



# MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY

## महाराष्ट्र स्थावर संपदा नियामक प्राधिकरण

No. MahaRERA/Secy./File No.27/ 692 /2018

Date: 17<sup>th</sup> July, 2018

### MahaRERA Circular No: 18 / 2018

Subject: Standard Operating Procedure (SOP) for handling complaints

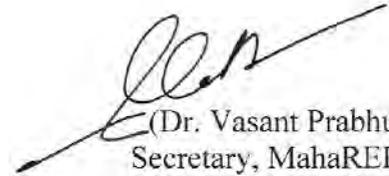
Whereas Maharashtra Real Estate Regulatory Authority (MahaRERA) had issued Circular No: 09/2017 dated 24<sup>th</sup> July 2017, laying down SOP for handling complaints against registered projects and for Source Information of projects, which ought to have been registered but have not registered.

Whereas based on inputs received from various stakeholders and experience of MahaRERA over past one year, it was decided to further simplify the complaints procedure and digitize the source information of projects procedure.

Therefore, the revised standard operating procedure (SOP) for handling complaints against registered projects is annexed to this Circular as Part A and for Source Information on projects, which ought to have been registered but have not registered is annexed as Part B.

The revised procedure for complaints shall be applicable from 1<sup>st</sup> August 2018 and procedure for Source Information on projects shall be implemented with immediate effect.

As Approved by Chairperson, MahaRERA.

  
(Dr. Vasant Prabhu)  
Secretary, MahaRERA

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

## Part A

### Standard Operating Procedure (S O P) for handling complaints: -

The following procedure for complaints shall be applicable from 1<sup>st</sup> August 2018.

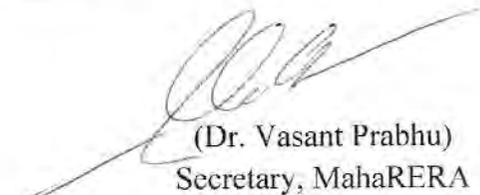
Steps	Description	Details
Step 1	Complainant to file complaint online through MahaRERA portal- <a href="https://maharera.mahaonline.gov.in">https://maharera.mahaonline.gov.in</a> and click on online application or directly through <a href="https://maharera.mahaonline.gov.in">https://maharera.mahaonline.gov.in</a>	<ul style="list-style-type: none"> <li>— Complaints can only be filed against registered projects by aggrieved persons having interest in the said registered project.</li> <li>— While filing the complaint, the complainant shall upload all relevant documents and supporting documents. Service of complaint copy on the respondent and submission of said acknowledgement and hard copy of complaint to MahaRERA is <b>discontinued</b>.</li> <li>— Henceforth, if the respondent is a promoter, he can view all his complaint details on his project login id. There will be no separate notice as mentioned above.</li> <li>— If the respondent is other than registered promoter/agent, then the complainant has to serve the notice to the respondent in physical format and provide a copy with acknowledgement to MahaRERA</li> </ul>
Step 2	Once complaint is received online, on payment of requisite fees, it is assigned automatically by the software to Chairperson, Member 1 and Member 2 respectively	<ul style="list-style-type: none"> <li>— Chairperson, Member 1 and Member 2 shall each be assigned a legal officer</li> <li>— In case a complainant seeks compensation, then as per sections 12,14, 18 and 19 of the Real Estate (Regulation and Development) Act, 2016, the case can be transferred to the adjudicating officer for hearing</li> <li>— If there are numerous complaints based on same facts and for same relief received against the same promoter, then these complaints can be clubbed and assigned to any one bench for hearing</li> </ul>
Step 3:	Legal Wing of MahaRERA shall schedule first hearing date and communicate to the parties (complainant and respondent)	<ul style="list-style-type: none"> <li>— Notice of hearing to parties (complainant and respondent) shall be issued.</li> <li>— The complaint details shall also be visible at the complainant and promoter/agent dashboards.</li> </ul>
Step 4:	After hearing, Ruling of the authority shall be uploaded and mailed to the parties	<ul style="list-style-type: none"> <li>— The orders shall be uploaded online against the respective registered projects / agents</li> </ul>
Step 5	In case, hearing is adjourned, step 3 and 4 shall be repeated	

## Part B

### Source Information on projects, which ought to have been registered but have not registered

For project, which ought to be registered but have not been registered, MahaRERA requests information from informant in the following manner:

Steps	Description	Details
Step 1	Informant are requested to submit details of the said projects online through MahaRERA portal- <a href="https://maharera.mahaonline.gov.in">https://maharera.mahaonline.gov.in</a> and click on online application or directly through <a href="https://maharera.mahaonline.gov.in">https://maharera.mahaonline.gov.in</a>	<ul style="list-style-type: none"><li>— The application shall be free of cost. There shall be no fees/charges for the application</li><li>— The mobile number of the informant will be verified through an OTP</li><li>— Informant can also view the status of their application on real time basis by <u>using the mobile number</u> or information reference number</li></ul>
Step 2	Once application is received online, it is assigned automatically by the software to Technical Officers	<ul style="list-style-type: none"><li>— Technical Officers shall scrutinize the project details on the basis of information received / meeting with promoter / Site visit etc.</li></ul>
Step 3:	Following this, the technical wing shall undertake one of the following three steps: 1) If the project is already registered or under registration or Occupation Certificate has been received or project is exempted from registration as per Act, then the application shall be closed	<ul style="list-style-type: none"><li>— The informant can view the details on his/her dashboard</li></ul>
	2) If the project should have been registered but has not been registered, then hearing shall be scheduled in front of authority for appropriate penalty and action.	<ul style="list-style-type: none"><li>— The informant can view the details on his /her dashboard. Further, the orders of Authority are uploaded online.</li></ul>
	3) If the project, prima facie doesn't have the appropriate approvals of the concerned planning authorities, then the planning/public authorities shall be intimated to take appropriate action	<ul style="list-style-type: none"><li>— Letter shall go from MahaRERA to concerned planning authority/public authority regarding the project which prima facie doesn't have the appropriate approvals. The informant can view this letter on his dashboard. There will be no separate correspondence.</li></ul>

  
(Dr. Vasant Prabhu)  
Secretary, MahaRERA