

Highlights:**RERA BRIEF**

- *Public Notice issued by Bihar RERA on 5.10.2021 regarding hearing of cases in a hybrid mode*
- *Circular issued by Haryana RERA Panchkula on 6.10.2021 to clarify its policy regarding information or documents received through email.*
- *Order issued by Rajasthan RERA on 14.10.2021 regarding the extension of QPRs for July-September 2021.*
- *Order issued by Maha RERA on 18.10.2021 regarding extension of timelines for submission of form 5.*
- *Public Notice issued by Kerala RERA on 27.10.2021 extending the time period for uploading form 5.*
- *Public Notice issued by Bihar RERA on 29.10.2021 regarding extension of projects.*
- *Order issued by Maha RERA on 29.10.2021 regarding submission of Report from CERSAI.*

RERA Brief

- **Public Notice issued by Bihar RERA regarding hearing of cases**

Bihar RERA, vide its notice dated 5.10.21, notified that from 25.10.2021, different Benches of the authority will hear all cases in a hybrid mode, i.e. the allottees and their counsel will have an option to join either physically or virtually.

- **Circular issued by Haryana RERA Panchkula to clarify its policy regarding information or documents received through email.**

Haryana RERA, vide its circular dated 6.10.2021 stated the following:

- The parties to the suit are supposed to file four copies of the relevant documents (complaint, application, reply, affidavit, etc.). Additionally, an advance copy of the complaint/reply is required to be supplied to the other party.
- Hard copies as opposed to the emails of the miscellaneous application, rejoinder, affidavit and other submissions must be submitted at least 7 (seven) days before the hearing date, so that all the requisite documents can be provided to each member of the Bench at least 1 (one) day prior to the hearing.
- Further, any additional documents must be submitted by way of hard copy only.
- A copy of all such documents must be provided to the opposite party and an endorsement for the same shall be recorded on these documents.
- No documents received via email or soft copy shall be accepted by the Authority.

- **Order issued by Rajasthan RERA regarding the extension of Quarterly Progress Report (QPR) for July-September 2021 for Registered Real Estate Projects**

Rajasthan RERA, vide a notification dated 14.10.2021, extended the last date of uploading of QPRs from 30.09.2021 to 29.10.2021, without the need to pay any delay processing charges or penalty. However, any delay beyond the abovementioned date would lead to a levy of penalty which may extend up to 5% (five percent) of the estimated cost of the real estate project, along with delay processing charges.

- **Order issued by Maharashtra RERA regarding the extension of timelines for submission of form 5**

As per Maha RERA Act, the annual report on statement of accounts in form-5 is required to be uploaded by a promoter within 6 (six) from the completion of every financial year. Maha RERA, vide its order dated 18.10.2021, declared that the deadline for submission of the annual report on statement of accounts in form-5 has been extended from 30.09.21 to 31.12.21 for all projects registered under Maha RERA that are mandated to submit the said form.

- **Public Notice issued by Kerala RERA extending the time period for uploading form 5**

As per Kerala RERA (general) regulations 2020, the annual report on statement of accounts in form-5 is required to be uploaded by a promoter on or before 31st October of every year. Kerala RERA, vide a notice dated 27.10.2021, took into account the grievances raised by promoters on account of the pandemic and extended the time period for such form-5 from 31.10.2021 to 31.12.2021.

- **Public Notice issued by Bihar RERA regarding extension of projects**

Bihar RERA, vide its notice dated 29.10.2021 notified that:

- An extension for a period of 3 (three) months of registration of projects may be permitted where the validity of a plan/ map has expired/ about to expire upon the provision of such map/ plan for revalidation by such promoter and upon obtaining the approval by the competent authority, failure to do so would result in suspension of the registration.
- In the absence of an enabling legislation, the extension of registration of projects falling outside planning areas would be considered only post vetting of the plan/map for revalidation/re-approval, by a team consisting of a certified architect, empanelled Structural Engineer and empanelled Civil Engineer.
- Relaxation shall be allowed for the registration of the projects in which the registered deed of conveyance has been executed before 2017 and the registration of allottees is not being done on the ground that the ongoing project is not registered under RERA.

- **Order issued by Maharashtra RERA regarding submission of Report from CERSAI**

Maha RERA, vide its order dated 29.10.2021, amended an order dated 28.07.2021 and mandated the following:

- During Registration of projects, a report from CERSAI on security interests created in the Real Estate project is required to be submitted, in addition to the encumbrances certificate. If no security interest has been created, then the promoter shall furnish an undertaking affirming the same.
- Promoter shall submit revised CERSAI Reports on Security Interests created on the project by the promoter, whenever there are any changes.
- The generation of CERSAI reports must take place within 10 (ten) days prior to the submission of the same.

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