



MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY

महाराष्ट्र स्थावर संपदा नियामक प्राधिकरण

Order No. 40 A/2023

No.: MahaRERA/Secy/File No. 27/854/2023

Date: 15.05.2023

Subject: Supplementary Order

Reference: MahaRERA Order No. 40/2022 dated 27.12.2022 bearing No.
MahaRERA/Secy/File No. 27/853/2022.

By the above-referred Order, the procedure that promoters have to comply in the event such promoters are not able to comply with the directions issued under Order No.7 of 2019 dated 08.02.2019 was stated. However, the documents to be submitted by promoters while complying with the procedure stated in Order No.40/2022 dated 27.12.2022 shall be as stated in Annexure 'A' annexed hereto. Annexure 'A' shall be deemed to be part and parcel of Order No. 40/2022 dated 27.12.2022 as if the same was incorporated therein and annexed thereto.

This Order shall come in to force with effect from 27.12.2022 and the same shall be read along with MahaRERA Order No. 40/2022 dated 27.12.2022 bearing No. MahaRERA / Secy/File No. 27/ 853/ 2022.

(As approved by the Authority)

Mohun Rao

(Mohun Rao)

Secretary (Ic)/ MahaRERA

MAHARERA HEADQUARTERS

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महारेरा मुख्यालय

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दूरध्वनी. क्रमांक. ०२२-६८१११६०० ई-मेल: helpdesk@maharera.mahaonline.gov.in

Annexure- 'A'

Subject: Extension of validity of the project registration under Section 7(3) of the Real Estate (Regulation and Development) Act, 2016.

Reference: MahaRERA Order No. 40/2022 dated 27.12.2022.

In order to ensure completion of the real estate project is achieved so that interest of the allottees are protected, application for extension of validity shall be made in Form 'E' as provided in Rule 7(1) of the Rules.

If promoters are not able to comply with Order No. 7 of 2019 dated 08.02.2019, then promoters shall upload the following documents so as to process the application for extension of validity of the project registration on merits:

- 1) The consents as may have been obtained from the allottees shall be submitted in Format-B as per Circular No. 28 of 2021 dated 08.03.2021.
- 2) Promoters shall on their letterhead submit the following:
 - i) The reasons in detail why the required percentage of consents from the allottees could not be obtained as well as list the efforts taken by them for obtaining the same.
 - ii) The reasons why the application for extension should be considered without the required 51% consent from allottees.
 - iii) An explanatory note setting out the grounds and reasons for delay in completion of the real estate project, the need for grant of extension along with supporting documents and PERT Chart/ planning details describing how the balance project work shall be completed.
 - iv) Shall provide the list of complaints filed before MahaRERA or before any Court of Law, Tribunal, Forums, NCLT along with details and orders passed therein.
- 3) The promoter shall submit a Notarized Declaration, declaring the following:
 - a) That the grant of extension of the project validity shall not affect/ jeopardize the rights accrued in favour of the allottees who have booked their plot, or unit or apartment or building in the said project for which extension of project validity is sought.
 - b) That the promoter shall be bound by the terms and conditions as may be imposed by the Authority in the interest of the allottees.
 - c) That the decision of the Authority shall be final and binding upon the promoter.
- 4) Update the project details on project webpage such as - Recent Sold/Booked Inventory, Form -1, 2, 2A, 3 and 5 with dated signatures on letterhead of respective professionals and signature of promoter as agreed and accepted, total booked units, task and activity, parking, Format-D etc.