

## APPENDIX E-5

### HOUSING DEPARTMENT

Madam Cama Road, Hutatma Rajguru Chowk,  
Mantralaya, Mumbai 400 032, Dated the 18<sup>th</sup> April 2017

#### NOTIFICATION

No. REA2016/CR.No.123/DVP-2.—In exercise of the powers conferred by sub-section (1) and clauses (zd) and (ze) of sub-section (2) of section 84 of the Real Estate (Regulation and Development) Act, 2016, and all other powers enabling it in that behalf, the Government of Maharashtra, in consultation with the Comptroller and Auditor General of India, is hereby pleased to make the following Rules, as follow, namely :—

1. *Short title and commencement.*— (1) These rules may be called the Maharashtra Real Estate Regulatory Authority (Form of Annual Statement of Accounts and Annual Report) Rules, 2017.

(2) They shall come into force on the date of their publication in the *Official Gazette*.

2. *Definitions.*—(1) In these rules, unless the context otherwise requires,—

(a) “Act” means the Real Estate (Regulation and Development) Act, 2016;

(b) “Authority” means the Maharashtra Real Estate Regulatory Authority established under the sub-section (1) of section 20 of the Act;

(c) "Chairperson" means the Chairperson of the Authority appointed under section 21 of the Act;

(d) "Form" means the forms annexed to these Rules;

(e) "Member" means a Whole-time Member of the Authority appointed under section 21 of the Act;

(f) "section" means section of the Act;

(g) "Schedule" means a Schedule appended to the form;

(h) "State Government" means the Government of Maharashtra;

(2) Words and expressions used but not defined herein shall have the same meaning respectively assigned to them in the Act.

3. *Budget, Accounts and Audit.*—(1) At the end of the financial year of every year, the Authority shall prepare a budget, maintain proper accounts and other relevant records and prepare annual statement of accounts in form "A".

(2) The Authority shall preserve accounts and other relevant records prepared under sub-rule (1) for a minimum period of five years.

(3) The account and other relevant records under the sub-rule (1) shall be signed by the Chairperson, Members, Secretary and the officer-in-charge of Finance and Accounts of the Authority.

(4) The accounts of the Authority and audit report shall, as soon as possible, be submitted to the State Government for laying before the State Legislature.

4. *Annual Report.*—(1) The Authority shall prepare its annual report in Form "B".

(2) The Authority may also include in the Annual Report such other matters as deemed fit by the Authority for reporting to the State Government.

(3) The Annual Report shall, after its adoption at a meeting of the Authority and signed by the Chairperson and Members and authenticated by affixing the common seal of the Authority, with requisite number of copies thereof, be submitted to the State

Government within a period of one hundred and eighty days immediately following the close of the year for which it has been prepared.

## FORM "A"

[See sub-rule (1) of rule 3]

## ANNUAL STATEMENT OF ACCOUNTS

Receipts and payment Account for the year ended \_\_\_\_\_

(In Rupees)

A/c Code	Receipts	Current Year As on	Previous Year As on	A/c Code	Receipts	Current Year As on	Previous Year As on
1.	To Balance			13.	By Chairperson		
	Brought down :				Members :		
1.1.	To Bank			13.1.	By Pay and Allowances		
1.2.	To Cash in hand			13.2.	By Other benefits		
2.	To Fees Charge and Fine :			13.3.	By Travelling Expenses :		
2.1.	To Fees			13.3.1.	By Overseas		
2.2.	To Charges			13.3.2.	By Domestic		
2.3.	To Fines			14.	Officers :		
2.4.	To Other (Specify)			14.1.	By Pay and Allowances		
3.	To Grants			14.2.	By Retirement Benefits		
3.1.	To Accounts with Government			14.3.	By other benefits		
3.2.	To Other (Specify)			14.4.	By Travelling Expenses :		
4.	To Gifts			14.4.1.	By Overseas		
5.	To Seminar and Conferences			14.4.2.	By Domestic		
6.	To Sale of Publication			15.	By Staff :		
7.	To Income on Investments and deposits:			15.1.	By Pay and Allowances		

A/c Code	Receipts	Current Year As on	Previous Year As on	A/c Code	Receipts	Current Year As on	Previous Year As on
7.1.	To Income on Investments			15.2.	By Retirement benefits		
7.2.	To Income on Deposits			15.3.	By Other benefits		
8.	To Loans:			15.4.	By Travelling Expenses :		
8.1.	To Government			15.4.1.	By Overseas		
8.2.	To Other (specify)			15.4.2.	By Domestic		
9.	To Sale of Assets			16.	By Hire of Conveyance		
10.	To Sale of Investments			17.	By Wages		
11.	To Recoveries from pay bills			18.	By Overtime		
11.1.	To Loans and Advances Principal Amount			19.	By Honorarium		
11.2.	To Interest on Loans and expenses Advances			20.	By Other office		
11.3.	To Miscellaneous			21.	By Expenditure on Research		
51.	To Other (specify)			22.	By Consultation Expenses		
				23.	By Seminars and conferences		
				24.	By Publication of Authority		
				25.	By Rent and Taxes		
				26.	By Interest on Loans		
				27.	By Promotional Expenses		
				28.	By Membership fee		
				29.	By Subscription		
				30.	By Purchase of Fixed Assets (specify)		



## Income and Expenditure Account

For the Period 1<sup>st</sup> \_\_\_\_\_ to 31<sup>st</sup> \_\_\_\_\_

(In Rupees)

A/c Code	Expenditure	Sche- dule	Curre- nt Year	Previo- us Year	A/c Code	Expenditure	Sche- dule	Curre- nt Year	Previo- us Year
			As on	As on				As on	As on
13.	To Chairperson and Members				2.	By Fees	A		
						Charge & Fine			
13.1.	To Pay and Allowances				2.1.	By Fees			
13.2.	To Other benefits	C			2.2.	By Charges			
13.3.	To Travelling Expenses				2.3.	By Fines			
13.3.1	To Overseas				2.4.	By Others (Specify)			
13.3.2.	To Domestic				3.	By Grants	B		
14.	To Officers				3.1	By Accounts with Government			
14.1.	To Pay and Allowances				3.2.	By Others (Specify)			
14.2.	To Retirement benefits	D			4.	By Gifts			
14.3.	To other benefits	C			5.	By Seminar and Conferences			
14.4.	To Travelling Expenses				6.	By Sale of Publication			
14.4.1.	To Overseas				7.	By Income on Investments & deposits			
14.4.2.	To Domestic				7.1.	By Income on Investments			
15.	To Staff				7.2	By Income on Deposits			
15.1.	To Pay and Allowances				11.2.	By Interest on Loan & Advances			
15.2.	To Retirement benefits	D			12.	By Miscellaneous Income			



A/c Code	Expenditure	Schedule	Current Year	Previous Year	A/c Code	Expenditure	Schedule	Current Year	Previous Year
			As on	As on				As on	As on

- 35.4. To Misc.
- 37. To Depreciation H
- 48. To Loss on sale of assets
- 49. To Bad Debts Written off
- 50. To Provision for Bad and Doubtful debts  
To Excess of income Over expenditure (Transferred to Capital Fund Account)

Total

Total

Chairperson (Signature)

Member(s) (Signature)

Secretary (Signature)

Officer-In-Charge (Finance and Accounts)

Balance Sheet as on 31st (Month) (Year) \_\_\_\_\_

A/c Code	Liabilities	Schedule	Current Year	Previous Year	A/c Code	Assets	Schedule	Current Year	Previous Year
			As on	As on				As on	As on

- |  |   |
|--|---|
| 40. Funds I  | 43. Fixed Assets H  |
| 40.1. Capital Fund<br>Add Excess of Income over Expenditure / less excess of Expenditure over Income | 43.1. Gross Block at Cost<br>Less Cumulative Depreciation |
| 40.2 Other Funds (specify)   | 42.2 Net Block  |

A/c Code	Liabilities	Schedule	Current Year As on	Previous Year As on	A/c Code	Assets	Schedule	Current Year As on	Previous Year As on	
41.	Reserves	J			44.	Capital Work-in-progress				
8.	Loans	K			31.	Investments and Deposits	N			
8.1.	Government				31.1.	Investment				
8.2.	Others				31.2.	Deposits				
42.	Current Liabilities and provisions	L			33.	Loans and Advances	O			
					3.1.	Account with Government	S			
					36.	Cash and Bank Balances	Q			
					46.	Other Current Assets	R			
	Total					Total				
Accounting Policies and Notes to					T					

**Instructions :**(1) The Schedules referred / referenced above shall be prepared by the Authority based on accounting principles followed by the State Government or as suggested by the Comptroller and Auditor General of India from time to time,

(2) The Schedules referred to above shall form an integral part of the Income and Expenditure Account or the Balance Sheet, as the case may be.

Chairperson (Signature)

Member(s) (Signature)

Secretary (Signature)

Officer In-Charge( Finance and Accounts)

## FORM B

[See sub-rule (1) of rule 4]

**ANNUAL REPORT TO BE PREPARED BY AUTHORITY**

## A. Introduction :

(i) Chairman's statement :

(ii) Objectives :

(iii) Important achievements :

(iv) The year in review :

(a) Landmark decisions :

(b) b. Legislative work :

(c) c. Outreach programme :

(v) Capacity building:

(vi) International engagements:

(vii) Impact on:

(a) Allottees :

(b) Promoters :

(c) Real Estate Agents :

(d) Economy :

## B. Registration of promoters and real estate agents under the Act:

## I. In relation to Promoters:

Sr. No.	Name of Promoter	Address of Promoter	Description of project for which registration has been issued	Fees Paid	Registration Number
(1)	(2)	(3)	(4)	(5)	(6)

Date of issue of registration	Date on which registration expires	Date of extension of registration with period of extension	Remark
(7)	(8)	(9)	(10)

## II. In relation to Real Estate Agents :

Sr. No.	Name of real Estate Agent	Address of real Estate Agent	Registration Fee paid	Registration Number	Date of issue of registration certificate	Date on which registration certificate expires	Date and period of renewal of registration certificate	Remark
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)

C. Number of cases filed before the Authority and the adjudicating officer for settlement of disputes and number of cases disposed :

Sl. No.	No. of cases pending in the last quarter with Authority	No. of cases received during the quarter by the Authority	No. of cases disposed of by the Authority
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Sl. No.	No. of cases pending in the last quarter with the adjudicating officer	No. of cases received during the quarter by the adjudicating officer	No. of cases disposed of by the adjudicating officer
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D. Statement on the periodical survey conducted by the Authority to monitor the compliance of the provisions of the Act by the promoters, allottees and real estate agents :

Sl. No.	Survey conduct during the quarter with details	Observation of Authority	Remedial steps taken
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E. Statement on steps taken to mitigate any non-compliance of the provisions of the Act and the rules and regulations made thereunder by the promoters, allottees and real estate agents :

Sl. No.	Subject	Steps taken	Results achieved
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F. Statements on directions of the Authority and the penalty imposed for contraventions of the Act and the rules and regulations made thereunder and statement on interest and compensations ordered by the adjudicating officer :

Sr. No.	Name of the Promoter	Details of the directions issued by the Authority/ adjudicating officer	Penalty/interest/ compensation imposed	Whether paid
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Sr. No.	Name of the allottee	Details of the directions issued by the Authority/ adjudicating officer	Penalty/interest/ compensation imposed	Whether paid
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Sr. No.	Name of the real estate agent	Details of the directions issued by the Authority/ adjudicating officer	Penalty/interest/ compensation imposed	Whether paid
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G. Investigations and inquiries ordered by the Authority or the adjudicating officer: A brief narrative of investigations and inquiries taken up by the Authority or the adjudicating officers and references received from the competent authority or the appropriate Government.

H. Orders passed by the Authority and the adjudicating officer: A brief narrative of orders passed by the Authority or the adjudicating officers separately for where no offence is made out, and in case offence is proved, category-wise for each category of orders passed along with a tabular statement indicating the sections under which the order was passed and brief particulars of the orders.

I. Execution of the orders of the Authority and imposition of penalties : (i) monetary penalties details of recovery of penalty imposed, details of penalty imposed but not recovered, total number of matters and total amount of monetary penalty levied, total amount realized by resorting to rule 23; (ii) matters referred to court under section 59 - total number of matters referred to the court during the year, total number of matters disposed of by the court during the year, total number of matters pending with the court at the end of the year; (iii) matters referred to court for execution of

order under section 40 - total number of matters referred to the court during the year, total number of matters disposed of by the court during the year, total number of matters pending with the court at the end of the year.

J. Execution of the orders of the adjudicating officer and imposition of interest and compensation: (i) interest and compensations - details of interest and compensation imposed, details of interest and compensation imposed but not paid, total number of matters and total amount of interest and compensations imposed, total amount realized by resorting to rule 23; and (ii) matters referred to court for execution of order under section 40 - total number of matters referred to the court during the year, total number of matters disposed of by the court during the year, total number of matters pending with the court at the end of the year.

K. Appeals :

(i) Number of appeals filed against the orders of the Authority or the adjudicating officer in the year:

(ii) Number of appeals pending at the beginning of the year:

(iii) Appeals filed during the year:

(iv) Number of appeals allowed by the Appellate Tribunal during the year:

(v) Number of appeals disallowed by the Appellate Tribunal during the year:

(vi) Brief write up on the appeals allowed by the Appellate Tribunal:

L. References received from the appropriate Government under section 33 : a brief narrative on references received from the appropriate government under section 33 providing for - number of references received during the year, number of references disposed of during the year, number of references pending at the end of the year.

M. Advocacy measures under sub-section (3) of section 33 : a brief narrative on activities undertaken under sub-section (3) of section 33 - (i) workshops, seminars and other interactions with public / experts / policy-makers / regulatory bodies on laws and

policies relating to the real estate sector and for creating awareness on the same; (ii) papers and studies published for advocacy on laws and policies relating to the real estate sector and for creating awareness on the same; (iii) consultation papers published/placed on website of the Authority; (iv) analytical papers prepared and examined; (v) others.

N. Administration and establishment matters: (i) report of the Secretary; (ii) composition of the Authority; (iii) details of Chairperson and Members appointed in the year and of those who demitted office (iv) details of adjudicating officers appointed in the year and those who demitted office; (v) organizational structure; (vi) a tabular statement containing information on personnel in the Authority, category-wise: sanctioned posts, posts filled up, vacancies, appointments made in the year etc.

O. Experts and consultants engaged: details of number of experts and consultants appointed in the year and of those who demitted office.

P. Employee welfare measures, if any, beyond the regular terms and conditions of employment, undertaken by the Authority.

Q. Budget and Accounts: (i) budget estimates and revised estimates, under broad categories; (ii) receipts under broad categories in the Real Estate Regulatory Fund established under subsection (1) of section 75; (iii) actual expenditure under broad categories; (iv) balance available in the Real Estate Regulatory Fund under sub-section (1) of section 75; (v) any other information.

R. International co-operation: A brief narrative of international co-operation, if any, undertaken by the Authority.

S. Capacity Building: A brief narrative of capacity building initiative undertaken including (i) number of employees (category wise and grade wise) trained in house with details of such programmes like content, duration and faculty; (ii) number of employees (category wise and grade wise) trained by outside institutions (separately within Indian and outside India) with details of names of institutions and duration also to specify whether training was under internship, exchange programme, fellowships,

study leave, special arrangements with foreign universities/ institutions; (iii) expenditure of capacity building initiatives.

T. Ongoing programmes: A brief narrative of ongoing programmes.

U. Right to Information: A brief narrative of (i) number of applications received by CPIO/ ACPIO seeking information under RTI Act; (ii) Number of applications for which information has been provided by CPIO; (iii) number of applications pending with CPIO; (iv) number of appeals filed before the First Appellate Authority against the order of CPIO; (v) number of appeals which have been disposed of by First Appellate Authority; (vi) number of appeals pending with the First Appellate Authority; (vii) number of applications/ appeals not disposed of in the Stipulated time frame.

Chairperson (Signature)

Member(s) (Signature)

By order and in the name of the Governor of Maharashtra,

R. K. DHANAWADE,

Deputy Secretary to Government.

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