

Project name: Park 81, Sector-81, Faridabad.

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 application for registration of the project. The applicant has now filed the application in the revised proforma which was received in the office of the Authority on 29.6.2018. It was considered by the Authority today i.e. 2.7.2018.

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

- i. The present application of area measuring "14.16 acres" being a part of the total plotted colony measuring "132.59 acres" was considered and it was observed that the area forms part of license no. 495-521 of 2006, license 1172-1177 of 2006 & License No. 73 of 2011. It has also been stated in the application that license no. 73 of 2011 was only valid upto 08.08.2015. The pocket proposed for registration is neither shown on the site plan nor the licenses marked thereon. Therefore, it can't be ascertained which area has a valid license as on date for which registration could be considered. One of the requirements of registration under RERA Act/Rules is that the applicant should have a valid license at the time of registration.
- ii. In this case, the application has been filed by Countrywide Promoters Pvt. Ltd. whereas the land is owned by a number of companies who have been



granted Licenses. No gist of the Collaboration Agreements and the relevant clauses under which the promoter has derived the legal capacity to develop the said colony has been enclosed. The collaboration agreements, however, have been registered by paying a 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.

- iii. Further, an entry of the land having been bound for the project should be got made in the revenue record. An irrevocable general power of attorney should be obtained from the land owners and should be got registered.
- iv. No justification has been submitted by the promoter for delineating this pocket has a separate project, each phase has to be shown specifying to the Authority that it can be executed as a stand alone project with fully functional services.
- v. During the last hearing held on 1.5.2018 the Authority had desired to know the status of the service plans/Estimates which were submitted to the DTCP on 06.03.2013 and the validity of the Building Plans. The applicant has not submitted the latest status even in the present application.
Though a copy of the approved service plans/estimates of land measuring 124.9 acres has been enclosed with the application, but the details of the present land forming part of these estimates has not been submitted. The status of internal services should be shown on the plan and a note with regard to the linking of these internal services with that of the external services of the colony be submitted.
- vi. In form REP-I "Part-C" submitted before the Authority the no. of plots mentioned at Sr. No. 2 are 248 whereas in Part-7(i) the no. of plots are 288 and in Part 7 (ii) are 246. Therefore, the information provided by the promoter is misleading which is making the work of this Authority difficult.
- vii. Though the revised completion date of the project has been mentioned as 31.12.2019 but the expenditure on the floors and the infrastructure has been submitted upto March'2019.



viii. The total no. of floors sold/booked and the details of the unsold floors be reconciled;

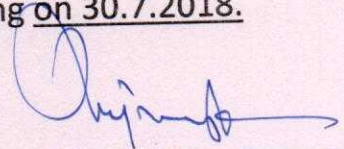
3. Authority observes that the promoter is repeatedly giving incorrect information. This is resulting into wastage of time of the Authority. It may also be perpetuating the agony of the allottees who have been waiting for allotment of their apartments for the last many years. Nothing has been stated by the applicant as to when the existing allottees will be offered possession on the basis of their builder-buyer agreements.

4. 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.

5. 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 9/7.