

STATUS ON VARIOUS ISSUES
DINESH VIHAR, OMR CHENNAI PROJECT

Construction of Additional Car Parking

1. The Contract Agreement finalized in Mar 2012 specifies construction of 371 open car parking covered with fibre sheet, part of which are being offered as additional car parking. The quantity of open car parkings actually being constructed has been reduced based on actual demand/ requirement. The builder is only being paid as per actual work done in accordance with contract conditions. Thus there is no additional income for the builder on account of the sale of the additional car parking, an apprehension that has been expressed by an allottee.

2. It has been categorically mentioned in the Booking Letter as well as in Technical Brochure issued to each allottee at the time of booking that the cost of parking will be charged separately. It is once again highlighted that the cost mentioned in the Booking Letter/Technical Brochure is the cost of DU which does not include the cost of car parking. ***Additional car parking will be specified in the sale deed and will be registered in the name of the allottee.***

Provision of Solar Lights/Heater in Club House

3. There is no provision of Solar Lights/Heater facilities in the Contract Agreement. However, within the available space on the terrace of the Club House, 5KWP capacity is being considered now as an additional work which will support common lightings and other facilities in the Club House.

Property Tax Payment

4. Property Tax is a mandatory revenue requirement. Assessment of property tax has been carried out by revenue officials of the District. In case of OMR Chennai project, property tax has been assessed at Rs 17.364 lakh per annum, which works out to Rs 1.5 /sq ft. All allottees have accordingly been charged in their Final Statement of Account.

Clearance for Movement of Fire Trucks

5. Set back area has been maintained at site as per Govt norms and accordingly DTCP of Tamil Nadu Govt has accorded permission. Concrete roads of 7m width that can withstand weight of 45 tonnes of Aerial ladder vehicle have been provided on all sides of each Tower. Based on site inspection carried out by Fire Dept officials on 05 Apr 19, Fire & Rescue Service license has also been issued for Towers D, E & F by Director of Fire & Rescue Service, Egmore, Chennai on 15 Apr 19.

Issue of TDS

6. AWHO is exempted from Income Tax under Section 10(23 AA) of IT Act. Hence no allottee is required to deduct TDS on amount paid to AWHO. Declaration as per format below will be issued by AWHO (Finance Dept) to affected allottees:-

“TO WHOM IT MAY CONCERN

Army Welfare Housing Organisation (AWHO) has been registered as a Society under the Societies Act XXI of 1860, with its aim to provide dwelling units to Serving and Retired Army Personnel and their widows on “No Profit No loss” basis.

Income of AWHO is exempted under Section 10(23AA) of Income Tax Act. The organization falls under Section 197(A) of the Act – hence no deduction of Income Tax at Source is to be made.”

Registration Model/Sale Deed

7. Registration model being followed in AWHO will also be implemented in Chennai project. The alternate model of separate sale deed for land and construction being suggested by few allottees is not appropriate. Legal advice on this model has been sought, wherein it has been advised not to follow the alternate model. Draft sale deed is under legal scrutiny and the same will be uploaded on AWHO website on finalization.

Land Cost charged to Ph-I allottees

8. The entire land parcel at OMR Chennai admeasuring 19.17 acres was purchased by AWHO in 2011 and accordingly the entire cost of land was paid by AWHO. The project (Phase-I) launched in 2012 was initially planned on 9.88 acres of land. During construction actual land utilized for construction of Phase-I due to site/technical requirements is 10.28 acres. Allottees of Phase-I have been charged proportionate share of land cost for 10.28 acres only.

9. It is categorically stated that Phase-I allottees have been charged for land area utilized for construction of Phase-I project only (10.28 acres), and cost of balance land area Phase-II (8.89 acres) has not been charged to Phase-I allottees.