



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

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**OFFICE ORDER**

**O.O. No: 129**

**Date: 10.09.2024**

**Subject: Standard Operating Procedure (SOP) for Revocation of a Project on the Request of the Promoter under Section 7(1)(a) Real Estate(Regulation and Development) Act, 2016.**

Real Estate (Regulation and Development) Act, 2016, its Rules and Regulations thereof, does not prescribe specifically regarding discontinuance of the project registered with RERA, Bihar.

In order to streamline the process where the promoter finds that the project registered with RERA, Bihar is non-viable in absence of no bookings and promoter voluntarily seeks to discontinue with the registration of the Project Authority invoking Section 7(1)(a) Real Estate(Regulation and Development) Act, 2016, to revoke the project's registration due to the promoter's failure to anticipate the project viability of the project at the time of applying for registration, prescribes following Standard Operating Procedure (SOP) for bringing uniformity:

**Preconditions:**

1. There should be no bookings in the Project.
2. No transaction in respect to booking should reflect in the separate RERA Account as mentioned in the registration certificate, in support bank statement from the date of opening until the submission of the application. Duly signed by Branch Manager of Bank concerned.
3. Certificate from a Chartered Accountant, in practice stating that no amount has been taken as booking amount or instalments thereof.
4. Evidence of cancellation of the Development Agreement executed with the land owner/s.
5. For projects where construction has not commenced and no bookings have been made, the following additional documents are required:
  - o Evidence of cancellation of the project map.

- Evidence of cancellation of NOC by AAI, if applicable.
- Evidence of cancellation of NOC by the Fire Authority, if applicable.
- Evidence of cancellation of the Environmental Certificate issued by SIEAA/Pollution Board, if applicable.
- Any other document as prescribed by the Authority.
- Evidence of payment of any penalties or charges, if imposed.

**Application Format:**

1. The promoter must submit an Online application needs to be filled in as prescribed in Form-I to the Authority, RERA Bihar along with the fees prescribed.
2. The application should also include a notarized Declaration-Cum-Undertaking and an affidavit for a No Objection Certificate (NOC) between the promoter and landowner in the prescribed format (Form-II) along with the documents relating to the preconditions as prescribed above.

**Fees:**

The promoter is required to pay an additional administrative charge as prescribed by the Authority. The fee varies based on the duration the project remained registered:

1. Applications received within one year of registration: Rs. 1.5 Lakh.
2. Applications received after one year but before two years of registration: Rs. 3 Lakh.
3. Applications received after two years of registration: Rs. 6 Lakh

**Processing of the Application:**

1. Upon submission of the online application with all required documents, the matter will be scrutinised under Section 7(1)(a) and presented before the Authority's bench.
2. The concerned bench will schedule a hearing, providing at least 30 days' notice as per Section 7(2), and instruct the promoter to publish a notice in one Hindi and one English newspaper at least 15 days before the hearing.
3. The notice must include details such as the promoter's name, project name, registration number, and project address, and should inform stakeholders of the hearing date and their right to file objections in prescribed format.
4. If the promoter fails to provide evidence of newspaper publication on the hearing date, the bench may decide either to reject the application or give next date of hearing.
5. Upon revocation, a letter will be sent to the Inspector General (IG) Registration to stop the registration of agreement for sale and sale deeds to be executed for

the project, and the concerned bank will also be informed accordingly to stop transactions.

6. The promoter will be debarred from accessing the website in relation to the revoked project.
7. The project will not be listed in the defaulter list on the website and will not be covered under Section 8 of the RERA Act and will not be considered for project grading.
8. Information about the revoked project will be published on the Authority's website for public viewing.

This comes into force with immediate effect.

This issues with the approval of the Competent Authority.

  
Secretary

**Form- 2**

**Joint Affidavit of promoter and landowner for revocation of the project.**

**AFFIDAVIT**

I/We, [Name of Promoter], son/daughter/wife of [Parent/Spouse's Name], aged [Age] years, residing at [Address], do hereby solemnly affirm and declare as under:

I/We, am/are the promoter of the real estate project named [Project Name] located at [Project Address].

The project is registered under the Real Estate (Regulation and Development) Act, 2016, with Registration No. [Registration Number].

And

I/We, [Name of Landowner], son/daughter/wife of [Parent/Spouse's Name], aged [Age] years, residing at [Address], do hereby solemnly affirm and declare as under:

I/We, am/are the landowner of the real estate project named [Project Name] located at [Project Address].

1. That we, jointly and severally solemnly declare that there is no booking taken by the promoter or landowner either in advance amount or as a booking amount in cash or through bank transaction mode for the abovesaid project or for any of the unit of the project.
2. That we, jointly agree to get the project revoked in the light that the project is not viable and we want to discontinue with the registration of the project given by RERA, Bihar.
3. That the separate bank account of the registered project wherein 70% of the amount payable by the allottee is to be deposited in Bank Account No: \_\_\_\_\_ with \_\_\_\_\_ Bank, and the statement of the Account showing transaction from the date of opening till submission of this application for revocation of the project is being attached which indicates that there is no transaction in respect to booking of units.
4. That no other Bank Account has been opened or used for the purpose of this project.

Or

Other Bank Account with no \_\_\_\_\_ Bank \_\_\_\_\_ has been opened on dated \_\_\_\_\_ and the statement of transactions is being attached which indicates that no transaction in respect of booking has taken place.

5. This affidavit is executed and submitted voluntarily and with full knowledge and consent of all parties involved.
6. The statements made herein are true and correct to the best of our knowledge and belief, and nothing has been concealed.

**Verification:**

We, [Name of Promoter] and [Name of Landowner], the deponents above named, do hereby verify that the contents of this affidavit are true and correct to the best of our knowledge and belief, and that no part of it is false and nothing material has been concealed therefrom. Verified at [City], on this [Date] Day of [Month], [Year].

(Signature of the Promoter)

[Name of Promoter]

(Signature of the Landowner)

[Name of Landowner]

**Paper Publication Format (English)**

**PUBLIC NOTICE**

**NOTICE OF REVOCATION OF PROJECT**

This is to inform the general public that **[Name of the Promoter]** has applied for the revocation of registration for their project, **[Name of the Project]**, bearing registration number **[Registration Number]**, located at **[Project Address]**, with the Real Estate Regulatory Authority (RERA), Bihar, on **[Date: DD.MM.YYYY]**.

In case any individual or party, including allottees of the project, landowners, co-sharers, or any other party with an inherent interest in the project, believes that they may be adversely affected by the revocation of the project, they are hereby requested to file their objections.

Objections can be filed before the concerned bench of RERA, Bihar, either in person or through their Authorised Representative, on the date of the hearing.

Hearing Details:

Date: [Date of Hearing]

Time: [Time of Hearing]

Venue: [Venue of Hearing]

## Paper Publication Format (Hindi)

### सार्वजनिक सूचना

### रेरा, बिहार से संबंधित परियोजना की निरस्तीकरण के पूर्व आपत्ति आमंत्रित करने के संबंध में सूचना

एतद् द्वारा जनसाधारण को सूचित किया जाता है कि (प्रवर्तक का नाम) ने अपनी परियोजना, (परियोजना का नाम), जिसका पंजीकरण संख्या (पंजीकरण संख्या) है और जो (परियोजना का पता) पर स्थित है, के पंजीकरण के निरस्तीकरण के लिए दिनांक (तारीख: DD/MM/YYYY) को रियल एस्टेट रेगुलेटरी ऑथोरिटी (रेरा), बिहार के समस्त आवेदन समर्पित किया है।

यदि कोई व्यक्ति या पक्ष, जिसमें परियोजना के आवंटी, भूमि मालिक, सह-शेयरधारक, या कोई अन्य पक्ष शामिल है जिसका परियोजना में हित निहित है और जिन्हें परियोजना के निरस्तीकरण उनके हितों पर प्रतिकूल प्रभाव पड़ने की संभावना है, वे अपनी आपत्ति दर्ज कर सकते हैं।

आपत्ति रera, बिहार के संबंधित बेंच के समक्ष, व्यक्तिगत रूप से या अपने अधिकृत प्रतिनिधि के माध्यम से सुनवाई की तिथि को लिखित रूप में दर्ज कराई जा सकती है।

सुनवाई का विवरण:

तारीख: (सुनवाई की तारीख)

समय: (सुनवाई का समय)

स्थान: (सुनवाई का स्थान)