

ಕರ್ನಾಟಕ ರಿಯಲ್ ಎಸ್ಟೇಟ್ ನಿಯಂತ್ರಣ ಪ್ರಾಧಿಕಾರ,

Karnataka Real Estate Regulatory Authority,

1/14, 2nd Floor, Silver Jubilee Block, Unity Building Backside, CSI Compound,
3rd Cross, Mission Road, Bengaluru - 560027

PROCEEDINGS OF THE AUTHORITY

Dated 10th of NOVEMBER 2021

Registration No.	ACK/KA/RERA/1271/486/PR/210106/004495
Applicant / Promoter	RASHI INFRA, Nammanaadu Building, 100 Feet Road, vinayaka Nagara, Shivamogga-577201.
Project Name:	SRIRAMPURA SHIVAMOGGA Survey No.81, Srirampura Village, Shivamogga Taluk, Shivamogga.

The developer by name "RASHI INFRA" has filed the application under Section 4 of the Act, for registration of his Project "SRIRAMPURA SHIVAMOGGA" to which Acknowledgment number has been allotted as ACK/KA/RERA/1271/486/PR/210106/004495. This application was filed on 06/01/2021.

But on verification, it was noticed that some relevant documents/information has not been submitted as required under section 4(1) & 4(2) of the RERA Act 2016. The promoter has himself admitted that sale of plots have taken place before RERA registration, which is a violation of Section 3(1) of the RERA Act. 3 Notices were sent on 16/1/2021, 3/2/2021 and 9/2/2021. The case was posted for hearing on 22/04/2021. The promoter appeared through Skype.

Though sufficient opportunity was given to the promoter/his representative to appear, neither they appeared before the Authority nor submitted written submission. A penalty notice was issued to the promoter on 13/8/2021 as to show-cause why penalty under sub section 1 of Section 59 should not be levied on them.

The promoter/representative in his reply dated 19/8/2021 sent through email to the authority has admitted that though they were aware of RERA registration, lack of understanding on selling plots and Covid-19 pandemic caused them to fall short on following up the due process. They have also apologized for any shortcomings in following the due process which was unintentional.

Final Notice for Hearing was issued on 29/09/2021 to appear for a hearing before the authority on 22/10/2021. Sri.K.V. Shivakumar, authorized signatory appeared on behalf of the promoter.

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Sec. 3(1) of the Real Estate (Regulation and Development) Act, 2016, states that no promoter shall advertise without registering real estate project with the RERA. Sec. 59(1) of the said Act stipulates a penalty which may extend upto 10% of the estimated cost. Proviso to the said section also stipulates that application for registration has to be filed within 3 months from the date of commencement of the Act.

In view of the foregoing reasons following order is passed.

ORDER

A penalty of Rs. 50,000/- is hereby levied u/s 3(1) read with Section 59(1) of the Real Estate (Regulation and Development) Act, 2016.

The project by name "**SRIRAMPURA SHIVAMOGGA**" is hereby registered subject to payment of the penalty within a period of 15 days from receipt of this order.

HLs

(Neelmani N Raju)
Member-2 KRERA

Vishnuvardhan

(D. Vishnuvardhana Reddy)
Member-1, KRERA

H.C. Kishore Chandra

(H.C. KISHORE CHANDRA)
Chairman, KRERA