



## Real Estate Regulatory Authority, Karnataka

No. 1/14, Ground Floor, Silver Jubli Block, Unity Building, C.S.I. Compound, 3<sup>rd</sup> Cross,  
Mission Road, Bengaluru-560027



No: RERA/ADM/CR- 102 /2019-20

Date: 10/12/2019

### CIRCULAR

**Sub:** Guideline for Project Registration Process.

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Whereas, under Section 25 of the Real Estate (Regulation and Development) Act, 2016 (Act), the Chairperson of the Karnataka Real Estate Regulatory Authority (Authority) is vested with the powers of general superintendence and directions in the conduct of the affairs of the Authority.

Whereas, as per Section 3 of the Act, mandates prior registration of real estate project, with the Authority. As per Section 4 of Act read with Rule 3 and 15 of KRERA Rules, 2017 deals with the application submitted for registration and whereas Section 5 of the Act, prescribes the time limit, within which the Authority has to deal with the application filed under Section 4 of the Act, i.e., either to grant the registration or to reject the application. It is mandatory for the Authority to dispose of the application within 30 days from the date of its filing. For the purpose of convenience, Section 5 of the Act, is extracted below:

5. (1) On receipt of the application under sub-section (1) of section 4, the Authority shall within a period of thirty days.
  - (a) grant registration subject to the provisions of this Act and the rules and regulations made thereunder, and provide a registration number, including a Login Id and password to the applicant for accessing the website of the Authority and to create his web page and to fill therein the details of the proposed project; or
  - (b) reject the application for reasons to be recorded in writing, if such application does not conform to the provisions of this Act or the rules or regulations made thereunder: Provided that no application shall be rejected unless the applicant has been given an opportunity of being heard in the matter.
- (2) If the Authority fails to grant the registration or reject the application, as the case may be, as provided under sub-section (1), the project shall be deemed to have been registered, and the Authority shall within a period of seven days of the expiry of the said period of thirty days specified under sub-section (1), provide a registration number and a Login Id and



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*password to the promoter for accessing the website of the Authority and to create his web page and to fill therein the details of the proposed project.*

Accordingly, the Authority has developed an efficient online system for application, review and grant of registration of projects.

However, it has been noticed that promoters who have filed application for registration of their projects with the Authority are not complying the requirements and fail to respond to the enquiry raised by the Authority for completing the project registration, resulting in clarifications solicitation by Authority. Thereby, leading to delay in project registration.

Hence, this Guideline is being issued to overcome such issues and ensure speedy registration:

### Step I:

- 1) All the documents provided should be legible and clear. Blurred documents are not accepted.
- 2) Declaration in Form B, Affidavit should be provided as per the prescribed format. Promoters are not allowed to remove or add any clause in the declaration.
- 3) Some fields in the application form are mandatory, against which information has to be submitted. However, even for rest of the fields which are not mandatory, the promoter should provide as much information as possible. Promoter has to furnish local address and local Bank branch in the state of Karnataka (as per section 4(2)(l)(D)). If a data field is kept blank, it shall be assumed that the concerned field is not applicable for the respective project and the value is nil or not applicable.
- 4) In case of document uploads, if a field is not applicable, then a self-declaration to the same effect shall be uploaded.
- 5) The promoter should ensure the veracity and completeness of all data and documents provided. The promoter should also ensure strict adherence to Real Estate (Regulation and Development) Act, Rules and Orders/Circulars issued thereunder by the Authority, while submitting information and documents. Mere grant of registration by the Authority does not necessarily mean that the contents



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and documents are in conformity with the provisions of the Act, Rules and Orders/Circulars issued by the Authority. Even after registration, if it is bought to notice of the Authority that misleading/ incorrect information has been provided or documents do not adhere to Act, Rules, Regulations, Orders/Circulars issued by the Authority, then necessary action shall be taken in such respect by the Authority.

### Step II:

After receiving the application, Acknowledgement to the applicant through registered email is to be sent.

### Step III:

Each application for registration of the project received in the Authority shall be scrutinized by the Authorised Officer to check whether it conforms to Act, Rules and orders/circulars issued by the Authority and the defects, if any, shall be communicated to the party within a five (05) days.

### Step IV:

The applicant(s), shall, on receipt of the communication about the compliance on defects/changes/modification/documents submission to remove the defects by using the temporary login facility within five (05) days of receiving the intimation.

In the event of no response for the first communication from the promoter, second communication will be issued for compliance on defects, to remove the defects by using the temporary login facility within three days of receiving the intimation.

On failure of the compliance for removing the defects for the aforesaid two communications, the Authority shall issue a final notice to the promoter calling upon to furnish the documents within 07 days and to hear. In the event, the promoter failed to comply the Authority will reject the application by forfeiting the fee paid by the promoter for non-compliance.

### Step V:

If the promoter complied the defects is removed, as per section 5 read with rule 3, the Authority issue a registration certificate with a registration number in Form-C to the promoter.

If the application is rejected, the Authority shall inform the applicant in Form 'D'.



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### Step VI:

If the application is rejected, as per proviso of sub-rule 2 of Rule 6, the Authority may grant an opportunity to the promoter to rectify the defects in the application within a period 30 days as may be specified by it.

(By the approval of Hon'ble Chairperson)

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Secretary

Karnataka Real Estate Regulatory Authority

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