



MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY

महाराष्ट्र स्थावर संपदा नियामक प्राधिकरण

Order No. 50 /2024

No. MahaRERA / Secy / File no.27 /21 /2024

Date: 10/01/2024

- Subject:** 1. Double / multiple registration of real estate project on the same project land or part thereof not to be permitted / allowed.
2. Submission by promoters of a Declaration-cum-Undertaking along with the application for registration of their real estate project.

Whereas, Government of India has enacted the Real Estate (Regulation and Development) Act,2016 (the Act) and all sections of the Act have come into force with effect from 01.05.2017.

And whereas, the Government of Maharashtra vide Notification No. 23 dated 08.03.2017 has established the Maharashtra Real Estate Regulatory Authority, hereinafter referred to as "MahaRERA" or as "the Authority".

And whereas, the Government of Maharashtra has notified the Maharashtra Real Estate (Regulation and Development) (Registration of Real Estate Projects, Registration of Real Estate Agents, Rates of Interest and Disclosures on Website) Rules,2017 (the Rules) for carrying out the provisions of the Act.

And whereas, the Authority has notified the Maharashtra Real Estate Regulatory Authority (General) Regulations, 2017 (the Regulations) to carry out the purposes of the Act.

And whereas, the Authority under Section 37 of the Act, and Regulation 38 of the Regulations is vested with the powers to issue directions to the promoters, real estate agents and allottees from time to time as it may consider necessary.

MAHARERA HEADQUARTERS

Housefin Bhavan, Plot No.C-21, E-Block, Bandra-Kurla-Complex, Bandra (E), Mumbai 400051

Tel. No. 022-68111600 • E mail : helpdesk@maharera.mahaonline.gov.in

महारेरा मुख्यालय

हाउसफिन भवन, प्लॉट नं. सी-21, ई ब्लॉक, वांद्रे-कुर्ला-कॉम्प्लेक्स, वांद्रे (पूर्व), मुंबई - ४०००५१.

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

And whereas, the Chairperson, MahaRERA is vested with the powers of general superintendence and directions in the conduct of the affairs of MahaRERA under Section 25 of the Act.

And whereas, Section 4 (2) (m) of the Act empowers the Authority to call upon promoters to submit such other information and documents along with the application for registration of their real estate project.

And whereas, it is noticed by the Authority, that promoters apply for registration of their real estate project to be executed on a particular project land even when there is a subsisting pending application submitted for registration of a real estate project by whatever name called to be executed on the very same project land / part thereof or when there already exists a real estate project by whatever name called registered with MahaRERA being executed on the very same project land / part thereof.

And whereas, the aforesaid conduct of promoters is in conflict with the objectives of the Act as well as in violation / contravention of the provisions of the Act.

In view of the above the following directions are issued: -

- 1) **While applying for registration of a real estate project, promoters shall upload a Declaration-cum-Undertaking on the Letterhead of the promoter in the format Annexure A annexed hereto;**
 - a) **In case of standalone building / buildings for which MahaRERA registration is sought under single project registration number, declaring and undertaking as follows;**

that on the date of submission of the application for registration of their real estate project to be undertaken on land bearing CS No(s) _____ / CTS No(s) _____ / Final Plot No(s) _____ / Survey No(s) _____, Hissa No(s) _____ / Gat No(s) _____ / Khasra No(s) _____ / Plot No(s) _____ lying and being at _____, Village _____,

Taluka _____, District _____ admeasuring _____ sq. mtrs hereinafter referred to as the "project land" there is / are no subsisting pending application submitted for registration of real estate project(s) by whatever name called to be undertaken on the very same project land / part thereof or there is / are no real estate project(s) by whatever name called, registered with MahaRERA being executed on the project land / part thereof.

OR

- a) In case of layout development where MahaRERA registration is sought for respective building(s) under different project registration numbers declaring and undertaking as follows;

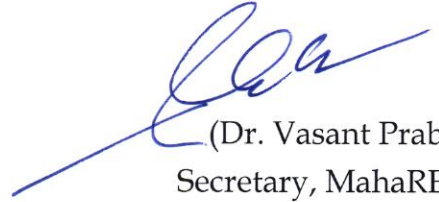
that on the date of submission of their application for registration of their real estate project to be undertaken on land bearing CS No(s) _____ / CTS No(s) _____ / Final Plot No(s) _____ / Survey No(s) _____, Hissa No(s) _____ / Gat No(s) _____ / Khasra No(s) _____ / Plot No(s) _____ lying and being at _____, Village _____, Taluka _____, District _____ admeasuring _____ sq. mtrs hereinafter referred to as the "project land" there is are no subsisting pending application submitted for registration of real estate project(s) by whatever name called to be undertaken on the very same project land / part thereof or there is / are no real estate project(s) by whatever name called, registered with MahaRERA being executed on the project land / part thereof and that the plans as approved by the Competent Authority in respect of the real estate project for which the application is submitted for registration does not amend / modify / delete /alter, the common / special amenities such as recreation / playground, parking, internal road(s), club house, gymnasium swimming pool, play area (list not exhaustive) as the case may

be provided to the real estate projects in the layout already registered / to be registered with MahaRERA as well as the public amenities such as amenity plot, built up amenity, other public reservation (list not exhaustive) as the case may be as approved by the Competent Authority / Government of Maharashtra.

- 2) In the event it comes to the notice of the Authority that wrong / false / misleading statements are made in the Declaration-Cum-Undertaking submitted by promoters, action as deemed fit and proper shall be taken by the Authority against such promoters.

This order shall come into force with immediate effect.

(As approved by the Authority)



(Dr. Vasant Prabhu)
Secretary, MahaRERA

ANNEXURE 'A'
Declaration-Cum-Undertaking

I _____ name of deponent _____ adult, Indian inhabitant, the Proprietor / Partner / Designated Partner / Director / Karta / Chairman / President / Secretary / Treasurer / Trustee of the Proprietary Concern / Partnership Firm / LLP / Company / HUF / Society / Trust / Association of Persons / Body of Individuals having my office at _____ address _____ do hereby on solemn affirmation state, declare and undertake as under:

1) I say and declare that I, as promoter have applied for registration of my real estate project, _____ project name _____ with MahaRERA vide application dated _____ date of application _____.

OR

1) I say and declare that I, being the proprietor of the proprietary concern _____ name of the proprietary concern _____, have applied on behalf of promoter, ie the said proprietary concern, _____ name of the proprietary concern _____ for registration of the real estate project, _____ project name _____ with MahaRERA vide application dated _____ date of application _____.

OR

1) I say and declare that I being the _____ designation _____ and authorized signatory of _____ name of the legal entity _____, have applied on behalf of promoter, ie the said legal entity, _____ name of the legal entity _____ for registration of the real estate project, _____ project name _____ with MahaRERA vide application dated _____ date of application _____.

2) I say and declare that the application for registration of the real estate project named _____ project name _____ is to be undertaken on land bearing CS No(s) _____ / CTS No(s) _____ / Final Plot No(s) _____ / Survey No(s) _____, Hissa No(s) _____ / Gat No(s) _____ / Khasra No(s) _____ / Plot No(s) _____ lying and being at _____, Village _____, Taluka _____, District _____ admeasuring _____ sq. mtrs hereinafter referred to as the "project land".

Note: The clause below shall be applicable for real estate projects which are standalone building / buildings for which MahaRERA registration is sought under single project registration number.

3) I say, declare and undertake that as on the date of submission of my / our application dated _____ date of application _____, for registration of the real estate project, _____ project name _____, there is / are no subsisting pending application submitted

to MahaRERA for registration of real estate project(s) by whatever name called to be undertaken on the project land / part thereof or there is / are no real estate project(s) by whatever name called, registered with MahaRERA being executed on the project land / part thereof.

OR

Note: The clause below shall be applicable for real estate projects in layout development where MahaRERA registration is sought for respective building(s) under different project registration numbers.

3) I say, declare and undertake that as on the date of submission of my / our application dated _____, for registration of the real estate project, _____, there is / are no subsisting pending application submitted to MahaRERA for registration of real estate project(s) by whatever name called to be undertaken on the project land / part thereof or there is / are no real estate project(s) by whatever name called, registered with MahaRERA being executed on the project land / part thereof and that the plans as approved by the Competent Authority in respect of the real estate project, _____ for which the application is submitted for registration does not amend / modify / delete / alter, the common / special amenities such as recreation / playground, parking, internal road(s), club house, gymnasium, swimming pool, play area (list not exhaustive) as the case may be, provided to the real estate projects in the layout already registered / to be registered with MahaRERA as well as the public amenities such as amenity plot, built up amenity, other public reservations (list not exhaustive) as the case may be, as approved by the Competent Authority / Government of Maharashtra.

4) I solemnly state, declare and undertake that the contents of this Declaration-cum-Undertaking are true, correct and binding upon me, the promoter of the real estate project, _____.

OR

4) I solemnly state, declare and undertake that the contents of this Declaration-cum-Undertaking are true, correct and binding upon me, as well as the promoter _____ of the real estate project, _____.

Date

Rubber Stamp / Seal
Signature of promoter / authorized signatory