



KERALA REAL ESTATE REGULATORY AUTHORITY
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Phone: 94976 80600

Order No. K-RERA/T3/1859/2023 dated 29th April 2024

ORDER

Sub: Kerala Real Estate Regulatory Authority – Imposition of penalty for promoters who fail to submit Quarterly Progress Report.

Ref: Public Notice K-RERA/T3/102/2020 dated 29/06/2021.

1. As per sub section (1)(b) to (e) of Section 11 of the Real Estate (Regulation & Development) Act, 2016, read with Rule 17 (1) (e) of the Kerala Real Estate (Regulation & Development) Rules, 2018, the promoter should submit Quarterly Progress Report in the website of the Authority within 7 days from the end of every quarter failing which penalty can be imposed under Section 61 of the Act,2016.
2. The Authority has noticed that the quarterly progress reports of 101 registered projects for the 3rd quarter ending on 31st December, 2023 were not uploaded within the above time limit.

3. As per the notice dated 08.01.2021/09.01.2024, the Authority directed the promoters, who failed to upload the Quarterly Progress Report for the 3rd quarter of 2023-24, to file reasons for the non- imposition of penalty for the above violation, within 15 days from the date of the notice. Further, this matter was also informed to the promoters by post to their registered address and also intimated through their registered e- mail ID. In the said notice, it was also intimated that if no reply was received within the stipulated time limit or explanation submitted is unsatisfactory, penalty will be imposed under Section 61 of the RERA Act, 2016 without further notice.
4. In pursuance of the above notice, only 50 registered projects out of 101 defaulters submitted quarterly progress report after the due date, within 15 days mentioned in the above notice, which projects are exonerated by the Authority from further action of imposing penalty.
5. Two projects uploaded Occupancy Certificates instead of the required Quarterly Progress Reports, which is also considered as a default or failure from the part of the promoter concerned. The remaining 49 promoters failed to upload Quarterly Progress Report (QPR) on the web page of the portal. Further, The Authority reviewed the explanations for delay submitted by 29 defaulters (out of the above-mentioned 49 defaulters) and found them unsatisfactory. Therefore, the Authority notes that the 51 promoters have deliberately violated the provisions of the Act, 2016 and have disregarded the show cause notice issued in this matter. Such violations of mandatory provisions will affect the rights of allottees and defeat the purpose of this legislation like transparency, accountability and several from the part of the promoters.

6. The Authority discussed this issue in detail in its meeting held on 12-03-2024 and decided to impose the penalty to the above-said 51 defaulters in the following manner:

- 1). Rs. 50,000/- in case of real estate projects with estimated cost exceeding Rs.100 crores.
- 2). Rs.25,000/- to the promoters of real estate projects with estimated cost exceeding Rs.50 Crores to Rs.100 Crores.
- 3). Rs. 10,000/- to the promoters of real estate projects with estimated cost less than Rs.50 Crores.

Sd/-
P H Kurian
Chairman

Sd/-
Preetha P Menon
Member

Sd/-
Dr B Sandhya
Member

True Copy/Forwarded by/Order


Secretary (Technical & Administration)
Kerala Real Estate Regulatory Authority