

SOLUTION FOR STALLED REAL ESTATE PROJECT

By

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Introduction:

It is well settled that the Real Estate (Regulation and Development) Act, 2016 requires mandatory compliance from promoter towards real estate project registration and also specifies the revocation of registration if his activity found in contravention to the provisions of the same. If the situation so arise the question may come as to what will happened to the ongoing real estate project and individuals having interest in it.

Section 8 of the act empowers the authority to take certain action after consultation of the concerned government for the purpose of protecting the the interest of other parties who through mortgage or other investments are interested in the real estate project by carrying out the remaining development works by competent authority or by the association of allottees or in any other manner, as may be determined by the Authority.

The authority will also give notice to bank listed in encumbrance certificate and the other party having third party interest in the real estate project. Such parties includes Scheduled Banks, Housing Finance Companies, Insurance Companies,

Non-Banking Finance Companies operating as Asset Finance Companies, Investment Companies, Loan Companies, Investment Finance Companies, Infrastructure Debt Funds, Micro-finance Institutions, Foreign Direct Investors, Private Equity Funds and the Real Estate Investment Trust.

Usually, the RERA authorities will step in and direct the Association of Allottees (herein after AoA) to undertake the pending development work only if the project is nearing its completion stage. However if the project is still in its early stages, it may become very difficult for the AoA to take over and the authorities will be more likely to direct the promoters to provide a refund of their monies along with interest and compensation.

The MahaRERA vide order no. 8/2019 dated 28.03.2019 provides the detail procedure on how the action under section 7 and 8 of the act be proceeded with.

Procedure:

- Designated Resolution Panel be constituted which will consist of one member from the promoter's association and other member consumer forum. The member of the said panel would be selected out of the existing conciliation forum members having adequate professional experience in the real estate sector or is a chartered accountant, architect, engineer, lawyer.
- The association of allottee with the help of such panel members prepare a blueprint for completion of the project
- The blue print usually contain below details:
 - Financial blueprint containing detailed current financial status of the real estate project such as cash in hand, liabilities, expected revenue etc, financial estimate to complete the project and roadmap of the same
 - Construction blue print containing amount of construction work needed to complete the project, roadmap, selection of contractor etc.

- Overall detail blueprint of the completion of project
- Existing professional attached to the authority such as Architect, Engineer, chartered accountant, they will also assist the panel in preparing blue print

A four months time is given for the preparation of blue print as above. Afterward it will be submitted to the authority. Once approved the construction work will commence according to the blue print, and association of allottees are required to monthly update the authority with regard to construction work.

Few websites for reference:

1. The Revenue Department <https://rfd.maharashtra.gov.in/en>
2. The Development Authority/ or the local Municipal Authority (in case of Mumbai district this may be obtained from Bombay Municipal Corporation <https://portal.mcgm.gov.in/irj/portal/anonymous>)
3. The Building Proposal Office <https://autodcr.mcgm.gov.in/bpamsclient2/Login.aspx>
4. Tree Authority Committee/ Water and Drain Department/ Sewage Department/ Electrical Department/ Traffic and Co-ordination department/ Chief Fire Officer under Municipal Corporation <https://portal.mcgm.gov.in/irj/portal/anonymous>
5. The Ministry of Environment, Forest and Climate Change / the State Environment Impact Assessment Authority (SEIAA)/ State level expert Appraisal Committee <http://environmentclearance.nic.in/>
6. The Archeological survey of India <http://asiegov.gov.in/>
7. The Pollution control board <https://mpcb.gov.in/node>
8. The Civil Aviation Department <https://www.civilaviation.gov.in/>
9. The Central Ground Water Authority <http://cgwa-noc.gov.in/LandingPage/index.htm>
10. The Coastal Zone Management Authority <https://mczma.gov.in/>
11. The Public Work Department <https://pwd.maharashtra.gov.in/>

12. <https://rera.ap.gov.in/RERA/Views/Home.aspx>
13. <https://rera.ap.gov.in/>
14. <http://123.63.38.197/>
15. <https://rera.cgstate.gov.in/>
16. <https://rera.goa.gov.in/reraApp/home>
17. <https://gujrera.gujarat.gov.in/>
18. www.harayanarera.gov.in
19. www.harayanarera.gov.in
20. <http://www.hprera.in/WebSite/Home>
21. <https://jharera.jharkhand.gov.in/>
22. <https://rera.karnataka.gov.in/home?language=en>
23. <https://rera.kerala.gov.in/>
24. <http://www.reat.mp.gov.in/contact-us>
25. <https://maharera.mahaonline.gov.in/>
26. <http://udpamizoram.nic.in/RERA.html>
27. <https://rera.odisha.gov.in/>
28. <https://www.rera.punjab.gov.in/index.html>
29. <https://rera.rajasthan.gov.in/>
30. <https://rera.rajasthan.gov.in/Tribunal>
31. <https://www.rera.tn.gov.in/>
32. <http://rera.telangana.gov.in/>
33. <https://rera.tripura.gov.in/>
34. <http://www.uhuda.org.in/>
35. <https://www.up-rera.in/index.aspx>
36. <http://rera.chbonline.in/>
37. <https://rera.delhi.gov.in/>
38. <http://prera.py.gov.in/>

Other

Ministry of
Housing and
Urban Affairs <http://mohua.gov.in/>

s
Atal Mission
for
Rejuvenatio
n and Urban
Transformati <http://amrut.gov.in/content/>
on
(AMRUT),
Govt. of
India
Building
Materials
and
Technology <https://www.bmtpc.org/>
Promotion
Council
(BMTPC)
CPWD
Sewa -
Central
Public <https://cpwdsewa.gov.in/>
Works
Department
(CPWD)
Central
Government
Employees
Welfare
Housing <https://www.cgewho.in/>
Organisation
(CGEWHO)

-
Central
Public
Health and
Environment
al <http://cpheeo.gov.in/>
Engineering
Organisation
(CPHEEO)
Central

Public Works Department (CPWD) Complaint Registration and Monitoring System, CPWD Environment Protection in Government Colonies, Directorate of Estates Geo Portal for Urban Mission, Ministry of Housing and Urban Affairs Global Housing Technology Challenge - India (GHTC - India) Ministry of Micro, Small & Medium Enterprises Housing and Urban Development Corporation Limited (HUDCO) Land and Development Office, Ministry of <https://cpwd.gov.in/>
<https://cpwdsewa.gov.in/>
<http://epgc.gov.in/>
<http://geourbanmissions.gov.in/>
<https://ghtc-india.gov.in/>
<https://msme.gov.in/>
<https://www.hudco.org/>
<https://ldo.gov.in/>

Urban
Developmen

t
National
Capital

Region <http://ncrpb.nic.in/>
Planning

Board
(NCRPB)

National
Cooperative

Housing <https://www.nchfindia.net/>
Federation

of India
(NCHFI)

National
Institute of

Urban <http://www.niua.org/>
Affairs

(NIUA)

National
Projects

Construction <http://npcc.gov.in/>
Corporation

Limited
(NPCC)

National

Real Estate <http://naredco.in/>
Developmen

t Council

National

Building <http://nbo.nic.in/>
Organisation

(NBO)

National
Buildings

Organisation
(NBO),

Building <http://briks.gov.in/>
Related

Information
and

Knowledge
System

National
Rural

Infrastructure Development Agency (NRIDA) National, Urban, Livelihoods, Mission, NULM North Eastern Region Urban Development Programme (NERUDP) Phase-I Pradhan Mantri Awas Yojana - Urban : CLSS Awas Portal (CLAP) State Institute for Urban Development (SIUD) Swachh Bharat Mission - Urban Poverty Eradication Mission (Kudumbashree) Pradhan Mantri Awas Yojana (Urban) - Housing for

<https://pmsgy.nic.in/>

<http://nulm.gov.in/>

<https://nerudp.nic.in/>

<https://pmayuclap.gov.in/>

<http://www.siudmysore.gov.in/>

<http://swachhbharaturban.gov.in/>

<https://www.kudumbashree.org/>

<https://pmay-urban.gov.in/>

All
Pradhan
Mantri
Awas <http://pmaymis.gov.in/>
Yojana
(Urban) -
MIS Portal
Smart Cities
Mission, <https://smartcities.gov.in/>
Govt. of
India
Unified
Traffic and
Transportati
on <http://uttipeec.nic.in/>
Infrastructur
e Centre
(UTTIPEC)
Urban
Developmen
t <https://udd.uk.gov.in/>
Directorate,
Uttarakhand
Web Based
Project
Monitoring
System -
Central <https://cpwdpms.gov.in/>
Public
Works
Department
(CPWD)
Commission
er and
Director of
Municipal
Administrati <https://cdma.ap.gov.in/>
on (C &
DMA),
Andhra
Pradesh
Amaravati
Metropolitan
Region
Developmen <https://crda.ap.gov.in/APCRDAV2/views/Home.aspx>
t Authority,

Andhra Pradesh Directorate of Town and Country Planning, Government of Andhra Pradesh

<http://dtcp.ap.gov.in/dtcpweb/DtcpHome.html>

National Academy of Constuction, Hyderabad,

<http://nac.edu.in/>

Andhra pradesh PHMED - Public

Health and Municipal Engineering Department ,

<http://www.appublichealth.gov.in/home.do;jsessionid=C31F1DFFD0EBABBFD4849E4F27FBBE2B>

Andhra pradesh Portal of Tribal

Welfare Department,

<https://aptribes.gov.in/>

Andhra Pradesh Assam Urban

Infrastructur e Investment Program (AUIIP)

<http://auiip.nic.in/>

Directorate of Municipal Administrati on, Govt. of

<https://dma.assam.gov.in/>

Assam Bangalore Metropolitan Task Force (BMTF)

<http://bmtf.gov.in/>

Karnataka Urban

Infrastructur

e

Developmen <http://www.kuidfc.com/>

t and

Finance

Corporation

(KUIDFC)

Bathinda

Developmen

t Authority

(BDA), <http://bdabathinda.in/en>

Bathinda,

Punjab

CIDCO

New Towns

- City and

Industrial

Developmen

t <http://cidconewtowns.gov.in/>

Corporation

of

Maharashtra

Limited

Maharashtra

Urban

Infrastructur

e Fund <http://www.muidcl.com/>

(MUIF),

Mumbai

Maharashtra

Housing and

Area

Developmen <https://www.mhada.gov.in/en>

t Authority

Nagar Vikas

Vibag,

Maharashtra <https://urban.maharashtra.gov.in/>

Commission

er and

Director of

Municipal

Administrati <http://cdma.telangana.gov.in/>

on

(C&DMA),

Telangana

Mission for
Elimination
of Poverty in

Municipal
Areas

<https://tmepma.cgg.gov.in/home.do;jsessionid=F2F27458EE88DAB1E46748EB79586BCB>

(MEPMA),
Government
of

Telangana

Public
Health &

Municipal
Engineering

<https://publichealth.telangana.gov.in/home.do;jsessionid=5C57287B6FBF0A3C674FB7DF9BEEF61F>

Department
(PHMED),

Telangana

Telangana

Municipal
Developmen

<http://mdp.telangana.gov.in/SocialSafeguards.html>

t Project

(TGMDP)

Delhi Urban

Art

Commission
(DUAC)

<https://www.duac.org/>

Hindustan

Prefab

Limited,

<http://hindprefab.in/Home.aspx>

New Delhi

Department

of

Architecture

<https://architecturehry.gov.in/>

, Haryana

Online

Building

Plan

Approval

System

<https://haryanabpas.gov.in/OBPASPORTAL/>

(HOBPAS),

Government

of Haryana

Devbhoomi

-

Uttarakhand

https://bhulekh.uk.gov.in/public/public_ror/Public_ROR.jsp

Land

Records

Directorate
Of
Municipaliti
es, Gujarat
Gujarat
Social
Infrastructur
e
Developmen
t Society
(GSIDS)
Open
Government
Data Portal
of Surat
Municipal
Corporation
Settlement
Commission
er and
Director of
Land
Records
Directorate
of Boilers,
Tamil Nadu
Online
Repository
of Urban
News -
TNIUS,
Coimbatore
Tamil Nadu
Institute of
Urban
Studies
Tamil Nadu
Institute of
Urban
Studies
(TNIUS),
Coimbatore
Tamil Nadu
Regulation
of Rights
and

<https://communi.gujarat.gov.in/>

<https://gujhd.gujarat.gov.in/>

<https://smartcities.data.gov.in/>

<https://www.landrecords.gujarat.gov.in/>

<http://www.boilers.tn.gov.in/>

<http://www.tniusnews.org/cgi-sys/suspendedpage.cgi>

<http://www.tnius.org/cgi-sys/suspendedpage.cgi>

<http://www.tniuscbe.org/cgi-sys/suspendedpage.cgi>

Responsibilities of Landlords and Tenants Act 2017

<https://www.tenancy.tn.gov.in/>

Tamil Nadu Urban Infrastructure Financial Services Ltd.

<http://www.tnurf.com/>

Directorate of Estates, Government of Madhya Pradesh Directorate of Town and Country Planning (MPTOWN PLAN),

<https://sampada.mp.gov.in/>

Government of Madhya Pradesh, Bhopal. e-Nagar Palika,

<http://mptownplan.gov.in/>

Government of Madhya Pradesh Directorate of Housing,

<https://www.mpenagarpalika.gov.in/irj/portal/anonymous>

Government of Meghalaya Meghalaya Urban

<http://meghousing.gov.in/>

Development Agency (MUDA)

<http://mudashillong.gov.in/>

State Investment and Project Management and

<https://sipmiu.nic.in/>

Implementat
ion Unit,
Shillong,
Megalaya
EMS
Housing
Scheme
Monitoring <http://emshousingkerala.gov.in/>
System,
Idukki,
Kerala
Housing
Commission <http://www.hsgcomr.kerala.gov.in/>
erate
Town
planning <http://townplanning.kerala.gov.in/>
Department
Government
of India
Stationery <http://giso.gov.in/>
Office,
Kolkata
Haldia
Developmen <https://www.hda.gov.in/>
t Authority
Haldia
Developmen
t Authority <https://www.hda.gov.in/>
(HDA),
West
Bengal
Kolkata
Metropolitan
Developmen <http://www.kmdaonline.org/>
t Authority
New Town
Kolkata
Developmen <https://www.nkdamar.org/Pages/index.aspx>
t Authority
Jaipur
Developmen <https://jda.urban.rajasthan.gov.in/content/raj/udh/jda---jaipur/en/home.html>
t Authority
Town
Planning
Department, <http://ctp.rajasthan.gov.in/>
Govt. of

Rajasthan
Moradabad
Development
t Authority, <https://mdamoradabad.org/>
Uttar
Pradesh
Urban
Transport
Directorate, <http://uputd.gov.in/>
Uttar
Pradesh
Uttar
Pradesh
Housing and <https://www.upavp.in/>
Development
t Board
Town and
Country
Planning
Department, <http://uptownplanning.gov.in/>
Uttar
Pradesh
e-
Municipaliti
es -
eServices to
citizens and
Employees <http://e-nagarsewaup.gov.in/ulbapps/>
of Urban
Local
Bodies of
Uttar
Pradesh
Official
Portal of
Rural
Housing <https://rhodisha.gov.in/>
Schemes of
Odisha
Smart City
Bhubaneswa <http://www.smartcitybhubaneswar.gov.in/>
r, Odisha
Special Area
Development
t Project for
Kalahandi,

Bolangir and <http://kbk.nic.in/>
Koraput
Districts of
Odisha.
odisha
eMunicipalit
y, Housing
and Urban <https://www.ulbodisha.gov.in/or/emun/home>
Developmen
t
Department,
Odisha
Public
Health
Engineering <https://www.pheoodisha.gov.in/>
Organisation
(PHEO),
Odisha
Online
Application
for
Individual <http://oasys.bih.nic.in/>
Household
Latrine
(IHHL),
Bihar
Official
website of
Land <https://landrevenue.mizoram.gov.in/>
Revenue and
Settlement
Department
Regional
Centre for
Urban and
Environment
al Studies <http://rcueshyd.gov.in/>
(RCUES),
Osmania
University,
Hyderabad
e-Awas :
Accommoda
tions
Management
and

<https://eawas.chd.gov.in/>
Allotment
System of
Chandigarh
Administrati
on

EASE OF DOING INITIATIVES OF MAHARASHTRA

1. All land titles or deed records have been digitized at the Sub-Registrar's Office (SRO) <http://igrmaharashtra.gov.in/>

A. iSarita 2.0 IGR Application

https://appligr.maharashtra.gov.in/NGDRS_MH/Citizenentry/geneneralinfoentry/70672950673628

B. Property valuation (general information about all the space rates)

<http://igrmaharashtra.gov.in/eASR/frmMap.aspx>

C. Land records maharashtra <https://mahabhumi.gov.in/mahabhumulink>

D. Download facility for digital 7/12; 8A and property card etc

<https://digitalsatbara.mahabhumi.gov.in/DSLRLR>; digitized document downloaded at 15 rs.

E. PR Card application status

https://digitalsatbara.mahabhumi.gov.in//pc_status Application incoming number is to put

F. Integrated property registration portal

<https://registeringproperty.mahabhumi.gov.in/>

G. E mojani check mojani application status

<https://emojni.mahabhumi.gov.in/emojni/mojani/pgLogin.aspx>

H. Public data entry for property registration and mutation (update) land records <https://pdeigr.maharashtra.gov.in/frmLogin> facilities such as 1.

Marriage registration 2. E registration 3. E filing 4 7/12 mutations 5 e property card

I. Village digital notice boards

<https://digitalsatbara.mahabhumi.gov.in/aaplichawdi>

J. mutation dashboard

K. bhū nakasha <https://bhunaksha.nic.in/bhunaksha/index.jsp> available for
12 states

I. andhra pradesh

II. chattisgarh

III. kerala

IV. orissa

V. assam

VI. himachal pradesh

VII. lakshdweep

VIII. bihar

IX. jharkhand

X. rajasthan

XI. maharashtra

<https://mahabhunakasha.mahabhumi.gov.in/bhunaksha/27/index.jsp>

XII. uttarpradesh

2. To check the **encumbrances** <http://igrmaharashtra.gov.in/>

3. Service delivery standards have been introduced to provide maps within a specific time frame through an online portal
<https://aaplesarkar.maharashtra.gov.in/en/>

4. **Disputes related to land** have been mandated to be adjudicated within 1 year as per amendment of Maharashtra Act No XI of 2016
<http://eqjcourts.gov.in/startup/default.php>

5. **The grievances related to land** can be reported through "Aaple Sarkar" portal
<https://aaplesarkar.maharashtra.gov.in/en/>

6. **Land dispute information has been made available online through e-DISNIC software** https://services.ecourts.gov.in/ecourtindia_v6/

7. Registration Act has been amended with insertion of Section 89 A, according to which, every court shall send copies of order affecting any immovable property and every recovery officer shall send copies of order or interim order

attaching or releasing any immovable property to the concerned Sub-Registrar
<https://bombayhighcourt.nic.in/libweb/acts/Stateact/2012acts/2012.10.pdf>

8. Title search can be conducted online without requirement of any physical visit
(for _____ Paid _____ search)

<https://esearchigr.maharashtra.gov.in/portal/esearchlogin.aspx>

L. Central Registry of Securitisation Asset Reconstruction and Security

Interest (CERSAI) section 8 company located in new delhi

<https://cersai.org.in/CERSAI/home.prg> created to check frauds in lending

against equitable mortgages, in which people would take multiple loans on the same asset from different banks. Searches such as

- a. asset based search
- b. debtor based search
- c. AOR based search available with payment of 10 rs.

9. **Tax dues on property** can be checked online on MCGM's website
<https://ptaxportal.mcg.gov.in/CitizenPortal/#/login>

10. **eStepIn for online registration slot booking at SROs** launched
<http://igrmaharashtra.gov.in/>

11. **eRegistration system launched for online registration of leave and license rent agreements** <http://igrmaharashtra.gov.in/>

12. **eSecure Bank Treasury Receipt (eSBTR) for payment of Stamp Duty**)
<http://igrmaharashtra.gov.in/> Dept of registration and stamps duty online payment <https://gras.mahakosh.gov.in/echallan/igr/>

13. **eASR for online statement of rates** launched in Aug 2014
<http://igrmaharashtra.gov.in/>

14. **E records** <https://aappleabhilekh.mahabhumi.gov.in//erecords/> -

M. Below records available

- I. Old mutation (Tahsil Office)
- II. Satbara (tahsil office)
- III. 8A (tahsil office)
- IV. K.D.E. Patrak (Tahsil Office)
- V. Ka. Da. E. Patrak-Hakk Nondni Register (Tahsil office)

- VI. Inam patrak (Tahsil office)
- VII. Bot khat (Tahsil Office)
- VIII. Sud register (Tahsil Office)
- IX. Khasra patrak (Tahsil Office)
- X. Khasra phalni patrak (Tahsil Office)
- XI. Jod takta A (Tahsil Office)
- XII. Kul register(Tahsil Office)
- XIII. Old phalni (Tahsil Office)
- XIV. Pere patrak (Tahsil Office)
- XV. Record of rights panji (1954-55) (Tahsil Office)
- XVI. Bandobasti misal (Tahsil Office)
- XVII. Wajab-ul arj (Tahsil Office)
- XVIII. Nista patrak (Tahsil Office)
- XIX. Hakk nondinin register (Tahsil Office)
- XX. Tippan (deputy SLR officer)
- XXI. Gunakar book (Deputy SLR officer)
- XXII. Akarphod patrak (Deputy SLR officer)
- XXIII. JKP (Deputy SLR Officer)
- XXIV. Akkarband (Vadivibhajan) (deputy SLR officer)
- XXV. Akkarband (Gut Consolidation) (Deputy SLR Officer)
- XXVI. Akkarband (Acer Guntha) Deputy Slr Officer
- XXVII. Yogna Patrak – consolidation scheme- durusti scheme- shudhi patrak (Deputy SLR officer)
- XXVIII. Consolidation jawab (Deputy SLR Officer)
- XXIX. Fiel book original (Deputy SLR Officer)
- XXX. Vaslevar book (Deputy SLR Officer)
- XXXI. Table pavti (Deputy SLR Officer)
- XXXII. Consolidation scheme 9(1) and 9(2) maps (Deputy SLR Officer)
- XXXIII. Kacch sud (Deputy SLR Officer)
- XXXIV. Shetwar patrak (Deputy SLR Officer)
- XXXV. Revision book (Deputy SLR Officer)

- XXXVI. Fodi tippan book (Deputy SLR Officer)
- XXXVII. Pot hissa tippan book (Deputy SLR Officer)
- XXXVIII. Wajib – ul arj (Deputy SLR Officer)
- XXXIX. Resurvey akarband (Deputy SLR Officer)
- XL. Resurvey gunakar book (Deputy SLR Officer)
- XLI. Pot hissa patrak (Deputy SLR Officer)
- XLII. Bandobast misal (Deputy SLR Officer)
- XLIII. Bandobast akarband (Deputy SLR Officer)
- XLIV. Nistar patrak (Deputy SLR Officer)
- XLV. CSO Enquiry register (Deputy SLR Officer)
- XLVI. CSO Property Card (Deputy SLR Officer)
- XLVII. CSO Property register (Deputy SLR Officer)
- XLVIII. CSO field book (Deputy SLR Officer)
- XLIX. CSO city survey (Deputy SLR Officer)
- L. CSO town planning scheme (Deputy SLR Officer)
- LI. Enquiry Register (city survey office)
- LII. Property card (city survey office)
- LIII. Property register (city survey office)
- LIV. Field book (city survey office)
- LV. Vaslevar book (city survey office)
- LVI. Town planning scheme (city survey office)

- **currently available for below districts:**

- a. akola
- b. amravati
- c. dhule
- d. gondiya
- e. Mumbai suburban
- f. Nandurbar
- g. Nashik
- h. Palghar
- i. Thane

j. Washim

Hoping you find this article informative and useful, to find out more of such information stay tuned to my next article.

Thank you!