NON- COMPLIANCE OF CONDITIONS OF REGISTRATION CERTIFICATE HEARING BRIEF				
S. No.	**Particular**	**Details**		
1.	**Registration certificate no.**	677/409/2023/21		
2.	**Date of Registration**	30.01.2023		
3.	**Date of expiry of validity of registration**	14.11.2027		
4.	**Name of promoter**	M/s Desi Construction Pvt. Ltd.		
5.	**Name of project**	Tathastu II		
6.	**Area of project**	8.9750 acres		
7.	**Nature of project**	Affordable Group Housing		
8.	**Location of project**	Sector- 5, Sohna, Gurugram		
9.	**Suo-motu complaint no.**	RERA-GRG-3826-2023		
10.	**Status of compliance done by the promoter**			
	Conditions	**Compliance due date**	**Date of approval obtained on**	**Whether compliance done within time frame**
	The promoter shall submit the environmental clearance within 6 months.	30.07.2023	09.02.2023	Within time
	The promoter shall submit the fire scheme approval within 3 months.	30.04.2023	25.05.2023	Delay of 25 days
	The promoter shall submit the approved service plan and estimates within 3 months.	30.04.2023	Not submitted	-
11.	**Details of refundable security submitted by the promoter**			
	Name of the bank	**No. And date refundable security**	**Amount**	**Submitted for**
	ICICI Bank	DD no. 514205 dated 18.01.2023	25 lacs	Fire scheme
	ICICI Bank	DD no. 514207 dated 18.01.2023	25 lacs	Service plans and estimates

12.	File status	Date
	Show cause notice sent on	21.08.2023
	First reply received on	04.09.2023
	First hearing on	21.09.2023
	Second reply received on	18.10.2023
	Second hearing on	26.10.2023

13. Case history

Whereas an application for registration of the above real estate project under section 4 of the Real Estate (Regulation and Development) Act, 2016 was submitted to the Authority by **M/s Desi Construction Pvt. Ltd.** and after due consideration, the said real estate project was conditionally registered with the Haryana Real Estate Regulatory Authority Gurugram. Since the promoter failed to comply with the conditions mentioned in the registration certificate within the prescribed time, the Authority issued a show- cause notice dated 21.08.2023 as to why the registration certificate shall not be revoked and penal proceedings shall not be initiated against the promoter and an opportunity of hearing was offered on 21.09.2023. The promoter submitted the reply dated 04.09.2023 and 18.09.2023 in the Authority which have been scrutinized and status of compliance is as listed above at S. No. 10.

Proceedings dated 21.09.2023

Ar. Neeraj Gautam (Associate Architectural Executive) briefed the facts of the case. Ms. Priyanka Aggarwal, Advocate is present on behalf of the promoter.

The AR of the promoter seeks one month time to submit the compliance of the conditions imposed.

One opportunity is granted for submitting the above compliance subject to the final decision of the Authority regarding delay in submission of compliance in terms of the registration certificate. The matter to come up on 26.10.2023.

Further, in its reply dated 18.10.2023, the promoter states that they are working on approval of service estimates and have made a representation to DTCP for providing information pertaining to road levels, sewer systems and water supply lines to enable them to align the service plans and estimates with the current status of vital components. The promoter further requests six months' time to get the approval of service plans and estimates.

Proceedings dated 26.10.2023

Ar. Neeraj Gautam (Associate Architectural Executive) briefed the facts of the case.

Sh. Ashwani Kumar (AR) is present on behalf of the promoter. The AR of the promoter states that in sector 05 of Sohna, all the promoters are facing an issue in the approval of service plan and estimates. The promoter has submitted a representation to DTCP for providing information pertaining to road levels, sewer systems and water supply lines to enable them to align the service plans and estimates with the current status of vital components. The promoter further requests six

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	months' time to get the approval of service plans and estimates. One opportunity is granted for submitting the above compliance subject to the final decision of the Authority regarding delay in submission of compliance in terms of the registration certificate. The matter to come up on 23.11.2023 for further proceedings. **(Ar. Neeraj Gautam)** **Associate Architectural Executive**
Day and date of hearing	Thursday and 23.11.2023
Proceedings recorded by	Ram Niwas

Proceedings dated 23.11.2023

Ar. Neeraj Gautam (Associate Architectural Executive) briefed the facts of the case.

Sh. Ashwani Kumar (AR) is present on behalf of the promoter.

The AR of the promoter states that they have submitted another application before DTCP for providing information pertaining to road levels, sewer systems and water supply lines to enable them to align the service plans and estimates with the current status of vital components so that the service plans and estimates may be submitted before the DTCP for approval and a copy of same has been submitted in the Authority today.

The concerned executive of the Authority is directed to send a letter to the DTCP seeking confirmation of the fact submitted by the promoter regarding delay in approval being faced on account of non-availability of information required from DTCP.

The promoter is directed to submit the above compliance subject to the final decision of the Authority regarding delay in submission of compliance in terms of the registration certificate.

The matter to come up on 28.12.2023.

(Ashok Sangwan)
Member, HARERA, Gurugram