

## **I - Extension of Due date for Submission of Form-5 for FY 2020-21**

Order-25/2021 dated 18.10.2021

MahaRERA has extended the last date, for the submission of Form 5 for Financial year 2020-21, from 30th September 2021 to 31st December 2021.

## **II - Functioning of MahaRERA Conciliation and Dispute Resolution Forum**

Circular No. 38/2021 dated 08.11.2021

As per Circular No. dated 31/2021 MahaRERA has prescribed the time line to conduct the hearing after the matter is transferred to the Conciliation Form, however it observed that after the first hearing the complaint proceeding take long time therefore for speedy disposal of the complaint following procedure is prescribed by the MaharERA by issuing the Circular No. 38/2021 dated 08.11.2021

- a. Once the first hearing is conducted before the conciliation bench, the hearing in the complaint shall be conducted with in 60 days from the date of hearing.
- b. If during the course of proceeding if it is felt that, settlement will not be happen than such complaint should be closed and referred back to MhaRERA Authority within 60 Days
- c. If there is a chance of the settlement than such complaint can be proceed beyond the 60 days as prescribed above however, the intimation to Secretary MahaRERA is to be made. Further, such complaint to be decided with the time limit 0 days from the expiry of such 60 days.

## **GujRERA Updates**

### **RECENT CIRCULARS/ORDERS ISSUED BY GUJRERA**

#### **I- One Time - Voluntary Compliance Scheme-2021**

In exercise of its powers conferred under sections 34 of the RERA Act, 2016, Gujarat RERA has decided to re-introduce a One Time "Voluntary Compliance Scheme" (VCS-2021) as follows:

- a. The scheme will come into force from 10.11.2021 and will remain in force till 31.12.2021
- b. Applicability: This scheme is applicable to all defaulting promoters. A defaulting promoter is permitted to file his QPRs due for filing up to 09.11.2021, in accordance with the provisions of this Scheme.
- c. The processing fees for availing VCS-2021 is as below

SN	Project Cost	Processing Fees
a	Less than 25 crores	Rs.25,000/
b	25 crores to 50 crores	Rs.50,000/
c	50 crores to 100 crores	Rs.1,00,000/-
d	Above 100 crore	Rs.1,50,000/-

- d. There will not be any further prosecution of the defaulting promoter u/s 61, 63 of the Act, after fling his QPR under this scheme, for the period up to 08.11.2021

- e. This Scheme shall not apply to the filing of compliances other than the overdue Quarterly Progress Report.
- f. The Secretary shall withdraw the prosecution(s) pending if any before the Authority for all QPRs filed under the scheme.
- g. Scheme will not apply for those projects for which order has already been passed or hearing done for NCQR cases by Authority.

## II- Project Completion Compliance

GujRERA/Order-57- dated 10.11.2021

GujRERA has issued the order no. 57 dated 10.11.2021 in respect of the project end compliance, this order is issued to ensure that order no 30 dated 27.09.2019 is being complied by all the promoter.

The order no 30 dated 27.09.2019 require that promoter has to submit the following documents at the time of filing the QE compliance.

- a. Declaration in the form of affidavit for completion of the project
- b. Architect Certificate i.e. Form-4
- c. Building Use Permission
- d. Society registration certificate
- e. All NOC

Now with the order 57 dated 10.11.2021, The GujRERA has given the direction to comply the order no 30 dated 27.09.2019 is as follows:

Situation-1	Situation-3	Situation-3
BU permission not received	BU permission not received	BU permission received
Society registration certificate not received	Society registration certificate not received	Society registration certificate received
Project completion compliance (QE) filed before September-2019	Project completion compliance (QE) filed after September-2019	Project completion compliance (QE) not filed
<b>Action to be taken</b>		
upload the documents as per order no. 30 dated 27.09.2019	Upload the documents as per order no. 30 dated 27.09.2019	Upload the documents as per order no. 30 dated 27.09.2019
UNo processing fees is to be paid	Processing fees to be paid on the basis of cost of the project	Processing fees to be paid on the basis of cost of the project
No time line	No time line	By 31.12.2021