



K-RERA/T3/102/2020

Dated:16/03/2021

## ORDER

In exercise of the powers conferred under Section 37 of the Real Estate (Regulation & Development) Act, 2016, and in order to avoid the ambiguity existing in the registration process of Villa projects under Section 3 of the Act due to the silence kept in this regard by the Act and Rules, the Authority hereby issues the following order.

The Authority is receiving applications for registration of real estate projects consists of development of land into plots along with construction of villas therein each plot. As observed, one practice followed by promoters of such villa projects in Kerala is procuring Development Permit & Layout approval initially for the plotted development and thereafter obtaining the building permit in the name of the individual purchaser of each plot, as and when the sale takes place. Another practice is obtaining the Development Permit and Layout approval for the development of land and also the building permits of all the villas proposed to be constructed in the plots as a whole by the Promoter himself who hand over the same to the allottees after completion of the whole project. In the case of first mentioned practice, many of the Promoters, without even opting for phase wise completion, are making inordinate delay in completion of the total project and thereby putting the allottees in huge trouble. The Authority is also facing difficulties in calculating registration fees for such projects. Neither the Act nor the Rules does not mention anything about the registration of such Villa projects and hence it makes a lot of confusion among the Promoters who raise so much of queries in this regard to this Authority.

In these circumstances, the Authority hereby directs the Promoters who proposes to develop the land into plots, constructing villa in each plot, providing common amenities and facilities to the total project and proposes to market the same as a villa project, that ***they shall submit the application for registration before this Authority,***

**KERALA REAL ESTATE REGULATORY AUTHORITY**  
**TC 25/1379, CRA D-112 ,Near Pentecostal Church,**  
**Plamoodu –Charachira Road,Tvm-695003**

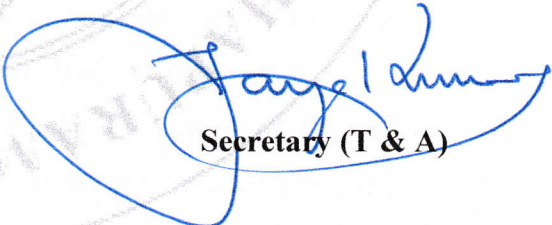
*along with the fee for the entire project land as well as all the villas and buildings proposed to be constructed in the project as a whole.*

Hence, in such cases, if the Promoter has not obtained building permits for all the buildings at the time of submitting application for registration, they can submit the building permits, as and when they obtain building permits. It is also noticed that the Promoters are following the practise of providing the common amenities and facilities at the final stage of the project which creates hardship to the allottees who occupy/possess the villas in the initial stages. Hence the Promoters are also hereby directed to ensure that the common amenities and facilities promised to the allottees of such a villa project completed before occupying the villas by the Allottees.

*Sd/-*  
**MEMBER**

*Sd/-*  
**CHAIRMAN**

Issue by:

  
**Secretary (T & A)**

**J. JAYAKUMAR**  
**Secretary (Technical & Administration)**  
**Kerala Real Estate Regulatory Authority**