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**
	Chander Shekhar	**Member**

Date of Hearing: 07.05.2025

Hearing: 8th

Present: Sh. Vinesh Kumar on behalf of the respondent through VC.

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 ₹ 1,000/- per day. On 03.04.2023, the cumulative penalty worked out to ₹ 71,000/-.

4. On 30.05.2023 and 07.02.2024, the cumulative penalty worked out to ₹ 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 ₹1000 per day imposed on 23.01.2023 was enhanced to ₹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 ₹ 1,28,000/-,*
iii. *Suspend and waive off daily recurring penalty of ₹ 1,000/day,*
iv. *Any other order in the interest of justice.*

7. The promoter had 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 ₹ 13,70,000/-. The Authority observed that penalty cannot be waived off, therefore, promoter was 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 ₹ 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 ₹ 13,70,000/- in the registry of the Authority before the next date of hearing.

8. Vide letter dated 13.02.2025, the promoter has informed that ₹ 3.78 lacs have been deposited as penalty and requested the balance payment be allowed to be made in the following schedule of installments:

   March 2025 – ₹ 2.5 lacs

   April 2025- ₹ 2.50 Lacs

   May 2025- ₹ 2.5 Lacs

   June 2025- ₹ 2.42 Lacs

9. On 19.02.2025, Sh. Vinesh Kumar reiterated the stand of the promoter submitted vide letter dated 13.02.2025.

   The Authority directed the Promoter to deposit the remaining amount in the registry of the Authority before the next date of hearing failing which interest at the rate of SBI's highest marginal cost of lending rate (MCLR) + 2% as per Rule 15 of the RERA Rules, 2017 shall be imposed.

10. Vide letter dated 13.02.2025, the promoter has paid penalty of ₹ 3,78,000/- vide DD no. 614963 dated 10.02.2025. Vide letter dated 03.03.2025, the promoter stated that they have filed QPRs upto 31.12.2024 on 25.02.2025. Vide letter dated 17.03.2025, the promoter has paid penalty of ₹ 2,50,000/- vide DD no. 614995 dated 10.03.2025. The promoter has again enclosed payment schedule:

    April 2025- ₹ 2.50 Lacs

    May 2025- ₹ 2.5 Lacs

    June 2025- ₹ 2.42 Lacs

11. The Authority directs the respondent to deposit the remaining penalty before the next date of hearing. The office is directed to calculate RERA rate of interest when the entire amount of penalty is received in the Authority.

12. Adjourned to **29.10.2025.**

CHANDER SHEKHAR	NADIM AKHTAR	PARNEET S SACHDEV
MEMBER	MEMBER	CHAIRMAN

Haryana Real Estate Regulatory Authority Panchkula