



MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY

महाराष्ट्र स्थावर संपदा नियामक प्राधिकरण

Order No. 37/2022

No. MahaRERA/Secy/File No. 27/743/2022

Date: 13/12/2022

Sub:- Commencement Certificate and Occupation Certificate / Completion Certificate for development of land into plots (Plotted development projects).

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 Authority has notified the Maharashtra Real Estate Regulatory Authority (General) Regulations, 2017 (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 promoters, real estate agents and allottees from time to time as it may consider necessary.

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, plotted development project as per section 2 (zn) of the Act is considered a real estate project.

And whereas, for plotted development projects the concerned Competent Authority does not issue a Commencement Certificate or an Occupation Certificate / Completion Certificate.

And whereas, the proviso to Regulation 3 (B) of the Regulations stipulates that in case of plotted development projects, wherever IOD/Building Plan approval is not provided as per local rules, then NA Order from Competent Authority for plotted development shall suffice. Similarly, wherever Occupation Certificate/Completion Certificate is not provided as per local rules, submission of duly filled Form 4 signed by Architect shall denote completion of project.

MAHARERA HEADQUARTERS

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महारेरा मुख्यालय

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

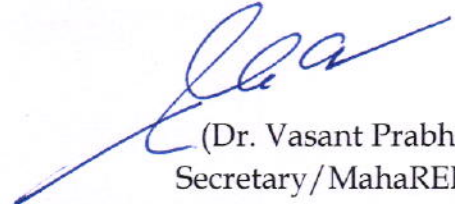
दूरध्वनी. क्रमांक. ०२२-६८१११६०० ई-मेल: helpdesk@maharera.mahaonline.gov.in

In view of the above, following clarifications are issued as to what constitutes commencement and what denotes completion of plotted development projects.

- 1) Grant of non-agricultural permission along with sanad issued in the form in Schedule IV or Schedule V in accordance with Rule 4 and Rule 7 of the Maharashtra Land Revenue (Conversion of Use of Land and Non-Agricultural Assessment) Rules, 1969 (the Rules) by the concerned Competent Authority shall be considered as Commencement Certificate for plotted development projects.
- 2) Receipt of the intimation of the Tahsildhar given as an acknowledgement of having received the intimation of the date of commencement of non-agricultural use after completion and execution of all conditions as may have been imposed by the Competent Authority (Tahsildar) in compliance of Rule 11-A of the Rules alongwith Form IV signed by the project Architect shall denote Occupation Certificate/Completion Certificate for plotted development projects.

This shall come into force with immediate effect.

By order of the Authority


(Dr. Vasant Prabhu)
Secretary/MahaRERA