



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 09.04.2025.

Item No. 284.20

Extension of project under Section 6 of the Act.

Promoter: RPS Infrastructure Limited.

Project: "RPS Central" a commercial colony measuring 0.399 acres situated in Sector 88, Faridabad.

Reg. No.: HRERA-PKL-201-2017 dated 15.09.2017 valid upto 14.09.2019.

Temp ID: 747-2019.

1. RPS Infrastructure Limited vide letter dated 07.02.2024, submitted in the office on 09.02.2024, had informed that the promoter has obtained Occupation Certificate dated 06.12.2019 for the project namely "RPS Central" a commercial colony measuring 0.399 acres situated in Sector 88, Faridabad registered vide registration no. HRERA-PKL-201-2017 dated 15.09.2017 valid upto 14.09.2019. The matter was considered by the Authority in its meeting held on 21.02.2024 wherein Authority decided that occupation certificate be taken on record and uploaded on web portal of Authority. In compliance with the above order, Occupation Certificate was uploaded on the website of the Authority.

2. The matter was considered by the Authority on 24.04.2024 wherein it was observed as under:

"6. Authority observes that part completion certificate was granted, hence all compliances are to be made till grant of completion certificate. QPRs are to be filed till the grant of completion certificate.

7. Last opportunity is granted to the promoter to apply extension of project otherwise penal action as per RERA Act, 2016 will be initiated.

8. Adjourned to 10.07.2024."



3. The promoter vide reply dated 21.06.2024 had applied for extension of the project stating that registration was valid upto 14.09.2019 and occupation certificate was received on 06.12.2019, hence request for extension of registration for a period of six months was sought.
4. The matter was considered by the Authority in its meeting held on 09.10.2024 wherein following was observed:
- "9. Authority observes that as per New Tech Judgment, Hon'ble Supreme Court has settled the law that all statutory compliances are to be made by the developers till receipt of completion certificate. In the present case, promoter has received only part completion certificate and not the completion certificate. Hence, Authority decided that entire area is registrable.*
- 10. Adjourned to 04.12.2024."*
5. The matter was again considered by the Authority in its meeting held on 04.12.2024 wherein following was observed:
- "10. Authority observes that promoter is not complying with the orders of Authority dated 24.01.2024, 10.07.2024 and 09.10.2024. After consideration, Authority gave last opportunity to promoter to apply for extension failing which penal action will be initiated as per provisions of RERA Act, 2016."*
6. No reply was been filed by the promoter till date to the above mentioned observations.
7. On 29.01.2025, Authority decided that promoter be issued show cause under Section-35 read with Section-63 of RERA Act, 2016 as to why penalty may not be imposed for not complying with the orders of the Authority? Promoter was also directed to comply with the orders of the Authority.
8. In view of above, Show Cause Notice dated 05.03.2025 was issued to the Promoter. Notice was sent via email on 05.03.2025 and through registered post on 10.03.2025 which were duly delivered.
9. Vide reply dated 23.01.2025, Promoter has submitted that the New Tech Judgement by Hon'ble Supreme Court revolves around the on-going project but our project has received occupation certificate by DTCP. Thus, putting up a question about the completion certificate is a new query that has not been mentioned in the agenda meeting but now adding this query is a queer addition to the order.



Our application pertains to rectifying the gap between RERA registration period and granting of Occupation Certificate leading to a gap of approximately three months. To rectify the gap, we were advised by your office to apply for a 12 month extension. We complied with this recommendation and promptly paid the extension fee as well. But after a prolonged period, there is a requirement for a completion certificate. This requirement of completion certificate is unrelated to the purpose of original request and the completion certificate does not seem relevant.

Also, Hon'ble law and Legislative Department, Haryana Government vide its notification dated 18.12.2024 has clarified "*in cases where the colonizer has either obtained occupation certificate for all the building blocks in case of other than plotted colonies or where part completion certificate for the entire colony has been obtained in case of plotted colonies, no further scrutiny for the purpose of grant of completion certificate shall be necessary and such completion certificate may be issued upon payment of applicable infrastructure augmentation charges.*" i.e. if project has received occupation certificate, then the completion certificate shall not be required.


10. No reply to show cause notice dated 05.03.2025 has been received from the Promoter.

11. Today, Sh. Rajesh Kushwaha informed that a reply has been submitted in the Authority yesterday. The Authority directs the office to examine the reply and put it up on the next date of hearing.

12. **Adjourned to 16.07.2025.**



True copy


Executive Director,
HRERA, Panchkula

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

CA (Kakul)

Kakul