



K-RERA/T3/102/2020

DATED: 19/04/2022

Public Notice

Sub: Confirmation of clarification as to the term 'ongoing projects' w.r.to Section 3 of the Act 2016- reg: -

Ref: 1. Public notice. No.3172/ K-RERA/2021 dated 22.12.2021

2. Judgement dated 11/11/2021 of the Hon'ble Supreme Court in M/S Newtech Promoters and Developers Pvt. Ltd Vs State of UP & others (CA Nos 6745-6749 of 2021)

In view of the Judgment dated 11/11/2021 of the Hon'ble Supreme Court, referred 2nd above confirming the retroactive character of the Real Estate (Regulation & Development) Act 2016, the Authority has issued a public notice on 22.12.2021, referred 1st above, by which the Authority has already withdrawn public notices dated 27.12.2019 and 17.9.2020 in which the cut of date was mentioned as 01.01.2020.

In this regard, it is hereby re-affirmed that real estate projects those commenced before 01.05.2017 and not completed or not received occupancy certificate as on 01.05.2017 shall be considered as 'ongoing projects' which will come under the purview of the Act 2016 and registrable under Section 3 of the Act. In this context it is also hereby informed that, this Public Notice shall supersede all other Public Notices, Orders, and Circulars issued earlier in clarification of the term 'ongoing project' w.r.to Section 3 of the Act 2016.

As approved by the Authority.

Sheeba Rani.Y
Secretary (Tech & Admin),
Kerala Real Estate Regulatory Authority.