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FLAT BUYERS' WELFARE ASSOCIATION  
E-611, First Floor, Greater Kailash Part - II, New Delhi –110048

To  
Mr. Amit Jain  
NEXGEN INFRACON Pvt. Ltd.  
A-19, Sector 63  
Noida -201301.

25-July-2022

**MAHAGUN MEZZARIA - Issues faced by Residents and Owners**

Dear Mr. Jain,

Luxury project Mahagun Mezzaria of Nexgen Infracon Pvt Ltd is facing numerous issues, all of which require your attention and intervention. We hereby seek your indulgence for a face-to-face meeting to highlight and resolve these issues listed below:

1. **Occupancy Certificate** for Tower T2 and T3 and completion certificate for the entire project.

**Action Requested by Nexgen Infracon Pvt Ltd:** We would like to know the reasons for completion certificate being held up. The entire issues can be divided under two heads:

- a. Actions required by Nexgen Infracon
- b. Action, if any, required by Noida Authority.

**It is requested that a definite timeline be provided within which, the same shall be achieved.**

2. **Registration of all flats-** As you are well aware that only 166 flats have been registered so far out of 718 total flats even though 446 flats in T1, T4, T5 and T6 have occupancy certificates. You have collected stamp duty from almost all buyers and some buyers have been sold flats under scheme where the registry was promised to be included. This has led to a situation where people have taken possession and are living in the project but do not have a clear title of their flat because of lack of registry. There are others who have taken possession on the basis of so called "Deemed OC" and have taken possession in a hope that you would complete the flat within 60-90 days of taking possession but haven't done so.

**Action requested by Nexgen Infracon Pvt Limited:** Registry of all flats must be started on an immediate basis. If there are any issues due to which this cannot be done, we would like to know the reason thereof along with resolution of the same. It is to be noted that apart from clear title of their flat for which full money has been paid, buyers are unnecessarily losing interest on their money locked in payment of Stamp Duty.

3. **Slow progress of work** in the flats for which possession has been offered/taken for fitment on your promise that this exercise would be completed in 60-90 days. Progress of work in numerous flats has been delayed far beyond the promised timeline and the buyers have been waiting for the work to be completed being totally at the mercy of your fitment team which is delaying the delivery on various pretext such as availability of material, lack of sufficient labour and payments not being made timely to the vendors. Fittings being installed are reportedly of poor quality, for eg., electrical wiring without a brand name, sub-standard sanitary fittings etc. Commissioning of air conditioning units from LG is delayed, status of AMC is unknown and attending of faults by LG servicing engineers is only by case-to-case basis after huge delays and continuous follow-up causing intolerable discomfort to flat buyers/owners.

**Action Requested by Nexgen Infracon Pvt Ltd:** It is requested that flatwise; schedule of completion be provided to the concerned buyers and schedule provided be adhered.

4. **Quality of construction** across the project appears to be poor specially in Towers T2 and T3 so much so that seepage is reaching the basements both upper and lower. This appears to have led to more serious issues of appearance of cracks on the structural pillars.

**Action Requested by Nexgen Infracon Pvt Ltd:**

- a) Carry out a structural strength audit and use findings to repair the pillars affected
- b) Identify sources of water flow /seepage to the basements and carry out necessary work on an urgent basis. This exercise needs to be taken up immediately since we are in the monsoon season so that source of seepage may be identified and effectiveness of remedial action may be observed.

It is also noted that **additional construction** has taken place on top of penthouses and additional structures can be seen on 1<sup>st</sup> floor flats where terraces exist. Since all this may contribute additional weight on the structure, the above requested structural strength audit may account for these additional structures

5. **Operation of lifts:**  
**Problems:**

- a) There are regular problems with lifts being down.
- b) Lifts in all towers are not synchronised and several lifts continue to be in the state of breakdown for prolonged periods on daily basis, sometimes causing delays to the residents upto 15-20 minutes. In a high rise building such as Mahagun Mezzaria this can be detrimental if not inconvenient as you must be aware that more than 45 seconds delay and waiting for the lift is considered to be a poor performance in a high rise and you need to rectify the lift issues as soon as possible. This may also tantamount to liability issue if such a delay is observed during a medical emergency involving a resident or a guest.

**Action Requested by Nexgen Infracon Pvt Ltd:** Lift maintenance agreement must have quality of service clause including availability of 99.7% for every individual lift so that its compliance is ensured. Lift maintenance agency must maintain a proper log of lift operation and note down reasons for being down, repair action taken so that regular source of problem can be addressed. Also repair agency must maintain a minimum level of spares for every part.

6. **Response and attitude of maintenance/ security staff** is far from professional. Several residents have observed outsiders loitering inside the project and even accessing facilities like tennis court. Stray dogs are observed in practically all towers along with their droppings.

**Action Requested by Nexgen Infracon Pvt Ltd:** You need to pull up the staff or employ a professionally qualified agency which is answerable and can hold their staff accountable where needed.

7. **Parking areas in the basement** – Parking numbers have not been marked clearly at all parking locations, proper signage is absent. Since the markings are not available, vehicle parking spaces of residents are routinely occupied by other people's vehicles. A lot of area has been used for construction material by the maintenance staff along with parking their own vehicles leaving less room for residents to park.

**Action Requested by Nexgen Infracon Pvt Ltd:** Parking areas need to be cleared out, arrange proper markings and proper signage for driving directions for entry and exit.

8. **Electricity fixed charges and Generator back up charges:** The fixed charges that are being debited every day and the per unit charges on the Generator are extremely high. Nowhere in Noida such exorbitant charges are levied.

**Action Requested by Nexgen Infracon Pvt Ltd:** Details of electricity charges being levied to each resident must be provided. It should include tariffs as per Tariff Order of UPERC, Tariff being charged to residents, consumption for common areas, clubs, banquet hall, etc and allocation of these to each flat. It is to be noted that capital cost of Gensets have been paid by Buyers. Hence,

for DG back-up, only charge that are leviable are Operation and Maintenance charges.

9. **Deduction of maintenance Charges is from the prepaid meter** is not legally acceptable. However, we understand it is difficult to collect the maintenance amount, yet there can be other ways to ensure the charges are collected.

**Action Requested by Nexgen Infracon Pvt Ltd:** To devise a suitable mechanism for collection of CAM charges.

10. **Basic facilities** like intercoms, maintenance of the park, cleanliness of the pathways, ACs in the lobbies are in bad state.

**Action Requested by Nexgen Infracon Pvt Ltd:** It must be ensured that each and every facility is in proper working condition. A suitable process of flow/logging of Information be designed so that the information on quality of service being provided is available for every resident and Nexgen as well.

11. **Stray Dogs:** The menace of stray dogs in the common area and the basement areas. Stray dogs can become violent and if a pack of dogs attack even an adult, it can lead to serious situations.

**Action Requested by Nexgen Infracon Pvt Ltd:** Stray dogs should not be allowed within the Apartment Complex. If required, places for feeding them can be envisaged outside the complex. A responsible person should be designated to ensure that the security staff keeps the Complex free of stray dogs. And in case of failure this designated person shall be held answerable.

We look forward to early resolution of the above issues, face to face meeting with senior management and periodic updates on the issues raised above.

With kind regards and sincerity,  
For “**Mezzaria Flat Buyers Welfare Association**”,

(Gurudeo Sinha)  
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