NON-COMPLIANCE OF REGISTRATION CERTIFICATE HEARING BRIEF

Sr. No	Particulars	Details
1.	**Registration Certificate No.**	RC/REP/HARERA/GGM/338/70/2019/32
2.	**Date of registration**	27/05/2019
3.	**Date of validity of registration**	27/08/2024
4.	**Name of the project**	Rof Amaltas
5.	**Name of the promotor**	Nani Resorts and Floriculture Pvt. Ltd.
6.	**Nature of the project**	AGH
7.	**Location of the project**	Gurugram (Sector 92)
8.	**Area registered**	5.0125 Acres
9.	**Suo-Moto complaint No.**	RERA-GRG-4376-2022
10.	**Status of documents to be submitted within timeframe are as under:**	

S. no.	Conditions	Compliance end date	Date of approval obtained on	Status of approval
1.	Approved service estimates and plans within three months from the date of grant of registration certificate.	25/08/2019	Not submitted	NIL
2.	Environmental clearance within three months from the date of grant of registration certificate.	25-08-2019	30-08-2019	Submitted not on time
3.	Fire scheme NOC availability within three months from the date of grant of registration certificate.	25.08.2019	05-03-2020	Not on time
4.	Electrical load availability within three months from the date of grant of registration certificate.	25-08-2019	24-12-2019	Submitted not on time

11.	File Status	Date
	Show Cause notice sent on	15-06-2022
	1st hearing on	01-07-2022
	2nd hearing on	18-11-2022
	3rd hearing on	09-12-2022

12.	**Project Summary**
	An application for registration of real estate project was submitted in the authority and the authority considered the application and granted registration certificate under section 5(1)(a) of the Act 2016 with the conditions mentioned above directing the promoter to comply with those conditions within the specified time mentioned against each condition. Since the promoter has failed to comply with the conditions within the prescribed time, therefore, a show cause notice dated 15-06-2022 was issued to the promoter with the direction to submit the deficit documents within 15 days failing which their real estate project registration may be revoked under 7(1) of the Real Estate (Regulation and Development) Act, 2016 and penal proceedings may be initiated under section 63 for non-compliance of the directions issued by the Authority. Also, an opportunity of hearing was offered to the promoter on 01-07-2022. Reply was

submitted vide Dak receipt no. 36881 dated 01.07.2022 which was scruitnized and found that still documents are deficit which are mentioned above.

Proceedings dated: 18-11-2022

Sh. Mayank Prajapati (CS-AR) is present on behalf of the promoter. The AR of the promoter states that the fire scheme for the project was approved on 05.03.2020 and a copy of the same shall be submitted to the Planning Branch by tomorrow. Further, the service plans and estimates are yet to be approved. However, a letter has been received from the DTCP for deposit of BG for the same, which shall be done within 30 days.

From the above, it is evident that the condition of the deposit of approved service plans and estimates, which was to be met within three months of the issue of the registration certificate, has not been met even after more than 2 and half years. In view of the above, a token penalty of Rs. 50,000/- is hereby imposed upon the promoter under section 63 of the Act of 2016. In case the promoter still fails to comply with the condition imposed in the registration certificate, it shall be open to the Authority to further proceed under section 63 and 7(1) of the Act of 2016. The penalty shall be deposited within 15 days of the passing of this order. A copy of the same be provided to the Accounts Branch for follow-up. The matter to come up for further proceeding on 09-12-2022.

9-12-22

(Jyoti Yadav)
Planning Executive

Day and Date of hearing	Friday and 09-12-2022
Proceeding recorded by	Ram Niwas

PROCEEDINGS OF THE DAY

Proceedings dated: 09-12-2022

Ms. Jyoti Yadav, Planning Executive briefed about the facts of the project.

No one has appeared on behalf of the promoter despite directions issued on the last date of hearing. The promoter failed to deposit a token penalty of Rs. 50,000/- on the hearing dated 18-11-2022 neither any reply was submitted by the promoter.

Therefore, in continuation to submission of penalty of Rs. 50,000/- imposed on 18-11-2022, additionally a token penalty of Rs. 1,00,000/- is hereby imposed upon the promoter under section 63 of the Act of 2016. In case the promoter still fails to comply with the condition imposed in the registration certificate, it shall be open to the Authority to further proceed under section 63 and 7(1) of the Act of 2016. The penalty shall be deposited within 15 days of the passing of this order. The matter to come up for further proceeding on 23-12-2022.

(Sanjeev Kumar Arora)
Member, HARERA, Gurugram

(Ashok Sangwan)
Member, HARERA, Gurugram

(Dr. Krishana Kumar Khandelwal)
Chairman, HARERA, Gurugram