HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

COMPLAINT NO. 1682 of 2022

HRERA, Panchkula ...COMPLAINANT

VERSUS

Ansal Housing & Construction Ltd. ....RESPONDENT

CORAM:	**Parneet S Sachdev**	**Chairman**
	Nadim Akhtar	**Member**
	Dr. Geeta Rathee Singh	**Member**
	Chander Shekhar	**Member**

Date of Hearing: 04.09.2024

Hearing: 7th

Present: Sh. Vinesh Kumar on behalf of the respondent

ORDER (Parneet S Sachdev-Chairman)

This Suo-motu complaint was registered against the respondent/ promoter for not uploading quarterly progress reports of its real estate project namely "Ansal Town Yamunanagar Phase 2" registered by the Authority vide Registration No. 311 of 2017 dated 17.10.2017, valid upto 31.12.2021.

2. On 26.07.2022, a show cause notice was issued to the promoter wherein the promoter was directed to submit online quarterly progress reports up to

2nd quarter of the year 2022 within a period of 30 days on the website of the Authority, failing which promoter will be liable for penal action u/s 63 of the RERA Act, 2016.

3. On 23.01.2023, Authority imposed a penalty of Rs. 1,000/- per day. On 03.04.2023, the cumulative penalty worked out to Rs. 71,000/-.

4. On 30.05.2023 and 07.02.2024, the cumulative penalty worked out to Rs. 1,28,000/- and Rs, 3,80,000/- respectively. The Authority also directed the promoter on 07.08.2023 to show cause as to why penalty U/s 61 read with Section 63 & 60 be not imposed for contravention of the provisions of the Act and not complying with the orders of the Authority.

5. Ld. Counsel appearing on behalf of the respondents informed that they have filed the reply on 07.02.2024. The Authority directed the office to examine the reply and place it before the Authority on the next date of hearing and since, the promoter had failed to upload the QPRs online even after giving several opportunities, the penalty of Rs.1000 per day imposed on 23.01.2023 was enhanced to Rs.10,000/- per day till quarterly progress reports are uploaded online.

6. Vide reply dated 07.02.2024 the promoter requested, :

i. *To recall order dated 07.08.2023 passed by the Authority*
ii. *Waive off the penalty of Rs. 1,28,000/-,*
iii. *Suspend and waive off daily recurring penalty of Rs. 1,000/day,*
iv. *Any other order in the interest of justice.*

7. The promoter has filed online QPRs upto 2nd quarter of 2024 on 23.07.2024. Since, QPRs upto June 2022 have been uploaded on 16.05.2024, therefore, the penalty from 23.01.2023 till 16.05.2024 works out to Rs. 13,70,000/-. The Authority observes that penalty cannot be waived off, therefore, promoter is directed to deposit the said penalty in the registry of the Authority before the next date hearing. In reply dated 07.02.2024, the promoter has attached DD no. 377557 dated 05.02.2024 amounting to Rs.

1,28,000. The DD has become invalid and no penalty amount has been credited in the account of the Authority. The earlier DD may be returned to the promoter and he may be directed to deposit the total penalty amounting to Rs. 13,70,000/- in the registry of the Authority before the next date of hearing.

8. Adjourned to **19.02.2025.**

Chander Shekhar	Dr. Geeta Rathee Singh	Nadim Akhtar	Parneet S Sachdev
Member	Member	Member	Chairman