



ODISHA REAL ESTATE REGULATORY AUTHORITY

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Order No. 6633 /ORERA
ORERA-REGU-DOA-13/2024

Dtd. 07/09/26

(Direction Under Section 37 of the Real Estate (Regulation & Development) Act, 2016)

Sub: Compliance with statutory obligation under Section 11(4)(b) of the RE (R & D) Act, 2016 regarding submission of Completion Certificate/Occupancy Certificate by promoters of projects whose registration period has expired.

Whereas, the Real Estate (Regulation and Development) Act, 2016 (hereinafter referred to as the "Act") has been enacted, inter alia, to regulate and promote the real estate sector and to protect the interests of allottees;

And whereas, Section 11(4)(b) of the Act casts a statutory obligation upon the promoter to obtain the Completion Certificate or Occupancy Certificate, or both, as applicable, from the competent authority in accordance with the local laws or other laws for the time being in force and to make the same available to the allottees individually or to the association of allottees, as the case may be;

And whereas, it has come to the notice of the Authority that, in respect of a number of real estate projects registered with the Authority u/s 5 of the Act, the validity of registration, including the period of extension granted u/s 6 and/or 7(3) of the Act, has expired, but the Completion Certificate/Occupancy Certificate, as applicable, has either not been submitted/uploaded on the ORERA portal or has not been made available to the allottees/association of allottees;

And whereas, timely obtaining and making available the Completion Certificate/Occupancy Certificate is an important statutory obligation of the promoter and is also necessary for ensuring transparency, protection of the interests of allottees and proper closure/compliance in respect of a registered real estate project;

Now, therefore, in exercise of the powers conferred under Section 37 read with Sections 11(4)(b), 34(f) and 34(g) of the Real Estate (Regulation and Development) Act, 2016, the Authority hereby issues the following general directions to all promoters of such projects for immediate compliance:

1. All promoters whose project registration, including any extension thereof, has expired shall:

(a) where the Completion Certificate and/or Occupancy Certificate, as applicable, has already been obtained from the competent authority, submit/upload a copy of the same on the ORERA portal within 30 days from the date of expiry of the validity of registration of the project; and

(b) where the Completion Certificate and/or Occupancy Certificate has not yet been obtained but an application for issuance of the same has already been made before the competent authority, submit/upload on the ORERA portal, within the aforesaid period of 30 days, a copy of the application along with the acknowledgement/receipt thereof and proof of payment/deposit of the prescribed fees, as applicable.

2. Where an application for Completion Certificate/Occupancy Certificate is pending before the competent authority, the promoter shall pursue the matter with the competent authority and shall upload the Completion Certificate/Occupancy Certificate on the ORERA portal immediately upon its issuance, besides making the same available to the allottees/association of allottees in accordance with Section 11(4)(b) of the Act.

3. Failure to comply with the above directions of the Authority, may invite for appropriate action for contravention of the promoter's statutory obligations under the provision of the Act & Rules framed thereunder imposing:

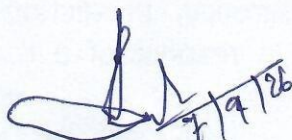
(i) restriction/freezing of the project bank account-maintained u/s 4(2)(I)(D) of the Act;

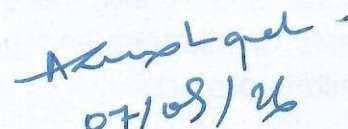
(ii) restriction in relation to registration of the Agreement for Sale and/or Conveyance Deed; and

(iii) imposition of penalty or any other action as may be warranted under the provisions of the Act and the Rules made thereunder.

4. The aforesaid actions shall be withdrawn upon deposit of penalty amount and submission of OC/ Evidence in support of filing application for OC with the Competent Authority.

This Direction shall come into force with immediate effect.


Member(Judicial)


Chairperson