No.	HARERA/GGM/REP/RC/385/2017/EXT/165/2019	Date:	01.07.2020

From	To
Chairman Haryana Real Estate Regulatory Authority, Gurugram	Spaze Towers Pvt. Ltd. Spazedge, Sector-47, Sohna-Gurgaon Road, Gurugram-122018

Sub: Show – cause notice for violating provision of section 4 – not adhering to the revised declared date as per section 4(2)(l)(c) of completion of the project namely "Mohinder Kaur & Others" located in Sector-84, Gurugram being developed by Spaze Towers Pvt. Ltd.

1. The application for extension of registration of real estate project no. 385 of 2017 dated 14.12.2017 under section 6 of the Real Estate (Regulation and Development) Act, 2016 was received in the authority on 01.07.2019 which is a group housing project namely "Mohinder Kaur & Others" located in Sector-84, Gurugram on an area admeasuring 10.512 acres. As per declaration submitted by the you (REP-II) at the time of the registration of project, the registration was valid up to 31.06.2019. The project commenced on 30.04.2012 as mentioned by you in the application REP-V whereas, the commencement date of the project is considered as the date of issuance of environmental clearance or building plan whichever is later. Therefore, the date of commencement of the project is 06.06.2012 (approval of building plan) and even after passage of seven years the project has not been completed by you. Now you have requested for extension of one year i.e., till 30.06.2020 vide application under reference.
2. The reasons for delay submitted by you are without any supporting document or explanation are stated below: -
   a) The project is not completed till date due to TOR and needs more time to complete the construction activities hence, extension of validity of registration of the said project is applied and requested to grant.

   The reason given by you do not seem to be convincing and you have also failed to show reasonable circumstances without fault on your part.
3. Failure to complete the project even in the given timeline declared by you at the time of registration of the project under the Real Estate (Regulation and Development) Act, 2016 attracts penalty under section 61 for contravention of

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provisions of section 4 or the Rules and Regulations made thereunder i.e. not completing the project in the declared time period as per section 4(2)(l)(c). Penalty amount can be extended up to 5% of the estimated cost of the real estate project as determined by the authority. The estimated cost of the project is ₹30,695 lacs as intimated by you in the application for extension and same is allowed by the authority and 5% of the cost of the real estate project comes out to be ₹1534.75 lacs. Accordingly, the penalty up to ₹1534.75 lacs can be imposed. However, during hearing proceedings held on 29.06.2020 taking a lenient view authority has decided to levy a penalty of ₹ 3 crores 6 lacs so that you are serious about the completion of the project in time.

4. Show-cause notice is hereby issued as to why penalty of ₹ 3 crores 6 lacs may not be imposed upon you for violating the provisions of section 4 and not completing the project in revised declare time period as per section 4(2)(l)(c). You are directed to submit the detailed project report and given opportunity of personal hearing in the matter on 04.08.2020 at 3:00 p.m.

GUNJAN CHOUDHARY
ARCHITECTURAL OFFICER

Date: 01.07.2020

Issued under the authority
and seal of HARERA,
Gurugram

Architectural officer
For: Chairman,
Haryana Real Estate Regulatory Authority,
Gurugram