

West Bengal Real Estate Regulatory Authority
Calcutta Greens Commercial Complex (1st Floor)
1050/2, Survey Park, Kolkata – 700 075

Name of the Applicant: Ambuja Neotia Teesta Development Private Limited

Name of Project: Utsodhaara Residencia - I

WBREERA Registration No.: WBREERA/P/JAL/2023/000634

Sl. Number and date of order	Order and signature of Authority	Note of action taken on order
(Modification of Agreement for Sub-Lease) 1 ----- 16.07.2024	<p>Whereas an Application dated 06.06.2024 has been made as per the provisions contained in sub-rule (5) of Rule 16 of the West Bengal Real Estate (Regulation & Development) Rules, 2021, by the Applicant Promoter-Company, the Ambuja Neotia Teesta Development Private Limited, before the West Bengal Real Estate Regulatory Authority (WBREERA), for Modification of the Agreement for Sub-Lease, which is already published in the website of this Authority, relating to their Real Estate Project namely 'Utsodhaara Residencia - I' and the said project is already registered with WBREERA vide Registration No. WBREERA/P/JAL/2023/000634;</p> <p>And Whereas a Detailed Sheet containing the differences between Proforma Agreement for Sub-Lease uploaded in WBREERA website at the time of registration of the said project and Required Modification on Agreement for Sub-Lease alongwith Reasons for Modification have been submitted by the Applicant on 05.06.2024 in a Notarized Affidavit. The Applicant has also submitted a copy of Proforma Agreement for Sub-Lease, already uploaded, and a copy of Modified Agreement for Sub-Lease to the Authority;</p> <p>In another Notarized Affidavit dated 12.07.2024, the Applicant Promoter have stated that they have allotted till date total 176 no. of residential apartment(s) to prospective allottee(s) in the said project and they have allotted the said apartment(s) to the prospective allottee(s) with the updated / revised one time membership charge of Residential Activity Center (RAC) as Rs.2,00,000/- and monthly subscription charges of RAC as Rs.1,000/- per membership, in the</p>	

said project. They have also stated that they have revealed the updated / modified ratio between the Project Maintenance Charges and the Township Level Maintenance Charges as 90:10 to the allottee(s) in the said project.

And Whereas a Meeting of the WBRERA Authority has been held today in the office of WBRERA and detailed discussion has been held regarding this matter and the Notarized Affidavit and relevant documents submitted by the Applicant have been examined thoroughly.

After examination of the Notarized Affidavit submitted by him and the documents placed before the Authority alongwith the said Affidavit, the Authority is of the considered view that all the proposals for modification of the Agreement for Sub-Lease can be approved as the proposals are not contradictory with the provisions of the RERA Act and Rules made thereunder. The proposals for modification of the proforma Agreement for Sub-Lease can be approved as there is no legal impediment in such modification.


Hence, the Authority hereby approved the following proposals for modification of the Agreement for Sub-Lease, as sought by the Applicant-Promoter, as per the provision contained in Rule 16 (5) of the West Bengal Real Estate (Regulation and Development) Rules, 2021 :-

Description	Existing	Revised
One time Membership Charge	Rs.50,000/-	Rs.2,00,000/-
Monthly Subscription (Per Membership)	Rs.500/-	Rs.1000/-
Ratio Between PMC (Project Maintenance Charges) : TMC (Township Level Maintenance Charges)	85:15	90:10


Other than the above mentioned changes, two (2) clauses have been incorporated in the Additional Terms as 34.2 and 34.3 of the Proforma Draft Agreement for Sub-Lease and one (1) clause has also been incorporated in the Miscellaneous Clause as 9.4 of the Proforma Draft Deed of Sub-Lease.

The Applicant-Promoter shall be provided an option / link from the office of WBRERA to upload the Modified Agreement for Sub-Lease in the place of the Existing Agreement for Sub-Lease in the Website of WBRERA.

Let copy of this order be served to the Applicant-Promoter by speed post and also by email immediately.


(BHOLANATH DAS)
Member

West Bengal Real Estate Regulatory Authority


(TAPAS MUKHOPADHYAY)
Member

West Bengal Real Estate Regulatory Authority