



New PWD Rest House, Civil Lines, Gurugram, Haryana नया पी.डब्ल्यू.डी. विश्राम गृह, सिविल लाईंस, गुरुग्राम, हरियाणा

Date of SCN: 08.01.2020
Date of decision: 10.02.2020

Subject: Rejection of application for extension of registration of the real estate project with following details: -

Sr. No.	Particulars	Details
1.	Name of the project	Shree Vardhman Flora
2.	Location of the project	Sector- 90, Gurugram, Haryana
3.	Name of the applicant promoter	Shree Vardhman Infrahome Pvt. Ltd.
4.	Registration certificate No.	88 of 2017 dated 23.08.2017
5.	Validity of Registration Certificate	30.06.2019

ORDER

1. The present application for extension of registration of the above mentioned real estate project was filed with the authority on 26.06.2019 under Section 6 of the Real Estate (Regulation and Development) Act, 2016 read with rule 6 of the Haryana Real Estate (Regulation & Development) Rules, 2017 in the format REP-V along with extension fee as prescribed under the Haryana Real Estate (Regulation and Development) Rules, 2017. Extension of project registration is processed and allowed by the authority as per the provisions under section 6 read with rule 6 of the Act and Rules ibid.

Section 6 states:

The registration granted under section 5 may be extended by the Authority on an application made by the promoter due to force majeure, in such forma and payment of such fee as may be prescribed:

Provided that the Authority may in reasonable circumstances, without default on the part of the promoter, based on the facts of each case, and for reasons to be recorded in writing, extend the registration grated to a project for such time as it considers necessary, which shall, in aggregate, not exceed a period of one year:

Provided further that no application for extension of registration shall be rejected unless the applicant has been given an opportunity of being heard in the matter.

Email: hareragurugram@gmail.com, reragurugram@gmail.com, **Website:** www.harera.in
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



Explanation. - For the purpose of this section, the expression "force majeure" shall mean a case of war, flood, drought, fire, cyclone, earthquake or any other calamity caused by nature affecting the regular development of the real estate project.

Rule 6 states:

Extension of registration of project

(1) *The registration granted under the Act, may be extended by the Authority in Form REP-V, within three months prior to the expiry of the registration granted.*

(2) *The application for extension of registration shall be accompanied with a demand draft or a banker's cheque in favour of "Haryana Real Estate Regulatory Authority" drawn on any scheduled bank or through online payment mode, as the case may be, for an amount equivalent to half the registration fees as prescribed under sub-rule (2) of rule 3 along with an explanatory note setting out the reasons for delay in the completion of the project and the need for extension of registration for the project, along with documents supporting such reasons:*

Provided that where extension of registration is due to force majeure, court orders, government policy/guidelines, decisions, the Authority may at its discretion, waive the extension fee of registration

In case of extension of registration, the Authority shall inform the promoter about the same in Form REP-VI and in case of rejection of the application for extension of registration, the Authority shall inform the promoter about such rejection in Form-IV:

Provided that, the Authority may grant an opportunity to the promoter to rectify the defects, if any, within a period of thirty days from the date of issuance of communication regarding such defects.

2. The application submitted under section 6 and rule 6 by the promoter for extension of their registration of the real estate project is to be considered and decided by the authority provided that the license and other permissions granted to the promoter by the competent authorities are valid at the time of such extension of registration.
3. On scrutiny of the above mentioned application, following deficiencies were observed: -
 - a) License validity expired on 10/02/2018, which has not been renewed.
 - b) Building Plan approval expired in 2016, which has not been renewed.



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- c) AAI renewal not provided.
 - d) Copy of service plans and estimates as per annex VE-6 have not been provided.
 - e) Deficient fees = ₹15,85,617/- not deposited.
4. The above deficiencies were conveyed to the promoter vide letter no. HARERA/GGM/REP/125/RPIN/2019 dated 17.07.2019 directing him to remove the deficiencies within 15 days and also an opportunity of personal hearing was given to the promoter on 06.08.2019 at 3:00 p.m. in the office of HARERA, Gurugram. In addition to the above, a show cause notice for violation of the provision under section 4 and for not adhering to the revised declared date as per section 4(2)(l)(c) of completion of the project was also issued letter no. HARERA/GGM/REP/RC/88/2017/EXT/125/2019 dated 17.07.2019 with the directions to submit the reply within 10 days from the date of issuance of show cause notice and an opportunity of personal hearing in the matter was also given on 06.08.2019 at 4:00 p.m. to the promoter.
5. A further extension of 15 days' time period for removal of deficiencies was requested by the promoter vide a letter dated 06.08.2019. As per records of this Authority, the promoter thereafter was given the next date of hearing on 20.08.2019 and further the promoter requested for the adjournment.
6. The promoter was then given the next date of hearing on 11.09.2019 at 3:00 p.m. but the promoter neither rectified the deficiencies nor availed the hearing. Following the due procedure as provided under section-6 of the Real Estate (Regulation and Development) Act 2016 and Rule-6 of the Haryana Real Estate (Regulation and Development) Rules, 2017, the authority issued a show cause notice vide no. HARERA/GGM/REP/RC/88/2017/EXT/125/2019 dated 08.01.2020 with the directions to show cause as to why their application for extension of registration of the real estate project "Shree Vardhman Flora" should not be rejected for non-removal of deficiencies in spite of repeated reminders. The promoter was also given an opportunity of personal hearing in the office of HARERA on 10.02.2020 at 04:00 p.m.
7. Since, the promoter has not removed the deficiencies in spite of issue of repeated notices and also grant of number of opportunities of personal hearings as mentioned above. Therefore, the authority has rejected the application for extension of registration of the above mentioned project under section 6 read with rule 6 of the act/Rules ibid.



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HARYANA REAL ESTATE REGULATORY AUTHORITY
GURUGRAM

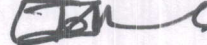
हरियाणा भू-संपदा विनियामक प्राधिकरण गुरुग्राम

New PWD Rest House, Civil Lines, Gurugram, Haryana नया पी.डब्ल्यू.डी. विश्राम गृह, सिविल लाईंस, गुरुग्राम, हरियाणा

8. Accordingly, be communicated to the parties.

Dated: 10.02.2020


Samir Kumar
(Member)


Dr. K.K. Khandelwal
(Chairman)

Encl. copy of Proceedings dated 10.02.2020

Date of SCN: 17.12.2018

Email: hareragurugram@gmail.com, reragurugram@gmail.com, **Website:** www.harera.in
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FORM 'REP-IV'

[See rule 5(2), rule 6(3), rule 7]

INTIMATION OF

REJECTION OF APPLICATION FOR EXTENSION OF REGISTRATION OF PROJECT

From	To
Chairman Haryana Real Estate Regulatory Authority, Gurugram	M/s Shree Vardhman Infrahome Pvt. Ltd. 301, 3 rd Floor, Indraprakash Building 21-Barakhamba Road, New Delhi- 110001

Application No.: HARERA/GGM/RC/88/2017/EXT/125/2019

Dated : 26.06.2019

You are hereby informed that your application for extension of registration of your project is rejected.

For the reasons - Copy of order enclosed.

Place: Gurugram

Dated: 10.02.2020

Signature and seal of the Authorized Officer
Real Estate Authority

HARYANA REAL ESTATE REGULATORY AUTHORITY
GURUGRAM