



## Gujarat Real Estate Regulatory Authority

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No:GujRERA/Order-35

Date: - 16<sup>th</sup> May, 2020

**Subject: Extension of Registration of Real Estate Project due to 'Force Majeure'**

**References:** GOI- Office Memorandum by Ministry of Housing & Urban Affairs  
(Housing Section) dated 13th May, 2020

1. The meeting of Central Advisory Council (CAC) was held on 29<sup>th</sup> April, 2020 over webinar under the Chairmanship of Hon'ble Minister of State (I/C) Housing and Urban Affairs, wherein the impact of outbreak of COVID-19 (Corona Virus) on real estate projects was discussed with all council members and the stakeholders including representatives of Homebuyers, Developers, Real Estate Agents, Financial Institutions, Regulatory Authorities, State Governments etc.
2. Section 6 of RERA, 2016 provides for 'extension of registration of real estate project' on account of '*force majeure*', which includes any calamity caused by nature affecting the regular development of the real estate projects. It is quite evident that current pandemic caused by nature and resultant lockdown is adversely affecting regular development of real estate projects. Hence, it attracts invoking the provision of '*force majeure*'.
3. In order to safeguard the interest of all stakeholders including home buyers, CAC after detailed deliberations made unanimous recommendation to invoke the '*force majeure*' clause by Real Estate Regulatory Authorities to extend the registration of projects registered under RERA. **It also recommended to make the process simplified for smooth implementation.**
4. Notwithstanding anything contained to the contrary and by virtue of powers conferred under Section 37 read with Section 34(f) of the RERA, the registration or extension thereto under Section 5, 6, 7(3) of the RERA or Rules thereunder, for all registered projects under jurisdiction of Gujarat RERA for which the completion date or extended completion date as per registration/extension expires on or after 25<sup>th</sup> March, 2020, the following orders are issued;
  - (i) **The completion date or extended completion date is hereby automatically (without application) extended by 6 months** due to outbreak of COVID-19 (Corona Virus), which is a calamity caused by nature and is adversely affecting regular development of real estate projects, by invoking *force majeure* clause.

- (ii) Promoters of these projects will be able to download Fresh 'Project Registration Certificates' with extended project completion date from their log-in on GujRERA PORTAL and the same will also be available in Public view section of registered project on GujRERA PORTAL in due course of time.
- (iii) Relief granted vide GujaratRERA Order-33 dt. 13<sup>th</sup> April, 2020 remains available beyond the automatic extension time granted by this order. The cutoff date for availing relief under order-33 stands revised from 31<sup>st</sup> March, 2021 to 30<sup>th</sup> September, 2021.
- (iv) Promoters of projects registered with GujaratRERA will have to continue submission of their compliances (including QPR as per order-34) during the extended time period. However, the facility to submit Project Completion Compliance (QE) before scheduled/extended completion date will remain available to promoters.
- (v) For all registered projects the registration of which has lapsed prior to 25<sup>th</sup> March, 2020 and for which applications for extension have been made and are under consideration, the period of validity for registration of such projects shall be extended by six months in addition to the extension period that would normally be granted on processing the application.
- (vi) For all registered projects the registration of which has lapsed prior to 25<sup>th</sup> March 2020 and in which application for extension has not yet been made, the period of validity for registration of such projects shall be extended by six months in addition to the period that would normally be granted on processing the application, provided they make an application for extension on GujRERA PORTAL along with necessary fee.
- (vii) This general order on extension will also apply to all buyer-seller agreements (AFS) entered into prior to 25<sup>th</sup> March, 2020 for which the project completion date is on or after 25<sup>th</sup> March, 2020. Only for such agreements, the agreed possession date would be understood to be extended by six months. Promoter shall extend similar extension in payment due date to Allottee, when requested for, where these due dates are between 25<sup>th</sup> March, 2020 and 30<sup>th</sup> September, 2020.
- (viii) The project completion date, mentioned in Form-B as submitted by Promoters of the registered projects, stands amended vide this general order on project extension.

**Secretary  
GujRERA**