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Homebuyers hail SC order making completion certificates mandatory for builders

By [Vinod Rajput](#)

Feb 11, 2023 12:14 AM IST

The SC ruling came on Thursday on a plea by homebuyers of a Kolkata housing complex which alleged that despite them paying a full flat cost and getting the flats registered in their name, the builder had failed to provide the completion certificate

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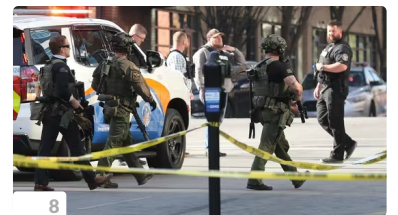
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In Noida and Greater Noida, a large number of housing projects don't have completion certificates as the builders have defaulted on paying land cost. (HT PHOTO)

Flat owners in Noida and Greater Noida on Friday welcomed a Supreme Court (SC) order, which held that a builder of a housing complex is legally bound to obtain completion certificate even if the homebuyer was given possession without that mandatory legal document, and said there are about 100 cases wherein possession was offered by the developer without obtaining completion certificate, causing issues for buyers.

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Now that the SC has ruled that the onus of obtaining such document is on the builder, homebuyers are hopeful of getting some relief.

The SC ruling came on Thursday on a plea by homebuyers of a Kolkata housing complex which alleged that despite them paying a full flat cost and getting the flats registered in their name, the builder had failed to provide the completion certificate.

According to the handover process, the developer has to install lifts, fire safety systems, waste treatment plant, clear all financial dues and ensure that all other basic services are in place to make the housing project eligible for completion certificate from the local authority concerned.

Even in Noida and Greater Noida, a large number of housing projects don't have completion certificates as the builders have defaulted on paying land cost.

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"We are happy with the SC order because the developer now cannot run away from its responsibility. In Noida, several developers have offered possession without completion certificates," said Ashish Mohan Gupta, president, Jaypee Infratech Limited real estate allottees welfare society.

While some builders have financial defaults, others couldn't obtain the document because they offered possession to buyers in partially ready complexes as they did not have the funds to complete the services such as installation of lifts, waste treatment plant, fire safety systems and other services.

"There are around 100 housing complexes, where people are living without these mandatory services. In old projects, many developers now feel that the homebuyers should bear the expenses to install all mandatory services necessary for obtaining completion certificate. How can we do that without having adequate funds? SC order is a landmark decision that will resolve our issues," said Abhishek Kumar, president, Noida Extension flat owners welfare association, a buyers' lobbying group.

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Developer Nikhil Havelia, who is also secretary, Confederation of Real Estate Developers' Association of India (Credai), a realtors' lobbying body, said, "Some of the housing complexes in Noida do not have completion certificate owing to financial issues faced by developers. But we have demanded from the authority that in projects where basic services are in place, the completion certificate must be issued even if financial issues of the developer concerned are not settled."

Ishtiyahq Ahmed, chief architect and town planner, Noida authority, said, "We issue completion certificate as per the law. When a housing project or any other structure fulfils all parameters that include clearances of financial dues, fire safety system and other services in the complex."

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ABOUT THE AUTHOR



Vinod Rajput

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Vinod Rajput writes on environment, infrastructure, real estate and government policies in Noida and Greater Noida. He has reported on environment and infrastructure in Delhi, Gurgaon and Panchkula in the past.

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By HT Correspondent

Apr 10, 2023 12:33 AM IST

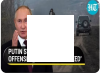
Noida authority is hiring a consultant to address finance department issues and increase revenues by collecting taxes on time and recovering dues from defaulters. The agency will be hired through tender in the next couple of months. Ernst & Young was hired earlier in January 2018 to generate more revenues.

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Noida authority to rope in a new consultant to manage finances

NOIDA: The Noida authority has initiated a process to hire a new consultant to address issues being faced in the finance department and to increase revenues.

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“We have started the process to rope in a consultant to assist in the matters related to the finance department because the term of the earlier consultant – Deloitte –has ended. The expert agency will be finalised following due procedures. The consultant will help in handling matters of the finance department,” said Ritu Maheshwari, chief executive officer, Noida authority.

The authority will float a tender and hire the agency in the next couple of months, said officials. The authority takes the assistance of a consultant in a bid to increase its revenues, officials added.

Earlier in January 2018, the Noida authority had hired Ernst & Young to generate more revenues.

Ernst & Young had undertaken a survey and submitted its report on March 21, 2018, detailing ways to increase earnings so that the authority can become financially self-reliant instead of depending upon aides or loans for maintenance of civic infrastructure or taking up new projects. Ernst & Young had also met with authority officials and gathered details about various departments related to their survey.

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The authority is keen to increase its revenues by collecting taxes on time. The consultant will be assisting the Noida authority to collect taxes, help in recovering dues from defaulters and advise it on how to generate better revenues from defaulting developers, said officials.

The Noida authority needs around ₹1,500 crore annually to meet its expenditures that include paying salaries of staff and providing civic services such as water supply, cleanliness, road maintenance and maintenance of parks. It spends around ₹1,500 crore on services excluding infrastructure projects such as construction of roads, underpasses, etc.

The authority generates ₹2,300 crore revenue annually from all its departments. But most of the revenue comes from selling plots. Officials said the authority will be left with no land in the near future and needs to find ways to generate funds to meet its expenses.

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