



GUJARAT REAL ESTATE REGULATORY AUTHORITY
Gandhinagar
Dated the 7th September, 2017

GUJARAT REAL ESTATE REGULATORY AUTHORITY (GENERAL)
REGULATIONS, 2017

No: Gujarat RERA.2017/General Regulations/1 In exercise of the powers conferred on it under sub-section (1) and clause (i) of sub-section (2) of section 85 of the Real Estate (Regulation and Development) Act, 2016 and of all other powers enabling it in that behalf, the Gujarat Real Estate Regulatory Authority hereby makes the following Regulations:-

Short Title and Commencement:

1. (a) These Regulations may be called the Gujarat Real Estate Regulatory Authority (General) Regulations 2017.
 - (b) These Regulations shall come into force on the date of their notification in the Official Gazette.
- Definitions
2. (a) In these Regulations, unless the context otherwise requires: -
 - (i) "Act" means the Real Estate (Regulation and Development) Act 2016 as amended from time to time;
 - (ia.)⁽¹⁾ "**Application**" means the full, correct and complete application made under section 4 or as the case may be under section 9 submitted online and also in hard copy to the Authority with all the details and all the documents required to be submitted in compliance of the provisions of the Act and Rules and Regulations made thereunder".
 - (ii) "Adjudication" means the process of arriving at decisions on complaints received by the Authority or the Adjudicating Officer under Section 31 of the Act;
 - (iii) "Chairperson" means the Chairperson of the Authority.
 - (iv) "Authority" means the Gujarat Real Estate Regulatory Authority;

⁽¹⁾Inserted Vide Amendment Dated 24.11.2017

- (v) "Consultant" includes any person not in the employment of the Authority who may be appointed as such to assist the Authority on any matter required to be dealt with by the Authority under the Act and the rules and regulations made thereunder;
 - (vi) "Member" means a member of the Authority;
 - (vii) "Proceedings" means and include proceedings of all nature that the Authority may conduct in the discharge of its functions under the Act and the rules and regulations;
 - (viii) "Secretary" means the Secretary of the Authority;
 - (ix) "Officer" means an officer of the Authority;
 - (x) "rule" means the rules made under the Act.
 - (xi) "Regulations" mean the Gujarat Real Estate Regulatory Authority (General) Regulations 2017 as amended from time to time.
- (b) Words or expressions occurring in these Regulations and not defined herein but defined in the Act or the Rules shall bear the same meanings respectively assigned to them in the Act and the Rules.

Formats of Certificates of Architect, Engineer and Chartered Accountant:

3. The certificates to be issued by the project architect, project engineer, chartered accountant in practice for withdrawal of money from the separate account maintained under section 4(2) (I) (D) shall be in Form 1, 2 and 3 respectively. The certificate required to be issued by the Project Architect/Project Engineer on completion of each of the building/wing of the real estate project shall be in Form 4.

Formats of various certificates in Plotting Project: -

3A⁽²⁾

- (a) In the case of Plotted Project, the various certificates for withdrawal of money from the separate account maintained under Section 4(2)(I)(D), shall be in Form 1, 2 and 3 with applicable referential modification as to the Plotted Project details.
- (b) The occupancy certificate required to be issued by the Project Architect on completion of each of the Plotted Project shall be in Form 4A.

Submission of application: -

3B⁽³⁾

- (a) Every application under section 4 and section 9 of the Act shall be submitted online as well as in hard copy with all the details and documents to the Authority.
- (b) The hard copy of the application along with all the details and documents should be submitted to Authority at least within a period of 7 days from the date of online submission of the application.
- (c) The promoter or agent as the case may be who fails to submit hard copy of complete application or not complying with other requirement of registration as per the provisions of the Act, Rules and Regulations and as further required by the Authority within a period of 7 days shall be liable to pay delay processing charge of Rs.1000/- per day thereafter.
- (d) The incomplete application, which is not as per the provisions of the Act, Rules and Regulations, of the promoter or as the case may be of the agent shall be liable to be filed for want of compliance and shall not be processed further for registration after two reminders for compliance are made by the Authority. However, the deadline of 7 days as per (c) above would be applicable in case where reminders by way of e-mails are sent. And thereafter the promoter or as the case may be agent shall be required to make an application to the authority for reopening of his application along with the fee as if it is a new/fresh application for registration.”

Additional Disclosures by Promoters on the Website and Project site:

- 4. In addition to all the details of the proposed Real Estate project, to be uploaded by the promoter on his webpage on the website of the Authority, as required under sub-section (1) of Section 11 of the Act and Rule 3 and 4 of the Gujarat Real Estate (Regulation and Development) (General) Rules 2017, the promoter shall upload the the annual report on statement of accounts, in Form 5 (issued in accordance with the third proviso to section 4(2) of the Act) duly certified and signed by the chartered accountant in practice who is the statutory auditor of the promoter’s enterprise.

Explanation 1: The chartered accountant certifying the progress of the registered real estate project for the purpose of withdrawal of amounts from the separate account should be a “different entity” than the chartered accountant who is the statutory auditor of the promoter’s enterprise.

Explanation 2: If the Form 5 issued by the statutory auditor reveals that any certificate issued by the project architect, engineer or the chartered accountant has false or incorrect information and the amounts collected for a particular project have not been utilized for the project and the withdrawal has not been in compliance with the proportion to the percentage of completion of the project, the Authority, in addition to taking penal actions as contemplated in the Act and the Rules, shall also take up the matter with the concerned regulatory body of the said professionals of the architect, engineer or chartered accountant, for necessary penal action against them, including cancellation of registration of membership for practice as such. Displaying of plans etc.,

Certain Fees:-

4A⁽⁴⁾

- (a) The promoter or as the case may be agent shall be required to pay to the Authority the charges at the rates as may be determined by general or special order by the Authority and as declared on website by the Authority from time to time for the following matters: -
- (i) For the periodical updation of website;
 - (ii) For application fee for application to the Authority for permission for changes required to be made in application for registration before registration or after registration,
 - (iii) Fee for making changes to be made and allowed on application made for changes as (ii) above in website and in hard copy.
 - (iv) Application fee for extension of registration under Section 6 and renewal fee for registration under Section 9.
 - (v) Fee for other matters as may be decided by the Authority by order from time to time.

5. The sanctioned plans, layout plans, along with specifications, approved by the Competent Authority shall be prominently displayed by the promoter at the project site.

Authority's Office, office hours and sittings:

6. The head office of the Authority shall be at Gandhinagar or such place as Government may decide to shift it to. The authority may, by order, establish benches and its offices at other places in the State.
7. The Authority shall follow the office timings and holidays as notified from time to time by the State Government for its offices in Gujarat and elsewhere, unless otherwise decided by the Authority.
8. The Authority may conduct its proceedings at the head office or at any other place within its jurisdiction on days and time as directed by the Chairperson.

Language of the Authority:

9. The proceedings of the Authority shall be conducted in English, provided that the Authority shall allow any person to plead or represent his case in Gujarati.
10. The Authority, at its sole discretion, may accept complaint petitions made in English or Gujarati, provided that if the Authority directs the same is to be accompanied by a translation thereof in English.

Provided that such translation may be dispensed with at the discretion of the Authority.

11. Any translation which is agreed to by the parties to the proceedings or which any of the parties furnish, may be accepted by the Authority as a true translation.
12. The Authority may, in appropriate cases, direct translation of Petitions and their accompanying documents into English or Gujarati.

Seal of the Authority:

13. Any document requiring authentication by the Authority shall be issued under the seal of the Authority, and shall be signed by the Secretary or other Officer authorized by the Chairperson in this behalf.

Officers of the Authority:

14. (a) The Authority shall have the power to appoint the Secretary, Officers and other employees for discharging various duties and perform certain functions. The qualifications, experience and terms and conditions of service and appointment of such Secretary, Officers and other employees shall be subject to such regulations as may be specified by the Authority.
- (b) The Authority may appoint, engage or retain Consultants, Lawyers, Experts to assist the Authority in the discharge of its functions.
15. (a) The Secretary shall be the Principal Executive Officer of the Authority and shall exercise his powers and perform his duties under the control of the Chairperson.
- (b) The Authority, in the discharge of its functions under the Act, may take such assistance from the Secretary as it may deem fit.
- (c) In particular, and without prejudice to the generality of the provisions of sub-regulations (a) and (b) of this regulation, the Secretary shall have the following powers and perform the following duties, viz:-
 - (i) He shall have custody of the records and the seal of the Authority.
 - (ii) He shall receive or cause to receive all documents, including, inter alia, complaints, applications or reference pertaining to the Authority.
 - (iii) He shall scrutinize documents, including, inter alia, complaints, applications or references and shall be entitled to seek clarifications or rectifications upon the same and issue appropriate directions pertaining to the acceptance or rejection of such documents.
 - (iv) He shall prepare or cause to be prepared briefs and summaries of pleadings presented by various parties in cases filed before the Authority.
 - (v) He shall carry out such functions under the Act and the Rules, as may be delegated to him by the Chairperson, by general or special order.
 - (vi) He shall assist the Authority in the proceedings relating to the powers exercisable by the Authority, as directed by the Chairperson.
 - (vii) He shall provide notice for meeting, prepare the agenda for meetings and minute the proceedings of the Authority's meetings.
 - (viii) He shall authenticate the orders passed by the Authority.
 - (ix) He shall, so far as it is possible, monitor compliance of the orders passed by the Authority and shall forthwith bring to the notice of the Authority any non-compliance thereof.

- (x) He shall have the right to collect from the State Government or local authorities or other offices, companies and firms or any other party as may be directed by the Chairperson, such information and record, report, documents, etc. as may be considered necessary for the purpose of efficient discharge of the functions of the Authority under the Act and the Rules and place the same before the Authority.
16. In the absence of the Secretary, the Officer of the Authority designated by the Chairperson in this behalf shall exercise the powers and discharge the functions of the Secretary.
17. The Chairperson shall, at all times, have the power, either on an application made by any interested or affected party or Suo-Moto, to review, revoke, revise, modify, amend, alter or otherwise change any order issued or action taken by the Secretary or any Officer of the Authority, if considered appropriate.
18. The Secretary may, with the written approval of the Chairperson, delegate to any Officer of the Authority any function required by these Regulations or otherwise to be exercised by the Secretary.

Meetings of the Authority: -

19. The provision contained in Regulations 20, 21, 22, 23 and 24 shall be applicable to the meetings of the Authority, other than the adjudicatory proceedings of the Authority.
20. The quorum for the meetings of the Authority shall be two.
21. If in any meeting of the Authority duly convened, the quorum is not present, the meeting shall stand adjourned for the next suitable date & time and place as decided by the Authority.
22. The Chairperson shall preside over the meetings and conduct the business. Members stationed at Benches, outside Ahmedabad/Gandhinagar, may participate in the meetings through video conferencing. If the Chairperson is unable to be present in the meetings for any reason, or where there is no Chairperson, the Members present shall decide on mutual consent the member to preside at the meeting.
23. (a) All questions which come up before any meetings of the Authority shall be decided by a majority of votes of the Members present and voting. In the event of an equality of votes, the Chairperson or in his absence, the Member presiding shall have a second or casting vote.

(b) Save as otherwise provided in these Regulations, every Member shall have one vote.

24. (a) The Secretary or in his absence an Officer of the Authority designated by the Chairperson, shall record the minutes of the meetings and maintain a register which will, amongst other things, contain the names and designation of Members and invitees present in the meeting, a record of proceedings and notes of dissent, if any. In case of dissent the draft minutes shall, as soon as practicable, be sent to the Chairperson and the attending Members.

(b) The decision taken in a meeting of the Authority shall be recorded in the minutes in a clear and concise manner, along with reasons. In case the minutes record any statement/submission made by an invitee, a copy of the minutes shall be sent to such invitee.

Adjudication Proceedings before the Authority: -

25. For adjudication proceedings with respect to complaints filed other than the matters fall under sections 12, 14, 18 and 29 of the Act with the Authority, the Authority may, by general order or specific order, direct that specific matters or issues be heard and decided by a single bench of either the Chairperson or any Member of the Authority.

Vacancies, etc., not to invalidate proceedings:

26. No act or proceedings of the Authority shall be questioned or shall be invalidated merely on the ground of existence of any vacancy or defect in the construction of the Authority.

Authorized Representative:

27. A person who is a party to any proceedings before the Authority may either appear in person or authorise any other person to present his case before the Authority and to do all or any of the acts for the purpose.

Provided that the person appearing on behalf of any person in any proceeding before the Authority shall file a Memorandum of Authorisation, in Form 6 herein.

Provided further that for matters pertaining to Rule 6(1) of the Gujarat Real Estate (Regulation and Development) (General) Rules 2017, the Authority may, from time to time, determine the terms and conditions subject to which the allottees may authorise representative(s) to plead on their behalf. In such cases the Authority shall have the power to summon and enforce the attendance of all persons who are concerned with the Real Estate Project, including lenders, as well as the persons who have accorded permissions to the Real Estate Project, as Competent Authority.

Orders of the Authority:

28. The Authority, Chairperson or Members as the case may be hearing a proceeding shall pass orders in such proceedings, and such orders shall be signed by the Chairperson, Members or as the case may be the Authority hearing such proceeding. Every order shall be in writing recording reasons for it.
29. All orders and decisions shall be certified by the signature of the Secretary or an Officer empowered in this behalf by the Chairperson and shall bear the official seal of the Authority and be communicated as expeditiously as possible from the date of passing thereof to all parties in the proceeding.

Records of the Authority: -

30. The Authority shall maintain an indexed database of its records including, inter alia, complaints filed, details of hearings conducted, orders/documents issued from time to time.
31. (a) Subject to sub-regulation (c) herein, records of the Authority shall be open to inspection by all, subject to the payment of the fee and complying with the terms as the Authority may direct.
(b) The authority shall, on such terms and conditions as the Authority considers appropriate, provide for supply of certified copies of documents and papers available with the Authority to any person, applying in Form 7, subject to the payment of fee and complying with the terms as the Authority may direct. The Authority shall designate an Officer for ensuring timely response to requests

received for supply of certified copies of documents who shall endeavour to dispatch the certified copies of documents requested for within a period of twenty-one (21) working days from the date of receipt of request.

(c) The Authority may, by order, direct that any information, documents and papers/materials maintained by the Authority, shall be confidential or privileged and shall not be available for inspection or supply of certified copies, and the Authority may also direct that such document, papers, or materials shall not be used in any manner except as specifically authorized by the Authority.

32. The Authority shall endeavour to make information involving public interest accessible and available to the public, including, inter alia, through its website.

Interim Orders, Investigation, Inquiry, collection of information, etc.:

33. The Authority may pass such ad-interim or interim orders, as the Authority may consider appropriate at any stage of any proceedings, having regard to the facts and circumstances of the case.

34. The Authority may make such direction or order as it thinks fit for collection of information, inquiry, investigation, entry, search, seizure and without prejudice to the generality of its powers, including, inter alia, the following:-

(a) The Authority may, at any time, direct the Secretary or any one or more Officers or any other person as the Authority considers appropriate to study, investigate or furnish information with respect to any matter within the jurisdiction of the Authority under the Act and the Rules.

(b) The Authority may, for the above purpose, give such other directions as it may deem fit and state the time within which the report is to be submitted or information furnished.

(c) The Authority may issue or authorise the Secretary or an Officer to issue directions to any person to produce before it and allow to be examined and kept by an Officer of the Authority directed in this behalf the books, accounts, etc., or to furnish any information to the designated Officer.

(d) The Authority may issue such directions, for the purpose of collection of any information, particulars or documents that the Authority considers necessary in connection with the discharge of its functions under the Act and the Rule.

(e) If any such report or information obtained appears to the Authority to be insufficient or inadequate, the Authority or the Secretary or an Officer authorised for the purpose may give directions for further inquiry, report and furnishing of information.

(f) The Authority may direct such incidental, consequential and supplemental matters to be attended to which may be considered relevant in connection with the above.

35. If the report or information obtained in accordance with Regulation 33 above or any part thereof is proposed to be relied upon by the Authority for forming its opinion or view in any proceedings, the parties to the proceedings shall be given a reasonable opportunity for filling objections and making submissions on such report or information.

Confidentiality:

36. (a) The Authority shall appraise and determine whether any documents or evidence provided to it by any party and claimed by that party to be of a confidential nature merits being withheld from disclosure to other parties as being confidential and shall provide brief reasons in writing for arriving at its conclusion.

(b) If the Authority is of the view that the claim for confidentiality is justified the Authority may direct that the same be not provided to such parties as the Authority may deem fit. However, the party claiming the confidentiality shall provide a brief non-confidential summary of the substance of the documents found to be confidential and the import of the same.

(c) Notwithstanding the above, it shall be open to the Authority to take into consideration the contents of the documents found to be confidential in arriving at its decision.

Review of decisions, directions, and orders:

37. (a) Any person aggrieved by a direction, decision or order of the Authority, from which (i) no appeal has been preferred or (ii) from which no appeal is allowed, may, upon the discovery of new and important matter or evidence which, after the exercise of due diligence, was not within his knowledge or could not be produced by him at the time when the direction, decision or order was passed or on account of some mistake or error apparent

from the face of the record, or for any other sufficient reasons, may apply for a review of such order, within forty-five (45) days of the date of the direction, decision or order, as the case may be, to the Authority.

(b) An application for such review shall be filed in the same manner as a complaint under these Regulations.

(c) The Authority shall for the purposes of any proceedings for review of its decisions, directions and orders be vested with the same powers as are vested in a civil court under the Code of Civil Procedure, 1908.

(d) When it appears to the Authority that there is no sufficient ground for review, the Authority shall reject such review application.

(e) When the Authority is of the opinion that the review application should be granted, it shall grant the same provided that no such application will be granted without previous notice to the opposite side or party to enable him to appear and to be heard in support of the decision or order, the review of which is applied for.

Continuance of Proceedings after death, etc.

38. (a) Where in a proceeding, any of the parties to the proceeding dies or is adjudicated as an insolvent or in the case of a company under liquidation/winding up, the proceeding shall continue with the other partners, successors-in-interest, the executor, administrator, receiver, liquidator or other legal representative of the party concerned, as the case may be.

(b) The Authority may, for reasons to be recorded, treat the proceedings as abated in case the Authority so directs and dispense with the need to bring the successors-in-interest on the record of the case.

(c) In case any person wishes to bring on record the successors-in-interest, etc., the application for the purpose shall be filed within ninety (90) days from the event requiring the successors-in-interest to be brought on record. The Authority may condone the delay, if any, for sufficient reasons.

Issue of orders and directions:

39. Subject to the provisions of the Act, Rules and Regulations, the Authority may, from time to time issue orders and directions in regard to the implementation of the Regulations and procedure to be followed as it deems fit.

Saving of Inherent power of the Authority:

40. Nothing in the Regulations shall be deemed to limit or otherwise affect the inherent power of the Authority to make such orders as may be necessary for meeting the ends of justice or to prevent the abuse of the process of the Authority.

41. Nothing in these Regulations shall bar the Authority from adopting in conformity with the provisions of the Act or Rules, a procedure, which is at variance with any of the provisions of these Regulations including summary procedures, if the Authority, in view of the special circumstance of a matter or class of matters and for reasons to be recorded in writing, deems it necessary or expedient for so dealing with such a matter or class of matters.

42. Nothing in the Regulations shall bar the Authority to deal with any matter or exercise any power under the Act or Rules for which no regulations have been framed, and the Authority may deal with such matters, powers and functions in a manner it thinks fit.

General power to amend/rectify:

43. The Authority may, at any time and on such terms as to costs or otherwise, as it may think fit, amend any defect or error in any proceedings before it (including any clerical or arithmetical error in any order passed by the Authority), and all necessary amendments, rectifications shall be made for the purpose of determining the real question or issue arising in the proceedings.

Provided that if the Authority desires to make amendments or rectifications in order to determine the real question or issue arising the Authority shall provide an opportunity to the parties affected by such amendment or rectification touching the real question or issue to make representations and submissions with respect to the proposed amendment or rectification.

Power to remove difficulties:

44. If any difficulty arises in giving effect to any of the provisions of the Regulations, the Authority may, by general or special order, do anything not being inconsistent with the provisions of the Act or Rules, which appears to be necessary or expedient for the purpose of removing the difficulties.

Extension or abridgement of time prescribed:

45. Subject to the provisions of the Act or the Rules, the time prescribed by the Regulations or by order of the Authority for doing any act may be extended (whether it has already expired or not) or abridged for sufficient reason by an order of the Authority.

Costs:

46. (a) Subject to such condition and limitation as may be directed by the Authority, the costs of and incidental to, all proceedings shall be awarded at the discretion of the Authority and the Authority shall have full power to determine by whom or out of what funds and to what extent such costs are to be paid and give all necessary directions for the aforesaid purposes.

(b) The costs shall be paid within thirty (30) days from the date of the order or within such time as the Authority may, by order, direct. If a party fails to comply with an order for costs within the permitted period, the order of the Authority awarding costs shall be executed forthwith in the same manner as a decree/order of a Civil Court.

Administrative Charges and Standard Fees:

47. The Authority may, by order, fix standard fees, to be levied on the promoters or real estate agents or allottees for inspection of documents, certified copies of documents, the updating of website, database management and maintenance of the Website

FORM 1⁽⁵⁾
(See Regulation 3)
ARCHITECT'S CERTIFICATE (On Letter Head)

(To be submitted at the time of Registration of Ongoing Project and for withdrawal of Money from Designated Account)

Date:

To

The _____ (Name & Address of Promoter).

Subject: Certificate of Percentage of Completion of Construction Work of _____ No. of Building(s) _____ Wing(s) of the _____ Phase of the Project (Gujarat RERA Registration Number _____) situated on the Plot bearing C.N. No./CTS No./Survey no./Final Plot no _____ demarcated by its boundaries (latitude and longitude of the end points) _____ to the North _____ to the South _____ to the East _____ to the West of Division _____ village _____ taluka _____ District _____ PIN _____ admeasuring _____ sq.mts. area being developed by (Promoter's Name) _____.

Sir,

I/We _____ have undertaken assignment as Architect of certifying Percentage of Completion of Construction Work of the _____ Building(s)/ _____ Wing(s) of the _____ Phase of the Project, situated on the plot bearing C.N. No./CTS No./Survey no./Final Plot no. _____ of Division _____ village _____ taluka _____ District _____ PIN _____ admeasuring _____ sq.mts. area being developed by (Promoter's Name) _____ as per the approved plan.

1. Following technical professionals are appointed by Owner/Promoter: - (as applicable)

- (i) M/s./Shri/Smt. _____ as Engineer
- (ii) M/s./Shri/Smt. _____ as Structural Consultant
- (iii) M/s./Shri/Smt. _____ as MEP Consultant
- (iv) M/s./Shri/Smt. _____ as Site Supervisor/Clerk of Work

Based on Site Inspection by undersigned on _____ date and with respect to each of the Building/Wing or of the plots as the case may be of the aforesaid Real Estate Project, I certify that as on the date of this certificate, the Percentage of Work done for each of the building/Wing of the Real Estate Project as registered vide number _____ under GujRERA is as per table A herein below. The percentage of the work executed with respect to each of the activity of the entire phase is detailed in Table A and B.

Table – A

Building/Wing Number _____ (to be prepared separately for each Building/Wing of the Project)

Sr. No.	Tasks/Activity	Percentage of work done
1	Excavation	
2	_____ number of Basement(s) and Plinth	
3	_____ number of Podiums	
4	Stilt Floor	
5	_____ number of Slabs of Super Structure	
6	Internal walls, Internal Plaster, Floorings within Flats/Premises, Doors and Windows to each of the Flat/Premises	
7	Sanitary Fittings within the Flat/Premises	
8	Staircases, Lifts Wells and Lobbies at each Floor level connecting Staircases and Lifts, Overhead and Underground Water Tanks	
9	The external plumbing and external plaster, elevation, completion of terraces with waterproofing of the Building/Wing.	
10	Installation of lifts, water pumps, Fire Fighting Fittings and Equipment as per CFO NOC, Electrical fittings to Common Areas, electro, mechanical equipment, compliance to conditions of environment/CRZ NOC, Finishing to entrance lobby/s, plinth protection, paving of areas appurtenant to Building/Wing, Compound Wall and all other requirements as may be required to Obtain Occupation/Completion Certificate	

TABLE-B

Internal & External Development Works in Respect of the entire Registered Phase

Sr. No.	Common areas and Facilities Amenities	Proposed (Yes/No)	Percentage of Work Done	Remarks
1	Internal Roads & Footpaths			
2	Water Supply			
3	Sewerage (chamber, lines, Septic Tank, STP)			
4	Storm Water Drains			
5	Landscaping & Tree Planting			
6	Street Lighting			
7	Community Buildings			
8	Treatment and disposal of sewage and sullage water /STP			
9	Solid Waste Management & Disposal			
10	Water Conservation, Rain Water Harvesting , Percolating Well/Pit			
11	Energy Management			
12	Fire Protection and Fire Safety Requirements			
13	Electrical Meter Room, Sub-station, Receiving Station			
14	Others (Option to Add more)			

Yours Faithfully,

Signature & Name (IN BLOCK LETTERS) with Stamp of Architect

Council of Architects (CoA) Registration No. CA/_____/_____

Council of Architects (CoA) Registration valid till (Date) _____

(Vide Amendment Dated 2nd January 2018)

FORM – 2⁽⁵⁾

(See Regulation 3)

ENGINEER'S CERTIFICATE (On Letter Head)

(To be submitted at the time of Registration of Ongoing Project and for withdrawal of Money from Designated Account – Project wise)

Date:

To

The _____ (Name & Address of Promoter),

Subject: Certificate of Cost Incurred for Development of (Project Name _____) for Construction of _____ building(s) _____ Wing(s) of the _____ phase or for the plotted project, as the case may be, (GujRERA Registration Number _____) situated on the Plot bearing C.N. No./CTS No./Survey no./Final Plot no. _____.

Demarcated by its boundaries (latitude and longitude of the end points)

_____ to the North _____ to the South _____ to the East _____ to the West of Division _____ village _____ taluka _____ District _____ PIN _____ admeasuring _____ sq.mts. area being developed by (Promoter)

Ref: GujRERA Registration Number _____

Sir,

I/We _____ have undertaken assignment of certifying Estimated Cost for the Real Estate Project proposed to be registered under GujRERA, being _____ Building(s)/ _____ Wing(s) of the _____ Phase or for the plots of the plotted project as the case may be, situated on the plot bearing C.N. No./CTS No./Survey no./Final Plot no. _____ of Division _____ village _____ taluka _____ District _____ PIN _____ admeasuring _____ sq.mts. area being developed by (Owner/Promoter)

1. Following technical professionals are appointed by Owner/Promoter:- (as applicable)
 - (i) M/s/Shri/Smt _____ as Architect
 - (ii) M/s/Shri/Smt _____ as Structural Consultant
 - (iii) M/s/Shri/Smt _____ as MEP Consultant
 - (iv) M/s/Shri/Smt _____ as Quantity Surveyor*

2. We have estimated the cost of the completion to obtain Occupation Certificate/Completion Certificate, of the Civil, MEP and Allied works, of the Building(s) of the project. Our estimated cost calculations are based on the Drawing/Plans made available to us for the project under reference by the Developer and Consultants and the Schedule of items and quantity for the entire work as calculated by _____ quantity Surveyor* appointed by Developer/Engineer and the site inspection carried out by us.
3. We estimate Total Estimated Cost of completion of the building(s) of the aforesaid project under reference as Rs. _____ (Total of Table A and B). The estimated Total Cost of Project is with reference to the Civil, MEP and allied works required to be completed for the purpose of obtaining occupation certificate/completion certificate for the building(s) from the _____ being the Planning Authority under whose jurisdiction the aforesaid project is being implemented.
4. Based on Site Inspection by undersigned on _____ date, the Estimated Cost Incurred till date is calculated at Rs. _____ (Total of Table A and B). The amount of Estimated Cost Incurred is calculated on the base of amount of Total Estimated Cost.
5. The Balance Cost of Completion of the Civil, MEP and Allied works of the Building(s) of the subject project to obtain Occupation Certificate/Completion Certificate from _____ (Planning Authority) is estimated at Rs. _____ (Total of Table A and B).
6. I certify that the Cost of the Civil, MEP and allied work for the aforesaid Project as completed on the date of this certificate is as given in Table A and B below;

TABLE – A

Building/Wing bearing Number _____ or called _____

(to be prepared separately for each Building/Wing of the Real Estate Project)

Sr. No.	Particulars	Amounts (in Rs.)
1	Total Estimated Cost of the building/wing as on _____ date of Registration is	
2	Cost incurred as on _____	
3	Work done in Percentage (as Percentage of the estimated cost)	
4	Balance Cost to be Incurred (Based on Estimated Cost)	
5	Cost Incurred on Additional/Extra Items as on _____ not included in the Estimated Cost (Table –C)	

TABLE – B

Internal & External Development Works in Respect of the entire Registered Phase

Sr. No.	Particulars	Amounts (in Rs.)
1	Total Estimated Cost of the Internal and External Development Works including amenities and Facilities in the layout as on _____ date of Registration is	
2	Cost incurred as on _____	
3	Work done in Percentage (as Percentage of the estimated cost)	
4	Balance Cost to be Incurred (Based on Estimated Cost)	
5	Cost Incurred on Additional/Extra Items as on _____ not included in the Estimated Cost (Table –C)	

Yours Faithfully,

Signature & Name (IN BLOCK LETTERS) with Stamp of Engineer

Local Authority license no. _____

Local Authority License no. valid till (Date) _____

***Note**

1. The scope of work is to complete entire Real Estate Project as per drawings approved from time to time so as to obtain Occupation Certificate/Completion Certificate.
2. (*) Quantity Survey can be done by office of Engineer or can be done by an independent Quantity Surveyor, whose certificate of quantity calculated can be relied upon by the Engineer. In case of independent quantity surveyor being appointed by Promoter, the name has to be mentioned at the place marked (*) and in case quantity are being calculated by office of Engineer, the name of the person in the office of Engineer, who is responsible for the quantity calculated should be mentioned at the place marked (*).
3. The estimated cost includes all labour, material, equipment and machinery required to carry out entire work.
4. As this is an estimated cost, any deviation in quantity required for development of the Real Estate Project will result in amendment of the cost incurred/to be incurred.

5. All components of work with specifications are indicative and not exhaustive.

Table –C

List of Extra/Additional Items executed with Cost

(Which were not part of the original Estimate of Total Cost)

FORM-3⁽⁵⁾**(See Regulation 3)****CHARTERED ACCOUNTS CERTIFICATE (On Letter Head)****(FOR REGISTRATION OF A PROJECT AND SUBSEQUENT WITHDRAWAL OF MONEY)****Cost of Real Estate Project GujRERA Registration Number _____**

Sr. No.	Particulars	Amount (in Rs.)	
		Estimated (Colum -A)	Incurred & Paid (Colum -B)
1	<p>(I) Land Cost:</p> <p>a. Acquisition Cost of Land or Development Rights, lease Premium, lease rent, interest cost incurred or payable on Land Cost and legal cost</p> <p>b. Amount of Premium payable to obtain development rights, FSI, additional FSI, fungible area and any other incentive under DCR from Local Authority or State Government or any Statutory Authority</p> <p>c. Acquisition cost of TDR (if any)</p> <p>d. Amounts payable to State Government or competent authority or any other statutory authority of the State or Central Government towards stamp duty, transfer charges, registration fees etc. and</p> <p>e. Land Premium payable as per annual statement of rates (ASR) for redevelopment of land owned by Public Authorities.</p> <p>f. Under Redevelopment / Rehabilitation Scheme:</p> <p>(i) Estimated construction cost of redeveloped / rehab building including site development and infrastructure for the same as certified by Engineer (Column-A)</p> <p>(ii) Actual Cost of construction of redeveloped / rehab building incurred as per the books of accounts as verified by the CA (Column-B)</p> <p>Note: (for total cost of construction incurred, Minimum of (i)</p>		

	<p>or (ii) is to be considered)</p> <p>(iii) Cost towards clearance of land of all or any encumbrances including cost of removal of legal/illegal occupants, cost for providing temporary transit accommodation or rent in lieu of Transit Accommodation, overhead cost.</p> <p>(iv) Cost of ASR linked premium, fees, charges and security deposits or maintenance deposit, or any amount whatsoever payable to any authorities towards and in project of rehabilitation.</p>		
	Sub-Total of LAND COST		
		Amount (in Rs.)	
		Estimated (Colum -A)	Incurred & Paid (Colum -B)
	<p>(II) Development Cost/Cost of Construction:</p> <p>a. (i) Estimated Cost of Construction as certified by Engineer (Column - A)</p> <p>(ii) Actual Cost of Construction incurred and paid as per the books of accounts as verified by the CA (Column - B)</p> <p>Note: (for adding to total cost of construction incurred, Minimum of (i) or (ii) is to be considered)</p> <p>(iii) On-site expenditure for development of entire project excluding cost of construction as per (i) or (ii) above, i.e. salaries, consultant's fees, site overheads, development works, cost of services (including water, electricity, sewerage, drainage, layout roads etc.), cost of machineries and equipment including its hire and maintenance costs, consumables etc. All costs directly incurred to complete</p>		

	<p>the construction of the entire phase of the project registered.</p> <p>b. Payment of Taxes, cess, fees, charges, premiums, interest etc. to any Statutory Authority.</p> <p>c. Interest payable to financial institutions, scheduled banks, non-banking financial institution (NBFC) or money lenders on construction funding or money borrowed for construction:</p>		
	Sub-Total of Development Cost		

2. Total Estimated Cost of the Real Estate Project

(1(I) + 1 (II)) of Estimated Column -A

3. Total Cost Incurred and Paid of the Real Estate Project

(1(I) + 1 (II)) of Incurred and Paid Column - B

4. Percentage of completion of Construction Work

(as per Project Architect's Certificate on completion of project) _____ %

5. Proportion of the Cost incurred and paid on Land Cost and Construction Cost to the Total Estimated Cost. (Sr. No. 3/2) _____%

6. Amount which can be withdrawn from the Designated Account

Total Estimated Cost x Proportion of cost incurred and paid

(Sr. number 2 x Sr. number 5)

7. Less: Amount withdrawn till date of this certificate as per the Books of Accounts and Bank Statement

8. Net Amount which can be withdrawn from the Designated Bank Account under this certificate

Details of RERA Account:

Bank Name	
Branch Name	
Account No.	
IFSC Code	

Opening Balance (as on _____)	
Deposit during the period	
Withdrawals during the period	
Closing Balance (as on _____)	

This certificate is being issued for RERA compliance for the Company (Promoter's Name _____ and Project Name _____) and is based on the records and documents produced before me and explanations provided to me by the management of the Company; based on the verification of books of accounts till (date) _____.

Yours Faithfully,

Name and Signature of Chartered Accountant with Stamp
For (Name of CA Firm)

Partner / Proprietor
(Membership Number.....)

(ADDITIONAL INFORMATION FOR ONGOING PROJECTS)

1. Estimated Balance Cost to Complete the Real Estate Project _____
(Difference of Total Estimated Project cost less Cost incurred)
2. Balance amount of receivables from booked apartments
as per Annexure-A to this certificate
(as certified by Chartered Accountant as verified from the records
And books of Accounts)
3. (i) Balance Unbooked area
to be certified by Management and to be verified by CA from the
records and books of accounts)
(ii) Estimated amount of sales proceeds in respect of unbooked apartments
as per Annexure-A to this certificate.
4. Estimated receivables of ongoing project. Sum of 2 + 3 (ii)
5. Amount to be deposited in Designated Account – 70% or 100%
If 4 is greater than 1, then 70% of the balance receivables of
Ongoing project will be deposited in designated Account.
If 4 is lesser than 1, then 100% of the balance receivables of
Ongoing project will be deposited in designated Account. %

This certificate is being issued for RERA compliance for the Company (Promoter's Name _____ and Project Name _____) and is based on the records and documents produced before me and explanations provided to me by the management of the Company; based on the verification of books of accounts till (date) _____.

Yours Faithfully,

Name and Signature of Chartered Accountant with Stamp
For (Name of CA Firm)

Partner / Proprietor
(Membership Number.....)

Annexure-A

Statement for calculation of Receivables from the Sales of the Ongoing Real Estate Project:

Booked Inventory

Sr.No.	Block / Type/ Bungalow/ Category (as per Form 1)	Flat / Bungalow / Office / Plot No.	Carpet Area (in Sq. Mts.)	Area of exclusive balcony / verandah (Sq. Mts.)	Unit Amount Consideration as per Agreement (as per Clause 1(b) of the Model Form of Agreement to be entered between Promoter and Allottee(s))/Letter of Allotment	Received Amount	Balance Amount

	Total Proposed	Total Booked
No. of Garages		
No. of Covered Parking		
No. of Open Parking		

(Unbooked Inventory Valuation)

Of the Residential/commercial premises Rs. _____ per sm.

Sr. No.	Block / Type/ Bungalow/ Category (as per Form 1)	Flat / Bungalow / Office / Plot No.	Carpet Area (in Sq. Mts.)	Area of exclusive balcony / verandah (Sq. Mts.)	Estimated Amount of Sale Proceeds

FORM-4

ARCHITECT'S CERTIFICATE

(To be issued on completion of each of the Building/Wing)

Date:

To

The _____ (Name & Address of Promoter),

Subject: Certificate of Completion of Construction Work of _____ Building/_____ Wing of the Building of the Project (GujRERA Registration Number) situated on the Plot bearing C.N. No/CTS No./Survey no./Final Plot no _____ demarcated by its boundaries (latitude and longitude of the end points) _____ to the North _____ to the South _____ to the East _____ to the West of Division _____ village _____ taluka _____ District _____ PIN _____ admeasuring _____ sq.mts. area being developed by Promoter's Name) _____.

Sir,

I/We _____ have undertaken assignment as Architect/Engineer of certifying completion of Construction Work of _____ Building/_____ Wing of the Building situated on the plot bearing C.N. No.CTS No./Survey no./Final Plot no _____ of Division _____ village _____ taluka _____ District _____ PIN _____ admeasuring _____ sq.mts. area being developed by (Promoter's Name)

2. Following technical professionals are appointed by Owner/Promoter:- (as applicable)

- (i) M/s/Shri/Smt. _____ as Architect/Engineer
- (ii) M/s/Shri/Smt. _____ as Structural Consultant
- (iii) M/s/Shri/Smt. _____ as MEP Consultant
- (iv) M/s/Shri/Smt. _____ as Site Supervisor/Clerk of Works

3. Based on Completion Certificate received from Structural Engineer and Site Supervisor/Clerks of Works and to the best of my/our knowledge I/We hereby certify that _____ Building/_____wing of the Building has been completed in all aspects and is fit for occupancy for which it has been erected/re-erected/constructed and enlarged. The _____Building/_____wing of the Building is granted Occupancy Certificate/Completion Certificate bearing number_____ dated _____ by _____ (Local Planning Authority) .

Yours Faithfully,

Signature & Name (IN BLOCK LETTERS) of L.S/Architect with (License No.....)

Form – 4A⁽⁶⁾
(See Regulation 3A(b))
Certificate by Architect

(To be issued on completion of each of the Plotting Project)

Occupancy Certificate for the purpose of completion of Plotting Project scheme under
Gujarat Real Estate Regulatory Authority

Address of the Project:

.....

Date:

To,

..... (Name of the Promoter)

..... (Address of the Promoter)

Subject: Occupancy Certificate for..... (Name of the project)

Ref: (Project Registration Number)

Sir,

I,.....(name of the architect) having COA License No. had undertaken assignment as an Architect for the assessment and verification of development of work done at(name of the project) situated on the Plot bearing Sub Plot No./CTS No./Survey no./Final Plot no demarcated by its boundaries (latitude and longitude of the end points) to the North..... to the South to the East to the West of Division village taluka District of TP Scheme No. (Name

.....) PIN admeasuring sq.mts. being developed by (Name of the Promoter).

Based on site inspection carried out by me with respect to each of the plot(s) of the aforesaid Real Estate Plotting Project, I certify that as on date of this certificate, the project has been developed and completed in all respects including the provisioning of all the civic infrastructure i.e, Common Plot, Internal Approach Road, Internal Storm Water Drainage, Water Supply, Drainage Network, Percolation Well, Lights etc as per the Plotting layout plan sanctioned by (Name of the sanctioning authority) with Rajachitthi No., Dated and is qualified/equipped for occupation for the purpose for which it was developed.

Yours Faithfully,

Stamp, Signature & Name (IN BLOCK LETTERS) of Architect with (COA Reg. License No.....)

Enclosed:

- 1) Photographs of all sides of site

Photographs of developed civic infrastructure listed in above statement item wise.

FORM 5

ON THE LETTER HEAD OF CHARTERED ACCOUNTANT (WHO IS STATUTORY AUDITOR OF THE PROMOTER'S COMPANY/FIRM)

ANNUAL REPORT ON STATEMENT OF ACCOUNTS

To (NAME & ADDRESS OF PROMOTER)

SUBJECT: Report on Statement of Accounts on project fund utilization and withdrawal by (Promoter) for the period from _____ to _____ with respect to GujRERA Regn. Number _____

1. This certificate is issued in accordance with the provisions of the Real Estate (Regulation and Development) Act, 2016 read along with the Gujarat Real Estate (Regulation and Development) Rules, 2017.

2. I/We have obtained all necessary information and explanation from the Company, during the course of our audit, which in my/our opinion are necessary for the purpose of this certificate.

3. I/We hereby confirm that I/We have examined the prescribed registers, books and documents and the relevant records of (Promoter) for the period ended _____ and hereby certify that:

i. M/s. _____ (Promoter) have completed % of the project titled _____(Name) GujRERA Regn. No _____ located at _____

ii. Amount collected during the year for this project is Rs. _____ and amounts collected till date is Rs. _____

i. Amount withdrawn during the year for this project is Rs. _____ and amount withdrawn till date is Rs. _____

4. I/We certify that the (Name of Promoter) has utilized the amounts collected for _____ project has been in accordance with the proportion to the percentage of completion of the project. (If not, please specify the amount withdrawn in excess of eligible amount or any other exceptions)

(Signature and Stamps/Seal of the Signatory CA)

Name of the Signatory:

Place:

Full Address

Date:

Membership No.:

Contact No.:

E mail

Form 6

(See Regulation 27)

BEFORE THE GUJARAT REAL ESTATE REGULATORY AUTHORITY

Authorisation Form

Complaint No./ _____ .

In the matter of

..... Petitioner

V/s Respondent(s)

Memo of Authorisation

I/We, the petitioner/respondent abovenamed do hereby nominate, appoint and constitute..... to act, plead and appear on my/our behalf in the aforesaid matter.

IN WITNESS WHEREOF I/We have set and subscribed my/our hands to this writing on this.....day of.....

Place: _____

(Petitioner/Respondent)

Signature

Date: _____

Address for Correspondence

I/We accept

Form 7

(See Regulation 31)

BEFORE THE GUJARAT REAL ESTATE REGULATORY AUTHORITY

Application for inspection/obtaining copies of documents/records

I hereby apply for grant of permission to inspect/obtain copies of the following documents/records in the above case. The details are as follows:

1. Name & Address of the person seeking permission to inspect/obtain copies of the documents/records.
2. Whether he is party to the case or he is the authorised representative of any party. (Furnish necessary particulars).
3. Details of papers/documents sought to be inspected/copies required.
4. Date and duration of the inspection sought.
5. The amount of fee payable (as per relevant Regulations) and the mode of payment.

Place:

Date:

Signature

Office Use

Granted inspection on _____/Rejected

Granted copies of documents on _____/ Rejected

Secretary/Officer/Nominee of the Authority

.....

Secretary, GujRERA.

Dr. Manjula Subramaniam
Gujarat Real Estate Regulatory Authority