



# MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY

## महाराष्ट्र स्थावर संपदा नियामक प्राधिकरण

Date : 28/03/2022

Circular No. 41/2022

No. MahaRERA/Secy/File No. 27/ 88 /2022

**Sub: - In the matter of new modified version for filing Online Complaints.**

Whereas, Government of India has enacted the Real Estate (Regulation and Development) Act, 2016 (the Act) and all sections of the Act have come into force with effect from 01.05.2017.

And whereas, the Government of Maharashtra vide Notification No. 23 dated 08.03.2017 has established the Maharashtra Real Estate Regulatory Authority (MahaRERA).

And whereas, the Government of Maharashtra has also notified the Maharashtra Real Estate (Regulation and Development) (Recovery of Interest, Penalty, Compensation, Fine Payable, Forms of Complaint and Appeal etc) Rules, 2017 (the Rules) for carrying out the provisions of the Act.

And whereas, the Authority has notified the Maharashtra Real Estate Regulatory Authority (General) Regulations, 2017 (the Regulations) to carry out the purposes of the Act.

And whereas, the Chairperson MahaRERA is vested with the powers of general superintendence and directions in the conduct of the affairs of MahaRERA under Section 25 of the Act.

And whereas, under Section 31 of the Act, any aggrieved person may file a complaint with the Authority or the Adjudicating Officer, as the case may be, for any violation or contravention of the provisions of the Act or the Rules and Regulations made thereunder against any promoters, allottee or real estate agent as the case may be.

And whereas, Section 56 of the Act enables the complainant to appear and plead his/her/its case in person or authorize one or more chartered accountants or company secretaries or cost accountants or legal practitioners or any of its officers (hereinafter referred to as "the authorized representatives") to present his/her/their case before the Authority or the Adjudicating Officer, as the case may be.

### **MAHARERA HEADQUARTERS**

Housefin Bhavan, Plot No. C - 21, E - Block, Bandra Kurla Complex, Bandra (E), Mumbai 400051

Tel. No.: 022 68 111 600 • E mail : helpdesk@maharera.mahaonline.gov.in

### **महारेरा मुख्यालय**

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

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

And whereas, the 1<sup>st</sup> proviso of Regulation 26 of the Regulations mandates that the authorized representative appearing on behalf of any person in any proceeding before the Authority shall file a "Memorandum of Authorisation" in Form 6 as provided in the Regulations.

And whereas, Rule 6 of the Rules and the proviso thereunder details the manner of filing of complaints, manner of holding an enquiry by MahaRERA and the provision for filing of complaints web-based.

And whereas, <https://maharera.mahaonline.gov.in> is the login page of MahaRERA portal which has to be accessed for the purpose of filing complaints online.

And whereas, based on inputs received from various stakeholders and experience of MahaRERA over the years it has been noticed that in the present system of filing online complaints, the authorized representatives of the complainants while writing the complaints give their personal user name/login id/email id and password, resulting in complainants not having any access to their complaints as well as not having any information about the status of their complaints, unless such access/ information is passed on to them by their authorized representatives.

And whereas, the above on numerous occasions results in complainants requesting MahaRERA to permit them to change the login ID and password of their complaints, creating serious administrative issues.

And whereas, in order to ensure that the above stated issues do not arise, MahaRERA proposes to implement a new modified version for filing online complaints (hereinafter referred to as "the new modified version").

The salient features of the new modified version shall be as under.

- A. The new modified version, shall now ask the complainants while creating a new registration for "Complainant Name", "Complainant Middle Name", "Complainant Last Name", "Complainant Mobile Number" and "Complainant Email ID" in addition to such other details. It shall be noted that once the above mentioned data is entered, the system shall freeze and lock the said data which shall then be automatically captured as complainants proceed further to create their respective profile as well as while writing/ filing complaints.*
- B. Further in the new modified version an exclusive field has been created namely "Advocate Contact details if any" wherein*