



MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY

महाराष्ट्र स्थावर संपदा नियामक प्राधिकरण

Date : 28/07/2021

Order No. 20/2021

MahaRERA/Secy/File No. 27 / 150/2021

Sub: Execution of registered conveyance deed of a real estate project.

Whereas, under Section 25 of the Real Estate (Regulation and Development) Act, 2016 (the Act), the Authority (MahaRERA) is duly empowered to issue directions for the purpose of discharging its functions under the provisions of the Act, the Rules or Regulations made thereunder

And whereas, under Section 11 of the Act a promoter upon receiving Login Id and password under clause (a) of sub-section (1) or under sub-section (2) of Section 5, as the case may be, create a web page on the website of the Authority and enter all details of the proposed project as provided under sub-section (2) of Section 4 of the Act in all the fields as provided for public viewing, as more specifically set out in the said Section.

And whereas, sub-rule (2) of Rule 3 of the Maharashtra Real Estate (Regulation and Development) (Registration of real estate projects, Registration of real estate agents, Rates of interest and Disclosures on website) Rules, 2017 (the Rules), mandates a promoter to furnish the information and documents as more specifically set out therein, which the promoter has to submit without prejudice to the provisions of sub-rule (1) of Rule 3 of the Rules.

And whereas, clause (i) of sub-rule (2) of Rule 3 of the Rules inter alia provides that a promoter shall also furnish such other information and documents as may be required by the Authority under these rules or the regulations.

And whereas, in the matter of transfer of title, as per the mandate as contained in Section 17 of the Act as well as sub-rule 2 of Rule 9 of the Rules, promoter has to execute a registered conveyance deed in respect of the real estate project within a period of 3 months from the date of issue of the occupancy certificate.

MAHARERA HEADQUARTERS

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महारेरा मुख्यालय

हाऊसफिन भवन प्लॉट नं. सी-२१ ई-ब्लॉक, वॉट्रे- कुर्ला कॉम्प्लेक्स, वॉट्रे (पूर्व), मुंबई - ४०० ०५१.

फोन नं.: ०२२ - ६८ १११ ६०० • ई मेल : helpdesk@maharera.mahaonline.gov.in

And whereas, MahaRERA by and under its Resolution No 2/4/2017 dated 20.06.2017 published on its website as Order No. 4 on 27.07.2017 has clarified that Agreement for Sale executed between promoters and allottees post 1st May, 2017 shall be governed by Section 17 of the Act and the registered conveyance deed in respect of such real estate project should be executed within 3 months from the date of issue of occupancy certificate.

In view of the above, every promoter henceforth shall: -

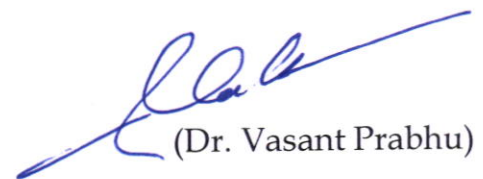
- (a) Submit quarterly up-to-date status report regarding steps initiated by the promoter for execution of the registered conveyance deed. Such up-to-date status firstly shall be submitted along with the quarterly up-to-date status of the project, that the promoter shall be submitting immediately after application for obtaining occupancy certificate is submitted to the Competent Authority.
- (b) Execute the registered conveyance deed as per mandate of Section 17 of the Act, within three months from the date of receipt of the occupancy certificate.

Failure on the part of the promoter to submit quarterly up-to-date status report as aforesaid as well as non-execution of the registered conveyance deed in terms of mandate contained in Section 17 of the Act shall be considered as violation of provisions of the Act, Rules and Regulations made thereunder and further action in terms of the provisions of the Act shall be taken as against the promoter.

The above directions shall come into effect from the date of this order.

All concerned shall adhere and comply with the above directions.

(As approved by order of the Authority)



(Dr. Vasant Prabhu)

Secretary, MahaRERA