



HARYANA REAL ESTATE REGULATORY AUTHORITY, PANCHKULA.

Mini Secretariat (2nd and 3rd Floor), Sector-1, Panchkula.

Telephone No: 0172-2584232, 2585232

E-mail: officer.rera.hry@gmail.com, hrerapkl-hry@gov.in

Website: www.haryanarera.gov.in

Extract of the resolution passed by the Haryana Real Estate Regulatory Authority, Panchkula in its meeting held on 21.11.2023.

Item No. 233.20

Request for continuation of registration of the project to remain in force for 4th and 5th year.

Promoter: M/s Gawar Infra Pvt. Ltd.

Project : "Gawar City" - Residential Plotted Colony on land measuring 27 Acres in Sector-11, Ratia, Fatehabad.

Reg. No: 50 of 2018 dated 27.09.2018, valid upto 15.05.2019.

1. M/s Gawar Infra Pvt. Ltd. vide letter dated 08.02.2023 has applied for continuation of project registration under Section 7(3) of Real Estate (Regulation and Development) Act, 2016, of registration of their project "Gawar City" a Residential Plotted Colony on land measuring 27 acres situated in Sector 11, Village Ratia, Fatehabad, Haryana registered vide registration no. 50 of 2018 dated 27.09.2018 valid upto 15.05.2019. First extension was granted to promoter by Authority upto 15.11.2020, Second extension upto 14.02.2022 and third extension upto 13.02.2023. The promoter has requested for continuation of the project registration for another two years.

2. The matter was placed before the Authority in its meeting held on 06.03.2023 whereby Authority decided to publish a notice in newspapers inviting objections from public. The said notice was published on 29.03.2023 and no objections have been received till date. Promoter was also directed to submit CA Certificate.

3. Promoter submitted CA Certificate which was considered by the Authority on 01.05.2023 and the Authority decided that promoter be asked to clarify the said certificate and audit of project be got done from a CA empanelled by the Authority.



4. In compliance of above said observations, M/s Sanjay Arora & Associates were appointed as auditor on 07.08.2023. Auditor filed its report on 06.09.2023. The auditor has submitted that they have completed the audit of the entity as per following points:
- i. Bank accounts of the entity related to project.
 - ii. Checking of amounts received from the allottees.
 - iii. Checking of provisions compliance by the entity as per Section 4(2)(1)(D) of the real estate (Regulation and Development) Act, 2016.
 - iv. The site of the project along with registered office was also visited by them on 01.09.2023 and photographs of the project have been submitted.
5. Auditor has submitted that the company has generally complied with the HRERA norms pertaining to receipt of money from the allottees and its subsequent expenditure towards the cost of the project along with promoter's own funds. However, it has not complied with requirement of obtaining requisite certificate from an Architect, an Engineer and a Chartered Accountant concerning withdrawals from the separate account maintained under RERA provisions. Further, the project seems almost complete except the sewerage treatment plant which is partially complete. Also, around 25 people are constructing their houses and 7 people have even started to live in the given colony.
6. The promoter has already applied for completion certificate on 22.11.2018 but the same has not been received till date.
7. The matter was last placed before the Authority in its meeting held on 19.09.2023 vide item no. 227.33 in which the Authority observed that promoter has failed to complete the project even after getting three extensions. The Authority decided to ban further sale in the project and a suo-motu notice be also issued to promoter for not maintaining separate RERA Bank Account. The matter was adjourned to 20.11.2023.
8. In compliance of the last order ,the suo-motu notice has been issued on 04.10.2023 having complaint no. RERA-PKL-2274-2023. A reply against the show cause notice has been received vide PUC dated 7.11.2023.
9. The promoter in his reply received on 07.11.2023 has mentioned that a separate account was not maintained purely due to inadvertent oversight and no funds were diverted or siphoned off.
10. As per auditors report the project seems almost complete except the sewerage treatment plant which is partially complete. As per CA report dated 15.04.2023 received at



the time of seeking extension the estimated balance cost to be incurred on the project is Rs.125 lacs.

11. Authority observes that as per Auditors Report, promoter has not complied with the requirement of obtaining requisite certificates from an Architect, an Engineer and a Chartered Accountant concerning withdrawal from RERA Bank Account and thus violated the provisions of Section-4(2)ID of RERA Act, 2016. Promoter be issued show cause notice under Section-60 of RERA Act, 2016 as to why penalty may not be imposed.

12. Adjourned to 22.01.2024.

13. In case promoter/applicant furnishes the information before next date of hearing, their application may be considered in its Authority meeting on Monday following the date of such submission.



[Handwritten signature]
5/12/23

True copy

[Handwritten signature]

Executive Director,
HRERA, Panchkula

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

IA (Kakul)