HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

COMPLAINT NO. 1760 of 2022

HRERA, Panchkula ...COMPLAINANT

VERSUS

Ultratech Township Developers Pvt. Ltd. ....RESPONDENT

CORAM: **Nadim Akhtar** **Member**
Dr. Geeta Rathee Singh **Member**

Date of Hearing: 28.08.2024
Hearing: 5th
Present: Advocate Madhur Pawar for the Promoter.
ORDER (Nadim Akhtar- Member)

This Suo-motu complaint was registered against the respondent/ promoter for not uploading quarterly progress reports of project namely "Group Housing Colony" registered vide Registration No. HRERA-PKL-248-2017 dated 26.09.2017 valid upto 31.07.2022.

2. On 01.05.2023, a penalty of Rs. 1,000/- per day was imposed for not filing quarterly progress reports on web portal of Authority. The cumulative penalty from 01.05.2023 till today amounts to Rs. 3,87,000/-. Said QPRs have not been filed till date. The respondent promoter should therefore deposit the said amount in the registry of the Authority before the next date of hearing.

3. On 21.08.2023, the respondent promoter was directed to show cause as to why penalty u/s 61 r/w Section 63 of the RERD Act, 2016 be not imposed on him for contravention of the provisions of the Act and not complying with the orders of the Authority.

4. On 16.10.2023, the Authority granted one last opportunity to the respondent to comply with the orders failing which Authority will be constrained to impose penalty of Rs. 5 lac u/s 61 r/w Section 63 for contravention of the provisions of the Act and not complying with the orders of the Authority.

5. On 18.12.2023, Authority decided to impose a penalty of Rs. 5 lakhs and directed the respondent to deposit the said amount in the registry before the next date of hearing. Further, the Authority directed to upload QPRs before the next date of hearing.

6. On 22.05.2024, learned counsel Sh. Madhur Pawar informed that the promoter has provided all the information with the extension application and requests to provide Login Id and Password to upload the same on the web portal of the Authority. The Authority is of the view that the A-II Form submitted by the Promoter on 25.01.2024 is not yet linked to the Registration Number of the Project due to various discrepancies which have already been conveyed to the promoter by the Authority vide its order dated 21.02.2024 and until A-II is linked, quarterly progress reports cannot be uploaded online. It was the responsibility of the Promoter to get A-II form linked in a reasonable time. The Authority therefore enhanced the penalty of Rs.1000/- per day imposed on 1.02.2023 to Rs.5000/- per day until quarterly progress reports are uploaded online by the promoter. The Authority also directed the promoter to deposit penalty of Rs. 5 lacs imposed on 18.12.2023 in the registry of the Authority before the next date of hearing .

7. Today, learned counsel Sh. Madhur Pawar appeared and submitted that the discrepancies in the A-II form as conveyed by the Authority will be removed shortly, so that A-II form can be linked to the registration number of the Project. Thereafter, online QPRs will be uploaded online.

The Authority is of view that as on date QPRs have not been uploaded by the Promoter,therefore, the cumulative penalty from 1.05.2023 till 27.08.2024 amounts to Rs. 8,77,000/-. The Authority enhances the penalty of Rs.5000/- per day imposed on 22.05.2024 to Rs.10,000/- per day until quarterly progress reports are uploaded online by the promoter. The Authority also directs the promoter to deposit penalty of Rs. 5 lacs imposed on 18.12.2023 and the said cumulative penalty of Rs. 8,77,000/- in the registry of the Authority before the next date of hearing.

8. Adjourned to **05.02.2025.**

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Dr. Geeta Rathee Singh
Member

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Nadim Akhtar
Chairman