



MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY

महाराष्ट्र स्थावर संपदा नियामक प्राधिकरण

No. MahaRERA/Secy/File No. 27/95/2018

Date:- 29/01/2018

Circular No. 15/2018

Sub: MahaRERA Conciliation & Dispute Resolution Forum

Whereas the Chairperson, MahaRERA is vested with the powers of general superintendence and directions in the conduct of affairs of the authority under section 25 of the Real Estate (Regulation and Development) Act, 2016 (RERA).

Whereas as per Section 32 (g) of the Real Estate (Regulation and Development) Act, 2016, Maharashtra Real Estate Regulatory Authority must take measures to facilitate amicable conciliation of disputes between promoters and the allottees through dispute settlement forums set up by the consumer or promoter associations.

With this objective MahaRERA Conciliation and Dispute Resolution Forum hereinafter referred as 'The Forum' has been formed to facilitate resolution of disputes amicably, thereby saving cost and time of litigation to parties and State. The Forum consists representatives of Mumbai Grahak Panchayat, a leading Consumer body and the promoters' association representatives from CREDAI, MCHI, CREDAI-Pune Metro & NARECO

The objectives of the Forum shall be as follows:

- Constitute/establish panel of eminent Conciliators representing consumers' association and promoters' associations
- To promote and popularize the amicable and effective settlement of disputes arising with reference to Real Estate (Resolution and Development) Act, 2016, under various Alternate Dispute Resolution mechanism.
- To popularize conciliation as an effective dispute resolution mechanism with moderate cost (cost effective) and speedy settlement of commercial disputes.
- To Co-ordinate/assist ADR proceedings by establishing facilities and providing administrating services.

Slum Rehabilitation Authority (SRA) Building,
'A' Wing, Prof. AnantKanekar Road,
Bandra (East), Mumbai 400 051
Tel : 022-26590036

झोपडपट्टी पुनर्वसन प्राधिकरण इमारत,
ए' विंग, प्रो.अनंत काणेकर मार्ग,
वांद्रे (पूर्व), मुंबई ४०० ०५१
दूरध्वनी ०२२-२६५९००३६

MahaRERA Conciliation & Dispute Resolution Forum (The Forum)

The Core Committee has been established to guide and monitor the functioning of the Forum. The Core Committee will be headed by the Secretary, MahaRERA and 2 representatives each of Mumbai Grahak Panchayat, NEREDCO, MCHI and CREDAI. MahaRERA will provide administrative as well as financial support to the Forum.

The Secretary/MahaRERA will be the chairperson and shall have the powers of general superintendence, in addition to presiding over the meetings of the Core Committee and exercise and discharge such administrative powers and functions of the Forum as may be needed from time to time.

Composition of Conciliation Bench

Initially, there will be 10 Conciliation Benches set up for Mumbai Metropolitan Region (MMR) and 5 Benches for Pune Region. Each Bench will have one Conciliator of MGP and one from either NAREDCO or MCHI or CREDAI. NAREDCO, MCHI & CREDAI have agreed to forego any honorarium from the Forum. Conciliators from MGP will be given an honorarium of Rs.5000/- per case heard by them.

Location of the Benches

In Mumbai Metropolitan Region, the Conciliation Benches will be functional, for time being, from offices of MahaRERA (Bandra - East) (only on Saturdays), MGP's Grahak Bhavan at JVPD Scheme, Vile Parle (West); NAREDCO office in Powai & Thane (West), MCHI & NAREDCO offices in Churchgate and Thane (West). In Pune, Conciliation Benches will operate from MahaRERA office located in Aundh, Pune.

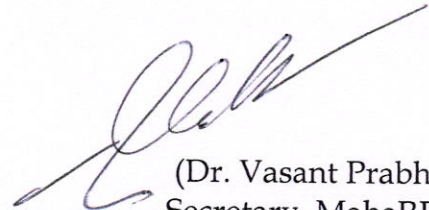
Procedure for Conciliation

Only Disputes between promoters and allottees which are under purview of Real Estate (Development and Regulation) Act, 2016, Rules and Regulations made thereunder shall be admissible by the Forum.

- The Party initiating the Conciliation will file his/her on-line application and the same will be automatically emailed to the other side party.
- The other side party has to convey his consent for Conciliation within 7 days.

- On receipt of the consent from the other side party, the first party shall make payment of Fees (Rs. 1000/- plus GST).
- Thereafter, the matter will be referred to the appropriate Conciliation Bench and the Parties will be intimated the Date, Time and Venue of the Hearing.
- Both parties are expected to be present in person or through their authorized representatives.
- Both the Conciliators will facilitate resolution of dispute between the parties in an informal and amicable manner.
- If the parties agree to any settlement, the Consent Agreement will be drawn, which will be signed by the Parties concerned and the Conciliators.
- The settlement agreement arrived with the consensus of the parties shall be binding on both the parties. If compliance to the settlement order is not done, due cognizance of the non-compliance will be taken into account in the future proceedings of MahaRERA, if the aggrieved parties approaches MahaRERA.
- In case, the Parties fail to reach an amicable settlement, the Conciliation process will stand terminated and the Parties concerned will be at liberty to pursue their dispute before MahaRERA Dispute Redressal mechanism or before any other Court or forum.
- The online application for applying in the Conciliation Forum will commence from **1st February 2018**.

As approved by the Authority



(Dr. Vasant Prabhu)
Secretary, MahaRERA