



Andhra Pradesh Real Estate Regulatory Authority



Circular No.P/2/2017-2 dt. 11-09-2019

Sub: AP Real Estate Regulatory Authority – imposition of late fee in addition to the actual fee prescribed by the Government for projects which are not registered with the Authority – Reg:

- Ref:1. Real Estate (Regulation and Development) Act, 2016
2.G.O.Ms.No.115, MA&UD Department dt. 27-03-2017
3.G.O.Rt.No.642, MA&UD Department dt. 12-09-2017
4.Resolution No.2 of the Authority dt. 15-5-2019.
5.Circular No.P/2/2017-1 dt. 15-05-2017 of the Authority
6.Resolution of the Authority dt. 11-09-2019.

The Government of India has enacted the Real Estate (Regulation and Development) Act, 2016 (Central Act 16/2016) and in tune with the Act, the State Government have approved the Andhra Pradesh Real Estate (Regulation and Development) Rules, 2017 Vide G.O.Ms.No.115 dt. 27-3-2017. As per the provisions of the Act, the Real Estate Regulatory Authority has been functioning and as per provisions of section 3 of the Act, all the Real Estate projects from the 01-05-2017 including ongoing projects which are in an extent of more than 500 sq.mts and more than eight units have to be registered with the authority. In the G.O. 3rd cited Government of AP has fixed the rates of fee to be collected for registration of the Real Estate Projects and Real Estate Agents.

As per the provisions under section 59(1) of the Real Estate (Regulation and Development) Act, 2016, if any Promoter contravenes the provisions of section3, he shall be liable to a penalty which may extend up to ten percent of the estimated cost of the Real Estate Project as determined by the Authority.

Accordingly, as per the resolution No.2 of the Authority has issued a circular dt. 15-5-2019 in the reference 5th cited dividing the projects in to two categories ie., all the projects for which permission has been granted by the competent authorities from 1.1.2017 to 15-04-2019 as one category and for the projects for which permission was granted after 15-4-2019 and has fixed the late fee in addition to the actual registration fee as per the Government Orders and a cut off date was taken as 31st August, 2019.

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The authority has decided in its resolution 6th cited to issue fresh directions/instructions in connection with the levy of late fee for registration of the projects in addition to the directions/instructions issued in the reference 5th cited as follows:

For the projects which has got approval by the competent authorities from 01-01-2017 to 15-04-2019 in addition to the late fee prescribed in the reference 5th cited the following late fee

- 1) If any promoter files on line application after 1st September, 2019 and on or before 31st October, 2019, they have to pay the actual fee as per the G.O. +150% extra of the registration fee as late fee .
- 2) If any promoter files on line application after 1st November, 2019 and on or before 31st December, 2019, they have to pay the actual fee as per the G.O. +200% extra of the registration fee as late fee .

For the Projects which has got approval after 15-4-2019 the following fee and late fee will be levied.

- a) All the Promoters have to file online applications within 45 days from the date of approval of building/Layout plans. If they apply within forty five days, the fee will be levied as per the schedule of rates approved by the Government vide G.O.Ms.No.642, MA dt. 12-09-2017.
- b) If any Promoter file online applications after 45 days and before 75 days after approval of plan they have to pay the actual fee as per the G.O.+ 25% extra of the registration fee as late fee.
- c) If any promoter files online applications after 75 days and before 105 days after approval of the plan they have to pay the actual fee as per the G.O.+50% extra of the registration fee as late fee.
- d) If any promoter files on line applications after 105 days and before 135 days they have to pay the actual fee as per the G.O.+100% extra of the registration fee as late fee.
- e) If any promoter files on line application after 135 days and before 195 days they have to pay the actual fee as per the G.O. +150% extra of the registration fee as late fee .
- f) If any promoter files on line application after 195 days and before 255 days they have to pay the actual fee as per the G.O. +200% extra of the registration fee as late fee.

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If any promoter who has not submitted his application to register their project before 31st December, 2019 as per the schedule mentioned under clauses (a) to (f) mentioned above and after 255 days from the date of approval of building/layout plan stringent action as per section 59(1) of the Act will be taken against the said promoter and he shall be liable to a penalty which shall be up to ten percent of the estimated cost of the Real Estate Project as determined by the Authority.

These orders shall come into force with immediate effect.



Chairperson

To
All Members of the Authority.
The Chairperson Table
All the officers & Staff of AP RERA
Copy to:
 Sr.IT Officer to upload in the website