

**BEFORE TELANGANA REAL ESTATE REGULATORY
AUTHORITY**

[Under the Real Estate (Regulation and Development) Act, 2016]

SUO - MOTO - COMPLAINT NO.1567/2024

22nd Day of February 2025

Coram: **Dr. N. Satyanarayana, IAS (Retd.), Hon'ble Chairperson**

Sri K. Srinivasa Rao, Hon'ble Member

Sri Laxmi Narayana Jannu, Hon'ble Member

Telangana RERA on its own Motion

...Complainant

Versus

M/s Ameya Constructions, represented by its Managing Director,
N.Prabhakar Reddy.

...Respondent

ORDER

The captioned case is not a complaint, but a proceeding initiated by this Authority against the Promoter namely M/s Ameya Constructions, represented by its Managing Director, N. Prabhakar Reddy, who is arrayed as Respondent in this Suo-motu case. The Suo-moto case come up for consideration before this Authority on **27th Day of December 2024** against the Respondent and on careful consideration of application filed by Respondent, information Collected and available on record, this Authority passes the following Order:-

-: ORDER:-

The Brief History and back ground of the case:

2. That M/s Ameya Constructions represented by its Managing Director, N.Prabhakar Reddy had filed application before this Authority on 24.08.2024, U/s (4) of the Act, 2016 for registration of Project namely "Bhandari Raghavalu Enclave" situated in Sy.No.145/P at Hydernagar Village of Kukatapally Mandal, U/s section (5) of the RE(R&D) Act 2016,

along with copy of Building permit order No.90276/02/01/2015/HO dated 19.11.2020 said to have been issued by Commissioner, Greater Hyderabad Municipal Corporation (herein after referred to as Commissioner, GHMC) along with other documents.

3. The application was numbered as REA.No.2400083841. After that, while scrutinizing the contents of the application and documents filed along with it, it has come to light that the Building Permit Order No.90276/02/01/2015/HO dated 19.11.2020 submitted by the said Promoter appeared to have been created and fabricated. On that, this authority vide Lr.No.1567/2024/TSRERA Dated 24.08.2024 has addressed the Commissioner, GHMC to direct its concerned officers to enquire into the matter and to furnish report as to genuineness of the said Building permit order. In compliance to that, The Commissioner GHMC vide Lr.No.B/ 1783 /TPS /HO / GHMC / 2024/ 282 Dt :03.09.2024 has informed the Authority that they have verified the available records and found that the GMHC Head office has not issued any such building permit order No.90276/02/01/2015/HO dated 19.11.2020 in favour of M/s Ameya Constructions and informed that it is not genuine.

4. On receipt of the above said report from the Commissioner, GHMC this Authority has issued a show-cause notice bearing No. C/1567/2024/TGRERA dated 5.10.2024 to the Respondent to submit explanation for furnishing false information and submitting false and fabricated building permit order purportedly issued by the Commissioner, GHMC within one week from the date of receipt of the notice, failing which suitable action shall be initiated by this Authority as provisions of RE(R&D) Act, 2016, Rules and Regulations made thereon.

5. On receipt of show cause notice, the Respondent has submitted his explanation on 24.10.2024 stating that the GHMC in file No.90276/02/01/2015/HO dated 19.11.2020 has issued building permission to them under G.O. Ms. No. 45 (GA) department dated 22.03.2020 read with Government Memo No. GA 3395/ 2020/ A dt:

21.05.2020 and that subsequently also issued online generated copy of the building permission letter and that while submitting the application to RERA for registration they have not submitted the online generated copy of building permission by mistake and that along with this explanation they have submitted online generated copy of building permission with a request to drop further action on the show cause notice and to consider their request to issue necessary permission.

6. On perusal of the said explanation dated 24.10.2024 submitted by Respondent, this Authority vide Lr. No.C/ 1567/ 2024/ TG RERA, Dated: 10.2024, while informing about the explanation and by enclosing online building order submitted by the Respondent has again requested the Commissioner, GHMC to direct its concerned officers to furnish the genuineness of the online generated copy of building permit order bearing file No.90276/02/01/2015/HO dated 19.11.2020. The commissioner GHMC vide Lr. No. B/ 2288/ TPS/ HO/ GHMC/ 2024 /1172 /383 Dated: 06.12.2024 has again informed that they have verified the available online data and found that their office has not issued any such online building permit order bearing file No. No.90276/02/01/2015/HO dated 19.11.2020 to M/s Ameya constructions and that the same is not genuine.

7. In this context it is pertinent to refer to Section 4 (1) of the Real Estate (Regulation and Development) Act, 2016, which stipulates that Every promoter shall make an application to the Authority for registration of the real estate project in such form, manner, within such time and accompanied by such fee as may be specified by the regulations made by the Authority and as per 4(2)(d) of the Act, the promoter shall enclose the sanctioned plan, layout and specifications of the proposed project or the phase thereof and the whole project as sanctioned by the competent authority. *The section 60 of the act says that, If any promoter provides false information or contravenes the provisions of section he shall be liable to a penalty which may extend up to 5% of estimated cost of the real estate project as determined by the Authority.*

8. In the instant case, after careful perusal of facts and circumstances of the matter as discussed in the foregoing paras, it is crystal clear that the building permit order 90276/02/01/2015/HO dated 19.11.2020 and another online generated copy of building permission submitted by the Respondent promoter along with the application for Registrations of Real estate Project u/S 4 of RE(R&D) act 2016, are not genuine, false, fabricated and created. Thus it is obvious that by knowing fully well that the said permit orders are not genuine and false, fabricated, created, the Respondent has provided false information that they are genuine documents and by using and enclosing along with the above said application as genuine permit orders has misled this Authority for obtaining Registration of its project and thereby contravened the provisions of section 4(1) of the Act, 2016

9. In the result, in exercise of the powers conferred under Sections 37 and 38 R/w Sections 4 and 60, this Authority issues the following Orders against the Respondent/Promoter, viz M/s Ameya Constructions, represented by its Managing Director, N.Prabhakar Reddy :

- i. The application REA.No.2400083841 filed by the Respondent, M/s Ameya constructions, represented by its Managing Director, N.Prabhakar Reddy is hereby rejected.
- ii. A penalty of Rs. **23,72,104/-** (Rupees Twenty Three Lakhs Seventy Two Thousand and One Hundred and Four Only) i.e 3% of estimated cost of Real Estate project i.e Rs 7,90,70,140/- submitted by the Respondent is hereby imposed on the Respondent Promoter, represented by its Managing Director, N.Prabhakar Reddy viz M/s Ameya Constructions under Section 60 for violation of provisions of Sections 4 payable by it within 30 days from date of receipt of this order in favour of TG RERA FUNDS through Demand Draft or online payment to A/c No. 50100595798191, HDFC Bank, IFSC Code: HDFC0007036;
Failing which, the promoter shall be liable to pay further penalty every day during which such default continues which may be cumulating to

the extent up to 5% of Estimated cost of Project as may be determined by this authority, in default of which the promoter shall be liable for further penalty in accordance with Section 63 of the Act, 2016.

- iii. The Secretary TG-RERA is hereby ordered to book case against the said promoter as contemplated under the provisions of this Act , Rules and Regulations made there under.
 - iv. The Secretary TG-RERA is hereby ordered to address concerned Authority for initiating necessary action against the Respondent applicant for using false and fabricated permit order purported to have been issued by the GHMC Authority, as genuine permit orders by enclosing them along with application filed for registration of its project.
 - v. The Respondent is hereby ordered as defaulter.)
10. If aggrieved by this Order, the Respondent is at liberty to prefer appeal against the order if he is so advised to do.

Dated this the 22nd day of February, 2025.

Sd/-
Sri K. Srinivasa Rao,
Hon'ble Member,
TG RERA

Sd/-
Sri Laxmi Narayana Jannu
Hon'ble Member,
TG RERA

Sd/-
Dr. N. Satyanarayana, IAS(Rctd.),
Hon'ble Chairperson,
TG RERA