NON- COMPLIANCE OF CONDITIONS OF REGISTRATION CERTIFICATE HEARING BRIEF				
S. No.	**Particular**	**Details**		
1.	**Registration certificate no.**	675/407/2023/19		
2.	**Date of Registration**	30.01.2023		
3.	**Date of expiry of validity of registration**	10.11.2026		
4.	**Name of promoter**	M/s Aviana Green Estates Pvt. Ltd.		
5.	**Name of project**	Chintamani's		
6.	**Area of project**	4.1875 acres		
7.	**Nature of project**	Group Housing colony		
8.	**Location of project**	Sector- 103, Gurugram		
9.	**Suo-motu complaint no.**	RERA-GRG-3887-2023		
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 3 months	30.04.2023	09.06.2023	Delay of 40 days
	The promoter shall submit the fire scheme approval within 3 months	30.04.2023	14.08.2023	Delay of 106 days
	The promoter shall submit the approved service plan and estimates within 3 months	30.04.2023	Not submitted	-
	The promoter shall submit the electrical load availiability within 1 month.	28.02.2023	31.01.2023	Within time
11.	**Details of refundable security submitted by the promoter**			
	Name of the bank	**No. & date of refundable security**	**Amount**	**Submitted for**
	Axis Bank	Cheque no 438084 dated 30.01.2023	25 lacs	Environmental clearance
	Axis Bank	Cheque no 438085 dated 30.01.2023	25 lacs	Fire scheme

	Axis Bank	Cheque no 438086 dated 30.01.2023	25 lacs	Service plans and estimates

12.	File status	Date
	Show cause notice sent on	21.08.2023
	First reply received on	01.09.2023
	First hearing on	21.09.2023
	Second reply received on	25.09.2023
	Second hearing on	26.10.2023
	Third hearing on	28.12.2023 (Adjourned)
	Fourth hearing on	29.12.2023

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 Aviana Green Estates 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 has submitted the replies dated 01.09.2023 and 25.09.2023. The status of compliances done by the promoter is mentioned at S. No. 10 above.

Proceedings dated 21.09.2023

Ar. Neeraj Gautam (Associate Architectural Executive) briefed the facts of the case. Sh. Vikrant (AR) is present on behalf of the promoter. The AR of the promoter states that the assurance for electrical load was granted by DHBVN on 31.01.2023 (within stipulated time) and a copy of the same has been handed over during course of hearing. So far as the service plans and estimates are concerned, the same have been forwarded by HSVP, Panchkula to the DTCP on 13.04.2023 and are pending at the level of DTCP. He seeks one month time to comply with this condition.

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.

Proceedings dated 26.10.2023

Ar. Neeraj Gautam (Associate Architectural Executive) briefed the facts of the case. None is present on behalf of the promoter.

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.

Matter to come up on 23.11.2023 for further proceedings.

HARERA
GURUGRAM

Suo- motu complain no.	RERA-GRG-3887-2023

Proceedings dated 23.11.2023

Ar. Neeraj Gautam (Associate Architectural Executive) briefed the facts of the case. None is present on behalf of the promoter.

None is present on behalf of the promoter. A 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 28.12.2023 for further proceedings. On 28.12.2023, the matter was adjourned to 29.12.2023.

Proceedings dated 29.12.2023

Ar. Neeraj Gautam (Associate Architectural Executive) briefed the facts of the case. None is present on behalf of the promoter.

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

One last opportunity is given to the promoter to submit the approved service plans and estimates in the Authority.

Matter to come up on 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.

(Ar. Neeraj Gautam)
Associate Architectural Executive

Day and date of hearing	Friday and 02.02.2024

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

Sh. Vikrant Kamboj (GM Operations) is present on behalf of the promoter.

In view of the fact that the promoter has failed to submit the approval of environmental clearance, fire scheme, and service plans and estimates within the specified timeline of three months as per conditions of the registration certificate dated 30.01.2023, the security deposited by the promoter in lieu of the timely submission of all the above approvals 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 01.03.2024.

(Ashok Sangwan)
Member, HARERA, Gurugram