



HARYANA REAL ESTATE REGULATORY AUTHORITY, PANCHKULA.

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Extract of the resolution passed by the Haryana Real Estate Regulatory Authority, Panchkula in its meeting held on 04.12.2024.

Item No. 271.46

Continuation of registration of project for Fourth year.

Promoter: M/s. BM Gupta Developers Pvt. Ltd.

Project: "BMG Antriksh Towers" Affordable Group Housing Colony on land measuring 5.975 acres situated in Sector 26-27, Rewari.

Reg. No.: 89 of 2017 dated 23.08.2017 valid upto 26.09.2020, first extension and general extension granted upto 25.06.2022, second extension granted upto 25.06.2023, third extension granted upto 25.06.2024.

Present: Mr. Manoj Kapoor, AR and Ms. Sangeeta Gupta.

1. On 24.04.2024, Mr. Manoj Kapoor, AR stated that commercial CI has been completed but there is violation and approval of competent Authority is required on account of commercial FAR increase from 4% to 8%. After consideration, Authority decided that promoter should submit environment clearance certificate due to increase in FAR as well as approval for increase of commercial FAR 4% to 8%. Authority is also of the view that the discontinuation of RERA registration is not possible as there is no such provision in RERA Act, 2016. Adjourned to 10.07.2024.

2. On the last date of hearing, i.e. 10.07.2024, Authority decided to grant extension of third year up to 25.06.2024 under Section-7(3) of RERA Act, 2016. Authority further decided that promoter should apply extension for fourth year which has become due and apply for separate registration of commercial area FAR increased from 4% to 8%. Mr. Manoj Kapoor informed that consent of 2/3rd allottees has been submitted on 12.03.2024. Adjourned to 25.09.2024.



3. Extension certificate has been issued; registration is now valid upto 25.06.2024. On the last date of hearing, it was informed to the Authority that consent of 2/3rd consent has been submitted, however those are not written consent of the allottees. The promoter has applied for continuation of registration of project for fourth year under Section 7 of Real Estate (Regulation and Development) Act, 2016, of registration of the said project upto 25.06.2025, However, separate registration for commercial area (FAR increased from 4% to 8%) has not been applied.
4. The promoter has applied on prescribed proforma Rep-V Form. The applicant promoter has submitted ₹17,778/- as extension fee.
5. License No. 73 of 2014 dated 01.08.2014 has been granted by DTCP on land measuring 5.975 acres which is renewed upto 26.09.2025.
6. The promoter has submitted the following:
 - i. Occupation Certificate (for residential tower T1 to T4) vide BR-VII memo no. ZP-1034/PA (DK)/2022/31254 dated 14.10.2022. Occupation Certificate for the Commercial C1 (Ground Floor) and C2 vide BR-VII memo. No. ZP-1034-II/JD (RD)/2023/31512 dated 21.09.2023.
 - ii. Revised building plans approval of C1 and C2 vide memo no. ZP-1034 Vol-II/JD (NK)/2023/12868 dated 04.05.2023 on account of commercial FAR increase from 4% to 8%. Copy of revised building plans.
 - iii. Copy of corrigendum dated 08.07.2024 issued by SEIAA, Haryana allowing to this project of Built-up area i.e. 63447.86 sq. mts. instead of 63177.86 sq. mts.
7. Explanatory note is submitted. The promoter has submitted quarterly progress reports till 31.03.2024. Photographs of the project have been submitted.
8. Architect certificate dated 29.05.2024 stating remaining % of work as 0% is submitted. Engineer certificate and CA certificate dated 01.01.2024 states that balance estimate cost of completion of work is 0 lacs.

Late and Penalty fee calculated as per resolutions no. 261.34 dated 07.08.2024 is Rs. 9,80,430/-. (Promoter had paid Rs. 17,778/- by only calculating fees for area over which conveyance deeds are still pending, i.e., 0.301 acres).



9. On 09.10.2024, Authority decided to grant extension of 4th year up to 25.06.2025. Extension fee payable as per resolution of Authority dated 07.08.2024 in this case be examined by project section. Adjourned to 04.12.2024.
10. Vide reply dated 27.11.2024, the promoter submitted Rs. 5,013/- as late fee (calculations enclosed by the promoter) and requests the Authority to decide the quantum of extension fee by considering the inventory on which OC/CC has been granted. Further the promoter states that the developer who has already been granted OC and have conveyed majority of the residential dwelling units (i.e. 98.5% in the instant case and as per published RERA Rules -60% in case of UP RERA Rules framed) transferring the ownership/title/ship rights in favour of the allottees and also not being in possession of the said dwelling units should not be charged the extension fees and the Authority as an ombudsman is requested to kindly decide on extension fee in view of the fact that RERA Act provisions for ongoing projects at the time of drafting the Act in 2016 did not envisage such a situation.
11. Late and Penalty fee calculated as per resolution is Rs. 9,62,652/-.
12. Mr. Manoj Kapoor submitted that an OC has been granted about 98.5% area and majority of the dwelling units have been conveyed in favour of allottees.
13. After consideration, Authority decided that request of promoter dated 27.11.2024 be examined by Project Section and report submitted on next date of hearing.
14. Adjourned to 29.01.2025.



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Executive Director,
HRERA, Panchkula

A copy of the above is forwarded to CTP, HRERA Panchkula, for information and taking further action in the matter.

(A) Monika