



# MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY

## महाराष्ट्र स्थावर संपदा नियामक प्राधिकरण

Order No. 43/2023

No. MahaRERA / Secy / File no. 27/ 202 /2023

Date: 13.02.2023

Subject: Submission of half-yearly reports by MahaRERA registered real estate agents

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, one of the key objectives of the Act, is to ensure sale of plot, apartment, unit or building, as the case may be, or sale of real estate project, in an efficient and transparent manner.

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 Government of Maharashtra has notified the Maharashtra Real Estate (Regulation and Development) (Registration of Real Estate Projects, Registration of Real Estate Agents, Rates of Interest and Disclosures on Website) Rules, 2017 (the Rules) for carrying out the provisions of the Act.

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

### **MAHARERA HEADQUARTERS**

Housefin Bhavan, Plot No.C-21, E-Block, Bandra-Kurla-Complex, Bandra (E), Mumbai 400051

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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](mailto:helpdesk@maharera.mahaonline.gov.in)

And whereas, 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, under Section 34 of the Act, one of the functions of the Authority is to register and regulate real estate projects and real estate agents registered under the Act.

And whereas, Section 9 of the Act, mandates every real estate agent to be registered with MahaRERA before facilitating the sale or purchase of or act on behalf of any person to facilitate the sale or purchase of any plot, apartment, unit or building as the case may be in a real estate project or part of it being sold by a promoter.

And whereas, as per Section 4 (2) (j) of the Act only those registered real estate agents whose names and addresses have been furnished by promoters in the application made for registration of a real estate project shall be entitled to facilitate the sale or purchase of or act on behalf of such promoter in the matter of sale or purchase of any plot, apartment, unit or building as the case may be in a real estate project or part of it being sold by a promoter.

And whereas, Section 10 (b) of the Act mandates every real estate agent registered under Section 9 of the Act to maintain and preserve such books of account, records and documents as may prescribed.

And whereas, Rule 11 (5) of the Rules further mandates every registered real estate agent upon being engaged by a promoter for a real estate project to maintain and preserve books of accounts, records and documents separately for each such real estate project.

And whereas, Rule 16 of the Rules prescribes every registered real estate agents to maintain and preserve such books of accounts, records and documents as may be required in accordance with the provisions of the Income Tax Act, 1961 or the Companies Act, 2013 or under any other law applicable for the time being in force or rules and regulations framed thereunder and to produce such records for inspection if so needed for grant or renewal of the registration.

And whereas, the Government of India has prescribed **guidelines** for reporting entities (real estate agents) under the Prevention of Money Laundering Act, 2002 and the Prevention of Money Laundering (Maintenance of Records) Rules 2005.

And whereas, under the above-referred guideless every real estate agents whose annual turnover is Rupees 20 (Twenty) Lakhs and above is required to appoint a Principal Officer and a Designated Director and intimate their names, designation, telephone number, email address including any changes in such appointments to the Real Estate Regulatory Authority governing the real estate agents.

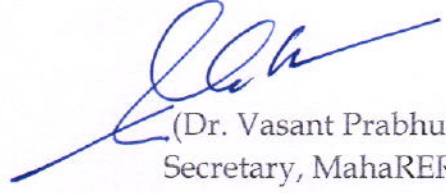
And whereas, the provisions of the Act, the Rules and Regulations made thereunder focuses on disclosure of information and accordingly, MahaRERA has always endeavoured to bring transparency ensuring that maximum information is available for public viewing, thereby empowering homebuyers / allottees to make informed choice / decisions.

In view of the above, the following directions are issued: -

- i) MahaRERA registered real estate agent shall upload on their respective web page half-yearly progress report in the **Format** as prescribed in **Form - 6 annexed hereto as Annexure 'A'**.
- ii) The half yearly progress report shall be uploaded by every registered real estate agent on their respective web page as per financial calendar half year period which shall be (a) **April to September** and (b) **October to March**.
- iii) MahaRERA registered real estate agent shall upload on their respective web page the half yearly progress report for the financial calendar half year period "**April to September**" on or before **20<sup>th</sup> October** and for the financial calendar half year period "**October to March**" on or before **20<sup>th</sup> of April**.
- iv) In the event the half yearly progress report in the manner and as per the timelines mentioned above is not submitted, action as deemed fit shall be initiated by the Authority.
- v) The half yearly progress reports except the portion marked '**\***' in Form 6 shall be made available for public viewing to enable greater transparency and citizen empowerment.

vi) This order shall come into force with effect from **01.04.2023** and in view thereof the **first half yearly progress report** for the period **April 2023 to September 2023** shall be uploaded by every registered real estate agent on their respective web page on or before **20.10.2023**.

*(As approved by the Authority.)*



(Dr. Vasant Prabhu)  
Secretary, MahaRERA

**ANNEXURE 'A'**

**FORM 6**

On the Letterhead of the real estate agent

**DISCLOSURE OF REAL ESTATE TRANSACTIONS FACILITATED AND  
OTHER PARTICULARS**

(MahaRERA registered real estate agent shall submit these details on half yearly basis, which shall be in public view except the portion marked **'\*'**)

Date:

Name:

\_\_\_\_\_

MahaRERA Registration No:

\_\_\_\_\_

MahaRERA Real Estate Agent Certificate of Competency No. \_\_\_\_\_

Information for the period commencing from    dd /    mm /    yy to    dd /    mm /    yy

**Table A: Real estate projects where real estate agents are designated by promoter to act as real estate agent under Section 4(2)(j) of the Act**

S. No.	Name of the Project	MahaRERA Project Registration Number
1.		
2.		
3.		
4.		

**Table B: Details of plots, apartments, units or buildings where booking/ sale was facilitated by the real estate agent during the reporting period**

S no	Name of the Project	MahaRERA Project Registration Number	Whether plot/ shop/ apartment / others	Residential or commercial or others	Unit number in the Project	Date of transaction	Amount of Agent Fees levied for this transaction*
1							
2							
3							
4							
5							

**Table C: Applicable for real estate agents, whose annual turnover is Rs. 20 (Twenty) lakhs and above, the following data also needs to be provided\*:**

	Name	Date of appointment	Mobile Number	Email address	Contact Address
Principal Officer					
Designated Director					

Signature of Agent

Name.....

Designation

Seal / Rubber Stamp