

West Bengal Real Estate Regulatory Authority  
Calcutta Greens Commercial Complex (1<sup>st</sup> Floor)  
1050/2, Survey Park, Kolkata- 700 075.

Name of the Company: Cosmos Homes India Private Limited

Project Name: Cosmos Green City, Barasat.

Sl. Number and date of order	Order and signature of Officer	Note of action taken on order
2 ----- 06.10.2023	<p>Chartered Accountant Nisheet Agarwal (Mob. No. 9748156507) and Mr. Manish G. Mehta (Mob. No. 8104422798 &amp; email Id: mehta.mg@gmail.com), Authorized Signatory of Cosmos Homes India Pvt. Ltd. are present in the physical hearing today on behalf of the Promoter Company and signed the Attendance Sheet.</p> <p>The Promoter Company submitted a Response dated 22.08.2023 against the Show Cause Notice sent by this Authority bearing No. 1142/RERA/2M-08/2023 regarding <b>Cosmos Green City, Barasat</b> Project dated 11.08.2023.</p> <p>Let the said Response dated 22.08.2023 be taken on record.</p> <p>The Promoter Company stated at the time of hearing that they did not have the knowledge/information that if agricultural lands are sold in plots, in that cases WBRERA Registration is mandatory. They have no malafide intension and they are ready to do the Registration, if required and if mandated by this Authority. They also stated that they are not sure which Authority will give Completion Certificate in this regard because after Registration with WBRERA, quarterly updates is mandatorily required up to the date of uploading of the Completion Certificate in the WBRERA website.</p> <p>After hearing the Promoter Company in detail and going</p>	

through the Response of the said Company dated 22.08.2023, the Authority is of the considered view that as per the Provision of Section 3 of the Real Estate (Regulation and Development) Act, 2016, even in case of Agricultural Lands, Registration with WBRERA is a mandatory requirement in the case of Sale of Plot of lands after necessary development for example drainage, passage, fencing and electricity connection etc. If plot of lands are sold after necessary development, the registration is mandatory as per section 3 of the RERA Act, 2016, if the area of land is above the exempted limit of the land. No exemption has been given on section 3 in case of agricultural land or as per the type of land.

Here, in this case, plots of lands are developed for the purpose of sale of those plots and as per Page-17 of the Deed of Conveyance executed between the Alottees and the Cosmos Homes India Pvt. Ltd., dated 27.07.2014, annexed with the Response of the Promoter Company, at Point No. 6, it has been stated that, - *"6. That the purchaser hereby undertakes to use the subject plot for residential purpose and construction thereon only after obtaining physical possession thereof and which is to be made in accordance with the plan to be sanctioned by the local Gram Panchayat or other appropriate authority concerned."*

Therefore it is clear that those plots of land will be used for residential purpose. So, fee for Registration with WBRERA will be as given in the Act and Rules for **'Residential Purpose'**.

Therefore, the Authority is hereby pleased to direct the Promoter Company to get the project named **'Cosmos Green City', Barasat** registered with the WBRERA Authority within **30<sup>th</sup> November, 2023** and the fee of Registration shall be as per the Residential Project.

If the said Promoter Company fails to do so within the stipulated time period, then Penalty shall be imposed as per section 59 of the Real Estate (Regulation and Development)

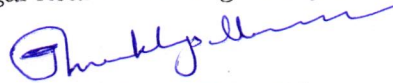
Act, 2016.

After the registration of the said project with the WBRERA Authority, this Authority shall take up the matter of 'Completion Certificate' and/or which document shall be considered or deemed to be considered as the completion certificate of the said project.

With the above directions the matter is closed for the present.



(SANDIPAN MUKHERJEE)  
Chairperson  
West Bengal Real Estate Regulatory Authority



(TAPAS MUKHOPADHYAY)  
Member  
West Bengal Real Estate regulatory Authority