

LEGAL ALERT

IMPLICATIONS OF NON REGISTRATION UNDER RERA

Through **Order Case No.4 of 2017, dated 8th September, 2017** the Maharashtra Real Estate Regulatory Authority has passed an order apropos Online Applications received after 16th August 2017 for Registration of Ongoing Projects.

Synopsis of the Order

1. The Maharashtra Real Estate Regulatory fixed the amount of penalty for non-registration of on-going projects based on the date of receipt of application for registration.
2. Below is the table explaining the amount of penalty vis-à-vis the date of application for RERA Registration.

Date of Application for RERA Registration	Amount of Penalty
Before 1st August 2017	No Penalty
1st August 2017 to 2nd August 2017	Rs. 50,000
3rd August 2017 to 5 P.M. of 16th August 2017	Rs. 1,00,000 or amount equal to the RERA Registration Fee; whichever is more
17th August 2017 to 5 P.M. of 31st August 2017	Rs. 2,00,000 or Double of the amount equal to RERA Registration Fee; whichever is more; subject to a ceiling of Rs. 10,00,000
1st September to 5 P.M. of 30th September 2017	Rs. 2,00,000 or Double of the amount equal to RERA Registration Fee; whichever is more; subject to a ceiling of Rs. 10,00,000
Post 5 P.M. of 30th September 2017	10% of the Total Estimate Cost of the Real Estate Project

SPCM's Comments

- State of Maharashtra has been very successful in implementing RERA in the state and is the highest RERA Compliant State in India.
- The MahaRERA Authority has shown leniency towards On-Going Projects keeping the Spirit of the Statute in mind and has taken the above decision towards penalty for non-registration.
- The MahaRERA Authority has been very active and responsive in the implementation of RERA in the state, however, there are various issues in the CA certification regulations which we would be addressing the Authority soon.

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