



Real Estate Regulatory Authority, Karnataka
1/14, 2nd Floor, Silver jubilee block, Unity Building, CSI Compound
3RD Cross, Mission Road, Bengaluru -560027



No: K-RERA/Secy/04/2019-20

Date: 19/05/2020

CIRCULAR

1. Whereas an advisory of Office Memorandum No. O-17024/230/2018-Housing-UD/EFS-9056405 dated 13th May 2020 issued by Ministry of Housing & Urban Affairs (Housing Section), Government of India, regarding extension of registration of real estate projects due to 'Force Majeure' under the provisions of Real Estate (Regulations and Development) Act, 2016 have advised all States / Union Territories and their Real Estate Regulatory Authorities to issue orders / directions to the effect that 'notwithstanding anything contained to the contrary and by virtue of powers conferred under section 37 read with section 34(f) of the RERA Act, the registration or extension therto under Section 5, 6, 7(3) of the RERA or Rules thereunder, all registered projects under jurisdiction of Regulatory Authority for which the completion date or revised completion date or extended completion date as per registration expires on or after 25 March, 2020, be extended by six months.
2. The Karnataka Real Estate Regulatory Authority had issued an order dated 3rd April 2020 taking into consideration declaring lockdown by Karnataka State Government upto 30th March, 2020. Subsequently, on 24-03-2020, Government of India had declared for complete lockdown of the entire country for 21 days (i.e., until 14-04-2020) allowing only operation of select essential services. Again the lockdown was continued upto 17th May, 2020.
3. On account of imposition of lockdown in India for 21 days i.e. upto 14-04-2020 all complaint cases registered for hearing upto 14-04-2020 before the K-RERA and Adjudicating Officer of K-RERA were adjourned as per proceedings of the Authority dated 3rd April, 2020.

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4. While issuing K-RERA Circular No. Sec.CR.04/2019-20 dated 04-04-2020, the following points were taken into consideration:

a. Owing to the aforesaid lockdowns, the supply chains for obtaining construction material have been disrupted and labour workforce may be under process of migrating back to their home states, due to which the real estate projects across Karnataka would take some time to restart the work.

b. While granting registration / extension under section 5, 6, 7(3) of the Act or Rules framed thereunder, the Authority has to take into consideration reasons and circumstances that influenced the duration for completion of projects. And these sections are read with section 34 (f) of the Act, wherein, the Authority is required ensure the compliance of the obligations cast upon the promoters, the allottees and the real estate agents.

c. Also, recognizing the above factors, the RBI had allowed banks to provide a three month moratorium on fixed term loans and EMI payments.

5. Therefore, in order to aid government efforts in controlling the damage of COVID-19 and ensure that completion of K-RERA registered projects does not get adversely affected, it was decided to issue the following orders:

a) For all K-RERA Registered projects where completion date, revised completion date or extended completion date expires on or after 15th March 2020, the period of validity for registration of such projects shall be extended by three months. K-RERA shall accordingly issue project registration certificates, with revised timelines for such projects, at the earliest.

19.5. *Latha Kumari*



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- b) The time limits of all statutory compliances in accordance with the Real Estate (Regulation and Development) Act, 2016 and the rules and regulations made thereunder, which were due in March / April / May are extended to 30th June 2020.
- c) All complaint cases listed for hearing upto 14.4.2020 before the Karnataka Real Estate Regulatory Authority and the Adjudicating Officer, KRERA, have been adjourned except cases urgent in nature to avoid gathering of litigants/lawyers/visitors. Next dates of hearing in each case will be posted on the website of the Authority.
6. In view of the Government of India, Ministry of Housing & Urban Affairs (Housing Section) advisory O.M. dated 13th May, 2020 and in supersession of K-RERA Circular dated 04-04-2020, it has been decided to issue the following orders :

ORDER

- (i). For all KRERA Registered projects where completion date, revised completion date or extended completion date expires on or after 15th March 2020, the period of validity of registration of such projects is hereby **extended by six months** by invoking '*Force Majeure*' clause. KRERA shall accordingly issue project registration certificates, with revised timelines for such projects, at the earliest. Project promoters are not required to submit extension applications in respect of such projects.
- (ii) The time limits of all statutory compliances in accordance with the Real Estate (Regulation and Development) Act, 2016 and the rules and regulations made thereunder, which were due by 15th March 2020 are extended to 15th September 2020.

K. S. Sathakumari



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(iii) All complaint cases listed for hearing up to 14.4.2020 before the Karnataka Real Estate Regulatory Authority and the Adjudicating Officer, KRERA, have been adjourned and the next dates of hearing in each case will be posted on the website of the Authority shortly. However, cases of urgent in nature shall be considered for having, either in person and through 'Skype', to avoid gathering of litigants/lawyers/visitors.

[Approved by the ~~Real Estate~~ Authority]

19.5
Secretary, *S. Rama Kumar*

Karnataka Real Estate Regulatory Authority.

To,

1. The Under Secretary to Government of India, Housing Department, Ministry of Housing & Urban Affairs, Nirman Bhavan, New Delhi.
2. The Secretary to Government, Housing Department, Vikasa Soudha, Bengaluru.
3. The President, CREDIA, M.G.Road, Bengaluru.
4. PS to Hon'ble Chaiman, K-RERA.
5. Member-1 & Member-2, K-RERA
6. Deputy Secretary, K-RERA.
7. Spare copies/Guard File.