HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

COMPLAINT NO. 1688 OF 2022

HRERA, Panchkula ....COMPLAINANT

VERSUS

SRC Buildtech Pvt. Ltd. ....RESPONDENT

CORAM:	**Parneet S Sachdev**	**Chairman**
	Nadim Akhtar	**Member**
	Chander Shekhar	**Member**

Date of Hearing: 10.07.2024

Hearing: 7th

Present: None for the respondent Promoter .

ORDER (Parneet S Sachdev-Chairman)

This suo-motu complaint was registered against the respondent for not uploading quarterly progress reports of project registered vide Registration No. HRERA-PKL-PWL-136-2019 dated 22.07.2019 valid upto 28.10.2023.

2. The matter was considered on 23.01.2023 when a penalty of ₹1,000/- per day was imposed for not filing quarterly progress reports on web portal of Authority.

3. On 18.12.2023, learned counsel Sh. Vineet Sehgal informed that the respondent promoter had applied for permission of transfer of license to the Department of Town and Country Planning, Haryana and sought time to file quarterly progress reports. On 18.12.23,the Authority also enhanced the penalty of Rs.1000/- per day to Rs.10,000 per day till quarterly progress reports are uploaded online.

4. Vide Reply dated 19.02.2024, the promoter submitted an order dated 07.10.2022 passed by DG,TCP(Haryana) which states that a request for change of developer and transfer of part licensed land measuring 24.018 Acres by SRC Buildtech Pvt. Ltd has been considered subject to the condition that the developer company i.e. Victoria Automative Pvt. Limited shall be responsible for compliance of all the terms and conditions of the license till the grant of final completion certificate to the colony or relieved of the responsibility whichever is earlier.

5. On 21.02.2024, the penalty of Rs.10,000 per day imposed on 18.12.2023 was enhanced to Rs.25,000 per day till quarterly progress reports are uploaded online.

The cumulative penalty of Rs.1000 per day from 23.01.2023 till 17.12.2023 works out to ₹3,29,000/-. and the cumulative penalty of

Rs.10,000 per day from 18.12.2023 till 20.02.2024 works out to ₹6,50,000/-.The respondent promoter was directed to deposit the above said amounts in the registry of the Authority before the next date of hearing.

6. On the last date of hearing i.e. 10.04.2024, learned counsel Sh. Rajesh Goswami appeared and sought short time to submit the reply. Acceeding to the request of the promoter, the Authority grants time to file the reply.

The cumulative penalty of Rs.1000 per day from 23.01.2023 till 17.12.2023 works out to ₹3,29,000/-. and the cumulative penalty of Rs.10,000 per day from 18.12.2023 till 20.02.2024 works out to ₹6,50,000/-. Also, the cumulative penalty of Rs.25,000 per day from 21.02.2024 till 10.04.2024 works out to ₹12,50,000/-. The respondent promoter should therefore deposit the above said amounts in the registry of the Authority before the next date of hearing. It is also made clear that the penalty of Rs.25,000/- per day shall continue until QPRs are uploaded online.

7. Today, none appeared on behalf of the Promoter nor any reply has been filed. The Authority observes that the Promoter has uploaded QPRs on the web portal of the Authority upto September 2022 on 19.06.2024.

The cumulative penalty of Rs.1000 per day from 23.01.2023 till 17.12.2023 works out to ₹3,29,000/-. and the cumulative penalty of

Rs.10,000 per day from 18.12.2023 till 20.02.2024 works out to ₹6,50,000/-. Also, the cumulative penalty of Rs.25,000 per day from 21.02.2024 till 18.06.2024 (as QPRs have been uploaded upto September 2022 uploaded on 19.06.2024) works out to ₹29,75,000/- which shall be paid by SRC Builtech Private Limited.

The Authority observed that vide DTCP order dated 07.10.2022- SRC Buildtech Pvt. Ltd. is no longer recognized as a developer and Victora Automative Pvt. Ltd has stepped into the shoes of the developer of the Project. The request for change of developer and transfer of part licensed land measuring 24.018 Acres by SRC Buildtech Pvt. Ltd has been considered subject to the condition that the developer company i.e. Victora Automative Pvt. Limited shall be responsible for compliance of all the terms and conditions of the license till the grant of final completion certificate to the colony or relieved of the responsibility whichever is earlier.

In view of above, it is the responsibility of the New Developer i.e. Victora Automative Pvt. Limited to abide by the RERA Act/Rules which also includes uploading of upto date QPRs on the web portal of the Authority. It is directed that SRC Buidtech Pvt. Ltd. should deposit the above said amount in the registry of the Authority and

Victora Automative Pvt. Limited should upload upto date QPRs on the web portal of the Authority.

Copy of this order be sent to the registered address of Victora Automotive Private Limited and the earlier Promoter i.e. SRC Buildtech Private Limited via registered post and e-mail.

8. Adjourned to 15.01.2025.

Chander Shekhar Member	Nadim Akhtar Member	Parneet S Sachdev Chairman