



# MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY

## महाराष्ट्र स्थावर संपदा नियामक प्राधिकरण

No. MahaRERA /Secy / File No. 27 /1004

Date: 11<sup>th</sup> October, 2019

### **Circular No: 25/2019**

Subject: Clarification regarding Registration of Agreement for Sale / Sale Deed for Real Estate Projects

Whereas in accordance with the provision of section 25 of the RERA Act, the Chairperson shall have powers of general superintendence and directions in conduct of the affairs of the MahaRERA.

Whereas Revenue and Forest Department, Government of Maharashtra issued a GR No: मुद्रांक -2017 / 2453 / प्र. क्र. 410 / म - 1 (धोरण) dated 20 September 2019 regarding registration of Agreement for Sale / Sale deed of Real Estate Projects in Maharashtra.

Whereas, the said GR states that registration of Agreement for Sale / Sale Deed of any apartments will be done only if the project is registered or excluded from registration under Real Estate (Regulation and Development) Act 2016.

Whereas several complaints/ inquires have been received in MahaRERA from the buyers and promoters/ Developers thereby expressing their difficulties faced by them in registration of Agreement for Sale/ Sale Deed for Real Estate Projects.

It is therefore necessary to clarify that the following transactions / projects do not require MahaRERA Project Registration for Agreement for Sale / Sale Deed Registration:

### **I. Real Estate Projects that are excluded from MahaRERA Registration**

1. Real Estate Projects where the area of land proposed to be developed is less than or equal to five hundred square meters.
2. Real Estate Projects where number of apartments proposed to be developed is less than or equal to eight apartments.
3. Real Estate Projects where Promoter has received Completion certificate / Occupancy certificate / N/A (incase of plotted development) from Competent Authority, any time before Agreement for Sale / Sale Deed Registration.

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झोपडपट्टी पुनर्वसन प्राधिकरण इमारत,  
'ए' विंग, प्रो.अनंत काणेकर मार्ग,  
वांद्रे (पूर्व), मुंबई ४०० ०५१

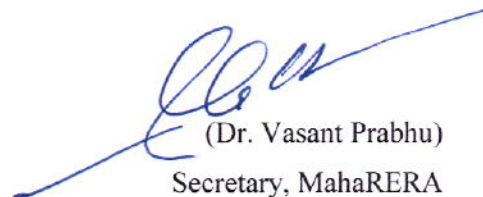
4. Redevelopment Projects which do not involve marketing, advertising, selling or new allotment of any apartment, plot or building, as the case may be, under the real estate project. In such projects, the promoter executes Permanent Alternative Accommodation Agreement with the existing tenants / slum dwellers / members of society, for which MahaRERA Registration is not required.
5. Any other project, where MahaRERA has already decided through ruling, that the project doesn't require registration.

In any of the above mentioned transactions / projects, MahaRERA Registration will not be required for registration of Agreement for Sale / Sale Deed.

## **II. Real Estate Projects that are registered under MahaRERA**

Further, there are real estate projects, which were registered with MahaRERA and are complete as per Real Estate (Regulation and Development) Act 2016 and Rules, Regulations, Orders and Circulars made thereunder. Such projects have received Occupancy Certificate / Completion Certificate / N/A (in case of plotted development) / have uploaded Form 4, which is visible on the MahaRERA website. For such projects', incase MahaRERA Registration duration has ended, then they do not need to extend their MahaRERA Registration for sale of apartments / plots.

As approved by Authority

  
(Dr. Vasant Prabhu)  
Secretary, MahaRERA