



**Gujarat Real Estate Regulatory Authority (RERA)**

4th Floor, Sahyog Sankul,  
Sector-11, Gandhinagar-382010

**Website:** <https://gujrera.gujarat.gov.in>

**No. GujRERA / Circular / 8 / 2018**

**Date 13<sup>th</sup> June, 2018**

**Subject: Categorization of plan change applications as addition / alteration under section 14 or as phase registration under section 3**

Section 3 of The Real Estate (Regulation and Development) Act, 2016, has prescribed that eligible real estate projects are required to register with the Gujarat Real Estate Regulatory Authority. Under this section, where the real estate project is to be developed in phases, every such phase shall be considered a stand-alone real estate project, and the promoter shall obtain registration under this Act for each such phase separately.

Further, Section 14.2 (ii) of The Real Estate (Regulation and Development) Act, 2016 has prescribed that any non-minor alterations or additions in the sanctioned plans, layout plans and / or specifications of the buildings or the common areas within the project shall require the previous written consent of at least two-thirds of the allottees, other than the promoter.

Gujarat RERA has received various requests for clarifications from several promoters on the classification of applications for consideration as Alteration under section 14 or as registration of a new phase under section 3.

In context of the above, Gujarat RERA has decided to issue circular on the above mentioned issue. The concerned stakeholders are required to note as per below –

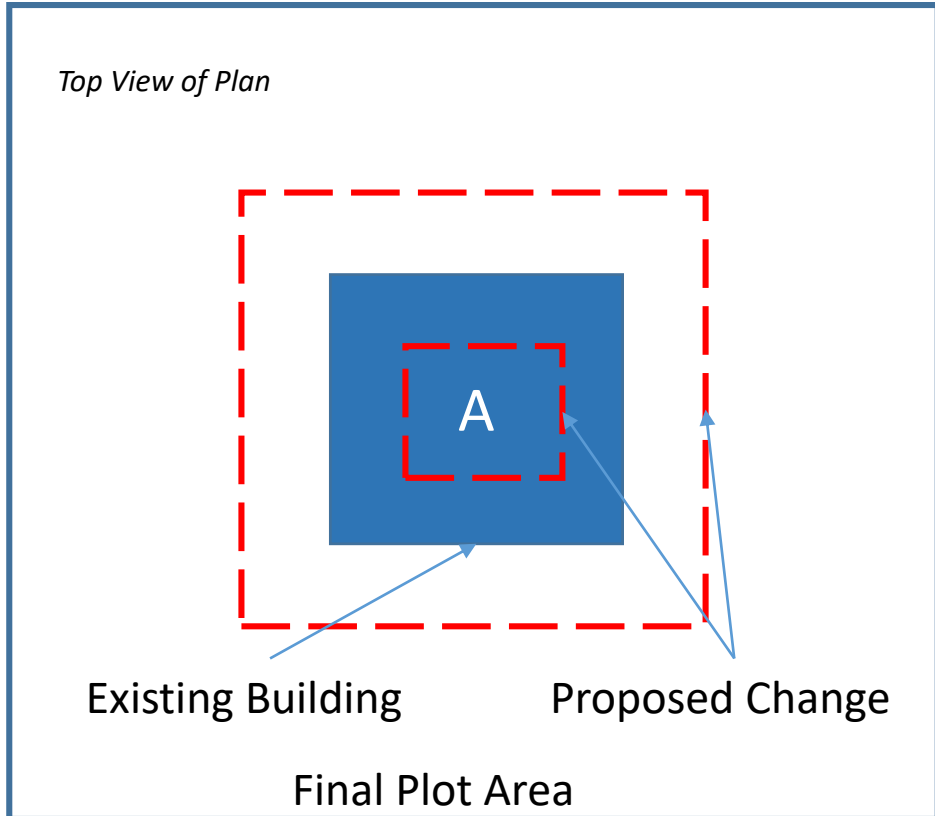
1. Processing of applications as Addition / Alteration shall only be considered if a registration has already been provided to the project under section 3.
2. If the plan revision entails additional land procurement or change in end date of the project then the application shall be considered as “New Phase” and registration will be as per under section 3.

3. Classification of project application under Alteration or New Phase Registration under few of the scenarios are illustrated in the annexure. The illustrations are not exhaustive and are meant only as general guidelines.

Notwithstanding the above, based on case specifics and complexity involved, Gujarat RERA shall provide additional directions to the promoter.

  
13/6/28  
Secretary  
Gujarat RERA

# Scenario 1 - Registration of Addition / Alteration

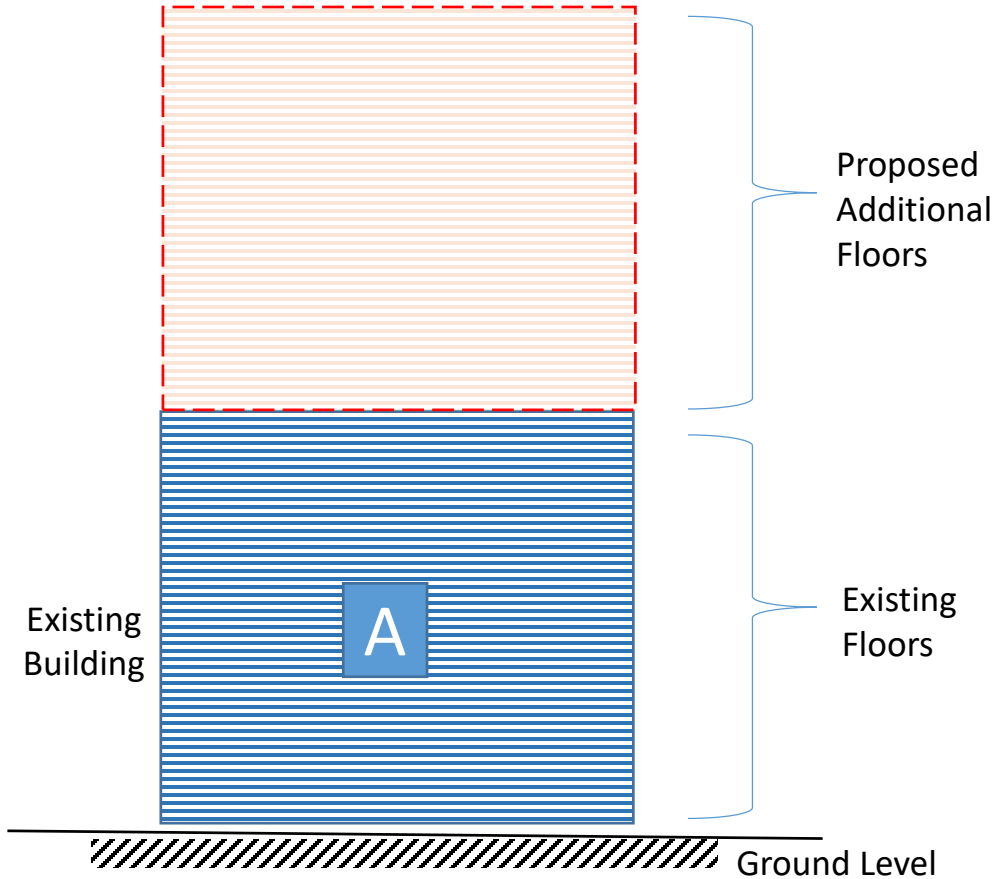


## Situation Summary –

- Project with building A already registered under section 3
- Change proposed by Developer:
  - Change in Built-up / FSI Area / Carpet Area (increase / decrease)
  - Change in unit nos. (increase / decrease)
  - Change in building layout / orientation
  - Change in usage (ex residential to commercial)
  - Change in common amenities

Important Compliances	Required?
Submission of approved revised plan from authority	Yes
Consent of 2/3 allottee as per sec 14 Allottees as on date of application for revision	Yes
Change in project end date allowed	No
Submission of List of Allottees With contact details and status of booking	Yes
Submission Forms 1,2, 3 as per revised plan	Yes
Affidavit from Promoter	Yes
Fees as per Addition / Alteration cases	Yes

# Scenario 2 - Registration of Addition / Alteration



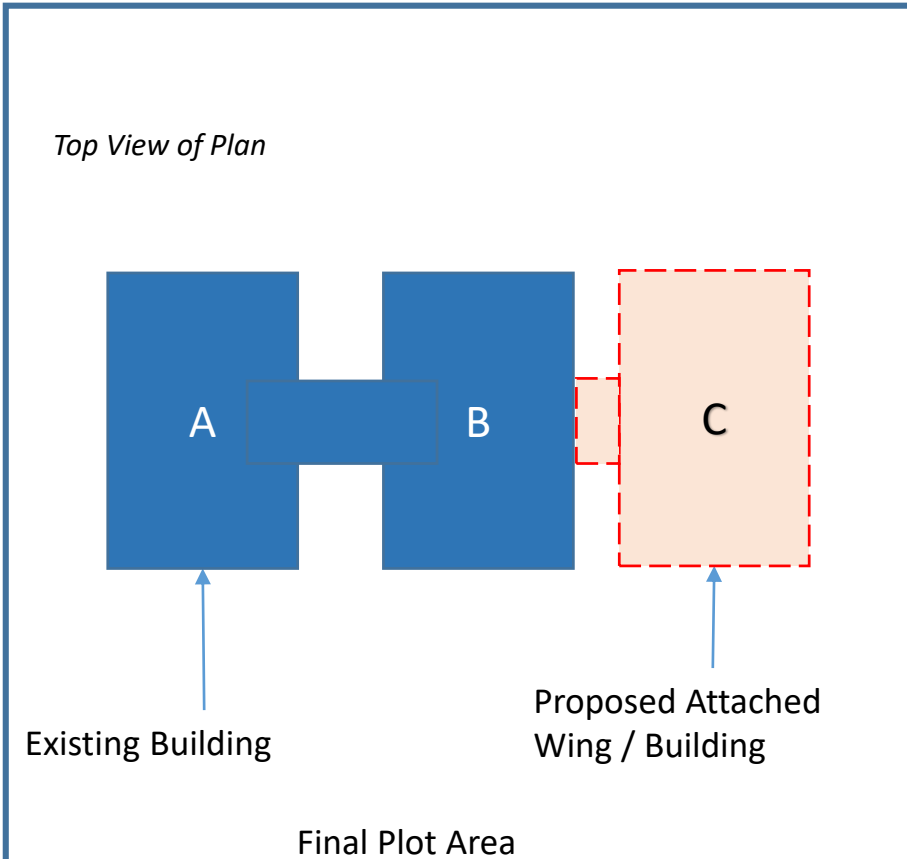
Front View of Plan

## Situation Summary –

- Project with building A already registered under section 3 but BU not received for the project
- Change proposed by developer – change in floors due to addition of FSI / TDR before project completion

Important Compliances	Required?
Submission of approved revised plan from authority	Yes
Consent of 2/3 allottee as per sec 14 Allottees as on date of application for revision	Yes
Change in project end date allowed	No
Submission of List of Allottees With contact details and status of booking	Yes
Submission Forms 1,2, 3 as per revised plan	Yes
Affidavit from Promoter	Yes
Fees as per Addition / Alteration cases	Yes

# Scenario 3 - Registration of Addition / Alteration

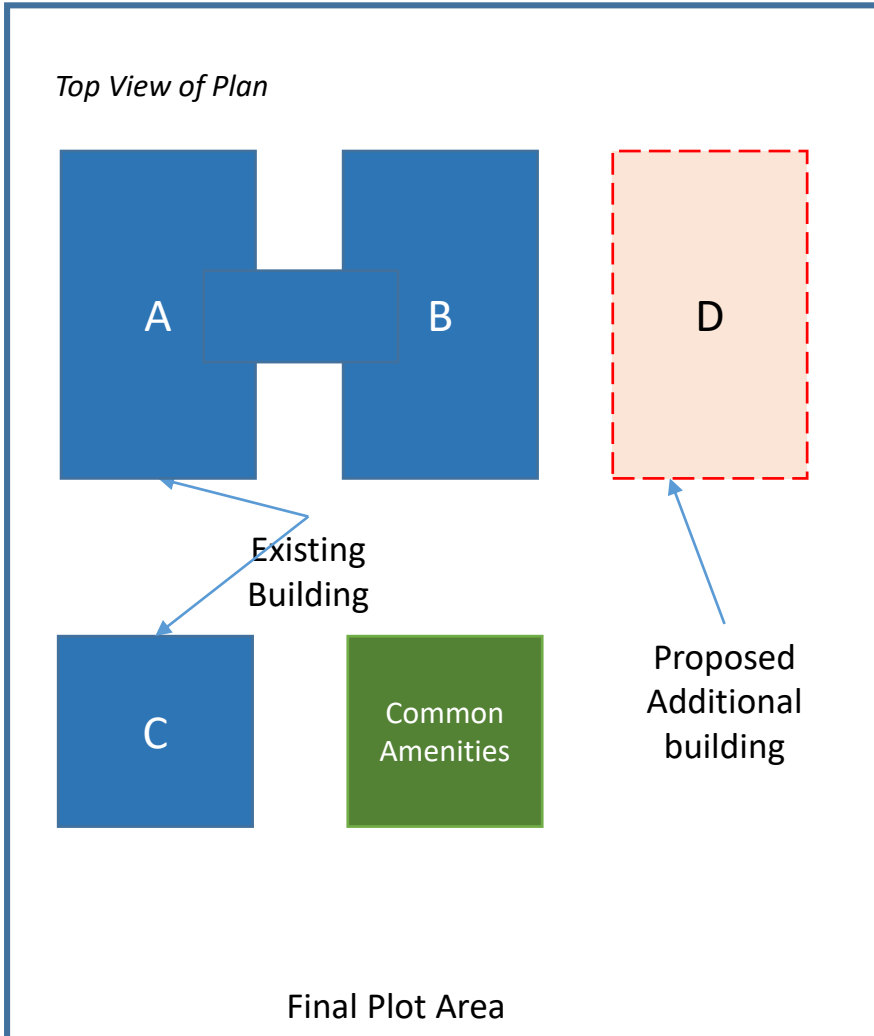


## Situation Summary –

- Project already registered with Building A+B under section 3
- Change proposed by developer
  - Additional attached building / wing C, which was part of earlier approved plan but not registered for which part BU is not available from plan approving authority OR
  - Additional attached building /wing C, which was not part of earlier approved plan for which part BU is not available from plan approving authority

Important Compliances	Required?
Submission of approved revised plan from authority	
When wing C part of earlier approved plan	No
When wing C not part of earlier approved plan	Yes
Consent of 2/3 allottee as per sec 14 Allottees as on date of application for revision	Yes
Change in project end date allowed	No
Submission of List of Allottees With contact details and status of booking	Yes
Submission Forms 1,2, 3 as per revised plan	Yes
Affidavit from Promoter	Yes
Fees as per Addition / Alteration cases	Yes

# Scenario 4 (a) - Registration of New Phase



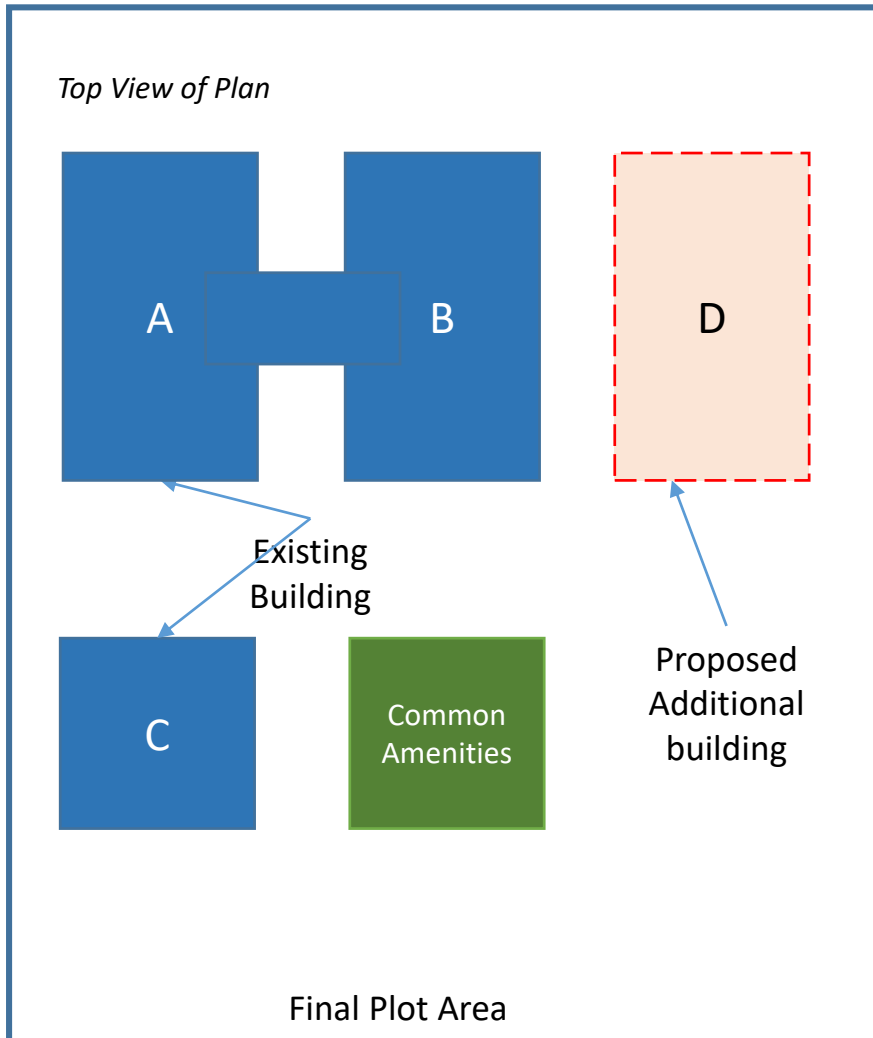
## Situation Summary –

- Project already registered with blocks A+B & C under section 3
- Change proposed by developer
  - Additional detached building D, which was part of earlier approved plan but not registered OR
  - Additional detached building D, which was not part of earlier approved plan

## Important Compliances

- Since the registration will be under section 3, with a fresh application, a new project end date will be submitted by developer for building D. This end date can be different than existing registration end date. Revised Approved Building plan will be required when detached building D is not plan of earlier approved plan
- Consent of two third allottees of existing registered project (containing blocks A+B & C) will not be applicable. However, any change in the common amenities and / or building layout / area / orientation in the existing registered project will require application for alteration under section 14 as illustrated in scenario 6 along with application for new phase as above.
- Common amenities under existing registered project , will not be required to show in Forms 1 and 2 and at other relevant places in application for registration of building D
- Fees as per new registration will be applicable for new phase and as per alteration, where applicable, and in such case both the applications should be made simultaneously

# Scenario 4 (b) - Registration of Addition / Alteration

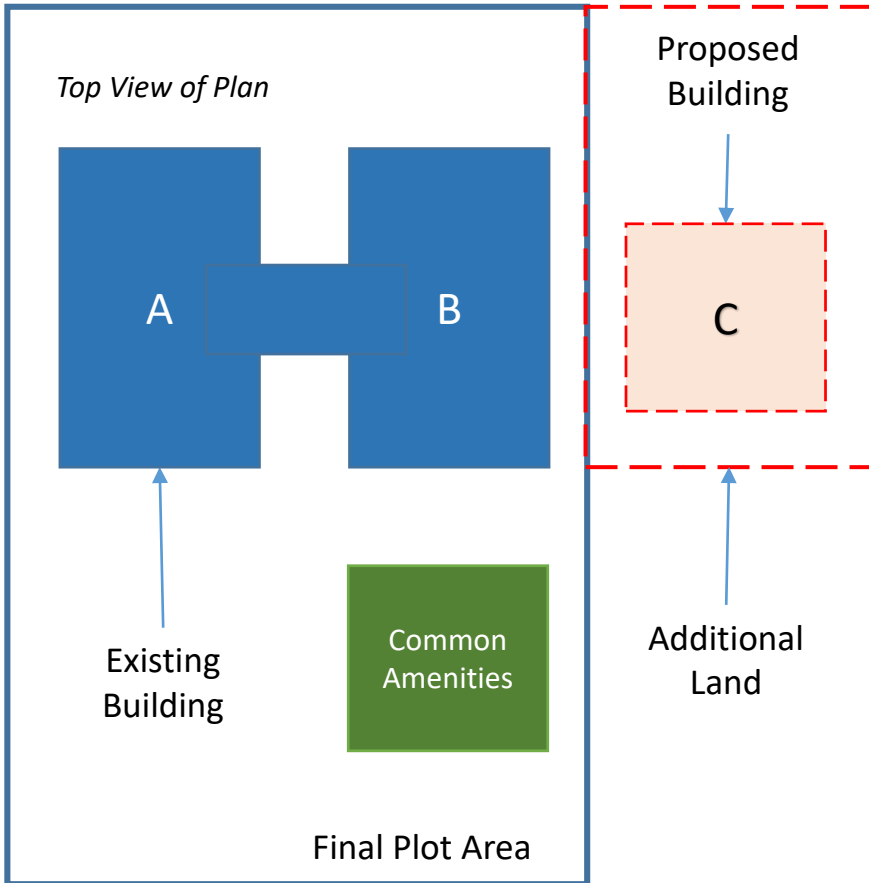


## Situation Summary –

- Project already registered with blocks A+B & C under section 3
- Change proposed by developer
  - Additional detached building D, which was part of earlier approved plan but not registered OR
  - Additional detached building D, which was not part of earlier approved plan

Important Compliances	Required?
Submission of approved revised plan from authority	
When block D part of earlier approved plan	No
When block D not part of earlier approved plan	Yes
Consent of 2/3 allottee as per sec 14 Allottees as on date of application for revision	Yes
Change in project end date allowed	No
Submission of List of Allottees With contact details and status of booking	Yes
Submission Forms 1,2, 3 as per revised plan	Yes
Affidavit from Promoter	Yes
Fees as per Addition / Alteration cases	Yes

# Scenario 5 - Registration of New Phase



## Situation Summary –

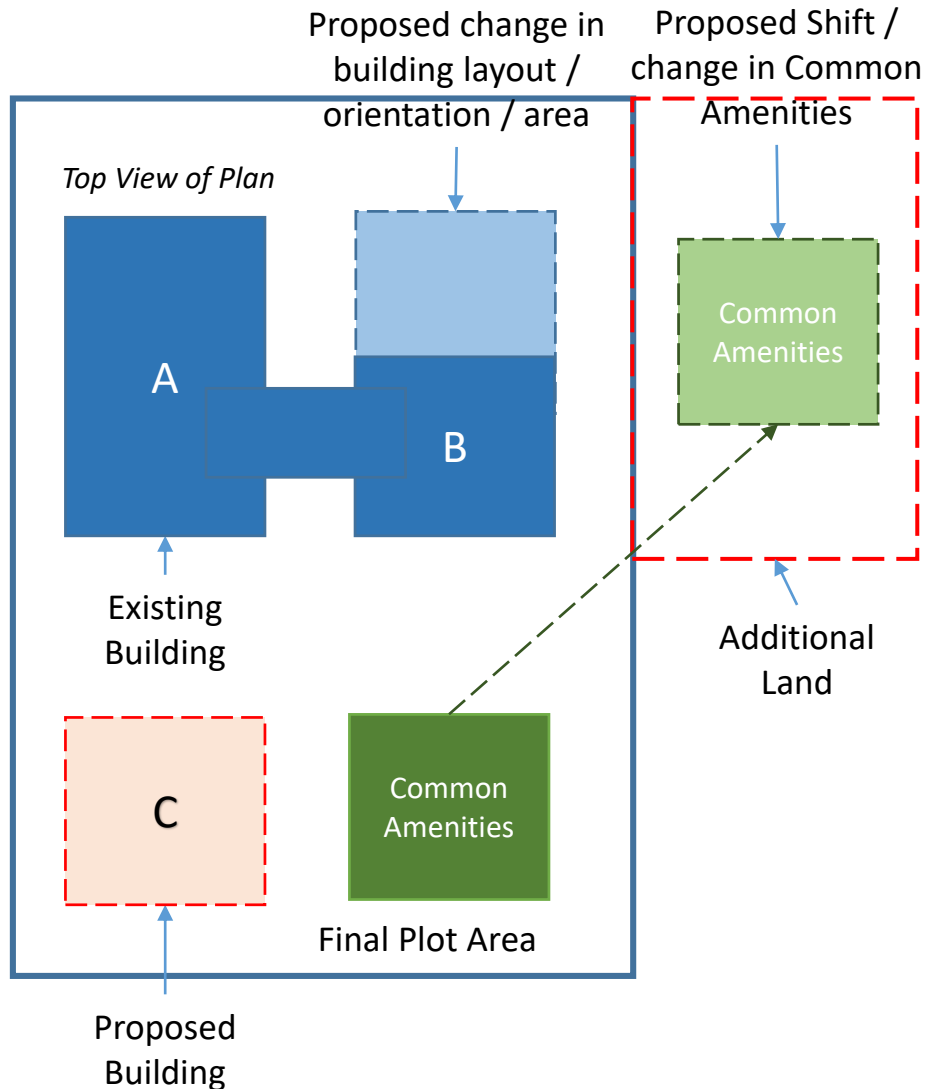
- Project already registered with building A+B under section 3
- Change proposed by developer
  - Additional land acquired by builder adjacent to the existing project and construction of proposed building C

## Important Compliances

- Since the registration will be under section 3, a fresh application will be submitted (with approved revised plan and a new project end date ) by developer for building C. The end date can be different than the end date of existing project registration (containing building A+B)
- Consent of two third allottees of existing registered project (containing building A+B) will not be applicable. However, any change in the common amenities and / or building layout / area / orientation in the existing registered project will require application for alteration under section 14 as illustrated in scenario 6 along with application for new phase as above.
- Common amenities under existing registered project , will not be required to show in Forms 1 and 2 and at other relevant places in application for registration of building C
- Fees as per new registration will be applicable for new phase and as per alteration, where applicable, and in such case both the applications should be made simultaneously



# Scenario 6 – Registration of Addition /Alteration and Registration of New Phase



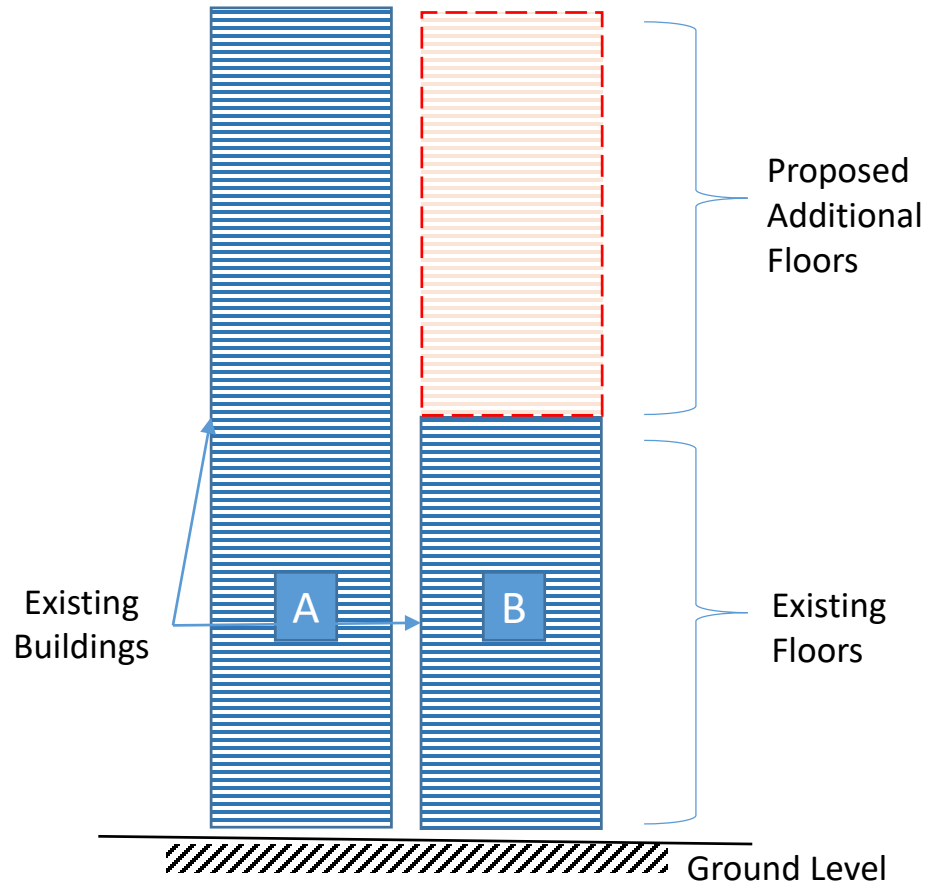
## Situation Summary –

- Project already registered with building A+B under section 3
- Change proposed by developer
  - Additional land acquired by builder adjacent to the existing project and following proposed changes –
    - construction of building C) and / or
    - shift / change in common amenities and / or
    - change in change in building layout / orientation / area

## Important Compliances

- Registration for building C will be under New phase, Section 3 without consent of 2/3 allottee of existing registered project containing building A+B
- Change in common amenities and / or building layout area / layout / orientation of existing registered project will be under Addition / Alteration, section 14. Hence, consent of two third allottees of registered project containing building A+B will be applicable along with other required compliances as illustrated under scenario 1 / 2.
- Fees as per new registration will be applicable for registration of building C and Fees as per Addition / Alteration will be applicable for alteration in registered project containing building A+B. In such cases both the application should be made simultaneously
- Further, based on case specifics and complexity involved, Gujarat RERA shall further provide directions to the promoter

# Scenario 7 – Registration of New Phase



Front View of  
Plan

## Situation Summary –

- Project with buildings A and B already registered under section 3 and BU already received for building B and conveyance of the project is pending
- Change proposed by developer – change in floors due to addition of FSI / TDR before project completion date

## Important Compliances

- Registration for additional floors on building B will be under New phase, Section 3.
- In addition to above, consent from 2/3 of allottees of existing registered project (containing buildings A and B) will be required
- Fees as per new registration will be applicable.
- Further, based on case specifics and complexity involved, Gujarat RERA shall further provide directions to the promoter