

भू-सम्पदा विनियामक प्राधिकरण, बिहार

(Real Estate Regulatory Authority, Bihar)

चौथा/छठा तल्ला, बिहार राज्य भवन निर्माण निगम लिमिटेड, मुख्यालय भवन परिसर,
शास्त्री नगर, पटना – 800023

Office Order No.: - 424

Patna, Date: - 10/11/25

Office Order

Sub: Standard Operating Procedure for extension of registration for such projects which could not be completed within the stipulated time period as mentioned in the registration certificate.

Section 6 of the Real Estate (Regulation and Development) Act, 2016 deals with the provisions related to extension of the registration of a real estate project. As per the provisions laid down under this Section extension may be granted up to a period of one year.

In paragraph 108 of the judgment passed in Neelkamal Realtors Suburban Private Ltd v/s ... The Union of India by Hon'ble Bombay High Court it has been mentioned, "Considering the extent of power conferred on the Authority under Section 7, we need to put up a harmonious construction on the provision of Section 6 of RERA Act. The law confers powers under Section 7 on the competent authority, in the larger public interest to regulate the real estate sector. The Authority shall be entitled to take into consideration reasons and circumstances due to which the project could not be completed within the extended aggregate period of one year as prescribed under Section 6. We, therefore, find that a balanced approach keeping in view the object and intent of the enactment and the rights and liabilities of promoter and allottees in dealing with the cases under Sections 6, 7, 8 read with Section 37 of the RERA Act. We do not find that on the plea of petitioners and for the reasons set out by the petitioners, first proviso to Section 6 needs to be declared unreasonable, arbitrary, violating constitutional mandate of Articles 14, 19 (1) (g) and 300-A of the Constitution of India. A harmonious and balance construction of the provisions shall suffice the purpose."

Para 109 of the above said judgement states that "In case the promoter establishes and the Authority is convinced that there were compelling circumstances and reasons for the promoter in failing to complete the project during the stipulated time, the Authority shall have to examine as to whether there were exceptional circumstances due to which the promoter failed to complete the project. Such an assessment has to be done by the Authority on case-to-case basis and exercise its discretion to advance the purpose and object of RERA Act by balancing rights of both, the promoter and the allottees. In such exceptional cases, the Authority would be entitled to allow the same promoter to continue with the subject project for getting the remaining development work complete as per the directions issued by the Authority. It shall not be interpreted to mean that in every case a promoter, who fails to complete the project under the extended time under Section 6, would get further extension as of right."

R. B. Singh

It also must be mentioned that one of the main goals of the RERA Act is to ensure completion of the registered real estate projects so that the allottees, who invest their hard-earned money to buy a flat or plot, could get their completed units. In case of delay, they are, anyhow, entitled for compensation as per the terms of agreement for sale entered into at the time of booking of their unit.

Under the circumstances mentioned above, the Authority would take appropriate decision on the basis of the merit of the application in the larger public interest and in order to advance the purpose and object of the RERA Act by balancing the rights of both, the promoter and the allottees, in order to get the remaining development work of the project completed.

The Authority has laid down the following SOP to deal with such matters:

1. The promoter needs to file an application for extension online in Form E with the prescribed fee, application charge and late charge (if applicable), with requisite documents as prescribed by the Authority from time to time.
2. The promoter shall explain the compelling circumstances and reasons for failing to complete the project during the stipulated time to the satisfaction of the Authority and shall also satisfy that the incomplete segment of the project would be executed and monitored in a manner, which would ensure its completion within the extended time.
3. The promoter shall submit duly sanctioned copy of the map, having validity till the period for which the extension has been sought.
4. In case the promoter seeks extension beyond the period for which map is valid, he has to clearly mention this in Form B and accordingly he has to submit the fees/additional charges/ late charges, as applicable, with the application. Though the extension would be restricted up to the validity period of the map, but as soon as the Promoter submits map sanctioned till the date as mentioned in the Form B, the Authority may grant extension for the remaining period considering it as a part of the original extension application.
5. The Promoter may exercise the option to seek extension only till the period of validity of the map, mentioning this period in Form B, and pay the fees/additional charges/ late charges only for that period as per the Rules and Regulations and accordingly extension may be considered, provided he fulfils other requisite criteria. However, in cases where the Promoter seeks extension beyond the period mentioned in Form B, he shall have to apply afresh with requisite application, sanctioned map and other requisite documents and fees/additional charges/ late charges for the remaining period, as applicable.
6. In such cases where the promoter has applied for revalidation/re-approval of the sanctioned map, on the basis of which the registration was granted earlier, and the same has not been issued by the competent authority concerned, he/she shall have to submit a proof of the said application and fee paid to the competent authority for revalidation/re-approval of the map, so that the Authority may take up the matter with the competent Authority concerned. However, extension application may be considered only after due issuance of revalidated/reapproved map.
7. In case compliance of the Execution/PDR case orders pertaining to a complaint case under the RERA Act is pending against the promoter, with regard to possession or refund of principal amount as passed in the concerned Execution/PDR cases the extension in such cases shall be considered by the Authority on case-to-case basis and the same shall also be applicable to dues pertaining to QPRs delay/non-filing of QPRs/other matters.

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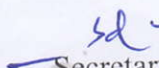
8. Scrutiny team shall check and verify whether the QPRs and requisite forms/certificates have been submitted in time by the promoter for a proper comprehension/appreciation, on a case-to-case basis.
9. In case the Promoter seeks extension on the basis of a modified sanctioned map as compared to the one on the basis of which registration was granted earlier, the Authority may consider the extension of the registration subject to the fulfilment of conditions as prescribed under Section 14(ii) of RERA Act read with Regulation 2 (xvii) Bihar Real estate Regulatory Authority(General) Regulations, 2024 and the conditions prescribed in Office Order No. 130 dated 20/09/2024 of this office(Annexure-I)

The Authority would finally decide on the application after taking a view whether the time period sought by the Promoter to complete the Project is reasonable to complete the remaining development work, balancing the interests of the allottees of the project. It shall not be construed that in every case a promoter, who fails to complete the project within the extended time granted to him by the Authority under Section 6 of the RERA Act would get further extension as a matter of right.

This office order is issued in supersession of the office orders No.- 123, Dated: 08/08/2023 and No.- 104, Dated: 19/07/2023 issued vide Memo No.- नि/598/2021-REG-RERA/286 and Memo No.- RERA/Pro/Reg-68/2018/355 respectively in this regard.

This comes into force with immediate effect and shall also be applicable for all pending applications for extension of registration.

This is issued with the approval of the competent Authority.


Secretary

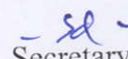
RERA, Bihar

Memo No. RERA/Pro/Reg-68/2018-

Patna, Dated: 10/11/2025

Copy to;

1. All the Promoters- for information and needful please.


Secretary

RERA, Bihar

Memo No. RERA/Pro/Reg-68/2018-

Patna, Dated: 10/11/2025

Copy to;

1. Chairman Cell
 2. All the officers concerned
- for information and needful please.


Secretary

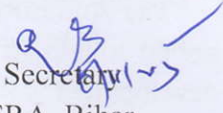
RERA, Bihar

Memo No. RERA/Pro/Reg-68/2018-1726

Patna, Dated: 10/11/2025

Copy to;

1. I T consultant- For information and with the request to upload it on the website of the RERA, Bihar and email to all promoters.


Secretary
RERA, Bihar