



# Haryana Government Gazette

## EXTRAORDINARY

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THE HARYANA REAL ESTATE REGULATORY AUTHORITY, GURUGRAM

### Notification

The 10th May, 2019

#### **Haryana Real Estate Regulatory Authority, Gurugram (late fee for delay in applying for extension of registration of real estate project) Regulations, 2019**

**No. 17/RERA GGM Regulations 2019.—**

#### **1. Short Title, Object, Commencement and Extent:**

- a. These regulations may be called the Haryana Real Estate Regulatory Authority, Gurugram (late fee for delay in applying for extension of registration of real estate project) Regulations, 2019.
- b. These regulations have been framed to prescribe the late fee payable by the promoters/developers in the event an application is made to the authority for extension of real estate project after the prescribed period as provided in section 6 of the Real Estate (Regulation and Development) Act, 2016.
- c. These Haryana Real Estate Regulatory Authority Gurugram (late fee for delay in applying for extension of registration of real estate project) Regulations, 2019 shall apply to all projects falling within the jurisdiction of the Real Estate Regulatory Authority, Gurugram as notified by the Government of Haryana vide notification No. 1/92/2017-1TCP dated 14/12/2017, which comprises entire area of Gurugram district.

#### **2. Definitions**

- a. Unless the context otherwise requires in these regulations:—
  - I. “Act” means the Real Estate (Regulations and Development) Act, 2016 as amended from time to time;
  - II. “Rules” means the Haryana Real Estate Regulatory Authority (Regulation and Development) Rules, 2017 as amended from time to time;
  - III. “Regulations” means the Haryana Real Estate Regulatory Authority, Gurugram (late fee for delay in applying for extension of registration of real estate project), 2019 as amended from time to time;
  - IV. “Authority” means the Haryana Real Estate Regulatory Authority, Gurugram;
  - V. “Promoter” shall have the same meaning as is assigned to it under sub-section (zk) of Section 2 of the Act;
  - VI. “real estate project” shall have the same meaning as is assigned to it under sub-section (zn) of section 2 of the Act.

**3. Provision for extension of real estate project in the Act and the Rules****Section 6 of the Real Estate (Regulation and Development) Act, 2016 states as under:**

*“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 form and on 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 granted 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.*

**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 of the Haryana Real Estate (Regulation and Development) Rules, 2017 states as under:**

(1) *“The registration granted under the Act, may be extended by the authority, on an application made by the promoter in Form REP-V, in triplicate 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 bankers 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.*

(3) *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 REP-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.”*

**4. Liability to pay late fees**

The promoter is required to pay late fee for delay in making an application for extension of registration of real estate project with the authority as per the provisions of Rule 6 of the Haryana Real Estate (Regulation and Development) Rules, 2017. In case the application for extension of registration is late by a period of one month the late fee payable shall be 50% of the extension fee in addition to the fee for such extension of registration and further late fee @ 50% of the extension fee shall be paid for delay of every additional month or part thereof.

**5. Miscellaneous**

The authority reserves the right to make any amendments in the regulations as and when required.

Secretary,  
For: Haryana Real Estate Regulatory  
Authority, Gurugram.