

KERALA REAL ESTATE REGULATORY AUTHORITY
5th Floor, Swaraj Bhavan, Nanthancode, Kowdiar PO,
Thiruvananthapuram-695 003



K-RERA/T3/102/2020

Dated: 30-10-2020

ORDER

Sub: Redetermination of Penalty for delayed submission of Applications for Registration of ongoing projects – reg:

Ref: (1) Order and Public Notice No: K-RERA/T3/102/2020 dated 29/09/2020 of Kerala Real Estate Regulatory Authority
(2) Orders No: K-RERA/T3/102/2020 dated 30/09/2020 of Kerala Real Estate Regulatory Authority

The Authority vide references cited (1) and (2) above determined the penalty as per section 59 of the Real Estate (Regulation and Development) Act, 2016 for non-submission of applications for registration of ongoing projects in Form A1 on or before 30th September 2020.

At the meeting held on 23rd October 2020 with the Chairman in the Office of K-RERA, the representatives of CREDAI has requested to dispense with the penalty prescribed upto 31st December 2020. They pointed out that the fee for registration of projects in Kerala is very high compared to many other states and hence the penalty for initial months of delayed submission also works out to be relatively high. They also invited attention of the authority on the adverse situation created due to covid19 pandemic, staff shortage in their respective offices thereof and the amount of details to be collected and enclosed with the application for registration of projects and requested for a further considerate approach in determining penalty for late submission of application for registration of such projects.

The matter was examined and the penalty as per section 59 of the Act, 2016 is redetermined as follows:

The penalty for non-submission of applications on or before 30-09-2020 for registration of ongoing projects in Form A1 shall be as follows:

Sl No:	Date of submission of application for registration of project	Penalty
01	From 01 st day of October 2020 upto 31 st day of October 2020	10% of the Application fee as per rule 3(4) of the Kerala Real Estate (Regulation & Development) Rules, 2018
02	From 01 st day of November 2020 upto 30 th day of November 2020	20% of the Application fee as per rule 3(4) of the Kerala Real Estate (Regulation & Development) Rules, 2018
03	From 01 st day of December 2020 upto 31 st day of December 2020	40% of the Application fee as per rule 3(4) of the Kerala Real Estate (Regulation & Development) Rules, 2018
04	From 01 st day of January 2021 onwards	As decided by the authority on a case to case basis, which may extend upto 10% of the project cost as per section 59 of the Real Estate (Regulation & Development) Act, 2016.

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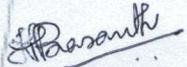
Also, the penalty for non-submission of application on or before 30th day of September 2020 for registration of ongoing projects in Form A1, for which occupancy and/or development certificate have already been issued on or before 30th day of September 2020 is redetermined as Nil for the period from 01st day of October 2020 to 31st day of December 2020. In such cases, the applicant shall also enclose a self-attested copy of such occupancy certificate and/or Development Certificate (as applicable) issued by the competent authority.

The Registration fee and the penalty shall be remitted as separate demand drafts drawn in favour of 'Kerala Real Estate Regulatory Authority' payable at Thiruvananthapuram.

Sd/-
MEMBER

Sd/-
CHAIRMAN

Issued by:


Secretary (T&A)

