



HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

Temp ID 1055-2022 - BPTP Ltd.

Project Name: "Princess Park (Tower A K L M and EWS)" having FAR measuring 47541.629 Sq.mtr in Group Housing colony measuring 17.97 acres in Sector-86, Faridabad.

Name of the applicant: BPTP Ltd.

Date of consideration: 17.05.2022

Present: None

ORDER (Rajan Gupta – Chairman)

When the matter was placed before the Authority for consideration on 17.05.2022, the Authority had reserved the order. Now, after examination Authority has decided to pass this order as follows.

2. This application for registration of project was received in furtherance of Suo Motu complaint No. 106 of 2019 registered by Authority for non-registration of an "ongoing project" by the respondent-promoter. Brief facts of the case are that large number of complaints were received from various allottees regarding non-completion of the project. After detailed deliberations Authority had appointed Ld. CTP as Local Commissioner to physically verify the issues raised in the

complaints. Ld. CTP visited the site and submitted a site report dated 09.10.2020. Based on the report, Authority had issued a notice to the promoter to get the project registered as an “ongoing project” since the promoter till that time had not obtained an Occupation Certificate for Towers A, K, L and M from DTCP, Haryana.

3. The relevant part of the report submitted by Ld. CTP is as under:

- i. License no. 443 to 446 of 2006 dated 27.01.2006 was granted for developing a Group Housing Colony on land measuring 17.97 acres to Countrywide Promoters Pvt. Ltd. in Sector-86, Faridabad. The license was valid upto 26.01.2020.
- ii. The building plans of 12 Towers i.e., A, B, C, D, E, F, G, H, J, K, L, and M were approved on 15.12.2010 and 8 Towers i.e., D, E, F, G, B, C, H and J have been granted Occupation Certificate on 28.12.2011 and 06.09.2012.
- iii. The promoter had applied for grant of Occupation Certificate for remaining Towers A, K, L, M, EWS Block, convenient shopping, community building and Basement on 26.06.2013.
- iv. Block A, K, L & M comprise of 356 dwelling units out of which possession of 326 units have already been handed over by the promoter to the allottees in Sep-Oct-2013. 318 units have also been registered without obtaining an occupation certificate.
- v. That as per the approved plans 6 no. of EWS Blocks having G+3 floors total 196 units were to be constructed. However, at site EWS towers with G+6 floors having 196 units are being constructed.
- vi. The Authorized Signatory of Countrywide Promoters Pvt. Ltd. on 29.05.2019 requested the DTP (Faridabad) with a copy to DTCP and STP (Faridabad) to kindly put on hold the processing of grant of occupation certificate for EWS Block for the time being till further intimation from their side.
- vii. DTP, Faridabad vide her letter dated 15.02.2019 has informed the Authority that the department would not consider the application for grant of occupation certificate of main towers A, K, L & M

as the proportionate EWS flats are still not complete for grant of occupation certificate.

- viii. The construction of EWS Blocks is at stand still as there is no urgency to complete the same because the promoter has granted possession in all the blocks including A, K, L & M and even got the flats registered. In some cases, deed of apartment has been executed.
 - ix. The combined second basement of towers A, K, L & M is non-functional as sewer lines are leaking.
 - x. the license was renewed till 26.01.2020. No application for renewal of license has been filed by the promoter till date.
4. The Authority had disposed off the Suo Motu Complaint No. 106 of 2019 on 09.05.2022 as the respondents had filed an application for registration of the said project.
5. After consideration of the application filed by the promoter following deficiencies are observed:
- I. License no. 443 to 446 of 2006 dated 27.01.2006 was valid upto 26.01. 2020. Present status of renewal of licenses should be submitted.
 - II. Since, it is a group housing colony FAR of the towers have to be mentioned rather than area for getting it registered.
6. Applicant is directed to submit his reply to above-mentioned deficiencies well before next date of hearing.
7. The Authority in its 65th meeting held on 26.08.2019 has formulated a policy of charging late fee, if the project is not registered within prescribed time. Under the policy, no late fee is to be charged, if the application is filed upto October, 2018. Further, for every six months delay, fee equivalent to 50% of the fees notified by the State Government shall be payable. Since delay in this case



is of nearly 42 months, the late fee applicable shall be 3.5 times the original applicable fee. Accordingly late fee of Rs.29,11,924/- is payable by promoter applicant. The promoter shall pay the said late fee also before the next date of hearing.

8. Adjourned to 05.09.2022.



RAJAN GUPTA
[CHAIRMAN]



DILBAG SINGH SIHAG
[MEMBER]

