

MAHARERA CA. Mahadev Birla, CA. Vivek Laddha	
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I – Notice for submission of objection in respect of de-registration applications received by MahaRERA.

MahaRERA/Secy/de-reg/004/2023 dated 14th August, 2023

A notice has been issued by MahaRERA in respect of submission of objection against de-registration of real estate project by promoter. An application for de-registration of 31 projects is received by MahaRERA and in respect of the same the notice is issued that if any person or legal entity has any objection then same needs to be submitted within 30 days to the email secy@maharera.mahaonline.gov.in.

II – Increase in the levy of convenience fees payable by user including the levy of taxes and bank charges payable thereon

Order No. 48/2023 dated 18th August, 2023

As per Order No. 1512017 dated 17.04.2017 MahaRERA had authorised the MahaOnline (a Joint Venture of the Government of Maharashtra and Tata Consultancy Services which was appointed to operationalise the web based online system as well as to maintain the website and the database on the website of the Authority) to levy the convenience fees over and above the fees as prescribed by MahaRERA for some services.

Further, by MahaRERA Circular No. 10 /2017 dated 04.08.2017 the convenience fees chargeable by MahaOnline for the Union Territories of Dadra and Nagar Haveli & Daman and Diu was fixed.

Now projects being undertaken by MahaOnline has been taken over by Maharashtra Information Technology Corporation Limited (MahaIT) a company wholly owned by the Government of Maharashtra and MahaIT has requested MahaRERA to marginally increase the convenience fees pending total overhaul / revamp of the existing MahaRERA IT System.

Now with effect from 20.08.2023, the convenience fees payable by users shall be as follows;

SN	Services	Applicable Users	Existing Charges	Revised charges (Exclusive of Taxes and Bank Charges)	Payment Frequency
1	New Project Application Form	Real Estate promoter	750	1050	Per Transaction
2	Project Extension request form	Real Estate Promoter	500	700	Per Transaction
3	Withdrawal form per request	Real Estate promoter	500	700	Per Transaction
4	Project Status update fees per project annually	Real Estate Promoter	500	700	Annually
5	GIS integration with MahaRERA online	Real Estate promoter	500	700	Per Transaction

	application system				
6	New Agent registration Form	Real Estate Agent	500	700	Per Transaction
7	Agent renewal request Form per request	Real Estate Agent	500	700	Per Transaction
8	Complaint registration Form per complaint	Real Estate Promoter/ Real Estate Agent / Citizen	50	70	Per Transaction

III – Display of QR Code by registered real estate agents in promotions / advertisement material relating to real estate projects registered with MahaRERA

Order No. 46B/2023 dated 21st August, 2023

MahaRERA has introduced Quick Response Code (QR Code) for each registered real estate project to assist home buyers / allottees to get real estate project information and the directions were issued by the Authority in MahaRERA Order Nos. 46/2023 dated 29th May, 2023 for display of QR Code on each and every registered real estate project promotions / advertisements further, the Order No. 46A/2023 dated 29th July, 2023 was issued regarding imposition of penalty for non-display of the QR Code on real estate project promotions / advertisements.

Now the above said order shall mutatis mutandis apply to all registered real estate agents and in view thereof with effect from the date of coming into force of this Order, the following directions shall be followed by every registered real estate agents.

- Real estate agents shall prominently display QR Code on each and every real estate project promotion / advertisement published in the mediums as more specifically listed in MahaRERA Order No. 46B/2023 dated 29.05.2023.
- The QR Code published shall be legible, readable, and detectable with software application and shall be published besides MahaRERA project registration number.
- Failure to comply with (a) and (b) above shall be construed as violation of the directions issued by the Authority and penalty which may be extend up to Rs. 50,000/- subject however to a minimum penalty which shall not be less than Rs. 10,000/- under Section 65 of the Act shall be imposed upon real estate agents for each such violations.
- Upon imposition of the penalty if the real estate agent fails / neglects to rectify and remedy the violation / contravention within 10 days shall be construed as a continuous violation of the directions issued by the Authority and appropriate action as deemed fit shall be taken against such real estate agents under the relevant provisions of the Act.

IV- Self-Regulatory Organization (SRO) for registered real estate agents

Order No. 49/2023 dated 24th August, 2023

MahaRERA Authority proposed to introduced the Self -Regulatory Organization (SROs) for real estate agents in Maharashtra with the object to bring about greater professionalism amongst real estate agents, to bring about a certain level of consistency in real estate operation of real estate agents, enforcement of a code of conduct and to encourage fair, ethical, efficient and healthy practices.

The legal entity with minimum 500 Members may be registered as SRO with the object to encourage its members to comply with the provisions of the Act, applicable rules, regulations, orders or circulars issued by the MahaRERA, to carry out the awareness and education activities among its members.

The registration of the SRO with the MahaRERA shall make an application in Form-A prescribed by MahaRERA. If the application is found in order, then the SRO shall pay Registration fees of Rs. 10,000/-.

The Registration of SRO shall be valid for a period of 5 years.

V - Establishing of a home buyer / allottee Grievance Redressal Cell

Circular No. 45/2023 dated 24th August, 2023

To address and resolve the issue of the allottee, MahaRERA Authority issued a Circular where in it recommended the promoter to establish home buyer/allottee grievances cell.

The recommendation are as follows:

- a. Home buyer / Allottee Grievance Redressal Cell: Every promoter should endeavour to establish a Home Buyer /Allottee Grievance Redressal Cell that would be responsible for receiving and promptly addressing complaints/ grievances of home buyers / allottees with specific emphasis on resolving such complaints fairly and expeditiously.
- b. Every such Grievance Redressal Cell should have at least one Grievance Redressal Officer, and the name and contact details of such Officer should be made available to home buyers / allottees. MahaRERA suggests uploading of the above information on promoter webpage for convenient access by the home buyers / allottees.
- c. Every promoter shall also make available on promoter webpage the total number of complaints / grievances received and the number of complaints / grievances disposed of as settled.
- d. The above aspect of promoter having established a Grievance Redressal Cell for receiving and promptly addressing complaints / grievances of home buyers / allottees shall be considered by MahaRERA when grading of real estate projects shall be undertaken by MahaRERA.

ORDER NO. 46/2023 DATED 29/05/2023 & ORDER NO. 46A/2023 DATED 25/07/2023

Vide Order no. 46/2023, display of QR Code in Promotions/Advertisements material relating to Real estate Projects Registered with MahaRERA made compulsory with effect from 1st August 2023. Directions issued vide the captioned order are as follows:

- The promoter shall prominently display Quick Response ("QR") code on each and every Project promotion / advertisement published after "1st August 2023".
- The QR code must be published in a manner that is legible, readable, and detectable with software application.
- The QR code must be published besides the MahaRERA Registration Number and the Website Address.
- The mandate as mentioned in Clause (a) above shall apply to the following mediums of promotion / advertisement and in any other medium as may be directed by the Authority.
 - o Advertisements on Newspaper / Magazines / Journals etc.
 - o Printed Flyers / Brochures / Catalogues / Leaflets / Prospectus
 - o Standees on Project Sites / Sales Office
 - o Websites / webpages of Projects
 - o Social Media Advertisements
 - o Any other Advertisements where QR codes can be published.

In continuation with the Order No. 46/2023, MahaRERA issued order No. 46A/2023 dated 25/07/2023 issued with the following directions:

- With effect from 01.08.2023, promoter shall prominently display the QR Code on each and every real estate project promotion / advertisement published in the mediums, in the manner and at the place as more specifically mentioned in MahaRERA Order No.46/2023 dated 29.05.2023.
- Failure to comply with (a) above shall be construed as violation of the directions issued in the above-referred MahaRERA Order and penalty which may extend up to Rs. 50,000/- subject however to a minimum penalty which shall not be less than Rs. 10,000/- under Section 63 of the Act shall be imposed upon promoters for each such violation.

- Upon imposition of the penalty if the promoter fails/ neglects to rectify and remedy the violation / contravention within 10 days shall be construed as a continuous violation of the directions issued in the above-referred MahaRERA Order and appropriate action as deemed fit shall be taken against such promoters under the relevant provisions of the Act.

ORDER NO. 45/2023 DATED 15.05.2023

The captioned order is issued for verification by MahaRERA to ascertain the authenticity/ genuineness of the commencement certificates and occupation certificates submitted by promoters owing to the Government Resolution No. न्याया प्र

- २०२३/प्र. क्र . १३ / नवि - २० विनांक २३ फे ब्रुिरी २०२३. Following directions are issued by way of the captioned order:-

- With effect from 19.06.2023 the commencement certificate submitted by promoters along with their application for registration of real estate projects shall be compared and verified for its authenticity / genuineness with the commencement certificate attached and forwarded to the designated email set apart by MahaRERA. The designated emails set apart by MahaRERA in that regard is annexed herewith as Annexure 'B'.
- Only after the Commencement certificate is confirmed as having been issued by the respective Competent Authority, as the case may be on comparison and verification with the commencement certificate submitted by promoter shall the application submitted for registration of real estate projects be processed further for grant / issuance of MahaRERA project registration certificate subject to promoter complying with the scrutiny remarks if any issued by MahaRERA.
- The above procedure shall be followed by MahaRERA until the respective Competent Authority integrate their website with the website of MahaRERA.
- The timeline prescribed in Clause 6 in MahaRERA Circular No. 6 of 2017 dated 04.07.2017 bearing No. MahaRERA / Secy / File No.27 /113/2017 in the matter of start of the period of 30 days mentioned in Section 5 of the Act shall also apply to the procedure enumerated in clauses (a) and (b) above.
- The procedure mentioned in clause (a) and (b) above shall be followed when promoters submit further commencement certificates and occupation certificates in respect of their real estate projects.