(v) section 31 provides that “in the absence of any local law, the promoter shall hand over the necessary documents and plans, including common areas, to the association of the allottees or the competent authority, as the case may be, within thirty days after obtaining the occupancy certificate”. However, common areas can only be handed over to the association of the allottees or the competent authority upon issuance of the completion certificate instead of occupancy certificate;

And whereas, in order to avoid the said ambiguity mentioned in the preceding paragraph, it is considered necessary to amend the proviso to sub-section (2) of said section 17;
Now, therefore, in exercise of the powers conferred by sub-section (1) of section 91 of the Real Estate (Regulation and Development) Act, 2016 (16 of 2016), the Central Government hereby makes the following Order to remove the aforesaid difficulties, namely:

1. (1) This Order may be called the Real Estate (Regulation and Development) Removal of Difficulties Order, 2016.
   (2) It shall come into force on the date of its publication in the Official Gazette.

2. In the Real Estate (Regulation and Development) Act, 2016,—
   (i) in section 4, in sub-section (1), for the words “specified by the regulations made by the Authority”, the word “prescribed” shall be substituted;
   (ii) in section 6, for the words “specified by regulations made by the Authority”, the word “prescribed” shall be substituted;
   (iii) in section 17, in sub-section (2), in the proviso, for the word “occupancy”, the word “completion” shall be substituted;
   (iv) in section 31, in sub-section (2), for the words “specified by regulations”, the word “prescribed” shall be substituted;
   (v) in section 84, in sub-section (2),—
      (A) for clause (a), the following clauses shall be substituted, namely:
         “(a) the form, time and manner of making application and fees payable therewith under sub-section (1) of section 4;
         (ab) information and documents for application to the Authority for registration under clause (m) of sub-section (2) of section 4;
         (ac) the form of application and the fees for extension of registration under section 6;”;
      (B) after clause (o), the following clause shall be inserted, namely:
         “(oa) the form, manner and fees for filing of a complaint under sub-section (2) of section 31;”;
   (vi) in section 85, in sub-section (2), clauses (a), (b) and (g) shall be omitted.

[Amendments in certain sections of Act.

RAJIV RANJAN MISHRA, Jt. Secy.]