



MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY

महाराष्ट्र स्थावर संपदा नियामक प्राधिकरण

Date : 29/10/2021

Order No: - 26 /2021

No. MahaRERA / Secy / File No. 27 /234/2021

Subject: Report From CERSAI

Whereas Ministry of Finance notified the establishment of the Central Registry Securitisation Asset Reconstruction and Security Interest of India (CERSAI), a Government Company, incorporated for the purpose of operating and maintaining the Central Registry under the provisions of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (SARFAESI Act). The objective of setting up of Central Registry is to prevent frauds in loan cases involving multiple lending from different banks on the same immovable property.

Whereas Government of India has subsequently issued a Gazette Notification dated January 22, 2016 for filing of the following types of security interest on the CERSAI portal:

- Particulars of creation, modification or satisfaction of security interest in immovable property by mortgage other than mortgage by deposit of title deeds.
- Particulars of creation, modification or satisfaction of security interest in hypothecation of plant and machinery, stocks, debts including book debts or receivables, whether existing or future.
- Particulars of creation, modification or satisfaction of security interest in intangible assets, being know how, patent, copyright, trademark, licence, franchise or any other business or commercial right of similar nature.
- Particulars of creation, modification or satisfaction of security interest in any 'under construction' residential or commercial or a part thereof by an agreement or instrument other than mortgage.

Whereas, CERSAI had started registration of the data in respect of paragraphs (a) to (c) above, for the security interests created on or after January 22, 2016, w.e.f. May 25, 2016 for Scheduled Commercial Banks and w.e.f. July 1, 2016 for all other entities registered with them. Further, the registration of data in respect of paragraph (d) above has commenced since June 8, 2017 for all banks and FIs registered with CERSAI. Meanwhile, the banks/ FIs have also started registering the security interests created before January 22, 2016 (subsisting records).

Whereas, Homebuyers / Allottees should be aware of such security interests created on real estate Projects / Apartments, which homebuyer is interested in purchasing.

Therefore, the promoters shall:

- During Project Registration, Submit Report from CERSAI on security interests created in the Real Estate Project (Available on CERSAI website at www.cersai.org.in) along with the encumbrances certificate. In case no security interest has been created then the Promoter shall provide an undertaking confirming the same.
- Further, as and when there are any changes, Promoter shall submit updated CERSAI Reports on Security Interests created on Real Estate Project by the Promoter.

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

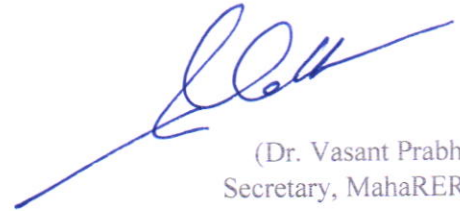
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- The CERSAI reports submitted should be generated within 10 days before the date of submission.

Amended pursuant to the directions issued by the Authority in its meeting held on 08th October 2021. Accordingly, Order No. 19/2021 dated 28th July 2021 stands amended with this order.

This order shall come into effect immediately.

(As Approved by Authority)



(Dr. Vasant Prabhu)
Secretary, MahaRERA