



## GOA REAL ESTATE REGULATORY AUTHORITY

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### Clarification

**Subject : Clarification to Circular dated 17/01/2020 for Extension of Registration of Real Estate Projects, under Section 6 of RERA (Act), 2016.**

This Authority vide its circular dated 09.12.2019 had stipulated that the application for extension of project registration shall be in prescribed format as per rules in force along with relevant document/ information for which requisite fees payable shall be decided by Goa RERA on case to case basis. Further, the rate of fee applicable for the purpose was specified vide circular dated 17.01.2020 and certain compliance requirement i.e. application to be made in form 'V' and should be accompanied with the authenticated copy of the plan of the project showing the stage of development work till date, explanatory note with regard to delay in completion of project, deposit of fee as prescribed along with the application, copies of extension of construction approvals from the competent authority besides deposit of the original project registration certificate; were also prescribed.

2. The Authority vide its Circular dated 17/01/2020 had interalia also prescribed that the promoters seeking extension of registration of the project registered with the

Authority should apply to the Authority at least 03 months prior to the validity of registration.

3. It has been noticed that some of the promoters have applied to the Authority seeking extension of their registered projects much prior to the expiry of validity (ie more than 1 year or more). In these cases it is further observed that there has been no change in the layout plan or sanctioned plan or any other change in such projects, and the projects have progressed normally with construction and also the booking & allotments etc.
4. In this regards, it needs noted that the extension of registration of project is to be considered keeping in view the extent of the completion of the project by the promoter till the date of application, the reasons for non completion of the project with in the registration period as well as details furnished by the promoter assuring to complete remaining project within the period of extension sought.
5. In view of what has been noted herein above and with a view to achieve early completion of projects and to protect the interest of the allottees; the term 'at least 3 months prior to the validity of the registration' needs to be clarified in terms of a definite timeline to be enforced for receipt of request for extension in such cases. Accordingly, it is directed that no application of extension for registration of such project ie where there has been no change in the layout plan or sanctioned plan or any other change in such projects, and the projects have progressed normally with construction and also the booking & allotments etc, would be entertained 09 months prior to the expiry of validity of registration. However, such application should be made at least 03 months prior to the expiry of validity of registration as already prescribed.

6. It has further been observed by Authority that, in some cases the promoters soon after the grant of registration of the project, have preferred to revise their layout/ sanctioned plan or in some cases where actual work could not be commenced by the promoter as per sanctioned plan due to specific stay or injunction orders relating to the real estate project from any Court of law, or Tribunal, competent authority, statutory authority, high power committee, etc or due to any such other mitigating circumstances. It is also noted that the promoters have also not made any allotment or booking of these project during the period and have further sought extension of registration of project on account of possible delay in completion of project due to revision of plans or due to other circumstances noted hereinabove.
7. In all such cases, it is clarified that where the plan were revised within 09 months of the registration of project or where actual work could not be started by the promoter as per sanctioned plan due to reasons noted hereinabove; the promoter may apply for extension immediately upon of the revision of plans or when construction could have been resumed at the earliest upon termination of such restriction or mitigating circumstances in Form V itself with all details/ documents as stipulated vide circular dated 17/01/2020 supported by an affidavit and the same shall be considered for pro-rata extension of the project keeping in view the possible delay on account of the revision of plans or other circumstances referred to hereinabove but in no case for a period exceeding one year.



**Paresh Fal Desai**  
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