

File No.HO-23011(11)/2/2021-APARTT CELL-Dept. of HO

**Government of west Bengal**  
Housing Department  
Law & Apartment Cell  
New Secretariat Buildings  
1, Kiran Shankar Roy Road  
**Kolkata 700001**

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30/04/2021

**Circular**

It is felt necessary to frame a guideline regarding practice and procedure for filling up **Form A** and **Form 1** for formation and registration of Association of Apartment Owners under the West Bengal Apartment Ownership Act, 1972 (the said Act) so that any one intends to form an Association of Apartment Owners under the said Act may find it helpful.

Now, therefore a Guideline is issued hereby as annexure of this circular for the aforesaid purpose.



**(Debasis Ghosh)**

Competent Authority  
under the West Bengal Apartment Ownership Act, 1972

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**Guideline regarding practice and procedure for filling up  
Form A and Form 1 for formation and registration of Association of  
Apartment Owners.**

For formation of an Association of Apartment Owners and getting it registered under the West Bengal Apartment Ownership Act, 1972 (the said Act) submitting Form A and Form 1 to the Competent Authority under the said Act is required. For filling up Form A and Form 1 a citizen has to visit the portal edistrict.wb.gov.in and register himself/herself at that portal. Thereafter he/she shall login to the portal and will find four menus--- **(1) District, (2) Development Authority, (3) Development Corporation and (4) Department.** Choose Department. Under the Department menu he/she will find **Housing Department.** Click on the Housing Department. Two(2) services will be found there. Choose the service **Registration of Apartment Owners Association.** Click it. There it will be found:-

**Eligibility Criteria:**

1. Sole, majority or all the apartment owners should apply for the service.

**Documents Required:**

1. 1. Authenticated copy of building plan/ plans duly signed.
2. 2. Copy of Sanctioned Site plan.
3. 3. Copy of relevant Completion certificate from the local authority/ Municipality duly notarized.
4. 4. Self-attested EPIC Card (Elector's/Voter's Photo Identity Card)/PAN card of all the Apartment Owners.
5. 5. Power of Attorney as per format, where necessary, of all the apartment owners or concerned apartment owners.
6. 6. Copy of Receipt of Form-E.
7. 7. Document containing all the owners' details (Excel template for inserting owners' details should be made available in Instruction Page).
8. 8. Authorization letter by all the other flat owners.
9. NB : Scanned Copy Of Original documents to be uploaded.

**Fee Details:**

<b>Value of the Apartment/Flat</b>	<b>Amount of Fees/Charges</b>
Up to Rs. 25 lakhs	Rs, 1,000/-
Above Rs. 25 lakhs up to Rs. 50 lacs	Rs, 2,000/-
Above Rs. 50 lakhs up to Rs. 1Crore	Rs, 4,000/-
Above Rs. 1 Crore up to Rs. 5 Crore	Rs, 5,000/-
Above Rs. 5 Crore	Rs 10,000/-

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**Downloads:**

1. Document containing all the owners' details
2. Description of the limited common areas and facilities, if any. Stating to which apartments their use is reserved (Car Parking)
3. Percentage of individual interest in the common areas and facilities of each apartment owners
4. Description of each apartment of each building.

A print out of the instruction may be taken, if required, by clicking the "Print" button. Download the excel sheets. Thereafter click the "Apply" button and proceed filing up Form A in the system. fill up all the required data there and upload required documents. Fill up the Downloaded Excel sheets and after filing up the same convert it into PDF document and upload the same at the place prompted by the system. He/she has to make payment of requisite fees which the system will prompt him/her. After making payment and completing the application in all respect submit the same to the Competent Authority.

Competent Authority after examining the same in the system will approve the application, if found it correct, and immediately an auto-generated information of such approval of application and a request for submitting **Hardcopy of Form A**, solemnly affirmed before a Magistrate or Notary, with all its annexure as per law to his office be sent through s.m.s. and email to the registered mobile no. and email id of the applicant. If any other comment made by Competent Authority regarding the application, it will be updated in the system and auto-generated information of such comment will be sent to the applicant through s.m.s and email.

**Submission of Hard copy of Form A :**

**(a) Whom to submit Form A:** To the Competent Authority under the West Bengal Apartment Ownership Act, 1972.

**(b) Where to submit Form A:** Housing Department, Law and Statutory Cell, 1<sup>st</sup> Floor, 'A' Block, New Secretariat Buildings, 1, Kiran Shankar Roy Road, Kolkata 700 001.

**(c) Documents and papers to be submitted with Form A:**

(i) Forwarding letter addressed to the Competent Authority under the West Bengal Apartment Ownership Act, 1972 stating the **AIN No. of the application** and the **date of approval of the application** in the system .

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(ii) Declaration in Form A (**2 sets**) executed in a **Non-Judicial Stamp Paper of Rs. 10(ten) solemnly affirmed before a Magistrate or a Notary** along with the annexure from A to E. **Annexure A**-Authenticated copies of building plan; **Annexure B**- Copy of Site plan; **Annexure C**- Copy of relevant Completion certificate; **Annexure D collectively**- Copies of Voter card/Pan Card of the declarants for identification; **Annexure E**- Copies of receipt of letter in Form-E served to all the apartment owners. If declaration in Form A is made by a constituted attorney duly authorized by executing an instrument of Power of Attorney then the original copy of the Power of Attorney to be enclosed along with the Form A.

**Disposal of Form A by the Competent Authority:**

If after examination of the the Form A it is found that the property concerned comes within the purview of the West Bengal Apartment Ownership Act, 1972 and the declaration is in order the Competent Authority will accept the Form A by making an endorsement of such acceptance on the body of Form A along with a an order of acceptance in writing and return one set of Form A duly endorsed as "Accepted" on the body of the Form A with an order of acceptance letter to the Declarant(s). Other set of Form A will be retained by the Competent Authority after accepting it for office record.

**Filling of Hard copy of Form 1**

Within **forty-five days** from the date of acceptance of Form A or within such further period as the Competent Authority may, on application made to it or of its own motion, allow, the apartment owners of each property, owned by four or more apartment owners, shall in a general meeting to be held on such date and at such time and place as may be convenient to all such owners and to be presided over by an apartment owner chosen by the apartment owners present in such meeting, **form an Association** under some **specific name and style**, and the apartment owner presiding over such meeting shall immediately communicate the formation of such an Association along with the names of the members thereof, in **Form No. 1** to the Competent Authority which shall register the Association under a serial number.

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Form 1 under bye-law 3(2) is to be filed in plain paper. The names of all apartment owners shall be stated in Form 1 as per bye-law 3 of the West Bengal Apartment Ownership Bye-Laws, 1974. Where an apartment is owned by more than one person any one person of their choice will be member of that Association from that particular apartment.

**How to file Form-1 in the edistrict system**

After Form 1 is drawn up the applicant shall login to the system and enter some required data therein and upload a copy of the Form-1 in the system.

**Issuance of Certificate of Registration of an Association of Apartment Owners**

The competent Authority shall approve Form-1 if it is drawn up in accordance with law and thereafter a system generated Certificate of Registration will be issued.

  
(Debasis Ghosh)

Competent Authority  
under the West Bengal Apartment Ownership Act, 1972