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VASAI TALUKA HOUSING SOCIETIES REVIEW

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VASAI TALUKA HOUSING SOCIETIES REVIEW

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Circulate among Friends and other members of the Society

Dear Members,

EDITORIAL



श्री. वि. विष्णुनाथन

Hope everyone is free from the festival season and it was a peaceful and pollution free Diwali. Ensure that you upload returns, financial statements, appointment of auditors and uploading of all the mandatory returns and auditors appointment.

All the members and public at large are appealed to take the benefit of Deemed Conveyance. Now the Honorable CM has announced that the deemed conveyance would be possible even without Occupancy Certificate (OC). A Government Resolution (GR) is expected shortly to that effect. This will help many stalled conveyance work of numerous societies state wide.

We are pleased to inform you that Palghar District Co-operative Housing Federation Ltd., is a registered body now. It will look towards the holistic approach of the development of Housing Societies in Palghar District. The first Chairman of the district Federation Shri. Hardikji Raut shall lead from the front to guide all the societies in respect along with Shri. Sunil Mainkar Secretary, Shri. Nitin M. Patil Treasurer and the others committee members of the federation. It is an honour for us that Shri. Ramesh Prabhu, Myself V. Viswanathan and Shri. Sundeep Walia is also part of the District Federation. Take the benefits of FAQ's on whatsapp. The question and answer is published in this issue.

By this time most of the members must be aware that your federation has started with a Whatsapp group. You can send your name, name of the railway station, east of west to 9665774229 / 9890187344 requesting you to add to the group. In such group you can put in your queries and the experts at the federation would answer to your queries.

With Best regards

V. Viswanathan, Secretary

CONTAIN

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२७ टक्केच वसुली

उर्वरित कालावधीत मालमत्ता कराचे उद्दिष्ट गाठण्याबाबत साशंकता

केडीएमसीला आर्थिक कोंडीतून सोडवण्यासाठी पालिका आयुक्त पी. वेलरासू यांनी सातत्याने आढावा बैठका घेत करवसुली वाढवण्यासाठी कंबर कसली असली, तरी मालमत्ता कराची जेमतेम २७ टक्के वसुली ७ महिन्यांमध्ये होऊ शकली. त्यामुळे उर्वरित ४ ते ५ महिन्यांच्या कालावधीत पालिका करवसुलीचे उद्दिष्ट गाठू शकणार नाही, हे उघड आहे. मालमत्ता करवसुलीमध्ये पालिका अपयशी ठरल्यास त्याचा परिणाम अनेक प्रकल्पांच्या कामांवर होण्याची शक्यता आहे.



२४ गावांमध्ये वसुली नगण्य

२७ गावांचा बोजा पालिकेला पेलवत नसला, तरी तिथून कर मिळण्याचे प्रमाणाही नगण्य असल्याचे समजते. या गावांमधील अनेक मोठ्या गृहनिर्माण संस्थांना अद्याप कर आकारणीच झालेली नाही. त्यामुळे पालिकेला करवसुलीमध्ये उद्दिष्ट गाठण्यात अपयश येत आहे. या मोठ्या प्रकल्पांनाही तातडीने कर आकारणी करून महसूल वाढवण्यावर पालिका कितपत भर देते, त्यावर उद्दिष्ट गाठणे अवलंबून राहिल.

नोटाबंदीचा २०१६ मध्ये हात

मागील वर्षी पालिकेने ४१७ कोटी रुपयांचे उद्दिष्ट मालमत्ता करातून निश्चित केले होते. नोव्हेंबरअखेर त्यातून १८१ कोटी रुपये वसूल झाले होते. करवसुली वर्षागणिक वाढण्याची अपेक्षा असताना मागच्या वर्षी यंदापेक्षा जास्त कर गोळा झाला होता, हे या आकडेवारीवरून स्पष्ट होते. अर्थात मागील वर्षी नोव्हेंबरमध्ये नोटाबंदीनंतर अवघ्या १५ दिवसांत जमा झालेल्या तब्बल ३१ कोटी रुपयांच्या मालमत्ता कराचा समावेश होता. जुन्या नोटा स्वीकारण्यास पालिकेने मुभा दिल्याने पालिकेच्या इतिहासात ही विक्रमी करवसुली कोणतेही प्रयत्न न करता झाली होती.

केडीएमसीला सध्या कंत्राटदारांची किमान ६०० कोटी रुपयांचा थकबाकी द्यायची आहे. तसेच केंद्र व राज्य सरकारच्या सहकार्यातून हाती घेतलेल्या विविध पायाभूत सुविधांच्या प्रकल्पांसाठी मोठा निधीचा वाटा पालिकेला उभारावा लागतो. याखेरीज २७ गावांचा महापालिकेत समावेश झाल्यावर हद्दवाढीमुळे पालिकेला जो निधी सरकारकडून अपेक्षित होता, तो मिळालेला नाही. एलबीटी व इतर देण्यांचे सुमारे २५० कोटीही सरकारने थकवले आहेत.

याबाबत केडीएमसीने वारंवार पत्रव्यवहार केल्यावरही सरकारने आपली तिजोरी पालिकेसाठी खुली केलेली नाही, याचा इतका प्रतिकूल परिणाम पालिकेच्या आर्थिक स्थितीवर झाला आहे की,

बहुतांश कामांची निविदा २ ते ३ वेळा मागवल्यावरही कोणी त्या भरण्यासाठी स्वारस्य दाखवत नाही.

या परिस्थितीत पालिकेचा आर्थिक डोलारा मालमत्ता करासारख्या महत्त्वाच्या करावर आहे. यावर्षी पालिकेने तब्बल ५५६ कोटी रुपयांचे उद्दिष्ट मालमत्ता कराच्या वसुलीतून ठरवले आहे. आतापर्यंत साडेसात महिन्यांमध्ये त्यापैकी अवघे १५५ कोटी रुपयेच वसूल झाल्याची धक्कादायक माहिती पालिकेतून मिळाली. मालमत्ता करच वसूल होत नसल्याने आढावा बैठकांमध्ये आयुक्तांनी दिलेल्या आदेशांवर अंमलबजावणी होत नसल्याचेही उघड झाले आहे. येत्या काही दिवसांत ही करवसुली वाढवण्यासाठी पालिका कठोर प्रयत्न करेल, अशी अपेक्षा आहे.

As per bye-law No.6 it is compulsory to become the member of housing federation.



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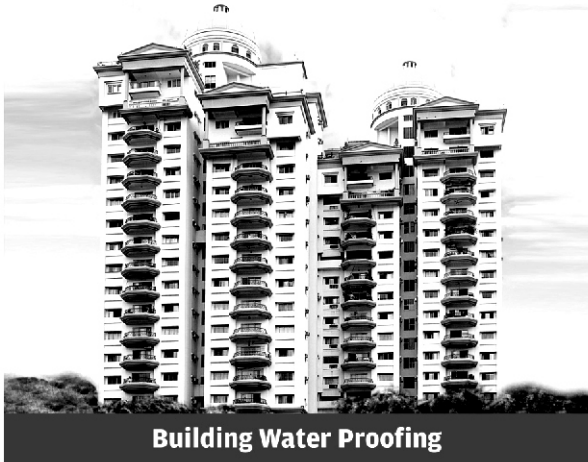


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अॅड.तन्मय केतकर

कोणत्याही बांधकाम प्रकल्पामध्ये त्या प्रकल्पाच्या विकासकासोबतच त्या प्रकल्पातील खरेदीदारांचेदेखील हक्क आणि हितसंबंधांच्या रक्षणाकरिता, रera कायदा कलम १५नुसार, प्रकल्पातील हक्क त्रयसींस परस्पर हस्तांतरित करण्यास मनाई आहे. प्रकल्पातील हक्क त्रयसींस हस्तांतरित करायचे असल्यास त्याकरिता किमान दोनतृतीयांश खरेदीदारांची पूर्वपरवानगी आवश्यक आहे.

रेरा कायदा कलम १५ मधील या तरतुदीची प्रत्यक्ष अंमलबजावणी कशी करावी हे स्पष्ट करण्याकरिता महारेरा प्राधिकरणाने अलीकडेच एक परिपत्रक काढले असून, या परिपत्रकात विकासकाने त्रयस्थ इसमांस हक्क हस्तांतरित करताना अमलात आणावयाची प्रक्रिया सविस्तरपणे नमूद करण्यात आलेली आहे.

रेरा कायदा कलम १५ मधील या तरतुदीची प्रत्यक्ष अंमलबजावणी कशी करावी हे स्पष्ट करण्याकरिता महारेरा प्राधिकरणाने दि.०८.११.२०१७ रोजी एक परिपत्रक काढलेले असून, या परिपत्रकात विकासकाने त्रयस्थ इसमांस हक्क हस्तांतरित करताना अमलात आणावयाची प्रक्रिया सविस्तरपणे नमूद करण्यात आलेली आहे.



या परिपत्रकाच्या अगदी सुरुवातीलाच एक स्पष्टीकरण देण्यात आलेले आहे. या स्पष्टीकरणानुसार ज्या अंतर्गत बदलाने खरेदीदारांच्या हक्कांना बाधा येणार नाही किंवा हक्कांवर विपरीत परिणाम होणार नाही, अशा अंतर्गत संस्थात्मक बदलांकरिता खरेदीदारांच्या संमतीची आवश्यकता असणार नाही. उदा. विकासक संस्थेच्या स्वरूपात भागीदारी ते कंपनी असा बदल किंवा वारसाहक्काने मालकीत बदल झाल्यास त्याकरिता खरेदीदारांच्या पूर्वपरवानगीची आवश्यकता नाही.

ज्या विकासक संस्थांना हक्क हस्तांतरण करायचे आहे किंवा ज्यांनी हक्क हस्तांतरण प्रक्रिया सुरु केलेली आहे अशा विकासकांनी परवानगीकरिता किमान दोनतृतीयांश खरेदीदारांच्या संमतीसह महारेरा प्राधिकरणाच्या सचिवांना secy@maharera.mahaonline.gov.in या ई.मेलवर अर्ज करावयाचा आहे. असा अर्ज प्राप्त झाल्यावर महारेरा प्राधिकरणाचे सचिव अशा हस्तांतरणाकरिता परवानगी देण्याकरिता आवश्यक ती प्रक्रिया महारेरा प्राधिकरणाच्या कायदा शाखेद्वारे सुरु करतील. आवश्यकता वाटल्यास या प्रकरणाकरिता सुनावणीदेखील

घेण्यात येईल. असा अर्ज प्राप्त झाल्यापासून एक महिन्याच्या कालावधीत अर्जावर निकाल देणे बंधनकारक आहे. हस्तांतरणाला परवानगी मिळाल्यास, परवानगी मिळाल्यापासून सात दिवसांत नवीन विकासकाने सध्याच्या प्रकल्प नोंदणी माहितीत आवश्यक त्या सुधारणा करण्याकरिता अर्ज करण्याचा आहे. नवीन विकासकाने देखील सर्व आवश्यक कागदपत्रांच्या प्रती अपलोड करावयाच्या आहेत. नोंदणीत सुधारणा करण्याकरिता अर्ज करतानाच जुन्या विकासकाने खरेदीदारांशी केलेले व्यवहार आणि करार पूर्ण करण्याचे आणि जुन्या विकासकाच्या सर्व जबाबदाऱ्या स्वीकारल्याचे हमीपत्र (अंडरटेकिंग) नवीन विकासकाने सादर करण्याचे आहे.

विकासक कंपन्यांचे एकत्रीकरण किंवा विलिनीकरण होत असेल तर अशा एकत्रीकरण किंवा विलिनीकरणाकरितादेखील विकासकाने हस्तांतरणाकरिता अमलात आणावयाची प्रक्रिया पूर्ण करणे बंधनकारक आहे. मात्र आयकर कायदा कलम ४७ नुसार एकत्रीकरण किंवा विलिनीकरण न समजण्यात येणारे आणि ज्यात ७५% भागधारक समान असणार आहेत अशा हस्तांतरणाकरिता खरेदीदारांची पूर्वपरवानगी आवश्यक नसेल.

बरेचदा बांधकाम प्रकल्पांवर प्रकल्प गहाण टाकून कर्ज घेण्यात येते आणि अशा कर्जाची परतफेड न झाल्यास कर्ज देण्यात संस्था प्रकल्प आणि प्रकल्प मालमत्ता ताब्यात घेतात. ज्या प्रकल्पाबाबत अशी जप्तीची कारवाई होण्याची शक्यता असेल अशा प्रकल्पाच्या



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प्रकल्प ताब्यात घेण्याच्या धनकोने किंवा अशा धनकोने नेमलेल्या नवीन विकासकाने, प्रकल्प नोंदणीच्या माहितीत आवश्यक ते बदल करण्याकरिता महारेरा प्राधिकरणाकडे अर्ज करणे आवश्यक आहे. नवीन विकासकाने किंवा धनकोनेदेखील सर्व आवश्यक कागदपत्रांच्या प्रती अपलोड करावयाच्या आहेत. नोंदणीत सुधारणा करण्याकरिता अर्ज करतानाच जुन्या विकासकाने खरेदीदारांशी

महारेरा कायद्यात कलम १५मधील तरतुदीनुसार प्रकल्प हस्तांतरणावर निर्बंध घालण्यात आलेले आहेत. मात्र या निर्बंधांची प्रत्यक्षात अंमलबजावणी कशी होणार याबाबत काही ठोस माहिती किंवा मार्गदर्शन उपलब्ध नव्हते. महारेरा प्राधिकरणाने स्वतंत्र परिपत्रक काढून प्रकल्प हस्तांतरणाकरिता अमलात आणण्याची प्रक्रिया सुस्पष्ट केली हे निश्चितच कौतुकास्पद आहे. या सुस्पष्ट प्रक्रियेमुळे प्रकल्प हस्तांतरणाबाबत संभ्रम निर्माण होण्याची शक्यता निश्चितच कमी होईल. सर्वात महत्वाचे म्हणजे प्रकल्प हस्तांतरण प्रक्रियेमध्ये महारेरा प्राधिकरण स्वतःसामील होणार असल्याने खरेदीदारांच्या हक्कांचे आपोआपच संरक्षण होईल, अशी आशा बाळगायला हरकत नाही.

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विकासकास हस्तांतरित करतात. मोफा कायद्यातील तरतुदीनुसार विकासक स्वतः बांधकाम करणार आहे का दुसऱ्याकडून करून घेणार आहे, हे जाहीर करणे बंधनकारक होते. मात्र विक्रीकरार झाल्यानंतर ग्राहकाचे अशा हस्तांतरणावर कोणतेही नियंत्रण नव्हते. विक्रीकरार झाल्यावर आपल्या प्रकल्पाचे हस्तांतरण झाले किंवा नाही

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नवीन रेरा कायद्याने बांधकाम व्यवसायात पारदर्शकता आणण्याचा प्रयत्न केलेला आहे. महारेरा पोर्टलवर कोणत्याही नोंदणीकृत प्रकल्पाची माहिती, नकाशांची माहिती अगदी सहज उपलब्ध आहे. याशिवाय विकासकाने परस्पर नकाशात बदल करू नये म्हणून कलम १४ आणि प्रकल्प परस्पर हस्तांतरित करू नये म्हणून कलम १५ मध्ये विशिष्ट तरतुदी केल्या आहेत. या तरतुदीनुसार प्रकल्पाच्या मंजूर नकाशात बदल करायचा झाल्यास त्याकरता खरेदीदारांची पूर्वपरवानगी आवश्यक आहे.

याची माहिती ग्राहकाला मिळण्याची काहीही सोय नव्हती. समजा, असे प्रकल्प हस्तांतरित झाल्यावर नवीन विकासकाने जुन्या विकासकाने विकलेल्या जागांचेदेखील नव्याने विक्रीकरारा केले तर मूळ ग्राहकाला आणि त्याच्या सोबतच नवीन किंवा दुसऱ्या ग्राहकालादेखील अनेक कायदेशीर अडचणी आणि कटकटींना तोंड द्यावे लागत होते, नुकसान सोसावे लागत होते. विकासकांना नकाशात परस्पर बदल करणे आणि प्रकल्प परस्पर हस्तांतरित करणे हे दोन्ही गैरफायदे घेता येत होते. कारण बांधकाम व्यवसायात म्हणावी तेवढी पारदर्शकता नव्हती, ग्राहकाला प्रकल्पाची अद्ययावत माहिती मिळण्याचा कोणताही सोपा मार्ग नव्हता.

तसेच मंजूर नकाशात व्यापक स्वरूपाचा बदल करायचा झाल्यास त्याकरता किमान २/३ (दोन तृतीयांश) खरेदीदारांची संमती घेणे बंधनकारक आहे. कलम १५ मधील तरतुदीनुसार विकासकाला प्रकल्पातील आपल्या अधिकारांपैकी बहुसंख्य अधिकार हस्तांतरित करायचे असतील तर किमान २/३ खरेदीदार आणि महारेरा प्राधिकरणाची पूर्वपरवानगी आवश्यक आहे. तसेच अशा हस्तांतरणाने मूळ विकासक आणि ग्राहकांमधील व्यवहारांना कोणतीही बाधा येणार नाही. म्हणजेच असे हस्तांतरण झाले तरी

मूळ विकासक आणि ग्राहक यांच्यातील करार कायम राहतील.

प्रकल्पाचे नकाशे बदलणे असो किंवा प्रकल्प हस्तांतरित करणे असो, याची माहिती महारेरा वरील प्रकल्प नोंदणीत अद्ययावत करवीच लागेल; अन्यथा त्या बदलांचा फायदा घेता येणार नाही. त्यामुळे असे नकाशे बदल किंवा प्रकल्प हस्तांतरण परस्पर किंवा गुप्तचूप करता येणे शक्य होणारे नाही हा रेरा कायदा आणि महारेरा पोर्टलचा एक अत्यंत महत्वाचा फायदा आहे.

जुन्या मोफा कायद्यामध्येदेखील बऱ्याचशा तरतुदी होत्या, ज्यानुसार महत्वाच्या बाबींकरता खरेदीदारांची पूर्वसंमती आवश्यक होती. मात्र नंतर पूर्वसंमती घेत बसायला नको म्हणून या सगळ्या संमती विक्रीकरारातच अंतर्भूत करण्यात आलेल्या असत किंवा स्वतंत्र कागदपत्रांवर आगाऊ पूर्वसंमती घेण्यात येत असे. त्यामुळे मोफा कायद्यातील तरतुदींचा म्हणावा तसा फायदा झाला नाही. हाच धोका आता रेरा कायद्यातदेखील आहेच. आतासुद्धा विक्रीकरार करताना विक्रीकराराचा एक भाग म्हणून किंवा स्वतंत्र कागदपत्रांवर आगाऊ संमती घेण्याची शक्यता नाकारता येत नाही. या बाबतीत ग्राहकांनी विक्रीकरार आणि इतर कागदपत्रांवर सहया करण्यापूर्वी त्याचे बारकाईने वाचन करणे अत्यंत आवश्यक आहे. त्यासोबतच आपण जागा घेतलेल्या प्रकल्पात काही बदल झालेले नाहीत ना? याची वारंवार तपासणी करणे अत्यंत आवश्यक आणि महत्वाचे आहे. सुदैवाने आता ग्राहक अशी तपासणी माहारेरापोर्टलद्वारे घरबसल्या करू शकतात. अशा तपसणीत काही महत्वाचे किंवा व्यापक स्वरूपाचे बदल झाल्याचे लक्षात आल्यास त्याबाबत स्पष्टीकरण मागणे आणि समाधानकारक स्पष्टीकरण न मिळाल्यास योग्य ती कारवाई त्वरित सुरू करणे ग्राहकांच्या हक्क संरक्षणासाठी अत्यंत महत्वाचे आहे.



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अॅड. तन्मय केतकर

सी. सी. आणि प्रकल्प नोंदणीतून सूट

रेरा कायदा हा एक पूर्णपणे नवीन स्वरूपाचा कायदा आहे. आजवर जे कायदे होते आणि त्यातील ज्या तरतुदी होत्या आणि रेरा कायद्यातील तरतुदींचे स्वरूप यात बरीच तफावत आहे. साहजिकच रेरा कायदा लागू झाल्यापासून रेरा कायद्यातील विविध तरतुदीबद्दल विविध शंका, कुशंका, समज-गैरसमज आहेत. रेरा प्राधिकरणानी काही बाबतीत स्पष्टीकरणे देऊन हे गैरसमज दूर करण्याचा प्रयत्न केला आहे, मात्र अजूनही बरेच गैरसमज कायम आहेत.

या गैरसमजांपैकी एक महत्त्वाचा गैरसमज आहे सी. सी. म्हणजेच कम्प्लीशन सर्टिफिकेट आणि प्रकल्प नोंदणी. जे बांधकाम प्रकल्प, बांधकाम पूर्ण करतील, सी. सी. घेतील आणि मग विक्री सुरु करतील अशा प्रकल्पांना रेरा अंतर्गत नोंदणीपासून सूट आहे असा एक सार्वत्रिक गैरसमज आहे.

रेरा कायद्यातील प्रकल्प नोंदणी आणि नोंदणीपासून सूट या बाबतच्या तरतुदींचा विचार केल्यास रेरा कायदा कलम ३ आणि महारेरा प्रकल्प नोंदणी नियम क्र. ४ मध्ये याबाबतच्या आवश्यक तरतुदी करण्यात आलेल्या आहेत. रेरा कायदा कलम ३(२) (ब) नुसार पूर्णत्व प्रमाणपत्र मिळालेले नसेल अशा सर्व प्रकल्पांना कायदा लागू झाल्यापासून नव्वद दिवसांच्या कालवधीत प्रकल्प नोंदणीकरिता अर्ज करणे आवश्यक असेल. या दोन्ही तरतुदींचा एकसमयावच्छेदाने विचार केला तर, ज्या प्रकल्पांना रेरा कायदा लागू होण्याअगोदरच पूर्णत्व प्रमाणपत्र किंवा सी. सी. मिळालेले आहे, केवळ त्याच प्रकल्पांना नोंदणीपासून सूट देण्यात आलेली आहे.

कोणताही नवीन कायदा येतो, तेव्हा त्यानुसार व्यवस्थेत बरेच बदल अपेक्षित असतात, आणि असे सगळे बदल एका रात्रीत होणे शक्य नसते, त्याकरिता काही काळ जायला लागतो. हा आवश्यक काळ म्हणजेच संक्रमण काळ होय, या संक्रमण काळात जुन्या तरतुदी नव्या तरतुदीकडे संक्रमण किंवा अवस्थांतर होणे आवश्यक आणि अपेक्षित असते. हे संक्रमण सोपे व्हावे याकरिता काही तात्कालिक कायदेशीर तरतुदींची उपाययोजना करण्यात येते. रेरा कायद्याने तरतुदींची उपाययोजना करण्यात येते. रेरा कायद्याने कायदा लागू होण्यापूर्वीच सी. सी. असलेल्या प्रकल्पांना नोंदणीपासून दिलेली सूट आणि प्रलंबित किंवा चालू प्रकल्पांना दिलेली मुदत या अशाच स्वरूपाच्या, संक्रमण सोपे व्हावे याकरिता करण्यात आलेल्या



तात्कालिक कायदेशीर तरतुदी आहेत. एकदा का संक्रमण झाले, संक्रमण काळ संपला, की या तरतुदींची आवश्यकता उरत नाही.

याचाच संक्रमण काळ संपल्यावर आणि रेरा कायद्याची परिणामकारक अंमलबजावणी सुरु झाल्यावर प्रकल्पाला पूर्णत्व प्रमाणपत्र असणे आणि नसणे याने त्या प्रकल्पाच्या नोंदणीवर काहीही फरक पडणार नाहीये. रेरा कायद्यानुसार ज्या प्रकल्पांची नोंदणी बंधनकारक आहे, त्या प्रकल्पांची केवळ सी. सी. मिळाले आहे या कारणास्तव नोंदणीपासून सूट मिळणार नाहीये.

आपापला प्रकल्प केव्हा नोंदणीकृत करायचा याचे स्वातंत्र्य प्रत्येक विकासकाला आहे. काही विकासक, संपूर्ण प्रकल्प पूर्ण करून मग नोंदणी करू शकतील, काही विकासक प्रकल्पाचे काम सुरु झाल्यावर प्रकल्प नोंदणी करू शकतील. प्रकल्प नोंदणीबाबत एकच महत्त्वाची अट लक्षात घेणे आवश्यक आहे. ज्या प्रकल्पांना नोंदणी बंधनकारक आहे अशा प्रकल्पांना जाहिरात आणि विक्री सुरु करायच्या अगोदर रेराकडे नोंदणीकृत व्हावेच लागेल. सी. सी. मिळाल्यावर विक्री केल्यास एक फायदा होऊ शकेल की ग्राहकाकडून तुलनेने पटकन पैसे घेता येतील आणि स्वतंत्र काढणे आणि सांभाळणे देखील तुलनेने सोपे जाईल.

प्रकल्पाचे काम रखडले आणि ग्राहकाला ताबा मिळायला उशीर झाला किंवा काम अर्धवट टाकून विकासकाने पोबारा केला तर ग्राहकाचे नुकसान होते, मात्र प्रकल्प पूर्णच झाला असेल तर

पृष्ठ क्र. २५ पहा.....



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Your RERA queries answered by our expert



CA. Ramesh S Prabhu
Mob.: 9820106766

It has been five months since the Real Estate (Regulation and Development) Act, 2016 (RERA) came into effect, from 1st May, 2017. We are sure ADC readers would have lots of queries regarding the new real estate law. Our expert clears some doubts in the below Q&A

Q. Can a RERA registered broker sell flats of RERA registered builder? What if the broker is not empanelled with the Builder?

Ans : Every broker registered with the RERA is allowed to market or sell the Apartments in the project, only if such brokers also are listed as authorised broker by the promoter. In other words, without getting listed as authorised broker for a project, the broker cannot facilitate the transaction in that project.

Q. If builder has land which has no value in books then how to conduct valuation of the same to include the value of land in project cost ?

Ans : As per MahaRERA circular dated 4th July, 2017, in order to estimate the cost of project, when the land is acquired by the builder as a gift deed or on inheritance, ASR (Annual Stamp Duty Rate) or Ready Reckoner Rate as on the date of registration of the project with RERA or the date of commencement certificate received whichever is earlier shall be considered as the land cost. In case the property is purchased prior to 1st April, 2001, the ready reckoner value as on the date of 1st April, 2001 shall be worked out and then to such ready reckoner value shall be multiplied by the capital index to arrive at the cost of the land as

on the date of registration of the project with RERA or commencement certificate of the project whichever is earlier.

Q. Can per se disputes between promoter and co-promoter be adjudicated by RERA authority, when disputes arise in revenue sharing or profit sharing or area sharing?

Ans : RERA is a special and specific Act to deal with the regulation and development of real estate business. Any dispute between the promoter and co-promoter will have to be resolved through the civil proceedings and cannot be taken before the Real Estate Regulatory Authority. In case, because of the dispute between promoter and co-promoter, the allottees or the flat purchasers are affected or possession is delayed, the section 7 of RERA comes into effect which is the cancellation or revocation of registration. If the registration of the project is revoked, the Authority shall take necessary measures to complete the project as per section 8 of the Act. It is the obligation of the Authority on revocation or cancellation or lapse of registration to take over the project and hand over to the association of allottees or to competent Authority or in any other manner to complete the project. Post RERA, promoter and co-promoter continue to dispute, both may lose the project. Therefore, they

will have to compromise and settle the dispute before it is too late. Thus dispute between them does not come in the jurisdiction of RERA.

Q. Is it mandatory for an Architect to enter into an agreement before sale of flat as per RERA with effect from 1st May 2017? Is a copy of the agreement with Architect to be disclosed before RERA authority at the time of registration with RERA?

Ans : As per the model agreement as per Annexure A prescribed by MahaRERA 2017, read with Rule No. 10 and section 13 of RERA, 2016, the promoter

needs to execute the standard agreement with the Architect as per the provision made by council of architecture. As per section 4 and Rule 3 of MahaRERA, the promoter has to upload the names of all professionals including the Architect. The agreement executed by the promoter will have to be verified by the RERA auditor appointed by the promoter as per the declaration submitted to RERA in form B in reference to section 4(2)(I)(D) of the Act.

(Ramesh S. Prabhu is Chairman, Maharashtra Societies Welfare Association)

To fulfill the dream of Affordable House Centre opens Salt pans for development and MHADA goes for Skyscrapers

Our beloved Prime Minister Hon'ble Shri Narendra Modi When he took the charge had at the outset made an announcement that Housing to all by the year 2022. And the Maharashtra Government has start working on Affordable Housing. As there is no open land left for Housing. As there is no open land left for constricting the affordable houses on such large scale, the State Government has been eying the over 5,300 acres of salt pans in Mumbai and decided to exploit that for affordable housing. And accordingly the Maharashtra Government asked centre for transfer of salt pan land in Mumbai and suburbs for creating affordable housing.

In Mumbai salt pans are spread over 5379 acres in Dahisar, Goregaon, Mulund, Bhandup, Kanjur, Nahar, Ghatkopar, Turbhe, Mandale, Bhayander, Wadala and Anik. And in Mira-Bhayander, Naigaon Mumbai's northern suburbs, large developments have come up on salt pan land. These are all unauthorised constructions. The move will help regularize these constrictions.

The Union Ministry of Environment has tweaked the welfare Rules 2017 and deleted salt pans from the definition of 'wet land'. This will opens salt pans for development of housing.



On the other land MHADA is also bent on getting more stock for affordable housing. And for the first time since its inception it is going to build skyscrapers 60-storeys and taller building for middle and high income group as part of the housing board's ongoing BDD Chawls redevelopment in Central Mumbai. And other three skyscrapers are lined up at N. M. Joshi Marg at Lower Parel, Naigaon-Dadar and Worli were the three BDD enclaves are situated. This may completely after the character of what has been still called girgaon area of working class people. Many question are raised on these MHADA Projects. Only time will give answer on it, but no doubt MHADA has taken pragmatic step in right direction.

SEPARATE CHAPTER IN MCS ACT FOR CHS.



**By CA. Ramesh Prabhu,
a member of the committee
constituted to draft a new
chapter for CHS.**

E-mail : rsprabhu13@gmail.com

The Government of Maharashtra in the beginning of this year constituted a committee to draft a separate chapter for regulating the cooperative housing society (CHS) in Maharashtra. There are nearly 54 types of cooperative housing society regulated under the Maharashtra Cooperative Societies Act, 1960 (MCS Act).

The majority of the provisions are included in the Model bye-laws of the society which are approved by the commissioner for their adoption by the respective types of societies. As per the decision of the Hon'ble Supreme Court the bye-laws do not have force of law. This has increased the disputes and implementation of some of these provisions of the bye-laws have become difficult.

The housing society is a unique type of society. The members may be having subscribed the shares of Rs.250/- or Rs.500/- but enjoys the occupancy and ownership of the flats costing lakhs to crores of rupees. Any person who purchases the flat in a society is forced to become the member giving away the main character of voluntary membership.

In any urban area, a house can be purchased in a multi storey building called as flat with all common areas like garden, water supply, common terrace, play ground, compound, staircase, lift etc. In order to own and manage these common areas, a cooperative housing society is registered under MCS Act, 1960.

Some of the areas which requires clarity in the proposed separate chapter for CHS are as under:

(1) Associate member and joint member.

Presently, the MCS Act, 1960 provides that the

person whose name stands second or third or so on are called as the associate member. In the absence of the clarity, any relative of the member is made as an associate member in CHS. Such associate members enjoy voting rights and then become the committee member and office bearers. This has created huge disputes in number of societies and it is suggested that the new chapter should define clearly who can be called as the associate member and who can be called as the joint member with their respective rights, duties, obligations and termination.

(2) Election in the Cooperative Housing Society and reservation in the committee:

Presently, election to all types of CHS is carried out by the officer appointed by the state cooperative Election Authority which is time and money consuming. It is suggested that the societies having less than 200 members should be able to conduct the election themselves by appointing officer as per the panel maintained by the election authority. The reservation for Other backward class (OBC), Scheduled Cast (SC), Scheduled Tribe (ST) etc should be done away with. Reservation only for women may be provided and when they are vacant may be filled by the general candidates.

(3) A separate Regulatory Authority for dispute redressal:

The members having come from different background and having forced to accept the membership of CHS, some times gives rise to different types of disputes related to water supply, leakage, structural repairs, NOC for sale of flats, renovation, redevelopment, recovery of dues etc. If an independent authority is set up, the members to resolve their disputes need not run to different forums like Cooperative court, or registrar, police, Municipal Corporation etc. All such disputes can be heard centrally.

(4) Formation of the association in a layout:

The layout sometime has different types of legal bodies managing their respective buildings like

few buildings have company, few have condominium and others have CHS. In order to get the conveyance of entire layout and to manage the common layout, an association of all such legal entities may be done which is presently not possible. Even, an association with two or more entities should be provided for.

(5) Registration of CHS with 5 or more flats:

The CHS is now requires minimum 10 flats. The law should be made to given option even for registration of CHS with 5 societies. If possible with two flats also like the one provided as private limited under Companies Act with two shareholders.

(6) Issue circulars and notification for smooth functioning:

Presently, all administrative circulars are issued by the commissioner and it takes lot of time to decide on the same. If the regulatory authority is designated, it is easier to for such authority to bring out the timely and required notifications for smooth functioning from time to time.

(7) Education and training to the members

A separate body under the control of the government should be set up to provide regular training to the members. Presently, the same is managed by the notified institutions. The societies are not undergoing such trainings.

(8) The societies may be divided into two or three classification depending on the number of members and smaller societies with less numbers may be given number of concessions.

(9) Each societies should be asked to open a webpage on the government website on which all the details, minutes, records of the society should be updated regularly. This will bring lot of transparency in the working of the society.

(10) Disseminating the information to the members is a most important thing in any democratic set up. Therefore, bringing e-governance and right to information and right to services in the functioning of the CHS through a separate regulatory will go a long way in improving the working of the society.



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CA. Ramesh S Prabhu
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RERA facts, registration rules you must know

Q Suppose a builder is developing a SRA building and in consideration of the same he will receive TDR which he will sell in the market. In this condition is builder required to take

registration under Real Estate (Regulation and Development) Act, 2016 (RERA) for selling the TDR?

Ans : Real Estate project as defined under section 2(zn) : "real estate project" means the development of a building or a building consisting of apartments, or converting an existing building or a part thereof into apartments, or the development of a colony into plots or apartments, as the case may be, for the purpose of selling all or some of the said apartments or plots or buildings and includes the development works thereof. The word allottee is defined under section 2(d) of the Act as under: 'Allottee' in relation to a real estate project, means the person to whom a plot, apartment or buildings, as the case may be, has been allotted, sold or otherwise transferred by the promoter, and includes the person who subsequently acquires the said allotment through sale, transfer or otherwise, but does not include a person to whom such plot, apartment or building, as the case may be, is given on rent; In SRA the promoter allots Apartment to existing slum dwellers and need to be protected. Further, TDR is also generated as right over the property or plot development, instead of selling the physical plot,



the rights (TDR) generated from the developed plots are being sold by providing allotment of apartment to the slum persons. It involves the sale of rights generated from the development of the real estate project. However, there is nothing to be done to TDR once it is developed and it is being certified by the Competent Authority. Therefore, though it is generated out of development of Real Estate Projects, it will not be covered under RERA.

Q. In the event the actual Land and Development / Construction Cost for the project incurred exceeds the estimated cost of the project as declared at the time of registration of project, is there any provision which allows the promoter to withdraw the excess amount?

Ans : The CA certificate to be issued indicates the percentage of the Estimated cost that can be withdrawn from the project. For e.g. estimated cost of the project is Rs. 200 crore and as per books and engineer certificate shows the expenses INCURRED on the project is Rs. 250 crore. This means percentage of cost INCURRED

to estimated cost is 125 % (I.e 250/200×100=125%).

Now what can be withdrawn is 125% of Estimated cost which means 125% of Rs 200 crore. Thus whatever is spent on the project can be withdrawn from the separate account. Thus the CA certificate is like a drawing power given to separate account and thus amount spent on the project, after incurring the same can be withdrawn as a reimbursement.

Q. Would RERA authority be able to adjudicate matters with disputes arising under MOFA Sale agreements registered prior to 1st May 2017?

Ans : RERA has come into effect as on 1st May 2017. Therefore, all real estate transactions done for new projects and for ongoing projects where OC has not been obtained will be covered under RERA. Therefore, the authority may not be able to decide on disputes arising from MOFA Sale agreements registered prior to 1st May 2017 where OC is received prior to 1st May 2017. In case of no OC such projects would need to be registered under RERA Act and the Promoter providing could be tried for breaches against the affidavit and commitments provided before RERA authority under RERA provisions. Thus if the MOFA agreements are registered prior to 1st May 2017 and OC is not received, in that case, all provisions of RERA will be applicable and such

buyer also can get the interest, damages etc adjudicated as per RERA effective from 1st May 2017.

Q. Is RERA registration as per project or builder? I mean, besides registration for each project, does a builder also have to register separately as a builder?(just as agents are registered)

Ans : As per section 3 of RERA, 2016, each real estate project needs to be registered separately. As per section 4(2)(l)(D), open a separate designate Account in a scheduled bank and also have to audited within 6 months from a practicing chartered Accountant. Section 4(2) provides for the various information to be provided for registration of real estate projects including the person or company or firm who develops it.

Therefore, the online registration of real estate project done in MahaRERA, provides for registration of the profile of promoter and there after each project developed by such promoter is registered as separate project. Thus, indirectly promoter is first registered and then under that promoter whatever projects are developed are registered.

(Ramesh S. Prabhu is Chairman, Maharashtra Societies Welfare Association)

Email your queries on rsprabhu13@gmail.com

पृष्ठ क्र. १८ वरुन.....

ग्राहकांना काय धोका आहे? असा विचार बहुतांश विकासकांच्या मनात आहे आणि याच कारणास्तव प्रकल्प पूर्ण उभा करुन विक्री केली तर नोंदणी कशाला? असाही त्यांचा सवाल आहे.

ग्राहकाला ताबा न मिळणेही ही अनेक संभाव्य समस्यांमधील एक समस्या आहे, ताब्याशिवाय देखील बांधकामाचा दर्जा, प्रकल्पातील सोयीसुविधा, प्रकल्प बांधकाम आणि टायटल इन्शुरन्स, ग्राहकांची संस्था स्थापना, त्या संस्थेच्या लाभात अभिहस्तांतरण अर्थात कन्व्हेअन्स, हे इतरही अनेक मुद्दे आणि समस्या आहेत, ज्याबद्दल तक्रार करायची वेळ येऊ शकते. म्हणूनच केवळ ताबा या एकाच बाबीचा विचार न करता सर्व संभाव्य तक्रारींचा सर्वांगीण विचार करावाच लागेल. ज्यांचा विचार होणे आवश्यक आहे. रेरा कायदा

लागू झाल्यानंतर दिवाणी कायद्याच्या अधिकारक्षेत्रावर मर्यादा घालण्यात आलेल्या आहेत. रेराअंतर्गत तक्रार निवारणाचा विचार केल्यास, सध्या केवळ नोंदणीकृत प्रकल्पांविरोधातीलच तक्रारी स्वीकारण्यात येत आहेत. एखादा प्रकल्प नोंदणीकृत नसल्यास त्याविरोधात रेरा प्राधिकरणाकडे तक्रार करायची सोय सध्या नाहीये. म्हणूनच केवळ ताबा किंवा सी. सी. या एका मुद्द्यावर प्रकल्पाला नोंदणीपासून सूट नाही आहे आणि अशी सूट देताही येणार नाही.

कोणतीही नवीन गोष्ट आली की ती अंगवळणी पडायला जरा वेळच लागतो, बरेचसा नवीन गोष्टींना विरोध देखील होतो, त्यात पळवाट शोधण्याचा प्रयत्न होतो. सध्याच्या कायदेशीर तरतुदींचा विचार करता केवळ प्रकल्प पूर्ण झालाय आणि त्याला सी.सी. मिळाले आहे म्हणून त्या प्रकल्पाला नोंदणीपासून सूट मिळणार नाही हे आपण सर्वांनी ध्यानात ठेवणे आवश्यक आहे.

HC hears constitutional challenges to RERA

Developers, landowners had questioned the regulator's provisions that make it mandatory for ongoing projects to register with it

The Bombay High Court on Monday began hearing a bunch of petitions challenging the constitutional validity of certain provisions of the Real Estate (Regulation and Development) Act (RERA).

A bench of Justices Naresh Patil and Rajesh Ketkar will hear the matter on a daily basis.

Real estate developers, including DB Realty, MIG (Bandra) Realtors and Builders, along with several individual landowners had moved the court.

The petitioners have questioned, among other things, the provisions that mandate that all ongoing projects be registered with the authority set up under the new Act, and provide stringent penal action to ensure that projects are completed within fixed time.



They have also challenged the provision which says that a plot owner who sells the plot to builder will be considered a co-promoter of the project when it comes to fixing the liability.

The petitions claimed that the Act, and the constitution of a state-level authority for its implementation, were arbitrary, and therefore unconstitutional.

In September, after several petitions challenging RERA were filed in high courts across the country, the Supreme Court stayed the proceedings in other courts and suggested that the Bombay high court hear its RERA cases first.

Other courts should wait for the Bombay High Court's decision before hearing RERA-related matters, it said, while directing the high court here to expedite the hearings.

HOW TO LODGE A COMPLAINTS UNDER RERA

In the July .17 issue, we discussed on the functions and duties of the promoter. Since the eve of 31.Jul.17, has seen an increase in the number of inquiries on the procedures to be followed in registering a complaint with RERA authorities I have been receiving a lot of inquiries on the process of registering a complaint.

In the present article I intend to take a broad overview of the complaints aspect by an agitated party under RERA.

As per Maharashtra Real Estate (Regulation and Development). (Recovery of interest, penalty,

compensation, fine payable, forms of complaints and appeal etc.) Rules 2017. Rule 6. Only aggrieved person, having interest in the project, can file a complaint in this regard.

The above means that a person should have a vested interest in the project. Keeping the digital India agenda of the present Government in mind, MahaRERA has made arrangements for online complaints.

Complaints broadly fall under two main categories. They are as under:-

2. Complaints against unregistered projects under RERA.

Complaints under RERA against unregistered projects can be registered by sending an email at sourcedetails@maharera.mahaonline.gov.in.

The steps involved in registering a complaint against a registered project are as under:

1. Go to the web link - <https://maharera.mahaonline.gov.in/Login/Login>.
2. Register as complainant.
3. Create user ID and Password.
4. Fill in the details required under the complaint form.
5. Pay the fees and submit your complaint.

It is important to understand at this stage that a complainant cannot file a complaint for the same cause to various authorities.

Further proviso Section 71 (1) of the RERA Act 2016 stipulates that - Provided that any person whose complaint in respect of matters covered under sections 12, 14, 18 and section 19 is pending before the Consumer Disputes Redressal Forum or the Consumer Disputes Redressal Commission or the National Consumer Redressal Commission, established under section 9 of the Consumer Protection Act, 1986, on or before the commencement of this Act, he may, with the permission of such Forum or Commission, as the case may be, withdraw the complaint pending before it and file an application before the adjudicating officer under this Act.

This then needs an understanding of Section 12, 14, 18 and 19 of the RERA Act 2016. In this issue we will look into Section 12 and 14, while Section 18 and 19 will be taken in my next article.

Section 12 deals with the obligations of the promoter. The importance of understanding this section is contained in the below lines

Where any person makes an advance or a deposit on the basis of the information contained in the notice advertisement or prospectus, or on the basis of any model apartment, plot or building, as the case may be, and sustains any loss or damage by reason of any incorrect, false statement included

therein, he shall be compensated by the promoter in the manner as provided under this Act:

The section further goes on to make the following exception to the above right for compensation.

Provided that if the person affected by such incorrect, false statement contained in the notice, advertisement or prospectus, or the model apartment, plot or building, as the case may be, intends to withdraw from the proposed project, he shall be returned his entire investment along with interest at such rate as may be prescribed and the compensation in the manner provided under this Act. To put in short, section 12 empowers the allottee to claim compensation where the allottee has sustained loss / damages due to any incorrect / false statement in the advertisement and has opted not to withdraw from the proposed project.

Chapter IV Rule 18 of the RERA Maharashtra Rule 2017 provides for the rate of interest payable by the promoter and the allottee. Rule 18 stipulates that -

The rate of interest payable by the promoters to the allottees or by the allottees to the promoters, as the case may be, shall be the State Bank of India highest Marginal Cost of Lending Rate plus two percent:

Provided that in case the State Bank of India Marginal Cost of Lending Rate is not in use it would be replaced by such benchmark lending rates which the State Bank of India may fix from time to time for lending to the general public.

Section 14 deals with Adherence to sanctioned plans and project specifications by the promoter. Section 14 (3) states that in case any structural defect or any other defect in workmanship, quality or provision of services or any other obligations of the promoter as per the agreement for sale relating to such development is brought to the notice of the promoter within a period of five years by the allottee from the date of handing over possession, it shall be the duty of the promoter to rectify such defects without further charge, within thirty days, and in the event of promoter's failure to rectify such defects within such time, the aggrieved allottees shall be entitled to receive appropriate compensation in the manner as provided under this Act.



WhatsApp FAQs on MahaRERA

Ans By -

Housing Guru Ramesh Prabhu.

MahaSeWA/RERA-GST/23/29.09.2017

Considering a scenario where a real estate project where there 2 phases. Full Occupation Certificate is already obtained for building constructed in phase 1. Building Plans are yet to be approved for Phase 2. When should such a project be registered with the authorities?

Is it required to register or disclose such project under RERA immediately or only after approval of Phase 2 or only when developer intends to market/sell units in this phase 2?

=====

Ans : Since phase 1 is completed with OC prior to 1st May 2017 (before commencement of Act) so the phase 1 is not required to be registered with RERA authorities.

Only the phase 2 where the building plan is under process for approval can be registered with RERA authorities only after getting the sanction of the plan for phase 2.

Since the phase 2 would be required to be registered only when the promoter wants to market or sell the flats. So long as you do not want to advertise or market or offer for sale any units in phase 2, you need to register with RERA.

Thus, The minimum eligibility to register your phase 2 project is approved plan and it requires to be registered only when the promoter wants to market phase 2 flats

MahaSeWA/RERA-GST/24/29.05.2017

Extension:- Incase of ongoing projects where we enter in RERA from 1st May - and dated of Completion will be treated from this date or as mentioned earlier in MOFA ?

=====

Ans : Since Ongoing projects would come under RERA with effect from 1st May, 2017.

The date of completion would be treated

as the date mentioned under MOFA sale agreement. However, if the developer wants to have the new date, the same may be done by the promoter by filling an Affidavit in Form B as per MahaRERA Rules.

In case of any delay in the project completion or no OC received would be dealt under RERA Act only from the date declared to RERA in Form no. B.

Detailed information of the project should be disclosed as per section 4 and an affidavit is affirmed detailing the whole project and timelines.

Any delay to complete the project as per the new timeline as declared to RERA will attract all penal actions as per section 7 and 8 of the Act including handing over of the Project to the association of allottees or any other way to complete the project.

However, if the existing flat owners, are not willing to accept new dates of possession, may withdraw from the project and claim for refund as per section 18 of the Act including claim of interest and compensation..

MahaSeWA/RERA-GST/24/29.05.2017

In one of our project, there are only a few tenements left to be sold as on 01/05/2017. We have already sold and registered 90% of the inventory before advent of RERA and also received entire consideration with respect to these flats. We are planning to obtain Occupation Certificate by December 2017. We are also planning to market and sell the remainder of the inventory (10%) only after receiving the said occupation certificate.

Under Rule 4 of Maharashtra Govt., it appears that even in this case the project needs to be registered simply because the "Completion Certificate" is not obtained and it is an on-going project. However, there is ambiguity as Clause 3 of the Central Act clearly states "No promoter shall advertise, market, book, sell.... without registering the real estate

project...." which seems to imply that as long as we don't intend to market/sell/advertise, it is not required to register our project. Thus, our query is that in such a case where Developer intends to only advertise/market/sell and create third party rights in his on-going project after receiving the Occupation Certificate AND not before then, is it still required to register the project under RERA ?

=====

Ans : RERA act says that ongoing projects which do not have Completion Certificate (OC) prior to 1 st May, 2017 shud get registered with RERA authorities. Ongoing projects can advertise en market en sale till 31st July, 2017. However, after this ongoing projects needs to get registered.

There is no ambiguity whatsoever about ongoing projects defined under law and an exception (provided that) under clause 3 needs to be read with the principal provision. Alone the exception (provided that) cannot survive. The exception "No Promoter shall advertise, market, book, sell without registering the real estate project..." is for new fresh projects post 1st may 2017 and not for ongoing projects.

Please take a note an exception (provided that) has to be read with the principle provision.

MahaSeWA/RERA/25/30.05.2017

I have a query can a cooperative hsg society who has entered in DA with a builder get registered by making an application under RERA.

If builder is not registering the project after taking over the possession of the property, what members and society can do?

=====

Ans : As per section 3 of the Act, the promoters are required to register the project with RERA, before offering any apartments for sale and registration with RERA may be done only after obtaining necessary sanction i.e (at least IOD).

The society will not be able to register with RERA, as the society is not going to sell a single flat. It is the promoter / developer who will be entering

into sale agreement, receive consideration from purchasers etc...So only developer has to register with RERA.

If the developer has started to market project without RERA registration, members of the society or any person may complain to RERA who shall take necessary action against such developer including levy of penalty up to 10% of cost of the project as determined by the Authority.

MahaSeWA/RERA/26/30.05.2017

Whether per se disputes between promoter and co promoter could be adjudicated by RERA authority when disputes arise in revenue sharing or profit sharing or area sharing??

=====

Ans : RERA is a special and specific Act to deal with the regulation and development of real estate business.

Any dispute between the promoter and co promoter will have to be resolved through the civil proceedings and cannot be taken before the Real Estate Regulatory Authority.

In case, because of the dispute between promoter and co promoter, the allottees or the flat purchasers are affected or possession is delayed, the section 7 of RERA comes into effect which is the cancellation or revocation of registration.

If the registration of the project is revoked, the Authority shall take necessary measures to complete the project as per section 8 of the Act. It is the obligation of the Authority on revocation or cancellation or lapse of registration to take over the project and hand over to the association of allottees or to competent Authority or in any other manner to complete the project.

Post RERA, promoter and co promoter continue to dispute, both may loose the project. Therefore, they will have to compromise and settle the dispute before it is too late.

Thus dispute between them does not come in the jurisdiction of RERA.



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3.Designation : _____

4.Residential address : _____

5. Phone No.(L): _____ Mobile No.: _____ Email: _____

6. Date of Birth: _____ Age: _____ Monthly Income Rs. _____

7. Number of dependents on Applicant: _____

8. Liabilities : Bank / Other Loans Rs. _____ Others Liabilities Rs. _____

9. Total Family Income : Rs. _____

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2.		
3.		
4.		

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**VASAI TALUKA CO-OPERATIVE HOUSING FEDERATION LTD.,
VASAI - 401202**

Regd. No. TNA/VSI/GNL/(O)/1453/2011 dated 25th August 2011.

=====

Date- / / 2017

To,
The Hon.Secretary,
Vasai Taluka Co-op. Housing Federation Ltd.
Swagat Bhavan, Near Indian Oil, Opp. MSEB Colony,
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Yours faithfully,

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Secretary /Authority
Vasai Taluka Co-op.Housing Federation Ltd.

FORM OF APPLICATION FOR MEMBERSHIP/And Allotment of the
VASAI TALUKA CO-OPERATIVE HOUSING FEDERATION LTD.,
VASAI - 401202

Regd. No. TNA/VSI/GNL/(O)/1453/2011 dated 25th August 2011.

Date: _____

The Hon. Secretary,
Vasai Taluka Co-op Housing Federation Ltd.
Vasai. Dist : Thane 401 202.

Sir,

We hereby apply for the membership of the **THE VASAI TALUKA COOP. HOUSING FEDERATION LTD.**, and for allotment of Ten shares of Rs. 100/- each. We furnish below following particulars in respects of our society.

1. Name of the society (in Block Letters) : _____

2. Registered Address : _____

3. Registration No. and Date if Registration : _____
4. Location of Land of building of the Society : _____
5. Total No. of member in a society : _____

The Bye-Laws of the Federation have been read by us and agreed to be binding on our society.

A copy of the resolution of the managing Committee of the society in this connection and a cheque of Rs.1600/- being the value of ten shares of Rs.100/- and Entrance Fee Rs.100/- and annual subscription of Rs 500/- is enclosed herewith.

Yours faithfully

Chairman / Secretary / Treasurer
Co-op. Housing Society Ltd.

Copy of the Resolution of the Meeting of the Managing Committee of the _____
Co-op. Housing Society Ltd. _____ held on _____.
_____ Resolved that the _____ Co-op Housing
Society Ltd _____

Do apply to **THE VASAI TALUKA CO-OP. HOUSING FEDERATION LTD., VASAI** and for allotment of TEN shares of the Federation of the Value of Rs. 100/- each, in the name of the society.

Further resolved that the Chairman / Secretary of the society be and is hereby authorized to sign the application for membership of the Federation on behalf of the society and to pay the amount of Rs. 1600/- towards ten shares of Rs. 100/- each. Entrance Fee of Rs. 100/- and Annul Subscription Expenses of Rs. 500/-..

Proposed By : Shri _____

Seconded By : Shri _____

Carried Unanimously.
TRUE COPY

Chairman / Secretary Society
Co-op. Housing Society Ltd.

DATA SHEET

Name of the Society : _____

Address of the Society : _____

Land Mark to reach Society : _____

Registration No. : _____

No. of Flat : _____ No. of Shops : _____

Name of the Committee Members :

Designation	Name	Mobile	E-mail-ID
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Secretary			
Treasurer			
Other			

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- Project close to Lowjee station & khopoli station/ bus stand.
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- 20 min. drive to khandala/ lonavla & 40 min. to Matheran hil station.
- 40 min. from Adlabs Imegica, Biggest amusement park.
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- Proposed 15 flyovers on Mumbai-Pune highways between Panvel & Khopoli will reduce travel time by 30 min.
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