



**HARYANA REAL ESTATE REGULATORY AUTHORITY, PANCHKULA.**

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

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Extract of the resolution passed by the Haryana Real Estate Regulatory Authority, Panchkula in its meeting held on 23.10.2024.

**Item No. 267.21**

Request for registration of the increased 4% FAR of commercial area in Commercial C1 as First floor and second floor as a fresh project.

**Promoter:** BM Gupta Developers Pvt. Ltd.

**Project:** 'BMG Antriksh Towers', Group housing colony measuring 5.975 acres situated in sector 26-27, Rewari, Haryana.

**Reg. No.:** 89 of 2017 dated 23.08.2017 valid upto 26.09.2020, first extension and general extension granted upto 25.06.2022, second extension granted upto 25.06.2023.

**Present:** Mr. Manoj Kapoor and Ms. Sangeeta Gupta.

1. Letter dated 05.10.2023 received from the promoter requesting for discontinuation of RERA Registration no. 89 of 2017 dated 23.08.2017. The quarterly has been submitted till 1<sup>st</sup> quarter of 2023. License no. 73 of 2014 granted by DTCP dated 01.08.2014, renewed upto 26.09.2023.

2. The promoter has submitted:

- i. Occupation Certificate (for residential tower T1 to T4) vide BR-VII memo no. ZP-1034/PA (DK)/2022/31254 dated 14.10.2022. Occupation Certificate for the Commercial C1 (Ground Floor) and C2 vide BR-VII memo. No. ZP-1034-II/JD (RD)/2023/31512 dated 21.09.2023.
- ii. DHBVN memo no. Ch.-4/SE/PLG/File no. 34/DH/272 dated 19.01.2023, recommends issuance of OC in view of electrical infrastructure installation.
- iii. As per terms and conditions of the license no. 74 of 2014 dated 01/08/2014 and in accordance with the provisions outlined in section 3(3)(a)(iii) of the Haryana Development & Regulation Act, 1975 the applicant company have handed over land



- falling under 12-m-wide service road and 24-m-wide internal circulation road free of cost to Government of Haryana through DTCP.*
- iv. *The promoter states that EDC amounting to Rs.423.98 lacs has been deposited with DTCP Haryana.*
  - v. *The deed of declaration executed vide s.no. 4912 dated 27.10.2022 and till date 867 conveyance deeds executed out of 930 flats sold.*
  - vi. *Revised building plans approval of C1 and C2 vide memo no. ZP-1034 Vol-II/JD (NK)/2023/12868 dated 04.05.2023 on account of commercial FAR increase from 4% to 8%.*
3. Orders of the Authority dated 30.10.2023 are as follows:
6. *The Authority observes that the promoter has submitted a copy of the approval letter relating to revised building plans of Commercial-1 & 2 however, building plans have not been enclosed.*
  7. *The Authority decides that the promoter should first submit an approved copy of the revised building plans and then request of the promoter will be considered. Further, the promoter received OC for two commercial pockets on 21.09.2023 however their registration was valid upto 25.06.2022, therefore, the promoter should apply for third extension.*
4. The promoter had applied for continuation of registration of the project for third year on 04.12.2023. On 10.01.2024, the Authority decided that promoter should apply for registration of 4% commercial area of 1<sup>st</sup> and 2<sup>nd</sup> floor. As building plans were revised. Consent of 2/3<sup>rd</sup> allottees be submitted, if already not submitted.
5. Vide reply dated 12.03.2024 the promoter has submitted:
- i. Principal approval of revised building plans of Commercial – 1&2 dated 21.02.2023
  - ii. Copy of advertisement published in The Tribune dated 25.02.2023, The Punjab Kesari dated 25.02.2023 and Dainik Tribune dated 25.02.2023
  - iii. Copy of specimen letter sent 934 allottees through registered post along with copy of registered postal receipts
  - iv. Copy of Affidavit dated 01.04.2023 which was submitted to DTP, Rewari
  - v. Copy of report of DTP, Rewari forwarded to STP, Gurugram regarding advertisement and no objection received from the allottees
  - vi. STP, Gurugram dated 13.04.2023 forwarded to DTCP, Haryana
  - vii. Copy of Approval of revised building plans of commercial – 1&2.

The promoter states that at the time of grant of registration certificate no. 89 of 2017 has approved 4% commercial area only for which the Occupation Certificate has been issued by DTCP Haryana on 21.09.2023. He also submits that the said project being completed in all respect and requests to discontinue the RERA registration no. 89 of 2017 with the permission



to apply fresh REP-1 Part A to H for grant of RERA registration for increased 4% FAR of commercial area in Commercial C1 as First floor and second floor.

6. Written consent of 2/3<sup>rd</sup> allottees has not been submitted by the promoter. Since nobody was present, Authority adjourned the matter to 05.06.2024.
7. On 05.06.2024, Authority decided to grant last opportunity to promoter to comply with the orders of the Authority dated 10.01.2024, otherwise penal proceedings will be initiated as per provisions of RERA Act, 2016.
8. On 28.08.2024, Mr. Manoj Kapoor stated that consent of allottees has been sought and will be submitted shortly. On request of the Authorized Representative, Authority adjourned the matter to 23.10.2024.
9. The promoter has applied for registration of increased FAR of Commercial 01 (8%) which is under consideration of the Authority. Along with the application, the promoter submitted consent of 255 allottees and also stated that balance consent letters are work-in-progress for which the Hon'ble Authority has accorded time up to 23.10.2024.
10. Mr. Manoj Kapoor submitted that Hon'ble Authority had already decided on 16.05.2024 that there is no provision in RERA Act, 2016 to discontinue the registration. Mr. Kapoor further stated that all the flats/ apartments have been sold and conveyance deeds executed, hence, extension for 4<sup>th</sup> year is not required.
11. After consideration, Authority decided as under:-
  - i. Registration fee be worked out.
  - ii. Project Section may examine the case for 4<sup>th</sup> year extension and submit report on next date of hearing.
  - iii. Consent of 2/3<sup>rd</sup> allottees be submitted.
12. Adjourned to 18.12.2024.



Received on 19/11/2024

Rashu  
19/11/24

*[Signature]*  
19/11/24

True copy

*[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.

LA (Monika)