

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.	669/401/2023/13		
2.	Date of Registration	16.01.2023		
3.	Date of expiry of validity of registration	25.01.2027		
4.	Name of promoter	M/s BST Developers India Pvt.Ltd.		
5.	Name of project	Green Bhoomi		
6.	Area of project	5.6375 Acres		
7.	Nature of project	Affordable Residential Plotted Colony under DDJAY		
8.	Location of project	Sector 99A, Gurugram		
9.	Suo-motu complaint no.	RERA-GRG-4007-2023		
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 approval of service plans & estimates within 3 months	16.04.2023	21.03.2024	Delay of 340 days
	The promoter shall submit the electrical load availability within one month	16.02.2023	15.09.2023	Delay of 211 days
11.	Details of refundable security submitted by the promoter			
	Name of the bank	No. And date refundable security	Amount	Submitted for
	Indian Overseas Bank	Cheque no. 000029 dated 06.01.2023	25 lacs	Service plans and estimates
12.	File status		Date	
	Show cause notice sent on		21.08.2023	

**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 अंतर्गत गठित प्राधिकरण  
 भारत की संसद द्वारा पारित 2016 का अधिनियम संख्यांक 16



	<b>First hearing on</b>	21.09.2023
	<b>First reply received on</b>	21.09.2023
	<b>Second hearing on</b>	26.10.2023
	<b>Third hearing on</b>	07.12.2023 (Adjourned)
	<b>Fourth hearing on</b>	15.12.2023
	<b>Fifth hearing on</b>	19.01.2023 (adjourned)
	<b>Sixth hearing on</b>	02.02.2024
<b>13.</b>	<b>Case history</b>  <p>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 <b>BST Developers India Pvt. Ltd.</b> 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.</p> <p><u>Proceedings dated 21.09.2023</u></p> <p>Ar. Neeraj Gautam (Associate Architectural Executive) briefed the facts of the case. Sh. Sunil Kumar Saini (AR) is present on behalf of the promoter.</p> <p>The AR of the promoter states that the approval for electric load availability has been granted by DHBVN vide letter dated 15.09.2023 and has handed over a copy of the same during the course of hearing. Further, he seeks one month time for submission of service plans and estimates.</p> <p>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.</p> <p><u>Proceedings dated 26.10.2023</u></p> <p>Ar. Neeraj Gautam (Associate Architectural Executive) briefed the facts of the case. Sh. Sunil Kumar Saini (AR) is present on behalf of the promoter. The AR of the promoter states that they have received the demand of BG of Rs. 145.045 lacs sought by DTCP out of which 29.87 lacs is submitted and balance 115.175 lacs will be shortly submitted by the promoter. The AR of the promoter seeks further one month time to submit the approval of service plans and estimates in the Authority.</p>	





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 07.12.2023 for further proceedings.

On 07.12.2023, the matter was adjourned to 15.12.2023.

Proceedings dated 15.12.2023

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

No one is present on behalf of the promoter.

Keeping in view that the approval of service plans and estimates is in the final stage and the promoter has already submitted 29.87 lacs out of 145.045 lacs sought by DTCP as the amount of bank guarantee for the approval of service plans and estimates, one final opportunity is granted for submission of approved service plans and estimates 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 19.01.2024.

On 19.01.2024, the matter was adjourned to 02.02.2024.

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. Sunil Kumar Saini (AR) is present on behalf of the promoter.

The AR of the promoter states that bank guarantee amounting to Rs. 115 lac has been deposited with the DTCP as per demand letter dated 12.12.2023 and the approval for service plans and estimates is expected shortly.

In view of the fact that the promoter has failed to submit the approval of service plans and estimates within the specified timeline of three months as per conditions of the registration certificate dated 16.01.2023, the security deposited by the promoter in lieu of the timely submission of the above approval is hereby forfeited. The promoter is further directed to submit the approval from the competent authority within a period of one month failing which legal consequences including but not restricted to freezing of bank accounts and restriction for creating any further third-party rights shall follow.

Matter to come up on 22.03.2024.





Accordingly, the security amount submitted in lieu of service plan estimates has been forfeited and the order thereof has been uploaded on the website of the Authority.

(Ar. Neeraj Gautam)  
Associate Architectural Executive

Day and date of hearing

Friday and 22.03.2024

Proceedings dated 22.03.2024

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

The security amount already stands forfeited. Now that the compliances have been made, the case be filed.

(Ashok Sangwan)  
Member, HARERA, Gurugram