



Sajal Nag &lt;himalayanbuilderapd@gmail.com&gt;

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**Request for waiver of penalty equivalent to 100% of application fee for our application no.NPR-01069**

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Sajal Nag <himalayanbuilderapd@gmail.com>  
To: secy.hira-wb@gov.in

Sat, Dec 28, 2019 at 2:05 PM

28<sup>th</sup> of December, 2019

To  
The Hon'ble Principal Secretary  
Housing Department  
WBHIRA  
KOLKATA-700075

**Ref: Application No. NPR-01069 dated 04-12-2019****Sub: Request for waiver of penalty equivalent to 100% of application fee.**

Sir/Madam,

This is to inform you that we had applied for registration under WBHIRA and have been allotted Application No. NPR-01069 for our project named "**Kanchanjungha Apartment**" being constructed at Alipurduar, Dist. Alipurduar, West Bengal, wherein we have been notified that penalty to the extent of 100% of application fee is leviable for violating Section 3 of the Act.

Wherein Section 3(1) of the WBHIRA Act, 2017 says that,

*"No Promoter shall advertise, market, book, sell or offer for sale, or invite persons to purchase in any manner any plot, apartment or building, as the case maybe, in any real estate project or part of it, without registering the real estate project with the Housing Industry Regulatory Authority established under this Act:*

*Provided that projects that are ongoing on the date of commencement of this Act and for which the completion certificate has not been issued, the promoter shall make an application to the Authority for registration of the said project within a period of three months from the date of commencement of the Act."*

Therefore, since we have commenced construction of our project on 15-07-2019 which was not an ongoing project on the date of commencement of this act as stipulated in second para of Section 3(1). So we would like to clarify that we do not fall within the ambit of Section 3 of the said Act.

Further, we have not advertised or collected any advance in line with first para of Section 3(1) of WBHIRA Act, 2017. Therefore we have not violated provision of section 3 of the Act and thus penalty should not be levied upon us.

We also request you to sympathetically consider our request since the legislation is very new with new requirements which requires time to understand.

We also inform you that we are the first builder in Alipurduar to have applied for HIRA registration and also amongst few in North Bengal to have applied for it.

We hope and pray for waiver in penalty imposed by you to boost our initiative to take voluntary registration at the earliest.

Thanking You,

1/17/2020

Gmail - Request for waiver of penalty equivalent to 100% of application fee for our application no.NPR-01069

**For Himalayan Builders and Developers,**

**Sajal Kumar Nag  
(Partner)**