



ANNUAL REPORT 2020-21

Maharashtra Real
Estate Regulatory
Authority



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1. Introduction

1.1. Chairman's Statement

In every sense, 2020-21 was an unprecedented year. Covid-19 pandemic led to a dramatic loss of human life worldwide and presented extraordinary challenge to public health, economy and society across countries. The COVID-19 pandemic affected individuals, countries and businesses.

Globally, Organisations had to change established assumptions and introduce new models and ways of working. Similarly, MahaRERA adapted quickly to ensure no disruptions in Service Delivery or grievance redressal process.

MahaRERA leveraged its digital platform to ensure non-stop online delivery of all its services (even during entire lockdown phase) including Project Registration, Agent Registrations, Project Extensions / Corrections, Filing of Complaints and Project updates. During the later stages of lockdown, MahaRERA expeditiously initiated the procedure for online hearings through video conferencing. MahaRERA ensured that the entire complaint procedure including filing of complaints, reply by respondents, counter replies by both complainants and respondents, hearings, judgements etc. could be done online, from home, without any need to visit MahaRERA Office.

As on 31st March 2021, MahaRERA has registered 28898 Real Estate Projects of which 6817 projects were completed. About 28276 Real Estate Agents have been registered. MahaRERA has received 13973 Complaints of which 13192 were against registered projects and 781 were complaints against unregistered projects. Of these complaints, 8747 have been disposed.

Covid-19 also brought to forefront the importance of safe and secure home for every citizen, absence of which led to reverse migration of people. Towards this objective, MahaRERA is committed to ensuring that the consumer interests are protected along with development of real estate industry in the state.

This Annual Report documents the journey of MahaRERA over the last one year and provides overview of the key initiatives, activities and results achieved.

1.2. Objectives of MahaRERA

Real Estate Sector in India is one of the most important sectors of Indian Economy. Real Estate & Construction Sector contributes to about 8% of GDP and is the second largest employment generator (after Agriculture). The sector employs large number of unskilled, semi-skilled and skilled workforce.

Maharashtra Real Estate Regulatory Authority (MahaRERA) was established for regulation and promotion of real estate sector in the State.



The key building blocks of MahaRERA are:

Digital Governance: Zero Paper Zero Footfalls	Technology is the foundation of working at MahaRERA. All Services are online promoting faceless Governance. Zero Paper Zero Footfalls.
Emphasis on Regulatory Oversight	Emphasis on Regulatory Oversight: Prevention rather than Remedial. Ensuring Strengthening of Financial Monitoring leading to Timely completion of Projects
Accountability & Transparency in working	Transparency across Organization on pendency at each employee level. Further, all info published for public view.
Participative Governance	All stakeholders including Promoters, Agents and Consumers involved in Implementation of RERA (SROs, Conciliation, Agent Training etc.)

Continuous
Innovation and
Improvement

Continuous Innovation: Conciliation, SRO, Quality Certification, Skilling and so on

The key objective of MahaRERA is to usher in an era of **3 Ts: Transparency, Trust and Timely project completion** in the real estate sector in Maharashtra.

Transparency: MahaRERA is encouraging greater transparency in information and transactions in Real Estate Sector in Maharashtra. MahaRERA ensures that maximum information is available for public view at its website including Information on Registered Projects, Registered Agents, Judgements, Orders etc. and that this information is updated on Regular basis.

Trust: One of the key issues in Real Estate Sector was lack of trust between the Promoters and Consumers. MahaRERA is working towards bridging this trust through various initiatives including Self Regulatory Organisations (SROs), MahaRERA conciliation Forum, greater professionalism, accountability and commitment in the sector. Bridging this trust shall go a long way towards transformation of this sector

Timely Project Completion: MahaRERA is also working towards ensuring that projects which are registered are completed and delivered to allottees on time.

T
ransparency

T
rust

T
imely Project
Completion

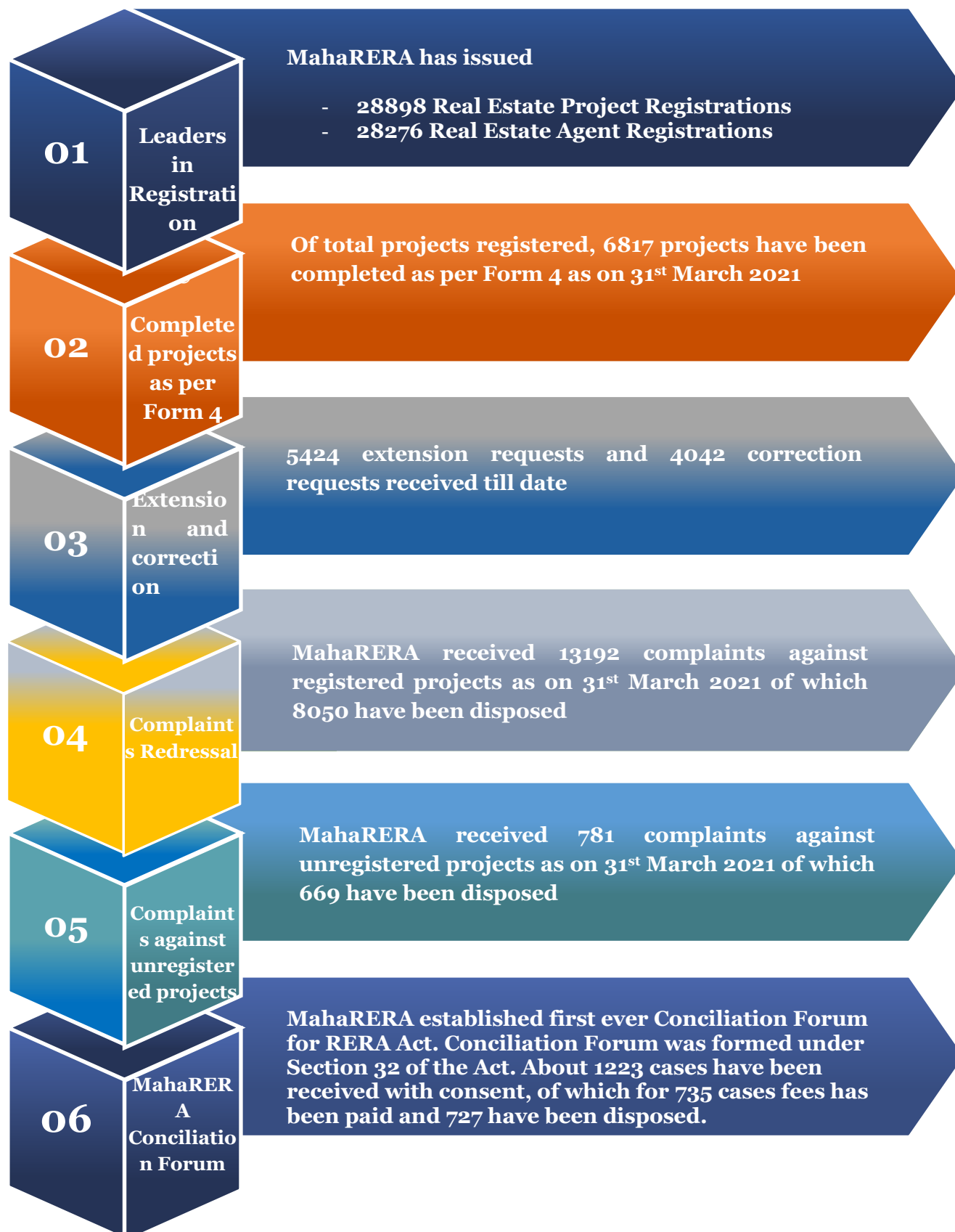
1.3. Important Achievements

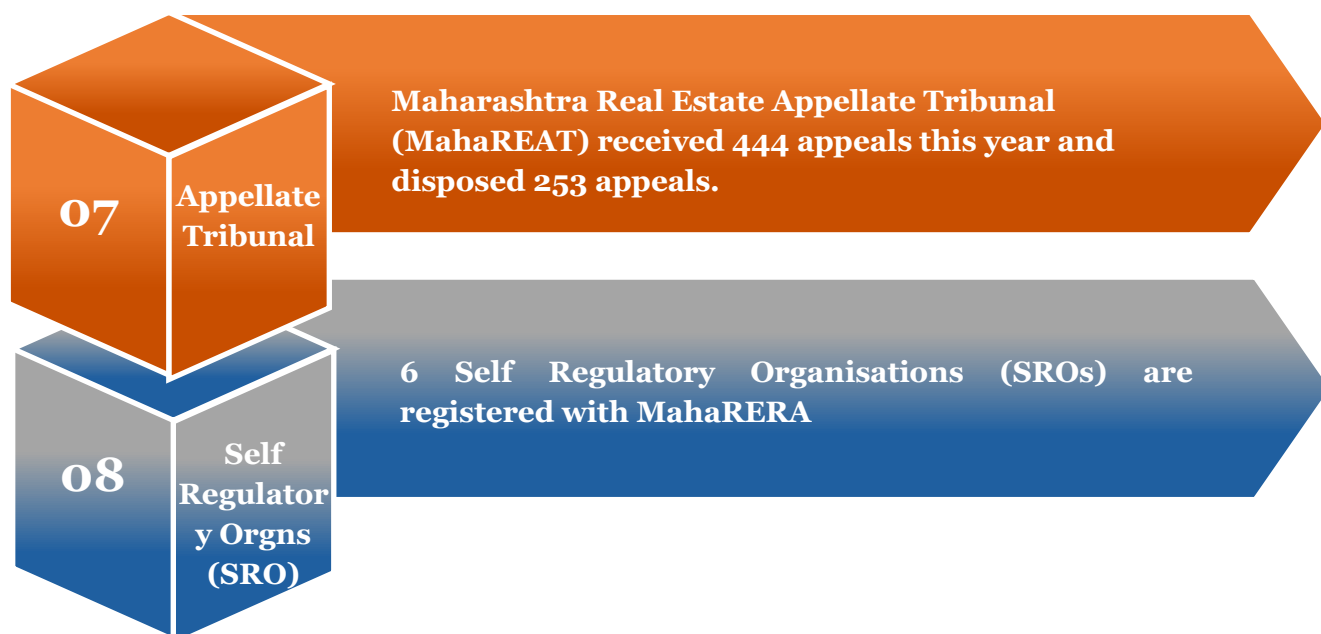
a) Ensuring continuous & non-disruption of service delivery leveraging technology during COVID crisis

COVID – 19 which started as a public health crisis, soon became economic crisis. During this crisis, MahaRERA undertook proactive measures to provide relief to real estate sector and to various stakeholders including Homebuyers, promoters, agents etc. Some of the measures undertaken by MahaRERA include:

- **Non-Disruption of Service delivery throughout COVID lockdowns:** MahaRERA ensured non-stop delivery of services including project registration, agent registration, project extension, project correction, project updates, complaint filing etc. throughout COVID lockdowns. All employees of MahaRERA undertook WFH (Work from Home) to ensure continuous service delivery.
- **In order to provide relief to Promoters, MahaRERA was the first state to extend the validity of registration of projects by 6 months.**
- MahaRERA also extended the time limits for all statutory compliances
- This Force Majeure period was also treated as moratorium period” for the purpose of interest under section 12, 18 19(4) and 19(7) of the Act
- Registration of agreement for sale, which becomes due during the force majeure period under Section 13 of the Act, were allowed to be registered in a period extending till the expiry of force majeure period.
- Virtual Hearings: MahaRERA used online mode to re-start regular hearing of cases through video conferencing. With this initiative, all MahaRERA Services and Operations are delivered digitally, without any need for physical visit by allottees / promoters / agents / Advocates etc. to MahaRERA offices. MahaRERA thus became 100% digital with zero paper & zero footfalls.

Some other achievements of MahaRERA include:





1.4. The year in review

1.4.1. Landmark Decisions

With the objective of driving systematic and organized implementation of Real Estate (Regulation and Development) Act across the state, MahaRERA undertook numerous decisions thereby introducing policies, rules, guidelines and tools. This section details some of these key decisions and initiatives undertaken by Maharashtra Real Estate Regulatory Authority (MahaRERA).

1. Revision of Project Registration Validity and Extended Timeline for Statutory Compliances, in view of Covid 19 Pandemic	On 2nd April 2020, Due to onset of Covid Pandemic, MahaRERA issued Order No 13/2020 deciding that: • All MahaRERA 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. • Further, 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.
2. Invoking Force Majeure for Covid-19 Pandemic	In keeping with the advisory of Government of India, MahaRERA issued following directions: • MahaRERA vide Order No. 13/2020 had already revised project validity by three months. The said validity was extended by a further period of 3 months suo-motu. • For further extension beyond the aforesaid 6 months, for adversely affected projects, concerned promoters will have to apply in accordance with provisions of Section 6. MahaRERA may at its discretion waive the fee for such extension due to force majeure in accordance with rule 7 of Maharashtra Real Estate Registration Rules, 2017. • The time limits for compliances under Section 11, which become due anytime during force majeure period, stand automatically extended for a period till the expiry of force majeure period.

- The Force Majeure period will be treated as a “moratorium period” for the purpose of calculating interest under section 12, 18 19(4) and 19(7) of the Act.
- The work of registration of sale documents has been adversely affected due to non-functioning of the offices of the Sub-Registrar. Therefore, any registration of agreement for sale, which becomes due during the force majeure period under Section 13 of the Act, can be registered in a period extending till the expiry of force majeure period.
- The dates of possession mentioned in already registered agreements for sale, shall be deemed to be extended by the Force Majeure period.
- Due to non-functioning of the concerned offices, the work of transfer of title and conveyance has been adversely affected. Therefore, any compliance under Section 17 that becomes due during the Force Majeure period is allowed to be completed in a period extending till the expiry of the force majeure period.
- In the Neel Kamal Realtors Suburban Pvt. Ltd. and anr. Vs Union of India and Others, the Hon’ble Bombay High Court division bench in para 115 of its order has observed that the object and purpose of the Real Estate (Regulation and Development) Act, 2016 is to complete the development work within the stipulated time. Keeping in view the spirit of this order and to ensure that the available liquidity in the designated RERA Accounts get utilized, on priority, for completion of the project, any refund, which under rule 19 of MahaRERA Rules becomes due during the Force Majeure period is allowed to be executed in a period extending up to one month after the expiry of the Force Majeure period.
- Similarly, any amount, which under Section 40 of the Act becomes payable during the Force Majeure period, shall be recovered after the expiry of the Force Majeure period.

3.	Standard Operating	MahaRERA introduced online mode to re-start regular hearing of cases through video conferencing. The
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	Procedure for online hearings through video conferencing	Standard Operating Procedure (SoP) for these online complaints and hearings were detailed out.
4.	Standardized Formats for Legal Title Reports & Consent	MahaRERA vide Circular No 28/2021 dated 8th March 2021 prescribed standardized formats for - Legal Title Report - Consent for Extension u/s 7(3) - Consent for Extension u/s 14(2)

1.4.2. Legislative Work

MahaRERA implements following forums for dispute resolution

1) MahaRERA (Maharashtra Real Estate Regulatory Authority)

Till this year, The Authority received 13192 complaints of which it disposed 8050 complaints. The main aim of the authority was speedy dispute resolution.

Till this year, the authority also received 781 complaints against unregistered projects of which 696 orders were passed.

2) Adjudication

MahaRERA has three Adjudication officers namely Shri S.B. Bhale, Shri M.V Kulkarni , Shri. W. K. Kanbarkar, for hearing cases in Mumbai and Pune.

3) Appellate Tribunal

In this year, total 1370 appeals were pending at beginning of the year, 444 Appeals filed during the year, 84 appeals allowed during the year and 34 appeals disallowed during the year.

4) Conciliation Forum

In one of its kind initiative, Maharashtra became the first state to establish MahaRERA Conciliation Forum. The Forum is formed under section 32(g) with collaboration from CREDAI-MCHI, CREDAI Maharashtra, NAREDCO and MGP. The objective of the Forum is amicable dispute resolution wherein neutral conciliators from promoter and consumers side guide the parties towards settlement. Till this year, 1223 conciliation requests were received with consent, of which in 735 cases fees was paid and 727 were disposed.

1.4.3. Outreach Programme

MahaRERA participated in & conducted various Workshops / Events for numerous stakeholders including Promoters, real estate agents, Consumers, Lawyers, Chartered Accountants, Architects, Engineers and so on. The objective of all these programmes was to

enhance awareness of key provisions of RERA and encourage stakeholder inputs and participation.

1.5. Capacity Building

During this year, MahaRERA undertook following Capacity Building initiatives for its employees:

(1) MahaRERA Online Application Training

From time to time, as and when new modules are deployed, MahaRERA conducts hands-on training of all employees and officers of the authority on usage of respective modules of MahaRERA application.

Atleast once a month, Leadership meeting is held to discuss various parameters at a macro level that will contribute to organizational effectiveness, ensuring accountability and smooth running of the processes

1.6. International Engagements

MahaRERA participated in no International Engagement in this year.

1.7. Impact on:

The Impact of MahaRERA is as follows:

1.7.1. Allottees

- ✓ More than 30.05 Lakh Homes accommodating 1.26 Crore citizens of Maharashtra are registered and being monitored through MahaRERA IT solution

1.7.2. Promoters

More than 28898 projects registered by various Promoters has been registered and Monitored through MahaRERA IT Solution till date

1.7.3. Real Estate Agents

- ✓ 28276 real estate agents are also registered and monitored through MahaRERA

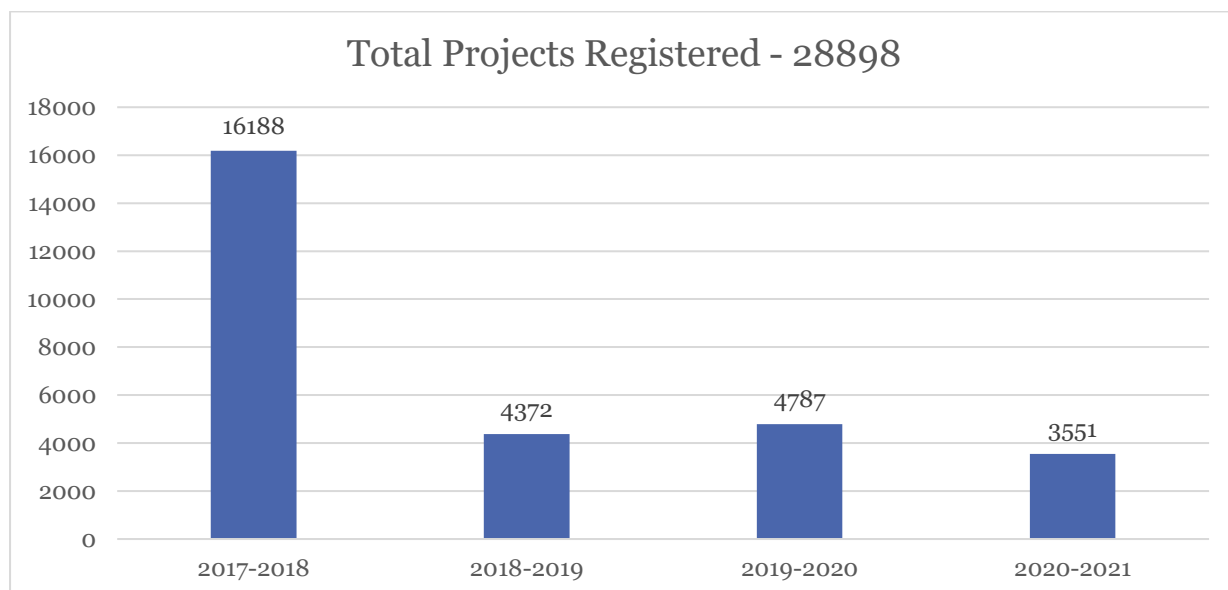
1.7.4. Economy

- ✓ 8% the contribution of the Real Estate & Construction Sector to the GDP of India

2. Registration of Promoters and Real Estate Agents

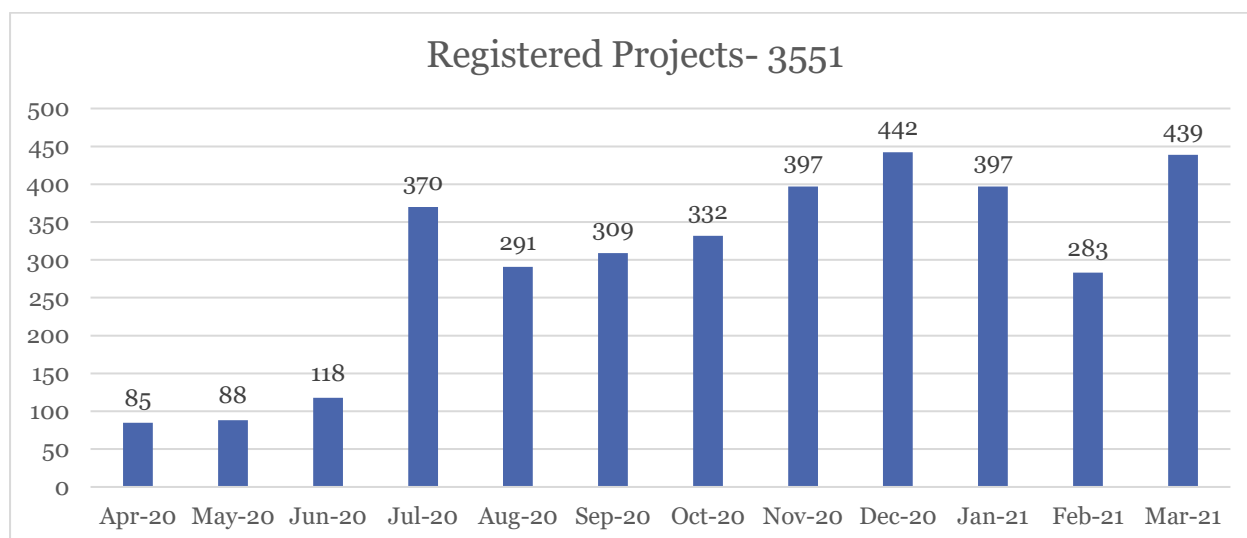
2.1. In relation to Promoters

The Authority commenced online Real Estate Project registration process from 1st May 2017. In total 28898 project registrations have been granted as on 31st March 2021. The growth of MahaRERA Registered Projects over past years is as follows:

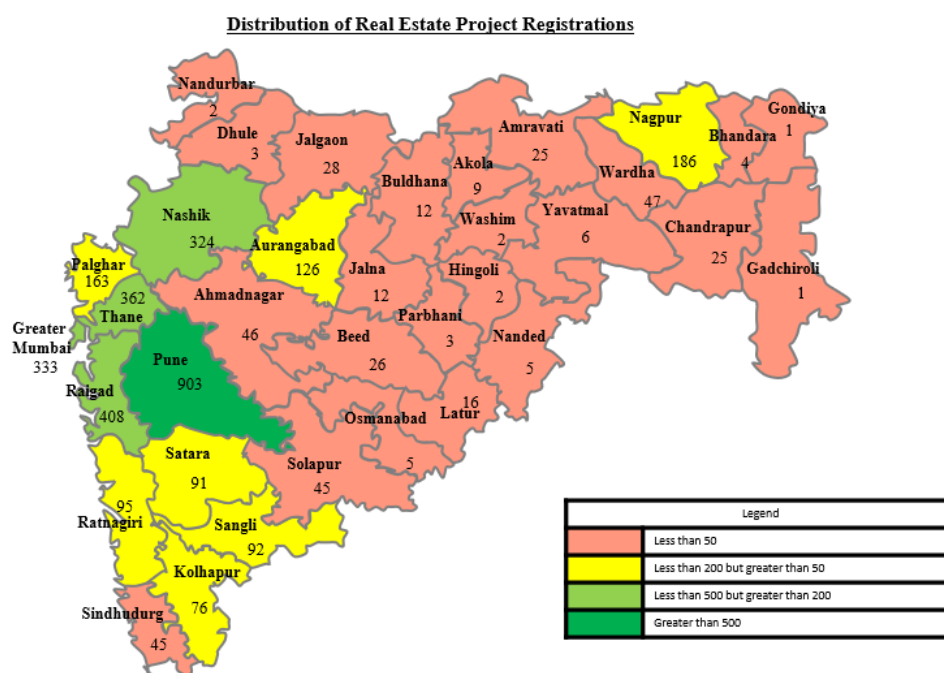


In Year 2020-21, the distribution of Registration of Real Estate Projects month wise was as follows:

Average Projects per month – 296



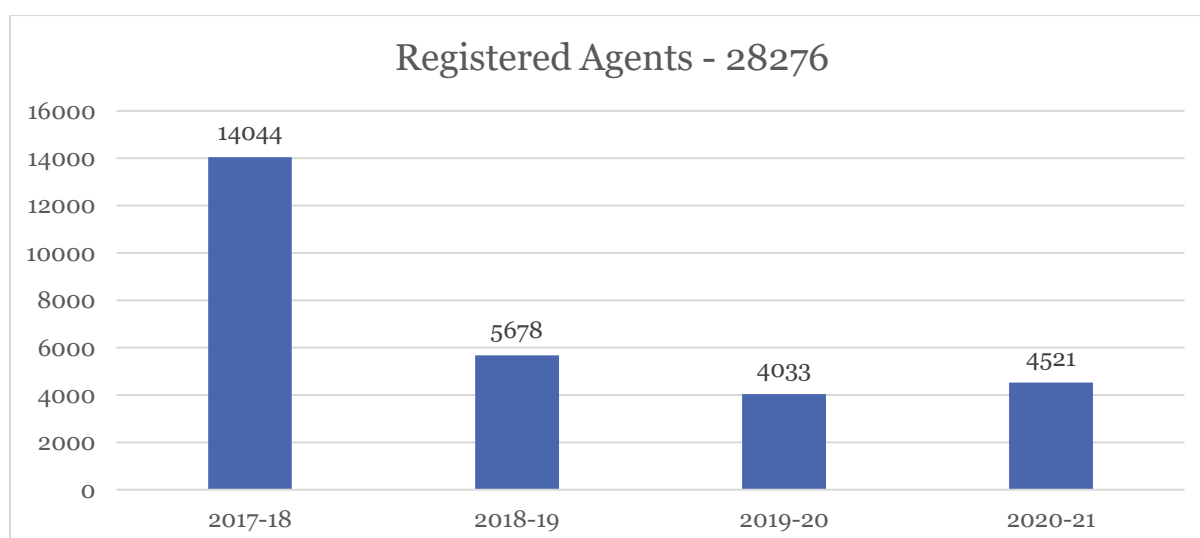
The Real Estate Projects are distributed as follows district wise:



Detail of each of these projects are provided at the website at <https://maharera.maharashtra.gov.in/>

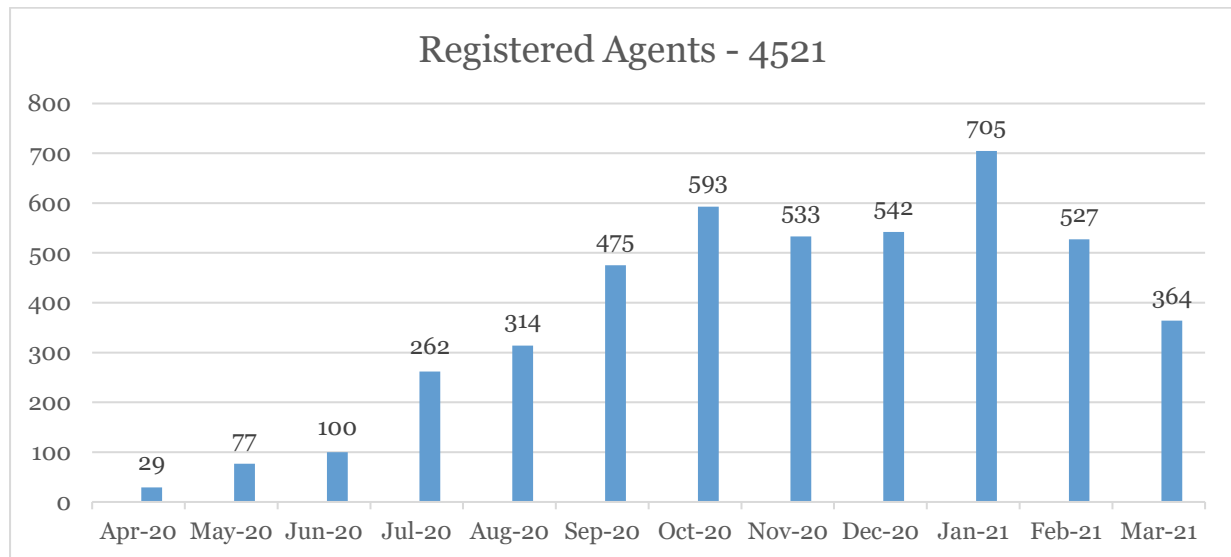
2.2. In relation to Real Estate Agents

The Authority commenced online Real Estate Agent registration process from 1st May 2017. In total 28276 Real Estate Agent Registrations have been granted as on 31st March 2021. The growth of MahaRERA Registered Real Estate Agents over past years is as follows:

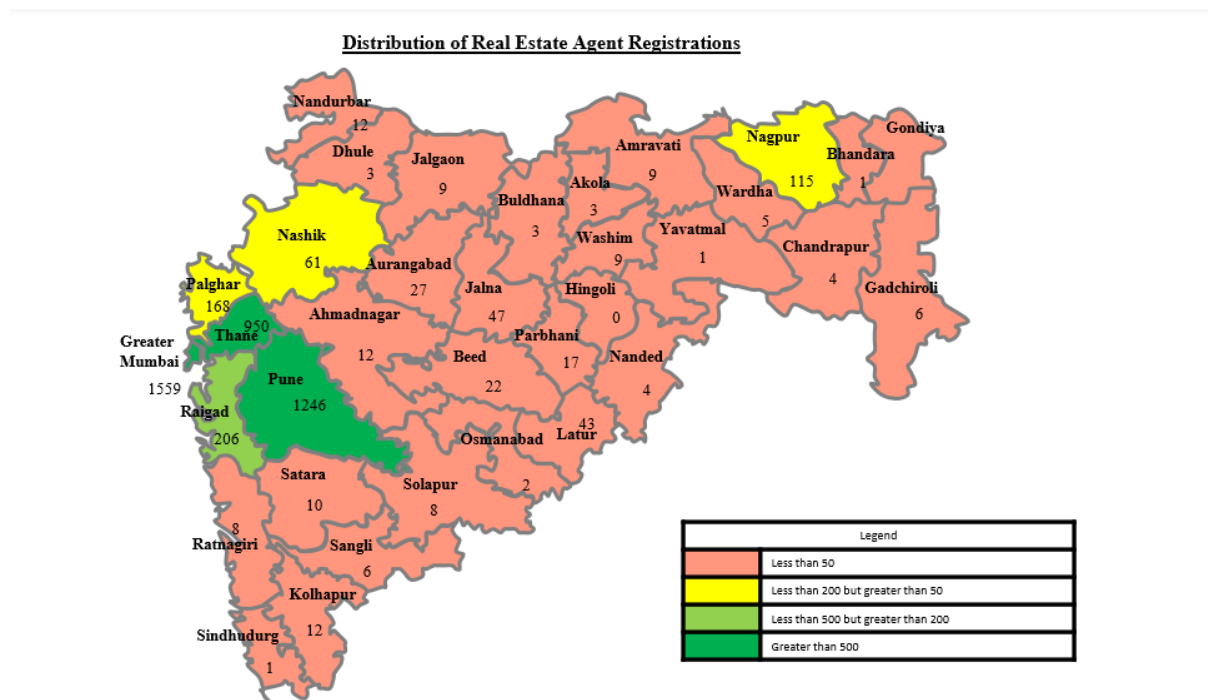


In Year 2020-21, the distribution of Registration of Real Estate Agents month wise was as follows:

Average agents Registered - 377



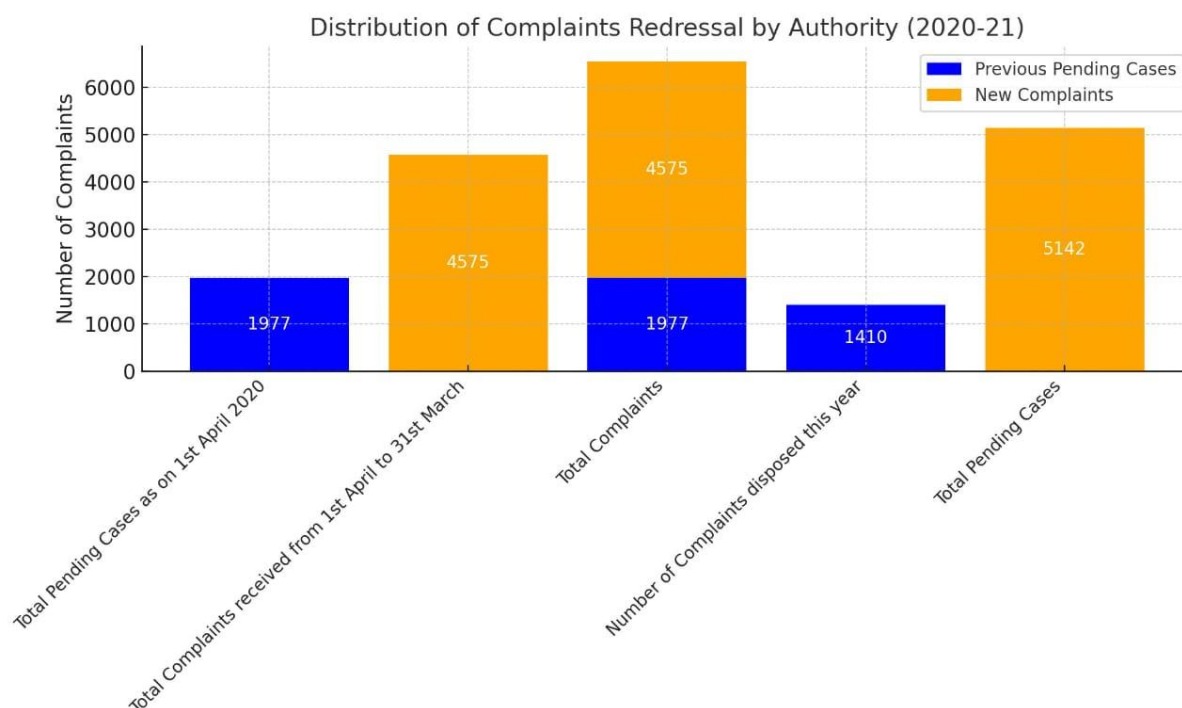
The Real Estate Agents are distributed as follows district wise:



Detail of each of these Agents are provided at the website at <https://maharera.maharashtra.gov.in/>

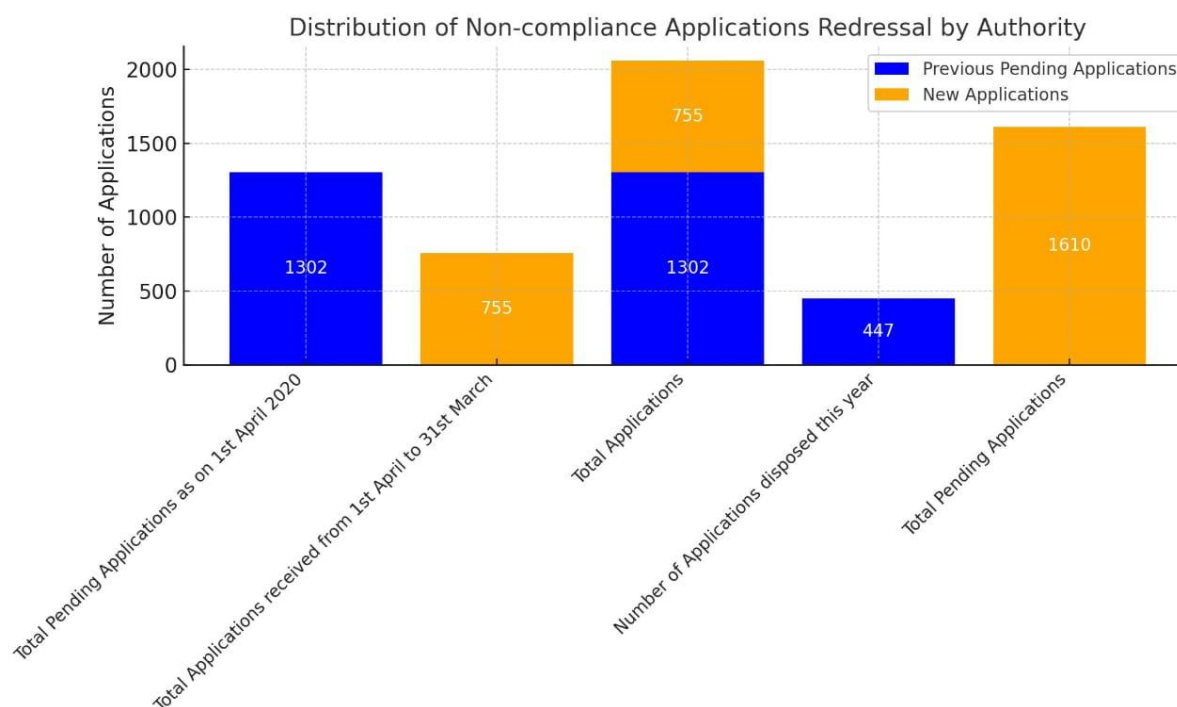
3. Number of cases filed before the Authority and the adjudicating officer for settlement of disputes and number of cases disposed

The Tables below provide details on complaints received by the Authority



S.No	Number of Cases pending with the authority at the start of the year	Number .of cases received during the year by the Authority	Number of Cases disposed of by the Authority
1.	1977	4575	1410

The Tables below provide details on applications received for Non-Compliance.



S.No	Number of Non-Compliance Applications pending at the start of the year	Number .of Applications received during the year .	Number of Applications disposed during the year
1.	1302	755	447

Details of all orders is available at the website at <https://maharera.mahaonline.gov.in>

4. 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

In order to ensure compliance of the provisions of the Act, the authority on monthly basis undertakes the following survey and activities:

S.No	Details
1.	Every 1 st and 15 th Day of the Month, list of all the promoters who have not updated their projects in the past three months is extracted and reminder mail is sent to them for compliance
2.	Every 5 th Day of the Month, list of all projects whose validity is about to be completed in next three months is extracted and reminder mail is sent to them to upload Form 4 or apply for extension

- | | |
|----|--|
| 3. | Every 20 th Day of the month, List of all projects where booking is more than 51% is extracted and reminder mail is sent for society formation, if applicable |
|----|--|

Apart from this, monthly meeting with Self-Regulatory Organization (SROs) is held for review of compliance of provisions of act by promoters and to plan next steps for enhanced compliance.

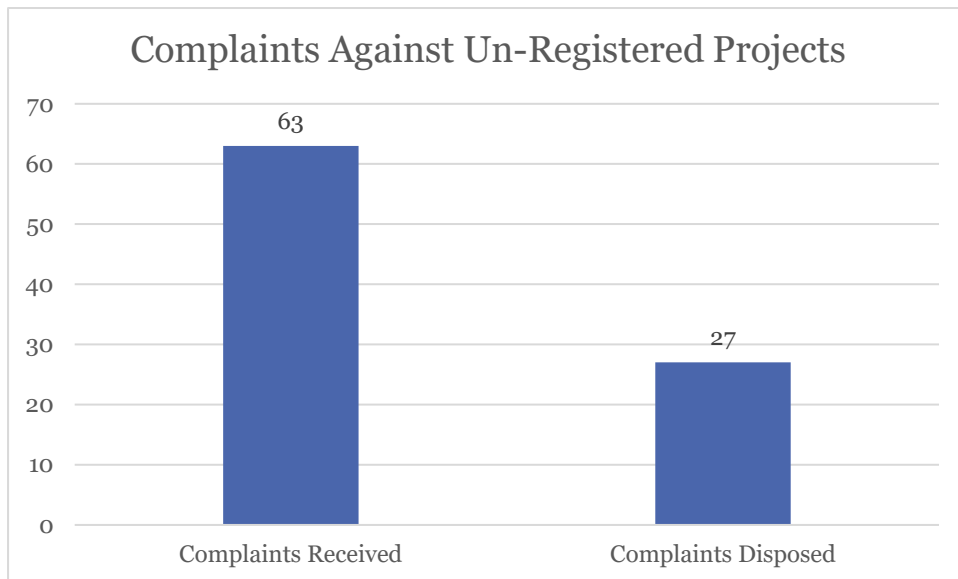
5. Statement on steps taken to mitigate any non-compliance of the provisions of the Act and the rules and regulations made thereunder by the promoters, allottees and real estate agents

Apart from numerous measures highlighted previously, Authority is also taking following measures for identification of unregistered projects:

- Authority digitized the process for citizens to inform MahaRERA about projects which ought to be registered but have not been registered
- MahaRERA also launched facility for citizens to file complaints against projects which ought to be registered and have not been registered
- On receiving of such information/ complaint, MahaRERA team undertakes multiple levels of scrutiny to determine the veracity of the case.
- For such cases where
 - o Project should have been registered but has not been registered, the promoters are made to register the project after appropriate penalties

Till 31st March 2021, Authority received numerous applications for information against un-registered projects.

In this year, The Authority has also received 63 complaints against un-registered projects, of which 27 had been disposed.



6. 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

In this year, the authority has imposed following kinds of penalties for contraventions of the Act and rules & regulation made thereunder:

1) Penalties for Delayed Registration

For projects which ought to be registered but have not been registered, the authority levies appropriate penalties, and the promoters are made to register.

Details of all promoters and penalty paid is available at the website at <https://maharera.mahaonline.gov.in>

2) Penalties/ Interests / Compensations imposed during complaints /adjudication process.

In this year, the authority has received 4575 cases and disposed 1410 cases. Numerous such judgements have penalties / interest / compensation imposed on complainant/ respondent.

7. Investigations and inquiries ordered by the Authority or the adjudicating officer

While hearing information / complaints against un-registered projects, the Authority at times directs the technical team to conduct investigation / inquiry against the un-registered project. The technical team conducts field visits and submits its report to the authority.

The Authority is also in the process of empanelling Technical Architects / Engineers who shall assist the authority in conducting these investigations

8. Orders passed by the Authority and the adjudicating officer

In this year, the authority has received 4575 complaints, and they disposed 1410 cases. Details of each of these cases along with rulings are listed at the website for information.

Details of each of these cases along with rulings are listed at the website for information

9. Execution of the orders of the Authority and imposition of penalties

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: The details are provided in section 6 of this report

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: None. No matter were referred to court

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: None. No matter were referred to court

10. 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: The details are provided in section 6 of this report
- (ii) Matters referred to court for execution of order under section 40 - total number of matter 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: None. No matter were referred to court.

11. Appeals

The Tables below provide details on Appeals received by the Appellate Tribunal

(i) Number of appeals filed against the orders of the Authority or the adjudicating officer in the year ending 31 st March 2021.	444
(ii) Appeals disposed during the year	253

12. References received from the appropriate Government under section 33

The Authority didn't receive any reference from the government under section 33 of the Act

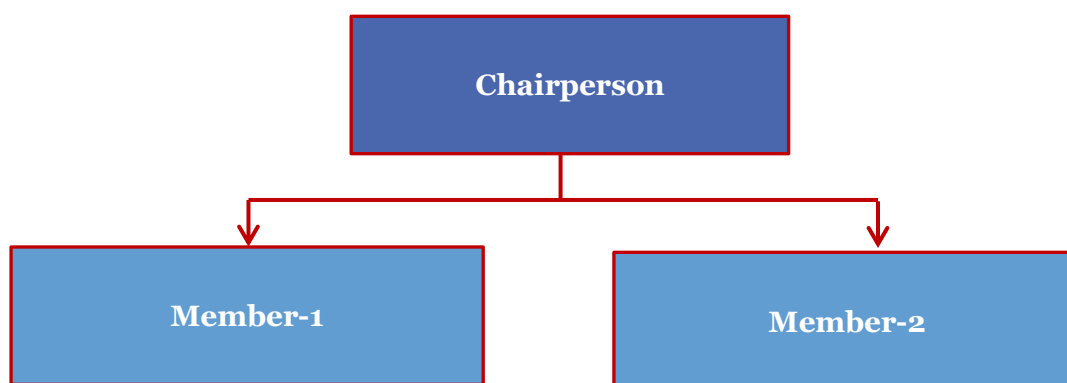
13. Advocacy measures under sub-section (3) of section 33

In this year the focus was on implementation of key provisions of the act, hence no advocacy measures were undertaken.

14. Administration and establishment matters

(i) Composition of the Authority;

Maharashtra Real Estate Regulatory Authority consists of Chairperson and two members:



(ii) Details of Chairperson and Members appointed in the year and of those who demitted office

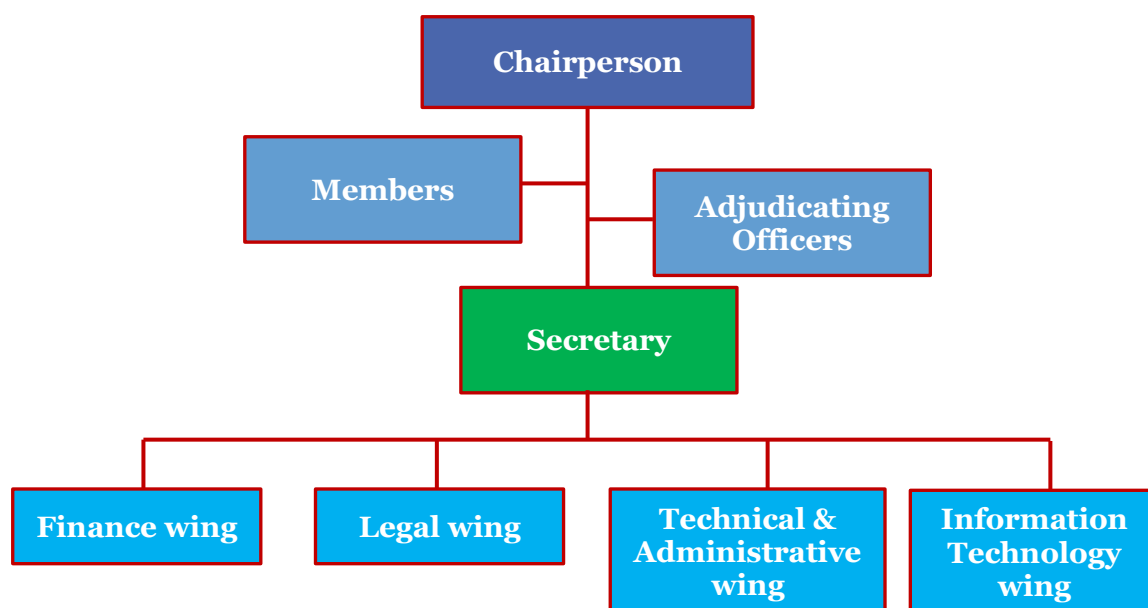
The details of Chairperson and Members are as follows:

Designation	Name	Duration of Service
Chairperson, MahaRERA	Shri. Gautam Chatterjee	From 23.5.2017 to 19.01.2021
Chairperson, MahaRERA	Shri. Ajoy Mehta	From 15.02.2021 onwards
Member, MahaRERA	Dr. Vijay Satbir Singh	From 10.7.2017 onwards
Member, MahaRERA	Shri. Bhalchandra D. Kapadnis	From 01.6.2017 to 06.3.2021

(iii) Details of adjudicating officers appointed in the year and those who demitted office

The details of Adjudicating officers are as follows:

Designation	Name	Duration of Service
Adjudicating Officer	Shri. W. K. Kanbarkar	3 rd October 2018 onwards
Adjudicating Officer	Shri. Madhav Kulkarni	27 th February 2018 onwards
Adjudicating Officer	Shri. Sambhaji Balaji	27 th February 2018 onwards

(iv) Organizational structure of MahaRERA**(v) Detailed statement containing information on personnel in the Authority**

Sr. No	Designation of post	Sanctioned Post	Filled Post	Regular	Deputation	Contract
1	Hon'ble Chairperson	1	1	1	-	-
2	Hon'ble Members	2	2	2	-	-
3	Secretary	1	1	-	-	1
4	Deputy Secretary	2	2	-	-	2
5	Finance Controller	1	1	-	-	1
6	Legal Adviser	1	1	-	-	1
7	Technical Officer/ Ex. Engineers	3	3	-	-	3
8	Administrative officer/ Under Secretary	3	0	-	-	-
9	Accounts Officer	3	0	-	-	-
10	Legal Assistant	4	3	-	-	3
11	Clerk	16	13	-	-	13
12	Accountant	4	0	-	-	-
13	Steno (H.G.)	4	4	-	-	4
14	Steno (L.G.)	6	6	-	-	6
15	Multitasking Staff	14	9	-	-	9
		65	45	3	-	42

15. Experts and consultants engaged

The details of Experts and Consultants are as follows:

S.No.	Title	Total No.
1	Legal Consultant	01
2	Jr. Legal Consultant	04
3	Sr. Technical Consultant	01
4	Jr. Technical Consultant	01
5	Technical Consultant	01
6	Policy and IT Expert	01
7	IT Consultant	03

16. Employee welfare measures

During the year, the following Employee welfare measures were undertaken by the Authority:

Diwali Bonus: All the employees were given a Diwali Bonus, over and above their monthly salaries.

17. Budget and Accounts

i) Budget estimates and revised estimates, under broad categories for authority and tribunal:

Budget estimates and revised estimates, under broad categories for Authority:

Budget and Accounts: **FY 2020-21**

(i) budget estimates and revised estimates,
under broad categories;

Sr No.	Heads of Accounts	Original Budget	Revised Budget
A	Personnel Cost	5,45,52,742	4,33,06,433
B	Administration Expenses	27,97,97,079	15,41,40,722
C	Capital Expenditure -	2,46,00,000	4,12,67,972
Total Expenditure (A+B+C+D)		35,89,49,821	23,87,15,127
E	Revenue Receipt -	54,20,58,887	40,69,44,174
Total Receipts		54,20,58,887	40,69,44,174

(ii) actual receipts under broad categories in the Real Estate Regulatory Fund established under sub-section (1) of section 75;

Revenue Receipt	Amount
Receipt from Developers/ Agents	23,42,06,974
Bank Saving Interest	3,34,032
Fixed Deposit Interest	16,61,10,701
Complaint / Appeal Fees from Allottees & Citizens	1,74,20,110
Penalty/Fine	1,05,000
Misc. Receipt (Admin-withdrawal charges, Tende Fees, etc.	4,05,432
Total	41,85,82,249

(iii) actual expenditure under broad categories;

Sr No.	Heads of Accounts	Actual Expenditure
A	Personnel Cost	4,33,18,542

B	Administration Expenses	15,03,34,816
C	Capital Expenditure -	4,01,99,645
Total Expenditure (A+B+C+D)		23,38,53,003

(iv) balance available in the Real Estate Regulatory Fund under sub-section (1) of section 75;

Rs 19,30,97,134

18. International co-operation

International: In this Year, MahaRERA was focused on driving the implementation of Act hence was not part of any International Engagements.

National: MahaRERA welcomed visits / meetings from several State Real Estate Regulatory Authorities

19. Capacity Building

During this year, MahaRERA undertook following Capacity Building initiatives for its employees:

(1) MahaRERA Online Application Training

From time to time, as and when new modules are deployed, MahaRERA conducts hands-on training of all employees and officers of the authority on usage of respective modules of MahaRERA application.

Once a month, management meeting is held to discuss various parameters at a macro level that will contribute to organizational effectiveness, ensuring accountability and smooth running of the processes

20. Ongoing programmes

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21. Right to Information

	1 st April 2020 to 31 st March 2021
(i) Number of applications received by PIO/ APIO seeking information under RTI Act	275
(ii) Number of applications for which information has been provided by PIO	273
(iii) Number of applications pending with PIO	2
(iv) Number of appeals filed before the First Appellate Authority against the order of PIO	13
(v) Number of appeals which have been disposed of by First Appellate Authority	13
(vi) Number of appeals pending with the First Appellate Authority	0
(vii) Number of applications/appeals not disposed of in the stipulated time frame	0



Contact us:

Maharashtra Real Estate Regulatory Authority
(MahaRERA)

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Mumbai 400051