2024.

However, it is observed that the order passed appears to be incomplete, as there is no mention of the OC granted in 2020,



	and the order has been passed without addressing this aspect. 8. The project being brought by the promoter is on a land collaboration basis. It is noted that one of the collaboration agreements has not been registered, and no GPA/SPA has been submitted in relation to the same. The promoter is therefore required to either clarify the same or submit the registered agreement. Status: The project covering 4.235 acres comprises land under License No. 31 of 2008 (0.785 acres) and License No. 73 of 2024 (3.45 acres). For License No. 31 of 2008, a collaboration agreement was executed on 06.10.2006 between the landowner and collaborator. At that time, registration of such agreements was not mandatory under DTCP norms. DTCP only made registration mandatory from 05.01.2011, as per the attached office order. Based on this agreement, DTCP issued License No. 31 of 2008 and granted Occupation Certificates for all 8 residential towers in Phase I. The same collaboration agreement also formed the basis for: • The revised demarcation-cum-zoning plan (Memo No. ZP-374-II/PA (DK)/2025/7610 dated 03.03.2025) • Phasing plan approval (Memo No. ZP-374-II/PA (DK)/2025/3976 dated 30.01.2025) DTCP further approved the final revised building plan on 14.07.2025, after due diligence. Therefore, the collaboration agreement dated 06.10.2006 is valid and complete under the applicable DTCP rules, as registration was not required at that time. Additionally, the collaboration agreement for License No. 73 of 2024 is a registered document, duly registered with the Sub-Registrar, Badshahpur on 08.09.2023. Copies of the irrevocable Power of Attorney submitted but one of the GPA/SPA is not registered. 9. In collaboration agreement, it is observed that there is area sharing between a collaborator and a land owner. Accordingly, a list of units allocated to the landowner and developer duly signed by both the parties and marked on the site plan needs to be submitted. Status: Not submitted 10. It is noted that the collaboration agreement dated 05.09.2023 was executed not only with the landowners and the collaborator, i.e., Countrywide Promoters Pvt. Ltd., but also with two other companies — M/s Eventual Builders Pvt. Ltd. and M/s BPTP Ltd. Further, in the collaboration agreement of the earlier license as well, a similar observation has been made — the agreement was executed not only with the landowners and the collaborator but also included a third company, namely M/s Precision Infrastructure Pvt. Ltd., and another agreement with M/s Eventual Builders Pvt. Ltd. (as a third party). Accordingly, the same needs to be clarified.
--	--



Status: It is noted that the M/s Precision Infrastructure Private Limited and M/s Eventual Builders Private Limited has now been amalgamated with M/s BPTP Limited vide NCLT order dated 20.09.2024. Further, the aforesaid agreements dated 06.10.2006 and 21.05.2007, the Eventual Builders Private Limited and M/s Precision Infrastructure Private Limited had paid the security deposit amount to the landowners hence there were introduced/referred as the confirming parties whereas the Countrywide Developers Private Limited was referred as Developer and license was also obtained in the name of Countrywide Developers Private Limited at that time.

11. The license no. 73 of 2024 dated 28.06.2024 for an area admeasuring 3.45 acres is granted by DTCP after migration from license no. 162 of 2008 dated 19.08.2008 granted for IT park over an area measuring 5.02 acres. You, are, therefore required to provide the status of registration of the project pertaining to license no 162 of 2008 dated 19.08.2008. You are further required to provide the details of sold and unsold inventory along with the status of development works on site. If not sold an affidavit regarding no advertisement, marketing, booking or sale etc. w.r.t the license no 162 of 2008 dated 19.08.2008 for an area admeasuring 5.02 acres from the license holder and Collaborator along with the board resolution needs to be submitted.

Status: License No. 162 of 2008 dated 19.08.2008 was granted by DTCP, Haryana for developing an IT Park over 5.02 acres. Out of this, 3.45 acres has been migrated to the new License No. 73 of 2024 dated 28.06.2024. As a result, the remaining area under License No. 162 of 2008 is 1.57 acres. It is further confirmed that:

- No building plan was ever approved under License No. 162 of 2008.
- No booking, sale, advertisement, or marketing has ever been carried out under this license. Accordingly, an undertaking regarding the same has been submitted by the promoter.

12. As building plans are revised the prior written consent from 2/3rd allottees of the project needs to be submitted.

Status: Not submitted, while undertaking is provided stating that there are no changes in the phase- 1 for an area measuring 10.283 acres also no third-party rights has been created in phase-2.

Also, promoter stated that the 2/3 consent of the allottees herein is not applicable in accordance with the DTCP policy dated 24.04.2023. As per the clause 4.1.1 of the said DTCP policy, the 2/3 consent of the allottees for revision of layout/building plan shall be limited to the such phase in which such revision is proposed. Since there are no allottees in this phase the consent of the 2/3 allottees is not applicable.

Clause 4.1.1 In cases where colony is proposed to be developed in phases, obtaining two-third consent, for revision of layout/building plan shall be limited to the phase in which such revision is proposed.

		13. Revised land title search report including name of the company M/s BPTP Ltd. for the last 30 years, certified by an advocate with their bar enrolment number and dated recently, needs to be submitted. Status: Submitted 14. Copy of mutation duly certified by revenue officer not more than 6 months prior to the date of application of registration need to be submitted. Status: Submitted 15. Copy of approved service estimates and plans along with sanction letter from DTCP, needs to be submitted. If applied, then copy of the same needs to be submitted. Status: Applied on 16.07.2025 16. Fire Scheme approval needs to be submitted. If applied, then copy of the same needs to be submitted. Status: Applied on 16.07.2025 17. Environmental clearance approval needs to be submitted. If applied, then copy of the same needs to be submitted. Status: Not submitted, whereas promoter submitted a TOR dated 19.02.2025. 18. Airport height clearance for the applied project needs to be submitted. If applied, then copy of the same needs to be submitted. Status: Submitted 19. Approval NOC from concerned agency for connecting external services like road access needs to be submitted. Status: Not submitted, however, the promoter has provided an undertaking stating that the land is already connected by a road. A report from the DTP, Gurugram, addressed to the STP, Gurugram, is also attached for the purpose of granting the license. The report states that a 7-karam-wide revenue rasta abuts the applied land in front of the site. 20. Demarcation plan needs to be submitted. Status: Submitted 21. Allottee related documents like draft application, allotment letter, builder buyer agreement, conveyance deed and payment plan need to be revised. Status: Not submitted 22. Brochure and Advertisement for the project needs to be submitted. Status: Submitted 23. Cost of the land amounts to Rs 8695.40 lakhs needs to be clarified according to the area applied for the registration is 4.235 acres along with the supporting documents and collaboration agreements are not registered. Additionally, an affidavit outlining the area-sharing model along with compliance of Sec 4(2)(I)(D) with the landowners needs to be submitted. Status: Not submitted 24. Bank Undertaking needs to be revised as date is missing and project name is missing in Free A/c. Status: Submitted 25. As per REP-1 (A-H) project bank accounts are maintained in HDFC, as per DPI project bank accounts are maintained in ICICI
--	--	---



		Bank whereas per bank undertaking project bank accounts are maintained in YES Bank. Project Bank details need to be clarified and to submit the revised board resolution duly acknowledged for operation of bank account as per RERA Regulation 2016 and revised Affidavit of promoter regarding arrangement with the bank of master account under section 4(2)(I)(D). Status: Submitted but bank account details need to be revised in both REP-1 (A-H) and DPI. 26. Draft agreement for sale needs to be revised as master account details of the project is missing. Status: Not submitted 27. Revised CA Certificate of net worth on latest date needs to be submitted as previously dated was 31.03.2024. Status: Not submitted 28. KYC of Architect, Engineer, CA, MEP and Proof Consultant needs to be submitted. Status: Not submitted 29. Details of financial resources amounts to Rs 5396.83 lakhs from inter corporate units needs to be submitted. Status: Submitted but CA Certificate of financial resources needs to be revised as details of inter corporate loan and units are missing.
30.	Remarks	1. The annexures in the online application are not uploaded as well as the correction needs to be done in the online (A-H). 2. Online DPI needs to be corrected. 3. The approved building plans are revised, hence the changes made in the building plans in tabular form and duly marked on the plans is needs to be submitted. Status: The earlier layout comprised 11.068 acres. Following the grant of License No. 73 of 2024 dated 28.06.2024, an additional area measuring 3.45 acres was added, resulting in a revised total site area of 14.518 acres. The promoter has also obtained phasing plan approval from the Department of Town and Country Planning, Haryana, vide Memo No. ZP-374-II/PA (DK)/2025/3976 dated 30.01.2025. Consequently, the entire project area of 14.518 acres is now divided into two phases: • Phase I measuring 10.283 acres, • Phase II measuring 4.235 acres. In Phase I (10.283 acres), where Occupation Certificates (OC) for Towers A, B, D, E, F, G, H, J, EWS units, and the Convenient Shopping area have already been granted, no changes have been made in the revised layout. Phase II (4.235 acres) includes: • 0.785 acres from the earlier License No. 31 of 2008, • 3.45 acres from the new additional License No. 73 of 2024 granted by DTCP, Haryana on 28.06.2024. In the previous layout, 8 villas were planned on the 0.785-acre parcel. In the revised layout of 14.518 acres, this area (0.785 acres) is now designated for a Primary School and part of the Community Building, replacing the earlier villas. The building plan for the newly added 3.45 acres has been approved for the first time under the revised scheme.



		4. Booking list of units sold to the allottees as on date of the application applied for registration under license no. 31 of 2008 which includes name of the allottees, unit/plot no., unit/plot area, date of booking, average rate, and total consideration (including paid amount and balance amount) needs to be submitted. 5. It is noted that the total licensed land under License No. 31 of 2008 and 73 of 2024 is 14.518 acres. However, the promoter is applying for registration of only 4.235 acres as per the approved site plan and has stated that various Occupancy Certificates (OCs) have been received for Phase 1. It is further observed that one of the OC was issued after 2020 by DTCP, Haryana. Accordingly, the project is registrable under RERA. The promoter is therefore required to clarify why RERA registration has not been applied for. Status: It is submitted that for the total site area of 14.518 acres, the promoter has obtained phasing plan approval on 30.01.2025, wherein the total site is divided into two phases: • Phase 1 – 10.283 acres • Phase 2 – 4.235 acres Accordingly, the promoter has applied for registration of Phase 2, admeasuring 4.235 acres. Further, the Show Cause Notice dated 06.12.2023 regarding non-registration of the Project has been disposed of by the Authority on 28.03.2024. However, it is observed that the order passed appears to be incomplete, as there is no mention of the OC granted in 2020, and the order has been passed without addressing this critical aspect. 6. The project being brought by the promoter is on a land collaboration basis. It is noted that one of the collaboration agreements has not been registered, and no GPA/SPA has been submitted in relation to the same. The promoter is therefore required to either clarify the same or submit the registered agreement. Status: The project covering 4.235 acres comprises land under License No. 31 of 2008 (0.785 acres) and License No. 73 of 2024 (3.45 acres). For License No. 31 of 2008, a collaboration agreement was executed on 06.10.2006 between the landowner and collaborator. At that time, registration of such agreements was not mandatory under DTCP norms. DTCP only made registration mandatory from 05.01.2011, as per the attached office order. Based on this agreement, DTCP issued License No. 31 of 2008 and granted Occupation Certificates for all 8 residential towers in Phase I. The same collaboration agreement also formed the basis for: • The revised demarcation-cum-zoning plan (Memo No. ZP-374-II/PA (DK)/2025/7610 dated 03.03.2025) • Phasing plan approval (Memo No. ZP-374-II/PA (DK)/2025/3976 dated 30.01.2025)
--	--	---



DTCP further approved the final revised building plan on 14.07.2025, after due diligence. Therefore, the collaboration agreement dated 06.10.2006 is valid and complete under the applicable DTCP rules, as registration was not required at that time. Additionally, the collaboration agreement for License No. 73 of 2024 is a registered document, duly registered with the Sub-Registrar, Badshahpur on 08.09.2023.

Copies of the irrevocable Power of Attorney submitted but they are not registered.

7. In collaboration agreement, it is observed that there is area sharing between a collaborator and a land owner. Accordingly, a list of units allocated to the landowner and developer duly signed by both the parties and marked on the site plan needs to be submitted.
8. It is noted that the collaboration agreement dated 05.09.2023 was executed not only with the landowners and the collaborator, i.e., Countrywide Promoters Pvt. Ltd., but also with two other companies — M/s Eventual Builders Pvt. Ltd. and M/s BPTP Ltd. Further, in the collaboration agreement of the earlier license as well, a similar observation has been made — the agreement was executed not only with the landowners and the collaborator but also included a third company, namely M/s Precision Infrastructure Pvt. Ltd., and another agreement with M/s Eventual Builders Pvt. Ltd. (as a third party). Accordingly, the same needs to be clarified.

Status: It is noted that the M/s Precision Infrastructure Private Limited and M/s Eventual Builders Private Limited has now been amalgamated with M/s BPTP Limited vide NCLT order dated 20.09.2024. Further, the aforesaid agreements dated 06.10.2006 and 21.05.2007, the Eventual Builders Private Limited and M/s Precision Infrastructure Private Limited had paid the security deposit amount to the landowners hence there were introduced/referred as the confirming parties whereas the Countrywide Developers Private Limited was referred as Developer and license was also obtained in the name of Countrywide Developers Private Limited at that time.

9. The license no. 73 of 2024 dated 28.06.2024 for an area admeasuring 3.45 acres is granted by DTCP after migration from license no. 162 of 2008 dated 19.08.2008 granted for IT park over an area measuring 5.02 acres. You, are, therefore required to provide the status of registration of the project pertaining to license no 162 of 2008 dated 19.08.2008. You are further required to provide the details of sold and unsold inventory along with the status of development works on site. If not sold an affidavit regarding no advertisement, marketing, booking or sale etc. w.r.t the license no 162 of 2008 dated 19.08.2008 for an area admeasuring 5.02 acres from the license holder and Collaborator along with the board resolution needs to be submitted.

Status: License No. 162 of 2008 dated 19.08.2008 was granted by DTCP, Haryana for developing an IT Park over 5.02 acres. Out of this, 3.45 acres has been migrated to the

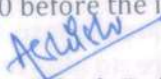


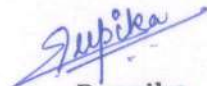
	new License No. 73 of 2024 dated 28.06.2024. As a result, the remaining area under License No. 162 of 2008 is 1.57 acres. It is further confirmed that: - No building plan was ever approved under License No. 162 of 2008. - No booking, sale, advertisement, or marketing has ever been carried out under this license. Accordingly, an undertaking regarding the same has been submitted by the promoter. 10. As building plans are revised the prior written consent from 2/3rd allottees of the project needs to be submitted. Status: Not submitted, while undertaking is provided stating that there are no changes in the phase- 1 for an area measuring 10.283 acres also no third-party rights has been created in phase-2. Also, promoter stated that the 2/3 consent of the allottees herein is not applicable in accordance with the DTCP policy dated 24.04.2023. As per the clause 4.1.1 of the said DTCP policy, the 2/3 consent of the allottees for revision of layout/ building plan shall be limited to the such phase in which such revision is proposed. Since there are no allottees in this phase the consent of the 2/3 allottees is not applicable. <i>Clause 4.1.1 In cases where colony is proposed to be developed in phases, obtaining two-third consent, for revision of layout/ building plan shall be limited to the phase in which such revision is proposed.</i> 11. Copy of approved service estimates and plans along with sanction letter from DTCP, needs to be submitted. If applied, then copy of the same needs to be submitted. 12. Fire Scheme approval needs to be submitted. If applied, then copy of the same needs to be submitted. 13. Environmental clearance approval needs to be submitted. If applied, then copy of the same needs to be submitted. 14. Approval NOC from concerned agency for connecting external services like road access needs to be submitted. Status: Not submitted, however, the promoter has provided an undertaking stating that the land is already connected by a road. A report from the DTP, Gurugram, addressed to the STP, Gurugram, is also attached for the purpose of granting the license. The report states that a 7-karam-wide revenue rasta abuts the applied land in front of the site. 15. Allottee related documents like draft application, allotment letter, builder buyer agreement, conveyance deed and payment plan need to be revised. 16. Cost of the land amounts to Rs 8695.40 lakhs needs to be clarified according to the area applied for the registration is 4.235 acres along with the supporting documents and collaboration agreements are not registered. Additionally, an affidavit outlining the area-sharing model along with compliance of Sec 4(2)(I)(D) with the landowners needs to be submitted. 17. As per REP-1 (A-H) project bank accounts are maintained in HDFC, as per DPI project bank accounts are maintained in ICICI Bank whereas per bank undertaking project bank accounts are
--	---



	maintained in YES Bank. Project Bank details need to be clarified and to submit the revised board resolution duly acknowledged for operation of bank account as per RERA Regulation 2016 and revised Affidavit of promoter regarding arrangement with the bank of master account under section 4(2)(I)(D).
	18. Draft agreement for sale needs to be revised as master account details of the project is missing.
	19. Revised CA Certificate of net worth on latest date needs to be submitted as previously dated was 31.03.2024.
	20. KYC of Architect, Engineer, CA, MEP and Proof Consultant needs to be submitted.
	21. Details of financial resources amounts to Rs 5396.83 lakhs from inter corporate units needs to be submitted.

Recommendation: All the required documents for registration under section 4 of the Act, 2016 have been submitted except approved service plans and estimates, fire scheme approval & environment clearance, corrections in form A-H and DPI along with other deficiencies. The Authority may consider for grant of registration upon submission of DD's/BG's of Rs 25 lakhs each for the submission of approved service plans and estimates, fire scheme approval & environment clearance within four months and deficiencies pending at S.no. 30 before the issuance of registration certificate.


Ashish Dubey
Chartered Accountant


Deepika
Planning Executive

Day and Date of hearing	Monday and 08.09.2025
Proceeding recorded by	Sh. HR Mehta

PROCEEDINGS OF THE DAY

Proceedings dated: 08.09.2025.

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

Sh. Rahul Dahiya, Sh. Rahul Sharma (AR) along with Sh. Venkat Rao (Advocate) are present on behalf of the promoter.

Sh. Rohan Gupta (Advocate), accompanied by Shyambir Tyagi and Manoj Tyagi, appeared on behalf of the landowners, along with the allottees of Park Prime & Park Mansions. The allottees reiterated their objections, primarily raising concerns of misrepresentation by the promoter, unauthorized modifications to approved layout plans without consents, illegal post-OC expansion, and violations of the phasing policy and Builder-Buyer Agreements. The allottees further objected as to how the promoter could apply additional FAR for Phase II when Occupancy Certificates (OCs) have already been issued for Phase I (10.283 acres)—which includes Towers A, B, D, E, F, G, H, J, EWS units, and the Convenient Shopping area especially when the conveyance deeds have been executed in favor of the allottees.

The AR of the promoter clarified that the revised building plans have been duly approved by the competent authority i.e., DTCP, Haryana, after ensuring all requisite obligations/compliance with applicable laws, rules, and regulations. As part of the statutory process, DTCP issued public notices in three leading newspapers dated 20.06.2025, inviting objections and suggestions from allottees and after considering the same, the revised building plans have been duly approved by DTCP vide Memo No. ZP-374-VIII/PA(DK)/2025/26555 dated 14.07.2025, and the phasing plan for the project is also duly approved by DTCP in pursuance to policy issued by Government vide Memo No. Misc-862/2023/7/1/2023-2TCP-11689-91 dated 24.04.2023. Further, the registration is applied for phase-II, which includes additional license area of 3.45 acres and only a 0.785



acres area has been included from phase-I, which in earlier plan was reserved for villas and no sale/third party rights in respect of these villas have been created and thus the requirement of prior consent of allottees of phase-I, does not arise in view of the policy direction issued by State Government to Chairman HARERA as well as DTCP. The area under changed of phase-I, is less than 1 acres and no exceeding 5% and hence does not constitute revision in terms of clause 3.1.2(ii) of policy dated 24.04.2023.

The promoter also submits that a Settlement Agreement dated 09.01.2025 was executed between the developer and the RWA/residents, which explicitly authorizes the company to connect necessary infrastructure for the proposed towers without affecting the existing common areas or amenities of Park Prime and Park Mansion. The proposed towers are entirely independent and do not share any common services, infrastructure, or amenities with the existing group housing.

In view of the above, the Authority observes that approvals of revised plans/phasing plans have been accorded by the competent authority i.e., DTCP under above phasing policy and hence, the complainant/allottee are at liberty to raise objection/ grievances if any, with the DTCP and may file complaint under section 31 for compensation in terms of section 14 of the Act, 2016, if any rights under Act, 2016 are infringed.

The complainants have further objected that, despite having obtained the OC and handing over physical possession, the promoter is using the FAR of their site area/TDR on the additional licensed land, which is applied for registration under Section 4 of the Act, 2016.

The AR of promoter stated that the additional FAR obtained through TDR does not pertain to the current project. In this regard, the promoter submitted a TDR certificate (No. 1-683 of 54/2024), issued by DTCP on 09.12.2024, which clearly shows that the TDR FAR has been sourced from a site located in Sector 106 and has been loaded onto the additional licensed land. In view of the above, the Authority directed the promoter to provide an undertaking that the services for the newly proposed towers will remain separate and independent and will not adversely affect the rights and services of the existing allottees of phase- I the additional TDR/ FAR being used does not pertain to the 10.283-acres site.

The complainants Sh. Shyambir Tyagi, Sh. Sanjay Tyagi, and Sh. Manoj Tyagi as landowners of 3.45 acres in Village Maidawas, Gurugram, raised objections to the RERA registration of "Downtown 66" (License No. 73 of 2024), seeking a halt to registration until their concerns over additional FAR sharing across the 14.5 acres (which includes 11.068 acres under License No. 31 of 2008) are resolved.

The counsel of the promoter countered that all disputes had been conclusively settled through a Settlement Agreement dated 06.09.2023, along with a registered irrevocable collaboration agreement executed on the same day. Under the said agreement, the landowners were allotted a fixed share of 94,677.66 sq. ft., waived any claim to additional FAR, granted irrevocable powers of attorney, and received a refundable deposit of ₹12 crores. The promoter argued that the current objections amount to a rekindling of already settled matters and constitute a breach of the landowners' contractual obligation to support the registration process. It was further submitted that any dispute arising out of the collaboration agreement does not fall within the jurisdiction of the RERA forum and must be adjudicated by a competent civil court or other appropriate forum. It was also submitted that the said agreement is binding upon both parties, and the promoter is under an obligation to perform its commitments including allocation of agreed covered area as per the terms of the



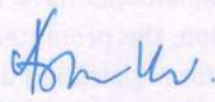
collaboration agreement. If the landowners have any grievance regarding the same, they are at liberty to seek redressal before the appropriate authority/ forum, in accordance with law.

The Authority further observes that, in the proceedings regarding non-registration under Section 3 of the Real Estate (Regulation and Development) Act, 2016, an order has already been passed, wherein the Occupation Certificate issued in 2020 is not specifically mentioned and hence the planning executive/ chartered accountant to examine if the same is covered in terms of rule 2(O) and if not, the promoter shall submit undertaking to seek its registration as well. The Secretary/ PC to keep a follow up and to ensure the necessary action in the matter.

Approved as proposed, subject to the submission of above undertakings/ deficit documents along with BG/DD of Rs 25 lakhs each for submission of approved service plan & estimates, fire scheme approval and environment clearance which have already been applied to the concerned authority. This approval is without prejudice to the rights of the allottees under section 14 of the Act, 2016.

The Registration Certificate will be issued upon correction of DPI and online A-H form, along with compliance of deficient documents, and the conditions imposed above.


(Vijay Kumar Goyal)
Member, HARERA


(Arun Kumar)
Chairman, HARERA