

**REAL ESTATE REGULATORY AUTHORITY, BIHAR**

**Before the Bench of Mr. Naveen Verma, Chairman &  
Mrs. Nupur Banerjee, Member**

**Case No. RERA/PRO/REG.824/2019**

**Authorized Representative of RERA**

**v.**

**Saran Green City**

**Project – Green City**

**HEARING THROUGH VIDEO CONFERENCING**

**ORDER**

**10-03-2022** Hearing taken up under section 5 (1) (b) of the Real Estate (Regulation and Development) Act, 2016, for rejection of the application for registration of the project ‘Green City’.

The Real Estate Regulatory Authority, Bihar issued a notice to Saran Green City, through its Partner, Md. Mustafa, on 04.03.2022 as to why the application for registration of the Project Green City, filed by the promoter with the Real Estate Regulatory Authority (RERA), Bihar, on 14.01.2019, should not be rejected under Section 5 (1) (b) of the Real Estate (Regulation & Development) Act, 2016. The ground for rejection was that the applicant failed to furnish map approved by the competent Authority as the map enclosed with the application was approved by Mukhiya-Gram Panchayat Raj , Pirauna , Block- Garkha, Saran.

No one appears on behalf of the respondent company. The Authority observes that the project is situated at non-planning area and the map of the aforesaid project is approved by Mukhiya who is not the competent Authority.

The Bench takes note of the fact that in response to letter dated 03.03.2021, sent by Secretary, RERA to the Additional Chief Secretary, Panchayati Raj Department, Government of Bihar, a letter from that Department dated 18.08.2021 was received stating therein

that the matter was under consideration with regard to grant of powers of local authorities in non-planning areas for real estate project. Therefore, Mukhiya of Gram Panchayat lacks the power of approval of building plan in their respective panchayat areas. It also notes that the Urban Development and Housing Department, Government of Bihar, has urged RERA to ensure that the provisions of Bihar Building Bye Laws are being enforced when maps are submitted to it before projects are registered.

Therefore, the real estate project 'Green City' stands rejected as the promoter has failed to submit the requisite documents with the Authority as stipulated by Section 4 of the Real Estate (Regulation and Development) Act, 2016 and Rule 3 of the Bihar Real Estate (Regulation and Development) Rules, 2017, with the liberty that promoter may apply again for the registration of same project in future along with requisite documents and no fees would be charged from them.

Sd/-  
**Nupur Banerjee**  
(Member)

Sd/-  
**Naveen Verma**  
(Chairman)