



HARYANA REAL ESTATE REGULATORY AUTHORITY, PANCHKULA.

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Extract of the resolution passed by the Haryana Real Estate Regulatory Authority, Panchkula in its meeting held on 22.01.2025.

Item No. 276.27

Seeking Information regarding Allotment of Plots/Units and execution of Conveyance Deeds and details of OMM Agreements etc.

Promoter: M/S True Villas Developers Private Limited.

Project: "Fortesia Flower City" an Affordable residential plotted colony on land measuring 20.931 acres situated village Haibatpur & Jind, Sector-26, Jind.

Reg. No.: HRERA-PKL-JND-314-2022 dated 31.05.2022 valid upto 03.04.2027.

1. A letter was received from 73 Allottees of plots in Fortesia Flower City on 06.12.2024 wherein they have mentioned the following: -
2. It comes to the notice of allottees that maintenance charges are imposed by M/s ADC Management Services LLP E-645, F/F Gali No. 21, Ashok Nagar. Delhi - 110093 on the allottees w.e.f. 01-10-2024 which certify that you have transferred the operation, management and maintenance of the said project to M/s ADC Maintenance Services Pvt. Ltd.
3. They also have intimated that as per Section 11 of the Real Estate (Regulation and Development) Act, 2016, promoter is mandatorily required to furnish the complete phase wise development details of the project in public domain through webpage. As per Section 15(1), promoter is required to obtain the written consent of 2/3 registered allottees and written approval of competent authority before transfer of rights and liabilities of project to any service provider. The relevant provisions of the Act are summarized in following points as below: -



1/3

- i. As per Section 11(1) of the Real Estate (Regulation and Development) Act, 2016, it is obligatory duties of promoter/ developer to create his web page on the website of the authority and enter all details of the project for public viewing, including:-
- (a) Details of registration.
 - (b) Quarterly up to date list of numbers and types of plots booked.
 - (c) Quarterly up to date of approvals taken from concerned authorities.
 - (d) Quarterly up to date of status of project.
 - (e) Any such other information as required by law.
- ii. As per Section 11(Ad) of the Act, the promoter shall be responsible for providing and maintaining the essential services, on reasonable charges, till the taking over of the maintenance of the project by the association of allottees and pay all outgoing before transfer/ assignment of said project to third party.
- iii. As per Section 11(4)(e) of the Act, the promoter shall enable 3. the formation of an association or society or co-operative society, as the case may be of allottees, or the federation of the same, under the laws as applicable within a period of three months of the majority of allottee having booked their plots in the project.
- iv. As per Section 11(4)(f) of the Act, the promoter shall be responsible to execute conveyance deed of plots with the concerned allottee and conveyance deed of common area with association of allottees and also be responsible to obtain completion certificate and make it available to the allottee individually or to the association of allottees, as the case may.
- v. As per Section 11(4)(g) of the Act, pay all outgoings until he transfers the physical possession of the real estate project to the allottee or the associations of allottees, as the case may be, which he has collected from the allottees, for the payment of outgoings (including land cost, ground rent, municipal or other local taxes, charges for water or electricity, maintenance charges, including mortgage loan and interest on mortgages or other encumbrances and such other liabilities payable to competent authorities, banks and financial institutions, which are related to the project):
- Provided that where any promoter fails to pay all or any of the outgoings collected by him from the allottees or any liability mortgage loan and interest hereon before transferring the real estate project to such allottees, or the association of the allottees, as the case may be, the promoter shall continue to be liable, even after the transfer of the property, to pay such outgoings and penal charges, if any, to the authority or



person to whom they are payable and be liable for the cost of any legal proceedings which may be taken therefore by such authority or person;

- vi. As per Section 15(1) of Act, the promoter shall not transfer or assign his majority rights and liabilities in respect of a real estate project to a third party without obtaining prior written consent from 2/3rd registered allottees and without written approval of the authority.
- vii. As per Section 19 of Act, the allottee shall be entitled to obtain information relating to sanction plans, layout plans, along-with specifications approved by the competent authority, Stage-wise time schedule of completion of the project and necessary documents.

4. To verify whether M/s True Villas Private Limited complied with the mandate of above provisions of RERA Act, 2016 or not before transfer the operation, management and maintenance of said project to M/s ADC Management Service Pvt. Ltd, the following information and documents/records are required:-

- (a) Total numbers of plots in the project Forteasia Flower Valley, Sector 26, Jind, Haryana.
- (b) Total numbers of plots booked by allottees till 30.09.2024,
- (c) Total numbers of conveyance deeds registered till 30.09.2024.
- (d) Numbers of pending allottees for registration of conveyance deeds. Also provide reasons of the same.
- (e) Numbers of allottees that have been issued possessions certificates of the plots till 30.09.2024.
- (f) Total number of allottees who had given written consent or have executed OMM Agreement with M/s ADC Management Service Pvt. Ltd.
- (g) Certified` copies of Sanction Plan, Layout Plan, Demarcation Plan, Zoning Plan and Completion Certificate of the project.

5. The residents request the Authority to take cognizance so that problems can be resolved as soon as possible. It is affordable residential plotted colony being developed on land measuring 20.931 acres in sector 26, Jind. Licence no. 34 of 2022 dated 04.04.2022 for an area measuring 20.93 acres is valid upto 03.04.2027. Rera registration no. 341 of 2022 dated 31.05.2022 has been granted which is valid upto 03.04.2027.



6. After consideration, Authority decided that a copy of complaint be sent to promoter for comments on each and every point. The comments be submitted two weeks before next date of hearing.
7. MD/ one of the Directors of company and representative of complainants be personally present on next date of hearing.
8. Adjourned to 02.04.2025.



True copy

Executive Director,
HRERA, Panchkula

A copy of the above is forwarded to CTP, HRERA Panchkula, for information and taking further action in the matter.


6/2/25
GA (Shewar)