



Date: 08-09-2020

PUBLIC NOTICE

Urgent Attention Promoters:

The Real Estate (Regulation & Development) Act was enacted by the Indian Parliament in the year of 2016. Kerala Real Estate Regulatory Authority has been constituted in the month of October 2019 and the process of registration of real estate projects has been started in December 2019 itself in our State.

As per Section 3(1) of the Act "No promoter shall advertise, market, book, sell or offer for sale, or invite persons to purchase in any manner any plot, apartment or building, as the case may be, in any real estate project or part of it, in any planning area, without registering the real estate project with the Real Estate Regulatory Authority established under this Act"

The Authority published several notices through its official website conveying consequences of non-compliance of abovementioned mandatory provision of law regarding registration of real estate projects. In fact the Promoters of real estate Projects obtained ample time till 23rd March 2020 for submitting applications for registration of real estate Projects. The lockdown related to COVID-19 Pandemic started only on 24th March 2020. In the strict legal sense, such a relaxation/extension is meant only for those who were not able to submit applications for registration till 23.03.2020 due to some valid reasons for which they were not at all responsible or beyond their control.

It is to be noted that the extension given by this Authority previously until 31.08.2020 and subsequently extended up to 30.09.2020 is applicable only for promoters of ongoing real estate projects for submitting their applications without penalty. The Promoters mentioned therein are those who were not able to submit applications for registration till 23.03.2020 for certain valid reasons for which they are not at all responsible. Hence it is to be noted seriously that above mentioned extension period is neither meant for any lawbreakers nor a blanket approval for violating the law.

P.A.



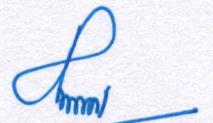
This Authority has been receiving many complaints, both formal and informal, pointing out the marketing activities done by some promoters in connection with their projects without even applying for registration under RERA. The Authority has started sending Show Cause notices to them. The Authority also specifically notes that many plot developments are going on in the State without getting registration under RERA.

In these circumstances, the Promoters/developers/Builders are hereby directed to register the Projects that are registerable as per section 3 of the Act at the earliest and they are reminded again that the offence of non- registration under RERA attracts 'penalty which may extend up to 10% of the estimated cost of the real estate Project as determined by the Authority' as prescribed under Section 59 of Real Estate (Regulation & Development) Act 2016.

The Authority has received so far 300 applications for registration of real estate projects out of which 170 registrations have been given. The remaining applications are under process and most of them are getting delayed due to the non-responsive attitude of promoters for the letters asking them to correct/rectify the defects in their applications.



Member



Chairman

