Project – Neo Square

Hearing brief for extension of project registration u/s 6					
S No.	**Particulars**	**Details**			
1.	**Name of the project**	Neo Square-Commercial Project			
2.	**Name of the promotor**	M/s Neo Developers Pvt. Ltd.			
3.	**Nature of the project**	Commercial			
4.	**Location of the project**	Sector –109, Gurugram, Haryana			
5.	**Legal capacity to act as a promoter**	BIP Holder			
6.	**Name of license holder**	Shrimaya Buildcon Pvt Ltd & others			
7.	**Status of project**	Ongoing			
8.	**Date of receipt of application**	14.02.2022			
9.	**RERA Registration No.**	109 of 2017 dated 24.08.2017			
10.	**Validity of Registration Certificate**	Valid From 24.08.2017	Valid Up to 23.08.2021 + 6 months for Covid-19 = 22.02.2022		
11.	**License no.**	1. 102 of 2008 valid upto 14.05.2024 2. 83 of 2014 valid upto 08.08.2021 3. 25 of 2019 valid upto 24.02.2024			
12.	**Total license area**	8.6696 Acres	**Area for extension of registration**	3.0890 Acres	
13.	**Extension applied till**	22.02.2023			
14.	**QPR compliances (if any)**	Submitted			
15.	**4(2)(l)(D) compliances (if any)**	2018-19 and 2021-22 pending			
16.	**Statutory approvals either applied for or obtained prior to registration.**				

S. No	**Particulars**	**Date of approval**	**Validity up to**
i)	**License Approval**	1. 102 of 2008 dated 15.05.2008 2. 83 of 2014 dated 09.08.2014 3. 25 of 2019 dated 25.02.2019	1. Valid upto 14.05.2024 2. Valid upto 08.08.2021 3. Valid upto 24.02.2024
ii)	**Zoning Plan Approval**	4782 dated 11.08.2014	N/A
iii)	**Building Plan**	16.10.2019	15.10.2024
iv)	**Environmental Clearance**	03.06.2020	02.06.2027
v)	**Airport height clearance (NOC)**	11.02.2020	31.12.2022
vi)	**Service plan and estimate approval**	29.01.2020	

17.	**Authorized Signatory/ Legal Representatives**	Sh. Shivender
18.	**Date of commencement of project**	01.12.2015
19.	**RC Compliances (if any)/ OC received (if any)**	BIP Permission - Complied
20.	**Present stage of completion (%)**	82
21.	**Total Project cost**	26636.19 Lakhs
22.	**Project expenditure so far**	21158.36 Lakhs

23.	**Estimated expenditure for completion so far**	5477.83 Lakhs
24.	**Details of units**	659 (556 Sold +103 Unsold)
25.	**Reasons for delay**	Due to COVID-19 (Lockdown of Two Times and Unavailability of manpower.)
26.	**Fee Details at the time of registration**	
	Registration fee	Rs 8,78,874/-
	Total	Rs 8,78,874/-
	DD Details	
	Amount for registration	Rs 8,71,100/-
	DD Date for registration	008939 dated 25.07.2017
	Deficient fee	Rs 7,774/-
	Fee Details at the time of Extension	
	Extension Fee (Half of Registration fee)	Rs 4,39,473/-
	Processing fee	Rs 2,32,522/-
	Late fee	Rs 6,59,209/- (150% of extension fee)
	Total	Rs 13,31,204/-
	Total Fee (Deficit at time of registration + Extension fee)	Rs 13,31,204 + Rs 7774 = Rs 13,38,978/-
27.	**DD Details**	
	DD Amount for extension	1. Rs 6,42,875/- 2. Rs 6,96,103/-
	DD date for extension	543595 dated 09.02.2022 618462 dated 11.03.2022
	Name of the bank issuing	YES Bank
	Deficient fee	NIL
28.	**File Status**	**Date**
	1st deficiency notice sent on	07.03.2022
	1st Hearing	14.03.2022
	2nd Hearing	27.06.2022
	3rd Hearing	11.07.2022
	4th Hearing	25.07.2022
	5th Hearing	27.07.2022
	6th Hearing	17.08.2022
	7th Hearing	12.09.2022
	8th Hearing	17.10.2022
	9th Hearing	14.11.2022
29.	**Status of documents**	1. Copy of renewal of license no. 83 of 2014 dated 09.08.2014 and 102 of 2008 dated 15.05.2008 needs to be submitted. **Status: Renewed license 102 of 2008 submitted and 83 of 2014 is not part of this project area. Applied for renewal and fee deposited.**

		2. Approvals / NOC's from various agencies for connecting external services like roads access permission needs to be submitted. Status: Applied but pending for approval. 3. 4(2)(l)(D) compliances. Status: 2021-22 not submitted.
30.	**Deficit documents**	1. Copy of renewal of license no. 83 of 2014 dated 09.08.2014 needs to be submitted. However, this license is not part of this project area. 2. Approvals / NOC's for roads access permission needs to be submitted. 3. 4(2)(l)(D) compliances of 2021-22 pending.

Case History:

The Promoter M/s Neo Developers Pvt. Ltd. who is a BIP Holder applied for the extension of registration of real estate project namely "Neo Square located at Sector-109, Gurugram under section 6 of the Real Estate (Regulations and Development) Act, 2016 vide central receipt no. 28708 dated 14.02.2022 and EPIN-17. The Temp I.D. of REP – I (Part A-H) is RERA -GRG-PROJ-545-2020 and online generated for project extension temp id RERA-GRG-1032-2022. The project area for the registration is 3.0890 acres and the licensed area is 8.6696 acres. The promoter is the BIP Holder for 3.0890 acres out of 8.6696 acres. License no – 102 of 2008 dated 15.05.2008, License no. 83 of 2014 dated 09.08.2014 and License no. 25 of 2019 dated 25.02.2019.

The application for extension of registration was scrutinized and 1st deficiency notice vide notice no. HARERA/GGM/REP/RC/109/2017/EXT/17/2022 dated 07.03.2022 was issued to the promoter with an opportunity of being heard on 14.03.2022.

The promoter did not submit any reply till date.

On 14.03.2022, the authority decided to adjourn the matter and fixed for 27.06.2022.

The promoter submitted a reply dated 16.03.2022, 04.05.2022 and 17.06.2022 which were scrutinized and remaining deficiencies were conveyed to the promoter.

On 27.06.2022, The authority directed the promoter to submit the deficit documents alongwith the corrected online DPI and online (A-H) form. The AR further confirms that QPR as well as annual audit report with respect to existing registered projects has been submitted today in the registry of Authority which be also checked.

The matter to come up on 11.07.2022.

The promoter submitted a reply dated 16.03.2022, 04.05.2022 and 17.06.2022 which were scrutinized and remaining deficiencies were conveyed to the promoter. The promoter has submitted the QPRs and annual reports.

On 11.07.2022. Sh. Sumeet, Engineering Executive briefed about the facts of the case.

Sh. Ashish Anand (AR), Sh. Hemant Warrik (Legal), Sh. Pravin Ambasta (Manager Accounts) and Sh. Shivendra Pratap Shahi (Asst. Manager Planning & Coordination) are present on behalf of the promoter.

The AR seeks two weeks' time for rectification of the deficiencies conveyed as well as submission of deficit documents.

The matter to come up on 25.07.2022.

The promoter submitted the reply on 19.07.2022 which was scrutinized and remaining deficiencies were conveyed to the promoter.

On 25.07.2022, Due to administrative work of the Authority, the matter is adjourned to 27.07.2022.

On 27.07.2022, The validity of the license has expired and hence the applicant promoter is advised to obtain renewal of the license before the extension applied for is considered. The matter to come up on 17.08.2022.

The promoter submitted a reply on 10.08.2022, which was scrutinized and the remaining deficiencies were conveyed to the promoter.

On 17.08.2022, Ms. Geeta Rathee Singh, Sr. Legal Officer and Sh. Sumeet, Engineering Executive briefed about the facts of the case. Sh. Hemant Warrik (Director), Sh. Ambstha (Manager) and Sh. Shivendra Shahi are present on behalf of the promoter. The AR seeks 4 weeks' time for submission of renewal of license from DTCP along with rectification of other deficiencies and pending document if any. The matter to come up on 12.09.2022.

On 12.09.2022, Sh. Sumeet, Engineering Executive briefed about the facts of the case. None is present on behalf of the promoter. The promoter has already been granted 7 opportunities and still failed to rectify the deficiencies including renewal of license. The Authority hereby decides to issue show cause notice to the promoter as why this application for grant of extension of registration of the project shall not be rejected for want of renewal of license and grant an opportunity under rule 6 of the Haryana Rules, 2017 to rectify the defects i.e. submission of renewal of license within a period of 30 days from the date of issuance of communication regarding such defects i.e. today 12.09.2022 and further provides an opportunity of being heard in the matter on 17.10.2022 at 2.00 PM in the office of the Authority under section 6 of the Act, 2016.

The Authority further decides that a public notice be issued informing public not to indulge in sale and purchase in this project as project registration as well as license has expired. The promoter is also restrained not to indulge in any sale in this project till registration is extended. The matter to come up on 17.10.2022.

The public notice and show cause notice was issued as per directions.

The promoter submitted a reply on 14.10.2022, which was scrutinized and the remaining deficiencies were conveyed to the promoter.

On 17.10.2022, Sh. Sumeet, Engineering Executive and Ms. Asha Yadav Chartered Accountant briefed about the facts of the case. Sh. Hemant Warrik (Director) and Sh. Shivendra Shahi are present on behalf of the promoter. The promoter has submitted the renewal of License No. 102 of 2008 and License No. 83 of 2014 is

still not renewed. However, License No. 83 of 2014 is part of the total project which should also be renewed. Therefore, the promoter is directed to submit the copy of renewal of the license No. 83 of 2014 also. Further the promoter is also directed to submit the annual audited report of financial year 2018-19 and 2021-22 required under section 4(2)(l)(D). The matter to come up on 14.11.2022.

The promoter has submitted the reply on 10.11.2022, which is scrutinized and the remaining deficiencies are mentioned above.

The promoter states that he has already applied for renewal of license No. 83 of 2014 and deposited the requisite fee for the same. He further states that the license for shall be submitted within three months and undertakes to complete the pending work in the project and apply for OC before the extension is over.

It is recommended that the extension under section 6 of the Act, 2016 may be granted subject to submission of renewed license NO. 83 of 2014 within three months as the concerned licensee has obtained OC after construction of building under said license.

(Asha)
Chartered Accountant

(Sumeet)
Engineer Executive

Day and Date of hearing	Monday and 14.11.2022
Proceeding recorded by	Ram Niwas

PROCEEDINGS OF THE DAY

Proceedings dated: 14.11.2022

Sh. Sumeet, Engineering Executive and Ms. Asha Yadav Chartered Accountant briefed about the facts of the case.

Sh. Hemant Warrik (Director), Sh. Ashish Anand (Director) and Sh. Shivendra Shahi are present on behalf of the promoter.

Approved as proposed.

(Sanjeev Kumar Arora)
Member, HARERA Gurugram

(Ashok Sangwan)
Member, HARERA, Gurugram

(Vijay Kumar Goyal)
Member, HARERA Gurugram

(Dr. K.K. Khandelwal)
Chairman, HARERA, Gurugram