



# GOA REAL ESTATE REGULATORY AUTHORITY

DEPARTMENT OF URBAN DEVELOPMENT

GOVERNMENT OF GOA

101, 1<sup>st</sup> Floor, 'SPACES' Building, Plot No. 40, EDC Patta Plaza, Panaji 403 001 GOA

www.rera.goa.gov.in

Tel: 0832-2437655; e-mail: goa-rera@gov.in

No.3/RERA/Comp.Proj.(802)/2021/ 777

Date: 28/12/2021

## ORDER

M/s. Charisma Homes LLP, the Promoter has applied for registration of the project 'Salvador Villas' under Section 3 of the Real Estate (Regulation and Development) Act, 2016 vide his application submitted through online portal dated 23/09/2021. As on date, the applicant has submitted all the documents required for registration under the Act. However, it was observed that this project was "ongoing project" in terms of the proviso of Section 3(1) of the Act (hereinafter referred as an 'Act'). The Completion Certificate of the project was received on 01/01/2019 and Occupancy Certificate on 06/08/2019. Since the applicant has applied for registration much after the commencement of the Act, a notice dated 09/11/2021 was issued to him, calling to appear before the Authority on 09/12/2021 which was re-fixed on 16/12/2021.

2. On 16/12/2021, the day fixed for hearing, applicant pleaded that though it was completed project and completion certificate was obtained much after the commencement of the Act, there was no effort to sell any villas nor any sale was affected. It is mentioned that the said project consist of 03 villas and all the 03 villas are unsold. It was clarified by the applicant that it is self finance project and now he intends to sell it.

3. I have considered the case. Relevant provisions of Section 3(1) of the Act is as follows:

**"3. Prior registration of real estate project with Real Estate Regulatory Authority:-**


(1) No promoter shall advertise, market, book, sell or offer for sale, or invite persons to purchase in any manner any plot, apartment or building, as the case may be, in any real estate project or part of it, in any planning area, without registering the real estate project with the Real Estate Regulatory Authority established under this Act:

Provided that projects that are ongoing on the date of commencement of this Act and for which the completion certificate has not been issued, the promoter shall make an application to the Authority for registration of the said project within a period of three months from the date of commencement of this Act.”

From the above Section, it is clear that registration of the project should be done before any advertising, marketing, booking, etc., and in this case no marketing, booking, selling etc., which are required under Section 3(1) has taken place. The proviso of the Section has to be read with the main content of the Section. Since, Applicant has not taken any steps for marketing, selling or booking etc., the project doesn't require any action under the provisions of the Act.

4. Accordingly, the registration is granted under the Act for the said project.

Order accordingly,

  
**J. B. Singh, IAS(Retd.)**  
Member, Goa RERA.

**To,**  
**M/s. Charisma Homes LLP,**  
Danwaddo Salvador, Soccoro Church Porvorim  
North-Goa, 403501.