



HARYANA REAL ESTATE REGULATORY AUTHORITY, PANCHKULA.

Mini Secretariat (2nd and 3rd Floor), Sector-1, Panchkula.

Telephone No: 0172-2584232, 2585232

E-mail: officer.rera.hry@gmail.com, hrapkl-hry@gov.in

Website: www.haryanarera.gov.in

Extract of the resolution passed by the Haryana Real Estate Regulatory Authority, Panchkula in its meeting held on 15.05.2024.

Item No. 253.05

Submission of the Occupation certificate and no extension required under Section 6 of the RERA Act, 2016.

Promoter: M/s BPTP Limited.

Project: "Pride Floors"- consisting of 58 plots on land measuring 5.22 acres having 174 floors forming part of the layout plan measuring 152.97 acres in Sector-77, 78, Faridabad, Haryana.

Reg. No.: HRERA-PKL-FBD-187-2019 dated 31.12.2019 valid upto 31.12.2022.

Temp ID: RERA-PKL-62-2018.

Present: Mr. Hemant Saini, Advocate.

1. This matter was considered by the Authority on 21.11.2023 wherein following order was passed:

"1. M/s BPTP Limited vide letter dated 02.11.2023 has submitted that captioned project consist of 58 plots and each plot consists of 3 floors which eventually be 174 units in total. The RERA registration certificate of said project was valid upto 31.12.2022. After inclusion of general extension given due to COVID, the project was valid upto 30.09.2023.

2. It has been submitted that on the date of issuance of RC i.e. on 31.12.2019 out of 174 units, OV for 162 units (54 pots) was already obtained by the promoter. For the remaining 12 units (4 plots), the OC was received on 20.01.2020 and 25.03.2021. Currently the OC for all the 174 units has already been obtained by the promoter and construction work of all the units has also been well completed by the promoter. The promoter had discharged its obligation well before the completion timeline i.e before 30.09.2022 and therefore the extension under Section 6 of the RERA Act 2016 is not required to be applied by the promoter.

3. Request has been made to take the details on the records and upload the copies of all OC's on the website of the Authority.



4. *After consideration, Authority decided that promoter should upload up to date QPRs on web portal of Authority. After that request of promoter will be considered.*
5. *Adjourned to 22.01.2024.*

2. The promoter vide reply dated 15.01.2024 has submitted that OC of the project has been received on 20.01.2020 and 25.03.2021 and QPRs have been filed till 31.03.2021.

3. The matter was heard on 24.01.2024 vide item no. 239.42 wherein Authority decided that OC be taken on record and uploaded on web portal of the Authority. It was further observed that as decided by Hon'ble Supreme Court, RERA compliances are to be made till receipt of completion certificate. Hence, promoter should apply for extension of project and the matter was adjourned to 20.03.2024.

4. The promoter vide reply dated 19.03.2024 submitted that Hon'ble Apex Court in M/s Newtech Promoters and Developers Private Limited and State of Uttar Pradesh and others has addressed the question of registration of ongoing projects and does not discuss the scenario where continuation of registration of the project under RERA Act is incumbent upon receipt of completion certificate. It has been submitted that there is no provision under RERA Act or under any rules applicable in the state of Haryana which mandates the registration of the project under RERA Act till receipt of completion certificate.

5. In compliance of the order dated 24.01.2024, OC's have been uploaded on the web portal of the Authority.

6. The matter was last heard on 20.03.2024 wherein following was observed:

"5. Authority observes that promoter has not applied for extension as registration was valid upto 30.09.2023.

6. After consideration, Authority decided that promoter be issued show cause notice under Section 35 read with Section 63 as to why penalty may not be imposed.

7. Adjourned to 15.05.2024."

7. In compliance of the above order, show cause notice under Section 35 read with Section 63 was issued to the promoter on 29.04.2024, however the promoter has neither applied for extension of the project nor submitted any reply to the show cause notice.

8. Suo motu complaint bearing no. 2011 of 2023 was initiated against the promoter for not uploading QPRs which was last listed for hearing on 10.01.2024 wherein promoter was directed to deposit penalty of ₹1,22,000/- and upload QPRs till part completion/completion certificate is granted by the competent authority.



9. Mr Saini, Ld. Advocate informed that penalty amount of Rs.1,22,000/- has been deposited on 15.01.2024. Mr. Saini sought time to file the reply. Acceding to his request, Authority adjourned the matter to 07.08.2024.



True copy

Executive Director,
HRERA, Panchkula

23/5/24.

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

LA (Ashima)