



New PWD Rest House, Civil Lines, Gurugram, Haryana

नया पी.डब्ल्यू.डी. विश्राम गृह, सिविल लाईंस, गुरुग्राम, हरियाणा

No. HARERA/GGM/REP/RC/192/2017/EXT/101/2019 **Date:** 08-05-2019

From	To
Chairman Haryana Real Estate Regulatory Authority, Gurugram	KPDK Buildtech Pvt. Ltd. 2 nd Floor, A-8, Paryvaran Complex, IGNOU Road, New Delhi - 110030

Subject: Application for extension of registration of the commercial project namely "New Town Square" located in sector-95 A, Gurugram developed by M/s KPDK Buildtech Pvt. Ltd.

ORDER

1. The application for extension of registration under section 6 of the Real Estate (Regulation and Development) Act, 2016 was received in the authority on 28.12.2018 of commercial project namely "Newtown Square" located in Sector-95A, Gurugram developed by KPDK Build Tech Pvt. Ltd. against the license no.93 of 2013 for an area admeasuring 3.075 Acres dated 09.11.2013 renewed up to 08.11.2019. The project was registered vide registration no. 192 of 2017 dated 14.09.2017 which was valid up to 30.11.2018. The project commenced on 09.11.2013 as mentioned by the promoter in the application REP-V whereas, the date of issuance of environmental clearance is 05.02.2015. Therefore, the date of commencement of the project is 05.02.2015 and even after four years the project has not been completed by the promoter. The due date of completion

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An Authority constituted under section 20 the Real Estate (Regulation and Development) Act, 2016
Act No. 16 of 2016 Passed by the Parliament

भू-संपदा (विनियमन और विकास) अधिनियम, 2016 की धारा 20 के अर्तगत गठित प्राधिकरण
भारत की संसद द्वारा पारित 2016 का अधिनियम संख्यांक 16



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declared by the promoter at the time of registration was 30.11.2018 against which extension of one year i.e., till 30.11.2019 has been sought vide application under reference.

2. On scrutiny of the application, some deficiencies were observed, which were conveyed to the promoter vide letter no. HARERA/GGM/REP/RC/192/2017EXT/101/2019 dated 04.02.2019, with the directions to remove the deficiencies within 15 days and an opportunity of personal hearing was also given on 20.02.2019.

3. The promoter was present on date of hearing, but the hearing got postponed and a new date of hearing was given to the promoter vide letter no. HARERA/GGM/REP/RC/192/2017/EXT/101/2019 dated 06.03.2019, with directions to be present on 15.03.2019 at 4.00 pm.

4. Subsequently, in the hearing dated 15.03.2019, the promoter failed to remove the deficiencies and finally submitted the documents against the deficiencies 12 days after the above mentioned date i.e. 27.03.2019. After scrutinizing the reply, it was observed that still the following deficient documents needs to be submitted by the promoter:-

- a) Authenticated copy of Plan/ site photograph showing status of construction of services;
- b) Copy of approved service plan and estimates;
- c) PERT chart specifying date of completion;
- d) Quarterly progress reports;
- e) Revised time schedule for completion of project;

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f) Quarterly progress to be achieved so that the project is completed in time;

5. The reason for delay explained by the promoter is stated below: -

a) Typing error about the completion date in REP-II that instead of November 2019 the promoter company mentioned it as November 2018.

6. As the validity of registration certificate expired on 30.11.2018. According to rule 6(1) of the Haryana Real Estate (Regulation and Development) Rules, 2017 application of extension of registration of project is to be made in prescribed form within 3 months prior to the expiry of the registration granted. The promoter has applied 28 days after the expiry of registration certificate i.e. on 28.12.2018. Accordingly, it is in violation of rule 6(1) of the Haryana Real Estate (Regulation and Development) Rules, 2017, therefore, the authority taking a lenient view has decided to impose a token penalty of ₹ 2lakhs under section 61 of the Act for applying late for extension of registration certificate, so that, the promoter is serious about submission of application in time.

7. Keeping in view the validity of the license i.e. till 08.11.2019, the reason given by the promoter for extension of completion date of the project and the interest of allottees, registration seems to be inevitable. Therefore, the authority has decided to grant extension for one year i.e. till 31.12.2019 as requested by the promoter after the submission of deficient documents as pointed under para 4.

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8. It was noticed that the application regarding registration of the real estate project mentioned as per subject was submitted in interim Real Estate Regulatory Authority, Haryana at Panchkula and requisite documents and information under section 4 of the Real Estate (Regulation and Development) Act, 2016 read with rule 3 of the Haryana Real Estate (Regulation and Development) Rules, 2017 were found to be deficient. Therefore, the promoter is also directed under section 4(m) of the Real Estate (Regulation and Development) Act, 2016 to submit the detailed project information along with requisite documents at the earliest so that project information can be available in public domain.
9. Hence, the promoter is directed to submit the abovementioned deficient documents as mentioned in para 4 & 8 and a token penalty of ₹ 2,00,000/- with the authority within a period of 10 days i.e. up to 17.05.2019 and to appear before the authority at 4:00P.M. on 17.05.2019 in case the promoter has to say something regarding why penalty of ₹2 lakhs should not be imposed for violation of provisions of the Act.
10. The authority decided to grant extension up to 30.11.2019.

Date: 08-05-2019

**Issued under the authority and seal of
HARERA, Gurugram.**


Secretary

For: Chairman,

**Haryana Real Estate Regulatory Authority
Gurugram**

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