

**REAL ESTATE REGULATORY AUTHORITY, BIHAR**  
**4<sup>th</sup> /6<sup>th</sup> Floor, Bihar State Building Construction Corporation Limited**  
**Complex, Shastri Nagar Patna - 800023**

No. 62

Date 06-07-2022

**Notice**

**Sub: Submission of documents and information on Affidavit by the Promoter in case of completion of Project and where Occupancy Certificate is not issued by the competent authority.**

Section 11(4)(b) of Real Estate (Regulation and Development) Act, 2016 mandates that the promoter shall be responsible to obtain the completion certificate or the occupancy certificate, or both, as applicable, from the relevant competent authority as per local laws or other laws for the time being in force and to make it available to the allottees individually or to the association of allottees, as the case may be. The Completion Certificate (C.C.) is issued by the Architect of the promoter and based on the application of the promoter, Occupancy Certificate (O.C.) is issued by the competent authority. As per the recent amendment in Bihar Building Bye-Laws, the Competent Authority has either to issue O.C. or issue rejection letter within 15 days of serving notice. In case O.C. is not issued or the application is not rejected, the concerned promoter needs to file a notice before the competent authority for the same. If the O.C. is still not issued within another 15 days, it would be deemed to have been issued by the competent authority.

Presently promoters, whose project is complete, are required to upload Completion Certificate/ Occupancy Certificate on the website.

In the light of the above the Authority has decided that if Occupancy Certificate is not issued within thirty days of submission of the Completion Certificate before the competent authority, the Promoter needs to submit an affidavit along with;

- I. a copy of application and notices thereof along with a copy of duly authenticated CC submitted with competent authority stating that he has complied and fulfilled all the obligations as mentioned in the Agreement for Sale and the Brochure/ Prospectus;
- II. Photographs of the completed Project;
- III. Certificate of chartered accountant, in practice, that the funds received from the allottees have been utilized for the project;
- IV. The promoter would give the number of sale deeds executed from the share of Promoter.
- V. The number of complaint cases filed against the Promoter;



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VI. that he would fulfil all the functions and duties as mentioned in section 11 to section 18 of Real Estate (Regulation and Development) Act, 2016.

Thereafter the Authority would request in writing to the bank to withdraw the restrictions imposed under section 4(2)(1)(D) of the Real Estate (Regulation and Development) Act, 2016.

However, there would be no requirement of uploading QPRs and other returns after the above-mentioned documents have been submitted by the Promoter.

This comes into force with immediate effect.

This issues with the approval of competent authority.

  
Secretary