

**BEFORE THE HARYANA REAL ESTATE REGULATORY AUTHORITY, GURUGRAM**

Registration No.	GGM/865/597/2024/92 dated 04.09.2024
Name of promoter	M/s TARC Ltd.
Name of project	TARC ISHVA
Location of project	Sector-63A, Gurugram
Suo motu complaint no.	RERA-GRG-6258-2024
Date of order	31.01.2025

**ORDER**

1. 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 TARC Ltd. and after due consideration, the said real estate project was conditionally registered with the Haryana Real Estate Regulatory Authority Gurugram with the following details:

S. No.	Particulars	Details
1.	Registration No.	GGM/865/597/2024/92
2.	Date of Registration	04.09.2024
3.	Date of expiry of validity of registration	31.12.2031
4.	Name of promoter	M/s TARC Ltd.
5.	Name of project	TARC ISHVA
6.	Area of project	6.95 acres
7.	Nature of project	Group Housing
8.	Location of project	Sector- 63A, Gurugram

2. Whereas on the request of the promoter, the Authority had decided to issue the registration certificate subject to the following conditions:

S. No.	Condition	Compliance due date	Date of approval obtained on
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1.	The promoter shall submit the approved environmental clearance within 3 months from the date of grant of registration	04.12.2024	18.10.2024
2.	The promoter shall submit the fire scheme approval within 3 months from the date of grant of registration	04.12.2024	06.12.2024
3.	The promoter shall submit the approved service plans and estimates within 3 months from the date of grant of the registration	04.12.2024	20.11.2024
4.	The promoter shall submit mining permission before start of excavation of the project.	-	23.10.2024

3. At the time of registration of the project, following refundable security was deposited by the promoter as a token of his assurance to submit the above compliance within the time period mentioned in the conditions:

Name of the bank	No. And date of refundable security	Amount	Submitted for
Kotak Mahindra Bank	589032 dated 02.09.2024	25 lacs	Environmental clearance
Kotak Mahindra Bank	01711GF241062338 dated 29.08.2024	25 lacs	Approved fire scheme



Kotak Mahindra Bank	01711GF241062340 dated 29.08.2024	25 lacs	Service plans and estimates
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4. Since the promoter failed to submit the fire scheme approval in the Authority within the stipulated time period mentioned in the conditions, a show cause notice dated 17.12.2024 for forfeiture of security amount submitted in lieu of the same with an opportunity of hearing on 02.01.2025 was issued to the promoter. On 02.01.2025, the matter was adjourned to 09.01.2025. On 09.01.2025, the matter was further adjourned to 30.01.2025.
5. On 30.01.2025, Ms. Priyanka Aggarwal (Advocate) appeared on behalf of the promoter and requested to condone the delay. The promoter has submitted a reply dated 14.01.2025 regarding delay of 2 days in submitting fire scheme approval of the project wherein it is stated that the promoter had diligently applied for aforesaid fire scheme approval vide application dated 18.08.2024, however, the process for granting fire scheme approval is quite time taking, at first, the application is to be approved at Gurugram by the concerned fire officer, who is on duty from Monday till Wednesday at Panchkula & from Thursday till Saturday at Gurugram. Thereafter, the file is sent to Panchkula for further inspection & signing by the Deputy Director of Fire Services, Hayana and then again, the file is sent back to Gurugram. It is further stated in the reply that the concerned fire officer on duty was on leave from 25.10.2024 till 09.11.2024 due to sudden and untimely demise of his young son and due the unfortunate incident, the fire scheme was not approved on time. Furthermore, the government departments were closed on several days in month of November due to government holidays and festivities. The delay of two days was neither intentional nor deliberate, but due to circumstances beyond the control of the promoter.
6. It is not disputed that the promoter was granted conditional registration at its own accord and depositing of security amount in the form of demand draft in lieu of submission of the requisite clearances within the time specified in the conditional registration. It was clearly mentioned in the registration certificate that this security amount shall be forfeited in favour of authority in case the conditions are not fulfilled by the promoter within the stipulated time period.



7. The Authority has also 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.
8. In view of the above, the security amount submitted in lieu of timely submission of the fire scheme approval is hereby forfeited. The security amount submitted on account of the approved service plans and estimates and environmental clearance already stand refunded as the same was obtained within the stipulated time.
9. Since the compliance has been made, although with delay, the case is filed.

**Ashok Sangwan,**

**Member, HARERA, Gurugram**

Haryana Real Estate Regulatory Authority, Gurugram

**HARERA**  
**GURUGRAM**