

Project name: Park Arena, Sector-80 Faridabd.

Name of the applicant: M/s Countrywide Promoters Private Ltd.
Subsidiary of M/s BPTP Ltd., M-11, Middle
Circle, Connaught Circus, New Delhi.

Quorum

1. Shri Rajan Gupta	Chairman.
2. Shri A.K.Panwar	Member.
3. Shri Dilbag Singh Sihag	Member.

Date of Consideration: 02.07.2018

An application for registration of this project had been earlier considered by the Authority on 1.5.2018 when certain observations were conveyed to the applicant. In the meantime the Authority revised its proforma of filing the applications for registration of projects. The applicant has now filed the application in the revised proforma which was received in the office of the Authority on 26.6.2018. It was considered by the Authority today i.e. 2.7.2018.

2. After detailed examination of the application the Authority observed as follows:-

- (i) It is Group Housing Colony project being set up on the 10.63 acre land. This land has license No.1269-71 of 2006 which was valid up to 10.11.2017. The promoter has applied for renewal of the license to the Town & Country Planning Department on 5.12.2017. The license is yet to be renewed. The promoter should give details as to why the license has not been renewed till now.



- (ii) Permissible FAR of the land is 1.75. Full FAR is proposed to be utilized by the developer. This application, however, has been made only in respect of a portion of the permissible FAR i.e. 31160.265 Sqm. As per law the project is allowed to be developed in phases, however, for registration of a phase of the project, full project should be shown to be divided into phases. Each phase of the project should be clearly demarcated in the layout plan. Further, the manner in which various services will be provided in various phases should also be clearly stated as well as demarcated in the plans. Simply projecting certain quantum of FAR for registration cannot be called phased development of the project. Each phase has to be so shown that it can be recognised as a stand-alone colony with fully functional services. The applicant should clarify his position in this regard.
- (iii) From the renewal letter dated 7.11.2017 of the license issued by the Director in favour of three addressees C/o the applicant, it is made out that on 7.11.2017 the license was renewed only for three days i.e. up to 10.11.2017. It is a strange act on the part of the department to renew the license only for three days. Full details of the land owners and licensees has not been disclosed by the applicant. A copy of the earlier licenses has also not been furnished. A copy of the collaboration agreement made between the applicant-promoter and only one of the land owners M/s Sunglow Overseas Private Ltd. has been submitted with the application. There must be more collaboration agreements of which no mention has been made in the application.

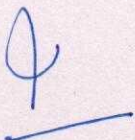
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- (iv) From clause 3(c) of the collaboration agreement it can be inferred that the land has been sold by the owners to the developers. The collaboration agreement, however, been registered by paying the registration fee of Rs.100/-. Whether by virtue of this collaboration agreement the developer will become authorized person to convey good title to the allottees needs to be confirmed. In any case, an entry in the revenue record showing that the land shall be developed as a colony by the applicant must be made and a copy furnished to the Authority.

In brief, the applicant shall provide all relevant details relating to the ownership of land, license, and various collaboration agreements.

3. In para 2 of part 'C' some of the details are in respect of the FAR being proposed to be registered, and remaining details pertains to the whole of licensed project. If the project is proposed to be developed in phases then separate detail in respect of each phase should be provided and the same should also be shown in the plans of the project.

4. In para 4 of part 'C' certain cost estimates in respect of the infrastructure have been given which appears completely out of place. In a project costing Rs.106 crores, only Rs.74 lakhs are proposed to be spent on internal roads and only Rs.85 lakhs on the water supply system and only Rs.2.5 lakhs on the solid waste system management. All green areas have been projected to either the facts stated in the application or conception of the project.



5. According to para 5 'C' the site plans and building plans were approved on 31.5.2011. It is understood that these plans have a validity of five years. Whether these plans have been got revalidated is not clear from the application.

6. In the earlier application filed by the promoter, it was shown that out of total 624 plots in the project, 256 have been sold and they are at completion stage. Now the applicant has stated that there are only 256 apartments in whole of the colony out of which 150 have been sold and 170 are yet to be sold. There is lot of confusion in the application.

7. The Authority in its earlier orders dated 1.5.2018 had ordered that a conference of consumers should be held and their views should also be presented along with the revised application. No mention of such a conference has been made which amounts to violation of the orders of the Authority.

8. Several other portions of the proforma 'C' have been left blank or misleading information has been furnished.

From proforma 'CX' it is made out that more than Rs.52 crores have already been received from the allottees and Rs. 46 crores have been invested in the project. This information does not co-relate the information provided in proforma 'C'. The information provided in part 2 of the proforma 'CX' also does not co-relate with the overall size of the project. This information also appears to be misleading.


9. Authority observes that the promoter is repeatedly giving incorrect information. This is resulting into wastage of time of the Authority. It may also be perpetuating the agony of the allottees who have been waiting for allotment of their apartments for the last many years. Nothing has been stated

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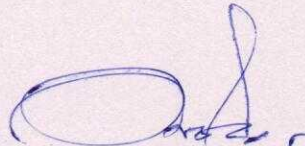
by the applicant as to when the existing allottees will be offered possession on the basis of their builder-buyer agreements.

10. The Authority decides that applicant should furnish requisite information by 25th July, 2018. Further, the case be listed for hearing on 30th July, 2018 when senior persons of the applicant company should appear before the Authority and explain requisite details of the project. The Authority further proposes that the applicant should show-cause as to why a cost of Rs.1lakh be not imposed upon him for submitting incorrect and misleading information.

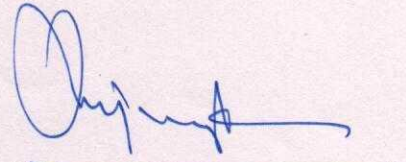
11. A copy of this order be send to the applicant and a confirmation be conveyed by E-mail and SMS. CTP shall list the case for hearing on 30.7.2018.



Dilbag Singh Sihag
Member



A.K. Panwar
Member



Rajan Gupta
Chairman