

THE GUJARAT REAL ESTATE REGULATORY AUTHORITY

4TH Floor, Sahyog Sankul,

Sector 11, Gandhinagar-382010

Dated the

31st May, 2019

THE GUJARAT REAL ESTATE REGULATORY AUTHORITY

(GENERAL)(AMENDMENT) REGULATION, 2019

No.: GujRERA2019/Gen.Reg./Amdt 5. In exercise of the power conferred on it under sub-section (1) and sub-section (2) of section 85 of the Real Estate (Regulation and Development) Act, 2016. The Gujarat Real Estate Regulatory Authority hereby amends the Gujarat Real Estate Regulatory Authority (General) Regulations, 2017 as follows;

1. Short title and commencement. –

1) These Regulation may be called the Gujarat Real Estate Regulatory Authority (General) (Amendment) Regulations, 2019.

2) It shall come into force at once.

2. The regulation 3 shall be replaced and read as;

“The certificates to be issued by the project architect, project engineer, chartered accountant in practice appointed by the promoter, for project Registration/Alteration/Extension, Quarterly Project Progress Report and 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 on completion of each of the building/wing of the real estate project shall be in Form 4. The Form 3 shall be submitted electronically on GujRERA Portal. The certifying professional has to affix his digital signature using utility on GujRERA portal accordingly. The extant procedure to be continued for other forms. The electronic submission of these forms shall be applicable when the same is made available on GujRERA Portal. ”

3. Substitution of form 2 and 3 of the Gujarat Real Estate Regulatory Authority (General) Regulations, 2017. – **For Form 2 and 3 of the Gujarat Real Estate Regulatory Authority (General) Regulations, 2017, the following new form 2 and 3 shall be substituted, namely: -**

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. Ms/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 – 2 (Annexure)]

ENGINEER'S CERTIFICATE FOR QUALITY ASSURANCE

Quality Assurance Certificate for Project Registration Number –

PR/GJ/_____

(Certificate for the quarter ending _____)

Sir,

I / We _____ have undertaken an assignment of supervision of this real estate project.

- **Our Responsibility**

To carry out the work in accordance with the development permission and as per the approved plan and submit certificate of supervision of work and to carry out material testing in-situ or in the NABL approved Lab / GTU affiliated Eng. Colleges & Polytechnic Lab / GICEA Lab and to ensure quality of work and workmanship as per prescribed specifications as per NBC and or other relevant code of practice. The materials used in the project are conforming to the standards stipulated in IS SP21, 2005.

1. **Material Testing:**

I / We have applied following mandatory checks on the basic materials, used in the construction;

- i. **Cement –**

It has been tested for its fineness, soundness, setting time, compressive strength etc. as per IS code 3535:1986 or as per other relevant IS/BS/NBC code, or as per industry standards and its results are within the permissible limits.

- ii. **Coarse Aggregate –**

It has been tested, for deleterious materials, clay lumps, crushing value, impact value as per IS 2430:1986 or as per other relevant IS/BS/NBC code or as per industry standards and its results are within the permissible limits.

iii. Bricks / Blocks –

They have been tested for water absorption, crushing strength etc. as per IS 5454:1978 or as per other relevant IS/BS/NBC code or as per industry standards and its results are within permissible limits.

iv. Concrete / Ready-mix Concrete –

It has been tested for compressive strength for various periods as per IS 456:2000 and IS 1199 or as per other relevant IS/BS/NBC code or as per industry standards and its results are within permissible limits.

v. Steel for Concrete –

It has been tested as per IS 2062:2011 or as per other relevant IS/BS/NBC code or as per industry standards for tensile strength, elongation and gauge length etc. and its results are within permissible limits.

vi. Testing of Other Materials –

Other materials like sand, crushed sand, floor tiles, fixtures and fittings, pipes and sanitary fittings etc. (List out all items) used in this project conform to relevant IS/BS/NBC code or as per standards laid down by the industry for a particular material.

vii. Number and Frequency of testing

The materials used are subjected to required tests in prescribed number and frequency.

viii. Codes of foreign country

Material used in the project for which IS code or standard is not available, the same is tested using relevant code of other country or as per standards laid down by the industry.

ix. Fire Resistance

The materials/composites used in construction complied to the required fire resistance.

2. Workmanship:

I / We hereby certify that work has been carried out under my / our supervision. I / We further certify that workmanship and quality is satisfactory and up to the mark and the work has been acceptable within the permissible limits of deviations as per relevant code of practice.

3. Electrical Materials and Workmanship:

Works of all the electrical wiring / connections / lift installation / other electrical installations have been carried out under authorized / registered electrical engineer and its records has been maintained. The materials used conform to the relevant IS / BS / National Building Codes or as per industry standards.

4. Structural Engineer:

Promotor has engaged structural engineer Mr. _____ having Licenses no. _____ having office no. _____ cell no. _____.

The structural design of buildings in this project has been done under his supervision. I / We have checked the soil report before laying PCC for foundation in consultation with soil consultant. The formwork and concrete mix design have been done as per relevant codes as applicable. His / Her periodic checks and certificates for STABILITY and SAFETY have been kept on record.

The structural design is carried out considering applicable earthquake and/or wind load for this project and copes with the required fire resistance.

5. Preservation of Records:

Record of all test results of this project have been properly kept in the prescribed formats and will be preserved at least up to the defect liability period or for the period as required by any other provision of law.

6. The following materials or any other item of work which were not conforming to the standard specifications and which were not rejected, because of reasons specified hereunder;

-.....
-.....

Yours Faithfully,

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

Local Authority license no. _____

Local Authority License no. valid till (Date) _____

Name of CA firm (Membership No.)

Name:

Address:

Email:

Mobile:

FORM – 3

(See Regulation 3)

CHARTERED ACCOUNTANTS CERTIFICATE

(FOR REGISTRATION OF A PROJECT AND SUBSEQUENT WITHDRAWAL OF MONEY)

Real Estate Project Registration Number: _____

| Sr. No. | Particular | Amount (in Rs.) | |
|------------|---|-----------------|--------------------|
| | | Estimated | Incurred & Paid |
| | | (Column - A) | (Column - B) |
| | Land Cost: | | |
| 1 | a Acquisition Cost of Land* or Development Rights, lease Premium, lease rent, interest cost incurred or payable on Land Cost and legal cost (* Acquisition Cost of Land to be “Indexed cost of Acquisition” OR “Prevailing ASR Value” OR “Market Value of the land/lease charges – as determined by the Government Approved Valuer”) | | |
| | 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 | | |
| | c Acquisition cost of TDR (if any) | | |
| | 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. | | |
| | e Land Premium payable as per annual statement of rates (ASR) for redevelopment of land owned by Public Authorities. | | |
| | f Under Re-development/Rehabilitation Scheme: | Applicable | Yes/No |
| | (i) Estimated construction cost of rehab building including site development and infrastructure for the same as certified by Engineer (in Column-A) | | |

| | | | Amount (in Rs.) | |
|--|----------------|--|------------------------|--|
| | (ii) | Actual Cost of construction of redeveloped/rehab building incurred as per the books of accounts as verified by the CA (in Column-B) Note: (for total cost of construction incurred, Minimum of (i) or (ii) is to be considered) | | |
| | (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. | | |
| | (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. | | |
| | | Sub-Total of Land Cost | | |
| | | Development Cost/Cost of Construction: | | |
| | a (i) | Estimated Cost of Construction as certified by Engineer (Column - A) | | |
| | a (ii) | Actual Cost of Construction incurred and paid as per the books of accounts as verified by the CA (Column - B) Note: (for adding to total cost of construction incurred, Minimum of (i) or (ii) is to be considered) | | |
| | a (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 the construction of the entire phase of the project registered. | | |
| | b | Payment of Taxes, cess, fees, charges, premiums, interest etc. to any Statutory Authority. | | |

| | | | Amount (in Rs.) | |
|----------|--------------|--|------------------------|--|
| | c | Interest payable to financial institutions, scheduled banks, non-banking financial institution (NBFC) or money lenders on construction funding or money borrowed for construction: | | |
| | | 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.(3/2) | | |
| 6 | | Amount which can be withdrawn from the Designated Account Total Estimated Cost *Proportion of cost incurred and paid (Sr. number 2 *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. | | |

This certificate is being issued for RERA compliance for the Company Promoter's Name: _____ Project's 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 verification of books of accounts till:

Yours Faithfully, Name of Chartered:

For (Name of CA Firm): _____

Partner/Proprietor (Membership Number):

COP Date:

Place:

Details of Project Loan and Lenders:

| | | | |
|--|--|--|--|
| Lender Name | | Amount of Loan taken for Project as per Agreement (INR) | |
| Loan Agreement | | Loan Disbursal Received (INR) | |
| Mortgage Deed | | Loan Repaid (INR) | |
| Total Number of Project Units Mortgaged:* | | Balance of Loan (Out Standing) (INR) | |

| | | | |
|-------------------------------------|--|----------------------------------|--|
| Bank Name | | Branch Name | |
| Account Number | | Account Name | |
| IFSC Code | | Opening Balance | |
| Opening Balance Date | | Deposit during the period | |
| Withdrawal during the period | | Closing Balance | |
| Closing Balance Date | | State | |

(ADDITIONAL INFORMATION FOR 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's as verified from the records And books of Accounts) | |
| 3 | (i) | Balance Un-booked 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 un-booked apartments as per Annexure-A to this certificate. | |
| 4 | | Estimated receivables of project. Sum of 2 + 3 (ii) | |
| 5 | | Amount to be deposited in Designated Account is 70% or 100% If 4 is greater than 1, then 70% of the balance receivables of project will be deposited in designated Account. If 4 is lesser than 1, then 100% of the balance receivables of project will be deposited in designated Account. | |

This certificate is being issued for RERA compliance for the Company Promoter's Name: _____
 Project's 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 verification of books of accounts till:

The physical progress of the project as certified by the architect (Form-1) and engineer (Form-2) seems in coherence with actual expenditure incurred & paid considering project specification:

| | |
|-----|----|
| Yes | No |
|-----|----|

| |
|--|
| If NO |
| The variation is on account of the following reasons provided by the Promoter of the project. |
| 1. |
| 2. |
| 3. |
| 4. |
| 5. |

Yours Faithfully, Name of Chartered Accountant's:

For (Name of CA Firm):

Partner/Proprietor (Membership Number):

UDI Number:

CA FRN Number:

CA Designation:

Notes to Certificate:

COP Date:

Place:

[FORM – 3 (Annexure)]

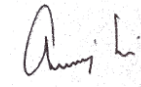
Statement of calculation of receivables from the real estate project

| Sr. No. | Block/Type /Bungalow/ Category (as per form 1) | Flat /Bungalow/ Office No/ Plot No. | Usage | Carpet Area (inSq.Mts.) | Area of Exclusive Balcony/ Verandah (inSq.Mt) | Status | Unit Amount Consideration as per clause 1(b) of the Model form of Agreement to be entered between Promoter and Allottee(s) | Received Amount (INR) | Balance Amount (INR) | Date Of Agreement Of Sale | Encumbrance Status | Allottee Name | Type of KYC | KYC ID | Mobile No. | REDEVELOPMENT |
|---------|--|-------------------------------------|-------|-------------------------|---|--------|--|-----------------------|----------------------|---------------------------|--------------------|---------------|-------------|--------|------------|---------------|
| | | | | | | | | | | | | | | | | |

SUMMARY

| No of Unit | Status | Total Carpet Area | Unit Amount (INR) | Received Amount(INR) | Balance Amount(INR) |
|------------|--------|-------------------|-------------------|----------------------|---------------------|
| | | | | | |

| Details | Proposed | Booked |
|---------------------------|----------|--------|
| Number of Garages | 0 | 0 |
| Number of Covered Parking | 0 | 0 |
| Number of Open Parking | 0 | |



**Chairman
Gujarat RERA**