

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.	245 of 2017
2.	Date of Registration	26.09.2017
3.	Date of expiry of continuation of registration u/s 7(3)	24.03.2025
4.	Name of promoter	MRG Infrabuild LLP.
5.	Name of project	The Meridian
6.	Area of project	5.51875 acres
7.	Nature of project	Affordable Group Housing.
8.	Location of project	Sector-89, Gurugram.
9.	Suo-motu complaint no.	RERA-GRG-549-2024
10.	File status	Date
	Show cause notice sent on	31.01.2024
	First reply received on	-
	First hearing on	12.02.2024

11. Case History

It has come to the notice of the Authority that an advertisement has been published in Gurgaon Times(TOI Supplement) dated 21.01.2024 wherein the RERA registration no. i.e., 245 of 2017 has been mentioned along with other amenities and location advantages.

As per the record of the Authority, the real estate project as detailed below was registered with the Haryana Real Estate Regulatory Authority, Gurugram

S. No.	Particulars	Details
1	Registration No.	GGM/2017/245 dated 26.09.2017.
2	Continuation of registration u/s 7(3).	RC/REP/HARERA/GGM/245 of 2017/7(3)/36/2023/13 dated 24.07.2023
3	Expiry of registration	24.03.2025.
4	Name of promoter	MRG Infrabuild LLP.
5	Name of project	The Meridian
6	Area of project	5.51875 acres

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

7	Nature of project	Affordable Group Housing.
8	Location of project	Sector-89, Gurugram.
9	Number of units	755 (Residential) + 97(Commercial)

As per the provisions of Section 11(2) of the Act, 2016 the advertisement or prospectus issued or published by the promoter shall mention prominently the website address of the Authority, wherein all details of the registered project have been entered and include the registration number obtained from the Authority and such other matters incidental thereto.

Further, as per the provisions of Section 13(1) of the Act 2016, no promotor shall accept a sum more than ten percent of the cost of the apartment, plot, or building as the case may be, as an advance payment or an application fee, from a person without first entering into a written agreement for sale with such person and register the said agreement for sale, under any law for the time being in force.

Following irregularities are observed in the advertisement:

- There is no such policy as named "Affordable Shops Yojna".
- The website address of the Authority, wherein all details of the registered project have been entered, is not mentioned prominently in the advertisement.
- The payment plan published mentions the 10:40:50 as easy payment plan. However, it is nowhere mentioned in the advertisement that the Agreement for Sale is executed prior to demanding 40% payment or not.
- You have mentioned both carpet area and super area in the advertisement, but promoter is charging on the super area of the unit.
- You have also mentioned that 33% is reserved for ladies and Government officials.

It has been observed that despite of mandatory provisions provided under section 11(2) and 13(1) of the Act, 2016, the promoter failed to describe the details in a proper manner in the advertisement which is punishable under section 61 of the Real Estate (Regulation and Development) Act, 2016, which provides as under-

"61. Penalty for contravention of other provisions of this Act-

If any promoter contravenes any other provisions of this Act, other than that provided under section 3 or section 4, or the rules or regulations made thereunder, he shall be liable to a penalty which may extend up to five per cent of the estimated cost of the real estate project as determined by the Authority."

Accordingly, a show cause notice dated 31.01.2024 for the violations of sec 11(2) and 13(1) of the Act. 2016 was issued to the promoter as to why a action shall not be initiated against the promoter as per the provisions of the RERA Act, 2016 with an opportunity of hearing on 12.02.2024.

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No reply w.r.t notice dated 31.01.2024 has been received in the Authority yet.

(Shashank Sharma)
Associate Engineer Executive

Day and date of hearing

Monday and 12.02.2024

Proceedings recorded by

Ram Niwas

Proceedings dated 12.02.2024.

Sh. Shashank Sharma (Associate Engineer Executive) briefed the facts of the case.

Sh. Ajay Sharma is present on behalf of the promoter.

The AR of the promoter states that the promoter has not issued any such advertisement. He further undertakes to enquire into and register FIR against the person/entity which has issued the advertisement and also issue a disclaimer in the newspaper with respect to the same.

The matter to come up on 04.03.2024.

(Sanjeev Kumar Arora)
Member, HARERA

(Ashok Sangwan)
Member, HARERA

V.1 - 3
(Vijay Kumar Goyal)
Member, HARERA

(Arun Kumar)
Chairman, HARERA

