ONLINE SUO-MOTO COMPLAINT REFERENCE NO.	RERA-GRG-4404-2022		
No.	RC/REP/HARERA/GGM/353/85/2019/47	Date:	17-02-2023

From	To
Haryana Real Estate Regulatory Authority, Gurugram New PWD Rest House, Civil Lines, Gurugram - 122001	ASHWANI KUMAR SINGLA E 701, PARK GRANDEURA-BPTP, SECTOR 82, Near Shiv Nadar School opposite Delhi Public School, Nehar Paar, Faridabad, Haryana, 121007

Sub: Show cause notice for revocation of registration certificate no. GGM/353/85/2019/47 dated 4/09/2019 under Section 7(1) of the Real Estate (Regulation and Development) Act, 2016 of the real estate project namely "Versalia Zone A 2" located in Gurugram (Sector 67A), Gurugram, being developed M/s Ansal Properties And Infrastructure Ltd.

1. With reference to the subject cited above, it is stated that the real estate project as detailed below was registered with the Haryana Real Estate Regulatory Authority Gurugram/Interim Real Estate Regulatory Authority Panchkula.

S. No.	Particulars	Details
1.	Registration no.	GGM/353/85/2019/47
2.	Date of registration	4/09/2019
3.	Date of expiry of validity of registration	30/09/2023
4.	Name of promoter	Ansal Properties And Infrastructure Ltd.
5.	Name of project	Versalia Zone A 2
6.	Area of project	32.262 Acres
7.	Nature of project	PC
8.	Location of project	Gurugram (Sector 67A)

2. As per the record of this authority, the application was considered, and the authority registered the above stated real estate project vide registration no. GGM/353/85/2019/47 dated 4/09/2019 subject to submission of below mentioned documents within timeframe indicated mentioned hereunder:

S.no.	Conditions	Timeframe within which the conditions are to be complied
1.	Approved service estimates and plans within three months from the date of grant of registration certificate.	3/12/2019

2.	Electrical load availability within three months from the date of grant of RC	3/12/2019

3. The authority has observed that the promoter has not submitted the above said document even after a lapse of requisite time. This act of the promoter is liable to be actionable under Section 7(1) and also liable for punishment under section 63 for non-compliance of the directions issued by the Authority.

4. Section 7(1) of the Real Estate (Regulation and Development) Act, 2016 empowers the Authority to revoke the registration certificate granted under section 5 of the Act ibid if the Authority is satisfied that the promoter has indulged into the acts as mentioned in clause (a), (b), (c) or (d) of sub section (1) of section (7) of the Act ibid.

5. At the time of registration of the project, the Authority acting in the interest of allottees took a lenient view and issued the registration certificate with the conditions mentioned above directing the promoter to comply with those conditions within the specified time mentioned against each condition. Since the promoter failed to comply with the conditions therefore, the Authority has to take action against him under section 7(1) for the omissions on his part which are punishable under Section 63 of the Act ibid.

6. Your attention is invited to section 7(1) and Section 63 of the Real Estate (Regulation and Development) Act, 2016 which are reproduced below: -

*"**Section 7:***

1) The Authority may, on receipt of a complaint or suo motu in this behalf or on the recommendation of the competent authority, revoke the registration granted under section 5, after being satisfied that

a) the promoter makes default in doing anything required by or under this Act or the rules or the regulations made thereunder;

b) the promoter violates any of the terms or conditions of the approval given by the competent authority;

c) the promoter is involved in any kind of unfair practice or irregularities.

Explanation—For the purposes of this clause, the term "unfair practice means" a practice which, for the purpose of promoting the sale or development of any real estate project adopts any unfair method or unfair or deceptive practice including any of the following practices, namely:

A. the practice of making any statement, whether in writing or by visible representation which,

(i) falsely represents that the services are of a particular standard or grade;

(ii) represents that the promoter has approval or affiliation which such promoter does not have;

(iii) makes a false or misleading representation concerning the services;

B. the promoter permits the publication of any advertisement or prospectus whether in any newspaper or otherwise of services that are not intended to be offered;

d) the promoter indulges in any fraudulent practices.

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"Section 63:

If any promoter, who fails to comply with, or contravenes any of the orders or directions of the Authority, he shall be liable to a penalty for every day during which such default continues, which may cumulatively extend up to five per cent., of the estimated cost of the real estate project as determined by the Authority."

7. Therefore, in view of various legal and statutory provisions of the Act, Rules and regulations made thereunder, the authority has issued a show cause notice to the promoter vide notice no. RERA-GRG-4404-2022 dated 15-06-2022 with an opportunity of hearing on 01-07-2022 and directed him to submit the above said deficient documents within a period of fifteen days of issuance of the notice, else the authority shall be constrained to initiate penal proceeding under section 63 of the Act.

8. Since it was noticed by the authority that neither the reply was submitted by the promoter, nor anyone had attended the personal hearing conducted on 18-11-2022 and 09-12-2022. On 09-12-2022, it has been brought to the notice of the Authority that the promoter has been proceeded against in the NCLT, Delhi in the matter of Mrs. Sheela Sharma & Ors Vs M/s Ansal Properties and Infrastructure Ltd And as per order dated 16-11-2022, IRP has been appointed and moratorium has been announced with respect to functioning of the promoter company. Therefore, the IRP appointed in the matter may be issued the show cause notice and be asked to submit his response.

9. If you have to say anything in this regard, you may appear before the authority on 03-03-2023 at 2.00 p.m in the office of HARERA, Gurugram along with the written reply at the conference room, New PWD Rest House, Civil Lines, Gurugram, Haryana.

Issued under directions and seal of the authority.

Date: 17-02-2023
Place: Gurugram

Secretary
for: Haryana Real Estate Regulatory Authority, Gurugram