

New PWD Rest House, Civil Lines, Gurugram, Haryana

नया पी.डब्ल्यू.डी. विश्राम गृह सिविल लाईंस गुरुग्राम हरियाणा

NON- COMPLIANCE OF CONDITIONS OF REGISTRATION CERTIFICATE HEARING BRIEF

S. No.	Particular	Details
1.	Registration certificate no.	697/429/2023/41
2.	Date of Registration	20.02.2023
3.	Date of expiry of validity of registration	18.03.2027
4.	Name of promoter	M/s Czarr Villas Pvt. Ltd.
5.	Name of project	Czarr Villas 59
6.	Area of project	5.006 acres
7.	Nature of project	Affordable Residential Plotted Colony under DDJAY
8.	Location of project	Sector-59, Gurugram
9.	Suo-motu complaint no.	RERA-GRG-3861-2023
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 approved electrical load availability connection within one month	20.03.2023
		-
		Not submitted
	The promoter shall submit the forest NOC within one month	20.03.2023
		-
		Not submitted
	The promoter shall submit the powerline shifting NOC within one month	20.03.2023
		-
		Not submitted
	The promoter shall submit the HSVP construction water assurance within one month	20.03.2023
		-
		Not submitted

Email: hareragurugram@gmail.com, reragurugram@gmail.com, **Website:** www.harera.in
 An Authority constituted under section 20 the Real Estate (Regulation and Development) Act, 2016

Act No. 16 of 2016 Passed by the Parliament

भू-संपदा (विनियमन और विकास) अधिनियम 2016 की धारा 20 के अर्तगत गठित प्राधिकरण

भारत की संसद द्वारा पारित 2016 का अधिनियम संख्यांक 16



	The promoter shall submit the approved service plans and estimates within three months	20.05.2023	-	Not submitted
11.	Details of refundable security submitted by the promoter			
	Name of the bank	No. And date of refundable security	Amount	Submitted for
	Axis Bank	DD no. 000705 dated 30.05.2023	25 lacs	Service plans and estimates
12.	File status		Date	
	Show cause notice sent on		21.08.2023	
	First hearing on		22.09.2023	
	Second hearing on		27.10.2023 (adjourned)	
	Third hearing on		10.11.2023 (adjourned)	
	Fourth hearing on		07.12.2023 (adjourned)	
	Fifth hearing on		15.12.2023	
	Sixth hearing on		19.01.2024 (adjourned)	
	Seventh hearing on		02.02.2024	
	Eighth hearing on		12.02.2024	
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 Czarr Villas 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 22.09.2023. <u>Proceedings dated 22.09.2023</u> Ar. Neeraj Gautam (Associate Architectural Executive) briefed the facts of the case. None is present on behalf of the promoter.			



One final 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. Matter to come up on 27.10.2023 for further proceedings.

On 27.10.2023, the matter got adjourned to 10.11.2023.

On 10.11.2023, the matter got adjourned to 07.12.2023.

On 07.12.2023, the matter was adjourned to 15.12.2023.

No reply has been received in the Authority till date.

Proceedings dated 15.12.2023

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

None is present on behalf of the promoter.

Since the promoter has neither appeared before the Authority nor complied with the conditions mentioned in the registration certificate of the project, therefore, keeping in view the omissions on the part of the promoter, it is decided that the bank accounts of the project shall be freezed and the registration of the project shall be suspended till further order.

The promoter is hereby restrained from further creating any 3rd party rights on the project till further order and status of suspension of registration be uploaded on the website of the Authority. The matter to come up for follow up on 19.01.2024. On 19.01.2024, the matter was adjourned to 02.02.2024.

Accordingly, the letter to freeze the bank accounts was dispatched on 02.01.2024, and compliance report thereof received from the bank is placed in file. Further, order dated 02.01.2024 regarding the suspension of RC is uploaded on the website of the Authority.

In the reply dated 19.01.2024, the promoter submits that they were facing problems since July 2023 in following up with various departments as a raid was conducted by Enforcement Directorate and relevant files went missing. With respect to the compliance of registration conditions the promote submits

S. No.	Particular	Reply
1.	The promoter shall submit the approved electrical load availability connection within one month	They have already applied for electrical load and still waiting for the approvals.
2.	The promoter shall submit the forest NOC within one month	They have already applied for forest NOC and still waiting for the approvals.

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3.	The promoter shall submit the powerline shifting NOC within one month	They had already submitted an undertaking that they will submit the same once received from the concerned department.
4.	The promoter shall submit the HSVP construction water assurance within one month	Same will be obtained after completion of road work and is in process.
5.	The promoter shall submit the approved service plans and estimates within three months	Service plans and estimates are submitted for approval at DTCP Chandigarh.

The promoter further requests 3 months time to submit the above compliance in the Authority.

Further, the Authority decided in its meeting dated 01.01.2024 that the compliances by the promoters must be made without fail within the timeline of conditional registration failing which the BG/ security be forfeited and further action be initiated as per the provisions of the Act of 2016.

Proceedings dated 02.02.2024

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

Sh. Ravi Kumar (AR) is present on behalf of the promoter. The AR of the promoter states that due to ED raid, the project could not be taken further, and the compliances shall be submitted within a period of two months. He further states that the project is yet to be launched.

The reply of the AR is found unsatisfactory. The security amount submitted for timely submission of the service plans and estimates is hereby forfeited. The registration certificate was issued on 20.02.2023 and even after a lapse of one year, the requisite conditions of the registration certificate have not been met. The registration of the project has been suspended on 02.01.2024 and bank accounts have been frozen. The compliance report from the bank be obtained within a period of one week and apprised to the Authority on the next date of hearing. The matter to come up before the Authority on 12.02.2024 for further proceedings.

Accordingly, order of forfeiture of security amount is uploaded on the website of the Authority.

Proceedings dated 12.02.2024

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

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Sh. Prabhat, representative and Sh. Rahul Raghav, Advocate appeared on behalf of the promoter.

The Authority vide orders dated 02.01.2024 has suspended the registration of the project and also restrained the promoter from further creating any third-party rights in the project till further orders. The representative of the promoter states that due to ED raid, they need two months' time to comply with the conditions of the registration certificate. A final opportunity of two months is granted to the promoter to comply with the conditions of the registration failing which action for revocation and other legal consequences shall follow. The orders for freezing of bank accounts and suspension of the registration and restriction on creation of third- party rights shall continue. Matter to come up on 08.04.2024 for further proceedings.



(Ar. Neeraj Gautam)

Associate Architectural Executive

Day and date of hearing

Monday and 08.04.2024

Proceedings recorded by

Ram Niwas

Proceedings dated 08.04.2024

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

None is present on behalf of the promoter.

The Authority vide orders dated 02.01.2024 has already suspended the registration of the project and also restrained the promoter from further creating any third-party rights in the project till further orders.

A public notice in this regard be issued in two newspapers (one Hindi and one English). Bank statement of the project accounts be sought from the concerned bank branch

The matter to come up on 29.04.2024.

(Sanjeev Kumar Arora)
Member, HARERA

(Ashok Sangwan)
Member, HARERA

(Vijay Kumar Goyal)
Member, HARERA

(Arun Kumar)
Chairman, HARERA

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