



REAL ESTATE REGULATORY AUTHORITY, BIHAR
4TH /6TH FLOOR, BIHAR STATE BUILDING CONSTRUCTION CORPORATION LIMITED COMPLEX,
SHASTRI NAGAR PATNA – 800023

OFFICE ORDER

O.O No: 136

Date : 30.9.2024

Sub: Regarding formation of allottees association

As mandated by Section 11 (4) (e) of Real Estate (Regulation and Development) Act, 2016, promoters shall ensure formation of association of Allottees as soon as majority bookings have been done in the real estate project.

To meet this obligation a guideline has been developed which promoters need to follow vis-a-vis formation of allottees association.

The details of the guidelines including the format of reporting have been annexed(**Annexure I**) with this office order.

Promoters are requested to provide the details of allottees' association in the given format along with QPRs as soon as majority of booking has been done in the project.

Non-adherence would be construed as submission of incomplete QPR.

This comes into force with immediate effect.

This issues with the approval of Competent Authority.


30/09/24
Secretary
RERA, Bihar

Memo No : RERA/Monitoring/G-18/2023- 776

Patna,Date : 30.9.2024

Copy to :

1. All Promoter
2. IT Consultant

- For Information and needful


30/09/24
Secretary
RERA, Bihar

(Annexure I)

Guidelines for formation of Allottees' Association by promoter to meet the obligations as per Section 11 (4) (e) of Real Estate (Regulation and Development) Act, 2016

These Guidelines are being issued for the limited purpose of formation of Association of Allottees in order to fulfil the mandate as prescribed in section 11(4) (e) of RERA Act, 2016 so that the names of the allottees/Members on record and for reporting purpose in order to avoid any litigation and for the purpose of grievance redressal at the level of RERA, Bihar.

Other functions of Association of Allottees as mandated in Section 11(4)(f) and other legal obligations for example execution of conveyance deed of common areas etc. to the Association of Allottees as mandated by Section 17 of the Act. would be fulfilled by Association of Allottees after the Association of Allottees gets registered under appropriate law and with competent Authority as notified by State Government from time to time.

Modal Byelaws and other memorandum would be prepared as per the law prescribed by State Government.

The formation of association should be reported by the promoter to the Authority in the QPR using a non-judicial stamp of at least Rs. 1000/-

Article 1: Name and Address

1. Name:

The name of the association shall be [Name of the Project] Allottees' Association.

2. **Office Address:** Address of the project

Article 2: Purpose and Objectives

A. Purpose:

The primary purpose of the association is to safeguard the interests of all allottees and facilitate communication as per Section 11 (4) (e) RERA Act, 2016. Promoter is responsible for formation of this association.

B. Objectives:

- To represent the collective interests of the allottees.
- To ensure transparency in dealings related to allotments.
- To engage with relevant authorities for infrastructural development etc.

Article 3: Membership

There would be two committees in each Association of Allottees:

i. General Body

All the allottees who have made bookings in the project would be members of the General Body by virtue of holding the status as Allottee.

ii. Executive Committee

All the members of the association, the General Body, would elect office bearers of the Executive Committee, one president, one secretary and one treasurer from amongst them as office bearers. In case, the total number of allottees in a real estate project is more than 50, one additional post of joint secretary would be created. These office bearers would jointly constitute the executive committee and would be entitled to take up issues concerning allottees on their behalf. The elected office bearers would hold the post for a period of three years.

Article 4: Time of formation

Promoter shall form this Association of Allottees within a period of three months as soon as majority of allottees have made booking i.e. the number of bookings exceeds half of the total number of units in a given real estate project.

Article 5: Filling the vacant posts of office bearers

In case any post of the office bearers becomes vacant for any reason (resignation/death etc.) the same shall be filled within three months from the date of vacancy.

The vacant post will be filled for remainder term of the person who vacated the office.

Members of the association would vote for election of the vacant post in same manner in which an office bearer is to be elected as mentioned in Article 4.

Article 6: Format for providing information about the association of allottees formed by the promoter as per Section 11 (4) (e) of RERA Act

Name of the Project

Name of the Association

Details of the Members of General Body(Details of Allottees)

Sr. No.	Name of the allottee	Flat/shop/plot no.	Parking space Details	Mobile No. of allottee	Address of the allottee	Remarks

Details of the office bearers

Sr. No.	Post	Name of the office bearer	Flat/shop/plot no.	Mobile No. of office bearer	Address of the office bearer	Remarks
1.	President					
2.	Secretary					
3.	Joint Secretary (If the total no. of allottees in a project is more than 50)					
4.	Treasurer					

Undertaking:

We solemnly affirm, declare and undertake that all the details stated above are true to the best of our knowledge and nothing material has been concealed here. We are executing this undertaking to attest to the truth of all the foregoing and to apprise the Authority of such facts as mentioned as well as for whatever other legal purposes this undertaking may serve.

Signature of President

Signature and Stamp of Promoter

Signature of Secretary

Date:

Signature of Joint Secretary (If any)

Signature of Treasurer

Stamp of Association of Allottees