

West Bengal Real Estate Regulatory Authority (WBRERA)
Calcutta Greens Commercial Complex (1st Floor),
1050/2, Survey Park, Kolkata – 700 075
Phone No: 033 2416-0606, Email Id: rera.wb@gmail.com

No. 1871-RERA/1P-31/2023

Date: 30.09.2024

From : Secretary,
West Bengal Real Estate Regulatory Authority

To : The Commissioner / Chairperson / President / Sabhadhipati / Panchayat Pradhan
_____ Corporation / Municipality / Zilla Parisad / Panchayat Samiti / Gram Panchayat

Subject: - **Circular regarding Real Estate Project Registration with the West Bengal Real Estate Regulatory Authority (WBRERA)**

Ref: 315/H4/2M-10/24 dated 19.09.2024

Sir / Madam,

With reference to the subject mentioned above, I am directed to forward herewith a copy of the **CIRCULAR** issued by the Hon'ble Chief Secretary to the Government of West Bengal bearing no. 315/H4/2M-10/2024 dated 19.09.2024, alongwith a **DECLARATION FORM**, for your kind information and necessary action, as per the said Circular, from your end. This Circular is available in the website of WBRERA (www.rera.wb.gov.in) under the heading 'Notification' and 'Notice'.

For any guidance / query / information in this regard, you may contact the office of WBRERA situated at the address, as mentioned above (Email id – rera.wb@gmail.com, Telephone no. – 033-24160606 and Whatsapp No. 9038411968).

Encl: As stated.

Thanking you,

Yours sincerely,


Secretary

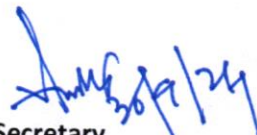
West Bengal Real Estate Regulatory Authority

No.1871/1(4)-RERA/1P-31/2023

Date: 30.09.2024

Copy forwarded for necessary information to:

1. Special Commissioner, Housing Department.
2. Additional Secretary, Housing Department.
3. P.S. to Hon'ble MIC, Housing Department.
4. Senior PA to Principal Secretary, Housing Department.


Secretary

West Bengal Real Estate Regulatory Authority

Government of West Bengal
Housing Department
Development Cell
New Secretariat Building, 1st Floor, Block-A,
1, Kiran Sankar Roy Road, Kolkata-700 001.

Memo No. 315/H4/2M-10/24

Date: 19.09.2024.

CIRCULAR

The Govt. of West Bengal by enacting the **West Bengal Real Estate (Regulation and Development) Rules, 2021** (hereinafter referred to as 'WBRETA Rules') on 27.07.2021 has implemented the provisions of the **Real Estate (Regulation and Development) Act, 2016 (hereinafter referred to as 'RERA Act')**. The aim and objective of RERA Act is to establish Real Estate Regulatory Authority for regulation and promotion of the real estate sector in the state of West Bengal in an efficient and transparent manner and to protect interest of home-buyers in the real estate sector. As per the said Act the West Bengal Real Estate Regulatory Authority (WBRETA) has been established on 29.07.2021. The website of WBRETA (www.rera.wb.gov.in) has become operational on and from **31.01.2023** and on and from the same date online registration of Real Estate Projects with WBRETA Authority has commenced.

As per section 3 of the RERA Act read with Notification No. 42-H4/2M-01/2023 dated 06.06.2023 of the Housing Department, Govt. of West Bengal, every Real Estate Project (Residential/Commercial/Partly Residential and Partly Commercial) where land to be developed by the said project is more than **200 square meters (2.99 katha)** or where the number of flats / apartments / plots to be developed are more than **6 (six)**, those projects are compulsorily to be registered with WBRETA Authority. If any of the two conditions, as mentioned above, are fulfilled by any Real Estate Project then the concerned Promoter is liable to compulsorily register the said project with the WBRETA Authority by submitting online Application for registration in the WBRETA website. It is to be mentioned that registration is to be taken **Project-wise, not Promoter-wise**. In case of Real Estate Projects in which the concerned Promoter / Developer shall not advertise, market, book, sell or offer for sale or invite persons to purchase in any manner any plot, apartment or building, as the case may be, in any real estate project or part of it and which to be used for personal / own use of the Promoter / Developer, Registration with WBRETA Authority as per RERA Act is not mandatory.

It has come to the notice that number of Application for Registration of Real Estate Projects with WBRETA are not satisfactory and a large number of Real Estate Projects are getting Completion Certificates / Partial Completion Certificates / Occupancy Certificates from respective Corporations, Municipalities & Panchayat Bodies etc. without having WBRETA registrations even when registration is compulsory as per RERA Act.

And Whereas, the State Government has the power to formulate policy on Real Estate Sector (including review of laws related to real estate sector) or any other matter as per the provision of section 33 of the RERA Act.

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And Whereas, to ensure the number of registration of Real Estate Projects with WBRERA (where the registration is compulsory), It has been decided that no Completion Certificate / Partial Completion Certificate / Occupancy Certificate shall be issued by the Municipal Corporations/ Municipalities Panchayat Bodies where WBRERA Registration has not been taken and /or although registration has been taken but it has been lapsed as on the date of Application for Completion Certificates / Partial Completion Certificates / Occupancy Certificates.

Now therefore, henceforth, it shall be mandatory to submit the **WBRERA Registration Certificate of a Real Estate Project** at the time of online / offline application for Completion Certificate / Partial Completion Certificate / Occupancy Certificate etc. by the concerned Promoter / Developer, in those cases where WBRERA registration is compulsory.

And in case of Real Estate Projects in which the concerned Promoter / Developer shall not advertise, market, book, sell or offer for sale or invite persons to purchase in any manner any plot, apartment or building, as the case may be, in any real estate project or part of it and which to be used for personal / own use of the Promoter / Developer, in those cases a **DECLARATION is required to be submitted in this respect by the Promoter / Developer** at the time of Application for Completion Certificate / Partial Completion Certificate / Occupancy Certificate etc, in such format as notified by the said Competent Authorities.

By Order
Chief Secretary to the
Govt. of West Bengal

DECLARATION

I/We(name of the Applicant).....son/daughter ofresiding at....., do hereby declare that the Real Estate Project named as(name of the Project)....., situated at..... pertaining to the sanctioned plan no dated..... approved by.....Municipal Corporation/Municipality/Zilla Parishad/Gram Panchayat has been constructed for my/our own personal uses only and I/We shall not advertise, market, book, sell or offer for sale or invite persons to purchase in any manner any plot, apartment or building, as the case may be, in any real estate project or part of it.

[N.B - This Declaration shall not be applicable in following two cases:-

- (i) if the Area of land to be developed by the Real Estate Project does not exceed 200 square meters (2.99 Katha); or
- (ii) where the number of flats/apartments/plots to be developed do not exceed 6 (six)].

Date:

Signature of the Applicant(s)
(Promoter/ Developer)

Place: