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PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

WEST BENGAL HOUSING INDUSTRY REGULATORY AUTHORITY

Calcutta Greens Commercial Complex (1st Floor)

1050/2, Survey Park, Kolkata-700 075

NOTIFICATION

No. 741-HIRA/L-5/2020

Dated, Kolkata, 25th June, 2020

The West Bengal Housing Industry Regulatory Authority Regulation-I, 2020

In exercise of the powers conferred under section 81 read with sub-section (1) of section 4 of the West Bengal Housing Industry Regulation Act, 2017 (West Bengal Act XLI of 2017) (hereinafter referred to as the said Act), the West Bengal Housing Industry Regulatory Authority established under section 20 of the said Act vide Notification NO.197-HIV/3M-11/17 (Pt.) dated 30th May, 2020 is hereby pleased to make following regulations to carry out the purposes of the said Act :-

1. (i) every promoter shall make an application under section 4 of the said Act to the West Bengal Housing Industry Regulatory Authority for registration of the real estate project as per Form -1 which shall be submitted online;
- (ii) the promoter shall pay online a registration fee at the time of application for registration of project through net banking or Debit card or Credit card, for a sum calculated at the rate of :-
 - (a) rupees ten per sq meter for residential projects where the area of land proposed to be developed does not exceed two thousand square meter subject to minimum fees of rupees ten thousand; or rupees twenty per square meter for residential projects where the area of land proposed to be developed exceeds two thousand square meter, but does not exceed five thousand square meter or rupees thirty per square meter for project where the area of land proposed to be developed exceeds five thousand sq meter; or
 - (b) rupees thirty per square meter for commercial or any other projects. For a project having both residential and commercial units the registration fee shall be pro rata to the area used for residential and commercial purposes.

It shall come into force with immediate effect.

Sd/-
[SANDIPAN MUKHERJEE]
Chairperson,
West Bengal Housing Industry Regulatory Authority

FORM-1**APPLICATION FOR REGISTRATION OF PROJECT**

To
The West Bengal Housing Industry Regulatory Authority,

Sir,

I/We hereby apply for the grant of registration of my/our project to be set up at _____ Sub-Divn.,
District _____, State _____ .

1. The requisite particulars are as under :-

- (i) Status of the applicant, whether individual / company / proprietorship firm / societies / partnership firm / competent authority;
- (ii) In case of individual –
 - (a) Name
 - (b) Father's Name
 - (c) Occupation
 - (d) Permanent address
 - (e) Photograph

OR

In case of firm / societies / trust / companies / limited liability partnership / competent authority –

- (a) Name
- (b) Address
- (c) Copy of registration certificate
- (d) Main objects
- (e) Name, photograph and address of chairman of the governing body / partners / directors etc.;
- (iii) PAN No. _____ ;
- (iv) Name and address of the bank or banker with which account in terms of section 4 (2)(1)(D) of the Act will be maintained _____ ;
- (v) Details of project land held by the applicant _____ ;
- (vi) Brief details of the projects launched by the promoter in the last five years, whether already completed or being developed, as the case may be, including the current status of the said projects, any delay in its completion, details of cases pending, details of type of land and payments pending etc.;
- (vii) Agency to take up external development works _____ Local Authority / Self Development;
- (viii) Registration fee by way of online payment through net banking or debit card or credit card for an amount of Rs. _____ /- calculated as per Notification No. _____ dt. _____.
- (ix) Any other information the applicant may like to furnish.

2. I/we enclose the following documents namely :-
- (i) authenticated copy of the PAN card of the promoter;
 - (ii) audited balance sheet of the promoter for the preceding financial year and income tax returns of the promoter for three preceding financial years;
 - (iii) copy of the legal title deed reflecting the title of the promoter to the land on which development is proposed to be developed along with legally valid documents with authentication of such title, if such land is owned by another person;
 - (iv) the details of encumbrances on the land on which development is proposed including any rights, title, interest or name of any party in or over such land along with details;
 - (v) where the promoter is not the owner of the land on which development is proposed details of the consent of the owner of the land along with a copy of the collaboration agreement, development agreement, joint development agreement or any other agreement, as the case may be, entered into between the promoter and such owner and copies of title and other documents reflecting the title of such owner on the land proposed to be developed;
 - (vi) an authenticated copy of the approvals and commencement certificate from the competent authority obtained in accordance with the laws as may be applicable for the real estate project mentioned in the application, and where the project is proposed to be developed in phases, an authenticated copy of the approvals and commencement certificate from the competent authority for each of such phases;
 - (vii) the sanctioned plan, layout plan and specifications of the proposed project or the phase thereof, and the whole project as sanctioned by the competent authority;
 - (viii) the plan of development works to be executed in the proposed project and the proposed facilities to be provided thereof including fire-fighting facilities, drinking water facilities, emergency evacuation services use of renewable energy;
 - (ix) the location details of the project, with clear demarcation of land dedicated for the project along with its boundaries including the latitude and longitude of the end points of the project;
 - (x) proforma of the allotment letter, agreement for sale, and the conveyance deed proposed to be signed with the allottees;
 - (xi) the number, type and the carpet area of apartments for sale in the project along with the area of the exclusive balcony or verandah areas and the exclusive open terrace areas appertaining to the apartment, if any;
 - (xii) the number and areas of garage for sale in the project;
 - (xiii) the number of open parking areas available in the real estate project;
 - (xiv) the names and addresses of his real estate agents, if any, for the proposed project;
 - (xv) the names and addresses of the contractors, architect, structural engineer, if any, and other persons concerned with the development of the proposed project;
 - (xvi) a declaration in FORM - 'A' as per rule.
3. I/We solemnly affirm and declare that the particulars given herein are correct to my / our knowledge and belief.

Dated:

Place:

Yours faithfully,

Signature and Seal of the applicant(s)